

# SPECIAL PERMIT APPLICATION

**A HISTORIC PRESERVATION PROJECT:  
97-99 STATE STREET, NEWBURYPORT, MA**

**SUBMITTED BY: Mark Wojcicki, Wojcicki Development, LLC**

**SUBMITTED FOR ADVISORY REVIEW: Newburyport Historical Commission**

**SUBMITTED FOR SPECIAL PERMIT REVIEW: Newburyport Planning Board**

**August 1, 2018**



***PRESERVING HISTORY THROUGH REUSE & RESTORATION – 97 STATE STREET, NEWBURYPORT, MA***



August 1, 2018

Sarah White, Chair  
Newburyport Historic Commission  
c/o Planning & Development Department  
City of Newburyport  
60 Pleasant St.  
Newburyport, MA

Re: Downtown Overlay District Application: 97-99 State Street, Newburyport, MA

Dear Ms. White,

Please accept this request for review and an advisory recommendation from the Historic Commission for our project located at 97-99 State Street. We are pleased to present an application that seeks to restore the exterior of this historically significant Queen Anne style house that was originally constructed by and for the Atkinson family; a prominent family involved in shipbuilding and coal deliveries for over 100 years in downtown Newburyport.

Our project involves reducing the number of residential units to three (from four) and making relatively minor alterations to the exterior. Importantly, we propose to remove the aluminum siding and either restore or replace the wood clapboards and shingles, replace the three-tab shingles with a GAF Slateline shingles. Additionally, we want to add a recessed deck on rear elevation of the third floor, add a second floor deck over the Garden Street entrance, relocate the stairs to the State Street entrance, add shutters to the rear side windows, and add sky-lites for the third floor unit. Under the zoning regulations this work requires a special permit under Section XXVII: Downtown Overlay District of the Zoning Ordinance.

We look forward to meeting with you to present this application. If you have any questions or comments, please do not hesitate to contact me at 978 815 6868.

Sincerely,

Mark Wojcicki  
Wojcicki Development, LLC  
110 Main Street  
Amesbury, MA  
01913

Cc: Scott Brown, AIA, 29 Water Street, Newburyport, MA  
John Paulson, P.E., Atlantic Engineering, Georgetown, MA  
Nicholas J. Cracknell, Keystone Planning & Design, LLC



# Special Permit Application

## City of Newburyport Planning Board Application for a DOD SPECIAL PERMIT

Petitioner: Mark Wojcicki, Wojcicki Development, LLC

Address: 110 Main Street, Amesbury, MA

Phone: 978 815 6868

Email: mark@wojcickidevelopment.com

Owner: same as above

Address:

Phone:

Site Address: 97-99 State Street

Assessor's Map and Lot(s): 14/42 Zoning District: R3

Book and Page #: DOC39/3220 or Certificate of Title:

The applicant is requesting a Special Permit under Section XXVII – Downtown Overlay District (DOD) for the following request:

We are proposing to make exterior alterations to the existing historic structure as follows:

1. Front Elevation: rebuild stairs and add a new second floor porch.
2. Right Side Elevation: add sky-lites, relocate stairs, and add wood shutters.
3. Left Side Elevation: Add sky-lites, add shutters, add new door and deck, reproduce railings.
4. Rear Elevation: Add a recessed third floor porch, remove chimney, and remove rear doors.
5. Roof & Siding: Replace asphalt shingles with GAF Slateline shingles & remove aluminum siding.

The following information was submitted to the Newburyport Historical Commission at least 21 days prior to submission to the Planning Board:

- A copy of the District Data Sheet or the MHC survey form for the subject property that was prepared in connection with the Newburyport Historic District: <http://www.cityofnewburyport.com/historical-commission/pages/historic-property-surveys>
- Copies of historic (if any) and current photographs of the relevant elevations, exterior architectural features, and structural members.
- Architectural plans, elevations, or renderings depicting the proposed new construction, demolition, or alteration.
- Photos of adjacent structures or setting.

Petitioner and Landowner signature(s):

Signature \_\_\_\_\_  
Print or type above name(s) here Mark Wojcicki, Wojcicki Development, LLC

Rev. 3/7/18



# PROJECT NARRATIVE

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*Figure 1 – State Street Corridor, Newburyport, MA*

### **Executive Summary**

As shown in Figure 1, 97-99 State Street consists of a four-family structure located at the intersection of Garden and State Streets. According to the survey information, the lot has approximately 4,776 SF of land area and 100 feet of frontage on Garden Street.

This application seeks to request a special permit in order to make minor alterations to the exterior of the structure. Such alterations are designed to complement the historic character of this historically-significant structure. Beyond the alterations, this application does not include any proposed new construction no proposed increase in the density of the project.

Approval of the Downtown Overlay District – Special Permit (DOD-SP) will achieve the following benefits:

- The historically significant structure will be restored to its original character and materials. Vinyl and aluminum siding will be removed and the roof will be replaced with shingles that resemble slate from the street edge;
- Streetscape improvements that include brick driveways and cobblestone aprons are proposed and a decorate metal fence and formal garden is proposed for the State Street frontage; and,
- The market value (and thereby, the assessed value) of the structures will be increased with the building restoration.



In reviewing this application, the first section of this project narrative describes the existing conditions on the property. The second section describes and illustrates the surrounding neighborhood context along State and Garden Streets. The third section discusses the design approach and the proposed site and building improvements. The final section provides a response to the findings and a summary of why granting the special permit will support the goals of the City’s Master Plan and Zoning Ordinance.

## Section One – Existing Conditions

### Property Description

The four-family structure located at 97-99 State Street is listed in the Assessor’s Records as having 4,776 SF of land area and is identified as Map 14 Lot 42. As part of 20 properties that surround the property – the surrounding neighborhood context - Figure 2 shows the property and its location along the State and Garden Street intersection. The lot has 46 feet of frontage on State Street and 100+/- feet along Garden Street.



Figure 2 – 97-99 State Street (from the north)





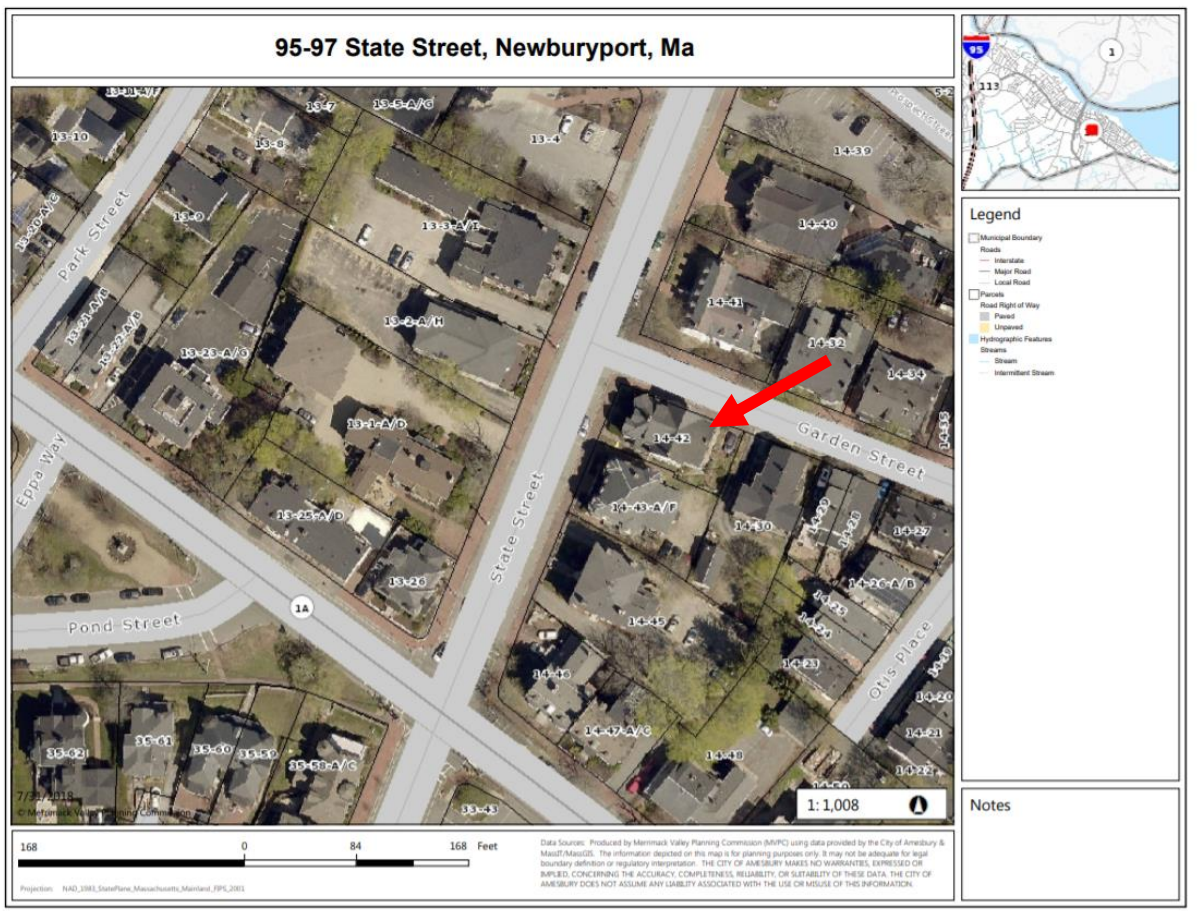


Figure 3 – 97-99 State Street in Context

## Compliance with the Zoning Ordinance

### Existing Land Use

The existing use of the property is a four-family residential use (Land Use Code #104). The units are a combination of flats and multi-story units with irregular floor areas within the three-story building.

### Existing Dimensional Controls

According to the Assessor’s records, the existing four-family structure has a footprint of 2,194+/- SF. The front yard setback is 12.7 feet with the sides are 2-4 feet and the rear yard at 25 feet. Note that many of the dimensional requirements of the R-3 Zoning District are currently non-conforming.



