

# City of Newburyport Zoning Board of Appeals

## Application for a SPECIAL PERMIT for NON-CONFORMITIES

Petitioner: Windward Shaw LLC c/o Lisa L. Mead, Mead, Talerman & Costa LLC

Mailing Address: 30 Green Street Newburyport MA 01950

Phone: 9784637700 Email: lisa@mtclawyers.com

Property Address: 3 57th St

Map and Lot(s): 76/296 Zoning District: R3/ PIOD

Book and Page(s): 31485/494

Owner(s) Name: John and Hayley Sumnski

Mailing Address (if different): 3 57th Street, Newburyport MA

This request for a Special Permit for Non-Conformities is made under section(s):  
(Refer to the Zoning Determination form supplied by the Zoning Administrator)

- |   |  |
|---|--|
| <input type="checkbox"/> Extension or Alteration (IX.B.2) | <input type="checkbox"/> Over 500 s.f. increase (IX.B.3.c)               |
| <input type="checkbox"/> Parking                          | <input checked="" type="checkbox"/> Plum Island Overlay District (XXI-G) |
| <input type="checkbox"/> Upward Extension                 | <input checked="" type="checkbox"/> FAR                                  |
| <input type="checkbox"/> Open Space                       | <input type="checkbox"/> Footprint Expansion                             |
| <input type="checkbox"/> Height                           | <input type="checkbox"/> Height Increase                                 |
| <input type="checkbox"/> Lot Area                         |  |
| <input type="checkbox"/> Use                              |  |
| <input type="checkbox"/> Rear Yard                        |  |
| <input type="checkbox"/> Lot Coverage                     |  |
| <input type="checkbox"/> Side Yard                        |  |
| <input type="checkbox"/> Lot Frontage                     |  |
| <input type="checkbox"/> Front Yard                       |  |

Description of request:

Remove pre-existing non-conforming home and replace with new conforming home in excess of FAR.

All information contained within this application will become a formal part of the Zoning Board of Appeals proceedings and decision.

**City of Newburyport Zoning Board of Appeals**  
**Application for a SPECIAL PERMIT for NON-CONFORMITIES**

	Required Dimensional Controls from Section VI.A	Existing Dimensional Controls from survey or site plan	Proposed Dimensional Controls from proposed plans
Lot Area	12000	4900	4900
Frontage	120	70	70
Height*	35	13.5	33.3
Max. Lot Coverage (%)**	20	21.3	16.3
Min. Open Space (%)***	35	44.8	<del>55.7</del> 48.6
Primary Front Setback	20	20.1	20.2
Side A Setback/Secondary Front Setback	20	30.6	20.3
Side B Setback	20	10.6	20.7
Rear Setback	20	15.1	22.1
Parking Spaces	2	2	2
FAR****	25	19.2	28.9

\*Height is measured to median roof line.


\*\*Total building footprint divided by the lot area expressed as a percentage.

\*\*\*Area unoccupied by building, parking areas, or driveways expressed as a percentage of lot area. Pools, patios, and decks may be included in open space.

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

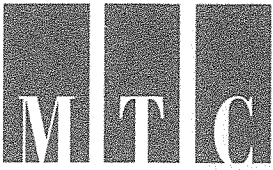
Any advice, opinion, or information given by any board member or any other official or employee of the City of Newburyport shall not be binding on the Zoning Board of Appeals. It shall be the responsibility of the petitioner to furnish all supporting documentation with this application. The dated copy 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.

By checking this box and typing my name below, I am electronically signing this application.

  
 Petitioner GEORGE HASELTINE, MANAFOU

By checking this box and typing my name below, I am electronically signing this application.

John Suminski, Hayley Suminski  
 Owner (if different)  
John Suminski Hayley Suminski



Mead, Talerman & Costa, LLC  
Attorneys at Law

---

30 Green Street  
Newburyport, MA 01950  
Phone 978.463.7700  
Fax 978.463.7747  
  
www.mtclawyers.com

June 8, 2021

VIA Electronic Mail  
In Hand Delivery

Rob Ciampitti, Chair  
Zoning Board of Appeals  
City of Newburyport  
City Hall  
60 Pleasant Street  
Newburyport, Massachusetts 01950

Re: Request for Zoning Relief:  
3 57<sup>th</sup> Street, Newburyport, MA (the "Property")  
Assessor's Map: 76, Block: 296

Dear Chair and Members of the Board:

Reference is made to the above-captioned matter. In that connection, this firm represents Windward Shaw, LLC who is re-constructing and renovating for the owners, John and Hayley Suminski, (collectively the "Applicant"). The Applicant will be removing and reconstructing the single family home upon the Property. The Property is pre-existing non-conforming. The Applicant requests a Special Permit for non-conformities under section XXI-G(4)(b) of the Ordinance for FAR over the maximum allowed.

The Property is in the R3 zoning district and PIOD overlay district. There is a single family home on the property. The Property includes 4,900 square feet of area where 12,000 square feet are required, 70 feet of frontage where 120 feet are required, a left side setback of 10.6 feet where 20 feet are required and a rear setback of 15.1 feet where 20 feet are required. The Lot Coverage is 21.3% where 20% is required. Otherwise, the Property is in conformance with the zoning requirements. There are currently two bedrooms in the single-story structure and has 814 square feet of living area.

The Applicant proposes to remove the existing structure which does not meet any of the performance standards and regulatory strictures of the Wetlands Protection Ordinance and Regulations for Plum Island, nor meet the purpose of the PIOD. Further, the existing structure is not FEMA compliant. The new structure will meet all FEMA requirements as well as the City of Newburyport Wetlands Protection Ordinance and Regulations for Plum Island and be consistent with the purposes of the PIOD, namely

*"...reduce damage to public and private property resulting from flood waters; ensure public safety by reducing threats to life and personal injury; eliminate costs associated with the response and cleanup of flooding conditions; avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and*

---

*Millis Office*

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

*impact areas of the community beyond the site of flooding; prevent the occurrence of public emergencies resulting from water quality contamination and pollution due to flooding; eliminate new hazards to emergency response officials; and, limit the expansion of nonconforming single and two-family structures so as to prevent the exacerbation of existing problems with density and intensity of use.”*

Additionally, the proposed structure will meet all of the setback requirements for the PIOD thereby eliminating the non-conforming rear and side setback non-conformities, will reduce lot coverage over existing conditions to 16.3% thereby eliminating that non-conformity and will increase open space on the Property to 55.7% over the current condition of 35%. As noted in the reduction in lot coverage, the proposed structure is smaller in footprint than the existing structure and there is a reduction in at grade coverage overall. However, the proposed structure will increase the FAR to 28.9%. The proposed renovations will add 191 square feet over the allowed 25%.

