



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

NOTICE OF DECISION & VOTE

Applicant Owner:

Michael & Laura DiBari

109 Main Street

Northfield, MA 01360

Date June 8, 2004

Case No. 04-12

Premises Affected:

84 Second Street

Turners Falls, MA 01376

Assessors' Map 4 Lot 73

Variance Application (40A) (X)
Section 6 Ch. 40A - Finding (X)
Special Permit (X)
Section 8 Appeal ()

After a public hearing held on:

Wednesday, May 19, 2004

THE BOARD OF APPEALS VOTED:

To grant a Special Permit and Variance to remove and replace a non-conforming 27' x 21' garage with a 32' x 24' garage pursuant to Section 5.1.4, 5.4.2 and 5.4.4 (Alterations) (streetline setback) and (side yard setback). The Board approves a new 3 bay garage to be entered from the alley. A roof encroachment on the alley will be corrected.

The Board finds:

The proposed residential garage is not more detrimental than the existing structure. The increase in alley setback is a benefit. The increased building area would not inroach further on the sideline setback and that a hardship exists due to the lot size.

Conditions:

The setback distance from the rear (alley) property line shall be sufficient to accommodate the turning radius of a car entering the garage and be at least 3' from the rear (alley) property line to better allow for the plowing of snow. The applicant is aware that snow plowing may affect the garage.

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

1. Ernest L. Brown, Chairman YES

3. John Reynolds YES

2. John Burek, Vice-Chairman YES

4. Mark Bander YES

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 M. Casey, Clerk