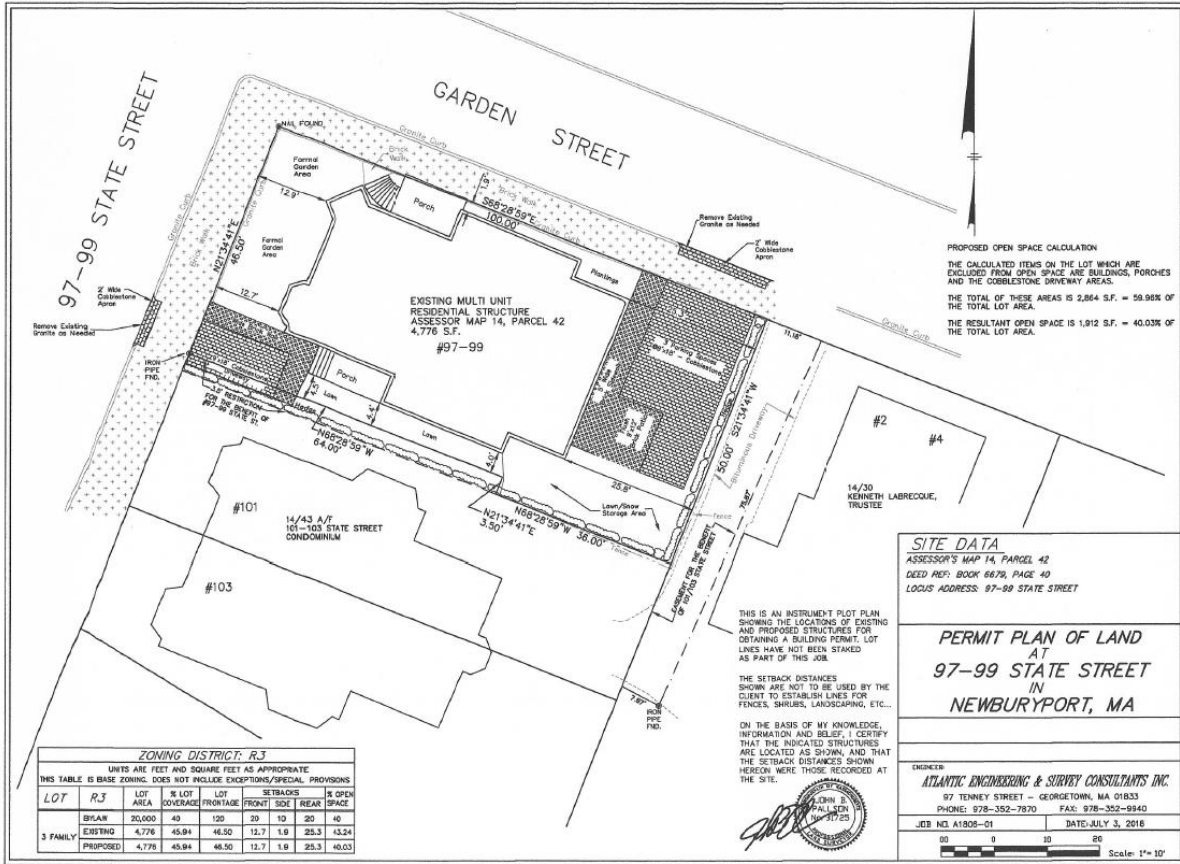


Figure 4 – Proposed Site Plan showing the Dimensional Requirements

ZONING DISTRICT: R3								
UNITS ARE FEET AND SQUARE FEET AS APPROPRIATE								
THIS TABLE IS BASE ZONING. DOES NOT INCLUDE EXCEPTIONS/SPECIAL PROVISIONS								
LOT	R3	LOT AREA	% LOT COVERAGE	LOT FRONTAGE	SETBACKS			% OPEN SPACE
					FRONT	SIDE	REAR	
3 FAMILY	BYLAW	20,000	40	120	20	10	20	40
	EXISTING	4,776	45.94	46.50	12.7	1.9	25.3	43.24
	PROPOSED	4,776	45.94	46.50	12.7	1.9	25.3	40.03

**National Register Historic District**

The Newburyport Historic District encompasses most of the historic downtown area of Newburyport, Massachusetts. It is roughly bounded by the Merrimack River, Water Street, State Street, and High Street. Covering some 750 acres of land and more than 2,500 contributing buildings, it includes the most populous part of the city, and a wide variety of architectural styles, dating from the 17th century to the early 20th century. The district was added to the National Register of Historic Places in 1984.

According to the Survey Form from the Massachusetts Historic Commission, the Atkinson House was constructed in 1885. The house is a good example of the Queen Anne style. Although the detail of the



house is simple, several of its features are typically Queen Anne. The windows vary in style and the use of small panes set in wooden sash around a larger pane are common to the style. The house has multiple roofs meeting at right angles. The projecting bays with gable roofs help create the effect of turrets which might be used in the high style Queen Anne house design. Newburyport has quite a few homes in this style, built at the end of the nineteenth century.

This house was built in 1885 by a member of the Atkinson family. In 1883, Benjamin T. Atkinson, a shipbuilder, with Atkinson and Fillmore on Currier's Wharf, sold a piece of land to Charles E. Atkinson. By this time, the house has been built. It could have very well been built for a member of the family. The Atkinson's live on the street, adjacent to Garden Street and in 1920 Eugene Atkinson was living at 97 State Street.

The Atkinson family has been very prominent in Newburyport. They have had a coal and wood dealership, Atkinson Coal Company, on Water Street, for over one hundred years.



*Figure 5 - 97-99 State Street (c. 1885)*

## **Section Two - Neighborhood Context**

The surrounding neighborhood context and character of 97-99 State Street is generally defined by the 20 lots and structures located along State Street and Garden Streets (shown in Figure 6).





Figure 6 – Surrounding Neighborhood Context: 97-99 State Street

The map shown on Figure 6 also shows the existing streetscape character in the surrounding neighborhood. Being an older urban neighborhood, most structures were built in the nineteenth century. Similarly, most of the lots are generally small with very narrow frontage and nearly every structure is non-conforming in terms of the required density and dimensional controls.

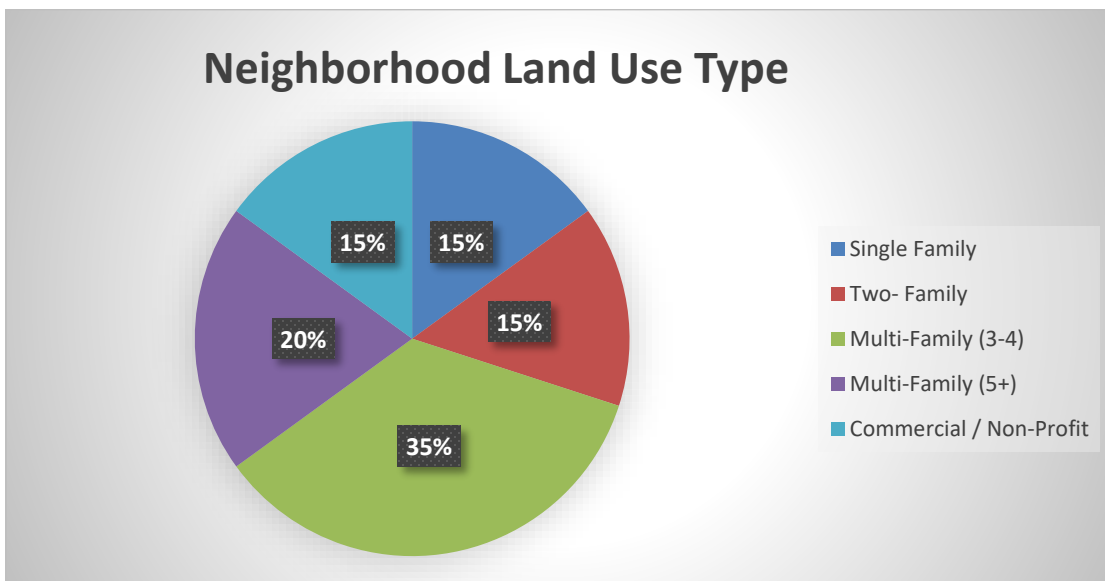


Figure 7 – Neighborhood Land Use (House Type)



## Land Use

As shown in Figure 8, nearly 60% of the properties within this neighborhood are multi-family residential uses and two-family uses represent another 15% of the structures. The remainder, are either commercial or non-profit structures.

## Dimensional Characteristics

Perhaps more than any other dimensional requirement, the lot sizes required under the Ordinance for older established neighborhoods are significantly larger than the historic land use pattern of the neighborhood. Adoption of larger than average lot sizes was typically a response to a general concern for growth management within large undeveloped parcels; especially in the North and West End. When this large lot approach was implemented in the 1950s and 60s, it minimized the city's risk of rapid growth and negative fiscal pressure on providing city services to large lots or under/undeveloped areas of the city. Although less impacting on property rights or infill development, the frontage, lot area and lot width requirements had a similar effect as most properties within established neighborhoods – like State and Garden Streets - could not meet most of the current dimensional controls listed under the Zoning Ordinance.<sup>1</sup> As an example, Figure 8 shows that the average lot size for a single family use in this neighborhood is only 3,532 whereas the existing zoning requires 8,000 SF. Additionally, in the R3 District, multifamily lots are required to have at least 20,000 SF for the first 4 units. No lots in the study area met the lot area requirements.

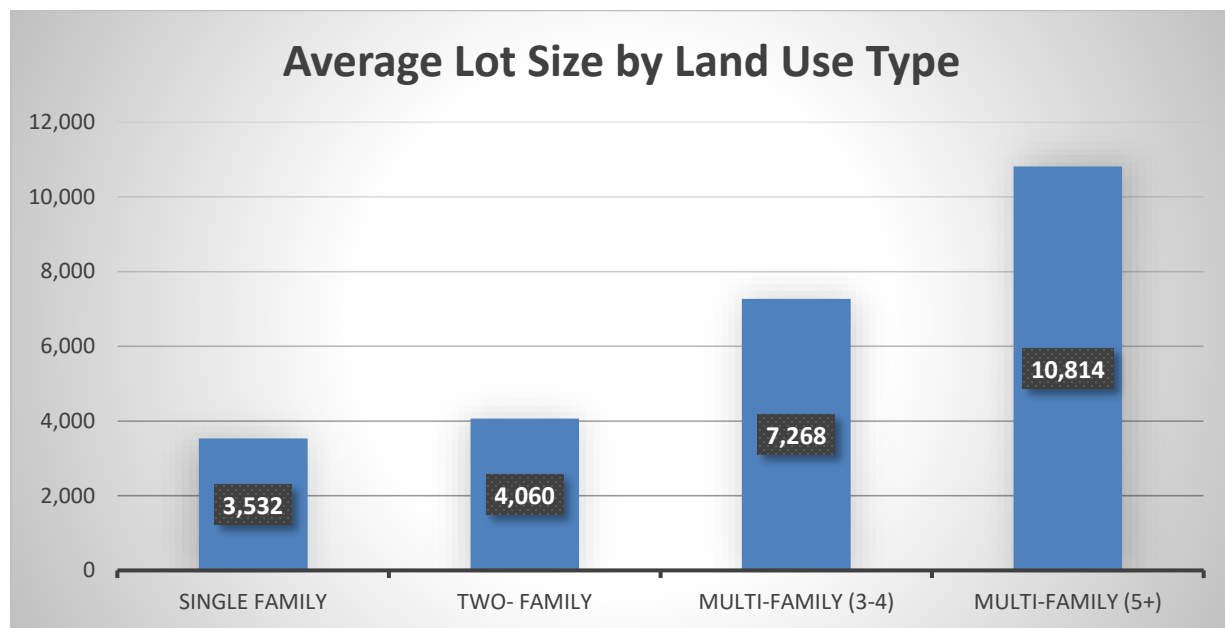


Figure 8 – Average Neighborhood Lot Sizes by Residential Land Use

## Synoptic Survey Information

In carefully assessing the variety of architectural styles within the surrounding neighborhood, Figure 9 illustrates the surrounding character of the lots and buildings. The purpose of the synoptic survey was

