

AMHERST PLANNING BOARD
Wednesday, October 2, 2019, 7:00 PM
Town Room, Town Hall
MINUTES

PRESENT: Maria Chao, Michael Birtwistle, Christine Gray-Mullen, Acting Chair, Jack Jemsek,
David Levenstein, Janet McGowan
ABSENT: Pari Riahi
STAFF: Christine Brestrup, Planning Director
Pamela Field-Sadler, Administrative Assistant

7:05 pm: Chair Christine Gray-Mullen opened the meeting.

I. MINUTES

The Planning Board (Board) reviewed the minutes dated August 27, 2019.

Ms. McGowan stated she did not recall discussing the supportive information written for item 11.2403 on pg. 7; she recalls the Board agreeing that the recreational space provided on the proposed Site Plan was deemed adequate. As written, Town Common and Sweetser Park are too far from the 462 Main St. project to be considered recreational facilities for the proposed mixed-use building and suggested this be struck. Mr. Birtwistle agreed.

Ms. McGowan stated she did not recall discussing protecting historic or scenic features as written on pg. 7 item 11.2410. Ms. Gray-Mullen explained the Board did discuss the fact that the applicant had requested a Demolition Permit for the existing garage on the property from the Historical Commission (HC). Senior Planner Nate Malloy had sent a memo to report the HC had imposed a 12-month delay which could be lifted earlier under certain conditions. Ms. Gray-Mullen pointed out the applicant would need to return to the Board with a new plan if the proposed parking is changed due to any ruling by the HC.

Ms. Brestrup explained that if a decision were challenged in the future, it would be best to have specific reasons to back up each finding. She often references supportive information in the findings from documents and discussions which have influenced the decision. However, in the future the discussion during the meeting will include more supportive information to include in the findings.

Ms. McGowan asked that the title Conditions be changed to read Draft Conditions in Section III as it relates to the Public Hearing for SPR 2020-01 & SPP 2020-01 462 Main Street LLC on pg. 8. The conditions were not accepted until the vote took place.

Regarding the section on pg. 11 titled Waivers, Ms. McGowan stated that she is of the opinion that the applicant did not provide a compelling reason for safety, aesthetics or site design to support the waiver from parking requirements. Ms. Brestrup will remove the reference to Section 7.90 from the minutes and on pgs. 9 and 13 of the decision. The reference to Section 7.910 will remain.

Mr. Birtwistle moved to approve the Minutes of August 27, 2018 with amendments.
Ms. McGowan seconded.

VOTE: 6-0-0 to approve as amended

II. PUBLIC COMMENT PERIOD – None

**III. APPEARANCE - John Hornik, Chair, Amherst Municipal Affordable Housing Trust
Draft Amherst Housing Policy – Presentation and Discussion**

John Hornik introduced himself as the Chairperson of the Amherst Municipal Affordable Housing Trust (AMAHT). Mr. Hornik stated that a need for more affordable housing continues to exist in Amherst. One reason for the existing housing crisis is that the increasing student population is moving into the market rate rentals in town, and the rents continue to rise. An estimated 57% of renter households are cost-burdened meaning more than half of the monthly income goes to housing costs. Renters with a HUD voucher have difficulty finding a rental in Amherst due to the cost of housing here.

AMAHT has developed the draft Amherst Housing Policy (Policy) to set affordable housing goals for Amherst and to create a commitment to reaching those goals. The draft Policy calls for developing 250 affordable housing units over the next 5 years or so. AMAHT is requesting that the Town Council, Community Preservation Act Committee and the Planning Board review and eventually approve an Amherst Housing Policy. Mr. Hornik invited comments and questions from the Board

Ms. Brestrup raised a question about Section I. Funding Priorities on pg. 1, where the second sentence makes the statement that the town's Master Plan, Housing Production Plan and the Comprehensive Housing Market Study were adopted by the Select Board. These plans were adopted by the Planning Board, she said. Mr. Hornik will check his facts and make the appropriate corrections.

