

AMHERST PLANNING BOARD
Wednesday, February 16, 2011 – 7:00 PM
Town Room, Town Hall
MINUTES

PRESENT: Jonathan Shefftz, Chair, Jonathan O’Keeffe, Bruce Carson, Richard Roznoy, Rob Crowner, Stephen Schreiber, Sandra Anderson and David Webber

ABSENT: No one

STAFF: Christine Brestrup, Senior Planner

Mr. O’Keeffe opened the meeting at 7:15 PM. He later announced that the meeting was being recorded by Planning Department staff and was being recorded and broadcast by ACTV.

I. MINUTES

Mr. O’Keeffe MOVED to approve the Minutes of January 19, 2011. Mr. Roznoy seconded and the vote was 6-0-2 (Shefftz and Anderson abstained)

X. REPORT OF THE CHAIR

Mr. Shefftz reported that, while two of his family members were sick, he remains healthy, which is an unusual circumstance. He also reported that the Amherst Winterfest on February 12th had been a great success. Among other activities, there was cross-country skiing and beautiful, exciting fireworks. Mr. Shefftz congratulated the organizers for a job well done.

II. PUBLIC HEARING – SITE PLAN REVIEW

SPR2011-00006/M7471, 79 Taylor Street, You-Pan Tzeng – *continued from December 15, 2010 and January 19, 2011*

Mr. Shefftz read the agenda item and noted that this is a Site Plan Review application and therefore the use is not in question. The applicant is requesting Site Plan Review approval for a two-family detached dwelling. He directed the Board members’ attention to the Site Plan Review Criteria, Section 11.24 of the Zoning Bylaw.

Mr. Schreiber made the following disclosures:

- 1) He lives on High Street, about 400 feet away from 79 Taylor Street; he is not an abutter;
- 2) He knows one of the residents at the property because she is an architecture student at the University of Massachusetts where he teaches;
- 3) He sent an email to a neighborhood email list to notify neighbors of the dates and locations of the Planning Board and Design Review Board meetings regarding this project; a neighbor responded to the email and that email has been distributed to Planning Board members; Mr. Schreiber has had no other contact with neighbors regarding this case;
- 4) Mr. Schreiber feels that he can be completely impartial in reviewing this application.

Mr. Tzeng noted that since his last meeting with the Planning Board he had met twice with the Design Review Board. After the first meeting the DRB gave him a list of 11 recommendations. He has tried to comply with the recommendations, but has only been able to comply with two-thirds of them, since the others have to do with the asbestos board siding on the existing house. If Mr. Tzeng uses HardiePlank siding he will need to remove the asbestos siding first, since HardiePlank is too heavy to hang over asbestos. He researched removing the asbestos siding.

It is a complicated and strictly-regulated process. The Department of Environmental Protection (DEP) has stated that if the asbestos siding is in good condition, it is better to leave it alone.

Mr. Tzeng stated that the house is currently blue-gray and will remain that color, with the new siding for the addition chosen to match.

He presented the new design for the house, which includes a front porch and a more substantial connection between the two dwelling units. It also includes more detail on the new structure to make it compatible with the existing structure and the neighborhood. Mr. Tzeng also presented the new planting plan.

Ms. Brestrup noted that the Planning Board had asked the Design Review Board to review the application with respect to the DRB standards and criteria. Michael Hanke, a member of the DRB, was present to represent the views of the DRB and to present its recommendations.

Mr. Shefftz noted that the Board had received a list of multi-family houses in the Taylor Street/High Street area. Mr. Tzeng submitted the list to show that the neighborhood has a mixture of single-family and multi-family homes.

Mr. Shefftz also noted that the Board had received information on the history of the property and the appreciation of its price over the years. The history of the building dates back to 1865. There was a sale for \$3,000 (in 1944) and the next sale was for \$260,000 (in 2004).

