

RESULTS
SPECIAL TOWN MEETING
November 5, 7, 15, 19, and 28, 2007

The meeting was televised by Amherst Community Television and shown on the Government Channel.

The Special Town Meeting was called to order by the Moderator, Harrison Gregg at 7:39 p.m. There were 251 town meeting members. 126 checked in and a quorum was declared. The call and the return of the warrant were read by Assistant Town Clerk, Susan Audette.

Peter Gray-Mullen was sworn in as Town Meeting Member.

ARTICLE 1. Reports of Boards and Committees (Select Board)

VOTED unanimously to hear those reports of Town officers, the Finance Committee, and any other Town boards or committees which are not available in written form.

Action taken on 11/5/07

ARTICLE 2. Transfer of Funds – Unpaid Bills (Finance Committee)

DISMISSED: [To see if the Town will, in accordance with Chapter 44, Section 64, of the Massachusetts General Laws, appropriate and transfer a sum of money to pay unpaid bills of previous years.]

Action taken on 11/5/07

ARTICLE 3. FY08 Budget Amendments (Finance Committee)

A. VOTED unanimously to amend the budget voted under Article 17 of the 2007 Annual Town Meeting (Fiscal Year 2008 Operating Budget), by appropriating to the Health Claims Trust Fund \$562,207 for employee health insurance and to meet such appropriation transfer \$562,207 from Free Cash in the Undesignated Fund Balance of the General Fund, said appropriation to be reimbursed to the General Fund via a temporary health insurance premium surcharge to employers and employees until such time as the total appropriation has been reimbursed.

B. VOTED unanimously to appropriate and transfer \$31,323 from Free Cash in the Undesignated Fund Balance of the General Fund for the Hampshire County Regional Lock-up Facility assessment.

Action taken on 11/5/07

ARTICLE 4. Property Tax Exemptions for Veterans' Organizations (Select Board)

VOTED to accept the provisions of Chapter 59, Section 5, Clause 5B of the Massachusetts General Laws, which exempt from taxation the real and personal estate belonging to or held in trust for the benefit of incorporated organizations of veterans of any war in which the United States has been engaged, to the extent of \$700,000 if used and occupied by such association.

Action taken on 11/5/07

ARTICLE 5. Capital – Mark's Meadow Portable Classrooms (Joint Capital Planning Committee)

VOTED by a declared two-thirds that the sum of \$195,000 be and hereby is appropriated to pay costs of purchasing portable classrooms for the use of the School Department and for the payment of all other costs incidental and related thereto, which amount shall be expended in addition to the \$80,000 previously appropriated for this purpose, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow said amount under and pursuant to Chapter

44, Section 7(9) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

Action taken on 11/5/07

ARTICLE 6. Dissolution of Senior Trust – Transfer of Funds (Select Board)

VOTED unanimously that the Town receive funds currently held by the Trustees of the Senior Trust, in order for the Trust to dissolve according to the terms of the Trust Agreement, and appropriate all the funds received, \$94,160.34 plus any accrued income, to be transferred to the newly formed Friends of the Amherst Senior Center, Inc.

Action taken on 11/5/07

ARTICLE 7. Community Preservation Act – Open Space (Community Preservation Act Committee)

A. VOTED to appropriate \$123,000 from the Community Preservation Fund annual revenues for the purchase of land for open space purposes in North Amherst (Map 3B, Parcel 7, 8, 9, 10, 11, 12, 13).

B. VOTED by a declared two-thirds, as amended to 1) authorize the Select Board to acquire by gift or negotiated purchase parcels of land containing 28 acres, more or less, designated as Map 3B, Parcels 7 -13 of the Town Cadastre, located north of East Leverett Road, from Haskins View LLC, to be managed and controlled by the Amherst Conservation Commission in accordance with Chapter 40, Section 8C for conservation and passive recreation purposes, 2) appropriate \$487,000 for the acquisition of said land, 3) to meet such appropriation, authorize the Treasurer, with the approval of the Select Board, to issue any bonds or notes that may be necessary for that purpose, as authorized by M.G.L. Chapter 44, or any other enabling authority, 4) authorize the Town Manager or his designee to file on behalf of the Town any and all applications deemed necessary under the Self-Help Act (M.G.L. Chapter 132A, Section 11) or any other applications for funds in any way connected with the scope of this acquisition, 5) authorize the Town Manager, the Select Board and/or the Conservation Commission, as they deem appropriate, to enter into all agreements and execute any and all instruments including the conveyance of a perpetual deed restriction in accordance with M.G.L. Chapter 184 as required by Section 12(a) of Chapter 44B as may be necessary on behalf of the Town to effect said purchase.

