

**AMHERST PLANNING BOARD**  
**Wednesday, January 20, 2016 – 7:00 PM**  
**Town Room, Town Hall**  
**MINUTES**

**PRESENT:** David Webber, Chair, Stephen Schreiber, Rob Crouner, Bruce Carson, Richard Roznoy and Christine Gray-Mullen

**ABSENT:** Pari Riahi and Greg Stutsman

**STAFF:** Christine Brestrup, Interim Planning Director

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Mr. Webber opened the meeting at 7:05 PM.

**I. MINUTES**

There were no Minutes ready for review.

**II. ZONING**

**A. Zoning Subcommittee Report**

Mr. Crouner presented the ZSC report. He stated that the ZSC members had completed several articles, but they were still working on other more complex ones, such as Cluster Subdivision standards, Mixed-use Building standards and Accessory Home Business Uses. There is also an article that was brought by a developer. The ZSC needs direction from the Planning Board about which articles to bring to the spring Town Meeting. The Planning Board will then need to schedule public hearings. Mr. Crouner reported that there may be as many as five short articles and two more complex ones that will be ready for spring.

There are several articles that relate to the B-L (Limited Business) zoning district: 1) a proposal to rezone a parcel on University Drive from OP (Office Park) to B-L (Limited Business); 2) a proposal to separate the B-L and COM zoning districts into separate columns in Table 3 and 3) a proposal to apply Footnote “b” to the B-L zoning district.

Mr. Crouner described the locations of the B-L zoning district. He noted some potential controversial aspects of the proposals.

Mr. Crouner recommended proposing at least one of the B-L district articles.

The ZSC will propose either the article related to Cluster Subdivision standards or the article related to Mixed-use Building standards for the spring.

The ZSC will propose either the article related to the footnotes in Table 3 or the ED zoning district for the spring.

**B. Discussion – Possible zoning seminar with TMCC (Zoning 101)**

Ms. Brestrup reported that the Town Meeting Coordinating Committee was requesting that a zoning forum be held prior to spring Town Meeting to explain zoning to new Town Meeting members and to answer questions about proposed zoning articles. Mr. Crouner, Ms. Gray-Mullen and Mr. Schreiber are interested in attending the forum.

**C. Public Comment Period**

Sarah la Cour, Executive Director of the BID (Business Improvement District), stated that the BID has been interested for some time in the articles related to the B-L zoning district. The BID supports separating the B-L and COM zoning districts into separate

columns in Table 3 of Article 6 of the Zoning Bylaw. The BID also supports adding Footnote "b" to the B-L zoning district. This would add some density in areas other than the B-G (General Business) zoning district. The Master Plan states that we should direct density to the downtown area. This is critical to getting growth in the downtown. The article proposing to rezone the parcel on University Drive is very different from the other articles relating to the B-L zoning district. Ms. la Cour encouraged the Planning Board to pursue all of the articles related to the B-L zoning district for spring Town Meeting.

Attorney Tom Reidy stated that he had discussed the proposed rezoning of the parcel on University Drive with the Planning Board on January 6<sup>th</sup>. Since then he had reviewed the documents related to the 2010 effort to rezone this property. The issues revolved around wetlands, drainage and building coverage. Since then his clients have received an Order of Resource Area Delineation from the Conservation Commission. They propose to build 32 dwelling units. This is the maximum that will fit on the site. Any proposed dimensional changes will not affect this parcel. Currently 59 dwelling units are possible based on existing zoning, but this number cannot be built because of wetland limitations.

Mr. Reidy's clients have discussed issues of drainage with Jason Skeels, Town Engineer. There is an under-sized pipe in the area. Mr. Reidy's clients have offered to participate in mitigation regarding drainage issues. Mr. Reidy requested that the Planning Board propose the zoning change from OP to B-L for this parcel to the Select Board and Town Meeting. The other proposed changes to the B-L do not affect this parcel. The number of units is limited by the wetlands on the site.

Mr. Crouner reported that Mr. Reidy and his clients had come to the Zoning Subcommittee and had done a good job of presenting the case. The ZSC unanimously recommends that the Planning Board sponsor this article.

Mr. Webber noted that if the Planning Board sponsors the article the Board will be responsible for presenting it to Town Meeting. The Board discussed the pros and cons of sponsoring the article.