A proposed increase in FAR is subject to review by the Newburyport Zoning Board of Appeals (“Board”), finding that the “change shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood or the PIOD.” Ordinance § XXI-G(4)(a).

It is of note that the term “substantially” means to a great or significant extent. When used in the context of the ordinance, the Board would have to make a finding that the increase of over the allowed FAR by 191 square feet is “substantially more detrimental” to the neighborhood or the PIOD than the existing condition. Of note, and to reiterate, the actual lot coverage will be reduced in the proposed conditions by 5%. The size of the footprint of the home is reduced. Further, the entire structure will now meet the local wetlands requirements as well as the FEMA construction requirements. There will continue to be only 2 bedrooms. Importantly, while the 191 is an insignificant amount of square footage over the 25%, it has a very large impact on the livability of the home, given the relative small nature of the structure.

To determine whether the proposed change is substantially more detrimental than the existing nonconforming structure, the Board may consider conditions in the neighborhood generally, as compared to the subject lot upon which the changes will be made. See *Graf v. Akin*, Mass. Land Ct., 2018 WL 6738179 (2018). In *Graf*, the defendant sought a special permit to raze a one-story garage and replace it with a two-story structure; an immediate abutter objected. *Id.* at \*1. The zoning board found no substantial detriment to the neighborhood and the abutter appealed to the Land Court. *Id.* The Land Court judge determined that the zoning board correctly found that there was no substantial detriment, particularly where the board noted that the nonconformities were not unique to the defendant’s property and the objecting abutter’s own garage was within the side-yard setback. *Id.* Further, the proposal was compatible with garages and residences on the street and in the broader neighborhood. *Id.*

Here, the Applicant will be lifting the structure and making it compliant with the purposes of the Ordinance. The entire structure will meet all of the dimensional requirements of the Ordinance<sup>1</sup> – an improvement over existing conditions - but for the relief being sought. As you can see from the attached photographs, currently the 814 square feet of living space is quite small, and it goes without saying, that the structure does not meet the current wetlands or FEMA requirements. As you can see from the attached photographs, several of the homes in the area have started to convert to become compliant and more flood resilient – consistent with the purpose of the PIOD.

---

<sup>1</sup> Except lot area and frontage.



Based upon the foregoing, the Applicant respectfully suggests that the reconstruction and improvements to the structure resulting in an increase in FAR to 28.9% is not substantially more detrimental to the neighborhood or the PIOD given that the remainder of the dimensional requirements will be met and the structure will become FEMA compliant and resilient in accordance with the purpose of the PIOD.

Thank you for your time and consideration.

Respectfully submitted  
Windward Shall LLC  
By their Attorney

A handwritten signature in black ink, appearing to be "Lisa L. Mead", written over a horizontal line.

Lisa L. Mead

Attachment  
cc: client

CITY OF NEWBURYPORT, MA  
ZONING DETERMINATION

APR# 2021-053

Name: Windward Shaw, LLC c/o Lisa Mead, MTC LLC

Address: 3 57th Street Zoning District(s): R3/PIOD

Request: Demolish existing structure and reconstruct a new single family home in similar location exceeding the existing roof height but conforming to PIOD regulations excepting FAR

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)

Smart Growth District (XXIX)

- Plan Approval

Site Plan Review (XV)

- Major
- Minor

HISTORICAL COMMISSION REVIEW REQUIRED

- Demo. Delay
- \*Advisory Review

CONSERVATION COMMISSION REVIEW REQUIRED

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

substantial improvement

Jennifer T Blanchet

06/08/2021

Newburyport Zoning Administrator

Date

# 3 57TH ST

Location 3 57TH ST

MBLU 76/ 296/ 11

Owner SUMINSKI JOHN W

Assessment \$355,000

PID 5462

Building Count 1

## Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2021	\$83,900	\$271,100	\$355,000

## Owner of Record

Owner SUMINSKI JOHN W  
Co-Owner HALEY R T/E  
Address 3 57TH ST  
NEWBURYPORT, MA 01950

Sale Price \$268,750  
Certificate  
Book & Page 31485/0394  
Sale Date 07/02/2012  
Instrument 00

## Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
SUMINSKI JOHN W	\$268,750		31485/0394	00	07/02/2012
NIXON CRAIG E	\$405,000		24599/0376	00	07/25/2005
DOWNEY REGINA M.	\$123,500		13046/0484	00	06/05/1995
FREDO CHARLOTTE A	\$0		06624/0626		08/23/1979

## Building Information

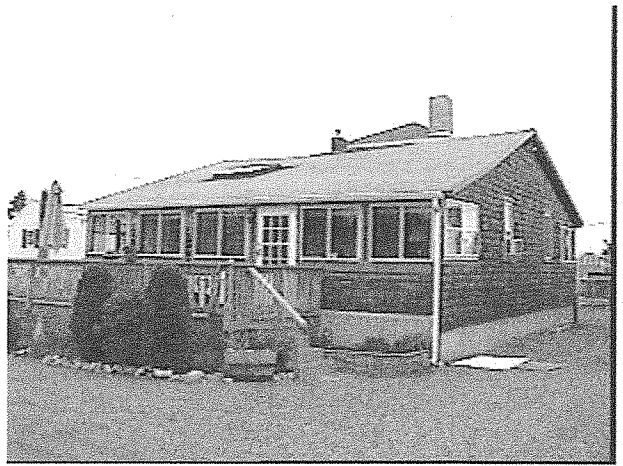
### Building 1 : Section 1

Year Built: 1945  
Living Area: 814

Building Attributes	
Field	Description
Style:	Ranch
Model	Residential
Grade:	Average

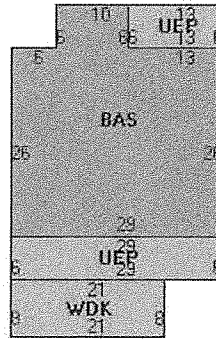
Stories:	1 Story
Occupancy	1
Exterior Wall 1	Wood Shingle
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Flr 1	Pine/Soft Wood
Interior Flr 2	
Heat Fuel	Oil
Heat Type:	Forced Air-Duc
AC Type:	None
Total Bedrooms:	2 Bedrooms
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	3 Rooms
Bath Style:	Average
Kitchen Style:	Average
Num Kitchens	01
Cndtn	
Num Park	
Fireplaces	
Kitchen Grd	
Fndtn Cndtn	
Basement	

### Building Photo



(<http://images.vgsi.com/photos/NewburyportMAPhotos/0100005180.jpg>)

### Building Layout



([http://images.vgsi.com/photos/NewburyportMAPhotos/Sketches/5462\\_56](http://images.vgsi.com/photos/NewburyportMAPhotos/Sketches/5462_56))

