

Montague Planning Board

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Tuesday, August 31, 2010

MEETING MINUTES

Present: Walter Ramsey- Town Planner, Ted Armen-Acting-Chair, Don Valley, Ron Sicard, Bruce Young, Mike Brown-Turners Falls Water Department, David Jensen- Town of Montague, Building Inspector, Kevin Donovan, The O'Leary Group, Bill Wallace - Mayhew Steel Products, Inc. & Deerfie3ld Valley Realty, LLC, Mike Burns – General Manager of The O'Leary Group, Donald Frydryk, Land Surveyor & Engineer, Peter Annis – Ainsworth Associates

- Approval of Minutes: June 22, 2010
Tabled the approval of the June 22, 2010 Planning Board minutes to the next Planning Board meeting, Tuesday, September 28, 2010.
- ZC #2010-01 by Michael Brown, Turners Falls Water Department: Water Supply Protection District, Assessor's Map 34, Lot 56.
Mike Brown: Presented some maps of the zoning area. The map shows the new well site, the Hannabrook well, this has been an on going project from 1999 to find a new water supply. Last year we received approval from the state to put in the production well, which is a 16-inch by 270-feet deep well. The well is in and has a 25ft. stream. Referring to the map given, the area right next to Lake Pleasant that is zone one that is a 400ft. circle around the well it's self. The next outline would be zone two, which is the supply and then zone three recharges the zone two. In 1991 the Town passed the water supply protection district, it is in place in Montague Center, our Tolan wells are in that location. It was passed to protect the water supply from any contamination, public health and that sort of thing. After our pump-test was done this past winter the information was sent to the state for our permit to withdraw, one of the conditions was that we include this well in the zone two water supply protection district. There was a question regarding what strengths could possibly be in that zone two, I know of a few, lot size if you had a septic system, gas stations, plating and different industrial-commercial operations that might have toxic chemicals that would restrict those.

Walter Ramsey: The biggest red-flags that came up when I did a quick zoning analysis is that Millers Falls would not be able to have a gas station; you could not have a gas station in downtown Millers Falls. There currently is not one in operation. Referring to the map the residential properties discussed; the minimum zoning requirements would double by this zone change, therefore creating a lot of non-conforming lots in the residential section. Those are the issues.

Mike Brown: Does that create a problem? I know there is town sewer there.

Walter Ramsey: There is not; in those properties there is no town sewer. Referring to the map, the residential section discussed.

Walter Ramsey: Notes: The other Water Supply Protection Districts are in Millers Falls, the two existing ones that we have kind of overlap, and one of them is an interim well protection area that has never been changed, so we would be creating another zone on the northern part of Town. Mike, does this supply all of Turners Falls?

Mike Brown: Correct, I think that is one of the reasons why the Commissioner years ago decided that the needed to go elsewhere to find another supply, incase something ever happened. Use of wells discussed.

Ted Armen: Both wells will remain active?

Mike Brown: Yes, maybe we would alternate use.

Ted Armen: Ok, so no one is talking about withdrawing the protection around the other wells.

Mike Brown: Absolutely no, test wells, pumping reports and water flow discussed. The re-charge area zone-three, we own about seventy-percent of, which is really nice. The pump is pumping 1,000 gallons a minute.

Walter Ramsey: Thos pump tests were approved; this delineation was approved by DEP, it is not a random delineation.

Ron Sicard: I am wondering why the lines are drawn all the way to the river?

Mike Brown: I have seen some ground-flow maps that the state has; a lot of the flow comes from the North down the Connecticut River, Millers and turns into the Montague Plains, the flows end up dumping into the Connecticut River and pop-out by the Fish Hatchery. That is the only reason I can think of in the boundary of the River. That is a good question, I could ask a hydrogeologist.

Ron Sicard: I am just not sure why they were drawn that way unless they feel there is potential ground water seepage in Millers Falls.

Mike Brown: We ran into a lot of issues with inter basin transfer; the problem was when we pump water our city water goes in but the sewer actually goes across the river into another basin which is the Millers basin and then 200 yards later it dumps into the Connecticut back into our basin.

Bruce Young: The lots that would be non-conforming, would they be grandfathered? Those whom own the lots, how would that effect them?

Walter Ramsey: I assumed they would be grandfathered.

Ted Armen: You mean the lots that are developed or the ones that are undeveloped?

Bruce Young: The ones already created as lots would be grandfathered; anything new would have to conform to the new requirements, a half acre to two acres.

Walter Ramsey: Yes. It goes from 22,500 square feet to 45,000 square feet it doubles. Frontage does not change, it stays 150 feet.

Ron Sicard: Would we be impacted the value of those lots.

Walter Ramsey: Yes, potentially. We would have to look into that.

