

AMHERST PLANNING BOARD
Wednesday, May 3, 2006 – 5:10 PM
Home Economics Room, Amherst Regional Middle School
MINUTES

PRESENT: Aaron Hayden, Chair; Chris Boyd, Mary Scipioni, Carl Mailler, Rod Francis, Adrian Fabos, Leandro Rivera (6:50 PM)

ABSENT: Paul Bobrowski

STAFF: Jonathan Tucker, Director; Niels la Cour, Senior Planner; Sue Krzanowski, Management Assistant

Mr. Hayden opened the meeting at 5:10 PM.

Since it was not yet time for the scheduled public hearing, the Chair moved ahead on the agenda.

V. FORM A (ANR) SUBDIVISION APPLICATIONS – None

III. NEW BUSINESS

B. ANRs and Ancient Ways – Brochure – in packet

C. Other – Mr. Hayden said that PVPC is hosting its annual meeting at Smith College on June 8th.

Mr. Tucker said that PVPC is working on the regional plan, “Valley Vision,” and would like to meet with the Planning Board in June to discuss it.

I. PUBLIC HEARING – ZONING AMENDMENT

A-17-06, B-G & B-VC Dimensions

Mr. Hayden read the preamble and opened the public hearing for this proposal to amend Table 3, Dimensional Regulations, and its accompanying Footnote b., to alter additional lot area per family requirements for the B-G and B-VC Districts, to create new requirements for upper floor residences, and to alter the building height requirement in the B-VC District.

Mr. Tucker explained that the language in Section “B” has been altered and simplified. Currently, he said, there is only one formula for determining residential density for every residential zoning district. The formula acts as a disincentive to upper floor residential units in mixed use buildings in the town center and village centers.

Several members of the Board had questions and were concerned that the proposal would be difficult to understand. Mr. Mailler thought Town Meeting might have trouble understanding it. Mr. Boyd asked for a general reason for the proposal. Mr. Tucker said to increase density and affordable housing, thereby allowing smart growth.

There was no public comment.

Mr. Boyd MOVED: to close the public hearing. Mr. Fabos seconded, and the Motion passed 6-0.

Mr. Francis MOVED: to recommend that Town Meeting adopt A-17-06, B-G & B-VC Dimensions. Mr. Boyd seconded, and the Motion passed 6-0.

II. APPEARANCE

Sign Approval – Gold’s Gym, Newmarket Center

Mr. Fabos disclosed that he is a card-carrying member of Gold’s Gym.

Mr. Tucker said that under the conditions of a 1985 Plan Approval, the Board reviews/approves all of the signs for Newmarket Center.

Mr. Peter Earle, representing Gold’s Gym, appeared before the Board, to discuss the installation of two new signs, both which will be internally lit, he said.

Members of the Board expressed some concern about the height of the letters, generally agreeing that they should not be larger than the signs for other adjacent businesses.

Mr. Francis MOVED: that the Board approve the two signs for Gold’s Gym as presented at tonight’s meeting, subject to the condition that the letters not exceed the height of letters on existing signs to the south. Mr. Fabos seconded, and the Motion passed 6-0.

III. NEW BUSINESS (continued)

A. Zoning Amendment – Drive-Through Facilities, Public Hearing Schedule

Mr. Tucker explained that although the Planning Board had already held a public hearing on this amendment, the Finance Committee has expressed concern about the impact the proposed prohibition of drive-through facilities in the B-VC District on new businesses wanting to establish on B-VC properties that had already been developed for drive-through facilities. They suggested that drive-through facilities be permitted by Special Permit in those districts, and also recommended that affected B-VC property owners be contacted.

Mr. Tucker presented a map showing the National Historic District boundaries and outlined alternatives for the Board to consider. He said the Board could leave the amendment as is, make it by Special Permit as recommended by the Finance Committee, or split the difference—allow it by Special Permit in most B-VC areas, but prohibit it where the B-VC District coincided with a National Historic District. He also said that a line has been added to the language to clarify that stand-alone drive-through facilities would be regulated under this section. If the Board wanted to change the language to address the Finance Committee’s concerns, it could schedule another public hearing, he said.

Mr. Boyd MOVED: to go ahead with the original proposal. Mr. Mailler seconded.