Building Sub-Areas (sq ft)		Legend	
Code	Description	Gross Area	Living Area
BAS	First Floor	814	814
UEP	Porch, Enclosed, Unfinished	252	0
WDK	Deck, Wood	168	0
		1,234	814

### Extra Features

Extra Features		Legend
No Data for Extra Features		

### Land

#### Land Use

Use Code 1010

#### Land Line Valuation

Size (Acres) 0.11

Description SINGLE FAM

Depth 0

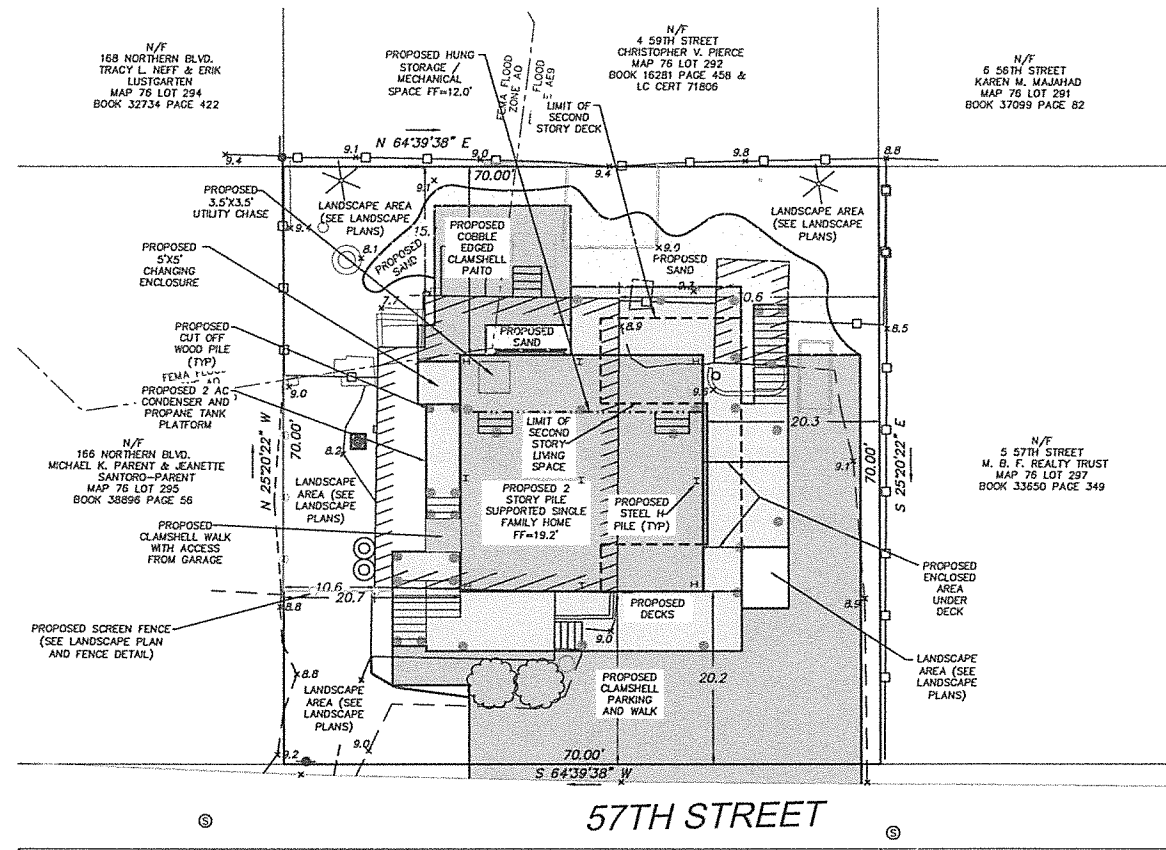
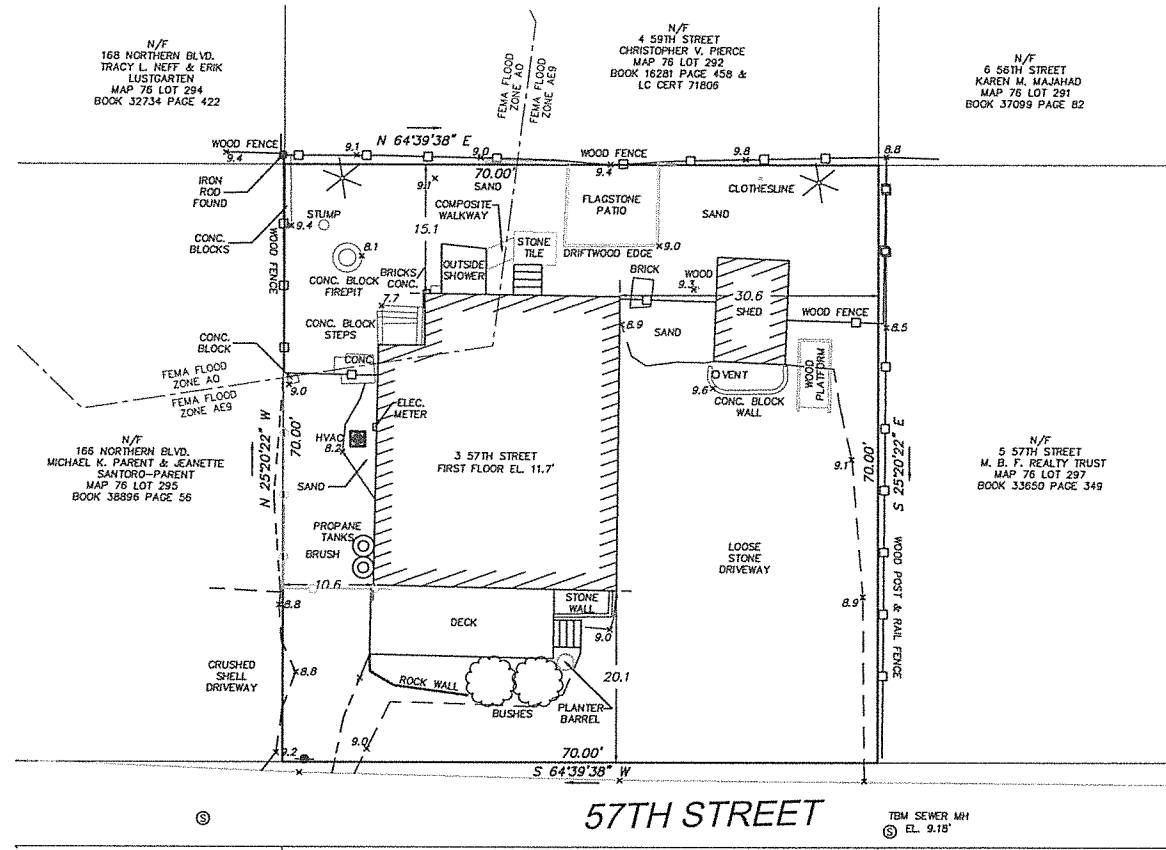
Assessed Value \$271,100

