TOWN OF HINSDALE, MASSACHUSETTS ZONING BOARD OF APPEALS NOTICE OF DECISION

(To be mailed forthwith to the petitioner, abutters and owners of land within 300 feet of the property line, the Select Board, Building Inspector, Planning Board, the planning boards of every abutting municipality and to persons present at the hearing who requested that notice be sent to him/her and state the address to which such notice was to be sent, as provided in Section 15, Chapter 40A as amended.)

Applicant or Petitioner: Jeffrey McCorkindale

Property Location: 221 South Shore Road, (Map 105, Lot 24)

Zoning District: R-3 Recreational and Residential

Deed Reference: Registry of Deed in Book 06784 Page 1

Application: Proposes to relocate an existing single-family home approximately 20 feet further from Plunkett Reservoir. Existing lot/structure does not meet current Zoning setbacks and neither will the relocated house.

Hearing Date: January 8, 2024			Case No.: 641
Appeal	_X Variance	Petition	Special Permit Application

VOTED TO GRANT A DECISION:

After a public hearing opened and closed on January 8, 2024 the Hinsdale ZBA voted 3 to 0 to approve the applicants request for a variance on the Zoning setbacks.

The decision of the Board together with detailed record of its proceedings stating the reasons for the decision shall be filed within 90 days after hearing in the office of the Town Clerk.

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

ZONING BOARD OF APPEALS

Terry Douglas ZBA clerk

TOWN OF HINSDALE

Massachusetts

Date filed: 1/8/24

Petition No.: 641

ZONING BOARD OF APPEALS **RECORD OF PROCEEDINGS**

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

I, Terry Douglas, Clerk of the Zoning Board of Appeals under the Zoning By-Law of the Town of Hinsdale hereby certify that the following is a detailed record of all its proceedings relative to the petition X_ application appeal of Jeffrey McCorkindale located at 221 South Shore Road, Hinsdale, MA 01235 for a variance under Section 6, 6-A of the Zoning By-Law of Town of Hinsdale.
The Applicant desires Proposes to relocate an existing single-family home approximately 20 feet further from Plunkett Reservoir. Existing lot/structure does not meet current Zoning setbacks and neither will the relocated house.
The premises affected are located on 221 South Shore Road, MA, 01235 (Map 105, Lot 24), being in Zoning District R-3 in which the above-mentioned use
 X_requires a variance that is not permissible under terms of said By-Law. 1. On January 8, 2024petitionX_ applicationappeal 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 a filing fee of

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 a newspaper published in Pittsfield, Ma.01201 on December 22,2023 and December 29, 2023.

\$250.00 and in the case of an appeal the Refusal of the Building Inspector or Select Board to issue a permit, a true copy of which refusal, marked "B", accompanies this

certificate and is made a part of this record.

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

and to the Select Board, Building Inspector, Planning Board and the planning boards of every abutting municipality.

- 4. On January 8,2024 a meeting was held at the Hinsdale Town Hall 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.
- 5. Following the hearing the Board made the following specific findings and conditions regarding the land in questions and the proposed use:
 - A. Folow all plans and information submitted to Conservation commission
 - B. Install erosion controls as shown approved plans.
 - C. Notify commission prior to stat of work to inspect erosion controls
 - D. No material shall be left on site during construction
 - E. The swale must be put in according to the submitted plans and work

Members Present:

Jeff Viner, Chairman Dan Thornton Bruce Alexander Dion Douglas Alternate

Also present at the meeting:
Terry Douglas ZBA clerk
Jeff Randall-Hill Engineers
Ken Boudreau-Hill Engineers
Chris Horton
Jack Pluta
Teresa Daigle
Joseph Horton
Ron Cole
Marie Cole

The use is allowed by variance.

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

6. The Board voted at its meeting 1/8/24 as detailed below to,

DENY thepetitionapplicationappeal
based on findings as recorded under item 5 herein.
_XGRANT the variance
Note: Show the vote of each member upon each question or if absent or failing to voindicate such fact and set forth clearly the reason or reasons for its decision and of its other official actions.
Members present: Jeff Viner Chairman voted in favor of the variance Dan Thornton voted in favor of the variance Bruce Alexander voted in favor of the variance
Terry DouglasDate_1/8/24 Hinsdale ZBA clerk