

AMHERST PLANNING BOARD
Wednesday, October 19, 2011 – 7:00 PM
Town Room, Town Hall
MINUTES

PRESENT: David Webber, Chair; Jonathan O’Keeffe, Rob Crowner, Bruce Carson, Richard Roznoy, Connie Kruger, Sandra Anderson (7:10 PM) and Stephen Schreiber

ABSENT: none

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

Mr. Webber opened the meeting at 7:07 PM. He announced that the meeting was being recorded by town staff and by Amherst Media and broadcast live and would be rebroadcast by Amherst Media. He also welcomed a group of journalism students from the University of Massachusetts.

I. MINUTES October 5, 2011

Mr. Schreiber MOVED to approve the October 5, 2011. Mr. Roznoy seconded and the vote was 6-0-1 (Carson abstained).

Ms. Anderson arrived at 7:10 PM.

II. PUBLIC HEARING

A-02-12 Form-Based Village Center Rezoning (Planning Board)

To amend the Official Zoning Map for North Amherst Village and Atkins Corners, and to amend the Zoning Bylaw, including Articles 2, 3, 5, 6, 7, 8, and 12, as well as Section 3.3, Use Classification and Standards (the Use Chart), and Table 3, Dimensional Regulations, and to add a new Article 16, Form-Based Zoning.

Mr. Webber began this evening’s session of the public hearing, announcing that it had been opened on October 5th and continued to October 19th.

Mr. O’Keeffe presented the report for the Zoning Subcommittee. He noted that he had previously summarized the proposed zoning amendment on October 5th. He announced two upcoming events related to Form-Based Zoning:

- 1) A TMCC (Town Meeting Coordinating Committee) Meeting on Thursday, October 20th, to review the Town Meeting Warrant;
- 2) A Planning Board Meeting on Wednesday, November 2nd, for a presentation by The Cecil Group, about Form-Based Zoning in general and about the Village Center Rezoning in Amherst, in particular.

Mr. O’Keeffe reported that the ZSC had spent its entire meeting (October 19th) on Form-Based Zoning. Most of the comments from the public were about North Amherst. There were expressions of concern and opposition from residents of North Amherst. Supportive comments were received from representatives of Applewood and Atkins Farm Market about the rezoning of Atkins Corners. The ZSC also received positive support from Cinda Jones and Laura Fitch [for the Puffer family] regarding the rezoning of North Amherst. The ZSC voted 2-1 to recommend this article to the Planning Board.

Mr. Webber noted that this zoning amendment deals with two different areas of town, North Amherst and South Amherst/Atkins Corners. There was a Planning Board meeting two

weeks ago that focused on North Amherst. He invited people who wished to speak about South Amherst to come forward first.

Mr. Roznoy asked about the one negative vote on the Zoning Subcommittee, specifically whether it was substantive or procedural. Mr. Carson stated that his negative vote had been procedural, in that he had wanted this zoning amendment to be presented to a Special Town Meeting in the winter to give people more time to become familiar with its contents.

Ms. Kruger questioned the description of the “multi-family residential building” which contains the phrase “This may include apartment and condominium building types”. She noted that the Zoning Bylaw does not generally deal with modes of ownership. Mr. Tucker explained that this is meant to be a descriptive paragraph and not a narration of uses. Ms. Kruger suggested that it be changed to make it more precise.

Mr. Roznoy stated that he didn’t believe that his prior comments regarding transit had been included sufficiently in the Form-Based Zoning proposal. He acknowledged that page 9 (Section 16.21) does refer to public transit improvements and modes of transportation that offer an alternative to vehicular transportation. However, he wanted to see, in all areas and in all street types, a graphic description of public transportation options. There should also be more language on public transit options and how to incorporate them. The town is missing a great opportunity, he said. Opportunities have already been lost in South Amherst [with the redesign of West Street]. Public transit options have not been included in a satisfactory manner in the Form-Based Zoning proposal.

John Thibbitts of Atkins Farm Market stated that Atkins would like to endorse the proposal to rezone Atkins Corners. He hoped that the Planning Board would move forward with the zoning changes as they are proposed.

