



Town of Montague, MA

Permitting and Development Guidebook

Prepared by the Montague Planning and Conservation Department

Current as of April 2014

Montague Town Hall
One Avenue A Turners Falls, MA 01376
(413) 863-3200
www.montague.net

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Most of Montague’s bylaws, regulations and permit applications forms are available online at <http://www.montague.net>

- This Guidebook is useful for:**
- **New Homes**
 - **Commercial Development**
 - **Driveways**
 - **Additions/renovations**
 - **Garages**
 - **Solar panels**
 - **And more...**

Introduction

The Town of Montague welcomes new commercial, industrial and residential development projects that reflect the character and goals of the Town. Please carefully review this Guidebook and familiarize yourself with the Town of Montague and the bylaws, rules and regulations that govern its development review process.

This guidebook was created to assist you through the review and approval process to an outcome that is mutually beneficial to you and to the residents of the Town of Montague. While it is meant to be a valuable resource, please remember that it is intended to only be an overview of the development process. The specific rules, regulations, requirements and standards with which you, as a project applicant, will need to comply with are available at Town Hall. As a project proponent and permit applicant, you are strongly encouraged to obtain copies of all applicable local regulations, so you can learn firsthand the requirements and standards by which your project will be evaluated.

The Town

Montague is a town of 8,437 people, located along the Connecticut River in Franklin County, Massachusetts. The Town offers a historic downtown, several quintessential New England villages, industrial develop opportunities, and an abundance of high quality farmland and open space.

- | |
|---|
| <p>The five villages of Montague:</p> <ul style="list-style-type: none">• Lake Pleasant• Millers Falls• Montague Center• Montague City• Turners Falls |
|---|

There are five unique villages in Montague. The Town Hall is located in Turners Falls, the largest village in the Town of Montague. The Town is governed by a Board of Selectmen and has a representative form of Town Meeting. There are two separate Fire Districts in Montague: The Montague Center Fire District and the Turners Falls Fire District. Each

respective fire district includes a water department.

Taxes

Montague has a commercial/residential split tax rate. Consult the Town Assessor for current rates. The Montague Center and Turners Falls Fire Districts levy their own respective taxes.

Project Review

Most construction projects—whether for houses, garages, commercial buildings, or even driveways, require some type of permit. You will at least need a building permit. If you are a business or a home occupation, you might need a sign permit. If the use is permitted only by a special permit in your zoning district, then you will need a special permit. If you are near a wetland or river, you might need a permit from the Conservation Commission. Some or all of these instances, and perhaps others, may apply to you.

The following is a general outline of the permitting process in Montague:

1. **Preliminary Consultation**-Prior formal applications with the Town, a potential applicant should contact the Town Planner or Building Inspector to schedule a preliminary consultation to discuss the project in general. At that meeting there will be an opportunity to:
 - Discuss the scope of the project. Town staff will assist you in identify relevant sections of the Zoning Bylaws and other local bylaws and regulations that apply to the proposed project.
 - Identify potential State and Federal permits that will be required and provide contact information on those agencies and permits.
 - Make available the Guide to Development Permits, Copies of any Zoning, Subdivision or other needed regulations (most are online, hardcopies may require a fee).
 - Direct you to other staff that may provide technical review
 - Identify site design issues and provide feedback on potential solutions
 - Make available permit applications and fee schedules of various permits.
 - Provide contact and other information regarding starting a business in the Town of Montague.
2. **Apply for permits** with appropriate town entities. This timeframe can vary widely depending on the permits required.
3. **Receive approvals** - some will need recording at the Franklin County Registry of Deeds.
4. **Complete development project**
5. **Receive compliance certificates** including:
 - Certificate of Compliance for projects involving wetlands from the Conservation Commission.
 - Certificate of Completion for subdivision roads and utilities from the Planning Board
 - Occupancy Permit from the Building Inspector.

Permits Overview

The charts in this section summarize the permits that are needed for development in Montague. Remember, these permits are required in order to protect your health and safety and the health and safety of your neighborhood. Never work without a permit if you need one. If officials discover that you have done work without a permit, you will be required to stop the work and dismantle or reverse the work, all at your own expense. When you are not sure if you need a permit, please call the Building Department.

You probably need a building permit if you plan to . . .

