

86–88 Prospect Street  
Newburyport

Newburyport Zoning Board of Appeals  
Meeting  
July 27, 2021

# Project Summary

86-88 Prospect Street  
Newburyport

- Renovation and addition to an existing five (5) unit building.
- Proposed new three (3) car garage.
- The creation of permeable parking areas.
- Driveway access off Parsons Street.
- Proposed Project triggers Minor Site Plan Review with Planning Board and Special Permit for Nonconformities requirement with Zoning Board of Appeals. Proposed work does not require review by Newburyport Historical Commission.

# Existing Conditions

86-88 Prospect Street  
Newburyport

- Property is and will continue to be a five (5) unit multi-family residence.
- Property is a pre-existing, non-conforming use within the R-2 district.
- Lot is pre-existing, non-conforming as to:
  - Area (11,223 s.f. provided, 24,000 required);
  - Front Setback (1.2' provided, 20' required);
  - Side Setback (8.5' provided, 10' required).
- Requires Special Permit for Nonconformities from Zoning Board of Appeals Pursuant to City of Newburyport Zoning Ordinance IX.B.2B, as proposal is to construct addition to pre-existing, non-conforming multi-family structure and use.

# Proposed Addition

86-88 Prospect Street  
Newburyport

- Proposed addition and garage will not add any new non-conformities nor will it intensify or alter any existing non-conformities.
- Proposed addition and garage will be fully conforming as to all required dimensional zoning requirements.
- Converting existing paved driveway to permeable pavement.
- Proposed addition will not result in the structure or use being more substantially more detrimental to the neighborhood.

	Required Dimensional Controls from Section VI.A	Existing Dimensional Controls from survey or site plan	Proposed Dimensional Controls from proposed plans
Lot Area	24,000 s.f.	11,223 s.f.	11,223 s.f.
Frontage	120'	191.02'	191.02'
Height*	35'	23' 4.5"	23' 4.5'
Max. Lot Coverage (%)**	40%	23.4%	36.3%
Min. Open Space (%)***	40%	56.7%	41.0%
Primary Front Setback	20'	1.8'	1.8'
Side A Setback/Secondary Front Setback	20'	1.2'	1.2'
Side B Setback	10'	53.6' / 8.5'	10.1' / 8.5'
Rear Setback	20'	50.2'	24.4'
Parking Spaces	10	10	10
FAR****	N/A	N/A	N/A

\*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).

# 86-88 Prospect Street, Newburyport

6/15/2021



Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the City of Newburyport & MassGIS. MVPC AND THE CITY OF NEWBURYPORT MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE CITY OF NEWBURYPORT AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.

**Legend**

Municipal Boundary	Roads	Interstate	Major Road	Local Road	Railroad	Parcels (on aerial)
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From Parson St.



Corner of Parsons St. & Prospect St.



From Prospect St.



From Prospect St.





Corner



From Parsons St.



From Area of Proposed Garage



View From Parsons of Proposed Garage Site



View From Proposed Addition Facing 81/83/85 Lime St.



View From Proposed Garage Toward 4 Parsons St.



View to 4 Parsons St.



Across Parsons St. From Proposed Garage



Across Parsons St. From Existing Dwelling



Corner of Parsons St. and Prospect St.



Directly Across Prospect St.



From Parsons St. Looking Down Driveway - 82 Prospect to Right



**NOTES:**

1.) THIS PLAN WAS PREPARED FROM AN INSTRUMENT SURVEY PERFORMED ON JANUARY 6, 2020

2.) SUBSURFACE AND ABOVE GROUND UTILITIES WERE NOT INCLUDED AS PART OF THIS SURVEY, ONLY THE LOCATION OF VISIBLE SURFACE STRUCTURES WAS LOCATED. THE LOCATION OF SUBSURFACE UTILITIES ARE NOT WARRANTED TO BE CORRECT, NOR DOES THE SURVEYOR GUARANTEE THAT ALL UTILITIES ARE SHOWN. THE CONTRACTOR SHALL VERIFY ALL UTILITIES AND CONTACT "DIG SAFE" (1-800-DIG-SAFE) PRIOR TO THE COMMENCEMENT OF WORK.