Sy Epstein of 37 Bay Road distributed a letter to Planning Board members. He gave a lengthy presentation about shooting that occurs at the nearby gun club, asserting that the shooting disturbs the neighbors and is detrimental to people’s health, especially children. The problem will only become worse if more of the land along the east side of West Street is developed for residential uses. Mr. Epstein objects to the proposed zoning change because of its potential to increase density on the Cole property. The noise from the shooting can cause cognitive deficit in children, he said. He offered to provide the Planning Board with research on this topic. Mr. Epstein also said that high density development in this area would destroy the trout streams, and trout is a threatened species in New England. He cautioned the Planning Board against rezoning the area at this time, before we know what the traffic flows will be in South Amherst, resulting from the rebuilding of the road.

There was discussion about Mr. Epstein’s comments.

Mr. Tucker noted that the trout streams end at the Epsteins’ dam. He further noted that the MassHighway design process was founded on existing traffic and traffic counts projected into the future. The traffic projections are based on more intensive development than would be possible with the new zoning, he said.

Alice Epstein of 37 Bay Road thanked the Planning Board for changing the proposed rezoning map and for reducing the amount of lot coverage to 85% in the proposed AC zoning district. She asked that careful attention be paid to controlling storm water.

Mr. Tucker noted that state and federal laws control the amount of runoff that can leave a site. There can be no increase in the rate of runoff, he said. Many aspects of Form-Based Code will require recharge of on-site runoff.

Ms. Epstein stated that she and her husband own a pond that is 45 acres in size. Whatever runoff occurs on the Cole property will make its way to the Epstein property. Ms. Epstein also questioned what would be developed on the small parcels on the east side of West Street, closer to the intersection. She commented that the AC zoning district will allow a category of use (Section 3.371) that includes a lumberyard, fuel storage and a contractors' yard. These will only be allowed in the two Village Centers and in the Commercial zoning district. These uses would be inappropriate on the Cole property. The AC zoning district needs more work, she said. The two corner lots on the new circle (25B-22 and 25B-23) are also inappropriate locations for this type of use. She asked that the Planning Board reconsider what is allowed in the AC zoning district and make sure that the new roadway construction works before rezoning the area. There should not be intense uses like restaurants on the circles, either. Ms. Epstein asked that there be a delay in implementing the rezoning of the southeast section of the AC zoning district. The areas of land to be included in AC should be re-examined as should the uses allowed in AC. Ms. Epstein also mentioned the gun club. Members are allowed to shoot from 8 a.m. to 9 p.m. Members shoot on Sundays and Tuesdays. It will be impossible for people who live on the Cole property [to tolerate the noise of the shooting].

Mr. Tucker explained that there is already a lumberyard located in the section of North Amherst that is proposed to be rezoned NAVC. The use category includes smaller contractors. This use is by Special Permit and can be denied, he noted.

Mr. O'Keeffe noted that there were other similar types of uses that would be allowed only by Special Permit.

Mr. Crouner stated that any development in the Village Centers will be governed by form standards. The kinds of operations allowed will need to fit into the building type and street type that is allowed in the Village Center.

There was discussion about the success of roundabouts. Mr. Tucker referred to two successful, local roundabouts, one in North Amherst at the north end of the University and one in Northampton at Look Park. Roundabouts keep the traffic flowing, he said.

Mr. Webber asked why one and two-family dwellings would not be allowed in the new Village Center zoning districts. Mr. O'Keeffe said that core Village Center districts are not well-suited to one and two-family dwellings.

Mr. Webber asked about the proposed overlay district. Mr. O'Keeffe stated that the overlay district would not change the uses. He also noted that the proposed R-VC zoning will allow single-family houses.

Lyons Whitten of 120 Pulpit Hill Road expressed strong support for the proposed zoning changes. A dense Village Center will be an improvement and will add to the quality of life in the neighborhood. He encouraged the Planning Board to move the zoning proposal forward to Town Meeting.

Valerie Cooley of 125 Montague Road stated that she had been unable to attend the Planning Board meeting on October 5th because of the Wildwood School Open House. She also noted that the notice to neighbors about the public hearings had arrived after the first session of the public hearing. She said that the neighbors' concerns had been characterized incorrectly. She had been excited about re-vitalizing the Village Center. She is in favor of development and change and she supports the Master Plan.

Ms. Cooley noted that the existing Village Center has a mix of students, families and elders. It also has a lot of rental and dense housing. The Master Plan encourages development in the existing center of North Amherst. She listed assets that she believes that North Amherst

possesses. She noted that some of the properties could be put to better use. The new zoning proposal is ignoring the existing Village Center, she said. She expressed concern about keeping families in North Amherst. Existing houses are becoming rentals. She expressed concern about the impact of development on the Mill River. In the charrette, people had stated that they wanted to focus development on Sunderland Road and to keep Montague Road residential, in use as well as in appearance.

