



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

NOTICE OF DECISION & VOTE

Applicant & Owner:

Scott T. & Emily J. Ewell
487 Federal St.
Montague, MA 01351

Case No. 12-07

Date June 8, 2012

Premises Affected:

487 Federal St. and South St. at the
Sawmill River east side
Montague, MA 01351
Assessors' Map 48 Lots 140 & 144
Franklin Co. Registry of Deeds:
Book 3502 Pg 212 & Pg 223

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

After a public hearing held on:

Wednesday, May 30, 2012

The Board of Appeals finds:

- The proposed South Street APR (Agricultural Protection Restriction) lot is in or includes: flood plain, wetlands, Priority Habitat and river front resource areas.
- Any building construction or driveway construction would be severely constrained or may not be possible.
- The only practical access is from Federal Street for all purposes except farming.
- The two lots as they currently exist form the boundary of the RB and Residential districts.
- No additional rights or land use options are created by granting this request.

THE BOARD OF APPEALS VOTED:

To grant variance to minimum lot frontage in the Rural Business District by allowing the access frontage on Federal Street of 83.54 feet to serve as the required frontage. The sole purpose of the relief is to reconfigure the two parcels as two lots to allow the South Street lot to be placed in an APR as shown on Plan of APR in Montague, MA, Surveyed for Scott T. And Emily J. Ewell, dated Feb. 13, 2012

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

- | | | | |
|-------------------------------------|------------|-------------------------------------|------------|
| 1. <u>Ernest L. Brown, Chairman</u> | YES | 2. <u>John Burek, Vice-Chairman</u> | YES |
| 3. <u>John Reynolds</u> | YES | 4. <u>Robert Sojka</u> | YES |
| 5. <u>Ericka Almeida</u> | YES | | |

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