Ms. Brestrup asked about the timeline for adopting the Policy, and if the Board will have the opportunity to review a final draft of the Policy. Mr. Hornik said the timeline is vague at this point; he does expect to collect comments from the other reviewers and will return to the Board for review. After the last draft Policy presentation to the Finance Committee on November 23rd, the AMAHT will consider all the comments and make revisions. Mr. Hornik expects to return to the Planning Board at least once with a revised draft Policy. Mr. Hornik would like to receive the Board's comments tonight or within the next two weeks.

Ms. Gray-Mullen asked about the Board's role at the Housing Forum on November 4th. Mr. Hornik explained there is not a defined role for the Board; however, the Board is invited to attend the Housing Forum. Also, Mr. Hornik has invited Ms. McGowan to participate in a Housing Forum breakout session regarding the policy formation because she offered a number of suggestions during his Policy presentation to the Community Resources Committee. Ms. Gray-Mullen encouraged Board members to attend the event, and then the Board could finalize their comments on the draft Policy at their next meeting after that.

Ms. McGowan expressed support for the Policy and the development of goals, as well as establishing a commitment to meet the goals. She suggested the following strategies for implementation:

1. The Housing Market Study and the Housing Production Plan recommend a simpler Inclusionary Zoning Bylaw that works well. The Board could recommend an Inclusionary Zoning article that applies to all permitting processes, including subdivisions, to the Town Council for consideration.
2. Implement the recommendation of the Housing Market Study and the Housing Production Plan by requiring a 15% minimum of affordable units for housing developments other than single-family homes.

3. Offer tax incentives to owner occupied 2 or 3 family houses, or if a developer agrees to provide affordable housing units.
4. Consider implementing a program such as Nesterly which promotes home sharing. Other university towns utilize Nesterly and UMass could be a good candidate for such a program.
5. Encourage UMass to commit to building student dorms.
6. Follow the recommendation of the Housing Market Study and promote the development of non-student, low and middle-income units.

Mr. Hornik agreed with Ms. McGowan's suggestions. If the Board agrees with the suggestions, he supports adding these strategies to the Policy.

Ms. Brestrup requested an edit in the first paragraph on pg. 5 under the Background. The number of affordable units the North Square development will add will be 26. She also requested that the 11 affordable units at Aspen Heights and the 4 affordable units recently completed on University Drive should be included in this section.

Ms. Brestrup pointed out that on pg. 7, the 2015 Housing Market Study is referenced regarding UMass student housing. Ms. Brestrup shared that UMass is currently finalizing a call for proposals to create 1,000 beds for students along Massachusetts Avenue and she requested this information should be added as a complimentary footnote.

Mr. Birtwistle shared his opinion that the draft Policy is convincing and prudent. He asked what the Board could do to support the goals of the Policy.

Mr. Hornik stated that the current zoning appears to be a major obstacle in multi-unit housing development. Much of the zoning in Amherst promotes single-family houses; zoning changes need to be made to allow low and middle-income housing development. Mr. Hornik that stated the suggestion about Inclusionary Zoning should be strongly considered.

Ms. McGowan asked how students fit into the statistics. Mr. Hornik explained that the data comes from the annual American Community Survey which is a sample household survey, and he doesn't believe students are included.

Ms. Chao suggested that Board members forward comments to Ms. Brestrup, who can compile them. Ms. Chao would also like to examine the comments submitted by the other committees reviewing the draft policy. She supports finding the balance between affordability and developers' financial needs.

Ms. Chao also asked if Mr. Hornik was working on the 40R District study, and if so, what are his thoughts on the chosen site. Mr. Hornik responded that the 40R study originated with the AMAHT; Mr. Hornik worked with Senior Planner Nate Malloy to submit the grant application to fund the study and the hiring of consultants. The decision was made to focus on the downtown site; this area seems to provide the greatest opportunity to start with. Mr. Hornik is of the opinion that the development of a 40R District makes sense because 20% of housing development in the 40R district will have to be affordable.

Ms. McGowan asked if a Board meeting could focus on discussing the Housing Production Plan and the Housing Market Study, specifically which strategies were implemented and which strategies have not. Ms. Gray-Mullen stated the Board meetings are full and suggested Ms. McGowan could request staff to compile a summary of the documents. Ms. Brestrup will generate a summary of the documents including recommendations and strategies with a focus on affordability.