Ms. Cooley asserted that the proposed zoning changes do not guarantee anything to the residents of North Amherst. She noted that if the infrastructure were in place and if a good proportion of the new units were owner-occupied, then she might be able to accept the new zoning. The town is asking residents to take this proposal on faith, she said.

Ms. Cooley noted that a petition has been circulating among residents of North Amherst and citizens of Amherst in general to keep Montague Road and Cows Road in the R-N (Residential Neighborhood) zoning district, to reduce the scope of the rezoning proposal, to encourage development along Sunderland Road, and to maintain a safe neighborhood for children and families. Ms. Cooley also asked that a Special Permit be required to develop townhouses. Ms. Cooley stated that she would like to remain in North Amherst and that she is not anti-development.

In response to Ms. Cooley's concern about the notice to neighbors, Ms. Brestrup explained that there is no state or local requirement to send notices to property owners for a public hearing on rezoning. The notices had been sent because of a concern on the part of town staff that residents may have lost track of the rezoning process that had been begun last spring. In the spring a mass mailing was sent out to announce the beginning of the rezoning process and to invite people to a set of design charettes. Many people had continued to be involved in the process but the Planning Department wanted to make sure that everyone knew that they were welcome to attend the public hearing and voice their opinions.

Mr. Tucker noted that a Special Permit was already required to develop townhouses in the R-VC zoning district.

Nina Shandler agreed with Ms. Cooley's comments, particularly with regard to leaving Montague Road out of the Village Center. Residents would look forward to the development of most of the proposed NAVC area, she said.

Jim Bernotas of Amherst Machine asked how the rezoning to NAVC would affect his property. He asked the following questions and made the following comments:

- 1) Would he lose his commercial zoning if the Village Center zoning is approved?
- 2) In the mixed-use buildings, are there any controls to keep residential uses out of the spaces designated for business?
- 3) In the Village Center and PRP zoning district just north of the Village Center, the town should look at promoting wealth-generating businesses in this area, business that make things.

Mr. O'Keeffe stated that the rezoning of the Village Center will change some properties from Commercial to the new district, NAVC (North Amherst Village Center). The existing uses in this area will be "grandfathered", he said. Light manufacturing will be allowed by Special Permit.

Mr. O’Keeffe explained that mixed-use buildings are required for the first 100 feet back from Sunderland Road. This means that the ground floor will be reserved for business uses within this 100 foot area.

Paola Di Stefano of Montague Road read a letter that she had sent to the Zoning Subcommittee and the Planning Board, dated October 14th, responding to comments made at a Zoning Subcommittee meeting two weeks ago. She stated that multi-dwelling units are not wanted by residents of North Amherst. She mentioned the petition and stated that residents of the area want both sides of Montague Road north of the Mill River to remain in the R-N (Residential Neighborhood) zoning district. They also want an adequate buffer zone between the R-VC and B-VC districts and the R-N district. The petitioners are continuing to gather signatures. There is a strong and vocal opposition, she said. So far they have submitted 71 signatures from residents of North Amherst and 14 signatures from Amherst at large.

Mr. Crouner explained his understanding of what the residents wanted. He had heard that residents wanted residential use and that is why he had proposed the R-VC district along Montague Road. Then last week, he heard that the residents did not want to be in the Village Center.

Pat Holland of 105 Montague Road, and a Town Meeting member, stated that she will ask that the article be divided at Town Meeting. She requested that the area along Montague Road be kept as R-N.

Laura Fitch of Pulpit Hill Road stated that she had spoken already at the ZSC meeting in support of the zoning change. She disagreed with keeping Montague Road in the R-N district. While she likes having a lumber yard close to home, she thinks that Cows should have a chance to adapt to changing times. The Puffer-Garnier family still operates a business out of their home. Ms. Fitch would like businesses to be able to adapt. She urged the Planning Board to correct the zoning mistakes of the 1970’s.

John Fox of Fearing Street asked if any of the proposed changes would have an impact on the R-G (General Residence) zoning district. Mr. O’Keeffe responded that nothing in the proposed zoning changes would directly affect the R-G zoning district. Definitions for apartments and townhouses have been added and clarified and other definitions have been added to Article 12, Definitions. However, nothing is likely to affect the R-G district.

