

AMHERST PLANNING BOARD
Wednesday, January 18, 2012 – 7:00 PM
Town Room, Town Hall
MINUTES

PRESENT: David Webber, Chair; Jonathan O’Keeffe, Rob Crouner, Bruce Carson, Richard Roznoy, Sandra Anderson, Connie Kruger, Stephen Schreiber and Kathleen Ford

ABSENT: none

STAFF: Christine Brestrup, Senior Planner
Mr. Webber opened the meeting at 7:04 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 January 4, 2012

Mr. Crouner MOVED to approve the Minutes of January 4, 2012. Ms. Kruger seconded and the vote was 6-0-3 (Ford, Webber and Kruger abstained).

Ms. Brestrup introduced Kathleen Ford, the newest member of the Planning Board. Ms. Ford is an architect in Amherst. She has been practicing in Amherst for a number of years, prior to which she had practiced in New York City. Ms. Ford is a principal partner in the firm of Ford Gillen Architects.

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 and January 4, 2012. No testimony was taken on January 4, 2012.

Mr. Webber gave a summary of the December 7th session of the public hearing and of the submittals received to date. He reported that the Amherst Montessori School had appeared before the Planning Board on December 7, 2011, to present its plans to expand the school building, including information on drainage, parking, circulation, traffic, easements, snow removal and lighting. In addition comments were submitted by the Town Engineer.

Jeff Squire of Berkshire Design presented the application. He reviewed items that had been submitted since the December 7th meeting.

- Lighting – catalog cut sheets; a plan showing a revised lighting plan (with 5 light fixtures rather than 8 as originally planned); the proposed light fixture will be colonial in style;
- Snow storage – a snow storage plan showing areas along the driveway and near the turnaround where snow can be stored;
- Emergency access – comments from the Fire Department stating that the Assistant Fire Chief was satisfied with the Site Plan and with the emergency parking management plan;
- Easements – an easement agreement has been drafted and will be presented to the Kingdom Hall members for their review in the near future; Mr. Squire stated that it would be helpful if a condition could be included in the approval of the Site Plan stipulating that the easement agreements shall be in place prior to issuance of the Certificate of Occupancy, rather than requiring that the easement agreements be completed sooner;

- Pedestrian circulation – Kevin Campbell had written a letter describing pedestrian and vehicular circulation and plans for parking off-site; discussions with abutting and nearby landowners regarding shared parking are on-going; parents will drop off their children without getting out of their cars and there will be a carpool program;
- Drainage – the drainage situation is being improved by the new drainage plan; the design team met with the Town Engineer and reviewed his comments from December 23rd; the Town Engineer has submitted a new letter, dated January 11, 2012, with fewer comments and the Town Engineer has stated that the revised plans have addressed all of the significant issues raised in the earlier letter.

Mr. Squire reviewed the changes that had been made to the drainage plan in response to the Town Engineer's comments. The quality of stormwater and the quantity of water exiting the site have both been improved. Montessori will be installing a pipe across Kingdom Hall property that was supposed to have been installed during construction of the Kingdom Hall. In addition there is a drainage ditch on the east side of the driveway that will be improved based on Option B as described on the revised plans. Option B consists of cleaning out an area on either side of two drainage inlets and installing stone pads around them along with an annual maintenance program that is described in the Operations and Maintenance Manual.

Mr. Crowner asked a question about Item #7 in the Town Engineer's letter, having to do with the on-site detention basin.

Mr. Squire stated that the liner that is proposed for the stormwater detention basin is the same type of liner that has been used since the 1960's in landfills. The seams will be on top and there will be temporary observation wells installed outside of the detention basin as well as observation portals installed within the basin to monitor groundwater levels and the level of water in the basin. If the basin doesn't work, an alternative plan will be developed, possibly involving a concrete tank.

Mr. Roznoy asked about the backflow preventer mentioned in the Town Engineer's letter.

Mr. Squire explained that this is a DPW requirement and not a Fire Department requirement.

Sarah Barr of 30 West Pomeroy Lane observed that there is no crosswalk at the intersection. She encouraged the town to install a crosswalk at the intersection, especially since people will now be crossing the road to get to the Montessori School from off-site shared parking spaces.

Ms. Kruger encouraged Ms. Barr to speak with the Department of Public Works about the need for a crosswalk at this intersection.

Mr. O'Keeffe MOVED to close the public hearing. Mr. Carson seconded and the vote was 8-0-1 (Ford abstained).

