

AMHERST PLANNING BOARD
Wednesday, February 1, 2012 – 7:00 PM
Town Room, Town Hall
MINUTES

PRESENT: David Webber, Chair; Jonathan O’Keeffe, Rob Crouner, Bruce Carson, Richard Roznoy, Connie Kruger, Stephen Schreiber (7:05 PM) and Kathleen Ford

ABSENT: Sandra Anderson

STAFF: Christine Brestrup, Senior Planner

Mr. Webber opened the meeting at 7:03 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 18, 2012

Mr. Crouner MOVED to approve the Minutes of January 18, 2012. Mr. O’Keeffe seconded and the vote was 7-0.

II. PRESENTATION

UMass Draft Master Plan – Presentation by Director of Campus Planning, Dennis Swinford and Senior Planner, Niels la Cour

Mr. Swinford introduced his associates from UMass, including Ludmilla Pavlova-Gillham, Niels la Cour, Nancy Buffone and Lisa Queenin.

The UMass Master Plan process began about a year ago. The Plan is being developed to address the deteriorated condition of the campus, to accommodate planned enrollment growth and to advance the goals of the Framework of Excellence developed under the leadership of Chancellor Holub. Mr. Swinford emphasized the efforts to create a long term vision for the community, to “bring up the quality” of the campus and to raise aspirations and raise funds.

He presented a composite site analysis noting the following:

- The campus has natural boundaries, including a ridge line to the east, a river and flood plains to the west and neighborhoods to the north and south;
- There are substantial existing open spaces and views;
- The existing land use is “very zoned”, with separate areas for housing, academic and athletic facilities and without much mixed use;
- The condition of the buildings is not good;
- Some of the buildings have historical interest;
- Parking is now distributed in small lots throughout the campus and comprises about 96 acres of surface parking;
- “Likes” and “Dislikes” were mapped;
- Campus Planning is still collecting ideas;
- The plan will be presented to the Chancellor once it is complete.

Guiding principles are:

- Create a long-term plan with a 50 year perspective;
- Create growth opportunities in the core of the campus;
- Create a framework of open space;
- Build a campus and not just buildings;
- Untangle vehicular and pedestrian circulation;
- Create a campus that is alive with mixed uses 24/7/12, with more summer activities;
- Unify the academic campus;
- Respect the planning and building heritage of the campus.

Mr. Swinford presented specific information about objectives of the plan:

- Create an open space system with connections, including pedestrian spines;
- Create a system of roadways that is more friendly towards pedestrians and bicyclists by eliminating lanes and creating “Complete Streets”;
- Enhance transit connections;
- Create a more mixed-use core to keep students coming back into the center of campus in the evening.

As of 2010 land use on campus was divided almost evenly in thirds – 1/3 academic, 1/3 residential, 1/3 everything else. There are currently 12,500 beds on campus with a total of 14,000 beds once the Commonwealth College is built. In 2020 it is expected that the uses on campus will also be distributed in thirds. It is expected that there will be 27,700 students and 8,800 faculty and staff.

Mr. Swinford discussed locations for new buildings and pointed out which buildings are expected to be demolished. He noted that there is a plan to install solar panels over the parking lot at the Visitors Center to provide power to the center.

UMass has created a way for people to interact with and comment on the Master Plan online. Access is open to the public. Comments left on the site will be answered in the final Master Plan.

Mr. Webber asked about the proposed North Amherst bike connector. Mr. Swinford explained that UMass is interested in working with the town to create a connection from the gravel road that runs north out of the campus toward the North Amherst Village Center.

Mr. Crowner asked about future plans for Haigis Mall. Mr. Swinford explained that there will be changes to the Mall because it lacks vitality and is not used. The Master Plan calls for removing the parking and buses and making it into a pedestrian open space. The proportions of it are also proposed to be changed by the addition of a new building (possibly a museum) near the north end. The end result will be more like a “quad” than a mall.

Mr. Roznoy asked about the connection of the Master Plan to the Gateway Corridor area. Mr. Swinford explained that UMass supports the town’s efforts to create a connection along the Gateway Corridor and supports the residential nature of this corridor. At the site of the former University Apartments there is a plan to build a grand “Gateway” building. In addition, UMass is working with the town on a traffic study.

