



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

NOTICE OF DECISION & VOTE

Applicant Owner:

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

Case No. 22-08

Date November 9, 2022

Premises Affected:

110 Industrial Blvd.
Turners Falls, MA 01376
Assessors' Map 17 Lot 054
F Co. Registry of Deeds: Bk 1502 Pg 329

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

After a public hearing held on:

Wednesday, November 9, 2022

BOARD OF APPEALS FINDING:

- The planned exterior video display sign mounted to the front of the Ja'Duke Theater building will not be a detriment to the Airport Industrial Park neighborhood.
- The planned sign is over 300 feet from the street.
- Ja'Duke Theater is a major tourism destination and economic driver in the community. The applicant has demonstrated the sign is integral to the security of the business and to the patrons and clients of the theater. The sign will also incorporate exempt directional wording in Section 7.1.8
- The digital sign encompasses and unforeseen technology that that is commonplace for theaters and performing arts venues.
- Because the planned 60' square foot sign exceeds the 32' square foot cumulative sign area allowed in Section 7.1.4, a separate vote is required for Special Permit relief in addition to the Variance for the illuminated sign.

BOARD OF APPEALS VOTED:

Motion to grant a variance from Montague Zoning Bylaw Section 7.1.6(b) and (c) to allow an exterior video display sign on the front of the Ja'Duke Theater Building.

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

1. <u>Joshua Lively, Chairman</u>	<u>YES</u>	2. <u>William Doyle IV, Vice-Chairman</u>	<u>YES</u>
3. <u>Alan Ripingill</u>	<u>YES</u>	4. <u>Richard Ruth</u>	<u>ABSTAINS</u>
5. <u>David Jensen</u>	<u>YES</u>		

The Motion Carries

Motion to grant a Special Permit pursuant to Montague Zoning Bylaw Section 7.1.4 to allow for a 60 square foot (6' X 10') building mounted sign due to the proportion of the building and the distance to the street.

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

- | | | | |
|-----------------------------------|------------|---|------------|
| 1. <u>Joshua Lively, Chairman</u> | YES | 2. <u>William Doyle IV, Vice-Chairman</u> | YES |
| 3. <u>Alan Ripingill</u> | YES | 4. <u>Richard Ruth</u> | YES |
| 5. <u>David Jensen</u> | YES | | |

The Motion Carries

Modification: Any proposed modifications to the approved final plans, including but not limited to changes, alterations, or expansions shall be submitted to the Zoning Board of Appeals for approval at an open meeting in accordance with Zoning Bylaw Section 9.2.5.

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 Joshua Lively, 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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