

AMHERST PLANNING BOARD
Wednesday, October 19, 2022 6:30 PM

Pursuant to Chapter 20 of the Acts of 2021, and extended by Chapter 22 of the Acts of 2022, *and extended again by the state legislature on July 16, 2022* this meeting was conducted via remote means.

MINUTES

The Minutes of the Planning Board are not intended to be a transcript. The meeting recording is located here: [Planning Board 10/19/2022 18:16 - YouTube](#)

PRESENT: Bruce Coldham, Thom Long, Andrew MacDougall, Doug Marshall, Chair, Janet McGowan, Johanna Neumann, Karin Winter

ABSENT: None

STAFF: Christine Brestrup, Planning Director
Pamela Field-Sadler, Administrative Assistant
Nate Malloy, Senior Planner
Jason Skeels, Town engineer

OTHER: SPP 2023-02 51 Spaulding Street

- Carol Albano and Bruce Allen, Owner/Applicant
- Chris Chamberland, Berkshire Design Group

The Meadows Subdivision

- Doug Donnell, 46 Hop Brook Road – Current president of the Meadows Homeowner Association
- Felicity Hardee, Attorney representing the Meadows Homeowner Association
- Connie Kruger, resident of Hop Brook Road
- Ted Parker, Tofino Associates

6:33 pm Chair Doug Marshall opened the meeting and determined by Roll Call that all Planning Board (Board) members were present and participating remotely.

I. MINUTES

1. September 21, 2022

Ms. McGowan suggested changing the word “small” to “large” in the first sentence in the final paragraph on pg. 3.

Motion: Ms. Neumann moved to approve the September 21, 2022 minutes as amended by Ms. McGowan. Mr. Long seconded the motion.

Vote: Coldham – yes; Long – yes; MacDougall – yes; Marshall – yes; McGowan – yes; Neumann – yes; Winter – yes (7-0-0 motion passes)

Mr. Marshall read the list of Attendee names prior to the Public Comment Period.

II. PUBLIC COMMENT PERIOD - None

I. MINUTES

Mr. Malloy requested that the Board revisit the Minutes of September 21, 2022. Mr. Malloy said he had reread the paragraph as amended by Ms. McGowan. He said the use of the word “larger” as originally written is correct, and suggested revising the original draft by substituting the word “it” in the same sentence with “occupancy threshold”.

Motion: Mr. Marshall made the motion to reconsider the vote to approve the September 21, 2022 minutes as amended by Ms. McGowan. Mr. Long seconded the motion.

Vote: Coldham – yes; Long – yes; MacDougall – yes; Marshall – yes; McGowan – yes; Neumann – yes; Winter – yes (7-0-0 motion passes)

Motion: Mr. Long made the motion to approve the originally drafted version of the September 21, 2022 minutes as revised by Mr. Malloy. Mr. Coldham seconded the motion.

Vote: Coldham – yes; Long – yes; MacDougall – yes; Marshall – yes; McGowan – yes; Neumann – yes; Winter – yes (7-0-0 motion passes)

III. PUBLIC HEARING – SPECIAL PERMIT

6:35 PM SPP 2023-02 – Bruce Allen – 51 Spaulding Street (*cont. from 09/07/2022*)

Public hearing to request a Special Permit to modify ZBA FY2007-00030 and allow 3 Roomers within an owner-occupied dwelling unit, construct 5 parking spaces previously approved and construct 2 parking spaces within the front setback in the northwest corner of the parcel, and relocate an existing shade tree within the front setback under Sections 3.3210, 5.0100 and 7.000 of the Zoning Bylaw (Map 14B, Parcel 110, R-G Zoning District)

6:45 p.m. Mr. Marshall announced that the public hearing for SPP 2023-02 – Bruce Allen – 51 Spaulding Street is continued from September 7, 2022. Mr. Marshall read the project description and there were no Board disclosures.