Both of the documents are available on the AMAHT website. There has been internal discussion regarding updating the Housing Production Plan, but waiting to undertake this task until the new census comes out.

Mr. Birtwistle supports waiting for new data prior to updating any documents. He suggested that ZSC could be tasked to investigate zoning amendments that would further the efforts on affordable housing forward and report back to the Board.

Ms. Gray-Mullen agreed that this could be considered; however, the ZSC may be asked to tackle another project. The Town Council is holding a meeting regarding the Master Plan on October 28th and encouraged the Board to attend. An informational session will begin at 5:30 p.m. followed by a Public Forum at 6:30 p.m. The Board may be asked by Town Council to work on updating the Master Plan.

**IV. PUBLIC HEARING – SITE PLAN REVIEW and Special Permit
SPR 2019-07 & SPP 2019-04 – Amir Mikhchi – South East Street Court Housing
133 & 143 South East Street** *(continued from July 24, 2019, August 27, 2019 and
September 18, 2019)*

Joint public hearing to request Site Plan Review approval to construct a new 3-story mixed-use building with 62 apartment units, 1358 sq. ft. of retail space and associated site improvements and work in the town right of way, under Section 3.325 of the Zoning Bylaw & request a Special Permit to modify the front and side setback requirements under Footnote “a” of Table 3, Section 6 of the Zoning Bylaw (B-VC Zoning District, Map 15C, Parcels 3 & 4)

8:00 p.m. Ms. Gray-Mullen explained that this Public Hearing is continued from July 24, 2019, August 27, 2019 and September 18, 2019, and she read the project description.

Consultants Michael Liu, Landscape Architect and Project Designer from Berkshire Design Group, Amir Mikhchi, property owner and Roy Brown, Architect introduced themselves and presented the changes to the design.

Mr. Liu stated that the building design has been revised. The new proposed building will have 61 residential units and 1200 sf of retail space; one unit will be modified to become an indoor bike storage and mechanical room. The elevations of the building have not been changed.

A revised color rendering of the proposed site design was presented including the revised parking area. The revised plan proposes 67 parking spaces, instead of 68. Changes to the residential lease will help to support the reduction in parking spaces.

The circulation system of the site will provide a two-way driveway for entering and exiting. The flow on the interior of the site will be one-way. The plan showed a new interior plaza/entry with a pick-up zone for ride-share vehicles to stop to pick up and discharge passengers. The proposed building has shifted slightly. The 6' setback on the north side remains the same; however, the east side setback has been reduced to 3'. This will not allow for more parking, but a bit more green space will be provided by the shift. The project remains at the 70% capacity of lot coverage. The location of the walkway in the front (east side) of the building was changed to align with the proposed crosswalk.

The Board reviewed a number of renderings of the proposed building depicting the height and mass of the 3-story building on the site, how it fits in next to the Florence Bank building, and in context to Auto Express and single family houses. A 3-D rendering showed the face of the building and the portion along the 2nd and 3rd floors that jut in and out to break-up the façade. Mr. Liu also provided photos from the proposed entry drive showing primarily unobstructed sight distances north and south along South East Street.

Mr. Liu reminded the Board that a similar situation is located uptown where a 5-story building is located amongst a variety of 1-story commercial buildings.

Ms. Brestrup provided a map depicting the area of the East Amherst Village Center, based on zoning, to provide a context for the Board to consider. The limits of the Village Center are not clearly defined, at this time and should probably include more properties than the map shows, including nearby apartment complexes.

Mr. Liu noted that the nearby Colonial Village is a large apartment complex and is comprised of 2-story apartment buildings.

He provided the revised Lighting Plan and light catalogue cut sheets. The applicant has agreed to use the town standard on his property as well as within the town right of way.

The Lighting Plan includes 4 pole fixtures on South East St.: at the south side of the entry drive, at the plaza area, at the bus stop area, and off site to the north to light the sidewalk. Within the site, six light pole fixtures are proposed to provide lighting for the parking area, with additional wall packs to light the doorways and walkways.

Mr. Liu showed the plaza area revised to be more inviting, and pointed out the mechanical room with two egresses. The mechanical room will also contain bike storage accommodating 20 bikes and additional bike storage outside.

