



## 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, APRIL 21, 2022 TIME (AM/PM): 7:30 PM

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

ROOM: ■ 2<sup>nd</sup> 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](http://www.townofnewbury.org)

## AGENDA

### Call to Order

### Public Hearings:

**David Daly (10 10<sup>th</sup> Street):** The Applicant is requesting a **SPECIAL PERMIT/FINDING** for relief from Section 97-4D(5)(c)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. The lot consists of a pre-existing non-conforming condition of two detached single-family dwellings on a single lot, one of which was destroyed by fire in January 2019. The Applicant proposes to demolish the remaining existing single-family dwelling on the lot, and to construct two new detached single-family dwellings on pilings on the lot, located at 10 10<sup>th</sup> Street, Plum Island, Newbury, MA 01951 (Assessor's Map U03, Lot 78 – Owners: Dominic & Carole Tamagna).

**Barry Kaplan (5 Davoli Way):** The Applicant is requesting a **SPECIAL PERMIT/FINDING** for relief from Section 97-4D(5)(d) (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 single-family dwelling and construct a new single-family residential dwelling on pilings, on the lot located at 5 Davoli Way, Plum Island, Newbury, MA 01951 (Assessor's Map U05, Lot 52).

Mr. Kaplan was previously granted a Special Permit/Finding to construct a new dwelling on pilings that increased the building height, and is now requesting that he be allowed to increase the building height by an additional two feet to meet the requirements for first floor elevation in the AE Zone.

### Old Business:

**George and James Simas (5 Cinder Avenue):** Review of draft Decision to grant 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, in order to raze the existing, non-conforming single-family home and garage on the lot and reconstruct a new single-family home on pilings, on the property located at 5 Cinder Avenue, Plum Island, Newbury, MA 01951 (Assessor's Map U05, Lot 82).

### 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.