Date Received: RECEIVED

Town Clerk: 15 APR 23 PM 2:29

ASHBURNHAM, MA 01430

NOTICE OF DECISION
Number: 15-03

Date of Application: April 2, 2015

Subject of Appeal: The application of Paula J. Owen, request for a variance from Section 3.24(a) of the Ashburnham Zoning Bylaws. The request is to operate a retail sales, internet distribution and antiques/specialty items and all other necessary zoning relief on the property located at 98 Platts Road, Map 19 and Parcel 46 in the R-A Zoning District.

Date of Hearing: April 22, 2015

Date of Decision: April 22, 2015

Decision: Unanimous to grant variance under Sec. 3.24 (a) with conditions.

Basis for Decision: The Board finds that the granting of a variance meets the criteria for a variance request. Property #98 and #97 Platts Road were once one property. Parcel #98 does not have its own independent water supply.

Conditions:

1. Hours of operation : 9-5 M-F and 9-2 Saturdays
2. All deliveries and business to be made with in operating hours.
3. No tractor trailers as part of business operations.
4. Signage to comply with Section 5.2 of By-Laws.
5. All customers parking to be off street.

Vote of Board: Unanimous to grant variance with conditions.

Board Members Present and Voting:

Dave Perry, Chairman
Mark Carlisle, Acting Clerk
Cheryl Anderson
Terry Girouard
Ken Mullen

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 variance 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 variance 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