

**AMHERST PLANNING BOARD**  
**Wednesday, August 2, 2017, 7:00 PM**  
**Town Room, Town Hall**  
**MINUTES**

**PRESENT:** Stephen Schreiber, Chair, Robert Crowner, Michael Birtwistle, Greg Stutsman, Pari Riahi, Richard Roznoy, Christine Gray-Mullen and Jack Jemsek (7:06 PM)

**ABSENT:** Maria Chao

**STAFF:** Christine Brestrup, Planning Director  
Steven McCarthy, Administrative Assistant

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Mr. Schreiber opened the meeting at 7:00 PM.

**I. MINUTES** – No Minutes were available for review.

It was not yet time for the first public hearing so the Board turned to other business.

**II. PLANNING & ZONING**

**B.** Downtown/Town Center Community Forum – update – The materials from the June 29<sup>th</sup> Downtown Forum have been added to the website and a comment section has been added. Comments have been received and the comment period will be left open until the end of August.

**IV. OLD BUSINESS**

**B.** SUB2007-00006 – Apple Brook Cluster Subdivision Plan – Signing of plans approved by Planning Board on June 6, 2007 – Attorney Tom Reidy of Bacon Wilson requested that the Board endorse the Definitive Subdivision Plans for the Apple Brook Cluster Subdivision. The plans had been approved in 2007 but had not been endorsed at that time. The approval for the plans is still in effect. Mr. Reidy would like to bring the plans to the Registry of Deeds and then return to the Board with an ANR plan to adjust the lot lines to reflect the recently approved Site Plan Review for Cluster Subdivision plans. The proposed road name is Vista Terrace.

Mr. Jemsek arrived (7:06 PM).

Ms. Brestrup reported that she had discussed the matter with Mr. Reidy and had received advice from Town Counsel, Joel Bard, that it was appropriate for the Planning Board to sign the Definitive Subdivision Plans at this time.

Mr. Birtwistle MOVED to approve the name of the street as Vista Terrace. Ms. Riahi seconded and the vote was 8-0-0.

The Board members endorsed the Definitive Subdivision Plans at the end of the meeting.

**III. PUBLIC HEARINGS – SITE PLAN REVIEW**

**SPR2017-00017 – Amherst College – Plimpton House – 82 Lessey Street**

Request Site Plan Review approval for site and building improvements including an accessible walkway, new plantings, relocated accessible parking space, new parking striping, two new exterior

doors, changes to lighting, thinning of overgrown trees, and addition of trellis and barbecue area (Map 14B, Parcel 2, R-G zoning district)

Mr. Schreiber read the preamble and opened the public hearing. Tom Hartman of Coldham and Hartman Architects presented the application.

Mr. Schreiber disclosed that Mr. Hartman teaches in the Architecture Department at UMass where Mr. Schreiber is Chair, but this will not present a conflict of interest and will not affect his decision.

Mr. Hartman presented the modifications to be done to the Plimpton House dormitory at Amherst College. An accessible walk will be added at the entry drive. The total cost of interior construction is over \$100,000 and this triggers the requirement for an accessible entrance and bathroom. The work will happen within two years. The existing utility pole will be removed. Some dead or overgrown trees on the street will be thinned out. Two doors on the west side of the building will be removed and replaced and a barbeque area will be added on the west side of the building. The walkway is well lit. There is good lighting on the building.

Mr. Hartman presented a detail of the entry and described the improvements. An accessible walkway will be created and the level of the entry patio will be raised to the level of the door sill by "over pouring" a layer of concrete. Plantings will be installed and the parking lot will be re-striped. There will be new signage for the parking lot and accessible entry. The new walkway will have a 1:20 slope and therefore will not need a handrail.

The barbeque area will be park style, with a stone dust surface, and a grill will be added. The barbeque area will be accessible from the rear driveway. The new plantings will be similar to those at Garman House, with False Cypress and Arborvitae.

A painted metal screen will be added to the rear patio to provide some privacy.

Mr. Schreiber reviewed the email that reported on the site visit. There was a site visit the morning of August 2<sup>nd</sup>, with Ms. Brestrup, Mr. McCarthy, Ms. Riahi, Mr. Schreiber, Mr. Birtwistle, and Ms. Gray-Mullen present.

