



RECEIVED
CITY CLERK
2026 SEP 15 P 3:02
CITY OF AMESBURY, MA

PLANNING BOARD DECISION

Property Ownership: James Fritz and Catherine Lallas
12 Oak Street
Amesbury, MA 01913

Applicant: James Fritz and Catherine Lallas
12 Oak Street
Amesbury, MA 01913

Application Type: SITE PLAN REVIEW AND SPECIAL PERMIT

Project: Detached Accessory Dwelling Unit (DADU)

Location: 12 Oak Street, Amesbury, MA 01913

Date: September 14, 2026

A. GENERAL

On or about 05/26/2026 the Planning Board of Amesbury (the "Board") received Site Plan and Special Permit applications to remove an existing garage and construct a one and half story Detached Accessory Dwelling Unit at 12 Oak Street, Amesbury MA. The application was submitted along with a plot plan drafted by Waypoint Surveying Services and Floor Plan drafted by Luana Valva. The final revised Plans drafted by James Fritz are attached to this Decision as exhibits.

The Board held the initial public hearing on 06/22/2026. The public hearing was closed and a decision was rendered on 09/14/2026. This is the Final Action of the Board ("Decision") on the Site Plan and Special Permit application.

B. FINDINGS:

1. **Subject Property:** The Property is located at 12 Oak Street and is identified on the Assessors Database as Map 54, Lot 225. The parcel is zoned Industrial Commercial (IC). The subject property consists of a total area of approximately 6,534 sf.
2. **Project Description and Proposed Use:** The applicant is seeking a special permit to remove an existing detached garage and to construct a detached accessory dwelling unit (DADU) in that location on the property. The property currently contains a two-family dwelling, which is a nonconforming use within the Industrial Commercial (IC) Zoning District. The ADU ordinance requires a special permit to establish an ADU on property located within a nonresidential zoning district.
3. **Building Design and Site Layout:** The Applicant revised the building and site design pursuant to recommendations from DRC and City Planning staff (Exhibit #1). The Board finds these revisions acceptable as it makes the scale and design of the proposed ADU building more consistent with the traditional architectural character of the accessory structures in this neighborhood and therefore better integrates it within the surrounding built environment. The proposed ADU is generally proposed in the same location as the existing garage. It will need setback waivers for its proximity to the northern property line.
4. **Public Impact:** The subject property is currently serviced by existing municipal utility services. The Board finds that the project will not create any undue burden on the utilities, municipal services or public infrastructure by the proposed alterations to the existing structure. The Board finds that the proposed use,
 - a) is desirable and compatible with the character of the neighborhood,
 - b) will not be an intensification of the existing uses, and
 - c) is not detrimental to the public health or welfare.

Based on the findings noted above, the Board finds that applicant provided sufficient evidence to satisfy the Special Permit Criteria under Section XI.K3 of the Amesbury Zoning Ordinance (the "Bylaw").

C. WAIVERS:

1. **Waivers:** The Board shall waive the setback requirements provided the ADU is built as per approved building design, materials and finishes and as per landscape and fencing shown on the revised plan.

D. APPROVAL OF THE SITE PLAN AND CONDITIONS THERETO

Upon notice and after a public hearing in accordance with the statute (General Laws, Chapter 40A, section 11) and the Amesbury Zoning Ordinance, and after full consideration of the evidence presented, and upon the findings made by the Board as set forth herein, a Site Plan and Special Permit for a **Detached Accessory Dwelling Unit (DADU) at 12 Oak Street** in Amesbury, MA is hereby approved further upon the findings and conditions hereinafter set forth, for the premises described in the application.

I. COMPLIANCE WITH LOCAL, STATE AND FEDERAL REQUIREMENTS:

The Project and all construction, utilities, off-site improvements and all related appurtenances with respect to the Project, shall comply with all applicable local, state and federal regulations except as waived specifically by this Decision. The Applicant shall be responsible for acquiring all other local, state and federal permits and approvals as necessary to construct the Project as approved by the Board. Final action on all other permits shall be submitted to the Board for record.

