

I oppose Referral of Article 23, because I believe developer-initiated re-zoning is a bad idea - a dangerous precedent - it doesn't belong at the Planning Board -- and should not be given the credibility of referral for consideration by the Planning Board. I urge that we vote NO on referral and then NO on the article itself.

Why is it a bad idea and a dangerous precedent?  
Why should the Planning Board not consider it?

I have several points to make & each point speaks explicitly to issue of Referral that is before us for this vote.

## **1<sup>st</sup>: Why is it a bad idea?**

This is a private effort by 3 developers with rentals elsewhere in Amherst to make considerable profit on Butterfield Terrace, at the expense of their abutters. They would do so by re-zoning their properties from R-N, which does not allow apartments or townhouses, to R-G, which does. The claim (quoted in our newspapers) that the abutters will make personal profit is simply a magician's trick, to get us focused on the

moving hand (false claims about the abutters) to disguise the considerable profits to be made by the developers. The 3 developers own 13 properties, 11 rented to students.

For years, Butterfield Terrace has been the buffer for adjacent residential area from UMass. Although there once was UMass Family Housing across Butterfield Terrace, where adult faculty & graduate students lived in apartments regulated by the University, those buildings have been removed & UMass's future plans are far from certain.

What is certain is that this private ad-hoc rezoning will tip neighborhoods away from a manageable mix of family & student rentals, to a large-scale development that destroys the current balance.

**2<sup>nd</sup>: Why is this a dangerous precedent?** Although the developers claim otherwise, in this photo you see one of the

properties in questions from a back-yard on Pokeberry Ridge. Note the proximity - a stone's throw away.

