



MONTAGUE PLANNING BOARD

FORM A

APPLICATION FOR ENDORSEMENT OF A PLAN BELIEVED NOT TO REQUIRE APPROVAL (ANR)

1. Name of Applicant: JUSTIN A. A. DEMERS Phone #: (413) 834-5413
Mailing Address: 136 Turnpike Rd Turners Falls MA 01376
E-mail Address: JUSTIN@DEMERSLANDSCAPING.COM
Signature: Justin A. A. Demers Date: _____

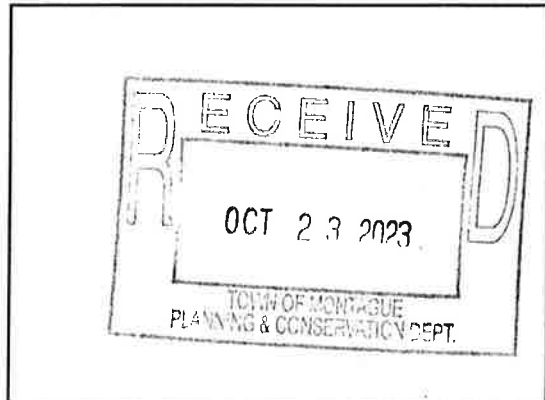
2. Property Owner(s) (If different from above. All entities listed on deed must sign. Please attach additional sheets if necessary.)
Name: TURNERS FALLS CEMETERY ASSOC Phone #: 413-522-4456
Mailing Address: 8 Hall Ave Greenfield MA 01301
E-mail Address: altonfreth@gmail.com
Signature: Jan Abud Date: 10/21/23

3. Name of Registered Land Surveyor/Engineer: HAROLD EATON & ASSOC
Mailing Address: P.O. Box 198 235 RUSSELL ST HADLEY MA 01035
Phone #: (413) 584-7599 E-mail Address: RIZER@EATONSURVEY.COM

4. Parcel ID: Street Address: TURNPIKE ROAD TURNERS FALLS
Map: 21 Lot/Parcel #: 4 Zoning District: NB
Number of existing parcels/lots: 1 Number of new parcels/lots: 2 Fee: \$ 50.00