<sup>1</sup> In fact, no other lots within the surrounding context meet all of the dimensional controls. Moreover 73 residential units currently exist where the zoning today would only permit 15 (nearly a 500% increase).



two-fold: 1) to better understand the surrounding context; and 2) inform the project design as to the important design or dimensional attributes of the neighborhood. As the photographic inventory illustrates there are a wide variety of architectural styles within the neighborhood and the footprints and volumes of the houses along State and Garden Streets vary widely. For example, the architectural styles range from Georgian and Federal to Greek revival, Queen Anne and other Victorian-style structures. All but a few of the structures have a wood-sided appearance. Some of the surrounding properties have off-street parking but most residential units use on-street parking available along State and Garden Streets.



Figure 9 – Neighborhood Context: Images and Map of 20 Properties along State and Garden Streets

### Section Three – Existing 4-Family Use versus Proposed 3-Family Use

#### Reuse and Restoration Plan

In designing a restoration plan for the existing structure it was determined that reducing the density to three units would allow for better utilization of the floor space as well as provide off-street parking for all three units. As shown on Figure 10, the project design seeks to convert the structure to a three-family use and make minor alterations to the exterior while also restoring the exterior materials and finish to c. 1885.



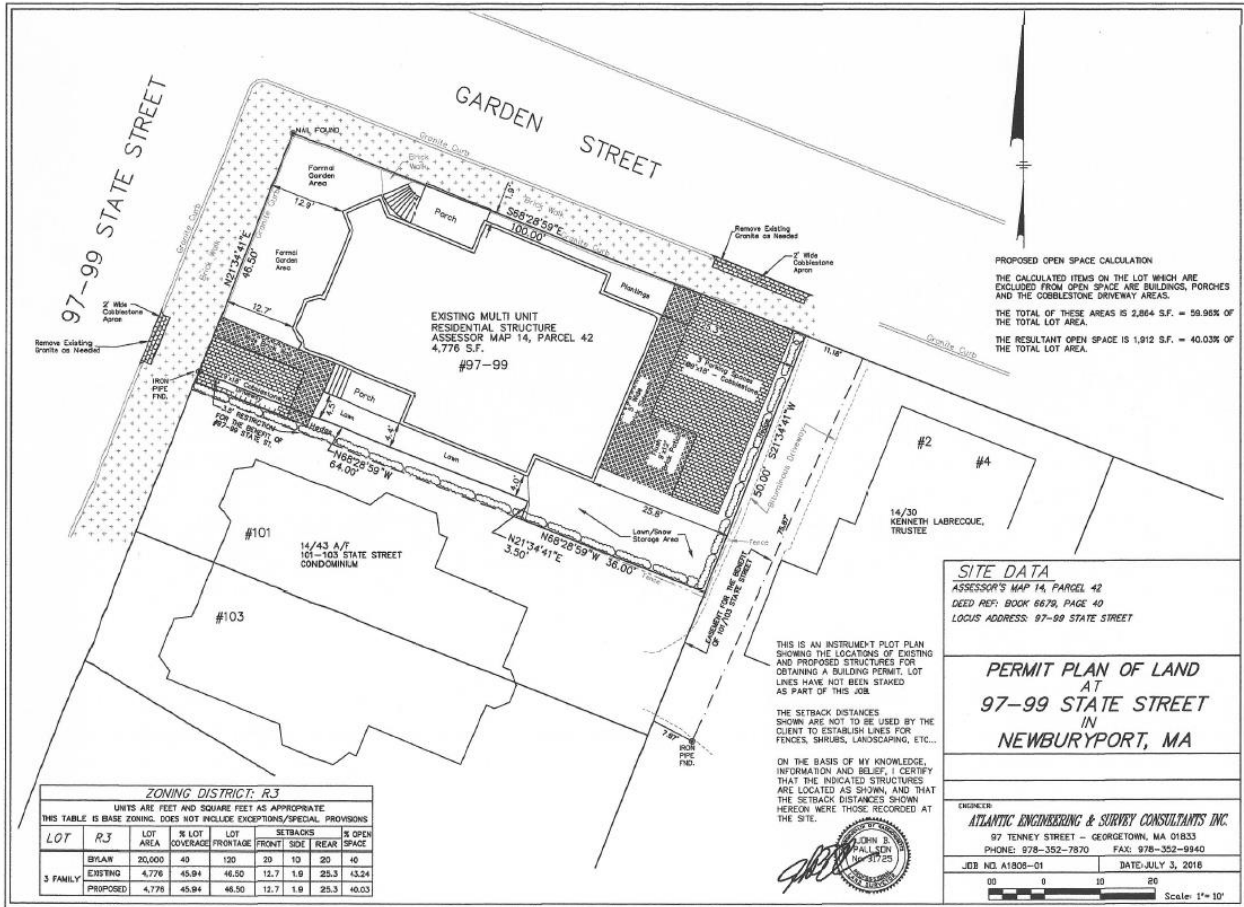


Figure 10 – Proposed Site Plan showing Improvements for 97-99 State Street

As part of the alterations to the exterior of the building the following table lists the proposed changes:

**Exterior Alterations**

	Building Elevation / Element	Existing Condition	Proposed Alteration
1	Front Elevation	Vinyl & aluminum siding and overgrown landscaping	Add parking space and add traditional landscaping.
2	Right Side Elevation	Formal entryway and overgrown landscaping	Relocate stairs, add sky-lites and shutters
3	Left Side Elevation	Modified porch and side door (c. 1940s)	Rebuilt porch, add second floor deck, add sky-lites and shutters.
4	Rear Elevation	Stairs and landings to rear doors.	Remove stairs and landing, add windows and a third floor recessed deck.
5	Roof	Worn three-tab asphalt shingles	Replace asphalt roof with GAF Slateline shingles
6	Siding	Vinyl and aluminum siding	Replace vinyl & aluminum siding with wood.
7	Landscape / Parking	Overgrown landscaping, inadequate parking area	Replace landscaping and add three off-street parking spaces.



The following figures illustrate the proposed alterations to the exterior elevations of the building:



Figure 11 - Proposed Exterior Alterations to Right Side Elevation



Figure 12 - Proposed Exterior Alterations to Front Elevation (State Street)





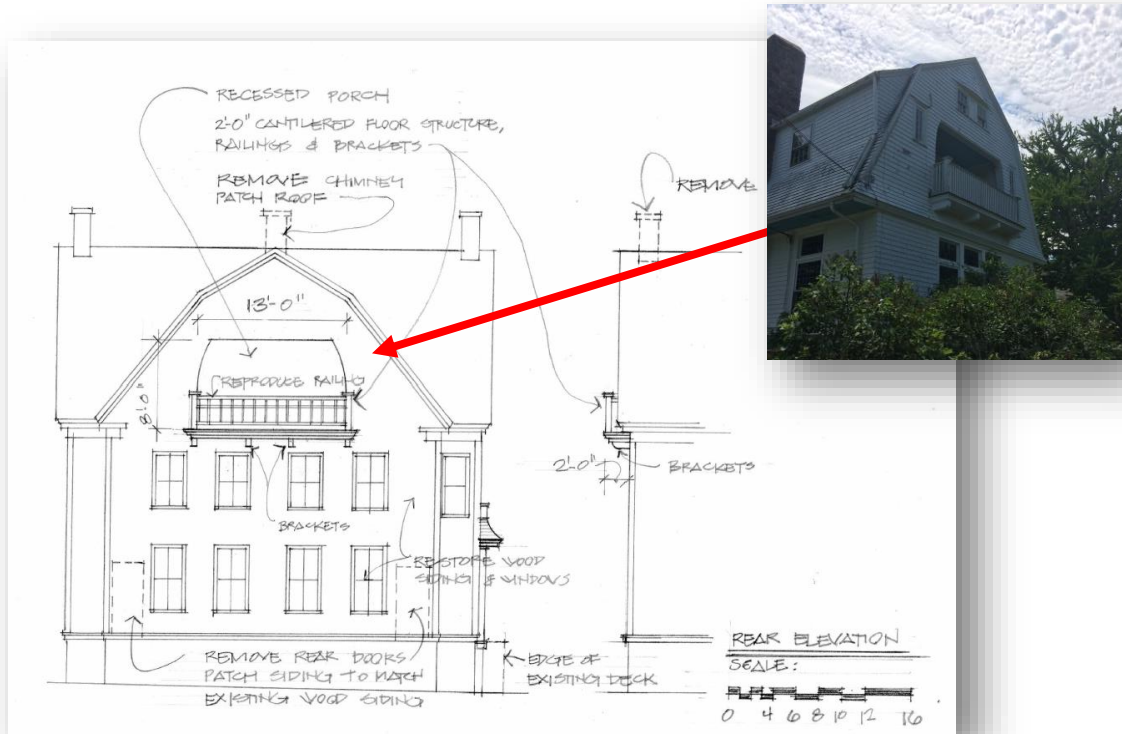


Figure 13 - Proposed Exterior Alterations to Rear Elevation



Figure 14 - Proposed Exterior Alterations to Left Side Elevation (Garden Street)



