

Montague Planning Board

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Tuesday, June 27, 2017 6:30 PM

Montague Town Hall

One Avenue A Turners Falls, MA

Upstairs Meeting Room

MEETING MINUTES

Members Present: Ron Sicard – Chair, Fred Bowman, Bob Obear (7:00) and George Cooke

Members Absent: Bruce Young

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

Ron Sicard opened the meeting at 6:32 PM.

Approval of Minutes: Planner reported that previous minutes from March through May were not ready for approval due to temporary staffing challenges.

6:30- PUBLIC HEARING- PROPOSED AMENDMENTS TO SUBDIVISION REGULATIONS-

The Board will consider a comprehensive revision to the Montague Subdivision Control Bylaws, which were last amended in 1989. Votes may be taken.

Guests: Peggy Sloan – Director of Planning & Development FRCOG and Alyssa Larose – Land Use Planner FRCOG.

Planner indicated that the hearing had be duly posted and advertised. He reminded the board that a public information session was held for these regulations at the last meeting in May. He also reported that legal counsel has reviewed and provided comments on the draft. Peggy Sloan presented the draft subdivision regulations. She went through the regulations chapter by chapter. Chairman Sicard opened the floor for questions from the public.

Jeanne Golrick (resident) asked about ANR (approval not required) plans, whether existing roadways will be affected, and about potential future subdivision locations. Peggy indicated that ANR's as a concept are unique to Massachusetts. They are confounding, but that is the state law. Walter R indicated that existing roadways and village centers will not be affected by new subdivision regulations. He indicated that there are numerous places in town where subdivisions could be built under current zoning.

David Jensen (resident/ building inspector) inquired about definition of ways in existence. Peggy Sloan cited the definition from the proposed regulations.

Peter Golrick (Airport Commission) expressed concern about where this regulation would complicate development of Aviation Way. This was generally not considered to be an issue since Aviation way already exists. The regulations are not one-size fits all.

Gene Golrick (resident) requested links to all design manual referenced in the regulations. Alyssa indicated that links will change over time and that any engineer preparing the plan will have easy access to these files.

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David Jensen advocated for less paper to be produced. The Board concurred that 9 copies for preliminary and definitive plan were too much. They also agreed that 2 ANRS was too little. They agreed that 4 hard copies and a .pdf would suffice for all filings. Town Planner (not clerk) to distribute these reports to department heads.

Motion by Fred Bowman to close the hearing. Seconded by Bob Obear. All Approved. **Motion passed unanimously.**

Motion: by Bob Obear to adopt the subdivision regulations, as amended in their entirety, as presented and to direct the Planner to file a true copy of the regulations with the Planning Board, Town Clerk, and to transmit a certified copy to the Registry of Deeds and the Recorder of the Land Court, subject to minor changes regarding the need for submission of 4 printed copies of all plans (ANR, Preliminary, Definitive) and that the Town Planner (not Clerk) be responsible for distributing plans to department heads. Seconded by Fred Bowman. All Approved. **Motion passed unanimously.**

Chairman Sicard thanked Alyssa and Peggy for their hard work.

6:50 PUBLIC HEARING- ZONING MAP AMENDMENT- ZC 2017-02

Petitioner: St. Andrews Episcopal Church (landowner)

Proposal: Redistrict a 0.3 acre area of land identified as Assessors Map 6 Lot 95 (2 Prospect Street) from Public-Semi Public District to Neighborhood Business District.

Guests: Katherine R. Meleno, two others from The Episcopal Church of Saints James and Andrew

Chairman Sicard read the hearing notice and opened the hearing. Planner indicated that the hearing had been duly posted and noticed. The petition has been received by the Selectmen who had requested that the Board hold a hearing. The petitioners indicated that church is closed and is currently for sale.

W. Ramsey presented his staff report:

- The site is occupied by a former church within an established residential neighborhood
- The property owner has petitioned the town to request that the subject parcel “conform to the neighborhood’s zoning”
- The subject parcel of land is abuts both Neighborhood Business District and Residential District
- The current zoning (Public-Semi Public) prohibits adaptive reuse of the property as it only allows cemeteries, churches, and schools.
- Neighborhood Business Zoning permits adaptive re-use, including non-residential uses while retaining strict criteria to protect the residential neighborhood. Any commercial use over 1,000 square feet requires a special permit.
 - The Types of uses that have expressed interest in the site include music studios, artist studios, live/work space, and single family home.
 - Parking will be a challenge for virtually any reuse- but there are enough safeguards in the NB district to protect the neighborhood from the creation of real parking nuisance.

Planner received one written response from an abutter. He read the comments for the record:

“Hello, my name is Sheila Parker; my family has lived in our home at 153 L St., since 1945. This is a beautiful residential neighborhood, with easy access to everything Turners Falls, (Montague) has to offer its residents. My main concern is, and always will be is the neighborhood remaining a residential, family area.

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There is only one parking spot on this property, (St Andrews) so no matter what; construction would have to be done to change the layout. The very best outcome would be changing the church into a one or two family home. A business of any kind is not acceptable in this area. Traffic is congested at the intersection of 7th street and L Street daily, especially during school hours. Children are always riding their bikes up and down 7th and L St. Any type of a business will only increase the situation unless it's very small, and quiet. I agree to the changing of the zoning from PS to NB, in order for the Church to sell, but please keep our family neighborhood. Thank you, Sheila Parker 153 L St. Turners Falls, Ma. 01376"

No other public comment was received in writing or at the hearing.

