

**AMHERST PLANNING BOARD**  
**Wednesday, March 21, 2007 – 7:00 PM**  
**Town Room, Town Hall**  
**MINUTES**

**PRESENT:** Aaron Hayden, Chair; Mary Scipioni, Kathleen Anderson, Richard Howland, Roderick Francis, Eduardo Suarez, Carl Mailler, Susan Pynchon (7:08 PM)

**ABSENT:** No One

**STAFF:** Niels la Cour, Senior Planner; Sue Krzanowski, Management Assistant

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Mr. Hayden opened the Meeting at 7:02 PM.

**I. MINUTES – Meeting of March 7, 2007**

Ms. Scipioni MOVED: to approve the Minutes of March 7, 2007 as submitted. Ms. Anderson seconded, and the Motion passed 7-0.

Since it was not yet time for the public hearing, the Chair moved ahead on the agenda.

**IV. OLD BUSINESS**

**B. South Middle Street Cluster Subdivision – Signing of Plans** – The Board signed the plans.

**VII. UPCOMING ZBA APPLICATIONS – None**

**VIII. UPCOMING SPP/SPR/SUB APPLICATIONS** – Mr. la Cour noted that a preliminary subdivision application has been filed by Mr. Nielsen for “Strawberry Field”. The public hearing will be scheduled for May 2, 2007.

**II. PUBLIC HEARING – SITE PLAN REVIEW APPLICATION**

**SPR2007-00008, 1021 West Street – National Yiddish Book Center**

Mr. Hayden read the preamble and opened the public hearing for this request for approval for the construction of an expansion to the existing book center, including grading, relocation of existing utilities and installation of stormwater management controls (Section 3.30 of the Zoning Bylaw). (Map 25B/Parcel 63; ED zoning district)

Mr. Aaron Lansky, president of the National Yiddish Book Center introduced Mr. Paul Page, treasurer, Mr. Alan Moore, original designer and architect, and Mr. Mark Darnold and Mr. Chris Wall from the Berkshire Design Group.

Mr. Lansky began by telling the Board that the National Yiddish Book Center (NYBC) is preserving a million and a half books and has the largest collection of Jewish books in all of history. Visitors are increasing every year, he said. The Book Center needs access to about 500,000 of these books on a regular basis and also wants to provide educational programs

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for the increasing numbers of visitors. The proposed addition would occur at the rear of the existing building and would not have a large visual impact on the site. The storage facility will be cut into the hillside. A two-story structure would house classrooms, a kosher kitchen, multi-purpose room and a student center.

Mr. Darnold described the proposal in more detail and pointed out differences between the plans that were submitted and the plans presented at the hearing which included revised grading and moving the retaining wall.

Mr. Darnold told the Board that the Conservation Commission has issued an Order of Conditions.

Mr. Moore said that the addition will be almost invisible and the integrity of the existing apple orchard will be preserved. A conscious effort was made to replicate the architecture of what was already there, he said.

Ms. Anderson commented that it was a beautiful, peaceful structure.

Noting that the number of visitors is expected to increase, Mr. Mailler expressed concern about the applicant's request to waive the Traffic Impact Statement.

Mr. Lansky said that there are currently about 12,000 visitors per years to the NYBC. The addition will not dramatically increase that number, he said. Students use public transportation, van service from local hotels/motels is provided, and the classes to be held will be relatively small. The NYBC and Hampshire College have a reciprocal parking arrangement when additional parking is needed, he told the Board.

Ms. Scipioni asked if soil that is removed from the site would be analyzed for arsenic. Mr. Moore responded that the soil had been analyzed and the findings did not generate concern. All excavated materials will be kept on site, he said.

Mr. Suarez said that traffic has increased dramatically over time and the NYBC is located near the Eric Carle Museum. He expressed concern about the cumulative traffic and wondered about future plans.

Mr. Lansky acknowledged the concerns about traffic but said that the space is not being designed to dramatically attract larger numbers of visitors. While that would be a problem he'd love to have to solve, he said, he just doesn't think the numbers will be that significant especially in comparison to the numbers of visitors to the Eric Carle Museum.

