

**Town of Amherst
Zoning Board of Appeals**

SPECIAL PERMIT

The Amherst Zoning Board of Appeals hereby grants a Special Permit, ZBA FY2012-00006, to install a five foot fence within the required front yard setbacks, under 6.29 of the Zoning Bylaw, at 61 Fearing Street (Map 11C, Parcel 99, R-G Zoning District), with the following conditions:

1. The fence shall be located shall be substantially in accordance with the site plan, stamped approved by the Zoning Board of Appeals on October 27, 2011.
 - a. The fence shall be located so that it does not encroach upon the clear site triangle associated with the corner of Fearing Street and Nutting Avenue and no closer than four feet from the property lines, as shown on the approved plan.
 - b. This permit applies to both sections A and B, as shown on the approved plan.
 - c. Construction of section A shall constitute "substantial construction" thereby allowing section B to be constructed with a building permit at some time greater than two years from the issuance of this permit.
2. No part of the fence, including the fence panel and/or posts, shall exceed five feet six inches in height.
3. The fence shall have a cedar lattice top substantially in accordance with the approved rendering/photograph, stamped approved by the Zoning Board of appeals on October 27, 2011.
4. The front of the fence shall be landscaped with low growing plants or shrubs. The plantings shall be of such a height that they do not totally obscure the fence.

Barbara Ford
Barbara Ford, Chair
Amherst Zoning Board of Appeals

1/5/12
DATE

Town of Amherst
Zoning Board of Appeals - Special Permit

DECISION

Applicant/owner: Winnifred Manning
61 Fearing Street, Amherst, MA 01002

Date application filed with the Town Clerk: September 14, 2011

Nature of request: To install a five foot fence within the required front yard setbacks, under Section 6.29 of the Zoning Bylaw

Address: 61 Fearing Street (Map 11C-99, R-G Zoning District)

Legal notice: Published on September 28, 2011 and October 5, 2011 in the Daily Hampshire Gazette and sent to abutters on September 28, 2011

Board members: Barbara Ford, Hilda Greenbaum, Eric Beal

Staff members: Jeff Bagg, Senior Planner and David Waskiewicz, Building Inspector

Submissions:

- ZBA application, filed with the Town Clerk on September 14, 2011
- Project Summary
- Site Plan
- In one PDF:
 - Existing conditions photograph
 - Fence "detail"
 - Proposed condition rendering
- ZBA FY1998-0003, with approved plan
- Town GIS showing clear sight triangle

Site Visit: October 12, 2011

Hilda Greenbaum and the Senior Planner met the applicant on-site. The other Board members viewed the site individually at different times. The following was observed:

- The location of the property at the north east corner of Fearing Street and Nutting Avenue improved with an existing single family house and existing five foot fence approved in 1998.
- The approximate location of the proposed fence adjacent to Fearing Street and the location along Nutting Avenue.
- The approximate area of the clear site triangle adjacent to the corners of Fearing Street and Nutting Avenue.

THE COMMONWEALTH OF MASSACHUSETTS
AMHERST

City or Town
NOTICE OF SPECIAL PERMIT
Special Permit
(General Laws Chapter 40A)

Notice is hereby given that a Special Permit has been granted
To Winnifred Manning
Address 61 Fearing Street
City or Town Amherst, MA 01002

Identify Land Affected: 61 Fearing Street
(Map 11C, Parcel 99, R-G Zoning District)

By the Town of Amherst Zoning Board of Appeals affecting the rights of the owner
with respect to the use of the premises on

61 Fearing Street Amherst
Street City or Town

The record of title standing in the name of
Winnifred Manning
Name of Owner

Whose address is 61 Fearing Street Amherst MA 01002
Street City or Town State Zip Code

By a deed duly recorded in the
Hampshire County Registry of Deeds: Book 1655 Page 62

or

Hampshire Registry District of the Land Court, Certificate No. _____,
Book _____, Page _____

The decision of said Board is on file, with the papers, in ZBA FY2012-00006
In the office of the Town Clerk Sandra J. Burgess

Certified this _____ day of _____

Board of Appeals:

Barbara Ford Chairman
(Board of Appeals)
[Signature] Clerk
(Board of Appeals)

at _____ o'clock and _____ minutes ____ .m.
Received and entered with the Register of Deeds in the County of Hampshire
Book _____ Page _____

ATTEST _____
Register of Deeds
Notice to be recorded by Land Owner