- Change the footprint of your house and/or dig any foundation
- Move a load-bearing wall
- Alter the roofline
- Create a new door or window opening
- Install a wood pellet stove
- Move a sink
- Install new electrical wiring
- Build a garage, barn, shed, or deck
- Install a fence or swimming pool

Types of Development Permits in Montague

ZONING	WETLANDS	SUBDIVISION	BUILDING
PLANNING BOARD ➔ Site Plan Review ➔ Special Permits ZONING BOARD OF APPEALS ➔ Special Permits ➔ Site Plan Review ➔ Variances BUILDING INSPECTOR ➔ Uses Allowed by Right ➔ Home Occupations ➔ Signs	CONSERVATION COMMISSION ➔ Determination Applicability ➔ Notice of Intent (NOI) ➔ Order of Conditions	PLANNING BOARD ➔ Approval Not Required ➔ Preliminary Subdivision Plans ➔ Definitive Subdivision Plans	BUILDING INSPECTOR ➔ Building Permit ➔ Occupancy Permit ➔ Demolition Permit

Other Related Permits

DEPARTMENT OF PUBLIC WORKS ➔ Access/Curb Cut Permit ➔ Excavation Permit ➔ Sewer Permit ➔ Ladder, Staging Permit ➔ Trench Permits	FIRE DEPARTMENT ➔ Underground Storage Tanks ➔ Storage Facilities ➔ Gasoline Stations ➔ Blasting *Note there are two fire departments in Montague: The Turners Falls Water Department and the Montague Center Water Department
BOARD OF HEALTH ➔ Title V (septic) ➔ Well Drilling ➔ Food Retailers	BOARD OF SELECTMEN ➔ Motor Vehicle Sales ➔ Liquor Licenses ➔ Common Victualler ➔ Soil Removal ➔ Entertainment License ➔ Sidewalk Cafes, Tables, and Chairs
STATE ➔ Highway Permit ➔ Forest Cutting Plan ➔ MA Endangered Species Act (MESA) ➔ MA Environmental Protection Act (MEPA)	WATER DEPARTMENT ➔ new connections or alterations to public water supply *Note there are two water departments in Montague: The Turners Falls Water Department and the Montague Center Water Department

Building Department

Contacts: David Jensen, Building Inspector/ Zoning Enforcement Officer Karen Casey-Chretien, Administrative Assistant	Location: 2 nd Floor Town Hall Office Hours: Mon, Tues, Thurs 8:30 A.M. - 5:30 P.M Wed 8:30 A. M. -6:30 P.M CLOSED FRIDAYS
Phone: (413) 863-3200 x 206	Email: inspector@montague-ma.gov

Responsible For:

- All building permits including: Building Foundation, Electric, Plumbing, and Gas
- Swimming Pools
- Wood, Coal and Pellet Stoves
- Demolition Permits
- Signs
- Occupancy Permits
- Change of Use
- Home Occupation

Note: Montague adopted the Stretch Code in 2010 in effort to increase energy efficiency

Building Permit Fees

Permit	Fee
Residential	\$7.00 per \$1,000 of value \$25.00 minimum
Commercial – Non-Residential	\$9.00 per \$1,000 for \$250,000 of value + \$6.00 per \$1,000 over \$250,000 of value
Change of Use	\$40.00
Signs	\$30.00 per sign
Swimming Pools	\$40.00 above ground \$75.00 in ground
<u>Special Purpose Permits</u> Storage Sheds, Assembly tents, etc. Replacement Windows, Doors Siding & Roofing	\$20.00 \$30.00 \$1.00/100 sq. ft., \$30.00 minimum
Temporary Construction Trailer	\$50.00
Demolition Permits	\$20.00 + \$10.00 per utility connection
Shed Removal	\$10.00
Renewal or Replacement Permit	\$10.00
Home Occupation Permit	\$20.00
Reissue or Alteration	\$5.00
Wood, Coal & Pellet Stoves With Masonry Chimney	\$30.00 \$40.00
Certificate of Inspection Assembly Multi-Family	\$40.00 \$10.00 per apartment
Reinspection Fee	\$20.00
Plan Review Fee (exception large or complicated projects)	Fee to be determined
Construction without a permit	Fees doubled + fee

Zoning Board of Appeals

Staff Support: Building Department	Meetings: No set schedule. The ZBA meets as-needed on Wednesdays at 7:00PM at Town Hall.
Contacts: David Jensen, Building Inspector/ Zoning Enforcement Officer Karen Casey-Chretien, Administrative Assistant	Location: 2 nd Floor Town Hall Office Hours: Mon, Tues, Thurs 8:30 A.M. - 5:30 P.M Wed 8:30 A. M.-6:30 P.M CLOSED FRIDAYS
Phone: (413) 863-3200 x 206	Email: inspector@montague-ma.gov

The Zoning Board of Appeals is Montague’s highest locally controlled arbitrator of land use issues. It is the safety valve to settle or vary the terms of our Zoning regulations where the strict application is unfair or unanticipated. The Zoning Board also issues certain special permits.

