

MINUTES

Select Board Members: Stephanie O’Keeffe, Diana Stein, Jim Wald, Alisa Brewer and Aaron Hayden.

Staff: John P. Musante

Meeting called to order by Ms. O’Keeffe at 6:30 p.m.

Announcements

Alan Snow announced that USDA and DCR are conducting a study of ash bores, and are affixing blue traps to Ash trees in a 2-mile square grid to check for their presence. If people see these traps, they should leave them alone.

TMCC Warrant Review -- Thursday, 4/14 at 7:00 p.m. in the Town Room.

Public Comment

Public Comment: Dave Keenan expressed concern about the environmental issues related to the solar project at the Old Landfill; John Boothroyd expressed concern about soil safety at the Butternut Farm housing area. Both spoke about lack of responsiveness by the Town.

Chapter 90 info: DPW Superintendent Mooring reported on plans for next year's Chapter 90 expenditures and handed out the list of current and upcoming paving projects; we will vote our recommendation on this section of the capital budget next week.

TIME SCHEDULED ITEMS

Public Hearing – Parking Regulations

Opened 6:45 p.m.

Closed 6:49 p.m. – No comment from the public offered.

VOTED unanimously to approve a change to parking regulations to allow public parallel parking in designated locations along the south side of Main Street, beginning 112 feet east of the centerline of Dickinson Street and proceeding east approximately 135 feet to a point in front of 373-383 Main Street, creating four (4) on street parking spaces.

VOTED unanimously to change parking regulations for the three public on street parking spaces in front of 373-383 Main Street, Amherst, MA to a loading zone only from 6 a.m. to 10:30 a.m. daily.

Proclamations:

Western Mass Saves Earth Week in Amherst

VOTED unanimously to proclaim the week of April 17 through April 23, 2011 as Western Mass Saves Earth Week in Amherst; and to encourage all households in Amherst to join the Western Mass Saves Challenge and begin measures to save energy in their homes.

Arbor Day

VOTED unanimously to proclaim April 23, 2011 as Arbor Day in the Town of Amherst and urge all citizens to support efforts to protect our trees and woodlands and to support our Town’s urban forestry program.

New Business Licenses

Lunch Cart License:

VOTED unanimously to approve the application for a new Lunch Cart License for Dylan Lask, 1 Hillside Terrace, Ware, MA 01082 d/b/a Dylan’s Italian Ice on the corner of North Pleasant and Main Street, Main Street and South Pleasant, Amity Street and South Pleasant, and North Pleasant Street in front of Food for Thought Book Store, Douglas Funeral Home and in front of the Unitarian Church during the hours of 11 a.m. to 8 p.m.

Taxi Business License

VOTED unanimously to approve the application for a new Taxi Business License for Patrick Kayego d/b/a as Zigu Taxi Company, 150 Fearing Street, Amherst, MA 01002.

Parking Request - Extravaganja

VOTED unanimously to approve reservation of all parking spaces on the South side of the Spring Street parking lot (that closest to the Common) and two on the west side of Boltwood Avenue from Spring Street towards College Street on Saturday April 16 and Sunday April 17, 2011 from 8:00 a.m. to 8:00 p.m. for the UMass Amherst Cannabis Reform Coalition's Extravaganja.

Annual May Day Celebration

VOTED Unanimously to approve the blocking off of Henry Street in Cushman Village for the annual May Day celebration, Saturday, May 7th, 2011 from 9:00 a.m. to 1:00 p.m.

Warrant Articles

May 2, 2011 Annual Town Meeting

Article 5 – Rights of Way and Easements from WMECO for Boltwood Walk

VOTED unanimously to recommend May 2, 2011 Annual Town Meeting Article 5 – Rights of Way and Easements from WMECO for Boltwood Walk; Mr. Hayden to speak to the article on behalf of the Board

Article 6 – Rights of Way on Meadow Street for reconstruction and related work

VOTED unanimously to recommend May 2, 2011 Annual Town Meeting Article 6 – Rights of Way for Meadow Street reconstruction and related work; Mr. Hayden to speak on behalf of the Board.

Article 7 – Rights of Way and Easements on Main Street for reconstruction

VOTED unanimously to recommend May 2, 2011 Annual Town Meeting Article 7 – Rights of Way and Easements for Main Street reconstruction; Mr. Hayden to speak on behalf of the Board.

Article 8 – Rights of Way and Easements on Wildwood Safe Routes to School Project

VOTED unanimously to recommend May 2, 2011 Annual Town Meeting Article 8 – Rights of Way and Easements for Wildwood Safe Routes to School Project; Ms. Stein to speak on behalf of the Board.

Approval of Wildwood School Safe Routes to School Project

VOTED unanimously to approve the Safe Routes to School Project and to send our approval to Mass DOT as the Town's official response to the Wildwood School Safe Routes to School Final plans as shown on the plans dated December 23, 2010.