3.) A TITLE EXAMINATION WAS NOT PROVIDED FOR THIS SURVEY. AS SUCH OTHER MATTERS OF RECORD MAY EXIST AND NOT BE SHOWN HEREON.

4.) (a) THE LOT AREA REQUIREMENTS FOR MULTIFAMILY DEVELOPMENTS ARE TWENTY THOUSAND (20,000) SQUARE FEET FOR THE FIRST FOUR (4) UNITS AND FOUR THOUSAND (4,000) SQUARE FEET FOR EACH ADDITIONAL UNIT. IN ADDITION THE TOTAL MAXIMUM NUMBER OF UNITS ALLOWED PER STRUCTURE IS SIX (6)

**RECORD OWNERS:**

GARY M KARELIS, TRUSTEE OF THE  
GMK REALTY TRUST  
11 SPRING STREET  
NEWBURYPORT, MA 01950

**ZONING:**

R2 (MULTIFAMILY)  
DCOD  
(EXISTING)

**REFERENCES:**

DEED BOOK 9885 PAGE 161

LOT AREA: 11,223SF  
FRONTAGE: 191.02'  
FRONT OFFSET: 1.2' / 1.8'  
SIDE OFFSET: 53.6' / 8.5'  
REAR OFFSET: 50.2'  
LOT COVERAGE: 23.4%  
OPEN SPACE: 56.7%  
PARKING SPACES: 10

(PROPOSED)  
LOT AREA: 11,223SF  
FRONTAGE: 191.02'  
FRONT OFFSET: 1.2' / 1.8'  
SIDE OFFSET: 10.1' / 8.5'  
REAR OFFSET: 24.4'  
LOT COVERAGE: 36.3%  
OPEN SPACE: 41.0%  
PARKING SPACES: 10

(REQUIRED)  
LOT AREA: 20,000(a) SF  
FRONTAGE: 120'  
FRONT OFFSET: 20'  
SIDE OFFSET: 10'  
REAR OFFSET: 20'  
LOT COVERAGE: 40%  
OPEN SPACE: 40%  
PARKING SPACES: 8.5  
(5 UNITS)



PROSPECT

(PUBLIC - VARIABLE WIDTH)

