

163 Crow Lane Newburyport

Newburyport
Zoning Board of Appeals
Meeting
July 13, 2021

Project Summary

163 Crow Lane
Newburyport

- Proposed project will raze the existing three-bedroom home on the lot preserving the existing foundation.
- Reconstruction of new, four bedroom home with attached garage.
- Proposed reconstruction will not be substantially more detrimental to the neighborhood than pre-existing structure.

Existing Conditions

163 Crow Lane
Newburyport

- Property has been and will continue to be used as a single-family residence.
- Property is an allowed use in Residential One (R-1) zoning district.
- The existing structure is pre-existing non-conforming as to:
 - Side A Setback (11.0' provided, 20' required).
- The existing lot is pre-existing, non-conforming as to:
 - Area (16,500 s.f. provided, 20,000 s.f. required).
 - Frontage (100' provided, 125' required).

Proposed Addition

163 Crow Lane
Newburyport

- Proposed structure conforms to height, lot coverage, open space, front setback, side B setback and rear setback requirements.
- Proposed addition will not create any new non-conformities but would result in an upward extension of pre-existing, non-conforming side yard setback.
- Proposed structural increase exceeds 500 sq. ft. (existing structure 2,186 sq. ft., proposed 4,698 sq. ft).
- Proposed addition will raise height of structure from less than 20'+/- to 29'.

	Required Dimensional Controls from Section VI.A	Existing Dimensional Controls from survey or site plan	Proposed Dimensional Controls from proposed plans
Lot Area	20,000'	16,500'	16,500'
Frontage	125'	100'	100'
Height*	30'	<20'	29' 1"
Max. Lot Coverage (%)**	20%	6%	12.2%
Min. Open Space (%)***	50%	87%	79.8%
Primary Front Setback	30'	36.4'	30.4'
Side A Setback/Secondary Front Setback	20'	11'	11'
Side B Setback	20'	45'	20.2'
Rear Setback	30'	110'	98.0'
Parking Spaces	2	2	4
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).

163 Crow Lane, Newburyport

7/8/2021



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.

- | | | | | | | |
|--------------------|-------|------------|------------|------------|----------|---------------------|
| Municipal Boundary | Roads | Interstate | Major Road | Local Road | Railroad | Parcels (on aerial) |
| Road Right of Way | Paved | Unpaved | | | | |





