

Taylor, Ruth

From: Jack Hirsch <hirsch.ja@gmail.com>
Sent: Tuesday, August 12, 2014 1:41 PM
To: Planning Department Email; Brestrup, Christine
Subject: letter to the Planning Board

Please circulate this letter to the members of the Planning Board. Thanks very much.

To the Planning Board:

Now that the Retreat at Amherst has been formally proposed, it is again time to do a site visit. In particular, the main entrance has now been identified as the road into the Amherst water treatment plant. This provides an opportunity to visualize the 16 foot "cliff" which was necessary for the grading of its intersection with Market Hill Road, as well as the sight lines as one drives southwest on Market Hill and rounds a bend and blindly encounters this entrance. Please note that cars leaving the Retreat at night will shine headlights directly into the Amherst Housing Authority duplexes across the street. These folks deserve your consideration as well.

Traveling north on Henry Street to the "secondary" entrance/exit, note the sight lines as Henry bends around a curve, with its trees lining the street, and the Retreat exit suddenly appearing on the east (right). This exit road is a new one, not the logging road that currently exists on a straighter part of Henry.

Finally, driving south on Flat Hills Road towards the University as many students will be doing, one encounters steep bending curves as Flat Hills descends to a sudden stop at its intersection with Shutesbury, then a short jog to a second stop at its intersection with North East St. North East has sharp curves at this point, although most of the street is fairly straight and long enough to encourage a build-up of speed, which must be quickly reduced to deal with both curves and on-coming traffic.

These issues will be exacerbated in inclement weather, and are particularly dangerous during winter conditions. Unfortunately young drivers have a very high incidence of accidents due to such conditions.

Thank you for your consideration of these issues,

Jack Hirsch

My name is Ken Pransky and I live at 180 Flat Hills Road. I appreciate the chance to speak to the Board.

In 2002, we left our home in South Amherst because we wanted to live in a quieter part of town. We chose Flat Hills because it was quiet, scenic, and low key, distinctly apart from the increasing congestion of Amherst proper. Therefore, it is with great dismay that I envision the Retreat sprawling just over the hill in the woods behind my house. I am speaking tonight from my perspective as an RO-zone resident.

Amid all the compelling arguments you've heard and will continue to hear from concerned residents of the abutting RN and RO zones, and apart from all the requests for waivers and technical adjustments to Landmark's plans (however piecemeal they are submitting them), one rather easy decision for the Board is deciding whether the Retreat is, quote—in keeping with the character of the surrounding residential neighborhood—unquote. I believe it is incumbent upon the Board both through the town's Master Plan as well as its zoning bylaws to consider this as a condition of permitting any development, assuming that this phrase is not just in those documents for show. I would very much appreciate hearing the Board address this specifically relative to the Retreat, Cushman Village and the Flat Hills area.

In the meantime, I wanted to see for myself what "neighborhood character" means, and found the following on-line at a ny.gov website:

NEIGHBORHOOD CHARACTER COMPONENTS (copied text in italics):

According to the 2012 CEQR Technical Manual, an assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in any of the technical areas that define neighborhood character, or when the project may have moderate effects on several elements of neighborhood character. Potential effects on neighborhood character may include:

Land Use & Historic Resources

I am sidestepping these 2 issues in this presentation because the former is an issue for debate in the courts, and the latter is already being studied.

Socioeconomic Conditions

Changes in socioeconomic conditions have the potential to affect neighborhood character when they result in substantial direct or indirect displacement or addition of population, employment, or businesses; substantial differences in population or employment density; or if a project results in changes to a unique industry. Addition of population...this one is easy! Clustering roughly 650 students into a tiny RN neighborhood of many fewer residents, and the RO zone of an even smaller number of abutting residents is a significant adverse impact—I wonder if you think so too. In terms of "indirect displacement"... this family, at least, will "indirectly displace" ourselves from Flat Hills Road, and probably the town of Amherst, and take our tax dollars elsewhere, if the Retreat is built. I imagine many others will do the same. So in more than one way, this project, if built, would have a significant adverse impact in the *socioeconomic conditions* category.

