



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

NOTICE OF DECISION & VOTE

Applicant:

Mark P. Furtado
22 Lake Pleasant Rd.
Lake Pleasant, MA 01347

Case No. 14-07 - Modification

Date March 25, 2015

Special Permit: Modification (X)

Owners:

Helen M. Williams - Life Estate
Chad M. Williams & Meagan A. Vazquez
20 Lake Pleasant Rd.
Lake Pleasant, MA 01347

Premises Affected:

20-22 Lake Pleasant Rd.
Lake Pleasant, MA 01347
Assessors' Map 40 Lot 48
F Co. Registry of Deeds: Bk 2618 Pg 25
F Co. Registry of Deeds: Bk 6583 Pg330

At a scheduled public meeting held Wednesday, March 25, 2015;

The Board of Appeals considered the results of a survey of the division of land authorized by SP #14-07; specifically: Modification and Approval. The Board considered whether the proposed compliance is acceptable by the terms of the Permit conditions.

The following specific conflicts with Special Permit approval #14-07 exist:

The land survey reveals a side lot line not in the anticipated location resulting in a smaller than anticipated lot. The east and north lot lines have shrunk from 128 feet and 134 feet to 107.16 feet 87.66 feet respectively. The total lot area has shrunk from 15,808 sq. ft. (.36 acres) to 13,753 sq feet or .32 acres of land.

The Board of Appeals finds its following finding in error:

- The lot at #22 is proposed to have approximately 15,808 +/- or .36 acres with the remaining land of 1.25 acres left with the home at #20.

The Board of Appeals finds its following condition of the vote in conflict:

Condition:

- The division of land shall be no less than the dimensions of the plan submitted and generally follow the "Description" submitted to include the approximate 15,808 sq. ft.+/- or .36 acres of land area.

The Board finds all other findings, conditions and statements accurate and that the proposed Modification is consistent with the original findings and conclusions.

THE BOARD OF APPEALS VOTED: To uphold the original Special Permit grant and Approve the proposed Modification without additional conditions.

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

- | | | | |
|-------------------------------------|-------------------|-------------------------------------|-------------------|
| 1. <u>Ernest L. Brown, Chairman</u> | YES | 2. <u>John Burek, Vice-Chairman</u> | YES |
| 3. <u>John Reynolds</u> | YES | 4. <u>Richard Ruth</u> | (Alt.) YES |
| 5. <u>Alan Ripingill</u> | (Alt.) 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
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