

AMHERST PLANNING BOARD
Wednesday, December 4, 2013 – 7:00 PM
Town Room, Town Hall
MINUTES

PRESENT: David Webber, Chair, Rob Crouner, Bruce Carson, Kathleen Ford, Connie Kruger, Stephen Schreiber, Sandra Anderson, Richard Roznoy and Greg Stutsman

ABSENT: none

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

Mr. Webber opened the meeting at 7:05 PM.

I. MINUTES

The Minutes of November 20, 2013, were not ready for review.

II. PUBLIC HEARING – PRELIMINARY SUBDIVISION PLAN

SUB2014-00001/M20141 – Retreat at Amherst LLC – Henry Street, Market Hill Road and Flat Hills Road

Request approval for a 136 lot Preliminary Subdivision Plan (Map 6A, Parcels 84, 91 and 96, R-N and R-O zoning district)

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

Mr. Webber offered introductory remarks. This is the first step in a long process and many other permits need to be obtained in order for this development to be built. Acceptance by the Planning Board at this stage will not allow the project to move ahead, nor will rejection by the Planning Board at this time prevent the project from happening. This evening's public hearing will be limited to discussion about the roadways, lot layout and utilities. A review of the use of the property will come later.

The Planning Board has a 45 day period in which to review and act on the Preliminary Subdivision Plan application. A decision must be filed with the Town Clerk by December 13th. The Planning Board will hold the public hearing, close the public hearing, deliberate, vote and set conditions this evening. Mr. Webber noted that members of the Select Board were in attendance and that he had prepared a list of questions based on emails the Board received prior to the meeting.

Attorneys Peter MacConnell and Thomas Reidy of Bacon and Wilson and John Williams of Williams Associates, Tony Wonseski of SVE Associates and Jason Doornbos of Landmark Properties were present to represent the applicant. Also present was Attorney Michael Pill of Green Miles Lipton.

Mr. MacConnell stated that the Preliminary Subdivision Plan would give the Planning Board information about the overall concept of the project. This Plan is not based on full engineering and studies, which will come later. The centerlines of proposed roadways have been staked. The applicant considered three development methods for this property: 1) Standard subdivision which would use up all 146 acres; 2) Cluster Subdivision which would have the dwellings closer together and use up less acreage; 3) "modified Cluster" which is what is being proposed. The "modified Cluster" development would reduce frontage to preserve open space and the environmental impact would be less, he said.

Mr. Williams of Williams & Associates of Athens, Georgia, presented a slide show about Landmark and the project. His firm has collaborated with Landmark on other projects around the country. He talked about the organization being “fully-integrated” and having a “quality commitment”. Landmark Properties is one of the most active developers in the country, he said. SVE Associates is the local consultant for this project.

Mr. Williams stated that Landmark’s projects have been well-received. They pull students out of neighborhoods, they are professionally managed and they have many endorsements.

The architecture is Craftsman Style, a traditional architectural style. There are 8 floor plans and three elevations with multiple color schemes proposed for this site. All of the units will be sprinklered for fire safety.

The project will provide open space and buffer areas between the project and the surrounding neighborhoods. Landmark builds “sustainable communities”. The project will have open space and green space. Stormwater will be managed on site. The project will be pedestrian and bicycle friendly.

Mr. Williams presented a map showing the context of the site. The Zoning Bylaw provides a method of calculation to figure out how many lots would be allowed in a Cluster Subdivision. Based on the calculation, 196 lots would be allowed, he said. However, the Yield Plan shows that only 123 lots can be developed based on a Standard Subdivision layout. Even with the Yield Plan, there would be 40 acres of open space.

The Cluster Development Method allows for reduced impervious surface, fewer roads and increased open space.

Mr. Williams presented the Preliminary Subdivision Plan. There are two types of open space proposed. The first type is open space on the lots themselves, the portion that is not needed for the houses. The second type is all of the open space that surrounds the lots.

There are 175 dwelling units proposed, with both single and two-family dwellings. The density would amount to 1.19 units per acre. Mr. Williams presented a chart comparing a standard and a modified cluster subdivision. Some of the lots are proposed to have their frontage reduced to 40 feet. Setbacks would be reduced. The buildings would comply with building separations as required by the Building Code. The number of lots would be the same in the standard, the Yield Plan and the Cluster Development. There would be a 30% reduction in the amount of roadway and only two wetlands crossings with the modified cluster development. There would also be more open space.

Mr. Williams stated that some features of the modified cluster development would be large contiguous areas of open space and maintained wildlife corridors. The project has been designed with the topography of the site in mind. There will be minimal disturbance. Trail connections will be provided to the Robert Frost Trail. There will be multi-use paths, private trash collection and privately maintained roads. The sewer and water systems will be public and will connect to Flat Hills Road. The development will promote the use of buses and bicycles. On street parking and other traffic calming methods will be used.

Mr. Williams described four options for the ownership of the common land as allowed in the Zoning Bylaw. However, he noted that the land owner had made an agreement with the Select Board during the Chapter 61 release process to the effect that all of the open space will be donated to the town if the project is built as proposed.

Mr. Williams presented images of the architecture. He stated that there would be on-street parking, in front of the units, which would eliminate the need for driveways. Residents would then have the use of their backyard landscapes.

Mr. Williams stated there are other studies which are ongoing or need to be done, having to do with the following:

- Traffic
- Habitat
- Geotechnical Conditions
- Sewer and Water Systems
- Storm Drainage

Mr. Williams listed the design exceptions that the applicant is requesting:

- Frontage of 40'
- Side setbacks of 5'
- Rear setbacks of 10'
- Minimum centerline radius of 150'
- Maximum roadway slopes of 10%
- Maximum length of cul-de-sac of 1,400'
- Parking on the street
- Parking in the front setback

He explained why the applicant is asking for these exceptions and provided supporting information. Parking on the street allows more open space around the buildings and less paving

He noted that the roads will get longer if the lots are wider. If the houses are only 30 feet wide there is no need for a 100' building circle. Disturbed areas will be decreased if parking is on the street.

Mr. Williams presented an image comparing a 40' wide lot with parking on the street versus a 100' wide lot with parking behind the house.

Mr. Schreiber asked a question about the inclusion of flag lots on the Yield Plan, since flag lots normally require a Special Permit. Ms. Brestrup explained that if flag lots are included and approved as part of a Definitive Subdivision Plan they do not require a Special Permit.

Ms. Ford asked about the Yield Plan and noted that environmental studies had not yet been done. Mr. Williams stated that the edges of the wetlands had been flagged and mapped.

Ms. Brestrup explained that the edges of the wetlands had not yet been agreed to by the Conservation Commission and that they might change once the Commission had reviewed them. In addition, the Yield Plan shows development, including roadways, within the 30' no-build buffer zone that is enforced under the Town of Amherst Wetlands Bylaw. She recommended that the Board require a new Yield Plan as part of the submission for the Definitive Subdivision Plan. Mr. Williams stated that the Yield Plan had been designed with setbacks in mind.

Mr. MacConnell stated that the Zoning Bylaw calls for a mathematical calculation to determine how many lots can be built in a Cluster Subdivision but he challenged the contention that a Yield Plan is required.

