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**DRAFT** September 26, 2023 MEETING MINUTES  
**PLANNING BOARD**

The Montague Planning Board met in-person in the Upstairs Room, located in Town Hall, 1 Avenue A, Turners Falls and via Zoom at **6:30 p.m.** on **Tuesday, September 26, 2023. Meeting was recorded.**

**Members Present:** Ron Sicard, George Cooke, Elizabeth Irving, Sam Guerin. **Absent:** Bob Obear. Staff: Maureen Pollock, Planner. Also in attendance: Zaharia Nichita, Engineer Jonathan Sieruta, Attorney Sam Lovejoy, Sally Pick.

**MINUTES:**

- Approval of Meeting Minutes from June 27, 2023, July 25, 2023, and August 22, 2023

***MOTION BY R. Sicard APPROVE THE MINUTES of June 27, July 25 and August 22, 2023. Seconded by E. Irving. VOTE: Ron Sicard (AYE), George Cooke (AYE), Elizabeth Irving (AYE), Sam Guerin (ABSTAIN). MOTION PASSES (3-1-0). 6:32PM***

**FORM A (ANR) SUBDIVISION APPLICATIONS:**

- Jean G. Donovan, 505 Turners Falls Road (Parcel #42-0-29)

Attorney Sam Lovejoy describes the 3.5-acre parcel on Turners Falls Road owned by Jean Donovan. The property owner wants to subdivide her property for a family member. The parcel is in Residential-2 Zoning District. The frontage is 176 feet because there is an easement associated with the abutting property.

The Planner further describes the right-of-way easement; the new lot off the main lot. The increase in frontage from 150 to 176 could allow a possible common driveway in the future.

***MOTION TO by R. Sicard to PASS (ANR) 2023-03 submitted by Jean G. Donovan, 505 Turners Falls Road (Parcel #42-0-29). Seconded by E. Irving VOTE: Ron Sicard (AYE), George Cooke (AYE), Elizabeth Irving (AYE), Sam Guerin (AYE). MOTION PASSES (4-0-0). 6:40PM***

**PUBLIC MEETING – SITE PLAN REVIEW**

- **SPR 2023-01 - Zaharia Nichita** - Request a Site Plan Review approval to construct a 5,000 square foot, 1 story building with 17 parking spaces for an auto sales and repair business, under Sections 9.1.2(a), 9.1.2(b), and 7.2.6 of the Zoning Bylaw, located at **property identified as Millers Falls Road (Parcel #23-0-31)**, General Business Zoning District. **CONTINUED FROM AUGUST 22, 2023**

Nichita's engineer, Jonathan Sieruta, reviews the new engineered plans, which address the requirements dictated by the Planning Board in the August 22, 2023 meeting. The new site

survey includes property lines, existing conditions grading, drainage, additional construction details, erosion and sediment control, delineation of the intermittent stream, utility connections and setback dimensions. The engineer proposes TRG in the back of the building and bituminous in the front. A slight earth berm would go around the TRG. Retaining walls are a proper height for the grade.

R. Sicard asks about the height of the retaining wall. The engineer replies that “it varies depending on the topography of the site.”

The drainage plan shows positive drainage away from the site to the detention area. The amount of stormwater storage is listed on the plan. The site is very sandy and drains well.

George Cooke asks acts if the wall will direct the water. The engineer describes how the water will drain to the back of the property. This project will not drain into the abutter’s property.

R. Sicard asks about the height of the wall. Does a fence need to be installed? The engineer reviews the wall height which varies from 4’ to 6’. The high point of the wall is in the corner and will be graded to drain away. Trees will be planted.

The Planner reviews the setback requirements. The proposed plan complies with setbacks requirements at the front, back and sides.

George Cooke states the importance of having a boundary survey. Cooke wants to be sure that the applicant understands the sides of the boundaries before he starts to build. George Cooke did not see a boundary survey recorded.

The Planner reviews Architect Joseph Mattei’s plan dated September 19, 2023 which delineated the down lighting, trees, arbor vitae, 6’ fence, storage areas, dumpster location and parking.

All work will be in the body shop, not in the yard. Odor and noise should not be an issue.

The Planner has a list of conditions.

Public Comments – None

The Board reviews possible conditions of approval.

Waiver Requests: The applicant requests a waiver for submitting a surveyed plan. Stated a surveyor, Dan Werner, did go out to the site to mark the boundaries. The pinned boundaries were not provided on the plan. The Board grants the applicant’s waiver request.