Ms. Anderson noted that the Board had received an email from Jason Skeels, Town Engineer, stating that all important items had been sufficiently addressed.

Mr. Webber reviewed the Development Application Report that had been prepared by Planning Department staff prior to the December 7th session of the public hearing, as follows:

- There have been various Special Permits issued for this property since 1984;
- The setbacks and dimensional requirements appear to have been met;
- A site visit was held on December 5, 2011, and the Site Visit Report has been received;
- No waivers have been requested;
- Parking and circulation – there are 13 parking spaces existing and 20 proposed, plus off-site shared parking; the applicant is negotiating with landowners of nearby

properties to lease parking for staff members;

- Lighting fixture information has been submitted showing lights that are downcast and dark-sky compliant.

Ms. Anderson noted that there had been a concern initially about the fire truck not being able to make the turn around the island at the end of the driveway. The Board has since received a letter from the Fire Department stating that it is satisfied with the design of the driveway and turnaround and the accompanying emergency parking management plan.

Mr. Webber went on to review the Development Application Report:

- Erosion Control is shown on the plans;
- A Traffic Impact Statement has been submitted showing that there will be no significant impact on traffic;
- Signs – the existing sign at the edge of the road is over the allowable 4 feet in height; Ms. Kruger noted that the use is an exempt use under M.G.L. Chapter 40A, Section 3, and therefore the Planning Board is limited as to the types of things that it can review; Ms. Kruger stated that the sign may be beyond the limits of Planning Board review in this case;
- Management Plan – the Management Plan appears to be thorough and a snow storage and removal plan has been submitted;
- The Fire Department has submitted comments and is satisfied with the plans;
- The Conservation Commission has approved the plans for the drainage swale;
- The Town Engineer has submitted an email stating that all significant issues have been addressed;
- The architecture is satisfactory;
- Stormwater management has been appropriately dealt with;
- The Landscape Plan shows plantings near the entry to the building and in the center of the driveway circle.

Ms. Kruger noted that the revised plans show a location for temporary classrooms, in case they should be needed during construction. She recommended that the Board approve the location of these temporary classrooms. Mr. Squire showed the proposed location on the Site Plan of the temporary classrooms on the hard court area in front of the main building.

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; it conforms to all setback and lot coverage requirements;
- 11.2401 – Town amenities and abutting properties will be protected because detrimental or offensive actions will be minimized; the abutters to the east had mentioned drainage problems at the meeting on December 7th; these drainage issues will be improved upon as a result of the new drainage system that has been designed;
- 11.2402 – Abutting properties will be protected from detrimental site characteristics resulting from the proposed use; the applicant has been in negotiations with Kingdom Hall to work out issues along the property line that affect both properties;
- 11.2403 – Adequate recreational facilities will be provided; there is not a lot of extra space on the site, but whatever space is available has been used for recreational facilities;
- 11.2410 – N/A;
- 11.2411 – Proposed methods of refuse disposal are described in the Management Plan and on

- the plans, they are considered to be adequate;
- 11.2412 – The ability of the proposed sewage disposal and water supply systems to serve the proposed use was reviewed by the Town Engineer and is considered to be adequate;
- 11.2413 – The ability of the proposed drainage system within and adjacent to the site to handle the increased runoff resulting from the development has been reviewed by the Town Engineer and has been found to be adequate;
- 11.2414 – Provision of adequate landscaping, including screening of adjacent residential uses, has been found to be adequate; there is a substantial vegetative buffer around the property and new plantings will be added near the front door and in the driveway circle;
- 11.2415 – The soil erosion plan has been found to be adequate as shown on the Grading and Utility Plan;
- 11.2416 – Protection of adjacent properties by minimizing the intrusion of flood has been discussed and is considered to be adequate; the Town Engineer has reviewed the proposed drainage plans and has found them to be satisfactory;
- 11.2417 – Protection of adjacent properties by minimizing the intrusion of lighting has been discussed and is considered to be adequate; all exterior lighting will be downcast and will not shine onto adjacent properties;
- 11.2418 – N/A
- 11.2419 – Protection of wetlands is considered to be adequate; the Conservation Commission has reviewed the proposed plans and has approved them;
- 11.2420 – N/A
- 11.2421 – The development is consistent with respect to setbacks, placement of parking, landscaping and entrances and exits with surrounding buildings and development; it is a flag lot and the building is set far back from the road;
- 11.2422 – The building site avoids, to the extent feasible, the impact on steep slopes, floodplains, scenic views, grade changes and wetlands; the site is a flat site with no steep slopes; there are no floodplains; there are scenic views but these are not being affected and the impact on wetlands has been reviewed by the Conservation Commission;
- 11.2423 – The buildings on the site consist of a main building and some small storage sheds which relate harmoniously to each other;
- 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; the applicant has submitted a letter describing in detail its plans for management of vehicular and pedestrian traffic; the Board is satisfied with the idea of using the “line of cars” method for dropping off children, since it works now; the Board heard comments about the lack of crosswalks at the intersection, but this is not in the scope of the Board’s review; there is no room for a sidewalk along the edge of the driveway;
- 11.2431 – There is only one curb cut, providing access to this property; it is an existing curb cut and no changes are being proposed to it;
- 11.2432 – The location and design of parking spaces, bicycle racks and drive aisles will be provided in a safe manner; the design of parking spaces and drive aisles has been reviewed by the Town Engineer and the Fire Department has been found to be satisfactory when the emergency management plan for parking is in place; the Head of School has stated that the school plans to install a bike rack;
- 11.2433 – Provision for access to adjoining properties will be provided; the applicant is in negotiation with abutting property owners for drainage easements and for leased parking;
- 11.2434 – N/A