**Outbuildings**

Outbuildings	<u>Legend</u>
No Data for Outbuildings	

**Valuation History**

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$78,700	\$271,100	\$349,800



**ZONING**  
RESIDENTIAL (R-3)  
PLUM ISLAND OVERLAY DISTRICT  
SINGLE FAMILY (101)

	REQUIRED (SINGLE-FAMILY - 101)	EXISTING (SINGLE-FAMILY - 101)	PROPOSED (SINGLE-FAMILY - 101)
MINIMUM LOT AREA	12,000 SQUARE FEET	4,900 SQUARE FEET	4,900 SQUARE FEET
MINIMUM LOT FRONTAGE	120 FEET	70.00 FEET	70.00 FEET
FRONT SETBACK	20 FEET	20.1 FEET	20.2 FEET
SIDE SETBACK (R)	20 FEET	30.6 FEET	20.3 FEET
SIDE SETBACK (L)	20 FEET	10.6 FEET	20.7 FEET
REAR SETBACK	20 FEET	15.1 FEET	22.1 FEET
MAXIMUM LOT COVERAGE(%)	20.0%	21.3%	16.3%
MAXIMUM HEIGHT	35 FEET	13.5 FEET	33.3 FEET (33'-4")
MINIMUM OPEN SPACE	35.0%	44.8%	48.6%
MINIMUM PARKING REQUIRED	2	2+	2+
MAXIMUM FAR	25.0%	19.2%	28.9%

ON-LINE ZONING ORDINANCES  
CITY OF NEWBURYPORT WEBSITE  
<http://www.cityofnewburyport.com/Planning/Index.html>  
PLANNING DEPARTMENT - MAIN PHONE 978-655-4400

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.

EXISTING FAR BASED ON BUILDING FOOTPRINT DIVIDED BY LOT AREA.  
PROPOSED FAR PROVIDED BY THE PROJECT ARCHITECT.

**LOCUS TITLE INFORMATION**

3 53RD STREET  
OWNER: JOHN W. & HAYLEY R. SUMINSKI  
DEED REFERENCE: BK. 31485 PG. 394  
ASSESSORS: MAP 76 LOT 296

**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 FEBRUARY 25, 2021 BY THIS FIRM.

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

ARCHITECTURAL PLANS HAVE BEEN UTILIZED FOR BUILDING SIZE, DECK/STAIR AND OTHER IMPROVEMENT LOCATIONS. FAR HAS BEEN CALCULATED BASED ON FLOOR AREAS PROVIDED BY THE ARCHITECT.

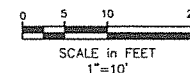
FINAL LOCATION OF UNDERGROUND UTILITIES TO BE COORDINATED WITH THE APPROPRIATE UTILITY PROVIDER EITHER PUBLIC OR PRIVATE. FINAL PILE LOCATIONS AND SPECIFICATIONS TO BE PROVIDED BY A LICENSED STRUCTURAL ENGINEER. LOCATIONS AND NUMBER OF PILES SHOWN HERE IS FOR DISPLAY PURPOSES ONLY.

ELEVATIONS ARE NAVD 88 AS ESTABLISHED BY RTK GPS.

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE AO AND AE(9) OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 25009C0141G WHICH BEARS AN EFFECTIVE DATE OF 07/16/2014 AND IS IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE. FLOOD ZONE LIMITS SHOWN ARE TAKEN FROM MASS GIS DIGITAL LAYERS ON STATE PLANE COORDINATE SYSTEM.

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. 23195



Copyright 2021 Winter GEC, LLC

Winter GEC, LLC

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

SCALE:  
HORIZ: 1" = 10'  
VERT: \_\_\_\_\_

NO. DATE BY REVISIONS

FIELD: CO/EC  
CALCS: EC  
CHECKED: EJC  
APPROVED: EJC

ZONING PLAN

3 57TH STREET

PLAN OF LAND IN  
NEWBURYPORT, MASSACHUSETTS  
SURVEYED FOR  
WINDWARD SHAW CONSTRUCTION

PROJECT NO.  
2021-353RD

DATE: MAY 12, 2021

SHEET NO.

1 OF 1



FRONT (STREET) ELEVATION 1/4" = 1'-0"



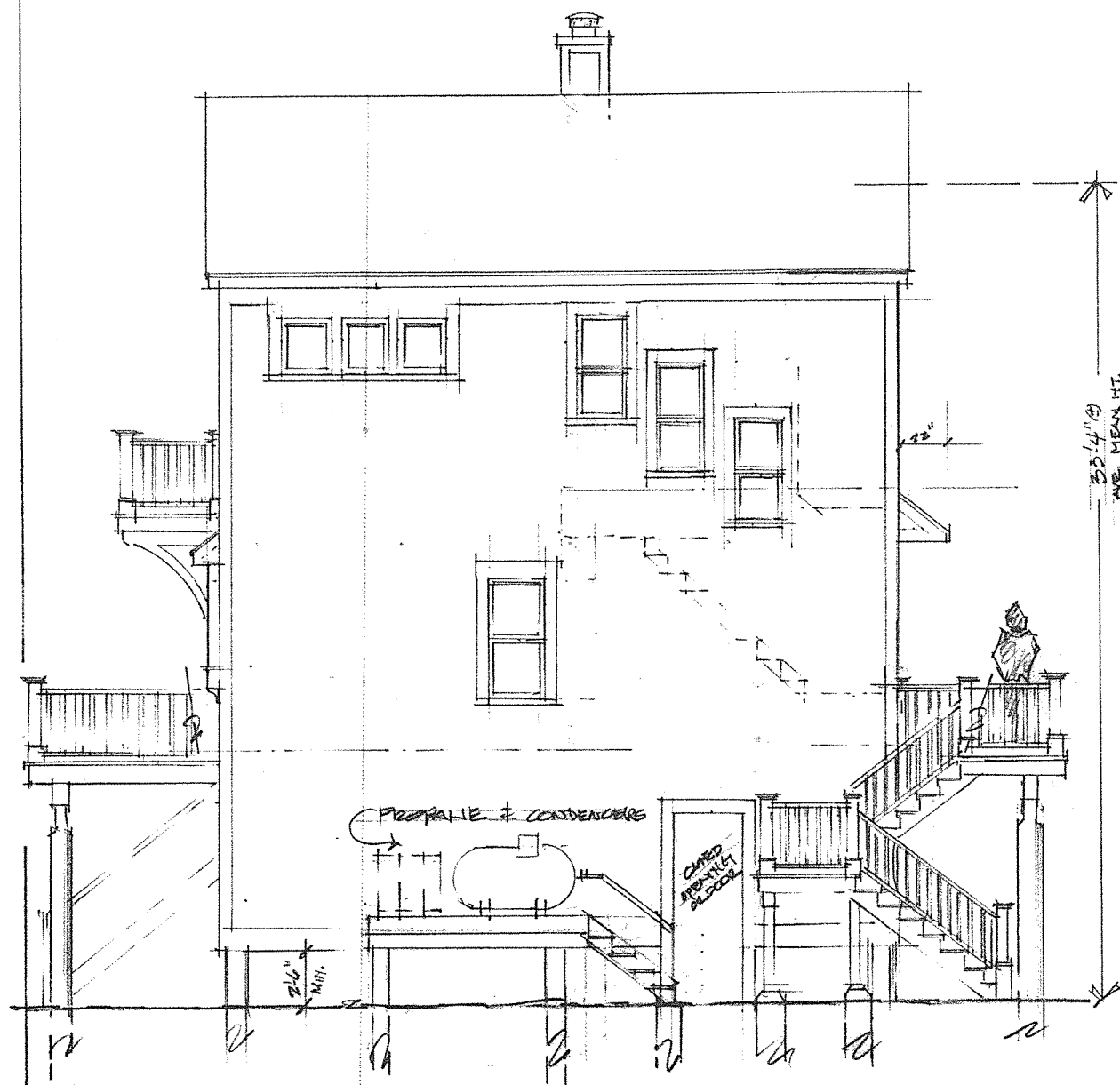
RIGHT SIDE ELEVATION 1/4" = 1'-0"

