

**AMHERST PLANNING BOARD**  
**Wednesday, March 2, 2011 – 7:00 PM**  
**Town Room, Town Hall**  
**MINUTES**

**PRESENT:** Jonathan Shefftz, Chair, Bruce Carson, Richard Roznoy, Rob Crouner, Stephen Schreiber, Sandra Anderson and David Webber

**ABSENT:** Jonathan O’Keeffe

**STAFF:** Jonathan Tucker, Planning Director; Christine Brestrup, Senior Planner

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Mr. Shefftz opened the meeting at 7:14 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. Schreiber MOVED to approve the Minutes of February 16, 2011. Mr. Roznoy seconded. Mr. Roznoy recommended a correction to the way the votes were recorded on pages 1 and 7. The vote was 7-0 to approve the Minutes as amended.

**XII. REPORT OF THE CHAIR**

Mr. Shefftz reported that his daughter, Micayla, had taken her first steps recently.

**II. PUBLIC HEARING – ZONING AMENDMENTS**

**A-6-11 Watershed Protection (WP) Lot Coverage (Planning Board)**

To amend Section 6.18 and Table 3, Dimensional Regulations and its associated footnotes in the Zoning Bylaw in order to comply with state surface water supply protection regulations.

Mr. Shefftz read the preamble and opened the public hearing.

Mr. Crouner presented the report of the Zoning Subcommittee. State laws governing the protection of towns’ water supplies have changed. The state law now establishes a maximum impermeable surface area per property allowed within watershed protection areas. The Zoning Bylaw needs to be changed to bring it into compliance with state law. The proposed zoning amendment would stipulate that a property cannot have more than 15% of its area covered with impermeable surface. There was not much discussion about this amendment at the Zoning Subcommittee, said Mr. Crouner. The ZSC voted 3-0 to recommend to the Planning Board that it recommend this zoning amendment to Town Meeting.

Mr. Carson noted that the ZSC had talked with Planning Department staff who had reported that only two property owners had contacted the Department about this amendment.

Mr. Tucker stated that staff had identified property owners who were affected by the proposed change and notified them of the public hearing. The two properties whose owners had contacted the Planning Department did not approach the limits for coverage being established by the state, i.e., 15% coverage without artificial recharge and 20% with artificial recharge.

Sarah la Cour of W.D. Cowls noted that Cowls owns two big lots which are partially covered by the Watershed Protection Overlay district. She asked if the 15% and 20% limits apply to the entire parcel or only the portion of the parcel that lies within the WP zoning district.

Mr. Tucker stated that the coverage limits apply only to those portions of the lots which lie within the WP Overlay zoning district. “Zoning only applies where it is”, he said. Mr.

Tucker offered to ask Town Counsel if the language of the proposed amendment should be clarified. Mr. Webber noted that he had had the same question.

Mr. Crouner MOVED that the Planning Board recommend approval of this article to Town Meeting. Mr. Schreiber seconded and the vote was 7-0.

**V. OLD BUSINESS**

- A. CPTC Conference – Registration by March 3<sup>rd</sup> – Mr. Tucker encouraged Planning Board members to attend the Citizen Planners’ Training Collaborative conference on March 19<sup>th</sup> and to submit their registrations to the Planning Department by March 3<sup>rd</sup> if they would like the town to pay the registration fee.
- B. Other Old Business – none

**VI. NEW BUSINESS**

- A. Request to release escrowed funds – W. D. Cowls, Inc. – Lawrence Circle  
Mr. Tucker noted that the purpose of holding the escrowed funds for a subdivision is to guarantee the completion of the work related to the subdivision road. The work has been completed. Ms. Brestrup stated that the funds were to be returned to Constructive Enterprises LLC.

Mr. Crouner MOVED to release the funds escrowed for Lawrence Circle. Mr. Webber seconded and the vote was 7-0.