- 11.2435 – N/A
- 11.2436 – A Traffic Impact Statement has been provided;
- 11.2437 – The Traffic Impact Statement complies with the requirements set forth in this section.

Waivers – None

Conditions

1. A bike rack shall be installed.
2. Issues of concern listed in the Town Engineer's letter of January 11, 2012, shall be addressed to the satisfaction of the Town Engineer, including:
 - a. Proper drainage easements shall be obtained and specific maintenance rights and responsibilities shall be defined, with regard to the stormwater drainage system and stormwater quality;
 - b. Drainage easements shall be recorded at the Registry of Deeds prior to a Certificate of Occupancy being issued;
 - c. A final as-built plan shall be submitted to the Town Engineer, including all new stormwater drainage system appurtenances on the Montessori property and those on the adjacent Kingdom Hall property that are installed as part of this project, and including all other utilities on the Montessori property;
 - d. Driveway grades shall be set in accordance with paragraph #5;
 - e. The drain inlet in the swale on the east side of the driveway shall be maintained to assure flow of stormwater in accordance with paragraph #5;
 - f. The existing swale on the east side of the driveway shall be cleaned and maintained in accordance with Option B, as described in paragraph #6;
 - g. The subsurface stormwater detention basin shall be sealed and monitored in accordance with paragraph #7;
 - h. A backflow prevention permit and other appropriate permits enumerated in the Town Engineer's letter shall be obtained prior to the start of construction.
3. In accordance with the letter from Kevin Campbell of KSC Educational Consulting, dated January 2, 2011 [should be 2012] an additional 15 off-site parking spaces will be provided by the applicant by leasing/sharing off-site parking spaces with nearby property owners. Documentation of these parking agreements shall be submitted to the Planning Board.
4. Exterior lighting shall be downcast and shall not shine onto adjacent properties.
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.

Mr. Roznoy MOVED to approve the Site Plan Review application with conditions as enumerated.

Ms. Anderson seconded and the vote was 8-0-1 (Ford abstained).

III. OLD BUSINESS

A. **SPR2011-00005/M6948 – 43-51 North Pleasant St. - Boltwood Place – Archipelago Investments, LLC**

Review of Lighting Plan in accordance with Condition #1 of Site Plan approval, including location of fixtures, style and color of fixtures and a photometric or lumen plan. (Map 14A/Parcel 48; B-G zoning district)

Kyle Wilson of Archipelago Investments presented the exterior lighting plan, showing renderings of the building, a site plan, details of the light fixtures and a photometric or lumen plan. There will be a total of 7 fixtures – 1 on either side of the lobby entrance, 1 on either side of the retail entrance and 3 along the alley leading to

the rear entry to Judie's Restaurant. The fixtures will be wall-mounted, downcast black aluminum light fixtures, mounted 8 ½ feet above grade. They will be "Dark Sky" compliant. There is also an overhang on the second floor which will prevent light from being seen from above. The existing streetlight in front of the building was removed, with DPW agreement. There are two remaining streetlights in the vicinity. Mr. Wilson presented the photometric plan which shows that the lights will project 5 footcandles immediately below the fixtures, 1 footcandle about 3 feet out from the fixtures and 0.5 footcandles about 10 feet from the building.

Mr. Webber expressed approval of the fixtures and the coverage that they will give to the area. Ms. Kruger noted that this area is currently very dark at night. Mr. Roznoy noted that the Design Review Board was satisfied with the lighting plan and fixtures.