STREET



**PROPOSED  
PLOT PLAN**

IN  
**NEWBURYPORT, MA**

AT 86-88 PROSPECT STREET

PREPARED FOR

**THE JOPPA GROUP, LLC**

BY

**SUMMIT SURVEYING INC.**

4 S. POND STREET, NEWBURYPORT, MA 01950

TEL. 978-692-7109

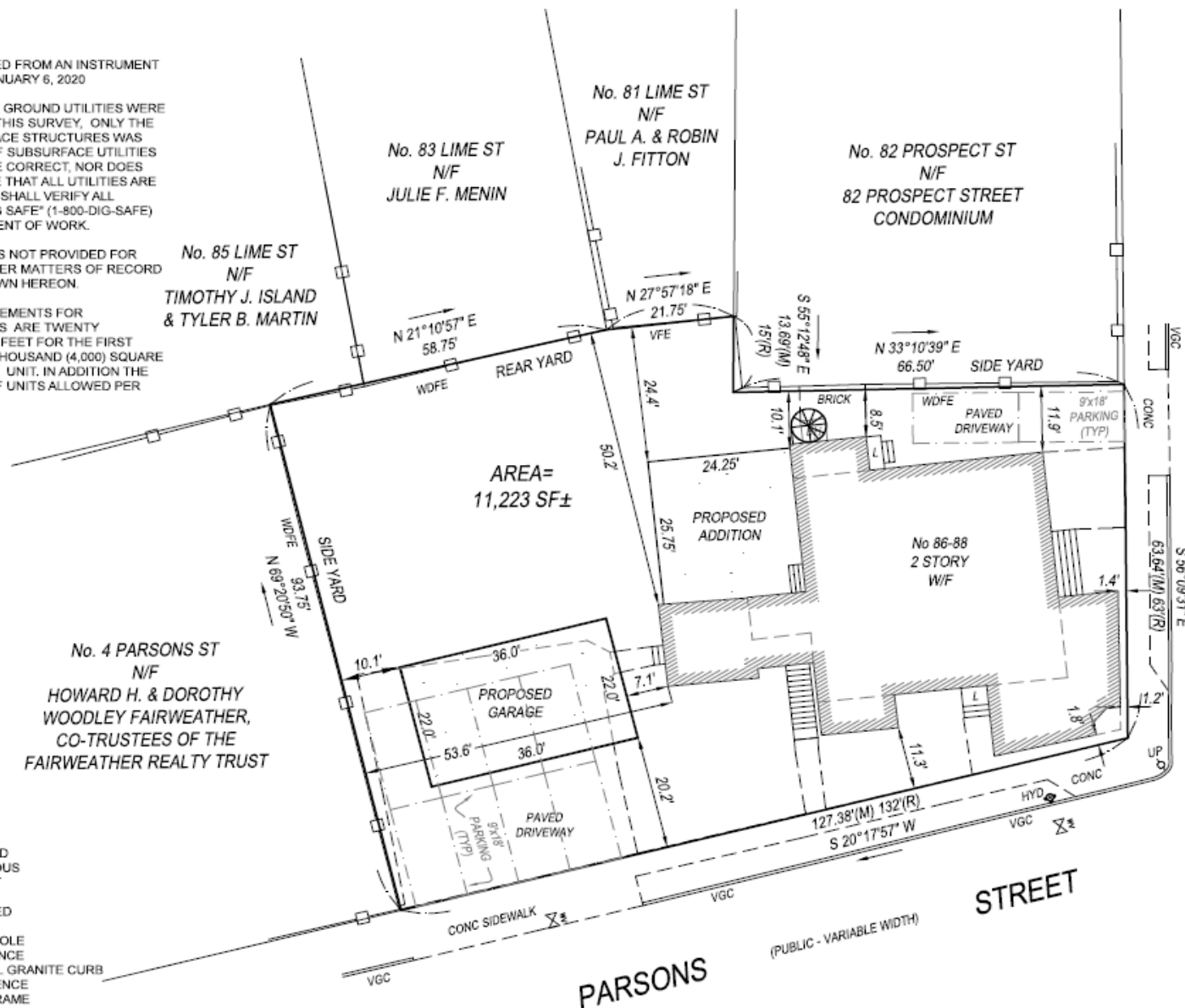
WWW.SUMMITSURVEYINGINC.COM

APRIL 16, 2021

21-0102

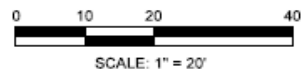
REV: EDIT ZONING TABLE TO MULTIFAMILY  
SIDE AND YEAR YARD OFFSETS

BY: CJB DATE: 5-21-21  
BY: CJB DATE: 7-12-21



**LEGEND:**

- |      |                       |
|------|-----------------------|
| BH   | BULKHEAD              |
| BIT  | BITUMINOUS            |
| HYD  | HYDRANT               |
| L    | LANDING               |
| (M)  | MEASURED              |
| (R)  | RECORD                |
| UP   | UTILITY POLE          |
| VFE  | VINYL FENCE           |
| VGC  | VERTICAL GRANITE CURB |
| WDFE | WOOD FENCE            |
| W/F  | WOOD FRAME            |
| WV   | WATER VALVE           |





