

AMHERST PLANNING BOARD
Wednesday, May 7, 2008 – 7:00 PM
Town Room, Town Hall
MINUTES

PRESENT: Aaron Hayden, Chair; Richard Howland, Susan Pynchon, Jonathan O’Keeffe, Jonathan Shefftz, Denise Barberet (7:06 PM), Eduardo Suarez (7:14 PM)

ABSENT: Ludmilla Pavlova-Gillham, Kathleen Anderson

STAFF: Jonathan Tucker, Planning Director; Christine Brestrup, Senior Planner; Sue Krzanowski, Management Assistant

Mr. Hayden opened the meeting at 7:04 PM.

I. MINUTES – Meeting of April 16, 2008

Ms. Barberet MOVED: to be allowed to make minor grammatical corrections directly to staff ahead of time, rather than take up time at the meetings. There was no second.

Ms. Barberet noted some minor typographical errors on pages 1, 7 and 10. It was noted that the parcels listed in the proposed zoning amendment were different than those listed in the Report to Town Meeting. Staff explained that the language in the minutes was what was included in the legal ad.

Ms. Barberet MOVED: to accept the Minutes of April 16, 2008 as corrected. Ms. Pynchon seconded, and the Motion passed 5-0-1 (Pynchon abstained).

II. NEW BUSINESS

Mr. Shefftz stepped down from the Board and left the room while the next item was considered.

A. Request for Release of Bond and Covenant/Final Lot Release (Lot 6) – SUB 2004-00004, Moody Field Definitive Subdivision

Mr. Tucker said that the Town Engineer has reported that the work has been satisfactorily completed and, therefore, the performance bond can be released.

Mr. Howland MOVED: That based upon the Town Engineer’s report that the work has been completed, the Board release the performance bond. Ms. Pynchon seconded, and the Motion passed 5-0-1 (Suarez abstained).

Mr. Howland MOVED: that the Board release Lot 6. Ms. Pynchon seconded, and the Motion passed 6-0. The Board signed the Certificate of Performance.

Mr. Shefftz returned to the Board.

B. Town of Sunderland – Correspondence

The Board received a copy of a letter sent to the Amherst Select Board from the Town of Sunderland Board of Selectmen expressing concerns related to the proposed rezoning of 500-502 Sunderland Road.

Mr. Tucker noted that since the Board already held and closed the public hearing on this Town Meeting article, they could choose to acknowledge the letter but they could not substantially discuss or act on it without re-advertising and re-holding the public hearing. The earliest a hearing could be scheduled would be May 27th, in order to meet publication deadlines.

Mr. Howland noted that surrounding towns were notified of the public hearing and that would have been the appropriate time to respond. Mr. Hayden said that much of the discussion in the letter was raised in the public hearing. Mr. O’Keeffe agreed with their comments but said that the letter should be transmitted to Town Meeting.

After discussion about how best to do that, Ms. Krzanowski suggested that since the Sunderland letter was addressed to the Amherst Select Board, the Planning Board could choose to send a suggestion to the Select Board that the letter be transmitted to Town Meeting members.

Mr. Suarez suggested that even though abutting towns are notified, that may not be enough and that a courtesy call should be made to other towns. Protocols should be developed, he said, rather than to leave someone to make decisions on what is important and what isn’t.

Mr. Tucker explained that state law requires abutting towns to be notified, the decision to notify is not discretionary. He said that he also visited the Sunderland Town Administrator’s office and had spoken briefly with her and obtained a copy of Sunderland’s Zoning Bylaw.

Ms. Barberet said that she thinks people were caught by surprise by the Planning Board’s decision (3-2 in support of the proposal).

C. The Mass. Federation of Planning and Appeals Boards Spring Luncheon – Brochure – in packet

Ms. Pynchon asked if there had been consensus on the previous item.

B. Town of Sunderland – Correspondence (continued)

Mr. Howland MOVED: that the Board send a request to the Select Board asking that the Sunderland letter be distributed to Town Meeting members. Mr. O’Keeffe seconded.

Ms. Pynchon suggested that the Board should send a letter to the Sunderland Select Board acknowledging the letter, and after discussion, the Board authorized the Chair to respond to the Sunderland letter. Ms. Barberet suggested that a copy of the letter should also go to the Town Meeting Coordinating Committee. For the record, Ms.

Barberet said that she would send a copy of the Board's minority report to the Sunderland Select Board.

The Motion passed 7-0.

D. MA Downtown Initiative – Spring 2008 Workshop Series – Brochure

Although registration is required, there is no fee for the workshops. Board members should register themselves, if interested.

E. Other – None

III. OLD BUSINESS

A. Master Plan Process – Discussion

Mr. Hayden said that the Review Subcommittee is trying to tie up loose ends and is very close to finishing the Goals and Policies chapter. They would love comments, he added.

Mr. Tucker said that the Subcommittee is continuing to meet in preparation for presenting to the Comprehensive Planning Committee (CPC), which ceases to exist after June 30.