Responsible For:

All Zoning Variances

The following Special Permits:

- Alterations to a non-conforming use, building or structure.
- Special permitted uses in all Zoning districts. (see the Montague Zoning Bylaw for further details)
- Reductions in area requirements for residential uses where public water and sewer lines are available
- Reductions in frontage requirements for residential uses where public water and sewer lines are available
- Reductions in minimum front yard setback.
- Reductions in parking and loading requirements.
- Earth Removal
- Home Occupations – not meeting defined standards
- Accessory Apartments
- Telecommunications Facilities
- Special Business uses in the Neighborhood Business (NB) District – not meeting defined standards
- Ground mounted solar

Zoning Board Fees

Permit	Fee
Variance	\$100
Special Permit	\$100

Note: All Zoning Board decisions require a public hearing. The cost of the hearing legal notices is included in the fee.

Board of Health

<p>Staff Support: Health Department</p>	<p>Meetings: Usually meet the 3rd Wednesday of every month at 6:00 p.m. in the downstairs meeting room on the Town Hall.</p>
<p>Contacts: Gina McNeely R.S., Health Director Anne Stuart, Administrative Assistant Carolyn Merriam, R.N., BSN Town Nurse & Part-Time Health Inspector</p>	<p>Location: 2nd Floor Town Hall Office Hours: Mon, Tues, Thurs 8:30 A.M. - 5:30 P.M Wed 8:30 A.M.-6:30 P.M CLOSED FRIDAYS *Town Nurse & Part-Time Health Inspector has separate office hours please see website.</p>
<p>Phone: (413) 863-3200 x 205</p>	<p>Email: healthdir@montague-ma.gov nurse@montague-ma.gov healthinspector@montague-ma.gov</p>

The Board of Health, assisted by the Health Inspector, issues permits under local and state health and sanitary codes to include permits for septic systems, wells, food services and personal services such as body art establishments. The Health Inspector also coordinates with the Planning Board and Conservation Commission on placement of septic systems and wells in new subdivisions and near wetlands.

Responsible For:

- Perc Tests
- Septic System Installation
- Well Drilling
- Food Permits

Board of Health Fees

Permit	Fee
Food Establishment	
0- 50 seats	\$180
51-100 seats	\$230
100+ seats	\$280
Retail Food	
<10,000 sq. ft.	\$195
>10,000 sq. ft.	\$300
Frozen Deserts	\$75
Bed and Breakfast	\$150
Temporary Food Permits: Profit	\$40 If they pass quiz with 90% or better otherwise \$80
Non-Profit	If they pass quiz with 90% or better \$0 otherwise \$80
Temporary Food Additional Days	\$20 for each additional day up to 14 days
Bakery	\$80
Religious Organizations	\$0
Catering - Annual	\$150
Residential Kitchen - Annual	\$175
Mobile Food Vendor – Annual	\$125
Mobile Food Vendors – Without Annual 1 st Day	\$80
Each subsequent day	\$20
Sundries – Pre Packaged Food	\$30
Reinspection Fee 2nd	\$125
3rd & subsequent	\$150
Pools, Parks & Camps	
Swimming Pools (Semi-Public or Public)	\$150
Hot Tubs & Saunas (Semi-Public or Public)	\$125
Home Park - Mobile	\$100
Camps – Annual or Seasonal	\$50 (set by State Law)
Septic Systems	
Construction Permit (DWCP < 2000 gpd) New	\$250
Construction Permit (DWCP < 2000 gpd) Repair	\$175
Construction Permit (DWCP >2000 gpd)	
New 3 years from date of issue	\$600
Construction Permit (DWCP >2000 gpd) Repair	\$300
Returned Plans - Correction and Review – New or Repair as needed	\$125
Emergency Plan Review	\$200 Additional Charge (Person who waits for the 30 day review period)
Perc Test Witness <= 2.0 hours	\$200
Perc Test Witness >= 2.0 hours – Each hour after 2 hours	\$100