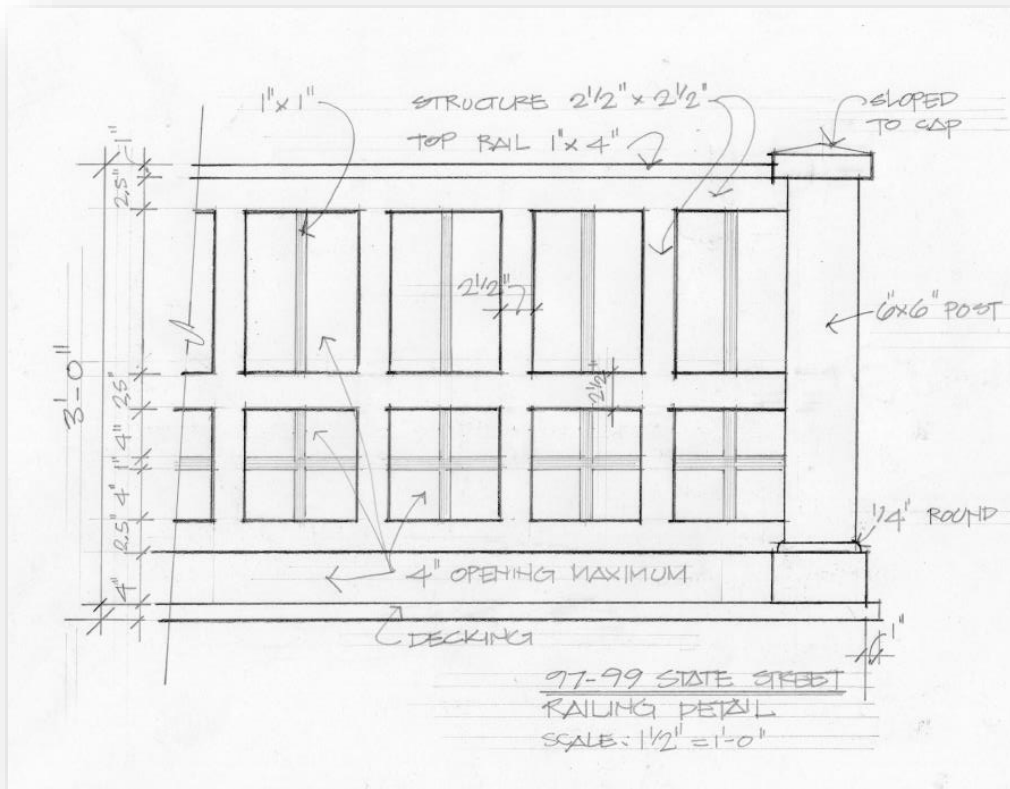


Figure 15 - Proposed Railing Detail (both sides)

### Proposed Dimensional Controls

The proposed footprint and height of the building is not changing. The only dimensional change is a minimal reduction of open space from 43.24% to 40% (the minimum requirement). No variances are required for this project. The Zoning Table below shows the existing and proposed dimensions of the lot and the building.

ZONING DISTRICT: R3								
UNITS ARE FEET AND SQUARE FEET AS APPROPRIATE								
THIS TABLE IS BASE ZONING. DOES NOT INCLUDE EXCEPTIONS/SPECIAL PROVISIONS								
LOT	R3	LOT AREA	% LOT COVERAGE	LOT FRONTAGE	SETBACKS			% OPEN SPACE
					FRONT	SIDE	REAR	
3 FAMILY	BYLAW	20,000	40	120	20	10	20	40
	EXISTING	4,776	45.94	46.50	12.7	1.9	25.3	43.24
	PROPOSED	4,776	45.94	46.50	12.7	1.9	25.3	40.03



## Section Four – Findings & Summary

### Special Permit - Findings

As shown on the proposed site plan, no dimensional variances are required for this project. The existing density of four units will be reduced to three and parking will be increased from one to four spaces. However, the minor alterations to the exterior of the historic structure require a special permit under the Downtown Overlay District (DOD-SP - Section XXVIII). This project is consistent with the surrounding character and will not be detrimental or adverse to the surrounding properties or the ordinance as a whole. The proposed restoration plan is also consistent with the purpose and intent of the DOD-SP.

### Summary

The primary purpose of the Zoning Ordinance is to protect the property values and surrounding community character as well as remove nonconforming structures and uses. We believe that approval of this application will support that purpose. Compared to nearly all lots within the surrounding neighborhood, the proposed project design is consistent with the other building and lots in the surrounding neighborhood and the R3 District as a whole. Additionally, restoration of the exterior of this historically significant structure is consistent with the goals and objectives of the DOD-SP and reduction of the density to three units will reduce future parking demand within this densely developed neighborhood.

In summary, the proposed alterations are minor in nature and significantly improve the form and function of the building. Restoration of the exterior will significantly improve marketability of this project but also the surrounding property values. As a result, approval of the special permit would not equate a special privilege to the applicant or be inconsistent with what would be considered for other historic properties within the R-3 Zoning District. The facts relied upon in this application support a finding from the Planning Board that the relief sought will be desirable and, using the criteria listed in the Ordinance, we believe the Planning Board may grant this special permit to support the proposed plan without any detriment to the public good, the surrounding character of the neighborhood, or the Zoning Ordinance.

We look forward to presenting our application at your next available public meeting.

Respectfully,

---

Mark Wojcicki, Wojcicki Development, LLC

Cc: John Paulson, Atlantic Engineering, P.E. Civil Engineer  
Scott M. Brown, AIA, Scott M. Brown Architects, Newburyport, MA  
Nicholas J. Cracknell, Keystone Planning and Design, LLC



**EXHIBIT 1 – ASSESSOR’S CARD**

**97-99 STATE ST**

**Location** 97-99 STATE ST **Mblu** 14/ 42/ / /

**Owner** KATZ GLADYS **Assessment** \$739,800

**PID** 452 **Building Count** 1

**Current Value**

Assessment			
Valuation Year	Improvements	Land	Total
2018	\$351,500	\$388,300	\$739,800

**Owner of Record**

**Owner** KATZ GLADYS **Sale Price** \$0

**Co-Owner** SAUL J/T **Certificate**

**Address** 97 STATE ST **Book & Page** DOC39/3220

NEWBURYPORT, MA 01950 **Sale Date** 01/11/2002

**Instrument** 1H

**Ownership History**

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
KATZ GLADYS	\$0		DOC39/3220	1H	01/11/2002
KATZ BEATRICE-GLADYS	\$0		06679/0040		02/15/1980

**Building Information**

**Building 1 : Section 1**

**Year Built:** 1889

**Living Area:** 4,723

Building Attributes	
Field	Description
Style	Family Conver.
Model	Residential
Stories:	2 1/2 Stories
Occupancy	4
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	
Roof Structure:	Gable/Hip



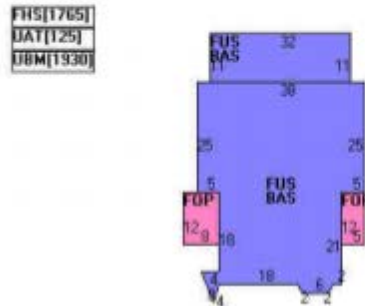
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Plastered
Interior Wall 2	
Interior Flr 1	Carpet
Interior Flr 2	Hardwood
Heat Fuel	Gas
Heat Type:	Forced Air-Duc
AC Type:	None
Total Bedrooms:	6 Bedrooms
Total Bthrms:	5
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	12 Rooms
Bath Style:	Average
Kitchen Style:	Old Style

**Building Photo**



(<http://images.vgsi.com/photos/NewburyportMAPphotos//01\00\2>)

**Building Layout**



Building Sub-Areas (sq ft)			Legend	
Code	Description	Gross Area	Living Area	
BAS	First Floor	1,920	1,920	
FUS	Upper Story, Finished	1,920	1,920	
FHS	Half Story, Finished	1,765	883	
FOP	Porch, Open	156	0	
UAT	Attic	125	0	
UBM	Basement, Unfinished	1,930	0	
		7,816	4,723	

**Extra Features**

Extra Features				Legend
Code	Description	Size	Value	Bldg #
FPL3	FIREPLACE 2 ST	2 UNITS	\$4,400	1
FPO	EXTRA FPL OPEN	2 UNITS	\$1,400	1



Land Use		Land Line Valuation	
<b>Use Code</b>	1110	<b>Size (Acres)</b>	0.11
<b>Description</b>	APT 4-8 UN	<b>Depth</b>	0
<b>Zone</b>	R3	<b>Assessed Value</b>	\$388,300

**Outbuildings**

Outbuildings	Legend
No Data for Outbuildings	

**Valuation History**

Assessment			
Valuation Year	Improvements	Land	Total
2017	\$303,400	\$369,800	\$673,200

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EXHIBIT 2 – EXISTING CONDITIONS

