



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

NOTICE OF DECISION & VOTE

Applicant Owner:

Brenda Harvey
22 Grand Ave.
Millers Falls, MA 01349

Case No. 15-11

Date December 22, 2015

Premises Affected:

100-102 Third Street
Turners Falls, MA 01376
Assessors' Map 4 Lot 134
F Co. Registry of Deeds: Bk 6509 Pg 347

Special Permit (X)
Variance Application (40A) ()
Section 6 Ch. 40A - Finding ()
Appeal (Section 8) (X)

After a public hearing held on:

Wednesday, December 2, 2015

Appeal the Inspector of Buildings decision that an apartment to store front conversion cannot be reversed; **or to grant relief by Special Permit** for the reinstatement of a non-conforming use and structure (pursuant to Section 5.1.4); **or allow** a mixed Craft Workshop/ residential unit pursuant to section 5.2.11(b) of the Montague Zoning Bylaws.

The Board of Appeals finds:

- The previous owner converted the first floor apartment of 100/102 Third Street to a retail craft workshop.
- Applicant stated that upon purchase of the property a shop usage was contemplated, but personal circumstances have changed to where exclusive residential use is needed.
- The building is located where commercial street level use transitions to non-conforming residential use.
- The Board concludes the Appeal of the reversibility of a street level commercial use need not be decided to resolve this case.

THE BOARD OF APPEALS VOTED:

Not to grant a Special Permit to reinstate the use of the first floor of 100 Third Street as a residential unit.

Not to grant the Appeal meant to allow the mixing of craft/workshop with a residential use in a commercial unit.

1. <u>Ernest L. Brown, Chairman</u>	YES	2. <u>John Burek, Vice-Chairman</u>	YES
3. <u>Robert Sojka, Member</u>	YES	4. <u>Richard Ruth, Member</u>	YES
5. <u>William Doyle, Atlernate</u>	YES		

Board of Appeals

By Ernest L. Brown, Chairman Karen Casey-Chretien,
Clerk

I HEREBY CERTIFY THAT NO APPEAL HAS BEEN FILED WITHIN 20 DAYS
FROM THE DATE THAT THIS DECISION WAS FILED WITH THE TOWN CLERK:

Date _____

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