Mr. Howland said that he's glad that the NYBC is here in Amherst at Hampshire College.

There was no public comment.

Ms. Scipioni MOVED: to close the public hearing. Mr. Howland seconded, and the Motion passed 8-0.

Mr. Darnold distributed copies of revised plans to the Board.

Ms. Scipioni MOVED: to approve the plans submitted tonight for SPR2007-00008, National Yiddish Book Center expansion subject to the following waivers and conditions:

Waivers

- 1) Parking Requirements
- 2) Landscape Plan
- 3) Lighting Plan
- 4) Soil Erosion Plan
- 5) Sign Plan
- 6) Traffic Impact Statement

Conditions

- 1) Four (4) copies of the final plans shall be submitted to the Planning Department.
- 2) The permit will expire in two (2) years if substantial construction has not begun.

Mr. Howland seconded, and the Motion passed 8-0.

**III. PUBLIC HEARING – PRELIMINARY SUBDIVISION APPLICATION**

**SUB2007-00003, 1194 West Street – Paul Cole**

Mr. Hayden read the preamble and opened the hearing for this request for approval for an eight (8) lot preliminary subdivision. (Map25B/Parcel 29, RO/RLD zoning district)

Mr. Peter Wells, The Berkshire Design Group, described the proposal and said that the existing house would be retained as one of the dwelling units. An existing barn and chicken coop will both be demolished. Mr. Wells said the grading will be minimal and noted how the calculations meet the Dimensional Requirements. Mr. Wells said that the applicant will file a Notice of Intent because some of the work will be in the 100 foot buffer zone.

Mr. Wells said that the applicant is withdrawing the waiver request for lot coverage but may need to resubmit.

Mr. Wells said the applicant is not proposing additional street lighting in order to maintain the rural character of the existing area.

Mr. Wells introduced Mr. Paul Cole, owner, and Mr. Russ Wilson, builder.

Mr. Howland said that homeowners association documents have failed in the past and can be difficult. He asked if there would be any accommodations for children, specifically recreational areas for young children.

Mr. Wells said that the applicant would prefer to wait until the make-up of people who will live there is determined. There is concern about having children go through a wooded area to get to the designated open space, he added.

Mr. Suarez expressed concern about this type of development in farmland.

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Mr. Francis spoke in support of a narrow roadway and also made the following recommendations: That language be in the homeowners documents clearly specifying the types of outdoor lighting that would be allowed. The boundaries of the common land should be clearly delineated to avoid disputes. Responsibility for maintenance of the retention pond should be clearly indicated in the homeowners documents. Mr. Francis complimented the applicant on doing a good job.

In response to a question from Ms. Scipioni, Mr. Wells said that one of the dwelling units will be moved so that there will be adequate space for snow storage.

Mr. Mailler asked about sight lines. Mr. la Cour commented that some traffic calming will be part of the intersection changes to be made at Atkins Corner.

Ms. Anderson commented that since participating in the master planning process that emphasizes protecting open space and farmland, she has noted that a lot of people currently living in Amherst would not be here without development. She said that this proposal looks very appealing and complimented the applicant on the type of houses and the protected open space.

Ms. Pynchon said that she shared Mr. Mailler's concern about sight lines and noted that she had trouble exiting after the Site Visit.

Mr. Stuart Dickson, Hampshire Village, said that he appreciated the applicant's work and asked how noise from the abutting shooting range will be dealt with.

Ms. Alice Epstein, abutter, expressed concerns about drainage and that her pond might be affected.

Mr. Michael Moriarty, abutter, told the Board that the view behind his house is his greatest asset, and expressed concern whether or not the evergreen would be adequate. He also expressed concerns about traffic.

Mr. Sy Epstein, 38 Bay Road, expressed concerns about arsenic, noise and traffic. The proximity of the Norwottuck Gun Club and associated noise from the shooting range should be acknowledged, he said and potential home buyers should be made aware in advance of the existence of the gun club.

Mr. Ron Jacque, 1260 West Street, was concerned that a proposed row of trees will impact his lawn. He suggested that the units be moved down field. Mr. Jacque also expressed concern about traffic. He also told the Board that he was concerned that the houses will shade the tomatoes he grows and slow the growth.