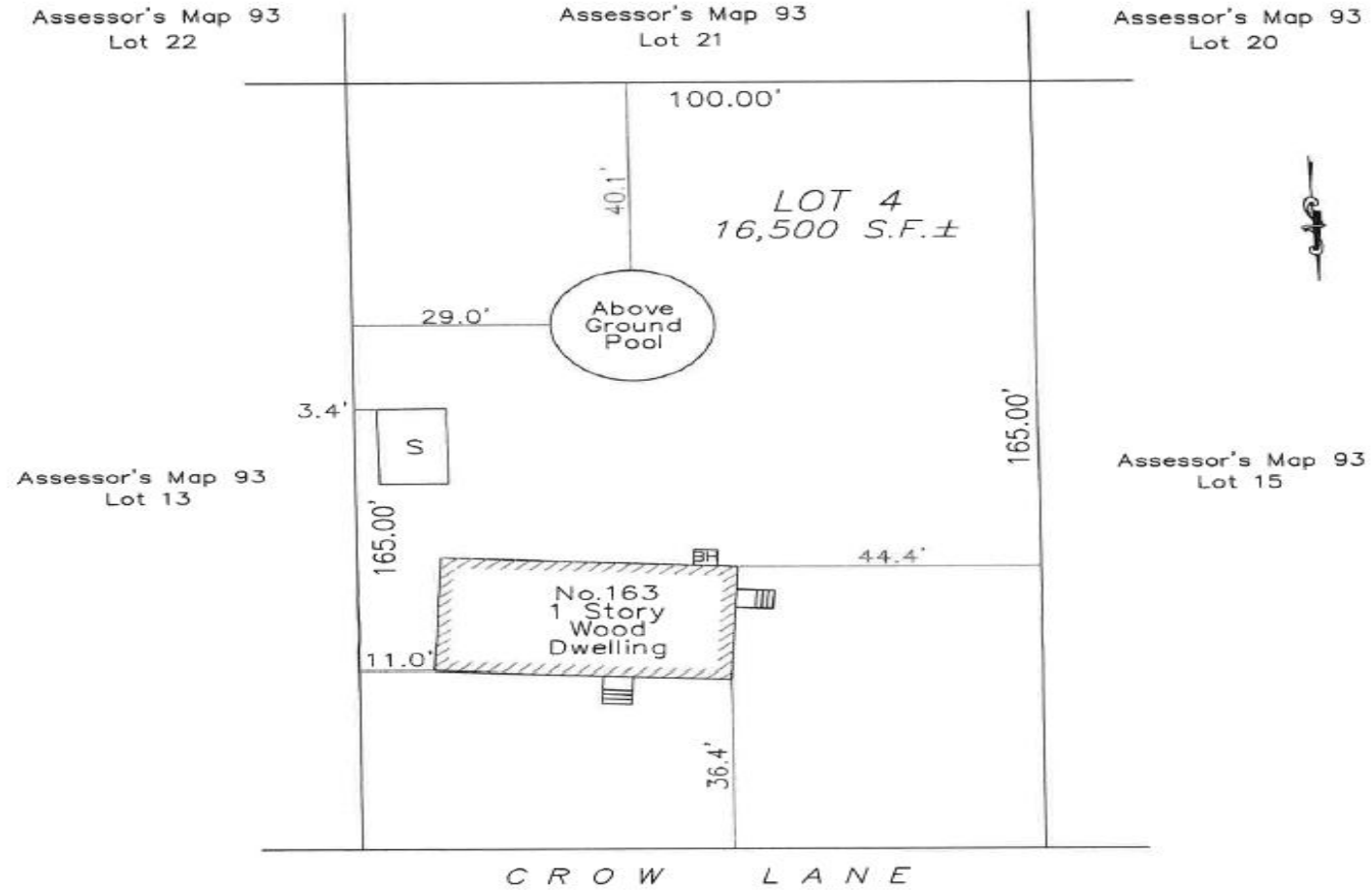








Existing Conditions



EXISTING Conditions PLOT PLAN OF LAND NEWBURYPORT, MA.

