

# ZONING BOARD OF APPEALS TOWN OF MONTAGUE

ONE AVENUE A TURNERS FALLS, MA 01376

### **NOTICE OF DECISION & VOTE**

Applicant:	Case No.	15-10	
Joseph Frimpong	Date	September 2, 2015	
14A Sugarloaf St.		*	
S. Deerfield, MA 01373			
Owner:			
Dale M. Jones			
411 Warren Wright Rd.			
Belchertown, MA 01007			
<b>Premises Affected:</b>			
97 Lake Pleasant Rd.	Special Per	mit	$(\mathbf{X})$
Lake Pleasant, MA 01347	Variance A	pplication (40A)	()
Assessors' Map 33 Lots 60 & 61	Section 6 C	Ch. 40A - Finding	(
F Co. Registry of Deeds: Bk 6380 Pg 332	Appeal - Se	ection 8 Ch 40A	( <b>X</b> )
F Co. Registry of Deeds: Bk 6380 Pg 338			, ,

After a public hearing held on:

Wednesday, August 5, 2015

#### The Board of Appeals finds:

- SP# 13-01 was previously issued for this property (Map 33 Lots 60 & 61). The permitted time to utilize the Permit has expired.
- An old and unused 40'x 12' cabin exists on one of the Industrial zoned lots. (Map 33 Lot 60)
- The owner acquired abutting lot (#61) also with 46 feet of frontage and about 500' in depth.
- The Residential use is non-conforming. The building is non-conforming.
- An unrecorded survey was submitted with this application. The lots exist on separate deeds.
- The cabin is adjacent to another small home in the Industrial zone and across the road from the Village of Lake Pleasant which is zoned Residential.
- Public water and sewer is available.

The owner stated that the Special Permit 13-01 should be considered valid.

The Board chooses to grant a new Special permit and dismiss the appeal.

#### THE BOARD OF APPEALS VOTED:

To dismiss the appeal without prejudice and grant Special Permits to allow Alterations of a non-conforming use and structure (Section 5.1.4) to allow for the removal and replacement of the cabin with a single family dwelling in substantial conformance with plans submitted at the hearing.

• No variances are granted. The new house location shall meet or exceed dimensional setback requirements.

• Frontage relief is allowed provided that public water and sewer is utilized (Section 5.4.3(c)). Street line setback will be maximized to the estimated 50 feet.

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

1	Ernest L. Broy	vn, Chairman	YES	2	John Burek	YES	
3	John Reynolds	s Wit	<u>hdrew</u>	4	Robert Sojka	YES	
5	Richard Ruth	(alt.)	YES				
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IMPO	RTANT:	be made only to the (MGL) as amende	ne Court and red, and must b	nust be ma se filed in t	of Montague Zoning Boar de pursuant to Section 17, he office of the Town Clerk ision with the Town Clerk	Chapter 40A k within twenty	
	Board of App	oeals					
By Clerk	Ernest L. Brown, Chairman				Karen Casey-Chretien,		
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Montag	gue Town Cle	erk			Date		
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