Installer's Permit DWIP	\$110 - Annual
Pumping & Hauling	\$160 - Annual
Confirmation Pits	\$100
Septic Install Reinspection	\$100
2nd & Subsequent Reinspection	\$125
Well	
Well Permit – Any well being replaced, repaired, new deepening, abandoning or well monitoring	\$100
Trash/Waste Permits	
Commercial Hauler	\$200
Landfill Permit	\$5,000
Late Fee	\$100
1 Unit Hauler (with authorized disposal site)	\$100
Misc Permits	
Body Art Establishment (Annual Renewal)	\$125
Body Art Establishment (New Body Art)	\$200
Body Art Practitioner (Tattoo & Piercer)	\$200

Planning and Conservation Department

<p>Contacts: Walter Ramsey, AICP- Town Planner/Conservation Agent Anne Stuart, Planning Clerk</p>	<p>Location: 2nd Floor Town Hall</p> <p>Office Hours: Mon, Tues, Thurs 8:30 A.M. - 5:30 P.M Wed 8:30 A.M.-6:30 P.M CLOSED FRIDAYS</p>
<p>Phone: (413) 863-3200 x 207</p>	<p>Email: planner@montague-ma.gov</p>

The Planning and Conservation Department staffs both the Planning Board and the Conservation Commission. The department is also responsible for coordinating the Town’s planning and economic development activities. This is a first point of contact with the town if someone is interested in locating a new business in town or if land is to be subdivided.

Any development in the Airport Industrial Park or Turnpike Road Industrial Area should consult with the Town Planner as early as possible to ensure compatibility with park covenants.

The Planning and Conservation department is also liaison to the Energy Committee, Agricultural Commission, RiverCulture project, and the Economic Development and Industrial Corporation, as well as the Franklin County Brownfields Committee.

Planning Board

Staff Support: Planning & Conservation Dept	Meetings: 4 th Tuesday of every month at 6:30 p.m. in the 2 nd Floor meeting room on the Town Hall.
Contacts: Walter Ramsey, AICP- Town Planner/Conservation Agent Anne Stuart, Planning Clerk	Location: 2 nd Floor Town Hall Office Hours: Mon, Tues, Thurs 8:30 A.M. - 5:30 P.M Wed 8:30 A.M-6:30 P.M CLOSED FRIDAYS
Phone: (413) 863-3200 x 207	Email: planner@montague-ma.gov

- **Approval-Not Required (ANR) application:** These involve the subdivision of an existing lot on an established town roadway or a lot line adjustment. Complete plans will be endorsed within 30 days.
- **Subdivision of Land:** The creation of new lots by subdividing property, which also requires the construction of a new roadway to provide access to the new lots.
- **Special Permits**
 - Uses in the Industrial District constructing or altering over 10,000 square feet of floor area or the development of over 5 acres.
 - Certain uses in the Agricultural Business District
 - Back Lot Development
 - Certain uses in the Water Supply Protection District
 - Certain uses in the Industrial District
 - Common Driveways
 - Self-service storage facilities
- **Environmental Impact and Site Plan Review:** Provides site plan review of new structures, exterior changes or parking lot additions in the Industrial district.
- **Zone Changes:** Reviews and makes recommendations on all zoning bylaw and map changes

Planning Board Fees

Permit	Fee
Special Permit or Special Permit modification	\$50 plus \$3 per abutter and party in interest up to a maximum of \$100
Site Plan Review	\$200 plus \$2 per parking space plus \$3 per abutter and party in interest up to a maximum of \$100
Approval Not Required Plans (ANR)	\$50 plus \$25 per new lot or parcel created
Preliminary Subdivision Plan	\$0.50 per linear foot of roadway frontage created by plan plus \$3 per abutter and party in interest up to a maximum of \$100
Definitive Subdivision Plan	\$1 per linear foot of roadway frontage created by plan if preliminary plan was filed; \$2.50 per linear foot of roadway frontage created if no preliminary plan was filed plus \$3 per abutter and party in interest up to a maximum of \$100
Subdivision, frontage waiver	\$50 per lot that requires waiver plus \$3 per abutter and party in interest up to a maximum of \$100
Subdivision, Modification, Amendment, Additional Submittals	\$500 plus \$3 per abutter and party in interest up to a maximum of \$100
Subdivision, inspection	\$3.00 per linear foot of roadway centerline created by plan plus \$3 per abutter and party in interest up to a maximum of \$100
Request for change to zoning bylaw or map	\$50 plus \$3 per abutter and party in interest up to a maximum of \$100

Note: All Planning Board permits except ANR plans require a public hearing. The cost of the hearing legal notices is included in the fee.

