

# Montague Planning Board

One Avenue A, Turners Falls, MA 01376 (413) 863-3200 Ext 207 Fax: (413) 863-3222 Email: [planner@montague-ma.gov](mailto:planner@montague-ma.gov)

August 27, 2013 6:30 PM  
Town Hall Upstairs Conference Room

## MEETING MINUTES

**Members Present:** Ron Sicard – Chair, Fred Bowman, Bob Obear and George Cooke

**Members Absent:** Bruce Young

**Staff Present:** Walter Ramsey, AICP- Town Planner

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

### Approval of Minutes:

*Motion made by George Cooke to accept the May 28, June 25 and July 16 2013 Planning Board Minutes. Seconded by Bob Obear. **Motion passed unanimously.***

### PUBLIC HEARING for Special Permit #2013-02 filed by BJB Realty, LLC- 36 Industrial Blvd.

For the construction of a building over 10,000 square feet in an Industrial Zoning District under Montague Zoning Bylaws Section 5.2.6(c). The property is located at 36 Industrial Boulevard and is identified as a portion of Assessors Map 17 Lot 45. Specifically, the project involves a proposed 4,800 s.f. addition to an existing 9,600 s.f. industrial warehouse building. The property is located in the Industrial Park and is identified as Assessors Map 17 Lot 45.

**Guests:** Robert Levesque (Applicant's representative) and Bruce Bohonowitz (owner)

The owner clarified that building is currently used by two companies: New England Naturals (2 employees) and Hillside Plastics (0 employees). The proposed expansion will allow more storage for both companies. Mr. Levesque then walked the Board through the site plan and storm water. The front parking area has been graded, but not constructed. They requested that the parking area stay as-is until the building use has a higher employment density. The Board concurred. Mr. Levesque presented the Board with a common driveway easement, which was a requirement of the 2007 site plan review. Walter advised that the easement is acceptable and meets said requirements.

Planner: The only abutter to express concern was the Turners Falls Municipal Airport who supports the project as long as it meets the state and federal aviation guidelines because of proximity to the airport. The Board asked the applicant to arrange that matter with the proper regulatory authorities. All other abutters and department heads either supported the project or did not comment.

### **The Board agreed on the following findings:**

- The Applicant has demonstrated compliance with the Planning Board's conditions for a site plan approval on July 10, 2007 for the original 9,600 square foot structure.
- A Special Permit is required because the 4,800 square foot warehouse addition results in a cumulative building area greater than 10,000 square feet.
- The proposed use of the building as a warehouse requires 3 parking spaces under section 6.2.1, to accommodate one space per employee.
- Based on the foregoing, the Planning Board finds that the proposed expanded facility will not be of substantial harm to the neighborhood, or to the natural resources or infrastructure of the Town, will

not create nuisance, hazards or congestion and will not derogate from the intent of the Zoning Bylaws of the Town of Montague.

**Motion** made by Bob Obear to issue a special permit to BJB Realty, LLC under Montague Zoning Bylaws Section 5.2.6 9(c) to allow the construction of a building over 10,000 square feet in an Industrial District, subject to the following conditions:

- *The nine (9) space parking lot shown on the plan is approved. This lot shall be constructed if a more traffic dependent business becomes a tenant in the future. The owner is responsible for the site to meet the parking requirements of the Montague Zoning Bylaw.*
- *The Planning Board reserves the right to review all parking lot lighting for the construction of the front parking area.*
- *All lighting for the facility shall be designed and installed to be directed downward and to avoid illumination beyond the property line. This is understood to include matching wall pack lights on each of the three sides of the addition.*
- *Any proposed changes from approved final plans shall be submitted to the Board and approved if consistent with the application and the findings and conditions stated in this approval. Significant changes in the site plan shall be reviewed by the Board, which may allow the changes without further hearings if they are determined to be within the project scope and consistent with findings and conditions. The Board reserves the right to hold further public hearings on changes to the site plan that are determined to be outside of the project scope. Approval shall not be unreasonably withheld.*

Seconded by, Fred Bowman. Roll Call: Bowman-AYE, Obear- AYE, Cooke- AYE, Sicard- AYE.  
Motion Passed Unanimously.