Action taken on 11/5/07

At 9:54 p.m. on November 5, 2007, the meeting voted to adjourn to Wednesday, November 7, 2007 at 7:30 p.m. in the auditorium of the Amherst Regional Middle School. 176 town meeting members were checked in.

* * *

The November 7, 2007 session, adjourned from November 5, 2007, was called to order by the Town Moderator, Harrison Gregg, at 7:48 p.m. 126 town meeting members were checked in.

Mike Olkin was sworn in as Town Meeting Member.

ARTICLE 8. Community Preservation Act – Town Hall Historic Preservation
(Community Preservation Act Committee)

A. VOTED that the Town appropriate \$100,000 from Community Preservation Fund balance to rebuild the south steps of Town Hall and to restore the masonry, internal wooden structural elements, and clockworks of the Town Hall clock tower.

B. VOTED by a declared two-thirds that the sum of \$295,000 be and hereby is appropriated to complete the repointing and associated masonry work involved in the restoration of the exterior of the historic 1889 Amherst Town Hall under the Community Preservation Program, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow said amount under and pursuant to Chapter 44B, Section 11 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

C. VOTED to amend the action taken under Article 23 of the 2007 Annual Town Meeting – Capital Program – Bond Authorization, by reducing by \$395,000 the appropriation and borrowing authorization for extraordinary repairs to the exterior of Town Hall.

Action taken on 11/7/07

ARTICLE 9. Petition – Resolution – Fair Trade (Friman)

VOTED unanimously as amended to adopt the following resolution:

WHEREAS, “Fair Trade” is an innovative, market economy system that promotes fair labor practices and healthy, safe work environments through the production of food and other products; and

WHEREAS, Fair Trade provides procedures with fair prices that translates into truly livable wages; and

WHEREAS, production of Fair Trade goods is achieved through sustainable and ecologically friendly means thus supporting the future of a healthy planet for all; and

WHEREAS, millions of people have had their standard of living significantly raised through the simple act of educated consumers selecting and asking for Fair Trade products:

Now Therefore Be It resolved, that Amherst Representative Town Meeting encourages the Town Manager to establish a procedure to maximize purchase of Fair Trade Certified products in the process of procuring necessary goods for the Town, said established procedure to be informed by the fact of Town Manager’s authority to execute contracts and oversee procurement and to adhere to the strict statutory requirements that the Town Manager must follow when purchasing products for Town use;

Be it further resolved, that Amherst Town Meeting calls upon the Select Board to consider working to ensure ongoing education, media exposure and commitment to “Fair Trade” and to encourage businesses and institutions to use and sell Fair Trade Certified products whenever possible for the well being of producers, consumers and the planet;

Be it further resolved, that Town Meeting calls upon the Select Board to consider forming a town committee in order to take a more active role in the future on issues of Fair Trade if it proves productive for the Town to act in an official capacity.”

Action taken on 11/7/07

ARTICLE 10. Zoning Bylaw and Zoning Map – Research & Development (R&D) Overlay District
(Planning Board)

VOTED to add new sections to Sections 2.03, Industrial/Research Park Districts, and to 3.2, Special Districts, of the Zoning Bylaw, and amend the Official Zoning Map in order to create a Research and Development (R&D) overlay district, as follows:

A. VOTED by a declared two-thirds to add the following new sections to Section 2.03, Industrial/Research Park Districts, and Section 3.2, Special Districts, of the Zoning Bylaw, as follows:

2.03 Industrial/Research Park Districts

R&D Research & Development

The R&D District is an overlay district intended to modify the regulations in underlying business and industrial/research park districts in order facilitate research and development and testing uses and to provide specific additional regulations with regard to such uses.

3.29 Research & Development (RD) District

3.290 General

The Research & Development (R&D) District is an overlay district and shall be superimposed on other districts established by this Bylaw. Restrictions and prohibitions of land use in the underlying districts shall remain in full force and shall not be modified by the conditions of the R&D District unless superseded by the restrictions and conditions of the R&D District.

