

AMHERST PLANNING BOARD
Wednesday, September 7, 2011 – 7:00 PM
Town Room, Town Hall
MINUTES

PRESENT: Jonathan Shefftz (8:25 PM), Chair; Jonathan O’Keeffe, Rob Crowner, Bruce Carson, Sandra Anderson, Richard Roznoy, David Webber, Connie Kruger and Stephen Schreiber

ABSENT: none

STAFF: Jonathan Tucker, Planning Director; Christine Brestrup, Senior Planner; Jeff Bagg, Senior Planner

Mr. O’Keeffe opened the meeting at 7:20 PM. He announced that, as Vice-chair, he would be chairing the meeting until the arrival of the Mr. Shefftz. He also announced that the meeting was being recorded by town staff and by Amherst Media and was being broadcast live and would be rebroadcast by Amherst Media.

I. MINUTES August 3, 2011

Mr. Schreiber MOVED to approve the Minutes of August 3, 2011. Mr. Webber seconded and the vote was 8-0.

II. PUBLIC INFORMATION SESSION

Village Center Rezoning

The Cecil Group – Public information session on the proposed new form-based rezoning for North Amherst Village Center and Atkins Corners Village Center

Mr. O’Keeffe opened the public information session and introduced Steve Cecil, Ted Brovitz and Josh Fiala of The Cecil Group. He explained that the Planning Board had been working with The Cecil Group since the spring on the proposed rezoning of North Amherst and Atkins Corners Village Centers, and that the Board had recently received drafts of the rezoning proposal. The consultants had come to talk about form-based zoning in general and to talk specifically about the rezoning proposals for the village centers. The Planning Board and the Zoning Subcommittee will be continuing to discuss this topic and the Planning Board will hold a public hearing on the proposal before it is brought to Town Meeting.

Steve Cecil gave an introduction to the process and a presentation about the rezoning proposal and the nature of form-based zoning. He talked about the proposed changes in the boundaries of the zoning districts and how form-based zoning might apply to the goals for the two village centers. The process included an evaluation of the existing conditions, context, traffic, uses, forms, circulation and regulatory trends. Two public workshops were held, one in North Amherst village and one at Atkins Corners. Attendees included owners, stakeholders and community members. At those meetings an effort was made to understand what people thought was important and what could happen over time. He introduced the new Article 16 proposed to be added to the Zoning Bylaw. There will also be changes in other parts of the Zoning Bylaw that address uses and process.

Mr. Cecil explained the concept plans for the village centers, including the approaches to the village centers. He talked about public ownership and the civic uses in the center of North Amherst. He noted that there is a river that runs through this part of town which presents an opportunity for amenities such as pathways and open space.

Montague Road has a rural residential character that people wish to preserve. Sunderland Road has a commercial character that people wish to reinforce with additional commercial uses. The two roads [Montague and Sunderland] also define an area in between them that has potential for development.

For Atkins Corners the concept plan picks up on the idea of a series of corners. It is very hard to define the center of Atkins Corners. It is and always has been a crossroads, not a traditional village center. Each of the corners can be developed to reflect “village character” and can lead people to places off to the side and behind that will can be developed to reflect village character. He noted that views, wetlands, vegetation and transitions will be important here.

Mr. Cecil presented a map of existing zoning for North Amherst Village Center and a map of proposed zoning. He talked about the look and feel of the buildings and approaches to the district which people wish to preserve. The proposed overlay district will help to preserve these approaches to the village center, he said. Along these approaches, we want to preserve the forms of the buildings even if the uses change. The overlay zone will not change the underlying zoning with respect to uses, but will preserve the village center forms.

Mr. Cecil noted that there is a flood plain zone (Flood Prone Conservancy - FPC) zone that cuts through the village center. The new zoning does not propose to change the FPC zone.

