

**AMHERST PLANNING BOARD**  
**Wednesday, March 20, 2013 – 7:00 PM**  
**Town Room, Town Hall**

**PRESENT:** David Webber, Chair, Jonathan O’Keeffe, Bruce Carson, Rob Crouner, Stephen Schreiber, Connie Kruger, Sandra Anderson, Richard Roznoy and Kathleen Ford

**ABSENT:** none

**STAFF:** Jonathan Tucker, Planning Director  
Christine Brestrup, Senior Planner  
Mr. Webber opened the meeting at 7:04 PM.

**I. MINUTES**

Mr. Schreiber MOVED to approve the Minutes of February 20, 2013. Mr. Carson seconded and the vote was 7-0-2 (Anderson and Roznoy abstained).

Mr. O’Keeffe MOVED to approve the Minutes of March 6, 2013. Mr. Roznoy seconded and the vote was 8-0-1 (Webber abstained).

**II. PUBLIC HEARING – ZONING AMENDMENTS**

**A-13-13 Mixed Use Buildings Standards & Conditions (Planning Board)**

To amend the Standards and Conditions for Section 3.325 of the Zoning Bylaw to increase the number of upper floor dwelling units permitted in a mixed use building by right, allow dwelling units on the first floor, and increase the first floor area supporting upper floor residential uses. (*continued from March 6, 2013*)

Mr. Crouner presented the ZSC report on this zoning amendment. He noted two changes since March 6: 1) The threshold for which a Special Permit would be required for mixed use buildings would be changed to more than “10 dwelling units”; 2) No more than “40%” of the first floor GFA shall be used for residential purposes, including residential uses associated with upper floor residences. Mr. Crouner noted that the total number of dwelling units was not changing, only the number of dwelling units that could be built without a Special Permit.

Mr. O’Keeffe asked about including an explanation of “GFA”. Mr. Tucker noted that “gross floor area” will be written out, with GFA in parentheses.

Mr. O’Keeffe MOVED to close the public hearing. Mr. Roznoy seconded and the vote was 9-0.

Mr. Crouner reminded the Board that this amendment is intended to be paired with the next amendment having to do with dimensional requirements in mixed-use centers.

Mr. Webber explained the Planning Board’s options – to recommend the amendment to Town Meeting, to recommend against the amendment or to recommend that the amendment be referred back to the Planning Board for further study.

Mr. Crouner MOVED that the Planning Board recommend the amendment to Town Meeting for adoption. Mr. O’Keeffe seconded and the vote was 9-0.

Since it was not yet 7:30 PM the Planning Board turned to other business.

**III. ZONING**

**A.** Zoning Subcommittee Report – Mr. Crouner reported on the ZSC meeting held earlier in the evening. The ZSC had originally wanted to bring forward the Form-based Design Regulations along with the Mixed Use Center regulations for Spring Town Meeting. However, the Form-based Design Regulations are not finished and need more work.

The ZSC is now proposing to bring forward the portion of Form-based Design Regulations that deal with non-conforming lots and structures (Section 14.5). This section deals with what happens when a non-conforming building is expanded. When an addition is put on a non-conforming building the new addition will be required to be located in accordance with the new setback requirements. The ZSC is proposing revising this section and adding it to Section 9 of the Zoning Bylaw, as Section 9.3. Section 9 of the Zoning Bylaw currently deals with non-conformities.

The ZSC intends to bring the remainder of Form-based Design Regulations forward for Fall Town Meeting.

The ZSC has also discussed an amendment related to residential parking, limiting the number of parking spaces on rental properties to 1.5 spaces for each bedroom. However the Safe and Healthy Neighborhoods Working Group did not specifically request this amendment, and so the ZSC would prefer to wait until fall and study the entire parking section of the Bylaw (Section 7) in a comprehensive manner, rather than bringing forth a piece of it for amendment at this time.

Finally the ZSC discussed changes to the dimensional requirements for the R-F zoning district in order to allow more intense development. There are two small R-F zoning districts, one on Olympia Drive and one on North Pleasant Street, at the corner of the UMass campus. The ZSC asks that the Planning Board reconsider including this zoning amendment in the warrant for this Spring Town Meeting.