NORTH

**DCi**  
Design Consultants Inc.  
Somerville - Quincy - Newburyport  
www.dci-ma.com

OWNER:  
KARELIS GARY TRUST &  
GMK REALTY TRUST  
PO BOX 3092  
LA JOLLA, CA 92037

PROJECT TEAM

86-88 PROSPECT ST  
5-UNIT 2-STORY  
RESIDENTIAL ADDITION  
NEWBURYPORT, MA

PROJECT INFO

REV	DESCRIPTION	DATE
1	CITY ENG. & P.D. REVIEW	1/6/2021



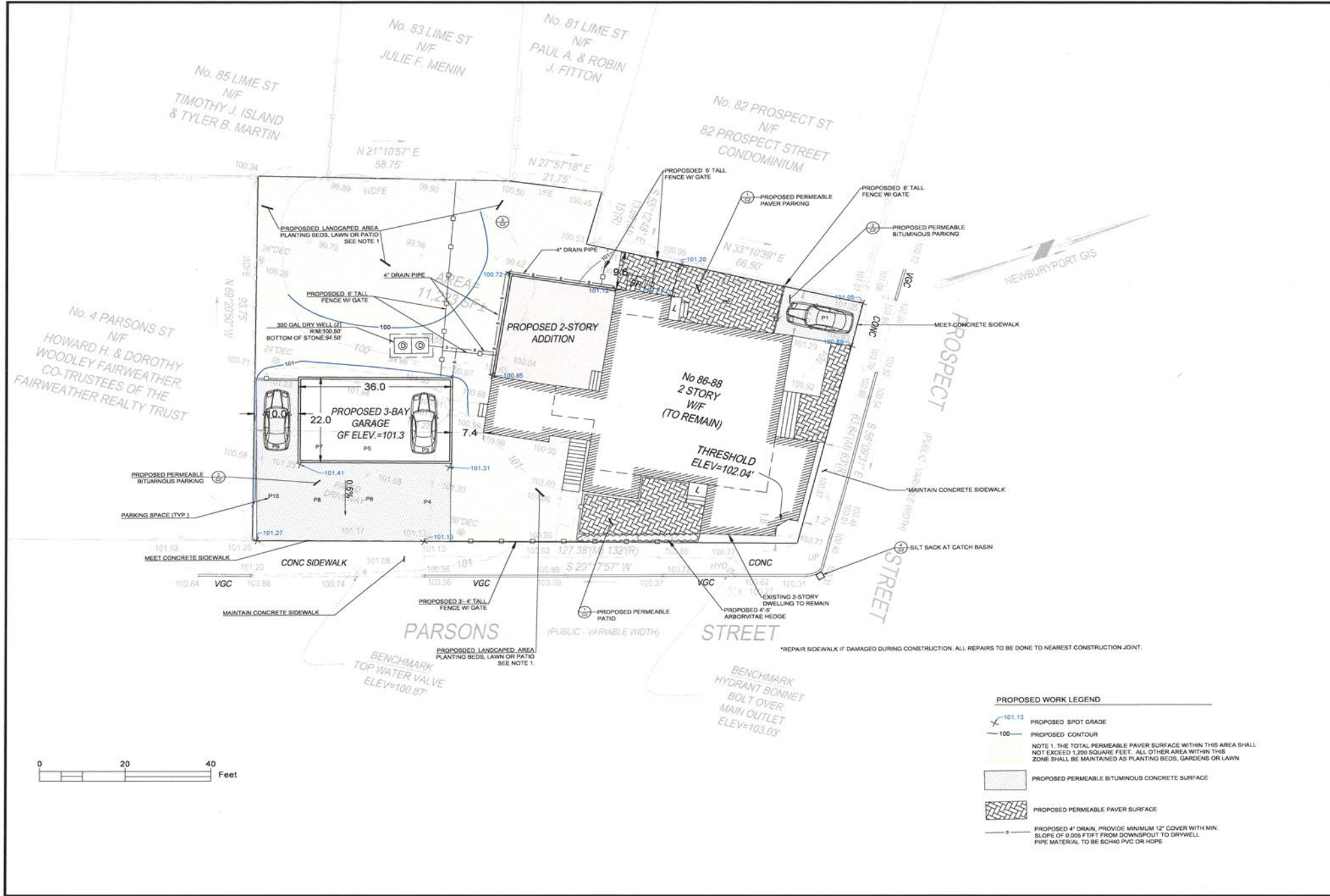
STAMP

**CIVIL  
SITE  
PLAN**

SHEET NAME

**C1**

SHT NO:  
DR BY: MCH  
CHK BY: SBS  
PROJ NO: 21-035  
DATE: 6-9-21  
SCALE: 1"=10'



**PROPOSED WORK LEGEND**

- 101.13 PROPOSED SPOT GRADE
- 100 PROPOSED CONTOUR
- NOTE 1. THE TOTAL PERMEABLE PAVER SURFACE WITHIN THIS AREA SHALL NOT EXCEED 1,200 SQUARE FEET. ALL OTHER AREA WITHIN THIS ZONE SHALL BE MAINTAINED AS PLANTING BEDS, GARDENS OR LAWN
- PROPOSED PERMEABLE BITUMINOUS CONCRETE SURFACE
- PROPOSED PERMEABLE PAVER SURFACE
- PROPOSED 4" DRAIN. PROVIDE MINIMUM 12" COVER WITH MIN. SLOPE OF 0.005 FT/FT FROM DOWNSPOUT TO DRYWELL. PIPE MATERIAL TO BE SCH40 PVC DR HOPE.

