

City of Newburyport Zoning Board of Appeals
Application for a VARIANCE

RECEIVED
 CITY CLERK'S OFFICE
 NEWBURYPORT, MA

2018 APR 24 PM 1:08

Petitioner: Plum Island LLC, c/o Lisa Mead, Mead, Talerman & Costa, LLC

Mailing Address: 30 Green Street, Newburyport MA 01950

Phone: 9784637700 Email: lisa@mtclawyers.com

Property Address: 79 Parker Street

Map and Lot(s): 78-7 and 78-3 Zoning District: I-1-B

Book and Page(s): 36010/174

Owner(s) Name: Plum Island LLC

Mailing Address (if different): 79 Parker Street, Newburyport MA 01950

The petitioner is requesting a Variance from section(s):

- Use Regulations (V)
- Parking (VII)
- PIOD (XXI)
 - FAR
 - 2 ½ stories
 - Footprint expansion
- Dimensional Controls (VI)
 - Lot Area
 - Open Space
 - Lot Coverage
 - Height
 - Frontage
 - Front Yard
 - Side Yard
 - Rear Yard
 - Lot Width
- Other: Parking

Request:

To construct light industrial building and include tap room with food service (Use 501) therein, include entertainment use (Use 407)and meeting space (Use 421) on the property, requires side setback relief for light industrial building, relief for required parking spaces on site.

	Existing	Proposed
Ground Floor Square Feet	see attached	see attached
Number of Floors	see attached	see attached
Total Square Feet	see attached	see attached
Use	see attached	see attached

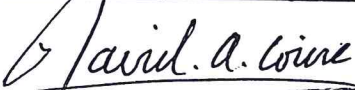
City of Newburyport Zoning Board of Appeals
Application for a VARIANCE

	Existing Dimensional Controls	Proposed Dimensional Controls	Required Dimensional Controls
Lot Area	173,585	see attached	see attached
Frontage	504.71	see attached	see attached
Height	26.6	see attached	see attached
Lot Coverage (%)	2.3	see attached	see attached
Open Space (%)	NA	see attached	see attached
Front Setback	48.6	see attached	see attached
Side A Setback	30.5	see attached	see attached
Side B Setback	greater than 100	see attached	see attached
Rear Setback	261	see attached	see attached
Parking Spaces	10+/-	77	95
FAR*	NA	NA	NA

*FAR is only applicable in the Plum Island Overlay District (PIOD).

Any advice, opinion, or information given by any board member or any other official or employee of the City of Newburyport shall not be binding on the Zoning Board of Appeals. Every application for a Variance shall be made on this form, which is the official form of the ZBA. It shall be the responsibility of the petitioner to furnish all supporting documentation with this application. The dated copy of this application received by the City Clerk or Planning Office does not absolve the petitioner from this responsibility. The petitioner shall be responsible for all expenses for the filing, publishing, and legal notification. Failure to comply with the application requirements, as cited herein and in the Zoning Board Rules and Regulations may result in a dismissal of this application as incomplete.

Petitioner's and Owner's signature(s):





City of Newburyport Zoning Board of Appeals
Application for a SPECIAL PERMIT

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 APR 24 PM 1:08

Petitioner: Plum Island LLC, c/o Lisa Mead, Esq.

Mailing Address: 30 Green Street, Newburyport MA 01950

Phone: 978 463 7700 Email: Lisa@MTClawyers.com

Property Address: 79 Parker Street

Map and Lot(s): Map 78 Lots 7 and 3 Zoning District: I-1-B

Book and Page(s): 36010 / 174

Owner(s) Name: Plum Island LLC

Mailing Address (if different): 79 Parker Street, Newburyport MA 01950

The applicant is requesting a Special Permit under section(s):

- Special Permit for Use (V.D) – Use # 604
- Spacing (VI.D)
- In-Law Apartment (XIIA)
- Bonus Provisions for Multifamily Developments (XVI)
- Personal Wireless Communication Services (XX)
- Wind Energy Conversion Facilities (XXVI)
- Other _____

Description of request:

Accessory Retail use in light industrial building/brewery.

Any advice, opinion, or information given by any board member or any other official or employee of the City of Newburyport shall not be binding on the Zoning Board of Appeals. It shall be the responsibility of the petitioner to furnish all supporting documentation with this application. The dated copy of this application received by the City Clerk or Planning Office does not absolve the petitioner from this responsibility. The petitioner shall be responsible for all expenses for the filing, publication, and legal notification. Failure to comply with the application requirements, as cited herein and in the Zoning Board Rules and Regulations may result in a dismissal by the ZBA of this application as incomplete.

Petitioner's and Owner's signature(s):

David A. Wise

David A. Wise



Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950

Phone 978.463.7700
Fax 978.463.7747

www.mtclawyers.com

April 27, 2018

By Hand

Ed Ramsdell, Chair
Zoning Board of Appeals
City of Newburyport
City Hall
60 Pleasant Street
Newburyport, Massachusetts 01950

Re: Variance and Special Permit for Use:
79 Parker Street, Newburyport, MA (the "Property");
Assessor's Map: 78 Lot 3

Dear Chair and Members of the Board;

Reference is made to the above-captioned matter. In that connection, this firm represents Plum Island LLC the owner of 79 Parker Street (the "Petitioner"), relative to the construction of a light manufacturing facility with ancillary / related restaurant and entertainment use (Brewery with Tap Room with Accessory Retail) in the new light industrial building. In the exiting residential structure with proposed addition - professional office space and meeting space. In the new barn building a function hall and entertainment space all located in the I1B zoning District. The Property currently includes a house and barn. The barn, later built, will be removed and a new structure built. The house will be renovated as noted on the plans and a light manufacturing facility with ancillary restaurant use will be added. The Property consists of approximately 173,585 square feet of land with 504.71 feet of frontage on Parker Street. The lot with the proposed uses and structures meets all of the dimensional requirements of the Newburyport Zoning Ordinance ("NZO") for the most intense use of the Property¹&². The Petitioner is providing 68 Parking Spaces on the Property and 9 spaces on the adjacent Property at 79A Parker Street also owned by the Petitioner pursuant to section VII-A(1) of the NZO. The Petitioner will be seeking a variance for the remainder of the spaces.

To proceed with the Project, Petitioners will require:

1. A Variance for food service in the Tap Room and accompanying entertainment (Restaurant / Entertainment Club - Uses 407 and 501) in the light industrial building.
2. A Variance for Entertainment /Meeting Space / Function Hall – Uses 407 and 421 in the barn area.
3. A Variance for side line setback for the light manufacturing building.
4. A Special Permit for Accessory Retail Use 604 in the light manufacturing building.
5. A Variance for 23 Parking Spaces.

¹ Please note, the Applicant is aware of the advertised Lot Area change and is not currently applying that definition which is the subject of debate before the City Council at this time.

² Please see attached plan with Zoning Tables.

Millis Office

730 Main Street, Suite 1F
Millis, MA 02054
Phone 508.376.8400

The Petitioner will also be applying for a Special Permit for Professional Office in the I1B and Major Site Plan Review from the Planning Board and an Order of Conditions from the Conservation Commission. The Petitioner has been in front of the Newburyport Historic Commission informally and will be returning formally for their approval.

I OVERVIEW

The Property was historically the last residential use essentially in the middle of the industrial park. The residential use ceased to exist a couple of years ago, but of course, the historic house structure remains. The Petitioner will be keeping the historic house with some modifications previously reviewed by the Historic Commission. However, in order to reactivate this site, given the surrounding wetlands, some creative planning has emerged. The proposal includes the relocation of the Newburyport Brewing Company (“NBC”) from its existing location on New Pasture Road, to this larger new structure. The NBC currently operates under a use variance for entertainment and a special permit for accessory retail at its current location. But as you are aware, no food is served. Consistent with the brewery model, the NBC will be opening a tap room/restaurant in approximately 5,000 square feet of the light industrial building. This use is consistent with the other local brewery tap room located in the industrial park.

As part of redevelopment of the Property, the Petitioner is seeking to add an amenity much needed in the business/industrial park, that is meeting space and function hall availability. These uses have definitions which are limited within the zoning ordinance and as a result the entertainment use is necessary in order to allow functions to go beyond 25 people and outside the hours of 8 a.m. to 9 p.m. The existing historic house with addition will provide professional offices, allowed by special permit from the Planning Board, while the barn area will provide a space to host meetings and other functions and events. This type of swing space is sorely lacking in the City. The location provides ample parking and is located on a major roadway, not in the more congested downtown area.

II VARIANCE

The Petitioner requires a use variance for Restaurant, Entertainment and Meeting Space. In addition, the Petitioner requires a dimensional variance for sideline setback on the light industrial building for a setback of 30.5 feet where 50 feet are required. Finally, 95 parking spaces are required for the proposed uses, but 77 spaces are being provided.

Pursuant to Section X-H(6) of the Zoning Ordinance, “[t]he [Z]oning [B]oard of [A]ppeals shall have the power. . . to grant. . . a variance. . . from the terms of this [Z]oning [O]rdinance.. .” upon the following conditions:

1. Conditions and circumstances are unique to the applicant’s lot, structure or building and do not apply to the neighboring lands, structures or buildings in the same district.
2. Strict application of the provisions of th[e Zoning Ordinance] would deprive the applicant of reasonable use of the lot, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same district.
3. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of th[e Zoning Ordinance].

4. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the district.

Further, Section X-H(6)(D) provides that the following circumstances *may* be construed as establishing a basis for determining that a hardship exists within the meaning of this section:

(1) Where by reason of exceptional narrowness, shallowness or unusual shape of a specific site at the time of the effective date of this chapter or to which this is amended, or by reason of exceptional topographic conditions or other extraordinary and exceptional physical situations or condition of such site of property, the literal enforcement of the requirements of this chapter pertaining to yards or other space relationships or total land area would result in exceptional practical difficulties or exceptional and undue hardship upon the owner of such property.

The Property is significantly limited for use due to the wetlands that exist on the Property. Three sides of the Property include varying degrees of wetland areas, including much of the Property being located within the riverfront area. The presence of wetlands is a condition related to the soil and this extent of wetlands and mix of types of wetlands are unique to this property. Further, the Property has a hardship related to its shape. The property is located at the intersection of Parker Street and Graf Road. A significant portion of the frontage is the road layout. As you can see from the plan, given the presence of a stream the easterly property line is not uniform – a condition not created by the Petitioner. While there are many areas in the greater industrial park which are impacted by wetlands, in this particular instance the immediate surrounding properties do not have same confluence of wetland impacts coupled with the large street layout.

The inability to provide adequate parking and locate the light industrial building to the westerly side of the Property is directly related to the presence and location of wetlands on the Property. The entire easterly half of the Property is located within the 100 foot Riverfront setback area and therefore unbuildable. As a result, the light industrial building is moved closer to the westerly lot line. Notwithstanding every engineering attempt to locate parking outside the 100 foot riverfront area, there is a portion which encroaches slightly beyond the demarcation line. The Petitioner is locating a portion of the parking on its adjacent property at 79A Parker Street in an effort to meet the parking requirement and use the available upland. It is clear, that the hardship related to the land is directly related to the need for relief for parking and side setback.

Further, these same hardships are related to the use on the Property. In order to adaptively reuse the existing historic structure and rebuild the barn to allow for the same feel and perspective on this corner, appropriate uses must be included in the design. The office use is allowed in the district and the complimentary meeting and function hall is a natural offspring of that use on this Property. Similarly, the tap room / restaurant is a natural part of a brewery and part of the manufacturing process. The entertainment use is currently used in the existing location of the brewery and is essentially just being transferred to a new location. The combination of the adaptive reuse of the historic house structure and the replacement barn coupled with the limitations of the wetlands on the Property form a hardship related to allowing uses which will activate this Property.

If the Board were to require a strict application of the zoning in this instance it would deprive the Petitioner of a reasonable use of the Property including the existing structures thereon. Given the location and the underlying zoning requirements coupled with the existing conditions, the Petitioner would not be able to appropriately reuse the Property if the zoning were strictly applied.

The conditions related to the wetlands and shape of the Property were not created by the Petitioner and are the direct cause of the request for the variances hereunder.

Finally, given the size of the Property and the extent to which it is covered in wetlands the granting of the variance would not constitute a special privilege to the Petitioner inconsistent with other limitations on the other properties in the district. Indeed, the entertainment use already exists for the NBC in its current location and would not be new, the tap room / restaurant is wholly consistent with how breweries are treated in the district and further, by allowing additional uses of the barn will not grant a special privilege as there are no other similar situations involving historic structures in the district. Finally, the side set back request and the request for parking relief are also a result of the extent to which the wetlands cover the property, that too is not inconsistent with other limitations on other properties in the district. The parking use on site will run at different times and likely have some rotation where all uses will not be occurring all at the same time. As a result, notwithstanding the requirements in the parking table, the parking on site will likely accommodate the uses presented.

Given the foregoing, the Petitioner requests the Board grant a variance for: Sideline setback of 30.5 where 50 is required, 77 parking spaces where 95 are required, and restaurant, entertainment and meeting space uses.

III Special Permit

The Petitioner requires a Special Permit for the accessory retail use (Use 604) as part of the light manufacturing use on the Property. Consistent with the existing permit of the NBC in its current location and like many other manufacturing uses in the I1B district, there are accessory items sold as part of the business model.

The Accessory Use is permitted in the I1B district by Special Permit. Referencing Section X-H(7) of the NZO, I note the following, required “general conditions” for the issuance of a special permit for an accessory use together with an explanation of the Petitioner’s compliance with each such requirement:

1. The use requested is listed in the table of use regulations or elsewhere in the ordinances [as] requiring a special permit in the district for which application is made or is similar in character to permitted uses in a particular district but is not specifically mentioned.

As noted above, the Property is located in an I1B zoning distraction where an accessory use is allowed by special permit.

2. The requested use is essential and/or desirable to the public convenience or welfare.

The use of accessory retail is allowed by special permit in the I1B district and therefore, by its very nature, has been determined by the City to be desirable. Here, it is natural for the light industrial use to include the sale of items related to the products and it is convenient for the public and desirable for the business to include same.

3. The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

The addition of accessory use is a modest and very small part of the light industrial activity. The use is a part of an intricately woven into the business model. This is not a primary retail out let and therefore there will be limited traffic which will be a part of this use, that is why it is accessory by its very description.

4. The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the city will be unduly subjected to hazards affecting health, safety or the general welfare.

There is no additional use of any public utility as a result of the accessory retail use. No bathrooms are associated with it, no additional stormwater is created by it. There will be little to no impact at all as a result of the accessory use.

5. Any special regulations for the use, set forth in the special permit table are fulfilled.

There are no special regulations for accessory retail in the Ordinance for the district.

6. The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The accessory use is entirely consistent with the district. There are a smattering of similar uses in the general vicinity, Flexal, Diane's Fine Foods, and others for example. The accessory use is consistent with the character of the district.

7. The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.

As noted above, there are several accessory retail uses around. This use already exists as part of the NBC in its current location as a result it will not be an additional one to the area.

8. The proposed use is in harmony with the purpose and intent of this ordinance.

Once again, the accessory use is allowed by special permit in the I1B District. The Property has more than sufficient area, the use is located within the existing primary use of light industrial building and was clearly allowed in order to advance the business in the industrial park.

9. The proposed use shall not be conducted in a manner so as to emit any dangerous, noxious, injurious or otherwise objectionable fire, explosion, radioactive or other hazard, noise or vibration, smoke, dust, odor or other form of environmental pollution.

The accessory use will not be conducted in a manner which is injurious or otherwise dangerous to the area.

Therefore, the Petitioner requests the Board grant a special permit for an accessory retail use to the light industrial use.

Respectfully submitted,
Plum Island LLC
by its Attorney

Lisa L. Mead

cc: Client

79 PARKER ST

Location 79 PARKER ST

Mblu 78/ 7/ / /

Owner PLUM ISLAND LLC

Assessment \$60,100

PID 5673

Building Count 1

Assessing Distr...

Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2018	\$0	\$60,100	\$60,100

Owner of Record

Owner PLUM ISLAND LLC

Sale Price \$750,000

Co-Owner

Certificate

Address 28 PLUM ISLAND BLVD
NEWBURY, MA 01951

Book & Page 36010/0174

Sale Date 07/11/2017

Instrument 1V

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
PLUM ISLAND LLC	\$750,000		36010/0174	1V	07/11/2017
GEM REALTY INC	\$50,000		16989/0426	00	03/23/2001
N A I D	\$0				

Building Information

Building 1 : Section 1

Year Built:

Living Area: 0

Building Photo

Building Attributes	
Field	Description
Style	Vacant Land
Model	
Stories:	
Occupancy	
Exterior Wall 1	
Exterior Wall 2	

Roof Structure:	
Roof Cover	
Interior Wall 1	
Interior Wall 2	
Interior Flr 1	
Interior Flr 2	
Heat Fuel	
Heat Type:	
AC Type:	
Total Bedrooms:	
Total Bthrms:	
Total Half Baths:	
Total Xtra Fixtrs:	
Total Rooms:	
Bath Style:	
Kitchen Style:	



(<http://images.vgsi.com/photos/NewburyportMAPhotos//default.j>)

Building Layout

Building Sub-Areas (sq ft)	Legend
No Data for Building Sub-Areas	

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 4410
 Description IND LD PO
 Zone I1

Land Line Valuation

Size (Acres) 1.57
 Depth 0
 Assessed Value \$60,100

Outbuildings

Outbuildings	Legend
No Data for Outbuildings	

Valuation History

Assessment			
Valuation Year	Improvements	Land	Total
2017	\$0	\$57,200	\$57,200

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79 PARKER ST

Location 79 PARKER ST

Mblu 78/3//

Owner PLUM ISLAND LLC

Assessment \$808,300

PID 5669

Building Count 1

Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2018	\$519,600	\$288,700	\$808,300

Owner of Record

Owner PLUM ISLAND LLC

Sale Price \$750,000

Co-Owner

Certificate

Address 28 PLUM ISLAND BLVD
NEWBURY, MA 01951

Book & Page 36010/0174

Sale Date 07/11/2017

Instrument 1V

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
PLUM ISLAND LLC	\$750,000		36010/0174	1V	07/11/2017
GEM REALTY INC	\$450,000		16759/0244	00	12/20/2000
BOTHWELL MARION J J/T	\$0		06455/0454		03/31/1978

