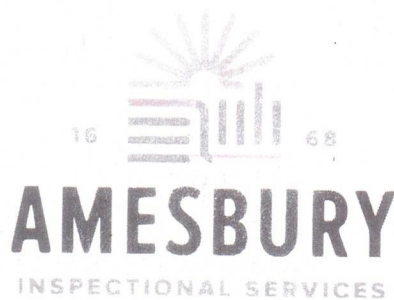




AMESBURY ZONING BOARD OF APPEALS APPLICATION FOR SPECIAL PERMIT / FINDING

Filing Fee: \$200.00 plus abutter notification postage @ \$1.16/per abutter

The following documents are required to complete this application:

- ☐ **A certified list of abutters** and parties in interest (issued from the Assessor's Office). **A list has been requested even though not required for a finding.**
- ☐ A **letter of denial** issued from the Inspectional Services Dept. if applicable.
- ☒ **Deed** or other that demonstrates the applicant holds a vested non-contingent interest in the property.
- ☒ Attach a **Certified Plot Plan** that describes, in detail, the following:
 1. The location of all existing buildings, structures, driveways, or similar manmade improvements to the proposed property;
 2. The dimensions of all the existing building, structures, driveways, or similar manmade improvements to the proposed property;
 3. The dimensions of the proposed property, i.e.; area, boundaries, front/rear/side yard setbacks;
 4. The location and dimensions of proposed buildings, additions, or structures;
 5. The location and dimensions of any private ways, easements, or right of ways that abut the subject property;
 6. The location and dimensions of any private ways, easements, or right of ways that cross the subject property;
 7. A scale of measurements in the lower right-hand corner of the plan;
 8. Also, the lower right-hand corner the address of the property and the Applicant's name, and if different the property owner's name;
 9. The name of the person or entity preparing the plan; and the other pertinent information, locations, or dimensions.

In the event the Applicant has appeared before any other City Board, Commission, or Authority (either directly or indirectly) in connection with a petition for Variance, application for Special Permit/Finding, or Notice of Appeal pending before the Board, the Applicant shall disclose such appearance. The Applicant shall include the petition for Special Permit/Finding, any Decision, Order, or similar Determination as issued from the other City Board, Commission or Authority.

Please be advised if the application for Special Permit is submitted with incomplete information or is not filled out completely, the Zoning Board of Appeals reserve the right to dismiss, without prejudice.

Vinny Tirone, Director
Municipal Development Center • 39 South Hunt Road • Amesbury, MA 01913
P (978) 300-8151 • tironev@amesburyma.gov

MAKE HISTORY HERE



AMESBURY ZONING BOARD OF APPEALS APPLICATION FOR SPECIAL PERMIT / FINDING

Filing Fee: \$200.00 plus abutter notification postage @ \$1.16/per abutter

1. Name of Applicant: Neecy Investments, LLC
2. Applicant's Address: 24 Browns Lane, West Newbury, MA 01985
3. Applicant's Phone Number: (978) 440-8007 (Mark J. Lanza, Attorney for Applicant)
4. Applicant's Email: dunncmnc@gmail.com
5. Name of Property Owner: Same as Applicant
6. Address of Property Owner: Same as Applicant
7. Address of Subject Property: 58 Pleasant Valley Road
8. Precinct: (Voting District) 1
9. For what purpose do you request the special permit: No special permit is being sought.
This application is for a finding pursuant to Section IX, B of the Zoning Ordinance to alter a
pre-existing nonconforming one-family residential dwelling and accessory structures by razing
them and replacing them with a more conforming structure. No existing nonconformity will be
intensified and no new nonconformity will be created.
10. Provision(s) of the Zoning By-laws which relates to the requested Special Permit. Please
cite the Article & Section: IX, B (Finding)
11. Has a Variance, Special Permit, and/or Finding ever been requested of the Property: No
If Yes:
a. Date approved or denied: N/A
b. Name of previous owner/applicant: N/A
c. Attach a copy of decision and any pertaining information.
12. Has the applicant, or representative for the applicant appeared before any City Board,
Agency, Commission, or other Authority (either directly or indirectly) on connection with
the proposed Special Permit/Finding: No
If Yes:
a. Date of appearance: N/A
b. Name of Owner/Applicant: N/A
c. Name of Board, Commission, or Authority: N/A



