

Zoning Board of Appeals Fiscal Year 2014

The Amherst Zoning Board of Appeals (ZBA) received 41 applications during Fiscal Year 2014, four (4) of which were withdrawn by vote of the ZBA.

The Zoning Board of Appeals met 33 times during FY 14, including one (1) Administrative Meeting. The number of applications during Fiscal Year 2014 represents a significant increase in the number of applications as compared to the previous fiscal years. The following chart shows the number of applications submitted for the Fiscal Years of 2008 to 2014:

Fiscal Year	Number of Applications
2008	37
2009	42
2010	14
2011	25
2012	31
2013	29
2014	41

During this fiscal year, the Town of Amherst's Residential Rental Property Bylaw took effect in January, 2014. As anticipated, numerous property owners whose properties were regulated by a Special Permit were found to either be out of compliance with conditions of existing permit conditions or changed without obtaining a necessary Special Permit.

To accommodate the influx of Special Permit requests associated with the Rental Property Bylaw, the Board scheduled extra meetings on nights other than regularly scheduled nights, heard several cases per evening, and worked on a streamlined hearing process where applicable.

The following is a summary of the applications related to the Rental Property Bylaw program:

1. Formalize and existing second unit, as a Supplemental Apartment, at 439 Station Road.
2. Reconfigure an approved parking configuration, at 318 Lincoln Avenue.
3. Increase from three to four parking spaces, at 473 Pine Street.
4. Increase from six to 11 parking spaces, at 100 Gray Street.
5. Increase from six to eight spaces, at 8 Grove Street.
6. Increase from 12 to 16 parking spaces, at 31-35 Hallock Street.
7. Remove an owner occupancy requirement and reconfigure parking, at 175 College Street.
8. Reconfigure the approved parking from six to three parking spaces, at 140 Fearing Street.
9. Increase from eight to 13 parking spaces, at 382 North Pleasant Street.
10. Increase from four to six parking spaces, at 58 North Prospect.
11. Increase from three to six parking spaces, at 106 Gray Street.
12. Allow a supplemental apartment to be rented to other than family member, at 77 Shays Street.
13. Change the use from a Supplemental Apartment to Converted Dwelling and remove owner occupancy requirement, at 560 South East Street.
14. Increase from three to four parking spaces, at 453 Old Montague Road.

15. Reconfigure an approved parking configuration, at 27 South Whitney Street.
16. Formalize and existing second dwelling unit, as a Supplemental Detached Dwelling Unit, at 223 Pomeroy Lane.

The Zoning Board of Appeals approved the following residential projects, resulting in the creation of four new dwelling units:

- 71 Middle Street – conversion of an existing barn into a dwelling unit, as a Converted Dwelling.
- 94 Summer Street – conversion of a portion of the existing residence, as a Supplemental Apartment.
- 5 Mill Lane – conversion of an existing barn into a dwelling unit, as a Converted Dwelling.
- 676 East Pleasant Street – conversion of an existing garage into a dwelling unit, as a Converted Dwelling.

The Zoning Board of Appeals approved the following requests for creation or expansion of the following businesses:

- 398 Northampton Road – for the construction of a new building to be used for auto repair and vehicle showroom and display.
- 63-67 North Pleasant Street – for the change in ownership of the existing Class II restaurant and nightclub d/b/a The Monkey Bar.

The Zoning Board of Appeals reviewed the following additional requests:

- 28 Shay Street – to modify conditions of an existing permit to allow a unit to be rented to four unrelated individuals.
- 129 Gray Street – for a Special Permit to create a building lot as a flag lot.
- 98 Spring Street – to modify conditions of an existing permit to remove an owner occupancy requirement.
- 286-288 Belchertown Road – for a Special Permit to create a non-owner occupied duplex by connecting two existing units.
- 93 Cherry Lane – for a Special Permit to erect a fence taller than six feet in a side yard.
- 229 Main Street – for a Special Permit to erect a fence taller than four feet in a front yard.
- 38 Nutting Avenue – for a Special Permit to change from a sorority to a fraternity.
- 9 Chesterfield – for a Special Permit to erect a fence taller than six feet in a side yard.
- 1261 South East Street- an Appeal of a determination of the Building Commissioner related to a home occupation.
- 28 Shays Street – to modify conditions of an existing permit to allow changes to approved building and site plans.
- 172 State Street – for a Special Permit to alter and enlarge a pre-existing non-conforming single family dwelling in the FPC Zoning District.
- 59 Sunset Avenue – for a Special Permit to alter and enlarge a pre-existing non-conforming single family dwelling.
- 908 South East Street – for a Variance to allow the enlargement of a non-compliant lot and structurally alter a non-compliant, existing, single family dwelling.

The following is a list of the membership in FY 14:

Full Members	Year Appointed	Term Expires
Eric Beal (Chair)	2005	2014
Thomas Ehrgood	2008	2016
Mark Parent	2008	2016
Associate Members	Year Appointed	Term Expires
Keith Langsdale	2009	2014
Carolyn Holstein	2010	2014
Yuri Friman	2011	2014
Pari Riahi	2013	2014

Jeffrey Bagg, Senior Planner, provided staff support to the Zoning Board of Appeals during FY 13. Town staff continued to enhance the available online resources, integrating electronic transmittals, and providing the Board members with additional trainings. Additionally, Town staff was proactively involved in the preparation and initiation of the Rental Permit program and anticipated extra workload for the ZBA.

The following is a link to the Zoning Board of Appeals webpage: <http://www.amherstma.gov/zba>.