Mr. Birtwistle questioned whether stone dust was an appropriate surface for the barbeque area and whether it could be maintained properly. He suggested concrete or another hard surface or permeable pavers because the area would be heavily used in season.

Mr. Hartman stated that other options had been considered but stone dust was deemed to be preferable. It is low cost, permeable and can be maintained by adding more stone dust as the surface wears out.

Mr. Hartman stated that the dumpster is small (about 3' x 5 1/2') and will be located at the northeast corner of the building. Relocating the dumpster would be difficult due to site constraints. The recycling bins will stay where they are currently located. The dumpster will not be visible to the public.

Mr. Stutsman MOVED to close the public hearing, to grant the waivers as requested, to find that the application meets the relevant criteria of Section 11.24 of the Zoning Bylaw, and to approve the application. Mr. Roznoy seconded. (Ms. Brestrup noted that the waivers should include those for traffic impact study, erosion control plan, and sign and lighting plan). The vote was 8-0-0.

**SPR2018-01 – Amherst College – Marsh House – 81 Lessey Street**

Request amendment to SPR2017-00009 to add a concrete dumpster pad along driveway (Map 14B, Parcel 24, R-G zoning district)

Mr. Schreiber read the preamble and opened the public hearing. He had already made a disclosure about his working relationship with Mr. Hartman at the previous public hearing this evening.

Mr. Hartman of Coldham and Hartman presented the application. He noted that it is a modification of the Site Plan Review SPR2017-00009 that was approved earlier this year. The current application involves adding a concrete dumpster pad along the driveway of the Marsh House dormitory at Amherst College.

The dumpsters are proposed to be moved to the east side of the east driveway, with a 6' x 22' pad surrounded on the east, north, and south with bluestone edging and at least four-foot tall plantings behind them. Two separate trucks come in the late morning or early afternoon, to pick up the recycling and trash. Three bollards will be installed to secure the dumpsters. The project is outside of the required setback.

The Local Historic District Commission had asked that the dumpster pad be moved farther down the driveway and away from the street. This will cause a slight regrading of the driveway.

False Cypress or Arborvitae will be installed as screening.

Ms. Brestrup noted there was no written Site Visit Report or Development Application Report as it is a minor alteration of a previously approved plan.

Mr. Birtwistle asked why a dumpster pad was required at Marsh House and not at Plimpton House, when they had about equal student populations. Mr. Hartman said that there was more room at Plimpton House, there was already a paved area for the dumpster, and traffic and snow was not an issue at Plimpton House as it had been at Marsh House. Also, the dumpster area doesn't get blocked by students' cars at Plimpton House.

Mr. Stutsman MOVED to close the hearing, to find that the application meets the relevant criteria of Section 11.24 of the Zoning Bylaw and to grant the request to amend the Site Plan. Ms. Gray-Mullen seconded. The vote was 8-0-0.

**IV. PLANNING & ZONING**

- A.** ZSC Report – Mr. Crowner presented the report. The ZSC is working on another iteration of the Table 3 Footnotes revision and considering a new approach for Recreational Marijuana. The ZSC is proposing a zoning amendment and possibly a temporary moratorium on recreational marijuana for the Fall Town Meeting. The ZSC is also looking at zoning amendments to address the PRP zoning district on Route 9 and the issue of Class II apartments. The existing apartment category limits the number of units per building to 24. The project proposed for Route 9 has many more units in one building. The ZSC has discussed a way to allow more units per building and to limit Class II apartments by the number of bedrooms rather than the number of units. The ZSC is also looking at making commercial parking facilities easier to permit – to allow these facilities by Site Plan Review rather than Special Permit in certain districts. The proposal is to change the permitting requirement to Site Plan Review in the B-G, B-VC and COM zoning districts to Site Plan Review. A future parking facility could be a public/private partnership which might be hindered by the Special Permit requirement.

Mr. Roznoy suggested waiting on the parking facilities zoning amendment until the Downtown Parking Working Group had made its recommendation to the Select Board.