Conservation Commission

Staff Support: Planning & Conservation Dept	Meetings: 2 nd Thursday of every month at 6:30 p.m. in the 2 nd Floor meeting room on the Town Hall.
Contacts: Walter Ramsey, AICP- Town Planner/Conservation Agent Anne Stuart, Planning Clerk	Location: 2 nd Floor Town Hall Office Hours: Mon, Tues, Thurs 8:30 A.M. - 5:30 P.M Wed 8:30 A.M.-6:30 P.M CLOSED FRIDAYS
Phone: (413) 863-3200 x 207	Email: planner@montague.gov

The Conservation Commission is made up of seven members and issues permits for work in or near wetlands, floodplains, rivers, and wetland buffer zones under the Massachusetts Wetlands Protection Act and the Massachusetts Rivers Protection Act.

Any work within 100 feet of a wetland or 200 feet from a perennial river/stream requires review by the Conservation Commission.

Montague does not have a local wetlands bylaw.

Responsible For:

- Request for Determination of Applicability (RDA)
- Notice of Intent (NOI)
- Order of Conditions
- Certificates of Compliance
- Enforcement Orders
- Emergency Certificates
- Forest Cutting Plan review

Permit	Fee
Request for Determination of Applicability (RDA)	Cost of legal notice (approx \$50)
Notice of Intent	Varies by project
Cert of Compliance/ Emergency Certs	No Charge

Requests for Determination of Applicability or Notice of Intent must be filed 13 days prior to meeting; other business must be filed one week prior to meeting. Emergency certification for work in wetlands resource areas requires 24 hour notice. Forms for Request for Determination and Notice of Intent are available on the DEP website.

Fire Department (Turners Falls)

(Jurisdiction includes villages of Millers Falls, Lake Pleasant, and Montague City)

Contacts: Bob Escott, Chief	Location: Public Safety Complex 180 Turnpike Road
Phone: (413) 863-9023	Email: turnersfallsfire@yahoo.com Website: http://turnersfallsfire.org/

Fire Department (Montague Center)

Contacts: John Greene, Chief	Location: Montague Center Fire Station- 28 Old Sunderland Rd Office Hours: Thursday evenings 7:00-9:00PM
Phone: (413) 367-2757	Email: jgreene@email.smith.edu Website: http://www.montaguecenterfire.org/

Fees: (For Both Departments)

Permit	Fee
Blasting	\$50 per day, plus detail cost
Fire Suppression Systems	\$50 per hour plus \$50 per hr over 1 hr
Hood/ Ansul Systems	\$50 per hour plus \$50 per hr over 1 hr
Removal UST – Commercial or Residential	\$50 per hour plus \$50 per hr over 1 hr
UST install <1100	\$50 per tank
UST install >1100	\$50 per tank plus \$50 per hr over 1 hr
Waste Oil Storage	\$20
Hazardous Substances	\$20
Sprinkler Plan Review	\$100 Plus .05/sf for buildings over 10,000 sf

Department of Public Works

<p>Contacts: Tom Bergeron, Superintendent Matt Cadran, Office Administrator</p>	<p>Location: 500 Avenue A Ext Turners Falls, MA 01376 Office Hours: 6:00 A.M. - 4:00 P.M. Monday - Thursday</p>
<p>Phone: (413) 863-2054</p>	<p>Email: hwysupt@montague-ma.gov</p>

Responsible For:

- Driveway Permits (*For Common Driveways, See Planning Board*)
- Road Opening
- Town Sewer Connection Permits
- Trench Permits (public and private)
- Demolition Permits

Highway Department Fees

Permit	Fee
Road Opening:	\$ 25.00
Sewer Connection	
Residential	\$105.00
Commercial & Industrial	\$125.00
Driveway Opening	\$25.00
Demolition	\$10.00
Demo Material	\$60.00 CU.YD
Trench Permit	\$50.00

Town Clerk

<p>Contacts: Deb Bourbeau, Town Clerk Mandy Hampp, Assistant Town Clerk</p>	<p>Location: 1st Floor Town Hall Office Hours: Mon, Tues, Thurs 8:30 A.M. - 5:30 P.M Wed 8:30 A.M.-6:30 P.M CLOSED FRIDAYS</p>
<p>Phone: (413) 863-3200 x 203</p>	<p>Email: townclerk@montague.gov</p>

Permit	Fee
Business Certificates (“Doing Business As” DBA)	\$ 25.00 (good for four years, must be renewed)
Pole Locations	\$40 per pole
Fuel Storage	Charged according to tank size

All decisions for special permits and variances from both the Zoning Board of Appeal and Planning Board are filed with the Town Clerk.

