

**AMHERST PLANNING BOARD**  
**Wednesday, January 4, 2012 – 7:00 PM**  
**Town Room, Town Hall**  
**MINUTES**

**PRESENT:** Jonathan O’Keeffe, Acting Chair; Rob Crowner, Bruce Carson, Richard Roznoy, Sandra Anderson and Stephen Schreiber

**ABSENT:** David Webber and Connie Kruger

**STAFF:** Christine Brestrup, Senior Planner  
Mr. O’Keeffe opened the meeting at 7:13 PM. He announced that the meeting was being recorded by town staff and by Amherst Media and that it would be broadcast by Amherst Media.

**I. MINUTES** December 7, 2011

Ms. Anderson MOVED to approve the Minutes of December 7, 2011. Mr. Schreiber seconded and the vote was 6-0.

**II. PUBLIC HEARING**

**SPR2012-00002/M11396, 27 Pomeroy Lane – Amherst Montessori School**

Request approval for the construction of a 5,463 SF addition to an existing building, revised parking layout and drainage improvements. (Map 20C/Parcel 85, R-VC District)

This public hearing was continued from December 7, 2011.

Jeff Squire of The Berkshire Design Group presented a request that the hearing be continued to January 18, 2012. The applicants had received comments from Jason Skeels, Town Engineer, on December 23, 2011, and had responded to those comments in a letter. However, they would like an opportunity to meet with Mr. Skeels to discuss some unresolved issues.

Mr. O’Keeffe MOVED that the public hearing be continued to January 18, 2012, at 7:05 p.m. Mr. Crowner seconded and the vote was 6-0.

**III. OLD BUSINESS**

**A. Bird-friendly Windows and Building Practices – Letters and information from Kevin Eddings and Daniel Klem**

Mr. Eddings presented information regarding the risk of bird collisions with windows throughout Amherst, but particularly in the vicinity of the Boltwood Place building currently under construction in downtown Amherst. He presented information on the species of birds that might be expected in the Amherst area and stated that research has shown that 50% of bird collisions with windows result in mortality. He referred to a publication Birds and their Habitats in Amherst, MA, in listing the species that might be found in Amherst.

Mr. O’Keeffe asked what the Planning Board should pay attention to in going forward, acknowledging that the Boltwood Place building is currently under construction and is almost finished. It has already been through the Site Plan Review process, he noted. He asked what the Planning Board can do with future projects to minimize this problem.

Mr. Eddings presented more information on the types of birds that have been observed in downtown Amherst. He proposed that the town work with the owner of the building known as Boltwood Place. He suggested that a film can be placed on the windows to reflect UV light and suggested that external and internal lighting could be

adapted to decrease the probability of collisions. He asked that the town write a letter to the developer of Boltwood Place. He suggested that Dr. Klem, author of literature on this topic, could participate in a meeting with the owners of the building. He suggested that the town work with the building owner to monitor bird and window collisions and suggested hiring a work-study student from UMass to conduct an investigation. He noted that other cities have management plans to minimize bird and window collisions.

Mr. Crowner stated that during [future] Site Plan Review processes the Planning Board could ask the developer to conform to certain standards. He asked Mr. Eddings for guidance as to what those standards might be. Is there a size of building to which such standards might apply or would they apply to all buildings?

Mr. Eddings stated that there is a lot known about prevention. Downcast lighting helps. He noted that the lighting outside of Town Hall is not downcast. He noted that LEED criteria did not contain standards regarding bird-friendly windows when Boltwood Place was reviewed, but that such standards are being considered. He directed Planning Board members to the links to websites provided in his letter and to a publication called Bird-Friendly Building Design that is also available on the web.

Mr. Schreiber suggested that the topic of bird-friendly windows is a better topic for the Building Code to handle, as opposed to the Planning Board.

Mr. O’Keeffe acknowledged that it is helpful to be aware of this issue.