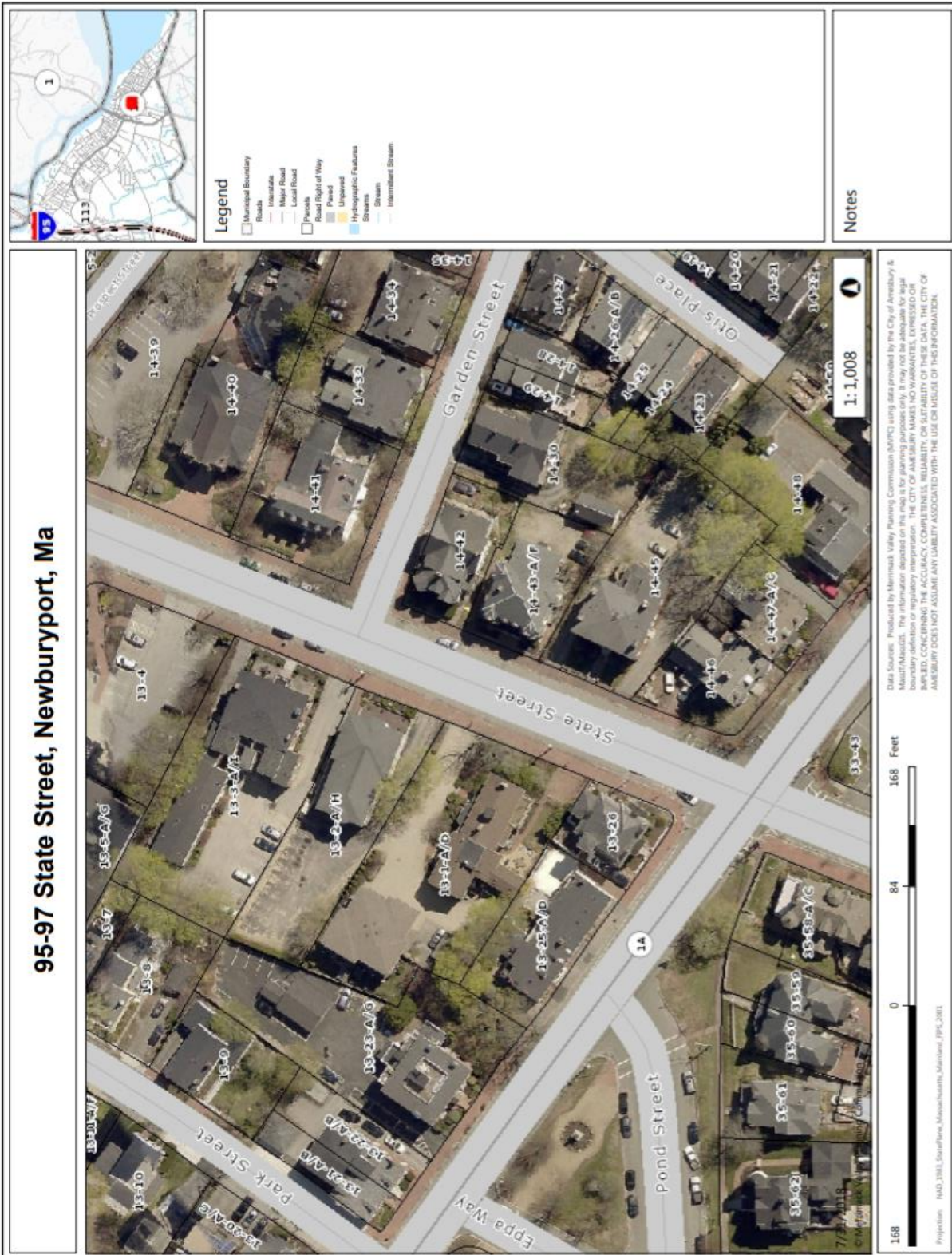
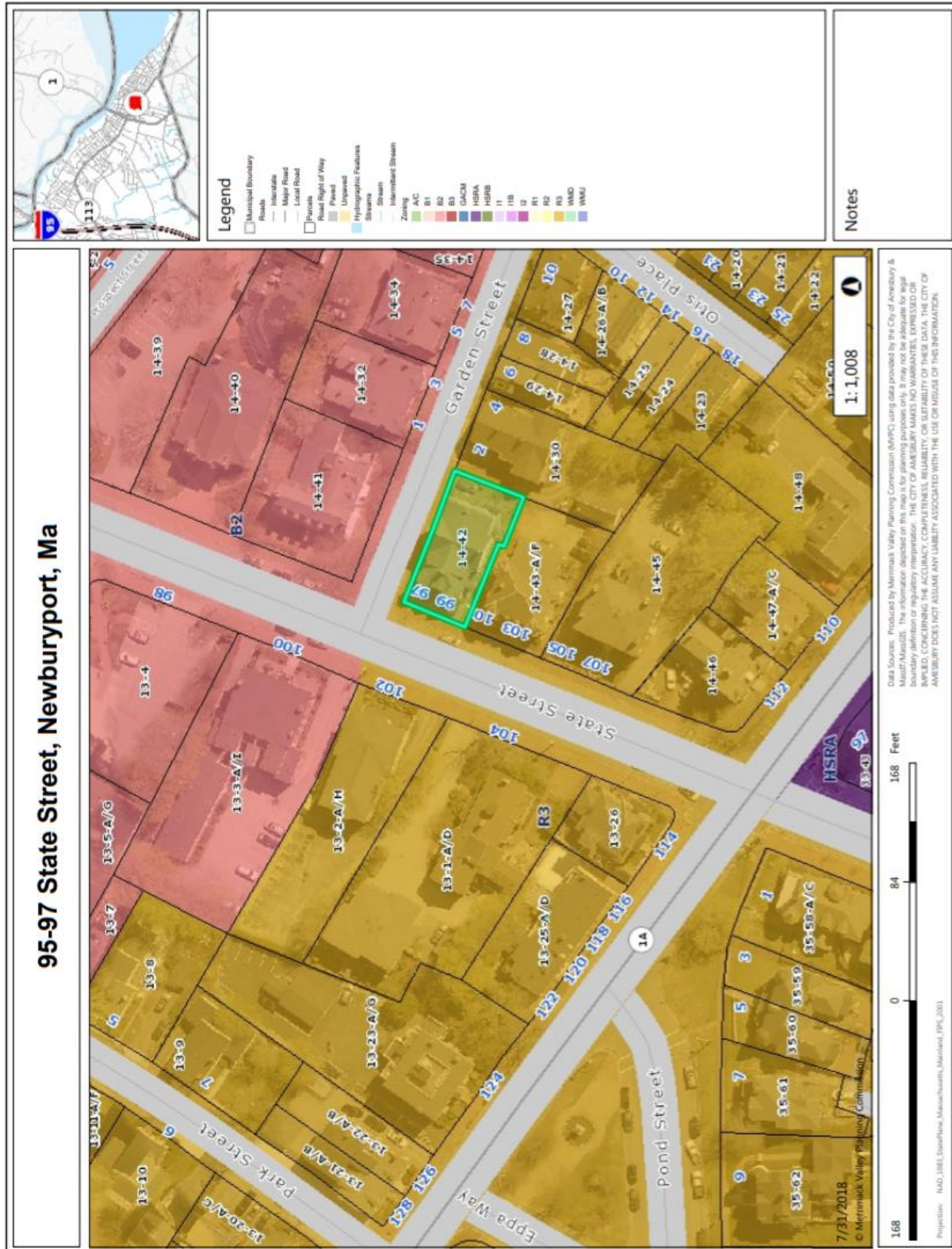


EXHIBIT 3 – ZONING





**EXHIBIT 4 – SYNOPTIC SURVEY INFORMATION**

1 – 97 State Street

2 – 101 State Street

3 – 105 State Street

4 – 112 High Street

5 – 110 High Street

6 – 114 High Street

7 – 104 State Street

8 – 102 State Street

9 – 100 State Street

10 – 93 State Street

11 – 95 State Street

12 – 1 Garden Street

13 – 5 Garden Street

14 – 9 Garden Street

15 – 7 Otis Place

16 – 11 Otis Place

17 – 10 Garden Street

18 – 8 Garden Street

19 – 6 Garden Street

20 – 2 Garden Street

**NEIGHBORHOOD CONTEXT MAP:  
97-99 STATE STREET**



**EXHIBIT 5 – PROPOSED SITE PLAN**

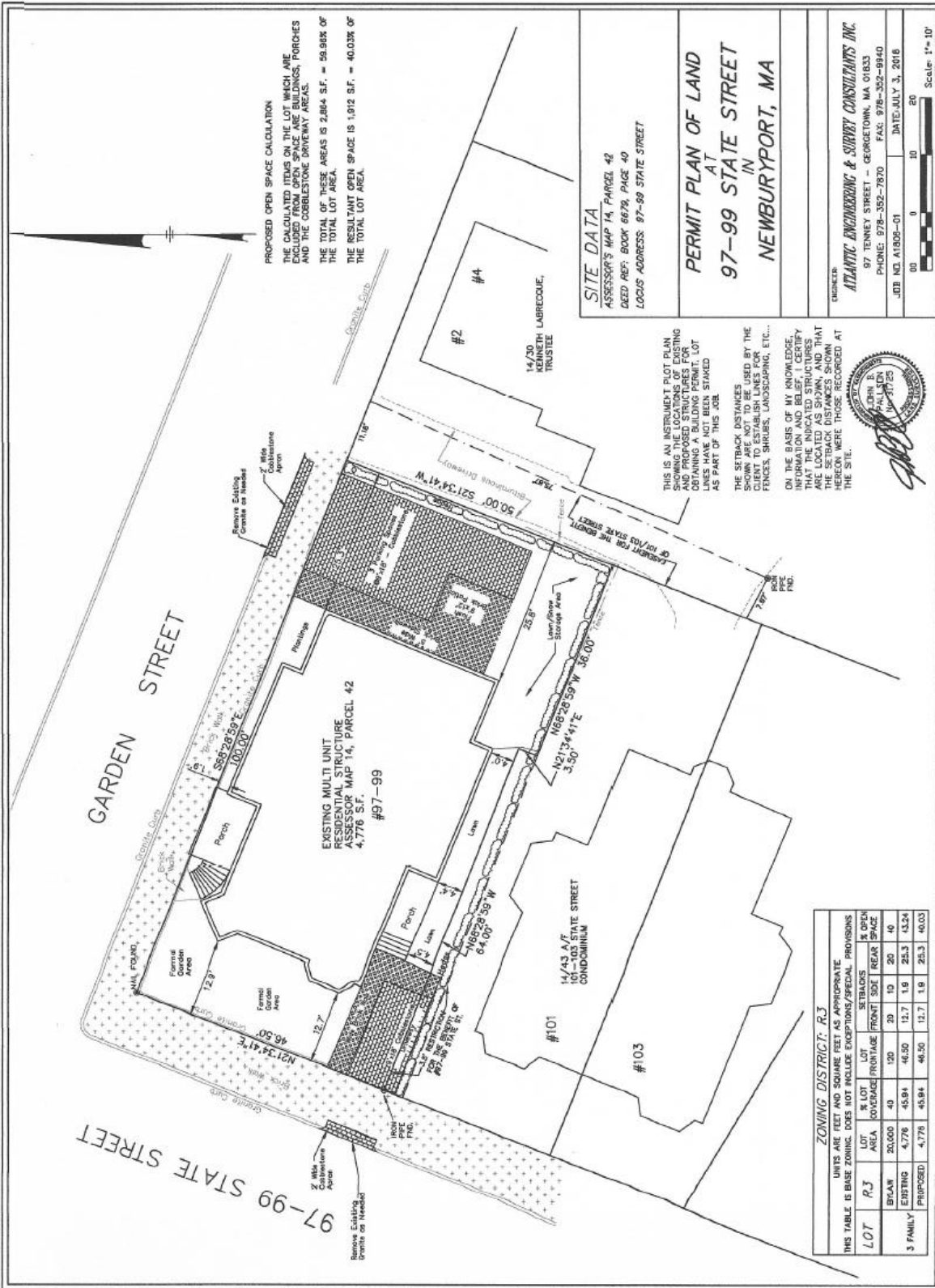
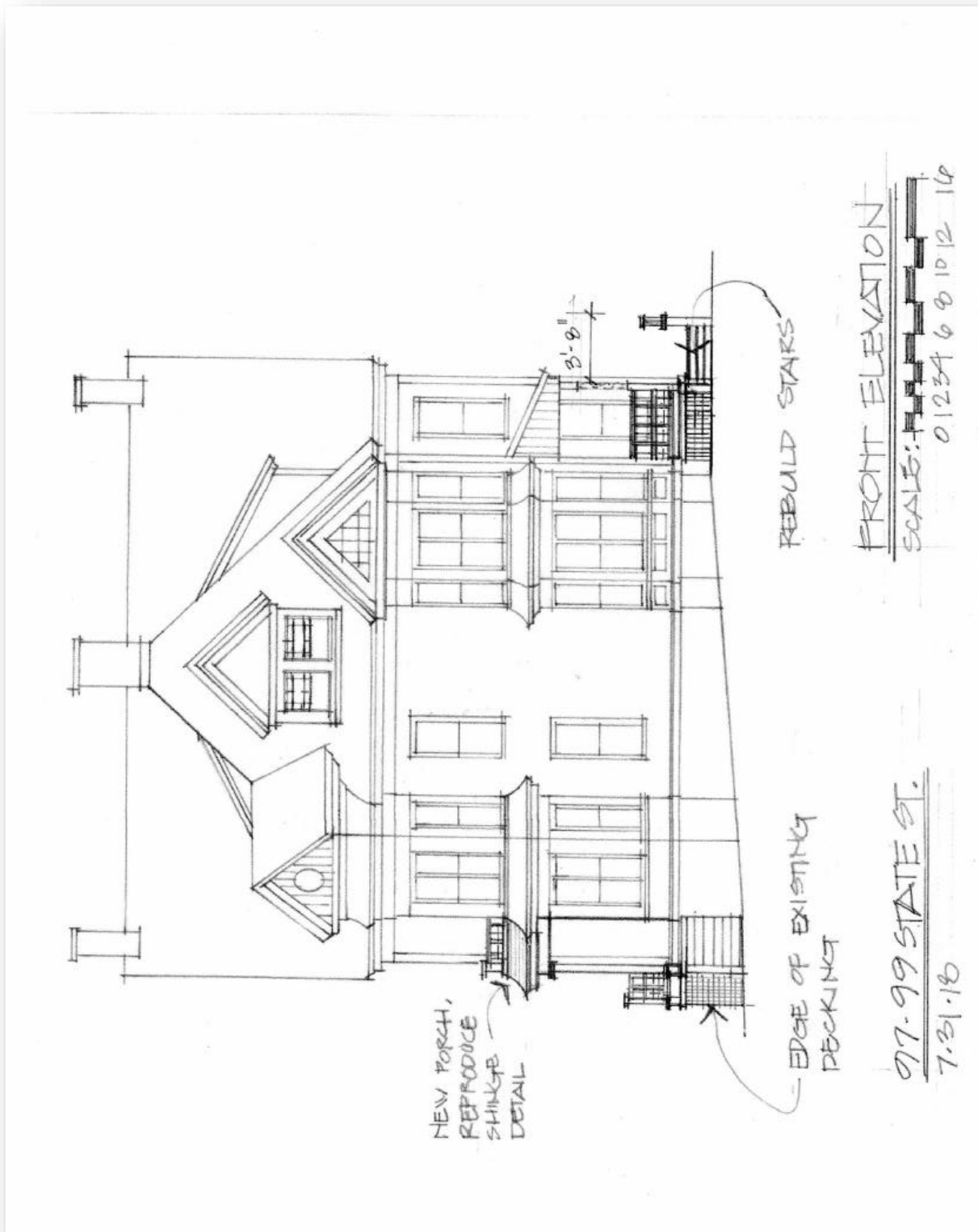