Moreover, I would actually propose that clustering 600+ students into an RN-RO abutting zone cannot possibly by definition be "in keeping with the character of the

surrounding residential neighborhoods.” To help support this assertion, I will draw on the expertise of a company very familiar with this issue: none other than Landmark. In their Municipal Prospectus on page 4 they say that Landmark’s Retreats have been “well-received” by the communities that have them because they draw students out of existing single family neighborhoods. Then on page 7, they say again that the Retreat draws students out of residential neighborhoods. So not once, but twice, Landmark states this “advantage” to towns. This also means that Landmark does not believe that large concentrations of students can possibly be “in keeping with the character of” residential, single family neighborhoods; otherwise, they would not advertise what a boon it is to a town to draw them out. Therefore, no Landmark Retreat such as the one proposed for Amherst, if built abutting an RN and RO zone, could possibly be in keeping with the character of those surrounding residential neighborhoods—i.e., the very areas that students are being drawn out of in the first place because they are not “in keeping with the character” of those neighborhoods. To add insult to injury in this particular case, Cushman and Flat Hills have very few—in fact, hardly any—students now, so Landmark’s intent to draw 650 or so **new** students **into** our neighborhoods becomes somewhat Kafkaesque, given their stated claims that large numbers of students are not “in keeping with the character” of residential neighborhoods. I feel that at least Landmark should be asked to explain their apparently illogical position: how can deliberately drawing large concentrations of students into an existing single family neighborhood be “in keeping with the character of” a surrounding residential, single family neighborhood, especially one that presently has few if any student residents, given that Landmark states what an advantage it is to a town to draw students out of, residential, single family neighborhoods? I’m curious to hear what they say—and I wonder if you are, too.

Transportation

Changes in transportation conditions can affect neighborhood character in a number of ways. For traffic to have an effect on neighborhood character, it must be a contributing element to the character of the neighborhood (either by its absence or its presence), and it must change substantially as a result of the project. Mr. Houston’s study clarifies the potential adverse traffic impact on Cushman area roads, in distinct counterpoint to Landmark’s own study. I would also like to add that it is quite likely that 125-150 cars a day (that’s 225-250 trips coming and going)—at least—will be added to Flat Hills, as people close to that side of the Retreat exit that way, and also given that that will become a preferred egress for a quicker trip to UMASS via Northeast and Strong Streets, avoiding the expected Cushman Village congestion. They will race down the flat area of Flat Hills by our house, down the dangerous steep, narrow, curvy road down towards the equally dangerous intersection with Shutesbury Road—many accidents just waiting to happen, as cars zoom up or down the steep grade (especially in winter), not completely in their lanes. In any case, I counted cars at various times of the day passing by my house, an average of 12-15 per hour, which over an 8-hour day is roughly 96-120 car trips on a typical day. So if my calculations are correct, Flat Hills Road residents between the Retreat exit and the hill down towards Shutesbury and Henry Streets can look forward to perhaps a 100-150% increase (at a minimum) in traffic zooming by their houses on Flat Hills, and everyone who lives in that area, including Highpoint, can look

forward to their white-knuckle drive up or down the Flat Hills hill hoping they don't meet a car coming the opposite direction way too fast, and way too close. So I'd call the sum total of all traffic impacts, especially in Cushman but also as well as Flat Hills, a moderate adverse impact at least in this category—and I wonder if you think so, too.

Noise

For a project to affect neighborhood character in regard to noise, it would need to result in a significant adverse noise impact and a change in acceptability category. Remember that those of us who live on Flat Hills live there so we can hear crickets, birds, even the lonely cries of coyotes. The first thing I want to say about a potential adverse impact to the character of the surrounding neighborhoods regarding noise is, if you haven't already, grab some popcorn and watch the wonderful Youtube videos of, shall we say...“carefree” Landmark Retreat life. I imagine the first cringe that any of us had when we heard about the proposed Retreat was regarding noise, hearing in our mind the noise 650 or so mainly unsupervised, “carefree” young people will periodically produce during their outdoor ...”activities.” Then, of course, there are the 5,600 truckloads of rock, the blasting every day for most all of a year, the large-scale construction that will all precede the expected...carefree student noise. So in this category, too, I think we can expect a significant impact—and I wonder if you think so, too.

So there is—to my novice eye, at least—at least a moderate, if not an obvious, significant adverse impact in at least three of these neighborhood character categories, and in the end, perhaps all five. Based on this, the project cannot be “in keeping with the character of the surrounding residential neighborhoods.” So if the Board wanted, could it not nix the project with little or no more information than it presently has, even if Landmark's submissions are incomplete? But that's just me. So I would ask the Board three questions: 1) “Have I mistakenly analyzed the situation in any way, and if so, how?”; 2) “Does the wording in the town's Master Plan and zoning by-laws mean anything?”; And 3), if so, “How does the Board plan to rule on/act on both the spirit and content of this important issue of maintaining the character of the town's residential, single family neighborhoods?”

I appreciate the Board giving me this opportunity to speak.