

# Montague Planning Board

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January 11, 2012 6:30 PM

Town Hall Upstairs Conference Room

## MEETING MINUTES

**Board Members Present:** Ron Sicard- Acting Chair, Fred Bowman, George Cooke

**Board Members Absent:** Bruce Young, Robert Obear

**Staff Present:** Walter Ramsey- Town Planner, David Jensen – Building Inspector

**Also present:** Chris Curtis-Greenfield Recorder

Meeting was called to order at 6:30 PM by Ron Sicard, acting as chair.

There was a motion to approve the minutes of 11/22/2011 by F. Bowman, Seconded by G. Cook. All Approved. Motion passed.

**ANR 2012-01** by Nice + Easy Properties LLC, to divide Map 3 Lot 27 (known locally as Railroad Salvage) in a manner that has enough frontage under the Montague Zoning Bylaws and has access to Power Street- a public way in the Town of Montague.

The applicant was not present. Planner summarized the plan: This property is zoned historic-industrial. The plan is to separate the two-story brick outbuilding from the main Railroad Salvage Mill Building. The new parcel has enough space for parking under the zoning and vehicular access to Power Street- a public way. It was suspected that the intent was to sell the new parcel to a potential buyer. However, it was noted that the remaining parcel that contains the Railroad Salvage building would be losing an amount of parking that would prohibit the property from being redeveloped in its full building footprint. R. Sicard noted that this action would severely hinder the ability of the Railroad Salvage site to be redeveloped.

The zoning enforcement officer and the planner would advise the applicant to resolve the parking issue for both potential parcels. The board would want to see easement rights over the Railroad Salvage parking lot to the outbuilding.

It was noted by the planner that Mr. Bent, the owner of Nice + Easy Properties LLC is in arrears to the Town. The Town has a by-law (Chapter 40 Section 59) stating that the Town cannot give permits to a person that owes back taxes. However, counsel has advised that an ANR is not a permit *per se*, but rather this is an endorsement. Planner advised that Nice + Easy properties may be entitled to constructive approval of the ANR Plan if the Board fails to act.

***MOTION*** by Fred Bowman to table ANR 2012-01. Seconded by, George Cook. Motion passes 3-0.

### **Draft Zoning Regulations for Wind Energy Systems:**

The Board continued to discuss net metered wind energy generation facilities as they pertain to the Montague Zoning Bylaws. Planner reported research on public interest concerns for wind energy systems. The draft uses the recently adopted Solar Electric Energy Installation Regulations as a model for the Wind Energy Systems.

The Board discussed the definition of wind energy systems: a wind energy conversion system consisting of one or more wind turbines associated mounting unit, control or conversion electronics, and service or access roads and is further defined as:

- 1) Accessory systems – Wind Energy Systems having a rated nameplate capacity, or maximum power production of not more than 50 kW.
- 2) Large wind energy systems – Wind Energy Systems having a rated nameplate capacity, or maximum power production exceeding 50 kW.

As in the Solar regulations, the Board was not favorable of regulating by energy generation and they prefer instead to regulate by scale.

The Board wants more research as to whether this should be considered a public utility or not.

The Board wants to clarify the height of these systems. Planning Board suggests (60-80 foot range for Accessory system and 130 feet for larger wind system).

The setback of 125% of the systems vertical height seems appropriate

Planner will incorporate these discussion points into the next draft.

***MOTION** by George Cooke to table Draft Zoning Regulations for Wind Energy Systems until these comments are incorporated into a draft. Seconded by, Fred Bowman. Motion passes 3-0.*

**Conceptual Subdivision Plan for Municipal Land located at: 28-34 East Main Street (Map 29 Lot 116)**

Planner described that the Town owns this 1.7 acre parcel of land that contains four vacant buildings. It is zoned Central Business- which requires first floor commercial. Ultimately the Selectboard wants to transfer the property or portions thereof to parties as a redevelopment site. The vehicle for this redevelopment will be via Commercial Homesteading which has proven successful for several buildings in Turners Falls. As part of due diligence the Town is in the process of doing a Phase I Brownfields Assessment. A Phase 2 Assessment is scheduled for February 2012. These assessments will have a big impact on how the site can be redeveloped, however the planner and building inspector have been exploring ways to split up the parcel. The general plan is to give each of the 3 principle buildings their own parcel and to possible reserve the back lot for municipal parking that would support development in Millers Falls. Fred Bowman noted that there is a long-standing need for more parking in Millers Falls. There is a question as to which parcel the garage will be conveyed with.

**Some discussion points:**

- ZBA would have to approve any setbacks on the property.
- If the garage is made into a separate lot- the process would be Subdivision because it has no frontage
- We are awaiting the environmental test results before hiring a survey to draw up the plans.
- The parking lot idea would help with the entire downtown center situation along with any environmental issues that might arise.
- The boundaries were resurveyed in 2000 by Dan Werner.

- The Town does not want the development of a public parking lot to be a condition of the sales of property.
- The Board should hold a public hearing in Millers Falls when the plan is ready and all necessary information is in hand.

*MOTION to adjourn by G.Cooke. Seconded by F.Bowman. Motion passes 3-0.*

Meeting adjourned at 8:08 PM

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_