

AMHERST PLANNING BOARD
Wednesday, June 15, 2011 – 7:00 PM
Town Room, Town Hall
MINUTES

PRESENT: Jonathan Shefftz, Chair, Jonathan O’Keeffe, Rob Crowner, Bruce Carson, Richard Roznoy, Sandra Anderson, David Webber, Stephen Schreiber (8:25 PM) and Connie Kruger

ABSENT: None

STAFF: Christine Brestrup, Senior Planner

Mr. Shefftz opened the meeting at 7:12 PM and announced that it was being recorded by Planning Department staff and recorded and broadcast by Amherst Media. He also welcomed visitors, a large group from Amherst College, observing the meeting and another group from the Survival Center, here to present and support the Site Plan Review application.

I. MINUTES – none

II. PUBLIC HEARING – SITE PLAN REVIEW

SPR2011-00009/M9271 – 138 Sunderland Road, Amherst Survival Center

Request Site Plan Review approval to construct a new building for a non-profit organization providing food, clothing and other services to regional residents under Section 3.330.1 of the Zoning Bylaw (Map 5A/Parcel 25; COM Zoning District)

Mr. Shefftz read the preamble, opened the public hearing, and noted that the Board had heard a preliminary presentation about this project and the Center’s mission and services in March. He was impressed with the breadth of services offered and how many volunteers had been clients.

Carol Vincze of Ford Gillen Architects and Selene Webber of Cave Hill Landscape Architects presented the application.

Ms. Webber offered the following facts about the site:

- It is about 50,000 square feet in area and lies about 1/3 of a mile north of the existing Survival Center location;
- The property lies across the street from Cowls Lumber on Sunderland Road;
- It is the site of the former Rooster’s Restaurant;
- Amherst Towing is to the south and to the west of the property;
- The property is mostly flat and open with steep slopes to the side and the back;
- There is a grove of Black Walnut trees at the back, most of which will be kept.

Ms. Webber showed the location of the new building on the Site Plan. It will be about 7,000 square feet in area, with expansion/storage space in the basement. There will be 28 parking spaces. Outdoor spaces will include an arrival space, a work space, an outdoor dining area, a parking lot and an outdoor service area. The building location takes advantage of the existing barn foundation. Parking is on the south side to minimize disruption to existing trees and to minimize the amount of pavement that is required for driveways. The service entry and the public entry to the building are separated for safety and clarity. There are two entrances on the parking lot side of the building, 1) for dining and food distribution services and 2) for the free store. The service entry is on the north side.

Ms. Vincze presented information about the building as follows:

- It will be a one-story barn-style building with a large community room that is designed in a barn-like style;

- The exterior will have wood siding;
- On the west side will be a walk-out basement;
- The colors of the building will be in the green range of the color palette;
- The building will be sprinklered and will have a commercial kitchen;
- There will be a variety of program areas, including the program director's office, the dining/community room, offices and counseling rooms, kitchen, storage, a free store, and an emergency pantry for food distribution.

Ms. Vincze explained how people will enter through the front of the building and move through and how food will be brought in from the rear of the building. There will be a shower, laundry and rest rooms. There will also be a way to get to the basement from the interior, where there will be storage and perhaps a workshop in the future.

Ms. Webber explained how the parking lot will work:

- There will be two levels of parking with one-way traffic in and out;
- The direction of traffic flow in the parking lot will be indicated with signs;
- The parking lot is designed to accommodate the turning radii of large fire trucks;
- The first level will be handicapped-accessible and will lead people right into the building without the use of ramps;
- The surface of the handicapped parking spaces and path to the front door will be compacted stone dust, graded at 2%; the rest of the parking lot will be gravel and will be paved in the future;
- The driveway width will be 16 feet, to accommodate emergency vehicles;
- There will be a curb and guardrail on the south side to protect the slope, channel stormwater, avoid erosion and direct traffic;
- Some of the stormwater will flow to a rain garden in the center of the parking lot and some will flow to a catch basin at the rear that leads to a detention basin on the west side of the property;
- The drainage system is sized for a paved parking lot;
- The guardrail will be a Mass Highway design;
- The bike rack will be located opposite the front entry and will be mounted in the ground; a photo of the proposed bike rack was presented;
- There will be posts at each driveway for a chain to be put up when the Survival Center is closed to block the driveways and prevent unwanted access;
- The amount of fill in the parking lot and elsewhere on site will not exceed the thresholds that require a Special Permit;
- The service area will have an enclosure for trash, heat pumps, the gas meter and possible temporary storage; it will be enclosed by a 6 foot high, cedar capped-board fence with double gates for ease of access for the trash truck;
- An additional gate on the north side of the enclosure will provide access for pedestrians.