Mr. Cecil showed a map of the existing zoning districts in the Atkins Corners area and a map of the proposed zoning. The existing zoning districts comprise a combination of residential and commercial zoning districts. An Atkins Corners (AC) zoning district would be created and it would be a little different from the North Amherst district. The R-VC area next door would be changed from R-O to bring the residential uses [Applewood, Upper and Lower Orchard, Hampshire Village] closer to compliance with regard to density.

Hampshire College would extend its future campus into a new Educational District (ED) along Bay Road, an area that is currently zoned residential. The edges of the ED district would need to be treated so they would be compatible with the Village Center district across the street. The first 50 feet of the ED district would have similar dimensional standards to the AC zoning district. The area along Bay Road, east of Atkins Corners, is proposed to change to R-LD, from R-O to make it more consistent with other zoning in the surrounding area.

A new Zoning Bylaw article, Article 16, is proposed to include the form-based provisions for the new zones. These provisions are based on public purposes, including the notion that the streets within these new districts should have certain features, such as sidewalks, trees and certain setbacks. Some of this will happen in the public way. Different types of streetscapes have been included in the proposal. We need to make sure that there’s enough space within the right-of-way of the roads to accommodate bicycles, transit trolleys, etc. so that private sector redevelopment and public sector development can happen in coordination with one another.

Mr. Cecil gave an overview of the proposed form-based zoning district regulations. He noted that traditional zoning is not very flexible in instances where a developer comes up with a better idea that is not permitted by zoning. With form-based zoning, a developer can negotiate with the permit granting board so that an alternative plan can be approved.

Mr. Cecil described the four streetscape types, the various building types and the open space types that would be allowed in the form-based districts. He discussed non-conforming lots, uses and structures and how these would be handled. He described parking and access standards for form-based districts as well as landscaping, screening and lighting.

Mr. Cecil discussed the administration of form-based zoning, stating that it provides models for developers. With these models, permitting should be simplified because developers will understand what is expected of them and there is a method for “alternative compliance”.

Ted Brovitz presented a chart that compared the uses allowed by current zoning with the uses allowed by form-based zoning. The NAVC district will allow most of the same uses as the Commercial district. All of the uses that are allowed in the B-VC district will be allowed in the NAVC. Changes will occur in the dimensional standards. The key changes will be with regard to setbacks, he said. Setbacks will vary from 5 to 20 feet along Sunderland Road. Heights as currently allowed will stay the same.

Mr. Cecil noted that there will be a public hearing in early October regarding these zoning proposals.

Mr. Roznoy stated that although there has been consideration for pedestrian, bicycle and automobile traffic in the proposed rezoning plans for North Amherst and Atkins Corners, there needs to be much more focus in these rezoning plans on other types of public transportation options. These other types could be in the form of buses, light rail, dedicated bus lanes or a shuttle bus. Mr. Roznoy wished to convey forcefully to the consultants the need to include these public transportation options in the current rezoning plans, not merely as options for the future.

Mr. Crouner asked where the requirements for frontage and open space come from. Mr. Cecil stated that the consultants looked at the applicable requirements for similar zones in the existing Zoning Bylaw.

Mr. Cecil stated that with form-based zoning, large lots can be developed with several buildings on one lot. All of the newly-developed places should have a front door on an accessible road.

James Steinberg, a resident of Montague Road, stated that he had attended the charrette and had understood that the conclusion had been that Sunderland Road would remain commercial and that Montague Road would remain residential. He asked why lots on Montague Road were becoming part of the form-based district.

Mr. Cecil responded that many voices were heard at the charrette, with many different opinions. At the corner of Cows Road and Montague Road there is a building that houses offices for the Cows businesses, in a residential-type building. There might be other uses allowed in the form-based district but the form of the buildings will be like large, old farmhouses. Various uses will be allowed in the buildings, but the form of the buildings will have the “look and feel” of existing buildings.

Valerie Cooley, a resident of Montague Road, spoke on behalf of those who live on the east side of Montague Road. These residents are also concerned about uses, she said. They are concerned about traffic and safety and want to protect the safety of the residential area.