5. Description of changes: CONVEY 29,915 SQ FT. TO ABUTTER

PLANNING DEPARTMENT RECEIPT



TOWN CLERK RECEIPT

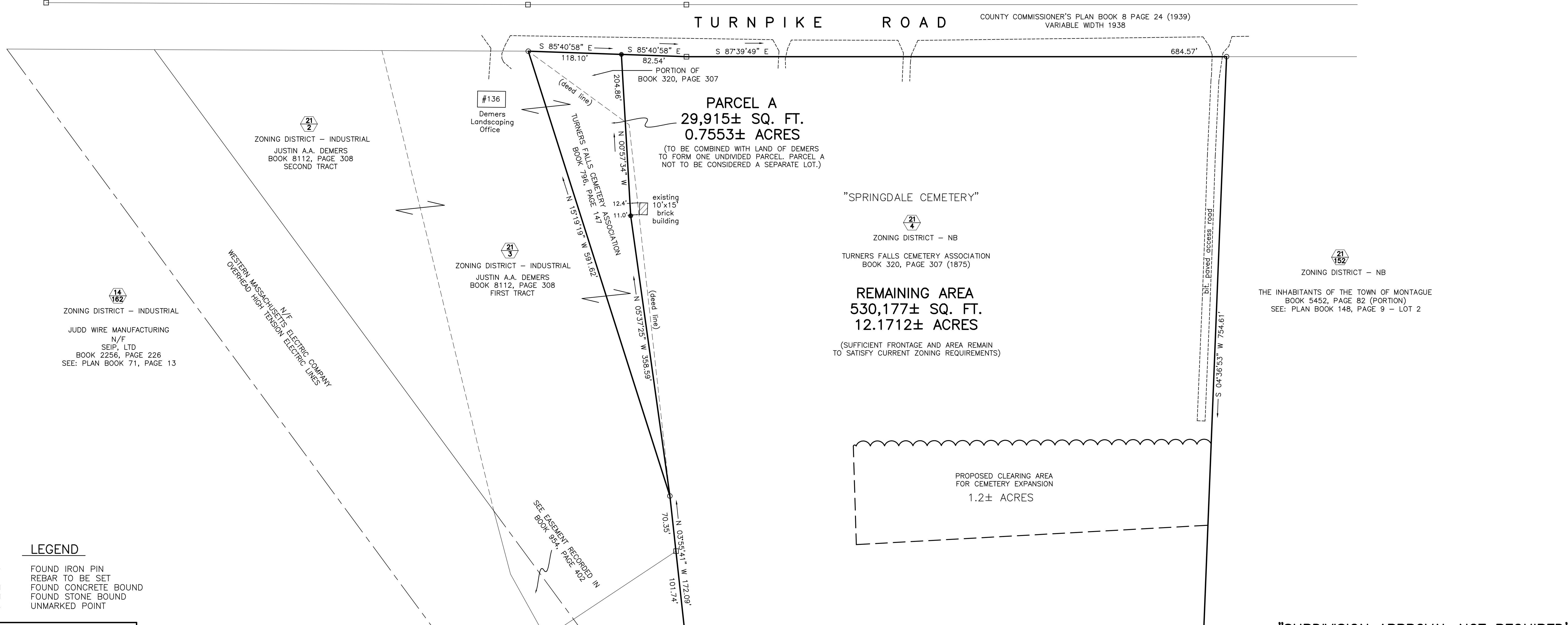
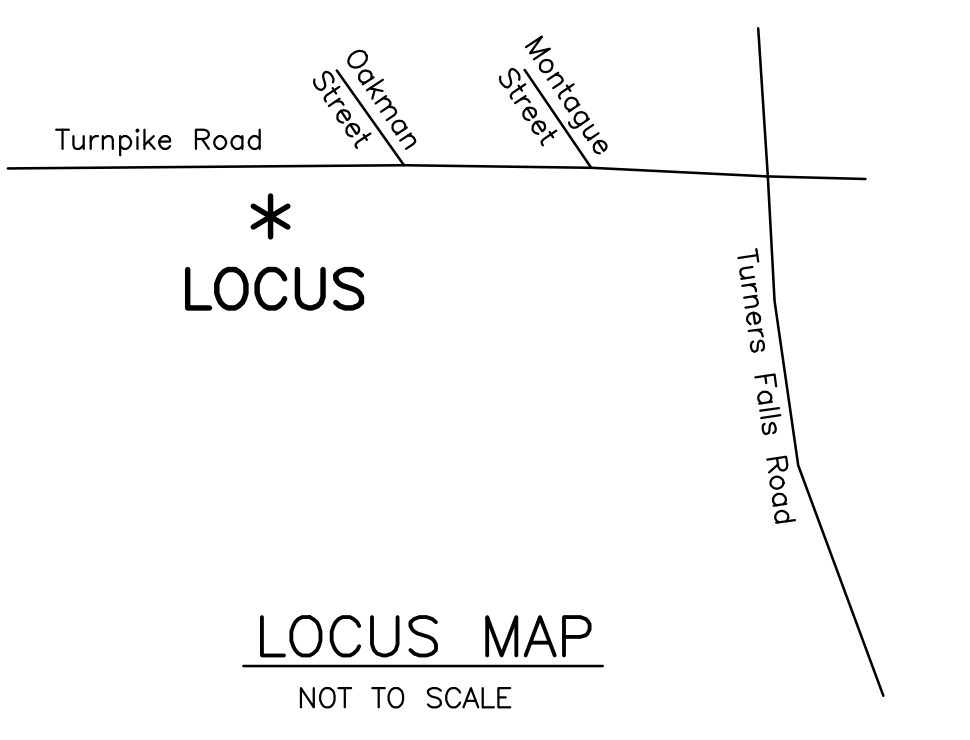
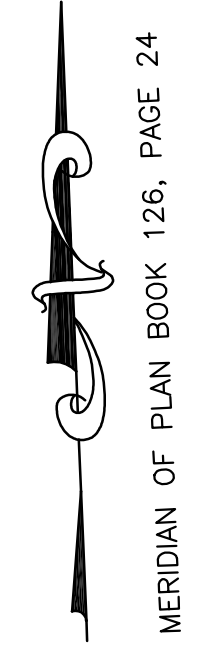


APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED

PLANNING BOARD
MONTAGUE, MASSACHUSETTS

DATE: _____

"ENDORSEMENT OF THIS ANR PLAN DOES NOT CERTIFY THAT THE LOTS SHOWN ON THE PLAN QUALIFY AS BUILDING LOTS UNDER THE TOWN OF MONTAGUE ZONING BYLAW"



- LEGEND**
- FOUND IRON PIN
 - REBAR TO BE SET
 - ▣ FOUND CONCRETE BOUND
 - FOUND STONE BOUND
 - △ UNMARKED POINT

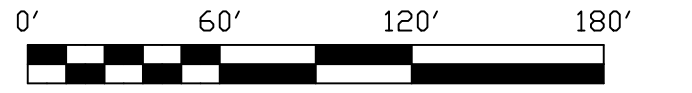
I REPORT THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

Randall E. Izer
RANDALL E. IZER #35032



Randall E. Izer

SCALE: 1"=60' OCTOBER 14, 2023
HAROLD L. EATON AND ASSOCIATES, INC.
REGISTERED PROFESSIONAL LAND SURVEYORS
235 RUSSELL STREET - HADLEY - MASSACHUSETTS
413-584-7599 413-585-5976 (fax)
email - hleaton@aol.com



"SUBDIVISION APPROVAL NOT REQUIRED"
PLAN OF LAND IN
MONTAGUE, MASSACHUSETTS
PREPARED FOR
JUSTIN A.A. DEMERS AND
THE TURNERS FALLS CEMETERY ASSOC.

THE INHABITANTS OF THE TOWN OF MONTAGUE
BOOK 5452, PAGE 82 (PORTION)
SEE: PLAN BOOK 148, PAGE 9 - LOT 2

THE INHABITANTS OF THE TOWN OF MONTAGUE
BOOK 1115, PAGE 8
SEE: PLAN BOOK 141, PAGE 34

THE INHABITANTS OF THE TOWN OF MONTAGUE
BOOK 5452, PAGE 82 (PORTION)
SEE: PLAN BOOK 148, PAGE 9 - LOT 2

(SUFFICIENT FRONTAGE AND AREA REMAIN TO SATISFY CURRENT ZONING REQUIREMENTS)

(TO BE COMBINED WITH LAND OF DEMERS TO FORM ONE UNDIVIDED PARCEL. PARCEL A NOT TO BE CONSIDERED A SEPARATE LOT.)

**Town of Montague
Planning Board**

PROJECT APPLICATION REPORT

Dated October 24, 2023

Applicant: Justin A.A. Demers
136 Turnpike Road
Turners Falls, MA 01376

Property Owner: Turners Falls Road Cemetery Association
8 Hall Ave
Greenfield, MA 01301

Subject Property: Turnpike Road (Parcel #21-0-004)

Registered Land Surveyor: Randall E. Izer, PLS
Harold Eaton & Associates
PO Box 198
Hadley, MA 01035

Nature of Request: Request to endorse the submitted Approval Not Required (ANR) Plan, filed by Justin A.A. Demers, in order for the Turners Falls Road Cemetery Association to convey 29,915 square feet of land from Turnpike Road (Parcel #21-0-004) to Justin A.A. Demers to the abutting property located at Turnpike Road (Parcel #21-0-002) & 136 Turnpike Road (Parcel #21-0-003), which are each owned by Justin A.A. Demers.