Ms. Webber described the utility services:

- The electric service will come from an overhead line to a new utility pole and then go underground to the building;
- The gas line will be connected to the street; there will be no need for propane;
- The water line will come into the building and be split into a sprinkler line and a domestic water line;
- The sewer connection will come from the street into the south side of the building.

Ms. Webber stated that all but one Black Walnut will be retained. The one to be removed is in poor health. Four Norway Maples on private property along Sunderland Road will be removed and replaced with disease-resistant Elms. The Survival Center would like to have an “edible landscape” in the future, but for now plants will be installed to stabilize the slopes and prevent erosion.

Ms. Webber described the signs that are being proposed for the site, drawings of which had been submitted to the Board, including:

- Parking signs;
- Driveway signs;
- Building signs;
- Main sign.

The lights in the parking lot will consist of three 16-foot poles with full cut-off lights. Ms. Vincze presented a photometric plan showing the intensity of the light pattern. The brightest lit area will be 5 footcandles in the center of the parking lot and the lowest lit area will be 1 footcandle near the property line, with very little light spilling onto adjacent properties. Ms. Vincze showed where the wall-mounted lights would be located on the building. She stated that all lights would be on a timer or on a motion-sensor, so that if someone approached the building after hours, the lights would come on.

Mr. Shefftz reviewed the Site Visit Report. He noted that Cows Lumber has a sidewalk in front of its property that does not connect to anything. He also noted that the new location of the Survival Center is not that far from the old location. He asked about bus service.

Ms. Eidelson stated that the Survival Center has been working with the town and PVRTA on the bus issue. Now the closest bus stop is at the House of Teriyaki, near the intersection of Pine Street and North Pleasant Street. It is a 1/3 mile walk from the new location to the bus stop. An express bus goes past the site once per hour but does not stop near the site. It would be good to have sidewalks to connect the Survival Center site with the center of North Amherst so that people could walk from the bus stop.

Mr. Roznoy asked about whether the town had jurisdiction over the Norway Maples because they are so close to the property line. Ms. Brestrup stated that she had talked to the Tree Warden about the Norway Maples, but didn't know if he had visited the site and looked at the trees specifically. The Tree Warden has acknowledged that Norway Maples are an invasive species. They are often recommended for removal. The trees are shown on the survey, and all but one of them is clearly on private property. The one that is close to the property line has the center of the trunk shown on private property. Ms. Brestrup believes that the Tree Warden does not actually have jurisdiction in this case. With regard to the proposed trees, the Tree Warden would prefer to see a variety of trees planted, since the “Princeton” cultivar of the American Elm is not “disease-proof”, but merely “disease-resistant”. He cautioned that if one of the trees succumbed to Dutch Elm Disease the others would become vulnerable.

Ms. Brestrup noted that Norway Maples are considered to be invasive because they prolifically drop and blow seeds that grow and take the place of native species. They also have a very dense shade which prevents other plants from growing beneath them. On the other hand, the trees are attractive on their own, so some people would prefer to keep them. There is an ongoing discussion about that, but generally speaking landscape architects and those in the tree business would prefer that there were fewer Norway Maples.

Mr. Carson asked if there were enough town right-of-way area in front of the site for a sidewalk to be built in the future. Ms. Brestrup showed on the plan that there was adequate space between the property line and the edge of road to build a sidewalk.

Mr. Roznoy noted that the application was submitted in the name of the Amherst Survival Center, and asked if that was a branch of town government. Cheryl Zoll, Executive Director of the Amherst Survival Center, explained that it was a private "501 (c) 3" organization, but that the town had been very supportive over the years. The legal name is Survival Centers, Inc., but it has always been known as the Amherst Survival Center and is independent from the Northampton Survival Center. Mr. Roznoy asked if it were registered with the Secretary of State. The answer was "yes", it has been registered since 1976. Mr. Roznoy stated that it would be better if applications were submitted in the official name of the organization.

Ms. Anderson asked about snow storage and the answer was that the snow will be plowed over the embankment to the west, towards the detention basin. Ms. Anderson also noted that a gravel driveway is subject to being "rearranged" by snow-plowing equipment and needs to be re-leveled on a yearly basis.

Mr. Crouner observed that the North Amherst area would be going through a re-zoning process that would probably involve "form-based code". This building may become a "signature building". He would like to have had the opportunity to discuss how this building would fit in with the pattern of the future the North Amherst Village Center.

Ms. Vincze stated that the designers were aware that the town was considering instituting a form-based code and she thought that this building would comply. The building is being placed as close to the road as possible, given the existing setbacks. There is room for an outdoor space, perhaps for future outdoor dining, close to the street.

