

Decision of the Newbury Zoning Board of Appeals  
Under the Zoning Bylaw  
Upon petition of  
Alok Dhanda – 13 Fatherland Drive

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The Zoning Board of Appeals (ZBA) held a public hearing Thursday, March 17, 2016 at 7:30 p.m. at the Newbury Town Hall, 25 High Road, Newbury, MA 01951 on the petition of Alok Dahanda, 13 Fatherland Drive, Byfield, MA 01922 in conformity with the provisions of the Massachusetts Zoning Act, Chapter 40 A, as amended, and the Zoning Bylaws of the Town of Newbury.

NEWBURY TOWN CLERK

Applicant petitioned the ZBA for a Special Permit/Finding for relief from section 97-10.D of the Zoning Bylaws to convert the existing two-stall garage with second floor game room to a detached accessory apartment to the single-family dwelling on the property located 13 Fatherland Drive (Assessors Map R18-0-32).

Appearing in favor of the applicant was Patty Batterton of 16 Fatherland Drive. Appearing in opposition of the applicant in the form of letter and/or appearance at the meeting was Franni & Carl Orlandi of 42 Fatherland Drive, Michael & Ellen Manning of 55 Fatherland Drive, Sharon Weston of 39 Fatherland Drive, David & Renee Toth of 41 Fatherland Drive, Michael & Zoe Fogarty of 47 Fatherland Drive, John & Michele Spinale of 9 Fatherland Drive, Tyler & Kristin Dolan of 14 Fatherland Drive, Lien Kennedy of 7 Fatherland Drive, Randy & Tammy Cotter of 15 Fatherland Drive, Peter Burd of 22 Fatherland Drive and William DiFancesco of 11 Fatherland Drive.

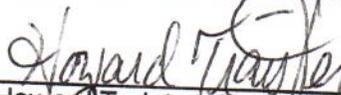
After due deliberation and consideration, the Board of Appeals voted unanimously on a motion by Eric Svahn, seconded by Rick Salmonson to GRANT the Special Permit for the detached accessory structure with the removal of the proposed added bathroom on the second floor, as it meets the requirements of Section 97-10.D and will not be more detrimental to the neighborhood.

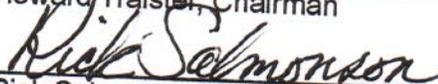
This finding is granted with the understanding that this decision will be recorded at the Registry of Deeds in Salem, MA and that the Board of Appeals and the Building Inspector shall receive copies of the recorded document showing Book and Page of the recording prior to issuance of a building permit.

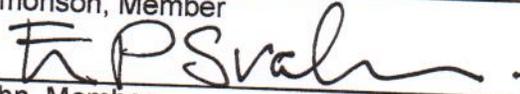
This finding is not to be construed as a sanction of the Town of any encroachments nor does it relieve the burden of the owner to obtain proper permits and approvals from all pertinent boards.

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