



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  
for: New England Extrusion, Inc.  
18 Industrial Blvd., Turners Falls, MA 01376

Case No. 17-19

Date January 22, 2018

**Premises Affected:**

18 Industrial Blvd.,  
Turners Falls, MA 01376  
Assessors' Map 17 Lots 041 & 020  
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, January 10, 2018

**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.
- An inability to accommodate the more efficient manufacturing technology would make the current site less attractive and uneconomic; placing a significant development constraint on the site.
- This site is subject to FAA & Mass DOT airspace Obstruction Evaluation. Applicant has gained approval.

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

**THE BOARD OF APPEALS VOTED:**

To grant the request to extend the scope of variance approval #16-16 (Section 5.4.6 - maximum building height – 36’); which allowed raising the tower height from 50’ to 70’ for 40 feet. This amended approval is to allow the remainder of the tower to be raised to 70’ for the remaining 227’ to include the full length of the building. The purpose is to accommodate new manufacturing technology.

**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>Alan Ripingill</u>            | <u>YES</u> |
| 5. <u>Richard Ruth</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*