All legal notices for hearing are posted through the Town Clerk’s Office.

Board of Selectmen

Staff: Town Administrator's Office	Meetings: Mondays at 7:00PM Town Hall – Upstairs Meeting Room
Contacts: Frank Abbondanzio, Town Administrator Wendy Bogusz, Administrative Secretary	Location: 1 st Floor Town Hall Office Hours: Mon, Tues, Thurs 8:30 A.M. - 5:30 P.M Wed 8:30 A.M.-6:30 P.M CLOSED FRIDAYS
Phone: (413) 863-3200 x 201	Email: townadmin@montague-ma.gov selectscty@montague-ma.gov

Responsible For:

- All types of Liquor Licenses
- Entertainment Licenses
- Uses on Public Property (including use of sidewalk and sidewalk cafes)
- Used Car Licenses

Fee Schedule:

Liquor Licenses	Fee
Restaurant, All Alcohol	\$950
Restaurant, Beer & Wine	\$525
Package Store, All Alcohol	\$875
Package Store, Beer & Wine	\$500
Club, All Alcohol	\$650
Inn holder, all Alcohol	\$912
Other Licenses:	Fee
Common Victualler	\$35
Class II & Class III, (used cars) (junk)	\$100
Automatic Amusement	\$40/each
Lodging House	\$35
*1-day non profit (all alcohol)	\$30
Entertainment	\$50
Annual Auctions	\$100
Special Auctions	\$15
Place a sign or Object in the Right-of-Way	N/C
Place Directional/Informational Sign in the Public Right-of-Way	N/C

Water Department (Turners Falls)

(Jurisdiction includes villages of Millers Falls, Lake Pleasant, and Montague City)

Contacts: Mike Brown, Superintendent Sarah Tuttle, Clerk	Location: 226 Millers Falls Road Turners Falls, MA Office Hours: Monday-Friday 8:30 A.M.- 4:30 P.M.
Phone: (413) 863-4542 Fax: (413) 863-3175	Email: turnerswater@yahoo.com Website: http://www.turnersfallswater.com/

Permits issued:

- Water connection permits

Permit	Fee
Water Connection	Varies by project

Water Department (Montague Center)

Contacts: John Rittall, Engineer Gary Dion, Chair	Office Hours: Call first
Phone: (413) 367-2397 or (413) 367 9912	Email: Dion25r3@msn.com

Permits issued:

Water connection permits

Permit	Fee
Water Connection	Varies by project

State Permits

- **Curb Cut Permit** - Required by the Massachusetts Highway Department for new or altered driveways on any State roadway (Route 47 and Route 63).
Contact: Jeff Hoynoski
Mass Highway District 2
811 North King Street
Northampton MA, 01060
Phone: (413) 582-0599
- **The Massachusetts Endangered Species Act (MESA)** regulated by the Natural Heritage and Endangered Species Program (NHESP) requires a permit for alterations to Priority Habitat areas. (NHESP Priority Habitat maps are available for review at the Montague Department of Planning and Conservation)
Contact: Natural Heritage and Endangered Species Program
Massachusetts Division of Fisheries & Wildlife
North Drive, Westborough, MA 01581
Phone: (508) 792-7270 ext. 200,
<http://www.mass.gov/dfwele/dfw/nhesp/nhenviro.htm>
- **Massachusetts Environmental Policy Act (MEPA)** - Requires the submission of an Environmental Impact Report (EIR) under MEPA for projects and activities undertaken, funded or requiring a permit from MEPA state agencies if the project exceeds specified thresholds.
Contact: Richard Bourre
Attn: MEPA Office
100 Cambridge Street, Suite 900
Boston MA 02114
Phone: (617) 626-1130.
<http://www.mass.gov/envir/mepa/secondlevelpages/filingwithmepa.htm>
- **401 Water Quality Certification** - Required by the Massachusetts Department of Environmental Protection (DEP) for any project that will alter over 5,000 square feet of wetlands and/or the dredging of more than 100 cubic yards of Land Under Water as defined in the Massachusetts Wetlands Protection Act.
- **Massachusetts Historical Commission Approval** must be obtained if a designated historical or archeological landmark will be altered or affected by a project undertaken by a state agency or any private party seeking any state funding, permits or licenses for the project. There are two Historic Districts listed on the National Register of Historic Places where this applies: Downtown Turners Falls and Montague Center. Montague does not have a local historic district.