II. GENERAL AND IN PERPETUITY CONDITONS

1. **Allowed Uses:** The special permit and site plan approval shall allow the removal of an existing garage and the construction of a one and half story Detached Accessory Dwelling Unit (DADU) building not to exceed 900 sf in gross living area as per site plan and building design approved by the Board. The proposed DADU and other site improvements shall be done in accordance with the plans and details as per attached Exhibits.
2. **Building Design:** The one and half story ADU building shall be constructed as per building design approved by the Board and shown on the revised elevations and renderings presented to the Board. The final construction drawings shall include the following:

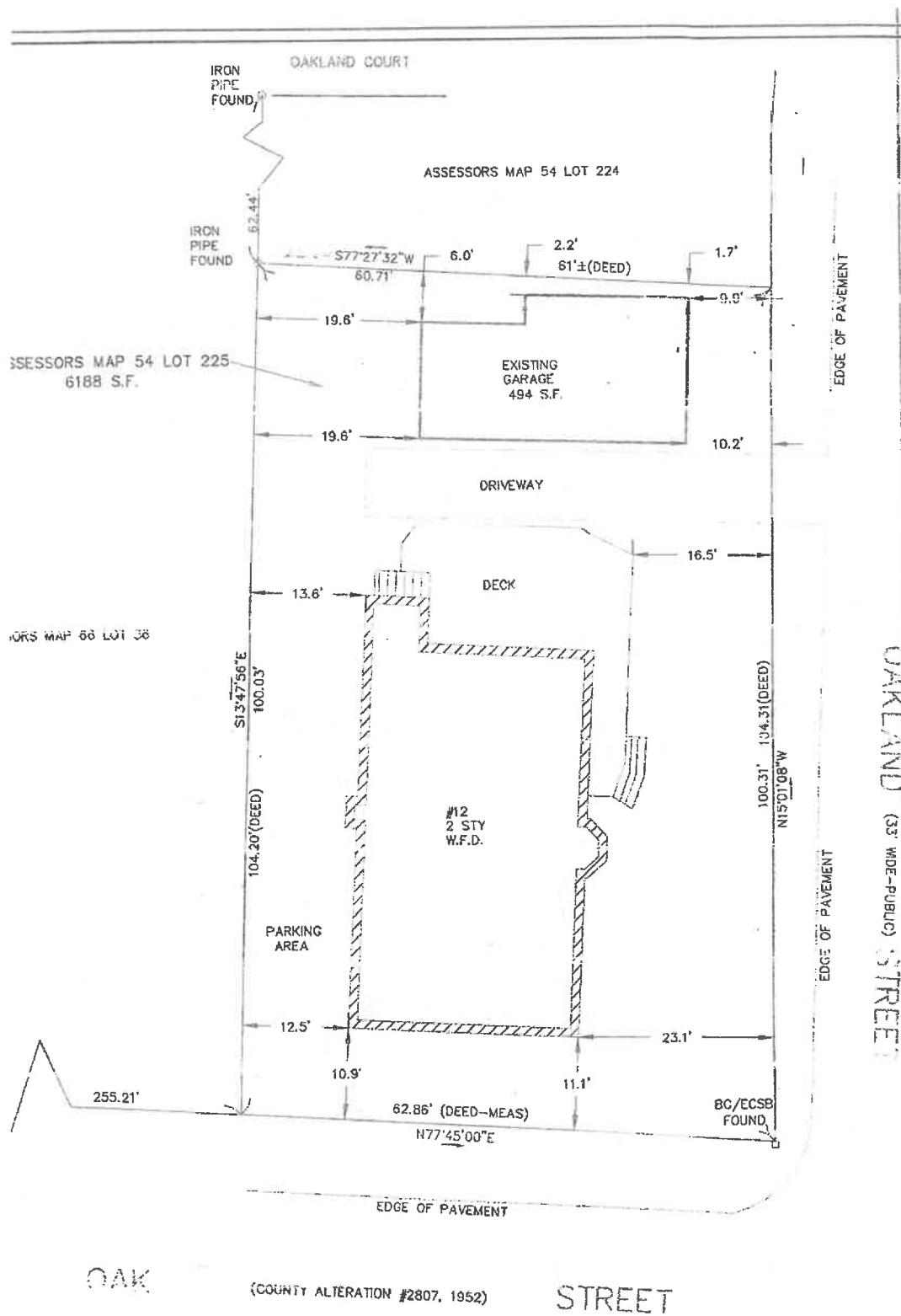
- i. Only one window shall be allowed on the façade facing the abutting property (right side elevation) and it shall be in the kitchen area.
 - ii. A roof dormer shall be allowed facing the existing duplex at this location. The gable ends of the dormer shall be setback at least seven feet and six inches (7.5 feet) from the respective gable ends of the ADU.
 - iii. The first-floor finished elevation shall be a minimum six (6) inches above finished grade at the front entrance of the ADU.
 - iv. The exterior siding shall be wood or cementous product, smooth finish with no more 4-inch exposure. Corner boards and other fascia trim boards shall be Azek or similar materials. Windows shall be 6/6 simulated divided light double hung windows with historic sills and lintels.
3. **Dimensional Requirements:** The ADU shall not exceed 900 sq. ft. in total living area. The setbacks for the ADU shall be no less than the following: Front = 18 feet; Side-yard = 3 feet at the corner closest to Oakland Street and along the abutter; and Rear = 13 feet.
4. **Landscape and Screening:** A cobblestone or brick walkway shall be constructed separating the parking spaces in front of the ADU from the driveway and parking area for Unit 1 as shown on the approved site plan. The walkway shall provide pedestrian access to the entrance to the ADU. The rear yard shall be enclosed with a 6 feet high fence with an 18-inch open lattice section above a solid 42-inch solid section at the bottom. The yards shall be landscaped.
5. **Parking:** The parking spaces for the existing units shall be as follows: Parking for Unit 2 shall be from Oak Street. The parking for Unit 1 shall be from Oakland St separated from the two parking spaces for the ADU unit by a cobblestone or brick walkway as shown on the site plan. The existing curb cut along Oak St shall not be expanded.
6. **Review of Final Building and Construction Drawings:** The Applicant shall submit revised drawings to the Board prior to making application for a building permit. The Board or its agents shall review and approve the final building and construction drawings prior to issuance of a building permit to determine compliance with the approved building design.

