

Montague Planning Board

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December 18, 2018 6:30 PM

Town Hall – **Second Floor** Meeting Room

One Avenue A

Turners Falls, MA 01376

MEETING MINUTES

Members Present: George Cooke (acting chair), Elizabeth Irving and Matt Lord – Associate Member, Fred Bowman (participating remotely),

Members Absent: Ron Sicard, Bob Obear

Staff Present: Walter Ramsey-Town Planner

Meeting was opened by George Cooke, acting chair at 6:30 PM. It was announced that Fred Bowman (Vice-Chair) was participating remotely due to an unforeseen illness.

Approval of October 23, 2018 Minutes:

Motion by Elizabeth Irving to approve the October 23, 2018 Minutes as presented. Seconded by George Cooke. **Motion passes**

CONTINUATION OF PUBLIC HEARING Zone Change Repeal and Replacement of Montague Zoning Bylaws and Map ZC #2018-02. The purpose of the public hearing is to provide interested parties with an opportunity to comment of the proposed changes to the Montague Zoning Bylaws and Map. The Proposed petition is to see if the town will vote to repeal the existing Zoning Bylaws and Official Zoning Map and to replace them with new Zoning Bylaws and Official Zoning Map, as presented in the bylaw draft dated 9/26/2018 and the draft Zoning Map dated 10/24/2018. The bylaws have been reorganized and changes are proposed to each section and several new sections are proposed.

Acting Chair Cooke declared the hearing Open. Walter Ramsey gave an update of both the November meeting and the summary additional comments that have been received since the last Planning Board meeting. Comments have been incorporated into a new draft and are shown on draft dated 12/18/2018.

New Information:

- Roberta Potter – Director Council on Aging (see attached letter of support dated December 5, 2018) Roberta Potter was generally in support of the Accessory Dwelling Units section which can help the aging population of Montague.
- Peter Wackengale – Montague Resident requested zoning that would promote and be beneficial for agriculture/homesteading in the area of the Turners Falls Corridor between Turnpike Road and Montague Center.
- David Jensen – Former Building Inspector has provided new written comments and has spent over 4 hours in office time with Walter. The sections in particular that David highlighted were: Accessory Apartments/Dwelling, Solar, Trailer/Mobile Home/Camper regulations (see attached comments from December 17, 2018).

David Jensen (resident, former building Inspector) showed up at 6:45 and proceeded to provide comments, suggestions, and opinions of Sections 1-8. His oral comments are summarized here:

- Questioned the benefits of a new zoning map and how it will be used.
- Discussion about accuracy of Flood Insurance Rate Maps. Walter indicated these will be updated by FEMA over next 5 years.
- Reformat 5.3.1 to break out prohibited/permitted uses in all districts
- Dimensional Table: Consider adding 5,000 not 22,5000 square feet per dwelling unit after first in RS2
- Consider relaxing 50 foot side yard setback in RB
- Loading docks- do we not want to allow on street loading in CB?
- 5.5.2(c) sheds 120 square feet “or less”, not “up to” 120 square feet
- AB Overlay district does not work- should be moved to last listed overlay district so it could be easily removed in future
- Size of signs should be cumulative in CB and NB
- Clarify non-conformity of signs
- Parking- make it clear about what is required and that 1+2 family is exempt from standards
- Accessory Apartments- separate units should be special permit. Warns against by-right
- Boarding of Animals- dislikes entire section. Does this prohibit chickens in downtown.
- Solar- should be regulated by size not generation capacity
- ORSD- the land set-aside is an illegal exaction. This should be addressed in Subdivision Control Law
- PUD- who would use a PUD? - Too prescriptive. PUD is a recipe for strip malls

Town Planner reviewed his recommended Substance Changes to Zoning Bylaws incorporating Public Feedback at Public Hearings:

Definitions

- Section 2 Remove definition of “Family”. Redefine Dwelling Unit to “living quarters for single household with cooking, living, sanitary and sleeping facilities, independent of any other unit. Define 1, 2 and multi-family units.

Historic-Industrial

- 5.2.10 (d)- language pertaining to demolition of structures in the HI District

Dimensional

- 5.5.1- require additional 5,000 square feet per dwelling unit beyond first in RS-1 District, per ZBA comments. Flagged for discussion at next meeting. Consider 5,000 per unit beyond 2nd.
- 5.5.1- no minimum frontage OR AREA requirement for CB, GB, HI. No frontage in ID
- 5.5.3-allow lot size and frontage relief for lots that are connected to municipal water/sewer

Water Supply Protection District

- 6.3.3 (c)- define Montague Center Interim Wellhead Supply Area at 1,500 foot radius rather than 2,640 to align with DEP regulations

Signs

- 7.1.4 – max sign size of 18 square feet in CB and NB. One building sign plus one perpendicular building sign up to 6 square feet or one portable A frame up to 6 square feet.

Trailers

- 8.1.3- replacement of pre-existing mobile home requires Site Plan Review. Flagged for discussion at next meeting- Consider administrative approval.

Boarding of Animals

- 8.4.4- Remove limit on # of poultry. Simply Prohibit Roosters and retain the performance standards.

Accessory Apartments

- 8.5- Title them “Accessory Apartments” not “Accessory Dwelling Units”
- 8.5- Allow accessory apartments “within” by Site Plan Review- this gets filed at Registry- provides a clearer means of ongoing enforcement.
- 8.5.5(g) remove limits on # of bedrooms and # of occupants in Accessory Apartments per counsel

Business Use in Neighborhood Business

- 8.7.2(f)- firmed up language pertaining to exterior changes in the Neighborhood Business District

Solar

- 8.10.2- Definitions of Solar installations and facilities. Define a solar energy facility as one that exceeds 2,000 square feet of panel surface area. Any Canopy is considered “building mounted”
- 8.10.4- Special Permit required for all accessory solar ground mounts in NB and CB. SP over 150sqft in RS-1, 350 in all other districts. Flagged for discussion at next meeting.

Zoning Map-

- Zone all Firstlight Land around Cabot Woods and the Canal Dike as Industrial instead of AF

Open Space Residential Development

- 8.12.4 (e)- The amount of land preserved may be reduced (below 40%) by Special Permit where the lot is connected to municipal water and sewer.

This list will be edited for 1/15 meeting based on feedback received at today’s hearing.

Motion by Elizabeth Irving to close the public hearing for Zone Change File #2018-02 to Repeal and Replace Montague Zoning Bylaws and Map. Seconded by George Cooke. **Motion passes.**

Hearing was declared closed by George Cooke at 8:48 PM.

Discussion and Consideration of public comment and revisions to final draft resulting from public comment.

Acting Chair decided that this matter should be tabled to the next meeting in order for the full board to be in attendance for consideration and recommendation of final draft.

Planner suggested the Board “move up” up the regular meeting by one week in order to accommodate the Select board’s special town meeting schedule. The Board agreed to have the next meeting on January 15, 2019.

Planner's Report

Planner did not have timely business to report.

Motion by Fred Bowman to adjourn the meeting at 8:51 pm. Seconded by George Cooke. **Motion passes.**

Approved by: _____ Date: _____

Exhibits:

Planner Proposed Changes 12.18.18

Draft bylaws dated 12.17.2018