Ms. Cynthia Holmes, abutter, says that she enjoys the wooded barrier. Noise from guns and transport planes are issues that she said she doesn't think be resolved. Ms. Holmes said that she would love to see farming in the common area.

Mr. Mailler asked about the abutter who would prefer not to have the proposed row of trees, and asked about the location of the common land.

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Mr. Wells said that the common land is centrally located so that everyone can use it. He said that it can be clearly defined in order to avoid disputes or encroachments. Mr. Wells said that the row of trees doesn't have to be planted. He said that the applicant would be willing to work with the abutter.

Ms. Anderson suggested that the applicant move the units and have the common space in the back.

Mr. Howland MOVED: to close the public hearing.

Mr. Wells said that the lot layout was driven by the zoning requirements.

Ms. Epstein asked when she would know where the stormwater will go.

Mr. Epstein expressed concern about the gun club issues.

Mr. Hayden said that these concerns will be addressed at the definitive stage.

There was a question about taxes for the common land from the audience which was answered by Mr. Larry Miller, another audience member.

There was no additional public comment.

Mr. Howland MOVED: to close the public hearing. Ms. Anderson seconded, and the Motion passed, 8-0.

Mr. Mailler MOVED: to approve SUB2007-00003, West Street Cluster Subdivision, with the recommendation that the entranceway to Route 116 be studied and/or redesigned. Mr. Howland seconded.

Mr. Hayden began going through the Development Application Report and said that the Fire Department's needs should be met.

Mr. Francis added that the roadway should be revised to be 16 feet wide with 2 foot shoulders.

The Board members reviewed and discussed the waiver requests and decided they would not support a waiver for a reduction of the frontage on the flag lot. They also determined that a waiver for the lot coverage was not needed. They recommended adjusting the design to meet the requirements, so that a waiver would not be needed. A Special Permit will be needed if any reduction in setback is required.

The Board then put together the following list of recommendations to go with the Motion:

- 1) The entrance on to Route 116 should be studied and redesigned as necessary to maximize sight distances and safety.
- 2) The Common Land shall be clearly demarcated using appropriate landscaping measures so as not to be absorbed into adjacent lots.

- 3) The Homeowners Association Documents shall include language describing the ownership of the Common Land.
- 4) The Homeowners Association Documents shall include language that establishes funding and responsibilities for the maintenance of the bio-retention basin.
- 5) The roadway shall be a 16-foot wide private statutory road with 2-foot reinforced shoulders and 1-foot Cape Cod berms.
- 6) The applicant shall work with the abutters in determining appropriate plantings for screening.
- 7) Final plans for building locations on each lot shall be brought before the Board for review and acceptance.
- 8) The lot lines of Lot 3 shall be modified to be able to accommodate building circles.
- 9) The Homeowners Association Documentation shall contain language that prescribes that all external light fixtures shall be shielded and avoid light trespass.
- 10) The applicant shall propose signage on the southern property boundary to clearly indicate the presence of the Norwottuck Fish and Game Association property and the proximity of its shooting range.
- 11) The Homeowners Association Documentation shall contain language that notifies prospective buyers and owners in the development of the existence of the Norwottuck Fish and Game Association property and its shooting range.

Mr. Howland seconded.

Mr. Suarez said he was curious why the applicant is not providing an affordable unit, as originally proposed.

The Motion passed 8-0.

#### IV. OLD BUSINESS

- A. **SPR2001-00009, Kiwanis Park – Approval of Sign** – Ms. Linda Chalfant, Director of LSSE, told the Board that Kiwanis Park has been given a gift through Mr. Stan Ziomek on behalf of Peoples Bank to replace the back stop at Kiwanis Park. There will be a sign on the back stop acknowledging Peoples Bank with the name of the park and the Peoples Bank logo on it.

Mr. Howland MOVED: to approve the proposed sign. Mr. Francis seconded.

Mr. Suarez asked if this was part of a larger trend and if there would be many more of these requests. Ms. Chalfant said she didn't think so.

The Motion passed 8-0.

