

THE COMMONWEALTH OF MASSACHUSETTS
City of Amesbury
Zoning Board of Appeals

Date: 4/25/24

NOTICE OF FINDING
Conditional or Limited Special Permit / Finding
(Amesbury Zoning Bylaw Section 6 as amended)

Notice is hereby given that a conditional or limited Special Permit / Finding has been GRANTED

To: Rita Stogryn
Owner or Petitioner

Address: 66 Clinton St..

City or Town: Amesbury, MA 01913

66 Clinton St.
Identify land affected

By the City of AMESBURY, Zoning Board of Appeals affecting the rights of the owner with respect to the use of premises on:

<u>66 Clinton St.</u> Street	<u>Amesbury</u> City/Town
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The record title standing in the name of

Rita Stogryn

Whose address is	<u>66 Clinton St.</u> Street	<u>Amesbury</u> City/Town	<u>MA</u> State
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Be a deed duly recorded in the Essex County Registry of Deeds in Book: 7167 Page: 143

Registry District of the Land Court, Certificate No: _____ Book: _____ Page: _____

The decision of said Board is on file with the papers in Decision or Case No: ZBAV-24-1
In the office of the City Clerk, Amesbury.

Signed this _____ day of _____

Board of Appeals: _____
Chairman

Board of Appeals: _____
Clerk

Received and entered with the Register of Deeds in the County of Essex, Book _____ Page _____

APPROVED: April 25, 2024

Attest: _____

EXPIRES: **2 YEAR** April 25, 2026

SPECIAL PERMIT / FINDING : In-law apartment. Stipulation that addition will be built according to plans and the threshold will not exceed 30% of the gross floor area. A Variance will not be required as long as the applicant remains compliant to the ordinance outlined.



Amesbury

Zoning Board of Appeals
39 South Hunt Road
Amesbury, MA 01913

ZONING BOARD OF APPEALS DECISION – SPECIAL PERMIT/FINDING

SPECIAL PERMIT/FINDING: **APPROVED**
MEETING DATE: **4/25/24**
ADDRESS: **66 Clinton St., AMESBURY**

FINDINGS AND DECISION

RE: Application of Rita Stogryn seeking a SPECIAL PERMIT/FINDING under the Amesbury Zoning Bylaws, Section XI.K.2, In-Law Apartment. The property is located at 66 Clinton Street, Amesbury, MA in an R-20 zoning district.

Procedural History

1. Application to construct an in-law apartment addition at 66 Clinton St., Amesbury pursuant to Section XI.K.2 of the Amesbury Zoning Bylaws was made by the above-referenced owner and filed with the Zoning Board of Appeals on January 19, 2024.
2. A public hearing on the Special Permit/Finding application was held April 25, 2024. This Special Permit/Finding Application is accompanied by: Assessor's Property Card (Map 26, Lot 90), Certified List of Abutters, a copy of a deed recorded at the Essex South District Registry of Deeds Book 7167, Page 143 dated July 20, 1983, certified mortgage inspection plot plan and a sketch plan of In-Law Apartment(submitted at meeting).
4. The plans and other submission material were reviewed by the Zoning Board of Appeals. Throughout its deliberations, the Zoning Board of Appeals has been mindful of the statements of the applicant, as made at the public hearing.

Findings

1. The subject property is located at 66 Clinton St., Amesbury MA. The lot square footage is 38,986.

66 Clinton Street – construct in-law apartment addition

2. The applicant is seeking a Special Permit/Finding to construct an in-law apartment addition at 66 Clinton Street in an R-20 Zoning District.

Decision

In view of the foregoing, the Zoning Board of Appeals hereby considers the Applicant's proposal to construct an in-law addition at 66 Clinton Street, Amesbury.

The use currently exists in the Table of Uses.

It is essential / desirable to public convenience / welfare.

It will not create undue traffic / impede pedestrian safety.

It will not overload the public systems.