The Board discussed the possibility of amending the Motion on the floor at Town Meeting. Mr. Mailler spoke in support of the original proposal saying that the Board wants to encourage reducing transportation. Mr. Francis said that he sympathizes with Mr. Mailler and Mr. Boyd, but it might be more effective to hold the public hearing after Town Meeting is done rather than support an uninformed Motion on Town Meeting floor. Mr. Tucker said that affected property owners were not specifically notified about the public hearing last time. Mr. Hayden said that the Board has an obligation to honor a request from another committee.

The Motion failed 2-4 (Hayden, Scipioni, Fabos, Francis opposed).

Mr. Mailler commented that it seems like the real issue is that the Board is not ready, and should either schedule another public hearing or move to withdraw the article. Mr. Tucker added that the Board could also try to amend the language on Town Meeting floor, but there was general agreement that it would not be preferable.

Ms. Scipioni MOVED: to schedule another public hearing for the Drive-Through Facility amendment on May 17, 2006 to further refine the article. Mr. Francis seconded, and amended the Motion to ask staff to notify abutting property owners of the hearing. The amended Motion passed 5-1 (Boyd opposed).

- C. **Other** – Mr. Tucker noted that someone needed to move an amended Article 21. Mr. Sumner had been contacted and had agreed to have his property (Map 15B, parcel 42) changed from R-N to R-VC, rather than B-VC. This would help address the Select Board's concerns.

Mr. Francis MOVED: that the Board amend Article 21 to change parcel 15C/42 from B-VC to R-VC. Ms. Scipioni seconded.

Mr. Mailler it would be okay as long as the landowner was satisfied. Mr. Tucker listed the issues that had been raised in opposition to the proposal: concern that this will extend the commercial portion of the southern end of the village center, the potential impacts of B-VC development on the section of common in the area, selected members of the Select Board preferring contract zoning under which property owners could be required to pay for public way improvements, an Historical Commission CPAC request for funds to study the east Village Common (including this area), assertions that B-VC development could somehow negatively impact future block grant proposals for the area. He indicated that, in each case, the concerns seemed to be misplaced.

The Motion passed 5-1 (Boyd opposed).

IV. OLD BUSINESS

- A. **Signing of Decisions** – Approved and/or signed as submitted

VI. UPCOMING ZBA APPLICATIONS - None

VII. UPCOMING SPC/SPP/SPR/SUB APPLICATIONS – Mr. la Cour said that a public hearing for Haskins View Definitive Subdivision will probably be scheduled in June. A public hearing for a Site Plan Review Applications to construct an addition on the Knights of Columbus building is scheduled for June 7.

IV. OLD BUSINESS (continued)

B. Town Meeting – The list of assigned Movers/Speakers was in the packet. Mr. Hayden said that the zoning articles could start on Monday.

Mr. Hayden said that he presented a summary of the articles at the Town Meeting Coordinating Committee Forum.

VII. PLANNING BOARD SUBCOMMITTEE REPORTS – No Reports

IX. PLANNING BOARD COMMITTEE REPORTS

A. Pioneer Valley Planning Commission – Given under New Business.

B. Community Preservation Act Committee – Mr. Tucker said that the Historical Commission met last night, discussed the Jones Library roof situation, and voted to stick to its policy of not supporting the use of CPAC funding for capital construction projects. The Commission also voted to recommend that CPAC approve the use of funds out of the proposed \$50,000 CPA set aside for FY07, on the basis that the roof is an emergency situation.

C. Farm Committee – No Report

D. Comprehensive Planning Committee – Ms. Scipioni said that the “Meet & Greet” went very well except that it was too long and too technical.

Mr. Tucker said that staff had taken the consultants on a windshield tour of the town earlier in the day.

Mr. la Cour said that staff and the consultants met with the Information Technology Director and GIS administrator this morning and the consultants are excited about the project and all the potential.

Ms. Scipioni said that the master plan is everybody’s success or everybody’s failure – it did not depend solely on the Comprehensive Planning Committee or Planning Board.

X. REPORT OF THE CHAIR – Mr. Hayden said he is looking forward to Town Meeting.

XI. REPORT OF THE DIRECTOR – No Report

XII. ADJOURNMENT

Mr. Fabos MOVED: to adjourn this meeting at 6:57 PM. Mr. Rivera seconded, and the Motion passed 7-0.

Respectfully submitted:

Sue Krzanowski, Management Assistant

Approved:

Aaron A. Hayden, Chair

DATE: _____