



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

NOTICE OF DECISION & VOTE

Applicant Owner:

Warren J. Tarr

4 N St.

Turners Falls, MA 01376

Case No. 13-07

Date June 5, 2013

Premises Affected:

4 N St. with proposed building off M St.

Turners Falls, MA 01376

Assessors' Map 5 Lot 118

F Co. Registry of Deeds: Bk 1784 Pg 98

Special Permit (X)

Variance Application (40A) (X)

Section 6 Ch. 40A - Finding ()

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 is 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:

2. John Burek, Vice-Chairman **YES**

4. Ericka Almeida **YES**

Board of Appeals

Karen Casey-Chretien,

Twenty day appeal period ends: _____

Time	Date
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Date _____

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