

AMHERST PLANNING BOARD
Wednesday, September 20, 2023 6:30 PM

Pursuant to Chapter 20 of the Acts of 2021 and extended again by Chapter 2 of the Acts of 2023, this meeting was conducted via remote means.

MINUTES

The Minutes of the Planning Board are not intended to be a transcript. The meeting recording is located here: [Planning Board Sep 20, 2023 - YouTube](#)

PRESENT: Fred Hartwell, Jesse Mager, Doug Marshall, Chair, Janet McGowan, Karin Winter
ABSENT: Bruce Coldham, Johanna Neumann
STAFF: Christine Brestrup, Planning Director
Pamela Field-Sadler, Administrative Assistant
Nate Malloy, Senior Planner (7:45 p.m.)
OTHER: SPR 2024-01 – Bonni and Robert DiCarlo – 86 Gray Street
▪ Robert DiCarlo, 86 Gray Street – Owner

6:33 p.m. Chair Doug Marshall opened the meeting and determined by Roll Call that all Planning Board (Board) members, with the exception of Ms. Neumann and Mr. Coldham, were present and participating remotely.

I. MINUTES

March 29, 2023

The Board agreed to table these minutes.

August 2, 2023

Motion: Mr. Mager moved to approve the August 2, 2023 minutes as written. Ms. Winter seconded the motion.

Vote: Hartwell – yes; Mager– yes; Marshall – yes; McGowan – abstain; Winter – yes
(4-0-1 motion passes)

August 16, 2023

Motion: Ms. McGowan moved to approve the August 16, 2023 minutes as written. Mr. Mager seconded the motion.

Vote: Hartwell – yes; Mager– yes; Marshall – yes; McGowan – yes; Winter – yes
(5-0-0 motion passes)

II. PUBLIC COMMENT PERIOD – None

Mr. Marshall noted that there were two attendees, Bob DiCarlo and Tim Armstrong.

III. PUBLIC HEARING – SITE PLAN REVIEW

6:35 PM SPR 2024-01 – Bonni and Robert DiCarlo – 86 Gray Street

Request Site Plan Review approval to construct an addition to an existing owner-occupied duplex under Section 3.321 of the Zoning Bylaw; R-G (General Residence) Zoning District, Map 11D, Parcel 107.

6:47 PM: Mr. Marshall opened the public hearing for SPR 2024-01 – Bonni and Robert DiCarlo – 86 Gray Street and read the preamble and project description.

Applicant Robert DiCarlo said he owns the property at 86 Gray Street and has resided there since 1989. Mr. DiCarlo explained he is proposing to construct an addition on the existing house consisting of a first-floor bedroom and bathroom to allow for aging in place for his wife and himself.

The Board had the opportunity to view images as follows:

- site plan showing the existing 2-family building, the existing barn, the existing shed and the proposed addition;
- roof view plan;
- addition renderings from the south, southeast and southwest;
- floor plan and demo plan;
- images of existing outdoor lighting fixtures and images of same fixtures illuminated at night.

Site Visit – Brestrup, Hartwell, Mager

Mr. Hartwell shared the following regarding the Site Visit:

1. The site was observed to be as it was described.
2. The addition is adding area to the first floor.
3. Questioned why the number of 10 parking spaces is shown when the requirement would be 4.

Mr. Mager added the following comments regarding the Site Visit:

1. The addition would be in the back, but would be visible from the street because it bumps out to the south quite a bit.
2. There is a large garden and the design of the addition is in character with the existing house so the visibility should not be a major concern.

When answering questions from the Board, Mr. DiCarlo shared the following:

1. Confirmed that currently there is not a rental unit; only family members live in the residence.
2. When there was a rental unit, it was a self-contained 1-bedroom unit in the upstairs. The rental unit was only a portion of the 2nd floor.

Board Discussion

Parking

During the discussion regarding parking, the following comments were shared:

1. The plan showing the 10 parking spaces was filed as a requirement of the Rental Registration program.
2. The plan was intended to show there is ample parking for 2 units.
3. The Board could make a finding that the driveway area sufficiently accommodates 4 cars as required.

