

**AMHERST PLANNING BOARD**  
**Wednesday, February 15, 2006 – 7:00 PM**  
**First Floor Meeting Room – Town Hall**  
**MINUTES**

**PRESENT:** Carl Mailler, Vice Chair; Adrian Fabos, Paul Bobrowski, Mary Scipioni, Chris Boyd, Rod Francis (7:04 PM)

**ABSENT:** Aaron Hayden, Leandro Rivera

**STAFF:** Jonathan Tucker, Planning Director; Niels la Cour, Senior Planner; Sue Krzanowski, Management Assistant

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In Mr. Hayden's absence, Mr. Mailler served as Chair and opened the meeting at 7:02 PM.

**I. MINUTES – Meeting of January 18, 2006**

Mr. Bobrowski MOVED: to accept the Minutes of January 18, 2006 as submitted. Mr. Fabos seconded, and the Motion passed 5-0.

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

**V. OLD BUSINESS**

**D. Planning Board Signature Authorizations**

Mr. Boyd MOVED: that the Board authorize Mr. Hayden, Chair and Mr. Mailler, Vice Chair to sign on behalf of the Board. Mr. Fabos seconded, and the Motion passed 5-0.

**II. PUBLIC HEARING – COMBINED SUBDIVISION/SITE PLAN REVIEW**

**SUB2006-00006/SPR-C2006-00004, Simmons Cluster Subdivision, 447 Bay Road –  
Tofino Associates, Inc.**

Combined public hearing to consider a cluster subdivision application for a single-family residential development consisting of eight dwelling units, including one affordable unit located on Bay Road. (Map 26A/ Parcels 45, 46 & 47, Map 26C/Parcel 142; R-O & R-LD districts).

Mr. Mailler opened the public hearing and noted that the Board received a letter from the applicant requesting an extension to March 1.

Mr. Bobrowski MOVED: to continue the hearing to March 1. Ms. Scipioni seconded, and the Motion passed 6-0.

Since it was not yet time for the scheduled appearance, the Chair moved ahead on the agenda.

**V. OLD BUSINESS (continued)**

**A. SPR2006-00001 – Groff Park – Request to Amend Condition**

The Board considered this request to amend a condition which would have the lights be on a timer rather than be motion censored. Mr. la Cour said that motion sensors are less reliable. Mr. Bobrowski said that he initially raised the issue and he would not have a problem amending the condition.

Mr. Bobrowski MOVED: to amend condition #3 to require that lights be on a timer and will be scheduled to shut off one hour after sunset. Mr. Fabos seconded, and the Motion passed 6-0.

**B. Decision Signings – SPR2006-00003 – Porter House Accessibility Improvements; SPR2006-00002 – Amherst Shopping Center – The Board signed the decisions as written.**

**IV. NEW BUSINESS**

**A. Request to Release Escrow – Owen Drive – Coddington LLP**

The Board reviewed a request from Ms. Cinda Jones asking for the release of the performance bonds for Barkowski Meadows Subdivision. Mr. la Cour said that the Town Engineer has approved releasing the funds.

Mr. Francis MOVED: that the Board release the funds and interest for the completion of Owen Drive. Mr. Bobrowski seconded, and the Motion passed 6-0.

**III. APPEARANCE**

**ZBA2006-00024, South East Street – Scott Nielsen**

Advisory review of a request for a Special Permit for 24 dwelling units in a PURD on South East Street.

Mr. Nielsen summarized the proposal for the Board where he is proposing to build 24 townhouse units and reconstruct 1 single family dwelling on the site, located at 650 and 652 South East Street. He wanted three things from the Planning Board, he said: 1) endorsement of PURD zoning on the property; 2) a recommendation on which of two proposed designs the Planning Board would prefer; and 3) a (future) zoning amendment which would require preliminary review for similar ZBA Special Permits be included in the regulations.

Mr. Nielsen then summarized the history of the parcel and said that a very bad precedent would be set if the ZBA turns it down. Referring to strong neighborhood opposition to the proposal, Mr. Nielsen said that he has tried to be cooperative and that his current proposal, which he believes reflects the Town's housing preferences, was designed after consulting with Planning Department staff. The alternative design is being proposed in response to criticism from the first ZBA hearing. In that proposal, the buildings are lined up along the rail trail instead of the road and rotated at a slight angle, there will be less grading, and there will be a

much softer visual impact, more of the trees on the rail trail will be visible, but there will be less usable open space.

Mr. Nielsen said that he is looking for Planning Board support and assistance in guiding the ZBA in its analysis of the two plans.

The Board asked questions about the unit types, solar orientation of the houses, access to the site and buffer in front.

Ms. Carol Gray, 815 South East Street, said that she has submitted a petition article for Town Meeting to rezone Mr. Nielsen's property. Ms. Gray expressed several concerns about the proposal. Much has changed since the original agreement, she said, traffic is worse, there is less open space and the rail trail has been constructed. Ms. Gray went on to express several legal concerns as well as concerns about continued access over Old Farm Road, wetlands, the size and density of the project, preservation of scenic views. She distributed some materials and asked the Board to postpone making a recommendation to the ZBA until they had more information.

Ms. Abbe Vredenburg, 64 Valley View Drive, expressed sadness that the view will be gone.

