

AMHERST PLANNING BOARD
Wednesday, April 13, 2005 – 7:00 PM
First Floor Meeting Room, Town Hall
MINUTES

PRESENT: Aaron Hayden, Vice Chair; Adrian Fabos, Carl Mailler, Rod Francis, David Kastor, Pam Rooney, Chris Boyd, Mary Scipioni

ABSENT: Paul Bobrowski

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

Mr. Hayden assumed the chair in Mr. Bobrowski's absence. Mr. Hayden opened the meeting at 7:00 PM.

I. MINUTES – Meeting of March 30, 2005

Ms. Rooney MOVED: to approve the Minutes of March 30, 2005 as submitted. Mr. Francis seconded, and the Motion passed 7-0-1 (Scipioni abstained).

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

VI. FORM A (ANR) SUBDIVISION PLANS

The Chair endorsed the following:

ANR2005-00013, 33 Flat Hills Road – David Kaplan/Janet Rifkin

Ms. Rooney MOVED: to assign May 2005 as the date that the first lot will be eligible for a building permit and May 2006 as the date that the second lot will be eligible. Mr. Kastor seconded, and the Motion passed 8-0.

Mr. Hayden recused himself, noting that the next plan involved Amherst College where he is employed.

Mr. Boyd MOVED: to authorize Mr. Bobrowski to endorse the following ANR Plan. Mr. Francis seconded, and the Motion passed 7-0.

ANR2005-00012, 58 Woodside Avenue – Trustees of Amherst College

Mr. Hayden rejoined the Board.

II. ZONING AMENDMENTS – PUBLIC HEARINGS

A-9-05 Table 3 Amendments

To amend Table 3, Dimensional Regulations, and associated Footnote m., to clarify the density calculation for selected types of new dwelling units in the General Residence (R-G) and Village Center Residence (R-VC) districts. (continued from March 30, 2005)

Mr. Mailler, speaking for the Zoning Subcommittee, said that the Assessor's data was more difficult to use than expected, and preliminary density calculations did not provide the expected results. Mr. Tucker said that more time is needed to review the calculations. Mr. Mailler said that the Zoning Subcommittee suggests that the Planning Board ask Town Meeting to refer the article back.

Ms. Rooney MOVED: to close the public hearing. Mr. Boyd seconded, and the Motion passed unanimously, 8-0.

Mr. Kastor MOVED: to recommend that Town Meeting refer this proposal (Article 21) back to the Board. Ms. Rooney seconded, and the Motion passed unanimously, 8-0

IV. OLD BUSINESS

A. Removal from Chapter 61A – Property located westerly of Route 116 and easterly of Eastman Brook – Joseph M. Mitchell (continued from April 6th)

Mr. Tucker noted that a copy of the Purchase and Sale agreement had been received by the Town. The potential developers are in negotiations for other possible deals, as well, he said.

After discussion, Mr. Kastor MOVED: to regretfully recommend that the Town not exercise its right of first refusal. While noting that this property is part of a large block of critical farm land and is on the Town's priority list, the Board recognizes the financial limitations of the Town regarding the \$1.8M purchase price. Mr. Mailler seconded, and the Motion passed 7-0-1 (Boyd opposed).

B. Other – Ms. Krzanowski reminded the Board that the May 4th meeting will begin at 5:00 PM and will be held at the Middle School.

VII. UPCOMING ZBA APPLICATIONS

The Board decided not to review the following:

ZBA2005-00027, 214 Main Street, Emily Dickinson Museum

The Board decided to review the following:

ZBA2005-00028, 28 Amity Street, Peter MacConnell
(The Board decided to ask the applicant to appear at the May 4th meeting, at 5:45 PM)

II. ZONING AMENDMENTS – PUBLIC HEARINGS (continued)

A-10-05 Inclusionary Zoning

To add a new Article 15, Inclusionary Zoning, to the Zoning Bylaw, in order to require the inclusion of affordable housing units in selected types and sizes of residential developments allowed only through a Special Permit. (continued from April 6, 2005)

Mr. Mailler noted that the Zoning Subcommittee reviewed an amended proposal based on discussion at the previous meeting and recommend that the Planning Board make a recommendation to Town Meeting to adopt this amendment.

The Board discussed the revised language and decided that a “+” sign should be added to the rate of 21 units.

There was no public comment.

Mr. Mailler MOVED: to close the public hearing. Ms. Rooney seconded, and the Motion passed unanimously, 8-0.

Mr. Kastor MOVED: that the Board recommend that Town Meeting adopt A-1—05, Inclusionary Zoning, with the modification of the “+” sign. Mr. Boyd seconded, and the Motion passed 8-0.