Mr. Roznoy asked if the Survival Center had always planned to raze the existing Rooster's building and create a new building. When was the decision made to abandon the existing Rooster's building?

Ms. Vincze explained that there had been no preconceived idea of how much of the existing building would be saved. The program of the Center dictated the shape of the building. It proved to be easier and cheaper to take down the existing building, given the programmatic and structural requirements. In addition, the Rooster's building was too close to the northern property line [non-conforming]. The new building will use parts of the foundation and some of the materials from the existing barn which is considered historically significant. The plan is to dismantle the barn and reassemble its parts within the new building. The lower level entry point of the barn will be saved and reused for storage. There was nothing of significance worth saving in the Rooster's building itself, she said.

Mr. Roznoy questioned whether town money was used to purchase the property and whether there had been promises made to save the existing buildings. Ms. Brestrup stated that the property had been purchased with private funds. No CPAC money was used. The federally-funded, state-administered CDBG (Community Development Block Grant) program had provided funds for architectural design. Ms. Eidelson stated that the CDBG program had provided a \$75,000 grant for design services. No Town Meeting vote was necessary.

Mr. O'Keeffe disclosed that his wife had served on the board of the Amherst Survival Center 10 years ago and that he and his wife had contributed money to the center over the years. He did not feel that his association with the Center would affect his judgment in this matter.

Ms. Kruger asked about the use of stone dust for the handicapped/van parking area and the walkway into the building. She understood that this material was allowed by the AAB but asked if other, more durable materials had been considered. Ms. Webber stated that for now the primary consideration was cost. The AAB does allow stone dust, and when well-compacted and flat enough, it is an acceptable material. It will need to be inspected periodically and

maintained properly. The plan in the future is to pave the whole parking lot, using the gravel base that will already exist.

Mr. Crouner questioned whether the amount of fill proposed to be placed on site should be calculated as an aggregate rather than each area being evaluated on its own. He referred to discussions at Town Meeting regarding the Planning Board's versus the ZBA's ability to scrutinize issues related to fill, and wanted to be clear about the interpretation of the fill calculations.

Ms. Brestrup stated that she had met with the Building Commissioner and Ms. Webber. The Building Commissioner is the Zoning Enforcement Officer for the town and interprets the Zoning Bylaw for staff. The Building Commissioner was of the opinion that as long as there wasn't one area that exceeded the threshold, she would be willing to acknowledge that a Special Permit was not needed. She interpreted the Bylaw as requiring that one area needed to exceed the threshold of 2,000 square feet by 5 feet deep or 5,000 square feet by 2 feet deep to trigger a Special Permit. Mr. O'Keefe agreed that this interpretation is consistent with what the Zoning Subcommittee had been told regarding precedent for this section of the Bylaw.

Mr. Webber asked about the Town Engineer's review of the plans. Ms. Brestrup stated that she had spoken with the Town Engineer, Jason Skeels, that day and that he had not had a chance to review the current plans. He had met with the design team regarding an earlier set of plans, so he is familiar with the project. Mr. Skeels suggested that the Planning Board could approve the Site Plan with a condition that the grading, drainage, and utilities plans be submitted to and approved by the Town Engineer prior to the issuance of a Building Permit. Ms. Brestrup observed that the Stormwater Management Report had just been submitted to the Planning Department and the Town Engineer the day before, and the Planning Board that evening, and that no one had had a chance to look at it.

Ms. Anderson asked about a lighting plan and samples of the lighting. Mr. Shefftz suggested that this could be handled in a follow-up condition.

Mark Power, owner of The Harp Irish Pub at 163 Sunderland Road, commented on the application. He asked about the extent of the fence. It goes around the south and west sides of the property and partially along the north side. Mr. Power suggested that the fence be extended along the entire northern property line to prevent people from wandering from the Survival Center onto the adjacent property, where the residents sell things on their lawn. Mr. Power also asked if people would be residing at the Survival Center. Ms. Zoll stated that the mission of the Center is food, health care, clothing and community and that there is no intention of having housing on the site. The Survival Center works with other organizations to help its clients to find housing. Housing is not part of the Survival Center's mission.

Ms. Brestrup noted that there is a specific use in the Zoning Bylaw that would allow people to reside on the site, but that housing is not part of the use category under which the applicants have applied for their Site Plan approval (Section 3.330.1). The category of "Philanthropic or charitable medical or residential facility" (Section 3.336.1 of the Zoning Bylaw) allows this type of housing by Site Plan Review in any district.

Mr. Shefftz explained the four categories of permissions in the Zoning Bylaw: Yes, No, Permitted by Special Permit and Permitted by Site Plan Review. If the Survival Center decided to expand its mission it would need to come before the Planning Board for Site Plan Review.