- B. New Information – none

**VII. FORM A (ANR) SUBDIVISION APPLICATIONS – none**

**VIII. UPCOMING ZBA APPLICATIONS – none**

**IX. UPCOMING SPP/SPR/SUB APPLICATIONS – none**

**X. PLANNING BOARD SUBCOMMITTEE REPORTS**

Zoning – Mr. Crouner presented the report of the Zoning Subcommittee. There were two zoning amendment public hearings scheduled for this evening before the Planning Board and there will be two more in two weeks – duplexes and residential parking. After that, there will be at least two more. The Zoning Subcommittee is considering the Development Modification zoning amendment in a different form from the one that was brought to Town Meeting in the fall. In addition, a citizens’ petition has been submitted to allow backyard chickens and some other types of accessory livestock by right in certain zoning districts. The Planning Board may work on an alternative version of this petition article. There is also another technical article having to do with accessory fill. The Zoning Subcommittee has chosen a consultant to handle the visioning process for North Amherst and Atkins Corner. Mr. Crouner did not identify the chosen consultant.

## II. PUBLIC HEARING – ZONING AMENDMENTS

### A-7-11 SPR Submission Requirements (Planning Board)

To amend Section 11.220 of the Zoning Bylaw to clarify submission standards for Site Plan Review approval applications.

Mr. Shefftz read the preamble and opened the public hearing.

Mr. Crowner presented the Zoning Subcommittee's report on this zoning amendment. This is a small technical fix, he said. It changes the language in the Zoning Bylaw regarding the number of copies of a plan required to be submitted to the Planning Board. The number of plans is specified in the Planning Board Rules and Regulations. It is not necessary to have the number in the Zoning Bylaw as well. In addition, there is a change regarding filing of the application. The original of the application is filed with the Town Clerk by the Planning Department staff, not by the applicant. The Zoning Subcommittee voted 3-0 to recommend to the Planning Board that it recommend approval of this article to Town Meeting.

Mr. Schreiber MOVED to recommend approval of this article to Town Meeting. Mr. Carson seconded and the vote was 7-0.

## XI. PLANNING BOARD COMMITTEE & LIAISON REPORTS

**Pioneer Valley Planning Commission** – no report

**Community Preservation Act Committee** – Ms. Anderson reported that the CPAC would be meeting on March 3<sup>rd</sup> in Town Hall.

**Agricultural Commission** – no report

**Public Transportation and Bicycle Committee** – Mr. Roznoy reported that the JCPC (Joint Capital Planning Committee) would be receiving a request to fund a transportation plan for the town from the PTBC, with the support of Guilford Mooring and the DPW.

**Amherst Redevelopment Authority** – Mr. Webber reported that the ARA has been meeting in Executive Session, so there is no report.

## III. JOINT MEETING WITH DESIGN REVIEW BOARD

**ZBA FY2011-00018 – Olympia Oaks c/o HAP, Inc.** - Rudy Perkins, Project Manager & Staff Attorney for HAP, Inc. (known as HAPHousing)

Presentation and review of ZBA Comprehensive Permit application for multi-unit affordable residential development off East Pleasant Street (Map 8D/Parcel 20, RN Zoning District)

Ms. Brestrup introduced Derek Noble, a member of the Design Review Board. This meeting provides an opportunity for members of the Planning Board and Design Review Board to hear a formal presentation about the proposed Olympia Oaks housing development and to offer recommendations to the Zoning Board of Appeals if they wish to do so, she stated.

Mr. Shefftz noted that this was not a public hearing to decide approval. He also noted that he is acquainted with Rudy Perkins through a Jewish group that meets once a month.

Joanne Campbell, Executive Director of the Valley CDC (Community Development Corporation) began the presentation. She reminded the Planning Board members that HAP Housing, Inc., had come before the Board about two months ago, with an informal presentation about the project. She introduced Rudy Perkins of HAP Housing, Aelan Tierney

and Chuck Roberts of Kuhn Riddle Architects and Chris Stidsen of Doucet Associates. Both HAP and Valley CDC are non-profit housing organizations that together have built over 1,000 units of affordable housing in the Valley. She noted that the Town of Amherst has been working for over 20 years to develop affordable housing on this site.

Chuck Roberts reviewed the goals of the proposed development which include sustainability, accessibility, connection to the community, preservation of natural surroundings and neighborhood character. He presented a locus plan of the site, showing the area that will act as open space for this development and the area that is preserved conservation land.

