



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

DRAFT MINUTES FROM MAY 10, 2023
NOTICE OF PUBLIC HEARING #23-08 AND #23-09
6:30 PM in the Town Hall Annex and VIA ZOOM
1 Avenue A
Turners Falls, MA 01376

Due to COVID-19 Public Participation will be by:

Join Zoom Meeting:

<https://us02web.zoom.us/j/87179669590?pwd=QlA5d0RlRXljeVpINkRtVGkySmwyUT09>

Meeting ID: 871 7966 9590 Password: 292850

Dial into meeting: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592

Meeting being taped.

Votes may be taken:

PRESENT: Joshua Lively Chairman, William Doyle IV, Vice, Richard Ruth Member, Alan Ripingill Member and Robert Obear Alternate Member, William Ketchen Zoning Enforcement Officer. Applicant: Walter Kleeberg Jr. Audience: Bruce Austin, Rodney Demers.
Absent: David Jensen Member, Karen Casey-Chretien Clerk.

Hearing opened approx. 6:30 PM

JL: Good evening everyone welcome to the Zoning Board of Appeals today is Wednesday, May 10, 2023 and is currently 6:30 PM. I'm Josh Lively I serve as the Chairperson for ZBA. Before we start the meeting I need to ask if anyone else is planning on recording the meeting?

Roll Call:

Alan Ripingill – present
William Doyle - present
Richard Ruth – present
Joshua Lively – present
Robert Obear - present

Clerk reads notice:

ZBA#23-08: 32 Turnpike Rd., Turners Falls, MA

Notice is hereby given that the Montague Zoning Board of Appeals will hold a public hearing on Wednesday, May 10, 2023 at 6:30 p.m. **VIA ZOOM** and **IN PERSON** at the Montague Town Hall, Town Hall Annex, One Avenue A, Turners Falls, MA at the request of Walter Kleeberg Jr. for a Special Permit in order to allow a change of a non-conforming use from a landscaper/contractor's yard to storage of vehicles and supplies inside the existing building only, under Sections 5.1, 5.1.3 & 9.2.3 of the Zoning Bylaw, located at **32 Turnpike Road (Map 13, Parcel 82)**, Residential -1 (RS-1) Zoning District.

This filing is available for review at Town Hall. Remote participation instructions are at www.montague-ma.gov/calendar.

11 Notice sent, 2 returned, 0 undecided, 2 did not object, 0 objected. No written comments.

Chair opens meeting at 6:30pm.

WK: My wife and I have a port o potty business and have been running the office out of our home for 12 years now we have a shop that we keep our trucks there and we've kind of outgrown that we also own a lot over in the industrial park I have a shed/building over there but I need to bring in water and electricity so we can work on toilets and such there so basically I need a place to store my trucks inside.

JL: Does the board have any questions? Alan?

AR: No.

JL: How about Bob?

BO: I'm good

JL: Richard?

RR: no, I'm all set.

JL: Do you plan on storing any port o potties on site?

WK: No, no, that's why I got the other lot. We got about 400 units but only 200 come in in the winter time and I only use a 28 by 100 foot space for all those (?) I can probably fit another thousand toilets and I don't want a thousand my limit is 500. We run 7 days a week.

RD: I live next door and I ask Walt you're not going to put sani-cans there I don't mind the truck but I don't want sani-cans there.

WK: I might have one on the back of a truck when I pull into the garage but there will be none outside. I'm going to put up a stockade fence to store a cargo trailer and a snowmobile trailer. We learned years ago and that's why we have the lot over in the industrial park where the zoning is right for it. I was leasing it from

Mackins for 8 years. I keep the property clean I'm kind of OCD about keeping the property nice.

JL: You sound like a good neighbor.

RR: Do we want to lump together 5.1 and 5.1.3 and 9.2.3 and vote.

JL: I'm for lumping them all together this guy will know what to do.