Gert Como of Cowls Building Supply commented on the application. She expressed concerns about traffic. Cowls has 300-400 trips per day in and out of its parking lot, with one-way traffic in and out. Ms. Como was concerned about the three curb cuts proposed for the Survival Center and the predicted 130 visits per day to the Center. She asked that the Town Engineer

look at the location of the curb cuts. She doesn't want conflicts between Cowls delivery trucks and the Survival Center's delivery trucks.

Ms. Zoll stated that about one-half of the Survival Center's clients come by bus and walk and one-half drive to the Center. Many of those who drive bring passengers who don't have cars. There is an average of 129 visitors per day.

Ms. Webber has previously spoken with the Town Engineer about a plan with three driveway curb cuts. One of the curb cuts (the entry drive) will be directly aligned with one of the Cowls driveways across the street. The Town Engineer was reassured by the fact that the circulation will be one way in and out on the Survival Center property.

Ms. Zoll stated that the Center has limited deliveries. A pick-up truck arrives around 10:00 a.m. to drop off food, four days a week. The Food Bank has a truck that comes in once a week on Thursdays, at about 8:00 a.m. There are other small vehicles and cars that come in to drop off food and donations, but the number of these vehicles is not expected to be large. In addition, a truck from Planet Aid comes once a week to pick up excess items that have been donated.

Ms. Como asked about the north entry. Ms. Webber stated that the service entry will have the most limited traffic, including a truck to pick up trash and a van or pick-up truck that drops off food. There is a turnaround, so that delivery trucks do not need to back out onto Sunderland Road. The trash truck will back out onto Sunderland Road. It comes early, once a week. There is daily compost pick up and recycling pick up twice a week.

Mr. Roznoy asked about the current bus stop, about how pedestrians would get to the site and whether they would walk on the east side of the road.

Ms. Zoll stated that there is a partial sidewalk on the east side that stops and starts. The Center has been working with the town to extend the sidewalk to make it continuous on the east side. There would need to be a crosswalk to get people to the west side of the road. The location of the future bus stop needs to be worked out with PVT A.

Ms. Como suggested that the bus could drive through the Survival Center parking lot so that it would not need to stop on the side of Sunderland Road. This would prevent conflicts with the traffic in and out of Cowls lot. Ms. Zoll stated that the Center had no objection to this suggestion.

Mr. Roznoy suggested that a crosswalk be installed. Ms. Brestrup stated that this would need to be worked out with the DPW and the Select Board which has jurisdiction over the town rights-of-way.

Ms. Como asked about drainage along the boundary with the property to the north. The service area appears to drain towards the adjacent property. She asked that the Town Engineer look at the grading and drainage. The property to the north could become an access strip to a larger piece of property in back and she doesn't want drainage from the Survival Center service area to drain onto the adjacent property, possibly jeopardizing future access to the property which is owned by Cowls.

Mr. Carson MOVED to close the public hearing. Ms. Anderson seconded and the vote was 8-0 (Schreiber had not yet arrived).

Mr. Shefftz began to review the Development Application Report.

The Board discussed the request for a waiver of the application fee of \$821. There is no standing exemption for non-profit facilities. Applications do entail use of town staff resources. Board members want to be charitable and sympathetic but there is no strong basis for granting

the waiver. They did not wish to set a precedent. The Board has given a waiver for part of a fee in the case where a public hearing process stretched over a period of months and the Board lost members and had a hard time maintaining a quorum. The Board has also given a fee waiver in the case of a small, non-profit wood-working school in North Amherst. But there is no general Planning Board policy on fee waivers. Mr. Shefftz was inclined to reject the request. Mr. Webber was inclined to grant the request. He felt that the benefit to the town would outweigh the cost of the fee. He proposed a reduced fee of \$100 rather than waiving the fee entirely.

There was further discussion about setting precedent and town support for human service agencies, with Planning Board members speaking pro and con. Ms. Brestrup noted that the fee is based on the amount of square footage of the building and the square footage of the lot that is being altered. Board members were reluctant to set a precedent and to risk bringing up the discussion every time there was an application from a non-profit organization.

Mr. Roznoy would like to have the application amended to show the proper name of the applicant.

Mr. Schreiber arrived at 8:25 PM.

Mr. Crouner MOVED to reduce the fee to \$100. Mr. Webber seconded and the vote was 2-5-2 (O’Keeffe and Schreiber abstaining). The motion failed.

Mr. O’Keeffe stated that he preferred not to vote on the waiver or on the project, for the reasons that he had previously stated. There was some discussion about what constituted a conflict of interest. Mr. O’Keeffe stated that this was a personal decision.