There was further discussion about the proposal for parking facilities, including the possibility of a mixed-use building that contains parking that would be available to “non-tenants”.

Ms. Gray-Mullen noted that the DPWG had just formed a working group to look into the issue of a parking garage.

- B.** Downtown/Town Center Community Forum – update – already presented
- C.** Public Comment – Mr. Schreiber introduced John Fox, a resident of Fearing Street, noting that Mr. Fox wished to comment on the topic of the Housing Market Study. Mr. Schreiber noted that special topics are normally scheduled through consent of the board. Mr. Fox may ask to have this topic put on a future agenda as a special issue.

Mr. Fox commented as follows:

- The Downtown Forum had provided a useful first charrette that we can build upon; it had attempted to define downtown and what Amherst residents want downtown;
- The Amherst Housing Market Study had been requested by the Planning Board and the money for the study had been approved by Town Meeting (approximately \$40,000);
- The Board’s attention should be directed towards Section 5 of the study, regarding student housing;
- There are thousands of UMass students living off-campus who would love to live in Amherst; any building containing housing units is very attractive to UMass students who will fill the units;
- This topic has been discussed vis-a-vis Kendrick Place and One East Pleasant Street; when new housing is built, students will be the likely tenants;
- The HMS stated that student demand must be met before significant non-student housing can be provided;
- The Comprehensive Planning Commission Random Survey Results showed that residents had a concern about not having Amherst provide more student housing; privately owned student housing was considered to be undesirable by those who responded to the survey.

Mr. Fox talked about the economics of large new housing developments. At the Downtown Forum, people stated that they would like small family shops and small businesses. The economics of big construction today make it highly likely any tenant will have to be a wealthy tenant. At Kendrick Place, they suggested there would be a number of retail shops; but now MassMutual occupies the entire first floor, with no mom and pop shops. It would be very hard to have small shops to come in at One East Pleasant; they would likely be big tenants.

If the Town rezones B-L to B-G, and large mixed use buildings replace the existing buildings, it will be unlikely that the small shops will come back. It ought to be a serious consideration; who will be the tenants of the commercial spaces. The charm of Amherst will be lost if all large businesses like MassMutual come in and there are fewer small

businesses like Brueggers. He urged the Board be very cautious on approving other plans, and suggested a moratorium on big projects until they find out what the residents of Amherst want for their downtown.

Mr. Crowner agreed that a large majority of town would share Mr. Fox's vision, but the issue is not to prevent development; the issue is "how do we encourage development that allows small shops to return and flourish?" A moratorium should not be imposed to find out what people want, but we should focus on how to achieve what people want.

Ms. Brestrup noted that the ZBA thought of this issue when reviewing Beacon, and imposed a condition to limit the amount of non-publicly accessible retail/commercial uses that are in the Beacon project. They said that 50% should be retail/commercial space that are open to the public.

Mr. Stutsman noted that as a former small business owner in Amherst, he was very sensitive to the issue; but he cautioned against stopping construction as a means to deal with the issue. There are many other macro-economic forces at play, like food service competition with the University, and the decline of retail nationwide.

Mr. Fox said that if the small businesses in the B-L are torn down, it is exceptionally unlikely they are replaced with small businesses. He asked if the town should subsidize small businesses.

Mr. Schreiber agreed with many of Mr. Fox's comments, but noted that small businesses need patrons. He also noted that Building Code issues encourage the construction of rental units rather than condominiums.

Mr. Jemsek stated that many residents desire to see small businesses thrive in Amherst. But MassMutual is not a bad addition to the Downtown. Mass Mutual didn't displace anything, and brought employees downtown.

Mr. Fox asked "Who can afford to occupy space in the new mixed-use buildings? Who will be the residents and who will be the commercial tenants? How do we keep the feeling of a small town and at the same time accept some change?"

Mr. Schreiber noted that non-student focused options are very lacking in the downtown area. Mr. Fox noted that students are 7-month tenants.

