

**50 Boardman Street,
Newburyport**

Application for
Special Permit for Non-Conformities

November 9, 2021



Mead, Talerman & Costa, LLC
Attorneys at Law

**50 Boardman Street,
Newburyport
Existing Conditions**

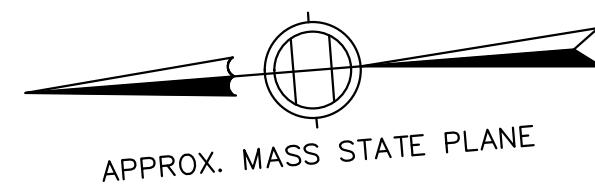
Existing Conditions

- Located in R2 and DCOD Districts.
- Single Family Home and free-standing garage/shed on the Property.
- No work proposed to Single Family Home.
 - Lot Area: Requires 10,000 s.f. where lot has 2,803 s.f.
 - Frontage: Requires 90 feet where lot has 108.5 feet.
 - Garage has non-conforming side and rear yard setbacks: Side setback is 1.2 feet and rear setback is 0.7 feet where 10 feet are required for side and 25 feet for the rear.
- DCOD not triggered as structure is not listed in District Data Sheets.

**50 Boardman Street,
Newburyport
Proposed Project**

Proposed Project

- Remove existing structure and construct new structure within its footprint.
- Existing garage is in very poor condition and cannot be used in a safe manner.
- New structure will be taller than existing. Existing structure has 10.5 foot mean height and proposed has 13.5 foot mean height.
- Constitutes upward extension of side and rear yard nonconformities.
- Historical Commission previously determined that structure was not historically significant nor preferably preserved. No demolition delay applied.



ZONING
RESIDENTIAL (R-2)
SINGLE FAMILY (101)

	REQUIRED (SINGLE-FAMILY - 101)	EXISTING (SINGLE-FAMILY - 101)	PROPOSED (SINGLE-FAMILY - 101)
MINIMUM LOT AREA	10,000 SQUARE FEET	2,803 SQUARE FEET	2,803 SQUARE FEET
MINIMUM LOT FRONTAGE	90 FEET	108.50 FEET	108.50 FEET
FRONT SETBACK	25 FEET	3.0 FEET	3.0 FEET
SIDE SETBACK (R)	10 FEET	20.8 FEET	20.8 FEET
SIDE SETBACK (GAR)	6 FEET	1.2 FEET	1.2 FEET
SIDE SETBACK (L)	10 FEET	1.9 FEET	1.9 FEET
REAR SETBACK	25 FEET	3.9 FEET	3.9 FEET
REAR SETBACK	6 FEET	0.7 FEET	0.7 FEET
MAXIMUM LOT COVERAGE(%)	25.0%	50.2%	50.2%
MAXIMUM HEIGHT	35 FEET	28.5 FEET	28.5 FEET
MAXIMUM HEIGHT (GAR)	15 FEET	10.5 FEET	13.5 FEET
MINIMUM OPEN SPACE	40.0%	24.8%	24.8%
MINIMUM PARKING REQUIRED	2	2	2

ON-LINE ZONING ORDINANCES
CITY OF NEWBURYPORT WEBSITE
<http://www.cityofnewburyport.com/Planning/index.html>
PLANNING DEPARTMENT - MAIN PHONE 978-465-4400

INFORMATION REGARDING ZONING, INCLUDING PARKING ABOVE, SHOWN HEREON IS NOT INTENDED TO BE A DEFINITIVE ZONING OPINION AND IS FOR INFORMATIONAL PURPOSES ONLY. ALL INFORMATION SHOULD BE VERIFIED BY LEGAL COUNSEL PRIOR TO RELIANCE UPON THE SAME.

