



## TOWN OF EGREMONT

### Board of Appeals

171 Egremont Plain Road

P.O. Box 368

Egremont, MA 01258-0368

Phone 413-528-0182 ext 10 fax 413-528-5465

email: [tegremont@egremont-ma.gov](mailto:tegremont@egremont-ma.gov)

### NOTICE OF DECISION - SPECIAL PERMIT

Date: October 13, 2022

Issued to: Erica Randlett, 56 Lakeside Drive

An application was made by Erica Randlett, 56 Lakeside Drive, for a special permit to remove the existing house and construct a new energy efficient house within the existing footprint and to construct a new septic system, under Zoning Bylaw 4.3.1.5.

The Board of Appeals, at a zoom meeting held on Tuesday, October 11, 2022, made a decision with reference to the above application by voting as follows:

To approve the application to remove the existing house and construct a new energy efficient house within the existing footprint and to construct a new septic system, under the Zoning Bylaw section 4.3.1.5) with no conditions.

Signed: \_\_\_\_\_

Fred Gordon

Chairman, Board of Appeals

The decision of the Board, together with detailed record of its proceedings stating the reasons for the decision, shall be filed in the office of the Town Clerk within 14 days after said decision.

An appeal of the decision may be made by any person aggrieved pursuant to MGL Chapter 40A, Section 17 as amended, within twenty (20) days after the date of filing in the office of the Town Clerk.

This notice shall be mailed forthwith to the petitioner, abutters, and owners of the land within 300 feet of the property line of the said property, the Board of Selectmen, the Building Inspector, the Planning Board, the Planning Boards of any abutting municipalities, and to person present the public hearing who requested such notice and stated the address to which such notice was to be sent, as provided in Section 15, Chapter 40A, as amended.

RE: Special Permit. The Board of Appeals may, after giving the holder of this permit ten (10) days written notice, sent by certified mail, return receipt requested, to the said holder's last known address, after a public hearing called to modify or revoke said permit, modify or revoke the same. Modification or revocation of this special permit shall require a vote of a least two (2) members of the three-member board.

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As chair of the Board of Appeals, I hereby certify that the following is a detailed record of all its proceedings relative to this application of Erica Randlett.

The applicant sought a special permit to remove the existing house and construct a new energy efficient house within the existing footprint and to construct a new septic system, as allowed by Zoning Bylaw section 4.3.1.5.

The premises affected are located at 56 Lakeside Drive, Egremont MA.

1. On September 15, 2022, an application, of which a true copy marked "A" is made a part of this record, was presented to the Board of Appeals.
2. Thereupon, an advertisement, a true copy of which marked "B" is made a part of this record, was published in the Berkshire Eagle, a newspaper published in Great Barrington Mass, on 09/27/2022 and 10/04/2022.
3. Notices of the hearing, a copy of which marked "C" is made a part of this record, were mailed postpaid to the petitioner and parties in interested as specified in Section 11, Chapter 40A, as amended, on 09/21/2022.
4. On, Tuesday, October 11, 2022, a hearing was held with the members of the Zoning Board of Appeals present via zoom, and the applicant and interested parties present via Zoom (as allowed under the COVID19 Pandemic guidelines) at which hearing opportunity was given to all those interested to be heard in favor or opposition to said application.

Members present: Voting: Fred Gordon, Rolfe Tessem, Mark Holmes.

5. Following the hearing, the Board made the following specific findings regarding the property in question and the proposed use (note: Restatement of mandatory provisions and requirements are not to be taken as findings.)

6.2.4.1. Is in compliance with all other provisions and requirements of the Bylaw, and in harmony with its general intent and purpose.

Slightly smaller than existing house and no closer to road. In harmony with neighborhood.

6.2.4.2. Is essential or desirable to the public convenience or welfare at the proposed location.

More attractive than existing house. More energy efficient than existing house, thus a benefit to public.

6.2.4.3. Will not be detrimental to adjacent uses or to the established or planned future character of the neighborhood.

Project is compatible with existing neighborhood, and does not change the character of the neighborhood. In keeping with the scale of neighboring homes.

6.2.4.4. Will not create undue traffic congestion, or unduly impair pedestrian safety.

No change from existing situation in this respect. Commenting abutters agree.

6.2.4.5. Will not overload any public water, drainage or sewer system or any other municipal facility to such an extent that the proposed use or any existing use in the immediate area or in any other area of the Town will be unduly subjected to the hazards affecting public health, safety or general welfare.

Not applicable due to use of private septic system. If anything, drainage is improved.

6.2.5. Conditions

Special permits may be issued subject to such conditions, safeguards or limitations as the Special Permit Granting Authority may impose for the protection of neighboring uses or otherwise serving the purpose of this Bylaw.

No conditions.

The Board voted at its meeting on Tuesday, October 11, 2022 as detailed below, to **GRANT** the application

To approve the application to remove the existing house and construct a new energy efficient house within the existing footprint and to construct a new septic system, under the Zoning Bylaw section 4.3.1.5, with no conditions.

Members:

Fred Gordon - yes: Rolfe Tessem - yes: Mark Holmes- yes

(NOTE: Show the vote of each member upon each question, or, if absent or failing to vote, indicate such fact and set forth clearly the reason or reasons for the Board's decision and for its other official actions.)

Signed: \_\_\_\_\_

  
Fred Gordon

Chair, Board of Appeals



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**NOTICE FOR RECORDING IN THE REGISTRY  
OF A DECISION TO GRANT A SPECIAL PERMIT OR ANY EXTENSION,  
MODIFICATION OR RENEWAL OF A SPECIAL PERMIT, OR VARIANCE**

TO: Erica Randlett

By the Zoning Board of Appeals affecting the rights of the owner with respect to the use of the premises at:  
56 Lakdeside Driver, Egremont MA \_\_\_\_\_

The record title standing in the name of Kenneth J. Harbarta, Erica Randlett-Harbarta.

By deed duly recorded in the Southern Berkshire District, Berkshire County Registry of Deeds in Book  
2501 Page 162 and in Registry District of Land Court, Certificate Number      Book      Page     

The full decision of said Board is on file with the papers and plans in the office of the Town Clerk. Said Board approved the application to remove the existing house and construct a new energy efficient house within the existing footprint and to construct a new septic system, under the Zoning Bylaw section 4.3.1.5, with no conditions.

Signed and certified this October 13, 2022

The Egremont Zoning Board of Appeals:

  
Fred Gordon, Chairman, Zoning Board of Appeals

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**Erica Randlett, 56 Lakeside Driver, Special Permit**

**CERTIFICATE BY THE TOWN CLERK FOR FILING OF THE DECISION IN THE  
REGISTRY**

This is to certify that twenty (20) days have elapsed since filing of the above decision with this office and no appeal has been filed, or appeal has been filed and denied in this case.

\_\_\_\_\_  
Signature and Seal of the Town Clerk

Date: \_\_\_\_\_