Michael Hanke, a member of the DRB as well as a member of the Historical Commission, spoke about the DRB's review of the project. He presented a series of photographs of houses in the neighborhood and in other neighborhoods near the center of town that are good examples of historical homes that have been restored or well-maintained. He lives in the neighborhood, but is not an abutter. There is a "healthy variety" of housing stock in the neighborhood. It is a "rich" corner. Some homes have had additions, some are not owner-occupied, but the neighborhood has a nice "residential" feel. There is a nearby house with vinyl siding, but the details have been maintained. The house at 79 Taylor Street is the "most altered", he said. Asbestos siding has destroyed its sense of scale and the details have been removed. When the DRB discussed the house, Board members focused on landscaping and the finish materials on the house. The massing was "pretty good" with some minor changes, he said. This made the finishes the most important concern of the DRB. He reviewed the DRB's recommendations from January 11th and February 8th, noting which recommendations had been adopted by the applicant and which had not.

Recommendations from DRB meetings on January 11 and February 8, 2011:

1. Add a porch along the front of the building or at least over the entry doors to break up the flat façade and make the overall structure more compatible with other houses in the neighborhood; *done*
2. Add trim boards, corner boards and a "frieze" or horizontal cross-piece along the gable ends; *frieze or horizontal cross piece done, but proposed trim boards and corner boards may be too thin and insignificant if they are vinyl*
3. Replace the asbestos siding on the existing structure so that the siding on both structures will match; *still recommended although the applicant has pointed out the significant expense involved*
4. Use HardiePlank or wooden clapboards rather than vinyl siding; *still recommended*
5. Use Azek or wood for trim boards and corner boards even if vinyl siding is used; *still recommended*
6. Add more defined window frames and shutters; *still recommended; the trim boards and window frames were stripped away when the asbestos siding was installed*
7. Make the connection between the two structures more substantial; *done*

8. Develop a landscaping plan for the property, including some large trees; *done but still recommend adding a large tree at the corner of Taylor and High Street to help this house fit into the neighborhood; other houses have trees and landscaping around them*
9. Replace the metal handrails with railings that are more compatible in material and style with the existing structure and the surrounding neighborhood; *done*
10. Study the window pattern of the existing structure and try to emulate it in the new addition; *done*
11. Consult an architect to help make the building more compatible with its surroundings; *done but the architect was not hired because there wasn't a lot for him/her to contribute since the design had already been developed.*

Mr. Hanke stated that the big issue for the neighborhood is that the building will house 8 students with 8 cars. There is already trouble with on-street parking. The house as it currently exists doesn't fit into the neighborhood. The new addition will be sided in vinyl, which isn't often seen in Amherst. The neighborhood is being asked to deal with a house with 8 residents, with the concomitant trash and detrimental visual aspects of this project. A way to mitigate this is by following the suggestions of the DRB. Mr. Hanke noted that the applicant has stated that if the project becomes too expensive he will leave the house the way it is. Mr. Hanke would like to see something done to the house to make it fit in better with the neighborhood.

Ms. Anderson stated that she understood the DRB's concerns about the lack of style of the existing house and that the addition would double the size of a house that lacks style, but she also understands the applicant's concern about expense. She asked if the corner boards and trim around the windows and possibly shutters could be added over the asbestos on the existing structure and over the vinyl on the proposed structure. Would this satisfy the concerns of the DRB?

Mr. Hanke noted that it was not so much the material of the asbestos as the scale of the boards that is the problem. But he understood that asbestos is difficult to manipulate and has to be cut carefully. He also noted that the decision about the cladding of the building is a social issue. The neighborhood is being asked to accept the addition of 4 more students. The applicant could balance out this disadvantage with the advantage of making the house look better for the neighbors.

Ms. Anderson asked about the landscape plan and whether it reflected the changes recommended by the DRB. Ms. Brestrup noted that the landscape plan that was currently before the Planning Board had not been revised to reflect the recommendations of the DRB. Mr. Tzeng responded that he had no problem adding more trees.

Mr. Schreiber stated that the Board was faced with a lot of issues, some financial, which it was not equipped to evaluate. He asked if the siding had been tested to see if it were asbestos.

