

Montague Planning Board

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April 23, 2013 6:30 PM
Town Hall Upstairs Conference Room

MEETING MINUTES

Members Present: Ron Sicard – Chair, George Cook, Fred Bowman and Bruce Young

Members Absent: Bob Obear

Staff Present: Walter Ramsey- Town Planner

Meeting was called to order at 6:30 PM by Ron Sicard.

CONTINUATION OF PUBLIC HEARING: Definitive Subdivision Plan DS# 2013-01 filed by Pioneer Valley Habitat for Humanity.

The Planning Board held a continuation of a hearing opened 3/26/2013 for a Definitive Subdivision Plan filed by Pioneer Valley Habitat for Humanity for a one lot subdivision on a proposed 90 foot extension of the Warner Street right-of-way- in a Neighborhood Business District. The affected land is a portion of the property identified as assessors Map 13 Lot 1.

Guests: Aaron Walker, Carl Geupel and Gary Snyder – Pioneer Valley Habitat for Humanity, Andrea Chesnes, Jane Percival, Walter Rodovich, David and Rachel Momaney.

The previous hearing was held in March, and at that meeting there were still two (2) key items that needed more information and discussion to move forward. These key items consist of 1) the capacity of the sewer and 2) the maintenance of the proposed turnaround. Tom Bergeron, DPW (not present) said there is enough capacity for the sewer and he recommends a clean-out. In terms of snowplowing and snow removal with the proposed hammer head design the Town will not plow where the pavement ends and Tom could not tell if there is currently enough room for snow removal.

Walter Ramsey- The frontage of the new house lot is 60 feet at the end of the Warner Street extension with a 15 foot dog-leg to attempt to try and make it conform to the required 75 foot frontage. At this point, the dog leg does not count toward frontage and the only way to get approval is through the special permit process to reduce frontage at a Zoning Board of Appeals hearing.

Aaron Walker - Emeritus Interim Director for Pioneer Valley Habitat for Humanity has minor revisions to the plan. The hammerhead area needs adequate turnaround space for passenger vehicles and town vehicles. The driveway was moved to the east to make more room for debris or snow removal. The plan also states that the property has 60 feet of frontage and PVHH recognizes that relief from the frontage requirements would have to go through the Zoning Board of Appeals at this point. The driveway is over 180' in length and could be altered if needed going forward. The driveway would be the responsibility of the home owner(s).

David Jensen - Building Inspector stated the question as to why PVHH doesn't proposed a subdivision road that would be 150 feet long so there would be enough frontage for both the current home and the proposed second home. Since they are currently at 90 feet. This would then exempt PVHH from going to the ZBA for a special permit. In the future it would also allow the homeowners to be able to improve the road on their own dime while allowing them to acquire town services such as snow and trash

removal. The Town has repeatedly asked for PVHH to work with this solution as it would provide a more long term solution for both parties involved. It would provide adequate access and town services for the buildings which does not mean the road has to go all the way to the end. However, if the road is paved and a turnaround is provided then Tom Bergeron, DPW would maintain the road but has no obligation to do so unless it is accepted as a town road and built to certain standards.

Carl Geupel - Volunteer with PVHH–Town would like to have PVHH propose a subdivision road which would adequately give frontage, access, and town services to the PVHH homes.

Walter Ramsey - That is the purpose of subdivision control.

Andrea Chesnes - 11 Warner Street (PVHH current home owner) has a concern as it stands that she would not be able to maintain more area for snow removal as she does not have the means for heavy equipment and currently uses a shovel to maintain her driveway. Andrea does not want to be “trapped in her own home” or responsible for more maintenance due to the location of the hammerhead and the new home. It is not feasible both physically and financially for her to maintain a longer driveway. Andrea has been waiting for 4 years to find out where her property lines are as she tries to utilize her yard space. Aaron Walker will speak to Andrea regarding her specific concerns regarding her needs and past communication with PVHH.

David Jensen, Building Inspector - I feel that to make affordable housing but then provide a situation where basic services will be denied to those individuals that will pay the same taxes as all other residents is not acceptable. If you can get water, sewer services and a snow plow through the Town would likely provide the needed and deserved services.

Fred Bowman – echoes the concerns regarding the financial commitment needed to upkeep a long driveway. Fred speaks from experience as he has a 300 foot driveway which is very costly to maintain on a yearly basis. The recipients of the PVHH homes in general would not have these funds to do this type of upkeep and should not be expected to do so.

Bruce Young – would strongly recommend that PVHH meets with Tom Bergeron, DPW director to get the specifics that would be needed for a subdivision road to, thus qualify the residents to receive town services.

Aaron Walker - feels that there is credible evidence to look at the subdivision proposal and allow for a turnaround so that all the services and frontages can be met adequately. PVHH may come back at a later date and have the road and home considered for town services.

Jane Percival – Made a strong point about who will incur the cost of the road access/upkeep. The developer should build appropriate access, or it will be the homeowners who will have to maintain long gravel driveways at a significant expense? She suggests it might be less expensive in the long run to build it to Town specifications and allowing for adequate access = doing it correctly.

Walter Rodovich – (neighbor) when there is a storm they have trouble flushing toilets. He has lived there for 40 years and has had constant problems with the sewer due to the pitch of the sewer pipe. The number of clean outs installed does not help if the pipe does not drain. His basement has had over a foot of water on several occasions and the reason for this has not been resolved.

