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October 30, 2014

DRB Memorandum

Memo to: Rob Morra, Building Commissioner
Jonathan Tucker, Planning Director
From: Christine Brestrup, Senior Planner
Subject: DRB Meeting – October 28, 2014

The Tuesday, October 28, 2014, meeting of the Design Review Board began at approximately 6:40 p.m. in the Town Room, Town Hall.

Design Review Board members Michael Hanke, Derek Noble and Jonathan Salvon, Chair, were present, along with Christine Brestrup, Senior Planner.

Applicants and their representatives who were present were Michael Ben-Chaim and Mary Kraus for 28 Shays Street.

ZBA2015-00008 - Michael Ben-Chaim – 28 Shays Street – Review, at the request of the ZBA, designs for proposed two-family dwelling and associated site improvements (*continued discussion*)

Recommended for consideration by the ZBA one of three alternatives for façade treatment and recommended approval of amended site plan, with amendments proposed at tonight's meeting

Ms. Brestrup summarized the proceedings from the September 30th and October 21st meetings and described the accident that had occurred regarding the attempted repair of the concrete foundation wall. She presented photographs taken by Jeff Bagg, Senior Planner, of the concrete wall in its current condition. Ms. Brestrup noted that Building Commissioner, Rob Morra, would welcome recommendations from the Design Review Board regarding repair of the wall and what the finished condition should look like.

Michael Ben-Chaim, applicant, and Mary Kraus, architect, presented the proposal for the property.

Mr. Ben-Chaim presented a statement regarding his plans for the property:

- The Board should not judge the proposal on whether they personally like the applicant or his proposal;
- He wants to live in a house that he owns;
- He want to use the existing [former garage] structure and make it a house;
- The property already contains another house that is rented out;
- Nothing will change in the existing rented house;
- It is true that the house is a commercial enterprise, but it is also common that people live above or behind their place of business;
- He is engaged in building his own home;
- The DRB has a lot of authority and its decision will affect the decision of the ZBA;
- The DRB members should judge the proposal in accordance with the standards and principles contained in the Zoning Bylaw;
- The DRB standards and principles allow people to do a lot of things within certain parameters;
- The authority of the DRB is to apply the law.

Ms. Kraus presented the revised Site Plan and alternative building facades for the benefit of Mr. Hanke, who was not present during the discussion of this project on October 21st:

- The parking has been moved and lawn area has been expanded;
- There is now extra room in the driveway for people to back out;
- The gravel in front of the house has been eliminated and replaced with lawn area;
- Black Chokeberry shrubs will create an edge to the driveway;
- Arborvitae are proposed to shield the concrete wall;
- The retaining wall has been detailed and will be created out of rusticated concrete blocks;
- There will be more lawn area and plantings than shown on the previous plan.

Ms. Kraus presented two alternatives for the façade treatment:

- One with the vinyl siding continuing across the gable end of the western-most structure;
- One with the existing shingles on the gable end of the western-most structure.

Ms. Kraus spoke in support of the alternative which keeps the shingles on the gable end because in keeping the gable end with shingles the structure will echo the existing house on the eastern side. Also the applicant won't spend extra money to redo something that is already "sound".

Mr. Salvon stated that this is not a matter of personal like or dislike of the applicant or the proposal. The DRB needs to base its decision on the merits of the project. The ZBA asked the DRB for an aesthetic review of what is being proposed. The ZBA approved the use of the property as a two-family. According to the Zoning Bylaw this is a two-family house. The Site Plan is better than the one that was presented a month ago [September 30th], he noted.

Mr. Hanke stated that this is not two separate projects – a site plan and a plan for the house. The house and the site plan need to work together. He asked why the applicant had chosen blue clapboard.

Mr. Ben-Chaim explained that he had originally stated to the ZBA that he wanted gray siding, to fit with the environment around the property. The contractor had given him a choice of colors of vinyl siding and he chose the color that is currently on the house. He had brought to the ZBA a sample of siding from Home Depot which he said was "bluish-grayish". Mr. Ben-Chaim asserted that the color on his house is a color that is seen elsewhere in town on other houses. There are no limitations on color in the Design Review standards and principles, he said. After he met with the ZBA he changed his mind on the color and didn't realize that it would be a big issue.

Mr. Salvon stated that a gray tone would have been more like the color of the siding on the existing house. There is a difference in texture as well as a difference in color between the existing house and the vinyl siding. The existing house has warm gray shingles and the vinyl siding is a cool blue color. This makes a dramatic difference. The house as a whole can't be read as just a "thin façade" since the west side of the western-most structure also has blue vinyl siding, while the gable end has shingles. Sheathing the gable end in vinyl siding would create a more cohesive whole, he said.

