



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

NOTICE OF DECISION & VOTE

Case No. 16-08

Date July 11, 2016

Applicant:

Mohawk Ramblers Motorcycle Club, Inc.
145 Bartlett Road, Millers Falls, MA 01349
PO Box 243, Turners Falls, MA 01376

Owner:

Turners Falls Water Department
126 Millers Falls Rd
Turners Falls MA, 01376

Premises Affected:

(155) Lake Pleasant Road
5.952 acres at Beach & Lake Pleasant Rd
Assessors' Map 33 Lot 16, Bk 879 Pg 152,
Map 33 Lot 17, Bk 879 Pg 37, Map 33
Lot 18, Bk 879 Pg 152, Map 33 Lot 19
Bk 879 Pg 137, Franklin County Registry of Deeds

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

After a public hearing held on:

Wednesday, June 29, 2016

The Board of Appeals finds:

- The Club is a non-profit organization and has existed in Montague since approximately 1958 and has been at its current location since approximately 1962.
- The Club's need to relocate results from the acquisition of its current location by the Commonwealth of Massachusetts for wildlife/open space preservation.
- The current location shall be returned to wildlife/open space preservation.
- The Club wishes to recreate its current land use in near similarity to its current use.
- The Club has made other efforts to relocate.
- The proposal provides a significant buffer of undisturbed land around the Club's function area.
- The Clubs function as an Open Recreational Enterprise and a clubhouse/lodge are not reasonably severable.
- The Board finds difficulty and no precedents on how to apply the 5% rule to unpaved and overflow parking. 5% = 12,963 sq. ft.

THE BOARD OF APPEALS VOTED:

To grant Special Permits pursuant to Section 5.1.4, replacement of a non-conforming use (non-profit club or lodge), and Section 5.2.6(b) Open Recreational Enterprise to allow the relocation of the Club, in its entirety, from the NW corner with Bartlett Road to the location across Lake Pleasant Road at the SE corner with Beach Road.

The Board finds that regular parking (10 spaces) with the clubhouse and pavilion are approximately 5,000 sq. ft. and does not exceed 5% of lot area. For clarity the Board approves the Site Plan pursuant to Sections 8.2(d) (parking), of the Montague Zoning Bylaws for unpaved overflow parking area(s) of up to 15,000 sq. ft. and variance (if required) for the 7,000 sq. ft.in excess of 5% of the lot area.

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

1. <u>Robert Sojka, Acting Chair</u>	YES	2. <u>Richard Ruth</u>	YES
3. <u>Allen Ripingill</u>	YES	4. <u>William Doyle</u>	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 and Site Plan Review 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: An 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