

Town of



AMHERST *Massachusetts*

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SELECT BOARD POSITIONS – NOVEMBER 4, 2013 SPECIAL TOWN MEETING

Article 1: Reports of Boards and Committees

Select Board: Recommends support of this article by unanimous vote

Comments: (STEIN) None

Article 2: Public Art Commission

Select Board: Recommends support of this article by unanimous vote

Comments: (STEIN) The membership has always been higher than the five seats originally established by Town Meeting, and it has been useful to have seven members rather than five, so this change will make the official committee charge comport with the long-standing and effective practice.

Article 3: Transfer of Funds – Unpaid Bills

Select Board: Recommends dismissal by unanimous vote

Comments: (STEIN) There are no unpaid bills.

Article 4: FY14 Budget Amendments

Select Board: Recommends support of Part A and Part B of this article by unanimous vote

Comments: (HAYDEN) The Select Board recommends Part A and Part B for all the reasons explained in the Finance Committee Report to Town Meeting.

Article 5: Free Cash

Select Board: Recommends support of Part A and Part B of this article by unanimous vote

Comments: (HAYDEN) The Select Board recommends Part A and Part B for all the reasons explained in the Finance Committee Report to Town Meeting.

Article 6: Capital Program – Debt Repurpose

Select Board: Recommends support of this article by unanimous vote

Comments: (WALD) The Select Board recommends this article for all the reasons explained in the Finance Committee Report to Town Meeting.

Article 7: Capital Program – Equipment

Select Board: Recommends support of Parts A, B and C of this article by unanimous vote

Comments: (WALD) The Select Board recommends Part A, Part B and Part C of this article for all the reasons explained in the Finance Committee Report to Town Meeting.

Article 8: Capital Program – Acceptance of State Grants

Select Board: Recommends support of Part A and Part B of this article by unanimous vote

Comments: (BREWER) The Select Board recommends Part A and Part B of this article for all the reasons explained in the Finance Committee Report to Town Meeting.

Article 9: Special Act – Abatement of Taxes

Select Board: Recommends support of this article by unanimous vote

Comments: (BREWER) The ABC House has always successfully filed for its property tax exemption as a non-profit, but there was an oversight in doing so this year and the organization did not address that until after the Assessor's ability to grant the exemption had passed the State's statutory deadlines for doing so. Town Counsel has found that there is considerable precedent by the legislature in allowing municipalities to grant such exemptions after those deadlines have passed, so we believe that requesting this special act is a logical and fair way to try to address this situation, and enable the ABC House to use its money for its good work rather than to pay a \$17,000 tax bill that it would not have otherwise owed.

Article 10: Watershed Land Acquisition

Select Board: The Select Board recommends support of this article by unanimous vote

Comments: (STEIN) Acquisition of sensitive watershed land to protect our drinking water supply has long been a Town priority. This proposed acquisition of three parcels by the Atkins Reservoir is an important opportunity and consistent with previous purchases. If the Town opts not to acquire this land, two of the parcels would likely be developed as house lots; all three parcels are located in critical surface water supply protection areas.

Article 11: Community Preservation Act

Select Board: The Select Board recommends support of this article by unanimous vote

Comments: (STEIN) The Select Board considers this purchase to be consistent with the Town's land preservation goals and appreciates the exciting community educational and agricultural opportunities that are under consideration for these parcels, if acquired.

Article 12: Acquisitions of Easements – Pomeroy Lane and West Street Intersection

Select Board: The Select Board recommends support of this article by unanimous vote

Comments: (HAYDEN) In order to move forward with improvements of the Pomeroy Lane/West Street intersection, acquiring small easements is necessary. To implement this long-designed project to add sidewalks, bike lanes and traffic calming elements, a MassWorks grant for more than \$2 million is being sought. If the grant application is not successful, the easements will still enable some necessary intersection work. No money is being requested for the easements, which are very small; if it turns out that money is needed for their acquisition, that request would be brought to Annual Town Meeting in the spring. The Select Board considers improvements to this intersection to be important and desirable, and acquiring these easements is a step toward making that happen.

Article 13: Zoning Amendment – Medical Marijuana Uses

Select Board: The Select Board recommends support of this article by unanimous vote

Comments: (HAYDEN) The Select Board believes this is a well-considered approach to regulating medical marijuana facilities in Amherst. It is prudent and non-alarmist, and provides reasonable safeguards by requiring a Special Permit.

Article 14: Zoning Amendment – Affordable Duplexes

Select Board: The Select Board recommends support of this article by unanimous vote

Comments: (HAYDEN) The Select Board recommends this article as a small but real encouragement of additional affordable housing units. We need to be willing to reduce the barriers to creating such units if we are serious about addressing this key community need, and we believe this proposal does so in pragmatic manner.

Article 15: Zoning Amendment – Fraternity Residence (R-F) Dimensions

Select Board: The Select Board recommends support of this article by unanimous vote

Comments: (HAYDEN) As with Article 14, the Select Board believes that to encourage creation of desired housing units, reducing the barriers to their creation is necessary. Additional student housing units are an acknowledged need, and the R-F zone has long been identified as a good location for them, so allowing the proposed dimensional regulations, rather than making

them subject to approval by requests to modify the regulations, is a very reasonable encouragement and barrier reduction.

Article 16: Zoning Amendment – Permit Granting Bodies and Signs

Select Board: The Select Board recommends support of this article by unanimous vote

Comments: (HAYDEN) The Select Board supports this article as part of the ongoing effort to increase clarity and practicality in the permitting process.

Article 17: Zoning Amendment – Dimensional Interpretation

Select Board: The Select Board recommends support of this article by unanimous vote

Comments: (HAYDEN) The Select Board supports this article as part of the ongoing effort to increase clarity and practicality in the permitting process.

Article 18: Zoning Amendment – Uses Allowed in Mixed-Use Buildings

Select Board: The Select Board recommends support of this article by a vote of 4 in favor and one abstention.

Comments: (HAYDEN) Four members of the Select Board supported this article as a reasonable proposal to improve clarity in the zoning bylaw and to make a modest change allowing for smaller mixed-use buildings. One member abstained from the vote in order to await additional information from the petitioner of Article 19 as a potential alternative.

Article 19: Petition – Zoning Amendment – Uses Allowed in Mixed-Use Buildings

Select Board: The Select Board does not recommend support of this article by a vote of 4 in favor and one abstention.

Comments: (HAYDEN) Four members of the Select Board opposed this article for its substance and its construction, as detailed in the Planning Board's Report to Town Meeting. One member abstained from the vote in order to await additional information from the petitioner.

Article 20: Petition – Resolution – Divestment of Funds from Fossil Fuel Companies

Select Board: The Select Board recommends support of this article by unanimous vote

Comments: (HAYDEN) The Select Board supports the intent and action of this resolution.