

Minutes

ATTENDANCE

Select Board

Present: Jim Wald, Alisa Brewer, Aaron Hayden, Constance Kruger, Andrew Steinberg

Absent: None

Staff: David Ziomek, Assistant Town Manager; Guilford Mooring, DPW Superintendent;

Other: Resident Jack Hirsch; Attorney Tom Reidy; Stephen Freedman, Owner Amherst Wines and Spirits.

Meeting called to order by Mr. Hayden at 6:30 p.m.

Mr. Hayden noted Mr. Ziomek was present this evening as Acting Town Manager in the absence of Town Manager John P. Musante.

Parking and Street Closure Requests

VOTED unanimously to approve a street closing for Blue Hills Road on Saturday, August 2, 2014 from 12:00 p.m. to 8:00 p.m. and a rain date of August 3, 2014 for the 13th Annual Blue Hills Road Block Party.

Special Licenses

VOTED unanimously to approve two Special All Alcohol Licenses for Top of the Campus Inc. for dinner/receptions to be held at the Berkshire Dining Common, UMass Amherst on June 16, 2014 from 5:00 p.m. – 10:00 p.m. and on June 19, 2014 from 5:00 p.m. – 11:00 p.m.; Meredith Schmidt, Assistant Treasurer, TOC, Inc.

VOTED unanimously to approve a Special All Alcohol License for Top of the Campus Inc. for a dinner/reception to be held on Goodell Lawn, UMass Amherst on June 17, 2014 from 5:00 p.m. – 11:00 p.m.; Meredith Schmidt, Assistant Treasurer, TOC, Inc.

VOTED unanimously to approve a Special All Alcohol License for Top of the Campus Inc. for a dinner/reception to be held at Engineering Quad, UMass Amherst on June 17, 2014 from 5:00 p.m. – 11:00 p.m.; Meredith Schmidt, Assistant Treasurer, TOC, Inc.

VOTED unanimously to approve a Special All Alcohol License for Top of the Campus Inc. for a reception to be held at Integrated Sciences Building Atrium, UMass Amherst on June 28, 2014 from ; Meredith Schmidt, Assistant Treasurer, TOC, Inc.

Common Victualler License

VOTED unanimously to approve a change of location for a Common Victualler License issued to Glazed Donut Shop from 233 North Pleasant Street to 19 North Pleasant Street, Amherst with hours of operation from 7 a.m. – 2 a.m. Monday through Sunday; Keren Rhodes, Manager/Owner.

Public Comments

Jack Hirsch submitted a request for a response from Select Board and or Town Manager on the legal opinion relative to zoning for the Retreat proposal.

Minutes

VOTED 2-0 with 3 abstentions (Kruger, Steinberg and Brewer) to approve the minutes of the February 20, 2014, March 17, 2014, Select Board meetings, as amended

VOTED 4-0 with 1 (Brewer) abstention to approve the minutes of the March 31, 2014, and May 12, 2014 Select Board meetings, as amended.

Summer Select Board Meeting Schedule

VOTED unanimously to revise the Summer Meeting Schedule previously adopted, eliminating the meeting date of July 21, 2014 and scheduling in its stead a meeting on Monday, July 7, 2014.

Liquor License Change of Location – Amherst Wines and Spirits

Public Hearing Opened at 6:45 p.m.

Owner Stephen Freedman spoke on the change of location application from the Carriage Shops to 308 College Street. Mr. Freedman reported he researched multiple locations before selecting the 308 College Street location. Mr. Freedman believed he has an outstanding record with over twenty years of service in the community.

Multiple residents of Shumway Street expressed opposition to the new location, citing impacts to the neighborhood – too close to residential area, as well as compatibility to surroundings.

Attorney Tom Reidy spoke on behalf of owner of Spirit Haus located at 338 College Street, noting concern with location, specifically in relation to fitness of location and proximity to his client's existing liquor store.

Laurie Millman, co-owner of Amherst Wines and Spirits spoke in support of the application, worked to create a community of civic responsibility and is not interested in a volume business. Ms. Millman noted it was not their choice to move, no alternative given the construction plans for the Carriage Shops property and downtown location simply not affordable.

The public hearing was closed at 7:05 p.m.

Select Board members provided comment on appropriateness of new location.

VOTED unanimously to approve the change of location for Amherst Wines and Spirits, ABCC License #002400067 from its current location at 233 North Pleasant Street to 308 College Street, premises described as a Single floor with approximately 1200 square feet of retail space including storage room in rear with egress to outside for delivery; egress in front of store for entry to retail space; Stephen Freedman Owner/Manager.

Mr. Freedman presented a request for a change of hours of operation from 10 a.m. – 7 p.m. currently, to opening at 9 a.m. to 10 p.m., believing the change would allow him to be more competitive with other stores.

VOTED unanimously to approve the change of hours of operation to 9 a.m. to 10 p.m. as requested, as long as hours of operation are within times allowed by State statute and/or ABCC regulations.