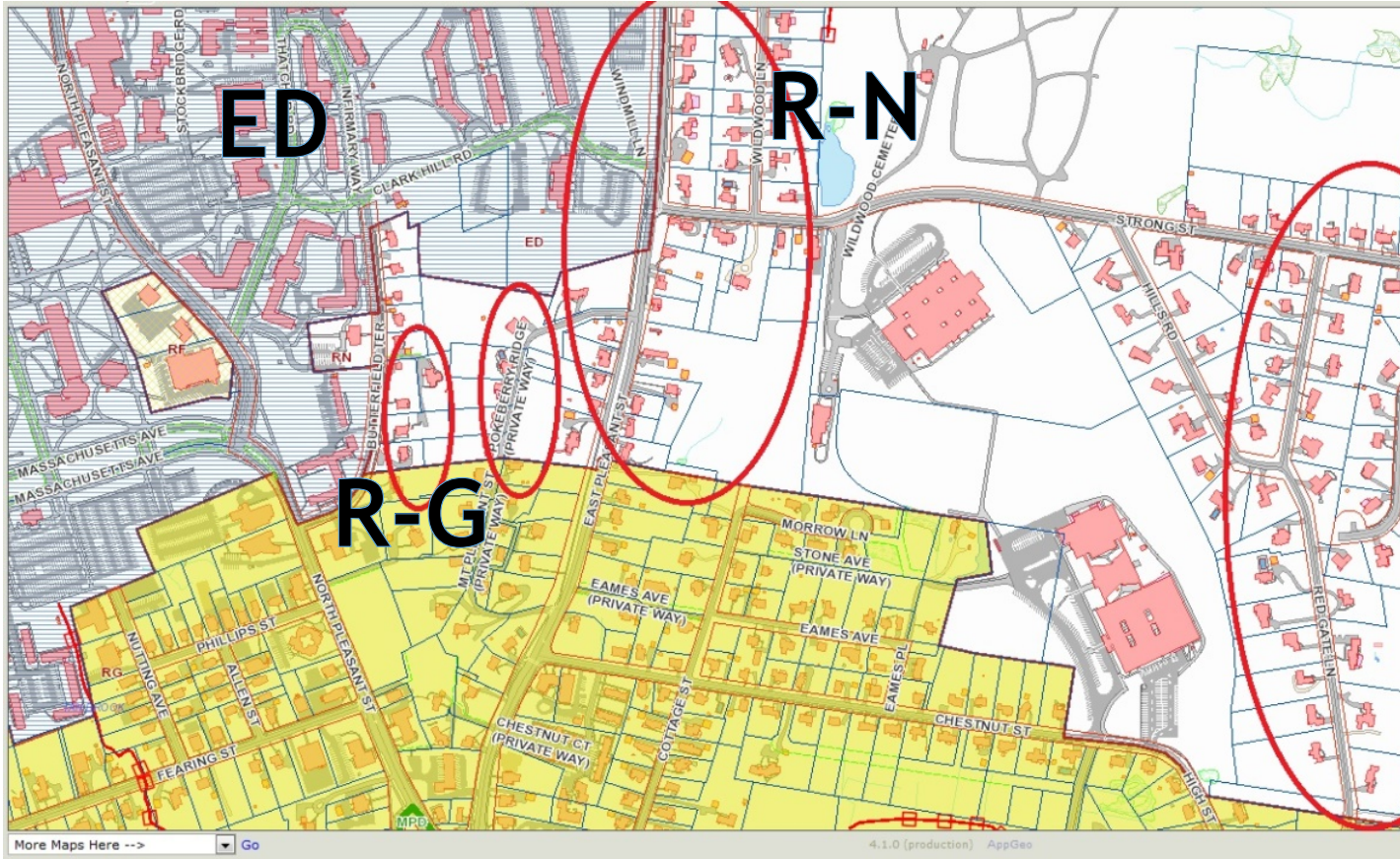


The Pokeberry Ridge abutters vigorously oppose this re-zoning, because it does harm to the quality of life they reasonably thought would remain protected through R-N zoning.

### **3<sup>rd</sup>: Why not refer to the Planning Board? Because:**

A vote against Referral is a clear message from Town Meeting to the Planning Board that this kind of ad-hoc re-zoning sets a dangerous precedent that we should firmly & simply reject. If we or the Planning Board were to allow this precedent for “development creep,” there would be no turning back. The precedent itself will support a domino effect of re-zoning on behalf of developers and we will lose the distinctive residential neighborhoods that still, & almost miraculously, remain for owners & tenants in pockets throughout Amherst.

Here are some examples of R-G R-N contiguous parcels that illustrate the danger of “development creep” as a result of the argument that R-N parcels abutting R-G parcels can be re-zoned at the developer’s pleasure to R-G, to allow for large developments:



**A vote against Referral carries a clear message that we expect our Planning Board to do no harm to our valuable residential neighborhoods, in its efforts to support development.**

**Do No Harm.**



This means that the Planning Board works within the criteria in Article 11 of our Zoning Bylaw guidelines (p. 101, 11.2401 & 2402) which this ad hoc rezoning request surely violates:

11.2401: Protection of Town amenities and abutting properties through minimizing detrimental or offensive actions.

11.2402: Protection of abutting properties from detrimental site characteristics resulting from the proposed use, including ... noise ... lights or visually offensive structures or site features.

**Rather than voting to Refer this dangerous rezoning precedent, we should be insisting that the University stop dragging its feet on creating public-private residential partnerships.**

**We need a solid UMass plan for PPP's & we need it now.**

We know that our state representative supports this idea and we know that the Town

Gown Steering Committee & its U3 consultants recommended public-private residential developments on Mass Ave or University Drive, situated well away from vulnerable residential neighborhoods.

**But referral of this Article moves the town in the opposite direction. It creates “facts on the ground” that remove the urgency for public-private residential developments that are adjacent to campus & do not encroach on residential neighborhoods.**

**I oppose Referral** because I do not want to see the Planning Board consider this dangerous precedent of ad-hoc re-zoning that will only encourage ad hoc development creep, parcel by parcel, re-zoning by re-zoning.

The predictable domino effect that will result from this unfortunate plan will destabilize year-round neighborhoods, upset an already precarious student-to-family equilibrium, and

undermine efforts to balance large-scale (upscale) housing in with the historical and residential character of at least some of Amherst.

5<sup>th</sup>, as a final argument against Referral: The Finance Committee correctly pointed out on Monday night that it is impossible to calculate the true cost or tax advantage of developments (since apartments are taxed at much lower rates than residences) and we already know the expense of police, ambulances, and EMS where we have dense student housing.

**I urge you to join me in voting NO on referral and NO on the Article itself.**

Maurianne Adams

Precinct 10 (the heart of the R-G zoning district) and member of Coalition of Amherst Neighborhoods