NOTES

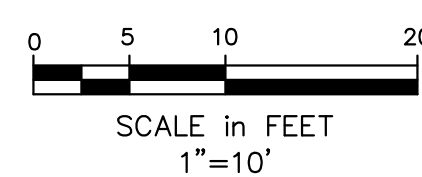
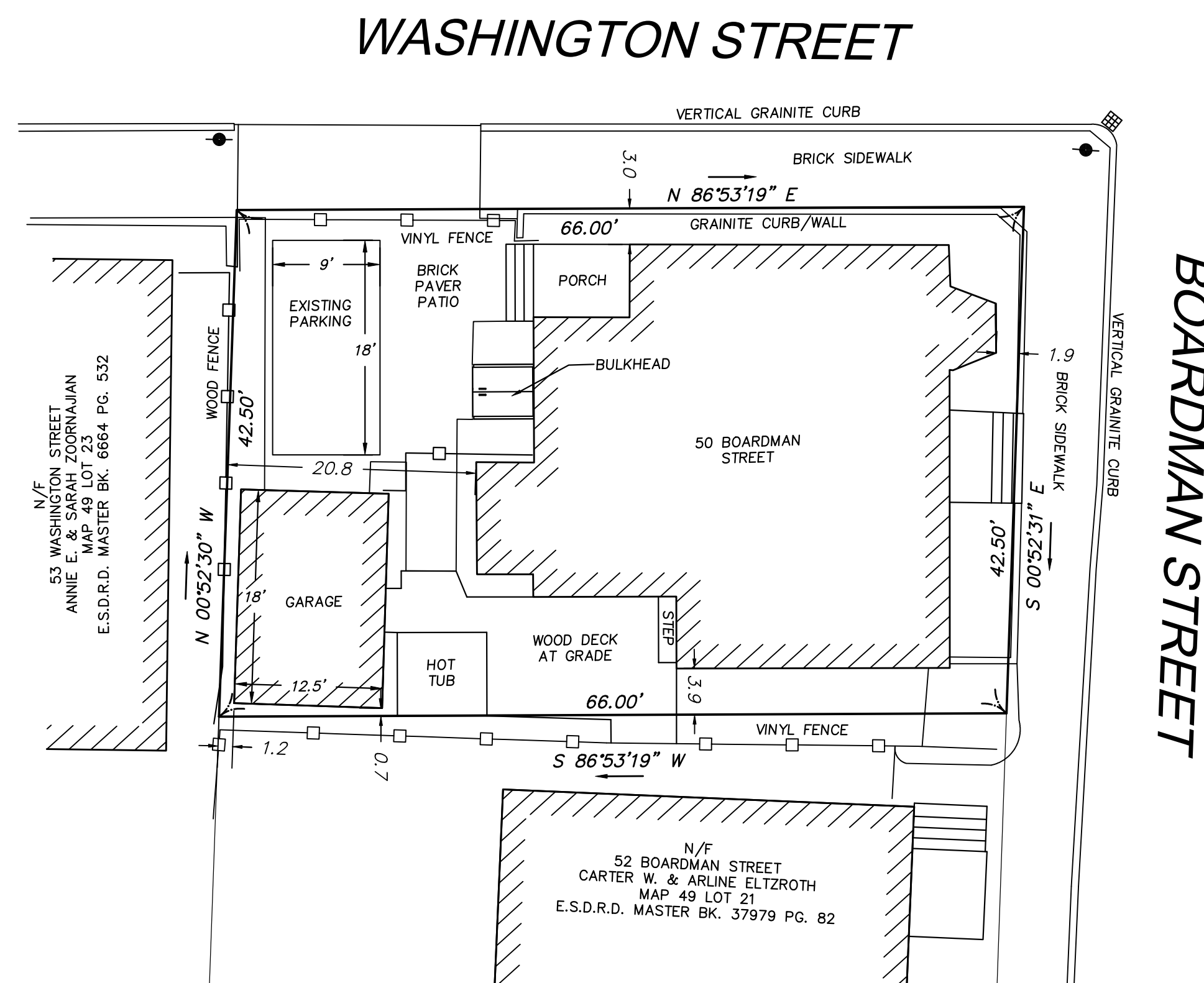
THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING BUILDING AND PROPOSED RECONSTRUCTION OF THE SAME ON THE LOCUS PROPERTY. THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE RESULT OF AN ON-THE-GROUND INSTRUMENT SURVEY PERFORMED ON APRIL 5TH, 2021 BY THIS FIRM.