REV. MAY 29, 2021  
 REV. MAY 19, 2021  
 REV. MAY 11, 2021  
 MAY 3, 2021

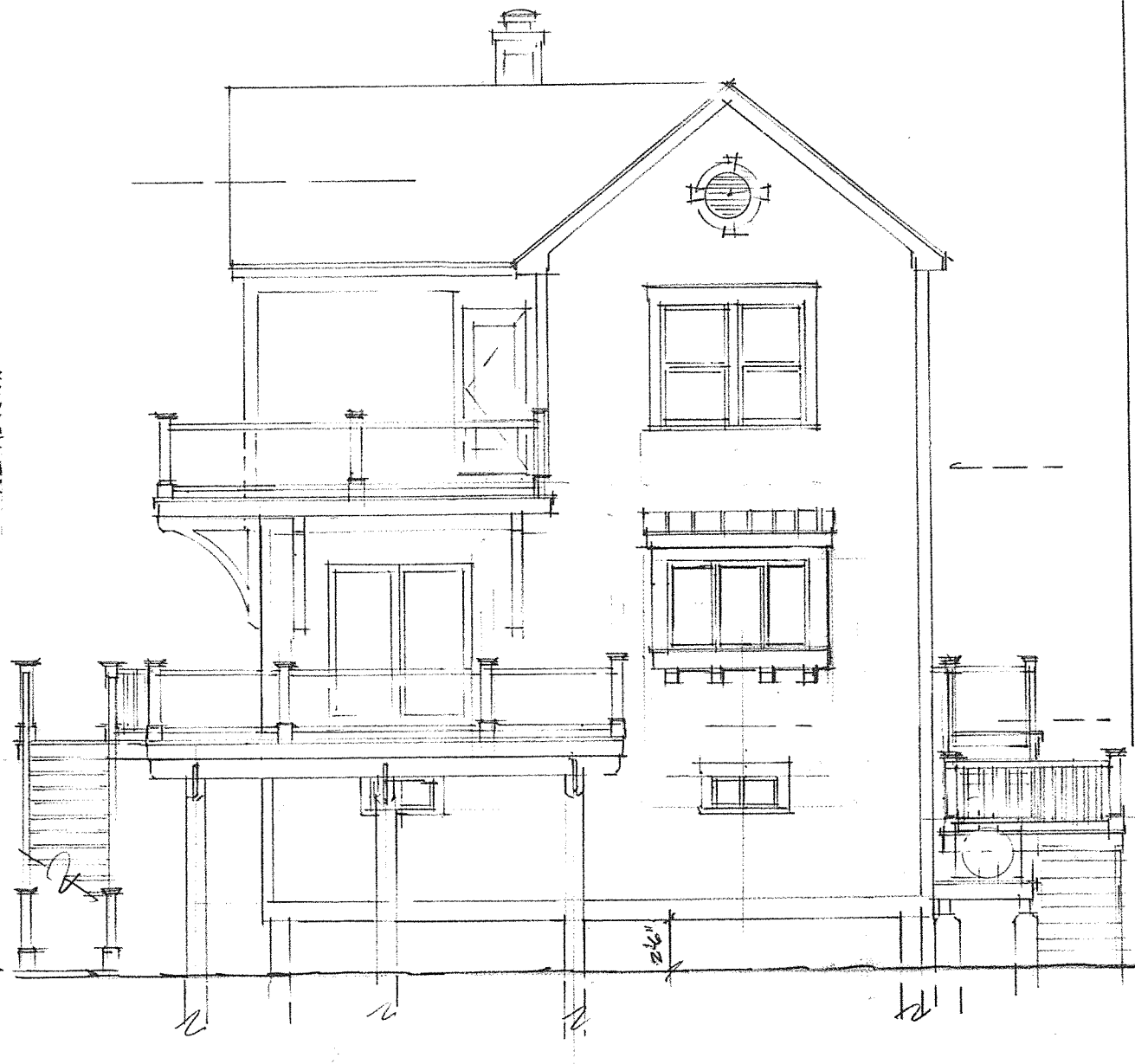
PR-11

3-57th Street Newburyport, MA  
 Windshaw Construction 603 785 8768 cell  
 Brian A. Libby Architect Northeast office  
 1251 Linda Vista Blvd. (520) 906-2321 (cell)  
 Oro Valley, AZ 85704-3609 Web: BrianALibby.com

All work shall meet State Building Codes. The B.C. shall verify dimensions before construction. No typographical errors, the Architect of Discrepancies. The drawings are diagrammatic and form the approval, arrangement of wall, doors, equipment etc. All work and construction shall be performed under the direct supervision of personnel licensed by the State and local authorities. The S.C. & Owner agree to hold harmless the Architect from all errors and omissions, unless entering into an agreement for the Administration of the Construction Contract and, any claim against the Architect shall not exceed the amounts paid the Architect for the services rendered for the project. The Architect retains the design rights and these drawings shall not be used or the design copied without the express permission of the Architect, Brian A Libby Architect.