The ZSC discussed a recommendation from staff to limit the Mixed-Use Center dimensional changes to the BL/COM zoning districts. However the ZSC would like the Planning Board to consider all of the proposed zoning districts (B-L/COM, B-VC and B-G) for dimensional changes.

Ms. Ford, who had expressed concern about the R-F zoning amendment at the last Planning Board meeting, was now willing to support the R-F zoning amendment because some other zoning amendments had been dropped from the list.

Mr. Webber expressed support for the R-F zoning amendment, saying that the R-F zoning district is a good place for student housing to be built.

Mr. Crouner asked for feedback from the Planning Board on the ZSC's proposals. He noted that the language for the Town Meeting Warrant is due on March 26<sup>th</sup> and that the Warrant will be signed on April 8<sup>th</sup>. The Planning Board will be able to discuss these amendments at the April 3<sup>rd</sup> meeting.

There was further discussion about bringing forward only one piece of Form-based Design Regulations and incorporating it into Section 9 of the Zoning Bylaw, since Section 9 already deals with non-conformities. Mr. O'Keeffe noted that the language of that section of the Form-based Design Regulations will need to be changed to fit in with Section 9 and that some definitions might need to be added.

Ms. Kruger stated that the reason this section should come forward now is that it is an important companion to the other Mixed-use Center Building and Dimensional amendments. This is the part of the Form-based Regulations that is most prescriptive.

**B. Public Comment Period – no public comment**

**II. PUBLIC HEARING – ZONING AMENDMENTS**

**A-14-13 Mixed Use Center District Dimensions (Planning Board)**  
*(continued from March 6, 2013)*

To amend Article 6 and Table 3, Dimensional Regulations and associated Footnotes to increase potential density and add flexibility to dimensional standards in the Limited Business (B-L), Commercial (COM), Village Center Business (B-VC) and General Business (B-G) Districts.

Mr. Crowner gave the ZSC report on this proposed amendment. There are several mixed-use center zones (BL/COM, B-VC and B-G). This amendment proposes to change the front setback in these zones, establishing a minimum and maximum front setback. It also proposes to change the height limitations, introducing a minimum height requirement in the B-L/COM and the B-VC districts. It would also change the maximum number of floors and the maximum building coverage. These changes would allow a little more intense use and would allow more residential use. There are no changes since March 6 other than to add footnote "a" to the lot coverage requirement in the B-VC zoning district.

Mr. Crowner reported that for Section 6.19, Maximum Height, a graphic would be added to depict where to measure the height on different types of roofs. The ZSC has a preferred graphic in mind.

Mr. Tucker stated that part of the intent of changing the method of measuring height is that there are different types of roofs that are desired in mixed-use centers. The ZSC does not want the height limitation to limit the ability of a developer to choose a sloped roof.

Mr. Webber noted that under the current Bylaw, a developer can maximize the interior volume of a building by choosing a flat roof. This amendment would remove the incentive to choose a flat roof. He asked why the zoning amendment included the R-VC zoning district.

Mr. Crowner explained that the R-VC zoning district is one of the mixed-use center zoning districts.

Janet Keller of Precinct 1 stated that residents have a compelling interest in having a revitalized village center with a mix of residences and services. The residents are very concerned about adding height and more floors to increase residential uses. She asserted that 60% of the housing market is for students and the experience of the residents with regard to students has not been good. She stated that mixed-use buildings are currently allowed by right. She questioned the wisdom of increasing the number of floors and number of residences allowed by right. Ms. Keller asserted that the proposed amendments do not represent modest increases.

Ms. Keller described the natural and cultural site limitations of the North Amherst Commercial zoning district, such as Eastman Brook, wetlands, protected farmland and the National Historic Register District. If more intense residential use is allowed, the services and shops existing there will be "pushed out by the student residential market", she asserted.

Ms. Keller expressed her hope that the Planning Board would not go forward with this amendment. She characterized it as worse than NAVC.

