

**Decision of the Newbury Zoning Board of Appeals
Under the Zoning Bylaw
Upon petition of
David & Kathleen Strand**

16 JUN 29 AM 10:12
NEWBURY TOWN CLERK

The Zoning Board of Appeals (ZBA) held a public hearing Thursday, June 16, 2016 at 7:30 p.m. at the Newbury Town Hall, 25 High Road, Newbury, MA 01951 on the petition of **David & Kathleen Strand, 9 Blue Hill Avenue, 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, Rick Salmonson and alternate Elaine Baker.

Applicant petitioned the ZBA for a FINDING for relief from section 97-4.D of the Zoning Bylaws as the Newbury ZBA decision of 2013 has expired. The application presented an revised site plan to complete and expand the deck, increasing the lot coverage of the structure for the property located **9 Blue Hill Avenue (Assessors Map U05-0-23)**.

Appearing in favor of the applicant was David Strand. 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 FINDING under section 97-4.D to for the originally approved plan, with out modification, outlined in their decision dated June 27, 2013 and the associated plan titled Level One Plan Strand Addition dated June 18, 2013. It was deemed that this original decision was not deemed to be more substantially detrimental to the neighborhood and that the construction of the deck will adhere 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

**Decision of the Newbury Zoning Board of Appeals
Under the Zoning Bylaw**

**Upon petition of
Marie T. Van Luling**

16 JUN 29 AM 10:12

NEWBURY TOWN CLERK

The Zoning Board of Appeals (ZBA) held a public hearing Thursday, June 16, 2016 at 7:30 p.m. at the Newbury Town Hall, 25 High Road, Newbury, MA 01951 on the petition of **Marie T. Van Luling, 8 Johnson Road, Newbury, MA 01951** in conformity with the provisions of the Massachusetts Zoning Act, Chapter 40A, as amended, and the Zoning Bylaws of the Town of Newbury. ZBA members present were Chairman Howard Traister, Eric Svahn, Rick Salmonson and alternate Elaine Baker.

Applicant and her representative William Salley petitioned the ZBA for a FINDING for relief from section 97-4.D of the Zoning Bylaws to increase the height and the lot coverage of the structure for the property located **8 Johnson Road, Newbury, MA 01951(Assessors Map U03-0-01)**.

Appearing in favor of the applicant was the applicant Marie T. Van Luling. 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 Howard Traister to GRANT the SPECIAL PERMIT under section 97-4.D for an increase in height and lot coverage only on the existing non-conforming property, as it was not deemed to be more substantially detrimental to the neighborhood. The ZBA Application, Proposed Plot Plan of Land and ZBA Plans & Elevations bearing the Zoning Board of Appeals stamp dated 6/16/16 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.

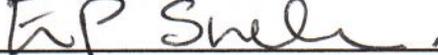
This finding is not to be construed as a sanction of the Town of any encroachments nor does it relieve the burden of the owner to obtain proper permits and approvals from all pertinent boards.

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