Building Information

Building 1 : Section 1

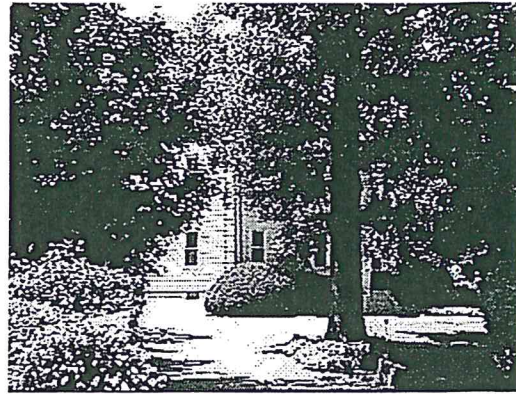
Year Built: 1850

Living Area: 2,633

Building Photo

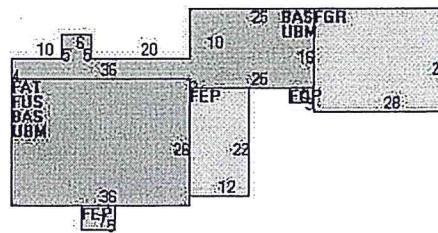
Building Attributes	
Field	Description
Style	Antique
Model	Residential
Stories:	2 Stories
Occupancy	1
Exterior Wall 1	Aluminum Sidng
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp

Interior Wall 1	Plastered
Interior Wall 2	
Interior Flr 1	Pine/Soft Wood
Interior Flr 2	Hardwood
Heat Fuel	Oil
Heat Type:	Steam
AC Type:	None
Total Bedrooms:	4 Bedrooms
Total Bthrms:	1
Total Half Baths:	1
Total Xtra Fixtrs:	
Total Rooms:	9
Bath Style:	Average
Kitchen Style:	Average



(<http://images.vgsi.com/photos/NewburyportMAPhotos/\01\00\27\90.jpg>)

Building Layout



Building Sub-Areas (sq ft)			Legend	
Code	Description	Gross Area	Living Area	
BAS	First Floor	1,510	1,510	
FUS	Upper Story, Finished	936	936	
FAT	Attic	936	187	
FEP	Porch, Enclosed	299	0	
FGR	Garage, Attached	588	0	
FOP	Porch, Open	15	0	
UBM	Basement, Unfinished	1,510	0	
		5,794	2,633	

Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #
FPL3	FIREPLACE 2 ST	1 UNITS	\$3,300	1

Land

Land Use

Use Code 1010

Land Line Valuation

Size (Acres) 4.00

Description SINGLE FAM
Zone I1

Depth 0
Assessed Value \$288,700

Outbuildings

Outbuildings						<u>Legend</u>
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
BRN3	1 STORY W/LOFT			1440 S.F.	\$10,400	1

Valuation History

Assessment			
Valuation Year	Improvements	Land	Total
2017	\$519,600	\$275,000	\$794,600

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- ☐ MVPC Bo
- ☐ Newburyport Boundary
- Trees
 - Immediate Action Needed
 - No Action Needed
 - Unknown
- ☐ Parcels
- Water System
 - Hydrant
 - Trails
 - ▭ Building Footprints
 - Driveways
 - ⌋ Easements
- Road Right of Way
 - ▨ Paved
 - ▨ Unpaved
- Hydrographic Features
 - Stream
 - - Intermittent Stream
- Wetlands
 - City
 - City and State
 - State
- ☐ Exempt Lands
- Recreation Areas

1" = 139 ft



Horizontal Datum: MA Stateplane Coordinate System, Datum NAD83, Meters Data Sources: The data for this map was produced by Merrimack Valley Planning Commission (MVPC) using data provided by the City of Newburyport. Additional data provided by the Executive Office of Environmental Affairs/MassGIS. The information depicted on this map is for planning purposes only. It may not be adequate for legal boundary definition or regulatory interpretation. THE CITY OF NEWBURYPORT MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE CITY OF NEWBURYPORT DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION

CITY OF NEWBURYPORT, MA
ZONING REVIEW/BUILDING PERMIT DENIAL

APR# 2018-026

Name: PLUM ISLAND LLC / LISA MEAD (ABPT BREWING)

Address: 79 PARKER ST Zoning District(s): I1B 78-3

Request: CONSTRUCT LT MFG FACILITY w/ RESTAURANT, BARROOM, RETAIL,
& FUNCTION SPACE. RENOVATE EXIST HOUSE TO PROFESSIONAL OFFICES.

ZONING BOARD REVIEW REQUIRED

Variance

- Use Regulations (V) *USE 407 ENTERTAINMENT*
- Dimensional Controls (VI) *501 RESTAURANT*
- Parking (VII) *421 MTB SPACE*
- Lot Area
- Open Space
- Front Yard
- Lot Frontage
- Height
- Side Yard *LIGHT MFG. BLDG.*
- Lot Coverage
- Lot Width
- Rear Yard

Sign Variance

- Signs (VIII)
- Type
- Lighting
- Size *IF AS SHOWN ON DWGS.*
- Location

Special Permit for Non-Conformities

- Extension or Alteration (IX.B.2)
 - Parking
 - Upward Extension
 - Open Space
 - Height
 - Lot Area
- Over 500 sf. increase (IX.B.3.c)
- Plum Island Overlay District (XXI-G-3)
 - FAR
 - Lot Coverage
- Rear Yard
- Lot Coverage
- Side Yard
- Lot Frontage
- Front Yard
- Height
- Setbacks
- Open Space

Special Permit

- Special Permit for Use (V.D) Use #: *604*
- Spacing (VI.D) *ACCESSORY RETAIL*
- In-Law Apartment (XIIA)
- Bonus for Multifamily Developments (XVI)
- Personal Wireless Communication Services (XX)
- Demolition Control Overlay District (XXVIII)*
- Wind Energy Conversion Facilities (XXVI)
- Other

PLANNING BOARD REVIEW REQUIRED

Special Permit

- Table of Permitted Uses (V-D)
- Marijuana Overlay District (V-G)
- One residential structure per lot (VI.C)
- Open Space Residential Development (XIV)
- Water Resource Protection District (XIX)
- Federal Street Overlay District (XXII)
- Courts and Lanes (XXIII)
- Waterfront West Overlay District (XXIV)
- Towle Complex Redev. Overlay District (XXV)
- Downtown Overlay District (XXVII)*
- Other

Special Permit for Non-Conformities

- Extension or Alteration (IX.B.2)
 - Parking
 - Upward Extension
 - Open Space
 - Height
 - Lot Area
- Over 500 sf. increase (IX.B.3.c)
- Rear Yard
- Lot Coverage
- Side Yard
- Lot Frontage
- Front Yard

Site Plan Review (XV)

- Major
- Minor

Smart Growth District (XXIX)

- Plan Approval

HISTORICAL COMMISSION REVIEW REQUIRED

- Demo. Delay
- *Advisory Review

*DWGS NOT CLEAR AS TO EXTENT OF DEMO ON HOUSE
THE APPLICANT HAS BEEN THROUGH ADVISORY REVIEW ALREADY*

CONSERVATION COMMISSION REVIEW REQUIRED

CITY COUNCIL REVIEW REQUIRED (X.H.9)

[Signature]
Newburyport Zoning Administrator

4/24/18
Date

ZONING TABLE

79 PARKER STREET – ASSESSORS MAP 78 LOT 3
 ZONING DISTRICT 11B – USE 602 (LIGHT MANUFACTURING)

	REQUIRED	EXISTING	PROPOSED
LOT AREA:	50,000 S.F.	173,585± S.F.	173,585± S.F.
LOT FRONTAGE:	200 FT	504.71 FT	504.71 FT
FRONT SETBACK:	50 FT	48.6 FT	186.9 FT
SIDE SETBACK:	50 FT	30.5 FT	23.6 FT
REAR SETBACK:	50 FT	261.0 FT	21.9 FT
LOT COVERAGE:	40%	2.3%	8.5%
OPEN SPACE:	N.A.	N.A.	N.A.

79 PARKER STREET - ASSESSORS MAP 78 LOT 3
 ZONING DISTRICT 11B - USE 416 (PROFESSIONAL/OFFICE)

	REQUIRED	EXISTING	PROPOSED
LOT AREA:	20,000 S.F.	173,585± S.F.	173,585± S.F.
LOT FRONTAGE:	90 FT	504.71 FT	504.71 FT
FRONT SETBACK:	20 FT	48.6 FT	43.1 FT
SIDE SETBACK:	20 FT	30.5 FT	121.7 FT
REAR SETBACK:	20 FT	261.0 FT	294.1 FT
LOT COVERAGE:	50%	2.3%	2.2%
OPEN SPACE:	N.A.	N.A.	N.A.

79 PARKER STREET – ASSESSORS MAP 78 LOT 3
 ZONING DISTRICT 11B – USE 421 (MEETING SPACE/FUNCTION HALL)

	REQUIRED	EXISTING	PROPOSED
LOT AREA:	20,000 S.F.	173,585± S.F.	173,585± S.F.
LOT FRONTAGE:	90 FT	504.71 FT	504.71 FT
FRONT SETBACK:	20 FT	48.6 FT	93.8 FT
SIDE SETBACK:	20 FT	30.5 FT	32.8 FT
REAR SETBACK:	20 FT	261.0 FT	251.3 FT
LOT COVERAGE:	30%	2.3%	1.1%
OPEN SPACE:	N.A.	N.A.	N.A.