Zoning: Turnpike Road (Parcel #21-0-004) – Neighborhood Business (NB) Zoning District;
Turnpike Road (Parcel #21-0-002) & 136 Turnpike Road (Parcel #21-0-003) – Industrial (ID) Zoning District;
“Parcel A” – Neighborhood Business (NB) Zoning District;

Board members: Ron Sicard – Chair, Elizabeth Irving, George Cooke, Bob Obear, and Samuel Guerin

Staff members: Maureen Pollock, Town Planner

SUBMISSIONS:

Applicant Submissions:

1. Form A – Application for Endorsement of Plan Believed Not to Require Approval (ANR), filed with the Town Clerk on October 23, 2023;

2. “Subdivision Approval Not Required” Plan of Land in Montague, MA Prepared for Justin A.A. Dewers and the Turners Falls Cemetery Association, signed/stamped by Randall E. Izer, PLS, dated October 14, 2023;

Staff Submissions:

1. Project Application Report, dated October 24, 2023
2. Zoning/Aerial Map (enclosed)

ZONING BYLAW REVIEW:

Dimensional Requirements:

The following Dimensional Requirements have been addressed:

Section 5.5 Dimensional Requirements for Neighborhood Business (NB) Zoning District				
Standard	Required	Existing – Parcel #21-0-004 (Cemetery)	Proposed – Parcel #21-0-004 (Cemetery)	Comply
Minimum Lot Area	10,000ft ²	±560,092ft ²	±530,177ft ²	Yes
Additional Lot Area/dwelling	-	-	-	-
Minimum Lot frontage	75 feet	±887.1 feet	±769 feet	Yes
Minimum Front yard and street line setback(a)	15 feet	±187 feet	±187 feet	Yes
Minimum Side yard setback	10 feet	0	±11 feet	Yes
Minimum Rear yard setback	30 feet	±530 feet	±530 feet	Yes
Maximum building height	28 feet	Unknown	Unknown	Unknown

The following Dimensional Requirements have been addressed:

Section 5.5 Dimensional Requirements for Industrial (ID) Zoning District				
Standard	Required	Existing – Parcels #21-0-002 + 21-0-003	Proposed – Parcels #21-0-002 + 21-0-003 + “Parcel A-NB”	Comply
Minimum Lot Area	87,120ft ²	#21-0-003: ±146,160ft ² ; #21-0-002: ±90,838ft ²		Yes
Additional Lot Area/dwelling	-	-	-	-

Minimum Lot frontage	No minimum lot frontage	#21-0-002: 283ft; #21-0-003: 187ft		Yes
Minimum Front yard and street line setback(a)	25 feet	#21-0-003: ±54feet	Unchanged	Yes
Minimum Side yard setback	15 feet or 50 where a new industrial use abuts an existing residential use	Unknown	Unknown	Unknown
Minimum Rear yard setback	30 feet	Unknown	Unknown	Unknown
Maximum building height	50 feet	Unknown	Unknown	Unknown

MONTAGUE SUBDIVISION CONTROL LAW REVIEW:

The following submittal requirements have been addressed.

§ 3.2 Plan believed not to require approval.

A. Any person who wishes to record a plan of land at the Registry of Deeds or to file a plan of land with the Land Court and who believes that said plan does not require approval (“ANR Plan”) under the Subdivision Control Law shall submit said plan and application (use Form A) to the Town Clerk, accompanied by the necessary evidence to show that the plan does not require approval and the filing fee of \$50.00 per lot. One Mylar original, four (4) paper copies and a digital copy in PDF format of said plan shall be furnished to the Town Clerk. Said plan shall be prepared by an engineer or surveyor and shall describe the land to which the plan relates, sufficient for identification, and shall include the name and address of the owner(s) of the subject land. Plans submitted for a determination that approval under the Subdivision Control Law is not required, shall be delivered to the Town Clerk or shall be sent by registered mail to the Planning Board c/o the Town Clerk, postage prepaid. If so mailed, the date of receipt by the Town Clerk on behalf of the Planning Board, shall be the date of submission of the plan.