Mr. Hanke agreed with these statements. He noted that in the case of the two-family house on Taylor Street, the owner had to make the siding on both sides match. He was allowed to use vinyl siding, but added corner boards and trim around the windows to create a more traditional look. That applicant needed to abide by the rules of making the two-family house appear to be one building.

Mr. Hanke stated that his concern was less about the house. He expressed concern about the concrete wall, but stated that the applicant should consult his engineer to verify that the wall was structurally sound. He was more concerned about the plantings. More plantings are needed up front to screen the house from the street.

Discussion of the Site Plan and Plantings

Mr. Hanke criticized the use of Arborvitae, stating that it has a tendency to die within the first two years of planting. He encouraged the applicant to consider something hardier that will withstand the difficult conditions on this site. Mr. Hanke referred to the 2012 site plan and stated that the applicant should add back some of the trees and plants that had been eliminated. He encouraged the applicant to consider what will grow on this site and to improve the soil, if necessary.

Mr. Ben-Chaim asserted that the topography and the existing vegetation make it difficult to see the house until one is right at the entrance drive.

Board members stated that they had all driven by the site recently and noted that people have a good view of the house and property all along the frontage.

Mr. Ben-Chaim stated that he plans to install a 40 foot long fence, 3 feet high, along the frontage and that this will screen the view of the house.

Mr. Salvon noted that the house is set up high on the site and the fence will not adequately screen the house.

Mr. Hanke stated that he could not support the site plan unless more trees were added. He thought that the original 2012 site plan was good.

Ms. Brestrup encouraged the Board members to be very specific in their recommendations about plantings, as to location, size and type.

Mr. Noble sketched on the site plan where the Board members recommended trees to be added. Board members discussed the types of trees that would work. Small trees that would grow to 15 or 20 feet tall, with good foliage, would work best, because the canopy of these trees would be at the right height to screen the house from the street.

Mr. Noble stated that the Tree Warden had a list of trees that work well in Amherst. The Tree Warden will plant trees on people's property at the town's expense if requested. He encouraged the applicant to look into this program.

Board members recommended small flowering trees, like Dogwoods. Crabapple and Cherry trees would also be appropriate. They have fairly dense crowns which are low enough to screen the house.

A total of 5 trees was recommended. Mr. Noble located the trees on the site plan, with four trees along the frontage, two on either side of the driveway, and one tree closer to the house, in the lawn area between the driveway and the house. The Black Chokeberry shrubs proposed for the front of the house should be kept on the plan. The Arborvitae should be taken out and an evergreen shrub such as Rhododendron should be planted in front of the concrete foundation wall to screen it. The evergreen shrub that is chosen should be one that reaches at least six feet in height, with a broad width. Three Rhododendron in front of the house should suffice. Soil amendments may be necessary for the shrub plantings.

Discussion of the Façade Treatment

The Board discussed the alternative proposals for the façade. Initially Board members decided that installing vinyl siding on the gable end of the western-most structure would be the best solution.

Ms. Kraus gave one last plea for keeping the gable end in shingles.

Board members discussed the recommendation that the gable end should be vinyl. Board members also discussed the condition of the foundation wall at the connector and determined that decision about the concrete wall should be left to the Building Commissioner and the structural engineer, but that the Board would like the finished wall to be as smooth as possible. The face of the wall will probably need to be parged. Adding a chamfer to the top of the foundation wall may help it to fit in and allow runoff to be directed toward the ground.

Mr. Noble summarized the Board's position on the foundation wall:

- A structural engineer should re-evaluate the existing condition of the foundation wall and assist in engineering the formwork for the new concrete pour;
- The face of the new [repaired] foundation wall should be as smooth as possible, within the limits that the structural engineer deems appropriate.

Members of the public spoke.

Simon Keochakian of 76 Shays Street made the following comments:

- He appreciated the discussion of the landscaping and agreed with the proposal to seek help from the town in planting new trees;
- He expressed concern about planting Arborvitae; the soil has been rendered more alkaline as a result of past activities on the site; Arborvitae does not do well in alkaline soil;
- Water runs off the connector and will affect plants planted below.

Board members noted that Arborvitae had been eliminated as a choice of planting. Rhododendrons had been recommended along with amendments to the soil.

