



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

NOTICE OF DECISION & VOTE

Applicant/Owners:

Anna Abele and Richard Weiss
58 Swamp Road
Montague, MA 01351

Date August 17, 2005

Case No. 05-11

Premises Affected:

Franklin County Registry of Deeds: Bk 3399 Pg 72

58 Swamp Road
Montague, MA 01351
Assessors' Map 44 Lot 14

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

After a public hearing held on: Wednesday, June 29, 2005 & Wednesday, July 27, 2005

THE BOARD OF APPEALS VOTED:

To grant to Anna Abele and Richard Weiss a Special Permit to convert a 2nd floor studio in the addition attached to a single-family home for an Accessory Apartment.

Conditions: The Montague Board of Health, upon their determination that the septic system is not adequate to support this use or that a history of maintenance proves inadequate, may petition the Board of Appeals to discontinue the Accessory Apartment use. The Board of Appeals may, at their discretion, then revoke this Special Permit.

The Special Permit shall be recorded at the Registry of Deeds; and the Accessory Apartment use shall be allowed only so long as an applicant/owner shall own and reside at the premises. Said Special Permit shall lapse upon transfer of the premises or when the applicant/owner(s) no longer resides at the premises.

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

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|-------------------------------------|---------------|-------------------------|---------------|
| 1. <u>Ernest L. Brown, Chairman</u> | <u>YES</u> | 4. <u>John Reynolds</u> | <u>YES</u> |
| 2. <u>John Burek, Vice-Chairman</u> | <u>YES</u> | 5. <u>Mark Bander</u> | <u>ABSENT</u> |
| 3. <u>Dennis Booska</u> | <u>ABSENT</u> | 6. <u>Robert Sojka</u> | <u>YES</u> |
| 7. <u>Ericka Almeida</u> | <u>YES</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