Ms. Brestrup stated that the town has traditionally required a plan showing a standard subdivision in accordance with Section 4.3231 of the Zoning Bylaw. She quoted the last sentence of this section which reads as follows:

“In addition, it is the intention of this Section that the cluster subdivision not result in more lots than would be approved for a standard subdivision under a Definitive Subdivision Plan, except as may otherwise be authorized under this Bylaw.”

In order to know what would be approved for a standard subdivision, a realistic plan must be submitted, she said.

Mr. Williams stated that this is one interpretation, but regardless of the requirement the consultants would work with staff to produce a revised Yield Plan.

Ms. Kruger offered comments on the concept of a private road. She asked whether enforcement of speed limits would be by the management staff of The Retreat.

Mr. Williams stated that Landmark will have strong leases in place and that there is a “three strikes and you’re out” clause. He noted that speeding is addressed in the leases.

Ms. Kruger stated that Amherst has particular winter conditions that would make it difficult to stop on a steep road when there are icy conditions.

Mr. Williams acknowledged that the roadways were designed to AASHTO standards which are for normal roadway conditions. He acknowledged that there is more ice here than in the south [where many of Landmark’s projects are located]. He noted that northern communities are also better equipped to handle icy conditions than southern communities. He asserted that there is no discernible difference between an 8% and a 10% slope and that the Subdivision Rules and Regulations anticipate 10% slopes for short distances.

Mr. Carson asked whether requiring parallel parking spaces along the road instead of perpendicular spaces would result in a loss of parking.

Mr. Williams stated that the consultants do not want to place parking on steep slopes. The proposed perpendicular parking is located in areas with the least steep slopes. In addition, while parallel parking spaces could be located along all of the roads, the distance from the buildings to the parking would be increased with a parallel type of parking arrangement.

Ms. Anderson asked about the number of parking spaces. She noted that 175 dwelling units are proposed and that the Bylaw requires 2 parking spaces per dwelling unit. The Bylaw would require 350 parking spaces for 175 dwelling units. However, 768 parking spaces are being proposed. Ms. Anderson noted that Amherst and surroundings lie in a “non-attainment area” and that this designation would tend to encourage developments in Amherst to reduce the number of cars and rely on bicycles and the PVTAs.

[According to Wikipedia, in United States environmental law, a **nonattainment area** is an area considered to have air quality worse than the National Ambient Air Quality Standards as defined in the Clean Air Act Amendments of 1970 (P.L. 91-604, Sec. 109). Nonattainment areas must have and implement a plan to meet the standard, or risk losing some forms of federal financial assistance. An area may be a nonattainment area for one pollutant and an attainment area for others.]

Ms. Anderson noted that the project proposes twice the number of parking spaces required by the Zoning Bylaw.

Mr. Williams explained that the “kids” will have cars, although the developers want to encourage them to take public transportation. There will be 641 beds in the development. The number of parking spaces proposed amounts to about 1.2 spaces per bedroom. The developers can reduce (slightly) the number of parking spaces. However, there will be a need for spaces for maintenance staff, guests and residents. He noted that the developers do not want people to park in the wrong places.

Ms. Anderson suggested that the developers should give the residents a disincentive to park at The Retreat. If the number of parking spaces were reduced there would be a reduction in the amount of impervious surfaces on the site, she noted.

Mr. Roznoy reported that the Board had conducted a site visit on December 4th. Although it is challenging to comment at this preliminary stage he noted that the site is “pretty severe” and that it might be wise to sacrifice some of the open space to get the parking off the street. He noted that the snow in winter would make it difficult to park on the street. He also stated that he would like to see interior detail for some of the units; particularly he would like to understand how the houses are designed to fulfill the needs of students.

Mr. Williams stated that each unit would have a bathroom for each bedroom. All units will have a common area and a kitchen. The buildings will look like a single family house from the outside.

Mr. Crouner asked about the long term management of the site and whether the lots can or will be sold off individually. The Board cannot assume that the units will be occupied by students forever, he said. The Board needs to assume that the houses might be occupied by families someday.

Mr. Williams stated that it is the intent of the developer to maintain the property as a whole. It is financed as a whole. It is the developer’s intent to keep it together forever. It will be professionally owned, maintained and managed. It is not beneficial to Landmark to sell off the units/lots individually.

Mr. Crouner stated that the Zoning Bylaw does not allow multi-family developments in the R-O zoning district and that it is possible that this development could be broken up. He observed that it is important to follow the Zoning Bylaw.

Mr. MacConnell stated that a Homeowners’ Association could be formed in the event that the property is sold off as individual lots. Mr. Pill noted that with a Homeowners’ Association, even if the covenants expire, the obligation to pay the required fees remains indefinitely.

Ms. Ford asked if townspeople would have access to the site for bike riding or walking. She expressed concern about children on bicycles conflicting with cars pulling in and out of parking spaces along the road.

Mr. Williams explained that, at this time, the development is not proposed to be gated. It will probably be accessible to the public. He asked the Board to advise the developers on whether they would like to see controlled access at the site. At some other Landmark developments there are call boxes and gates with cards. The developers are willing to go along with Planning Board advice in this regard.

Ms. Kruger asked about active recreation areas that might be available for the residents. Mr. Williams stated that there will be outdoor activity areas at the office/amenity lot and there will be trails throughout the site in the open space. The consultants had been advised not to create large areas of open space that would encourage large gatherings, he said.

Mr. Crouner noted that the developers have stated that they want to promote the use of bicycles. However, steep roadways are not conducive to use by bicyclists. He also suggested the installation of covered bike shelters.

Board members and Mr. Williams discussed the use of buses and Mr. Williams noted that the developers had begun to speak with PVRTA about providing service to the site. Buses can loop through the site using the proposed loop road connecting Market Hill Road to Henry Street.

Ms. Anderson noted that buses do not do well on steep slopes. She also observed that the surrounding roads are narrow with no bike lanes or sidewalks. None of the three surrounding roads is conducive to riding bikes.

Mr. Williams stated that while the developer cannot solve all of the public infrastructure problems in the area, some of these issues will be dealt with in the traffic study. He also noted that the town is already working on roadway improvements in the surrounding area.

Mr. Carson asked about the possibility of creating a paved walk down from the development to the Cushman Store. The consultants agreed to study this recommendation.

Mr. Webber noted that letters had been received from town departments commenting on the Preliminary Subdivision Plan.

Fire Department – The letter from Assistant Fire Chief Don McKay stated that access for emergency equipment was adequate; culverts should be designed to accept the loading associated with heavy emergency equipment; the ladder truck can set up along a 6% grade but might have trouble negotiating in the cul-de-sacs that have perpendicular parking around the edges. He commented on the spacing between fire hydrants and noted that the Fire Department encourages the installation of sprinklers in all of the buildings.

Town Engineer – The letter from the Town Engineer contained many comments, among which were comments about the water and sewer systems, roadway slopes, drainage and required permits.

Wetlands Administrator – The letter from the Wetlands Administrator included comments on stormwater management, roadways within 25 feet of wetland boundaries and a question about vernal pools.

Mr. Williams stated that no vernal pools had been found.