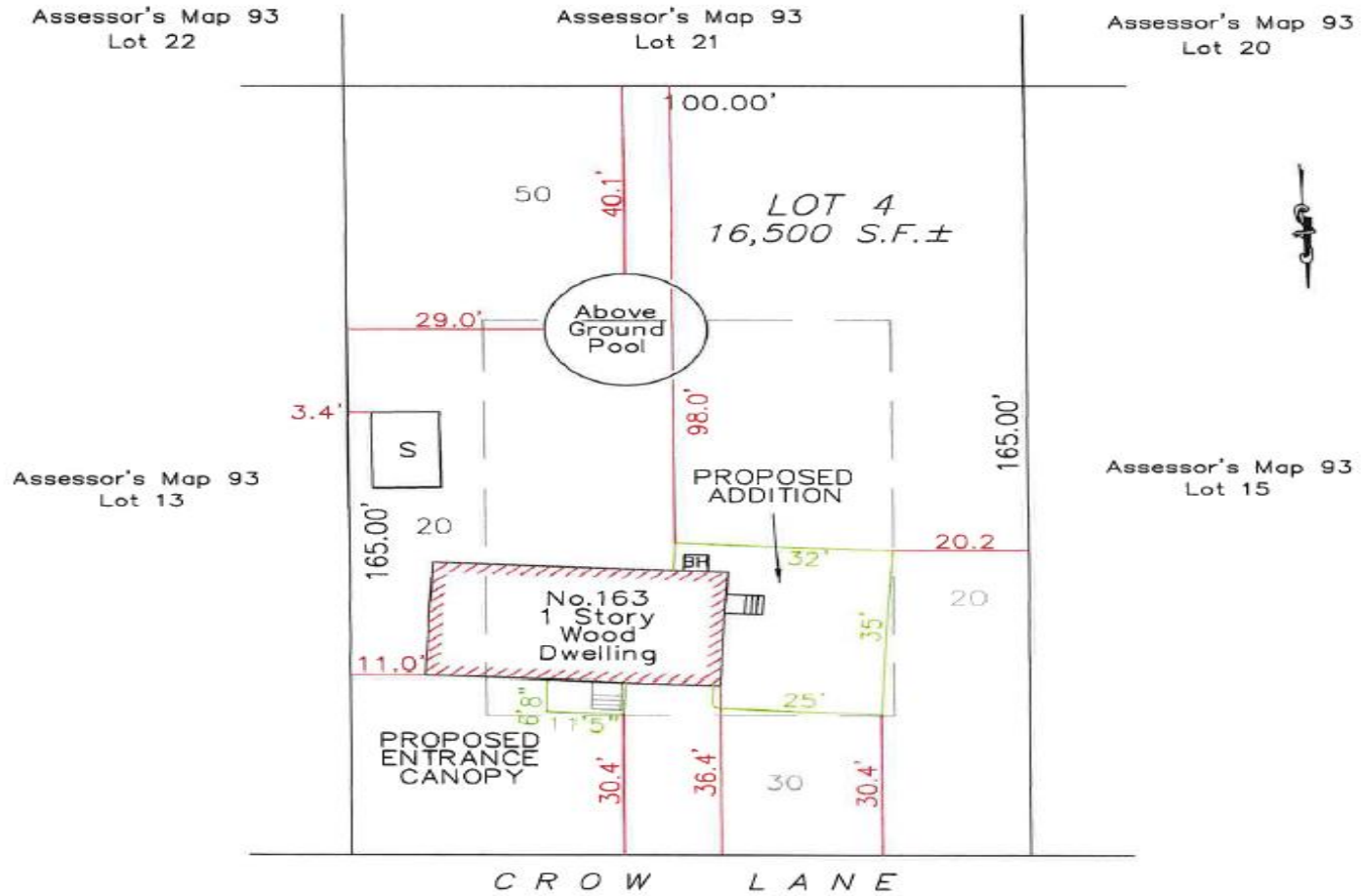
PREPARED FOR:
PATRICK NESIUS
163 CROW LANE

SCALE: 1"=30' DATE: MAY 21, 2021

DAVID P. TERENCEZONI, P.L.S.
4 ALLEN ROAD, PEABODY, MA. 01960

Zoning District: R-1
Deed Reference: Book 36230, Page 549
Assessor's Map 93, Lot 14
Existing Lot Coverage = 10.2% ±

Proposed Addition



PLOT PLAN OF LAND NEWBURYPORT, MA.

PREPARED FOR:
PATRICK NESIUS
163 CROW LANE

SCALE: 1"=30' DATE: MAY 25, 2021
DAVID P. TEREZONI, P.L.S.
4 ALLEN ROAD, PEABODY, MA. 01960

Zoning District: R-1
Deed Reference: Book 36230, Page 549
Assessor's Map 93, Lot 14
Proposed Lot Coverage = 16.0% ±



PROPOSED FRONT ELEVATION

JMA ARCHITECTS + PLANNERS
 Four New Street, Unit 101
 Newburyport, Massachusetts 01950
 [phone] 978. 465. 2263 [mobile] 978.621. 0811

PROJECT NAME:

163 CROW LANE
 NEWBURYPORT, MA 01950

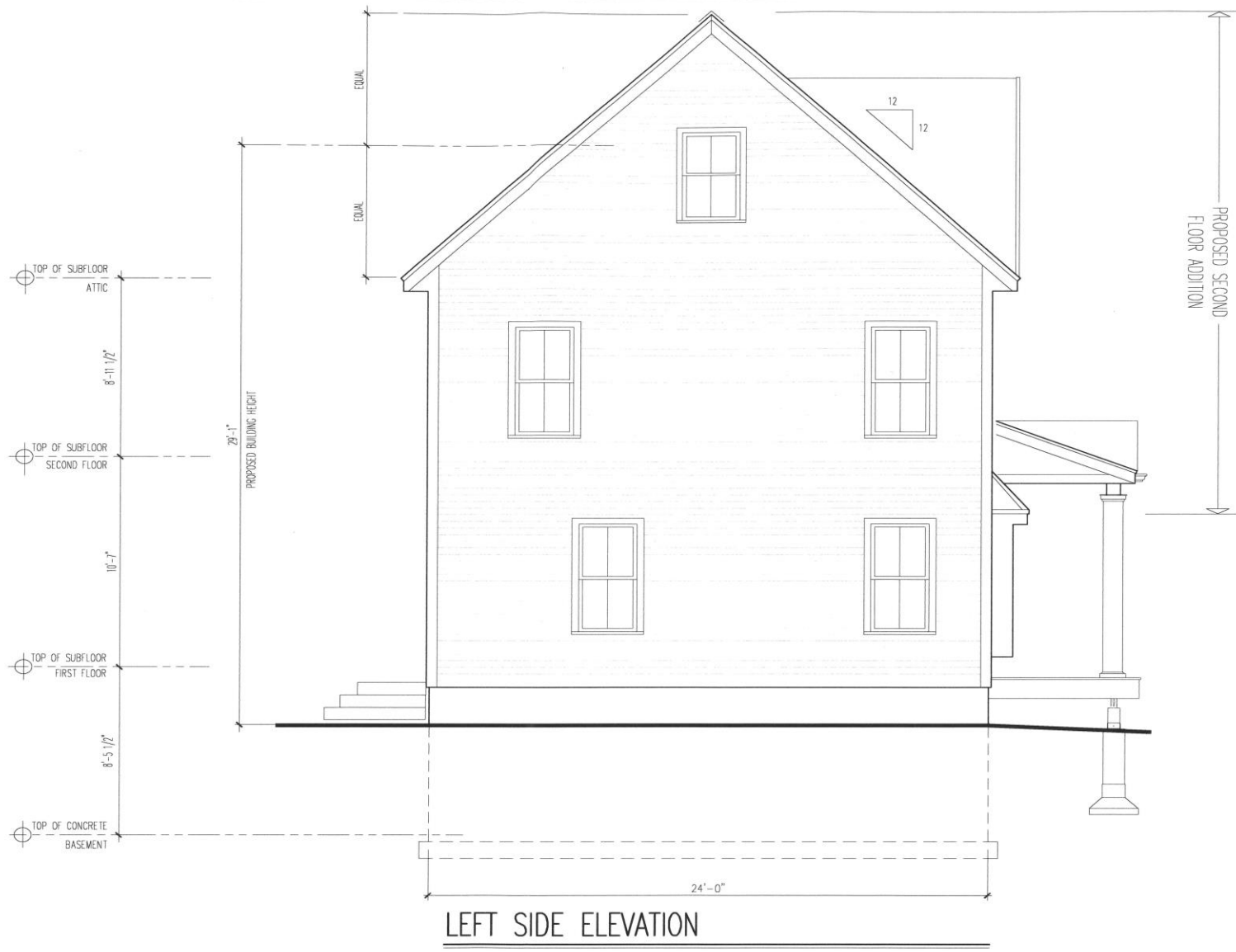
REVISIONS

NO.	DATE	REVISION

DRAWN BY: ADA
 JOB NO.: DU06 - S41K
 SCALE: 3/16" = 1'-0"
 DATE: MAY 21, 2021

SHEET

A-1



LEFT SIDE ELEVATION

JMA ARCHITECTS + PLANNERS
 Four New Street, Unit 101
 Newburyport, Massachusetts 01950
 [phone] 978. 465. 2263 [mobile] 978.621. 0811