BK: You can lump them all together but 9.2.3 is a separate permit so it should be ruled as a separate permit. 5.1 is that it's an existing building non-conforming and 5.1.3 is they need to come to you guys to get approval.

JL: Stipulations: The only stipulation I would ask for if you were ever going to store cans over there that they would be visibly restricted so you can't see them from the street. Does anyone want to make a motion?

RR: I would like to make a motion to accept 5.1, 5.1.3 and 9.2.3 of the Zoning Bylaw for the Special Permit for Walter Kleeberg Jr. with the stipulation that no cans outdoors or on the property.

BO: Seconds

JL: All in Favor

Vote:

BO: Yes

AR: Yes

BD: Yes

RR: Yes

JL: Yes

JL: Motions to close ZBA Hearing #23-08

BD: Seconds

All in favor

Hearing closed at 6:45pm

PRESENT: Joshua Lively Chairman, William Doyle IV, Vice, Richard Ruth Member, Alan Ripingill Member and Robert Obear Alternate Member, William Ketchen Zoning Enforcement Officer. Applicant: Norman Emond Jr. Audience: . Absent: David Jensen Member, Karen Casey-Chretien Clerk.

Clerk reads notice:

ZBA#23-09: 151-155 Avenue A, Turners Falls, MA

Notice is hereby given that the Montague Zoning Board of Appeals will hold a public hearing on Wednesday, May 10, 2023 at 6:45 p.m. **VIA ZOOM** and **IN PERSON** at the Montague Town Hall, Town Hall Annex, One Avenue A, Turners Falls, MA at

the request of Norman Emond Jr. for a Special Permit in order to allow a light assembly shop with a retail component in a pre-existing nonconforming mixed-use building, under Sections 5.1, 5.1.3, 5.2.6(b)i, 5.2.6(b)iii & 9.2.3 of the Zoning Bylaw, located at **151-155 Avenue A (Map 4, Parcel 189)**, Central Business (CB) District.

This filing is available for review at Town Hall. Remote participation instructions are at www.montague-ma.gov/calendar.

46 Notice sent, 2 returned, 0 undecided 2 did not object 0 objected. No written comments.

Chair opens meeting at 6:45pm.

NE: What we're looking for is a Special Permit for light manufacturing. In our case this is kind of weird you have to vote this permit we need no machinery, no anything this is to (?) happen this is what this is about. According to the ATF I take a slide off a pistol, put a different slide on pop off and pop on a different length it all makes sense.

JL: It's light assembly.

NE: Correct. This also goes to rifles. We actually don't need any equipment per say it's literally a paperwork thing where I can say I manufactured it. I will have to go for a different FFL and this is why I need this before I do go for (?).

JL: Are you retail and manufactured?

NE: That's correct. I go from a class 1 to a class 7 and again that's only so I can do the work of if you came to me and said I would like a VP9 but I want a different slide I'd put a different slide on it and do the paperwork for the FTI I've manufactured this gun and say have a nice day sir.

JL: Bill you spoke with the ATF and what did they say?

BK: Yes, I did. They said exactly what he just said. The paperwork thing, that he must come before the town and get permission before he can do any of this. They will be contacting us to make sure we pass this but basically, it's everything he just described.

JL: Does any of the board members have anything to ask?

Board members all reply no.

JL: I motion to grant a Special Permit to Norman Emond in order to have a light assembly shop with a retail component in a pre-existing non-conforming building under sections 5.1, 5.1.3, 5.2.6(b)I, 5.2.6(b)iii and 9.2 for 151-155 Avenue A.

AR: Seconds

VOTE:

RR: Yes

JL: Yes

BO: Yes
AR: Yes

JL: Motions to adjourn the meeting #23-09
RR: Seconds
All in Favor

RR: Yes
BO: Yes
AR: Yes
JL: Yes

Meeting ended at approx.. 7:00PM.

APPROVED JAN 3 2024