

Montague Planning Board

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September 25, 2012 6:30 PM
Town Hall Upstairs Conference Room

MEETING MINUTES

Members Present: Ron Sicard – Acting Chair, George Cooke, Fred Bowman and Robert Obear

Members Absent: Bruce Young

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

Meeting was called to order at 6:34 PM by Ron Sicard

June 26, 2012 minutes were revised due to a wording change under ANR #2012-02 Scott and Emily Ewell from required to endorse the plan, adjustment was made.

1) INFORMATIONAL MEETING Town of Montague Community Development Strategy 2013.

The purpose of this annual hearing is to update the Town of Montague's Community Development Strategy (CDS). Local citizens were requested to attend and discuss the draft Community Development Strategy through notice in the newspaper, Town Hall, and the Town Website. The document has been available for review at the Montague Planning Office at the Town Hall and on the town's website.

Guests: none

Planner: The CDS is updated annually as part of the Community Development Block Grant (CDBG) grant requirements. The Planner updated some changes to recap each of the comprehensive planning documents of the town. This synopsis highlights the key goals of the town's plans and their priorities. These included elements from the: The Housing Plan, The Economic Development Plan, The Natural Hazard Mitigation Plan, Comprehensive Plan, Open Space Plan, and Energy Reduction Plan. It also includes the following:

- Discussion of how the town will plan and implement the CDBG and non CDBG projects
- How the community expects to address priorities and planning in a 3-5 year period
- List of projects and activities in the order of priority and how the town expects to undertake them

This strategy is informed by the 2010 survey that was sent out to residents. The town is divided up into 4 targeted areas which help to give measurable impacts for neighborhoods. The targeted areas include: Turners Falls, Montague Plains, Millers Falls and Montague Center.

There was a major revamp in terms of the number of projects (30 previously) we are now at 22 projects. Some have been eliminated or combined based on feedback and they are now rank in order of priority or how they impact the target areas.

Past projects include CSO, Public Safety Complex, Strathmore Grants, Turnpike Road feasibility study, 10 private houses in the rehab program, Green Communities Act, Open Space Plan, Natural Hazard Mitigation Plan, Turners Falls Livability Plan in process, re-establish Agricultural Commission and Green Communities grant, Water Department has ongoing projects, Unity Park Improvements are underway.

The 22 Priority Projects are to re-develop vacant properties, Turnpike Industrial Park (feasibility study), ADA accessibility improvements in town – specifically on the street level, Senior Center, Public Works facility, Downtown TF Master Plan to be completed in 2013, Millers Falls slum and blight designation which will help to get funding (façade and parking improvements included), Road and Bridge repairs (Gill Bridge, Greenfield/Hatchery Road, Montague City Road, Bike Path improvements (self activated light and crossing near Farren Care Center), Broadband infrastructure, Housing rehabilitation program, Sewer station upgrades for the 8 pump stations, Business recruitment (RiverCulture and P&C), Redevelop Mill District, Social Services programs, River access and Montague Plains, Open Space protection, Millers Falls Road erosion mitigation, Skate Park, Solar facility development, Hannagan Brook improvements, Land use regulations.

The Planning Board had no comments. No comments were received from the general public. Walter incorporated comments received from Parks and Recreation, Turners Falls Water, and Water Pollution Control Facility.

2) 7:00 PUBLIC HEARING Subdivision Modification DS #2012-01 Scott Nickerson.

A definitive subdivision plan filed by Scott Nickerson for property owned by the Turners Falls Fire District located south of Adams and Lyman Streets in Lake Pleasant, MA identified as Assessors Map 36 Lot 136. The applicant is requesting a subdivision modification based on Subdivision Control Law pursuant to M.G.L. c.41 s. 81 W to dissolve Lyman Street Extension and Faith Streets.

Guests: Mike Brown (Turners Falls Water), Bob Emond, Linda Emond, John Castorino, Morgan Pashley, Jeri Case, Lahri Bond, Fran Beck and Robert Beck.

The Planning Board has the authority to discontinue the paper streets of 1893 subdivision and create 2 lots/one subdivision plan under the Subdivision Control Law pursuant to M.G.L. c.41 s. 81 W provide that all parties that have the right to benefit agree (Water District and Scott Nickerson). Faith and Lyman Streets are unconstructed streets that have been shown on the plan and both parties Water District and Scott Nickerson agree on the modification DS #2012-01. Scott Nickerson had entered into an agreement with the Water District to buy the parcel thus increasing his land area and acquiring road frontage.

Public Discussion Highlights:

- The village of Lake Pleasant is very crowded and concerned about over development
- How does the Water Company sell pieces of land? TF Water and Fire Department have made a practice of selling “useless” pieces of land that are not needed by the water district to get it back on the tax role
- There seems to be a lot of rental properties and turn over in the neighborhood which leads to high turnover within properties
- The Water District Commission meeting which meets 1st Wednesday of the month is open to hearing specific issues within Lake Pleasant and the Water District.
- Property owners tend to care for and take responsibility for their properties as compared with renters
- Scott Nickerson owns houses on Denton Street (30 years) and it is his intention to add more land to his properties to provide driveways and garages as well as protecting his properties. There is a snow lot where Scott’s tenants park now and being able to provide both driveways and garages in the future would be beneficial all around

Walter R summarized the comments received by the **Planning & Conservation Department:**

The Board received 3 responses from abutters: 2 objected, 1 did not object.