Common Victualler: El Rinconsito, 31 Boltwood Walk

VOTED unanimously to approve the application of El Rinconsito Cuscatleco, LLC, for a Common Victualler License at 31 Boltwood Walk, Amherst with hours of operation from Sunday to Thursday 7:00 a.m. to 9:30 p.m. and Friday and Saturdays 7:00 a.m. to 10:00 p.m.; William Cornego and Marleny Amaya, Managers.

Special License: Carr's Ciderhouse Sales at Farmers Market

VOTED unanimously to approve the application of Carr's Ciderhouse, 295 River Drive, Hadley, a Licensed Farm Winery for a License to Sell from a 10 x 10 booth at the Amherst Farmers Market on the Town Common on Saturdays from June 14, 2014 through November 1, 2014; Nicole Blum, Manager.

Acceptance of Deeds – Watershed Land

Superintendent Mooring explained project and process to acquire parcels owned by W. D. Cows for water supply protection. Select Board thanked the staff involved in acquisition.

VOTED unanimously, acting in the capacity as the Water Commissioners, to accept the deed from W.D. Cowls to property located in Amherst, Massachusetts for water supply protection purposes under the provisions of Massachusetts General Laws Chapter 40, Sections 39B and 41, pursuant to the vote taken under Article 10 of the November 4, 2013 Special Town Meeting, as continued.

Acceptance of Deeds – Conservation Land

David Ziomek explained project and process of acquiring conservation land from the Kestrel Land Trust and need for conservation restriction on conservation property for protection.

VOTED unanimously to accept the deed from Kestrel Land Trust to property located off Belchertown Road, Amherst, which property is to be administered, managed and controlled by the Amherst Conservation Commission under the provisions of MGL c40, §8C, pursuant to the vote taken under Article 20B of the April 28, 2014 Annual Town Meeting, as continued.

VOTED unanimously to approve a grant of a Conservation Restriction to comply with the provisions of G.L. c44B, §12(a) and Section 32 of Massachusetts General Laws c. 184, in accordance with the authority granted to the Select Board on Article 20B of the April 28, 2014 Annual Town Meeting, as continued.

Post Town Meeting Wrap-up

Reference made to the Town Manager's email summary provided upon conclusion. Excellent preparation by Boards and Committees, calling particular attention to Finance and Joint Capital Planning Committees. Approval of Municipal Affordable House Trust, as well as the entire slate of Community Preservation projects with \$1.25 million for affordable housing at Rolling Green Apartments and passage of Atkins Village Center zoning is commendable. Members spoke about usefulness of written Select Board summaries versus oral presentations and need for better communication with other committees, boards and Town Meeting members. Report of some confusion regarding continuance of Annual during Special Town Meeting. Need for more microphones to reduce wait time between speakers and more emphasis on written materials. Question as to value of double check in, agreeing on need to defer to Town Clerk. Suggestion for electronic voting raised, alluding to Arlington's experience, availability for purchase or equipment lease. Concern with obvious fatigue of Town Meeting noted as a consequence of duration, citing Gazette editorial on same and notable drop in attendance with close to quorum votes on many articles. Need to review rationale for adding a Special Town Meeting within Town Meeting.

Acting Town Manager Report

Mr. Ziomek referenced recent news related to negotiation regarding efforts to pursue affordable housing at Rolling /Green Apartments.

Mr. Ziomek reported on Housing Hero Award received from Mass Housing Partnership and attendance at presentation of award.

Chair's Report

Mr. Hayden praised the work of former Select Board Chair Stephanie O'Keefe, citing the recent "Unsung Hero" award given to her in recognition of her commitment to public service that was recently presented in Boston.

Fall Town Meeting Dates

VOTED unanimously to schedule the fall 2014 Special Town Meeting on November 5, 2014, with additional dates of November 12, 2014 and November 17, 2014, November 24, 2014, December 1, 2014 and December 3, 2014 reserved.

ADJOURN - The meeting adjourned at 9:15 p.m.

Submitted by David Ziomek, Acting Town Manager

List of Documents Presented at the Meeting – Available in the Online Packet for the Meeting Date

Agenda

Draft Motions

ABCC Liquor License Application for Change in Location for Amherst Wines and Spirits

Downtown Map with Package Store license locations identified

Letter from Martin Spence, Spirit Haus, 308 College Street

Common Victualler Application El Rinconsito

Application for Farmer Winery to sell at Farmers Market

Deed Acceptance from W.D. Cows for Watershed Land

Deed Acceptance from Fort River Farm

Calendar Event – 6.15.14 Human Rights Awards

Select Board Summer Meeting schedule June – Aug 2014

Blue Hills Road Block Party Request and Map

Draft Minutes of 02-20-2014, 03-17-2014, 03-31-2014 and 05-12-2014

Special All Alcohol One-day Applications for UMass on 6-16, 6-17 (two), 6-19 and 6/28/2014

Common Victualler Application Change in Location Glazed Doughnut Shop