PROJECT NAME:
 163 CROW LANE
 NEWBURYPORT, MA 01950

REVISIONS		
NO.	DATE	REVISION

DRAWN BY: AGA
 JOB NO.: DU06 - 541K
 SCALE: 3/16" = 1'-0"
 DATE: MAY 21, 2021

SHEET
 A-2



RIGHT SIDE ELEVATION

JMA ARCHITECTS + PLANNERS
 Four New Street, Unit 101
 Newburyport, Massachusetts 01950
 [phone] 978.465.2263 [mobile] 978.621.0811

PROJECT NAME:

163 CROW LANE
 NEWBURYPORT, MA 01950

REVISIONS

NO.	DATE	REVISION

DRAWN BY: AOA
 JOB NO.: 0J06 - 541K
 SCALE: 3/16" = 1'-0"
 DATE: MAY 21, 2021

SHEET

A-3



PROPOSED REAR ELEVATION

JMA ARCHITECTS + PLANNERS
 Four New Street, Unit 101
 Newburyport, Massachusetts 01950
 [phone] 978. 465. 2263 [mobile] 978.621. 0811

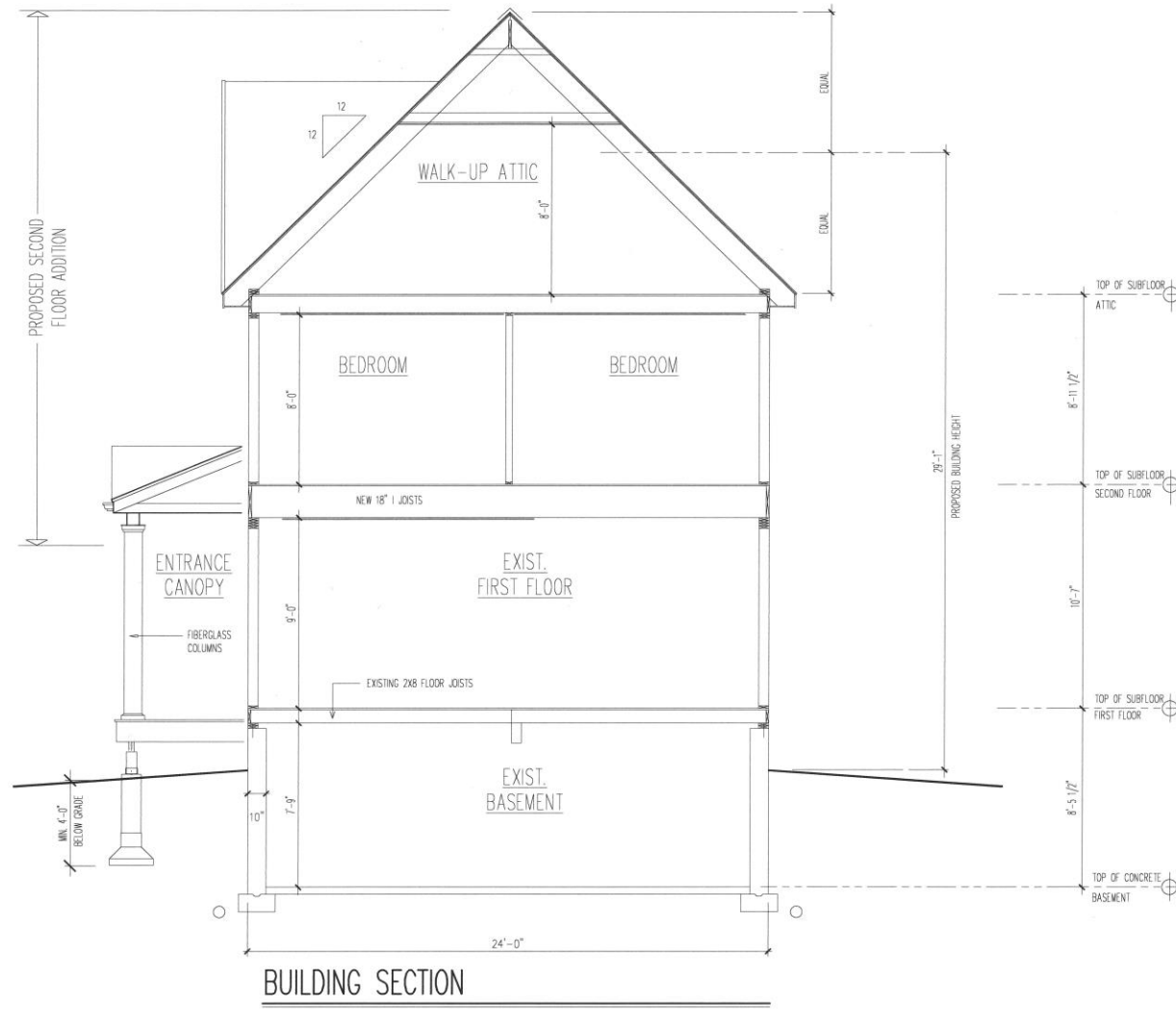


PROJECT NAME:
 163 CROW LANE
 NEWBURYPORT, MA 01950

REVISIONS		
NO.	DATE	REVISION

DRAWN BY: ADA
 JOB NO.: DU06 - 541K
 SCALE: 3/16" = 1'-0"
 DATE: MAY 21, 2021

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 A-4



BUILDING SECTION

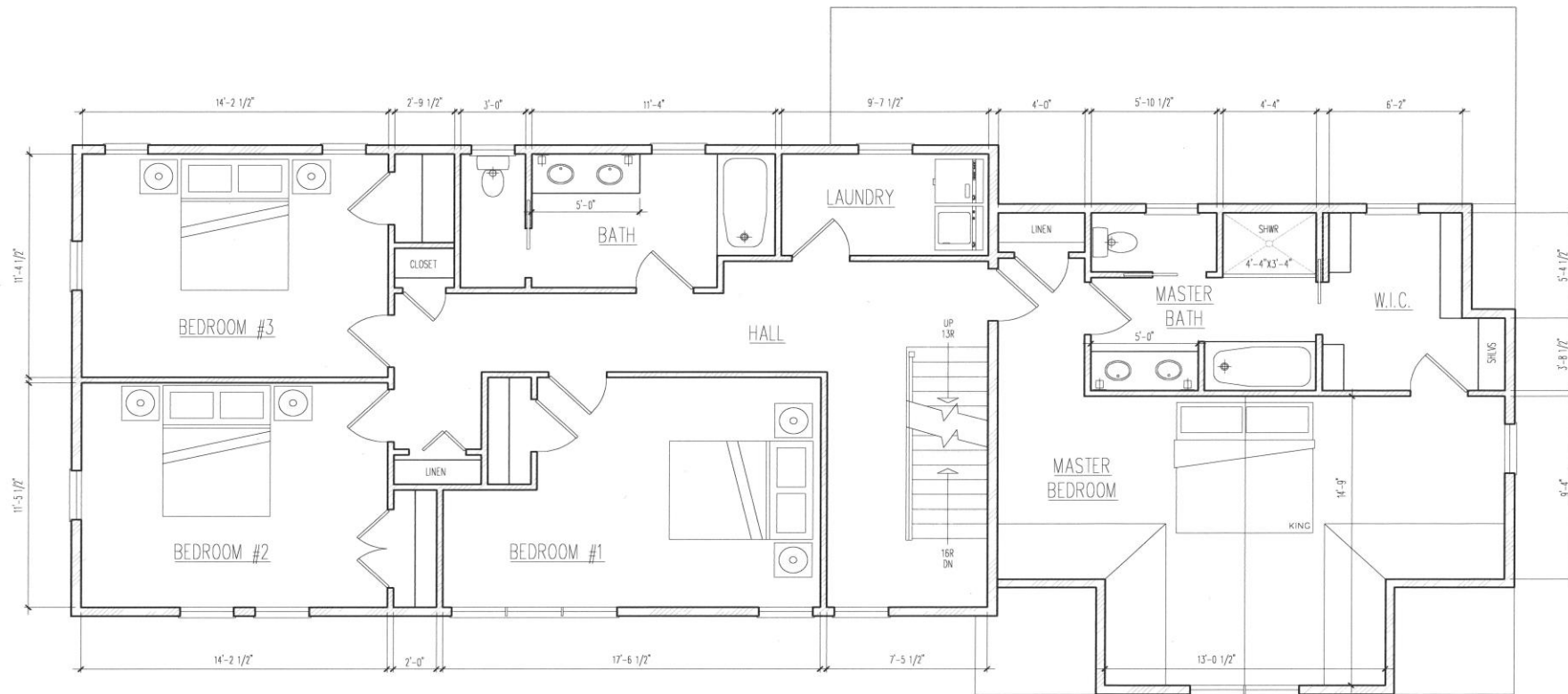
JMA ARCHITECTS + PLANNERS
 Four New Street, Unit 101
 Newburyport, Massachusetts 01950
 [phone] 978.465.2263 [mobile] 978.621.0811

