



ZONING BOARD OF APPEALS
TOWN OF MONTAGUE
ONE AVENUE A
TURNERS FALLS, MA 01376

NOTICE OF DECISION & VOTE

Applicant Owner:

James Mussoni
P.O. Box 262
Montague, MA 01351

Case No. 13-10

Date June 18, 2013

Premises Affected:

10 Eighth Street,
Turners Falls, MA 01376
Assessors' Map 6 Lot 348
F Co. Registry of Deeds: Bk 5337 Pg 163

Special Permit (X)
Variance Application (40A) (X)
Section 6 Ch. 40A - Finding (X)
Site Plan Review ()

After a public hearing held on:

Wednesday, June 5, 2013

The Board of appeals finds:

The two-family building is 3 stories located on a small lot. The rear 2 story flat roof section has a rear yard set back of approximately 3 feet and side yard set back of 2 feet. The flat roof is accessed by a door from the 3rd floor.

Most of the roof area is proposed to be a roof deck. The deck will remain within the building footprint and be 7 feet from the rear lot line.

The Board of Appeals concludes that the proposed deck is of minimum impact and does not significantly increase the non-conforming nature of the structure. Variance is not required.

The vote of the Zoning Board of Appeals was as follows for Section 6 Finding:

- | | | | |
|--------------------------------|------------|--------------------------|------------|
| 1. <u>John Burek, Chairman</u> | YES | 2. <u>John Reynolds</u> | YES |
| 3. <u>Robert Sojka</u> | YES | 4. <u>Ericka Almeida</u> | YES |
| 5. <u>Richard Ruth</u> | YES | | |

THE BOARD OF APPEALS VOTED:

To grant a Special Permit to allow the 3rd floor roof deck as an alteration of a non-conforming building, pursuant to Section 5.1.4 of the Montague Zoning Bylaws.