Mr. Roberts described the Design Development Site Plan. The land slopes from west to east. The buildings are being placed along the contours with an open space in the middle. Crosswalks will tie the sidewalks together. More attention has been paid to pedestrian circulation, connections between the units and connections to the main sidewalk on Olympia Drive since the last meeting with the Planning Board. The buildings will be multi-unit buildings. There will be a community house with a laundry. In the center of the site there will be a playground.

Chris Stidsen described the Erosion Control Plan. There will be a silt fence with straw wattles to keep sediment from entering the wetlands. There are wetlands to the east and south of the site. There will be a place near the beginning of the site for trucks to knock off sediment before entering the town roadways. Silt sacks will keep sediment out of pipes. Regarding the Grading and Drainage Plan, there will be "deep-sump" catch basins. There is a 30 foot drop from one side of the site to the other. The road grading is between 5% and 8%. The stormwater will be piped to a "sediment forebay" and then to a detention basin. Mr. Stidsen indicated the snow-storage areas on the plan. Snow storage areas are located on the inside of the loop road. Snow melt will flow to the roadway and be treated by the drainage system before entering the detention basin.

Aelan Tierney described the architectural design of the buildings. There will be 42 units altogether, with the following distribution:

- 8 – one-bedroom units
- 21 – two-bedroom units
- 13 – three-bedroom units.

The units will be distributed as follows:

- 28 townhouse units
- 14 single-level units
- 3 fully-accessible units.

Ms. Tierney stated that the units will be energy-efficient. She described the interior of the units. They will each have a defined semi-private outdoor space and storage sheds for bicycles. The housing will be farmhouse-style. The community building will be pavilion-style.

Mr. Perkins stated that the circulation plan had been revised based on comments from the Planning Board. The sidewalks were now connected to the municipal sidewalk. In addition, there have been improvements made regarding disability access, including tactile strips at curb-cuts, the addition of three hearing-impaired units, three units for mobility-impaired people, and the van spaces will be 8 feet wide with an 8 foot access aisle.

Mr. Perkins reviewed the waivers that HAP Housing is requesting from the Zoning Board of Appeals under the Comprehensive Permit application:

- Waiver 1 – to allow townhouses in the R-N zoning district;
- Waiver 2 – to allow apartments in the R-N zoning district;
- Waiver 3 – to allow multiple uses on one lot in the R-N zoning district;
- Waiver 4 – to allow development on a property with no frontage;
- Waiver 5 – to allow development with only 75 parking spaces, rather than the 84 spaces required by the Zoning Bylaw;
- Waiver 6 – to waive the requirement for 10% landscaped open space in parking areas;
- Waiver 7 – to waive the Residential District signage area restrictions;
- Waiver 8 – to waive the Residential District signage height limitation;
- Waiver 9 – to waive the town Wetlands Bylaw setback limit from wetlands for the stormwater management basin.

Mr. Perkins also reviewed the findings that will be requested from the ZBA regarding bicycle racks and “Identification and directional signage”.

He described the site as a 27 acre parcel out of which 13.5 acres will be associated with the housing development. Housing will be clustered on approximately half of the 13.5 acres with the other half remaining as open space. HAP will have a “ground lease” with the town for the use of the portion of the site that will contain the housing development.

Mr. Perkins stated that part of the project will be to resurface and upgrade Olympia Drive. Parking will be tucked in building by building. There is also a small gravel parking lot near the Sigma Phi fraternity. The portion of this lot that lies on town land will be used by HAP.

Mr. Perkins stated that the project will be connected with town water and sewer lines. Sewage will flow to a low point and then be pumped up into the town system. The consultants have discussed this system with the DPW. The tenants will have meters for electricity but their heat and hot water will be included in their rent. The units will be rental units. HAP will do the maintenance and management.

There was discussion about the clockwise traffic circulation pattern. Mr. Stidsen stated that the traffic would be one-way and would circulate in a clockwise fashion around the loop road. Because of the location of the gravel parking lot at Sigma Phi and the presence of some large oak trees and a need to locate the dumpster in a particular location (on the way out of the site, rather than on the way in) the intersection of Olympia Drive and the site driveway was designed the way it is shown on the plan.

