



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

NOTICE OF DECISION & VOTE

Case No. 10-09

Date July 21, 2010

Owner:

Turners Falls Fire District

226 Millers Falls Rd.

Turners Falls, MA 01376

Premises Affected:

Country Hill, 50 Ellis Rd.

Millers Falls, MA 01349

Assessors' Map 46 Lot 08

F Co. Registry of Deeds: Bk 1009 Pg 406

Applicant:

David Rydelek for

Pyramid Network Services, LLC

6519 Towpath Rd., East Syracuse, NY

Special Permit (X)

Variance Application (40A) ()

Section 6 Ch. 40A - Finding ()

Site Plan Review (X)

After a public hearing held on:

Wednesday, July 14, 2010

The Board of Appeals finds:

- A guyed wire tower is needed for the directional stability of specialized antennas. Section 7.5.3(c)
- Relocation of the facility to comply with hill top setbacks would be of limited or negative ascetic purpose. Section 7.5.3(d)
- The proposed replacement tower will be constructed while the existing tower functions until removed. Full compliance with the setbacks would require expanding the compound increasing disturbance of the area without benefit. Section 7.5.3 (f)
- The new tower height anticipates room for a second telecommunications carrier.

THE BOARD OF APPEALS VOTED:

To approve the Site Plan and grant a Special Permit to replace a 71 foot telecommunications tower with a 120 foot guyed wire tower with seven additional antennas in substantial conformance with the plans submitted. Existing antennas (six) may be relocated onto the new tower. Relief from Sections 7.5.3 (c), (d) & (f) is also granted.

Other carrier locations or additional antennas are not within the scope of this approval.

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

1. Ernest L. Brown, Chairman **YES** 2. John Burek, Vice-Chairman **YES**

3. John Reynolds **YES** 4. Dennis Booska **ABSENT**

5. Robert Sojka **YES** 6. Ericka Almeida **YES**

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.

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
Clerk

Karen Casey-Chretien,

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