

**AMHERST PLANNING BOARD**  
**Wednesday, August 2, 2006 – 7:00 PM**  
**Town Room, Town Hall**  
**MINUTES**

**PRESENT:** Carl Mailler, Vice Chair; Leandro Rivera, Mary Scipioni, Eduardo Suarez, Rod Francis

**ABSENT:** Aaron Hayden

**STAFF:** Niels la Cour, Senior Planner; Sue Krzanowski, Management Assistant

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Mr. Mailler served as Chair in Mr. Hayden's absence. The meeting was opened at 7:06 PM.

**I. MINUTES – Meeting of June 7, 2006**

Ms. Scipioni MOVED: to approve the Minutes of June 7, 2006 as submitted. Mr. Mailler seconded, and the Motion passed 3-0-2 (Francis, Rivera abstained).

**II. Chapter 61 Withdrawal – David & Phyllis Smith**

Mr. and Mrs. Smith appeared before the Board to discuss their intention to withdraw a portion of land currently under Chapter 61 in order to make an existing residential lot conforming. The parcel consists of approximately 26.8 acres; 1.19 acres would be removed. The property is located at 979 Bay Road (Map 30A/Parcel 8). Approximately 24.82 acres would remain classified under Chapter 61. The Smiths told the Board that they have been working with Mr. Ziomek, Director of Conservation, in an effort to have a conservation restriction placed on the remaining property.

After discussion, Ms. Scipioni MOVED: that the Board recommend that the Select Board waive the Town's right to purchase the 1.19 acre portion of this property. Mr. Rivera seconded, and the Motion passed 5-0.

**III. PUBLIC HEARING – DEFINITIVE SUBDIVISION APPLICATION REVIEW**

**SUB 2006-00009 – Haskins View, East Leverett Road – Barry Roberts**

Mr. Mailler noted that the Board received a letter asking that the hearing be continued to September 6, 2006.

Mr. Francis MOVED: that the public hearing for SUB2006-00009, Haskins View Definitive Subdivision application be continued to September 6, 2006 at 7:45 PM. Mr. Rivera seconded, and the Motion passed 5-0.

**IV. ELECTION OF CLERK**

Mr. Rivera Nominated Ms. Scipioni. Mr. Suarez seconded the nomination. Ms. Scipioni declined.

After discussion, Mr. Suarez MOVED: that the Board postpone electing a Clerk until a full Board has been appointed. Mr. Francis seconded, and the Motion passed 5-0.

**V. NEW BUSINESS**

**A. Signing of Decision – SPR2006-00007 – Knights of Columbus**

The members who were eligible signed the decision.

**B. Correspondence – Request for Extension – The Common School**

The Board received a letter from The Common School requesting an extension of the 65-day review period and that the public hearing be continued to the first meeting in September.

After discussion, Mr. Francis MOVED: that the Board continue the public hearing for SPR2006-00008, The Common School, to September 6, 2006 at 7:05 PM. Ms. Scipioni seconded, and the Motion passed 5-0.

**C. Lot Release Request – Tofino Associates, Inc.**

The Board received a request for the release of Lot 54, Concord Road. Mr. la Cour said that the lot is located in the Amherst Hills Subdivision and there are a number of unreleased lots left, therefore, staff recommend releasing Lot 54.

Mr. Francis MOVED: to release Lot 54, Concord Road, Amherst Hills subdivision. Ms. Scipioni seconded, and the Motion passed 5-0.

Before signing the Certificate of Performance, Ms. Scipioni noted that she previously worked for Mr. Kohl, had previously disclosed that she had a professional relationship with him, and confirmed that there was no conflict of interest in her participation in this matter. However, she reminded the Board that a couple of months ago the Board had agreed to maintain a practice of the “chair” asking if anyone had a conflict of interest before every public hearing. She suggested that a reminder to the Chair to ask Board members about potential conflicts be put on every agenda so this does not get overlooked

The Board then signed the Certificate of Performance.