Mr. Chamberland shared the following updates in his presentation:

- Revised the parking plan shows 6 parking spaces: 2 parking spaces within the front setback in the northwest corner of the parcel and spaces along the southern boundary and 2 parking spaces at the end of the driveway.
- The revised plan results in a reduction of impervious space and the parking spaces will be located completely outside the 25' wetland buffer and will allow for elimination of some proposed plantings.
- The section along the southerly side would not require a turn-around because there are only 4 spaces proposed for that area and the requirement for a turn-around applies only in cases where there are 5 or more spaces.
- North facing head in spaces for spaces 1 and 2 were considered; however, a large tree would need to be removed to accommodate head in spaces.
- The parking areas are proposed to be asphalt.

Mr. Malloy noted the following:

- Confirmed that the request is to approve the site plan and to allow up to 3 Roomers in the owner-occupied portion of the 2-family residence.
- Draft findings and conditions have been developed
- The owner met with the Tree warden and determined the large tree in the front is not a public shade tree.
- A waiver would be needed to allow 3 (#4, #5 and #6) parking spaces in the front setback; any fencing in the front setback may require a waiver too.

Ms. Brestrup noted that the Board needs to acknowledge and approve the layout of the interior of the house, which is different from what was approved in the original special permit.

Mr. Chamberland confirmed there is not any fencing planned on the southern boundary. Mr. Allen reported that the resident at 45 Spaulding St. likes the green space at 51 Spaulding Street and strongly opposes any type of stockade fencing, but would support additional landscaping such as arborvitae in that area. Mr. Allen said that although it is hard to provide the exact location of new plantings due to existing trees and necessary leveling of the parking area, any planting of arborvitae would be located on 51 Spaulding St. and not the adjacent vacant lot.

Mr. Malloy suggested incorporating a condition that requires the applicant provide a revised plan showing the number and size of any plantings at a public meeting. Ms. McGowan suggested that the plantings could be addressed by revising Condition #6 be more specific. Mr. Allen said he was agreeable to come back with a revised plan after the driveway is constructed.

The Board discussed the revised site plan and the following comments were shared:

- Mr. Coldham supports the revised parking area and his original concerns for the future of this property as student housing in this residential neighborhood have been satisfied.
- Ms. Winter supports the parking design; it gets the cars off the street and retains the green space.
- Mr. Chamberland confirmed there is an existing sidewalk on the west side of Spaulding St. only, and confirmed that the erosion control barriers would be straw wattles. He also confirmed that cars in spaces 1 and 2 would back out.

The Board discussed the interior layout of the building and made the following comments:

- Mr. Marshall confirmed that the building is a two-family consisting of an efficiency apartment and the main house (with 5 bedrooms) plus bedroom #6. Roomers would occupy 2 bedrooms of the main house and bedroom #6 for a total of 3 roomers.
- Mr. Coldham said he is of the opinion that the parking provided is sufficient provided that the condition to allow the maximum of one car for the efficiency apartment is maintained.
- Ms. McGowan said her understanding is there are 6 bedrooms associated with the main house: 4 on the 2nd floor, 1 on the 1st floor and bedroom #6.
- Ms. McGowan expressed concern that bedroom #6 is operating as a separate unit which violates the Bylaw. She suggested a condition that would not allow a refrigerator or microwave in bedroom #6.
- Mr. Marshall noted that the Building Commissioner was very clear that bedroom #6 does not meet the state definition for an apartment.
- Ms. Winter said that UMass dorm rooms are allowed to have microwaves and refrigerators.
- Ms. McGowan supports students living in houses in the community; however, she does not want to see illegal units encouraged.
- Ms. Brestrup reiterated that the Building Commissioner has toured this building and that bedroom #6 does not meet the state definition for an apartment. She confirmed that bedroom #6 is one room with an alcove that contains a refrigerator, a microwave and a sink.