Mr. Shefftz introduced the topic of requested waivers. The applicant had requested a waiver from the requirement for a Traffic Impact Statement. The question is, would the Level of Service (LOS) at nearby intersections be degraded to the point where improvements would be necessary? Mr. Shefftz stated that the increase in the percentage of traffic and the impact on the nearby intersections would be negligible. There was general consensus among Board members to grant the waiver.

While Mr. Roznoy agreed to the waiver request he stated that he would still like to discuss the topic of pedestrian and vehicular safety.

Mr. Shefftz returned to the Development Application Report. The first topic was Parking and Driveways. Half of the visitors will be coming to the Center on foot, from the bus stop at the intersection. The Board discussed the route from the intersection to the Center. Mr. Webber stated that he lives in the area and walks there frequently. The road is straight and flat in the vicinity of the Center. It is reasonably wide around the project, except near the bridge. The area around the project is open and the visibility is good. It is relatively safe to cross the road anywhere between the bridge and the project. Mr. Webber stated that this seems like a well-thought-out solution with regard to pedestrian and vehicular safety. He had no objections to the parking lot and driveway layout.

Mr. Shefftz noted that the site layout was good, but getting to the site was problematic. However, there was little that the applicant could do about it other than lobbying PVTA to put in another bus stop.

Ms. Anderson stated that the Board should make a finding as follows:

“There are problems with respect to pedestrian issues because the sidewalk is on the wrong side of the street, and it’s also interrupted, but it’s not under the control of nor is it the responsibility of the applicant.”

Ms. Zoll noted that the current bus is the No. 31 bus that stops about 4 times per hour, during the school year and about once every 45 minutes during the summer.

Ms. Brestrup observed that the Survival Center building would probably not be built for another couple of years because of the amount of fund-raising that was needed. During that time the town would be working with consultants to develop a plan for North Amherst as well as working with the DPW on infrastructure issues, including roadways and sidewalks. This plan will evolve over time and accommodations will be made for uses that are developed in the Village Center. While the problem of pedestrian access can't be solved tonight, the Planning Board has raised important issues and the problem can be solved eventually.

Mr. Roznoy noted that both the Survival Center and Cows Building Supply have a lot of support and good will in town. They should be able to work out problems as they arise.

The Board discussed how the gravel parking lot and the handicapped parking spaces would survive over the winter and how they should be maintained. Ms. Anderson acknowledged that this material is allowable and that it is expensive to pave, but the parking lot and walkway surface should be monitored. Spring clean-up will be needed, she said. The applicant should consider paving at least the handicapped spaces and the walkway as a top priority.

Ms. Kruger recommended installing the one-way signs in way that they can be read when entering and exiting the parking lot and also while driving in the parking lot. Ms. Vincze said that the signs should be two-sided and also that there would be wheel stops to define each parking space.

Mr. Shefftz noted that the applicant had asked for waivers from two sections of the Bylaw:

- Section 7.715 – the rear utility driveway to the lower storage space exceeds 10% maximum grade;
- Section 7.101 – pavement is closer to the building wall than 5 feet minimum setback at the delivery area.

The Board members agreed by consensus to approve these waivers.

Regarding the Landscape Plan, the Tree Warden recommends a more diverse planting with a variety of species, rather than planting only Elms. Ms. Webber agreed to look at providing a more diverse planting. Mr. Webber suggested a condition that would read "The street trees that are planted need not be Elms."

Regarding the ground cover and hedge plant materials, the applicant would like to have an edible landscape and the landscape architects would like to have an opportunity to study this issue more before specifying a hedge plant. Regarding the ground cover it will be a jute mesh with seeds that will establish a meadow planting on slopes. In the flat areas the ground cover will probably be grass in the short term. The Board agreed that a revised, more detailed Landscape Plan should be submitted for review by Planning Department staff.

Regarding the Erosion Control Plan, the Board agreed that it should be reviewed by the Town Engineer.

Regarding historical issues, Mr. Shefftz acknowledged receipt of a 2-page letter from the Historical Commission. The barn will be dismantled and the parts of the building will be reused in the new building.

Regarding colors, Ms. Vincze presented the proposed colors of the building. Mr. Webber stated that the applicants should be allowed to paint it as they choose. Other Board members agreed.

Ms. Anderson agreed that the use of board and batten for the exterior was an appropriate choice.

Regarding review by the Fire Department, Ms. Webber stated that she had reviewed the original plan with Assistant Fire Chief McKay. Since the building will be sprinklered, he did not have any problems with the plan. The comments that Chief McKay made on the original plan have been incorporated in the current plan. He did not submit written comments on the current plan.

