



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

**NOTICE OF DECISION & VOTE**

**Applicant Owner:**

Warren and Linda Whitney  
6 Whitney's Way,  
Montague, MA

Date March 22, 2006

Case No. 06-03a

**Premises Affected:**

6 Whitney's Way,  
Montague, MA  
Assessors' Map 51 Lot 56

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

After a public hearing held on:

Continued Wednesday, January 11, 2006  
Continued Wednesday, February 15, 2006  
Continued Wednesday, March 1, 2006

**THE BOARD OF APPEALS FINDS:** that the building has septic system capacity for 5 bedrooms and a mobile home hookup. Four rooms are finished in the basement but three do not conform to the Building Code for use as bedrooms. The first floor has three bedrooms. The room above the garage is a bedroom with kitchen and bath facilities. There are five conforming bedrooms. Sufficient evidence exists to conclude that the building has been used above its design bedroom and septic capacity.

**THE BOARD OF APPEALS CONCLUDES:** that granting the two family use Special Permit could result in the further intensification of the use of the building above its design and septic capacity and to a level incompatible with the neighborhood.

**THE BOARD OF APPEALS VOTED:**

Not to grant a Special Permit for conversion of an existing single family dwelling with an "in-law apartment" to a two-family dwelling.

**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>YES</u>
3. <u>Dennis Booska</u>	<u>NO</u>	6. <u>Ericka Almeida</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

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Ernest L. Brown, Chairman

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Karen M. Casey, Clerk

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