

Decision of the Newbury Zoning Board of Appeals  
Under the Zoning Bylaw  
Upon petition of  
**Brad Duffin**

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NEWBURY TOWN CLERK

The Zoning Board of Appeals (ZBA) held a public hearing Thursday, ~~September~~ **September 15, 2016** at 7:30 p.m. at the Newbury Municipal Offices, 12 Kent Way, Byfield, MA 01922 on the petition of **Brad Duffin, 3 Johnson Road, Newbury, MA 01951** in conformity with the provisions of the Massachusetts Zoning Act, Chapter 40 A, as amended, and the Zoning Bylaws of the Town of Newbury. ZBA members present were Eric Svahn, Chairman Howard Traister and Rick Salmonson and alternates Elaine Baker and Doug Packer.

Applicant has petitioned the ZBA for a Finding for relief from Section 97-4.D of the Zoning Bylaws to increase the percentage of structures covering the lot at 3 Johnson Road (Assessors Map U05-0-93).

Presenting the application was Everett Chandler of Winter GEC, LLC. Appearing in favor of the applicant was Brad and Lynne Duffin. Dan Gurlitz of 50 Old Point Road and Roger Daniel of 56 Old Point Road had some questions on the height and lot coverage which were answered to their satisfaction. Appearing in opposition of the applicant there was no one.

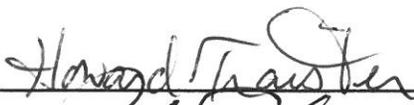
After due deliberation and consideration, the Board of Appeals voted unanimously on a motion by Eric Svahn, seconded by Rick Salmonson to GRANT the SPECIAL PERMIT/FINDING under section 97-4.D for an increase to the percentage of structures on the existing property as it was deemed to be not more substantially detrimental to the neighborhood. The ZBA Application, Plans and all supporting documentation bearing the Zoning Board of Appeals stamp dated 9/15/16 conforms to all set back, height, floor area ratio (FAR) and lot coverage requirements of the PIOD.

This finding is granted with the understanding that this decision will be recorded at the Registry of Deeds in Salem, MA and that the Board of Appeals and the Building Inspector shall receive copies of the recorded document showing Book and Page of the recording prior to issuance of a building permit.

This finding is not to be construed as a sanction of the Town of any encroachments nor does it relieve the burden of the owner to obtain proper permits and approvals from all pertinent boards.

Notification is hereby given that appeals, if any, shall be made pursuant to G.L. Chapter 40A §17, as amended by Chapter 808 of the Acts of 1975, within twenty days after which this decision is filed with the Newbury Town Clerk.

NEWBURY ZONING BOARD OF APPEALS

 _____	Howard Traister, Chairman
 _____	Rick Salmonson, Member
 _____	Eric Svahn, Member