

ZONING BOARD OF APPEALS TOWN OF MONTAGUE

ONE AVENUE A TURNERS FALLS, MA 01376

NOTICE OF DECISION & VOTE

Applicant Owner:	Case No. <u>13-0/</u>	
Warren J. Tarr	Date June 5, 2013	
4 N St.		
Turners Falls, MA 01376		
Premises Affected:		
4 N St. with proposed building off M St.	Special Permit	(\mathbf{X})
Turners Falls, MA 01376	Variance Application (40A)	(X)
Assessors' Map 5 Lot 118	Section 6 Ch. 40A - Finding	()
F Co. Registry of Deeds: Bk 1784 Pg 98	Site Plan Review	()
After a public hearing held on:	Wednesday, May 15, 2013	

The Board of Appeals finds: Section 6 of the Zoning Act (MGL Chapter 40A)

An old decapitated 16' x 35' obsolete garage exists on a narrow lot (60') between two streets (M & N). It is 10 feet from M Street and 1 foot from the southwest abutter.

The applicant proposes to:

- 1. Maintain the street line setback of 10 feet,
- 2. Maintain the 1 foot side line setback for the first 20 feet of a new building.
- 3. Increase the existing 1' side line setback for the last 25' of a new building to 3'.

The Board concludes:

- The building in impractical to improve in place;
- The existing nonconformities are not unique to the area; and,
- Most of the building expansion is not within a setback area.

THE BOARD OF APPEALS VOTED:

- To grant a Special Permit to allow the removal and replacement of a 16' x 35' non-conforming barn/garage with a 22' x 45' 3-bay garage/workshop with attic storage. (Section 5.1.4).
- The first 20' from M street may remain at 1' from the side line.
- Variance to Section 5.4.4 (Minimum side yard setback) is granted to allow an additional 10 feet of the new building to be 3' from the side property line.

The M Street side of the new garage/workshop may be extended an additional 6' at a setback of 10' feet from the street line. (Section 5.4.2(c))

Stipulation:

Gutters shall be installed on the south-west (abutter's side) of the garage/work shop and not discharged to that side.

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

1	Ernest L. Broy	wn, Chairman	YES	2	John Burek, Vice-Chairman	YES			
3	Robert Sojka		YES	4	Ericka Almeida	YES			
5	Allen Ripingill		YES						
IMPO	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 Clerk	Ernest L. Brown, Chairman			Karen Casey-Chretien,					

Receiv	ved for filing l	by Town Clerk:	Time		D. (
Twenty day appeal period ends:				Date					
I HER	LEBY CERTII	FY THAT NO A	Time	AS BEF	Date EN FILED WITHIN 20 DAYS	.			
					LED WITH THE TOWN CLI				
Monta	ngue Town Clo	erk			Date				

Notice to be recorded by Landowner