

Echo Hill South Association News

Echo Hill South Association Annual Meeting

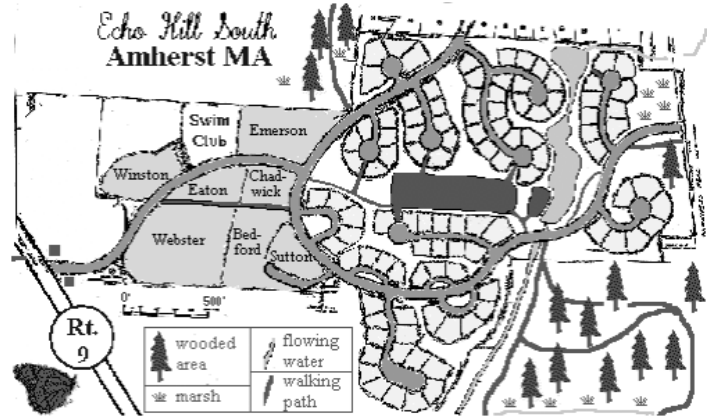
You are all invited to the annual meeting of our homeowners association, which will be held on THURSDAY, MARCH 25th at 7:30 P.M. in the social hall of the IMMANUEL LUTHERAN CHURCH, 867 N. Pleasant St. (just north of the UMass School of Education). There is ample parking in the church's parking lot. This is your best opportunity to learn about the activities of the Board of Directors in preserving our common lands, our attempts to dredge the pond, and our evolving views on the covenants and restrictions that guide the cutting of trees and architectural changes. We value your comments and suggestions and hope most of you are able to attend.

The Echo Hill South Association was created by the developers in 1967 to preserve and foster the values and amenities of our unique planned residential community; to maintain, administer and preserve the common lands; to enforce the covenants and restrictions voted by the members; and to encourage, foster and participate in social activities of the members. The governing body of your Association is its Board of Directors consisting of four Officers and six additional Directors.

Each year 10 of your neighbors volunteer to serve on the Board to oversee these activities. We meet once a month for one and a half hours to discuss items such as complaints by members of the association, egregious violations of the restrictions, the recent problems we have had in the state's re-classification of our ponds as vernal pools, renewing the liability insurance for the common lands, and paying the town's taxes on our common land. We have relied on the continuing service of several "old timers" whose dedication we appreciate. We need, however, some "new blood" with fresh ideas and a vision of the future of our special neighborhood. We hope that some of you might be encouraged to join the Board or one of the standing committees.

We have an Architectural Committee to inspect and approve tree cutting and architectural changes, a Grounds Committee to maintain the common lands and ensure that the town repairs broken street lights, curbing, and potholes, and to pressure the town's Department of Public Works to trim overhanging or to cut dead trees on the town's properties. The Grounds Committee is also responsible for negotiating with landscapers regarding the mowing of grass and weeds on the field and verges and assisting in the planting of attractive flowers and bushes at the entrances to our streets and on our cul-de-sacs. Finally, we have reactivated the Ponds Committee whose main activity is to conserve this natural resource and to take steps to prevent it from silting up and turning into a swamp.

If you are a condo owner and wonder what benefit you get for your dues, especially since each group of condos has its own association, a word of explanation is needed. When Echo Hill South was built in the 1960's, it was developed as a PURD



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[planned unit residential development]—the first in Massachusetts. The idea was to cluster homes and apartments around vacant common lands which acted as buffers between structures and for recreational use. The apartments were included as part of Echo Hill South design, and the owners became members of the association. Later, most of the apartments were converted to condominiums, but the owners are still under the aegis of our association.

Your benefits as condo owners, although somewhat different from that of the home owners, include your ability to use our recreational areas (e.g. the ponds and the field), serve as recipients of our attempts to induce the town to maintain our common roads and verges, enjoy the benefits of having attractive homes and vegetation adjacent to your dwellings, and enlist a powerful ally with your own associations to control problems, such as the noise and illegal activities occurring in the Echo Village Apartments. We have always had representatives from the condos serve on our Board of Directors, providing valuable input from this contingent of our membership.

