



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

NOTICE OF DECISION & VOTE

Applicant Owner:

Powers Block Properties LLC

By: Robert Obear

47 W. Chestnut Hill Rd.

Montague, MA 01351

Case No. 16-01

Date March 29, 2016

Premises Affected:

33 Bridge St. a/k/a 26 East Main Street

Millers Falls, MA 01349

Assessors' Map 29 Lot 176 and 178

F Co. Registry of Deeds: Bk 6643 Pg 259

Land Court Case #

Special Permit (X)

Variance Application (40A) ()

Section 6 Ch. 40A - Finding ()

Appeal (Section 8) ()

After a public hearing opened on:

Wednesday, February 24, 2016

And continued to:

Wednesday, March 9, 2016

The above named property is "The Powers Block" located at 33 Bridge Street and 26 East Main Street, Millers Falls, MA, and identified as Assessor's Map 29, Lot 176 and proposed parking on Lot 178.

The Board of Appeals finds:

- The upper floors front and central sections of this building have long gone unused and unimproved. The size and capacity of the building is underutilized.
- Additional required parking is available on abutting land of the applicant.
- Probable future commercial employee parking will be required.
- This request does not violate or alter the approval granted in Case #12-14 which noted that the property line setbacks are a pre-existing non-conforming condition. Existing minimum lot areas and frontages were resolved in Case #12-14 and this approval does not require further dimensional relief.
- Required parking cannot be fully provided on lot #176

THE BOARD OF APPEALS VOTED: To grant a Special Permit pursuant to Section 5.1.4 to expand multi-family use into the floors above the commercial space at 26 East Main Street. The area may be converted to 4 apartments to be integrated with the existing 3 apartments at 33 Bridge Street in substantial conformance with plans submitted.

The Board accepts the Management Plan and security proposals.

Conditions:

The new required parking of 11 spaces may use a proximate area of lot #178 across the 30' easement to satisfy the additional parking requirements. Future required employee parking may be resolved in a similar manner by the Modification and Approval process. Dumpster area(s) shall be designated in the parking plan. The parking and dumpster areas shall be screened by the topography, plantings or fencing. Parking obligations shall run with the land.

Modification and Approval:

Any changes proposed shall be reviewed by the Board of Appeals or its designee. The Chairman or designee may approve changes if in conformance with the intent of the Special Permit or may refer it to the Board. Changes consistent with the purpose of this approval may be allowed by the Board without further hearings. Further hearings shall be at the discretion of the Board. Approval shall not be unreasonably withheld.

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

- | | | | |
|-------------------------------------|------------|------------------------------------|------------|
| 1. <u>Ernest L. Brown, Chairman</u> | YES | 2. <u>William Doyle, Alternate</u> | YES |
| 3. <u>Robert Sojka, Member</u> | YES | 4. <u>Richard Ruth, Member</u> | YES |
| 5. _____ | | | |

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