There was discussion about the pedestrian circulation, the connection of the walkways to the Olympia Drive sidewalk, and the connection to all of the units. There was discussion about the connection of the sidewalks to the bus stop. Ms. Anderson stated that she hoped that the maintenance department would keep the sidewalks clear of snow in the winter. Mr. Perkins stated that there may be a need to eliminate the exterior stairs because they would have to be hand cleared.

Mr. Schreiber asked about the pedestrian connection to the northern-most units and why there wasn't one more sidewalk connection. Mr. Stidsen stated that the roadway in this location is 8% so the sidewalk would not be accessible.

Mr. Perkins noted that the central area is the pedestrian area, although he stated that the designers would look at the circulation again, taking Planning Board comments into account.

Ms. Anderson asked about visitor parking. Ms. Tierney stated that there are 1 ½ parking spaces per unit. Each unit is expected to have about one car, so that leaves some of the spaces for visitors. There are also visitor spaces provided near the community building.

Mr. Crouner asked about repaving Olympia Drive and whether a stretch of sidewalk could be added between Olympia Drive and Village Park. There is a 300 foot gap, he said. Mr. Perkins stated that HAP is looking into closing this gap, but will need to talk to the town about maintenance.

Mr. Crouner asked about outdoor drying of laundry. Ms. Tierney stated that since each unit had its own private patio or deck, tenants could hang laundry on the patios or decks. Mr. Perkins will review the lease to make sure that outdoor drying can be accommodated.

Mr. Shefftz asked the Board members if there were any specific concerns that they wished to pass along to the Zoning Board of Appeals. There were none.

Mr. Crouner MOVED that the Planning Board recommend that the ZBA approve all of the requested waivers. Mr. Schreiber seconded and the vote was 7-0.

Mr. Noble of the Design Review Board stated that he had no additional comments. The project was well-done, he said.

#### **IV. PUBLIC HEARING – SITE PLAN REVIEW**

##### ***SPR2011-00006/M7471, 79 Taylor Street, You-Pan Tzeng – continued from December 15, 2010, January 19, 2011 and February 16, 2011***

Request Site Plan Review approval to create a two-family detached dwelling under Section 3.321 of the Zoning Bylaw by attaching a two-story house to the existing two-story house. (Map 14B/Parcel 78, R-G District)

You-Pan Tzeng presented further information on his application. He had hired a registered landscape architect who has developed a landscape plan. He has addressed concerns about parking on the lawn by proposing plantings. He has divided the two driveways with plantings and has left a space for cars to turn around before they exit onto High Street. He has added trees and shrubs to the plan. The stormwater will be guided towards High Street. He has prepared a lighting plan to show the pattern of light that will be cast by the fixtures. He went back to the Design Review Board to get their input on the revisions. The DRB meeting went well and the members were happy with the revisions to the building and site plan.

Mr. Schreiber noted that the Planning Board had asked for architectural drawings that called out the materials.

Ms. Brestrup noted that the Board could approve the Site Plan Review application with a condition that would require that drawings specifying materials to be used on the building be brought back to the Board for review prior to a Building Permit being issued.

Mr. Tzeng stated that he will provide that once he gets approval. He is reluctant to invest in detailed plans until he knows that he can build the addition.

Ms. Anderson asked about the landscape plan. The plan and elevation are not consistent with regard to placement of the walkways. There was a lengthy discussion about the number of and location of walkways from the house to Taylor Street and High Street.

The Board decided by consensus that the plan should show a walkway from the front porch to Taylor Street. Mr. Noble noted that there is no existing walkway from the north side of the building to the street. The Board decided that there should be a central walkway from the porch

to Taylor Street and that the walkway shown from the back [west] door to Taylor Street may also remain.

Mr. Tzeng stated that the porch has been narrowed to 4 feet to prevent parties on the porch.

There was lengthy discussion about how tenants would enter the building from the parking lot if they lived in the unit on the east side. Mr. Tzeng stated that people will enter through a door on the west side of the building that is not shown on the plans.

Ms. Anderson questioned how the small plantings proposed would keep cars from driving on the front. There was discussion about the planting plan.

Mr. Schreiber recommended that a large tree be planted on the north side of the driveway to keep people from driving on the front lawn.