Stephanie O’Keeffe, Chair of the Select Board, stated that the Select Board had taken up the issue of this project at its last meeting when the Board had taken public comment on the project. She read from a statement that outlined the Select Board’s comments, including:

- Ownership of the property and how to codify issues related to ownership and management;
- Gates – whether the entrances should be gated or not;
- Public safety interests;
- Lessons learned from problem properties.

Ms. O’Keeffe noted that the Select Board has no authority on this project, but the project overlaps and impacts areas over which the Select Board does have authority.

Ms. O’Keeffe also noted that the town has a tight housing supply and limited affordable housing. There is a high demand for student housing. The impact of disruptive behavior should be considered. The Select Board wishes to maximize positive outcomes and eliminate or mitigate negative outcomes.

Ms. O’Keeffe noted that there were 5 areas that the Select Board wished to comment on:

- Waivers – should be considered in relation to community values;
- Safety – residents will need protections in design for fire safety, ambulance access, roadway design for new drivers;
- Sustainability – the development should be designed for now and for the future;
- Access – safe infrastructure should be provided for bicycles and vehicles; impacts on surrounding roads should be considered; clear and safe access should be provided to the Cushman Store;
- Sewers – the development should meet the town’s requirements to keep the options open for sewer service to the northeast part of town.

Mr. Webber reported that the Planning Board had conducted a site visit and had hiked the centerlines of the main road and had seen the streams running throughout the site and the terrain

Mr. Webber invited public comments and noted that comments would be entertained for a period of one hour. He limited each speaker to 2 to 3 minutes and asked that speakers focus on new information and new questions. He stated that comments and questions should be limited to issues associated with the Preliminary Subdivision Plan [roads, parking, safety, etc.].

Jack Hirsch of 400 Flat Hills Road, an abutter to the property, stated that he had submitted a letter to the Planning Board and made comments as follows:

- Cushman Village is a historic village;
- There has never been a charrette concerning planning Cushman Village;
- There is no business zoning in Cushman Village;
- This is a huge project in the R-O zoning district;
- The Cushman Village community is diverse and modest;
- The Planning Board should not grant any waivers;
- The Planning Board should maintain the required lot size;
- There is a cost savings to the developer in shrinking the lots;
- Most of the proposed open space is wetlands;
- The steepness of the proposed streets is a safety issue.

Ellen Pile of 110 Bridge Street stated that she had submitted a letter to the Planning Board, and she offered the following comments and questions:

- She had spoken with a highway superintendent in another part of Hampshire County regarding the steepness of the roads as they approach intersections; he noted that roads like this need to be treated 24 hours a day in bad weather;
- She and others in the neighborhood would like the roads to be public; the roads should be designed so that they can be accepted as public ways;
- The proposed streetscape looks like apartment complexes;
- Why is "Road B" considered a secondary road?
- The traffic counts should be done when UMass is in full session and when there are no road closures;
- Are issues related to tree cutting "frozen" because of the zoning freeze?
- There should be lots of transparency during the review of this project.

Ms. Brestrup explained that if the applicant files a Definitive Subdivision Plan within 7 months of the filing of the Preliminary Subdivision Plan, the zoning on the property is "frozen" for a period of 8 years. This is a state law which was enacted to protect the rights of land owners to develop their property.

Mr. Webber asked about whether the roads would be public or private.

Mr. Williams stated that most communities in which he has worked prefer not to own the roads. He would need to speak with Landmark and the Town Engineer to determine whether the roads would be public or private. He asked about the issue of gating the entrances.

Ms. Kruger observed that the applicant had stated that the roads would be built to public roadway standards. She stated that the Planning Board could require that the roads be built to full public road standards regardless of ownership.

Ms. Brestrup noted that there is a winter ban on parking along public roads from December 1 to April 1 of every year.

Mr. Roznoy asked about trees and stated that the plan for the project should preserve as many trees as possible.

Ira Bryck of 255 Strong Street stated that he had submitted a letter and he offered the following comments:

- The zoning defines the uses allowed on this property; the R-O zoning district is a transition between R-N and R-LD; the cluster design looks more like the R-N zoning district;
- On an icy day Strong Street, which has a 7.5% slope, is slippery; this is less than the 8% slope allowed in the Amherst Subdivision Rules and Regulations;
- Regarding parking, there will be problems with cars backing out into the roadway;
- There will be 700 cars using the surrounding streets;
- Dozens of waivers have been requested by an out of state developer; the project will reduce the value of homes in the surrounding area;
- The Cluster Subdivision regulations state that open space is to be created for certain stated uses; the land proposed to be conserved on this property will be unusable waste land;
- The Board should say “no” to the requested modifications.

Tom Baker of 137 Shutesbury Road commented about the roads and safety issues, as follows:

- The most direct route to the site is along Henry Street and North East Street; Henry Street is narrow, dangerous and twisty and it has no shoulders;
- Bicyclists and walkers along Henry Street take risks.

Chris Pile of 110 Bridge Street commented on the issue of private versus public roads. If the roads remain private, the development will take care of its own security. Open container laws will not apply. The police will not be able to patrol in the development.

Ira Addes of 192 Shutesbury Road stated that 200 families will be affected by the proposed development. He opposes this development. It is a student housing project, which is not permitted in the R-O zoning district. The Board should deny the application. If it does not deny the application it should hold the developer to the letter of the law and grant no waivers. In requesting waivers the developer should prove that there is a compelling, transparent reason for them. There is no redeeming value to UMass or to the community or town with this project. It will change the quality of life in Cushman. UMass needs to house its students on its own property. He encouraged the Board to deny the application and he listed other communities in the country that have denied similar proposals.

Karen Merrill of 150 Market Hill Road asked about public transportation and biking and why the applicant was still in the early stages of talking with the PVRTA about public transportation and why there are no bike lanes planned for the development.

Mr. Williams stated that the subdivision plans have not been developed to the level of detail that would include a study of bike lanes. The developer is willing to talk about bike lanes. He noted that conversations with the PVRTA about bus service are ongoing. He also offered to discuss the possibility of a shuttle bus.

Mr. Crowner noted that if the road is widened it could become more dangerous for bicyclists.

Rene Theberge of 250 Shutesbury Road stated that he had submitted a letter and offered the following comments:

- The surrounding roads are dangerous;
- 80 out of 123 proposed units are close to the Flat Hills Road and Henry Street exits, which will cause a higher percentage of drivers to use these two roads;

- Flat Hills Road is steep and curvy; Shutesbury Road and Flat Hills Road come together with North East Street and Henry Street at an awkward intersection where people ignore the stop signs;
- These roadway conditions will cause problems for inexperienced drivers;
- This plan is not logical with respect to traffic patterns and will affect the whole traffic flow in the northeast section of town.

Jeremy Coleman of 432 Flat Hills Road stated that he had submitted a letter and he offered the following comments:

- The project will pose a risk to safety for people in the area, especially young families;
- The preservation of open space is a “misnomer” because construction will disrupt a majority of the space;
- There will be runoff and other concerns beyond the footprints of the buildings;
- He expressed concern about the safety of roads with perpendicular parking;
- He asked if the number of parking spaces could be reduced;
- There will be off-site impacts of this project;
- The property is ill-suited to the project which is why so many design exceptions have been requested;
- The plan is not realistic;
- The Board should reject the Preliminary Plan;
- Student housing is not allowed in the R-O zoning district.