Elaine Fronhofer, a resident of South East Street, asked how the access street type would accommodate bicycle and pedestrian use.

Mr. Cecil noted that the access street type would accommodate bicycle use on the street. There would be sidewalks on both sides for pedestrians, and crosswalks would be provided. The village centers will be pedestrian-oriented places, he said.

Mr. Tucker observed that at Atkins Corners, the only access street will be the new road around Atkins Farm Market. The other streets will be commercial streets. There are provisions for pedestrian crossings in the plans for Atkins Corners.

Nina Mankin of Summer Street asked if the interior spaces of buildings would be affected by the rezoning. Is there a provision for how the students will use the space? There are problems based on the structure of interior spaces, she said. This affects the quality of life in the community.

Mr. Cecil stated that zoning doesn't deal with the interior of buildings and zoning can't affect who lives in housing. In the form-based approach there will be a mixture of unit types, so that the interior spaces will not be all uniform. The units will vary as to bedroom counts.

Ms. Mankin observed that "conceptually varied" housing can bring in different populations. In Amherst, undergrads are the ones who need housing.

Mr. Cecil noted that, by law, these considerations cannot be addressed by zoning.

Mr. O'Keefe noted that this type of concern is expressed in many instances in town and that the town is well aware of the issues. A behavior-based approach is underway.

Paola Di Stefano of 115 Montague Road stated that she attended the charrette for North Amherst and talked about traffic flow at that time. Now the area is being planned for more businesses, residences and apartments. We need to deal with traffic issues. The residents of the area are concerned about higher traffic flow.

Mr. Cecil stated that part of the evaluation was to look at roadways and capacity. The build-out scenario is similar to what it is today, under current zoning. There is adequate capacity in the roadways. If a project produces more than a 10% increase in traffic an Environmental Impact Study may be warranted.

Mr. O'Keefe noted that the design of the street types will help to control traffic by directing traffic away from the village center. Mr. Cecil stated that new access roads will be needed. Part of the final report will include recommendations about roadway improvements.

Mr. Shefftz arrived (8:25 PM).

Denise Barberet of 67 North Whitney Street noted that residents only have two months to study the proposed rezoning document prior to Town Meeting, and the Board has only one month to make modifications. She asked what types of modifications the Board was considering.

Mr. Tucker presented information about deadlines leading up to Town Meeting.

Mr. O'Keefe noted that all types of modifications are on the table.

Ms. Barberet observed that there are only two days between the date of the public hearing for North Amherst (October 5th) and the signing of the warrant by the Select Board. She asked what happens if the public wants substantial modifications. She asked if it was fair to "stunt" public participation.

Mr. O'Keefe stated that the public process has already started and continues and he didn't agree with her characterization.

Ms. Brestrup noted that the Zoning Subcommittee has been studying and will continue to study these zoning proposals, on most Wednesdays, at 5:00 p.m., until Town Meeting begins.

Mr. Tucker stated that the proposal is online on the town's website and that anyone who asks can also get a hard copy in the Planning Department.

Claire Bertrand of Bay Road stated that she was thrilled to see the result of the neighbors' meeting. She works in another village center and would love to see form-based zoning come

to her village center. This is simple and straightforward, she said. The uses are not hugely different from those already allowed.

Louis Greenbaum of Precinct 1 and a resident of Montague Road expressed admiration for Mr. Cecil but stated that he had trouble understanding the pictures and proposed uses. The residents of the area had stated at the charrette that they were not willing to accommodate more student housing in North Amherst. He said that the town can't give assurances that there will be no more student housing and he acknowledged that we can't use zoning to address student housing.

Mr. Tucker stated that the town understands the impacts of student housing. This was not a full presentation of all that the town is doing with regard to student housing, he said. He offered to enumerate other efforts that the town is pursuing with regard to these problems at an upcoming meeting.

