



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

NOTICE OF DECISION & VOTE

Applicant:

R. Ben Anhalt for Element Brewing Co.
55 Sugarloaf St.
South Deerfield, MA 01373

Case No. 09-09

Date June 10, 2009

Owner:

Millers Falls Enterprises LLC
25 East Main
Millers Falls, MA 01349

Premises Affected:

(28) Bridge Street
a/k/a 30 Bridge St & 21 W. Main Street
Millers Falls, MA 01349
Assessors' Map 29 Lot 111
F Co. Registry of Deeds: Bk 5395 Pg 62

Special Permit	(X)
Variance Application (40A)	()
Section 6 Ch. 40A - Finding	()
Site Plan Review	()

After a public hearing held on:

Wednesday, May 27, 2009 and

The Board of Appeals finds:

The brewery projects 3 employee/owners and up to 5 employees. No tractor trailer deliveries are anticipated.

Conditions:

- Employees' parking shall be restricted from on-street parking in the following areas: East Main Street to the RR tracks; West Main Street; King Street and Bridge Street south to Crescent Street.
- Loading shall be performed live with no outside storage.
- Retail hours (minimum) shall be the brewery operating hours but hours are not required to exceed normal business hours.

THE BOARD OF APPEALS VOTED:

To grant to Element Brewing Co. a Special Permit to allow the development of a brewery with a retail outlet in two commercial storefronts. {Craft workshop or light assembly shop, with retail component; in the Central Business Zone.} Also granted is a Special Permit for parking relief where employee parking cannot be supplied on site.

- Modification and Approval: Any changes proposed shall be reviewed by the Board of Appeals or its designee. The Chairman or designee may approve changes if in conformance with the intent of the Special Permit or may refer it to the Board. Changes consistent with the purpose of this approval may be allowed by the Board without further hearings. Further hearings shall be at the discretion of the Board. Approval shall not be unreasonably withheld.

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

1. <u>Ernest L. Brown, Chairman</u>	YES	2. <u>John Burek, Vice-Chairman</u>	YES
3. <u>John Reynolds</u>	YES	4. <u>Dennis Booska</u>	YES
5. <u>Robert Sojka</u>	YES	6. <u>Ericka Almeida</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 Ernest L. Brown, Chairman Karen Casey-Chretien,
Clerk

Received for filing by Town Clerk: _____
Time Date

Twenty day appeal period ends: _____
Time Date

I HEREBY CERTIFY THAT NO APPEAL HAS BEEN FILED WITHIN 20 DAYS FROM THE DATE THAT THIS DECISION WAS FILED WITH THE TOWN CLERK:

Montague Town Clerk

Date

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Notice to be recorded by Landowner