

CITY OF NEWBURYPORT
HISTORICAL COMMISSION
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4400

Request for Historical Report

Applicant: City of Newburyport Office of Planning and Development

Mailing Address: 60 Pleasant Street
Newburyport, MA 01950

Phone: 978-465-4400

Email: kesullivan@cityofnewburyport.com

Property Address: 98 State Street, Newburyport, MA 01950

The subject property is located within the: Downtown Overlay District (DOD)
 Demolition Control Overlay District (DCOD)

The Special Permit is for the following request:
Replace existing wood fence at the State Street Parking Lot with new 6' high fence along rear lot line on corner lot in the Downtown Overlay District.

Katelyn Sullivan
Signature of Applicant

10/28/2020
Date



CITY OF NEWBURYPORT
OFFICE OF PLANNING AND DEVELOPMENT
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4400

October 28, 2020

Glenn Richards, Chair
Newburyport Historical Commission
60 Pleasant Street
Newburyport, MA 01950

Dear Chairman Richards-

Pursuant to Section XXVII-E and XXVII-F of the Newburyport Zoning Ordinance, please find the attached Request for Historical Report to replace the existing wood fence at the State Street Parking Lot with a new 6 ' high fence along the rear lot line in the Downtown Overlay District (DOD).

Fences and site walls within the DOD, whether newly constructed, altered or replaced, shall be appropriate in scale, materials and architectural style to the historic buildings and structures located on the same lot, to the lot itself, and to its setting. Please see the attached photos showing the existing setting. The existing site is used as a public parking lot and used generally for patrons visiting the Newburyport Public Library. The existing fence along the rear lot line has fallen into disrepair. A generous donation has accepted by the City to replace the existing fence. The new fence is proposed to be a 6 ' high cedar panel fence with a baluster at the top mimicking a rod iron style top. Please find as part of this Request, the full text of the new Fencing in the DOD zoning amendment which includes photo examples of preferred fence styles which the proposed fence at 98 State Street is in keeping with.

Finally, it is important to note, that the donation also included proposed murals to be affixed to the new fence. You can see the preliminary mural renderings attached to this application.

Thank you for your consideration.

Respectfully,


Katelyn Sullivan
Office of Planning and Development

CITY OF NEWBURYPORT, MA
ZONING DETERMINATION

APR# 2020-082

Name: City of Newburyport

Address: 98 State Street

Zoning District(s): B2/DOD

Request: Replace existing wood fence with new 6' high wood fence along rear lot line on corner lot in the downtown overlay district. Fences open to public view greater than 4' require SP review.

ZONING BOARD REVIEW REQUIRED

Variance

- Dimensional Controls (VI)
 - Lot Area
 - Lot Frontage
 - Lot Coverage
 - Parking (VII)
 - Modification
- Open Space
- Height
- Lot Width
- Front Yard
- Side Yard
- Rear Yard

Sign Variance

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

Other

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 _____

Special Permit for Non-Conformities

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

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
 - Upward Extension
 - Open Space
 - Height
 - Lot Area
 - Use
 - Rear Yard
 - Lot Coverage
 - Side Yard
 - Lot Frontage
 - 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

The name typed below represents the intent to sign the foregoing document:

Jennifer T Blanchet

10/16/20

Newburyport Zoning Administrator

Date

98 STATE ST

Location 98 STATE ST

MBLU 13/4///

Owner CITY OF NEWBURYPORT

Assessment \$624,700

PID 381

Building Count 1

Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$36,200	\$588,500	\$624,700

Owner of Record

Owner CITY OF NEWBURYPORT
Co-Owner PARKING LOT
Address 60 PLEASANT STREET
 NEWBURYPORT, MA 01950

Sale Price \$450,000
Certificate
Book & Page 15632/0250
Sale Date 04/28/1999
Instrument 1E

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
CITY OF NEWBURYPORT	\$450,000		15632/0250	1E	04/28/1999
LEEMILT'S PETROLEUM INC	\$475,000		08660/0472	00	12/04/1986
SOUSA OIL CO INC	\$0		06260/0472		07/19/1976