Mr. O'Keeffe stated that the next Zoning Subcommittee meeting would be on Wednesday, September 14th at 5:00 PM. There will also be a ZSC meeting on September 21st. He invited the public to attend.

Mr. Shefftz assumed the chair.

III. APPEARANCE

ARA Chair, John Coull – Gateway Project Update

John Coull, Chair of the Amherst Redevelopment Authority presented an update on the Gateway Project. He noted that the role of the ARA is limited now that the final report has been submitted. He observed that the Planning Board members had received excerpts of the report. On the basis of the report the ARA has concluded that it has no further substantial involvement in the process. However, the ARA fully supports the report and will do what it can to make the vision come to fruition. The ARA asks that the Planning Board adopt the report and make it part of the Master Plan.

Mr. Tucker advised the Board that they may wish to have a public process and hold a public hearing on the adoption of the report. In response to a question, he observed that small errors in the excerpts had been corrected from the original.

There was discussion regarding in what form the report might be adopted – whether specific objectives and strategies would be adopted or whether the entire report would be adopted by reference.

Mr. Coull observed that the action steps at the end of the report are the critical things to be noted, although he thought that the entire report should be incorporated by reference. The Planning Board should have this report in its thinking, he said.

Mr. Webber agreed that it would be good to hold a public hearing on this topic and to incorporate the report into the Master Plan.

There was discussion about the Master Plan Implementation Committee (MPIC) and whether it should be involved in adopting the Gateway Vision report. Mr. Schreiber noted that some group needs to study how this report can be incorporated into the Master Plan.

Mr. Tucker stated that other reports and planning studies have been incorporated in their entirety by reference into the Master Plan. The Master Plan is a general statement of intent. He recommended that the Planning Board look over the entire Gateway Vision report and check it against Chapter 2 of the Master Plan and also against the rest of the Master Plan. He acknowledged that there is a need for an MPIC.

Mr. Coull noted that the ARA had spent one year and \$30,000 on this work and that it was a well-done document.

Mr. Tucker stated that the Board is considering recommending to the Select Board that it create an MPIC. The MPIC's task will be to take the Master Plan and implement it. He suggested that the Planning Board wait until after Town Meeting to hold a public hearing on the Gateway Vision report. He suggested December 7th as a tentative date for the public hearing.

The Board members decided by consensus to hold a public hearing on the Gateway Vision report and its incorporation into the Master Plan on December 7th.

IV. OLD BUSINESS

A. Master Plan Implementation

1. Zoning – next steps
2. MPIC – appointment

The Board discussed Master Plan Implementation. Mr. O'Keeffe stated that the Select Board will be the appointing authority for the Master Plan Implementation Committee. The Planning Board will make recommendations to the Select Board on the committee's responsibility and charge. It should be composed of representatives of other boards and committees, possibly including the Planning Board, the Select Board, the Zoning Board of Appeals, other town bodies and some at-large members.

Mr. Tucker suggested that there were other aspects to Master Plan Implementation such as how to pay for its work. He recommended that the Finance Committee, the JCPC (Joint Capital Planning Committee), the Public Works Committee, the Public Transportation and Bicycle Committee and the Agricultural Commission might be involved in implementing the Master Plan.

Mr. O'Keeffe cautioned the Board members against "scope creep". He recommended that seven members might be a reasonable number for the MPIC.

Janet Keller of Pulpit Hill Road stated that some things are integral to the Master Plan, such as open space and recreation and transportation

Ms. Brestrup suggested that the Planning Board chair write a letter to the Select Board recommending that the Select Board form a Master Plan Implementation Committee.

There was discussion about a charge for the MPIC. Mr. Tucker noted that a charge was outlined in the Master Plan. Ms. Anderson suggested that the MPIC choose the top 10 or 20 Master Plan strategies and focus on these.

Mr. O'Keeffe volunteered to draft a charge and to bring it back to the next Planning Board meeting.

