



Town of Tyringham

116 Main Rd • PO Box 442 • Tyringham, MA 01264

Phone: (413) 243-1749 Fax: (413) 243-4942 E-Mail: townhall@bcn.net

ZONING BOARD OF APPEALS RECORD OF PROCEEDINGS

Date Filed July 30, 2018

Copies of this Record of Proceedings with all attachments must be filed within 14 days in the Office of the Town Clerk.

I, Lynn M. Bertelli Clerk of the Zoning Board of Appeals under the Zoning By-Law of the Town of Tyringham hereby certify that the following is a detailed record of all its proceedings relative to the _____ Petition X Application _____ Appeal of _____

_____ for a _____ Variance X Special Permit under Section 6.1.4 of the Zoning By-Law.

The Applicant desires to: add a second story over an existing one story

The premises affected are located at 15 Cooper Creek Road, being in Zoning District, in which the above mentioned use ✓ requires a special permit, _____ is not permissible under the terms of said By-Law.

1. On 7/25/18 a Petition Application Appeal (CIRCLE ONE)
(Date)

Of which a true copy marked "A" accompanies this certificate and is made a part of this record, was presented to the Zoning Board of Appeals, accompanied by the filing fee of _____ and in case of an appeal the refusal of the Building Inspector or Selectmen to issue a permit, a true copy of which refusal, marked "B", accompanies this certificate and is made a part of this record.



Town of Tyringham

116 Main Rd • PO Box 442 • Tyringham, MA 01264

Phone: (413) 243-1749 Fax: (413) 243-4942 E-Mail: townhall@bcn.net

2. Thereupon, an advertisement, a true copy of which, marked "C", accompanies this certificate and is made a part of this record, was published in the

Berkshire Eagle Newspaper, on
(date) 7/6/18 and on (date) 7/13/18

3. Notices of the hearing a copy of which, marked "D", accompanies this certificate and is made part of this record, were mailed postpaid to the petitioner, abutters and owners of land within 300 feet of the property line, being the same persons named in the assessors certificate which was part of the petition heretofore referred to and marked "A", and to the Board of Selectmen, Building Inspector, Planning Board and the Planning Boards of every abutting municipality.

4. On 7/23/18 a hearing was held at the Tyringham Town Hall, 116 Main Road, Tyringham, MA at which opportunity was given to all those interested to be heard in favor or opposition to said petition, application or appeal at which hearing plan was presented by architect Pam Sandler, there were no objections from abutters, the plan was discussed by members of the board, the architect and property owner - plan was approved to add a second story master bedroom over an existing open space on the first floor.

Members present: Stephen Baluk, chair, Lynn Bertelli, clerk

Stephen Hodgins, Carey Macintosh

5. Following the hearing the Board made the following specific findings regarding the land in question and the proposed use

the addition was in keeping with the character of the building and the neighborhood and would not interfere with views or usage of abutters property

Note: Restatement of mandatory provisions and requirements are not to be taken as findings.



Town of Tyringham

116 Main Rd • PO Box 442 • Tyringham, MA 01264

Phone: (413) 243-1749 Fax: (413) 243-4942 E-Mail: townhall@bcn.net

6. The Board voted at its meeting on July 25, 2018, as detailed below, to

 DENY the petition application appeal

Based on the findings as recorded under item 5 herein

 X GRANT the petition X application appeal,

Subject to the following conditions, safeguards and limitations on time or use, if any.

None

Note: Show the vote of each member upon each question or, if absent or failing to vote, indicate such fact, and set forth clearly the reason or reasons for its decision and of its other official actions.

Members present: Stephen Baluk - yes, Lynn Bertelli - yes,
Stephen Hodgins - yes, Carey Macintosh - yes



Town of Tyringham

116 Main Rd • PO Box 442 • Tyringham, MA 01264

Phone: (413) 243-1749 Fax: (413) 243-4942 E-Mail: townhall@bcn.net

ZONING BOARD OF APPEALS NOTICE OF DECISION

"And notice of the decision shall be mailed forthwith to the petitioner, applicant, or appellant, to the abutters within three hundred feet of the property line of the petitioner, the planning board, the planning boards of every abutting municipality, the assessors and to persons present at the hearing who requested that notice be sent to him and stated the address to which such notice was to be sent, as provided in Section 15, Chapter 40A."

Applicant or Petitioner

Gary Herwitz

Date: July 25, 2018

Case No. _____

Appeal

Premises Affected

15 Cooper Creek Road

Variance Petition

Special Permit Application

Referring to the above appeal, petition or application so as to permit plan as
presented - add a master bedroom over an existing
first floor space

After a public hearing given on July 25, 2018

The Zoning Board of Appeals as its meeting on July 25, 2018

VOTED TO GRANT

A variance from requirements under the Article 6
Section 1.4 a/b of the Zoning-By-Law

A special permit under Article _____ Section _____

VOTED TO DENY

The appeal, petition for variance or application for special permit



Town of Tyringham

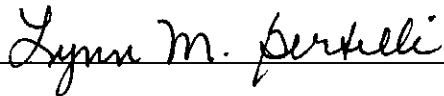
116 Main Rd • PO Box 442 • Tyringham, MA 01264

Phone: (413) 243-1749 Fax: (413) 243-4942 E-Mail: townhall@bcn.net

The decision of the Board together with detailed record of its proceedings stating the reasons for the decision shall be filed with the Town Clerk within 14 days of the close of the hearing.

IMPORTANT – Any appeal from the decision of the Zoning Board of Appeals must be made pursuant to Section 17, Chapter 40A (G.L.) as amended, and must be filed within twenty (20) days after the date of filing of the decision with the Town Clerk.

ZONING BOARD OF APPEALS



CLERK