Article 27 – Bylaw Adoption of Stretch Energy Code

VOTED unanimously to recommend May 2, 2011 Annual Town Meeting Article 27 – Stretch Energy Code; Mr. Hayden to speak to article on behalf of the Board.

Article 28 – Zoning Amendment - Duplexes

VOTED unanimously to recommend May 2, 2011 Annual Town Meeting Article 28 – Zoning Amendment – Duplexes; Mr. Wald to speak on behalf of Board.

Article 29 – Zoning Amendment – Residential Parking Requirements

VOTED unanimously to recommend May 2, 2011 Annual Town Meeting Article 29 – Zoning Amendment – Residential Parking Requirements; Mr. Wald to speak to article.

Article 30 – Zoning Amendment Watershed Protection (WP) District Lot Coverage

VOTED unanimously to recommend May 2, 2011 Annual Town Meeting Article 30 - Zoning Amendment Watershed Protection (WP) District Lot Coverage; Mr. Hayden will speak to article.

Article 31 – Zoning Amendment – Permit Submission Requirement

VOTED unanimously to recommend May 2, 2011 Annual Town Meeting Article 31 – Zoning Amendment – Permit Submission Requirement; Mr. Hayden will speak to article on behalf of the Board. It was noted that if Planning Board makes recommendation or substantive change, Board will revisit recommendation.

Article 32 – Zoning Amendment – Filling of Land

VOTED unanimously to recommend May 2, 2011 Annual Town Meeting Article 32 - Zoning Amendment – Filling of Land; Mr. Hayden to speak to article.

Article 33 – Petition - Zoning Amendment – Accessory Livestock and Poultry

VOTED unanimously to recommend May 2, 2011 Annual Town Meeting Article 33 – Petition - Zoning Amendment – Accessory Livestock and Poultry; Mr. Wald to speak to article on behalf of Board.

Article 34 – General Bylaw – Animal Welfare

VOTED unanimously to recommend May 2, 2011 Annual Town Meeting Article 34 – General Bylaw – Animal Welfare; Mr. Wald to speak to article on behalf of Board.

Article 35 – Petition - General Bylaw – Animal Welfare (Accessory Livestock or Poultry)

VOTED unanimously to support dismissal of May 2, 2011 Annual Town Meeting Article 35 – Petition - General Bylaw – Animal Welfare (Accessory Livestock or Poultry) unless Article 34 fails, in which case Board votes unanimously to approve; Mr. Wald to speak to article.

FY12 Budget Update and Discussion

Mr. Musante reported that the House Ways and Means budget was expected to be released Wednesday and the Senate Ways and Means committee anticipates providing a minimum local aid number Thursday, so this week will bring more clarity about expected revenue

Town Manager’s Report

Response to earlier public comments: Refuting assertions of lack of responsiveness, John talked about the immediate and thorough follow-up by DPW and the DEP to Mr. Keenan's concerns, and the repeated analysis and assurance by the Health Dept. and Board of Health about the safety of the soil Mr. Boothroyd referenced

Atkins Soil concerns: Due to it becoming an unnecessary distraction to the solar project plans, he has directed Guilford to not use soil from the Atkins reconstruction project for the required re-grading of the old landfill, which was approved by DEP and would have resulted in tipping fee revenue of more than \$200K for the Town

Solar Update: reported on the community meeting last week at Fort River School and the range of concerns expressed there; said there would be smaller meetings with neighbors going forward and an additional public meeting in advance of the ZBA submittal. Questions and concerns should be directed to him or Guilford. Emphasized that the current proposal is a concept not a plan, and will be modified. There is much info on the solar project page of the DPW section of the web site, and an FAQ may be added. There was discussion of fencing needs for the project and the potential to fence the site if deemed necessary even without the project; and the fact that evolving sentiments on such sites have taken it out of consideration for an active recreation proposal such as athletic fields.

Affordable Housing Summit: previewed the 4/14 Affordable Housing Summit at Jones Library, which will look at how the Town is addressing the full spectrum of housing needs now and for the future

Member Reports

Zoning Subcommittee: Ms. Stein reported that their work was discussed during the warrant article presentations -- Article 32 hasn't had full consideration by Planning Board yet.

ARA: Mr. Hayden reported that stakeholders meetings would be Tuesday - Thursday this week, with a larger public meeting in the Gateway area to be scheduled for the end of the month.

HP/FHC: Ms. Brewer reported that they are prepping for the 4/14 affordable housing summit as well as working on recommendations for the Town Manager (as is the Leisure Services Commission) on the Hawthorne project.