Mike Brown: We just did a re-line project out there on Rt. 63 last summer, marking all the lines, checking the sewer and water lines, I am pretty sure all the existing homes on Rt. 63 has town sewer. The place that they don't would be Green Pond Road. I think there are about 7 or 8 homes in that area, I am not sure of any empty lots.

Walter Ramsey: That would solve our problems; I might have been looking at an old map. I will check on that.

Bruce Young: They would have a reduction in side lot lines if they are not on town sewer, is that correct?

Mike Brown: Yes.

Ted Armen: If they are in zone-two or on town sewer the lot size doesn't change?

Walter Ramsey: It only applies to lots with septic.

Ted Armen: For a Zoning change this would have to go to Town Meeting, so this is something we are being asked to give a recommendation on? Is that right?

Walter Ramsey: Yes, so as far as the process goes we would consider this an informal discussion submission, it will have to be a Public Hearing. It would have to be advertised and posted publicly; the abutters would have to be notified and at that point the Planning Board would discuss it with the public, and then come up with a recommendation for Town Meeting.

Ted Armen: So as of today, we are not being asked to endorse it, we are just discussing it.

Walter Ramsey: Not currently, it is for discussion.

Bruce Young: Do we have anyone that may have their lot size would change? Are we doing any infrastructure improvements along with this?

Mike Brown: Just the transmission line that will tie in and feed Millers Falls. I think everyone in the zone-two is on town water.

Don Valley: I think we will have to anticipate the folks that own land on Green Pond Road. Town Meeting will probably bring anyone who has a problem with the limitations of the property; adding limitations. They will come to the surface very soon; this is two-thirds vote for a zoning change. Is there anyone to your knowledge along Green Pond that have substantial amount of land they are looking to sell?

Mike Brown: There may be one but a lot of that land on Green Pond Road we do own. The land we don't own is already developed with the exception of one or two homes.

Bruce Young: Seems fair to give somebody enough time to say Town Meeting is in six months in case you are looking to split or do something else with your land. This way it is not a last minute surprise.

David Jensen: The zoning change comes active at the first Public Hearing by the Planning Board. That is presuming it passes ultimately if it doesn't then essentially it starts with the first advertisement.

Don Valley: Do you have a timeline on this?

Mike Brown: The sooner the better.

Walter Ramsey: We could aim for as soon as next month. Town meeting will be potentially this fall.

Mike Brown: I assume the residents in that area will be notified.

Walter Ramsey: Yes, the abutters will be notified.

Bruce Young: Would it make sense to have an informal meeting? Put something in the paper and meet before the Public Hearing? It would be fare to give everyone a heads up. As David Jensen's mentioned we would hate for someone to come in and say I just wanted to break off a half acre for my children and now this passed at Town Meeting and it can not happen.

David Jensen: Discussed non-conforming lots, the test wells and pumping reports.

Bruce Young: Other than the property issues, I am all for it, I think it is great.

Walter Ramsey: Does the Board feel prepared to move on to an informal meeting for the communities input or a formal Public Hearing?

Bruce Young: We could have informal public meeting and it could backfire and we could have 400 lots being created and completely change the face of this area or we could have one person who really wanted to give their child/children a piece of the land. That is the risk you take.

Ron Sicard: I think it will be one person that may want to take the opportunity.

Mike Brown: I know the area quite well, there are two areas on 63, from Town Farm Cemetery from there south there are condos on the east side and there are a couple of lots on the other side and all the way back up to the high tension lines we own both sides of the Road we also own most of Green Pond Road. I would be surprised if there are any objections.

Walter Ramsey: We could identify the properties most affected by the change and contact them directly.

Bruce Young: Is this a possible way of moving forward, identify the properties and contact them and make them aware.

Walter Ramsey: They would be notified anyway for the Public Meeting.

Mike Brown: Can you set a date for the Public Hearing now?

Walter Ramsey: We can hold the Public Hearing at next months Planning Board meeting, in the mean time we can hold the informal meeting. It will be tight, however we can try, we will aim for September / October.

- SP & SPR #2010-01 by Mayhew Steel Products, Inc.: Property located on 199 Industrial Blvd, Turners Falls, MA 01376. Assessor's Map 17, Lot 53.

Kevin Donovan: Mayhew Steel Products rebuilt their building on 199 Industrial Blvd about 10 years ago, about a month ago they contracted us to permit, design and construct a 33, 600 square foot addition that will be used for warehousing and manufacturing, we have plans and elevations; Stormwater Management was done by Donald Frydryk.

