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June 28, 2012

DRB Memorandum #2012-07

**Memo to:** Rob Morra, Building Commissioner  
Jonathan Tucker, Planning Director  
**From:** Christine Brestrup, Senior Planner  
**Subject:** DRB Meeting – June 26, 2012

The Tuesday, June 26, 2012, meeting of the Design Review Board began at approximately 6:30 p.m. in the Second Floor Meeting Room/Library, Town Hall.

Design Review Board members Kathleen Ford, Derek Noble and Michael Hanke were present.

Representing the proposal for 28 Shays Street was Michael Ben-Chaim, owner of the property, and Mary Kraus and Jen Hale of Kraus Fitch Architects.

**Review and recommendations to ZBA and Applicant regarding:**

**ZBA FY2012-00021 –Michael Ben-Chaim** – 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 28 Shays Street (Map 20A, Parcel 15, R-N Zoning District)

***Recommended approval with conditions***

Mr. Ben-Chaim had met with the DRB on May 29, 2012, and the Board had recommended that he return to the DRB with more information, including a complete set of drawings for the building and the site. Mr. Ben-Chaim and his consultants presented a revised site plan and new plans and elevations for the building addition.

The Zoning Bylaw requires that the Zoning Board of Appeals, the permit granting authority in this case, apply the principles and standards of the Design Review Board when evaluating a proposal for a two-family dwelling. The ZBA asked that the DRB review the proposal and make recommendations to the ZBA with regard to this project in accordance with the DRB's principles and standards. The Design Review Board reviewed Mr. Ben-Chaim's proposal in accordance with the Design Review Principles and Standards, Sections 3.2040 and 3.2041 of the Zoning Bylaw.

Mr. Ben-Chaim presented more developed plans for the site and for the building. He explained that the addition that he is proposing will occupy the same space on the site as the existing garage which is in poor condition. The garage will either be demolished or be transformed into a new dwelling unit. The existing garage does not meet code requirements.

The addition will be a one-story structure with a walk-out basement. The gable (narrower) end will face the street. Ms. Kraus noted that the additive massing of the structure, including the existing and proposed dwellings and the connector will follow a familiar New England pattern. The view of the house from the street will be partially obscured by a six foot high fence. Since the roadway is lower than the house, the view from the road will include the upper portion of the new structure, but not much of the lower portion.

The new building will be 24' x 40'. The existing garage is 25' x 37'. The new addition will be just a little bit taller than the existing house. The massing is approximately the same as the existing garage.

The fence is proposed to be white vinyl, installed in 6' x 6' units. Mr. Ben-Chaim produced a catalog cut showing the proposed fence.

The applicant asserted that the view from the Baird House would be minimal. He presented photographs taken in June, with trees and shrubs in leaf, to support his contention. Ms. Hale noted that there are several evergreens, including 10'-12' tall Hemlocks, among the vegetation along the property line between 28 Shays Street and the Baird House property and asserted that these will help to screen the site.

The Site Plan had been revised to show parking in new locations and to show more planting. Four cars are proposed to be parked at the southwest corner, where they will be screened from view by a six foot high fence, similar to the one proposed near the house. Two cars are proposed to be parked to the northwest of the house, pointing to the west and away from the Baird House, a change from the previous site plan.

The change in topography and the vegetation along the property line with the Baird House will help to screen both the cars and the house from view, Ms. Hale explained.

Most of the site will be covered in lawn, but the rear portion will be meadow.

Ms. Hale described the new planting plan which includes native species that do well in well-drained sites with sun exposure. There are no plants proposed for the area around the base of the driveway where shrubs would obscure sight distances for cars pulling out onto Shays Street.

Lighting will include sconce lights mounted at doorways as required by code. There are also two pole lights proposed, one near the front entry to the addition and one near the side entry to the addition.

Mr. Noble commented that this new plan is a good resolution to the Site Plan issues that came up at the last meeting. The new location for the two parked cars at the rear of the site is an improvement. Mr. Hanke urged the applicant to plant more screening along the property line with the Baird House, including more evergreens. He noted that Hemlocks are under stress and may die off in a decade or two.

There was discussion about the best location for new screen plantings. Mr. Ben-Chaim asserted that the best location would be on the Baird House property since it is higher in elevation and will screen more of his property. Board members encouraged Mr. Ben-Chaim to consider it his obligation to plant more on his own property.

Board members commented that the site plan was thoughtful and a definite improvement over the previous plan. Board members agreed that the plans and elevations for the house were an improvement over what had been initially proposed. They acknowledged that the existing house has a modest scale and modest design and they agreed that the proposed addition was compatible with the scale and design of the existing building.

The Board members briefly discussed color choices for the proposed house and acknowledged that the choice of vinyl siding will limit the color choices to muted colors. They agreed that olive would be an acceptable choice and would be compatible with the weathered cedar siding on the existing house.

Simon Keochakian of 76 Shays Street presented photographs taken on the Baird House property looking towards 28 Shays Street. He asserted that the new structure would be more visible than the existing garage. He stated that the house should remain a single-family house. Mr. Keochakian expressed concern for safety issues related to sight distance for cars entering and exiting the driveway. He presented photographs of the driveway entrance.

Board members explained that the DRB's area of jurisdiction is limited by the DRB Principles and Standards outlined in the Zoning Bylaw. The issue of use (two-family versus single-family) and the issue of the safety of the entrance are topics that will be considered by the Zoning Board of Appeals.

Tim Rohan of 38 Shays Street noted that screening is important.

Ned Gray of 82 Gray Street stated that he had preferred a previous plan for the house because it was more interesting architecturally.

Board members acknowledged that other architectural designs might be more interesting but the proposed design was appropriate for the context given the design of the existing house.

**Conditions**

- 1) Plantings, particularly evergreens, should be added to the area along the property line with the Baird House to better screen the existing and proposed buildings and the site at 28 Shays Street;
- 2) Exterior lighting should be downcast and dark-sky compliant and should not shine onto adjacent properties.

**Adjournment**

The meeting was adjourned at approximately 7:30 p.m.

Cc: Jonathan Salvon, DRB  
Derek Noble, DRB  
Michael Hanke, DRB  
Kathleen Ford, DRB  
Jim Wald, Select Board Liaison  
Jeff Bagg, Senior Planner  
Michael Ben-Chaim, Applicant