Mr. Mikhchi presented the Parking Management Plan and explained that one parking space has been dedicated ride-share vehicles and 10 parking spaces are dedicated for visitors. Mr. Mikhchi stated 10 residential units would not have parking privileges as defined by the rental lease. These 10 units would be available for a reduced monthly fee and tenants would have the option for designated indoor bike storage. Mr. Mikhchi also stated that hhe is in discussions with Zipcar to possibly locate one of their vehicles on site.

Mr. Mikhchi confirmed that the number of proposed parking spaces is 67. Mr. Mikhchi reiterated that he had donated the land for a 6' sidewalk and bus stop on the east side of the road; the bus stop has been installed.

Mr. Mikhchi confirmed that Presidential Apartments and Crestview Apartments offer one parking space per unit, and that based on observations of the Spruce Ridge complex, 23 out of 34 parking spaces are used. Mr. Mikhchi restated his commitment to encouraging the use of bicycles.

Mr. Levenstein asked about the distance between the proposed building and the Florence Bank. Mr. Brown confirmed the distance between buildings will be 76'-8" wide.

The Board discussed the number of proposed parking spaces. Ms. McGowan stated that the applicant's proposal does not meet the town Bylaw requirement for two spaces per residential unit.

Ms. Gray-Mullen stated that the Parking Management Plan needs to be more robust and define clearly how parking enforcement will occur. What will stop people from using the "visitor only" parking?

Ms. McGowan stated that the applicant should have returned to the Board with a new design that reduces the number of residential units and thus the required parking spaces.

Mr. Mikhchi restated these are 1-bedromm units. He has reduced the need for parking spaces by declaring no parking privileges for 10 units. The parking enforcement would be outsourced.

Mr. Birtwistle agreed that reducing the required parking by one half is a large waiver request. There was discussion about cars parking in the bus stop across the street. This bus stop is not yet operational and cars will be allowed to park there until the bus stop is in use. However, the use of the bus stop for parking emphasizes the need for more parking in this part of town.

Mr. Birtwistle added that the Bylaw requirement for two parking spaces per unit could be revised in the future; however, the current Bylaw is now in effect.

Mr. Mikhchi stated that more people are using bikes, ride-shares and public transportation. There was discussion about the possibility of shared parking in the Auto Express lot after the business closes at 6:00 p.m.

Mr. Levenstein stated he is less concerned with the 2:1 parking ratio as required by the bylaw, and the Board can approve a waiver. In weighing the pros-and-cons, this application provides the opportunity to consider the number of residential units and the promotion of alternative transportation. Mr. Levenstein supports a more detailed Parking Management Plan, particularly in the area of enforcement, for the substantial parking waiver request. He is open to further discussion of this matter. Mr. Mikhchi is taking a commercial risk; these apartments may not be desirable with limited parking. Florence Bank has expressed concern in regard to the parking. Language could be built into the Parking Management Plan which addresses this issue.

Ms. McGowan reiterated that the applicant could reduce the number of residential units, or change some of them into 2-bedroom units. She also noted that the construction of the bus stop does not increase bus availability.

Ms. Chao supported the model of encouraging alternative modes of transportation, and the consideration of the streetscape by locating the parking in the back of the building. She noted that new developments in the downtown do not have a 2:1 ratio of parking to beds. If we want to encourage less reliance on cars, this is a good project, she said.

Ms. Chao is of the opinion the applicant and his design team have made a concerted effort to respond to the Board's requests. These are all 1-bedroom units and 2 parking spaces per units seems excessive. Ms. Chao supports a more detailed Parking Management Plan.

Ms. Gray-Mullen summarized that some Board members support shrinking the building size to meet the parking requirement, while others support a more robust Parking Management Plan to support a parking waiver. Ms. Gray-Mullen noted that a more robust Parking Management Plan needs to include the following:

- greater detail regarding the plan for parking enforcement
- details for utilizing shared parking
- provide greater detail regarding the bus service: route numbers, how often it comes, summer schedule etc.
- consider increasing the number of tenant bike racks

Ms. Gray-Mullen also noted the applicant should consider revising the bike storage/mechanical room because the space has only one egress planned.