Committee on Homelessness: Ms. Brewer said they are discussing recommendations for next year regarding the operations of the shelter, and will be meeting with Jack Desroches from Milestone. As a result of concerns about lack of communication on larger housing issues and required staff time, Ms. Brewer indicated would be considering new ways to address the spectrum of housing needs via our committee structure, and would be talking to COH and HP/FHC about those concepts before bringing a recommendation to the Select Board, and that she had informed COH about that.

Council on Aging: Ms. O'Keeffe reported on their parking proposal for seniors which will be considered in the larger context of downtown parking issues by the Parking Task Force before being brought to the SB; and that the 2nd annual Senior Follies fundraiser for the Friends of the Senior Center will be held at 2:00 p.m. on Sunday, May 1st at the High School auditorium.

Conservation Commission: Ms. O'Keeffe noted the 4/27 public meeting to be held to receive feedback on the draft policy for private agricultural use of Town conservation land

UMass Community Forum: several members reported on the value of this event, expressing appreciation to the University and encouraging the public to attend future such meetings, which are planned to be held each semester

Stan's Municipal Conference: several members reported on the value of this event, expressing appreciation to Stan for holding it; the HCOG's seminar with Len Kopelman was also reported to be interesting and appreciated.

Chair's Report

Recent Meetings & Events

May 4th Board to meet at 6:30 p.m., prior to TM for a liquor license hearing for a new restaurant - Mission Cantina, in South Amherst

Ms. O'Keeffe reported she is taping segments to be included in videos to be shown at the Chancellor's May 6th Town-Gown reception and new student orientation

Ms. O'Keeffe reported on conversation with the editor of the Daily Collegian last week about last year's changes to the bylaw fines and about the Town's partnership with the University to protect neighborhood quality of life for residents and students

UNTIMED ITEMS

Bertucci's Brick Oven Ristorante Liquor License – New Officer/Director

VOTED unanimously to approve the application for a New Officer/Director for Bertucci's Restaurant Corporation d/b/a Bertucci's Brick Oven Ristorante, 51 East Pleasant Street, Amherst, MA 01002.

Parking Request – Lieberman's Books/Penn Text

VOTED unanimously to approve the reservation of one metered parking space on the 30 block of North Pleasant Street at approximately #33 North Pleasant Street from May 2, 2011 through May 7, 2011, between the hours of 8:00 a.m. through 5:00 p.m. for Lieberman's Books/Penn Texts, and, as per past practice with this vendor, a fee of \$5 per day will be paid to the Collectors Office.

Taxi License - Brian Shigoli – Safari Transit

VOTED unanimously to approve the new Taxi Driver/Chauffeur License for Brian Shigoli, 231 Amherst Road, Apt. #8, Belchertown, MA with the Safari Transit Company.

Taxi License – Robert L. Episcopo – Green Cab

VOTED unanimously to approve the new Taxi Driver/Chauffer License for Robert L. Episcopo, 19 Western Avenue, Northampton, MA with Green Cab Company.

Special Liquor Licenses

Special All Alcoholic Liquor License – Brenda Ryan-Newton on behalf of UMass Amherst

VOTED unanimously to approve the Special All Alcoholic Liquor License to Brenda Ryan-Newton on behalf of UMass Amherst for Friday, April 15, 2011 from 5:00 p.m. – 11:00 p.m. in the Fine Arts Center Lobby for a reception.

Special Wine & Malt Liquor License – Brenda Ryan-Newton on behalf of UMass Amherst

VOTED unanimously to approve the Special Wine & Malt Liquor License to Brenda Ryan-Newton on behalf of UMass Amherst, for Friday, May 20, 2011 from 5:00 to 9:00 p.m. at the Fine Arts Center for a reception.

Adjourned at 9:46 p.m.

Respectfully Submitted,

Stephanie O'Keeffe and Debra Roussel

List of documents presented at meeting

Affordable Housing Summit 04-14-11
Arbor Day Proclamation
Article 30 - WP Coverage
Article 28 - Duplexes
Article 29 - Residential Parking Requirements
Article 31 – Permit Submission Requirements
Article II - Conduct on Public Ways and Places
Articles 33-55 Accessory Livestock or Poultry
Bertucci Liquor License
DPW Recommendation for the Safe Route to School Project
Dylan's Italian Ice Map
Dylan's Italian Ice Cart Application
Earth Week Resolution
Extravaganja Parking Map
Extravaganja Spring Street Closing Requests
Health Department Approval for Dylan's
Letter of Support for Wildwood Safe Route to School Project
Lieberman Books Parking Reservation Request
May Day Request for Street Closing
Motions 4-11-2011 Revised
Parking Request for 373-382 Main Street
Taxi Driver Application - Brian Shigoli
Taxi Driver Application – Robert Episcopo
UMass 4-15 and 5-20 Special Liquor License Applications
Ziqui Taxi Company Business Application