David Momaney – has had several issues recently in his home regarding back up from the sewer. The plumber has assured him that the issues are not on the homeowner end but the responsibility of the DPW. The capacity of the sewer line will not change the issues if the pitch of the pipe is not correct.

Jane Percival – The drainage basin is full outside of her home Montague City Road/Warner Street.

David Jensen – The sewer lines at Montague City Road/Warner Street are connected to the storm drains; the added flow to the line would help as there is so little flow happening currently. The audience members/ residents issues seem to be the opposite of what should be happening. It might be a low flow with a small pitch in the areas surrounding Warner Street and Montague City Road which is why they are having the many sewer issues.

Aaron Walker - requested that the hearing be continued pending further investigation by the Planning Board and plan revisions by PVHH.

***Motion** made by, George Cooke to continue the public hearing to 6:30 PM on May 28, 2013 with the submittal of revised plans 48 hours before the next meeting. Seconded by Fred Bowman. Motion passed unanimously.*

Subdivision Approval Not Required Plan ANR #2013-01 filed by David A. Norwood of 55 East Taylor Hill Road Montague, MA.

Guests: David and Marcia Norwood

Plan is to divide Map 48 Lot 59 into two new parcels with respective frontage on East Taylor Hill Road in the Town of Montague, MA.

The Planning Board approved the house lot in 1993. The house lot is located in an Agriculture-Forestry 2 zone which requires 200 feet of frontage and 2 acres. A variance for frontage for the 30 feet was granted in 1992 and then approved by the Planning Board as an ANR plan in 1993.

The septic system at 53 East Taylor Hill Road was installed on land belonging to 55 East Taylor Hill Road. The current owners of 53 East Taylor Hill Road want to acquire approximately .85 acres of land to accommodate the septic system from the 55 East Taylor Hill Road property. The Zoning Board of Appeals recently granted a variance to Section 5.4.1 (Minimum Lot area – 2 acres) to allow the reconfiguration of the two abutting lots which then would allow the owners to acquire the land their septic system is on. This variance allows a lot area of 1.15 acres of land at 55 East Taylor Hill Road where two acres would normally be required. Both affected lots will have frontage per ZBA variance and both lots have adequate access.

***Motion** made by, Bruce Young to endorse ANR #2013-01 filed by David A. Norwood titled Survey for plan of land in Montague, MA dated March 26, 2013 and stamped by Edward C. Muszynski. Seconded by George Cooke. Motion passes.*

Subdivision Approval Not Required Plan ANR #2013-02 filed by Charles Dodge of 212 Turners Falls Road Montague, MA.

Guests: Charles Dodge

The owner intends to divide Map 26 Lot 5 into two new parcels with respective frontage on Turners Falls Road in the Town of Montague, MA. The property at 212 Turners Falls Road is zoned Agriculture Forestry which requires 150 feet of frontage and an area minimum of 22,500SF. The frontage that is proposed is 180 feet with adequate area. Charles Dodge is giving this land to his brother which will include having a separate driveway. The house will be located about 125 feet from the road. Access is

steep but adequate. Owner has been filling in property to help achieve grade to new lot. Walter Ramsey, Planner recommended getting wetlands delineation /determination done before construction begins. Owner has already investigated.

Motion made by, George Cooke to endorse ANR #2013-02 filed by Charles Dodge of 212 Turners Falls Road Montague, MA to divide Map 26 Lot 5 into two parcels. Seconded by, Fred Bowman. Motion passes.

Discussion: Brian Hobbs had requested the opportunity to discuss a conceptual residential subdivision for 135 Millers Falls Road Map 15 Lots 236,235 and 114 owned by James Stewart. Brian Hobbs withdrew his request at this time.

Planner Report

- **Annual Town Meeting Preparations:**

Annual Town Meeting will be held on May 4, 2013. There are a couple of articles in on behalf of the Planning Department. The board has already issued a report. These articles are as follows:

Article 25: The Mullin Rule both the Planning Board and Conservation Department will be able to accept it once it passes the Town Meeting vote.

Article 26: Amendment to the Montague Zoning Map/West Mineral Road from an Industrial to an Agriculture-Forestry-4 District. (Fred will speak)

Article 27: Amendment to the zoning bylaws section 5.4.7 Minimum floor area (Fred will speak)

Remove:

For each dwelling unit no less than 700 s.f. of living space, exclusive of areas solely devoted to home occupations, and exclusive of basements, areas with less than six feet of ceiling space, porches, terraces and the like.

Replace with:

For each multi-family dwelling unit no less than 500 s.f. of living space, exclusive of basements and areas with less than six square feet of ceiling space, porches, terraces and the like. Relief may be granted by Special Permit from the Zoning Board of Appeals

In addition, Walter has asked for the money (\$40,000-\$50,000) that is in an account for a Millers Falls Industrial Park to be reassigned for the proposed Industrial Park predevelopment on Turnpike Road. Mass Development is assisting the town with traffic analysis, subdivision plan, and wetlands assessment they will be coming before the board sometime this summer when the proposal is "shovel ready".

- **Turners Falls Livability Plan Update:**

Final presentations will be held on April 25, 2013 at 6:30 PM and then again May 1, 2013 at 10:30 AM located at the Discovery Center. All Planning Board members are invited to attend this final presentation.

Motion made by, Bruce Young to adjourn the April 23, 2013 Planning Board meeting. Seconded by George Cooke. Meeting adjourned at 7:59 PM.

Approved by: _____ Date: _____