* SEE DIMENSIONAL TABLE, B1 DISTRICT

79 PARKER STREET – ASSESSORS MAP 78 LOT 3
 ZONING DISTRICT 11B – USE 501 (RESTAURANT)

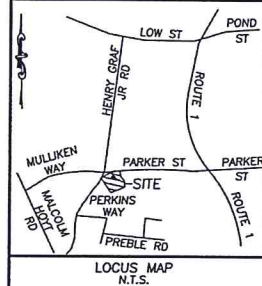
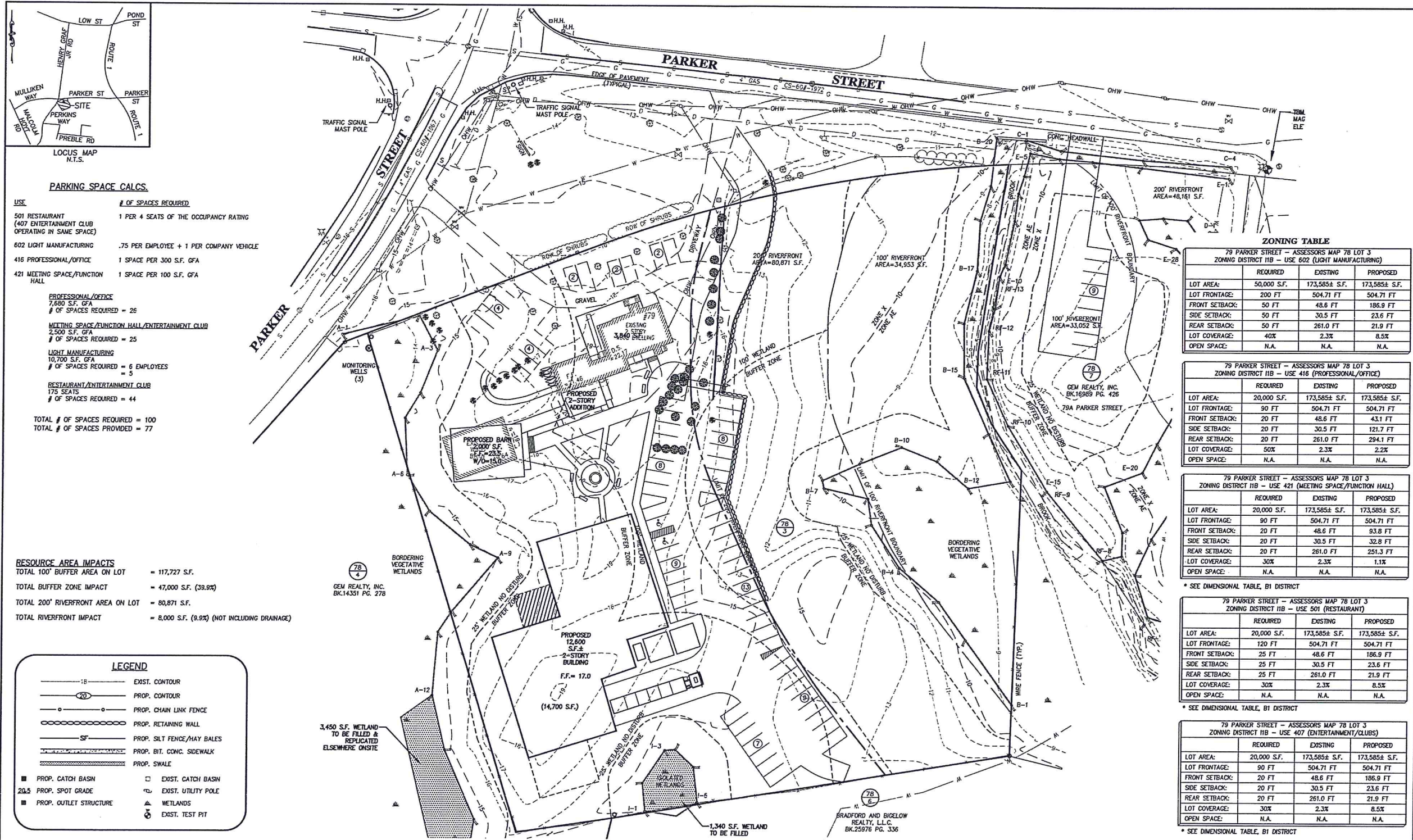
	REQUIRED	EXISTING	PROPOSED
LOT AREA:	20,000 S.F.	173,585± S.F.	173,585± S.F.
LOT FRONTAGE:	120 FT	504.71 FT	504.71 FT
FRONT SETBACK:	25 FT	48.6 FT	186.9 FT
SIDE SETBACK:	25 FT	30.5 FT	23.6 FT
REAR SETBACK:	25 FT	261.0 FT	21.9 FT
LOT COVERAGE:	30%	2.3%	8.5%
OPEN SPACE:	N.A.	N.A.	N.A.

* SEE DIMENSIONAL TABLE, B1 DISTRICT

79 PARKER STREET – ASSESSORS MAP 78 LOT 3
 ZONING DISTRICT 11B – USE 407 (ENTERTAINMENT/CLUBS)

	REQUIRED	EXISTING	PROPOSED
LOT AREA:	20,000 S.F.	173,585± S.F.	173,585± S.F.
LOT FRONTAGE:	90 FT	504.71 FT	504.71 FT
FRONT SETBACK:	20 FT	48.6 FT	186.9 FT
SIDE SETBACK:	20 FT	30.5 FT	23.6 FT
REAR SETBACK:	20 FT	261.0 FT	21.9 FT
LOT COVERAGE:	30%	2.3%	8.5%
OPEN SPACE:	N.A.	N.A.	N.A.

* SEE DIMENSIONAL TABLE, B1 DISTRICT



PARKING SPACE CALCS.

USE	# OF SPACES REQUIRED
501 RESTAURANT (407 ENTERTAINMENT CLUB OPERATING IN SAME SPACE)	1 PER 4 SEATS OF THE OCCUPANCY RATING
602 LIGHT MANUFACTURING	.75 PER EMPLOYEE + 1 PER COMPANY VEHICLE
416 PROFESSIONAL/OFFICE	1 SPACE PER 300 S.F. GFA
421 MEETING SPACE/FUNCTION HALL	1 SPACE PER 100 S.F. GFA

PROFESSIONAL/OFFICE	# OF SPACES REQUIRED
7,680 S.F. GFA	26
MEETING SPACE/FUNCTION HALL/ENTERTAINMENT CLUB	
2,500 S.F. GFA	25
LIGHT MANUFACTURING	# OF SPACES REQUIRED
10,700 S.F. GFA	6 EMPLOYEES
	5
RESTAURANT/ENTERTAINMENT CLUB	# OF SPACES REQUIRED
175 SEATS	44

TOTAL # OF SPACES REQUIRED = 100
 TOTAL # OF SPACES PROVIDED = 77

RESOURCE AREA IMPACTS

TOTAL 100' BUFFER AREA ON LOT	= 117,727 S.F.
TOTAL BUFFER ZONE IMPACT	= 47,000 S.F. (39.9%)
TOTAL 200' RIVERFRONT AREA ON LOT	= 80,871 S.F.
TOTAL RIVERFRONT IMPACT	= 8,000 S.F. (9.9%) (NOT INCLUDING DRAINAGE)

LEGEND

---18---	EXIST. CONTOUR	□	EXIST. CATCH BASIN
---20---	PROP. CONTOUR	○	EXIST. UTILITY POLE
○	PROP. CHAIN LINK FENCE	△	WETLANDS
○	PROP. RETAINING WALL	⊙	EXIST. TEST PIT
—SF—	PROP. SILT FENCE/HAY BALES		
—	PROP. BIT. CONC. SIDEWALK		
—	PROP. SWALE		
■	PROP. CATCH BASIN		
20.5	PROP. SPOT GRADE		
■	PROP. OUTLET STRUCTURE		

ZONING TABLE

79 PARKER STREET - ASSESSORS MAP 78 LOT 3
 ZONING DISTRICT 11B - USE 602 (LIGHT MANUFACTURING)

	REQUIRED	EXISTING	PROPOSED
LOT AREA:	50,000 S.F.	173,585± S.F.	173,585± S.F.
LOT FRONTAGE:	200 FT	504.71 FT	504.71 FT
FRONT SETBACK:	50 FT	48.6 FT	186.9 FT
SIDE SETBACK:	50 FT	30.5 FT	23.6 FT
REAR SETBACK:	50 FT	261.0 FT	21.9 FT
LOT COVERAGE:	40%	2.3%	8.5%
OPEN SPACE:	N.A.	N.A.	N.A.

79 PARKER STREET - ASSESSORS MAP 78 LOT 3
 ZONING DISTRICT 11B - USE 416 (PROFESSIONAL/OFFICE)

	REQUIRED	EXISTING	PROPOSED
LOT AREA:	20,000 S.F.	173,585± S.F.	173,585± S.F.
LOT FRONTAGE:	90 FT	504.71 FT	504.71 FT
FRONT SETBACK:	20 FT	48.6 FT	43.1 FT
SIDE SETBACK:	20 FT	30.5 FT	121.7 FT
REAR SETBACK:	20 FT	261.0 FT	294.1 FT
LOT COVERAGE:	50%	2.3%	2.2%
OPEN SPACE:	N.A.	N.A.	N.A.