Mr. Webber observed that implementing the Master Plan is a holistic process that runs throughout the town government. He suggested that the members of the MPIC could look at the agendas of other boards and committees and send representatives to meetings of boards and committees when topics related to the Master Plan were scheduled to be discussed.

Mr. Tucker cautioned that this may be a burdensome prospect. He stated that to implement the zoning portions of the Master Plan, there would need to be an appropriation for funding for a consultant to work on zoning. The Town Manager is interested in requesting funds to work on form-based zoning for the Gateway area,

possibly including the downtown area as well. The area being discussed stretches from UMass to Route 9, and runs through the downtown. He suggested that the Zoning Subcommittee would be discussing other next steps regarding zoning amendments at upcoming meetings.

Mr. Crouner asked if the town could use a consultant for the vision process for each village center and then rely on the town staff to write the zoning. There was discussion about this suggestion, including comments that the rezoning process for other village centers may be simpler and therefore less expensive because the format for form-based zoning will have been set.

Janet Keller stated that one piece of the NAVC process that hasn't been addressed is the transportation issue. People really want to have improvements in the five-way intersection, she said.

Mr. Tucker noted that there would be a Transportation Plan process starting soon.

B. Topics not reasonably anticipated 48 hours prior to the meeting – none

V. NEW BUSINESS

A. Planning Board Reorganization – Election of Officers, Subcommittees, Liaisons

Mr. O'Keefe MOVED to nominate Mr. Webber to serve as Chair of the Planning Board. Mr. Webber stated that he would be honored to serve. Mr. Roznoy seconded the nomination and the vote was 9-0.

Mr. O'Keefe thanked Mr. Shefftz for his service as Chair. Mr. O'Keefe and Mr. Carson indicated their willingness to continue serving as Vice-chair and Clerk, respectively.

Ms. Anderson MOVED to nominate Mr. O'Keefe as Vice-chair. Mr. Roznoy seconded and the vote was 9-0.

Mr. O'Keefe MOVED to nominate Mr. Carson as Clerk. Mr. Webber seconded and the vote was 9-0.

Mr. Roznoy announced that he was resigning from the Zoning Subcommittee. He will be serving on the Transportation Task Force instead.

Mr. Schreiber stated that he was willing to continue to serve on the PVPC.

Mr. Webber MOVED to nominate Mr. Schreiber as the town's representative on the PVPC. Mr. O'Keefe seconded and the vote was 9-0.

Ms. Anderson stated that she was willing to continue to serve on CPAC.

Mr. Roznoy MOVED to nominate Ms. Anderson as the Planning Board's representative on CPAC. Ms. Kruger seconded and the vote was 9-0.

Mr. Webber stated that he has trouble getting to the ARA meetings but was willing to continue serving on the Agricultural Commission. Ms. Kruger indicated her willingness to serve on the ARA.

Mr. Carson MOVED to nominate Mr. Webber to serve as the Planning Board's representative on the Agricultural Commission. Mr. Roznoy seconded and the vote was 9-0.

Mr. O'Keefe MOVED to nominate Ms. Kruger to serve as the Planning Board's liaison to the Amherst Redevelopment Authority. Ms. Anderson seconded and the vote was 9-0.

Mr. Roznoy noted that he was not an official representative on the Public Transportation and Bicycle Committee. His work with the PTBC has come to a successful conclusion with the formation of a Transportation Task Force. Therefore he will no longer act as liaison to the PTBC and there is no longer a need for a liaison to represent the Planning Board at PTBC meetings. Instead, Mr. Roznoy and Ms. Anderson have been appointed to the newly-formed Transportation Task Force, which has the charge of developing a Transportation Plan for the town.

Ms. Brestrup noted that the Planning Board's representative on the Design Review Board resigned from the DRB in the spring. The Planning Board should be thinking about who they would like to represent them on the DRB. There is one vacancy on the DRB. The Planning Board may wish to recommend someone to the Select Board to fill this vacancy and to serve as the Planning Board's representative.