The Board of Directors needs new volunteers, especially younger residents, to carry on these activities. Please attend the annual meeting to show your support, or call one of the current board members for information. Much of this information is on our Echo Hill South website: <http://ehsa.blix.com/>. Copies of the forms for tree removal requests and architectural changes can be found there, as well as our bylaws and restrictions, agenda for meetings, list of Board members, etc. A history of Echo Hill South has recently been added to the website. The complete historical files of the Association were recently donated to the Special Collections Department of the Jones Library, where they are available for anyone to view.

e-newsletter: At the request of some members for more frequent communication regarding issues in our community, the President collected e-mail addresses at our last annual meeting to be used to send out a periodic e-newsletter to those interested. We hope to make this on-line newsletter more regular in the future and invite all of you interested to send your e-mail address to us at the following proulx@anthro.umass.edu if you wish to be included. In addition to news and timely notices, we hope to include the minutes of our monthly meetings if we can do so without violating the privacy of all concerned. You may also submit items you feel should be disseminated to the membership to the same address.

Your bill for the 2010-11 dues will be mailed in early April, after the Annual Meeting, and is payable upon receipt. Members are gently reminded that if dues are not paid before the end of the Fiscal Year, March 31, 2011, the property becomes officially in arrears and is moved to a special action category which not only means more work for our Treasurer but, and more important, means the probability of penalty and legal fees for the delinquent members.

ANNUAL MEETING AGENDA 2010

1. Approval of the Minutes of Previous Annual Meeting (2009)
2. President's Report
3. Treasurer's Report and Proposed 2010-11 Budget
4. Architectural Committee Report
5. Grounds Committee Report
6. Status of the Pond Reclamation Project
7. Election of Officers
8. Election of Board Members
9. New Business

We would like to spend a portion of our time at the meeting discussing our multi-year effort to renovate the ponds located on our common lands. Some background on the problem appears below:

Pond Reclamation Project Update

An integral part of William Aubin's Echo Hill South Planned Unit Development was the concept of common recreational areas to be shared and enjoyed by all members of the community. In addition to the forested landscape surrounding the homes, and a large open field that could be used for various activities, the development was centered on a series of three natural ponds linked together by a small stream. These ponds appear on old topographic maps going back to at least 1900. The main source of water for these ponds is run-off from the Pelham Hills to the east known as Harkness Brook. The water then empties from the ponds into a stream that eventually drains into the Fort River by way of a steep ravine.

The ponds were modified by the developer in several ways beginning in 1968 when houses were first constructed on Hickory and Laurel Lanes. Storm drains were laid from these streets to empty into the ponds. During the second phase of development in 1971, when Stony Hill Road was extended to Harkness Road and new cul de sacs with additional homes were added, additional storm drains were added to carry water from Red Fox and Cranberry Lanes into the ponds. The extension of Stony Hill Road required the construction of a four-foot culvert beneath it to allow the ponds to discharge along their previous course. An artificial dam was raised at the outflow end of the ponds to raise the level of the water. The Town of Amherst accepted Hickory and Laurel Lanes as public ways in 1971 and the other streets at a later date. The ponds therefore became storm water detention basins in addition to their aesthetic and recreational asset to the Association, and the Town became legally responsible for the maintenance of the drains.

During the 1990's the Board of Directors became concerned about changes taking place in the ponds. Over the years silt, mostly from winter road sand in Pelham, began to collect in the

ponds, and thick vegetation in the form of water lilies began to grow. The vegetation along the edges of the ponds thickened, making access difficult. Following several years of drought and continued silting, the Board discussed a number of remedies to save the pond from further desiccation, including cutting the weeds, placing a barrier on the bottom, and using chemicals to control the vegetation. We came to the conclusion that the only way to address the problem was to consider dredging the pond.

In 2003 we approached the Amherst Conservation Commission to see what steps were necessary to receive permission to dredge. The Commission recommended that we hire an environmental consultant. We chose New England Environmental, Inc. to conduct the necessary tests of the pond and to develop a plan for the dredging. Michael (Mickey) Markus, their senior scientist, prepared the documentation. In 2004 we applied for all the necessary permits, and all were approved and we hoped to start the dredging the following year. The Board had begun to raise the necessary funding for the project which, at that time, was projected to cost in excess of \$30,000.