Ms. Anderson stated that the cars in back of the house should be screened from view from Taylor Street. She questioned the size of the plants proposed there. Mr. Noble noted that two of the proposed plants are Kousa Dogwoods, which are relatively large plants. The smaller plants are “understory” plantings, he said.

Mr. Roznoy MOVED to close the public hearing. Mr. Crouner seconded and the vote was 6-0-1 (Carson abstained).

Mr. Shefftz, with the other Board members, reviewed the Development Application Report as follows:

Parking – the parking plan is set; there will be a condition to prevent parking outside the designated spaces; there will be no more than one car parked in front of the building line on High Street; there will be no parking outside of designated spots;

Landscape – the applicant shall submit a revised landscape plan with an additional tree planted near the driveway to keep people from parking or driving on the lawn; the landscape plan shall show an additional walkway extending from the front of the building to Taylor Street; the walkway to High Street from the front door can be eliminated; the Board members discussed whether the island between the two driveways needed to be extended and decided that it did not; the widened driveway near the street (High Street) can be used as a turnaround;

Lighting plan – the lighting plan is satisfactory;

Erosion control plan – there are no concerns about erosion control;

Traffic Impact Statement – the requirement for a Traffic Impact Statement will be waived;

Historical Setting – there will be a condition requiring submission of details on all of the materials to be used on the exterior of the house; Mr. Schreiber requested that Design Development drawings be submitted, with materials called out;

Design Review Board – the Design Review Board has reviewed the proposed architecture and landscape plan based on the DRB Standards and Criteria listed in Sections 3.2040 and 3.2041 of the Zoning Bylaw and has submitted recommendations to the Planning Board;

Lease – there are no concerns about the lease;

Number of bedrooms versus number of tenants – Ms. Brestrup reported that she had spoken with Town Counsel, Joel Bard, and he advised her that the Planning Board should not impose a condition related to the use of particular rooms or a condition related to widened doorways or the elimination of doorways to keep certain rooms from being used as bedrooms; the Board may craft a condition that points out the section in the Zoning Bylaw that limits the number of

unrelated persons dwelling together; the Board declined to impose such a condition since the Bylaw already exists and can be enforced by the Building Commissioner;

Grading and drainage – there will be a condition requiring the applicant to submit the grading and drainage plan to the Town Engineer for his review and approval;

Parking setbacks from the building – the Board will vote to waive these setbacks.

The Board found under Section 11.24 of the Zoning Bylaw, Site Plan Review, as follows:

- 11.2400 – The project is in conformance with all appropriate provisions of the Zoning Bylaw and with the goals of the Master Plan; the project is exempt from the parking setback requirements (Section 7.101) and will receive a waiver from the requirement for a Traffic Impact Statement;
- 11.2401 – Town amenities and abutting properties will be protected because detrimental or offensive actions will be minimized; the parking lot has been designed to provide parking at the rear of the building, with screening; the front porch will be only four feet wide to discourage groups from gathering on the porch; lighting will be downcast;
- 11.2402 – Abutting properties will be protected from detrimental site characteristics resulting from the proposed use because the building and landscape design have been carefully reviewed by both the Design Review Board and the Planning Board; most of the parking will be at the rear of the building and will be screened; the front porch will be only four feet wide to discourage groups from gathering on the porch; lighting will be downcast;
- 11.2403 – N/A;
- 11.2410 – The existing structure is not an outstanding historical or scenic structure; the existing structure and proposed addition are being designed to reflect and be compatible with architectural details found on historic houses in the neighborhood;
- 11.2411 – The proposed methods of refuse disposal are adequate; there will be weekly pick-up of trash and recyclables; there will be pick-up from the rear of the site so that trash and recycling receptacles do not sit out by the street between pick-ups;
- 11.2412 – The structure will be connected with the town sewer and water systems; the Town Engineer has not expressed any concerns about the ability of the town's systems to handle the additional dwelling unit;
- 11.2413 – The adequacy of the proposed drainage system within and adjacent to the site will be reviewed by the Town Engineer as a condition of this Site Plan Review approval;
- 11.2414 – Adequate landscaping will be provided because a landscape plan has been submitted that shows the addition of trees and shrubs and screening of the parking area; in addition, a revised landscape plan will be submitted showing the addition of one more tree;
- 11.2415 – There are no steep slopes on this property; there are no concerns about erosion control;
- 11.2416 – N/A;
- 11.2417 – The adjacent properties will be protected by minimizing the intrusion of lighting because all new lighting will be downcast; the Planning Board and Design Review Board have both reviewed the Lighting Plan and found it to be satisfactory;
- 11.2418 – N/A; the Town Engineer will review the plan for storm water management;
- 11.2419 – N/A
- 11.2420 – N/A
- 11.2421 – The development is reasonably consistent with respect to setbacks, placement of parking, landscaping and entrances and exits with surrounding buildings and development; a landscape plan has been submitted showing proposed plantings and