Federal Permits

- **Section 404 of the Federal Clean Water Act** Required by the Army Corps of Engineers (Corps) for work affecting the “course, location, condition or capacity” of navigable waters. This includes rivers, ponds, and streams in Montague.
- **National Historic Preservation Act Section 106 Review** requires that certain federally assisted, permitted and licensed activities that might have an adverse effect on properties listed with, or eligible for listing with, the National Register of Historic Places be reviewed concerning that effect and its consequences; Section 106 review is accomplished by submitting a Project Notification Form to the Mass Historical Commission. Note: There are two National Historic Register Districts in Montague: Montague Center and downtown Turners Falls.
- **Environmental Protection Agency Storm Water Notices of Intent and/or NPDES Permits** are required for storm water discharges associated with certain industrial activities except operations that result in the disturbance of less than five acres of total land area which are not part of a larger common plan of development or sale”. The project owner and operator are required to file a Notice of Intent or pollution abatement plan with the Environmental Protection Agency.
<http://cfpub1.epa.gov/npdes/stormwater/cgp.cfm>

Frequently Asked Questions

How do I know if a permit or review is needed?

A good rule of thumb is that any work that builds a new structure or alters walls or roofs requires a building permit. Also, garages, sheds, fences, decks, and swimming pools require building permits. Sometimes, depending on the project site and characteristics, other permits might be needed. Your best course of action is to ask first—the Building Inspector can help you determine exactly which permits apply to you. Most application and forms are available on the town website <www.montague-ma.gov>

What if I want to construct a new home or new business?

New construction sometimes requires one or more permits, depending on the size, location, and proposed use of the structure. Your first step should be to consult the Building Inspector. The Building Inspector will discuss with you the property improvements you propose, and what the typical permit requirements are. The Building Inspector will inform you of other regulations, like environmental regulations, wetlands, etc. that might apply to your site. He will also guide you to the Zoning Bylaw, which specifies minimum lot area, setbacks for front, rear, and side yards, and permitted uses in specific districts.

How do I know what laws apply to my project?

Call the Building Inspector or Town Planner. They can help you determine the laws and regulations that govern your project and your site.

What is Zoning?

All property in Montague is classified into one of 11 zoning districts. These districts define in detail the uses that are allowed in that district by right or by special permit. Each land use has specific regulations for lot frontage, lot area, and yard setbacks. There are also three “overlay” districts (Floodplain, Agriculture Business, and Water Supply Protection) that stipulate additional development controls in some areas of town.

What is the difference between the Zoning Code and the Building Code?

Zoning regulations are established by the Town. Zoning determines the types of structures and uses that are allowed in each zoning district. No matter where your property is located in town, it is subject to some type of zoning regulation. The Building Code is established by the Commonwealth and applies to all structures and buildings, no matter the use or location. The Building Code sets the minimum safety standards to protect the health and safety of the building occupants and neighbors. The Building Inspector is also the Zoning Enforcement Officer in the Town of Montague.

What if my proposed structure or use is not allowed by the Zoning Bylaws?

Some uses are allowed only with a Special Permit. A Special Permit means that the use is not normally permitted, but the Town will consider allowing it if it meets certain criteria and is judged to be an overall benefit to the Town. The Zoning Bylaws outline the process and the uses subject to Special Permits. In other cases, when a proposed structure cannot fit properly on a lot, a Variance may be sought. Please contact the Building Inspector or Town Planner for more information.

What is a Priority Development Site?

Montague has two Priority Developments approved by the State under MGL Ch 43D. These sites are the Strathmore Mill Complex and the Turnpike Road Industrial Area. This designation guarantees a streamlined 180 day development permitting from the state and Town. The Zoning Board is the issuing authority. The Town Planner is the primary contact for development in Priority Development sites.