Edith MacMullen of 344 Flat Hills Road stated that she is an abutter and offered the following comments:

- The granting of this number of waivers could set a precedent for other developers;
- In considering the amount of taxable income that will come to the town we should consider what will be the costs to the town to repair the surrounding roads which will be damaged as a result of increased traffic.

Peter Landstrom of 111 High Point Drive stated that he is part of a new young family in the area. His family moved to this location for reasons of safety. His property abuts the Flat Hills Road Conservation Area and is near the Robert Frost Trail. He is concerned about trail maintenance with so many more users and also about the increase in population near a public water supply [Atkins Reservoir].

Mr. Webber read from a list of questions that he had prepared, many of which were based on citizens’ letters that were received by the Planning Board. He asked about the safety of residents of this development whose primary access to the site would require them to cross the railroad tracks. He asked if the developers would plan to improve the railroad crossings.

Mr. Williams stated that a Traffic Impact Study (TIS) will be prepared. The TIS will identify safety concerns in the area.

Mr. Webber asked a question about roadway width. A citizen had noted that the roadways in this development were proposed to be 24 feet wide. The citizen had compared this to the 50 to 60 foot width of roadways in other parts of town.

Mr. Williams explained that the 24 foot width referred to width of pavement and that the right-of-way width will be the same as other roads in town and will adhere to town requirements.

Mr. Webber asked if all utilities will be underground. Mr. Williams stated that the utilities would be underground.

Sharon Weizenbaum of 86 Henry Street, a direct abutter, quoted the Zoning Bylaw with respect to the purpose of the residential zones.

“The purpose of all residential zones is to promote a suitable environment for residential life through the provision of recreational, religious and education facilities as basic elements of a balanced neighborhood, to stabilize and protect the essential characteristics of existing residential development, and to foster development that is compatible with the other natural and built characteristics of the area.”

She stated that it would be possible to have this development on this site if the developer were kept to the minimum lot size and frontage allowed in the Bylaw and the steepness of the roads as allowed in the town’s other regulations. The Board should keep to the purpose of the Zoning Bylaw and protect the neighborhoods and say no to density.

Bill Vannah of 58 Henry Street stated that he had concerns about Friday and Saturday nights. He asked the developer how many of this type of development they had built and how many they still own. He asked how many on-site people there would be to maintain the roads. He noted that the lot is hilly, rocky and full of ledge and that there are wetlands on the site.

Mr. Williams stated that the developers have 4 to 6 projects that they own, 8 to 9 that have been sold and 3 under construction. He noted that it is important to put conditions on the project that specify that it is to be maintained in perpetuity. He noted that there would be at least one staff member living on site and 15 to 18 staff people, full and part time employees, to take care of leasing and managing the property. The developer will also subcontract landscaping, snow plowing and road maintenance.

Sean Burke of 50 Henry Street stated that he has been a Mass DOT engineer, working on roads and bridges. He noted that the construction of the entry drive to the Water Treatment Plant required a lot of blasting. Blasting produces noise, dust and runoff. The amount of cut to construct the road will be 15 to 18 feet in some places. There will be rock cliffs in front of the houses. There will be a need to climb up to the houses from the street. Student housing does not belong in this neighborhood, he asserted. Some houses have been there since the 1800’s. He is totally opposed to the development. It will not blend in with the neighborhood. He noted that there is a Day School nearby.

Mr. Williams stated that the developers are aware that there will be significant cuts and fills. That is why they are asking for 10% grades on the roadways. That is also the reason for the request to decrease the front setback.

Maria Polino of 762 North East Street stated that she is a parent of young children. She has concerns about school buses and the nearby preschool and how these will be affected by the proposed development. She reported that she has seen accidents in front of her house and expressed concerns about the safety of Henry Street. Moving-day traffic will be heavy she noted. Children walk along Henry Street. She is also concerned about the number of parking spaces being proposed.

Deborah Rubin of 143 Flat Hills Road stated that she uses Market Hill Road in the winter because of the steepness of Flat Hills Road. The roads surrounding the site are all designated Scenic Roads. There are three entrances to the proposed development. Up to 700 students will use these entrances. The entrances will be wider than the surrounding Scenic Roads with formal entrances. She asked that the developers be required to minimize the entrances.

Mr. Webber ended the public comment period and proceeded to the Planning Board review of the project. He began the review by summarizing the contents of the Development Application Report. He noted that the Preliminary Subdivision Plan review is limited to the design, layout

and grading of roadways, the layout of lots and the conceptual utility layout.

Mr. Webber read the waivers that were requested by the applicant, including:

- Waivers from the Zoning Bylaw for frontage requirements, setback requirements, requirement for off-street parking and requirement that no more than 2 cars may be parked in the front setback;
- Waivers from the Subdivision Rules and Regulations for maximum grade of 8% along roadways, for minimum horizontal curves, for maximum length of 800 feet for cul-de-sac roads, for maximum grade of 4% within 100 feet of an intersection.

Ms. Brestrup explained that an approval for leased parking would also be required. Parking lots are not allowed as a specific use category in this zoning district except under Section 7.201 of the Zoning Bylaw, Leased Parking. The applicant should be asked to state how the parking lots on this site comply with that section of the Zoning Bylaw.

Mr. Webber continued to summarize the Development Application Report. He read the section of the Subdivision Rules and Regulations (Section VIII. B. Waiver of Compliance) that authorizes the Planning Board to waive portions of the Rules and Regulations Governing the Subdivision of Land.

He also noted that two of the cul-de-sac roads exceed the maximum length of 800 feet.

Mr. Webber noted that there were several sections of roadway that are proposed to have slopes of 10% (i.e. that exceed 8%). He also noted that two intersections exceed the 4% slope requirement. He noted issues related to emergency vehicles with regard to slope.

Mr. Webber explained the method of calculating density with respect to the Cluster Development. He also explained the lot area requirements for Cluster Developments and noted that all of the lots on the plan comply with the lot area requirements.

Mr. Webber explained Footnote “k” with respect to frontage requirement. A number of lots have frontages reduced from 100 feet to as low as 40 feet.

Mr. Webber noted that there was a difference of opinion between the Planning Department staff and the applicant on the requirement for a Yield Plan. He noted that the applicant was amenable to looking at a solution to the issue of long cul-de-sacs.

Mr. Webber explained that there is an issue related to the requirement for a Building Circle. He explained that each lot needs to be able to contain a circle that is equal in diameter to the frontage required in the zoning district in which a building is constructed. The Board referred to the diagram in Section 6.40 of the Zoning Bylaw.

Mr. Schreiber asked if the Board decided that 40 feet was appropriate for the frontage of some of the lots would the required Building Circle then be 40 feet?

Ms. Brestrup explained that while there is a modification allowed for frontage under Footnote “k” of Table 3 in the Zoning Bylaw, there is no such modification allowed for the Building Circle requirement. The Building Commissioner who is the Zoning Enforcement Officer has stated that the Building Circle required in the Cluster Subdivision is equal to the standard frontage requirement in the Cluster Subdivision. That means that a lot in a Cluster Subdivision in the R-O zoning district must be capable of containing a Building Circle with a diameter of 100 feet, rather than the modified street frontage of whatever dimension the Board agrees to.

