



ZONING BOARD OF APPEALS
TOWN OF MONTAGUE
ONE AVENUE A
TURNERS FALLS, MA 01376

NOTICE OF DECISION & VOTE

Case No. 06-07

Date April 26, 2006

Applicant:

Douglas R. Brown, for
Emond
Montague B.P.O. Elks
1 Elks Ave
Turners Falls, MA 01376

Owner:

Estate of Marcel L. & Maurice R.
16 Crocker Ave
Turners Fall, MA 01376

Premises Affected:

(351-379) Millers Falls Road
Turners Falls, MA
Assessors' Map 25 Lot 14
Franklin Co. Registry of Deeds: Bk.1958 Pg. 319

Special Permit (X)
Environmental Impact and
Site Plan Review (X)

After a public hearing held on:
Continued to:

Wednesday, March 22, 2006
Wednesday, April 26, 2006

THE BOARD OF APPEALS VOTED:

To grant a *Special Permit* to allow for the use of the property for a new B.P.O. Elks 200 person club lodge and 400 person function hall building, a 300 person outdoor pavilion, parking and other designated support functions as shown on the Conceptual Site Plan dated 4/26/06 prepared by Dufresne-Henry, **AND;**

To approve with conditions the *Environmental Impact Statement and Site Plan* for infrastructure, parking, drainage, utility services, landscaping, building facade, and site lighting.

The Board of Appeals finds: that the Environmental Impact Statement adequately describes the projects impact and that the applicant's proposed improvements and enhancements mitigates and reduces adverse environment impacts and that potential nuisance, hazard and congestion are minimized and that the available infrastructure is adequate for the project.

Special Permit Conditions:

- ***Substantial Compliance:*** The buildings, façade design and site improvements shall be developed in substantial compliance with the Conceptual Site Plan submitted.

Site Plan Conditions:

- Drainage: 100% of the on-site drainage from the parking areas (excluding driveways) & roofs shall be captured and infiltrated unless otherwise permitted.
- Site Maintenance Plan: A drainage system maintenance plan shall be submitted with the final drainage design.
- Site Lighting and Landscaping: A detailed final site lighting and site landscaping plan shall be submitted to and approved by the Board
- Sewer or Septic: A new properly sized Sewer Ejector shall be installed and the ejector line capacity shall meet engineering standards. The Board also finds that a Septic System is feasible on the property.
- Building Design and Development: The exterior building façade plan shall be submitted and approved by the Board.
- Signage shall conform to zoning requirements unless otherwise approved by the Board.

Modification and Approval:

The Board of Appeals Chairman or designee shall review proposed changes to the plans or permit conditions. The Chairman or designee may approve changes if in conformance with the intent of the Special Permit and Site Plan Approval or may refer it to the Board. The Board may allow changes without further hearings if consistent with the intent and purpose of this approval. Further hearings shall be at the discretion of the Board. Approval shall not be unreasonably withheld.

Other Permits or Approvals. This approval does not presume to evaluate technical requirements of the project but assumes and requires that good engineering practices will be applied. This approval is contingent on the applicant obtaining all the relevant permits and approvals governed by other Departments of the Town or Agencies of the Commonwealth.

The vote of the Zoning Board of Appeals was as follows:

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|-------------------------------------|------------|--------------------------|------------|
| 1. <u>John Burek, Vice-Chairman</u> | <u>YES</u> | 3. <u>Robert Sojka</u> | <u>YES</u> |
| 2. <u>Mark Bander</u> | <u>YES</u> | 4. <u>Ericka Almeida</u> | <u>YES</u> |
| 5. <u>John Reynolds</u> | <u>YES</u> | | |

IMPORTANT: Any appeal from the decision of the Town of Montague Zoning Board of Appeals can be made only to the Court and must be made pursuant to Section 17, Chapter 40A (MGL) as amended, and must be filed in the office of the Town Clerk within twenty (20) days after the date of filing of the decision with the Town Clerk.

Board of Appeals

By John Burek, Vice-Chairman

Karen M. Casey, Clerk