



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

NOTICE OF DECISION & VOTE

Applicant Owner:

Inhabitants of Montague
1 Avenue A
Turners Falls, MA 01376

Case No. 19-01

Date May 8, 2019

Premises Affected:

(128) Turners Falls Rd.
Turners Falls, MA 01376
Assessors' Map 21Lot 005
F Co. Registry of Deeds: Bk 5452 Pg 82

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

After a public hearing held on:

Wednesday, May 1, 2019

THE BOARD OF APPEALS VOTED:

To approve the granting a Special Permit pursuant to Montague Zoning Bylaw Section 5.5.3(b) to increase the maximum permitted building height for the proposed structure in the Neighborhood Business District from 28 feet to 30.5 feet and Section 7.4.4 to permit a common driveway to be shared with the existing Public Safety Complex and to issue Site Plan Approval pursuant to Section 9.1.2(a) for construction that exceeds 3,000 square feet of area.

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

Special Permit building height relief pursuant to Section 5.5.3(b):

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

Special Permit for common driveway pursuant to Section 7.4.4)

CONDITION: Applicant to secure and record legal rights to access and make improvements to the common driveway over 180 Turnpike Road (Assessor's Map 22 Lot 01) prior to issuance of building permit.

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

Site Plan Review pursuant to Section 9.1.2(a):

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

Modification and Approval: Any changes proposed shall be reviewed by the Board of Appeals or its designee. The Chairman or designee may approve changes if in conformance with the intent of the Special Permit or may refer it to the Board. Changes consistent with the purpose of this approval may be allowed by the Board without further hearings. Further hearings shall be at the discretion of the Board. Approval shall not be unreasonably withheld.

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 Karen Casey-Chretien, 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



Notice to be recorded by Landowner