



ZONING BOARD OF APPEALS  
TOWN OF MONTAGUE  
ONE AVENUE A  
TURNERS FALLS, MA 01376

**NOTICE OF DECISION & VOTE**

Case No. 10-09

Date July 21, 2010

**Owner:**

Turners Falls Fire District

226 Millers Falls Rd.

Turners Falls, MA 01376

**Premises Affected:**

Country Hill, 50 Ellis Rd.

Millers Falls, MA 01349

Assessors' Map 46 Lot 08

F Co. Registry of Deeds: Bk 1009 Pg 406

**Applicant:**

David Rydelek for

Pyramid Network Services, LLC

6519 Towpath Rd., East Syracuse, NY

Special Permit  (X)

Variance Application (40A)  ( )

Section 6 Ch. 40A - Finding  ( )

Site Plan Review  (X)

After a public hearing held on:

Wednesday, July 14, 2010

**The Board of Appeals finds:**

- A guyed wire tower is needed for the directional stability of specialized antennas. Section 7.5.3(c)
- Relocation of the facility to comply with hill top setbacks would be of limited or negative ascetic purpose. Section 7.5.3(d)
- The proposed replacement tower will be constructed while the existing tower functions until removed. Full compliance with the setbacks would require expanding the compound increasing disturbance of the area without benefit. Section 7.5.3 (f)
- The new tower height anticipates room for a second telecommunications carrier.

**THE BOARD OF APPEALS VOTED:**

To approve the Site Plan and grant a Special Permit to replace a 71 foot telecommunications tower with a 120 foot guyed wire tower with seven additional antennas in substantial conformance with the plans submitted. Existing antennas (six) may be relocated onto the new tower. Relief from Sections 7.5.3 (c), (d) & (f) is also granted.

Other carrier locations or additional antennas are not within the scope of this approval.

**The vote of the Zoning Board of Appeals was as follows:**

1. Ernest L. Brown, Chairman **YES**

2. John Burek, Vice-Chairman

**YES**

3. John Reynolds **YES**

4. Dennis Booska **ABSENT**

5. Robert Sojka **YES**

6. Ericka Almeida **YES**

Modification and Approval: Any changes proposed shall be reviewed by the Board of Appeals or its designee. The Chairman or designee may approve changes if in conformance with the intent of the Special Permit or may refer it to the Board. Changes consistent with the purpose of this approval may be allowed by the Board without further hearings. Further hearings shall be at the discretion of the Board. Approval shall not be unreasonably withheld.

**IMPORTANT:** Any appeal from the decision of the Town of Montague Zoning Board of Appeals can be made only to the Court and must be made pursuant to Section 17, Chapter 40A (MGL) as amended, and must be filed in the office of the Town Clerk within twenty (20) days after the date of filing of the decision with the Town Clerk.

Board of Appeals

By \_\_\_\_\_  
Ernest L. Brown, Chairman  
Clerk

\_\_\_\_\_  
Karen Casey-Chretien,

\*\*\*\*\*  
\*

Received for filing by Town Clerk: \_\_\_\_\_  
Time Date

Twenty day appeal period ends: \_\_\_\_\_  
Time Date

I HEREBY CERTIFY THAT NO APPEAL HAS BEEN FILED WITHIN 20 DAYS FROM THE DATE THAT THIS DECISION WAS FILED WITH THE TOWN CLERK:

\_\_\_\_\_  
Montague Town Clerk

\_\_\_\_\_  
Date

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*Notice to be recorded by Landowner*