79 PARKER STREET - ASSESSORS MAP 78 LOT 3
 ZONING DISTRICT 11B - USE 421 (MEETING SPACE/FUNCTION HALL)

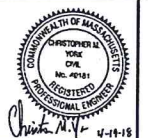
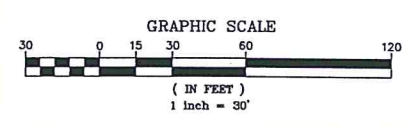
	REQUIRED	EXISTING	PROPOSED
LOT AREA:	20,000 S.F.	173,585± S.F.	173,585± S.F.
LOT FRONTAGE:	90 FT	504.71 FT	504.71 FT
FRONT SETBACK:	20 FT	48.6 FT	93.8 FT
SIDE SETBACK:	20 FT	30.5 FT	32.8 FT
REAR SETBACK:	20 FT	261.0 FT	251.3 FT
LOT COVERAGE:	30%	2.3%	1.1%
OPEN SPACE:	N.A.	N.A.	N.A.

79 PARKER STREET - ASSESSORS MAP 78 LOT 3
 ZONING DISTRICT 11B - USE 501 (RESTAURANT)

	REQUIRED	EXISTING	PROPOSED
LOT AREA:	20,000 S.F.	173,585± S.F.	173,585± S.F.
LOT FRONTAGE:	120 FT	504.71 FT	504.71 FT
FRONT SETBACK:	25 FT	48.6 FT	186.9 FT
SIDE SETBACK:	25 FT	30.5 FT	23.6 FT
REAR SETBACK:	25 FT	261.0 FT	21.9 FT
LOT COVERAGE:	30%	2.3%	8.5%
OPEN SPACE:	N.A.	N.A.	N.A.

79 PARKER STREET - ASSESSORS MAP 78 LOT 3
 ZONING DISTRICT 11B - USE 407 (ENTERTAINMENT/CLUBS)

	REQUIRED	EXISTING	PROPOSED
LOT AREA:	20,000 S.F.	173,585± S.F.	173,585± S.F.
LOT FRONTAGE:	90 FT	504.71 FT	504.71 FT
FRONT SETBACK:	20 FT	48.6 FT	186.9 FT
SIDE SETBACK:	20 FT	30.5 FT	23.6 FT
REAR SETBACK:	20 FT	261.0 FT	21.9 FT
LOT COVERAGE:	30%	2.3%	8.5%
OPEN SPACE:	N.A.	N.A.	N.A.



PREPARED FOR
 PLUM ISLAND LLC
 79 PARKER STREET
 NEWBURYPORT, MA 01950

NO.	DATE	DESCRIPTION	BY

MILLENNIUM ENGINEERING, INC.
 ENGINEERING AND LAND SURVEYING
 62 ELM ST. SALISBURY, MA 01952 (978) 463-8980
 13 HAMPTON RD. EXETER, NH 03833 (603) 778-0528

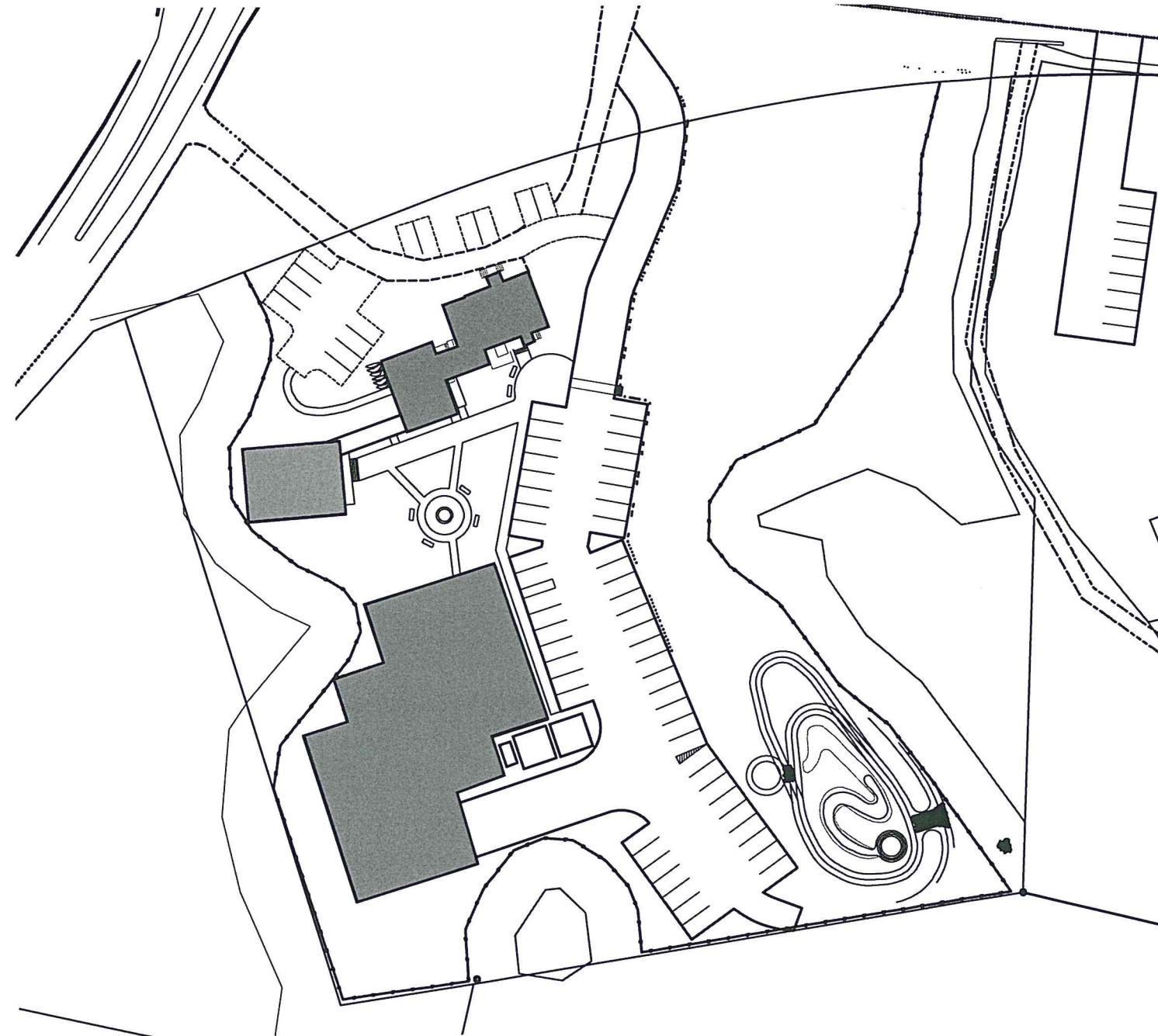
SCALE: 1"=30'
 DATE: APR. 19, 2018
 DESG. BY: C.M.Y.
 CHKD. BY: E.W.B.
 PROJECT: M173238

PLAN OF LAND
 IN
NEWBURYPORT, MA
 SHOWING
PROPOSED SITE IMPROVEMENTS
 AT
79 PARKER STREET

VARIANCE PLAN
 SHEET: 1 OF 1

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79 PARKER STREET
NEWBURYPORT, MA

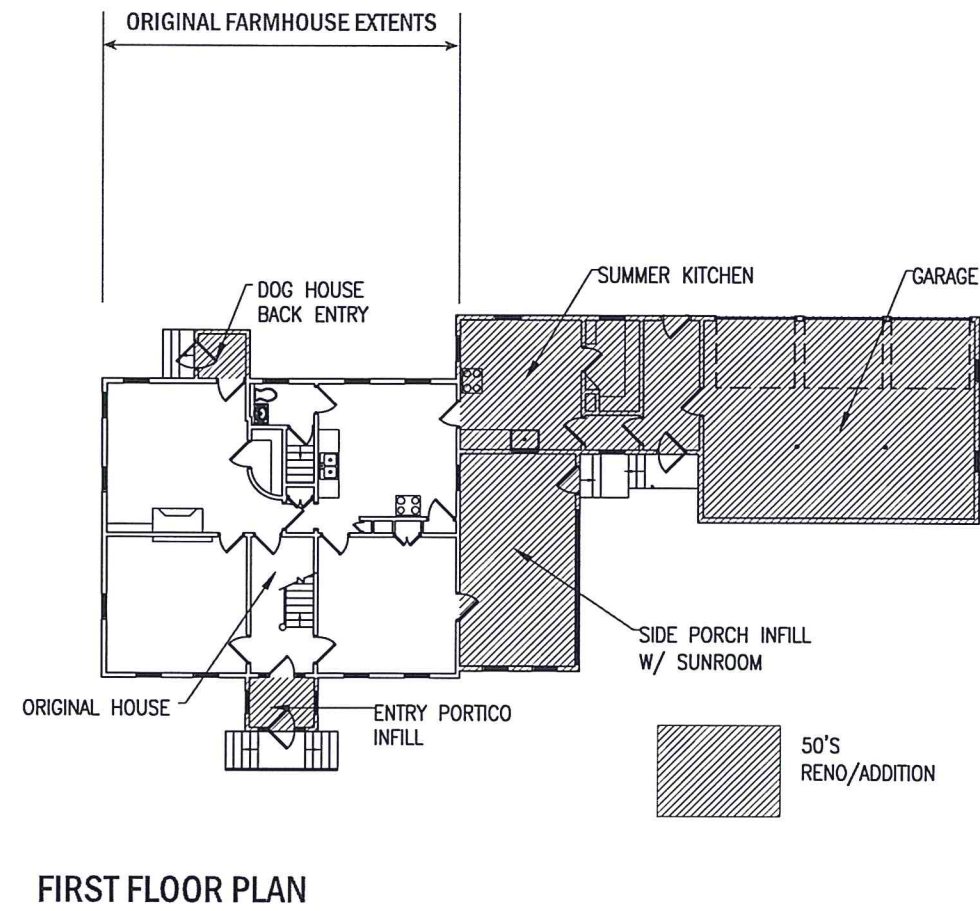


- FARMHOUSE RENO/ADDITION**
BUILDING FOOTPRINT: 2,998 SF
BUILDING AREA: 6,324 SF
FARMHOUSE HEIGHT: 26'-6"
ADDITION HEIGHT: 26'-11"