Mr. Pill disputed this interpretation of the Bylaw and stated that such an interpretation would lead to an “absurd result”. He referred to a citation from the Supreme Judicial Court.

Ms. Brestrup noted that if the Planning Board and the Building Commissioner differed in their interpretation of the Building Circle, the Planning Board could grant approval of the Preliminary Subdivision Plan, but the Building Commissioner would not be able to grant Building Permits for the buildings that were proposed on lots that did not conform to the Building Circle requirement as interpreted by the Building Commissioner.

Mr. Tucker noted that Mr. Pill's argument was predicated on the Planning Board's granting of the modification in frontage as low as 40 feet. If the Board wanted to avoid creating an "absurd result", it could refrain from granting modifications which might generate those results.

Mr. Webber noted that all lots in a subdivision need to be buildable lots in accordance with the definition [Section 12.29 of the Zoning Bylaw].

Mr. Webber stated that the Preliminary Subdivision Plan appears to comply with the requirement regarding the ratio of single family to two family dwellings in a Cluster Subdivision.

Mr. Webber stated that there had been a question about the applicability of Special Permits to duplexes in subdivisions. He stated that duplexes that are part of a Cluster Subdivision do not need Special Permits as would a single duplex in an existing neighborhood.

Mr. Crowner asked a question about a change of ownership for a duplex and whether that would require a Special Permit. Mr. Tucker stated that it would not require a Special Permit because the duplex had been created under a Subdivision Plan.

Mr. Webber stated that the lights in the development would need to be dark-sky compliant.

Mr. Williams stated that there are 5 foot sidewalks proposed for both sides of the road. It would be possible to eliminate the sidewalk on one side of the road in order to create a wider pedestrian path that could accommodate bicycles.

Mr. Webber stated that the Board may wish to consider requiring walkways to destinations such as the Cushman Store, so that residents of the neighborhood would not need to walk in the roadways.

Mr. Webber asked about the proposed number of parking spaces which is significantly more than the number required by the Zoning Bylaw. The developer is proposing 768 parking spaces for 641 tenants. He stated that the houses would have no on-site parking the way the project is currently proposed and no on-site driveways. In order for this to occur the Board would be required to grant a modification under Section 7.9 of the Zoning Bylaw.

Mr. Webber noted that perpendicular parking had been proposed and that the plan proposes that parts of the parking spaces are proposed in the front setback. He noted issues related to perpendicular parking, landscaping within parking lots, and parking within the front setbacks as well as the Planning Board's general preference for parking behind buildings.

Mr. Webber noted that normally parking lots are not allowed in the R-O zoning district. If the applicant wishes to propose them the applicant will need to show how they comply with the leased parking section of the Bylaw. He noted that there were questions about handicapped parking as well.

Mr. Webber noted that there had been questions about snow storage and bicycle safety. Locations for snow storage will need to be shown. Pedestrian connections and bicycle safety will need to be addressed.

The Board of Health asked that the Definitive Plan show the location of trash disposal areas and dumpsters if any and associated screening.

Mr. Webber noted that there were also issues related to open space and common land requirements. He stated that there had been an agreement between the land owner and the Select Board with regard to the disposition of the common land.

Mr. Webber also noted that there are design standards associated with Cluster Subdivisions. These will be dealt with during the Site Plan Review and review of the Definitive Subdivision Plan.

Mr. Williams explained that the exceptions to the Bylaw and Subdivision Rules and Regulations were being requested to make a better project. The project will move forward with or without the waivers, he said. If the waivers are not granted the result will be “not the best way to develop this property.”

Mr. MacConnell asserted that requiring the 100 foot Building Circle takes away all of the benefit of allowing reduced frontage.

Mr. Roznoy asked for more information about the usable open space, particularly with relation to active recreation.

Mr. Williams stated that usable open space would be provided in the “amenity lot” and that there would be hiking and jogging trails throughout the open space. He stated that the open space is an “amenity area” and noted that the development can accommodate usable open space for active recreation.

Mr. Roznoy asked about the jurisdiction of the town with regard to private roads. He asked to hear from the Police Chief about his opinion on public versus private roads. He would like to know more about the jurisdiction of the town and the responsibility of the town with regard to developments with private roads. He expressed concern about large groups of students gathering and the Police not being able to get into the site.

Mr. Webber noted that this discussion would be part of the Site Plan Review process.

Mr. Schreiber MOVED to close the public hearing. Ms. Kruger seconded.

Mr. Crouner stated that he preferred not to close the public hearing because the Board may have questions during their deliberations and they would want answers to their questions.

After discussion Mr. Schreiber withdrew his motion.

Mr. Webber began discussion of the waiver requests and recommendations.

Ms. Kruger stated that she would like to balance the waiver requests with the best possible outcome for the community, the town and the residents. She would like to create the best neighborhood, which means getting the road and lot pattern right. She supports the idea of duplexes. She asked “what is the best neighborhood for the people who will live here?” She noted that the Zoning Bylaw does not contain a Development Method called “Modified Cluster Development”.

Mr. Schreiber expressed support for the urban design aspects of the proposed development with respect to getting cars off the lots and putting the houses close to the roads. He described the Yield Plan as conservative and noted that it does not contain the level of detail shown on the Preliminary Subdivision Plan including driveways. He noted that “straight in” parking is reasonably common and he cited downtown Northampton as one location where it is being used

Mr. Schreiber noted that the Cluster Plan doesn't improve on the Standard (Yield) Plan with respect to the number of dwelling units that would back up to abutters' property. He asked that the consultants consider improving the buffers between the proposed units and the abutters'

property. However, overall he preferred the Cluster Plan over the Yield Plan.

Mr. Crouner noted that the waivers would not result in a change in the number of units allowed. Waivers would merely allow a rearrangement of the location of the units. That is a plus. However, the plan proposes dense housing along the street which is different from the surrounding neighborhood.

Mr. Webber expressed concern about having parking in front of the houses after the Planning Board has talked about putting parking in the rear of buildings in other locations. The porches will face directly onto cars, he said. He also objected to having separate parking lots in the R-O zoning district and stated his preference that each lot would have its own parking on site, even if open space would need to be sacrificed to accomplish this goal. He suggested that adjacent parcels could share a driveway that would lead to parking behind the houses. Whatever space is needed for a common driveway and a parking lot in the rear could be a contributing factor in determining the width of the lots, he said. Mr. Roznoy strongly concurred.

Mr. Carson would prefer that cars be parallel parked along the road rather than that each lot have driveways.

Ms. Anderson suggested an arrangement for parking that might be similar to that of condominiums. The parking would be reserved by unit number and would be close to the unit with which it was associated. There would also be nearby guest parking, designated for "guests". Ms. Anderson would support fewer parking spaces overall. She noted that cars associated with this development would not be able to park on surrounding public roads.

Mr. Stutsman asked about "attached units". Ms. Brestrup explained that the applicant was not proposing attached units, which would include between 3 and 8 units attached to one another, usually in a townhouse format. The applicant is proposing single family and two family buildings, which are allowed in Cluster Developments.

