



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

NOTICE OF DECISION & VOTE

Applicant Owner:

William Doyle
8 Prospect St.
Turners Falls, MA, 01376

Case No. 17-21

Date January 22, 2018

Premises Affected:

4 Prospect Street
Turners Falls, MA, 01376
Assessors' Map 6 Lot 97
F Co. Registry of Deeds: Bk 7083 Pg 189

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

After a public hearing held on:

Wednesday, January 10, 2018

THE BOARD OF APPEALS VOTED:

To grant variance to Section 5.4.4 (Minimum side yard setback - 15') of the Montague Zoning Bylaws to allow the construction of a 5' wide landing and 2nd egress to a second floor apartment approximately 9' from the property line.

The Board of Appeals finds:

- The building is 14' from the side lot line and is a three-family use in a 1 & 2 family district. It is pre-existing non-conforming in setback and use.
- The ability to construct a second egress to the second floor apartment at another location is a hardship due to existing porches and roof lines.
- Pursuant to section 6 (paragraph 1) of the Zoning Act (MGL Chapter 40A) this limited variance is a modest increase in a non-conformity and serves an important safety result.

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

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

Alternate member Doyle stepped down from the Board and represented himself at the hearing.

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