



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

NOTICE OF DECISION & VOTE

Applicant Owner:

Rodney F. Beauchesne

97 Main St.

Montague, MA 01351

Date February 6, 2006

Case No. 06-04

Premises Affected:

97 Main St.

Montague, MA 01351

Assessors' Map 48 Lots 91, 32, & 38

Special Permit (X)

Variance Application (40A) ()

Section 6 Ch. 40A - Finding ()

After a public hearing held on:

Wednesday, January 11, 2006

THE BOARD OF APPEALS VOTED:

To grant to Rodney Beauchesne a Special Permit for a Home Occupation at 97 Main Street to allow the sale of accumulated personal property, already on the property, from the property pursuant to Section 7.3.10 by of the Montague Zoning Bylaws (modifications to Sections 7.3.1, .2, .3 & .5). The intent of the Permit is to allow the orderly removal of an accumulation of personal and other items including accumulated vehicles, parts and building materials from the property and to facilitate compliance with Board of Health orders to clean up the property and remove all such items and debris.

Conditions of the Special Permit:

- There shall be a video inventory of the items to be removed and the property prior to commencement of sales from the property.
- No new items may be brought to the property other than regular household items for personal residential use.
- Once a month the Inspector of Buildings with the Board of Health agent shall view the property for compliance with the Home Occupation Permit and court and Board of Health orders.
- Parking shall be accommodated entirely on the property. No customer on street parking is permitted.
- Business is restricted to daylight hours only. No sales activity from Dusk to Dawn.

This Permit shall expire on June 30, 2006 unless the Board of Appeals allows extension. All orders of the Montague Board of Health and the court consistent with this permit shall be followed.

Suspension or Revocation of this permit:

- The Inspector of Buildings may suspend this permit for non-compliance and the Board of Appeals may revoke this permit upon the request of the Inspector of Buildings or the Board of Health for cause.
- This Permit is issued for the purpose of allowing Mr. Beauschane to clean up his property and comply with the town Health and Zoning requirements. The permit is expected and intended to expire with the timely removal of the applicants possessions including all those ordered removed by the Board of Health. Any consideration of a Permit extension shall be solely based on the clearing of the lot and timely compliance with the Board of Health orders.

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

- | | | | |
|-------------------------------------|-------------------|------------------------------|-------------------|
| 1. <u>Ernest L. Brown, Chairman</u> | YES | 4. <u>John Reynolds</u> | YES |
| 2. <u>John Burek, Vice-Chairman</u> | YES | 5. <u>Mark Bander</u> | YES |
| 3. <u>Dennis Booska</u> | YES | 6. <u>Robert Sojka, Alt.</u> | Not Voting |
| 7. <u>Ericka Almeida, Alt.</u> | Not Voting | | |

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