Building Information

Building 1 : Section 1

Year Built:

Living Area: 0

Building Attributes	
Field	Description
Style	Outbuildings
Model	
Stories:	
Occupancy	

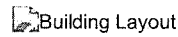
Exterior Wall 1	
Exterior Wall 2	
Roof Structure:	
Roof Cover	
Interior Wall 1	
Interior Wall 2	
Interior Flr 1	
Interior Flr 2	
Heat Fuel	
Heat Type:	
AC Type:	
Total Bedrooms:	
Total Bthrms:	
Total Half Baths:	
Total Xtra Fixtrs:	
Total Rooms:	
Bath Style:	
Kitchen Style:	

Building Photo



(<http://images.vgsi.com/photos/NewburyportMAPPhotos//default.jpg>)

Building Layout



(http://images.vgsi.com/photos/NewburyportMAPPhotos//Sketches/381_414)

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 9030
Description MUNICIPAL MDL-00

Land Line Valuation

Size (Acres) 0.38
Depth 0
Assessed Value \$588,500

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
PAV1	PAVING-ASPHALT			21000 S.F.	\$36,200	1

Valuation History

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$36,200	\$588,500	\$624,700

NEWBURYPORT
DISTRICT DATA SHEET

Street Address	Map & Parcel	Historic Name	Date of Construction	Style	Status
88	1-16	commercial bldg.	ca 1910	astylistic	MC
✓ 94 #365	1-6	Nathaniel Tracy Nbpt. Public Libr. A. Gilman, Arch.	1771; 1865	high-style Georgian; Italianate	C
✓ 96 #367	1-5	YMCA (Amos Cutting architect)	1890-1891	Queen Anne	C
98	13-4	Gas Station	1970s	contemporary	INT
✓ 100 #369	13-3	Carter-Tilton House	ca 1795-1800	Federalist	C
102½	13-2	foundations	ca 1855		MC
104 (9.)	13-1		ca 1840; 1983	Greek Revival; alterations	C
106	35-57	Double House	ca 1875	Italianate	C
108	35-56	Double House	ca 1875	Italianate	C
110	33-55	Double House	ca 1875	Italianate	C
112	35-54	Double House	ca 1875	Italianate	C
114	35-49		ca 1860	sidehall Italianate cottage	C

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

AN ORDINANCE TO AMEND ARTICLE XXVII (DOWNTOWN OVERLAY DISTRICT) OF THE NEWBURYPORT ZONING ORDINANCE AS TO FENCES AND SITE WALLS

Be it ordained by the City Council of the City of Newburyport as follows:

THAT Sections XXVII-E and XXVII-F of the Zoning Ordinance be amended pursuant to Section XII-B (Adoption and Amendment) to read as follows, with deletions ~~double-stricken-through-and in bold~~, and additions double-underlined and in bold:

XXVII-E - Exclusions.

Consistent with the city's intent for the DOD under subsection XXVII-A, a DOD-SP shall not be required for any of the following categories of work, which are hereby excluded from review by the SPGA under this section, upon a written determination by the zoning administrator:

...

3. Any (i) alteration, demolition, or replacement of windows, doors, signs, and/or awnings, or (ii) construction, alteration, demolition, or replacement of fences or site walls, that is reviewed and approved by the office of planning and development under subsection XXVII-F.5(d);

...

XXVII-F Procedure and criteria.

...

5. Procedure, requirements, and criteria for review of proposed new construction and alterations:

...