screening of parking; the existing and proposed buildings meet setback requirements and are consistent with other buildings in the neighborhood with respect to setbacks;

11.2422 – N/A;

11.2423 – The two sections of the building will relate harmoniously with each other in architectural style, site location and building exits and entrances; they have been carefully reviewed by the Design Review Board and Planning Board using the Design Review Standards and Criteria set forth in Sections 3.2040 and 3.2041 of the Zoning Bylaw; a design development plan showing materials will be submitted to the Planning Board for review and approval, prior to issuance of a Building Permit;

11.2424 – N/A;

11.2430 – The site has been designed to provide for the convenience and safety of vehicular and pedestrian movement both within the site and in relation to adjoining ways and properties; there will be multiple pathways leading from the structure to the public sidewalks; parking will be located behind the structure; there will be a turnaround area at the front of the driveway for cars to turnaround before exiting onto High Street;

11.2431 – The location and number of curb cuts minimizes turning movements and hazardous exits and entrances; there is one wide curb cut (approximately 24 feet wide) that accommodates two driveways, which are separated on the property by a planting bed; there is a turnaround area at the entrance to the driveway to allow cars to turn around prior to exiting onto High Street;

11.2432 – The location and design of parking spaces, bicycle racks, drive aisles, and sidewalks has been provided in a safe and convenient manner; parking spaces will be located behind the structure, bicycle racks will be provided between the parking area and the rear of the existing building; drive aisles are separated; one serves the garage attached to the house and one serves the parking area at the rear of the structure; multiple walkways will connect the structure with the public sidewalks; bicycle racks will be shown on the landscape plan;

11.2433 – N/A;

11.2434 – N/A

11.2435 – N/A

11.2436 – N/A; the requirement for a Traffic Impact Report will be waived;

11.2437 – N/A.

Mr. Roznoy MOVED to approve the Site Plan Review application with conditions and waivers as noted. Ms. Anderson seconded and the vote was 6-0-1 (Carson abstained).

#### Waivers

1. Traffic Impact Statement
2. Erosion Control Plan
3. Sign Plan
4. Lighting Plan – no need for a waiver; adequate lighting information has been submitted.
5. Section 7.101 of the Zoning Bylaw – parking and driveway setbacks

Conditions

1. Design Development Drawings (plans and elevations) for the building, including information on materials to be used on the exterior of the existing and proposed portions of the structure, shall be submitted for review and approval by the Planning Board prior to the issuance of a Building Permit.
2. Parking shall be as shown on the site plan (Landscape Plan stamped "received March 1, 2011"). There shall be no parking outside of designated spots and no more than one car parked in the front of the building on the High Street side.
3. A revised Landscape Plan shall be submitted showing an additional tree on the north side of the driveway, to prevent people from parking or driving on the lawn. The Landscape Plan shall show a walkway extending from the front (north side) of the building to Taylor Street. The walkway from the front of the building to High Street may be eliminated if the applicant chooses to eliminate it.
4. A Grading and Drainage Plan shall be submitted to the Town Engineer for review and approval.
5. Landscaping shall be installed in accordance with the approved Landscape Plan and, once installed, shall be continually maintained.
6. Four copies of the final revised plans shall be submitted to the Planning Department.
7. This permit will expire in two (2) years if substantial construction has not begun.

**X. REPORT OF THE CHAIR** – previously given

**XI. REPORT OF STAFF** – none

**XII. ADJOURNMENT**

The meeting was adjourned at 9:26 p.m.

Respectfully submitted:

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Christine M. Brestrup, Senior Planner

Approved:

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Jonathan Shefftz, Chair

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