Mr. Fox asked that someone annotate the Form-Based Zoning document to illuminate changes that might affect the R-G zoning district. Mr. O’Keeffe stated that there is nothing in the Form-Based Zoning document that speaks to other zoning districts.

Mr. Tucker noted that all of the definitions that are being added to Article 12 are those that relate to Form-Based Code. The zoning proposal also creates a “brand new” section on Form-Based Code requirements. These requirements would apply to any new Form-Based zones in the future. He noted that no Form-Based requirements would apply to any other zoning district.

Denise Barberet of 67 North Whitney Street asked questions related to the rezoning proposal. With regard to proposed Section 16.751, which allows parking garages, how does a big structure for cars act in concert with the Village Center concept? Who will park there – incoming traffic or those already there?

Mr. Tucker stated that Section 16.751 speaks about standards that would apply if such a structure were proposed. He explained that the permitting for such a structure would be the same as for the all Business Districts. In addition, design criteria would be followed.

Ms. Barberet commented that the Village Centers are supposed to be pedestrian-oriented.

Mr. O’Keeffe stated that Section 16.751 does not encourage parking structures, but allows them if necessary.

Ms. Barberet asked about Section 16.91, Administration. She asked about the difference between the basic zoning amendment requirements and the alternative compliance option. How can we assure protection of the area? What if all requirements were waived?

Mr. Tucker stated that alternative compliance would be taken as part of the permitting process. Abutter notifications would be required and criteria for granting permits would apply. The Boards cannot violate dimensional requirements, although in some cases the Bylaw has provision for waiving or modifying requirements. The alternative compliance option allows for the possibility that someone would have a better idea than is envisioned in the Bylaw.

Ms. Barberet commented that the guidelines tend to be general and broad. Neighbors may disagree with a Board as to whether something complies with the criteria.

Melissa Perot of 15 Summer Street stated that she would like to see the revitalization of the North Amherst core. North Amherst is a “food desert” according to the FDA, she said. Residents need businesses in the core, but the rezoning is offering more population. She asserted that there is a large number of units that are vacant in North Amherst. The residents need a substantial Village Center with services and industry. The present zoning gives them what they want. She listed existing buildings that could be reused for residences. She agreed with Mr. Roznoy’s comments on transportation. North Amherst has enough houses, she said. It needs sustainability. She is not interested in the “look and feel” of the area.

Barbara Puffer Garnier of 85 Montague Road agreed with some of Ms. Perot’s comments. The core of North Amherst is no longer like it was and there is no one who wants to take care of some of the buildings. The library has no parking. Who will invest in the core? There is traffic, danger, noise and poor management of some of the properties. There are seven houses on the west side of Route 63 (Montague Road) that are not owner-occupied. This area is already part of the business district, she said. She listed businesses that used to be located there. Her family gave the town the pond and the dam and developed Mill River Recreation Area. The demographics of the town have changed, she said. She is in favor of senior housing, mixed-used with convenient businesses, bed and breakfast establishments and a renewed life for North Amherst.

Brenda Davies spoke in support of the rezoning proposal. She is a resident of South Amherst. She would like to have more walkable and bike-able Village Centers and not sprawl.

Ludmilla Pavlova-Gillham of 350 Montague Road stated that she is confused about the parts of the rezoning proposal. Village Centers don’t adapt well to different street types, she said. The document is still quite confusing and she has a general concern that it is too complex. Also, there is no 3D model of the general form proposed for the district. She suggested that the Planning Board should consider adjusting the form of the document itself.

Mr. O’Keeffe noted that there are two public information sessions coming up on October 20th and November 2nd. He also directed people’s attention to the Planning Board Report to Town Meeting.

Mr. Roznoy suggested that a 3D rendition was needed for better explanation of the Form-Based Code proposal. People need some way to conceptualize. There should be a minimum of words and a maximum of “conceptual identification”, he said.

Mr. Carson stated that the presentation of this proposal should show more examples of existing projects, of a similar nature, with photographs and plans.

Mr. O’Keeffe MOVED to close the public hearing. Mr. Carson seconded and the vote was 8-0.

Mr. Webber thanked members of the public for attending the public hearing.

