



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

NOTICE OF DECISION & VOTE

Applicant Owner:

Ja'Duke Inc. by Nick Waynelovich
110 Industrial Blvd.
Turners Falls, MA 01376

Case No. 18-03

Date April 12, 2018

Premises Affected:

110 Industrial Blvd.
Turners Falls, MA 01376
Assessors' Map 17 Lot 054
F Co. Registry of Deeds: Bk 5143 Pg 33

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

After a public hearing held on:

Wednesday, April 11, 2018

THE BOARD OF APPEALS VOTED:

To grant a variance from Montague Zoning Bylaws Section 5.4.6 to permit the construction of a building with a maximum height of 51'5" in the Industrial District where the maximum allowed building height is 36', subject to the following stipulation:

Stipulation: Due to proximity to the Turners Falls Airport, the project must be approved by the Federal Aviation Administration and the Applicant shall be subject to any restriction or requirements issued by that Agency.

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>Robert Sojka</u> | YES | 4. <u>Allen Ripingill</u> | YES |
| 5. <u>Richard Ruth</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 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