3.291 Establishment of District

The Research & Development (R&D) District shall consist of those geographic areas shown as R&D District on the Official Zoning Map. This District is configured to include those lands which, by virtue of their location with respect to institutions of higher learning, transportation corridors, utilities, village centers, services, and other factors, are appropriate for the siting of research, development, and testing businesses.

3.292 Purpose

The purposes of the Research & Development (R&D) District are to:

3.2920 Facilitate and promote the establishment, development, and expansion of information- and technology-intensive research and development businesses in Amherst.

3.2921 Provide opportunities for the establishment of research and development businesses, including but not limited to those derived from or associated with the research and testing activities of departments or agencies of the University of Massachusetts, Amherst College, and Hampshire College.

3.2922 Require that any research and development businesses established in Amherst are located, designed, and operated in conformance with all federal, state and local regulations regarding public health and safety.

3.2923 Expand employment opportunities for Amherst residents in the fields of research and development.

3.2924 Broaden and diversify the community's property tax base.

3.293 Permit Required

Within the R&D District, any uses under Sections 3.372.0 and 3.372.1 directly involved or associated with research, development and testing activities, including any associated accessory light manufacturing which would otherwise be regulated in the underlying zoning district under a Special Permit (SP) by the Zoning Board of Appeals shall instead be regulated under Site Plan Review (SPR) approval by the Planning Board. An exception shall be any accessory research or testing to be conducted outdoors, which shall require a Special Permit granted by the Special Permit Granting Authority authorized to act under the applicable section of the Bylaw.

3.294 Review Period

Notwithstanding the provisions of Sections 10.323 and 11.230, within the R&D District, the Fire Chief, Building Commissioner, Board of Health, Town Engineer, and Conservation Department shall have forty-five (45) days to report their findings on any application made under Sections 3.372.0 and 3.372.1 which involves the use, production, or storage of materials identified as flammable, toxic, hazardous or explosive.

B. VOTED by a declared two-thirds to amend the Official Zoning Map to add the Research & Development (R&D) overlay district to the following properties in Amherst currently zoned Limited Business (B-L) which are located west of University Drive and between Amity Street and Northampton Road (Route 9):

Map 13B, Parcels 17, 18, 19, 21, 22, 24, 27, and 28

Map 13D, Parcels 2, 3, 5, 59, 62, and 70.

Action taken on 11/7/07

At 10:02 p.m. on November 7, 2007, the meeting voted to adjourn to Thursday, November 15, 2007 at 7:30 p.m. in the auditorium of the Amherst Regional Middle School. 168 town meeting members were checked in.

* * *

The November 15, 2007 session, adjourned from November 7, 2007, was called to order by Town Moderator, Harrison Gregg, at 7:42 p.m. 124 town meeting members were checked in.

materials or waste identified as toxic or hazardous, flammable, or explosive. No research or testing ~~to~~ **shall** be conducted outdoors unless a Special Permit is granted for this purpose by the ~~Zoning Board of Appeals~~ **Special Permit Granting Authority authorized to act under the applicable section of this bylaw.**

3.372.1 Publishing, data processing, light manufacturing, light assembly including computer hardware and software, and scientific products with associated offices and distribution facilities.

R-O													
<u>R-LD</u>	<u>R-N</u>	<u>R-VC</u>	<u>R-G</u>	<u>R-F</u>	<u>B-G</u>	<u>B-L</u>	<u>B-VC</u>	<u>COM</u>	<u>OP</u>	<u>LI</u>	<u>PRP</u>	<u>FPC</u>	
N	N	SP	N	N	SP	SP/ <i>SPR</i> *	SP	SPR	SPR	SPR	SPR	N	(SP)

Standards & Conditions

**** In those areas of the B-L District which coincide with the Research & Development (R&D) overlay district, Site Plan Review approval shall be required for uses regulated under this section. In all other areas of the B-L District, a Special Permit shall be required from the Zoning Board of Appeals.***

Uses under this section shall include those which involve the limited light manufacture or production, principally from previously-prepared materials, of finished products or parts. This may include processing, fabrication, assembly, treatment, and packaging of such products as well as incidental storage and distribution of such products and associated offices. These uses may also include the on-site production within enclosed structures of custom goods fabricated principally by hand through the use of hand tools and small-scale mechanical equipment.