Kenneth Rosenthal of 53 Sunset Ave thanked Planning Board and staff for the Downtown Forums. He urged changes to the Zoning Bylaw to eliminate the exemption for parking for projects like Kendrick Place. He cited examples from Palo Alto, CA, home to Stanford, which is similar in character to Amherst – a large university town with a small commercial area bordered by single-family homes and duplexes like Amherst.

The downtown there has on-street parking and a garage.

A new building was built in that area with a total of 130 bedrooms in a 78-unit building with a mixed-use first floor. The developer was required to provide parking spaces, and this was an area already served by public transit. Also in that area is a new restaurant on the first floor of an existing three-story building. Ninety-one parking spaces have been provided at that site. In Palo Alto, developers who will benefit from parking spaces must pay into the system or provide them.

Mr. Birtwistle asked “Is the assumption of California as a more car-oriented culture relative to this discussion?”

Mr. Rosenthal noted that Silicon Valley is a denser area than here, but there is a strong public transit system there.

There was discussion about presenting this information to the Downtown Parking Working Group.

Mr. Roznoy noted that one of the first issues that the DPWG considered was a change to the Municipal Parking District and that the DPWG had decided that this was not warranted. He thanked Mr. Rosenthal for his comments.

There was discussion about the residents of the new buildings, such as Kendrick Place, having cars and what could they do with them.

Mr. Stutsman cited a book that had been discussed on a radio broadcast (Freakonomics) that talks about the transition from horse culture to car culture – the transition occurred very quickly. There is a movement for more density to accommodate the development of housing and affordable housing. Mr. Schreiber observed that it will be interesting to see what happens with autonomous vehicles and how this will affect the need for parking in the next 10 years.

#### **IV. OLD BUSINESS**

- A.** Tofino Associates LLC – Amherst Hills Subdivision – Lot Release Request and Three Party Agreement – Ted Parker of Tofino Associates stated that the Three Party Agreement has been completed and is awaiting the signature of Mr. Schreiber which needs to be notarized. Mr. Parker also noted that he was also asking that four lots be released at this time (Lots 11, 23, 24 and 63).

Mr. Crowner **MOVED** to release Lots 11, 23, 24 and 63. Ms. Gray Mullen seconded and the vote was 7-0-1 (Stutsman abstained). The Board signed the Certificate of Performance.

- B.** SUB2007-00006 – Apple Brook Cluster Subdivision Plan – Signing of plans approved by Planning Board on June 6, 2007 – already discussed
- C.** Signing of Decisions – none
- D.** Planning Board Summer Schedule – update – Board members noted when they would be absent from Planning Board meetings in the upcoming month. Ms. Brestrup noted that there would be several meetings in September – 6<sup>th</sup>, 13<sup>th</sup>, and 19<sup>th</sup>. Board members agreed to cancel the August 30<sup>th</sup> meeting.
- E.** Topics not reasonably anticipated 48 hours prior to the meeting – The Board members signed letters to the Registry of Deeds and the Land Court giving authorization to the Planning Board officers to sign plans and other material related to subdivisions.

Mr. Birtwistle **MOVED** to authorize the Planning Board officers to endorse documents related to the subdivision of land for the Registry of Deeds and the Land Court. Mr. Roznoy seconded and the vote was 8-0-0.

**VI. FORM A (ANR) SUBDIVISION APPLICATIONS** – The Board endorsed the following ANR plans:

ANR2018-01 – Lorraine H. Brunelle – 94 and 104 Potwine Lane

ANR2018-02 – Joshua M. Rosenthal – 436 Pine Street

**VII. UPCOMING ZBA APPLICATIONS** – Mr. McCarthy reported on several upcoming ZBA applications including a 4 megawatt ground mounted solar array proposed for land between Montague and Sunderland Roads, a detached supplemental dwelling unit at 278 Strong Street and two flag lots. The Board declined to review these ZBA applications.

