

TOWN OF STOCKBRIDGE, MASSACHUSETTS

NOTICE OF DECISION

ZONING BOARD OF APPEALS

APPLICANT GROSSMAN JEFFREY & AMY (COTRUSTEES OF (CO-TRSTS THE GROSSMAN REV TR)

PREMISES AFFECTED: 9 Mahkeenac Terrace, Stockbridge, MA.

REFERRING The applicant is requesting an Appeal of Notice of Denial of a building permit from the Building Inspector with regard to property at 9 Mahkeenac Terrace, along with the request for extension or alteration of a non-conforming use, structure or lot.

DATE OF DECISION May 23, 2023

On May 16 and May 23, 2022, the Zoning Board of Appeals heard an Application filed by Jeffrey and Amy Grossman pursuant to the Stockbridge Zoning Bylaws, Section 7.2.1, requesting an Appeal of Notice of Denial of a building permit from the Building Inspector with regard to property at 9 Mahkeenac Terrace, along with the request for extension or alteration of a non-conforming use, structure or lot.

FINDINGS: After the May 16 Hearing the ZBA consulted with Town Counsel regarding the Grossman's application for and extension or alteration of non-conforming use, structure or lot. Town Counsel informed the ZBA that the Selectboard had jurisdiction over this issue not the ZBA. The Selectboard issued the original Special Permit for construction of this structure and retains jurisdiction. The ZBA informed the applicants the Selectboard has jurisdiction over this issue. While the ZBA has jurisdiction over the issue of lot coverage under Sec5.5, this was not requested in the application. The applicants withdrew their application without prejudice. As such the **ZBA WAS NOT REQUIRED TO ACT ON THE APPLICATION**