

**AMHERST PLANNING BOARD**  
**Wednesday, June 26, 2019, 7:00 PM**  
**First Floor Meeting Room, Town Hall**  
**MINUTES**

**PRESENT:** Michael Birtwistle, Maria Chao, Christine Gray-Mullen, David Levenstein,  
Pari Riahi, Greg Stutsman, Chair

**ABSENT:** Jack Jemsek

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

---

**7:02 pm:** Mr. Stutsman opened the meeting.

**I. MINUTES** - None

**II. PUBLIC COMMENT PERIOD** – None

**V. PLANNING & ZONING**

A. ZSC Report

The ZSC has not met since the last report.

B. Public Comment about ZSC Report – None

C. Other – None

**VII. NEW BUSINESS**

Topics not reasonably anticipated 48 hours prior to the meeting

A. The Planning Board (Board) reviewed upcoming SPR and SPP applications and determined meeting dates. The Board scheduled meetings for July 24, 2019 and September 18, 2019.

**III. PUBLIC HEARING – SITE PLAN REVIEW & SPECIAL PERMIT**  
**SPR2019-06 & SPP2019-03 – Town of Amherst Dog Park**  
**95 Old Belchertown Road** (*continued from June 19, 2019*)

Joint public hearing to request Site Plan Review approval for construction and operation of a 1.5 acre dog park, including parking, fencing, site improvements, and placing 6,750 CY of fill on site for protection of landfill cap under Sections 3.335 and 3.122 of the Zoning Bylaw and to request a Special Permit for construction of a fence in excess of 4' tall within the front setback and placement of a shed within the front setback under Section 6.29 and Section 6, Footnote "a" of Table 3 (Map 21B, Parcel 8, PRP Zoning District)

**7:05 p.m.** Mr. Stutsman stated this public hearing is continued from June 19, 2019.

Ms. Riahi and Mr. Birtwistle stated they had met the requirements to invoke the Mullin Rule and are eligible to participate in the vote.

Mr. Levenstein asked if there would be water stations located at the shade structures within the dog park. Mr. Liu confirmed the water stations would be located at the park entry for easy access from any area inside but not at the shade structures; adding additional water stations would require trenches.

The Board reviewed an updated plan showing the perimeter fence and shed located entirely within the property line. Mr. Liu will send the electronic version of the updated plan to Ms. Brestrup.

There being no Public Comment, the Board reviewed and agreed upon the list of conditions that they had arrived upon at the June 19 meeting.

Mr. Birtwistle moved to close the public hearing finding the application meets the relevant criteria of Section 10.38 and Section 11.24 of the Zoning Bylaw, and to grant the Site Plan Review approval and Special Permit with conditions and waivers as requested. Mr. Levenstein seconded.

**VOTE:** 6-0-0 to approve with conditions

#### **Conditions**

1. The applicant shall present the plans for the information kiosk to the Planning Board for review and approval prior to construction and installation.
2. The shed shall be contained entirely within the property lines.
3. The perimeter fence shall be placed entirely within the property lines.

#### **IV. ZBA APPLICATION – REVIEW AND RECOMMENDATIONS**

**ZBA 2019-18 – Joel Greenbaum** – Request a Special Permit to construct a non-owner occupied duplex under Section 3.3211 of the Zoning Bylaw, proposed as a complementary Principal Use under Section 3.01 of the Zoning Bylaw, located at 7 Pease Place (Map 11C/Parcel 202), General Residential (R-G) Zoning District.

Ms. Brestrup explained that Joel Greenbaum has requested a ZBA Special Permit to construct a non-owner occupied duplex at 7 Pease Place; the property already contains a single-family house. Ms. Brestrup and the Building Commissioner suggested the Board review Mr. Greenbaum's application because a number of residents have asked questions and shared the following concerns regarding the property:

- Road safety - Pease Place is a private, narrow and curving road currently serving four properties.
- The number of people who will live in the duplex added to the number of people currently living in the single-family house.
- The number of parking spaces to be provided.
- The size, mass and bulk of the building.
- The potential loss of existing trees.

Mr. Greenbaum presented his proposal and stated his plan is to replace the existing garage structure with a non-owner occupied duplex. Mr. Greenbaum confirmed that the existing residence on the property is a single-family rental with four bedrooms, and each unit of the proposed duplex will have three bedrooms. Mr. Greenbaum is proposing four parking spaces for the existing residence, and four parking spaces for the duplex. In an effort to address the residents' concerns, Mr. Greenbaum discussed potential changes to shrink the building size, as well as move it farther from the back property line.

Mr. Greenbaum confirmed the property is located within the North Prospect-Lincoln-Sunset Local Historic District and was subject to review by the Local Historic District Commission (LHDC). The LHDC supports the project and the building; however, the LHDC referred the application to the Historical Commission to make a determination regarding the garage demolition.

The Board discussed the need to reconfigure the proposed parking to achieve greater organization and functionality. Mr. Greenbaum confirmed that Pease Place is a private road and currently there is parking on the street.

