

THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF WILLIAMSBURG

ZONING BOARD OF APPEALS

Decision

In the matter of: The application of Tiffany P Chapman and William A Chapman Jr for a Special Permit as required by Section 12 paragraphs (e) of the Zoning Bylaw of the Town of Williamsburg to replace a pre-existing non-conforming wooden garage with a steel garage of similar size and configuration. The premises currently owned by Tiffany P Chapman and William A Chapman Jr and is located at 159 Main St in the Town of Williamsburg, Assessors Map and Parcel number 011.K 340/011.K-0000-0117-0.

Date of Hearing: June 25, 2020

Date of Application: June 2, 2020

Date of Decision: June 25, 2020

Vote by members of the Board:

Charles Dudek, Chair: In favor

Gerald Mann: In favor

Paul Kennedy: In favor

Findings:

A: General Findings:

The premises consist of a one-family dwelling and an accessory structure. The existing accessory wooden structure is in poor condition and is being demolished and replaced with a steel structure of similar size (20ft x 26ft), which will sit on the existing foundation pad. The new structure will continue to serve as vehicle and general household storage with no change to premises use and driveway access. A special permit is required because one side of the existing accessory structure is located on the property line with no setback from the adjacent property (157 Main St).

Evidence that all abutters within 300' of 159 Main St were notified of the Special Permit application was presented. No abutters were present at the Public Hearing. Affidavits

from the owners of the 2 adjacent properties showing their approval of the replacement accessory structure were presented.

B: Applicable Law and Decision Criteria

Section 12.0 (e) permits a Special Permit for the change or enlargement of a non-conforming structure provided the Zoning Board finds such change shall not be substantially more detrimental to the neighborhood than the existing non-conforming structure.

C: Specific Findings:

Upon consideration of the testimony at the public hearing and the relevant laws and regulations, the Zoning Board of Appeals finds the proposed replacement accessory structure is of similar size of the structure being replaced and will be installed on the existing accessory foundation pad. No changes to the use or access to the structure are intended. Any exterior lights on the replacement accessory structure will face downwards and not cause glare beyond the accessory structure. No abutters have raised concern with the proposal. The replacement accessory structure will not be substantially more detrimental to the neighborhood than the existing accessory structure.

Decision of the Board:

The Zoning Board of Appeals has voted unanimously to grant a Special Permit to the Applicants, Tiffany P Chapman and William A Chapman J, to construct the replacement accessory structure as defined in the Special Permit application and attached documents, on the premises at 159 Main St.

This Special Permit is not effective until recorded at the Registry of Deeds of the County of Hampshire and shall be filed with twenty days after the date of filing of the notice of this decision in the Office of the Town Clerk.

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



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



Brenda Lessard, Williamsburg Town Clerk

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