



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

**NOTICE OF DECISION & VOTE**

**Applicant Owner:**

Gregg C. Williams  
89 Millers Falls Rd  
Turners Falls, MA

Case No. 06-22

Date January 16, 2007

**Premises Affected:**

89 Millers Falls Rd  
Turners Falls, MA  
Assessors' Map 11 Lot 124  
F Co. Registry of Deeds: Bk. 4818 Pg.15

Special Permit (X)

Variance Application (40A) (X)

Section 6 Ch. 40A - Finding (X)

Section 8 Appeal ( )

After a public hearing held on:

Wednesday, December 6, 2006

**THE BOARD OF APPEALS VOTED:**

To grant Special Permit for alteration to a non-conforming building and Variance to rear yard setback from property line to allow the construction of an 8' x 22' rear deck parallel to the house up to 1 foot from the rear property line at the northeasterly corner only. A 5 foot wide walkway to the deck is allowed at that corner approximately 4 feet from the property line. There shall be access to the deck on the south side but none on the east side.

**The Board finds:** that the building is non-conforming at approximately 9' from the property line at its closest point at the northeast corner. The abutting land falls away steeply at that point and along the rear property line. The property line setback increases toward the south. The board finds that the proposed deck can and must be maintained fully from the property without trespass.

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

1. Ernest L. Brown, Chairman	YES	3. Dennis Booska	YES
2. John Burek, Vice-Chairman	YES	4. Ericka Almeida	YES

**IMPORTANT:**

Any appeal from the decision of the Town of Montague Zoning Board of Appeals must be made only to the Court 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

\*\*\*\*\*

Received for filing by Town Clerk:

\_\_\_\_\_  
Time

\_\_\_\_\_  
Date

Twenty day appeal period ends:

\_\_\_\_\_  
Time

\_\_\_\_\_  
Date

I HEREBY CERTIFY THAT NO APPEAL HAS BEEN FILED WITHIN 20 DAYS  
FROM THE DATE THAT THIS DECISION WAS FILED WITH THE TOWN CLERK:

\_\_\_\_\_  
Montague Town Clerk

\_\_\_\_\_  
Date

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*Notice to be recorded by Landowner*