Maurianne Adams of Precinct 10 asked that the North Amherst Commercial zoning district be dropped from the proposed zoning amendment. The other B-L/COM districts in town (East Village, Amherst Farmers' Supply, Downtown B-L and University Drive) make sense to retain, she said. She reserved judgment on the Atkins Corners B-L district. The inclusion of the North Amherst COM district in this proposal will cause people to vote against it.

Paola DiStefano of Precinct 10 stated that she had lived in North Amherst for 20 years. She referred to the recent incident at Townhouse Apartments which is close to her house and stated that it was frightening and got out of control quickly.

Mr. Crowner stated that the only residential use allowed in the COM zoning district is mixed use buildings. He noted that the zoning amendments are not proposing to allow apartment

buildings or townhouses in the district.

Mr. Carson stated that this zoning amendment would not result in the density proposed in NAVC because the buildings would need to include commercial uses.

Cinda Jones of W.D. Cows, North Amherst, stated that the current proposal is not as dense as last year's proposal. She stated that there is no market for commercial space in North Amherst. She explained her proposal for a mixed use building in the COM district of North Amherst. She supports the increase to 15% of space on the ground floor associated with residential uses. She is proposing a 4,000 square foot (footprint) building and because of lot size requirements in the existing Bylaw, she is limited to 4 dwelling units. These would be approximately 2,000 square foot units with 4 bedrooms. They would not be rentable except to large families or to students. If the zoning does not change, she would be able to build 14 bedrooms in the proposed building. If the zoning does change, she would only be able to build 12 bedrooms, in more numerous, but smaller, apartments, which she would prefer.

Ms. Jones referred to the Housing Production Plan (HPP) which is now in draft form, which talks about the need for family housing and low-income housing in town. She would like to begin to meet the needs discussed in the HPP and goals of the Master Plan.

Mr. Crouner stated that the Master Plan calls for directing development to built-up areas, away from outlying areas. The Master Plan talks about the long-term sustainability of the town. Build-up should occur where people are already located so that they can shop and work without having to drive to their destinations. The Master Plan calls for more efficient public transportation which would lower the carbon footprint of the town. Denser development reduces the need for heating and allows for more rooftop solar installations. The Master Plan also calls for preserving neighborhoods. Development of the mixed-use centers meets the predominance of the goals of the Master Plan.

Ms. Keller presented a drawing showing the zoning districts of North Amherst along with rivers and brooks, APR land and recreation areas, as well as developed areas of the Village Center. She asked that the drawing be entered into the record of the public hearing. She talked about smart growth in rural areas. She acknowledged that there is build up in some areas of North Amherst. She stated that the consultants, The Cecil Group, had noted that North Amherst contains 60% low density or very low density development, that there is farmland, conservation land, floodplain and wetlands in the area. She asserted that the addition of a few hundred units in the area would not attract a transportation company to improve public transportation to the Village Center. Ms. Keller stated that the development of North Amherst would threaten historically significant houses in the Village Center. The residents are working on establishing a Local Historic District in North Amherst. She concluded that the proposal would create a situation that is too dense and that it does not represent "smart growth".

Mr. Webber, a resident of North Amherst, spoke in support of easing the restrictions on residential units in the COM district. There is tremendous housing pressure in town and the COM district is a good place for this type of development, he said.

Ms. Kruger gave an example from her own family of her daughter and spouse with two children who are finding it hard to rent an affordable apartment in Amherst. Families are having a hard time staying in Amherst, she said. Mixed-use buildings will encourage commercial development, she said. Current zoning is stifling development of both commercial and residential uses. Ms. Kruger expressed support for the proposed changes.

Mr. Tucker observed that there is a relationship between new development and the things that residents of North Amherst want to see in their Village Center. People want the right kinds of businesses and want to be able to walk to services. This is not possible under current zoning, he asserted. The current zoning for mixed-use buildings has not worked. In order to

attract business and other uses the Village Center needs residential density. The town needs to allow changes in order to get what it wants in North Amherst. The town cannot currently pay for infrastructure improvements. In order to get state grants to pay for these improvements the town needs to show that development will occur as a result of the infrastructure improvements.

Mr. O’Keeffe MOVED to close the public hearing. Ms. Anderson seconded and the vote was 9-0.

Mr. Webber again reviewed the Board’s options.

