

AMHERST PLANNING BOARD
Wednesday, October 15, 2008 – 7:00 PM
Town Room, Town Hall
MINUTES

PRESENT: Susan Pynchon, Chair; Jonathan O’Keeffe, Ludmilla Pavlova-Gillham, Denise Barberet, Bruce Carson, Richard Howland (7:18 PM)

ABSENT: Jonathan Shefftz, Eduardo Suarez

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

Ms. Pynchon opened the meeting at 7:09 PM.

I. MINUTES – Meeting of October 1, 2008

Ms. Barberet noted that she had given some minor grammatical corrections to Ms. Krzanowski in advance of the meeting.

Ms. Barberet MOVED: to approve the Minutes of October 1, 2008 as corrected. Mr. O’Keeffe seconded, and the Motion passed 5-0.

II. PUBLIC HEARING – ZONING AMENDMENTS

A-4-09 Recreation Facilities

To amend Sections 3.315, 4.570, 10.397, 11.2404, and Article 12 of the Zoning Bylaw to change the title of a recreation use category, clarify a usable open space requirement, add a requirement for provision of recreation facilities for selected residential uses, and add definitions for types of recreation and usable open space.

Ms. Pynchon read the preamble and opened the public hearing.

Mr. O’Keeffe reported for the Zoning Subcommittee and said that this proposal is a follow-up to a petition article from last Fall’s Town Meeting which would have required open space for recreation in new development or payment in lieu of such. The article was referred back to the Planning Board and LSSE and the proposed amendment is the result of that as well as some additional changes.

Mr. O’Keeffe said that the proposal includes definitions for “recreation” and “usable open space”. The definitions are quite lengthy and wordy, he said, but are not exhaustive lists. The proposal would apply to all residential development containing four or more dwelling units, except in the B-G and B-VC districts. The amendment also clarifies definitions for “outdoor commercial recreational use” and removes wetlands from usable open space.

In response to a question from Ms. Pavlova-Gillham about the minimum 1,000 square feet required, Mr. Tucker said that it is consistent with other development methods and other parts

be clarified in the Planning Board Report to Town Meeting. Mr. Tucker told the Board that there was not enough time to work with LSSE to develop a provision which would allow developers to pay a fee in lieu of recreation space. It could be worked on for the 2009 Annual Town Meeting, he said. It would be up to the permit-granting body whether the space would be outdoor, indoor or a combination, he noted.

Ms. Barberet suggested a wording change to the beginning of Section 12.272 (The beginning of the definition would read "Leisure activity *which may* involve moderate.....". Mr. Tucker noted that the wording would need to be amended on the floor.

Mr. O'Keeffe commented that he had no problem with the wording change, but cautioned that the Board needs to be careful about making modifications on Town Meeting floor, making sure the change is fairly simple and straightforward.

Ms. Pavlova-Gillham asked if this would support the goal of increased density, particularly in residential districts. Mr. Tucker said that the requirement for providing usable open space begins at 4 units and allows the permit-granting body to make judgments regarding whether or not to count existing nearby recreational facilities as meeting the needs of a particular development.

There was no public comment.

Ms. Pavlova-Gillham MOVED: to close the public hearing. Mr. O'Keeffe seconded, and the Motion passed 6-0.

Ms. Pavlova-Gillham asked if green roofs could be considered in the calculations. Mr. Tucker noted that the definition applies to "open land". Provision for green roofs could be added to the list for a future amendment, he said.

Mr. Carson asked if the intent is solely for residents of the particular development or for the general public. Mr. Tucker said that the original intent was to meet the needs of residents of the development. It's not exclusive, he said, but the purpose of the requirement begins with meeting the needs of the residents of the development.

Ms. Pavlova-Gillham said that she was uncomfortable with requiring 1,000 square feet in the more densely-settled residential areas. Mr. Tucker said that the amount could be reduced, if the Board wanted to do that. He said he had met with the LSSE Director and the Chair of LSSE and they had expressed concern that 1,000 sq. ft. per dwelling unit wouldn't be enough.

Mr. O'Keeffe said that he shared some of the same reservations. However, he said, more densely-settled areas are more likely to have existing recreation areas which they can use.

The Board discussed modifying the amendment to include green roofs, but since the warrant was signed it was determined that it was too late to do that. It was noted that future amendments were planned, e.g., to include a provision for allowing developers to pay a fee instead, and that other amendments could be proposed at that time as well.

Mr. O'Keeffe MOVED: to recommend that Town Meeting adopt Article 9, Recreation Facilities.

Mr. O’Keeffe noted that his Motion included the minor wording change to 12.38 as proposed by Ms. Barberet.

A-5-09 Professional Offices in LI

Ms. Pynchon read the preamble for this hearing to amend Section 3.358.1 of the Zoning Bylaw to change the regulation for technical or professional offices from N (No) to SP (Special Permit) in the Light Industrial (LI) District, and to amend the Official Zoning Map to clarify the LI District boundaries for the following properties on Grove Street and High Street: Assessor’s Map 11D, Parcel 183, and Map 14B, Parcel 48.