No mass manufacturing, processing, or fabrication normally conducted under Section 3.372.2 nor any on-premises sale of products shall be permitted in association with uses under this section, except that the on-premises sale of custom-made goods produced by hand manufacturing may be permitted under a Special Permit granted by the Special Permit Granting Authority authorized to act under the applicable section of the Bylaw.

In the R-VC District, the Zoning Board of Appeals may grant a Special Permit for a use under this section, provided that the proposed use consists only of offices or similar uses and meets the provisions of Sections ~~3.360~~ **3.359**, Article 7 and Section 10.38. In all zones, all outdoor storage of materials and equipment shall be screened from public view, from public ways and abutting residential districts.

No operation shall create noise, vibration, dust, fumes, or odors that are a nuisance beyond the lot line, and further, no operations shall be *permitted which the Permit Granting Board or Special Permit Granting Authority, after consultation with the Board of Health, determines to be unduly hazardous by reason of potential fire, explosion, or radiation, or chemical or biological hazard resulting from the use, production or storage of materials or waste identified as toxic or hazardous, flammable, or explosive. Where permitted, all operations involving such materials shall be conducted in a fully enclosed building in accordance with all applicable public health and safety regulations.*

B VOTED by a declared two-thirds, as amended, to amend Section 3.372.2, as follows:

3.372.2 Manufacturing, assembly and processing, including associated offices and distribution facilities.

R-O

<u>R-LD</u>	<u>R-N</u>	<u>R-VC</u>	<u>R-G</u>	<u>R-F</u>	<u>B-G</u>	<u>B-L</u>	<u>B-VC</u>	<u>COM</u>	<u>OP</u>	<u>LI</u>	<u>PRP</u>	<u>FPC</u>
N	N	N	N	N	N	N	N	N	N	SPR SP	SPR SP	N

Standards & Conditions

Uses under this section shall include those involving the manufacture, assembly and/or processing, from extracted or raw materials or from previously-prepared materials, of finished materials, products, or parts. These uses may include processing, fabrication, assembly, treatment, and packaging of such products, as well as incidental storage and distribution of such products and associated offices. These uses may involve the production and/or storage of volumes of toxic or hazardous, flammable, or explosive materials under appropriate safeguards and conditions, as determined by the special permit granting authority under the requirements of this section. The on-premises sale of products shall not be permitted in association with any uses under this section.

In all zones, all outdoor storage of materials and equipment shall be screened from public view, from public ways and abutting residential districts. No operation shall create noise, vibration, dust, fumes or odors that are a nuisance beyond the lot line, and further, no operations shall be *permitted which the Permit Granting Board determines to be unduly hazardous by reason of potential fire, explosion, or radiation, or chemical or biological hazard resulting from the use, production, or storage of materials or waste identified as toxic or hazardous, flammable, or explosive. Where permitted, all operations involving such materials shall be conducted in a fully enclosed building in accordance with all applicable public health and safety regulations.*

C VOTED unanimously to amend Article 12 of the zoning bylaw by adding the following new language under Section 12.35 and renumbering the remaining sections accordingly:

12.35 ***Toxic or Hazardous Substance: Any chemical substance or mixture of substances in a gaseous, liquid or solid state which is listed in the Massachusetts toxic or hazardous substance list compiled and maintained by the commissioner of the Massachusetts Department of Public Health in compliance with the provisions of M.G.L. Ch. 111F, section four, as amended, and which is manufactured, processed, used or stored in the workplace, but which shall not include alcoholic beverages as defined in MGL Ch. 138, Section one, or articles intended for personal consumption by employees in the workplace, or consumer articles packaged for distribution to, and used by, the general public, or articles sold or used in retail food establishments and all other retail trade establishments, exclusive of articles used in processing and repair areas, or substances being transported in interstate commerce.***

Action taken on 11/15/2007

ARTICLE 12. Zoning Bylaw - Accessory Light Manufacturing (Planning Board)

VOTED to amend Section 5.07, Scientific Research or Development, of the Zoning Bylaw by deleting the ~~lined out~~ language and adding the language shown in ***bold italics***:

A VOTED Yes 121: No 33, as amended:

SECTION 5.07 SCIENTIFIC RESEARCH OR DEVELOPMENT

5.070 Uses accessory to and necessary in connection with scientific research, scientific development, or related production activities in districts where such activities are permitted by right ***under a Special Permit or Site Plan Review approval*** may be permitted upon the issuance of a Special Permit, ***as an amendment to the permit for the principal use*** provided that the ~~Board of Appeals~~ ***Permit Granting Board or Special Permit Granting Authority*** finds that the proposed accessory use does not substantially derogate from the public good. Such an accessory use need not be located on the same parcel or parcels of land as the related principal use or activity.