Mr. Tzeng stated that the siding was asbestos and he reiterated that it is in good condition and DEP recommends not removing asbestos siding if it is in good condition. He stated that a licensed contractor would need to be hired, for a cost of \$10,000 to remove the siding. In addition, HardiePlank is 3 or 4 times more expensive than vinyl siding. It is also more expensive to install. As a compromise, he offered to install vinyl siding on the existing building and the addition, so that they will be integrated into one. Then details can be added to the building along with the vinyl siding. This is an expensive compromise, but he is willing to do it since he understands how much the residents value the neighborhood.

Mr. Schreiber asked if the DRB could become involved again, but Mr. Shefftz stated that the burden is now on the Planning Board to make a decision.

Mr. Hanke noted that the applicant had offered to cover the existing as well as the proposed structure in vinyl, as a compromise, something that he hadn't discussed with the DRB. If the existing structure is covered in vinyl and the applicant is able to add trim boards and bring the building back to a condition similar to those of the neighboring structures, given the situation, the DRB could probably accept this "hybrid" solution – if it is done well.

Hilary Black of The Home Store stated that vinyl siding can be installed over asbestos. Sheathing, recommended by the DEP, is added over the asbestos, with the vinyl on top. She noted that the computer mock-up that was presented to the Planning Board does not indicate the true width of the proposed corner boards (5") because of limitations with the computer program.

Mr. Shefftz read three emails that had been received by the Planning Board:

- Email from Jerry Guidera, Director of the Center for Cross Cultural Study, located at the corner of Gray Street and Main Street, dated February 12, 2011, criticizing the proposed project;
- Email from Ron Bohonowicz, Director of Facilities for the school system and the town, dated January 18, 2011, pointing out concerns about parking, school bus access along High Street and snow removal;
- Email from Assistant Chief Don McKay of the Fire Department, dated January 7, 2011, regarding Fire Department support if the building is sprinklered.

Mr. Tzeng stated that Eagle Crest Property Management uses a local company to clear the snow. The company has brought in a truck to clear away the snow. Mr. Tzeng confirmed that he plans to install a sprinkler system in the building.

Ms. Brestrup noted that after the December 15th meeting she spoke with Town Counsel, Joel Bard. Mr. Bard has cautioned that, because this is a Site Plan Review process, the Planning Board is limited in its ability to control the way the interior of the building is used. That is, it would not be appropriate for the Board to place conditions on the use of the rooms or to require that doors be removed from certain rooms, or that doorways be widened to prevent the rooms from being used as bedrooms. However, the Board could craft a condition that highlights the existing zoning limitation regarding a maximum of 4 unrelated individuals allowed to live in one dwelling unit.

Bob Tancredi of 57 High Street commented on the application. He made the following suggestions, which were also contained in an email submitted to the Planning Department:

- 1) That the Board craft conditions that will apply to the property in the future and will not be dependent on who owns the property;
- 2) That the proposed parking layout be approved, with only one parking space visible from the street;
- 3) That the two separate driveways off High Street be maintained as two driveways, with a barrier between them;
- 4) That a barrier be installed at the edge of the driveways to prevent people from driving onto the lawn;
- 5) That boulders be used as barriers;
- 6) That 2 or 3 trees be added to the yard on the High Street side;

- 7) That a fence be installed around the whole property (a white picket fence) to give the property a more residential look;
- 8) That vinyl siding be installed on the existing structure;
- 9) That shutters be added to the windows.

Ms. Black noted that the proposed porch has been narrowed to 4 feet wide from the standard 6 feet, to respond to the concerns of neighbors about the possibility of students hanging out on the porch.

Mr. Tancredi noted that the neighborhood is looking for a trade-off. The property is remotely-owned, for the purpose of making money. The neighbors want to keep up the property values.

Mr. Tzeng stated that he was willing to install a fence. However, the driveway was proposed to be used as a turnaround, so that tenants can enter onto High Street without having to back out. The intent was to leave the turnaround free from parked cars. Mr. Tzeng is willing to do whatever the Planning Board wants regarding the driveway. There was some discussion about the issue of backing out onto High Street.