Special Conditions (Section XI) are satisfied. Noted below.

It will not impair character/health/welfare of district

It will not create excess of use in the neighborhood.

The special permit shall be issued for an in-law apartment subject to the following requirements:

1. An Occupancy Permit will be issued for a period of five (5) years and will be renewable upon request providing the application continues to meet the requirements of the special permit;
2. The special permit shall expire if the conditions of approval are not maintained or the in-law apartments ceases to be occupied as provided herein;
3. There shall not be separately metered electric or water service to the in-law apartment;
4. All safety, health and building codes are to be met;
5. There shall be no boarders or lodgers within either unit of the dwelling with an accessory in-law apartment.
6. There shall be parking for one (1) additional car for the in-law apartment; and
7. If the in-law apartment becomes vacant, the owner must report the vacancy to the Building Inspector within 60 days and the owner will be given six (6) months to remove all the kitchen appliances.

8. Stipulation that addition will be built according to plans and the threshold will not exceed 30% of the gross floor area. A Variance will not be required as long as the applicant remains compliant to the ordinance outlined.

A motion to close and vote on the application was made.

Based on its findings the Board voted 4 to 0 and APPROVED the SPECIAL PERMIT as requested.

Board members considering and voting on the application were:

<u>Name</u>	<u>Vote</u>
Sharon McDermot	Yes
Donna Collins	Yes
David Haraske	Yes
Charles Basler	Yes

The undersigned certifies that the copies of this decision (and plans referred to above) have been filed with the Amesbury Planning Board and City Clerk. Any Appeal of this decision shall be made pursuant to Section 17 of the Zoning Act (M.G.L. Chapter 40A) and must be filed within twenty (20) days after the Notice of Decision is filed with the City Clerk.

AMESBURY ZONING BOARD OF APPEALS

Sharon McDermot
Chairman

Date



Amesbury

Zoning Board of Appeals
39 South Hunt Road
Amesbury, MA 01913

April 29, 2024

Mrs. Rita Stogryn
66 Clinton St.
Amesbury, MA 01913

Dear Mrs. Stogryn:

At a public hearing held on April 25, 2024 the Zoning Board of Appeals APPROVED your Special Permit/Finding construct an in-law apartment addition. **The threshold is that the in-law apartment can't exceed 30% of gross floor area.**

This Special Permit/Finding has been APPROVED under Section 10, Chapter 40A, General Laws of Massachusetts. Any appeal shall be made pursuant to Section 17, Chapter 40A, General Laws of Massachusetts, and shall be filed within twenty (20) days after the filing date of such notice in the office of the city or town clerk.

It is your responsibility to file this Decision with the Registry of Deeds. Forms may be obtained from the City Clerk's office 21 DAYS FROM THE DATE STAMP ON THE DECISION FILED IN THE CLERK'S OFFICE. A copy of this registration must be returned to the Building Inspector's office.

Please feel free to call with any questions or concerns.

Respectfully,

Donna Lickteig,
Adm. Asst.



Amesbury

Zoning Board of Appeals
39 South Hunt Road
Amesbury MA 01913

April 29, 2024

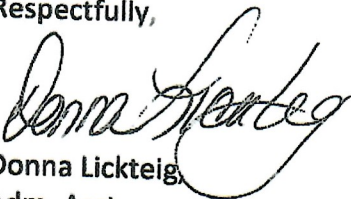
RE: 66 Clinton St.
Amesbury, MA 01913

Dear Abutter:

At a public hearing held on April 25, 2024 the Board of Appeals **APPROVED A SPECIAL PERMIT / FINDING** for the above-mentioned property to construct an in-law apartment addition under Section 10, Chapter 40A, General Laws of Massachusetts.

Any appeal shall be made pursuant to Section 17, Chapter 40A, General Laws of Massachusetts, and shall be filed within twenty (20) days after the filing date of such notice in the office of the city clerk.

Respectfully,



Donna Lickteig
Adm. Asst.