Mr. Crowner noted that the Board can recommend parts of this amendment and not other parts. The ZSC is comfortable with the entire amendment. If the Board recommends the whole it can be divided at Town Meeting.

Ms. Kruger suggested that the Planning Board consider holding posted meetings that are working sessions, focused on presentations for Town Meeting of the zoning amendments.

Mr. Crowner MOVED that the Planning Board recommend the amendment to Town Meeting for adoption. Mr. Carson seconded and the vote was 9-0.

#### IV. APPEARANCE

**Safe and Healthy Neighborhoods Working Group** – Dave Ziomek, Chair of SHNWG and Director of Department of Conservation and Development – Presentation and discussion about Residential Rental Regulations

Mr. Ziomek was joined by Ken Rosenthal, Janet Keller and Phil Jackson of the Safe and Healthy Neighborhoods Working Group. He noted that Ms. Anderson, Planning Board member and present this evening, had also been a member of the Group as the Planning Board representative. Mr. Ziomek distributed a packet of documents that included the following:

- Rental Permitting and Regulations – Overview – prepared by Stephanie O’Keeffe, dated 3/18/13
- Draft General Bylaw entitled “Residential Rental Property Bylaw” dated 3/15/13
- Copy of article from Gazettenet.com entitled “Phil Jackson: Need for rental regulations explained” dated March 13, 2013
- Rental Registration & Permit System – including Proposed Timeline for Implementation and Proposed Personnel and Budget
- Document entitled “A proposed framework for registering and certifying rental properties to ensure compliance with local regulations and state laws in order to promote and sustain safe and healthy neighborhoods in the Town of Amherst”
- Document entitled “Town of Amherst, Massachusetts, Tenant Information Sheet”
- Document entitled “Town of Amherst Residential Rental Property Self-Certification Checklist”

Mr. Ziomek gave a presentation on the work of SHNWG. The Group has been meeting since October 2012. The Working Group was put together by the Town Manager to look at rental property and regulations and to look at the “four-unrelated” Bylaw. The issue of “four-unrelated” was put aside early on in the process, as too large a topic to handle in a short period of time. Mr. Ziomek stated that the 3/15/13 draft of the Residential Rental regulations would be presented to the Town Manager to include in the Town Meeting Warrant. He noted that Stephanie O’Keeffe, Chair of the Select Board, had done a lot of the organization work for the process followed by SHNWG including identifying the reasons that the Group had been brought together. Mr. Ziomek summarized the “Overview” that had been prepared by Ms. O’Keeffe. All of those who wish to rent residential property will need to register, submit a self-certification checklist and a parking plan. All of the paperwork will be available electronically. The permit that would result from registration would be “easy to get and hard

to lose". The draft regulations have been approved by the Group and will be forwarded to the Town Manager. There is a recommended fee scale as well as a budget, he said.

Ms. Keller thanked the Group and staff. She noted that it was a large committee and that they had to deal with difficult policy questions and "fractionated and diverse" participants. She praised the work of the Group as "fair and even" and she was happy to have voted for it and to have supported it.

Mr. Rosenthal thanked the members of the public who had attended the SHNWG meetings. He stated that it is not the only answer to the problems and that it will require the support of the landlords, tenants, colleges and university. The colleges and university will need to take responsibility for the activities of their students, he said.

Mr. Ziomek reported that there had been a thorough discussion about the issue of whether to grant a residential rental permit.

Mr. Tucker noted that there had also been thorough discussion of whom to include in the permit requirement. Everything that is a rental needs to be registered and needs a permit. He estimated that the system would be completely up and running in 1 ½ to 2 years. The regulations create a framework for the existing rules to work within, to be enforced and coordinated. It is an additional tool to help bring properties into compliance. All vehicles will need to be parked on a paved surface and be parked so that emergency vehicles can get to the house. The town needs to know where the rental properties (approximately 1575 of them) are located. A parking plan needs to be submitted for all properties that do not require a land use permit.

Ms. Kruger commended the Group's achievements. She asked why the self-certification checklist was voluntary and not mandatory. She expressed concern about illegal apartments.