Motion by Fred Bowman to close the hearing. Seconded by Bob Obear. All Approved. **Motion passed unanimously.**

Discussion: The Board agreed on the following findings:

- The site is occupied by a former church within an established residential neighborhood
- The property owner has petitioned the town to request that the subject parcel "conform to the neighborhood's zoning"
- The subject parcel of land is abuts both Neighborhood Business District and Residential District
- The current zoning (Public-Semi Public) prohibits adaptive reuse of the property as it only allows cemeteries, churches, and schools.
- Neighborhood Business Zoning permits adaptive re-use, including non-residential uses while retaining strict criteria to protect the residential neighborhood.

Motion by Bob Obear to accept these findings and recommend that Town Meeting vote to amend the zoning map to redistrict an approximate 0.3 acre area of land identified as Assessors Map 6 Lot 95 (2 Prospect Street) from Public-Semi Public District to Neighborhood Business District. Seconded by Fred Bowman. All Approved. **Motion passed unanimously.**

7:20 PUBLIC HEARING- DEFINITIVE SUBDIVISION DS 2017-01(CONTINUATION from 5/23/17)

Applicant: Town of Montague, Board of Selectmen

Project: subdivide a 5 acre and 1.2 acre parcel from approximately 164 acres of land owned by the Town of Montague. The design proposes roadway improvements to 800 feet of Sandy Lane beginning at Turnpike Road.

Chairman Sicard read the hearing notice and opened the hearing. Planner reported that the design team had emailed with a statement that they are not ready to present the several changes that were suggested by the board at the May hearing, thus they have requested that the hearing be continued.

Motion by Bob Obear to continue the hearing for DS 2017-01 at the request of the applicant to July 25 at 7:00 PM at Town Hall. Seconded by Fred Bowman. All Approved. **Motion passed unanimously.**

7:25- PUBLIC HEARING- ZONING MAP AMENDMENT ZC 2017-03

Petitioner: Planning Board

Proposal: Redistrict a 10.5 acre area of land identified as Assessors Map 25 Lot 14 and Map 25 Lot 16 (Millers Falls Road) from Agriculture-Forestry-4 (AF-4) to General Business District

Guests: Glenn Frank and Andre Joseph from Omni-Navitas

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Chairman Sicard read the hearing notice and opened the hearing. Planner indicated that the hearing had be duly posted and noticed. No written responses or concerns were received from the public. Chairman Sicard asked if the residential homeowner had provided feedback. Ramsey indicated that he came into the office and did not express concern about the rezoning to either Industrial or General Business.

Ramsey presented the following suggested Findings:

- The 10.5 acre area to be rezoned is primarily open space and one single family home on a non-conforming lot.
- The historical use of the lot is for commercial uses (race track)
- The property owner has initially petitioned the town to request that the subject parcel be redistricted to “Industrial”
- The area is along a commuter road but is not serviced by sewer, thus limiting potential for industrial uses
- The initial petitioner intends to apply for a special permit to construct a 3acre commercial solar facility
- The current zoning (AF-4) could allow up to 2 single family homes to be built in the district and would not allow solar
- The subject parcel of land is abuts both AF-4 and Industrial District
- General Business Zoning would permit limited commercial development along a corridor identified for limited commercial development in the 1999 Master Plan

Chairman Sicard opened the floor for public discussion.

Peter Golrick (Airport Commissioner) inquired as to whether the GB district could be expanded to include airport land. The Board felt that was a different matter

Jeanne Golrick (resident) inquired as to whether the solar project would be allowed by this rezoning and what the setbacks would be. Ramsey indicated that the commercial-scale solar project as proposed would be allowed by Special Permit from the Zoning Board of Appeals. It would be subject to a 35 foot setback and site plan review.

Motion by Fred Bowman to close the hearing. Seconded by Bob Obear. All Approved. **Motion passed unanimously.**

Motion by Bob Obear to accept the findings and recommend that Town Meeting vote to amend the zoning map to redistrict a 10.5 acre area of land identified as Assessors Map 25 Lot 14 and Map 26 Lot 16 (Millers Falls Road) from Agriculture-Forestry-4 (AF-4) to General Business District. Seconded by Fred Bowman. All Approved. **Motion passed unanimously.**

7:50 PM Planner’s Report

a. Topics not anticipated: ANR 2017-04 and ANR 2017-05- Eversource- Lake Pleasant Rd

Peter Tuttle (Eversource) and William Dorgan (Surveyor) were present to request the Board to re-endorse two ANR plans approved at last meeting. According to Peter Tuttle: “The Land Court has asked us to make a small revision to the ANR Plans (ANR 2017-04 and ANR 2017- 05) we recently had before the Planning Board on May 23. The revision is a change in the bearing and distance between our recorded land and our registered land. This came about as a result of the Land Court asking us to hold the monuments found during the survey instead of the plan the Land Court approved in 1999.” The Board reviewed the plans and was comfortable with signing off on the minor change.

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Motion by Bob Obear to endorse the revised ANR plans for file 2017-04 and 2017-05 by Eversource dated 6/21/2017. Seconded by Fred Bowman. All Approved. Motion passed unanimously.

b. Endorsement of 2017 Open Space and Recreation Plan

Walter presented a summary of the 2017 Open Space and Recreation Plan, as prepared by the Planning Department and Conservation Commission. The plan is in final draft stage and has received support from Parks and Rec, Selectmen, and Conservation Commission. He reviewed the Action Plan in detail. The board agreed to support the plan.

Motion by Bob Obear to endorse the 2017 Open Space and Recreation Plan as presented. Seconded by Fred Bowman. All Approved. Motion passed unanimously.

The Board signed a letter of support drafted by the planner.

Motion by Fred Bowman at 8:47 PM to adjourn the meeting. Seconded by Bob Obear. Motion passed unanimously.

Approved by: _____ Date: _____