Mr. Crowner noted that many good points had been made. There were requests that certain part of the areas slated for rezoning not be included. These areas were Montague Road in North Amherst and the east side of West Street in South Amherst. He noted that the Form-Based Code zoning proposal imagined a larger Village Center than some people had expected. The form that comes with the Village Center zoning will shape the course of the development in these areas. On West Street, people had expressed discomfort with the density that might overtake the streams. Mr. Crowner noted that the Form-Based Zoning will require that buildings be constructed close to the road. He noted that if businesses build up in this area, traffic will slow down. He noted that many people think of Montague Road as part of the Village Center. While he can understand that some residents don’t want this rezoning, the Zoning Subcommittee has said that this area is part of the Village Center.

Mr. O’Keeffe agreed with Mr. Crowner’s statements, particularly with regard to the R-VC zone along Montague Road. A Village Center consists of a core with a surrounding area. The Village Center is the civic core, surrounded by the residential part of the Village Center. Currently the North Amherst Village Center has the R-VC (Residential Village Center) zoning district to the south, east and west, but not to the north of the core. Montague Road [which is to the north of the core area] is connected to the Village Center, he said. He agreed with Ms. Perot’s statement that people are looking for more activity in the Village Center. He disagreed with her statement that the “look and feel” is not important.

Mr. Webber noted that he had recently visited two cities in New Mexico, Santa Fe and Farmington. Santa Fe has a strong Form-Based Code with strict design standards. It is walkable and beautiful. Farmington has no uniformity and lots of commerce. It is scattered and ugly, he said. Mr. Webber originally had misgivings about Form-Based Code, thinking that it was too restrictive. Now, having seen Santa Fe and Farmington, New Mexico, he sees the merits of Form-Based Code.

Mr. Schreiber noted that Albuquerque, New Mexico, had been transformed from “dead” to “livable”. He attributes this transformation to “new urbanism” [related to Form-Based Code]. The recent development of Albuquerque was based on form.

Ms. Kruger questioned Section 16.30 of the Form-Based Zoning. The Village Residential Building style is too restrained and too restricted in terms of style, she said. She was concerned that alternative compliance would be an arduous path.

Ms. Kruger also asked about Section 3.323, Apartments, with regard to the allowed density. She questioned the restrictions on the number of units of any one style, especially with regard to senior housing. She commented that the overall body of work regarding the proposed Form-Based Zoning is impressive.

Mr. Tucker noted that the restriction limiting the number of units of any one type to no more than 50% of the units was currently in the Zoning Bylaw for the Apartment use category. He added that there was a deliberate intent to preserve space for existing and future businesses along Sunderland Road. He noted that form “has nothing to do with architectural style”. We want to assure that the pattern of form that exists in North Amherst survives into the future.

There was further discussion about the distinction between architectural style and building form.

Mr. Schreiber commented that Frank Lloyd Wright's Prairie-style architecture was a good example of "big house, little house, back house, barn". He noted that the Form-Based Zoning document is a living document. It will be challenged, tested and changed.

Ms. la Cour of 124 North Whitney Street noted that Section 16.400 of the Form-Based Zoning document stated that there was no prescribed architectural or aesthetic style for the district. Mr. Tucker stated that composition and massing are regulated but architectural detail is not.

Mr. Carson stated that he still believes that it would be helpful to have more time to work on this amendment. He suggested having a presentation at Town Meeting and allowing Town Meeting members to ask questions. Then we should schedule a Special Town Meeting in the new year. This zoning amendment is a "keystone of the Master Plan", he said. At Town Meeting people will spend too much time dealing with the "nuts and bolts" if they don't have a good understanding of the proposal.

Ms. Anderson asked if there could be a "middle ground" in which the article could be broken up into a North Amherst proposal and an Atkins Corners proposal. There is a lot more opposition to the rezoning of North Amherst, she noted.

Mr. Carson stated that he was not advocating splitting the article in two. He thought that they could pass together if given more time.

Mr. Roznoy noted that there was considerable concern expressed at the last meeting regarding the timing of this article. The Board was pressured to make a decision about whether to put this article on the Town Meeting Warrant because of the timing of the signing of the Warrant. Tonight the Board has an opportunity to make a recommendation about how to approach this at Town Meeting. He expressed concern about the fact that people were often commenting on an older version of the document and a newer version had been circulating. He suggested that there be a more careful approach. Anything that is brought to Town Meeting needs to be thoroughly vetted. Town Meeting is not ready for this now. Mr. Roznoy acknowledged the efforts of Mr. Crowner to communicate with Town Meeting members regarding this zoning amendment, but there is not enough time, he said.