Mr. Roznoy asked if it would be possible to combine parking lots and place them behind the buildings, with a common access drive, so that one parking lot could serve multiple buildings.

Mr. Webber stated that if parking is allowed on the street, that would preclude the town from adopting the roads in the future, because on-street parking is not allowed overnight in the winter

Ms. Brestrup explained that the applicant needs to cut or blast for the roads. The houses are proposed to be close to the roadway and the blasting would accommodate houses in these locations. If parking were placed behind the houses, blasting might also be required for the parking areas.

Mr. Schreiber does not wish to encourage driveways and parking behind the houses. This is a different kind of community, like a cottage community, which the Zoning Subcommittee is studying and may wish to encourage. He referred to Laurel Park in Northampton as an example of a cottage community which has parking on the street. Mr. Schreiber observed that the Select Board imposed the rule against parking on the street overnight in the winter. The Select Board could choose to make exceptions to this rule for this development.

Ms. Kruger stated that she would like the buildings in this development to feel like individual homes. Her preference is for the roads to be designed so that they can be public, so that the police could patrol the roads. She recommended that the roads be built to the standards that would allow for the possibility that they could become public roads in the future.

Ms. Kruger acknowledged that this is a very challenging site. However, she would be averse to the amount of slope being proposed on the roadways and to the length of the cul-de-sacs. The

proposal seems to be well beyond what is allowed. She did not support the idea of a boulevard to accommodate lengthy cul-de-sacs.

Ms. Kruger recommended that the Planning Board hire a consultant [under Chapter 44, Section 53G of the Mass General Laws] to review the roadway design and hydrology of the Definitive Subdivision Plans, the reports associated with them and the Traffic Impact Statement. This would involve holding funds from the developer in escrow to pay the consultant.

Mr. Tucker added that the Planning Board had adopted Section 53G, which allows the Planning Board to require a developer to escrow funds to allow the Planning Board to hire its own consultant for review of the application.

Ms. Kruger clarified that she was recommending the hiring of a consultant for the Definitive Subdivision and Site Plan Review phase of the permitting process.

Mr. Webber asked about the 10% slopes and the roadway grades at intersections. He referred to the steep intersection of Sand Hill Road by Puffer's Pond. There was discussion about steep slopes on roadways.

Ms. Brestrup noted that Triangle Street as it approaches Main Street exceeds 4% and it is fairly dangerous. She also noted that turning into a roadway that exceeds 4% is a difficult maneuver.

Ms. Anderson stated that she was not inclined to grant waivers of the slope requirements for the three main intersections as they enter on to public roadways. She did not want the topography of the site to force the Planning Board to make other decisions. She noted that the site is shady, hilly and icy.

Mr. Williams stated that none of the intersections with the existing roads would have grades over 4%.

Mr. Roznoy noted that the east end of Strong Street is very steep where it meets North East Street. He is not in favor of intersections with grades of greater than 4%. He also expressed concern with long lengths of roadway with grades of greater than 8%. He agreed that some of the roads would need to be redesigned.

There was discussion about the Street Design Standards in Section V.G.2. of the Rules and Regulations Governing the Subdivision of Land, specifically with regard to the standard that the maximum percent grade on minor roads would be 8%, but that grades of up to 10% would be allowed for "short distances". The Board discussed the meaning of the word "short" and attempted to define a "short" distance.

Mr. MacConnell noted that the Rules and Regulations allow 10% over short distances without a waiver. The waiver is required for distances that exceed "short" distances. He requested guidance from the Board on what would be considered a "short" distance.

There was discussion about the relationship between parking along the roadway and the steepness of the roadway. Mr. Williams stated that the areas where parking is proposed along the road are not steeper than 5%. No parking is proposed along steep sections of roadway that exceed 5%. Off-street parking lots are proposed in areas where the roadway is steep.

Ms. Anderson asked about the cul-de-sac that is closest to Flat Hills Road and noted that there is perpendicular parking proposed for the area very close to the intersection. She stated that parking that close to an intersection is not typical.

Mr. Williams stated that the proposed perpendicular parking is at least 25 feet back from the intersections. There will be stop signs at all of the intersections. He said that speed tables could also be considered.

Ms. Anderson stated that there should be a lot less parking and reducing the number of spaces would help to solve the problem of where to locate all of the parking.

Mr. Webber asked that the Board focus on what it would accept or not accept and craft conditions to give guidance to the applicant.

Mr. Webber reviewed a list of possible conditions:

Street Lights – Street lights shall be included at all intersections and at the end of the cul-de-sac per Amherst Department of Public Works standards.

Roadway Widths (1) – There was discussion about roadway width. In the places where there is perpendicular parking, a width of 24 feet should be maintained to allow for backing up, but where there is no perpendicular parking or where there is parallel parking or some other form of parking, the roadway can be narrower.

Pedestrian Paths – The applicant is encouraged to provide pedestrian paths and/or walking trails throughout the development. The Board added that there should be paved access provided to Cushman Store and that there should be pedestrian connectivity (rights of way) between the cul-de-sacs. Mr. Crowner noted that connectivity might require wetland crossings and Mr. Tucker suggested that these crossings could involve boardwalks. Mr. Roznoy noted that the applicant should raise this issue with the Conservation Commission.

There was discussion about the grading of the pedestrian pathways and the Board recommended they should adhere to the natural slopes of the land but be graded smoothly with the least disturbance possible.

Traffic Impact Study – A Traffic Impact Study will be required. There was discussion about the geographical extent of the Traffic Impact Study. Mr. Tucker noted that the applicant has been working with the DPW to take traffic counts beyond the perimeter of the project, including on Strong Street. Standards for a Traffic Impact Study are included in the Planning Board's Rules and Regulations and in the Zoning Bylaw. Mr. Webber asked that traffic counts be taken while UMass is in session and when Pine Street is in operation. Mr. Tucker noted that the PVPC had done periodic traffic counts in the area and that these were available to the applicant. Mr. Wonseski stated that traffic counts on Pine Street, Henry Street and East Pleasant Street were done in the spring before Pine Street was closed for construction.

Conservation Commission Review – The Board strongly recommends that the applicant go through the appropriate process with the Conservation Commission prior to submitting the Definitive Subdivision Plan.

Maximum Grade near Intersections – Roads shall maintain a maximum 4% grade within 100 feet of an intersection. There was discussion about where grades were proposed to exceed 4%. Mr. Webber noted that the two intersections where grades exceeded 4% were the intersections of Road B and F and Road C and E. These are side sloping intersections. Mr. Wonseski agreed to change the grades at these intersections to 4%.

Yield Plan and Wetlands Issues – A revised Yield Plan shall be submitted along with the Definitive Subdivision Plan showing the wetland resource areas as agreed upon with the Conservation Commission and showing that each lot is a buildable lot, i.e. that it contains at least 90% or 20,000 square feet of contiguous upland area. The roadways on the Yield Plan shall not exceed the allowed number of wetland crossings. Mr. Williams asked if there were a stipulation about the allowed number of wetlands crossings.

Ms. Brestrup explained that the applicant would be allowed to have a certain number of feet of bank that would be disturbed. The applicant stated that the crossings would be done with

bridges. Ms. Brestrup stated that whatever the wetlands regulations allow is what the applicant should comply with. There was further discussion about the meaning of the Yield Plan. Mr. Wonseski asked about whether the applicant would be required to detail two plans.