Mr. Ziomek reported that early drafts contained a strong component of annual inspections. However, because of cost, bureaucracy and Massachusetts tenant law this component was dropped. In many cases there is no way to compel access unless there is a threat to human life, he said. Self-certification is used in other communities. It provides a mechanism for landlords and tenants to become educated about the rules. It was a compromise, but provides a way to get compliance. If there are egregious or very dangerous situations, code officials can use state law to gain access.

Mr. Rosenthal stated that the vast majority of landlords are law-abiding. Neighbors' complaints can expose wrong-doing.

Mr. Ziomek noted that the Building Commissioner, Rob Morra, the Code Enforcement Officer, Jon Thompson, the Health Director, Julie Federman, the Police Chief, Scott Livingston, and the Fire Chief, Tim Nelson, all participated in the process of developing the Residential Rental Regulations. There was a spirit of cooperation. The vast majority of landlords are doing a good job. This system will improve communication, cooperation and will set forth clear expectations. There is also a clear and deliberate process for extreme situations.

Mr. Schreiber complimented the Group and staff. He expressed concern about the upkeep of rental properties. In his neighborhood about 40% of the properties are rentals, he said. The characteristics of the rental properties are poor parking practices, upholstered furniture on the lawn and trash receptacles left out by the road. He asked if the town had ever considered the possibility of "receivership" where the town takes care of some of the maintenance and then bills the property owner.

Mr. Jackson arrived (8:40 PM).

Mr. Ziomek expressed optimism for improvements in maintenance of rental properties. The

town now has a Code Enforcement Officer who has had some success with trash pickup and abandoned cars. He is authorized to impose a \$100 fine on a daily basis if compliance is not achieved.

Mr. Rosenthal noted that one advantage of the Residential Rental Registration program will be that no one can plead absence of knowledge.

Mr. Roznoy thanked the members of the Group for their work and asked about the claims that there was going to be an extra burden and expense for landlords who would then pass the expense along to tenants.

Mr. Ziomek stated that the documents have been revised and made simpler and clearer. It will now be easier to meet the standards. There will be a fill-able online form. Only one form will be required per property, whether there is one rental unit or multiple rental units on site.

Ms. Keller stated that even with only one unit on site, if the costs are passed on to the tenant, the fee of \$100 would translate into about \$8.00 per month.

Mr. Jackson asserted that the registration fee is not exorbitant. He noted that, for longtime landlords, many of them have no competition and no incentive for reinvesting in their properties. The Residential Rental Registration program is one part of the solution in that it will encourage people to keep up the maintenance of their properties. It will also create a database so that the town can more easily monitor rental properties.

Mr. Ziomek directed the Planning Board's attention to Sections 12 and 13 which clearly articulate a process to be followed by the code officials, after a complaint has been filed. Complaints can come from, among others, neighbors, tenants, landlords and code officials. The Working Group discussed suspensions for serious infractions and also discussed a method for determining who is responsible for the infractions. The responsible party may be determined to be the tenant, the landlord or the property manager. The Working Group is really looking for action from landlords and property managers.

Mr. Jackson noted that there is a substantial number of existing laws, including the Health Code, the Building Code and the Noise and Nuisance Bylaw. The staffs of the Health Department, the Inspections Services Department and the Police and Fire Departments are all code enforcement officers under this law, which will help to coordinate interdepartmental efforts.

Mr. Webber expressed his support and praise for the work of SHN WG and stated that he would support a Planning Board recommendation of the work to Town Meeting.

Ms. Kruger MOVED that the Planning Board recommend to Town Meeting the adoption of the new Residential Rental Property Bylaw. Mr. Carson seconded and the vote was 9-0.

## **V. OLD BUSINESS**

### **A. SPR2012-00002/M11396, 27 Pomeroy Lane – Amherst Montessori School**

Review of leases for off-site parking in accordance with Condition 3 of Site Plan Review Decision.

Mr. Webber introduced the topic by reading Condition 3 of the Decision. He noted that the Board had received a letter detailing the arrangements for the parking, a map, two commercial leases, a letter to Building Commissioner, Rob Morra, from Alex Gillat, Head of School, stating that the parking spaces leased at 7 Pomeroy Lane are associated with an office space that will be used for storage only and a statement entitled "Car Line, Arrival and Dismissal Procedures for 27 Pomeroy Lane".