In 2005, one of our residents, an environmental scientist at UMass, petitioned the National Heritage and Endangered Species Program (NHESP) of the Massachusetts Division of Fisheries and Wildlife, to certify our ponds as vernal pools. This request was granted, and the re-certification became effective on May 5, 2005. The motivation of the petitioner was unclear, but the change had a number of unintended consequences. This action effectively stopped all work on the project, since environmental laws regarding modification of vernal pools are very restrictive. In addition to preventing our dredging of the ponds, the re-certification could affect any activity (cutting trees, clearing brush, remodeling of homes) taking place within 100 feet of the boundaries of the pools. It also raises the issue of the town using the pools as a storm water detention basin.

Since 2005 the Board has spent a tremendous amount of time and effort attempting to get this classification reversed. This past year we hired John Dick, Senior Wetland Scientist from Hancock Associates, to assist us in preparing a petition to NHESP to decertify the vernal pools. The petition was filed on December 7, 2009 and a reply received on January 28, 2010. Our petition was denied based on the presence of obligate species of protected wildlife without any consideration of its history as an artificial recreational pond, its function as a storm water detention basin, or physical evidence that water flows through the "pools" causing tremendous erosion to the ravine through which the water flows and possible damage to homes within its boundaries.

Although the prospects for success look bleak, the Board is investigating avenues for a further review of our petition. We would like to explain our motivations and frustrations at the annual meeting and get input and suggestions from the membership at that time. For a more comprehensive overview of the pond reclamation project, from which part of this narrative was extracted, please see our website <http://ehsa.blix.com> and look under history.

2008-2009 Officers

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John Donahoe (Millie), Vice President
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Hubbard Smith (Linda), Treasurer
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ECHO HILL SOUTH ASSOCIATION
Amherst, Massachusetts
History (Part I)

On November 29, 1965, Amherst developer William E. Aubin and his wife Sophie Aubin, filed a subdivision plan for an area on the eastern side of town called “Echo Hill South.” The Aubins modeled their development after a new concept that was becoming more popular in the 1960’s—a PUD [Planned Unit Development]. “The origins of PUDs in the new American communities can be traced to British movements during the 1950’s. The newest forms of the Planned Unit Development in America were found shortly after World War II, in the [Levittowns](#) and [Park Forest](#), as whole communities within the limits and orbits of large metropolitan centers. The first zoning evidence of PUD was created by [Prince Georges County, Maryland](#) in 1949” (Wikipedia electronic encyclopedia 2008). The Aubin’s plan included the concept of clustered housing, recreational facilities and open common space. The first stage of development included a mixture of residential homes, apartments, and a swim club—centered on a series of ponds, a large open field, and forested common lands serving as a buffer between the residences. It is of some historical interest because Echo Hill South was the first such development on the east coast. It was planned and put together by Architect Thomas Kirley, Tomlinson Builders and Developer William E. Aubin.

The Echo Hill South PUD incorporated a number of differences not found in other parts of the Town of Amherst. Houses were clustered closely together—the average lot size was one-quarter acre. The homes were built on cul-de-sacs or on eyebrows off the major thoroughfares, eliminating traffic noise and congestion. The backs of the homes were separated from their neighbors by forested common land of variable width and depth. The appraised land value of each lot was much higher than other parts of Amherst to compensate for the very low valuation placed on the common property. Recreational areas included a large field that could be used for numerous activities (baseball games, picnics), a series of two natural ponds draining into the Fort River, and a “Swim Club” that has now become the Hampshire Fitness Center. A group of five apartment complexes, or “courts” were included in the initial design, most of which were later converted

into condominiums. A retail complex was built some years later at the entrance to Echo Hill South at Route 9, which included a small convenience store. Thus Echo Hill South was envisioned as a residential community within the Town of Amherst with amenities not present elsewhere.