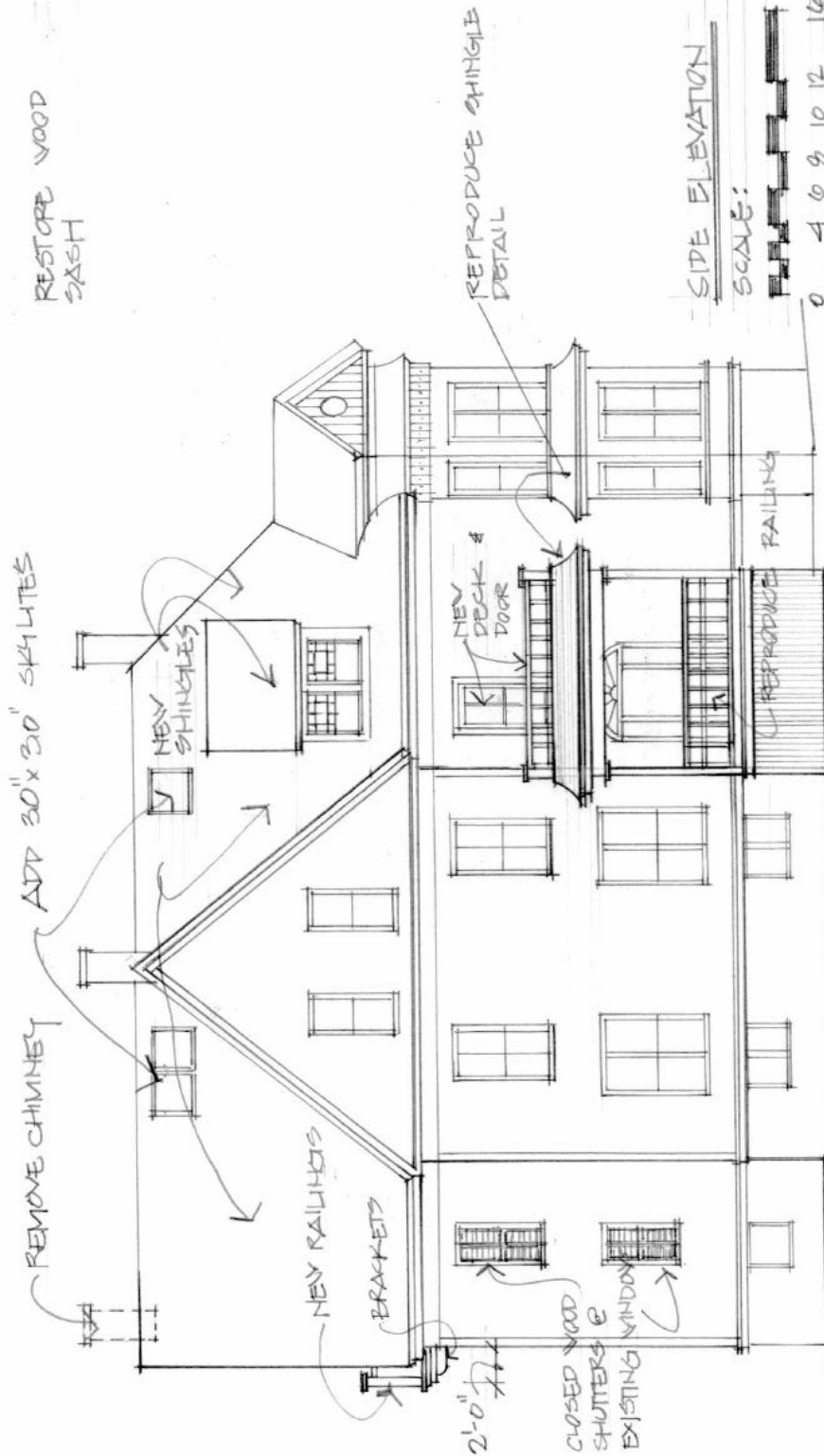
EXHIBIT 6 – ELEVATIONS OF EXTERIOR ALTERATIONS

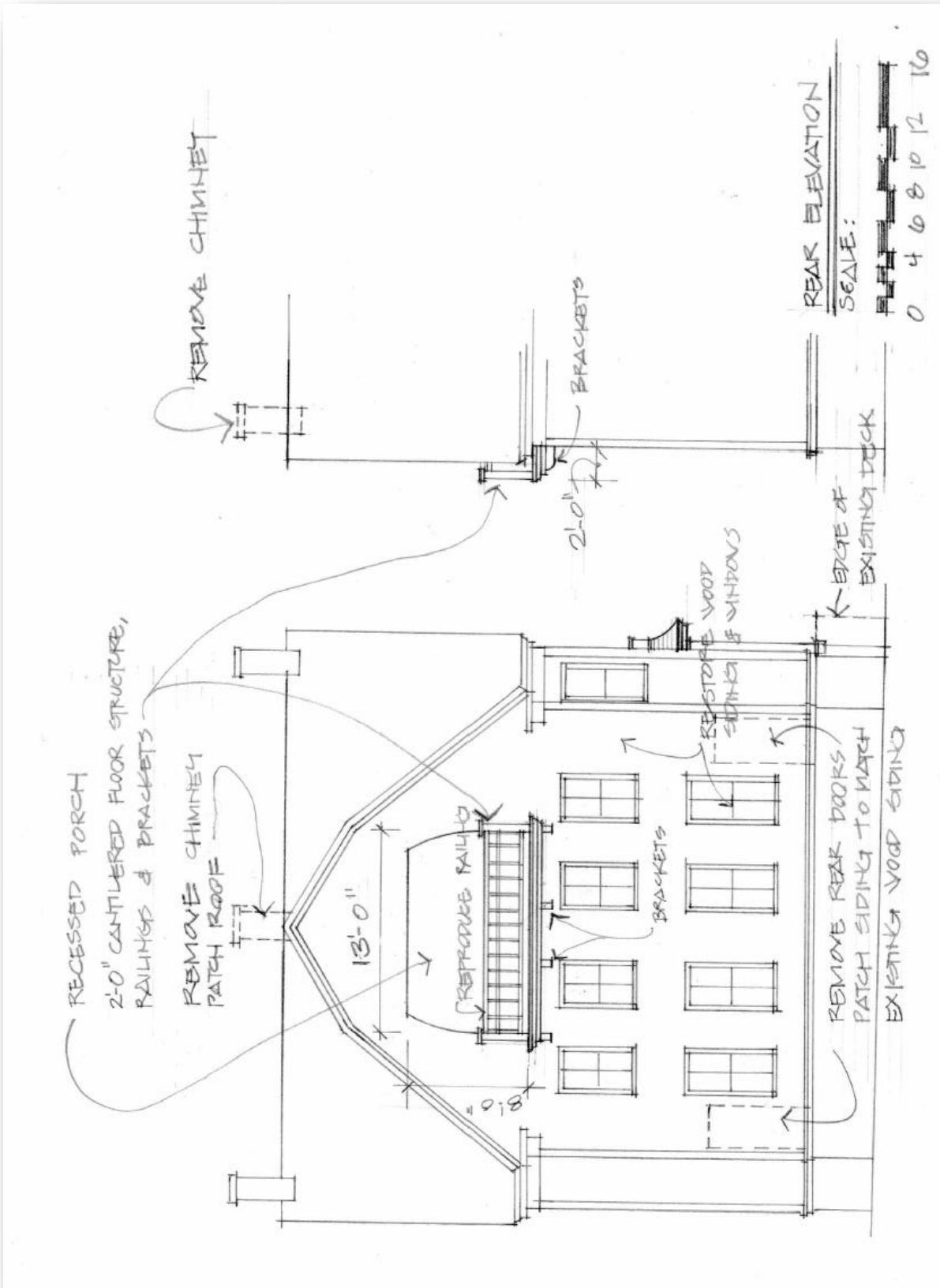


NOTES:

REMOVE VINYL &  
ALUMINUM SIDING  
AND RESTORE  
EXISTING WOOD  
SIDING

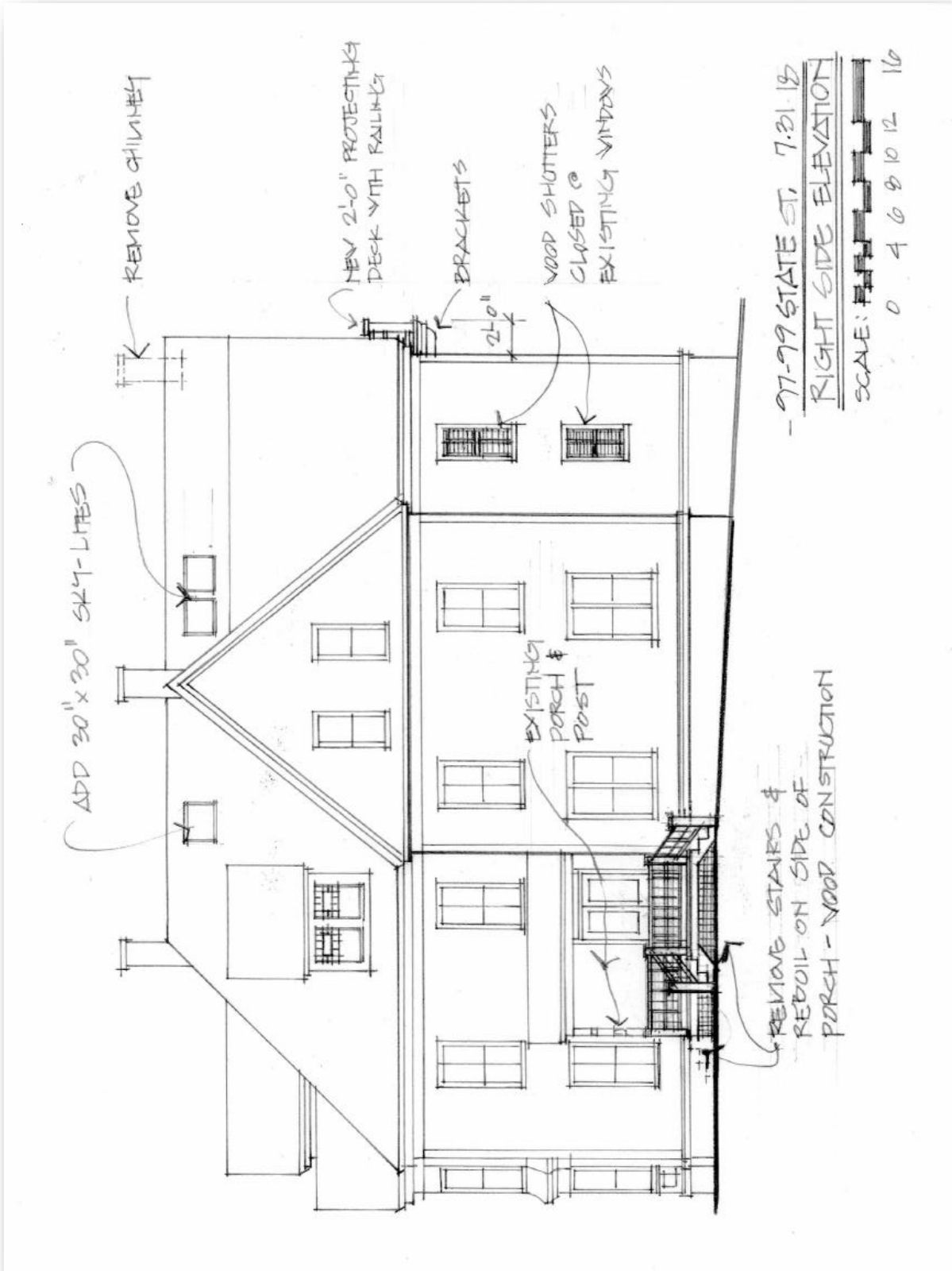
RESTORE WOOD  
SASH



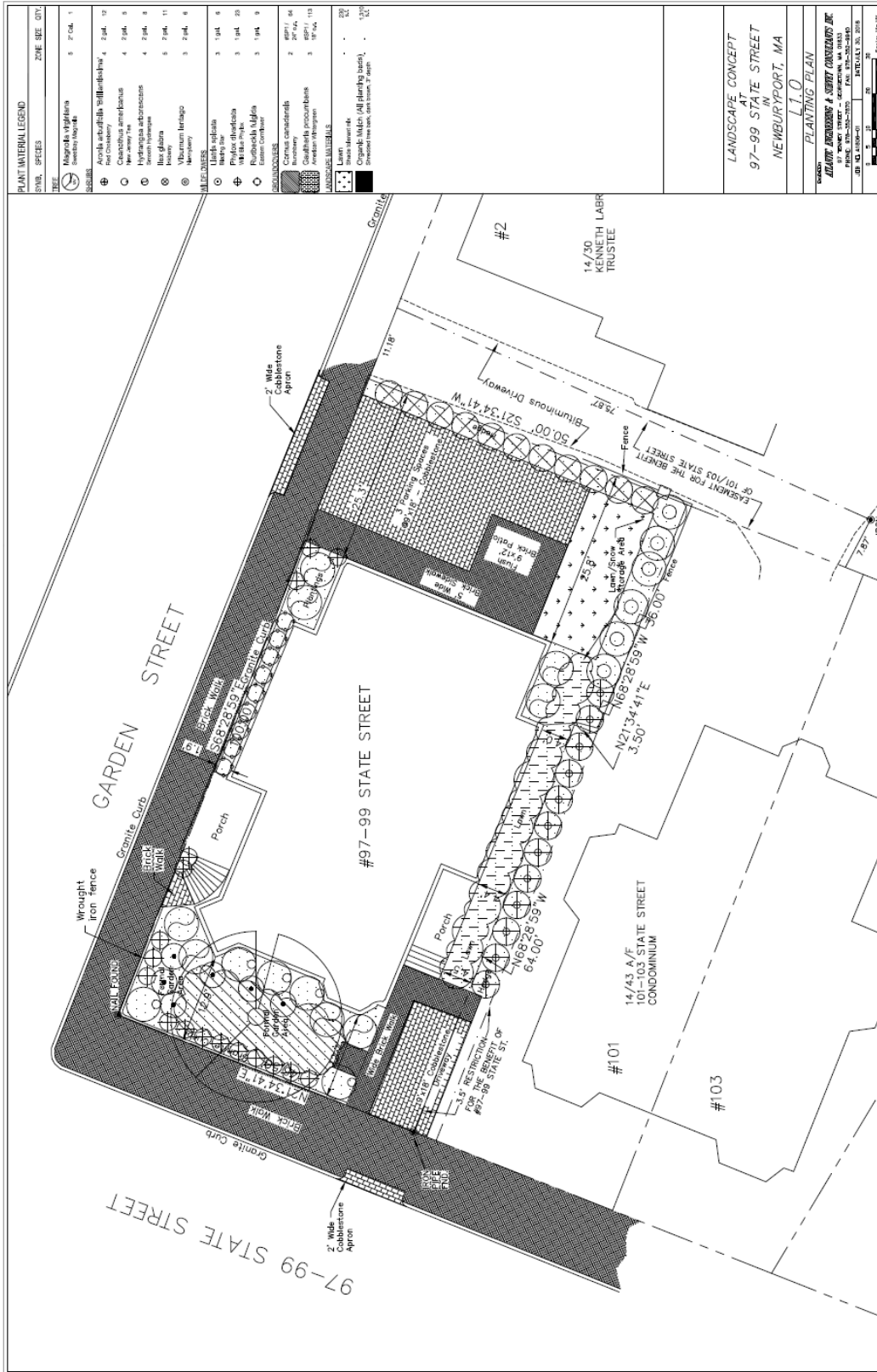


REAR ELEVATION  
 SCALE: 0 4 6 8 10 12 16





# EXHIBIT 7 – LANDSCAPE PLAN (DRAFT)



PLANT MATERIAL LEGEND

SYMBOL	SPECIES	ZONE	SIZE	QTY
○	<i>Magnolia virginiana</i> Sweetbay Magnolia	8	2' Dia.	1
⊕	<i>Aronia arbutifolia</i> 'Brilliantissima' Red Chokeberry	4	2'x4'	12
○	<i>Choisyanthus grandifolius</i> New Jersey Tea	4	2'x4'	6
○	<i>Hydrangea arborescens</i>	4	2'x4'	8
○	<i>Ilex glabra</i> Inkberry	5	2'x4'	11
○	<i>Viburnum lentago</i>	3	2'x4'	6
○	<i>Phlox divaricata</i> Wild Blue Phlox	3	1'x4'	6
○	<i>Rudbeckia fulgida</i> Eastern Cornflower	3	1'x4'	6

GROUNDCOVERS

○	<i>Coriaria canadensis</i>	2	6" x 1'	64
○	<i>Gaultheria procumbens</i> American Wintergreen	3	6" x 1'	114
○	<i>Liatis spicata</i> Blazing Star	1	3' x 3'	1