Mr. O'Keefe MOVED to approve the lighting plan. Mr. Carson seconded and the vote was 9-0.

Mr. Wilson stated that the developers are hoping for an opening in March.

B. Water Supply Protection Committee – Planning Board representative

Mr. Webber read from the Charge of the Water Supply Protection Committee. He asked if any member of the Planning Board wished to volunteer to be a member of the WSPC. Ms. Brestrup noted that she had spoken with Planning Director, Jonathan Tucker, and it was his opinion that the Planning Board's representative on the WSPC did not need to be a member of the Planning Board. She further noted that the DPW had received a Citizen Activity Form from Brian Yellen last summer expressing an interest in the Committee. Mr. Yellen has a Bachelor's Degree from Brown University in biology and geology and a Master's Degree from UMass in Hydro-geology. He seems to have significant knowledge in the field of Water Supply Protection. She has spoken with Mr. Yellen and he is still interested in serving on the WSPC and is willing to act as the Planning Board's representative. The Planning Board's representative on the WSPC would be expected to attend WSPC meetings about three times a year and report back to the Planning Board periodically about the work of the Committee.

Mr. Schreiber MOVED to recommend Brian Yellen to the Town Manager as the Planning Board's representative on the Water Supply Protection Committee. Ms. Kruger seconded and the vote was 9-0.

C. Letter to PVPC – requesting technical assistance

Mr. Webber explained that the Town of Amherst had requested assistance from the PVPC with respect to Sustainable Development and Land Use, specifically in the area of Transfer of Development Rights (TDR). Now the Town has been invited to submit a more formal request with further details and the formal letter of request has been presented for signature. Mr. Webber signed the letter requesting assistance from the PVPC on the topic of Transfer of Development Rights.

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

IV. NEW BUSINESS

A. UMass Draft Master Plan – Schedule presentation by Dennis Swinford, Director of Campus Planning

The Board agreed by consensus that Wednesday, February 1st, would be a good date for UMass Director of Campus Planning, Dennis Swinford, to present the UMass Draft Master Plan to the Planning Board.

Ms. Anderson, who had heard the presentation on December 15, 2011, offered a list of questions and comments that the Planning Board members may wish to ask and/or discuss with Mr. Swinford. She will be absent that evening. Ms. Anderson read her questions and comments into the record as follows:

- Is the Gateway area included in UMass' Master Plan?
- How will the UMass' Master Plan affect traffic flow on Lincoln and Fearing Streets?
- What is the impact of UMass' planned increase in enrollment, but without proportionate increase in on-campus housing?
- What will the new off-campus housing demands be with the proposed increase in enrollment?
- UMass' concept of 10-20 minute campus walks for arranging buildings and walkways is an interesting concept for future Town Village Centers
- Related to off-campus housing issues – the difference between UMass' housing and off-campus housing is that there is a residential life program of live-in professional Residential Directors, Student RAs, educational programming and behavior expectations.

Ms. Anderson noted that UMass is building an Honors College with academic buildings, residence halls and dining facilities all together. She thought it was an excellent presentation.

B. Topics not reasonably anticipated 48 hours prior to the meeting

Housing and Shelter Committee – Ms. Kruger reported that she had received a communication from a Select Board member regarding the formation of a new committee, the Housing and Shelter Committee, to replace the disbanded Housing Partnership/Fair Housing Committee and the Committee on Homelessness. She had been asked to join the new committee but because of time constraints had declined the offer. However, Ms. Kruger recommended that the Select Board consider having a liaison from the Planning Board attend meetings of the new committee. Ms. Kruger volunteered to act as the Planning Board's liaison to the Housing and Shelter Committee. She has a background in housing and affordable housing.

Ms. Anderson MOVED that Ms. Kruger be designated as the Planning Board liaison to the Housing and Shelter Committee. Mr. O'Keeffe seconded and the vote was 9-0.

Town Meeting – Mr. O'Keeffe reported that the Annual Town Election would be held on April 3rd. He encouraged Planning Board members to consider serving in Town Meeting. This will be a special election because of redistricting. The boundaries of precincts have been changed due to the new 2010 census. All 240 seats in Town Meeting are up for election (24 representatives from each of 10 precincts). The terms will be staggered in each of the 10 precincts as follows:

- Top 8 vote getters – 3 year term
- Mid 8 vote getters – 2 year term
- Lowest 8 vote getters – 1 year term.