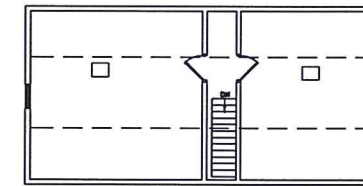
- BARN / FUNCTION SPACE**
BUILDING FOOTPRINT: 2,000 SF
BUILDING AREA: 4,500 SF
BUILDING HEIGHT: 30'-7"

- BREWERY**
BUILDING FOOTPRINT: 12,600 SF
BUILDING AREA: 13,850 SF
BUILDING HEIGHT: 29'-0"

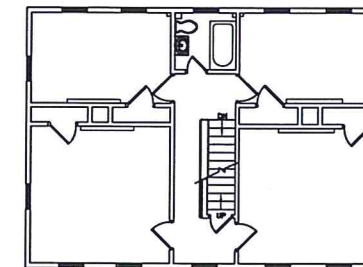
79 PARKER STREET
NEWBURYPORT, MA



FIRST FLOOR PLAN

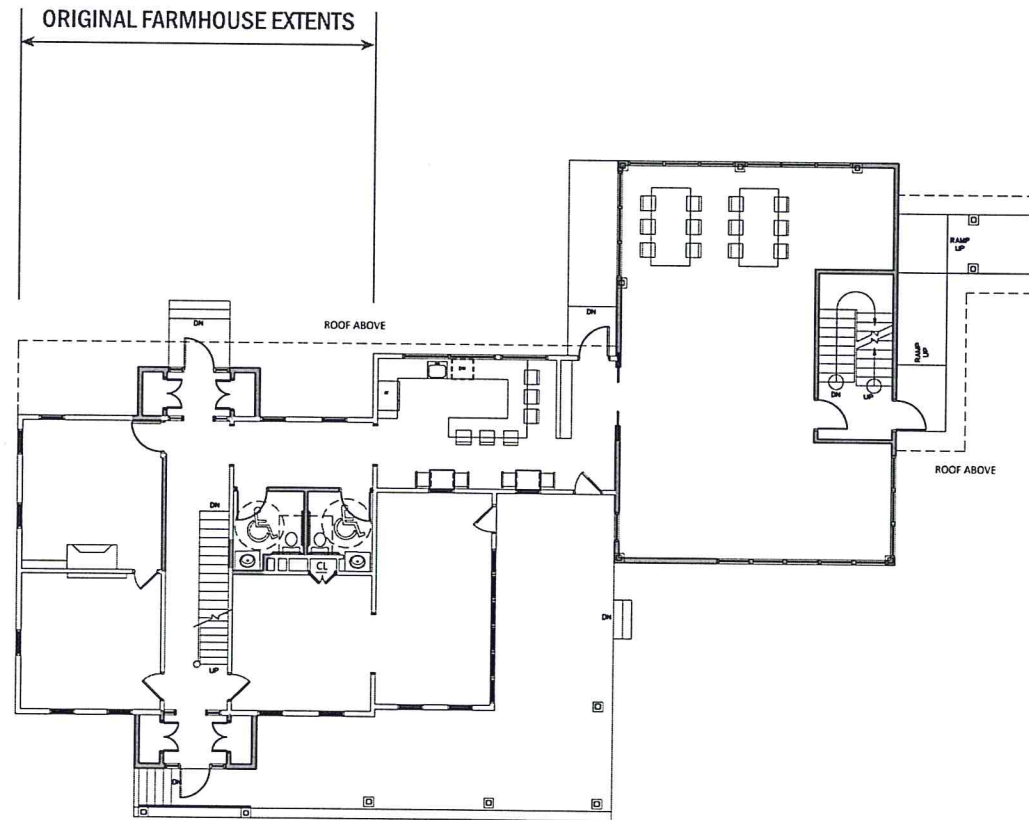


THIRD FLOOR PLAN



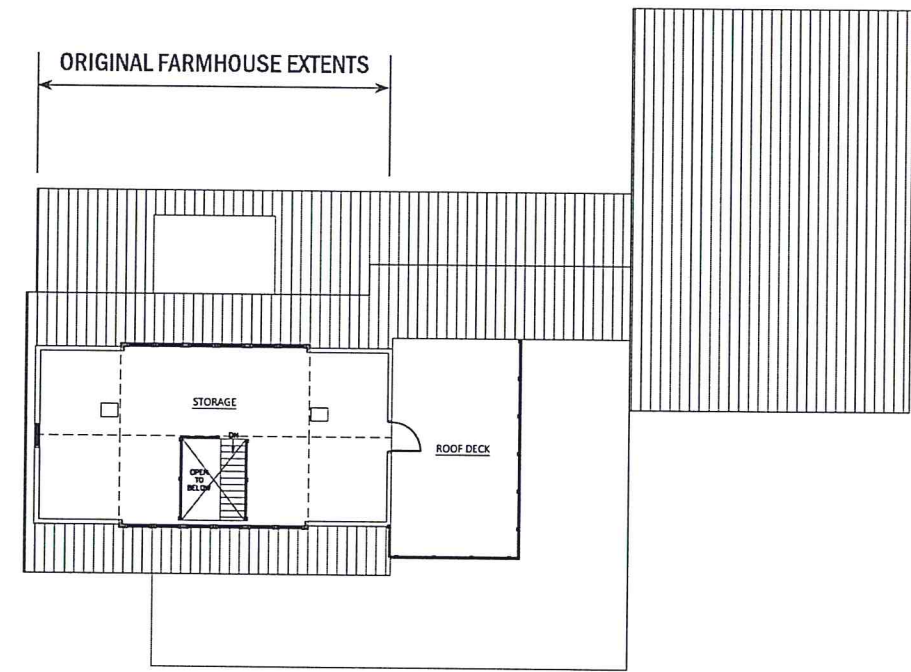
SECOND FLOOR PLAN