Mr. Roznoy asked if the university had considered modes of transit in its plans. He asked if they had considered satellite parking lots and a transit system to move people around campus and if they would eliminate most of the parking on campus. Mr. Swinford agreed with this concept from the standpoint of sustainability. However, he stated that the university has a surplus of parking on campus. It is just not in the right place. Parking supply is not an issue. Parking location is an issue.

Mr. Roznoy reported that the town is working on a Transportation Plan.

Mr. Schreiber observed that this presentation provides a great opportunity to talk with the university about collaboration. He noted that the addition of 2,000 more students to the campus would mean the need for about 500 more units of housing, at 4 people per unit. Mr. O’Keeffe observed that it appeared that there was no plan for on-campus expansion of housing.

Mr. Swinford acknowledged that there was a need for on-campus housing, particularly high-quality grad student housing. However, UMass is faced with a bond cap imposed by the state system. There is a need to use bonding capacity to provide academic and research facilities. In the long term plan locations have been identified for more housing to be built. UMass

would like to work with the town to provide more student housing.

Ms. Kruger asked about the Admissions Building, currently located off Olympia Drive. Mr. Swinford reported that the university would like to move Admissions back to the campus.

Ms. Kruger observed that even though the university is keeping the same ratio of on-campus housing to student population, the increase in the number of students will have an impact on the town. She stated that collaboration between the town and the university makes sense and that there are potentially other ways to finance additional housing besides issuing bonds. She thinks there is a place for off-campus student housing around the edges of the campus. She suggested that the university and the town start a new dialogue with regard to housing.

Mr. Carson asked if university land can be used by private developers to develop student housing. Mr. Swinford stated that while there are barriers to this type of collaboration with private developers, he believes that they can be overcome. Mr. Carson suggested that the town could work towards changing the law to allow this to happen.

Mr. Crouner asked about the university's plans to make the campus a 24/7 place for students. Mr. Swinford explained that the university wants to create co-curricular activities and choices for students. They are working with the people at "Campus Life" to create a plan, but they need space for these activities. They are trying to create alternatives to going into downtown Amherst.

Mr. Schreiber asked about the plans for the University Health Services. Mr. Swinford explained that it would stay where it is for now, but it may be moved to a location across from Whitmore, close to Southwest Dormitories.

The Board thanked Mr. Swinford and his associates for the presentation.

III. APPEARANCE

ZBA FY2011-00012 – Eagle Crest Property – 156 Sunset Avenue

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)

Mr. Webber provided some background information on the application and noted that the Planning Board can offer recommendations to the Zoning Board of Appeals if it chooses to do so. He noted that the Planning Board's role is purely advisory and that the Special Permit is a discretionary permit, the granting of which will be decided by the ZBA.

Jim Heffernan, of Bacon and Wilson, attorney for the applicant, introduced the members of his group, James Cherewatti, owner of Eagle Crest Property Management which owns the property, James Beadle, property manager for Eagle Crest, and Peter Wells of The Berkshire Design Group.

Mr. Heffernan introduced the project. The property is in the R-G (General Residence) zoning district which is a district that is designated to accept medium to high density development. In this case the property is located between the university and the town center. The project is mainly an interior redesign, he said.

Mr. Wells presented the Site Plan. The house is non-conforming due to a 1'-4" encroachment into the side yard setback on the north side of the building. The existing site plan shows a gravel driveway providing access to parking. It shows a 10 foot right-of-way on the adjacent property to the north where the driveway is located. The existing driveway currently overlaps beyond the right-of-way by a few feet.

The existing house now has 6 bedrooms, 4 on the first floor and 2 in the basement. In the

existing condition, there is adequate parking for 3 vehicles off Sunset Avenue and 4 vehicles at the rear of the house. The site has a number of mature trees, most of which will remain. Two pines are proposed to be removed because they are too close to the house. The property is about 0.80 acres in area (3/4 of an acre) and has 106 feet of frontage. There is a long, deep and large backyard which can receive drainage in the form of sheet flow across the lawn from the proposed parking lot.

