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

NOTICE OF DECISION & VOTE

Applicant Owner/Property Owner:
Helen Williams
20 Lake Pleasant Road
Lake Pleasant, MA 01347

Case No. 23-06
Date May 2, 2023

Premises Affected:
20 Lake Pleasant Road
Lake Pleasant, MA 01347
Assessors' Map 40, Lot 48
Franklin County Registry of Deeds: Book 6583 Page 330

Special Permit	(**X**)
Site Plan Review	( )
Variance	( )

The hearing on this Special Permit was opened on April 26, 2023 and closed on April 26, 2023.

THE BOARD OF APPEALS VOTED:
The Montague Zoning Board of Appeals granted a Special Permit (4-0) to **Helen Williams** to allow the construction of an attached 884 square foot accessory apartment, under Section 8.5.3(b) and 9.2.3 of the Zoning Bylaw, located at 20 Lake Pleasant Road (Map 40, Lot 48), Rural Business (RB) Zoning District, subject to the following conditions and findings:

FINDINGS:
1. The proposed detached accessory apartment at 20 Lake Pleasant Road is consistent with the standards for an accessory dwelling unit found in Section 8.5.4 of the Montague Zoning Bylaws.
2. The proposed attached accessory apartment at 20 Lake Pleasant Road will not create a significant adverse effect to the neighborhood or to the Town of Montague in accordance with the Special Permit Criteria identified in Section 9.2.3 of the Montague Zoning Bylaws.

CONDITIONS:
1. Residency Requirement: In accordance with Section 8.5.4(c) under the Zoning Bylaw, the owner or their successors must continue to occupy at least one of the two dwelling units as their primary residence. This shall be memorialized in a restrictive covenant filed with the Franklin County Registry of Deeds.
2. Transfer of Ownership: In accordance with Section 8.5.4(g) under the Zoning Bylaw, when the property is sold, the new owner(s), if they wish to continue to exercise the Permit, must, within thirty (30) days of the sale, submit a notarized letter to the Building Inspector stating that the owner will occupy one of the two dwelling units on the premises as their primary residence.
3. In accordance with Section 9.2.5 of the Zoning Bylaw, any proposed modifications to the approved final plans, including but not limited to changes, alterations, or expansions shall be reviewed and approved by the Zoning Board of Appeals,.

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

Joshua Lively, Chair - **YES** William Doyle IV, Vice Chair – **YES**

Richard Ruth - **YES** David Jensen - **YES**

The Zoning Board of Appeals hereby certifies that a copy of this decision and all plans referred to in this decision have been filed with the Town Clerk on: _____.

An appeal from the decision of the Zoning Board of Appeals may be made by any person aggrieved pursuant to MGL chapter 40A, section 17 as amended within twenty (20) days after the date of filing of a notice of decision in the Office of the Town Clerk. Notice of the appeal and a copy of the complaint shall be given to the Town Clerk within the twenty-day appeal period.

Board of Appeals:

By _____ _____
Joshua Lively, Chairman Karen Casey-Chretien, Clerk

cc: Applicant, Property Owner, Abutters, Public hearing attendees requesting notification, Planning Board abutting Towns - Gill, Erving, Wendell, Leverett, Sunderland, Greenfield

****

Certificate of No Appeal

[This section is filled out by the Montague Town 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