



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

**NOTICE OF DECISION & VOTE**

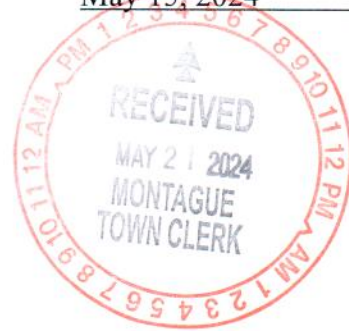
**Applicant Owner:**

Sedley Henry  
3 Myrtle St  
Taunton, MA 02780

Case No. #24-01  
Date May 15, 2024

**Property Owner:**

Bonfire International LLC  
3 Myrtle St  
Taunton, MA 02780



**Premises Affected:**

73 Fifth St  
Turners Falls, MA 01376  
Assessors' Map: 04 Lot 0205  
Franklin County Registry of Deeds: Book 08149 Page 172

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

The hearing on this Special Permit was opened on May 1, 2024 and closed on May 15, 2024.

**THE BOARD OF APPEALS VOTED:**

The Montague Zoning Board of Appeals granted a Special Permit to **Sedley Henry** to allow the demolition of the existing two-story rear unit and construct two, 2 bedroom units increasing the units from 3 to 4 and also to allow the reduction of the rear yard setback from 30 feet to 26.21 feet and side yard setback from 10 to 3.64 feet with patio 6 inches from side yard setback under Sections 5.1.3, 5.2.5(b)ii, 5.5.3(b) and 9.2 of the Zoning Bylaws, located at 73 Fifth St. (Map 04, Parcel 205), in the Neighborhood Business (NB) District, with the following conditions:

1. The new building conforms with the site plan and architectural drawings presented to the board with findings that the planned apartments meet the specifications of zoning bylaw 5.1.3.
2. The dumpster must be kept clean and not impede on right of way.
3. Bonfire International LLC to hire a property maintenance company to provide property management plan that adheres the concern of the board in regard to trash removal, yard cleanings, and snow removal.
4. ZBA is not waiving the 4-parking spot requirement to accommodate a dumpster.

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

Joshua Lively, Chair - YES  
Richard Ruth - YES  
David Jensen - NO

William Doyle IV, Vice Chair - YES  
Robert Obear - 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: May 21, 2024.

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  
Joshua Lively, Chairman

Jamie Carey  
Jamie Carey  
Zoning Board of Appeals 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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### Certificate of No Appeal

[This section is filled out by the Montague Town Clerk]

Received for filing by Town Clerk: 4:30 May 21, 2024  
Time Date

Twenty-day appeal period ends: 4:30 Wednesday June 11, 2024  
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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