



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

**APPROVED MINUTES FROM ZBA APRIL 26TH 2023
NOTICE OF PUBLIC HEARINGS #23-06
6:30 PM in the Upstairs Conference Room and VIA ZOOM
1 Avenue A
Turners Falls, MA 01376**

Due to COVID-19 Public Participation will be by:

Join Zoom Meeting:

<https://us02web.zoom.us/j/88270799034?pwd=lgnfX1b7svqmiIBgzmcz9goEnwI9C.1>

Meeting ID: 875 3637 8963 Password: 209154

Dial into meeting: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592

Meeting being taped.

Votes may be taken:

ZBA #23-06 20 Lake Pleasant Rd, Lake Pleasant Ma

**PRESENT: Joshua Lively Chairman, Richard Ruth Member, David Jensen
Member, Robert Obear Member,
William Ketchen Zoning Enforcement Officer, and Karen Casey , Clerk
Applicant: Helen Williams**

Hearing opened approx. 6:30pm

ZBA #23-06

KC: Notice is hereby given that the Montague Zoning Board of Appeals will hold a public hearing on Wednesday, April 26, 2023 at 6 :30 pm via zoom and in person at the Montague Town hall upstairs Conference room One Avenue A, Turners Falls Ma at the request of Helen Williams for a special permit pursuant to Sections 8.5.3(B) to permit the construction of an



attached 884 square foot accessory apartment in the RB Zoning District of the Montague Zoning Bylaws. The filing is available for review at Town Hall and remote participation instructions are at www.montague-ma.gov/calenar.

The above named property is located at 20 Lake Pleasant Rd, Lake Pleasant, Ma and identified as Assessor's parcel ID 40-0-48

JL: Good evening, everyone and welcome to Montague Zoning Board of Appeals meeting Today is Wednesday, April 26, 2023. It's a few minutes after 6:30 pm my name is Josh lively, and I currently serve as the chairperson for the Montague Zoning Board of Appeals.

We do, in fact, have a forum tonight. and before I call the meeting to order, I just need to ask if anybody else is planning on recording the meeting this evening.

JL: Okay, I'll. I'll call the meeting to order. and due to some loss concerning hybrid public meetings. I must take roll call like this

JL: Bill Doyle

WD: present

JL: Richard Ruth:

RR: Present

JL: David Jensen

DJ: present

JL: Josh Lively Present

JL: They were also joined by the building departments, Karen, Casey and our building Commissioner Slash, Zoning board Enforcement Officer Bill Ketchen.

JL:I'll just quickly go over the format. The applicants will get a chance to present anything you might have to the board more gets a chance to ask you some questions. Anybody in the public that might have an interest in concerning a question would then get a chance after that and once the Board has completed this, then we open it to the public.

I am just going to remind everybody to please state your name before your question the record.

JL: Karen, could you please read the public notice?

Public notice 23-06.

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KC: there were 8 notices sent.

One returned

one undecided, 0 object, 0 to do not object and no written.

Okay. So we only had one that came back and down and decided it was no comment.

JL: Okay, thank you, Karen. I'll now open a hearing #23-06

Helen. You can come up to the table if you want, or you could sit near it, please, by all means,

HW: Oh, okay. My son is waiting on Zoom, too.

JL: Okay.

HW: So what I'm trying to do is put an accessory building onto that. Yeah, because I'm 65 getting up there single old woman. So my son is gonna take over and take care of me. So this is what we wanted to do.

WD: It's over, it's off the rear of the house?

HW: Yeah. I have a my own drawing, because Bruce hasn't caught up to me yet. But this is my actual house, and this is like dining room. And this is a deck. This is where this is gonna go, so it's gonna stick out only 14 feet because we're going to attach it here with like on a hallway or something. And then we're gonna adjoin the deck so it'll be one big deck. Yes, shared.

DJ: is the deck there now,

HW: yeah, I have it there now, and it's gonna be the same one.

It's brand new. It's a brand-new deck. We're going to add on to it to, to, to his house. Yeah.

DJ: what is this? 14 by 8 set? Presumably that's where you're connecting in the hallways.

HW: This used to be a porch. Now it's enclosed. So it's a dining room, and this is all right. We're gonna connect right there. Yeah.

DJ: Okay.

And presumably there's no space. Is it correct?

HW: Yeah. Well, there is one to be a space. The excavator told me I he's gonna go 6 feet out.

DJ: So this little distance here is really 6FT.

HW: Gina have me do the restriction. Okay, and that's all recorded.



BK: Perfect okay, You got that.

HW: Yeah, and talk to you about the that I can't add any more bedrooms. And What's going to be added here,

DJ: just peering over your shoulder's full basement, one story Okay. 884 900. Rule

JL: Richard? Anything?

RR I was listening. I couldn't quite hear of the issue about the septic?

HW: Oh. it's brand new. There's a brand-new septic.

BK there's no issue. There's just a date restriction stating that they can't add any more bedrooms to the septic system after, if this goes in after this new system, it is yeah, but how it is. But plan for this.

JL: yeah, if someone wants to make a motion, I think we're right. It seems that way.

WD: Make a motion to vote on this accessory apartment.

DJ: Could I take your peek through? Id like to look at the larger plan, and then we write up the motion.

JL: It'd be a little more specific in motion.

BK: It's got to specify coordinate with the zoning book.

WD: Okay, Bill Doyle, I make a motion to vote on the special. Permit pursuant to sections 8.5, point 3 B. To permit the construction of an attached 884 square foot accessory apartment.

RR: Richard Ruth Seconds

JL: All in favor of granting the special Permit?

David Jensen?

DJ Aye

JL: Richard Ruth

RR: AYE

JL: Bill Doyle

WD: AYE

JL Josh Lively Aye

JL: There is a 20-day appeals process

DJ: I'll make motion to close 23-06,



JL: second

JL: all in favor of closing, hearing 23-06,
David Jensen?

DJ Aye

JL: Richard Ruth

RR: AYE

JL: Bill Doyle

WD: AYE

Jl: Josh Lively Aye

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**

Hearing Ended approx. 7:15pm

APPROVED