OWNERSHIP INFORMATION USED IN THE PREPARATION OF THIS PLAN WAS OBTAINED FROM THE CITY OF NEWBURYPORT ASSESSOR'S OFFICES.

DESIGN INFORMATION IS AS PROVIDED BY THE CLIENT.

TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THIS PLAN CONFORMS TO THE TECHNICAL AND PROCEDURAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

P.L.S.
EVERETT J. CHANDLER, P.L.S.
MASS. REGISTRATION NO. 41783



LOCUS TITLE INFORMATION

50 BOARDMAN STREET
OWNER: GAIL M. CASSIN & BRUCE R. ATKINS
DEED REFERENCE: BK. 32122 PG. 493
ASSESSORS: MAP 49 LOT 22

Winter GEC, LLC

44 MERRIMAC STREET
NEWBURYPORT, MA 01950
978-270-8626

SCALE:
HORIZ: 1"= 10'
VERT: _____

NO.	DATE	BY	REVISIONS

FIELD: TC
CALCS: CO
CHECKED: EJC
APPROVED: EJC

ZONING PLAN

50 BOARDMAN STREET

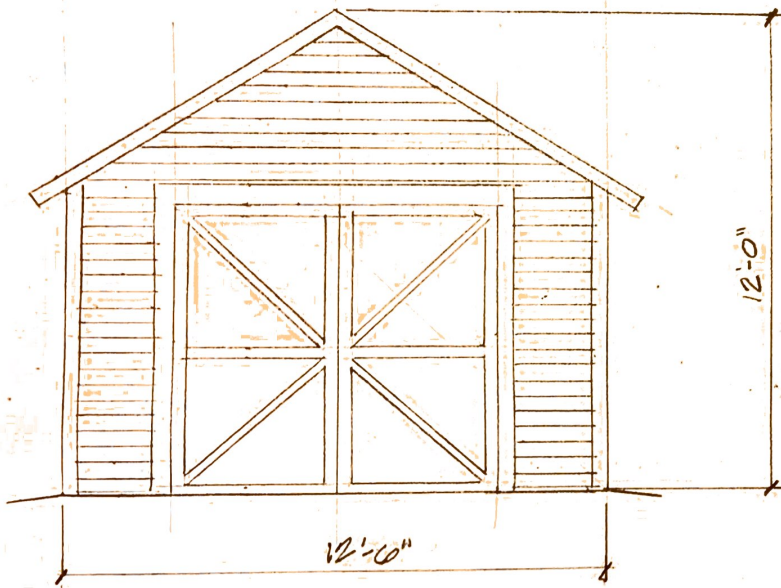
PLAN OF LAND IN
NEWBURYPORT, MASSACHUSETTS
SURVEYED FOR
GAIL M. CASSIN & BRUCE R. ATKINS

PROJECT NO.
2021-50BOARDMAN

DATE: SEPT 27, 2021

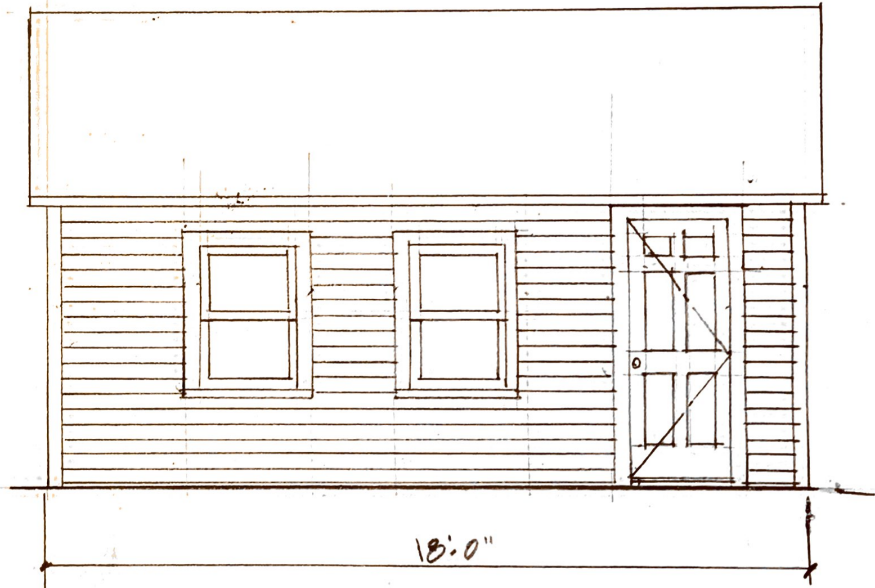
SHEET NO.