LEFT SIDE ELEVATION 1/4" = 1'-0"



REAR ELEVATION 1/4" = 1'-0"

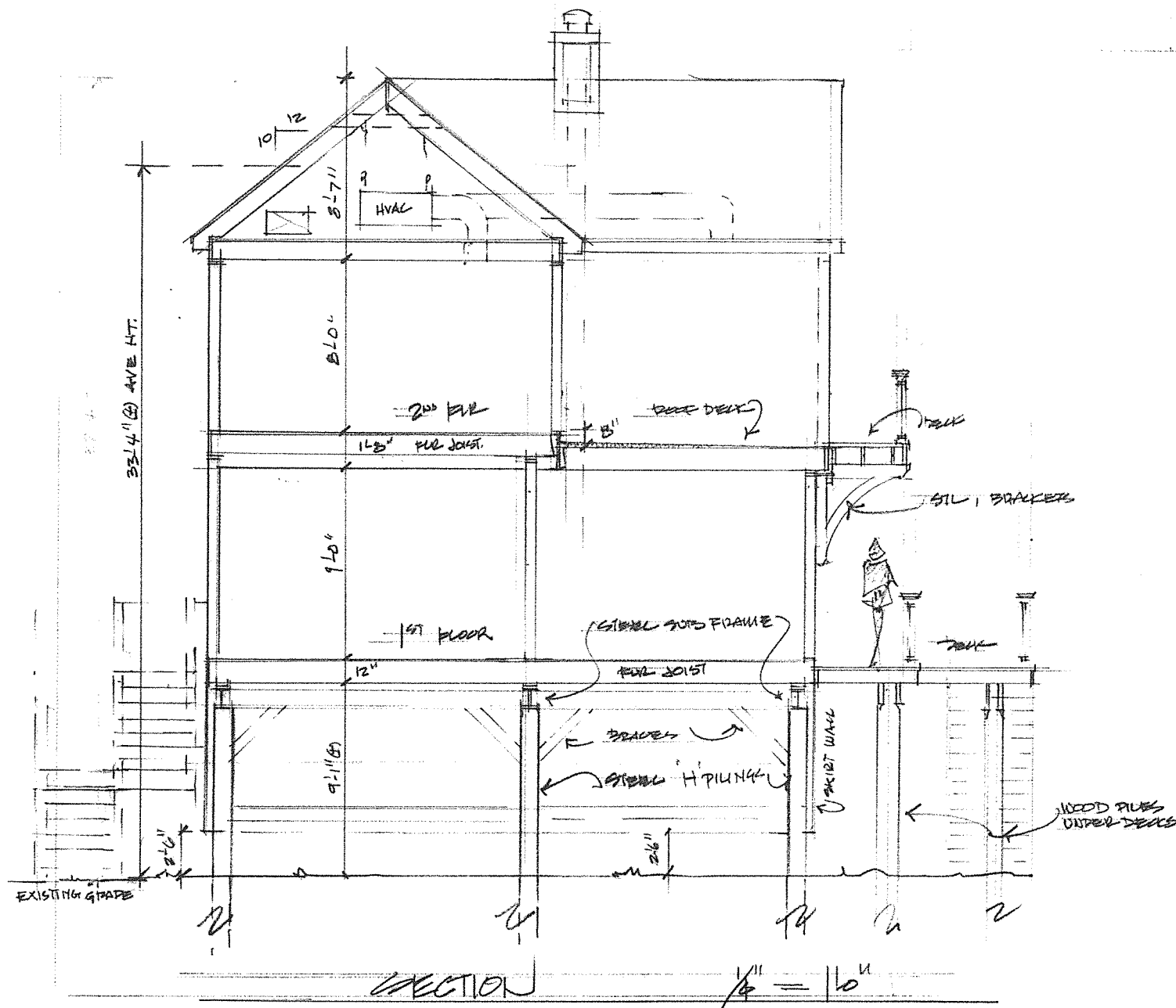
REV MAT 29, 2021  
 REVISED MAT 19, 2021  
 DEV MAT 11, 2021  
 MAT 3, 2021

FRED

**3-57th Street** Newburyport, MA  
 Windshaw Construction 603 785 8768 cell  
 Brian A. Libby Architect Northeast office  
 1251 Linda Vista Blvd. (520) 906-2321 (cell)  
 Oro Valley, AZ 85704-3609 Web: BrianALibby.com

All work shall meet State Building Codes. The S.C. shall field verify dimensions before construction. Notify immediately the Architect of Discrepancies. The drawings are diagrammatic and form the approx. arrangement of wall, doors, equipment etc. All work and construction shall be performed under the direct supervision of personnel licensed by the State and local authorities. The S.C. Owner agrees to hold harmless the Architect from all errors and omissions, unless entering into an agreement for the Administration of the Construction Contract and, any claims against the Architect shall not exceed the amount paid the Architect for the services rendered for the project. The Architect retains the design rights and these drawings shall not be used or the design copied without the express permission of the Architect, Brian A Libby Architect