B. MassWorks Grant – Request for support letter

Mr. Tucker explained that the town is submitting an application to the state for funds to create larger capacity in the utilities on Pine Street. A new water line is needed on Pine Street and a new sewer line is needed in the Village Center. Pine Street will need to be excavated to install the utilities and will be repaved afterward. He stated that it would be useful to have a letter from the Planning Board supporting this grant application to upgrade the infrastructure in the North Amherst area. He suggested that the Board authorize the new Chair to compose and sign such a letter.

Mr. O'Keeffe stated that he strongly supports the reconstruction of Pine Street.

Mr. O'Keeffe MOVED to endorse this application and to authorize the Chair to send a letter of support. Mr. Roznoy seconded.

There was discussion about grant application and the category under which this application would be submitted. Mr. Tucker stated that it would be submitted under "Community Revitalization and Sustainable Development".

Ms. Anderson asked if these funds could be used for a general upgrade of the infrastructure at the intersection in North Amherst. Mr. Tucker stated that the roads would be repaved but the grant would not include major improvements. The work will include a new sidewalk, so it will be an improvement over what is there now. There was discussion about whether the improvements would be done to the level of the streetscapes included in The Cecil Group's report on North Amherst rezoning. Mr. Tucker noted that the Public Works Department has its own "responsible template" for roadways. The work won't be done to the level of the Form-base Code, but the principle intent is to deal with the water line from Cushman and the sewer line in the North Amherst Village Center.

Mr. Webber indicated his willingness to write a letter of support.

The Board voted 9-0 to endorse the application and to authorize the Chair to send a letter of support.

C. Planning Commissioners' Journal – The Board acknowledged the receipt of the Planning Commissioners' Journal.

D. Topics not reasonably anticipated 48 hours prior to the meeting – none

VI. FORM A (ANR) SUBDIVISION APPLICATIONS – Ms. Brestrup reported that there is an upcoming ANR application regarding a property on Larkspur and Research Drives related

to a new doctor's office to be constructed. The application will come before the Board on September 21st for endorsement.

VII. UPCOMING ZBA APPLICATIONS

The Planning Board declined to review the following applications:

ZBA FY2012-00003 – COMM Properties, LLC – 314 Lincoln Avenue

ZBA FY2012 – 00004 – Cherry Hill Development Group – 120 Pulpit Hill Road

VIII. UPCOMING SPP/SPR/SUB APPLICATIONS – none

IX. PLANNING BOARD SUBCOMMITTEE REPORTS

Zoning – none

X. PLANNING BOARD COMMITTEE & LIAISON REPORTS

Pioneer Valley Planning Commission – none

Community Preservation Act Committee – Ms. Anderson reported that the first fall meeting of CPAC would be at 7:00 p.m. on September 15th.

Agricultural Commission – Mr. Webber reported that the last meeting of the Agricultural Commission was on August 9th. The Commission members reviewed their bylaw and revisions to their bylaw. They discussed use of town-owned lands for agricultural use. They asked for an inventory of town-owned lands that might be suitable for agricultural use. The remainder of the meeting was devoted to a discussion about farmers' markets.

Public Transportation and Bicycle Committee – none

Transportation Plan Task Force – none

Amherst Redevelopment Authority – Mr. Webber reported that the ARA would be meeting on September 8th at 5:00 p.m.

XI. REPORT OF THE CHAIR – Mr. Shefftz reported on a conference that he had recently attended with reference to formulating a motion.

XII. REPORT OF STAFF – none

Ms. Anderson and Mr. Roznoy announced that they would not be able to attend the September 21st Planning Board meeting.

Mr. Webber thanked Mr. Shefftz for his service as chair of the Planning Board.

XIII. ADJOURNMENT

The meeting was adjourned at 9:48 p.m.

Respectfully submitted:

Approved:

Christine M. Brestrup,
Senior Planner

David K. Webber, Chair

DATE: _____