



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

NOTICE OF DECISION & VOTE

Applicant Owner:

Charles F. Lang
348 Federal Street
Montague MA, 01351

Date June 8, 2004

Case No. 04-17

Premises Affected:

348 Federal Street
Montague MA, 01351
Assessors' Map 44 Lot 32

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

After a public hearing held on:

Wednesday, May 26, 2004

THE BOARD OF APPEALS VOTED:

Not to grant a Special Permit for an Accessory Apartment and that the request for Variance is moot and not approved.

The Board finds that three legal dwelling units exist on the property one is vacant (barn apartment) and in need of repair to comply with Housing and Building Codes. The basement area requested for an Accessory Apartment exists as a violation of Montague Zoning By-Laws and has been chronically out of compliance with the Housing, Building, Electrical, and Fire Codes. The Board concludes that no hardship exists and that nuisance and safety hazards may continue if this request were approved.

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

- | | | | |
|-------------------------------------|-----------|-------------------------|-----------|
| 1. <u>Ernest L. Brown, Chairman</u> | <u>NO</u> | 4. <u>John Reynolds</u> | <u>NO</u> |
| 2. <u>John Burek, Vice-Chairman</u> | <u>NO</u> | 5. <u>Mark Bander</u> | <u>NO</u> |
| 3. <u>Dennis Booska</u> | <u>NO</u> | | |

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