**D. Zoning Subcommittee Organization/Schedule – Mr. Mailler said that he met with the Planning Director earlier to discuss the work list and upcoming Town Meeting. He is currently the only member of the Subcommittee. It may be necessary to have the chair of the Board fill in until new members are chosen. Mr. Rivera and Mr. Francis expressed interest in being on the subcommittee. It was decided to postpone action until new members are appointed.**

**E. Upcoming Meeting Schedule -**  
August 16, 2006  
September 6, 2006  
September 20, 2006

There will be public hearings scheduled for the above dates.

- F. Planning Commissioners Journal** – included in packet. The Board discussed two of the articles which they found particularly relevant and interesting, farmland protection and downtown groceries.
- G. Planning Board/Zoning Board – Training Session** – Postponed until a full slate of members is available. Mr. Mailler said that he would like to see a broader focus on the Planning Board's roles and responsibilities instead of a major focus on the Special Permit process.
- H. Other** – None

**VI. OLD BUSINESS** – None

**VII. FORM A (ANR) SUBDIVISION APPLICATIONS**

Mr. Mailler endorsed the following:

ANR2007-00001, 206 East Pleasant Street – Eileen H. Beall  
ANR2007-00003, 84 East Leverett Road – Darryl Clark

Mr. Francis MOVED: in accordance with the Phased Growth Bylaw, September 2006 is the date that this new lot (ANR2007-00003) will be eligible for a building permit. Ms. Scipioni seconded, and the Motion passed 5-0.

**VIII. UPCOMING ZBA APPLICATIONS**

The Board decided not to review the following:

ZBA2007-00001, 314-28 College Street – Sandra Wang  
ZBA2007-00002, North Pleasant Street – New England Signs  
ZBA2007-00003, South East Street – Howard & C Peele  
ZBA2007-00004, 319 Main Street – Adrie & B Lester  
ZBA2007-00005, Pine Street – North Amherst Community Farm  
ZBA2007-00006, 51 Spaulding Street – Alfred R. Albano

**IX. UPCOMING SPC/SPP/SPR/SUB APPLICATIONS**

Mr. la Cour noted that there will be two public hearings on August 16, RPT2006-00001, Repetitive Petition for Meadow Street property, Abbass Bozorg, and SUB2006-00010, Preliminary Subdivision Review for Amherst Enterprise Park, Meadow Street, Andrews & LaVerdiere.

There will also be two public hearings on September 6, SPR2008-00008, The Common School and SUB2006-00009, Haskins View Definitive. The Board will decide about site visits at the next meeting.

Mr. la Cour said that the First Congregational Church, 165 Main filed a Site Plan Review Application for a permit to install a spiritual garden.

**X. PLANNING BOARD SUBCOMMITTEE REPORTS**

- A. **Zoning** – Given above under “New Business”
- B. **Atkins Working Group** – Mr. Rivera said that there was a preliminary meeting with the highway department. He asked for an update from Camp Dresser McKee.

**XI. PLANNING BOARD COMMITTEE REPORTS**

- A. **Pioneer Valley Planning Commission** – No Report
- B. **Community Preservation Act Committee** – Mr. Francis asked staff to check on his appointment. Mr. la Cour said that he would.
- C. **Farm Committee** – Mr. Mailler noted that the Board needs to select a representative.
- D. **Comprehensive Planning Committee** – Ms. Scipioni said that the Committee met with the consultant. The major focus now is planning and preparing for the public participation meetings which will be scheduled for early fall.

**XII. REPORT OF THE CHAIR** – No Report

**XIII. REPORT OF THE DIRECTOR** – No Report

**XIV. ADJOURNMENT** –

Mr. Suarez MOVED: to adjourn this meeting at 8:45 PM. Mr. Rivera seconded, and the Motion passed 5-0.

Respectfully submitted:

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Sue Krzanowski, Management Assistant

Approved:

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Carl Mailler, Acting Chair

DATE: \_\_\_\_\_