Mr. Reidy presented a map of the delineated wetlands on the site. The Conservation Commission has accepted the wetland delineation.

Mr. Roznoy expressed support for Planning Board sponsorship of the rezoning of the parcel on University Drive. Mr. Schreiber also expressed support and noted that it will have a known measurable impact and will be consistent with the Master Plan and will be for the good of the community.

Mr. Schreiber MOVED that the Planning Board sponsor the article to rezone the parcel on University Drive.

There was discussion about whether this would preclude the other B-L articles from going to Town Meeting. Mr. Webber noted that the rezoning of the University Drive parcel will be on the Warrant whether the Planning Board sponsors it or not.

Mr. Crouner seconded and the vote was 6-0-0.

Mollye Lockwood, Vice President of Real Estate and Community Development for W.D. Cows Inc. and a member of the BID, spoke in support of the proposed changes to the B-L zoning amendments, noting that they will be important to the downtown and the BID. She requested Planning Board support for the B-L zoning amendments.

Mr. Crouner recommended supporting the separation of the B-L and COM zoning districts into two columns in Table 3, Dimensional Regulations, and adding Footnote “b” to the B-L zoning district and scheduling public hearings for February 17<sup>th</sup>. There was further discussion. Ms. la Cour wanted to know if the BID would need to submit a petition article. She noted that February 17<sup>th</sup> is after the deadline for citizen petitions to be submitted (February 1<sup>st</sup>).

Mr. Crouner stated that the separation of the B-L and COM zoning districts in the dimensional table will be easy, but adding Footnote “b”, while simple, will be controversial. Ms. Brestrup noted that the controversy is related to the issue of parking and potential impact on the neighbors. The B-L zoning districts around the B-G are in the Municipal Parking District and therefore residential development in these districts does not require on-site parking. In addition, the change could add density to the B-L district.

Mr. Crouner recommended that the Planning Board agree to sponsor the articles and hold a hearing on February 17<sup>th</sup>.

Mr. Crouner MOVED that the Planning Board sponsor the articles related to the B-L zoning district. Mr. Schreiber seconded and the vote was 6-0-0.

Mr. Crouner recommended that the Planning Board hold a public hearing on the B-L zoning amendments on February 17 and on March 2 for the rezoning of the parcel on University Drive. The Planning Board can discuss the scheduling of public hearings for other articles at its meeting on February 3.

### **III. OLD BUSINESS**

- A.** SPR2014-00013 – Kohl Construction – 49 Northampton Road – request for approval of location of new generator and approval of exterior lighting under Conditions 8 and 9 of the Site Plan Review decision

Elizabeth Tan, owner of the property, and Fred Meyer of Kohl Construction, presented the request. Mr. Meyer presented information on the exterior lighting, in accordance with conditions of the Site Plan Review approval. There are three types of lights in three separate locations – 3 garage lights, 3 portico lights and 6 entry lights in the courtyard. Mr. Meyer presented catalog information on the lights and a plan showing their location. The lights had already been installed. Mr. Meyer stated that he believed that the lights comply with Dark Sky requirements.

The F1 lights are gooseneck style lights with a covered bulb. The light is cast down. The F1 lights are mounted on the front of the garage.

The F2 lights are mounted in the ceiling of the porticos at the three entryways (two on the south side of the house and one on the north side of the house). These lights are directed down onto the entryways and are shielded by a 10” porch beam.

The F3 lights are onion-shaped lights, with a partially shielded bulb, with “reeded” glass. The bulbs are shielded from above. The light from the F3 lights goes down and outward. They are mounted around the backyard courtyard.

Mr. Webber noted that the F3 lights are not really fully shielded downcast lights. He asked if the applicant could remedy the situation with a downcast bulb.

Mr. Meyer stated that the F3 lights have a maximum wattage of 60 watts. They are meant to light the backyard, which is a residential entertainment area. The porch light

to the north is 40 to 50 feet from the next residence. The lights are on switches and will be used as needed and not just left on.

Mr. Crowner stated that he was satisfied with the lights. Ms. Tan stated that the neighbors seem to be happy with the project and the lighting. The lights are not turned on very often.

There was further discussion about the onion lights, which shine out and not down. Mr. Meyer noted that the onion lights are mounted in the courtyard and there is only one on the east side of the apartment, next to the door.