Ms. Brestrup explained that the applicants would not necessarily be required to go to the Conservation Commission with the Yield Plan. However, once staff knows what the approved wetlands boundaries are and where the buffers zones are located, Planning Department staff can discuss the Yield Plan with Conservation Commission staff to establish whether the Yield Plan is realistic with regard to wetlands issues.

Parking – Parking spaces along the roadway shall be configured to provide emergency access to each dwelling unit. This means that if there are parking spaces proposed along the roadways, there should be islands located periodically to allow pedestrian access from the roadway to each of the dwelling units.

Parking areas, including parking along roadways, shall be landscaped in accordance with Section 7.11 of the Zoning Bylaw.

Handicapped parking spaces shall be provided in accordance with Section 7.6 of the Zoning Bylaw.

Snow Storage – Areas for snow storage shall be shown on the Definitive Subdivision Plan.

Tree Removal and Landscaping – There was discussion about whether the applicant should be asked to preserve as many trees as possible. Ms. Kruger would prefer to see cleared areas around the houses that are landscaped for shared use areas for people to be in and to recreate in. The Board agreed with Ms. Kruger's comments.

Horizontal Curves – In order to minimize impacts to the site the Planning Board is willing to be flexible with regards to the subdivision requirements for horizontal curves and curve radii. Ms. Anderson expressed concern about whether buses would be able to navigate these curves. Mr. Williams noted that the proposed roadway radii were acceptable to the Fire Department and therefore would be acceptable for buses. Ms. Kruger stated that this is one of the issues for which a consultant's review and comments would be helpful. Mr. Williams pointed out areas on the plan where horizontal curves are less than required by the Rules and Regulations.

Building Circles – The Board discussed the issue of "Building Circles" in accordance with Section 6.4 of the Zoning Bylaw. Mr. Webber noted that if the Board does not allow smaller Building Circles to match smaller frontages, the development will spread out into the surrounding area. Ms. Brestrup noted that there is no opportunity in the Bylaw to waive the Building Circle requirement. However, the Board may interpret the requirement differently from the way the Building Commissioner interprets it.

There was further discussion about the requirement for the Building Circle and what its dimension should be. Ms. Ford expressed support for this type of plan, but not on this site. The 100 foot diameter Building Circle would work better on this site, she said.

Ms. Kruger noted that the proposed lots are very narrow and the houses would be very close together. There would not be a side yard for the units. Very narrow lots do not fit the development pattern for this part of town. Narrow strips of land between the buildings will not be useful to the residents. She acknowledged that using the 100 foot Building Circles would spread the development out, using more land.

Mr. Schreiber expressed support for narrower lots. His own lot is a 55 foot non-conforming lot in a district [R-G] that requires 100 feet.

Other Board members noted that this is the R-O zoning district. Board members stated that they may be willing to have some of the lots reduced as to frontage.

Mr. Webber stated his inclination to stick to the Bylaw with regard to the dimensional requirements for Cluster Developments. Mr. Crowner expressed concern that this would mean covering the whole site with development.

Mr. Tucker stated that covering the whole site with development would only result from a Standard Subdivision, not a Cluster Subdivision. Mr. Tucker quoted from Section 6.40 of the Zoning Bylaw, in support of the Building Commissioner's interpretation of the Building Circle requirement:

“The building area of a frontage lot shall be capable of containing a circle whose diameter is equal to or greater than the standard street frontage required in the district where the lot has its frontage, without any portion of the circle falling outside of the property.”

In this case the Building Commissioner has interpreted the word “standard” to mean the standard “cluster” frontage requirement. There is no provision for waiving the requirement for the Building Circle.

Ms. Anderson and Mr. Stutsman agreed with Ms. Ford's statement regarding the 100 foot requirement.

Mr. Roznoy stated that 100 feet is greater than necessary for a certain percentage of the lots.

Mr. Carson supported the 100 foot Building Circle interpretation.

Ms. Brestrup summarized that many of the Planning Board members seemed to agree that 100 feet is the right number for the Building Circle requirement. The Building Commissioner also agrees that 100 feet is the right number. Mr. Reidy plans to continue discussing the issue with the Building Commissioner, in a side conversation.

Mr. Webber stated that he heard that a majority of the Board supported the Building Commissioner's interpretation of the Building Circle requirement of 100 feet.

Mr. Webber then stated that in accordance with this discussion lots shown on the Definitive Subdivision Plan shall all contain a 100 foot Building Circle in accordance with Section 6.40 of the Zoning Bylaw. The majority of the Board agreed with this statement.

Roadway Grades – The Board turned to the issue of roadway grades. There was discussion of the length for which 10% would be acceptable. Mr. Webber stated that he would be flexible on this issue. He read from a list of steep sections of roadways in town that had been provided by staff. Mr. Webber suggested that the Board require a reduction in the length of 10% grades from what was currently proposed. The 10% slopes are too long. The longest section of 10% grade proposed was 608 feet. Mr. Webber reviewed the section of the Development Application Report that dealt with length of 10% slopes. The lengths that exceed 10% are 72', 75', 168', 345', 570' and 608'. Ms. Kruger suggested allowing lengths of 200 feet to exceed 10% slope. There was further discussion about the length. Ms. Brestrup suggested that the Board ask the applicant to reduce the areas where the slope of the road exceeds 8%. The Board determined that “the length of the roadway grades that exceed 8% shall be reduced.”

Ms. Anderson read from the report of Jason Skeels, Town Engineer, which stated that “Due to the long sections of road which exceed a 10% slope and the perpendicular on-street parking we would advise that the town should not ever consider accepting the proposed private ways as public roads.”

Mr. Williams noted that the proposed roadways do not exceed 10%.

Ms. Kruger noted that she valued the town's ability to accept the roads as public ways at some future date.

Mr. Tucker summarized that if it was the desire of the Board to at some point be able to accept this road as a public road then it would be incumbent on the applicant to work with the Town Engineer to address these issues in such a way that allows that possibility.

Mr. Webber suggested that anything under 200 feet be considered "short" and anything over 200 feet be considered "long" with respect to length of roadways that may exceed an 8% slope.

Other Board members argued that 100 feet should be considered "short" and 200 feet considered "long".

Mr. Williams stated that he understood where the Board is going with this discussion. He will work with the Town Engineer on this issue and come back to the Planning Board with a new plan.

In conclusion, the Board determined that "the length of roadway grades that exceed 8% shall be reduced."

Length of Cul-de-Sacs – The Board turned to the issue of length of cul-de-sacs. They discussed whether interim cul-de-sacs or a boulevard design would allow the roadways to exceed 800 feet in length.

Mr. Webber noted that a 1,000 foot cul-de-sac would be very long, particularly in that terrain. Mr. Williams noted that shortening the cul-de-sacs would actually require connecting them, grading roads more "drastically" and disturbing more wetlands.

Board members noted that connectivity is essential with "the fewer dead-ends, the better". Board members noted the possibility of dramatic weather events such as the recent "October 2011 snowstorm" when roads were closed and people were isolated.