Public Comment

Rebekah DeCoursey Cornell, family lives at 60 Spaulding Street

- Please take the serious history of non-compliance into consideration.
- Are there details for the driveway construction? The current proposal won't work due to a 3 ft. drop on the southern side and there is already erosion onto her property.
- There is a problem with the applicants trespassing and harassing.

- Asked the Planning Board to require the applicant include a split-rail fence along the southern property line.
- Arborvitae would not be an inappropriate choice for planting next to a parking area.
- Concerned there is no enforcement in regards to the use. Applicant is renting a front bedroom that can be seen from the street that they have said would not be rented.

In answering a question from Mr. Marshall, Mr. Malloy said it can be required that the building remain owner occupied in order to continue to be operated as proposed if sold. He pointed out that proposed condition #22 would require a new owner to come before the Board to present a management plan, parking plan and complaint and response plan for the property. Currently, it is not typical to sunset the requirements of a permit and start fresh with a new owner.

In discussing the parking area details, Mr. Chamberland shared the following comments:

- The erosion control runs against the existing trees at the southern boundary.
- The edge of pavement is a little over 3' off the property line.
- Confirmed that about 4" of fill would be needed and that is pretty modest.
- Care would need to be taken when working in the area of spaces 3 and 4.
- Currently there is a driveway intruding in the dripline of existing trees.
- Could consider a condition to require an arborist be present while the gravel base is laid to ensure the tree roots are protected.
- Understands that the abutter's comment regarding a split-rail fence would be along the southern property line.

Ms. Winter reiterated that the proposed parking plan eliminates parking on the street. Ms. Winter expressed concern about future ownership of the property and supports a condition that requires a new owner to undergo the permitting process.

In answering a question from Ms. McGowan, Mr. Malloy explained that the Complaint Response Plan would be required as outlined in draft condition #19.

Draft Conditions

The Board reviewed draft conditions and revised them into final conditions as follows:

1. The property shall contain no more than the two existing units and provide rooms for up to three (3) roomers.
2. The property owner shall provide a template lease for the second dwelling unit and for each rooming unit to the Building Commissioner.
3. Bedroom 6, as shown on the plans dated June 28, 2022, prepared by Fitch Architecture & Community Design, and reviewed by the Planning Board on September 7, 2022 and October 19, 2022, shall be maintained as an accessory rooming unit under Section 5.0100 of the Zoning Bylaw and shall not contain a separate cooking facility that establishes a full kitchen as defined by applicable state law. Bedroom six is on the ground floor adjacent to the efficiency unit that has its own entry/egress.
4. The property shall register with the residential rental program and be subject to periodic inspection as required by the Code Enforcement Officer.
5. All exterior lighting shall be downcast and shielded.
6. Applicant shall submit a final landscape plan, including plantings along the southern property line, for review and approval by the Planning Board at a public meeting prior to the issuance of a permit for the driveway.
7. A parking management plan shall be provided to each roomer and tenant.
8. Parking spaces shall be assigned to specific roomers and tenants.

9. There shall be a total maximum of six cars allowed for all occupants.
10. The occupant(s) of the efficiency unit shall be permitted to have a maximum of one car. This restriction shall be a condition of the lease.
11. All parking shall occur on improved asphalt surfaces only.
12. Parking for occupants/tenants shall occur off street in defined spaces only and is prohibited along the apron of the driveway.
13. Snow removal shall be done to ensure snow storage does not encroach the 25' wetland buffer areas.
14. An as-built drawing certified by a registered land surveyor shall be provided to the Building Commissioner upon installation of the parking areas and plantings to demonstrate compliance with the approved plans.
15. Any alterations to the approved site plans or building plans shall be submitted to the Building Commissioner who will determine if the changes are substantial enough to require submission to the Planning Board for review and approval.
16. The approved Management Plans, Parking Plan, and Complaint Response Plan shall remain in effect at all times.
17. The owner shall maintain a log of complaints filed with the owner, manager or Town of Amherst and document actions taken by the owner in response to the complaint. This information shall be made available to the Code Enforcement Office upon request.
18. This Special Permit shall be filed with the registry of deeds prior to any work proceeding.
19. All work associated with the approved plans and conditions of this permit shall be completed by August 30, 2023 unless extended by the Building Commissioner for good cause.
20. Upon change of ownership, the new owner shall appear at a public meeting of the Planning Board to review an updated management plan, parking plans, and complaint response plan.

