



OCTOBER 24, 2023 MEETING MINUTES PLANNING BOARD

The Montague Planning Board met in-person in the Second Floor Meeting Room, Town Hall, 1 Avenue A, Turners Falls and via Zoom at **6:30 p.m.** on **Tuesday, October 24, 2023.**

Members Present: Ron Sicard, George Cooke, Elizabeth Irving, Sam Guerin, Bob Obear.
Staff: Maureen Pollock, Planner. **Also in attendance:** Dennis Booska Sr., Scott Bourcier, Bryan Camden, Jack Carolan

1. MINUTES:

a. Approval of Meeting Minutes from September 26, 2023

MOTION by E. Irving APPROVE THE MINUTES of October 24, 2023. George Cooke VOTE: Ron Sicard (AYE), George Cooke (AYE), Elizabeth Irving (AYE), Sam Guerin (AYE), Bob Obear (AYE) MOTION PASSES 6:36PM

2. FORM A (ANR) SUBDIVISION APPLICATIONS:

- a. **ANR 2023-04, Darlene A. Kuzmeskus, 17 Sunset Drive (Parcel #14-0-206)** - Two neighbors are making a friendly transfer of property to remedy an issue with a fence. The fence was built by Dennis Booska Sr., but it was recently discovered that it is actually on the property of his neighbor, Darlene Kuzmeskus. Dennis Booska Sr. described how the mistake was made. The solution, as presented in the plan, is for Kuzmeskus to lose some property and Booska to gain 400 square feet including the fence. Both neighbors are happy with this solution, which meets dimensional regulations.

MOTION by R. Sicard to accept FORM A (ANR 2023-04) SUBDIVISION APPLICATIONS Darlene A. Kuzmeskus, 17 Sunset Drive (Parcel #14-0-206) Seconded by E. Irving. VOTE: Ron Sicard (AYE), George Cooke (AYE), Elizabeth Irving (AYE), Sam Guerin (AYE), Bob Obear (AYE) MOTION PASSES 6:40PM

- b. **ANR2023-05, Justin A.A. Demers and Turners Falls Cemetery Association, Turnpike Road (Parcel #21-0-004)** - George Cooke recuses himself. The Planner explains the plan. Demers would like to acquire about 30,000 square feet of property from the cemetery. Demers owns two parcels, and this piece of land would be combined to form one parcel. The cemetery parcel is zoned Neighborhood Business although others are zoned Industrial. This proposal meets dimensional regulations, as does the Demers property. This small piece of land will likely become employee parking.

A representative from the Cemetery Commission was in attendance and is satisfied with the plan.

***MOTION** by R. Sicard to accept FORM A (ANR2023-05) SUBDIVISION APPLICATIONS Justin A.A. Demers and Turners Falls Cemetery Association, Turnpike Road (Parcel #21-0-004) Seconded by E. Irving. VOTE: Ron Sicard (AYE), Elizabeth Irving (AYE), Sam Guerin (AYE), Bob Obear (AYE) MOTION PASSES 6:45PM*

George Cooke returns to the meeting.

3. PUBLIC MEETING – SITE PLAN REVIEW

- a. **SPR 2023-02 – Turners Falls Municipal Airport** - Request a partial Site Plan Review approval for excavation work and construction of a 12,000 square foot foundation only (construction of an educational aircraft hanger with site improvements to be permitted separately), under Sections 5.2(a) ii-iii, 9.1.2, and 9.1.6 of the Zoning Bylaw, located at **78 Industrial Blvd (Parcel #17-0-015)**, Industrial (ID) Zoning District.

Bryan Camden, Airport Manager and Scott Bourcier of Gale Associates introduce themselves and the project. The application is A-typical and will be submitted in two phases. The first phase is for the foundation. They will come back to the Planning Board in the second phase for approval of elevations, demolition, grading etc.

Background: the Airport Commission got a “deal” on a prefabbed hanger facility, but the process failed. Gale Associates was brought on to facilitate the process. Bourcier shares the plan for an academic hanger which is located on airport property to the to the west side of the Franklin Technical School track. The building will be leased by the Tech School for the new mechanical aircraft maintenance program. The site was excavated by Tech School students to investigate archeological findings. No archeological findings were discovered, and the site is ready for reinforcements for the slab on grade.

George Cooke asks about the size of the parcel. Bourcier identifies the boundaries of the leased area of the hanger and the foundation, which is 120’x 100’. Franklin Technical School District plan to lease this area for the use and access of the academic hanger.

Bryan Camden describes how airport property is divided into sections internally for leasing.

George Cooke asks if the leased area will be pinned (tied to a boundary line)?
Bryan Camden has GPS coordinates for the corners of the leased portion. It could be marked physically. The boundary of the sewage lift station could be used as an asset from which to measure.