Kevin Campbell, of KSC Education Consulting, author of the letter detailing parking

arrangements, and Alex Gillat, Interim Head of School for the Amherst Montessori School, introduced themselves.

Mr. Schreiber noted that there was an office unit associated with the parking leased at 7 Pomeroy Lane but there was no office unit associated with the parking leased at 479 West Street. He asked if there had been a Site Plan Review process for the building at 479 West Street which would have discussed parking requirements for the building. Ms. Brestrup responded that she was not aware of any Site Plan Review process having been conducted for 479 West Street. The building was built a long time ago, at a time when the formal Site Plan Review process had not yet been instituted. She noted that, having driven by the building frequently during the day, she had never observed many cars in the parking lot and it appeared that there was ample parking space available there.

Mr. Gillat noted that the study that Mr. Campbell had done with regard to parking needs had projected enrollment for 3 to 4 years into the future. The current needs for parking are much lower than the projected 15 additional parking spaces would indicate.

Ms. Anderson stated that during construction the school had leased space at 7 Pomeroy Lane.

Mr. Gillat explained that the school was still leasing one unit at 7 Pomeroy Lane. There are 8 units in the building and 40 parking spaces. Each unit is allotted 5 parking spaces.

Ms. Anderson MOVED that the school had satisfied Condition #3 of the Decision for Site Plan Review 2012-00002. Mr. O'Keeffe seconded and the vote was 9-0.

**B. Master Plan Implementation Committee – Planning Board representation**

Mr. Webber introduced the topic, noting that the Master Plan Implementation Committee (MPIC) needs one member from the Planning Board. Mr. Roznoy reiterated his opposition to the establishment of another committee. He asserted that the Planning Board and other committees are in the process of implementing the Master Plan. He noted that the Transportation Plan Task Force and other such bodies were assigned the task of implementing parts of the Master Plan. The MPIC would just add a layer of bureaucracy that is not needed.

Mr. O'Keeffe expressed his support for the formation of the MPIC, stating that it was an important component to planning. The Committee would coordinate other people's work and would not be performing the tasks themselves.

Ms. Kruger expressed support for both points of view. She suggested that the Planning Board consider holding retreats focused on Master Plan Implementation. She noted that other towns (example Westford, MA) held similar types of retreats. She suggested inviting the former Town Planner from Westford to speak to the Planning Board. It could reinvigorate community participation in the planning process, she said.

Ms. Brestrup asked if the MPIC could be used as a starting point for a review and update of the Master Plan since it needs to be updated every few years and was originally adopted in February of 2010.

Mr. Tucker stated that this is already part of MPIC's work, as described in the Committee Charge and in Chapter 10, Implementation, of the Master Plan. He suggested that if MPIC was formed it could work with the Planning Board on starting the next renewal of the Master Plan. He noted that the town had been trying to

implement the Master Plan for three years. The issue of housing has complicated the implementation, but progress is being made. He suggested that members of MPIC be appointed and that the Planning Board put forward a representative for appointment. Then MPIC could start working on how to update the Master Plan and take stock of current efforts to implement the Master Plan.

Mr. Webber stated that he had had experience with two successful short-term groups: The Puffer's Pond 2020 Committee and the Safe and Healthy Neighborhoods Working Group. MPIC could be task-oriented like these groups, he said, rather than ongoing.

Mr. Roznoy expressed chagrin at seeing the Master Plan being used by both proponents and opponents of various issues. He sensed a "groundswell of illegitimacy" about the Master Plan because it had not been approved by Town Meeting.

Mr. O'Keefe stated that under state law the Planning Board is charged with the development and implementation of the Master Plan.

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

## VI. NEW BUSINESS

- A. Planning Board schedule – Mr. Webber reported that the Board would meet on April 3 and April 17. Town Meeting will begin on May 6. He asked that the Board consider the issue of the Master Plan Implementation Committee again on April 3. No public hearings are scheduled for April 3. Two public hearings for new zoning amendments are scheduled for April 17. Mr. Tucker suggested that the Board use the meeting on April 3 to discuss the new zoning amendments, R-F Dimensions and Form-Based Design Regulations for Non-Conforming Structures.