Break: The Board took a break beginning at 8:42 p.m. and resumed the meeting at 8:48 p.m.

Findings

The Board made findings under Section 11.24 of the Zoning Bylaw, Special Permit.

[The Planning Department has subsequently determined that the findings should have been made under Section 10.38 of the Zoning Bylaw, since the application was for a Special Permit and not for Site Plan Review. The Planning Department proposes to reopen the public hearing to review findings under Section 10.38 and to review changes to the Site Plan resulting from the removal of a tree on the day following the closing of the original public hearing.]

Waivers

The Board reviewed the Waivers as follows:

- 7.90—to waive Section 7.0002 to allow up to three designated parking spaces within the front setback

Motion: Mr. Coldham made the motion, finding that the application meets the relevant criteria of Section 11.24 of the Zoning Bylaw, to approve the site plan, the interior design plan and the use of the property, and to approve the findings, the draft conditions and waivers as enumerated, and to close the public hearing for SPP 2023-02 – Bruce Allen – 51 Spaulding Street. Ms. McGowan seconded the motion.

Public Comment:

Rebekah DeCoursey Cornell thanked the Board for their attention to the details of this matter.

Vote: Coldham – yes; Long – yes; MacDougall – yes; Marshall – yes; McGowan – yes; Neumann – yes; Winter – yes (7-0-0 motion passes)

IV. PUBLIC HEARING – SITE PLAN REVIEW AND SPECIAL PERMIT

6:45 PM SPR 2023-01 & SPP 2023-01 – Archipelago Investments LLC – 47 Olympia Dr (cont. from 08/03/2022 and 09/21/2022)

Joint public hearing to request Site Plan Review approval, under Section 3.326 of the Zoning Bylaw to construct a private apartment-style dormitory with 68 dwelling units & associated interior & exterior spaces & associated site improvements, including waiver of on-site parking requirements, & a Special Permit to modify maximum building coverage & height requirements, under Section 6, Table 3, Footnote “a” of the Zoning Bylaw (Map 8D, Parcel 18, R-F zoning district)

9:10 p.m. Mr. Marshall reminded the Board that the public hearings for SPR 2023-01 & SPP 2023-01 – Archipelago Investments LLC – 47 Olympia Drive were continued from August 3, 2022 and September 21, 2022.

Ms. Brestrup reported that the applicant has requested that the public hearing be continued to November 2, 2022, and she suggested it be scheduled for 7:30 p.m.

Motion: Mr. Long made the motion to continue the public hearings for SPR 2023-01 & SPP 2023-01 – Archipelago Investments LLC – 47 Olympia Drive to November 2, 2022 at 7:30 p.m. Mr. MacDougall seconded the motion.

Vote: Coldham – yes; Long – yes; MacDougall – yes; Marshall – yes; McGowan – yes; Neumann – yes; Winter – yes (7-0-0 motion passes)

Responding to a question from Mr. MacDougall, Ms. Brestrup reported that the proposal is still under review by the Conservation Commission (Con Com). Once the Con Com review process is complete, the applicant may want to present new plans to the Board.

Ms. McGowan noted that the Traffic Impact Report for this proposal has not been submitted.

V. REQUEST – RECOMMENDATION TO TOWN COUNCIL

The Meadows Subdivision – Referral by Town Council to the Planning Board for a report on roadway acceptance (due October 27, 2022)

Ms. Brestrup provided a historical summary of this topic and highlighted the following:

- The subdivision was developed in the late 1990s and early 2000s.
- The roadways had been substantially completed by 2004.
- 2004-2007: Tofino attempted to complete tasks on the punch list. However, the work was not finished and the roads have deteriorated over time; however, the developer did not request that the town accept the roads.
- 2012-2014: The residents of The Meadows began communicating with the Planning Department regarding the state of the roadways.
- Residents sought help from the Planning Department to get developer to finish the work on a punch list so roads could be accepted by the town.
- The town has been plowing the roads, but not providing maintenance.

