

**Zoning Board of Appeals
December 1, 2016**

Public Hearing: Beacon Communities 40B North Square at the Mill District

Applicant Presentation of Proposed Project

Development Team:

- Beacon Communities: Darcy Jameson, Dara Kovel, Pam Goodman, April Ognibene,
- PCA Architects: Dave Chillinski
- Nixon Peabody attorney: Ruth Silman,
- WD Cows: Mollye Lockwood. Mollye and Cows will own and manage the commercial part of the project.
- Other team members present: none

Beacon owns and manages Rolling Green where they preserved 41 affordable units within the 204 unit development. They are currently spending over \$4 million in capital improvements at Rollin Green. Beacon feels as though they are part of the community.

Company-wide, Beacon Communities owns or manages 12,000 apartments in 70 communities that serve a broad cross section of the population from all market rate units to strictly affordable developments for low income households.

The proposed project, North Square at the Mill District, is located on 5.3 acres on WD Cows property on a site located three miles north of downtown Amherst. Site context maps and images showed the vacant former industrial site as it relates to businesses and residential uses along Montague and Sunderland Roads. The project site presents a good opportunity for redevelopment, particularly mixed-use development, because there are no environmental or wetland issues, it is on existing public water and sewer, and there is public transportation.

Beacon Communities commissioned their own housing needs assessment. The report cited existing housing studies—Housing Production Plan (2013), Comprehensive Housing Market Study (2015)—that determined there was demand for both affordable housing and for market-rate housing in Amherst. Beacon Communities contacted local non-profit agencies to learn about demand. Valley CDC in Northampton has 500 applications for 83 affordable units in that community. HAP Housing has over 600 on a waitlist for 60 units in Amherst.

The target market for the development includes young professionals; empty nesters; low income individuals, seniors, families, and those with disabilities; and university affiliates/graduate students.

As many units as feasible will be visitable, meaning that the main entrance, some living space and a bathroom will be accessible to those with disabilities.

Beacon Communities has been working at this project for nearly 1 ½ years. After seeing the site and reviewing the local housing studies, it became apparent that a project could be feasible on the property. The Housing Production Plan indicated that housing supply—market rate and affordable—has not been keeping up with demand and there is a lack of housing variety in town. The Master Plan also identifies this site as part of a village center, a location appropriate for mixed-uses and redevelopment what would help prevent sprawl and use environmental design principles. As a redevelopment project, it would be an opportunity to concentrate development and mixed uses. The site bridges the gap between the commercial area on Sunderland Road and the single family pattern on Montague Road. The current proposal has enough activity and scale to successfully incorporate different uses while also providing parking, green space and residential units.

Initial ideas for the project included 140 units and 22,000 square feet of retail space. Beacon is aware that at this scale some say it is too big while others say there is not enough housing. As a mixed-used project there are many benefits—its spurs revitalization of north Amherst and will generate tax revenue for Amherst. The proposed project looks like a small downtown to promote a sense of community and place. The scale of housing (# of units) supports the retail; success of each component are interdependent. Mixing uses is a very efficient use of land, reducing transportation in and around the project. The plans show a compact design that was encouraged by the master Plan as an infill project in an existing village center. Allowing this type of infill development puts less pressure for sprawl development at the fringes of the center. The design follows classic smart growth principles. At the proposed size there is an economy of scale that helps use public resources efficiently and use private resources more efficiently. There is better property management (full time onsite staff) when over 120 units.

Community outreach for the project started in January 2016. Beacon Communities sponsored a design charrette in July. The current plans incorporate community concerns and feedback. Beacon created a website to help keep citizens informed of the design and progress of the project. Beacon used a 'text' campaign asking people to text their comments to help facilitate public outreach and to hear what people would want in development. Beacon is still tweaking the design by making changes to details and architecture.

The current site plan keeps the project within the commercially zoned area in response to community concerns. The buildings were also stepped down in height near the street and near the single family homes. The only four story building is in the center of the site to decrease its visibility from Montague road. The design also considers the edges of the project in terms of landscaping and preventing informal paths.

The project is a \$46 million investment by the applicant that will generate \$14 million tax revenue in 20 years and create 8-10 retail sites, and 26 affordable units.

It is a smart walkable community.

A goal of the mixed-use plan is to eliminate the need for a car for the tenants because of ability to shop and socialize at the retail component of the project and nearby establishments.

One drawback of the mixed-used model is that the commercial area is very public and needs to be balanced with residential units that may desire more privacy and the feeling of a neighborhood.

