



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

**NOTICE OF DECISION & VOTE**

Case No. 16-07

Date July 7, 2016

**Applicant:**

Trinity Solar, Inc.  
4 Open Square Way  
Holyoke, Ma 01040

**Owner:**

Joseph Burek  
12 South Lyman Street  
Turners Falls MA, 01349

**Premises Affected:**

12 South Lyman Street  
Millers Falls MA, 01349  
Assessors' Map 30 Lot 01  
F Co. Registry of Deeds: Bk. 3558 Pg. 81

Special Permit (X)  
Variance Application (40A) ( )  
Section 6 Ch. 40A - Finding ( )  
Site Plan Review ( )

After a public hearing held on:

Wednesday, June 29, 2016

**THE BOARD OF APPEALS VOTED:**

To grant a Special Permit to install a 357 sq. ft., 24 panel, 17' x 32.5', ground-mounted solar array where 112.5 sq. ft. is otherwise allowed to be located 51 feet from S. Lyman Street and 26 feet from the north side property line. (Section 9.7.3(d) of the Montague Zoning Bylaws)

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>     | <u>YES</u> | 2. <u>Robert Sojka</u> | <u>YES</u> |
| 3. <u>Allen Ripingill</u>               | <u>YES</u> | 4. <u>Richard Ruth</u> | <u>YES</u> |
| 5. <u>William Doyle IV, Alt. Member</u> | <u>YES</u> |                        |            |

**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 Karen Casey-Chretien, Clerk

\*\*\*\*\*

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

\*\*\*\*\*

*Notice to be recorded by Landowner*