A Declaration of Covenants and Restrictions made by William Aubin et ux was recorded with the Hampshire County Registry of Deeds, Book 1500, Page 327 on January 9, 1967. The record shows that the first meeting of the signers of an Agreement of Association for the purpose of forming a corporation to be known as the Echo Hill South Association, Inc., was held on November 12, 1968 at 8:00 P.M. at 239 Triangle Street, Amherst, Massachusetts. The following individuals were elected to the newly organized Board of Directors at that time:

President:	Donald W. Stephens,	11 Thistle Lane
Vice President:	Halsey Jones, Jr.	8 Laurel Lane
Treasurer:	Eugene Kaczka	7 Duxbury lane
Clerk/Secretary:	Martha F. Wittmer	2 Thistle Lane
Director:	Norman Phillips	12 Thistle Lane
Director:	Richard O. Johnson	4 Laurel Lane
Director:	William Aubin	57 Oak Knoll

The stated purpose for the incorporation of the Echo Hill South Association was:

“to preserve and foster the values and amenities of the residential community in and about that section of Amherst, Massachusetts, known as Echo Hill South; to encourage the preservation of parks, play-grounds, open spaces and other common facilities; and to this end to act as an agency for the acquisition, maintenance and administration of such community properties and facilities; and also to encourage, foster and participate in social activities among the inhabitants of the said Echo Hill South Community and others.”

Jeff Lacy, from the Department of Landscape Architecture and Regional Planning at the University of Massachusetts, included Echo Hill South in his study “An Examination of Market Appreciation for Clustered Housing with Permanent Open Space” published in 1990 by the Center for Rural Massachusetts. The following is a synopsis of our development:

Echo Hill South was the middle phase, both chronologically and geographically, of the overall Echo Hill development project. The final portion of the project involved townhouse-type apartments on large lots, a health club, and a small commercial center. Both Echo Hill South and this last section were built as distinct elements of a planned-unit-development. Echo Hill South was the first “open-space” development built under zoning in Massachusetts.

Utilizing the flexible provisions of the planned unit development ordinance, then a part of the Amherst by-laws, the developer and landscape architect designed and built the 102-unit subdivision while preserving over 36 acres of commonly-held, open-space (nearly half the total area of the original tract). Figure 3 [not included] shows the comparison between an original, conventional plan for Echo Hill South and the cluster/open-space alternative that was

eventually built. To accomplish this without affecting the overall housing density, individual lot sizes were reduced from the underlying one-half acre requirement (21,780 square feet) to an average of just over one-quarter acre (12,189 square feet). The remaining lands are now held in common ownership, with each individual homeowner possessing an undivided, but equal, interest in the property.

The layout of the street system, private houselots and common space is shown in Figure 3. One major collector street serves the development. This roadway was built "over-standard," having a paved width of 31 to 32 feet, 3 feet of which, on either side, is marked for pedestrian travel. It is a through-street, linking Echo Hill South to three entries and exits onto major roads. None of the 102 houselots have their road frontage on this collector street. Rather, 13 cul-de sacs and "eyebrow" streets form the core of distinct neighborhoods where the houses are grouped. These roads, designed for local-access traffic only, were built "under-standard," with paved widths ranging from 21 to 28 feet.

The privately owned houselots are laid out in distinct groupings. Each of the 13 access streets serves from 3 to 14

units. The removal of trees and low-growing vegetation from the houselots was kept to a minimum. Open space, in the form of woods and fields, threads between adjoining neighborhoods, providing privacy while creating a rural atmosphere. Every resident has direct access to the open space through their side or rear yard. The open space within Echo Hill South is found throughout the larger parcel in the fashion of Radburn, a 1920's "garden city" in Fairlawn, New Jersey. These undeveloped areas are allocated as large blocks for recreational use, and as buffer-strips to screen the residential neighborhoods from the collector road and from one another. Most of the open land remains in its natural, wooded state with an inter-connecting network of trails. A large, open field has been maintained as a "town green" which provides space for ball sports and community events. Nearby, a pond with park benches is available to residents for fishing, birdwatching and skating.

(The full history article composed by our EHSA President is found on our website <http://ehsa.blix.com/> and the second part will be reproduced in a following issue of our EHSA Newsletter.)

ADDRESS SERVICE REQUESTED

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