



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

NOTICE OF DECISION & VOTE

Applicant

Donald E. Fugere

Date June 1, 2000

Case No. 00-07

Owner:

Fugere Family Trust

Donald E. Fugere, Trustee

Address 30 Joyce St.

So. Yarmouth, MA 02664

Premises Affected

Assessors Map 13 Lot 37 & Map 20 Lot 4
South High Street and Rear South High Street
Turners Falls, MA 01376

Special Permit Application (40A) (X)

A public hearing held on: Wednesday, April 12, 2000, continued to;
Wednesday, May 17, 2000 and Wednesday, May 31, 2000.

THE BOARD OF APPEALS:

Did not act upon the Variance requested to Section 6.3.2, (Vehicular Egress/Access to a lot. Relief was not required in the final proposal of the applicant.

Voted upon the Special Permit petition for a reduction of frontage from 150' to 28' where public water and sewer is available pursuant to Section 5.4.3(c);

Three Members voting yes with stipulations: (Sojka), (Reynolds), and (Brown)

1. That the driveway, site grading, drainage swales and structures, catch basins and other improvements be built and maintained according to "Site Plan", sheets 1-3 prepared by Kelly Killeen, civil engineer, Coler & Colantonio, Inc.,
2. That the drainage catch basins be inspected periodically for a period of five years, and
3. That the curb cut design be reviewed and approved by the Highway Superintendent.

Two Members voting no: (Booska) The reduction in frontage is extreme and not consistent with the current Zoning by-laws.

Voting no: (Bander) The engineering solutions proposed provides little or no improvement to the current water problem. The proposal does not avoid the creation of nuisance and congestion through such a narrow access corridor. The proposed reduction in frontage is to extreme.

The vote of the Board of Appeals was as follows:

1. Ernie Brown YES Chairman

4. Dennis Booska NO

2. Walter Sojka YES

5. Mark Bander NO

3. John Reynolds YES

The vote was three in favor with stipulations, and two against. The petition is denied. Approval requires four affirmative votes of a five-member board.

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

Douglas S. McIntosh, Clerk