Mr. O'Keefe acknowledged the concerns of Mr. Carson and Mr. Roznoy. He said that a lot of positive work had been done on the zoning amendment over the past month. But no substantive changes have been made from one version of the zoning amendment to the next. He noted that [like all zoning] it is not perfect and never will be, but he recommended that the town should pass it now and change it later.

Ms. Kruger suggested separating the two Village Centers since they have a different history and background. She would like to be prepared to split the article at Town Meeting, if the Planning Board votes to recommend the article.

Mr. Webber proposed that the article go forward as a whole since it was created as a whole. He stated that it is not that complicated and it should go forward as it is.

Mr. Roznoy suggested that if it were separated, it should be separated into three sections:

- 1) Form-Base Code text
- 2) North Amherst Zoning Map
- 3) Atkins Corners Zoning Map.

Mr. O'Keefe stated that he did not support the idea of splitting the article. There was further discussion about the idea of splitting the article. Mr. Crowner summarized the issues as

requiring only a “yes” or “no” vote on the article and a decision on whether townhouses should be allowed by Special Permit or Site Plan Review. There is no reason to delay, he said.

Mr. O’Keeffe noted that The Cecil Group will make a public presentation about Form-Based Code at the Planning Board meeting on November 2nd and that there were no plans for The Cecil Group to make a presentation to Town Meeting.

Mr. Webber summarized the Planning Board’s choices:

- 1) Recommend to Town Meeting that the article be approved;
- 2) Recommend to Town Meeting that the article be referred back to the Planning Board;
- 3) Recommend to Town Meeting that the article be split.

Mr. Schreiber MOVED to recommend to Town Meeting that the article be approved as written in the version dated October 6, 2011. Mr. O’Keeffe seconded.

Mr. Roznoy stated that he would be more enthusiastic if it were possible to bifurcate the article. He expressed support for the project in concept; however the transportation flaws were too important. We won’t be able to go back and address the transportation issues. He cannot support the article as is. The town is about to launch a town-wide Transportation Plan, he noted. Transportation should have been much more of a focus of the zoning amendment. If the other elements could be separated out, he would support the article.

There was further discussion about Mr. Roznoy’s comments. Mr. Tucker pointed out that Section 16.21 of the zoning amendment talks about transportation and that later on we can address recommendations that come out of the Transportation Plan. This lays the groundwork, he said. It can be amended.

Mr. Roznoy stated that he would like to see plans for public transit incorporated into this article now. All of the references to transportation are to automobiles, pedestrians and bicycles. There is nothing set aside for bus lanes or for light rail transit. He asked for the article to acknowledge the town-wide Transportation Plan.

Mr. Schreiber noted that the existing Zoning Bylaw is silent on transportation. The Form-Based Zoning article doesn’t preclude imaginative public transit options, which will probably be in the form of bus service.

Mr. Roznoy acknowledged that he will need to describe his opinion at Town Meeting.

The vote was 5-2-1 (Carson and Roznoy against; Anderson abstained).

Mr. Carson explained that he was in favor of the article but not the timing.

V. NEW BUSINESS

- A.** Lot Release Request – Lots 29, 35, 37, 57 and 64 – Tofino Associates – Amherst Hills Subdivision – SUB89-13

Gloria McPherson of Kohl Construction presented the request. Several of these lots have already been released but the Certificates of Performance were never recorded at the Registry and the originals cannot be found at this time. The Registry needs original signatures, so Ms. McPherson was asking that the lots be released again. Regarding Lot 37, there was no evidence that this lot had ever been released;

however there is a house on the lot. According to the Town Engineer, Jason Skeels, there are no problems that would preclude releasing these lots.

Mr. Roznoy left at 10:00 PM.

Mr. Carson MOVED to release the lots as requested. Ms. Anderson seconded and the vote was 7-0.