7. **Site Plan Modifications:** Prior to expansion, addition or alteration of uses or the residential structure or impervious surface as allowed by this Decision, the Applicant shall provide detailed information and plans along with a formal written request for modification to the approved Site Plan for determination of minor or major modification and approval by the Board. Any substantial modifications to the Special Permit and Site Plan or changes that impact the Performance Standards under Section XI. K3 or conditions of approval of this Decision shall be subject to review and approval of the Board. The Board shall, if it so determines, require the applicant to submit a new application for modification to the approved Site Plan or uses and hold a new public hearing for review of the requested modifications.

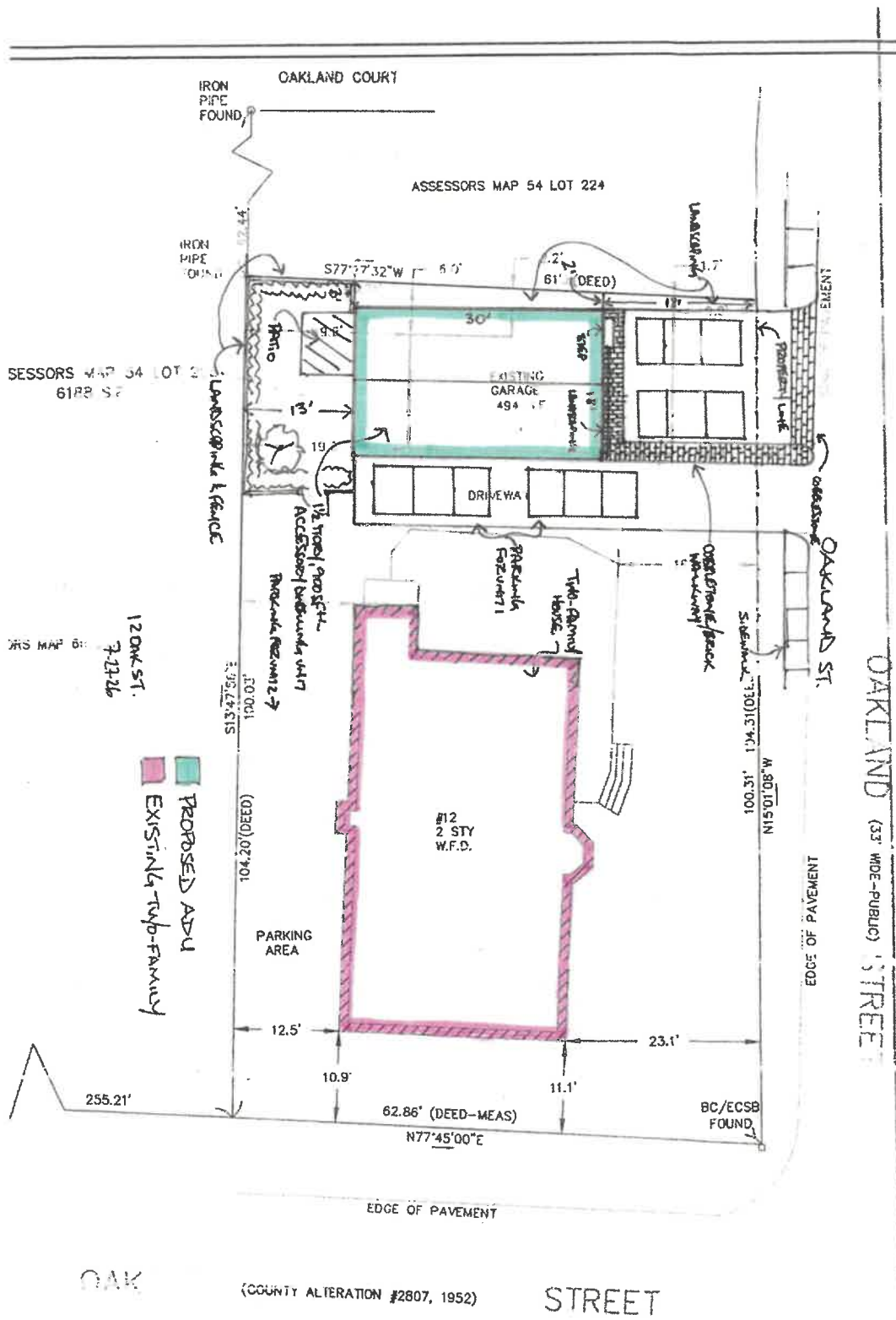
Chair, Amesbury Planning Board

Exhibits

Revised Site Plan and Building Design consisting of eight (8) pages -
Site Plans – existing and proposed; Building Elevations and renderings; floor plans



