

AMHERST PLANNING BOARD
Wednesday, December 12, 2018, 7:00 PM
First Floor Meeting Room, Town Hall
MINUTES

PRESENT: Michael Birtwistle, Christine Gray-Mullen, Acting Chair, Jack Jemsek, David Levenstein, Pari Riahi

ABSENT: Maria Chao and Greg Stutsman

STAFF: Christine Brestrup, Planning Director
Pamela Field-Sadler, Administrative Assistant

7:09 pm: Ms. Gray-Mullen opened the meeting and announced that in the absence of Greg Stutsman she would serve as the Acting Chair.

I. MINUTES

There were no Minutes available for review.

II. PUBLIC HEARING – ZONING BYLAW

Zoning Bylaw – Changes mandated by the Amherst Home Rule Charter

To see if the Town will vote to amend the Zoning Bylaw by repealing the Zoning Bylaw in its entirety and adopting a new Zoning Bylaw including the amendments recommended by the Bylaw Review Committee to bring the Zoning Bylaw into conformance with the Amherst Home Rule Charter, as adopted March 27, 2018.

7: 10 pm: Ms. Gray-Mullen read the preamble and opened the public hearing.

Ms. Brestrup explained that in accordance with Section 10.7(u) of the Amherst Home Rule Charter (Charter), the Select Board appointed a 3 member Bylaw Review Committee (Committee). The Committee completed a review of the Town bylaws and prepared amendments needed to bring the Town bylaws into conformity with the provisions of the Charter. As required by M.G.L. Chapter 40A Section 5, the Select Board submitted the proposed amendments to the Amherst Zoning Bylaw to the Planning Board (Board) for review and a public hearing. Bob Ritchie, Committee Chair, explained the Committee dedicated most of their work to the General Bylaws, and reported the Zoning Bylaw is a well-established, organized body of law requiring minimal changes. The Committee identified authority conferred to entities no longer existing under the Charter and updated where the authority now resides. In order to be consistent with Charter mandates, the Committee amended the member size of the Planning Board and the Zoning Board of Appeals and clarified any appointment to either board is the responsibility of the Town Council. Also, within Article 12: Definitions, the Committee created a new section titled Marijuana Uses. The addition of this section enables grouping all the marijuana uses together, as well as allows for numbering and alphabetization corrections. The Board thanked the Committee for the work they did.

There were no public comments.

Mr. Levenstein moved to close the public hearing and to recommend the changes to the Zoning Bylaw to Town Council, as well as recommend that Town Council adopt the Zoning Bylaw as amended. Mr. Birtwistle seconded and the vote was 5-0-0.

III. OLD BUSINESS

**A. Signing of Decisions – Site Plan Review and Special Permit
SPR2019-01 & SPP2019-01**

Gray Street, LLC – 236 North Pleasant St. & 12 Hallock Street

Ms. Brestrup explained at this time, neither decision was ready for signatures. Board members agreed to come into the Planning Department office to sign the Special Permit decision before 1:00 pm on Friday (12/14/2018.) since the previous Special Permit of which this was a renewal would expire on 12/16/18, a Sunday, and the decision needed to be filed with the Town Clerk on 12/14/18. Ms. Brestrup will contact Ms. Chao and Mr. Stutsman to ask them to come in as well. The Site Plan Review decision will be prepared and signed in 2019.

B. Topics not reasonably anticipated 48 hours prior to the meeting.

1. Environmental Notification Form for the proposed Applied Golf Photovoltaic Power System Project

Ms. Brestrup provided a copy of the letter sent to the Massachusetts Environmental Policy Act Office (MEPA) in regards to the Environmental Notification Form (ENF) for the proposed Applied Golf Photovoltaic Power System Project. Ms. Brestrup explained MEPA is responsible to issue a certificate for the ENF notifying the applicant if any additional questions need answering. There is also the possibility MEPA could require an Environmental Impact Statement. Ms. Brestrup pointed out the applicant, Applied Golf, is currently meeting with the Conservation Commission, and will probably come before the Zoning Board of Appeals in late January 2019. Planning Board members requested a presentation from the applicants at the Planning Board meeting on January 16, 2019, so that they could make recommendations to the ZBA.

IV. NEW TOPICS

A. Topics not reasonably anticipated 48 hours prior to the meeting.

1. Schedule Next Planning Board Meeting

The Planning Board agreed January 16, 2019 will be there next scheduled meeting, and possibly January 30, 2019 if necessary.

V. FORM A (ANR) SUBDIVISION APPLICATIONS - none

VI. UPCOMING ZBA APPLICATIONS

Ms. Brestrup reported that Rise, the medical marijuana facility located on Meadow St., is expected to request a special permit for recreational marijuana sales from the Zoning Board of Appeals at their January 31, 2019 meeting.

VII. UPCOMING SPP/SPR/SUB APPLICATIONS – none

VIII. PLANNING BOARD COMMITTEE & LIAISON REPORTS

Pioneer Valley Planning Commission – Jack Jemsek and Christine Gray-Mullen – Mr. Jemsek reported he would be attending the meeting on December 13, 2018.

Community Preservation Act Committee – Mr. Birtwistle was nominated to this committee and is waiting for appointment.

Agricultural Commission – Ms. Riahi was nominated to this commission and is waiting for appointment.

Design Review Board – Michael Birtwistle reported there has been no meeting since his last report.

Amherst Municipal Affordable Housing Trust – no report

Zoning Subcommittee – no report

UTAC (University and Town of Amherst Collaborative) Christine Gray-Mullen – no report

Downtown Parking Working Group – Christine Gray-Mullen reported the next Downtown Parking Working Group meeting is Wednesday, December 19, 2018.

IX. REPORT OF THE CHAIR – Ms. Gray-Mullen had no additional report and wished everyone a happy holiday season.

X. REPORT OF STAFF – Ms. Brestrup had no additional report and wished everyone a happy holiday season.

XI. ADJOURNMENT

The meeting adjourned at 7:31 PM.

Respectfully submitted:

Approved:

Pamela Field-Sadler
Administrative Asst.

Christine Gray-Mullen
Acting Chair

DATE: _____