



Town Of Newbury

Zoning Board of Appeals
12 Kent Way
Byfield, MA 01922
978/465-0862, Ext. 304

PUBLIC NOTICE POSTING REQUEST TO OFFICE OF TOWN CLERK

BOARD/COMMITTEE/ORGANIZATION: ZONING BOARD OF APPEALS

■ MEETING

■ PUBLIC HEARING

DAY of WEEK/DATE: THURSDAY, FEBRUARY 17, 2022 TIME (AM/PM): 7:30 PM

ADDRESS: ■ Newbury Municipal Offices, 12 Kent Way, Byfield, MA 01922

ROOM: ■ 2nd Floor Hearing Room

PURPOSE: Zoning Board of Appeals Meeting – Public Hearings

SUBMITTED BY (Name and title): Eric Svahn, Chair

ALL PUBLIC NOTICE POSTING REQUESTS MUST BE FILED WITH THE TOWN CLERK AND TIME STAMPED AT LEAST 48 HOURS PRIOR TO THE MEETING TIME FOR POSTING ON THE MUNICIPAL BULLETIN BOARD (in accordance with the provisions of MGL 30A §18-25). Note: 48 HOURS PRIOR TO THE MEETING DOES NOT INCLUDE ANY HOURS ON A SATURDAY, SUNDAY OR LEGAL HOLIDAY. MUNICIPAL OFFICES ARE CLOSED ON FRIDAYS.

Newbury business hours are Monday/Wednesday/Thursday 8AM-4PM and Tuesday from 8AM-7PM. Faxed or e-mailed postings must reach the Town Clerk's office during business hours 48 hours prior to the meeting, not including the days noted above.

MEETING NOTICES WILL ALSO BE INCLUDED ON THE TOWN OF NEWBURY'S WEBSITE:

www.townofnewbury.org

AGENDA

Call to Order

Public Hearings:

George and James Simas (5 Cinder Avenue): The Applicants are requesting a **SPECIAL PERMIT/FINDING** for relief from Section 97-4D-(5)(c)01 (increase in square footage) and 02 (upward extension) of the Newbury Zoning Bylaws, and any other permit relief as may be required under the Town of Newbury's Zoning By-Laws to allow the proposed use/project, in order to raze the existing, non-conforming single-family dwelling and garage on the lot and construct a new single-family dwelling on the property located at 5 Cinder Avenue, Plum Island, Newbury, MA 01951 (Assessor's Map U05, Lot 82).

Old Business:

Gerald Fandetti (7 Hutchins Road): The Applicant is requesting a **SPECIAL PERMIT/FINDING** for relief from the Newbury Zoning By-Laws, § 97-4D(d), upward extension, in order to raze the existing single-family dwelling and construct a new single-family residential dwelling on pilings, on the lot located at 7 Hutchins Road, Plum Island, Newbury, MA 01951 (Assessor's Map U03, Lots, 24, 27, and 28); Owners: Gerald Fandetti and Charlotte Forsythe; (continued from 12/9/21).

Review of draft Decision (Motion made to Grant the Special Permit/Finding at 12/9/21 Hearing)

Rene Dumont and Richard Neel (141 Northern Boulevard): The Applicants are requesting a **SPECIAL PERMIT/FINDING** for relief from Section 97-4D(5)(c)02 (upward extension) and Section 97-4D(2)(b)03 (maximum floor area ratio) of the Newbury Zoning Bylaws, and any other permit relief as may be required under the Town of Newbury's Zoning By-Laws to allow the proposed use/project, in order to demolish an existing sun room and add a second-floor addition and roof deck to the existing dwelling located at 141 Northern Boulevard, Plum Island, Newbury, MA 01951 (Assessor's Map U04, Lot 50). Owners: Rene Dumont and Richard Neel. (continued from 12/16/21).

Review of draft decision (Motion made to Grant the Special Permit/Finding at 12/16/21 Hearing)

Barry Kaplan (5 Davoli Way) – Mr. Kaplan was granted a Special Permit/Finding for new dwelling construction on pilings that increase the building height. (Hearing May 20, 2021, continued to June 24, 2021, continued to July 15, 2021, hearing closed on July 15, 2021, Motion made to Grant the Special Permit/Finding – Decision signed 9/30/21).

Mr. Kaplan came before the Board on January 20, 2022 to request an administrative modification to raise the proposed new dwelling an additional two feet to meet the AE Zone base flood elevation of 13'-0". ZBA requested clarification from Town Counsel who responded, that unless the decision clearly outlined any modification procedures, a new application and hearing would be required.

Other Business:

None

Adjourn

Note: The matters listed above are those reasonably anticipated by the Chair to be discussed at the meeting. This Agenda may be updated or revised after initial posting. Not all items listed may in fact be discussed, and other items not listed may be brought up for discussion to the extent permitted by law.