



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

NOTICE OF DECISION & VOTE

Applicant Owner:

Curtis Clapp
38 Munson St.
Greenfield, MA 01301

Case No. 07-01

Date March 14, 2007

Premises Affected:

(11) Grout Circle
Millers Falls, MA 01376
Assessors' Map 30 Lot 25
F Co. Registry of Deeds: Bk. 4700 Pg. 220

Special Permit (X)
Variance Application (40A) (X)
Section 6 Ch. 40A - Finding ()
Section 8 Appeal ()

After a public hearing held on:

Wednesday, February 28, 2007

THE BOARD OF APPEALS FINDS:

The board finds that the lot is protected (MGL section 6) and that the topography of the lot creates a significant construction hard ship, enough to require a variance, so as to place the home at a reasonable location while providing for the required off street parking.

THE BOARD OF APPEALS VOTED:

To grant Special Permit to allow the construction of a single-family dwelling on a steeply sloping lot 5 feet from an old road layout line that conflicts with the 15 foot setback from the deeded property line. Also granted is Variance from Section 5.4.4 (Side yard setback) to 5 feet from the east side lot line.

Granted pursuant to Section 5.4.2(c) (reduction in the street line setback where special circumstances exist) of the Montague Zoning Bylaws.

CONDITIONS: Parking is to be installed on the west side of the house. Roof gutters shall be discharged to a drywell and driveway runoff shall be intercepted and directed to a dry well.

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

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

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

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

.....

Notice to be recorded by Landowner