

THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF WILLIAMSBURG

ZONING BOARD OF APPEALS

Decision

In the matter of: The application of Jason Harder for a Special Permit as required by Section 12.0 paragraphs (e) of the Zoning Bylaw of the Town of Williamsburg to renovate an existing one family dwelling into a two-family dwelling. Premises currently owned by Frances Vilbon and located at 103 Goshen Road in the Town of Williamsburg and identified as Parcel number C 97.0 on the assessor's map.

Date of Hearing: February 10, 2020

Date of Application: January 6, 2020

Date of Decision: February 110, 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, a pre-existing, non-conforming one family dwelling does not have the required setback from the road and acreage to comply with the current zoning requirements. It does have sufficient parking to accommodate four cars and a septic system with enough capacity to serve two families. The applicant seeks to convert the property to a two-family home to be used for long term rental. The footprint will remain unchanged. However, an additional driveway will be constructed.

An abutter was present at the hearing and was in favor of granting the permit.

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:

It is noted that the construction of the new driveway shall require the approval of the Highway Superintendent and shall meet the requirements set forth in Section 10 of the Zoning Bylaw. This Board lacks the authority to approve or disapprove the construction of driveways and therefor this decision is without prejudice to any action which may be taken by the Highway Superintendent.

Upon consideration of the testimony at the public hearing and the relevant laws and regulations, the Zoning Board of Appeals finds that the proposed project to convert a single family dwelling to a two family dwelling will not be substantially more detrimental to the neighborhood than the existing non-conforming structure.

Decision of the Board:

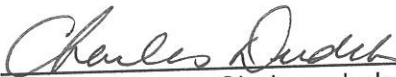
The Zoning Board of Appeals has voted unanimously to grant a Special Permit to the Applicant, Jason Harder, to change and renovate the existing single-family dwelling located at 103 Goshen Road to a two-family dwelling without enlarging the existing footprint.

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.

Respectfully submitted this day of February 20, 2020

Received and recorded this 20th day of February, 2020

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