Mr. Howland said that it would be helpful if the Subcommittee would share what they have. The Board should have more warning than just to have it show up in June, he said.

Mr. Tucker said that the consultants had responded substantially to the CPC's requests and the Subcommittee is still working on the language. The chapters are about 95% done, he said. Mr. Hayden said that everything but Chapters 8 and 9 could be released to the Board.

Mr. O'Keeffe asked for confirmation that there is no timeline for the master plan's adoption. Mr. Tucker said that was correct.

Mr. Tucker said that it was on the agenda so that the Board can discuss the process for adoption. There could be one public session in June, he said, or wait until the fall.

Mr. Hayden noted that the Phased Growth Bylaw needs to be rewritten because it will expire in November 2009.

Mr. Howland said that he thinks the Planning Board should digest the master plan over the summer and present it in the fall when more people will be available.

Ms. Barberet asked if the Implementation Chapter had been revised. Mr. Tucker said that it is a much more fulsome chapter than previously available. He said that draft copies will be circulated to the Planning Board.

Mr. Hayden said that the Board still needs to come up with a process for adoption.

Mr. Tucker suggested that the Board have a multi-faceted but brief public process – put the plan on the web site; distribute draft copies; hold one or two public meetings, and then take it back, work on it and adopt it.

B. Town Meeting

Mr. Tucker said that he and Mr. Vincent O'Connor have revised Article 29, Steep Slopes, and the Moderator has agreed that the revisions are within the scope of the article. Town Counsel is reviewing the revised article.

Mr. O'Connor said that he hopes the Planning Board will re-open the public hearing, which would need to be re-advertised.

Mr. Hayden reminded the Board that they had voted to recommend that Town Meeting refer the article back to the Planning Board.

Ms. Barberet said that the proposal is so technical that it's difficult to understand and she would prefer that the Board stick with its recommendation to have the article referred back.

Mr. Howland MOVED: that the Board stick by its original recommendation to ask that Town Meeting refer the article back, and noted that it would be more appropriate for Fall Town Meeting when zoning amendments are usually considered. Ms. Barberet seconded.

Mr. Tucker asked if the motion had included a decision to not hold a new public hearing. Mr. Howland confirmed that it did.

The Motion passed 7-0.

C. Other – None

IV. FORM A (ANR) SUBDIVISION APPLICATIONS – None

V. UPCOMING ZBA APPLICATIONS

The Board decided not to review the following:

ZBA2008-00030, 275 Potwine Lane – Erica Deighton
ZBA2008-00031, 75 North East Street – Brenna Kucinski

Mr. Howland commented that he hopes the Conservation Commission will review the Potwine Lane flag lot request, because the parcel is very wet.

Ms. Brestrup noted that new applications are always transmitted to the Conservation Commission and staff communicate with the wetlands administrator.

VI. UPCOMING SPP/SPR/SUB APPLICATIONS

Ms. Brestrup noted that two Site Plan Review applications have been submitted by Amherst College for construction and renovations to the Scott House at 297 South Pleasant Street and the Hitchcock House at 101 South Pleasant Street. The public hearings are scheduled for May 20, 2008.

The Board scheduled site visits on Thursday, May 15, beginning at 4:00 PM

VII. PLANNING BOARD SUBCOMMITTEE REPORTS

A. Zoning – No Report

B. Atkins Working Group - Mr. Suarez said that the Subcommittee has not met. Mr. Tucker told the Board that a plan to redirect a portion of the bicycle transit for the Notch road improvements is complicating the project. The Subcommittee will be reconstituted when it needs to work on the rezoning.

VIII. PLANNING BOARD COMMITTEE REPORTS

A. Pioneer Valley Planning Commission – No Report

B. Community Preservation Act Committee – Ms. Barberet said the Committee held a public hearing on April 15 and reported on the funding voted for projects which will come before Town Meeting, including an article to increase the surcharge to 3%.

C. Agricultural Commission – Ms. Pynchon said that she was out of town and unable to attend the last meeting. She will also be out of town for the next meeting, she said.

D. Comprehensive Planning Committee – Given under “Old Business”.

E. Water Supply Protection Committee – No Report

Mr. Howland commented that he has never seen so many non-local activities on the Town Common for the community fair and suggested they should be subject to Site Plan Review. Mr. Tucker suggested that Mr. Howland’s concerns should be directed to the Rotary Club, which runs the community fair.

IX. REPORT OF THE CHAIR – Mr. Hayden reminded the Board that the zoning amendment articles will be coming up at Town Meeting and members should plan on attending.

X. REPORT OF THE DIRECTOR – No Report

XI. ADJOURNMENT

Mr. Howland MOVED: to adjourn this meeting at 8:21 PM. Mr. O’Keeffe seconded, and the Motion passed unanimously.

Respectfully submitted:

Sue Krzanowski, Management Assistant

Approved:

Aaron A. Hayden, Chair

DATE: _____