

**City of Newburyport  
Zoning Board of Appeals  
Online Meeting  
April 26, 2022  
Minutes**

**1. Roll Call**

Chair Rob Ciampitti called an online meeting of the Newburyport Zoning Board of Appeals to order at 7:00 p.m. In attendance were members Rob Ciampitti, Mark Moore, Bud Chagnon, Stephen DeLisle and Ken Swanton and associate member Gregory Benik. Also in attendance were Planner Katelyn Sullivan and Note Taker Gretchen Joy.

**2. Public Hearings**

**Caswell Restaurant Group, Inc. c/o Lisa Mead, Mead, Talerman & Costa LLC**

**17-21 State Street**

**2021-18 - Appeal**

Brian Winner represented the applicant and said a written request for a continuance has been submitted. The agenda of the May 10 meeting is full. Mr. Moore moved to continue the public hearing for 17-21 State Street to the May 24 meeting. Mr. DeLisle seconded the motion. The motion was approved by a 6-0 vote (Mr. DeLisle, yes; Mr. Moore, yes; Mr. Swanton; yes; Mr. Ciampitti, yes; Mr. Chagnon, yes; Mr. Benik, yes).

**Mark Drago c/o Lisa Mead, Mead, Talerman & Costa LLC**

**3 Q Street**

**ZNC-22-4 - Special Permit for Non-Conformities**

The applicant requested a continuance. Mr. Moore moved to continue the public hearing for 3 Q Street to the May 24 meeting. Mr. Chagnon seconded the motion. The motion was approved by a 6-0 vote (Mr. DeLisle, yes; Mr. Moore, yes; Mr. Swanton; yes; Mr. Ciampitti, yes; Mr. Chagnon, yes; Mr. Benik, yes).

**Waldot Realty, LLC c/o Lisa Mead, Mead, Talerman & Costa LLC**

**200-208 Merrimac Street**

**VAR-22-2 - Variance**

**ZNC-22-7 - Special Permit for Non-Conformities**

The applicant requested a continuance. Mr. Moore moved to continue the public hearing for 200-208 Merrimac Street to the May 24 meeting. Mr. Swanton seconded the motion. The motion was approved by a 6-0 vote (Mr. DeLisle, yes; Mr. Moore, yes; Mr. Swanton; yes; Mr. Ciampitti, yes; Mr. Chagnon, yes; Mr. Benik, yes).

**Joseph Cohen and Robin Wallace c/o Lisa Mead, Mead, Talerman & Costa LLC**

**4 79<sup>th</sup> Street**

**VAR-22-3 - Variance**

**ZNC-22-6 - Special Permit for Non-Conformities**

The applicant requested a continuance. Mr. Moore moved to continue the public hearing for 4 79<sup>th</sup> Street to the May 24 meeting. Mr. Swanton seconded the motion. The motion was approved by a 6-0 vote (Mr. DeLisle, yes; Mr. Moore, yes; Mr. Swanton; yes; Mr. Ciampitti, yes; Mr. Chagnon, yes; Mr. Benik, yes).

**Christopher Adam and Amber Klein-Adam c/o Lisa Mead, Mead, Talerman & Costa LLC  
9 Barton Street**

**ZNC-22-5 – Special Permit for Non-Conformities**

Brian Winner and Aileen Graf represented the applicant, who is proposing to remove an existing one-story bump out from the rear of the structure and construct a new two-story addition. The property is in the R-2 district and DCOD. The structure was built in 1875, according to the district data sheets. The bump out was added between 1924 and 1964. The property is non-conforming for area, frontage, front-yard setback, left-side setback and lot coverage.

The 6.1' x 8.3' bump out would be removed and replaced with a 6.1' x 14.1' two-story addition, increasing the footprint of the structure by 37.2 square feet. The height of the addition would be 18'-2.75", which would be lower than the main structure. The lot coverage would increase from 38.67% to 39.45%, where 25% is allowed.

Wood clapboards would be used for the addition to match the existing structure. The windows and doors would also match the existing conditions. The third-floor windows would be changed to doors to provide access to a roof deck.

The Historical Commission released the structure from the Demolition Delay. Four letters of non-opposition were submitted. Attorney Winner said the lot coverage non-conformity would be minorly extended. The addition would be subservient to the main structure and would not be visible from the public way.

No one from the public spoke in favor of or in opposition to the application. Mr. Moore said the plans are clear and were well presented. The proposal is modest. The lot coverage would slightly increase. No new non-conformities would be created and the addition would not be more detrimental to the neighborhood than the existing conditions.

Mr. Moore moved to approve a Special Permit for Non-Conformities for 9 Barton Street. Mr. DeLisle seconded the motion. The motion was approved by a 5-0 vote (Mr. Moore, yes; Mr. Swanton, yes; Mr. Ciampitti, yes; Mr. Chagnon, yes; Mr. DeLisle, yes).

**3. Business Meeting**

**a) Minutes**

Mr. Swanton moved to approve the minutes of the April 12, 2022, meeting. Mr. Moore seconded the motion. The motion was approved by a 6-0 vote (Mr. DeLisle, yes; Mr. Moore, yes; Mr. Swanton, yes; Mr. Ciampitti, yes; Mr. Chagnon, yes; Mr. Benik, yes).

**b) Updates from the Chair and Planning Director**

None

**4. Adjournment**

Mr. Swanton moved to adjourn the meeting at 7:42 p.m. Mr. Moore seconded the motion. The motion was approved by a 6-0 vote (Mr. DeLisle, yes; Mr. Moore, yes; Mr. Swanton, yes; Mr. Ciampitti, yes; Mr. Chagnon, yes; Mr. Benik, yes).