- B. Topics not reasonably anticipated 48 hours prior to the meeting – none

#### IV. NEW BUSINESS

- A. Town Meeting – Discussion about Fall Special Town Meeting – Board members would like to postpone this discussion to a future meeting.
- B. Water Supply Protection Committee – Planning Board representative

The Board members noted that the charge for the Water Supply Protection Committee includes the phrase that voting members “may include” a representative of the Planning Board. They asked the following questions with respect to membership:

- 1) Can the Planning Board representative be someone whom the Planning Board designates, but who is not a member of the Planning Board – perhaps a resident of Amherst who reports to the Board periodically about the activities of the WSPC?
- 2) How often does the WSPC meet and how active is it?

Ms. Brestrup offered to obtain answers to these questions. The Planning Board will consider this topic again at an upcoming meeting.

- C. PVPC Top Ten Resolves for 2012

Mr. Schreiber reported that the PVPC had met in December and had been presented with a draft of the 2012 “New Year’s Resolutions” or Draft Top Ten Resolves for 2012. He noted that Amherst had asked in the past to have the resolutions modified to include reference to a railroad line through Palmer as part of the “Inland Route”. This language was missing from the Draft. Mr. Schreiber had sent an email to PVPC requesting that this language be included in the Top Ten Resolves for 2012 and had received a reply from Tim Brennan of PVPC stating that suggested changes to the Resolves would be considered at the February 9<sup>th</sup> meeting of the PVPC. Mr. Schreiber recommended that it would be helpful if the Planning Board voted to

approve the proposed modification to Resolve #7.

Mr. Schreiber MOVED that the Planning Board supports a letter to the PVPC asking that Resolve #7 be modified to include the language in quotations at the bottom of the email exchange between Tim Brennan and Stephen Schreiber, dated December 20, 2011, as follows:

“The PVPC shall advocate for study and improvement of the north-south corridor of the Central Corridor along the New England Central Railroad (NECR) line for both significant upgrading of freight capacity under the priorities of the Massachusetts Freight and Rail Improvement Plan, and for new passenger rail service and connections between significant population and educational centers in Vermont, western Massachusetts, and central-southern Connecticut.”

Mr. Crowner seconded and suggested that the letter be sent to the representatives of Palmer as well as to the PVPC, so that they can support this same modification.

Mr. Schreiber agreed to draft the letter to the PVPC stating that the Planning Board had voted to support the modification to the language of the Resolves.

The vote was 5-0-1 (Roznoy abstained).

Mr. Roznoy explained his abstention by saying that he didn't want to vote against this type of study, but his priorities were more regional. He would like PVPC to study regional public transportation plans which would have a greater impact in both the short and the medium term. He is not hopeful that the proposed railroad line will have this kind of impact.

**D.** Upcoming Planning Board Schedule – Board members will hold Planning Board upcoming meetings as follows:

January 18<sup>th</sup>

February 1<sup>st</sup> and 15<sup>th</sup>

Ms. Anderson will miss the February 1<sup>st</sup> meeting.

**E.** Topics not reasonably anticipated 48 hours prior to the meeting

1) Technical Assistance from PVPC

Ms. Brestrup noted that the town had recently received a letter from PVPC in response to a recent request for technical assistance. The letter is in the form of an invitation to PVPC's member communities to submit requests for no-cost technical assistance. Requests are due on January 27<sup>th</sup>. Ms. Brestrup noted that Board members had recently submitted a technical assistance response form asking for help from PVPC on the following topics:

- Transfer of Development Rights or Farmland Preservation bylaws/ordinances
- Bylaws/ordinances to promote green building, solar or wind power
- Facilitation with development of the town Transportation Plan.

Ms. Brestrup reported that Planning Director, Jonathan Tucker, had spoken recently with Jessica Allen of PVPC about these topics and Ms. Allen had indicated that a community will receive about 15 hours of technical assistance from PVPC if its project is chosen. This would not be enough time for PVPC to help with the Transportation Plan. She suggested that Amherst request help with one of the other two topics.

Mr. O’Keeffe recommended that Amherst ask for help with Transfer of Development Rights since this topic is the most “actionable”. It can be used in the context of Village Center rezoning [to preserve outlying areas while making Village Centers more dense]. Mr. Carson suggested that the downtown be included along with Village Centers when contemplating Transfer of Development Rights.