Regarding Conservation Commission review, the applicant has submitted a second Request for Determination, with a hearing scheduled for next week.

Mr. Webber suggested that the Planning Board make a finding that the plan as presented had no areas on the site that would exceed the thresholds of fill requiring a Special Permit, incorporating this into the findings under the Site Plan Review Criteria, in accordance with Section 11.24 of the Zoning Bylaw.

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 the goals of the Master Plan; under Section 7.90 the Board is granting waivers from the requirements regarding steepness of a short section of a utility driveway to a storage area at the back of the building and for pavement closer than 5 feet to a building;
- 11.2401 – Town amenities and abutting properties will be protected from detrimental or offensive actions; grading, drainage, erosion control and utilities will be reviewed by the Town Engineer and lighting will not shine onto adjacent properties;
- 11.2402 – Abutting properties will be protected from detrimental site characteristics resulting from the proposed use because grading, drainage, erosion control and utilities will be reviewed by the Town Engineer, particularly with respect to drainage from the service area, and lighting will not shine onto adjacent properties;
- 11.2403 – N/A;
- 11.2410 – Unique or important natural, historic or scenic features will be protected because the Historical Commission has reviewed the plan for demolition of the buildings; the Historical Commission is satisfied that the barn, though historically significant, will be carefully dismantled and its materials used in the construction of the new building; in addition, most of the Black Walnuts are being saved;
- 11.2411 – The proposed methods of refuse disposal are adequate and are described in the Management Plan;
- 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 new building's requirements; there was an existing restaurant on site that used the town sewer and water systems when the restaurant was in operation;
- 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 other plantings, in addition to existing trees to be retained; a revised landscape plan, based on comments received from the Planning Board, will be submitted to the Planning Department staff for review;
- 11.2415 – The adequacy of the soil erosion plan and plans for protection of steep slopes, both during and after construction, will be reviewed by the Town Engineer as a condition of this Site Plan Review approval;
- 11.2416 – Adequate landscaping, including the screening of adjacent residential uses, provision of street trees, landscaped islands in the parking lot and a landscape buffer along the street frontage has been proposed and is shown on the Site Plan/Landscape Plan;

- 11.2417 – The adjacent properties will be protected by minimizing the intrusion of lighting because all new lighting will be have full cut-offs and will therefore not shine onto adjacent properties; the Planning Board has reviewed and approved the Lighting Plan, including a photometric plan; a condition of the Site Plan approval requires the submission of catalog information showing proposed exterior light fixtures;
- 11.2418 – There will be protection from flood hazards because the Town Engineer will review the plan for storm water management, grading, drainage and erosion control;
- 11.2419 – There are no wetlands on site; the wetlands off site to the north of the property have been determined to be jurisdictional under the town Wetland Bylaw, but not under the state wetlands regulations; the applicant has filed a Request for Determination with the Conservation Commission and will be submitting further information to the Commission as necessary;
- 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;
- 11.2422 – The building site avoids, to the extent feasible, impact on steep slopes, floodplains, scenic views, grade changes and wetlands because, although there are steep slopes, existing and proposed, as well as grade changes, the Town Engineer will review the grading, drainage and erosion control plans as a condition of this approval; the applicant is in the process of obtaining permission from the Conservation Commission for the work to be done in the buffer zone of a town-jurisdictional wetland; in addition, the Board has found that no areas on the site, as shown on the plans submitted, would exceed the thresholds of fill that would require a Special Permit under Section 5.10 of the Zoning Bylaw;
- 11.2423 – N/A;
- 11.2424 – Appropriate screening will be provided for storage areas, loading docks and similar features; there will be a 6 foot high wooden fence installed to the north of the building to screen the dumpster and similar features; a neighbor asked that the applicant consider extending a fence along the entire length of the northern property line; this was discussed and the Planning Board decided not to require the fence although the Board encourages the applicant to consider extending the fence for safety reasons and for the protection of adjacent properties;
- 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 to the extent that this is under the control of the applicant; the Board acknowledges that the town will be developing a plan for the North Amherst Village Center and as the plan develops there will be opportunities to include sidewalks and crosswalks to increase pedestrian safety in the vicinity of the site; in addition the applicant has been working with the PVTA to improve bus service to the property; while there are problems with respect to pedestrian issues because the sidewalk is on the wrong side of the street, and it's also interrupted, it is not under the control of nor is it the responsibility of the applicant to fix these problems;
- 11.2431 – The location and number of curb cuts minimize turning movements and hazardous exits and entrances; there are three curb cuts planned for the property; the northernmost curb cut will provide entry to the service area which will be used infrequently; the two main curb cuts will provide access to and from the parking lot and the circulation will be one way; the central curb cut is located directly opposite one of the driveways for the Cows Building Supply, in accordance with best practices;

- 11.2432 – The location and design of parking spaces, bicycle racks, drive aisles, and sidewalks have been provided in a safe and convenient manner;
- 11.2433 – N/A; there is no access to adjoining property;
- 11.2434 – To the extent possible, driveways have been located opposite each other; there are three driveways proposed for the property; one of the driveways is directly opposite one of the driveways at Cowls Building Supply;
- 11.2435 – N/A;
- 11.2436 – N/A; the requirement for a Traffic Impact Report will be waived;
- 11.2437 – N/A.