Mr. Meyer and Ms. Tan stated that the onion lights currently have 40 watt bulbs in them.

Mr. Roznoy MOVED that the applicant has satisfied Condition 8 of the Site Plan Review approval with regard to submission of a Lighting Plan, and that the Planning Board approves the Lighting Plan with the condition that the bulbs in the onion lights not exceed 60 watts. Ms. Gray-Mullen seconded and that vote was 6-0-0.

Ms. Tan and Mr. Meyer presented information on the generator. They noted that it had already been installed. It is a Kohler residential generator that has been installed on the east side of the house, on a concrete, fire-proof pad. The generator is powered by natural gas. It is only used when the power goes off. It now runs for a test once a week, mid-week, in the early afternoon. There have been no complaints about the generator.

Mr. Crowner asked about screening for the generator. Currently there is no screening, but Ms. Tan plans to present a Landscape Plan as required by the Site Plan Review approval.

Ms. Brestrup explained that the applicant was coming to the Planning Board to request a determination as to whether she needed to file a Site Plan Review application for the generator or whether the Planning Board could approve the location of the generator as a modification of the previous Site Plan Review.

Mr. Crowner MOVED that the Planning Board would allow the modification of the Site Plan and approve the location of the generator on condition that the Landscape Plan include screening of the generator. Mr. Carson seconded and the vote was 6-0-0.

- B.** PVPC (Pioneer Valley Planning Commission) – Top Ten Resolves for 2016 – review and comment – the Board discussed the Top Ten Resolves and noted that the bike share program was the item that most impacted Amherst. Board members agreed that the Top Ten Resolves were satisfactory as they were written.
- C.** Topics not reasonably anticipated 48 hours prior to the meeting – none

#### **IV. NEW BUSINESS**

- A.** Discussion – Invite new Interim Town Manager Peter Hechenbleikner to upcoming meeting – At Mr. Roznoy's suggestion, the Planning Board agreed invite the new Interim Town Manager to an upcoming Planning Board meeting in February or March at the convenience of Mr. Hechenbleikner, in accordance with his schedule.

- B. Invitation to Planning Board members – Community Forums about Amherst’s Next Town Manager – What are the Skills, Experiences and Attributes Amherst Needs for its Next Town Manager? – scheduled for January 19<sup>th</sup> and 20<sup>th</sup>.

There were no comments on this topic since the forums had already occurred.

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

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

**VI. UPCOMING ZBA APPLICATIONS – none**

**VII. UPCOMING SPP/SPR/SUB APPLICATIONS – Ms. Brestrup reported that Hampshire College would be submitting or had already submitted Site Plan Review applications for solar arrays for a property along West Bay Road at Hampshire College and on the CSA barn at Hampshire College.**

**VIII. PLANNING BOARD COMMITTEE & LIAISON REPORTS – no reports**

Pioneer Valley Planning Commission – Bruce Carson  
Community Preservation Act Committee – Pari Riahi  
Agricultural Commission – Stephen Schreiber  
Transportation Task Force – Rob Crowner  
Design Review Board – vacant  
Housing and Sheltering Committee – Greg Stutsman  
Zoning Subcommittee – Rob Crowner, Bruce Carson, Greg Stutsman and Stephen Schreiber  
UTAC (University and Town of Amherst Collaborative) – David Webber and Greg Stutsman

**IX. REPORT OF THE CHAIR**

Mr. Roznoy thanked Mr. Webber for his years of service to the town and stated that it had been a great honor to serve with him. This will be Mr. Webber’s last meeting. Mr. Webber had helped the Planning Board through many difficult projects. Mr. Webber acknowledged his plans to resign from the Planning Board due to the workload at his office. He stated that it had been an honor to serve the town for almost six years on the Planning Board and to get to know people in the community and on the Board. He thanked everyone on the Board and thanked the staff for their work.

**X. REPORT OF STAFF – Ms. Brestrup thanked Mr. Webber for his guidance over the years. He has been very wise and fair and has run the meetings really well and she will miss him.**

**XI. ADJOURNMENT**

The meeting was adjourned at 8:21 PM.

Respectfully submitted:

Approved:

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Christine M. Brestrup  
Interim Planning Director

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\_\_\_\_\_, Chair

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