\*REPAIR SIDEWALK IF DAMAGED DURING CONSTRUCTION. ALL REPAIRS TO BE DONE TO NEAREST CONSTRUCTION JOINT.

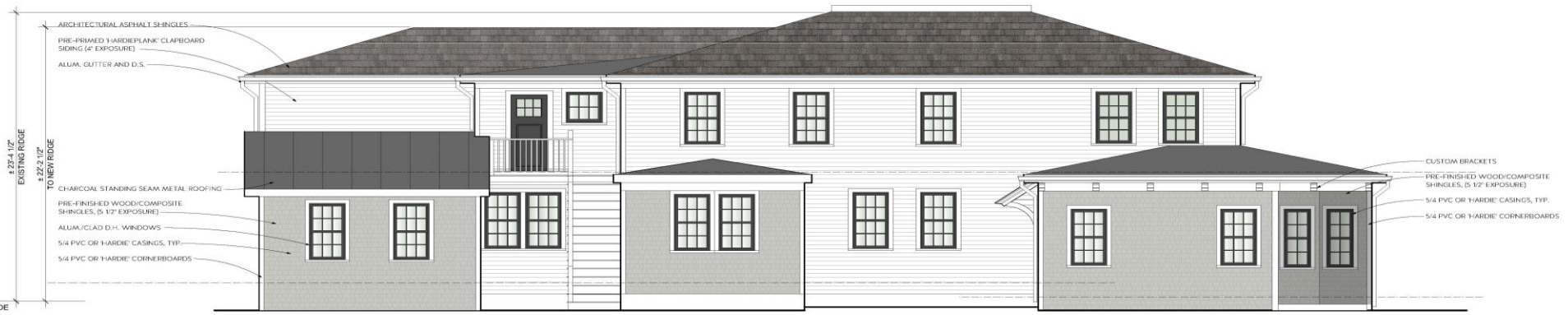


RENOVATIONS/ALTERATIONS

TO:  
86-88 PROSPECT STREET, NEWBURYPORT, MA, 01950



1 FRONT ELEVATION  
Scale: 1/4" = 1'-0"



2 LEFT ELEVATION  
Scale: 1/4" = 1'-0"

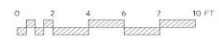
REVISION & REISSUE NOTES

No.	Date	Notes

Project # 2021-03	Project Manager M.L.	Date 7/22/21
Scale: AS NOTED		

ELEVATIONS

A2.1



RENOVATIONS/ALTERATIONS

TO:  
86-88 PROSPECT STREET, NEWBURYPORT, MA, 01950



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



2 RIGHT ELEVATION  
Scale: 1/4" = 1'-0"



REVISION & REISSUE NOTES

No.	Date	Notes

Project # 2021-03	Project Manager M.L.	Date 7/22/21
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Scale: AS NOTED

ELEVATIONS

A2.2



RENOVATIONS/ALTERATIONS

TO:  
86-88 PROSPECT STREET, NEWBURYPORT, MA, 01950



1 EXISTING FRONT ELEVATION  
Scale: 1/4" = 1'-0"



2 EXISTING LEFT ELEVATION  
Scale: 1/4" = 1'-0"

REVISION & REISSUE NOTES

No.	Date	Notes

Project # 2021-03	Project Manager M.L.	Date 7/22/21
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Scale: AS NOTED

EXISTING  
ELEVATIONS

EC4



RENOVATIONS/ALTERATIONS

TO:  
86-88 PROSPECT STREET, NEWBURYPORT, MA, 01950



1 EXISTING REAR ELEVATION  
Scale: 1/4" = 1'-0"



2 EXISTING RIGHT ELEVATION  
Scale: 1/4" = 1'-0"

REVISION & REISSUE NOTES

No.	Date	Notes

Project # 2021-03	Project Manager M.L.	Date 7/22/21
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Scale: AS NOTED

