



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

NOTICE OF DECISION & VOTE

Applicant Owner:

Charter NEX Films by Jason Wozniak
New England Extrusion Inc.
18 Industrial Blvd.
Turners Falls, MA 01376

Case No. 16-16

Date January 19, 2017

Premises Affected:

18 Industrial Blvd.
Turners Falls, MA 01376
Assessors' Map 17 Lot 041
F Co. Registry of Deeds: Bk 4778 Pg 36

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

After a public hearing held on:

Wednesday, November 16, 2016

The Board of Appeals finds:

- The proposed tower space is a vertical addition. It is not a workplace and access is for observation and maintenance.
- The inability to accommodate more efficient manufacturing technology would make the current site less attractive and potentially uneconomic and place a significant development constraint on site.

The Board concludes that the hardship is significant, singular and unique thus warranting variance.

THE BOARD OF APPEALS VOTED:

To grant Variance to Section 5.4.6 (maximum building height – 36') to raise the existing tower height from 50' to 70' in general conformance with plans submitted, to accommodate new manufacturing technology.

Condition:

That the company submit to FAA & Mass DOT for an airspace Obstruction Evaluation.

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

| | | | |
|-------------------------------------|------------|-------------------------------------|------------|
| 1. <u>Ernest L. Brown, Chairman</u> | <u>YES</u> | 2. <u>John Burek, Vice-Chairman</u> | <u>YES</u> |
| 3. <u>Robert Sojka</u> | <u>YES</u> | 4. <u>Richard Ruth</u> | <u>YES</u> |
| 5. <u>Allen Ripingill</u> | <u>YES</u> | | |

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 variance 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