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May 11, 2022

By Electronic Mail

Glen Richards, Chair  
Newburyport Historic Commission  
City of Newburyport  
City Hall  
60 Pleasant Street  
Newburyport, Massachusetts 01950

Re: 90 Water Street-Proposed Preservation Restriction;  
Background Information/Timeline

Dear Chair and Members of the Commission:

Reference is made to the above-captioned matter. In that connection, it has been brought to our attention that the Chair has requested additional information related to the permitting history for 90 Water Street as it relates to a proposed Preservation Restriction for 90 Water Street that is scheduled to be reviewed at the Commission's May 12<sup>th</sup> Meeting. We now provide the following:

1. In or around March 2016, the 90 Water Street Realty Trust, the current owner of the Property (and the buyer at the time) was informed by then Building Commission Gary Calderwood that the existing two-family use was not legal.
2. In response, the 90 Water Street Realty Trust sought to and received approval to continue using the property as a two family use.
3. Prior to going before the Zoning Board in June, the Applicant appeared on May 25, 2016 before the Historic Commission to see if the Commission was interested in a preservation restriction being placed on the structure. There were only minor changes proposed to the structure. The conditions were as follows:
  - a. The roofline of the original building shall never be raised;
  - b. Any changes to the rear addition shall not include a roofline that extends above that of the original portion of the building;
  - c. The roofline pediment at the front elevation (Water Street elevation) shall be retained. Any repair shall be done in-kind;
  - d. On the front elevation (Water Street elevation), the two existing first floor windows shall be replaced with windows that match those of the second floor front elevation in size, dimension, muntin pattern, sash, and detail. The replacement windows shall be wood and shall be either true-divided light or simulated divided light. If the latter, dark spacers shall be used between the glass and muntins shall be applied to the exterior portions of the sash. Lite patterning shall be two-over-one.(See pre and post photos below)

The Commission voted that it would be in favor of holding the restriction.

4. The ZBA approved the requested permits.
5. The Applicant undertook the changes to the structure.

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6. We provided several drafts of a Preservation Restriction to the then Historic Commission chair and subsequently the planning office was provided several drafts of a Preservation Restriction. However, the Preservation Restriction was never finalized and/or brought before the Commission.
7. The Applicant would like to close out this matter and have a Preservation Restriction approved.

As can be seen in the proposed Preservation Restriction here is the following front view of the structure from Water Street as existed prior to the approved changes:



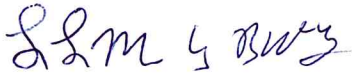
Below is the Applicant's plans showing the changes to the structure as approved. Please note that the changes only were to the windows on the front façade as seen from Water Street, hence the limited Plan Set. The dimensions of the windows are included in red.



Lastly, here is a photo from the Assessor Records of the structure as currently exists. As can be seen, the plans have been carried out as approved.



Respectfully submitted,  
90 Water Street Realty Trust  
By Its Attorney,

Handwritten signature in cursive script, appearing to read "LLM & RWZ".

Lisa L. Mead

Attachment  
cc: client



33' x 40'

33' x 40'

33' x 40'

33' x 40'