13. Property Characteristics:

- a. Square Footage of Area Existing: 5,756 sq. ft. Proposed: 5,756 sq. ft.
b. Frontage Existing: 30 ft. Proposed: 30 ft.
c. Zoning District: R-80
d. Dimensional Requirements:
i. Front: Existing: 2.3 ft. Proposed: 2.3 ft.
ii. Rear: Existing: 106.8 ft. Proposed: 130. ft.
iii. Left Side Existing: .2 ft. (2.4 inches) Proposed: .7 ft. (8.4 inches)
iv. Right Side Existing: 3.9 ft. Proposed: 4.3 ft.
v. Height: Existing: 24 ft., 6 inches Proposed: 27 ft., 2 inches
vi. Stories: Existing: 2 above basement Proposed: 2 above basement
vii. Building Area: Existing: 1,515 sq. ft. Proposed: 1,780 sq. ft.
viii. Open Space: Existing: 81 % Proposed: 83 %
e. Present use of Property:
Single-family residential

14. If the Special Permit relates to a proposed home occupation, provide the following information: (please refer to Sec. II – Definitions, and Section XI-F - Home Occupations) **N/A**

- Is the proposed home use customary within the City of Amesbury? Describe fully:
N/A

- Is the proposed use of property something other than any of the following prohibited uses: Beauty Parlor, Barber Shop, Clinic, Bakery, Gift Shop, Tea Room, Tourist Home, Animal Hospital, or Kennel: **N/A**

- Where, in the home will the proposed home use be carried out:
N/A



- Will the proposed home use be carried out within the principal building: No
- Will the proposed home use be carried out within a multi-family dwelling: No
- Describe all sources of parking that may be utilized in connection with the proposed home use: N/A

- State the hours of operation of the proposed home use: N/A

- State the anticipated average number of customers, clients, patients, people, or entities that shall utilize the services offered by the proposed home use during hours of operation on a daily basis: N/A

- Describe, explain and itemize any materials, chemicals, or inventory to be utilized by the proposed home use: N/A

- State whether the proposed home use requires any license, action, decision, application, consideration, or other formal or informal review from any federal, state, or municipal board, agency, commission, authority, or similar organization: N/A

- Will there be more than one non-resident employee in connection with the proposed home use: N/A

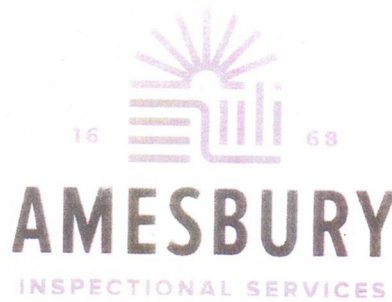


AMESBURY

INSPECTIONAL SERVICES

15. In the event the Special Permit relates to a proposed alteration, modification, extension, or change to a pre-existing non-conforming use or structure, provide the following information.
- The current pre-existing non-conforming use or structure:
The current structures are non-conforming in that they are located on an undersized lot with insufficient frontage and have insufficient side yards and an insufficient front yard (main bldg.).
 - Provide proof that the current pre-existing non-conforming use or structure is a legal non-conforming use or structure:
The structures have been in existence for over ten years and no notice of a zoning enforcement action as to them has been recorded with the Essex South Registry of Deeds. See Mass. Gen. Laws Ch. 40A, Sec. 7, Par 3. As a result, they are now deemed legally non-conforming or grandfathered.
 - Describe the proposed alteration, modification, extension, or change to a pre-existing non-conforming use or structure:
The existing dwelling and accessory structures having a total footprint of 1,075 square feet will be replaced with a single-family dwelling with a smaller footprint of 1,002 square feet with more conforming side setbacks located further away from the Merrimack River at the the rear of the lot.
 - State whether the current pre-existing non-conforming use or structure is located in a residential zoning district:
Yes, R-80.

 - Describe whether the proposed change will be different from the current use/structure:
There will be no change in use.



- Indicate, if applicable, whether the current pre-existing non-conforming use or structure had been abandoned or not used for two (2) or more years:
It has not been so abandoned or unused.

- Describe in detail any anticipated impact or effect upon the surrounding neighborhood that would result if the proposed Special Permit were to be allowed:
As to the requested finding, there will be no impact on the neighborhood.

- Indicate whether the proposed alteration, modification, extension, or change relates to billboards, signs, or other advertising subject to M.G.L. Ch. 93, 29-33 and/or M.G.L. Ch. 93D:
No.

- Indicate whether the proposed alteration, modification, extension, or change relates to adult bookstores, adult motion picture theaters, adult paraphernalia shops, or adult video stores subject to M.G.L. Ch. 40A, 9A: **No.**

16. Describe why the applicant believes that there would be no loss/or damage to the public good if the Special Permit were to be granted:

N/A



17. Describe why the applicant believes if the Special permit were to be granted, that neither the intent nor the purpose of the By-laws would adversely impacted:

N/A - The Applicant is seeking a finding pursuant to Sec. IX, B of the Zoning Ordinance and
Mass. Gen. Laws Ch. 40A, Sec. 6.

Neecy Investments, LLC

by: Michael Dunn

January 28, 2025

Signature of Applicant

Date

Michael Dunn, Manager