Sherrill Harbison of 70 Taylor Street expressed concerns about maintenance of the property and supervision of the parking situation. There is nothing to keep students abiding by the rules, she said. Noise needs to be regulated. She expressed concerns about noise, degradation and neglect, and students hanging out on the porch. Student parties often begin at 10:00 p.m. and go on until 4:00 or 5:00 a.m.

There was discussion about the town-wide problem of controlling rental properties. Ms. Brestrup noted that members of the town staff, including the Planning Department, the Health Department, Inspection Services and the Police Department, were working on a system to regulate rental housing in town. Residents who were concerned about too many tenants living in one unit should file a written complaint with Inspection Services.

There was discussion about whether shutters, boulders and fencing were appropriate for this property and this neighborhood.

Ms. Brestrup noted that the parking situation at 219 Amity Street had been successfully controlled by the installation of landscape timbers and planting of shrubs to mark the edge of parking and to screen the parked cars.

Denise Barberet of 67 North Whitney Street, former member of the Planning Board, offered her perspective on living across the street from a rental property for 19 years, including problems with parking, noise and trash.

Nina Weyl of 101-103 High Street agreed with the compromise proposal of installing vinyl siding on both the existing structure and the proposed addition. She suggested that the trim not be vinyl, but that it be wood or other similar material.

Mr. Shefftz asked if the Board members were ready to close the public hearing and draft conditions, or wished to ask the applicant to come back with additional information.

Ms. Anderson noted that the Board had discussions about several issues, including the driveway, fencing, boulders and landscaping. She suggested that the applicant come back with a more substantial landscape plan, perhaps engaging the services of a landscape architect.

Mr. Schreiber agreed that the Board did not have enough information to make a decision. He asked for the following information:

- What is the material of the porch and the porch railing?

- What is the material of the trim boards, corner boards and window frames?

Mr. Tzeng stated that he had contacted a civil engineer. He asked for direction from the Planning Board about the extent of information that they required on grading and drainage.

Mr. Shefftz noted the following items of consensus among the Planning Board members:

- The Board would not require the applicant to remove the asbestos siding;
- The Board would not require wood or fiber cement siding;
- The Board would agree with vinyl siding for both existing and proposed structures, with wood or other substantial trim being used.

Mr. Schreiber asked that the applicant hire someone who could certify that the grading and drainage on the site would not cause water problems downstream from the property.

Mr. Shefftz noted that landscaping was a central issue.

Mr. O’Keeffe noted that there was still a fair amount of unknown information about the project. He stated that the applicant needed a roadmap for proceeding. Based on the comments received from the public and the applicant’s willingness, the Board had reached consensus that vinyl siding for the entire structure was the best practical approach, in order to unify the structures.

Mr. O’Keeffe stated that the Board would like to see the following:

- A plan for treatment of the building;
- A plan addressing landscaping;
- A plan addressing parking issues, including the need to constrain the parking to 8 spaces, with two separate driveways leading into the site.

Mr. Schreiber stated that the Board would like to see design development level drawings of the building, with materials called out. He stated that if the windows were nicely detailed, there would be no need for shutters.

Mr. Webber stated that the Board would like to see details about lighting, including what lights will be used, and information stating that the lights will not shine onto adjacent properties. Ms. Anderson stated that the lights should conform to the style of the house.

Mr. Schreiber suggested that a landscape architect be hired to deal with vegetation, grading and drainage, as well as parking management and stormwater management. Perhaps the landscape architect can create swales to hold the stormwater on site. The site would be nicer if street trees were added.

There was discussion about how much stormwater a project like this would generate.

Mr. Tzeng stated that he had a surveyor prepare the site plan, as allowed by the Planning Board Site Plan Review submission criteria. Because the building is less than 35,000 c.f. there was no need to hire an architect.

Mr. Shefftz stated that the consensus of the Planning Board is that boulders are not appropriate to control parking and that stone walls are probably too expensive.