Ms. Kruger MOVED that Site Plan Review application SPR2011-00009, 138 Sunderland Road, Survival Center, be approved with conditions as described and with the three waivers as previously agreed upon. Mr. Carson seconded and the vote was 7-0-2 (O’Keeffe and Schreiber abstaining).

Waivers

- 1. Traffic Impact Statement
- 2. Section 7.101 of the Zoning Bylaw – parking and driveway setbacks
- 3. Section 7.715 of the Zoning Bylaw – steepness of utility driveway to lower storage area

Conditions

- 1. The applicant shall consider planting a more diverse set of tree species along the front of the property; street trees planted need not be American Elm ‘Princeton’ cultivar as shown on the Landscape Plan.
- 2. A revised Landscape Plan shall be submitted to the Planning Department for review by staff.
- 3. Landscaping shall be installed in accordance with the approved Landscape Plan and, once installed, shall be continually maintained.
- 4. The Grading and Drainage Plan, the Erosion Control Plan, the Utilities Plan and the Stormwater Management Report shall be submitted to the Town Engineer for review and approval prior to the issuance of a Building Permit.
- 5. Exterior lighting shall be downcast and shall not shine onto adjacent properties or streets.
- 6. Catalog information on proposed exterior lighting shall be submitted for review and approval by the Planning Board.
- 7. Four copies of the final revised plans shall be submitted to the Planning Department.
- 8. This permit will expire in two (2) years if substantial construction has not begun.

III. OLD BUSINESS

- A. SPR2011-00008/M8844 - 351 Northampton Rd., Amherst Gourmet d/b/a Ginger Garden

Review of plans for ramps, bike rack and planting, per Conditions #1, #2 and #3 of Decision for SPR2011-00008

Jim Hawkins, design consultant, and Kristi Bodin, attorney, appeared for the applicant, along with Toshi Kashima, the contractor.

Mr. Shefftz noted that the Board was being asked to look at the design of two handicapped ramps, screening along the rear of the property and the bike rack location. Ms. Bodin noted that information on the types of plants had been submitted along with the plan.

Ms. Brestrup explained that the Building Commissioner had sent this project to the Planning Board for Site Plan Review because of the requirement to add handicapped ramps. These are required for emergency egress for handicapped people. There are not many other changes to be made to the site. When the plans were first submitted the ramps protruded into the parking lots. There were concerns that the ramps would be hit by snow plows or other vehicles. Also, the handicapped ramps shown on the plan had been the wrong dimensions. The correct size is 8 feet wide with an 8 foot aisle to accommodate vans. The ramps will now be placed within the grassy areas at the sides of the building and will not protrude into the parking lots. The Board is being asked to approve the location and style of the bike racks, the plantings along the rear of the site and the location of the ramps. The Board may choose to allow the location and demarcation of the handicapped parking spaces to be worked out with staff. Ms. Anderson questioned the location of the bike rack in the planting bed. Ms. Bodin stated that the plantings had not been completed in that area and that the bike rack would be in the ground in footings and there is room around it.

Ms. Brestrup suggested that the Board approve the plan except that the handicapped spaces as they are shown at the ends of the ramps aren't needed and the handicapped spaces out in front of the building should be designed so that they are the same as the ones shown at the ends of the ramps.

Mr. O'Keeffe MOVED the approval as stated by Ms. Brestrup. Mr. Roznoy seconded and the vote was 7-0-2 (Webber and Kruger abstaining).

B. Other Old Business – none

IV. NEW BUSINESS

A Correspondence – Valley Vision Update and New Memorandum of Agreement (MOU) – Pioneer Valley Planning Commission (PVPC) – Mr. Shefftz acknowledged receipt of the Valley Vision Update.