5.072 ***An airport or helipad shall not be considered an accessory use under this section.***

B VOTED by a declared two-thirds, as amended:

5.071 ***Limited manufacturing activity may be considered an allowed accessory use to a technical research and development office, laboratory, or research facility in the B-G, B-L, B-VC, COM, OP, PRP and LI districts, provided that the following requirements are satisfied:***

5.0710 ***Such manufacturing activity shall be directly related to the research and development activities of the principal use.***

5.0711 ***No manufacturing activity shall occur within two hundred (200) feet of a dwelling unit in a residential district, or within one hundred (100) feet of any***

dwelling unit in a non-residential district, including any accessory dwelling units under Section 5.016.

5.0712 No manufacturing, processing, or fabrication normally conducted under Sections 3.372.1 or 3.372.2, nor any on-premises sale of products shall be permitted in association with uses under this section.

5.0713 All manufacturing activity shall customarily occur inside of buildings; however, outdoor research work and incidental outdoor fabrication of equipment to conduct outdoor experimentation may be permitted under a Special Permit granted by the Special Permit Granting Authority authorized to act under the applicable section of the Bylaw and issued in conformance with the Standards and Conditions of the principal use and the provisions of Section 10.38.

5.0714 Manufacturing activity, excluding incidental fabrication of outdoor experiments, shall not occupy an area in excess of sixty (60) percent of the gross floor area of a building or group of associated buildings owned or leased by the same establishment.

Action taken on 11/15/2007

At 10:15 p.m. on the 15th day of November 2007, the meeting voted to adjourn to Monday, November 19, 2007 at 7:30 p.m. in the auditorium of the Amherst Regional Middle School. 177 town meeting members were checked in.

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The November 19, 2007 session, adjourned from November 15, 2007, was called to order by the Town Moderator, Harrison Gregg, at 7:45 p.m. 124 town meeting members were checked in.

ARTICLE 13. Zoning Bylaw - Technical/Professional Offices (Planning Board)

DISMISSED [To see if the Town will amend Section 3.359 of the Use Chart (Section 3.3) of the Zoning Bylaw, by deleting the ~~lined-out~~ language and adding the language in ***bold italics***, as follows:

3.359 *Low visitation professional or administrative offices*

3.359.0 *Technical or professional office such as architect, engineer, lawyer, financial services, or similar office providing services predominantly by appointment to clients in person on the premises.*

R-0

R-LD R-N R-VC R-G R-F B-G B-L B-VC COM OP LI PRP FPC

N N SP N N SPR SPR SPR SPR SP SPR N

Standards & Conditions

For the purposes of this section, the general public shall be defined as including all persons acting as customers or clients receiving services. "Predominantly by appointment" shall mean that a majority of customers or clients who are provided services in person on the premises during any extended period of operation (monthly, quarterly, or annually) shall do so through prior appointment. Exceptions shall be discretionary follow-up visits by customers or clients with regard to

services already provided, and visits by affiliated professionals or consultants, salespersons, service contractors (delivery, maintenance, etc.), and the like. Office uses under this section shall advertise their on-premises services as being available to the general public only by appointment.

In the R-VC District, the Zoning Board of Appeals may grant a Special Permit for a technical or professional office that provides services predominantly by appointment to customers or clients in person on the premises. The Zoning Board of Appeals may grant a Special Permit providing it finds that, in addition to meeting the provisions of Article 7 and Section 10.38, the proposed office use meets the following conditions:

1. *Is located on the ground floor only, and occupies no more than 50 percent of the gross floor area of the structure, exclusive of storage space.*
2. *Shall be allowed only as a second Principal use, where the first Principal use is a residential use consisting of one dwelling unit.*
3. *Shares a property line with or is adjacent to another property with a similar use permitted under this section or a property in the B-L, B-VC or COM districts.*
4. *Employs no more than 5 persons who work on-site.*
5. *Where located in an existing building, the residential character of the structure and site shall be maintained.*