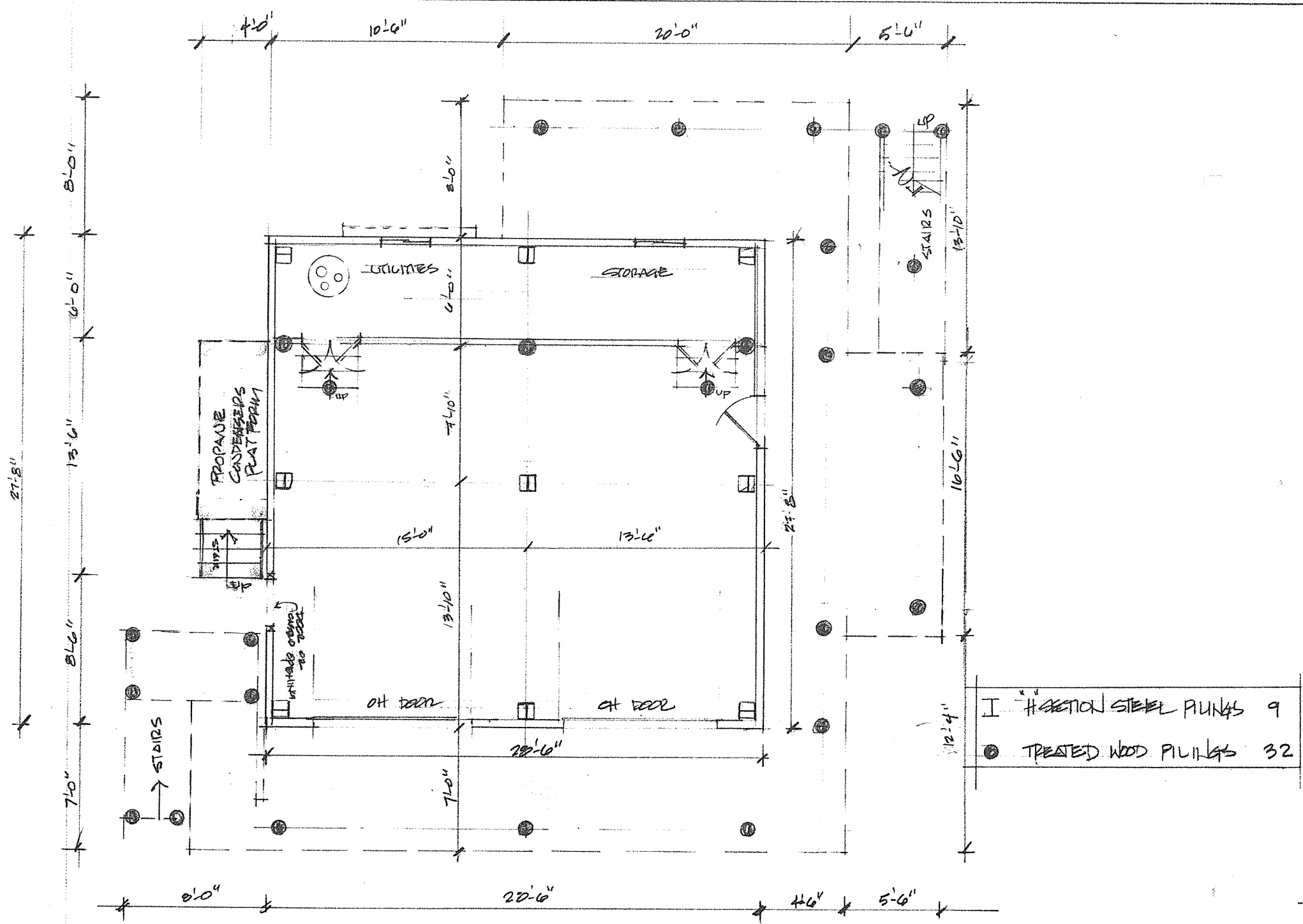




REV. MAY 19 2021  
 REV. MAY 11 2021  
 MAY 30 2021

	<b>3-57th Street</b> Windshaw Construction	Newburyport, MA 603 785 8768 cell
	Brian A. Libby Architect 1251 Linda Vista Blvd. Oro Valley, AZ 85704-3609	Northeast office (520) 906-2321 (cell) Web: BrianALibby.com

All work shall meet State Building Codes. The S.C. shall field verify dimensions before construction. Notify immediately, the Architect of Discrepancies. The drawings are diagrammatic and form the approximate arrangement of wall, doors, equipment etc. All work and construction shall be performed under the direct supervision of personnel licensed by the State and local authorities. The S.C. & Owner agree to hold harmless the Architect from all errors and omissions, unless entering into an agreement for the Administration of the Construction Contract and, any claims against the Architect shall not exceed the amounts paid the Architect for the services rendered for the project. The Architect retains the design rights and these drawings shall not be used or the design copied without the express permission of the Architect.  
 Brian A Libby Architect.



**CRATEMATIC PILING PLAN**  
LABORED SCHEME

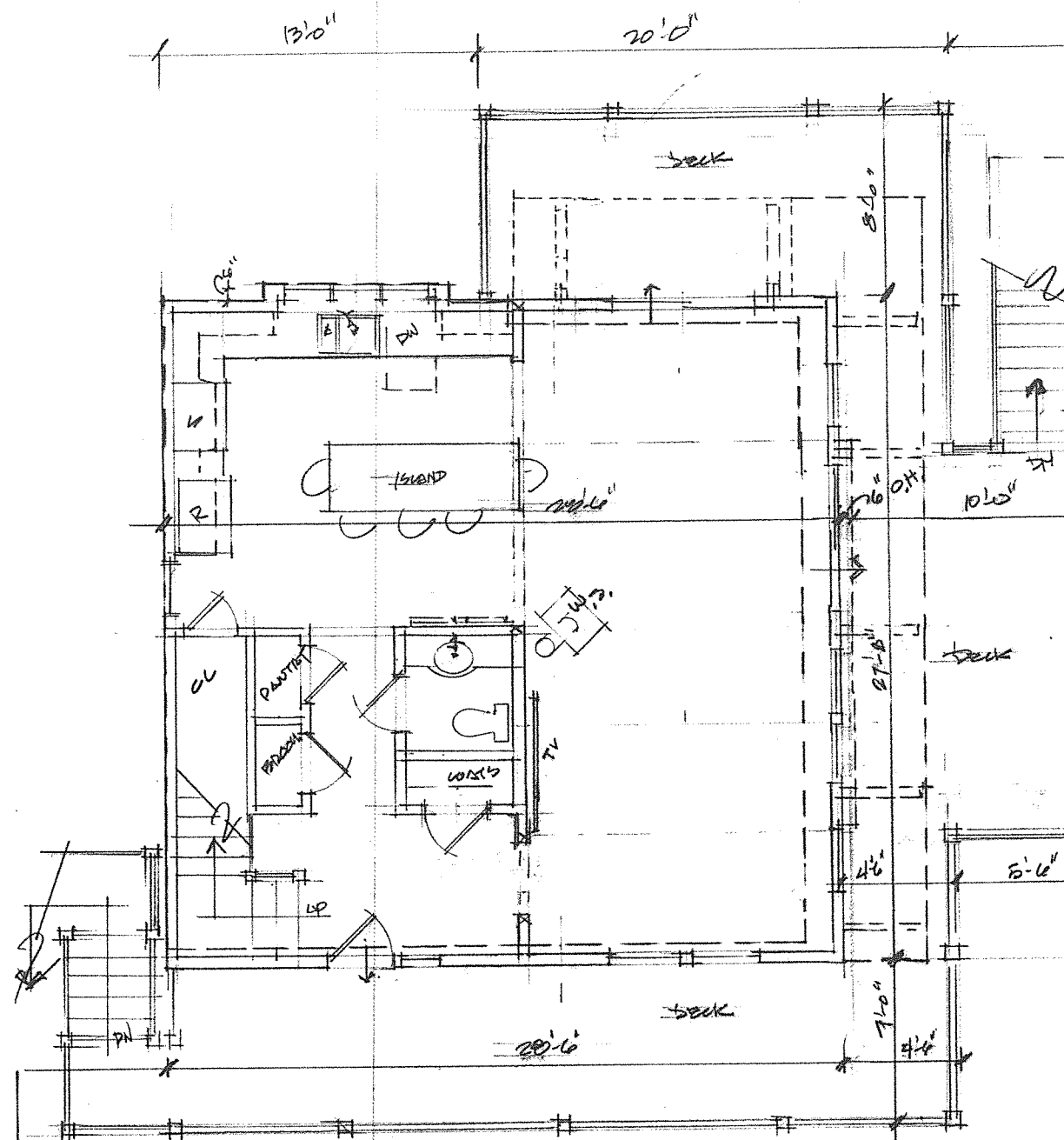
All work shall be done in accordance with the B.C. Building Code. The B.C. shall have the right to inspect the work at any time. The contractor shall be responsible for obtaining all necessary permits and for the safety of all workers. The contractor shall be responsible for the arrangement of all work, equipment, etc. All work and construction shall be done under the direct supervision of a person licensed by the State of California. The contractor shall be responsible for the Architect from all errors and omissions, unless entering into an agreement for the Administration of the Construction Contract and, any claims against the Architect shall not exceed the amount paid to the Architect for the design services. These drawings shall not be used for any other project without the express permission of the Architect, Brian A Libby Architect.