Mr. Schreiber explained that the Valley Vision Update is a regional land use plan developed by the PVPC in consultation with the 43 member communities. It is an attempt to align the overall vision for the PVPC area with existing and pending land use regulations and try to get ahead of zoning reforms being considered by the legislature. There are a lot of smart growth principles in the plan. It will also help Amherst to apply for various grant programs. Valley Vision 2 was endorsed by 40 of the 43 communities, but Amherst was not one of them. Mr. Schreiber encouraged Amherst to “get on board” with “Valley Vision 2.1” as he called it. It makes sense in terms of our Master Plan, he said. (Mr. Shefftz noted that the Select Board at the time that the last Valley Vision was introduced chose not to endorse it.) Aaron Hayden, a current Select Board member, has been attending PVPC meetings and will be able to advocate for the Update with the Select Board. Mr. Schreiber encouraged the Planning Board members to thoroughly read and understand the plan and have a discussion this summer, perhaps incorporating a discussion of the Master Plan.

The Top 10 Resolves comprise the PVPC's work plan for the year and are separate from Valley Vision, which is a land use plan.

Mr. Schreiber noted that the Planning Board had already reviewed parts of this Vision – the checklist and various principles and maps. Comments had been forwarded to PVPC.

Ms. Kruger was pleased that Amherst was considering supporting the Valley Vision Update. She noted that she is part of a PVPC group, as a private individual, that is working on a regional housing plan funded under a “Sustainable Communities” federal housing grant.

Board members agreed to discuss the Valley Vision Update at an upcoming meeting (possibly June 29th).

- B. Other New Information – Mr. Shefftz acknowledged receipt of a letter from W. D. Cowls regarding the duplexes zoning initiative.

V. FORM A (ANR) SUBDIVISION APPLICATIONS – none

VI. UPCOMING ZBA APPLICATIONS – The Planning Board declined to review the following ZBA applications:

ZBA FY2011-00023 – High Horse Brewery & Bistro, 24 North Pleasant Street – a Class II restaurant and bar, with seasonal outdoor dining, open until 1:00 a.m., at the former ABC location.

ZBA FY2011-00024 – Village Taxi, 151 Colonial Village – a taxi business as a home occupation

VII. UPCOMING SPP/SPR/SUB APPLICATIONS

SPR2011-00010 – Pauline Lannon c/o Atkins Farm Market, 1150 West Street – construction of a solar array system, with a 6 foot vinyl-coated fence, west of new warehouse – public hearing scheduled for July 6th.

Ms. Brestrup also noted that The Lord Jeffery Inn was interested in amending its Management Plan to allow for later hours of operation and may also be interested in adding live entertainment. The permit requirements for both are being worked out with the Building Commissioner and the applicant may be coming to the Planning Board for an amended Site Plan Review for a change in hours and a Special Permit for accessory live entertainment.

VIII. PLANNING BOARD SUBCOMMITTEE REPORTS

Zoning – Mr. O’Keeffe reported on the semi-annual Zoning Forum that was held that evening to solicit feedback from the community on zoning priorities. There was a large crowd of about two dozen people. A wide range of opinions were expressed. More details of the discussion will be available for the next Planning Board meeting. People expressed thoughts and concerns about the North Amherst and South Amherst [Atkins Corner] Village Center projects. Some people wanted the town to go slowly on these projects. There were also concerns expressed about development and infill in the R-G zoning district. The tenor was to tell the Planning Board to focus its attention on the business districts and not pay as much attention to the residential districts (R-G especially).

IX. PLANNING BOARD COMMITTEE & LIAISON REPORTS

Pioneer Valley Planning Commission – The report was previously given by Mr. Schreiber.

Community Preservation Act Committee – no report

Agricultural Commission – Mr. Webber reported that the Ag Com had met on June 14th. There is a new Farmers’ Market on Wednesdays at Kendrick Park, featuring live entertainment. The farmers are operating out of tents. It appears to be well-attended. Ruth Hazzard will be resigning as Chair of the Ag Com but plans to stay on the Commission as a

member. The "Right-to-Farm" Bylaw was discussed at the Ag Com meeting. It will be distributed to realtors and homebuyers to let people know about farmers' rights.

Public Transportation and Bicycle Committee – no report

Amherst Redevelopment Authority – no report

Community Development Committee – Mr. Crowner reported that he has been meeting with the CDC. The Committee is developing a Community Development Strategy which it will be bringing to the Planning Board on June 29th. It is an exciting committee that is working to implement the Master Plan, he said.

X. REPORT OF THE CHAIR – Mr. Shefftz reported that his daughter Micayla has been enjoying seeing her relatives. Also, Mr. Shefftz will be out of town on June 29th. Ms. Kruger announced that she will also not be able to attend the June 29th meeting.

XI. REPORT OF STAFF – none

XII. ADJOURNMENT

The meeting was adjourned at 9:35 p.m.

Respectfully submitted:

Christine M. Brestrup, Senior Planner

Approved:

Jonathan Shefftz, Chair

DATE: _____