

Decision of the Newbury Zoning Board of Appeals  
Under the Zoning Bylaw  
Upon petition of  
**William R. & Mary Knight Garrity**

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NEWBURY TOWN CLERK

The Zoning Board of Appeals (ZBA) held a public hearing Thursday, August 25, 2016 at 7:30 p.m. at the Newbury Municipal Offices, 12 Kent Way, Byfield, MA 01922 on the petition of **William R. and Mary Knight Garrity, 18 Riverfront, 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.

Applicant has petitioned the ZBA for a Finding for relief from Section 97-6 of the Zoning Bylaws to extend the existing non-conforming setback by reconfiguring and expanding the front entrance consisting of deck and stairs and adding decorative framing (Pergola) above the new deck on the lot located at 18 Riverfront (Assessors Map R11-0-56).

Presenting the application was William R. & Mary Knight Garrity. Appearing in favor of the applicant was William R. & Mary Knight Garrity; a letter of support was submitted to the ZBA from Mark Batchelder. Appearing in opposition of the applicant there was no one.

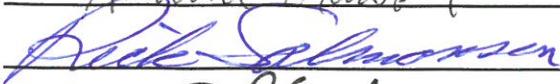
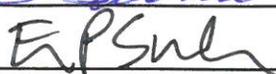
After due deliberation and consideration, the Board of Appeals voted unanimously on a motion by Eric Svahn, seconded by Rick Salmonson to GRANT the SPECIAL PERMIT/FINDING under section 97-6 to extend an existing setback on the property, as the approximate existing west-side 6-foot 6-inch setback is already an established footprint and was not deemed not to be more substantially detrimental to the neighborhood. The ZBA Application Plans and all supporting documentation bearing the Zoning Board of Appeals stamp dated 8/25/16 conforms to all other set back, height and other applicable zoning requirements.

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  
**Paul Ivaska & Linda Buckley**

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The Zoning Board of Appeals (ZBA) held a public hearing Thursday, August 25, 2016 at 7:30 p.m. at the Newbury Municipal Offices, 12 Kent Way, Byfield, MA 01922 on the petition of **Paul Ivaska & Linda Buckley, 49 Fordham Way, 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.

Applicant has petitioned the ZBA for a Finding for relief from Section 97-4.D of the Zoning Bylaws to increase the coverage through reconfiguration of the front stairs and deck and ease of access for future installation of a chairlift and also installing decorative framing (a pergola) on the lot located at 45/47/49 Fordham Way (Assessors Map U01-1-113/114/115).

Presenting the application was Paul Ivaska & Linda Buckley. Appearing in favor of the applicant was Paul Ivaska & Linda Buckley, in addition a letter of support was received by the ZBA from Andrea & Jonathan Bursaw. Appearing in opposition of the applicant there was no one.

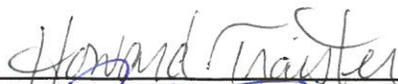
After due deliberation and consideration, the Board of Appeals voted unanimously on a motion by Eric Svahn, seconded by Rick Salmonson to GRANT the SPECIAL PERMIT/FINDING under section 97-4.D for an increase in lot coverage on the existing property as it was not deemed not to be more substantially detrimental to the neighborhood. The ZBA Application, Plans and all supporting documentation bearing the Zoning Board of Appeals stamp dated 8/25/16 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.

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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  
**Keith McDonough**

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The Zoning Board of Appeals (ZBA) held a public hearing Thursday, August 25, 2016 at 7:30 p.m. at the Newbury Municipal Offices, 12 Kent Way, Byfield, MA 01922 on the petition of **Keith McDonough, 94 Old Point 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.

Applicant has petitioned the ZBA for a Finding for relief from Section 97-4.D of the Zoning Bylaws to increase the lot coverage by erecting a 12'X20' storage shed on the lot located at 94 Old Point Road (Assessors Map U05-0-33).

Presenting the application was Keith McDonough. Appearing in favor of the applicant was Keith McDonough. 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 to increase the lot coverage on the property, as it was not deemed not to be more substantially detrimental to the neighborhood. The ZBA Application, Plans and all supporting documentation bearing the Zoning Board of Appeals stamp dated 8/25/16 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.

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 _____	Eric Svahn, Member