Within a 1/4 mile radius of the site, the neighborhood contains a number of multi-unit residences. There are also commercial and higher density residences nearby. Therefore the proposal is in keeping with the character of the neighborhood, Mr. Wells asserted.

Mr. Wells presented a rendered Site Plan showing proposed site improvements. The proposed driveway will be 10 feet wide and will lie within the 10 foot right-of-way. There will be a six car parking area in the rear with a walkway to the back entrance. The driveway will have a turnaround area at the end so that cars do not need to back out onto Sunset Avenue. There will also be a place for trash and recycling bins at the end of the driveway. There will be four bedrooms on the main level and four bedrooms in the basement. There are spaces for eight cars on the property, with six in the back and two in the driveway. There is room for a total of nine cars on the property, including one in the garage. The turnaround can accommodate occasional cars for parking while still allowing room for turning around. Screening is proposed between the parking area and the adjacent property to the north. A 12 foot tall light post is proposed at the rear of the parking area to light the parking lot. Lights will be dark-sky compliant and no light pollution will leave the site. There will also be a light mounted on the wall at the rear door to light the rear entry area.

Mr. Wells described the landscape plan. Large, mature deciduous trees will be maintained. Overgrown sumac at the front of the house will be removed. The Vinca (periwinkle) plantings at the front will be restored and foundation plantings will be added. New plantings will include low-growing Sumac and Low-bush Blueberry. The existing Goshen Stone wall will be extended.

Mr. Wells noted that the Town Engineer and the DPW initially had concerns about an existing sewer line that runs under the house. Their concerns have been satisfied. The sewer is 30" below the foundation and there is an easement for town access.

Mr. Wells reported that the exterior of the house will not change, except for the addition of an egress door for the lower unit.

Mr. Schreiber asked about the measurement from the house to the northern property line. Mr. Wells reported that the measurement is from the edge of the eaves to the property line.

Mr. Cherewatti stated that some of the windows at the rear of the building will be changed.

Ms. Ford questioned the general quality of the light and air in the lower unit since there will be no windows in the rooms at the front of the house. Mr. Cherewatti stated that only the kitchen will be without windows.

Mr. Crouner stated that one of the reasons that the Planning Board asked to look at this proposal was to help Board members understand how projects like this fit within the community's planning intent. He noted that the presentation had talked about creating a two-family home in an area intended for more dense use than other parts of town. He stated that this proposal does not feel like a "family home" to him. It looks like the applicants are taking an illegal 8-person residence and making it into a legal 8-person residence. People all over town are struggling with this phenomenon of landowners taking single-family homes and creating essentially "boarding houses". The Planning Board needs to understand how this is happening and what the impacts might be on the neighborhood and figure out a way of addressing it through planning, zoning and the other steps that the town is taking. This

proposal is illustrative of a lot of the problems that are going on in town. He acknowledged that the property is located only two houses down from Southwest Dorms and that it was a student neighborhood, but he noted that the house across the street is for sale. He stated that he has a problem with this proposal, but is glad that the Planning Board has had a chance to review this application and think about what the problems are.

Mr. Schreiber stated that he has similar but different issues with this proposal. The positive aspects of this are that it is going through the permitting process and the building will come up to code. If it were not for the 1'-4" overlap into the setback, this would be a "by-right" use. A purposeful zoning change was made to allow two-family houses in the R-G zoning district with Site Plan Review. Although the floor plans were difficult to read, the Site Plan is handsome and its implementation will improve the property. The advantage of allowing two-family homes in the R-G zoning district by Site Plan Review is that the Planning Board has an opportunity to review the plans.

Mr. Webber asked about the Management Plan and whether there would be a superintendent available 24 hours a day, 7 days a week to respond to problems. Mr. Cherewatti stated that there will be 24/7 emergency maintenance services available to tenants.

