



TOWN OF HOLLAND

27 Sturbridge Road
Corner of East Brimfield Road
Holland, MA 01521
Phone (413) 245-7108



March 17, 2008

Peter Frei
101 Maybrook Road
Holland, Ma. 01521

RE: Zoning enforcement request, 166 Stafford Rd. Holland.

Dear Mr. Frei,

In response to your request for Zoning Bylaw enforcement at 166 Stafford Road Holland, received March 4, 2008, I offer the following:

FINDINGS:

In the request order paragraph 2 references an ANR plan endorsement dated March 7, 2006. This date is after the issuance of the building permit and certificate of occupancy for the dwelling in question therefore not relevant.

Paragraph 4 refers to the zoning requirement of 200 feet of frontage, Bylaw Section 5 Table 2. The lot is protected or 'Grandfathered' as a pre-existing non-conforming lot and structure. The original re-build permit application was denied as a non-conforming lot. The applicant then applied to the Zoning Board of Appeals (ZBA) for a Special Permit for the re-build of a pre-existing non-conforming structure per M.G.L. c 40A § 6. Special Permit (20A02 1-24-04) dated January 26, 2004 was granted by the ZBA for the construction of a single-family dwelling. The second sentence of this paragraph contains an untrue statement, 'According to... building inspector Jack Keough, the required frontage is provided by a common driveway'. I did not make that statement. A common driveway was never an issue in regards to the building permit. The original permit was in fact denied due to less than the required frontage.

Paragraphs 5 & 6 both relate to common driveways and their regulations. A common driveway was not a part of the requirements of the building permit or special permit for this structure therefore the common driveway regulations were not relevant.

DECISION:

Reference to an unlawful endorsed ANR plan not relevant to this structure. The Special Permit issued by the ZBA addressed the required frontage. The common driveway bylaw

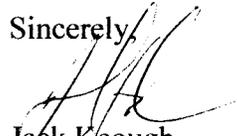
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was not relevant to this structure. It is my determination that the Building Permit for the single-family dwelling located at 166 Stafford Road in the Town of Holland (Parcel ID# 20-A-02) was properly issued.

Therefore I respectfully deny your request for ' the removal, dismantling, or demolition of the dwelling located off of Stafford Road, Holland, Massachusetts'.

If you are aggrieved by this decision you have the right of appeal through the Zoning Board of Appeals.

Sincerely,



Jack Keough
Building Commissioner
Zoning Officer

Cc Board of Selectmen
Zoning Board of Appeals
Planning Board
Albert West & Renee Thibault
File