79 PARKER STREET
NEWBURYPORT, MA

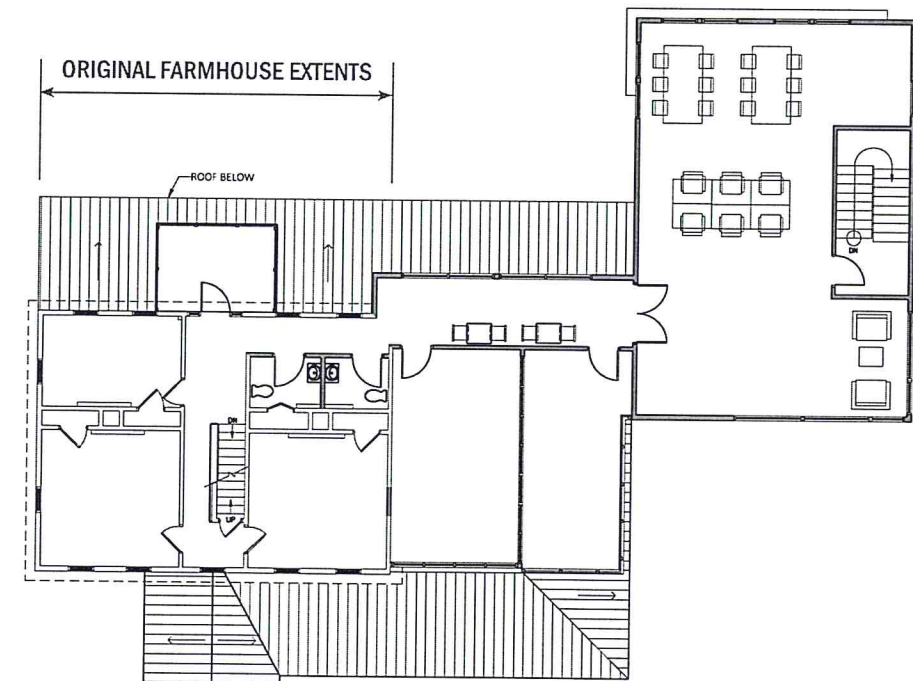


FIRST FLOOR PLAN

BUILDING AREA:
 GROUND FLOOR: 2,998 SF
 SECOND FLOOR: 2,658 SF
 THIRD FLOOR: 668 SF
TOTAL: 6,324 SF

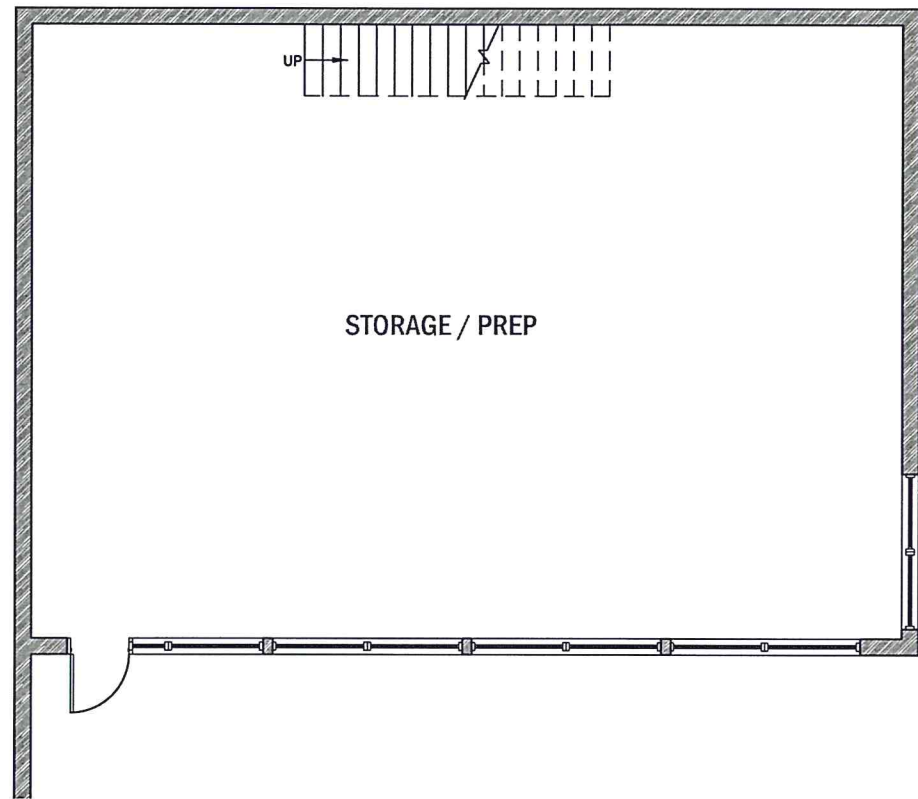


THIRD FLOOR PLAN

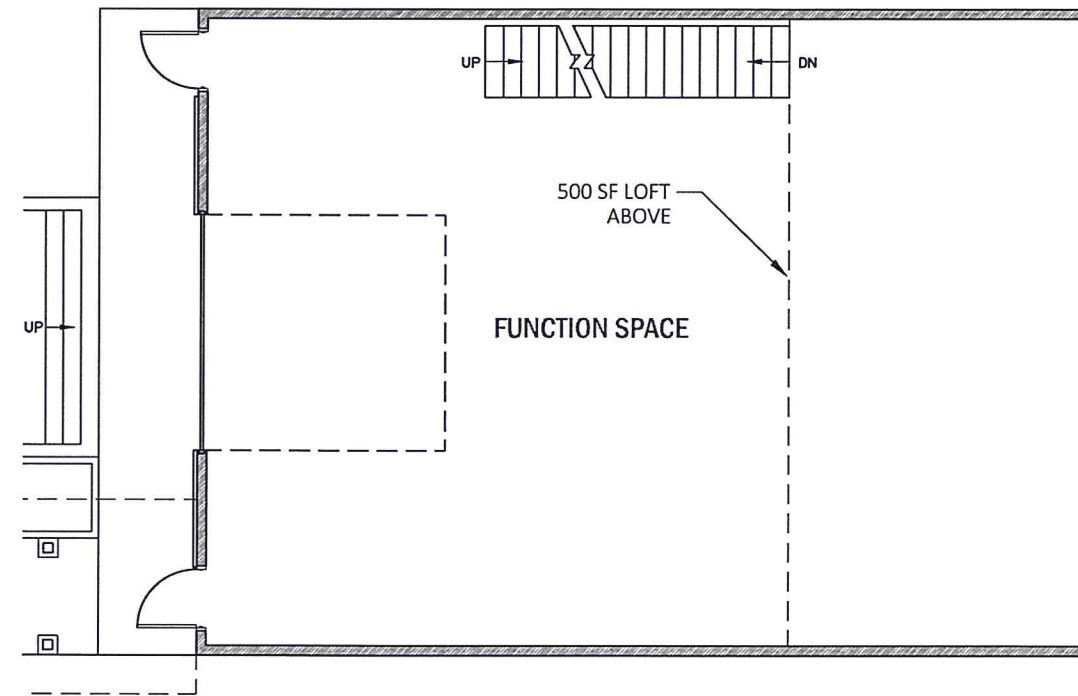


SECOND FLOOR PLAN

79 PARKER STREET
NEWBURYPORT, MA



BASEMENT PLAN

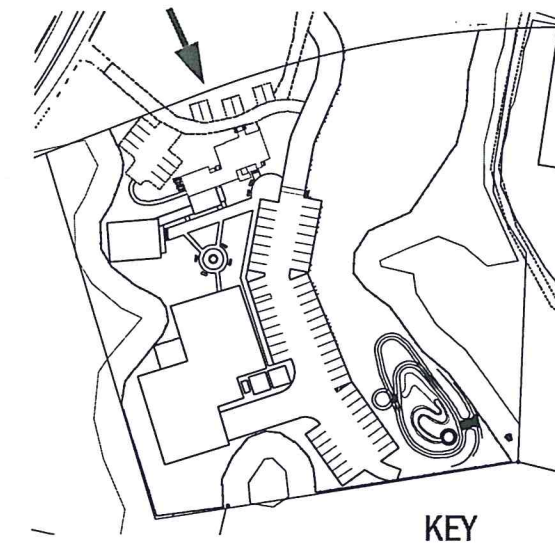
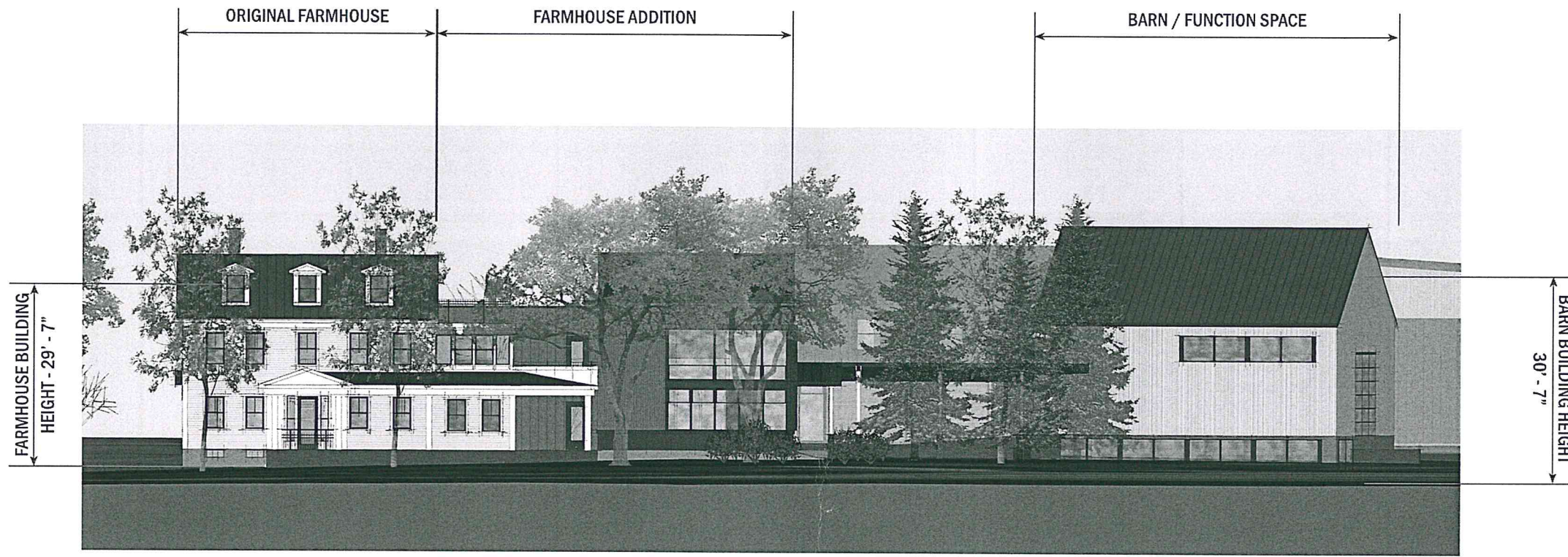