VIII. UPCOMING SPC/SPP/SPR/SUB APPLICATIONS – Nothing new filed. Mercyhouse public hearing is scheduled for May 4th at 5:05 PM.

IX. PLANNING BOARD SUBCOMMITTEE REPORTS

- A. **Zoning** – given under “Public Hearings – Zoning Amendments”
- B. **Atkins Working Group** – Waiting for the State to approve the contract.

X. PLANNING BOARD COMMITTEE REPORTS

- A. **Pioneer Valley Planning Commission** – No Report
- B. **Community Preservation Act Committee** – Ms. Rooney summarized the Town Meeting articles that the Committee is recommending and asked for the Board’s support/endorsement.
- C. **Farm Committee** – No Report
- D. **Comprehensive Planning Committee** – Mr. Hayden second that the Committee will meet with LandUse, Inc. on April 26th.

III. APPEARANCE

ZBA 2005-00026, 398 Northampton Road – Luke Zbylut

Request for a Special Permit for sales and repair of vintage and used cars and to build a new structure to house an office and a garage for service and detailing.

Mr. Tucker noted that copies of elevations, site plan and management plan were in the Board's packet.

Mr. Luke Zbylut, applicant, presented the proposal to the Board and said he has been working on it for about a year and a half. It will be a unique dealership, specializing in vintage cars. Major services will be outsourced with only warranty repairs, and finish and detail work done on site.

Mr. Tucker told the Board that the site is very small and Mr. Zbylut has worked with staff in developing the proposal.

The Board asked questions about drainage, circulation and layout, toxic materials, plantings, lighting, hours of operation, irrigation. There was general support for the request for a reduction in setback requirements.

Ms. Rooney MOVED: that the Board recommend that the ZBA approve this Special Permit request with the following recommendations:

- The proposed dogwood trees be replaced with a more hardy and larger species (Little Leaf Linden for example) of tree that will better be able to survive in this harsh environment.
- The landscaping be installed and continuously maintained. The Board also recommended that the applicant consider installing some type of irrigation system for the planting islands.
- The Board supports the proposed hours of operation from 8:00 a.m. to 7:00 p.m.
- The Planning Board supports the request for reducing the setbacks.
- The applicant should put motion detectors on the two lights at the rear of the property nearest the neighboring apartments and that any lights on the building be shielded and down lighting. They also recommended that lights be shut off at 10:00 PM.
- That approval of the types of drains and catch basins to be installed is subject to the approval of the Town Engineer.
- That a few bollards be installed along the driveway next to the building to protect the building.

Mr. Francis seconded, and the Motion passed unanimously, 8-0.

Mr. Francis and Mr. la Cour left the meeting at 8:55 PM.

V. NEW BUSINESS

A. Town Meeting – Warrant Review/Movers/Speakers

Ms. Rooney MOVED: to support Article 10, Historic Preservation. Mr. Boyd seconded, and the Motion passed unanimously, 7-0.

Mr. Boyd MOVED: to support Article 11, Housing Project on Main Street. Mr. Kastor seconded, and the Motion passed 6-0-1 (Scipioni abstained).

Mr. Kastor voiced a reservation about the Board making recommendations on articles that might later come before it during the permitting process. Mr. Mailler said that he was prepared to support the work of Town staff. Mr. Kastor said that the Board should draw a line between issues that are in its purview and those that are not.

Mr. Boyd MOVED: to support Article 36, Plum Brook. Ms. Rooney seconded, and the Motion passed 5-0-2 (Scipioni and Kastor abstained).

The Board discussed Article 37, CPA – Agricultural Preservation Restriction, but wanted more information and decided to revisit the article again on May 4th.

The Board also made the following assignments:

<u>Article</u>	<u>Speaker</u>
#18 Zoning Map – Olympia Drive Rezoning (R-F to R-N)	Carl Mailler
#19 Zoning Bylaw – Supplemental Apartments	Adrian Fabos
#20 Zoning Bylaw – Affordable Cluster Dimensions	Rod Francis
#21 Zoning Bylaw – R-G & R-VC Dimensions	Paul Bobrowski
#22 Zoning Bylaw – Inclusionary Zoning	Paul Bobrowski
#23 Zoning Bylaw – Preliminary OSCD	David Kastor

As the only Town Meeting member, Mr. Bobrowski will move all of the articles.

XI. REPORT OF THE CHAIR – No Report

XII. REPORT OF THE DIRECTOR – No Report

XIII. ADJOURNMENT

Mr. Fabos MOVED: to adjourn this meeting at 9:45 PM. Mr. Mailler seconded, and the Motion passed unanimously.

Respectfully submitted:

Sue Krzanowski, Management Assistant

Approved:

Aaron A. Hayden, Acting Chair

DATE: _____