Ms. Kruger asked if representatives of UMass would be informed about the changes proposed for the R-F zoning district and Mr. Tucker stated that UMass had already been informed.

Mr. Crouner reminded Board members of the need to participate in activities leading up to Town Meeting, including the Warrant Review on April 23, the Town Meeting bus tour on April 28 and the various Precinct Meetings. He suggested that the Board discuss this topic at the April 3 meeting.

Mr. Webber listed the zoning amendment articles that will be considered at Spring Town Meeting:

- Form-based Design Regulations for Non-conforming structures
- Mixed Use Center Dimensional Requirements
- Mixed Use Center Standards & Conditions
- R-F District Dimensions
- Converted Dwellings (resolution of conflict between Articles 14 and 17)
- Non-conforming Uses and Structures
- 400 Main Street Rezoning.

Mr. Roznoy suggested that a status report on the Housing Production Plan (HPP) and the Housing Market Study be given to Town Meeting under Article 1. Mr. Tucker noted that the HPP is available online. An Executive Summary can be sent to Town Meeting members, he said.

Ms. Kruger offered to find out from the Housing and Sheltering Committee if they are planning to report to Town Meeting on these two studies.

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

**VII. FORM A (ANR) SUBDIVISION APPLICATIONS – none**

**VIII. UPCOMING ZBA APPLICATIONS**

The Planning Board declined to review the following ZBA applications:

**ZBA FY2013-00019 – MetroPCS Massachusetts, LLC** – Special Permit to modify conditions of ZBA2009-00037 to allow additional wireless communication equipment at 22 Lessey Street

**ZBA FY2013-00020 – Hassans Barn, LLC** – Special Permit to structurally alter the exterior of an existing non-conforming building at 660 West Street

**ZBA FY2013-00021 – Dorie Goldman** – Special Permit to create and operate a Home Occupation bakery at 33 Ward Street

**ZBA FY2013-00022 – Afterburner, Inc d/b/a Wings Over Amherst** – Special Permit to create a new delivery only Class II restaurant in an existing commercial space, at 181 D, University Drive

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

Site Plan Review application for a mixed-use building at 417 West Street proposed by Ron LaVerdiere.

Site Plan Review application for an addition to the Unitarian Universalist Society building at 121 North Pleasant Street

**X. PLANNING BOARD COMMITTEE & LIAISON REPORTS**

Pioneer Valley Planning Commission – Stephen Schreiber – no report

Community Preservation Act Committee – Sandra Anderson reported that CPAC had completed its deliberations. She passed along a spreadsheet with the final results and highlighted some of the recommendations, noting that there had been \$1.1 million worth of requests and only about \$600,000 available to work with. The categories allowed to be funded are affordable housing, open space, recreation and historic preservation. Some of the money must go to servicing debt.

Agricultural Commission – David Webber reported that the Ag Com had met last week and discussed the Farmers' Market and the upcoming season. The members are developing a new set of priorities and discussing how to move forward.

Transportation Plan Task Force – Richard Roznoy and Rob Crouner – no report

Amherst Redevelopment Authority – Constance Kruger – no report

Design Review Board – Kathleen Ford reported that the DRB had met last week and had reviewed a proposed sculpture of a cow to be installed at the Carriage Shops. It will serve as the focal point for promotional events intended to raise money to aid homeless people. The cow will be constructed out of steel and will be a permanent installation.

Housing and Sheltering Committee – Constance Kruger – no report

Safe and Healthy Neighborhoods Working Group – Sandra Anderson reported that Mr. Ziomek had already given the report. Eighteen people had participated in writing the resulting document. The Town Manager and Town Counsel had attended several of the meetings.

**XI. REPORT OF THE CHAIR – none**

**XII. REPORT OF STAFF – none**

**XIII. ADJOURNMENT**

The meeting was adjourned at 9:45 PM.

Respectfully submitted:

Approved:

\_\_\_\_\_  
Christine M. Brestrup,  
Senior Planner

\_\_\_\_\_  
David Webber, Chair

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