Building Department (David Jensen): We need to dissolve the paper streets which then would allow the Water Department to be able to sell the land without any specific rights attached. In the future if and when other streets are sold they would not be encumbered by the paper streets. After this, land could be reconfigured.

Planning and Conservation Department (Walter Ramsey): In the future Scott Nickerson will have to obtain a variance from the ZBA with a Public Hearing to allow or deny it as a building lot or the redeveloping of Hope Street that is acceptable by the Town and Planning Board. Tonight's decision will not allow Scott Nickerson to build a home on this parcel.

Walter R delivered his drafted findings:

- That the Planning Board on June 26, 2012 made a determination that subdivision approval is required under section 81W Modification of the Subdivision Control Laws.
- The proposed subdivision modification includes a petition from the property owner to request a street discontinuance of the entire length of two streets named Faith Street and Lyman Street Extension. These streets were recorded in an 1893 plan found in the Franklin County Registry of Deeds Book 1 page 107. The streets are 220 and 290 feet in length, respectively and combined are a total of approximately .38 acres.
- There are currently no improvements and no evidence of any utilities within the proposed discontinuance areas.
- Faith Street and Lyman Street Extension are not needed for future transportation connectivity because the paper streets are dead ended and are situated on a slope unsuitable for roads.
- The Turners Falls Fire District and Scott Nickerson are the only parties with a right of benefit to Faith and Lyman Streets.
- Hope Street is a contemplated street with multiple parties of interest including the owner of Map 36 lot 127 and 134. Hope Street is not proposed for a modification of status.
- Parcel A is not a buildable lot because it lacks the required minimum frontage on a public way.
- Parcel B is to be combined with Assessors Map 36 Lot 31.

Ron Sicard closed the public hearing.

Motion was made by, Bob Obear to grant the petition by the Turners Falls Fire District to discontinue Lyman Street Extension and Faith Streets- unconstructed ways recorded in an 1893 plan found in the Franklin County Registry of Deeds Book 1 Page 107. Seconded by, George Cooke. Motion passed 4-0.

Motion was made by, Fred Bowman to approve the subdivision of land in the Plan of Land in Montague MA, surveyed for Scott D. Nickerson by Mary Ann R. Milewski, PLS, dated 17 August 2012, subject to the following condition:

- Hope Street or portions thereof shall be improved to standards acceptable by the Planning Board per the Montague Subdivision Regulations in order to be considered legal frontage for parcel A. This is anticipated to include the removal of the garage on Map 36 lot 13 which currently obstructs the way.

Seconded by, George Cooke. Motion passed 4-0

Motion was made by, Fred Bowman that these two actions constitute approval of the Plan of Land in Montague MA, surveyed for Scott D. Nickerson by Mary Ann R. Milewski, PLS, dated 17 August 2012 which hereby modifies the subdivision plan of 1893 found in the Franklin County Registry of Deeds Book 1 Page 107. Seconded by, George Cooke. Motion passed 4-0

3) **Appoint representative to Regional Planning Board:** Bob Obear resigned due to his family situation and lack of being able to commit the time to the meetings. The position will remain vacant at this point while members think if they would like to represent the Montague Planning Board at the Regional Planning Board monthly meeting.

4) **Planner Updates**

- **Upcoming Zone Change Petition-** It is requested that a zoning district change from Industrial to Agriculture-Forestry 4 for the land owned by David R and Amanda J. Gendron. The land is located at 76 West Mineral Road, Assessors Map 18 Lots 6 and 7, Deed/Legal: 4675-34, Land Area: 50.7 acres. The Gendrons own land that is zoned industrial and are surrounded by Agriculture- Forestry 4 land. They would like to request a zoning change in an upcoming meeting of the Planning Board. The rest of their land with the exception of 3 acres is in conservation restriction. In the future the Gendron's might want to build a single-family home on the property. Currently there is no water, sewer or plans to do any industrial expansion which is why it makes sense to re-zone this parcel. This will be discussed further when the petition is filed; it will then have to go to a Town Meeting and then the Planning Board will hold a Public Hearing.
- **Downtown Turners Falls Livability Plan- Planner's Monthly Project Update**
There is a workshop planned in October of 2012. Dodson and Flinker have been selected as the consultant for this project.
- **43D Priority Development Site Designation Application for Turnpike Road Industrial Park submission to Interagency Permitting Board**
Town Meeting passed this in support of the application and it will be filed with the interagency permitting board.
- **Mullin Rule to be placed on Annual Meeting Warrant**
The Selectboard passed the Mullin Rule and the Remote Participation By-Law; this now will be on the next Town Meeting Warrant.
- **Topics not anticipated within the 48 hours posting requirements**
Montague Center School (M 43 Lot 111) is in the water supply protection district (Montague Center Interim Wellhead Area). The impervious surface of the project proposed by Mark Zaccheo will be greater than 20%, thus a Special Permit will likely be required from the Planning Board.

*Motion was made by, Ron Sicard to adjourn the meeting. Seconded by, Bob Obear.
Motion passed 4-0*

Meeting adjourned at 8:45 PM

Approved by: _____ Date: _____