

TOWN HALL One Avenue A

ZONING BOARD OF APPEALS (413) 863-3200 ext. 206 Turners Falls, MA 01376 buildinginspector @montague-ma.gov

23-16

Case No.

## ZONING BOARD OF APPEALS **TOWN OF MONTAGUE**

## **NOTICE OF DECISION & VOTE**

applicant owner/i toperty owner.	Cust 110.	<u> </u>
Kenneth Hannah	Date	December 20, 2023
42 Dry Hill Road		
Montague, MA 01351		
Premises Affected:		
42 Dry Hill Road	Special Permit	<b>(X)</b>
Montague, MA 01351	Site Plan Revi	ew ( )
Assessors' Map 45, Lot 66	Variance	( )
Franklin County Registry of Deeds: Rook 4478 Page 126		

The hearing on this Special Permit was opened on October 18, 2023 and closed on October 18, 2023.

## **THE BOARD OF APPEALS VOTED:**

Applicant Owner/Property Owner:

The Montague Zoning Board of Appeals voted (4-0) to approve a Special Permit to Kenneth Hannah to allow a 660 square foot Accessory Apartment within an existing detached garage, under Sections 8.5.3(c), 8.5.4 and 9.2 of the Zoning Bylaw, located at 42 Dry Hill Road (Map 45, Lot 66), Agriculture Forest (AF-4) Zoning District, with the following conditions:

- 1. The project shall be built and maintained according to the approved plans and application package. Any changes shall be reviewed by the Inspector of Buildings to determine if submission to the Zoning Board of Appeals is necessary. Said changes may be reviewed and/or approved by the Zoning Board of Appeals at a public meeting; or if the changes are significant enough, said changes shall require a formal modification of the permit and/or condition.
- 2. Either the principal single-family dwelling or the Accessory Apartment shall be occupied by the owner(s) of the principal one-family dwelling as their principal residence, which requirement shall be made restricted as such by a deed restriction filed with the Registry of Deeds. Documentation of the recording shall be provided to the Inspector of Buildings, prior to the occupancy of the Accessory Apartment.
- 3. All exterior lighting shall be designed and installed so as to be shielded or downcast, and to avoid light trespass onto adjacent properties.

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

William Doyle IV, Vice Chair – YES Joshua Lively, Chair - YES David Jensen - YES Richard Ruth - YES

The Zoning Board of Appeals hereby certifies that a copy of this Decision and all approved plans referred to in this Decision have been filed with the Town Clerk on: <u>December 20, 2023</u>.

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:				
Ву	Joshua Lively, ZBA Chair		Karen Casey-Chretien, ZBA Clerk		
cc:	Applicant, Property Owner, Abutters, Public hearing attendees requesting notification, Planning Board abutting Towns - Gill, Erving, Wendell, Leverett, Sunderland, Greenfield				
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	C	ertificate of No	<b>Appeal</b>		
[This section is filled out by the Montague Town Clerk]					
Rec	eived for filing by Town Clerk: _	Time	Date		
Twe	enty-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:					
Mor	ntague Town Clerk		Date		