**VIII. UPCOMING SPP/SPR/SUB APPLICATIONS** – none

**IX. PLANNING BOARD COMMITTEE & LIAISON REPORTS**

Pioneer Valley Planning Commission – Jack Jemsek and Christine Gray-Mullen – no report

Community Preservation Act Committee – Pari Riahi – no report

Agricultural Commission – Stephen Schreiber – no report

Design Review Board – Michael Birtwistle reported that the DRB at its last meeting reviewed the location of three rental bicycle pads (for a “bike share” program) planned for town, one on the North Common parking lot, one on the Town Common south side, and one in Mill District. Part of discussion centered on the appropriateness of Town unilaterally deciding where these installation should be without consulting other operators where their stations will be, presumably on campuses, and the interchangeability of the bike stations between operators. The interface with the public transportation system was also discussed. Mr. Birtwistle’s concern was that this seemed to be an issue that needed broader planning rather than ‘this is a good place to have a bike pad’; he was not sure what organization in Town should be responsible for the intercollegiate and Town planning on this, possibly TAC or Planning Board. It seemed to him that the cart is being put far before the horse with the location of stations, notably with two on the Town Common. The locations seem arbitrary and ignore several even-more-useful locations. He recommended that some Board should look at this issue more fully.

Ms. Brestrup explained that this is a project that has been going on for more than three years; the Select Board has looked at the proposed locations and approved of them in concept.

The TAC has offered their support of the concept, but were not called upon to vote on it. The locations are based on a couple of factors, including the need to be in the Town right of way due to the funding source and near a bus stop. This project represents a joint effort with multiple cities and towns and the PVPC. It has been written about in the newspaper, and it came before Select Board in a public meeting. It has also received some degree of wider communication. UMass is providing three stations on campus. Amherst College has not expressed an interest in having a station on their property, but they want one near campus by the bus station near Converse Hall. Cooley Dickinson Hospital has offered to support a location and they are interested in visibility – CDH liked the location by the Main Street parking lot. Encharter Insurance has offered to support the location by Boltwood Avenue. This project has had public review, but was only brought to the DRB recently.

Mr. Birtwistle still questioned the logic of having two stations so close to each other in the Downtown. He stated that Amherst College should be encouraged to have one on their campus, and was disappointed in the college for forcing the project off their property and into the Town right of way.

Mr. Roznoy asked if the project would need to come to the Planning Board for Site Plan Review. It would not because the Planning Board does not typically have jurisdiction over projects in the right-of-way. The Select Board has jurisdiction here.

Mr. Birtwistle stated that the DRB doesn't have permitting power over this project, but there was significant discussion at the meeting.

Amherst Municipal Affordable Housing Trust – Greg Stutsman reported that the AMAHT had approved its strategic plan. One priority listed in the plan is that the town develop a disposition plan for surplus property. Other priorities included affordable housing and SRO housing.

Zoning Subcommittee – Rob Crouner, Greg Stutsman and Maria Chao – report previously presented UTAC (University and Town of Amherst Collaborative) – Greg Stutsman and Christine Gray-Mullen reported that the housing subcommittee hasn't met since UMass issued its RFI. There are four sites being considered in the RFI. The University is casting a wide net for projects that they would like to have built on campus.

Downtown Parking Working Group – Richard Roznoy reported that the DPWG met yesterday, although he did not attend. They are reviewing feedback (questions and comments) received from the Select Board.

Transportation Advisory Committee – Richard Roznoy reported that the TAC approved the concept of the bike share program and made recommendations to the Town Manager and Select Board. The TAC would like to have a chance to review it when it gets closer to being installed, especially with regard to how it interacts with other transportation options. The TAC is working on a big project on standards and guidelines for crosswalks and will be moving on to completing a sidewalk map for the town. Mr. Roznoy asked if the TAC would be asked to look at the possibility of a crosswalk over Route 116 for the Apple Brook development. Ms. Brestrup reported that the decision for this project has not been drafted yet, but that the issue of the crosswalk may be brought to the TAC if the Select Board asks for recommendations.

**X. REPORT OF THE CHAIR** – Mr. Schreiber noted that the Planning Board usually has a social event over the summer and that one may be planned soon.

**XI. REPORT OF STAFF** – no report

**XII. ADJOURNMENT**

The meeting was adjourned at 8:53 PM.

Respectfully submitted:                      Approved:

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Christine Brestrup  
Planning Director

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Stephen Schreiber, Chair

DATE: \_\_\_\_\_