- The deterioration may be due to the wet nature of the site which causes more freezing and thawing in the winter than a dry site.
- The residents have been paying property taxes to the town since their homes were built without the benefit of neighborhood road repair and maintenance.
- The Town Engineer created a punch list in January 2021; a shorter punch list was developed in the fall of 2021.
- The Homeowners' Association received an estimate from Warner Brothers in 2021 to complete the work on the 2021 punch list and does not include the crack seal.
- The Homeowners' Association submitted a letter to Town Council requesting the town accept the roadways.
- Town Council has provided the Board an opportunity to make a recommendation regarding the acceptance of the roadways. The Board is not required to make a recommendation.
- Outlined four possible recommendations the Board could consider:
 1. Recommend that the Town Council accept the roadways in their current condition, after Tofino completes a short list of tasks, (referred to above as the shorter punch list) which amounts to about \$20,000 worth of work; the town holds \$23,000 in escrow to complete the roadways; this recommendation would result in the town becoming responsible for the repairs needed to bring the roadways up to town standards, but (if followed by the Town Council) this recommendation is the most likely to resolve the issues in the shortest amount of time and would provide the homeowners with reassurance that the town would be responsible for maintenance and plowing of the roadways henceforth.
 2. Recommend that the Town Council not accept the roadways until the work on the longer punch list has been completed; Tofino has not agreed to complete the tasks on the longer punch list; this recommendation is likely to prolong the discussion and possibly result in no work being done to complete or repair the road in a timely manner; it could result in legal action on the part of one or more of the parties.
 3. Recommend that the Town Council negotiate an agreement with Tofino for the town and Tofino to share the costs of completing the punch list items prior to the acceptance of the roadway; Tofino has not shown an interest in negotiating this type of agreement with the town.
 4. Offer no recommendation to Town Council on the acceptance of the roadways.

Town Engineer Jason Skeels provided the following in his comments:

- There is a \$17 - \$20 million deficit in his paving budget for town roads.
- Supports the roads be brought up to standard prior to acceptance.
- Need to avoid setting a precedent of accepting poorly maintained roads.

Connie Kruger, 15 Hop Brook Road, provided the following comments:

- Homeowners feel as if the town dropped the ball in terms of collecting the surety in 2004 resulting in a shortfall of funds to complete the roadwork.
- To achieve a resolution, the town and the developer need to work together.
- Town is culpable for dropping the ball and the developer is culpable for not completing the roads in a timely manner.

Attorney Felicity Hardee, representative for the Meadows Homeowner Association, offered the following comments:

- Appreciates Ms. Brestrup's excellent and thoughtful memo summarizing this topic and the dilemma facing the homeowners.

- Homeowners stuck between the town's legitimate desire to accept roads in good condition and the developer's neglect of the roads.
- Not an easy solution; Ms. Brestrup did a good job of outlining possible recommendations.
- Encouraged the Board to provide Town Council with a recommendation.

Doug Donnell, 46 Hop Brook Road – Current president of the Meadows Homeowner Association added the following comments:

- Supports the comments made by Ms. Kruger and Attorney Hardee.
- Clarified that the Warner Brothers quote for the January 2021 punch list is \$133,415.
- Reiterated the tough spot the homeowners are in.
- 28 homeowners bought houses assuming the roads were public.
- Homeowners continue to pay taxes.

Ms. Brestrup recommended that the Board support Option 1 as outlined in her memo to the Board.

