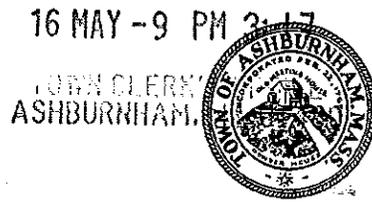


Date Received:

RECEIVED

Town Clerk:



NOTICE OF DECISION

Number: 16-02

Date of Application: April 13, 2016

Subject of Appeal: The application of Tim Fissette request for a Modification of Special Permit (04-5) from Section 3.24 (t) of the Ashburnham Zoning Bylaws. The request is to modify Decision 04-05. **Motion to change from 3.24 (t) to 3.24 (x) (Unanimous)**
Special Permit from Section 3.24(x) to expand existing Mini Golf Course to 50' x 70' to spread course out, incorporate new obstacles on the property located at 3 Dunn Road, Map 49 Parcel 2 in the RB Zoning District.

Date of Hearing: May 4, 2016

Date of Decision: May 4, 2016

Decision: A unanimous decision to grant a Modification of 04-5 with the listed conditions:

1. Comply with all Board of Health regulation.
2. Non evasive lighting in expansion area.
3. 4' high fence of lasting character, preventing passage of golf balls and passage of person's along road side of expansion area
4. Expansion area not closer than 10' to plot lines.
5. Same hours of operation.

Basis for Decision: The Board finds that the granting of the Modification of the Special Permit does not harm the neighborhood nor derogate from the intent of the by-law.

Vote of Board: Unanimous.

Board Members Present and Voting: Dave Perry, Chairman
Mark Carlisle
Heather Carlisle, Clerk
Terry Girouard
Rich Archer

Notice: Any decision of the Zoning Board of Appeals may be appealed to Court, in accordance with Massachusetts General Laws Chapter 40A, Section 17, by the applicant, Town Boards or officers or any person aggrieved by said decision.

Pursuant to G. L. c. 40A, s. 11, this Special Permit shall not take effect until a copy of the decision bearing the certification of the city or town clerk that 20 days have elapsed after the decision has been filed in the office of the town clerk and either that no appeal has been filed or the appeal has been filed within such time, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. The fee for recording or registering shall be paid by the owner or applicant.

CERTIFICATION

I hereby certify that the foregoing Notice of Decision was filed in the Office of the Ashburnham Town Clerk, which twenty (20) days have elapsed since the date of said filing, and that:

_____ No notice of appeal from said Decision has been received relating thereto; (or)

_____ A Notice of appeal from said decision was received within said twenty day period.

Dated:

Ashburnham Town Clerk