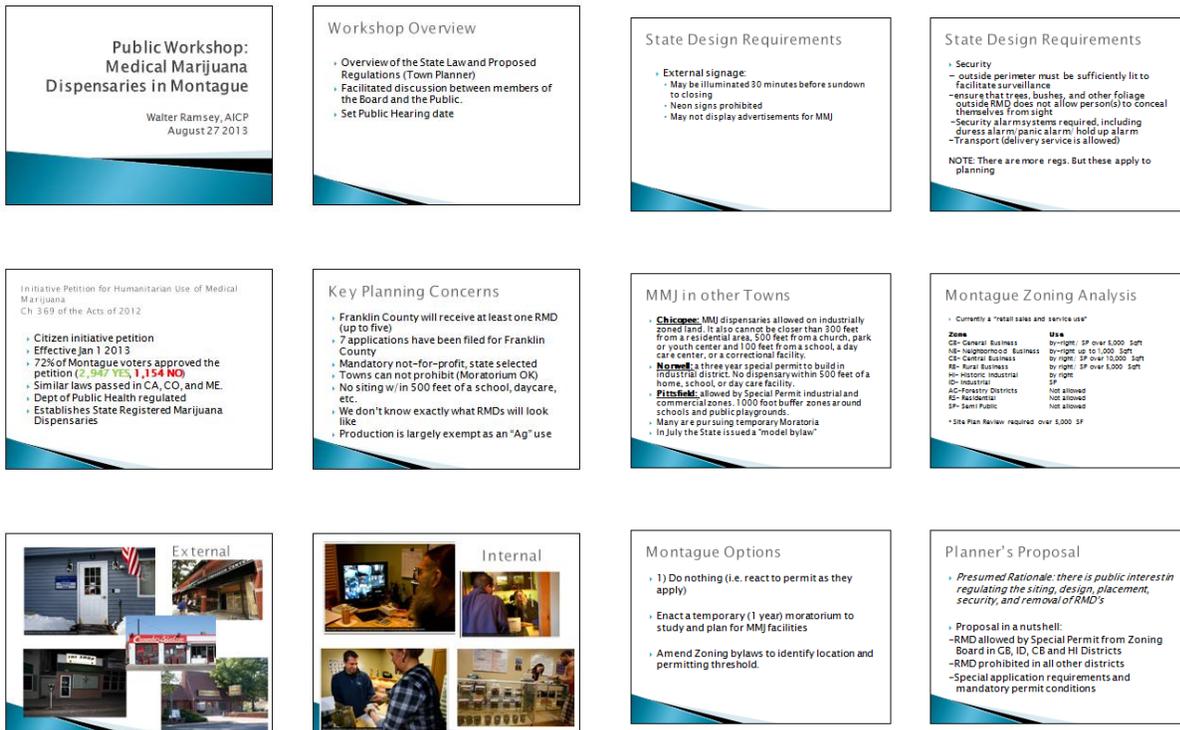
**PUBLIC WORKSHOP- To discuss proposed zoning amendments to regulate the location of registered medical marijuana dispensaries (RMD's)**

By vote at the State election on 11/6/12, the voters of the Commonwealth (and 72% of Montague voters) approved a law regulating the cultivation, distribution, possession, and use of marijuana for medical purposes. The law, which became effective in 2013, requires at least one RMD to be located in each county, and such facilities may not be prohibited in any municipality. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues that are just being considered for their impacts in Montague. The Planning Board will consider a range of actions including:

- 1) Allowing RMDs by-right in commercial districts
- 2) Allowing RMDs by Special Permit only in commercial and industrial districts
- 3) Adopting a temporary one year moratorium to undertake a study and thorough planning process.

**Guest(s):** Chris Sawyer Lauccano (Montague Reporter) and Ellen Spring (Montague Resident)

Walter R presented a power point on RMD's in MA:



Walter noted that this workshop was advertised in the Montague Reporter and posted in each of the villages. He presented draft regulations (attached). Planner noted that comments were received from Montague Police, who felt the proposed regulations will work for community safety. Multiple residents called the office to express support for a RMD in Montague. Discussion was had regarding the distance from schools, playgrounds, etc. The main concern was being too restrictive.

The Board concluded that the regulations are ready for hearing. Planner will arrange the hearing.

**Town Planner update:**

- Ongoing: Discuss recent developments on alternative subdivision design consistent with master planning efforts. The planner is continuing to refine the draft regulations. Will be prepared for a more thorough discussion at next meeting.
- Turnpike Road Industrial Park update: no new information was available by the time of the meeting.

**Motion** made by George Cooke to adjourn the August 27, 2013 Planning Board meeting. Seconded by Fred Bowman. **Motion passed unanimously.**

Meeting adjourned at 7:57 PM.

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