Bourcier continues that because leased lots are not sellable or subdividable, they are recorded but boundaries are not typically established. This is standard with airports. However, the actual property line between the airport and the Technical School is known. If the Board wants a more secure line so the word “approximate” comes off the plan, Huxley and Associates would need to do a lot more work. They would have to “close the loop” on the school property to make sure they get what they need. Because the proposed building is 43 feet from Tech School set-back limits, Gale Associates thinks additional information is not needed.

Bryan Camden comments that the airport property is owned by the Town and will not ever be sold. Monuments are lacking in the area and the Industrial Park, in general. The goal is to get the concrete poured and to return to the Planning Board with the full plan.

Motion by Ron Sicard to accept SPR 2023-02 – Turners Falls Municipal Airport- Request a partial Site Plan Review approval for excavation work and construction of a 12,000 square foot foundation only (construction of an educational aircraft hanger with site improvements to be permitted separately), under Sections 5.2(a) ii-iii, 9.1.2, and 9.1.6 of the Zoning Bylaw, located at 78 Industrial Blvd (Parcel #17-0-015), Industrial (ID) Zoning District. Seconded by Sam Guerin.

The Planner sets standard conditions.

VOTE: Ron Sicard (AYE), Elizabeth Irving (AYE), George Cooke (AYE), Sam Guerin (AYE), Bob Obear (AYE) MOTION PASSES 7:10PM

4. NEW BUSINESS – none

5. OLD BUSINESS:

- a. **Presentation of Draft Community Action Solar Plan from Montague Solar Planning Committee** - Sally Pick, Energy Committee and Solar Planning Committee, introduces herself and the 57- page plan developed by staff and students at the UMASS Energy Extension. 249 residents responded to the solar survey. Section 7 focuses on zoning bylaws.

The Planner and Planning Board discusses the 2019 solar bylaw amendments. Square footage of panels vs. Megawatt output would be an interesting discussion with experts in the field. Sally Pick thinks the square footage of the panels is the better way to think about it considering the growing efficiency of panels. The Town should think about limiting the space that the panels use, not the output.

Elizabeth Erving asks if panels can pose a fire hazard, noting that it's the Town's responsibility to not allow that situation. Pick responds that they should ask installers and it's agreed that batteries probably pose more of a hazard. The Planner agrees that an emergency plan through Mass Fire Code is an important part of the process.

The Planner refers to the UMASS recommendation which questions if limiting solar facilities to two zoning districts is too limiting. She mentions case law in Waltham. The Town's bylaws could be contested by a solar developer. Sally Pick recommends the Attorney General for language.

The Planner asks Sally Pick about the UMASS recommendations about forest cleaning. Sally Pick responds that the UMASS suggests clarifying the language in the Montague bylaws around "mature trees," conservation goals, and a look-back period for tree removal.

Bob Obear does not think that a look-back period is legal. The Planner responds that she

would be interested to learn more a 'look-back period' and its legality.

E. Irving would like to do some thought experiments about how someone might want to develop a solar project and how our current bylaws protect us and how they fall short.

The Planner mentions that the Town is updating its Comprehensive Plan with help from FRCOG. These topics could inform land use decisions in the future.

General conversation about Montague Solar Bylaw Districts.

- b. **Review application for Plan Approval for Smart Growth Overlay 40R District Review administrative regulations regarding applications and plan review under Smart Growth Overlay 40R District** - The next step is to create an application form and administrative form for the 40R Overlay District. The Planner received some sample applications from the Mass Executive Office of Housing and Livable Communities (EOHLC) and drafted a version for Montague. The Planning Board reviewed the draft.

MOTION by R, Sicard to approve the Application Form and Rules and Regulations for the 40R Overlay District as drafted by the Planner. Seconded by Bob Obear. VOTE: Ron Sicard (AYE), Elizabeth Irving (AYE), George Cooke (AYE), Sam Guerin (AYE), Bob Obear (AYE) MOTION PASSES 7:24PM

- c. **Review administrative regulations regarding applications and plan review under Smart Growth Overlay 40R District.** The Planner updates the Board on concerns that neighbors have about parking in Second Street alley. The neighbors have expressed support of the proposed Habitat project. They have also expressed concerns about losing the informal parking spots they have used over the years. Habitat initially proposed 6 parking spots, but the neighbors asked for more. Habitat suggested decreasing the number of homes built from 6 to 5 with two that would be ADA accessible for a person with limited mobility. The entrances to the properties would be staggered. Habitat went to the Selectboard to see if this change would be allowed since it alters the original purchase and sale and land development agreement. The abutters were notified about the Selectboard meeting and there was good discussion. The Selectboard decided that given our ongoing housing crisis, they want Habitat to proceed with 6 units as originally proposed.

6. PLANNING & CONSERVATION DEPARTMENT REPORT ON PLANING PROJECTS AND DEVELOPMENT UPDATES:

7. ADJOURN:

- a. *MOTION by E. Irving to ADJOURN. Seconded by R. Sicard. VOTE UNANAMPOUS (5-0) MOTION PASSES 8:03PM*