LANDSCAPE MATERIALS

○	Lawn	220
○	Gravel: 1/4"	150
○	Gravel: 3/4"	150
○	Gravel: 1 1/2"	150
○	Gravel: 2"	150
○	Gravel: 3"	150
○	Gravel: 4"	150
○	Gravel: 6"	150
○	Gravel: 8"	150
○	Gravel: 10"	150
○	Gravel: 12"	150
○	Gravel: 15"	150
○	Gravel: 18"	150
○	Gravel: 24"	150
○	Gravel: 30"	150
○	Gravel: 36"	150
○	Gravel: 42"	150
○	Gravel: 48"	150
○	Gravel: 54"	150
○	Gravel: 60"	150
○	Gravel: 66"	150
○	Gravel: 72"	150
○	Gravel: 78"	150
○	Gravel: 84"	150
○	Gravel: 90"	150
○	Gravel: 96"	150
○	Gravel: 102"	150
○	Gravel: 108"	150
○	Gravel: 114"	150
○	Gravel: 120"	150
○	Gravel: 126"	150
○	Gravel: 132"	150
○	Gravel: 138"	150
○	Gravel: 144"	150
○	Gravel: 150"	150
○	Gravel: 156"	150
○	Gravel: 162"	150
○	Gravel: 168"	150
○	Gravel: 174"	150
○	Gravel: 180"	150

**TREE**

*Magnolia virginiana*  
Sweetbay Magnolia

**SHRUBS**

*Aronia arbutifolia* 'Brilliantissima'  
Red Chokeberry

*Viburnum lentago*  
Nannyberry

**GROUNDCOVERS**

*Ilex glabra*  
Inkberry

*Rudbeckia fulgida*  
Eastern Cornflower

**WILDFLOWERS**

*Ceanothus americanus*  
New Jersey Tea

*Liatis spicata*  
Blazing Star

*Gaultheria procumbens*  
American Wintergreen

*Hydrangea arborescens*  
Smooth Hydrangea

*Phlox divaricata*  
Wild Blue Phlox

**LANDSCAPE MATERIALS**

Wrought iron fence

Cobblestone paving

Brick paving

Cobbletone parking area and brick sidewalk

LANDSCAPE CONCEPT  
AT  
97-99 STATE STREET  
IN  
NEWBURYPORT, MA

LANDSCAPE MATERIAL IMAGES  
**L2.0**  
CORREY LANDSCAPE ARCHITECTURE & SITEWORK CONSULTANTS, INC.  
117 WILMINGTON STREET - SUITE 101 NEWBURYPORT, MA 01883  
PHONE: 978-532-1370 FAX: 978-532-0460  
WWW.CORREYLANDSCAPE.COM



Scale: 1" = 20'





**EXHIBIT 8 – ZONING DENIAL REQUEST FORM**

July 23, 2018

Jennifer Blanchet  
Zoning Administrator and Enforcement Officer  
Planning & Development Department  
City of Newburyport  
60 Pleasant St.  
Newburyport, MA

Re: Zoning Denial Request: 97-99 State Street, Newburyport, MA

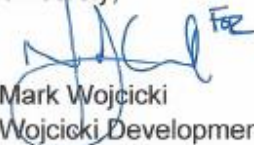
Dear Ms. Blanchet,

Please accept this request, zoning matrix and the accompanying site plan for your use in evaluating the zoning relief required for the proposed subdivision for the property located at 97-99 State Street.

Our preliminary review indicates that no existing non-conformity is being intensified and no new non-conformities are being created from converting this four-family structure to a three-family use. Thus, the zoning regulations only require a special permit under Section XXVII: Downtown Overlay District of the Zoning Ordinance.

If you have any questions or comments, please do not hesitate to contact me at 978 815 6868.

Sincerely,

  
Mark Wojcicki  
Wojcicki Development, LLC  
110 Main Street  
Amesbury, MA  
01913

Cc: Scott Brown, AIA, 29 Water Street, Newburyport, MA  
John Paulson, P.E., Atlantic Engineering, Georgetown, MA



**City of Newburyport  
Building Department  
ZONING MATRIX**

Applicant Name MARK WOJCIKI  
 Property Address 95-97 STATE ST.  
 Date 7.24.18  
 Use Code 103  
 Zoning District R3

	Existing Dimensional Controls	Proposed Dimensional Controls	Required Dimensional Controls	Notes
Lot Area	4,776	4,776	20,000	NO CHANGE
Frontage	46.5	46.5	120	NO CHANGE
Height*	32'±	32'±	≤ 35'	NO CHANGE
Lot Coverage (%) **	45.9	45.9	≤ 40	NO CHANGE
Open Space (%) ***	43.24	40.3	≥ 40	
Front Setback	12.7	12.7	≥ 20	NO CHANGE
Side A Setback	1.9	1.9	≥ 10	NO CHANGE
Side B Setback	4.0	4.0	≥ 10	NO CHANGE
Rear Setback	25.3	25.3	≥ 20	
Parking Spaces	1	4	5.5	
FAR^	—	—	—	

\*Height is measured from the mean grade elevation to the mean roof elevation.  
 \*\*Lot coverage is the percentage of lot area devoted to building area. Divide the total building area by the lot size. This includes all accessory structures.  
 \*\*\*Open Space is the space on a lot unoccupied by buildings, driveways, or parking areas. Decks, patios, and pools may be considered as open space. Total all building and parking areas and divide by lot size. Proceed to subtract that number from 100%. The result is open space percentage.  
 ^FAR is only applicable to the Plum Island Overlay District (PIOD). Divide the total gross floor area of a building (regardless of usable area) and divide by lot size.

Total additional square footage: ∅




EXHIBIT 9 – HISTORIC SURVEY FORMS

FORM B - BUILDING

MASSACHUSETTS HISTORICAL COMMISSION

Area	Form n
	368



City Newburyport

Address 97-99 State Street

Historic Name \_\_\_\_\_

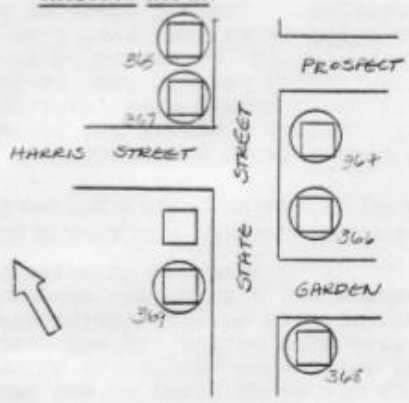
Original Residence

Present Residence

Ownership:  Private individual  
 Private organization  
 Public

Original owner Fred Atkinson

Draw map showing property's location in relation to nearest cross streets and other buildings or geographical features. Indicate north.



DESCRIPTION:

Date c. 1885

Source Atlas of Essex County,

Style Queen Anne

Architect Unknown

Exterior wall fabric Clapboards and shingles

Outbuildings \_\_\_\_\_

Major alterations (with dates) Doorway altered, porch added (dates unknown)

Moved \_\_\_\_\_ Date \_\_\_\_\_

Approx. acreage 6,670 sq. ft.

Setting In residential area adjacent to the central business district Newburyport's main street.

Recorded by Mary Jane Stirgwolt

Organization Office of Community Development

Date 6-30-80

(Staple additional sheets here)



ARCHITECTURAL SIGNIFICANCE (describe important architectural features and evaluate in terms of other buildings within community)

This house is a good example of the Queen Anne style in the vernacular. Although the detail of the house is simple, several of its features are typically Queen Anne. These include the irregularity of massing and variety of surface textures. The windows vary in style and the use of small panes set in wooden sash around a larger pane are common to the style. The house has multiple roofs meeting at right angles. The projecting bays with gable roofs help create the effect of turrets which might be used in the high style Queen Anne house. Newburyport has quite a few homes in this style, built at the end of the nineteenth century.

HISTORICAL SIGNIFICANCE (explain the role owners played in local or state history and how the building relates to the development of the community)

This house was built toward the end of the nineteenth century by a member of the Atkinson family. In 1883, Benjamin T. Atkinson, a shipbuilder, with Atkinson and Fillmore on Currier's Wharf, sold a parcel of land to Fred L. Atkinson. In 1891, the property was sold to Charles E. Atkinson. By this time, the house had been built. It could very well have been built for a member of the family. The Atkinson's lived on State Street, adjacent to Garden Street. In 1920 Eugene Atkinson was living at 97 State Street.

The Atkinson family has been very prominent in Newburyport. They have had a coal and wood dealership, Atkinson Coal Company, on Water Street, for over one hundred years.

BIBLIOGRAPHY and/or REFERENCES

Atlas of Essex County, G. H. Walker and Company 1884  
1883, 1891, 1920 Newburyport City Directories  
Assessor's Records 1890-1980

20M-2/80



CITY OF NEWBURYPORT, MA  
ZONING REVIEW (BUILDING PERMIT DENIAL)

APR# 2018-057

Name: Mark Wojcicki

Address: 97-99 State Street Zoning District(s): R3/DOD

Request: Convert existing 4 family to 3 family which are both considered multi family therefore no use change. Add recessed porch to 3rd floor. Extend dormer and repair/modify exterior details. Add additional brick parking area on both Garden and State Streets with new cub cut on State St. Parking is currently nonconforming and quantity is being improved.

ZONING BOARD REVIEW REQUIRED

**Variance**

- Use Regulations (V)
- Dimensional Controls (VI)
  - \_\_\_ Lot Area      \_\_\_ Open Space      \_\_\_ Front Yard
  - \_\_\_ Lot Frontage      \_\_\_ Height      \_\_\_ Side Yard
  - \_\_\_ Lot Coverage      \_\_\_ Lot Width      \_\_\_ Rear Yard
- Parking (VII)

**Sign Variance**

- Signs (VIII)
  - \_\_\_ Type      \_\_\_ Size
  - \_\_\_ Lighting      \_\_\_ Location

**Special Permit for Non-Conformities**

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

**Special Permit**

- Table of Use Regulations (V.D) #: \_\_\_\_\_
- Spacing (VI.D)
- 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 Use Regulations (V-D) # \_\_\_\_\_
- 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      \_\_\_ Rear Yard
  - \_\_\_ Upward Extension      \_\_\_ Lot Coverage
  - \_\_\_ Open Space      \_\_\_ Side Yard
  - \_\_\_ Height      \_\_\_ Lot Frontage
  - \_\_\_ Lot Area      \_\_\_ Front Yard
- Over 500 sf. increase (IX.B.3.c)

**Site Plan Review (XV)**

- Major       Minor

**Smart Growth District (XXIX)**

- Plan Approval

HISTORICAL COMMISSION REVIEW REQUIRED

- Demo. Delay       \*Advisory Review

CONSERVATION COMMISSION REVIEW REQUIRED

CITY COUNCIL REVIEW REQUIRED (X.H.9)

  
Newburyport Zoning Administrator

7/26/2018  
Date