Ms. Gray-Mullen noted that the applicant is unwilling to reduce the building size and asked the Board what would it take to become more comfortable with the parking proposal or the Parking Management Plan.

Mr. Jemsek asked for greater detail in the Parking Management Plan. For instance, will tenant parking be first come first served. It would be beneficial to provide details regarding off-site parking or long term parking options, the bus service and enforcement too.

Mr. Birtwistle suggested that the applicant consider renting the residential units and the parking spaces independently of one another.

Board members discussed further the need for parking spaces.

Ms. McGowan stated all the apartment complexes in village center areas have 2 parking spaces per unit. She gave statistics about new buildings in the downtown regarding how many parking permits have been requested.

Ms. McGowan referred to Section 7.912 of the Bylaw pointing out that a waiver can be granted on the basis of a Parking Management Plan that implements sufficient car and van pooling, bicycling and public transportation, resulting in a reduction in the need for parking. Ms. McGowan stated that the applicant has not adequately met the requirement of Section 7.912 and a waiver cannot be granted.

Ms. Brestrup pointed out there are 6 Board members eligible to vote on this application, and to grant approval, 5 affirmative votes are required. She suggested the Board advise the applicant to revise the plan with an approvable number of units, or ask him to withdraw the application and return to the Board with a new plan.

The Fire Department has not yet commented on the revised parking lot, but town staff is awaiting a written response.

Ms. Gray-Mullen recognized Mr. Mikhchi's frustration with the process, and the work he and his team have put into this project; however, the Board needs to be comfortable in making a decision. Before a vote can take place, the applicant needs to develop a more rigorous Parking Management Plan, as well as receive a response from the Fire Department.

Ms. Gray-Mullen asked if staff could provide more assistance to Mr. Mikhchi. Ms. Brestrup reported she has been advising Mr. Mikhchi regarding the needs and expectations of the Board all along. Ms. Brestrup shared her opinion that there are strong reservations about this project and strongly suggested the applicant drop some of the residential units to seek approval from the Board. Even if the Parking Management Plan is revised, the Board will continue to face the same arguments regarding the limited number of parking spaces if the number of units is not reduced, she said.

Ms. Brestrup reported that the original informal proposal that the Board reviewed in June 2018 was for a smaller, more narrow building with 47 units. At that time the Board reviewed the original site plan, the focus was primarily on accommodating a project with less than a 10' setback. The current project covers more of the property, has more units, and more parking. Ms. Brestrup restated her strong opinion that in order to achieve the 5 affirmative votes needed for approval, Mr. Mikhchi would need to return to the Board with a revised plan that shows a reduction in the number of residential units.

There was discussion about the exact number of units proposed for elimination. Mr. Mikhchi noted that changing the size of the building would present many challenges; he suggested creating a gym and enlarging the retail space in place of the units that might be eliminated.

Ms. Gray-Mullen asked the Board members to express their opinions.

Mr. Levenstein expressed his appreciation for the hard work Mr. Mikhchi and his team have done. He also said he supports the idea of encouraging local business people. Mr. Levenstein stated he would need a more robust Parking Management Plan and a reduction in residential units to be comfortable to vote in favor of the project. He also would like to see more details regarding the after hour use of neighboring parking areas.

In being fair to the applicant, Ms. Gray-Mullen asked the Board if the design team came forward in two weeks with a revised plan that includes 57 units, would that be approvable.

Ms. McGowan supports the idea of shared parking; however, Florence Bank is concerned about becoming the overflow parking area. The applicant could try to reach a detailed agreement with Auto Express. Ms. McGowan encouraged the applicant to focus on the needs of the tenants. Ms. McGowan is very concerned he proposal has changed from 1 parking space per unit to less than that.

Mr. Mikhchi stated he has wanted to propose after hours parking at Auto Express, but he was advised not to do that. This subject was discussed early in the process, but complications exist. According to the Building Commissioner Mr. Mikhchi would need to change the Special Permit for the Auto Express property. Ms. Brestrup suggested that the applicant read Section 7.2 of the Bylaw and then meet with her and the Building Commissioner. Mr. Mikhchi would need to go through an additional permitting process for the Auto Express property.