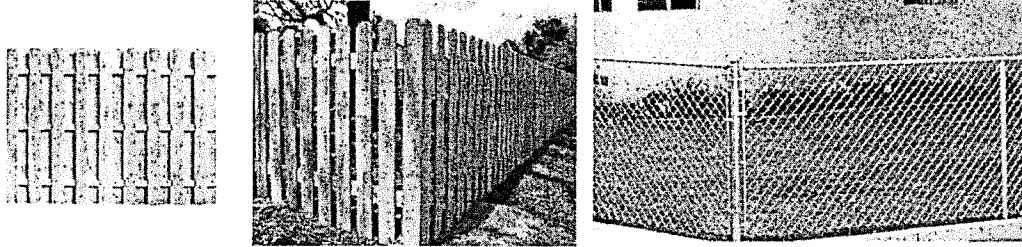
d. *Staff-level review.* The office of planning and development may review and approve for consistency with this section (i) the proposed alteration, demolition, or replacement of windows, doors, signs, and/or awnings, and (ii) the proposed construction, alteration, demolition or replacement of fences or site walls, when such work is unaccompanied by any other work subject to this section over a period of three (3) consecutive years, in which case exclusion 3 shall apply under subsection XXVII-E and no DOD-SP shall be required. Notwithstanding the foregoing, any proposed new ~~window or door~~ opening in an external wall of an historic building or structure for a window or door shall require a DOD-SP.

...

i. *Fences and site walls:* ~~New~~ Fences and site walls, whether newly constructed, altered, or replaced, shall be appropriate in scale, materials and architectural style to the historic buildings and structures located on the same lot, to the lot itself, and to its setting. Fences or site walls that will be visible from a public way or the Merrimack River warrant additional scrutiny for appropriateness. New fences and site walls shall not substantially block significant views from any street, way, or the Merrimack River, of the primary facades of historic buildings and structures located within the DOD. Placement of fences and site walls along lot lines confirms historic lot patterns of neighborhoods, as opposed to placement along arbitrary lines, and is favored. Wood, wrought-iron, masonry, or other historic materials shall be used instead of plastic, vinyl, aluminum or other contemporary materials. Where a more ornate style of fencing or site walls can be documented as having been present at the subject property, then such historic style may be replicated. In other cases, simpler historic designs, such as wood-picket, wrought-iron, or masonry shall be used instead of contemporary styles, such a unfinished, pressure-treated lumber, dog-eared, or chain-linked fencing. Fences and site walls shall be at a height from grade that is proportional to the structure(s) they accompany and the area they enclose, and, in all cases, solely the SPGA may approve heights in excess of four (4) feet for those fences or site walls visible from a public way or the Merrimack River.



(Simpler historic fence and site wall designs.)



(Unacceptable contemporary fence and site wall styles.)

Councillor Jared J. Eigerman

In City Council June 29, 2020:

Motion to approve 1st reading by Councillor Shand, seconded by Councillor Wallace. 11 yes.
Motion passed.

In City Council July 13, 2020:

Motion to approve 2nd reading by Councillor Zeid, seconded by Councillor Khan. Roll call vote.
11 yes. Motion passed.