The Board reviewed the Development Application Report and noted the following:

1. Waivers requested include: Landscape Plan, Soil Erosion Plan, Sign Plan, Lighting Plan and Traffic Impact Statement.
2. Discussed 2 existing sheds at the rear of the property within the setbacks. The sheds are not grandfathered in or permitted. If the sheds were to be retained; the applicant would need to seek a SP from the Board for the dimensional requirement. Mr. DiCarlo stated his intention is to remove both sheds to avoid additional permitting requirements. The Board agreed that removing the sheds would be an approval condition.

3. Discussed exterior utility systems. Mr. DiCarlo said there are 2 existing mini-splits and a central air unit. One mini-split is in the recess on the south side of the building, and the other is located on the back porch. A third mini-split is under consideration; however, the unit has not been chosen nor the location determined. Mr. DiCarlo noted that the third mini-split could probably go in the southerly recess too.

The Board shared the following comments during the discussion:

- a. Could add a condition that if the mini-split was not to be located in the southern recess area, the applicant would return to the Board.
 - b. Don't limit the language to only a mini-split in the case another alternative source of HVAC is pursued.
 - c. Adding a condition regarding review of the location of external mechanical equipment that would require the applicant to return to the Board seems excessive in this case.
 - d. Could require any mechanical equipment not located in the southerly recess to be shielded from view from the public way.
 - e. Conditions for mechanical equipment may be more pertinent for larger projects.
 - f. With the exception for attenuating noise, the building code does not necessarily require screening.
 - g. For an applicant, it is informative to have the location/shielding discussion from the beginning.
 - h. Refrigerant lines have a maximum length and electrical wiring can't be split, which limits the location of the equipment.
 - i. There was some support for draft condition language that would require any new exterior mechanical equipment be located so that it is not visible from the public way, from properties directly abutting the parcel or immediately in front of the parcel.
4. The Board asked how the roof run-off would be managed. Mr. DiCarlo said there are existing gutters in the front of the building. Gutters with down spouts would be used on the addition and he confirmed they would be discharged onto the surface of the property adjacent to the house.
 5. Exterior Lighting: Mr. DiCarlo said there are no proposed changes to the exterior lighting. Mr. Marshall noted that the lighting on the barn is not dark sky compliant. No concerns were shared by the Board members. Ms. McGowan noted that the Management Plan points out that the exterior lighting is motion activated.

Public Comment – None

The Board reviewed and discussed the following conditions, findings and waivers:

Conditions

1. The project shall be built in substantial accordance with the Site Plan approved by the Planning Board on September 20, 2023.
2. The project shall be managed in accordance with the Management Plan approved by the Planning Board on September 20, 2023.
3. The sheds in the back yard that do not comply with setback requirements shall be removed.
4. Any new exterior mechanical equipment shall be screened. .

Findings

1. The application meets the relevant criteria of Section 11.24 of the Zoning Bylaw.
2. The driveway sufficiently accommodates four (4) cars as required by the Zoning Bylaw.

Waivers

1. Landscaping Plan
2. Soil Erosion Plan
3. Sign Plan
4. Lighting Plan
5. Traffic Impact Statement

Motion: Mr. Marshall made the motion to close the public hearing and approve SPR 2024-01 – Bonni and Robert DiCarlo – 86 Gray Street with conditions as discussed, waivers as requested and to find that the application meets the relevant criteria of Section 11.24 of the Zoning Bylaw. Ms. McGowan seconded the motion.

Vote: Hartwell – yes; Mager– yes; Marshall – yes; McGowan – yes; Winter – yes
(5-0-0 motion passes)

IV. PLANNING FOR HOUSING GROWTH

Review of preliminary materials in preparation for next housing discussion scheduled for September 27

In preparation for the in-person meeting scheduled for September 27, 2023, the Board reviewed plans of possible areas on University Drive, in East Amherst and in the Town Center that staff believe would be worth examining in order to allow for the development of more housing through rezoning or establishment of an overlay zone.

