



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

NOTICE OF DECISION & VOTE

Applicant Owner:

Petru Balan
P.O. Box 1191
Greenfield, MA 01302

Case No. 12-05

Date May 29, 2012

Premises Affected:

89 Fourth Street
Turners Falls, MA 01376
Assessors' Map 4 Lot 138
F. Co. Registry of Deeds: Bk 6120 Pg 275

Special Permits (X)
Variance Application (40A) ()
Section 6 Ch. 40A - Finding (X)
Site Plan Review ()

After a public hearing held on:

Wednesday, May 23, 2012

THE BOARD OF APPEALS VOTED:

1. **Not to grant** a Special Permit to allow an increase from 4 units to 5 units in a multi-family building and **not to grant** the dimensional relief that would have been required.
2. **Not to grant** reduction in the required parking.
3. **Not to grant** a Special Permit for the alteration of a non-conforming building.

The Board of Appeals finds:

- The building was close to the lot lines on both sides, to the point where access from the front to the rear of the lot was through the building's second floor or on the property of the abutter.
- The board could not confirm a 5th parking space in the parking layout plan. There was a history of parking encroachments from this building in the past. .
- A fifth apartment would aggravate the parking shortage and greatly increase the constraints of building access.

The three separate votes of the Zoning Board of Appeals were 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>NO</u>	4. <u>Robert Sojka</u>	<u>NO</u>
5. <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