Mr. Crouner acknowledged that the site will be improved by the implementation of the Site Plan, but he noted the Planning Board is still considering whether two-family houses should be allowed in the R-G zoning district by Site Plan Review. Last year the Planning Board proposed a change in the regulations for two-family houses, but the change was defeated at Town Meeting, perhaps for the wrong reasons.

Ms. Kruger agrees that this proposal will result in cleaning up what is there now and that the property will be able to fit under the Bylaw. It will come under a Management Plan. This is the market that we have in Amherst and the applicant is creating another unit without disturbing more land or pushing out into another neighborhood. She noted that the definition of "family" includes a group of people living together. There is a huge need for student housing and this is right next to the university.

Mr. Webber agreed that the location next to the university is appropriate for the use as student housing. If there were no dimensional non-conformity this would be a "by-right" use.

Mr. O'Keefe stated that one of the big issues in town is conversion of single-family homes to student rentals. In this case, the house is already a student rental. This is an appropriate location on the edge of the university, the demand for student housing is high and this is a better location than other locations in town. He appreciates the fact that only eight parking spaces are being proposed and not more.

Mr. Roznoy referred to the Master Plan and asked if this proposal doesn't go along with the goals of raising density in certain areas, as the Master Plan has said to do.

Mr. Crouner stated that while he agreed with most of what was said, he questions this plan. The interior plans show an interior stairway linking the first floor and basement. He asked if this would be removed.

Mr. Cherewatti stated that the stairway area would be used for fire separation, as the code requires and that it won't be used for access between floors. It will be sheet-rocked in, he said.

Mr. Webber asked if the Planning Board members would like to offer a response to the application – either positive or negative and whether it should be by consensus or a vote.

Mr. O'Keefe stated that he believed that the ZBA should come to its own conclusions and that he was not inclined to offer recommendations, even though he thought the project was appropriate and desirable.

Ms. Kruger stated that it would be appropriate for the Planning Board to make a recommendation to the effect that the Planning Board has reviewed this proposal, that it is in conformance with the Master Plan, that it is in an appropriate location for this use and number of units, and that the site plan and parking plan as proposed are appropriate.

There was discussion about sending the ZBA a copy of the Planning Board Minutes, rather than taking a formal vote. Ms. Brestrup noted that the Planning Board would not have an opportunity to approve the Minutes until after the ZBA public hearing on this application and that the Planning Board would therefore be relying on her interpretation of what had transpired.

Mr. Schreiber MOVED that the Planning Board endorse this plan for the reasons that the proposal meets the criteria of the Master Plan, the use would be allowed by right except for the 1'-4" corner of the back of the garage that encroaches into the side setback area, and that the Site Plan seems complete, well-studied and that its implementation will improve the property. Ms. Kruger seconded and the vote was 6-2 (Carson and Crouner opposed).

Mr. Carson stated that he agreed with the concerns expressed by Mr. Crouner and that it would be worth looking at the provisions for this type of thing in the future. He doesn't think that this type of proposal was the intention of the Bylaw.

IV. OLD BUSINESS

A. Signing of Decision

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

The Planning Board signed the decision.

B. PVPC – Response to Request for Modification of 2012 Top Ten Resolve #7 regarding rail service to Amherst via the Central Corridor

Mr. Schreiber reported that after the last Planning Board meeting, he had communicated with Executive Director, Tim Brennan, of the PVPC, regarding a proposed modification to PVPC's Top Ten Resolve # 7 for 2012. The modification would have advocated for the study and improvement of the north-south corridor of the Central Corridor along the New England Central Railroad line. There were a series of emails about this topic. Essentially Mr. Tucker's last email outlined an attempt to strategize about the best way to get support and attention for the Central Corridor from PVPC. This is an ongoing process, involving approaching each community that is affected along the Central Corridor and soliciting help in promoting the Central Corridor concept to PVPC.

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

Mr. Webber noted that he had received a copy of a letter sent by PVPC to Town Manager, John Musante, asking for the town's assistance in creating a statewide map of broadband availability. Mr. Webber noted that the Amherst IT Department has said that broadband availability in Amherst is fairly well represented on the MA Broadband Institute's map available on the Institute's website. Ms. Brestrup offered to send a link to the website to Board members and invited them to send her comments, if they had any to offer.