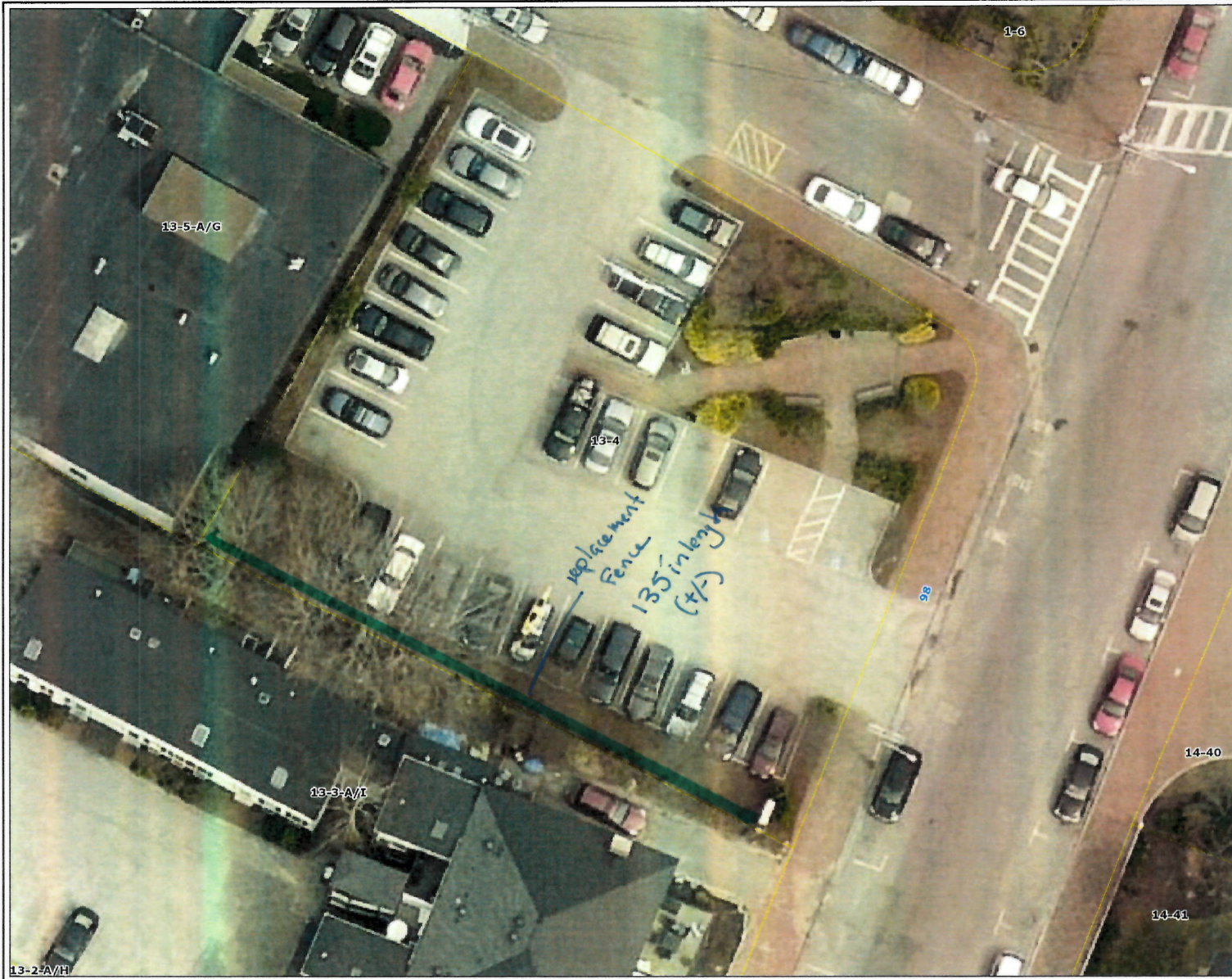
Approve:
Donna D. Holaday, Mayor

Attest:
Richard B. Jones, City Clerk

Date: 7/20/2020



****Please note parking lot permits are not valid in the Waterfront Trust Lot or the Parking Garage****



- MVPC Boundary
- Trees
 - Immediate Action Needed
 - No Action Needed
 - Unknown
- ▭ Parcels
- Hydrographic Features
- Streams
 - Stream
 - Intermittent Stream
- Wetlands
 - ▭ City
 - ▭ City and State
 - ▭ State