Mr. Keochakian continued:

- The Board should offer a strong recommendation to the ZBA on the issue of siding, especially on the street side;
- The applicant should not be given a choice on the issue of siding.

Mr. Hanke noted that this project did not come before the Design Review Board when it should have [at the point where the original plan was changed].

Mr. Salvon reiterated the Board's inclination to recommend that the gable end be sided in vinyl to give the building a uniform look and that there should be additional plantings.

Mr. Keochakian stated that the ZBA would still have an issue with regard to color. He asked the Board to comment on whether the color should be considered "gray" or "blue". He asserted that this is a commercial venture and is not just Mr. Ben-Chaim's house. He stated that he was discouraged by the Board's decision with regard to siding.

Mr. Hanke read from the document entitled "Summary of issues raised during September 11, 2014, public hearing" which had been provided by Jeff Bagg, staff liaison to the ZBA. Mr. Hanke focused on issues related to siding and the color of the siding. There was further discussion on the issue of siding. Mr. Keochakian stated that the neighbors would like the connector to be sheathed in shingles. Greg Keochakian of 5 Shays Street also stated that the neighbors would like the connector to be sheathed in shingles.

Board members discussed alternatives, including staining the entire building to match the blue vinyl siding of the connector.

After lengthy discussion the Board decided to recommend the following options, in order of priority:

Option #1 – Preferred choice – Install shingles on the connector to match the existing building and the gable end. Shingles would be left to weather and would not be painted or stained.

Option #2 – Second choice – Remove vinyl siding from west (northwest) side of the western-most structure and replace with shingles. Stain entire structure, including western-most structure and existing house to match the connector. Leave vinyl siding on the connector.

Option #3 – Third choice – Install vinyl siding on the gable end to match the connector. (This option was not endorsed by Mr. Hanke.)

Mr. Hanke noted that if the house were a single-family home, the applicant would be able to make his own choices about siding and landscaping, but since this is a two-family dwelling it falls within a different purview. He stated that he no longer endorsed Option #3.

Mr. Keochakian noted that if the vinyl siding had been gray, the neighbors could have lived with it.

Mr. Salvon reviewed the summary list from Mr. Bagg and determined that the DRB had answered all of the questions that were relevant to their purview.

Board members voted 3-0 to submit the three options for façade treatment and the amended site plan to the ZBA for its consideration. Mr. Hanke again stated that he did not support Option #3 for siding.

Recommendations

1. Siding and façade treatment – the Design Review Board submits the following options to the ZBA for its consideration:
 - Option #1 – Preferred choice – Install shingles on the connector to match the existing building and the gable end. Shingles would be left to weather and would not be painted or stained.
 - Option #2 – Second choice – Remove vinyl siding from west (northwest) side of the western-most structure and replace with shingles. Stain entire structure, including western-most structure and existing house to match the connector. Leave vinyl siding on the connector.
 - Option #3 – Third choice – Install vinyl siding on the gable end to match the connector. (This option was not endorsed by Mr. Hanke.)
2. Site Plan and Plantings – the Design Review Board submits the following comments to the ZBA for its consideration:
 - Add three small trees (mature height of 15’ to 20’) as shown on the attached sketch; two trees on either side of the driveway and one tree close to the house; trees to consider would be Flowering Dogwood, Crabapple and Cherry, all of which have a full crown when mature.
 - Keep Black Chokeberry shrubs proposed for edge of driveway, as shown on Site Plan.
 - Replace Arborvitae with evergreen shrubs, like Rhododendron, with a mature height of at least 6 feet. Plant 3 evergreen shrubs like Rhododendron in front of the concrete foundation wall for screening.
3. Concrete foundation wall of Connector – the Design Review Board submits the following comments to the ZBA for its consideration:
 - The applicant should consult a structural engineer with regard to the structural integrity of the existing foundation wall as well as how to proceed to repair the wall;
 - A structural engineer should assist in the design of the formwork for the repair of the concrete foundation wall;
 - The applicant should adhere to requirements of the Building Commissioner with regard to the proposed repair of the foundation wall;
 - The final surface of the foundation wall should be as smooth as possible, without undermining the structural integrity of the wall;
 - The wall may need to be parged to affect a smooth surface;
 - A chamfer at the top of the foundation wall where it meets the siding may help to direct stormwater towards the ground and keep it from seeping into the wall itself.

Adjournment

The meeting was adjourned at approximately 8:30 p.m.

Cc: Michael Ben-Chaim, Applicant
Jeff Bagg, Senior Planner
DRB Members

Mary Kraus, Architect
Jim Wald, Select Board Liaison