3.359.1 *Administrative business office or similar* ~~B~~*business or professional office not providing services to the general public in person on the premises.*

R-0													
R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	COM	OP	LI	PRP	FPC	
N	N	SP	N	N	SPR	SPR	SPR	SPR	SPR	SPR	SPR	N	(SP)

Standards & Conditions

For the purposes of this section, the general public shall be defined as including all persons acting as customers or clients. Exceptions shall be affiliated professionals or consultants, salespersons, service contractors (delivery, maintenance, etc.), and the like. No office use under this section shall advertise its services as being available to customers and clients on the premises. Services shall be advertised as being available exclusively by telephone, mail, on-line, or other remote means.

In the R-VC District, the Zoning Board of Appeals may grant a Special Permit for an *administrative business office or similar business or* ~~for professional or office uses not dealing directly with~~ *that does not provide services to the general public in person on the premises.* The Zoning Board of Appeals may grant a Special Permit providing it finds that, in addition to meeting the provisions of Article 7 and Section 10.38, the proposed office use meets the following conditions:

1. Is located on the ground floor only, and occupies no more than 50 percent of the gross floor area of the structure, exclusive of storage space.
2. Shall be allowed only as a second Principal use, where the first Principal use is a residential use consisting of one dwelling unit.
3. Shares a property line with or is adjacent to another property with a similar use permitted under this section or a property in the B-L, B-VC or COM districts.
4. Employs no more than 5 persons who work on-site.
5. Where located in an existing building, the residential character of the structure and site shall be maintained.]

Action taken 11/19/2007

**ARTICLE 14. Petition - Allowing Professional Offices Accessible by Appointment in Some Zoning Districts
 (Coalition for Sustainable Neighborhoods)**

DISMISSED [“To see if the Town will amend the Use Chart (Section 3.3) of the Zoning Bylaw, by adding the following new use as Section 3.360, and renumbering existing subsequent sections of the bylaw as necessary:

3.360 Technical or professional office such as architect, engineer, lawyer, financial services, or similar office providing services by appointment in person on the premises.

R-O													
R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	COM	OP	LI	PRP	FPC	
N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	SPR	N	

In the PRP District, this use shall be limited to offices that employ 15 or more on-site staff on parcels served by town water and sewer. PRP District uses immediately adjoining a residential district shall maintain a 100-foot buffer of natural and undisturbed vegetation. PRP District offices shall provide only 45° downcast exterior door lighting; shall extinguish exterior sign and building face lighting, and parking lot lighting not needed for security of after- or before-hours staff at 9 pm or at the close of appointments whichever is earlier; and, shall provide signs directing exiting vehicles toward main thoroughfares and away from nearby residential streets.”]

Action taken 11/19/2007

James W. Pistrang was elected Moderator pro tem for the duration of the discussion of Article 15. Mr. Pistrang was sworn to the faithful performance of his duties as Moderator pro tem before taking up Article 15.

David Mullins was sworn in as teller.

**ARTICLE 15. Zoning Map and Bylaw - Spring Street Rezoning and General Business Lodging Uses
 (Planning Board)**

VOTED to amend the Zoning Bylaw and the Official Zoning Map as follows:

A.1 VOTED by a declared two-thirds, as amended, to amend the Official Zoning Map to change the zoning district designation of the following properties from General Residence (R-G) to General Business (B-G): Assessors Map 14A, Parcels 264, 265 and portions of the Town Common and Spring Street public ways, all as shown on Exhibit A.

A.2 VOTED by a declared two-thirds, as amended, to amend the Official Zoning Map to change the zoning district designation of the following properties from General Residence (R-G) to General Business (B-G): Assessors Map 14A, Parcels 266 and portions of Churchill Street public ways, all as shown on Exhibit A.

A.3 VOTED by a declared two-thirds, as amended, to amend the Official Zoning Map to change the zoning district designation of the following properties from General Residence (R-G) to General Business (B-G): Assessors Map 14A, Parcels 267, 268, 269, 270 and portions of the Town Common, Spring Street, and Churchill Street public ways, all as shown on Exhibit A.

B.1 DEFEATED Yes 100: No 54, as amended. [To amend Section 3.3 of the Zoning Bylaw to change the permit requirements for Section 3.327.0, Hotel/Motel from Special Permit (SP) to Site Plan Review (SPR) in the General Business (B-G) District only.]