Mr. MacConnell stated that the length of 800 feet was initially established based on the length of fire hoses and distance to hydrants. These houses are proposed to be sprinklered, so this was less of an issue. He stated that the maximum length of cul-de-sacs is a bit arbitrary and that other towns allow longer cul-de-sacs.

Mr. Hirsch noted that if abutters call the Police about a disturbance on the property, the Police may need to travel along a long length of cul-de-sac to reach the disturbance. With more connectivity and fewer, shorter cul-de-sacs the Police will have better access to the site.

Mr. Webber summarized that the proposed cul-de-sacs should be shortened and/or connected, wherever possible. There was no support for intermittent cul-de-sacs or boulevard design.

Number of Parking Spaces – The Board turned to the issue of parking spaces, specifically the number of parking spaces. The Board discussed looking at the issue from the standpoint of person, unit or bedroom count to determine the number of parking spaces that should be required. Ms. Anderson noted that the minimally required number would be 350 (2 spaces per unit) plus guest parking.

Mr. Williams asked if the parking were to be located behind the buildings would there be a maximum number of parking spaces? Mr. Webber stated that there would be no required maximum, but that it would be at the discretion of the Board.

Mr. Tucker stated that the Board would be able to determine how many parking spaces could be placed on an individual lot under Site Plan Review.

Ms. Kruger noted that the Board has frequently tried to reduce the amount of parking and paving without having a site underserved by parking so that guests can be accommodated. She recommended that the applicant identify where the residents can park and where guests can park.

Mr. Webber summarized that there general consensus that there is too much parking proposed for this development. The applicant should come back with a plan showing less parking.

Frontage – Mr. Tucker suggested that the Board make a determination as to what the minimum frontage should be.

Ms. Brestrup noted that under Footnote “k” the Board may modify the frontage requirement. Board members noted that on a cul-de-sac and on a curve there may be a need to modify the frontage requirement.

Mr. Williams noted that the applicant could only reduce 50% of the lots with regard to frontage.

The Board determined that they were content with specifying the Building Circle requirement and leaving the frontage issue for later.

Mr. Reidy stated that assuming that the applicant receives a written opinion from the Building Commissioner with regard to the Building Circle interpretation this opinion will likely be appealed to the Zoning Board of Appeals or the Land Court. The opinion of the Building Commissioner would either be upheld or overturned. He asked, if the opinion is overturned, would the Board be willing to reconsider its opinion about the Building Circle? Mr. Webber stated that he believed the answer to the question would be “no”.

Mr. Schreiber asked if the buildings could be built out of the Building Circle. Ms. Brestrup reported that the buildings need to be built within the Building Circle, according to the Building Commissioner.

There was discussion about urban planning and design issues and how they relate to the Building Circle. Mr. Webber noted that he understood urban planning principles, but this site is not an urban site. This is an R-O zone, he noted, and the dimensional requirements were established for the R-O zone.

Mr. Schreiber stated that Form-based Zoning would be helpful in this situation.

Ms. Kruger observed that the Board was talking about “traditional neighborhood design”. If the Planning Board disagrees with the R-O zoning district requirements then the Board needs to work to change the rules of the R-O zoning district. To be fair to the community, the current requirements are what the community is expecting.

Mr. Williams asked if there is a mechanism by which the applicant can take these recommendations and come back and meet with the Board to talk about design issues and plans and to receive input about how the plans do or do not comply with the Board’s recommendations.

Ms. Brestrup stated that the Preliminary Subdivision Plan process provides an opportunity for the applicant to meet with the Board and get a sense of how the Board will react once a Definitive Subdivision Plan is submitted. The Preliminary Subdivision Plan process is an advisory process. There is some flexibility between what the Board recommends at this point and what the applicant comes back with at the Definitive Plan stage.

Ms. Brestrup noted that the applicants could file another Preliminary Subdivision Plan if they want to do so. The timeframe of the zoning freeze would then change. If there is no intervening change in zoning then there would be no change in the zoning requirements.

Off-Street Parking – Mr. Webber stated his preference for not waiving the off-street parking requirement but conceded that he may be in the minority. Mr. Roznoy agreed. Ms. Kruger stated that if it related to the future public acceptance of the roadway by the town she would be willing to accept a change in the on-street parking. Mr. Webber suggested minimizing on-street parking wherever possible.

Mr. Tucker suggested that the applicant should work with the Town Engineer to ensure that the road will be acceptable as a public way in the future.

Mr. Williams noted that if the lots are 100 feet wide, then parking can be accommodated on the lots.

Miscellaneous – Ms. Brestrup stated that there could be some back and forth conversation between the applicant and the consultant hired by the Planning Board but that all of the documentation would be public.

Mr. Webber noted that the Select Board had recommended that if, in the future, the lots in the development are sold off individually a Homeowners' Association should be formed to maintain and manage the property.

The Board decided by consensus that the roadways leading into the development should not be gated.

Roadway Widths (2) – Mr. Crowner noted that there had been a suggestion to keep the road widths near their intersections with the town roads at a relatively narrow width. There was discussion about the roadway widths. Board members decided by consensus that the road width could be 22 feet wide near the intersections and every place where there is on-street parking. The applicant agreed to review the proposed roadway widths. Mr. Crowner suggested that the roads be narrowed to 22 feet wide close to the entrances, but not necessarily for the whole length. Mr. Williams stated that this would reduce costs, reduce impervious surface and reduce grading. Ms. Kruger noted that there would be sidewalks and that therefore narrower roadways were acceptable.

Ms. Pile stated that the Assistant Fire Chief has reviewed this plan with 24 foot wide roadways and that he has not reviewed plans with 22 foot wide roadways. The applicant will consult with the Assistant Fire Chief on this issue.

Mr. Roznoy MOVED to close the public hearing. Mr. Schreiber seconded and the vote was 9-0.

Mr. Roznoy MOVED that the Planning Board make the aforementioned recommendations to the applicant regarding the Preliminary Subdivision Plan. Mr. Stutsman seconded and the vote was 9-0.

III. ZONING

- A. Zoning Subcommittee Report – no report
- B. Public Comment Period – none

IV. NEW BUSINESS

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

V. OLD BUSINESS

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

VI. FORM A (ANR) SUBDIVISION APPLICATIONS – none

VII. UPCOMING ZBA APPLICATIONS – none

VIII. UPCOMING SPP/SPR/SUB APPLICATIONS – none

IX. PLANNING BOARD COMMITTEE & LIAISON REPORTS – no reports

Pioneer Valley Planning Commission – Bruce Carson
Community Preservation Act Committee – Sandra Anderson
Agricultural Commission – vacant
Transportation Plan Task Force – Richard Roznoy and Rob Crowner
Amherst Redevelopment Authority – Constance Kruger
Design Review Board – Kathleen Ford
Housing and Sheltering Committee – Greg Stutsman
Town Gown Study Steering Committee – David Webber and Greg Stutsman
Master Plan Implementation Committee – vacant

X. REPORT OF THE CHAIR

XI. REPORT OF STAFF

XII. ADJOURNMENT

The meeting was adjourned at 11:50 PM.

Respectfully submitted:

Approved:

Christine M. Brestrup
Senior Planner

David Webber, Chair

DATE: _____