➤ **Staff Review:** Plans, application, and check have been submitted.

B. A plan submitted under §3.2 shall be prepared in accordance with the applicable requirements of the Franklin County Registry of Deeds, and shall, at a minimum, show the following information:

1. The name(s) of the record owner(s) of the subject land, and the names of the owners of all adjacent land as determined from the most recent tax records of the Town;

➤ **Staff Review:** The proposal satisfies this section. The names of the record owners of the subject land, and the names of the owners of all adjacent land have been provided.

2. The location of all existing buildings on the subject land;

➤ **Staff Review:**

- Turnpike Road (Parcel #21-0-004) – existing 10’ x 15’ brick building is shown
 - “Parcel A” – no buildings are shown;
 - Turnpike Road (Parcel #21-0-002) – no buildings are shown;
 - 136 Turnpike Road (Parcel #21-0-003) –existing building(s) is not shown, but the proposal appears to meet the dimensional requirements.
3. *The location of all easements and rights of way located on or serving the subject land;*
- **Staff Review:** The submitted ANR Plan show utility easements located on property located at 136 Turnpike Rd (Parcel #21-0-003). The submitted ANR Plan does show a 40-foot wide public right-of-way (Turnpike Road).
4. *The existing and proposed boundaries of the subject land and of each parcel and lot created or altered by the plan;*
- **Staff Review:** The proposal satisfies this section. The submitted plan show the existing and proposed boundaries
5. *The zoning classification of the subject land;*
- **Staff Review:** The ANR Plan show the zoning classification for the following:
 - Turnpike Road (Parcel #21-0-004) – Neighborhood Business (NB) Zoning District;
 - Turnpike Road (Parcel #21-0-002) – Industrial (ID) Zoning District;
 - 136 Turnpike Road (Parcel #21-0-003) – Industrial (ID) Zoning District;
 - **ANR Plan does not show the zoning district for “Parcel A”, which is Neighborhood Business (NB) Zoning District; The Board may wish to type in the zoning district on plan.
6. *A locus plan at a scale sufficient to show the subject land in relation to the nearest intersecting street(s);*
- **Staff Review:** The proposal satisfies this section. A locus map is shown on plan.
7. *The locations, widths, and names of all abutting ways;*
- **Staff Review:** The proposal satisfies this section. Turnpike Road is 40 feet wide.
8. *A notation reading: “Endorsement of this ANR Plan does not certify that the lots shown on the Plan qualify as building lots under the Town of Montague Zoning Bylaw.”*
- **Staff Review:** The proposal satisfies this section. The notation is provided.

PLANNING DEPARTMENT RECOMMENDATIONS:

The submitted ANR Plan meets the dimensional requirements under the Zoning Bylaw and meets the requirements under the Montague Subdivision Control Law. **The ANR Plan does not show the zoning district for “Parcel A”, which is Neighborhood Business (NB) Zoning District; The Board may wish to type in the zoning district on plan.** The Planning Department recommends the Board to endorse the Plan.

ADDITIONAL RESOURCES:

See links to access the following documents:

- Montague Subdivision Regulations, Effective Date June 27, 2017: https://montague-ma.gov/files/Planning_Board_Subdivision_Regulations.pdf
- Montague Zoning Bylaw, Effective Date May 7, 2022: https://www.montague-ma.gov/files/Zoning_Bylaw_Effective_Date_May_7_2022.pdf



Zoning/Aerial Map - Turnpike Road (Parcel #21-0-004)

