

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF LANESBOROUGH
ZONING BOARD OF APPEALS

3 Jun 2013

Decision of the Board of Appeals on the appeal and petition of John.D.Levardi to allow for a change in use of an accessory structure currently in use and existence on property located at 585 South Main Street, Lanesborough, MA.

Notice of VARIANCE DIMENSION :APPROVED -(see conditions listed below)

Background Information

- Zone: B Business
- Map and Lot: 116 2.1
- .Registry of deeds Book 1191 page 280
- 1096 Form received 8 Apr 13
- Letters to abutters defined by Assessors; completed
- Legal notices: completed
- Pre-requisites required prior to hearing - completed

Board members in attendance:

Betsy Bean, Gordon Zaks, Ron Tinkham & Tom Ostrowski

Meeting called to order at 7:00 p.m.

Reviewed background information

- Proposed site plan and petition reviewed .The application included a narrative describing the application and answering all questions required by law -Attached -
- Attorney R.M.Dohoney provided additional information
 - 5 ft variance side lot required
 - Low impact business -Party barn
 - B zone existing building
- Owner J. D.Levardi
 - reviewed parking 30 to 45 available
 - Approx 1500 sq ft to be used
 - Parking in rear for employees parking layout not available
 - Parking was a major issue for ZBA members
- Party Barn owners
 - Store hours 11 to 5
 - peak parking 6 / 7 spaces
- Abutter to south-Baker-supported the petition-
to the north A. Shacar was not in favor-noise-traffic- to
close- not built to plans
Mr Weider supported -low impact

The questions required by law are addressed in the application

- Is in compliance with all provisions and requirements of the Town of Lanesborough Zoning By-Laws and is in harmony with its general intent and purpose.
- Is essential or desirable to the public convenience of the welfare at the proposed location.

- Will not be detrimental to adjacent uses or the established or future character of the neighborhood.
- Will not create undue traffic congestion, or unduly impair pedestrian safety.
- Will not overload any public water, drainage or sewer system or any other municipal facility to such an extent that the proposed use or any existing uses in the immediate area or in any other area of the Town will be unduly subjected to hazards effecting public health, safety or general welfare.

Questions were addressed

The major concern of the ZBA was parking.

A frank and helpful exchange of data between all attendees took place.

Planning Board Inputs: supported by the Board

No additional questions

Notified aggrieved personnel of their right to appeal Zoning Board decision in accordance with Chapter 40A Section 17 with a copy to the Town of Lanesboro Town Clerk.

Closed Public Hearing at 7:46pm

Zoning Board of Appeals began a session to render a decision at 7:47 pm.

Findings: Reviewed.

A draft of a motion was formulated:

Support of the petition providing a layout of the site identifying parking - (employees-business-customers parking) - showing entrance and exit to RT 7-showing the Party Barn (sq. ft.) layout to be submitted to the building inspector. Building Inspector to insure adequate parking.

The above motion was made by Betsy Bean seconded by Tom Ostrowski

The motion was reviewed.

Called for a vote.

Vote: Unanimous-approval

The Variance is APPROVED

The Zoning Board of Appeals meeting terminated at 8:05 pm.

Petitioners were notified of decision and the procedure required.

- Decision filed with Town Clerk
- Wait 21 days - appeal requirement
- Obtain permit from building inspector.
- Pay Town Secretary (cost of hearing.
(Legal newspaper notices, mailings, and cost to modify Deed.)

Acting Recording Agent
Lanesborough Zoning Board of Appeals


R.W. Tinkham Chairman ZBA

cc: Appellant

Board of Health

Conservation Commission

Fire Association

Police Department

Town Clerk

Town Counsel

ZBA File & Members

Registry of Deeds (via Town Clerk)

Planning Boards - Cheshire, Dalton, Hancock, Lanesborough,
New Ashford, Pittsfield

Assessors

Building Inspector

Highway Department

Town Administrator

Selectmen

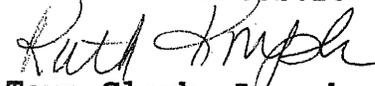
Water Department

Fire Dept.

Abutters

Appeal:

The ZBA decision was received on June 4, 2013. The Appeal period has expired per M.G.L. Chapter 40A Section 17. No appeal notice has been received by the Town of Lanesboro Town Clerks office as of June 25, 2013.



Town Clerk, Lanesboro, Mass

Registry of Deeds recording

Book _____ Page _____