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

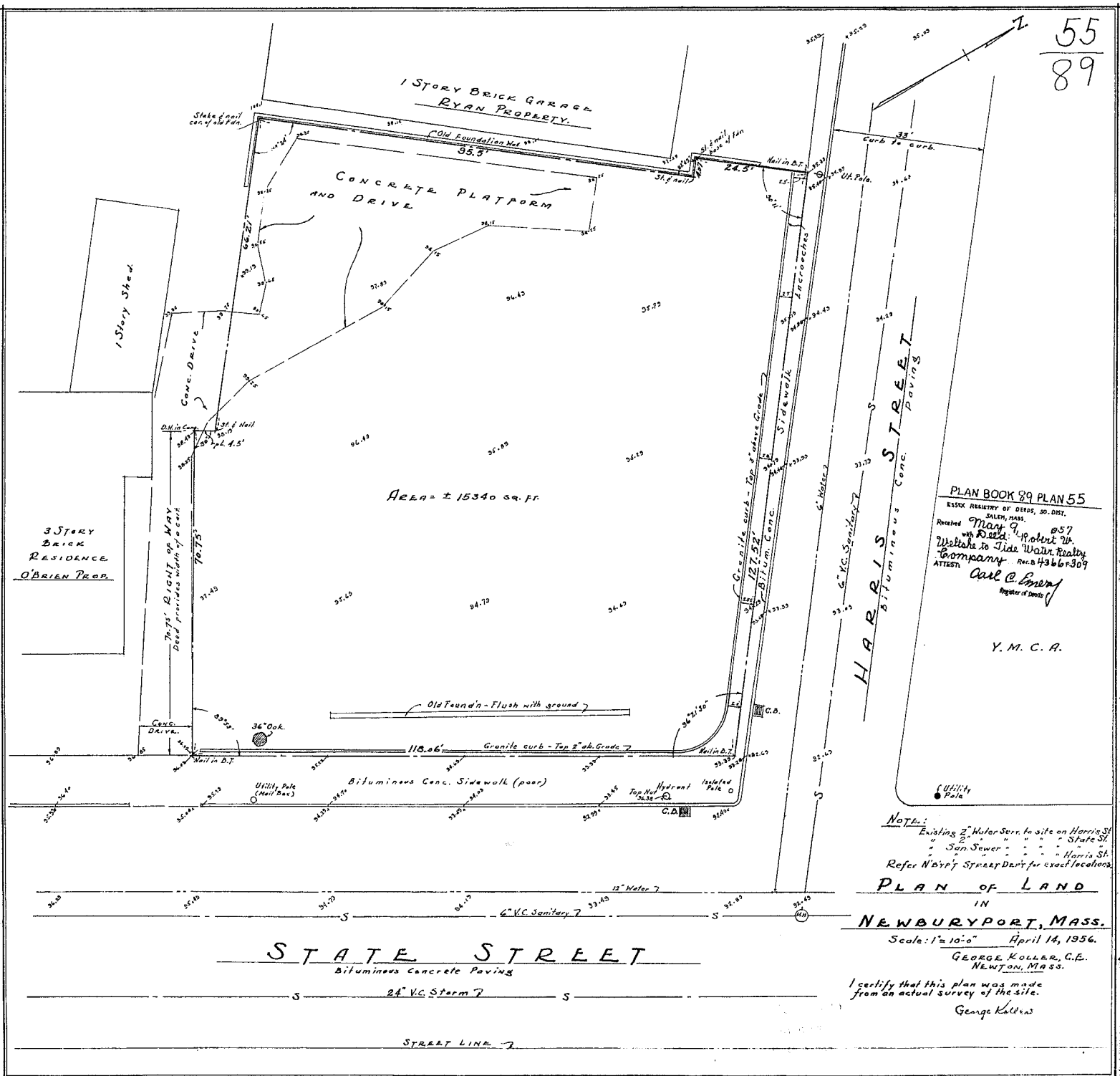
1" = 20 ft



Newburyport MIMAP

August 12, 2016

55
89



PLAN BOOK 89 PLAN 55
 ESSEX REGISTRY OF DEEDS, SO. DIST.
 SALEM, MASS.
 Received Mary G. 1957
 with Deed of Robert W.
Wolke to Tide Water Realty
Company Rec'd 4366309
 ATTEST: Carl C. Emery
 Register of Deeds

Y. M. C. A.

NOTE:
 Existing 2" Water Serv. to site on Harris St.
 " San Sewer " " " State St.
 " " " " Harris St.
 Refer N' City Survey Dept for exact locations.

PLAN OF LAND
 IN
 NEWBURYPORT, MASS.
 Scale: 1" = 10' 0" April 18, 1956.

GEORGE KOLLER, C.E.
 NEWTON, MASS.

I certify that this plan was made
 from an actual survey of the site.
 George Koller

Existing
Fence



Setting #1



Setting #2



Setting #3



Setting #4



Proposed new fence style





INSTITUTION FOR SAVINGS



THE LIBRARY



The Old Ymca



WOLFE TAVERN