PROJECT NAME:
 163 CROW LANE
 NEWBURYPORT, MA 01950

REVISIONS		
NO.	DATE	REVISION

DRAWN BY: ADA
 JOB NO.: DU06 - 541K
 SCALE: 3/16" = 1'-0"
 DATE: MAY 21, 2021

SHEET
 A-5



PROPOSED SECOND FLOOR PLAN

JMA ARCHITECTS + PLANNERS
 Four New Street, Unit 101
 Newburyport, Massachusetts 01950
 [phone] 978.465.2263 [mobile] 978.621.0811

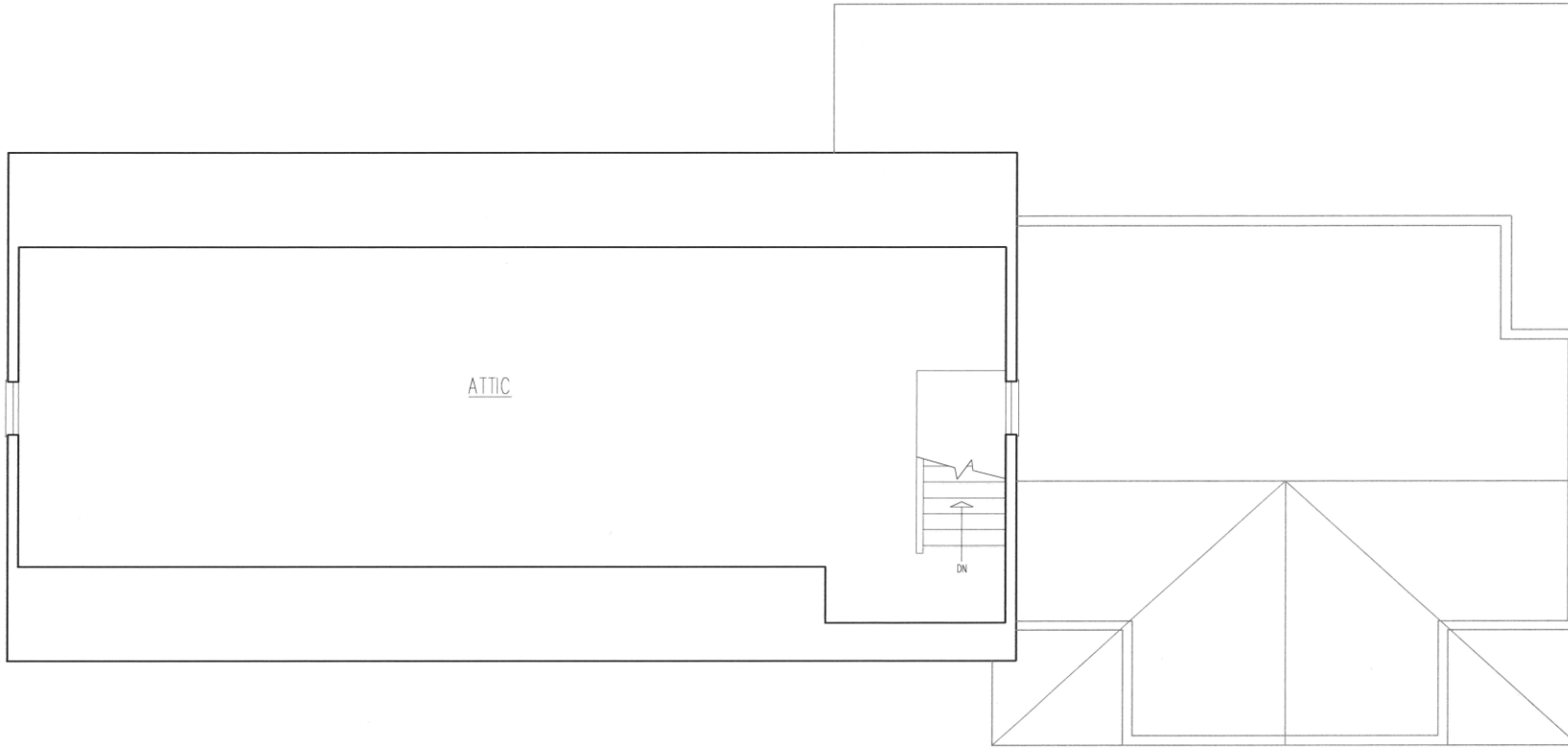
PROJECT NAME:

