

The Commonwealth of Massachusetts

TOWN OF WILLIAMSBURG  
ZONING BOARD OF APPEALS

Decision

In the matter of: The application of Happy Valley Rentals, LLC by Ruth Oland-Stuckey, Principal Member, for a Special Permit as required by Section 12 (e) of the Zoning Bylaw of the Town to convert the premises known as 181 Main Street, Haydenville, from a single-family residence to a two-family residence.

Date of Application: January 14, 2019

Date of Public Hearing: February 27, 2019

Date of Decision: February 27, 2019

Vote by members of the Board:

Charles Dudek: In favor

Gerald Mann: In favor

Paul Kennedy: In favor

**Findings:**

This existing single-family dwelling is on a non-conforming lot of 0.43 acres in the Village Mixed Zone. The applicant intends to create two units for long term rental to residential tenants. The dwelling consists of 2,300 square feet and is in excess of 24 feet from the neighboring property lines. The detailed drawings submitted at the hearing and made a part of this decision indicates that the footprint of the existing building will be increased with the addition of a larger bedroom of the first floor, a back deck and exit steps. The additions will be at the rear of the property, no changes are contemplated for the front of the property visible from the public road. Four parking spaces are delineated in the submitted drawings.

The structure is similar to other nearby homes and on one side abuts the parking lot of a business. No objections to the application, written or oral, were received.

**Applicable Law and Decision Criteria:**

Section 12.0(e) of the Zoning Bylaw states that the ZBA may authorize by Special Permit any change, extension or enlargement of a non-conforming structure or use or land, provided that the ZBA finds that such change, extension, or enlargement shall not be substantially more detrimental to the neighborhood than the existing non-conforming use or structure.

Section 5.5 of the Zoning Bylaw provides that the ZBA may grant a Special Permit if it finds that the proposed structure and use will be compatible with the character and scale of other uses permitted as of right in the same district.

**Specific Findings:**

The Board finds that the criteria has been satisfied and that the use will be compatible with other uses in the district and will not have a detrimental effect on the neighborhood.

**Decision of the Board:**

The Board voted unanimously to grant the application for a Special Permit subject to the following conditions:

Any exterior lighting shall be shielded and downward directed to avoid intrusion onto the neighboring property and the public way.

Rentals shall be in excess of thirty (30) days.

The applicant shall comply with all other applicable provisions of the Zoning Bylaw.

Respectfully submitted this 21<sup>st</sup> day of March, 2019

Received and recorded this 21<sup>st</sup> day of March 2019

Appeals from this finding, if any, shall be made pursuant to Chapter 40A, Section 17 of the Massachusetts General Laws.



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Charles Dudek, Chair, on behalf of the Williamsburg Zoning Board of Appeals



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Brenda Lessard, Williamsburg Town Clerk