

Montague Planning Board

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January 22, 2013 6:30 PM
Town Hall Downstairs Conference Room

MEETING MINUTES

Members Present: Bruce Young - Chair, George Cook, Fred Bowman and Ron Sicard and Bob Obear

Members Absent: None

Staff Present: Walter Ramsey- Town Planner

Meeting was called to order at 6:39 PM by Bruce Young

Approval of Minutes:

Motion was made by, George Cooke to accept the December 18, 2012 minutes. Seconded by, Ron Sicard. Motion passed 5-0.

PUBLIC HEARING: Road (Alley) Discontinuance-Montague Elks Club.

The Planning Board will consider a petition filed by the Montague Elks Lodge for the discontinuance of a portion of an unnamed public alley off 7th Street pursuant to MGL Chapter 82 s21. The affected area is approximately 105 feet in length extending from the southern corner of Assessors Map 6 Lot 77 to the eastern corner of the property.

Guests: Ernie Brown, Jason E. Clark – Elks Club members, James David, Jacqueline David, Tom Bergeron – DPW Superintendant

Appearance of Conflict of Interest Disclosures: George Cooke announced that he is a member of the Montague Elks but not an officer or trustee. Ron Sicard announced that he also is a member of the Montague Elks but not an officer or trustee. Walter Ramsey (Planner) lives within 300 feet of the Elks Lodge but does not own property or have any financial interest in the matter. All three have submitted the proper disclosure paperwork with the Town Clerk.

Ernie Brown: The Elks Club would like to put on an addition in the rear of the main building to make it handicap accessible for members while increasing the function space to accommodate events. In doing this, they would like to “close” a portion of the public alley off of 7th Street. There would still be some access from 7th street to the lodge addition. Access would not be impeded to the residences on L Street via Elks Ave.

Tom Bergeron (DPW) has some concerns regarding the plowing and sanding and the access in and out of the property. Tom Bergeron says that his trucks can back out of the property into the road, but it is not the safest or most efficient way to do it, preferring to enter via Elks Way and exit via the alley onto 7th.

Relocating the alley ways might have to take place as the alley is one-way. The only access to the alley closest to 7th street is in and out of that property. Tom will measure the annex part of the building and the space (single axel dump truck and loader) Taking away the town right of way and someone driving through and it changes from public property to private property. Keep fire lane open and move the alley back and do an exchange with the town. To put the addition on the front of the building you have the change in land but more importantly the handicap accessibility would be far from the parking and a

more expensive cost. James David urged the board to take public safety into consideration. The Elks Club noted that a new sprinkler system was just installed.

Walther shared an email from the Turner Falls Fire Chief who commented that recent upgrades to the kitchen, bathrooms, stairway and handicap accessibility which will enhance the safety of the building. The road closure would not hinder fire safety procedures, since emergency vehicles enter via Elks Alley.

The Planning and Conservation Department received 3 written responses from abutters:

David Bartlet – no objection

First Congregational Church of Turners Falls: no objection

Raymond Zukowski – no objection

Bruce Y thinks that one option would be working around the potential expansion and maybe have the Montague Elks Club deed a portion of their land to the Town for accessibility and safety concerns. This would include working with Walter on some legal language and a survey to see if the option would be possible. Need to get more information on the design and setback issues on the alley to allow forward motion on the project on the Elks Club. The Elks Club will meet with Tom Bergeron and Walter Ramsey in the future to firm up the plans. The Planning Board will communicate to the Select Board the decision of not to discontinue the alley at this point.

***Motion** was made by Bob Obear to close the Public Hearing and to come back in the future with some more information. Seconded by, George Cooke. Motion passes.*

Reorganization of the Planning Board for 2013:

Bruce Young requested an annual reorganization.

***Motion** was made by George Cooke to appoint Ron Sicard to the position of Chair of the Montague Planning Board.*

***Motion** was made by Bruce Young to appoint Frederic Bowman to the position of Vice Chair of the Montague Planning Board and Planning Board representative to the Town of Montague Capital Improvements Committee.*

***Motion** was made to appoint Bob Obear as the Montague Planning Board representative to the Franklin Regional Council of Governments.*

Town Planner Report:

- Planner's findings and recommended change to Zoning Bylaws Section 5.4.7 – minimum floor area for dwelling units.

Walter presented some materials for discussion on this section of the zoning bylaw. The state statute has no zoning ordinance and it states that you cannot regulate the interior space of a single family dwelling units. In this case the bylaw would have to be amended. The Bylaw currently states that accessory units cannot be larger than 700 feet which alludes to the fact that it can be smaller. No other towns have a similar minimum square foot area. A multi-family use requires special permits in all allowed districts. Two family dwelling units are by right in neighborhood business and central business otherwise special permits are needed. There have been 6 variances and have been treated as a special permit in these cases. Some examples include: 12 Franklin Street, Millers Falls, and Montague Center School.

The Planner presented several options:

1. Strike a minimum dwelling unit size from bylaw.
2. Amend text to allow dwellings with less than 700 square feet of floor area by special permit.
3. Amend text to specify that the minimum floor area does not apply to single family homes and this would comply with the state law. Walter R would not recommend this as it works against non single family homes, deters infill development, historic structure reuse of buildings and it excludes certain demographics of people.
4. Take no action – Planner does not recommend this as the bylaw is partially illegal as worded. The Board agrees.

Bruce Young recapped potential opposition:

1. People don't want to see old buildings with many little apartments; however he recognizes that multi-family uses require a special permit.
2. Trailers: If you have a ½ acre zoning you can build a trailer on the land. The Planner noted that Montague does not allow trailers per the zoning regulations.
3. Timing with Montague Center School variance appeal may become an issue. However that variance has highlighted the issue that the zoning needs to be updated. There have been several variance requests in the past several years.

The Board reached consensus that striking the bylaw entirely may is their preferred amendment, however they would like public input on the matter. The Board requested that the Planner begin the process to address this at Annual Town meeting in May.

- **Zone Map Change 2012-01- 76 West Mineral Road- updates**

Walter asked the affected parties to see if re-zoning is a possibility. Walter spoke with Karla Kozik (Map 25 lots 2 and 22) who is in favor of her property being rezoned. The Board requested a public hearing.

- **Ethics annual review receipts-** The entire board has submitted their receipts to clerk via the planner.

- **Turnpike Road Industrial Park and Strathmore mill updates**

Planning Department received a \$50,000 grant from Mass Development to do permitting work and subdivision design. The Turnpike Road Industrial Park has been officially designated a 43D development site. Strathmore Mill has received two proposals under commercial homesteading and the cleanup of collapsed Building 10 was completed on budget.

***Motion** was made by Ron Sicard to adjourn the Planning Board meeting. Seconded by, Fred Bowman. Motion passes.*

Bruce Young closed the meeting, adjourned at 8:08 PM

Approved by: _____ Date: _____