



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

**RECORD OF DECISION & VOTE**

**Applicant and Owner:**

Howard B. Maki  
381 Western Ave.  
Gloucester, MA 01930

Date December 26, 2002  
Case No. 02-26  
Date of Decision October 30, 2002

**Premises Affected**

Assessors' Map 7 Lot 55 & 54  
70-72 Central Street & Park Street  
Turners Falls, MA 01376

Special Permit Application (40A) (X)  
Variance Application (40A) (X)

After a public hearing held on:

Wednesday, October 16, 2002 and  
Continued on Wednesday, October 30, 2002

**THE BOARD OF APPEALS VOTED:**

*To deny* a Special Permit to reduce the lot area and frontage requirements proposed to allow the separation of a 2-parcel lot into two separate lots. And *to deny* variance to the proposed rear yard setback requirement.

The Board found that creation of a separate building lot, configured as proposed and accessed from Park Street would create significant safety problems for vehicle and pedestrian traffic and that connection to the sewer line, as proposed, would result in probable back-ups at this location. The Board concludes that granting this permit would result in significant vehicle and pedestrian traffic hazard, congestion, and unnecessary public nuisance. Granting the proposed relief would be a detriment to the neighborhood and the infrastructure of the town.

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

- |  |                                   |
|--|-----------------------------------|
| 1. <u>Ernie Brown</u> <b>NO</b> Chairman | 4. <u>Dennis Booska</u> <b>NO</b> |
| 2. <u>Walter Sojka</u> <b>NO</b>         | 5. <u>Mark Bander</u> <b>NO</b>   |
| 3. <u>John Reynolds</u> <b>NO</b>        |                                   |

**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