Potential Town Meeting members need to initiate the process by requesting and submitting nomination papers before February 14th. Papers require at least one signature, which can be the nominee's signature.

V. FORM A (ANR) SUBDIVISION APPLICATIONS – none

VI. UPCOMING ZBA APPLICATIONS – The Planning Board has requested an opportunity to review the following ZBA application:

ZBA FY2011-00012 – Eagle Crest Property – To convert a dimensionally non-conforming

single family dwelling to a two-family dwelling, under Section 3.321 and 9.22 of the Zoning Bylaw at 156 Sunset Avenue (Map 11C, Parcel 11, R-G Zoning District)

The review will occur at the February 1st Planning Board meeting.

VII. UPCOMING SPP/SPR/SUB APPLICATIONS – none

VIII. PLANNING BOARD SUBCOMMITTEE REPORTS

Zoning – Mr. O’Keeffe reported that the Zoning Subcommittee had met this evening. They had conducted a “Roundtable” with the purpose of receiving feedback from members of the public. They heard a lot about the proposed rezoning of North and South Amherst. Because of the nature of the meeting, there was not much substantive discussion on the part of the ZSC members. The next meeting will be January 25th.

Ms. Anderson stated that she has concerns about the rezoning of the east side of Route 116 because of the difficulty in crossing the road. She thinks that this area does not fit into the Village Center. She predicted that Route 116 will remain hard to cross even with the roundabouts and traffic calming efforts.

Ms. Kruger asked about the best way to submit comments to the ZSC on the Village Center rezoning. Mr. O’Keeffe invited Planning Board members and others to submit written comments, preferably in advance of the meetings.

IX. PLANNING BOARD COMMITTEE & LIAISON REPORTS

Pioneer Valley Planning Commission – Mr. Schreiber noted that he had requested volunteers at the last Planning Board meeting to testify before the legislature in Boston regarding zoning reform. Ms. Kruger offered to testify.

Community Preservation Act Committee – Ms. Anderson reported that CPAC had received requests for FY 2013 that amounted to about \$1.1 million. CPAC has approximately \$546,000 in funds available for new projects, in addition to another \$171,000 that is earmarked for previously obligated debt service. Ms. Anderson enumerated requests in the areas of affordable housing, historical preservation, open space and recreation and multi-category requests. There was discussion about the request for use of CPAC funds for the renovation of the Hampshire County Courthouse in Northampton and whether the Town of Amherst should help to fund renovations for a building that is not located in Amherst. Some Board members felt that the amount being requested was too high (\$240,000) and that a smaller amount might be more acceptable. There was also discussion about the use of \$130,000 to move the Little Red Schoolhouse to a new site from its present location on the Amherst College campus. Ms. Anderson noted that the state match is now only about 26.2 percent. The next CPAC meeting is scheduled for January 19th. Ms. Anderson plans to attend and report back to the Planning Board (through Ms. Brestrup) on some of the questions that were asked about specific requests. Ms. Anderson will not be able to attend the February 1st Planning Board meeting.

Agricultural Commission – Mr. Webber reported that the Agricultural Commission met last week. They discussed the Right-to-Farm Bylaw notice that lets incoming residents know about the presence of a nearby farm and that they may expect noise and odors as a result of living near a farm. The notice may lessen the problem of people moving in and then complaining about nearby farming activities. The Ag Com is requesting that realtors advise their clients about the presence of nearby farms and distribute a flyer to educate people about farming activities. The Ag Com also discussed the Farmers’ Markets in town. In addition they discussed a request for proposals to use conservation land for farming. The town would give licenses to farmers to farm on conservation land. The Ag Com has offered input on this topic to the Conservation Commission.

Transportation Plan Task Force – Mr. Roznoy reported that the Transportation Task Force is being organized and a meeting will be held soon. Guilford Mooring and Christine Brestrup will be staff liaisons.

Amherst Redevelopment Authority – no report

Design Review Board – Ms. Ford offered to serve as the Planning Board’s representative on the Design Review Board.

Ms. Kruger MOVED that Kathleen Ford be recommended to the appointing authority [the Select Board] to serve as the Planning Board’s representative on the Design Review Board. Mr. Carson seconded and the vote was 9-0.

Other Boards and Committees – none

X. REPORT OF THE CHAIR – none

XI. REPORT OF STAFF – none

XII. ADJOURNMENT

The meeting was adjourned at approximately 9:00 p.m.

Respectfully submitted:

Approved:

Christine M. Brestrup,
Senior Planner

David Webber, Chair

DATE: _____