Existing Conditions – 12 Oak Street



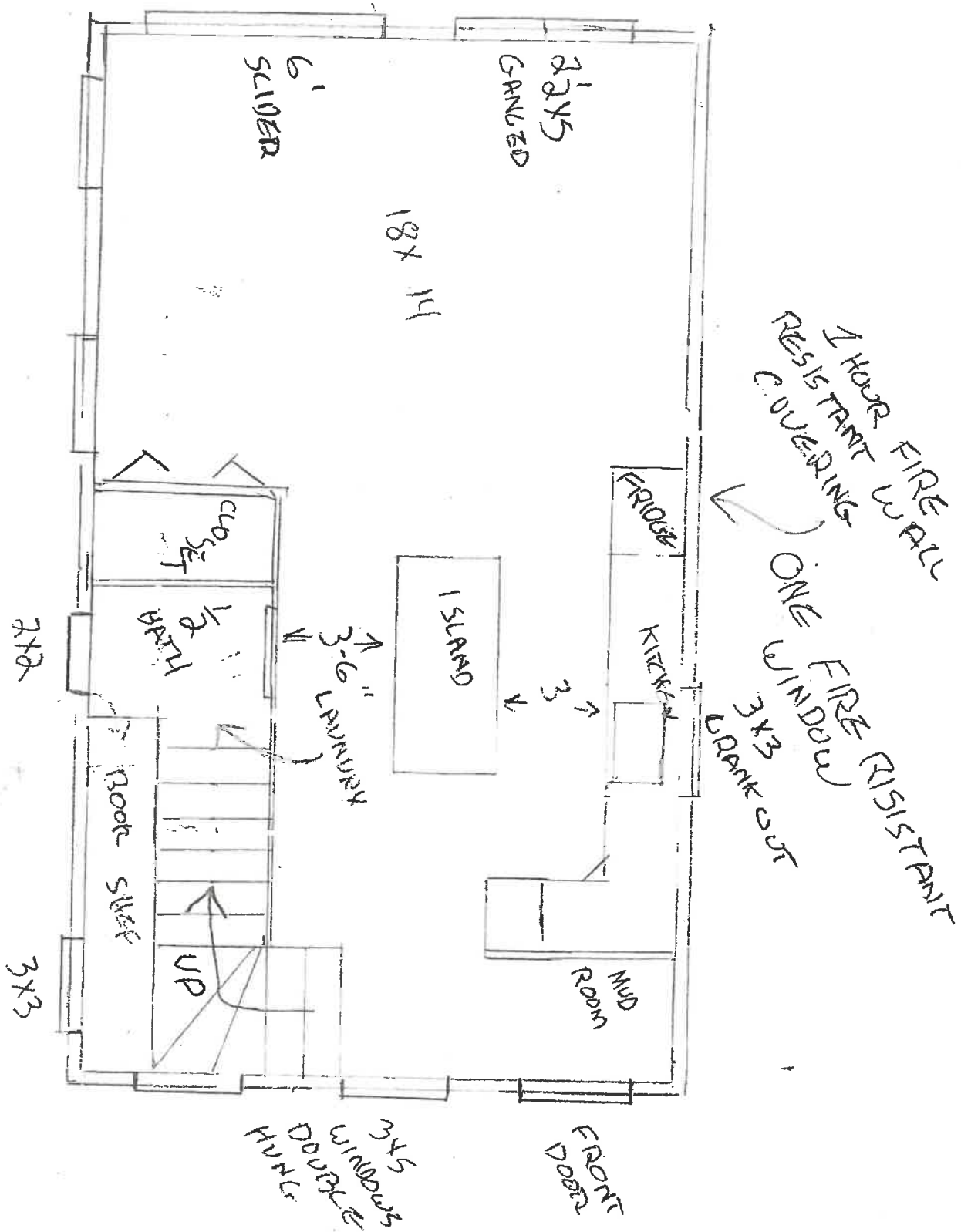
Proposed Conditions – 12 Oak Street

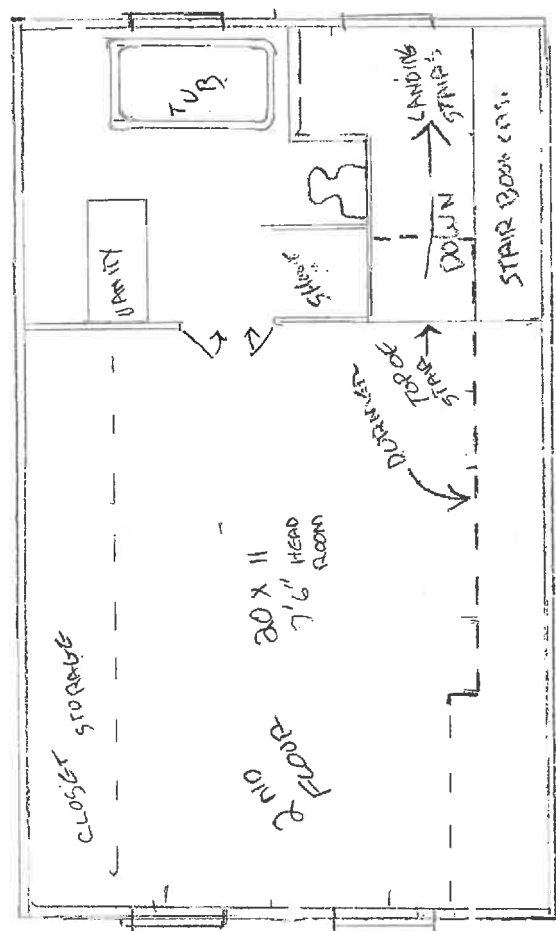
Proposed Elevations - 12 Oak Street



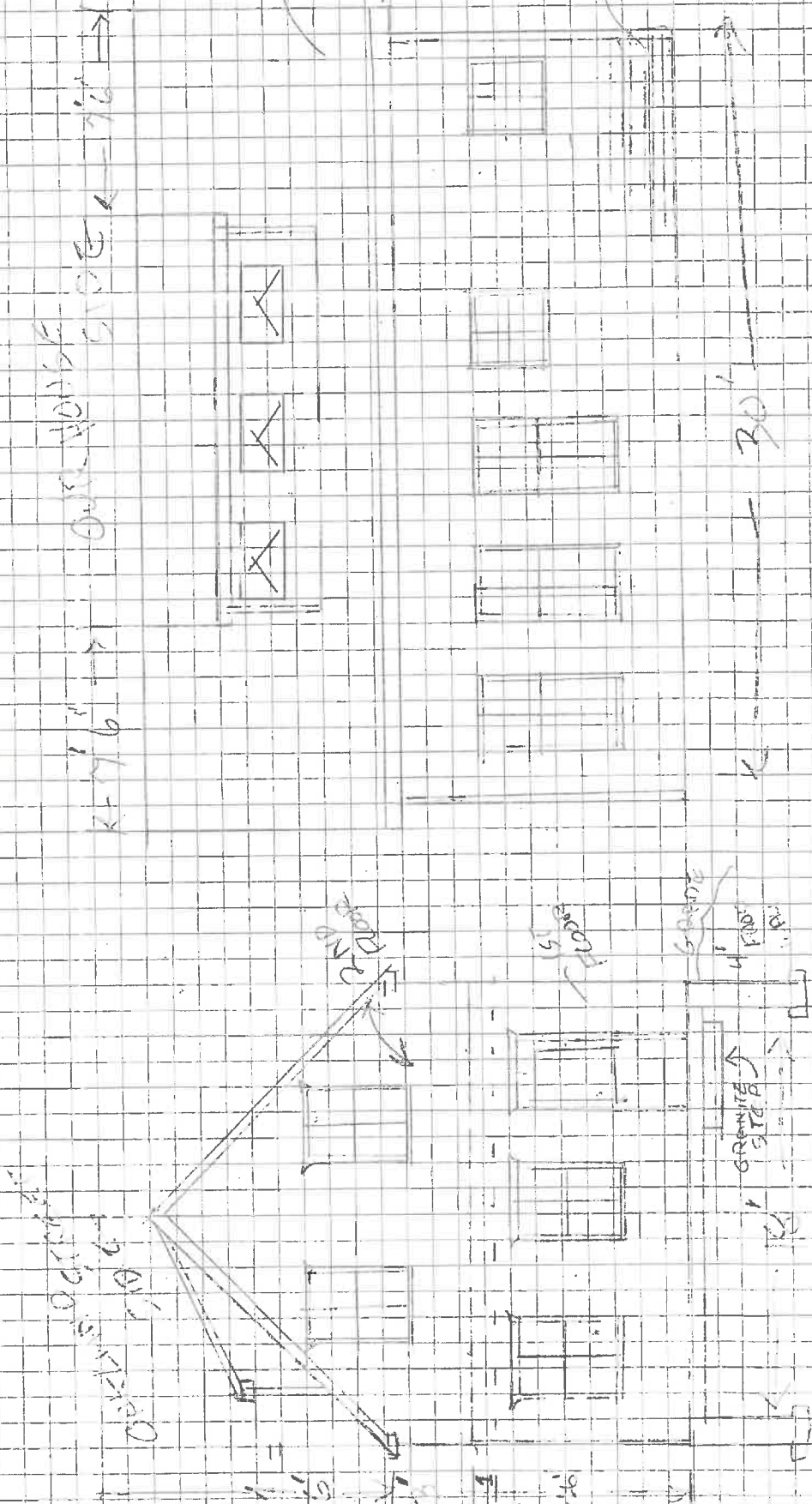


12 Oak Street - Accessory Dwelling Unit





*

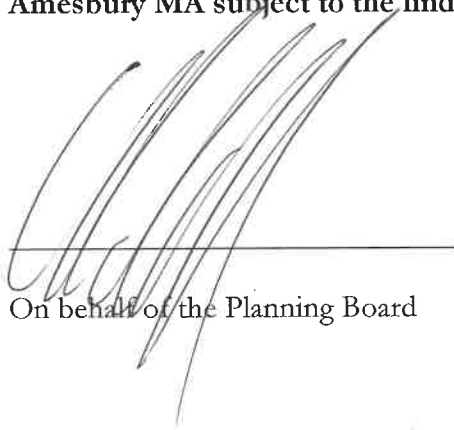


TO:

**James Fritz and Catherine Lallas
12 Oak Street
Amesbury MA 01913**

PLANNING BOARD VOTE:

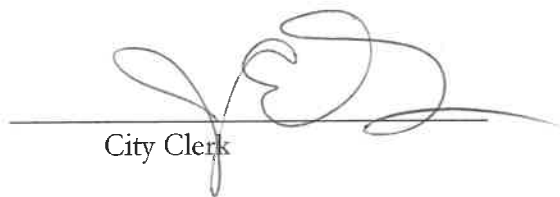
On 09/14/2026, the Amesbury Planning Board voted 7-0 in favor of the approval of the site plan and special permit for an Accessory Dwelling Unit located at 12 Oak Street in Amesbury MA subject to the findings, waivers and conditions noted in this Decision.



On behalf of the Planning Board

Filed with the City Clerk on

Sept 15, 2026



City Clerk

It is your responsibility to file this Decision with the Registry of Deeds and to record the plans after endorsement; forms may be obtained from the City Clerk's Office.

Any appeal shall be made pursuant to Mass. General Laws, Ch. 41 Sec 81BB and shall be filed within twenty (20) days after the date of filing of such notice in the City Clerk's Office.