IV. OLD BUSINESS (continued)

C. SUB2006-00009 – Haskins View Definitive Subdivision – Decision &  
D. Development Application Schedule – ANR2007-00019, Haskins View, LLC

Attorney Peter MacConnell, representing Haskins View, LLC, appeared before the Board to request a 90-day extension of the review period. Mr. MacConnell told the Board that it would be premature to assign the Development Schedule until the driveway plan is submitted. Delaying the final vote on the subdivision will keep the options open and would have no effect on anyone, he said.

Mr. Howland said that he agrees with Mr. MacConnell in this instance and could see no reason for the Board not to grant the extension.

Mr. Howland MOVED: that the Board grant the applicant's request for a 90-day extension before taking final action on the Haskins View Subdivision. Mr. Mailler seconded.

Mr. Suarez said that he would prefer to go ahead with the vote. He suggested that the Board review the draft motion that staff prepared and go forward.

Mr. MacConnell said that they are not firm on 90 days and something may happen before then. While he said he could not make any promises, he said there is the hope that something could be worked out. The subdivision plan is so much better (than the ANR plan) he added.

Mr. Francis said that the Board should try to address it before Town Meeting begins.

Mr. Suarez said that his concern is that the Zoning Subcommittee is working to change the Subdivision Regulations and that would affect this application. Members of the Board noted that the proposed amendment would not have that effect, because the application had been filed before any changes to the regulations.

The Motion passed 8-0.

Mr. MacConnell then submitted a letter requesting the extension, which the Chair signed.

E. **Special Municipal Employee Status – Letter** – Mr. Hayden said that he is working on a draft letter which he will ask the Planning Director to distribute to the Board.

F. **Discussion – Master Plan Approval Process** – Mr. la Cour suggested that this be moved to the April 4<sup>th</sup> meeting.

Ms. Scipioni said that the Planning Board should be proactive. She said the Planning Board should have its own discussion and contribute to the process. Ms. Scipioni said the Planning Board should hold a public hearing, perhaps in the Middle School, and invite all Town Meeting members.

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Mr. Howland offered to put together a draft for the Board to work on. Ms. Scipioni, Mr. Suarez and Mr. Hayden will assist with the draft. Mr. la Cour said that he would email proposals that the CPC and their consultant had already considered to the Planning Board as a starting point.

**G. Planning Board Membership** – Mr. Hayden noted that three terms will be up this June and there is one vacancy on the Board.

**H. Other** – None

## V. NEW BUSINESS

Ms. Anderson said that she is concerned about the Haskins View subdivision and that it will provide a private enclave that will be maintained by public funds. She was bothered by the private way, she said

## VI. FORM A (ANR) SUBDIVISION APPLICATIONS

The Chair endorsed the following:

ANR2007-00021, 94 Flat Hills Road – Carla Becker, Trustee

Mr. Francis MOVED: that the Board establish June 2007 as the date that the new lot will be eligible for a building permit under the Phased Growth Bylaw. Ms. Pynchon seconded, and the Motion passed 8-0.

Ms. Scipioni stepped down from the Board at 9:55 PM.

## SUBCOMMITTEE REPORTS

**Zoning** – The Subcommittee is working on Farm Stand, Accessory Farm Stand and FPC amendments for Town Meeting.

## IX. PLANNING BOARD COMMITTEE REPORTS

**A. Pioneer Valley Planning Commission** – No Report

**B. Community Preservation Act Committee** – Mr. Francis said there has been one meeting to consider proposals. There is more money available this year than in previous years, he said.

**C. Agricultural Commission** – No Report

**D. Comprehensive Planning Committee** – No Report

**E. Flood Prone Conservancy Task Force** – No Report

**X. REPORT OF THE CHAIR** – Mr. Hayden said that he had been interviewed for an article about Haskins View in today's Daily Hampshire Gazette.



**XI. REPORT OF THE DIRECTOR – No Report**

**XII. ADJOURNMENT**

Mr. Howland MOVED: to adjourn this meeting at 10:01 PM. Mr. Suarez seconded, and the Motion passed 7-0.

Respectfully submitted:

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Sue Krzanowski, Management Assistant

Approved:

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Aaron A. Hayden, Chair

DATE: \_\_\_\_\_