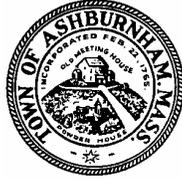


Date Received:

Town Clerk:



NOTICE OF DECISION
Number 07-07

Date of Application: June 13, 2007

Subject of Appeal: The application of Robert and Sandra Dufour for a Variance from Section 4.2: Schedule of Dimensional Regulations of the Ashburnham Zoning Bylaws in order to construct a new single family house, and all other necessary zoning relief on the property located at 25 Proctor Street, Map 62, Parcel 80 in the RA District.

Date of Hearing: July 11, 2007

Date of Decision: July 18, 2007

Decision: The Board unanimously voted to grant a Variance for front setback as requested at the Hearing and shown on plan. David Perry, Joseph Daigle, Donna Brooks, Terry Girouard, and Cheryl Anderson

Notes: Square footage of the lot does not meet required square footage for a building lot in Zone RA. The Board respectfully requests that the Building Commissioner find that this lot is grandfathered. No action taken by the Zoning Board of Appeals on the grandfather lot.

Basis for Decision:

1. A hardship of the land is due to wetlands on site.
2. Special condition of the land is the topography and wetlands.
3. The granting of the Variance is consistent with the intent of the Bylaw
4. Due to similar construction already in the neighborhood, the granting of the Variance will not harm the neighborhood or the public good.

Vote of the Board:

Unanimous to Grant: David Perry, Chairman
Joseph Daigle, Clerk
Terry Girouard
Donna Brooks
Cheryl Anderson

Notice: Any decision of the Board of Appeals may be appealed to the Superior Court of Worcester County within 20 days by the Applicant, Town Boards or Officers, or any person aggrieved by the decision. Appeal may also be made in Fitchburg District Court.

After the 20 days appeal period, if no appeals have been filed, this decision must be recorded with the Registry of Deeds.