

**SENATE . . . . . No. 402**

**[LOCAL APPROVAL RECEIVED.]**

The Commonwealth of Massachusetts

PRESENTED BY:

*Bruce E. Tarr*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act authorizing the relocation, replacement, reconstruction and maintenance of a piling supported building in the town of Newbury.

PETITION OF:

NAME:

*Bruce E. Tarr*  
*Leonard Mirra*

DISTRICT/ADDRESS:

*First Essex and Middlesex*  
*2nd Essex*

**SENATE . . . . . No. 402**

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By Mr. Tarr, a petition (accompanied by bill, Senate, No. 402) of Bruce E. Tarr and Leonard Mirra for legislation relative to authorizing the relocation, replacement, reconstruction and maintenance of a piling supported building in the town of Newbury. Environment, Natural Resources and Agriculture. [Local Approval Received.]

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The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen

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An Act authorizing the relocation, replacement, reconstruction and maintenance of a piling supported building in the town of Newbury.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Notwithstanding the provisions of section 40, of chapter 131; or of any  
2 provision of chapter 91; or of any special or general law; or of any regulation to the contrary, an  
3 existing building located at 41 Plum Island Turnpike, Newbury may be relocated, replaced,  
4 reconstructed and/or maintained as a piling supported building having an interior first floor area  
5 of 880 square feet and total interior living area of no more than 1800 square feet, and having a  
6 piling supported walkway or walkways to provide access and egress, which building may  
7 thereafter be used as a residence. The building may be located in a manner to eliminate an  
8 existing encroachment created by the laying out of the right of way of the Plum Island Turnpike  
9 and thus increase compliance with local zoning setbacks, and to meet the state building code,  
10 including in a manner generally consistent with a plan entitled, "Plan to Accompany Notice of  
11 Intent" prepared for 41 Plum Island Turnpike, Newbury, dated April 13, 2012, prepared by DGT  
12 Survey Group-North Shore.

13 SECTION 2. This act shall take effect upon its passage.