Mr. Mikhchi does not think shared parking with Auto Express will work due to the complications. He also stated he cannot shrink the building size, but he is willing to re-designate 4 units which will decrease the number of tenants.

Mr. Jemsek suggested the number of units without parking privileges could be increased. Mr. Birtwistle restated his suggestion to rent the residential units and the parking spaces separate from one another.

The Board discussed having the applicant return in 2 weeks with a revised plan showing a 4 residential unit reduction. During the discussion the following suggestions were made:

- increase the number of bike racks
- any revised parking plan needs to be reviewed by the Fire Department
- provide catalogue cuts for the window tinting
- consider adding more plantings to create more privacy for the first floor tenants
- affirm responsibilities for the maintenance and repair of the Right of Way
- provide details regarding public transportation to downtown and UMass

Mr. Brown stated the ground floor elevation of the proposed building shown on the plan is pretty close to that of the bank building. The landscape of the site is low, and the existing houses are elevated on small mounds and some fill will be necessary for the public way.

Mr. Liu presented a revised Photometric Plan and explained that the plan was re-done with a town standard Halogphane light. The foot-candles at the property lines measure 0 to .1, and there will be 4 lights in the back parking lot, as well as 4 lights in the right of way. Wall pack lights are proposed for the front of the building to be mounted at 10' high, and at the rear doors mounted at 8' high. Mr. Liu pointed out the proposed locations of the lights.

There was a discussion regarding the location of the half-circular plaza. Ms. Gray-Mullen suggested moving it 15' to the north to ease pedestrian flow. Mr. Liu pointed out the possibility of moving the walkway to the north and keeping the plaza where it is enabling residents a direct route to the south building entrance.

Ms. Gray-Mullen stressed the importance of considering the landscape while adjusting the Photometric Plan because there are a lot of trees which could interfere with the light spread. Ms. Gray-Mullen expressed concern about the minimal lighting for the driveway and the public way sidewalk and the bus stops. Ms. McGowan stated that it is important to consider bicycles using the driveway at night too. Ms. Gray-Mullen requested Mr. Liu to submit drawings that include the proposed lights, the streetlights and the trees.

Ms. Gray-Mullen asked about the plantings on the north side of the building where trees block most of the southerly light and there is a fence located in the area too. Ms. Gray-Mullen also suggested plantings could be continued along the fence line in the area of the 15' X 65' recreational area. Mr. Liu confirmed the plantings are shade tolerant and some adjustments could be made such as adding a flowering tree.

Ms. Chao raised concern for the privacy of the 1st floor residents on the street side of the building primarily, but also the parking side. The elevations are uniform and mitigation of the architecture and/or landscaping needs consideration. Mr. Roy appreciated the concern for privacy and suggested the glass could be obscured for the 1st floor apartments. Mr. Liu stated the plan for the 5' strip in front of the building is to include a variety of dense plants to discourage people from looking in the windows.

Ms. Riahi is of the opinion that mitigation needs to be more than adding plantings and suggested exploring window glazing which would make the bottom more translucent and the top more transparent. Ms. Riahi added that the size of the building is substantial and encouraged the applicant to reconsider the elevations in order to break-up the large mass of the building.

There was a discussion regarding the parking. Ms. McGowan shared her concern that the parking seems to be inadequate for this project. The Bylaw requirement is 2 parking spaces per residential unit, and the applicant is proposing 1 parking space for each unit. Florence Bank has also shared the concern that limited parking for the project will significantly strain any adjacent parking. Ms. McGowan pointed out that although there is limited parking proposed there is not sufficient loading/unloading area for deliveries or residents.

Mr. Mikhchi stated the parking has been a concern from the beginning of the project development. He envisions residents who have small cars, use Zip car services or do not have a car. He also worked with the town and PVRTA to create the bus stop on the east side of the road to provide greater public transportation accessibility.

