

NOTICE OF DECISION

Washington Zoning Board of Adjustment

Case No: 25-77

Date of Decision: 8/30/2023



The Selectmen, any party to the action, or any person directly affected has a right to appeal this decision. For complete information, see [RSA 677:2 Rehearing and Appeal Procedures](#). This notice has been placed on file and made available for public inspection in the records of the ZBA. Copies of this notice have been distributed to the applicant and the Board of Selectmen.

Applicant	Timothy Crouss
Address	219 Montgomery Rd, Westfield MA 01085
Owner	Timothy Crouss
Lot	25-77

You are hereby notified of the decision by vote of the ZBA of the following variances.

	Variance	LUO	Decision
1	Front setback of 16' where 50' is required	§202	GRANTED
2	Rear setback of 10' where 40' is required	§202	GRANTED
3	Side setback of 18' where 30' is required	§202	GRANTED
4	Building coverage of 16% where 10% is required	§201.5	GRANTED
5	Impervious coverage of 28% where 20% is required	§201.5	GRANTED

The Applicant is reminded that, pursuant to [RSA 674:33 Powers of Zoning Board of Adjustment](#), these variances are valid only if exercised within 2 years from the date of final approval, or as further extended for good cause.

The Board's decision is subject to the following conditions.

Conditions of Decision	
1	Prior to the installation of the new shed, the existing shed shall be demolished and the surface thereunder restored to a fully pervious state.
2	Prior to the installation of the new shed, the surface below the now-removed carport shall be restored to a fully pervious state.
3	The new shed shall have a footprint of 12' x 24' and shall not exceed one story in height.

References

RSA 674:33	Powers of Zoning Board of Adjustment	https://tinyurl.com/3s33w79d
RSA 677:2	Rehearing and Appeal Procedures	https://tinyurl.com/mr3erk82
LUOs	Washington Land Use Ordinance	https://tinyurl.com/yrdscxba
Application	Application for a Variance 8/6/2023	https://tinyurl.com/42p4rebw

Findings of Fact

Variance Criteria	Satisfied?
Variances must not be contrary to the public interest	Yes ^[1]
The spirit of the Land Use Ordinance will be observed	Yes ^[1]
Substantial justice will be done	Yes ^[1]
The values of surrounding properties will not be diminished	Yes ^[1]
Literal enforcement of the Land Use Ordinance would result in unnecessary hardship	Yes ^[1]

^[1] The Board accepts the representations of the applicant in support of these variance criteria.

Additionally, the Board finds that the applicant's non-conforming lot becomes *more* conforming in all respects (setbacks and coverages) as a consequence of demolishing the old structures and erecting a single replacement.