



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

NOTICE OF DECISION & VOTE

Applicant Owner:

Dorothy E. Spencer
P.O. Box 1061
North Adams, MA 01247-1061

Case No. 09-05

Date May 7, 2009

Premises Affected:

Laurel Lane
Turners Falls, MA 01376
Assessors' Map 22 Lot 12
F Co. Registry of Deeds: Bk 1569 Pg 278

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

After a public hearing held on:

Wednesday, May 6, 2009

THE BOARD OF APPEALS VOTED:

To deny the appeal of Dorothy E. Spencer of the Inspector of Building's determination that the replacement of a mobile home in a Mobile Home Park requires a Special Permit pursuant to Section 5.1.4 (alterations of a non-conforming use). The Board upholds the requirement of Special Permit review for the replacement of existing mobile homes including in Mobile Home Parks. The Board acknowledges that their review in parks is (under current law) addressed to the "alteration" of the non-conformity and not of the right or privilege to continue the use for a mobile home.

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

- | | | | |
|-------------------------------------|----------------------|-------------------------------------|-----------|
| 1. <u>Ernest L. Brown, Chairman</u> | <u>NO</u> | 2. <u>John Burek, Vice-Chairman</u> | <u>NO</u> |
| 3. <u>John Reynolds</u> | <u>not attending</u> | 4. <u>Dennis Booska</u> | <u>NO</u> |
| 6. <u>Robert Sojka</u> | <u>NO</u> | 7. <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 _____
Ernest L. Brown, Chairman
Clerk

Karen Casey-Chretien,

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