Mr. Jemsek asked if the lease agreement will clarify the number of parking spaces available for each unit. Ms. Gray-Mullen asked about guest parking and pointed out there are 5 extra spaces proposed, but 4 of those spaces are designated handicap accessible. Ms. Riahi agreed guest parking needs to be provided for a project this big. Ms. Chao stated parking is a concern and a Parking Management Plan needs to be submitted. Defining how you intend to encourage residents to use alternative parking. Ms. McGowan stated that in order for the Board to approve a parking waiver, the applicant needs to explain how the project meets the criteria of Section 7.9 of the Bylaw.

Ms. Brestrup explained that originally when this project was presented to the Board, Mr. Mikhchi proposed 47 units. The project proposal now includes 15 additional units and the Board needs evidence regarding why reduced parking is appropriate. She suggested Mr. Mikhchi include considering the bus schedule, bike parking, and a survey of other developments to support his request for reduced parking.

Mr. Mikhchi reiterated that his plan is to market the units to people who do not need parking. Ms. Gray-Mullen stated that if the plan is to encourage shared rides, the applicant needs to provide a handicap accessible loading zone for pick up and drop off of passengers. The design goal needs to meet the needs for a pedestrian friendly building.

Mr. Mikhchi stated he could consider reducing the number of proposed units in order to better meet the parking requirements. Ms. Gray-Mullen encouraged the applicant to work with his consultants to create a plan that shows he is addressing the concerns of the Board.

Public Comment

Mark Cavanaugh, Florence Bank, shared that the bank supports this development project, but has the following concerns:

1. A reduced number of parking spaces for the project will potentially lead to residents parking in any available space which could be especially problematic in the winter.
2. The bank is concerned the 5' setback to the building on the north side will be tight for construction without trespassing on the bank lot.

Mr. Liu confirmed the setback to the building will be 6', and a Construction Plan will be developed prior to the issuance of a building permit. Mr. Mikhchi added that the Contractor is developing a plan to share with Florence Bank.

Ms. Gray-Mullen stated the maintenance of the improvements within the town Right of Way area needs to be defined. Language has been included in the draft conditions which addresses this concern for the life of the building. Work in the town Right of Way included in this project will need to be approved by the Town Council. Mr. Mikhchi will need to provide a written Maintenance Plan for the area within the town Right of Way.

Ms. McGowan shared her concern that the proposed recreational space is too small.

Mr. Mikhchi asked if the Board would consider a 0' setback from the Right of Way which would provide another 6' in the back to work with. Ms. Brestrup shared that the original proposal included a 0' front setback. The Board agreed the entire project must be contained on private property with no intrusion into the Right of Way.

The Board asked the applicant to revise and resubmit the:

- Lighting Plan
- Parking Management Plan
- Landscape Plan
- Window glass for the 1st floor residential units

Ms. McGowan made the motion to continue the public hearing for SPR 2019-07 & SPP 2019-04 – Amir Mikhchi – South East Street Court Housing - 133 & 143 South East Street to Thursday, October 17, 2019 at 7:05 p.m. Ms. Riahi seconded the motion.

VOTE: 5-0-0 to continue

VI. OLD BUSINESS

- A. Signing of Decision – SPR 2020-01 & SPP 2020-01 – 462 Main Street LLC – Center East Commons

Ms. Brestrup will make changes to the SPR Decision based on the amendments to the minutes the Board approved earlier; however the Board can still sign the documents and she will replace the amended pages. The SPP Decision does not require amending. The Board signed the documents.

- B. SPR2018-11 – U Drive LLC – 70 University Drive – mixed use building – review and approval of change in location of air-conditioning units per conditions #7 & # 13 – discussion postponed until the October 16th Planning Board meeting.

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

VIII. FORM A (ANR) SUBDIVISION APPLICATIONS

ANR 2020-06 – Parcels 1D-1 and 2C-1 Sunderland Road

Mr. Jemsek recused himself from this discussion.

Upon the Board's authorization, Ms. Gray-Mullen signed ANR 2020-06 relating to property located on Sunderland Road.

XIII. REPORT OF STAFF

Ms. Brestrup thanked the Board for their hard work.

XIV. ADJOURNMENT

The meeting adjourned at 10:35 pm.

Respectfully submitted:

Approved:

Pamela Field-Sadler
Administrative Asst.

Christine Gray-Mullen, Chair

DATE: _____