B. Kevin Eddings – presentation of information on “bird-friendly windows”

Mr. Eddings stated that he had information about “bird-friendly windows” that he wished to share with the Board. He attempted to give a slide presentation that relied on internet links but he was unable to gain access to the internet. He offered to send the Board members internet links to the information that he had intended to present. Mr. Eddings stated that he was particularly concerned about the windows at Boltwood Place. The building has features that would indicate high collision rates for birds. He asserted that two faces of the building are all glass, with some glass on the corners. Based on the number of windows and the size of the building he predicted a high mortality rate for birds. Mr. Webber thanked Mr. Eddings for the information and stated that this would be a useful issue to consider when reviewing future projects. Mr. O’Keeffe stated that the Board cannot do much about the Boltwood Place building since it has already been designed and approved. Mr. Eddings stated that he planned to meet with the architect of the building to share his information.

C. Draft Sewer Extension Master Plan

Ms. Brestrup presented a brief summary of the Draft Sewer Extension Master Plan and noted that the areas that were being proposed for new sewers were largely developed. Therefore the new sewer lines would not open up substantial parcels of land to new development. Mr. Roznoy stated that he had spoken with Guilford Mooring, Superintendent of Public Works, and had received assurances that the new sewer lines would be separated from storm drains. Mr. Tucker noted that parts of Amherst Woods are in the town’s aquifer recharge area and that installing new sewers would add a layer of protection for the aquifer. Ms. Kruger noted that the most controversial aspect of the Sewer Plan was how to pay for the proposed sewer lines. She noted that it was good to install these lines in already developed areas and thereby encourage development of vacant land in these already developed areas.

Mr. Sigurd Nilson of 27 Teaberry Lane reported on a survey of homeowners and stated that the homeowners overwhelmingly wanted access to sewers. He noted that there had been failures of septic systems. He expressed support for the sewer extension plan and presented information about methods of funding. He expressed support for funding the new sewer construction through the sewer fund and not through betterments.

The Board declined to make a recommendation to the Select Board/Sewer Commission on the Draft Sewer Extension Master Plan.

D. Upcoming Planning Board Schedule

The Board discussed its upcoming schedule. Mr. Cowner suggested that the Board schedule a meeting for each night of Town Meeting in case issues came up regarding the zoning amendments. Mr. O’Keeffe suggested that the Select Board could make a motion at Town Meeting to consider the Form-Based Zoning article on a “date

certain". November 16th was the suggested date since it is a regular Planning Board meeting night. The Planning Board could post a meeting for 5:00 PM that night. Members agreed to this plan by consensus. On November 2nd the Board will decide whether or not to meet on November 30th.

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

VI. FORM A (ANR) SUBDIVISION APPLICATIONS

The Board endorsed ANR 2012-00003 – Paul E. Cohen, 30 Chestnut Street, Map 11D, Parcels 3 and 240.

III. TOWN MEETING

- A. Warrant Review – Mr. Tucker asked the Board if it wished to make a recommendation on any other Warrant articles. He directed Board members' attention to Article 5 – Housing Market Study, a request for \$40,000 for a housing market study related to the Village Center rezoning and the Gateway Corridor project. He noted that both the Select Board and the Town Commercial Relations Committee had endorsed this article. There was discussion about the article, with some Board members expressing reservations about the amount of money being requested.

Mr. O'Keeffe MOVED to recommend approval of Article 5. Mr. Carson seconded. After further discussion Mr. O'Keeffe withdrew his motion and the Board declined to take a position.

- B. Movers and Speakers – Mr. O'Keeffe volunteered to move both Articles 16 and 17. He volunteered to speak to Article 16 and Mr. Crowner agreed to speak to Article 17.

Ms. Anderson and Ms. Kruger stated that they would not be present at the Planning Board meeting on November 2nd.

- C. Review of Draft Planning Board Report

Fall Town Meeting Warrant Article 16 – Zoning Bylaw – Official Zoning Map Conversion – no review

IV. OLD BUSINESS

- A. Master Plan Implementation - Mr. Webber signed a letter to the Select Board recommending that a Master Plan Implementation Committee be established and enclosing a Draft Charge for the Committee.
- B. Topics not reasonably anticipated 48 hours prior to the meeting – none

VII. UPCOMING ZBA APPLICATIONS – none

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 – none
Agricultural Commission – none
Transportation Plan Task Force – none
Amherst Redevelopment Authority – none
Design Review Board – none
Other Boards and Committees – none

XI. REPORT OF THE CHAIR – none

XII. REPORT OF STAFF – none

XIII. ADJOURNMENT

The meeting was adjourned at approximately 10:55 p.m.
Respectfully submitted:

Christine M. Brestrup,
Senior Planner

Approved:

David K. Webber, Chair

DATE: _____