1 OF 1



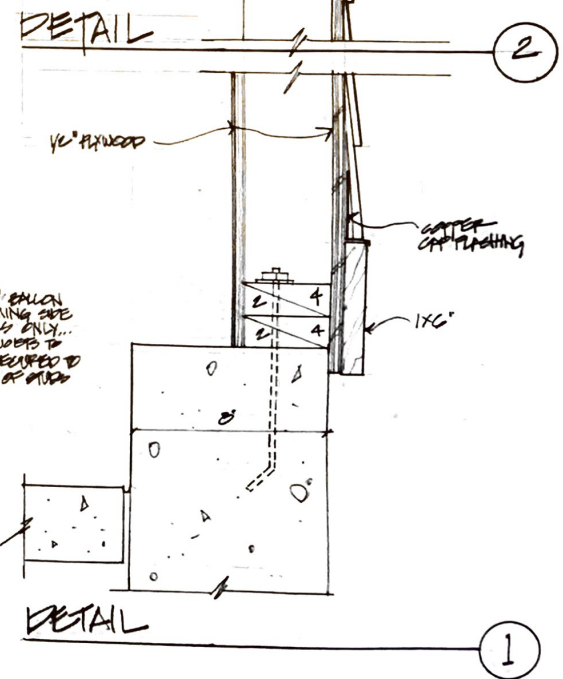
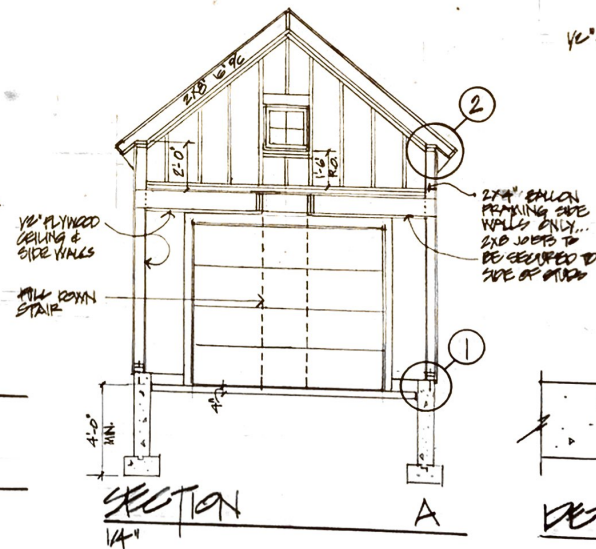
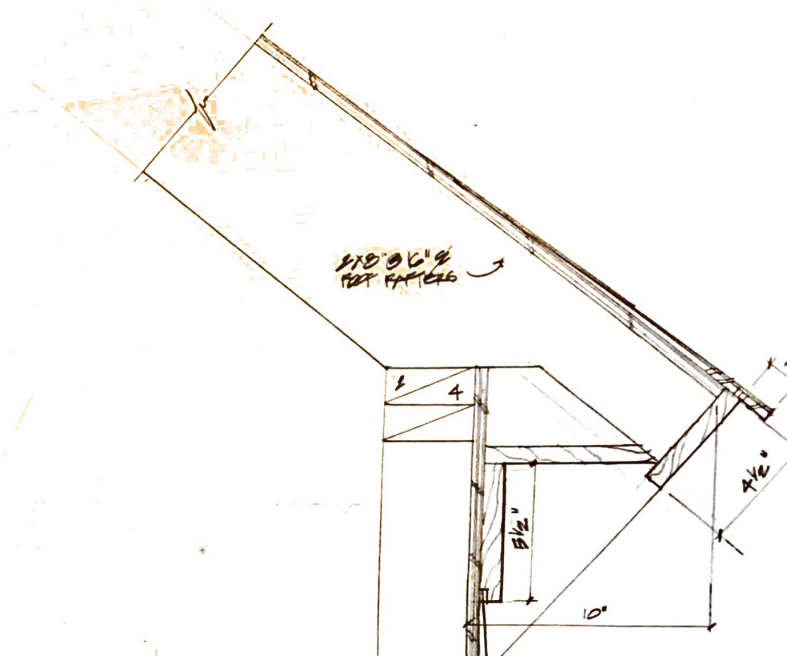
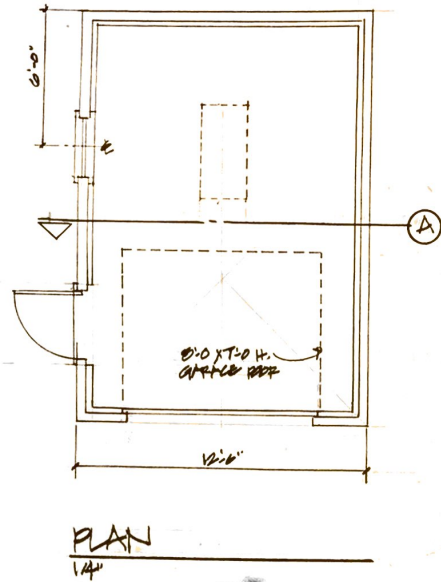
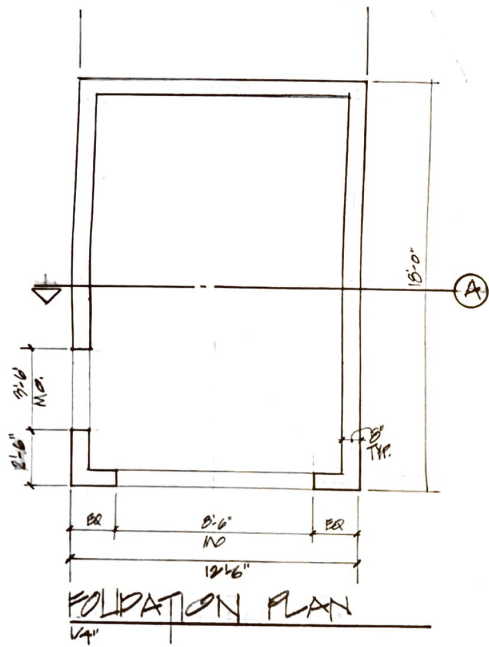
EXISTING FRONT ELE.

1/4" = 1'-0"



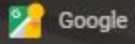
EXISTING SIDE ELV.

1/4" = 1'-0"



ATKINS GARAGE
 200 PRINCE ST
 NEWBURYPORT
 MA.

58 Washington St
Newburyport, Massachusetts

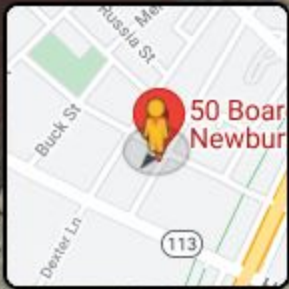


Street View - Oct 2017



Google





Google







Criteria for Special Permit for Nonconformities:

- 1. That there will be no addition of a new nonconformity;**
 - There are no new nonconformities created.**
- 2. That the proposed change will not be substantially more detrimental to the neighborhood than the preexisting nonconforming structure or use.**
 - Project exists entirely within footprint of existing structure.**
 - Height increase is a mere three feet in mean roof height.**
 - Architectural style of the new structure is appropriate for the location on the lot and in relation to the existing single family home. Proposed structure will be finished with clapboards to match the existing home.**
 - Structure is located far back and away from the sidewalk and street.**
 - Proposal allows owners to have a functional accessory structure on their property.**