The Board reviewed the front setback dimension. Ms. Brestrup confirmed that the Building Commissioner and the ZBA would determine from which point the front setback should be measured. Ms. Brestrup explained that Table 3 Footnote a provides for the modification of a front setback through the Special Permit process.

Mr. Birtwistle stated that this project is a good example of infill.

The Board agreed upon the following recommendations to the ZBA:

1. reduce the number of parking spaces and reconfigure the parking plan for greater functionality;
2. consider reducing the building size;
3. look at the road's turning radius;
4. determine from which point the front setback should be measured;
5. consider locating the building farther from the back property line in order to save the spruce trees.

## **VI. OLD BUSINESS**

Topics not reasonably anticipated 48 hours prior to the meeting – None

## **VII. NEW BUSINESS**

Topics not reasonably anticipated 48 hours prior to the meeting

B. The Board received a request from Amherst Media to withdraw and resubmit their Site Plan Review application.

Mr. Levenstein made the motion to permit Amherst Media to withdraw without prejudice and resubmit their Site Plan Review application as requested. Ms. Gray-Mullen seconded the motion.

**VOTE:** 5-0-1 to approve    **ABSTAIN:** Riahi

Ms. Brestrup explained that Amherst Media is exploring the possibility of moving into the high school. However, they have also hired an architect who is developing a new design which includes moving the building eastward on the property and locating the parking directly behind the building. An underground storage tank for drainage is also being considered.

- C. Ms. Brestrup and Mr. Levenstein attended the June 24, 2019 meeting regarding the Valley CDC project proposed for 132 Northampton Road. An estimated 100 attendees heard presentations provided by Valley CDC, as well as five abutters. During the meeting, Ms. Brestrup presented a review of the timeline of the ZBA comprehensive permit process, and the public had the opportunity to share comments.

Ms. Brestrup reported that on June 24, 2019, the Finance Committee of the Town Council met to discuss, and ultimately voted (5-0) to support the recommendation to award \$500,000 of CPA funds to Valley CDC. Town Council will take this item up at their July 1, 2019 meeting.

#### **VIII. FORM A (ANR) SUBDIVISION APPLICATIONS - None**

#### **IX. UPCOMING ZBA APPLICATIONS**

Ms. Brestrup apprised the Board of three ZBA applications:

**Tip Up, LLC** - requests a Special Permit to allow a non-owner occupied duplex at 119 North Whitney Street. There is an existing single family home on the parcel. Ms. Brestrup will distribute the application electronically to the Board. Board members can send their comments to Ms. Brestrup to compile and forward to the ZBA.

**Bank of America** - proposes to install 25' exterior pole lights at the ATM kiosk located at 472 North Pleasant St.

**Pasta E Basta** – request to modify a Special Permit in order to remove a condition that requires the permit to expire upon change of ownership and replace it with a condition that requires a new owner to submit a new Management Plan for ZBA review and approval at a public meeting.

- X. **UPCOMING SPP/SPR/SUB APPLICATIONS** – Discussed earlier in the meeting.

#### **XI. PLANNING BOARD COMMITTEE & LIAISON REPORTS**

**Pioneer Valley Planning Commission** - Jack Jemsek and Christine Gray-Mullen

Ms. Gray-Mullen reported that the vote for a new PVPC Executive Director would be on June 27, 2019. Two candidates have been selected through a search process and each town with a PVPC Commissioner will have one vote. Ms. Brestrup shared that Ms. Gray-Mullen and Mr. Jemsek have been asked to create a report highlighting three years of PVPC activities and provide a presentation to the Town Council.

**Community Preservation Act Committee** - Michael Birtwistle – Mr. Birtwistle reported that, with the exception of the VCDC project, all other recommended projects have been approved by the Town Council for CPA funding.

**Agricultural Commission** - Pari Riahi – Ms. Riahi reported she had attended the last meeting and learned that Health New England members can be reimbursed for a farm share membership.

**Design Review Board** - Michael Birtwistle - No Report

**Amherst Municipal Affordable Housing Trust** - Greg Stutsman – No report

**Zoning Subcommittee** – Maria Chao, David Levenstein, Greg Stutsman – No Report

**Downtown Parking Working Group** – Ms. Gray-Mullen – No Report

**XII. REPORT OF THE CHAIR** - Being his final meeting, Mr. Stutsman expressed his appreciation and gratitude for the experience to serve on the Planning Board.

**XIII. REPORT OF STAFF**

Ms. Brestrup thanked Mr. Stutsman for his participation on the Planning Board and his professional leadership while serving as Chair.

**XIV. ADJOURNMENT**

The meeting adjourned at 8:30 pm.

Respectfully submitted:

Approved:

\_\_\_\_\_  
Pamela Field-Sadler  
Administrative Asst.

\_\_\_\_\_  
Greg Stutsman, Chair

DATE: \_\_\_\_\_