Findings: The Board finds that the proposal with conditions meets the findings under Sections 9.1.2(a), 9.1.2(d), 9.1.6, and 7.2.6 of the Zoning Bylaw.

***MOTION by R. Sicard to Accept SPR 2023-01 - Zaharia Nichita - Request a Site Plan Review approval to construct a 5,000 square foot, 1 story building with 14 parking spaces for an auto sales and repair business, under Sections 9.1.2(a), 9.1.2(b), and 7.2.6 of the Zoning Bylaw, located at property identified as Millers Falls Road (Parcel #23-0-31), General Business Zoning District, with conditions. Seconded by. VOTE: Ron Sicard (AYE), George Cooke***

*(AYE), Elizabeth Irving (AYE), Sam Guerin (AYE) (4-0-0) MOTION PASSES. 7:05PM*

**NEW BUSINESS:**

- Presentation of Draft Community Action Solar Plan from Montague Solar Planning Committee

Sally Pick, Energy Committee/ Solar Planning Committee Co-chair presents draft plan. Committees worked to get two students from the UMASS Clean Energy Extension to draft a plan for the Town to consider how to build solar into municipal and residential plans. Sally Pick presents that plan which includes: The Intent of the Plan, Solar Preferences, Summary of the Survey, Contents of the Plan, Large Rooftop lists and Suggestions for Updating Solar Bylaws.

The Planner asked if the list of large rooftops includes the solar output. Sally Pick responds “yes” as indicated in the Estimated Technical Solar Potential kW number generated by the faculty and students at UMASS.

The Planner requests that the Planning Board review Section 7 “Municipal Zoning Bylaws & Permitting”, which starts at page 46, in preparation of a continued discussion at the October 24, 2023 meeting. The Planner has some suggested edits/considerations. The Planner makes remarks that the Montague Zoning Bylaws do not define “large scale” solar arrays solar energy facilities measured in square feet rather than kW potential. She can foresee a different permit pathway for various size solar projects.

E. Irving asks about the timeline for the document. Pick responds, “the sooner the better” and there could be a Solar Forum lead my UMASS Extension.

The current zoning bylaws restrict deforestation except in two Districts: Industrial and Historic Industrial ground mounted solar facilities more than 2000 square feet of surface panel area.

Sally Pick talks about the problem of developers who build the “cheapest and the easiest” solar projects, usually under 3 phase electric lines. The survey shows the public is against that type of development. Pick cautions that because of State law it might be possible for a developer to challenge the Montague bylaws.

*Plan titled “Summary of Draft Community Solar Action for the Town of Montague” submitted into the minutes.*

- Topics not reasonably anticipated 48 hours prior to the meeting - none

**OLD BUSINESS:**

- Review Mass Executive Office of Housing & Livable Communities (EOHLC) red-line edits to the Planning Board’s previously approved Design Standards for Smart Growth Zoning District

At the July 25 meeting the Planning Board reviewed and approved the design standards of the 40R Smart Growth District. Habitat wants to submit their plans to the Planning Board for the First Street project. The Planner submitted the standards to the Executive Office of Housing and Livable Communities who thought the design standards looked good. The Planner shows the edits (in red) by EOHLC.

Ron Sicard observes just grammar and language changes, nothing structural.

***MOTION by R. Sicard to approve the draft Design Standards and revisions made by EOHLC for the Smart Growth Design Standards. Seconded by E. Irving. VOTE: Ron Sicard (AYE), George Cooke (AYE), Elizabeth Irving (AYE), Sam Guerin (AYE) (4-0-0). MOTION PASSES. 7:44PM***

The Planner will finalize the document, update the approval date, file with the clerk, email copy to EOHLC and Habitat for Humanity, and upload file to the Town website.

- Status update to ZC 2023-01: Proposed Zoning Map Change for property identified as Turnpike Road (Parcel #21-0-152)

The Motion and Vote could have been worded differently to avoid confusion with the public about process and/or timing.

George Cooke asks if the Selectboard has the final “say” on what goes to Town Meeting. The Planner answers “I think so” as the vote was to recommend the Selectboard to place the warrant on Town Meeting, instead of voting to recommend Town Meeting to approve the proposed zoning map amendment. The Selectboard did not place this warrant on the October 2023 Town Meeting, but may choose to place it on a future Town Meeting warrant.

E. Irving recommends a flow chart for the public, so they understand what step they are taking in the overall process.

- Topics not reasonably anticipated 48 hours prior to the meeting - none

**ADJOURN:**

***MOTION TO ADJOURN By R. Sicard. Vote Unanimous (4-0-0) Meeting ADJOURNED 7:54PM.***