Ms. Brestrup offered to discuss this topic with Mr. Tucker and to draft a letter to PVPC requesting technical assistance with Transfer of Development Rights for the Board’s review at its January 18<sup>th</sup> meeting.

2) UMass Draft Master Plan

Ms. Anderson stated that she had attended the recent presentation of the UMass Draft Master Plan, along with Mr. Crouner and Ms. Brestrup. She found it to be very interesting and she noted that there was a good turnout with a lot of residents. She recommended that the Planning Board invite a representative of the Campus Planning Department at UMass to attend an upcoming Planning Board meeting and make the same presentation. The UMass Master Plan has implications for the Amherst Planning Board. Ms. Anderson suggested that this should be a primary item on an upcoming Planning Board agenda.

Ms. Anderson MOVED to invite a representative of the UMass Campus Planning Department to present the Draft UMass Master Plan to the Planning Board. Mr. Carson seconded and the vote was 6-0.

Mr. Carson noted that the Draft UMass Master Plan is on the UMass website and he encouraged Board members to look at it. Mr. Schreiber noted that the representative of UMass who should be invited is Dennis Swinford.

**V. FORM A (ANR) SUBDIVISION APPLICATIONS**

The Board endorsed the following ANR plan:

ANR 2012-00005 – John E. Shea – 59 Potwine Lane (Map 22B, Parcel 28)

**VI. UPCOMING ZBA APPLICATIONS**

The Board declined to review the following ZBA application:

**ZBA FY2011-00011 – Reza Rahmani c/o Lit** – To establish accessory seasonal outdoor dining, under Section 5.041 and 5.042 of the Zoning Bylaw, at 41 Boltwood Walk (Map 14A, Parcel 50, B-G Zoning District)

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

**VIII. PLANNING BOARD SUBCOMMITTEE REPORTS**

Zoning – Mr. O’Keeffe reported that the Zoning Subcommittee had met that evening and held its semi-annual Zoning Forum. The ZSC had received a lot of feedback about the North Amherst and Atkins Corners Village Center rezoning proposal. The next meeting will be two weeks from tonight, on January 18<sup>th</sup>. The ZSC will begin to look at Village Center rezoning for Spring Town Meeting.

Mr. Roznoy asked about the status of the Development Modification zoning amendment. Mr. O’Keeffe noted that while Development Modification is on the list of priority work items for the ZSC it is unlikely to be addressed this spring. Mr. Roznoy suggested that it may not be necessary to do Development Modification the same way if Form-based Code were to pass. The Board members discussed the overlapping areas of concern between the two proposals.

Mr. Roznoy suggested that if Development Modification were considered again, the topic of bird-friendly windows could be integrated into the criteria.

Mr. O’Keeffe invited Planning Board members to offer feedback to the ZSC on zoning amendments.

**IX. PLANNING BOARD COMMITTEE & LIAISON REPORTS**

Pioneer Valley Planning Commission – Mr. Schreiber reported that the PVPC had met a few weeks ago. There had been a report on a HUD grant that serves the Hartford Metropolitan Plan Area and this part of Massachusetts. It is a multi-year project. He also mentioned that zoning reform in Massachusetts may have a better possibility of passing during this session of the Massachusetts legislature. He stated that two interesting parts of the zoning reform proposal have to do with modifying the ANR process and with modifying the requirement for a 2/3 majority being required to make a zoning change. He asked if any Planning Board members would be willing to testify before the legislature about zoning reform. Board members declined to testify. Mr. Schreiber offered to ask the Select Board if one of its members were willing to testify before the legislature about zoning reform.

Community Preservation Act Committee – Ms. Anderson reported that the next meeting of CPAC would be on January 5<sup>th</sup>. The topic would be scheduling a review of proposals.

Agricultural Commission – no report

Transportation Plan Task Force – no report

Amherst Redevelopment Authority – no report

Design Review Board – no report

Other Boards and Committees – no report

**X. REPORT OF THE CHAIR – none**

**XI. REPORT OF STAFF – none**

**XII. ADJOURNMENT**

The meeting was adjourned at approximately 8:29 p.m.

Respectfully submitted:

Approved:

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Christine M. Brestrup,  
Senior Planner

\_\_\_\_\_  
David Webber, Chair

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