

THE COMMONWEALTH OF MASSACHUSETTS  
TOWN OF LANESBOROUGH  
ZONING BOARD OF APPEALS

22 Aug 11

Decision of the Board of Appeals on the appeal and petition of  
Peter M. Tague for a Variance for property located at 20 Rockwell  
Road

Notice of Variance: APPROVED - (see conditions listed below)

Background Information

- Zone: R-A
- Map and Lot: 211 lot 19
- Deed Book no. 1025 page 648
- 1096 Form received 19 Jul 11
- Letters to abutters as defined by Assessors; completed
- Legal notices: completed
- Pre-requisites required prior to hearing - completed

Board members in attendance:

Robert Mossman, Harley Phelps, Gordon Zaks, Ron Tinkham & Bob Sampson

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

Reviewed background information

- Proposed site plan and petition reviewed :
- Additional Data received from the Petitioners:  
- Petition presented supporting the application

- Is in compliance with all provisions and requirements of the Town of Lanesborough Zoning By-Laws (except for the 200 ft frontage continuous criteria ) 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. The lot is unique being abutted by State property.
- 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.

Zoning Board of Appeals and Attendees Questions

All questions were addressed:

- John Goerlack and Bill Prentergast supported the petition
- John identified how the 200 ft could be met ( frontage from both sides of the lot joined in the rear ( not desirable ).
- Rockwell road is a Town Rd.

Wanda Roberson objected to the approval of the petition. Her property lost frontage on Rockwell Rd. when the State re-located the Rd. ( Inputs from Wanda with no documentation supporting her data.) The ZBA indicated the Robinson property boundaries problems not abutting Rockwell Rd. is not pertinent to the petition-Wanda still objected

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

Planning Board Inputs:

Supported approval of the petition

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 7:45 pm

Zoning Board of Appeals began a session to render a decision at 7:45 pm.

Findings: Reviewed.

A draft of a motion was formulated: Motion to support the approval of the petition with 2 easements required.

The above motion was made by H.Phelps seconded by G Zaks

The motion was reviewed.

Called for a vote.

Vote:Unanimous Approval

The Variance is approved

The Zoning Board of Appeals meeting terminated at 7:50 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.)



R.W. Tinkham  
Acting Recording Agent  
Lanesborough Zoning Board of Appeals

cc: Appellant	Assessors
Board of Health	Building Inspector
Conservation Commission	Highway Department
Fire Association	Town Administrator
Police Department	Selectmen
Town Clerk	Water Department
Town Counsel	Fire Dept.
ZBA File & Members	Abutters
Registry of Deeds (via Town Clerk)	
Planning Boards - Cheshire, Dalton, Hancock, Lanesborough, New Ashford, Pittsfield	

Appeal:

The ZBA decision was received on *aug 23, 2011*. 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

Town Clerk, Lanesboro, Mass

Registry of Deeds recording  
Book \_\_\_\_\_ Page \_\_\_\_\_

