



PLANNING BOARD

Report to Town Meeting

Article 31. Zoning Map – 67 Amity Street (Jones Library Trustees)

To see if the Town will amend the Official Zoning Map such that the Amherst Historical Society property at 67 Amity Street (Map 14A/Parcel 35) and an area extending out from the street frontages of said property to the midline of adjacent public ways (Amity Street and North Prospect Street) shall be rezoned from their current designation of General Residence (R-G) to General Business (B-G)

Recommendation

The Planning Board voted 5-0-0, with 2 members absent, to recommend that Town Meeting adopt Article 31.

Background and Purpose

The Jones Library is engaged in a preliminary planning process with the goal of eventually expanding the Library building. The Trustees of the Jones Library have been in conversations with the Trustees of the Amherst Historical Society and Museum to determine how they can coordinate their work and missions and cooperate as they move into the future. The Library plans to apply for an MVLC (Massachusetts Board of Library Commissioners) construction grant in January 2017.

As part of these discussions, the Trustees of the Historical Society and Museum have expressed interest in selling a portion of their property to the Library and the Library has expressed interest in purchasing a portion of the land owned by the Historical Society, to provide the Library with more flexibility as the Trustees plan for expansion of the Library building.

The Jones Library is in the B-G (General Business) zoning district and the Historical Museum is in the R-G (General Business) zoning district.

The Museum is offering to sell and the Library is proposing to purchase a trapezoidal-shaped portion of the Museum site, in the northeast corner of the Museum property. Under current zoning (R-G) this purchase would make the Museum property non-conforming. The non-conformity relates to the fact that the Museum property would become narrower and would no longer be able to

contain a “building circle” that is equal in diameter to the required frontage (100’ in the R-G zoning district) as required in Section 6.40 of the Zoning Bylaw.

ARTICLE 31 Zoning Map – 67 Amity Street (Jones Library Trustees) 2

Creating a non-conformity is not allowed by state law.

Even if the Library decided not to purchase a portion of the Museum property and to design its expansion to fit within its current borders, the fact of having a residentially zoned property adjacent to the Library property complicates issues related to setbacks.

For properties in the B-G zoning district, if they are adjacent to a Residence District, the side yard setback must be 20 feet, unless a Special Permit is granted to modify the setback requirement or unless the setback is already non-conforming, in which case a Special Permit can be granted to allow expansion of the non-conformity. Therefore the Library would not even be able to take full advantage of its own property as it currently exists, without a Special Permit for relief of dimensional requirements, if the property adjacent to it remains in the R-G zoning district.

Because of the issues related to the current zoning of the Museum property, the Trustees of the Jones Library are requesting, with the agreement of the Museum Trustees, that the Museum property be rezoned from R-G to B-G.

If the Museum property is rezoned to B-G, then the Library can purchase the portion of the Museum property that it desires to purchase without creating a non-conformity on the Museum property. And the issues related to setback requirements will be ameliorated. The two organizations have also indicated that preserving garden space, in one form or another, is a shared priority and that the rezoning would facilitate this preservation.

Process and Public Hearing

The Planning Board held a public hearing on Article 31 on April 13, 2016.

One citizen spoke, expressing support for the rezoning as well as concern about “zoning creep”.

The Planning Board appreciates the value that the Library brings to the downtown and to the town. However, the Board’s recommendation is not based on a review of whether the Jones Library should expand or not. Rather, the Board asks whether the proposed zoning is more suited to the parcel than the current zoning.

The use of the Museum and the Library are more similar and compatible with each other than the use of the Museum is with other predominantly residential uses allowed in the R-G zoning district.

The Library parcel is zoned B-G, only a few feet from the Historical Museum. The Historical Museum lot lies across the street from the B-L district. It makes sense to include the Museum property in the B-G zoning district, so that the B-G zoning district has a logical terminus at North Prospect Street, rather than at an irregular property line in the middle of the block, which currently separates the Library and Museum properties.

The Planning Board voted 5-0-0, with 2 members absent, to recommend that Town Meeting adopt Article 31.