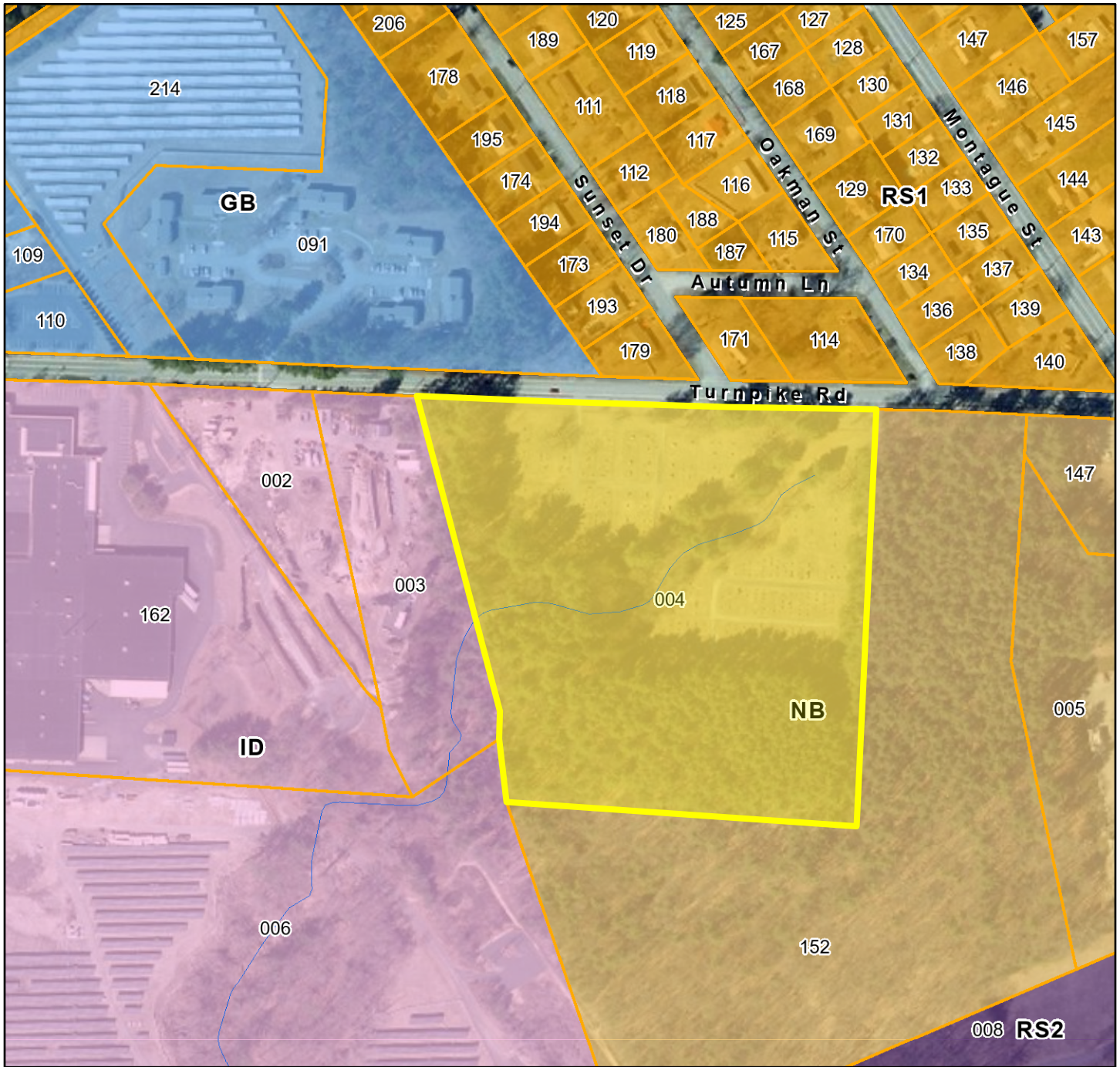
Montague, MA

1 inch = 277 Feet



www.cai-tech.com

October 24, 2023



	(GB) General Business		(RS2) Residential-2
	(ID) Industrial		WaterLines
	(NB) Neighborhood Business		Property Line
	(RS1) Residential-1		Public Road

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.