EXISTING ELEVATIONS

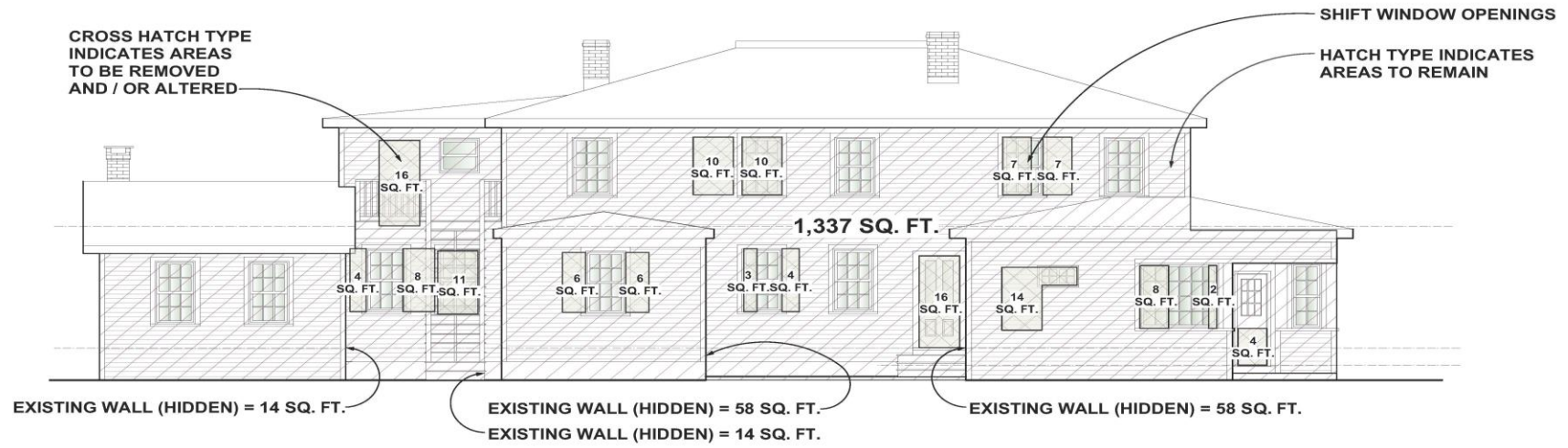
EC5



RENOVATIONS/ALTERATIONS  
 TO:  
 86-88 PROSPECT STREET, NEWBURYPORT, MA, 01950



1 EXISTING FRONT ELEVATION  
 Scale: 1/4" = 1'-0"

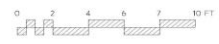


2 EXISTING LEFT ELEVATION  
 Scale: 1/4" = 1'-0"

 <b>WALLS TO BE REMOVED</b>	 <b>WALLS TO REMAIN</b>
FRONT: 32	FRONT: 906
LEFT: 136	LEFT: 1,201
REAR: 490	REAR: 444
RIGHT: 442	RIGHT: 754
= 1,100 SQ. FT.	= 3,305 SQ. FT.