B.2 VOTED by a declared two-thirds, as amended, to amend Section 3.3 of the Zoning Bylaw to change the permit requirements for Section 3.327.1, Inn from Special Permit (SP) to Site Plan Review (SPR) in the General Business (B-G) District only.

Action taken 11/19/2007

At 10:36 p.m. on the 19th day of November 2007, the meeting voted to adjourn to Wednesday, November 28, 2007 at 7:35 p.m. in the auditorium of the Amherst Regional Middle School. 169 town meeting members were checked in.

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The November 28, 2007 session, adjourned from November 19, 2007, was called to order by the Town Moderator, Harrison Gregg, at 8:44 p.m. following the dissolution of the Special Town Meeting called for November 28, 2007 at 7:30 p.m.

ARTICLE 16. Zoning Bylaw - Zoning Map - College/South East Street (Planning Board)

VOTED Yes 115; No 53 to amend the Official Zoning Map to change the zoning designation for the following properties, all on Assessor's Map 15C:

Parcel 47 – Rezone that portion of the property currently zoned R-N to COM.

Parcel 7 – Rezone those portions of the property currently zoned R-N and COM to B-VC.

Parcels 3, 4, 8, 9 and 41 – Rezone from R-N to B-VC.

Parcel 42 – Rezone from R-N and COM (portion) to R-VC.

Parcels 16 and 17 – Rezone the portions of these properties currently zoned COM to R-N.

Action taken 11/28/2007

ARTICLE 17. Petition - College/South East Street and Belchertown Road Rezoning
(Coalition for Sustainable Neighborhoods)

DISMISSED [“To see if the Town will amend the Official Zoning Map to change the zoning designation for the following parcels, all on Assessor's Map 15C;

Parcel 47 – Rezone that portion of the parcel currently zoned R-N to COM.

Parcel 7 – Rezone the portions of the parcel currently zoned COM and R-N to B-VC

Parcels 8 – Rezone from R-N to B-VC.

Parcels 3, 4, 9 and 41 – Rezone from R-N to R-VC

Parcel 42 – Rezone from COM and R-N to R-VC

Parcels 16 and 17 – Rezone the portions of each parcel currently zoned COM to R-N.”]

Action taken 11/28/2007

ARTICLE 18. Petition - Zoning Map - 500-502 Sunderland Road (Bergstrom)

VOTED unanimously to refer this article to the Planning Board [“To see if the Town will amend the Official Zoning Map to change the zoning district designation on Assessors Map 2A, Parcels 51 and 52 from Outlying

Residence (R-O) and Low Density Residence/Farmland Conservation overlay (RLD/FC) to Village Center Residence (R-VC).”]

Action taken 11/28/2007

ARTICLE 19. Petition – Main/Dickinson/High Street Rezoning
(Coalition for Sustainable Neighborhoods)

VOTED unanimously to refer this article to the Planning Board [“To see if the Town will amend the Official Zoning Map to change the zoning designation for the following parcels, all on Assessor’s Map 14B:

Parcel 28 – Rezone from R-G to B-VC, contingent upon town meeting voting to authorize the Select

Board to accept a restrictive covenant foregoing some uses allowed in the B-VC District;

Parcels 53, 56, 57 and 130 – Rezone from COM to R-G

Parcels 58, 59 and 128 – Rezone from COM to B-VC

Parcel 66 – Rezone from R-G to B-VC, contingent upon town meeting voting to authorize the Select

Board to accept a restrictive covenant limiting future use of the property to the current use;

Parcels 129 and 234 – Rezone those portions of the parcels currently zoned COM to B-VC

Parcel 131 – Rezone from R-G to B-VC.”]

Action taken 11/28/2007

ARTICLE 20. Petition – Waiver of Effluent Fees to UMASS – Strategic Partnership Agreement
(Kelley)

DEFEATED [“To see if the town will strongly urge the Select Board to rescind their 9/17/07 3-2 vote as Sewer Commissioners to waive effluent fees to Umass, Amherst over the five years of the “strategic agreement.”]

Action taken 11/28/2007

The business of the warrant having been completed, the meeting voted to dissolve at 10:16 p.m. on Wednesday, November 28, 2007. 176 town meeting members were checked in.

Attest:

Sandra J. Burgess
Town Clerk