The Board had a brief discussion and the following comments were made:

1. What can we bring to the table to incentivize a collaboration with UMass?
2. Having larger maps at the in-person meeting would be very helpful.
3. A variety of approaches could be considered when determining what would be appropriate for specific areas.
4. Could we create a gateway into the town center from UMass?
5. What guided the placement of the depicted boundary lines?
6. Which area would be less problematic to initiate change?
7. East Amherst is on the cusp of exciting development with the new school construction. Consider expanding that area plan to include the common and business areas.
8. Need to initiate a planning process that involves the public and stakeholders in this project.
9. Some property owners have expressed interest in new development in East Amherst.
10. The East Amherst section does not abut UMass, but the other two proposed areas do abut UMass.
11. UMass representatives Nancy Buffone and Tony Maroulis are expected to attend the Board’s meeting on October 25, 2023.
12. It could make sense to allow for greater density in the areas that abut UMass properties and have something different in East Amherst.
13. The area around University Drive appears underdeveloped; it could be less problematic to begin in this area.

BREAK: The Board took a break at 7:54 PM and resumed the meeting at 8:01 PM.

V. OLD BUSINESS

Topics not reasonably anticipated 48 hours prior to the meeting. – None

VI. NEW BUSINESS – None

Topics not reasonably anticipated 48 hours prior to the meeting. - None

VII. FORM A (ANR) SUBDIVISION APPLICATIONS

1. The Planning Board reviewed and agreed to authorize Mr. Marshall to endorse ANR 2024-01 for property located along West Street.
2. The Planning Board reviewed and agreed to authorize Mr. Marshall to endorse ANR 2024-02 for property located on West Bay Road and West Street.

VIII. UPCOMING ZBA APPLICATIONS

Mr. Malloy reported that Valley CDC has submitted a Comprehensive Permit application for property on Ball Lane. The Board could have the opportunity to review the project in late October or November.

IX. UPCOMING SPP/SPR/SUB APPLICATIONS

Ms. Brestrup reported that the SPR application for the Jones Library project is expected to be submitted soon. The goal is to bring this to the Board in late October.

X. PLANNING BOARD COMMITTEE & LIAISON REPORTS

Pioneer Valley Planning Commission – Bruce Coldham and Alternate (Jack Jemsek) – None
Community Preservation Act Committee – Vacant
The Board discussed the vacant representative opening.

Mr. Marshall nominated himself to serve as the Board representative to the Community Preservation Act Committee. Ms. McGowan seconded the nomination.

Vote: Hartwell – yes; Mager – yes; Marshall – abstain; McGowan – yes; Winter – yes
(4-0-1 motion passes)

Design Review Board – Ms. Winter said she would be attending the DRB meeting on Monday – September 25th.

Solar Bylaw Working Group – Ms. McGowan reported, without guaranteeing, that the SBWG is closing in on the first hard draft of the bylaw. She said the tough issues remain regarding forest and agricultural land and how much solar to allow on land used for other purposes, but also help toward climate change and resilience.

Ms. Brestrup confirmed she is working to incorporate the comments into a clean hard draft. The timeline and process moving forward is unclear. Ms. Brestrup hopes the Board would have a chance to review the draft prior to it being forwarded to Town Council.

Mr. Hartwell noted there are incorrect technical references in the draft. Ms. Brestrup said she would organize a meeting with staff and Mr. Hartwell to review the references. Mr. Hartwell will forward his availability for this meeting to Ms. Brestrup.

Community Resources Committee – Ms. Brestrup reported that she attends the CRC meetings when the discussion includes any topic she is involved with such as zoning. She noted that the CRC delivered their proposal for the Rental Registration revisions to the Town Council who in turn referred the proposal to the Finance Committee.

XI. REPORT OF THE CHAIR – No Report

XII. REPORT OF THE STAFF

Ms. Brestrup reported that the department is currently interviewing for a Housing Planner to support the work of Mr. Malloy and manage the Housing Trust as well.

XIII. ADJOURNMENT

The meeting adjourned at 8:34 p.m.

Respectfully submitted:

Pamela Field-Sadler
Administrative Assistant

Doug Marshall – Chair

DATE: _____

Document Packet: <https://www.amherstma.gov/DocumentCenter/Index/5850>