- That SP #2001-01 approved by the Planning Board to construct 33,900 square foot building on June 14, 2001 has been completed in full compliance.
- That SP #2001-01 established the location proposed 33, 600 square foot addition as a future addition site.
- Due to the fact that the facility is surrounded by Industrial Boulevard on three sides, and the amount of impervious surface on the site will nearly double the existing conditions, design of the drainage system to prevent runoff and snowmelt from leaving the site are particularly important.
- That the stormwater management plan and Drainage Report has been created and analyzed under the Planning Board Stormwater Management Policy adopted 3/24/2009, therefore guaranteeing on-site treatment of stormwater for a 100 year storm.
- That the estimated daily addition of 30-38 employee vehicle trips and 2 tractor trailers will have a minimal effect on Industrial Boulevard traffic.
- That the applicant has addressed the Board's concerns about drainage, snow removal, parking, lighting and landscaping.
- That future expansion on the site will require an examination of the need for additional parking and the capacity of the proposed stormwater system.

The Board Votes:

- The drainage system shall be maintained as outlined in the Stormwater System Operation/Maintenance Plan. Additional maintenance shall be performed as needed to ensure that stormwater and snowmelt

remain onsite. In addition, a copy of the stormwater system maintenance "Operation and Maintenance Log Form" shall be completed and submitted to Montague Planning Board annually.

- There be safe and adequate storage of snow and snowmelt so as to not interfere nor overburden storm water drainage system functions.
- Lighting of the proposed parking lot shall be provided by one (1) pole-mounted overhead light directed downward. The light is to be located the northern edge of the lot.
- Dumpster(s) shall be screened from direct view of the road and shall be located on a concrete pad.
- The area labeled "Future Building Area" shall use selective clearing to preserve some existing vegetation
- The east side of the property labeled "Limit of Tree Clearing" shall use selective clearing to maintain visual barrier to neighboring lots.
- Landscape plantings, existing large trees, and proposed tree lines described on the Site Plan dated 8/24/2010 shall be maintained in healthy condition. Plantings or existing trees intended to serve as visual buffer for the parking lots, loading area and detention areas shall be replaced with similar materials as necessary.
- Any design modification to the 18' wide gravel drive on the eastern border of the property is subject to approval by the Fire Chief. Any revisions to the proposed drive shall be submitted to the Planning Board.
- The two proposed catch basins at the proposed northerly vehicle entrance may be removed only if the access drive is crowned and sufficient shallow grass swales on either side of the way are installed, or if a similar alternative is proposed. Any modifications of the drainage in the access drive are subject to approval by the Turners Falls Highway Department and the Building Inspector.
- Due to the expected increase in truck volume and the sandy soils of the site, an oil spill kit shall be stored on the site.
- A bicycle rack or a similar area clearly designated for the parking of at least two (2) bicycles shall be included on the property.

Don Valley made motion to accept SP & SPR #2010-01 by Mayhew Steel Products, Inc.: Property located on 199 Industrial Blvd, Turners Falls, MA 01376 with peer review and conditions as listed (above) by the Montague Planning Board, seconded by Ted Armen. All members present voted in favor.

UPCOMING BUSINESS:

Upcoming ANR by Patterson, Assessor's Map 51 Lot 13:

Pete Annis: I have prepared a plan for Don Patterson who owns this parcel as shown; the plan is then reviewed by the Board. Old County Road and Foster Road discussed, it is a county layout. I spoke to Bill Allen; he has been the Franklin County engineer for some time.

Walter Ramsey: It is not recognized as a public way by the town. It is not on our town street list. As is it is right now it does not provide adequate access.

Don Valley: Ultimately what is the responsibility of the Town when you put someone on a road? Developers are one thing but an individual?

David Jensen: There is a precedence that you would ask the Selectmen then move forward. So you would also be looking for a common drive on this project?

Pete Annis: Yes. Location of the common drive discussed with relation to the plan presented. The history of County Road and Foster Road discussed.

Walter Ramsey: The Planning Board has 21 days to respond to this request; I would ask that we more time to review the legal issue with this project.

Ted Armen: I don't feel like I have any preparation for this request.

David Jensen: There is no access as it currently exists, this would require Special Permit for the common driveway and I believe the Highway Department and the Selectmen to do the improvements to what is otherwise a public way to meet your needs. Drive way location discussed.

- ANR #2010-04 by McKay, Donald, Owner, Cutler, Edward: Property located on 39 Greenfield Road, Montague, MA 01351. Assessor's Map 20, Lot 29.

Applicant was not present. Walter Ramsey presented on the applicant's behalf

Walter Ramsey: the newly created lot does not conform to zoning requirements, however the lot is not intended to be built upon- and this is referenced in the plan". The board found that it is unfeasible to build on the lot because of the topography and wetlands.

Walter Ramsey: a future applicant could potentially build on the lot if the ZBA granted a frontage variance. The remaining lot with an existing single family home satisfies ANR endorsement.

Ron Sicard made motion to endorse ANR #2010-04 Bruce Young seconded. Walter agreed to notify the applicant

- Ron Sicard made motion to adjourn, Don Valley seconded. All members present voted in favor.

Approved by: _____ Date: _____