Site Visit (Brestrup, Coldham, Donnell, Kruger, Long, Parker, Skeels)

Mr. Coldham reported the following regarding the site visit:

- The group walked the entire length of both roads.
- The area has a high-water table and is wet in nature.
- A lot of the repair seems to be due to heaving catch basins and the Town Engineer reported the deterioration has excelled in the last 10 years.
- Learned that the Homeowners' Association is committed to taking care of some of the brush work.
- Learned this is not a static situation; the cost of the work is increasing due to inflation as well as the continuing deterioration which occurs at an accelerated rate.

Mr. Skeels confirmed the items on the short punch list are included on the longer punch list.

During the Board's discussion, the following was noted:

- Town would continue to plow the roads as long as the plows are not damaged due to poor road conditions. The ability to plow would be continually reassessed.
- If the town accepts the road, when would the work be completed; accepting the roads would set a bad precedent.
- If the town accepts the roads, other town roads in poor condition may be pushed farther out on the priority list.
- Mr. MacDougall supports requiring the developer to complete the full punch list of work prior to acceptance.
- Ms. McGowan asked for legal opinion regarding the feasibility to increase the surety bond.
- This is a similar situation as Amherst Hills and the homeowners are being affected the most.
- Mr. Skeels said that if the three punch list items from 2012 or 2014 had been done, the developer could have asked the town to accept the roads. Now, the longer list is a compromise to get the roads as close to new as possible.
- The \$133,415 includes the large patches required, but does not include the crack seal and it may not include some of the infrastructure work. If this work is done appropriately, it would buy the roads another 10 years before they would need a full milling and repaving.
- Mr. Parker confirmed that the developer would complete the items on the short punch list and not ask for the \$23,000 surety bond back.

- Mr. Donnell noted the developer has a history of procrastination.
- Mr. Long noted that 25 years ago the fix for the road was about \$20,000 and now it's about \$250,000. Mr. Long said he supports recommending Option 1 to the Town Council. Option 1 allows for getting the roads maintained properly and not at the expense of the homeowners who do not own the roads. Having been at the site visit, he reiterated that the deterioration is more about the wet site conditions than construction failure.
- Mr. MacDougall noted that a friend who lived on Hop Brook Road had to significantly reduce the selling price of his house to accommodate for the road conditions. He asked if the developer feels like they did the job correctly or if they still have a long list of work that they are refusing to do. He expressed concern that we are trying to make this happen fast versus making it happen right.
- Ms. Brestrup asked what incentive the developer has to complete the long punch list? Without an incentive it is likely to lead to continued discussions or possibly a lawsuit. The surety should have been collected prior to the release of the lots.
- Mr. Coldham said he essentially agreed with Mr. Long and noted that blame could be laid upon the town and the developer. If the town had accepted the roads 15 years ago, the town would be responsible for the deterioration caused by the frost heaving. Mr. Coldham also recognized the town's failure to collect the full performance compliance surety (\$10,000 per lot); ultimately only \$20,000 of the \$130,000 approved surety was collected.
- Mr. Skeels reiterated that the cost to repair the roads should not come out of the DPW's budget.
- The Board discussed the possibility to continue the discussion on October 26, 2022.
 - Ms. McGowan – no clear sense of a recommendation. Find out if the surety can be increased.
 - Mr. MacDougall – not at a point to make a recommendation, but not available on October 26, 2022.
 - Mr. Coldham – supports Option 1 perhaps modified by Option 3.
 - Ms. Winter – not ready to vote yet
 - Ms. Neumann – unsure what more information could be revealed; supports reaching a conclusion.
 - Mr. Long – supports Option 1, but noted that he feels as if this is a legal recommendation which is outside his scope of expertise. He is of the opinion that the situation needs to be resolved or it will continue to be brought forward for discussion and remedy.
- Ms. Brestrup will call Town Attorney regarding increasing the surety and any advice they can lend about this situation.
- Mr. Skeels mentioned that the developer has a 7-lot cul-de-sac in Amherst Hills that is undeveloped.
- Ms. McGowan suggested that an agreement could be mediated between the town, developer and the homeowners regarding contributing to the shortfall of funds available to fix the roads. Mr. Skeels cautioned the use of the existing estimate that is two years old.
- Ms. Winter asked if the road design needed to be reconsidered. Mr. Skeels confirmed that the town would not want to accept a subdivision gravel road. Attorney Hardee said that the town accepting a gravel road would be a deviation from the approved plan.