The Board members focused on what they wish to achieve:

- 1) Parking issues – separate the two driveways; do not use boulders; prevent parking on the lawn;
- 2) Landscaping issues – add trees, particularly along the High Street side;

- 3) Stormwater management – address the issues of stormwater management, drainage, downspouts;
- 4) Fencing – street trees and other plantings are preferable to a fence;
- 5) Circulation – install a walkway to Taylor Street from the entryways while keeping the existing walkways;
- 6) Lighting – provide a lighting plan;
- 7) Management Plan – address the issues of trash storage, so that trash cans are not stored in the front yard; perhaps add stronger language in the lease about taking trash receptacles from the street and storing them back in the yard or in the garage;

Mr. Roznoy MOVED to continue the public hearing to March 2, 2011. Mr. Webber seconded and the vote was 7-0-1 (Carson abstained).

III. OLD BUSINESS – none

IV. NEW BUSINESS

- A. CPTC Brochure – Registrations are due on March 3rd, in the Planning Department.
- B. Planning Commissioners' Journal – no discussion
- C. Municipal Advocate Article – Design Can Improve Health, Environment and Local Economy – no discussion
- D. Green Communities (Massachusetts Department of Energy Resources – update – Ms. Brestrup reported that Planning Department staff had met with Jim Barry, a representative of DOER (Massachusetts Department of Energy Resources) regarding the criteria for Green Communities designation. It now appears that the town's existing Zoning Bylaw and Zoning Map may be sufficient to meet Criteria #1 and #2 of the Green Communities requirements. It appears that no zoning amendments will be required prior to submitting an application for designation. Ms. Brestrup encouraged members of the Planning Board to attend the upcoming informational meeting about the Green Communities Act on February 24th.
- E. New Information – none

V. FORM A (ANR) SUBDIVISION APPLICATIONS – none

VI. UPCOMING ZBA APPLICATIONS – none

VII. UPCOMING SPP/SPR/SUB APPLICATIONS – none

VIII. PLANNING BOARD SUBCOMMITTEE REPORTS

Zoning – Mr. O'Keeffe reported on recent activity of the Zoning Subcommittee. The ZSC has been discussing potential changes to parking regulations. The issue of parking is one that often comes up during Site Plan Reviews like the one being considered tonight. There is a zoning amendment and a General Bylaw amendment being proposed to control parking. In addition the ZSC has been discussing the definition of a duplex. Mr. Schreiber noted that however a duplex is defined, there needs to be some room for flexibility and innovative design.

IX. PLANNING BOARD COMMITTEE & LIAISON REPORTS

Pioneer Valley Planning Commission – Mr. Schreiber reported that the PVPC met the previous week. Someone from the state government gave a presentation on how the state is trying to encourage the conservation of energy. Aaron Hayden is now the PVPC alternate representative for Amherst. Mr. Schreiber had reminded the PVPC to be mindful of Amherst’s connection to the rail system. This notion was resisted by PVPC because they stated that there were not enough resources to lobby in favor of the “Central Corridor”. The proposal was defeated by a close vote. There will be a sub-regional meeting soon. The maps that were recently reviewed by the Planning Board are going into “Valley Vision II”. The original “Valley Vision” was approved by 40 out of 43 communities, not including Amherst. PVPC is also trying to “get ahead” of the new state zoning law.

Community Preservation Act Committee –Ms. Anderson passed around a list of CPAC funding requests and stated that there was a meeting scheduled for February 17th. CPAC is in the process of hearing presentations about the funding requests.

Agricultural Commission – none

Public Transportation and Bicycle Committee – none

Amherst Redevelopment Authority – Mr. Webber reported that the Redevelopment Authority is considering proposals for the “Old Fraternity Row” [Gateway] visioning process.

X. REPORT OF THE CHAIR – previously given

XI. REPORT OF STAFF – none

XII. ADJOURNMENT

The meeting was adjourned at 9:51 p.m.

Respectfully submitted:

Christine M. Brestrup, Senior Planner

Approved:

Jonathan Shefftz, Chair

DATE: _____