Ms. Barberet disclosed that she rents from one of the property owners but that would not affect her deliberations.

Mr. O’Keeffe, for the Zoning Subcommittee, said that this proposal is another follow-up to an article from last Fall’s Town Meeting when a new technical and professional office use category was created for the PRP and R-VC districts. Allowing that use in the LI (Light Industrial) district was considered but not included, to keep the focus on the PRP District and to make the change more palatable to Town Meeting. The Subcommittee has heard from property owners requesting the use for LI districts. Mr. O’Keeffe indicated the two LI districts in Town on the maps provided. He reported that the Zoning Subcommittee had voted to recommend that the Planning Board recommend approval of this amendment to Town Meeting.

Mr. Tucker said that the second part of the proposal seeks to adjust the boundaries of the LI district off North Whitney Street so that the zoning designation corresponds to the property boundaries of the former mill property.

Louis Greenbaum, property owner, summarized the history of his building for the Board and said it has served several spin-off businesses from UMass.

Mr. Tucker noted that the Subcommittee discussed the potential impact light industrial uses might have on the surrounding residential area but agreed that technical or professional offices would be more likely than other light industrial uses currently permitted in the district and, therefore, the likely impact of the amendment would be minimal.

There was no additional public comment.

Ms. Pavlova-Gillham MOVED: to close the public hearing. Mr. Carson seconded, and the Motion passed 6-0.

Ms. Pavlova-Gillham MOVED: that the Board recommend that Town Meeting adopt Article 10, Professional Offices in LI. Mr. Carson seconded, and the Motion passed 6-0.

III. NEW BUSINESS

A. Town Meeting: Review of Warrant; Movers/Speakers

The Board reviewed the final warrant for the Special Town Meeting which is scheduled for November 10, 12, 17, 20, 24 and December 1 and 3. The Mover/Speaker assignments are as follows:

<u>Article</u>		<u>Mover</u>	<u>Speaker</u>
7	Zoning Bylaw – Duplexes in R-G & R-VC	J. O’Keeffe	J. O’Keeffe
8	Zoning Bylaw – B-G & B-VC Residential Density	S. Pynchon	S. Pynchon
9	Zoning Bylaw – Recreation Facilities	J. O’Keeffe	J. O’Keeffe
10	Zoning Bylaw & Map – Professional Offices in Light Industrial District	D. Barberet	D. Barberet

Mr. O’Keeffe agreed to serve as back-up for Ms. Pynchon if she is away.

B. Signature Authority – Chair and Vice Chair

The Board voted to give signature authority for subdivision approval (endorsement of Form A plans) to the Chair and Vice Chair.

Mr. O’Keeffe MOVED: to authorize Ms. Pynchon, Chair, and Mr. Shefftz, Vice Chair to endorse Form A Subdivision plans. Ms. Pavlova-Gillham seconded, and the Motion passed 6-0.

C. “In Common” – in packet.

D. The Mass. Federation of Planning & Appeals Boards – Annual Meeting – in packet

E. Other – None

IV. OLD BUSINESS – None

VI. UPCOMING ZBA APPLICATIONS

The Board decided not to review the following:

ZBA2009-00014, South East Street – Howard & Carolyn Peele

V. FORM A (ANR) SUBDIVISION APPLICATIONS – None

VII. UPCOMING SPP/SPR/SUB APPLICATIONS – None

VIII. PLANNING BOARD SUBCOMMITTEE REPORTS

A. Zoning – Mr. Tucker said that the Zoning Subcommittee will be putting together a work plan and will request input from the Board. Then he suggested the Board might consider holding another zoning forum, possibly in December or the Spring, to

involve the public early on in the process of potential zoning articles for the Annual Town Meeting.

IX. PLANNING BOARD COMMITTEE REPORTS

A. Pioneer Valley Planning Commission – No Report

B. Community Preservation Act Committee – Ms. Barberet said there were no CPA funding requests received for the Fall. A notice will be going out for Spring requests. Ms. Barberet said that the State match was slightly higher than CPAC anticipated and compared it with other communities. Ms. Barberet said that CPAC had also voted to endorse raising the surcharge.

C. Agricultural Commission – Ms. Pynchon said that the meeting was cancelled.

X. REPORT OF THE CHAIR

Ms. Pynchon noted that the Town Meeting Coordinating Committee has requested that she attend a Warrant Review Meeting scheduled for October 23, at 7:30 PM in the ARMS auditorium. She has a potential conflict and will not be able to attend. Mr. Shefftz has agreed to represent the Board.

XI. REPORT OF THE DIRECTOR – No Report

XII. ADJOURNMENT

Mr. O’Keeffe MOVED: to adjourn this meeting at 8:27 PM. Mr. Carson seconded, and the Motion passed 6-0.

Respectfully submitted:

Sue Krzanowski, Administrative Assistant

Approved:

Susan Pynchon, Chair