Motion: Mr. Coldham, in an effort to resolve the matter, made the motion to recommend that Town Council pursue Option 3 with the addition that the Homeowners Association should also be a party in the negotiations. Ms. Winter seconded the motion.

Discussion:

- Mr. Long asked if there should be a timeline included.
- Mr. Marshall said that Town Council would dictate a timeline if they choose to.
- Mr. Coldham noted that the recommendation does not recommend that each party should contribute equally.
- When asked, Ms. Brestrup declined to share any further comments.
- Mr. MacDougall said if the motion fails, he would make a motion to pursue Option 2.

Vote: Coldham – yes; Long – yes; MacDougall – no; Marshall – yes; McGowan – yes; Neumann – abstain; Winter - yes (5-1-1 motion passes)

Ms. McGowan suggested that Ms. Brestrup organize the punch lists and parse out the cost estimate. Mr. Coldham offered this would not be necessary because the Town Council would seek this information independently.

VI. OLD BUSINESS – None

Topics not reasonably anticipated 48 hours prior to the meeting

VII. NEW BUSINESS

Topics not reasonably anticipated 48 hours prior to the meeting:

Ms. Brestrup reported that Ms. Winter has suggested the Board engage in discussions regarding working with developers to promote bike storage, bike paths and bike lanes. Due to the late hour, Ms. Winter suggested the topic could be put on a future agenda.

VIII. FORM A (ANR) SUBDIVISION APPLICATIONS - None

IX. UPCOMING ZBA APPLICATIONS - None

X. UPCOMING SPP/SPR/SUB APPLICATIONS

Ms. Brestrup reported that a SPR application has been received for 20 Belchertown Road. ServiceNet is proposing to use a part of the building.

XI. PLANNING BOARD COMMITTEE & LIAISON REPORTS

Pioneer Valley Planning Commission – Mr. Coldham reported he is awaiting official appointment by the Town Manager. PVPC Alternate Jack Jemsek forwarded information from the most recent meeting.

Community Preservation Act Committee – Mr. MacDougall reported that the CPAC would hear 15 application presentations. Mr. MacDougall has sent the presentation schedule to staff to be forwarded to the Board. He suggested this item could be put on an agenda in the near future to discuss any Board feedback regarding the proposals.

Design Review Board – Mr. Long reported that he missed the last DRB meeting due to illness. An upcoming meeting is being scheduled.

Solar Bylaw Working Group – Ms. McGowan reported that:

- The Solar Assessment Consultant has been hired and will meet with the SBWG on Friday (10/21/2022).
- Jack Jemsek presented a white paper by the Water Supply Protection Committee regarding the impacts of solar and protecting the water supply. Ms. McGowan will forward the paper to staff for distribution.

Community Resources Committee – Ms. Brestrup reported that the CRC would be continuing their public hearing regarding the Flood Insurance Rate Map (FIRM) on October 27, 2022. She noted that the official flood maps have been received. The CRC has continued discussions regarding the Flood

and Drink Establishments. Ms. Brestrup noted the Planning Board would open a public hearing for the Food and Drink Establishments on November 2, 2022.

XII. REPORT OF THE CHAIR - None

XIII. REPORT OF THE STAFF - None

XIV. ADJOURNMENT

The meeting adjourned at 10:25 p.m.

Respectfully submitted:

Approved:

Pamela Field-Sadler
Administrative Assistant

Doug Marshall - Chair

DATE: _____

Document Packet: [Document Center • Town of Amherst • CivicEngage \(amherstma.gov\)](#)