Mr. Roznoy asked about the Site Plan that had been approved for Ginger Garden, the restaurant at the corner of Route 9 and University Drive. He noted that there was some screening that was to have been installed and he asked staff to report at the next Planning Board meeting on whether the screening (plants) had been installed.

Ms. Kruger distributed a letter that she had written to the Zoning Subcommittee about the Village Center rezoning proposal, at the invitation of Jonathan O’Keeffe, Chair of the ZSC. She noted that the Planning Board relies heavily on the ZSC for zoning amendments. She suggested that more time be allotted in Planning Board meetings to consider and discuss proposed zoning amendments.

Mr. Webber supported Ms. Kruger’s suggestion and said that he would like to have multiple, shorter sessions on zoning amendments. Mr. O’Keeffe encouraged other Planning Board members to submit comments. He also asked that the Village Center rezoning proposal be included as an agenda item for the next Planning Board meeting, under New Business. Mr. Webber noted that he had also submitted a letter of comment on the Village Center rezoning.

Board members offered Ms. Ford advice on how she could become familiar with the Village Center rezoning proposal.

V. NEW BUSINESS

- A. Planning Commissioners Journal – Mr. Webber acknowledged receipt of the Journal.
- B. Keystone Project – Invitation from UMass Department of Natural Resources Conservation to attend a training program at the Harvard Forest – Mr. Webber acknowledged receipt of the invitation to attend the Keystone Project training program.
- C. Topics not reasonably anticipated 48 hours prior to the meeting
Mr. O’Keeffe reminded Board members about the upcoming Town Meeting elections. The deadline for filing papers with the Town Clerk is February 14th.

VI. FORM A (ANR) SUBDIVISION APPLICATIONS – none

VII. UPCOMING ZBA APPLICATIONS

Board members declined to review the following application:

ZBA FY2012-00013 – Johnny Dean, LLC (d/b/a D.P. Dough) – 96-110 North Pleasant Street

VIII. UPCOMING SPP/SPR/SUB APPLICATIONS – none

IX. PLANNING BOARD SUBCOMMITTEE REPORTS

Zoning – Mr. O’Keeffe reported that the ZSC met tonight and talked about North Amherst Village Center rezoning. The ZSC had met last week and discussed South Amherst (Atkins Corners) Village Center. The ZSC now has an updated map for South Amherst. Tonight there were no concrete proposals. The ZSC will meet again on the 15th and will talk more about North Amherst at that time.

Mr. Schreiber suggested that the ZSC might wish to provide a better definition for “setback”, particularly with regard to side setbacks. It is unclear from what point on a building the measurement should be taken. It is only implied by reference to the definition of “front setback”. The measurement should be made from the wall and not the eave, he said, as it is done in other towns.

Mr. Webber invited Mr. Schreiber to draft language and bring it to the Board for review. Ms. Kruger noted that the issue of setbacks might be handled via a waiver or modification of the requirements, via a Special Permit, as is already allowed for some dimensional requirements in the footnotes to Table 3, Dimensional Requirements.

X. PLANNING BOARD COMMITTEE & LIAISON REPORTS

Pioneer Valley Planning Commission – Mr. Schreiber reported that the PVPC would meet on February 9th. At that time he will advocate for the changes to Top Ten Resolve #7.

Community Preservation Act Committee – no report

Agricultural Commission – Mr. Webber reported that the Agricultural Commission had not met since January 18th.

Transportation Plan Task Force – Mr. Roznoy reported that the TPTF was just getting organized and that a meeting was being planned.

Amherst Redevelopment Authority – no report

Design Review Board – Ms. Ford reported that she had submitted her Citizen Activity Form to act as the Planning Board's representative to the DRB.

Other Boards and Committees – no report

XI. REPORT OF THE CHAIR – none

XII. REPORT OF STAFF – none

XIII. ADJOURNMENT

The meeting was adjourned at approximately 9:20 p.m.

Respectfully submitted:

Approved:

Christine M. Brestrup,
Senior Planner

David Webber, Chair

DATE: _____