163 CROW LANE
 NEWBURYPORT, MA 01950

REVISIONS		
NO.	DATE	REVISION

DRAWN BY: ADA
 JOB NO.: DUD6 - 541K
 SCALE: 3/16" = 1'-0"
 DATE: MAY 21, 2021

SHEET
 A-6



ATTIC FLOOR PLAN

JMA ARCHITECTS + PLANNERS
 Four New Street, Unit 101
 Newburyport, Massachusetts 01950
 [phone] 978.465.2263 [mobile] 978.621.0811

PROJECT NAME:

163 CROW LANE
 NEWBURYPORT, MA 01950

REVISIONS

NO.	DATE	REVISION

DRAWN BY: ADA
 JOB NO.: 0106 - 541K
 SCALE: 3/16" = 1'-0"
 DATE: MAY 21, 2021

SHEET

A-7

Tree and Sidewalk Recommendations

- There are no sidewalks on either side of street.
- Based on recommendation of Tree Commission, applicant will agree to provide three (3) small flowering trees such as Carolina Silverbell (*Halesia Carolina*) evenly spaced across front of property.
- Respectfully ask the Board for Condition of Approval requiring said trees.

Newburyport Zoning Ordinances

Proposed reconstruction requires Special Permit under Newburyport Zoning Ordinances §IX.B.2 and §IX.B.3.

§ 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.”

Section B.2/B.3 Standard:

- The proposed change will not be substantially more detrimental to the neighborhood than pre-existing structure or use. Board may consider, among other relevant factors, the size, scale, massing, volume and location of the proposed structure, extension or alteration as compared to:
 - a) Existing structure and lot;
 - b) Other structure and lots in neighborhood;
 - c) Reasonable alternatives.

Application of Ordinance to Proposal

- Existing and Proposed Use are allowed in applicable (R1) Zoning District.
- There will be no new non-conformities created by proposed construction.
- Proposed house meets height, lot coverage and open space regulations, as well as A-side and rear setback requirements.
- Although increasing in size, home will not significantly impose on surrounding homes.
- Proposal is to reconstruct home with top quality, energy efficient materials and methodology, minimizing impact on surrounding environment.
- The new home has been professionally designed and will be a substantial aesthetic improvement to home.
- Proposed structure is in keeping with surrounding homes, especially those recently re-developed or improved upon.
- Proposed re-construction is an aesthetic improvement to structure and will add value not only to home, but to that of surrounding homes and neighborhood.
- Improved property value means increased property taxes benefitting all residents.
- Will have little or no impact to neighborhood, certainly not substantially more detrimental.
- Neighbor support.