FIRST FLOOR PLAN

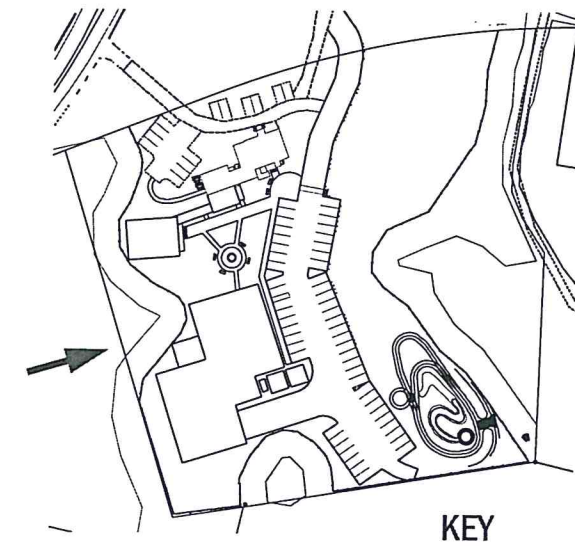
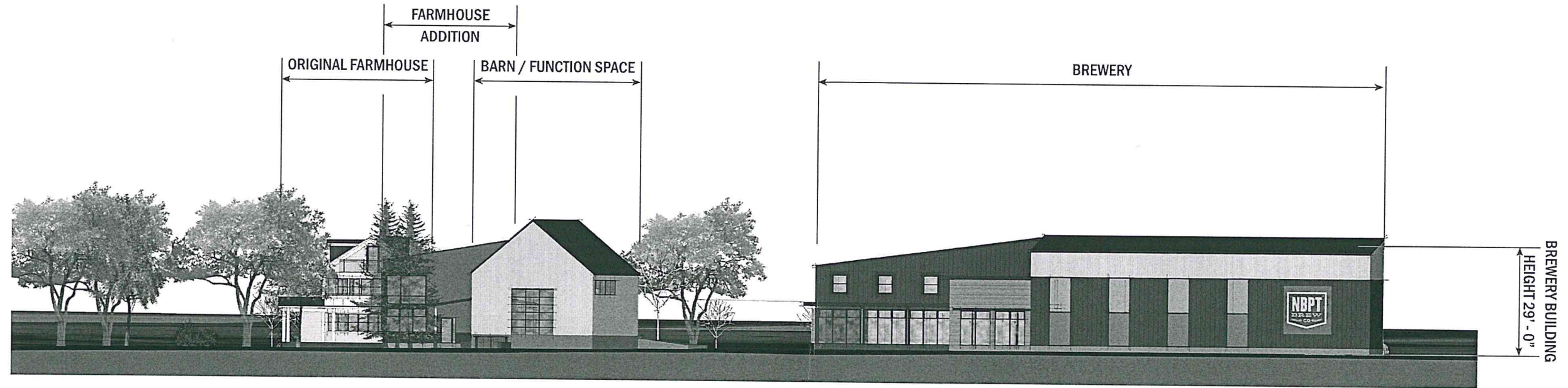
BUILDING AREA:

BASEMENT:	2,000 SF
FIRST FLOOR:	2,000 SF
LOFT:	500 SF
TOTAL:	4,500 SF

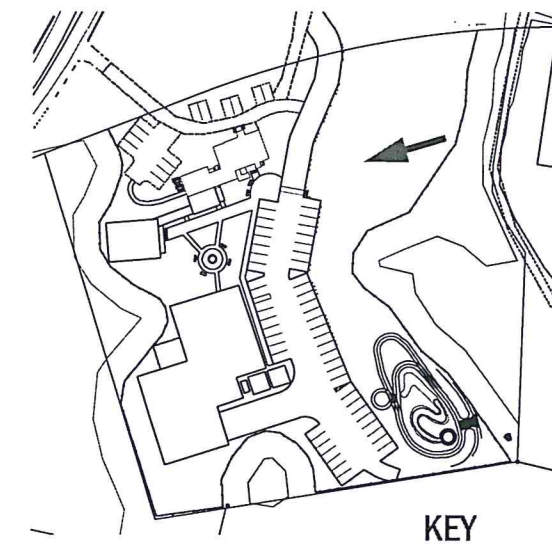
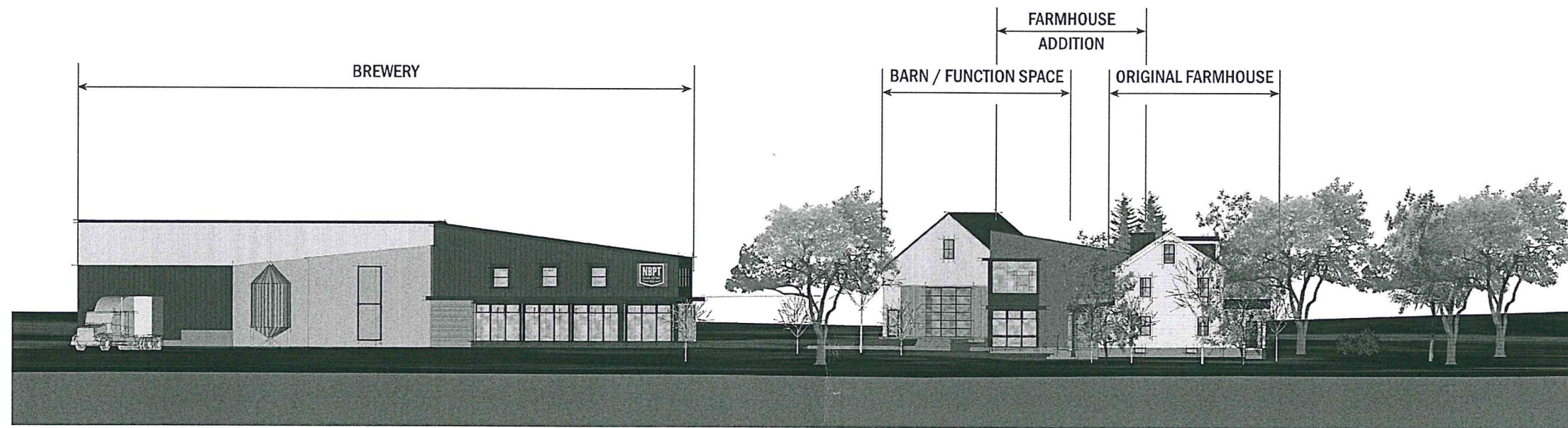
79 PARKER STREET
NEWBURYPORT, MA



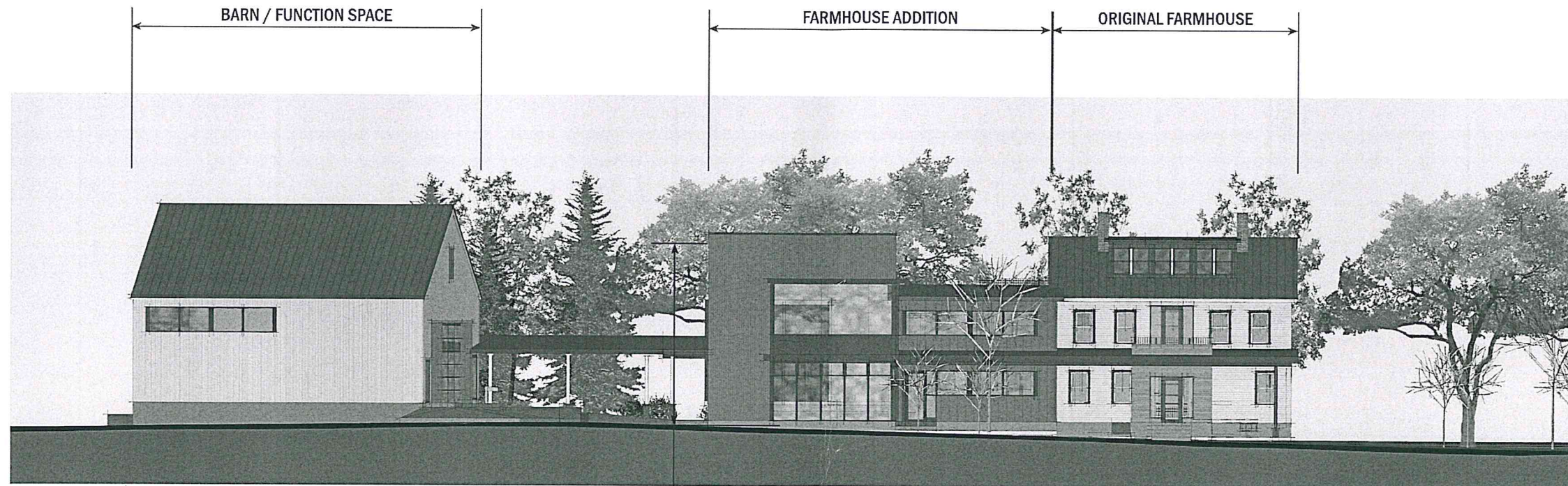
79 PARKER STREET
NEWBURYPORT, MA



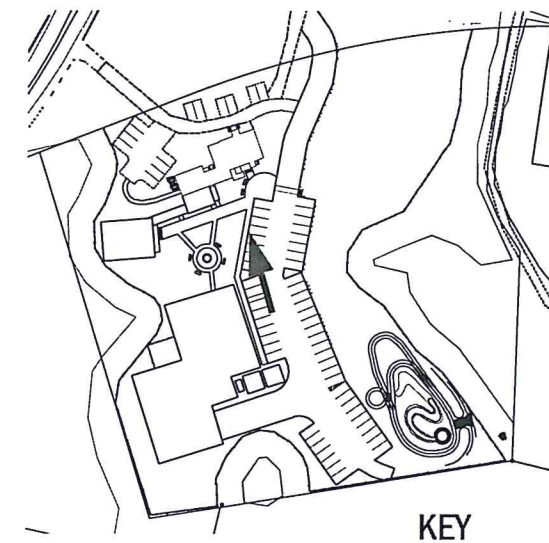
79 PARKER STREET
NEWBURYPORT, MA



79 PARKER STREET
NEWBURYPORT, MA



BREWERY BUILDING
HEIGHT 29' - 0"



79 PARKER STREET
NEWBURYPORT, MA

