



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

NOTICE OF DECISION & VOTE

Applicant Owner:

Derian M. Neyra
P.O. Box 2241
Amherst, MA 01004

Case No. 13-14

Date August 6, 2013

Premises Affected:

4 Church Street
Millers Falls, MA 01349
Assessors' Map 29 Lot 119
F Co. Registry of Deeds: Bk 5736 Pg 252

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

After a public hearing held on:

Wednesday, July 31, 2013

The Board of appeals finds: The pool is inappropriately close to property lines, the abutting building and is directly against the home on the property. The pool presents a potential danger and unacceptable impact to the home and abutting property.

THE BOARD OF APPEALS VOTED: Not to grant variance to "Minimum rear and side yard setbacks" of the Montague Zoning Bylaws for the continued use of a pool and hot tub within the setbacks.

The pool must be removed. The hot tub must be relocated.

The vote of the Zoning Board of Appeals was as follows:

- | | | | |
|-------------------------------------|-----------|--------------------------|-----------|
| 1. <u>Ernest L. Brown, Chairman</u> | NO | 2. <u>John Reynolds</u> | NO |
| 3. <u>Robert Sojka</u> | NO | 4. <u>Ericka Almeida</u> | NO |
| 5. <u>Richard Ruth</u> | NO | | |

IMPORTANT:

Any appeal from the decision of the Town of Montague Zoning Board of Appeals can be made only to the Court and must be made pursuant to Section 17, Chapter 40A (MGL) as amended, and must be filed in the office of the Town Clerk within twenty (20) days after the date of filing of the decision with the Town Clerk.

Board of Appeals

By Ernest L. Brown, Chairman

Karen Casey-Chretien, Clerk

Received for filing by Town Clerk: _____
Time Date

Twenty day appeal period ends: _____
Time Date

I HEREBY CERTIFY THAT NO APPEAL HAS BEEN FILED WITHIN 20 DAYS
FROM THE DATE THAT THIS DECISION WAS FILED WITH THE TOWN CLERK:

Montague Town Clerk

Date

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Notice to be recorded by Landowner