**TOTAL WALL AREA**      **% OF WALL TO BE REMOVED**

1,100 + 3,305 = 4,405 SQ. FT.      1,100 / 4,405 SQ. FT. = 24.97%



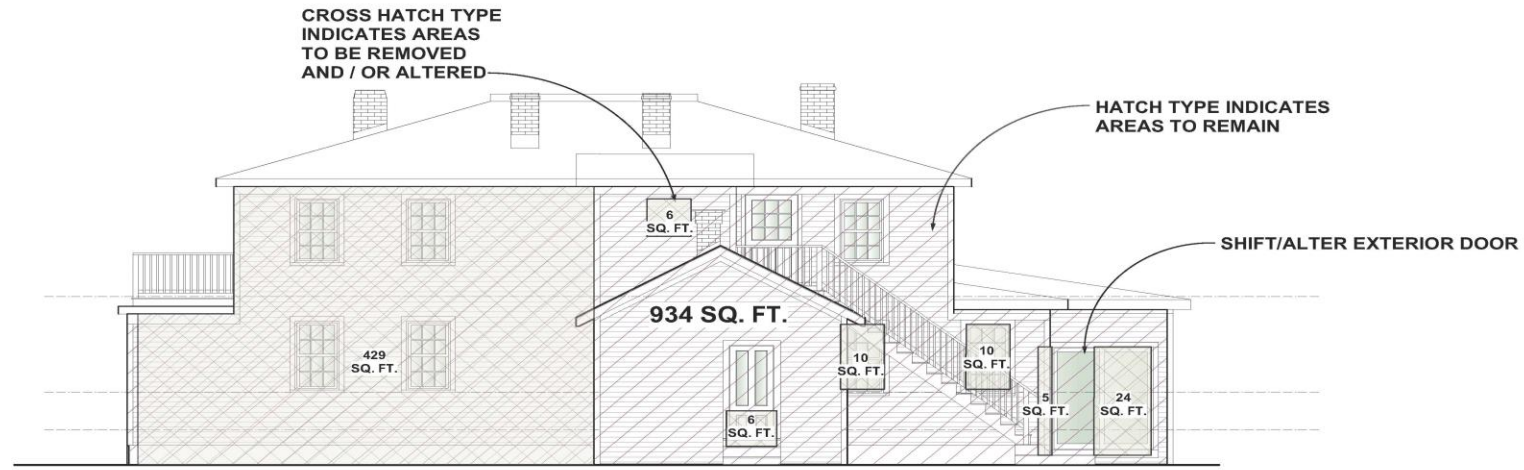
REVISION & REISSUE NOTES

No.	Date	Notes

Project # 2021-03	Project Manager M.L.	Date 7/22/21
Scale: AS NOTED		

DCOD CALCS

EC6



1 EXISTING REAR ELEVATION  
 Scale: 1/4" = 1'-0"



2 EXISTING RIGHT ELEVATION  
 Scale: 1/4" = 1'-0"

WALLS TO BE REMOVED  
 FRONT: 32  
 LEFT: 136  
 REAR: 490  
 RIGHT: 442  
 = 1,100 SQ. FT.

WALLS TO REMAIN  
 FRONT: 906  
 LEFT: 1,201  
 REAR: 444  
 RIGHT: 754  
 = 3,305 SQ. FT.

TOTAL WALL AREA

$1,100 + 3,305 = 4,405 \text{ SQ. FT.}$

% OF WALL TO BE REMOVED

$1,100 / 4,405 \text{ SQ. FT.} = 24.97\%$



RENOVATIONS/ALTERATIONS

TO:

86-88 PROSPECT STREET, NEWBURYPORT, MA, 01950

REVISION & REISSUE NOTES

No.	Date	Notes

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Scale: AS NOTED		

DCOD CALCS

EC7

# Newburyport Zoning Ordinances

Proposed addition is authorized under Newburyport Zoning Ordinances §IX.B.2.

§ IX Purpose and Intent: “...to discourage the perpetuity of nonconforming uses except where such extension will be in the general welfare and not harmful to surrounding land uses. The lawful use of any building or land existing at the time of the enactment of this ordinance may be continued except as otherwise provided.”

IXB2B Standard:

(1)That there will be no intensification or extension of an existing nonconformity or the addition of a new nonconformity; and(2) That the proposed change will not be substantially more detrimental to the neighborhood than the existing nonconforming structure or use.

- There will be no new nonconformity nor any extension or intensification of an existing nonconformity created by the addition.
  - No new conformity or extension of any existing non-conformity is proposed. Setbacks for the addition and garage comply with existing zoning requirements.
- The proposed change will not be substantially more detrimental to the neighborhood than preexisting structure.
  - The proposed addition is being built into back corner of the structure. As such, it will not appear to add significantly to massing and scaling of building.
  - Meets lot coverage and open space requirements.
  - Will not add to mean roof height of structure.
  - Will visually impact very few neighbors, if any.
  - Will be built in accordance with local and state building codes and will convert existing pavement to permeable surface and will be protective of the environment.
  - Design is in keeping with the existing architecture of home so addition “blends” in well.
  - Addition arguably is an aesthetic improvement to structure and will add to value of home and to that of the surrounding homes.
  - Enlarged structure will result in a de minimus extension of use (no increase in number of units).
  - Will have a de minimus impact to neighborhood.
  - Proposed addition will not adversely impact use and enjoyment of neighboring structures by their owners.



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Newburyport

## Conclusion

- Proposed addition will not create any new non-conformities or exacerbate any existing non-conformities.
- Proposed addition will not be substantially more detrimental to neighborhood than existing structure, as it will improve the building and be more protective of environment and so will provide benefits to the neighborhood overall.
- Therefore, proposed addition to building (and to the use), will be in general welfare and not harmful to surrounding land uses.