3-57th Street  
Windshaw Construction  
Newburyport, MA  
603 785 8768 cell

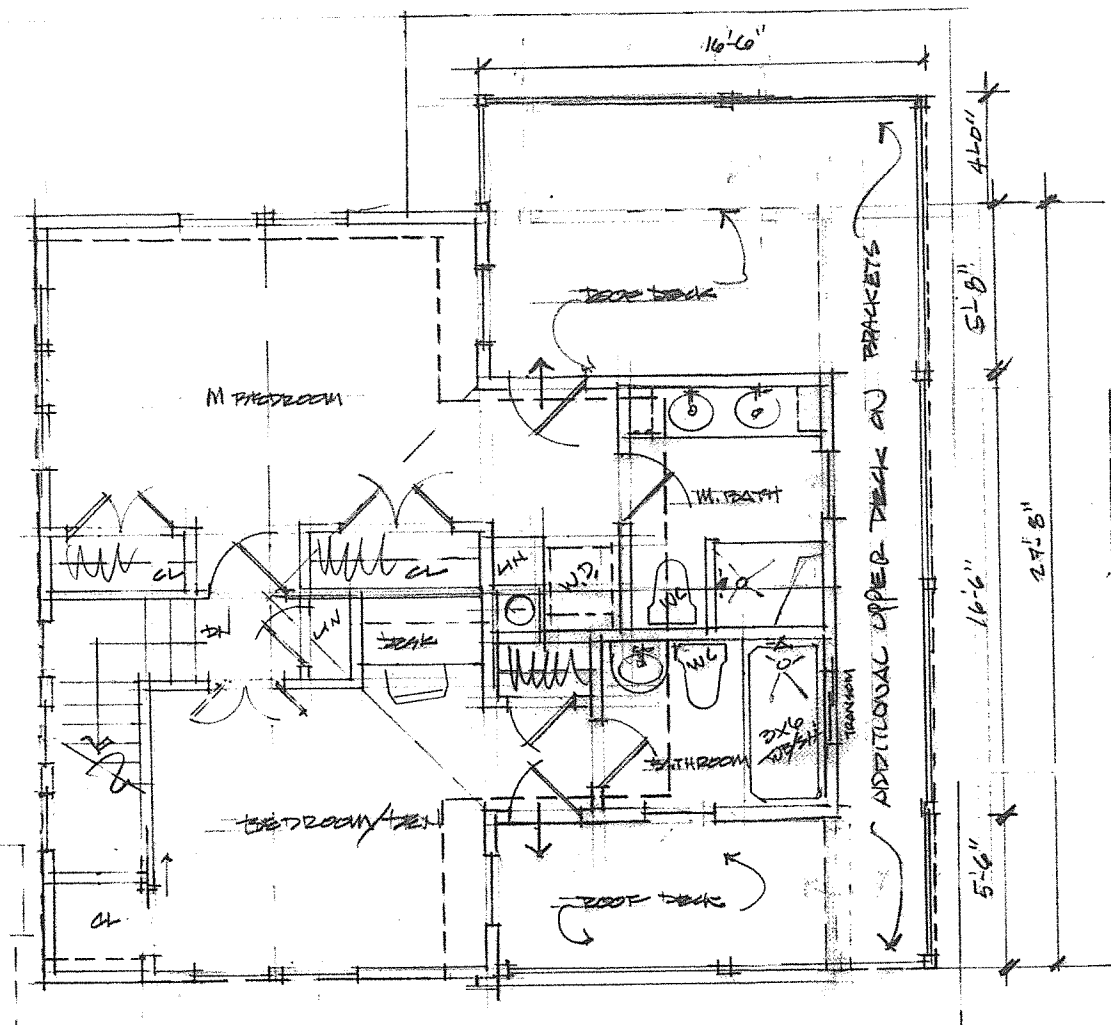
Brian A. Libby Architect  
Northeast office  
1251 Linda Vista Blvd.  
Oro Valley, AZ 85704-3609  
(520) 906-2321 (cell)  
Web: BrianALibby.com

REVISED MAY 19<sup>th</sup> 2021  
REV MAY 11, 2021  
REV MAY 3, 2021  
4/20/2021

PR-JR



FIRST FLOOR 1/4" = 1'-0"  
~~198~~ ~~788~~ ~~6~~ SF REV 5/11/21  
 788-6 SF



2ND FLOOR 1/4" = 1'-0"  
 668-35 SF REV 5/11/21  
 662-75 SF

FAR calculation  
 Dimensions taken from the exterior walls to exterior walls  
 First floor:  
 $27'-8" \times 28'-6" = 788.5' \text{ S.F.}$   
 Second floor:  
 $18'-8" \times 27'-8" = 456.5' \text{ SF}$   
 $12'-8" \times 16'-6" = 208.28'$   
 Less stair \* 3x10 + 2x3 = (36.0)  
 626.75 SF  
 Total SF living area 1415.25 SF  
 \* Counting stair area on one floor only  
 Under structure storage & utility less than  
 5'-10" headroom (non living space) not counted  
 FAR = 28.9% (rounded up)

REV. MAY 12, 2021  
 REV. MAY 11, 2021  
 REV. MAY 3, 2021

PR.8  
 4/20/2021

3-57th Street  
 Windshaw Construction  
 Newburyport, MA  
 603 785 8768 cell  
 Brian A. Libby Architect  
 1251 Linda Vista Blvd.  
 Oro Valley, AZ 85704-3609  
 Northeast office  
 (520) 906-2321 (cell)  
 Web: BrianALibby.com

All work shall meet State Building Codes. The G.C. shall field verify dimensions before construction. Notify immediately the Architect of discrepancies. The drawings are diagrammatic and form the approval arrangement of wall, doors, equipment etc. All work and construction shall be performed under the direct supervision of personnel licensed by the State and local authorities. The G.C. & Owner agree to hold harmless the Architect from all errors and omissions, unless entering into an agreement for the Administration of the Construction Contract and, any claims against the Architect shall not exceed the amounts paid the Architect for the services rendered for the project. The Architect retains the design rights and these drawings shall not be used or the design copied without the express permission of the Architect.  
 Brian A. Libby Architect