Mr. Bob Wellman, 60 Valley View Circle, said that his concerns were about wildlife, botanical specimens, preserving farmland, wetlands, wet basements, and recommended that a hydro geologic study be done.

Mr. Nicholas Thaw, 666 South East Street, said that density is his greatest concern and 25 units are more than the area can handle. He would prefer single-family residences, he said.

Ms. Joanne Jones, 611 South East Street, said she wanted to echo the previous concerns which she shared. Ms. Jones distributed materials. Ms. Jones told the Board that people aged 55+ begin to experience questionable driving issues because their reflexes begin to dwindle. This will add to traffic concerns, she said.

Mr. Lance Davis, 627 South East Street, submitted a letter with color pictures showing the current view in front of his house and the amount of water being discharged from his basement. Mr. Davis expressed concern about the sight line and the amount of accidents on the road and said there is a tremendous amount of pedestrian and bicycle traffic on this street. He also was concerned about conservation issues.

Mr. Mike Olkin, 659 South East Street, said that he is concerned about density and said that while the view to the south is beautiful, he is unable to enjoy the view to the north because there is no sidewalk. He predicted a lengthy court battle if the proposal is approved.

Ms. Heather Colson, 784 South East Street, said that she opposes the proposal because it will take away the "New England neighborhood". High density condos are not compatible with the neighborhood and are in conflict with the ambience, she said. Ms. Colson distributed a map showing water issues/problems. She said she wants a fence around her hayfield (at Madwoman Farm).

Ms. Jocelyn Johnson, 603 South East Street, said that she is upset about the density and this particular plan. The units are too large and overdone and will devastate the neighborhood, she said.

Ms. Avril Wellman, 60 Valley View Circle, said that she is concerned about traffic problems. It's hard to get traction on the steep hill in winter, she said.

Mr. Nielsen was given the opportunity to rebut the neighbors comments and said that he agrees that traffic, density and water are issues that need to be addressed. He said that he could wait until a second meeting for a recommendation from the Board or would have no problem if the Board did not make a recommendation to the ZBA.

The Board discussed the issues raised by the neighbors and how to proceed and whether or not to make a recommendation to the ZBA. Mr. Bobrowski said that the Planning Board should make a recommendation. He asked if the neighbors had a preference between the two plans. The general consensus seemed to be that density for both plans was a major concern. Ms. Scipioni commented that a master plan should be in place and would be helpful but that rezoning this particular parcel on its own is not sound planning practice.

The Board decided they needed more time to digest all of the comments and information and postponed further discussion and their recommendation to the March 1, 2006 meeting.

#### IV. NEW BUSINESS (continued)

- B. **FY '07 Budgets** – Mr. Tucker reminded the Board that their support is necessary.
- C. **Zoning for Affordable Housing – Brochure** – in packet
- D. **Valley Vision 2 – PVPC** – in packet
- E. **Other** – The most recent address list was included in the packet. The Board briefly discussed Special Municipal Employee status and will discuss it again.

#### V. OLD BUSINESS (continued)

- C. **Town Meeting Precinct Forums** – A list of the dates for the upcoming Precinct Forums was in the packet. Mr. Bobrowski said that it might more useful to invite Town Meeting members to the Planning Board's public hearings and suggested that the public hearing schedule (for zoning amendments) be put on the Town Meeting Coordinating Committee website.

- E. **Upcoming Meeting Schedules** – in packet

- F. **Other** – None

#### VI. FORM A(ANR) SUBDIVISION APPLICATIONS

The Chair endorsed the following:

- ANR2006-00015, Bay Road – Judith Eiseman for the Kestrel Trust
- ANR2006-00016, University Drive South – Janyce Wzientka - (The Board did not

establish a Development Authorization Date because the lots are not building lots under the current zoning.)

**VII. UPCOMING ZBA APPLICATIONS**

The Board decided not to review the following:

ZBA2006-00031, 382 North Pleasant Street – Michaëlle Biddle  
ZBA2006-00032, 321 Main Street – Jeffrey Krauth

**VIII. UPCOMING SPC/SPP/SPR/SUB APPLICATIONS – None.**

**IX. PLANNING BOARD SUBCOMMITTEE REPORTS**

- A. Zoning** – Mr. Bobrowski reported that the Board is working on several zoning changes.
- B. Atkins Working Group** – No Report

**X. PLANNING BOARD COMMITTEE REPORTS**

- A. Pioneer Valley Planning Commission** – No report
- B. Community Preservation Act Committee** – Mr. Tucker said the Committee opened the public hearing on upcoming proposals for Town Meeting consideration.
- C. Farm Committee** – Mr. Boyd is waiting to be appointed.
- D. Comprehensive Planning Committee** – Ms. Scipioni reported that the Committee is in the process of reviewing the two responses to the RFP.
- E. Flood Prone Conservancy Task Force** – Mr. Mailler said that the Task Force is focusing on future mapping issues.

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

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

**XIII. ADJOURNMENT**

Mr. Bobrowski MOVED: to adjourn this meeting at 9:45 PM. Mr. Fabos seconded, and the Motion passed unanimously.

Respectfully submitted:

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Sue Krzanowski, Management Assistant

Approved:

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Carl Mailler, Acting Chair

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