The site plan tries to balance these uses. Commercial and residential parking has distinctions between them and are physically separated. The green space and outdoor commercial space is oriented toward Cowls Road. The buildings (mostly Building B) screens parking from Montague road while residential parking faces the existing commercial uses on Sunderland Road.

The plan improves the pedestrian sidewalks along Cowls Road in the project area and connects to existing sidewalks. The design team is also tentatively discussing a pedestrian connection from Montague Road to enter the commercial area of the project.

The emergency access to the south will be completely closed to the public and only controlled by the Management Company and Fire Department. There will be a fence along this boundary section of the lease area to keep privacy and prevent stray pedestrians.

There is a very public and welcoming space in front of the commercial areas.

There will be ground mounted mechanical equipment that will be screened with fences and plantings. Trash and recycling will also be screened.

Parking—the plan shows a total of 299 spaces: 206 residential, 93 commercial. In addition to 29 for Atkins. The design team is also exploring using Zip Cars and there will be interior and exterior bicycle storage. In other multi-family developments a zip car is equivalent to ten tenant-owned cars, which reduces the need for parking.

The architects have experience designing multifamily projects as well as preservation and commercial/retail places.

The design of the buildings took cues and inspiration from various prototypes found in New England. The idea is to make the buildings look like assemblages of buildings adjacent to each other.

The commercial and public space is focused on the central green and multi-use plaza (special events plaza).

The presentation showed proposed views from surrounding streets, including views from Montague Road looking into the site with 3 and 4 story buildings superimposed on existing photographs.

The design team has been very thoughtful with the landscape and streetscape as this helps make the design attractive and livable.

The signage program celebrates the history of the site and takes on an industrial aesthetic and rural quality of architecture.

There are two main categories of amenities on site: public--village green, multi-use plaza, play area. Private: dog run and residential courtyard.

The Multi use plaza and green space is approximately 1/3 to 1/2 the size of the North Common in downtown.

The proposed play area near Atkins Market is approximately 25'x 40'.

There is a residential courtyard planned adjacent to Building B that has small spaces and some larger spaces for gatherings.

The design team has noticed a trend of more pets in multifamily units than ever before and has provided an onsite dog run that will provide a great opportunity for with dog owners.

The project incorporates many elements of sustainable design:

- Create communities with smart growth
- LEED silver and energy star
- Healthy homes with indoor air quality
- Native plantings
- Smoke free company, public and private spaces
- Transit friendly--zip car, electric charging and indoor bicycle storage

The design will meet DEP standards for storm water management although no formal calculations have been completed.

Propane will be used for hot water.

The applicant submitted a traffic study completed by a consultant. The conclusion was that the proposed project could be safely accommodated with the existing infrastructure. There are recommendations in the traffic study that will be implemented by the applicant.

The apartment mix includes: 59 1-bedroom units (50 market rate, 9 affordable); 58 2-bedroom units (44 market rate, 14 affordable) and 13 3-bedroom units (10 market rate, 3 affordable).

Affordable housing options: 18 units for 50% AMI, 8 at 30% AMI with project based vouchers.

There will be fulltime management (2 persons) and maintenance (2 persons) onsite during normal business hours and a 24-hour contact policy.

The design took into account the Select Board comments during the Project Eligibility phase.

Waiver Requests

The applicant sees the use of 40B as holistic tool to develop the best project possible.

Amherst has a robust set of zoning and other local bylaws. And because of this, a lot of waiver requests. The project is not trying to get out of local zoning, but rather a holistic approach to development.

The waiver requests may be changes or modified over the course of the hearing. The goal is to understand how things fit and why waivers are requested.

There are to main categories of waivers from the Zoning Bylaw: Use and Dimensions.

The project was designed to fit within the commercially zoned areas in response to public comments and to keep the non-residential uses in a zoning district where they are allowed by right.

Multifamily development is not allowed in the commercial zone nor is this type of mixed use development.

The waivers for non-residential uses is only for uses that would require site plan review (by-right uses). Special permit uses would follow the normal permitting through the ZBA at a later date.

The waiver requests from the dimensional standards—height, setbacks, coverage—is to allow the density and scale of development to make it feasible.

The development meets the standards for non-residential parking requirements. The waiver from the amount of parking is for the residential use because the project includes approximately 1.5 spaces per unit and not the requirement of 2 spaces per unit.

There is also a waiver request for the length of a driveway because the 'roads' shown on the plan will be considered private drives.

There is a waiver request from the sign requirements because the project asks for two freestanding signs (the bylaw only allows one) and the signs are taller than the requirements.

There is a waiver request form demolition delay because a portion of an existing barn/shed will be demolished.

The project is also seeking a waiver from the inclusionary zoning requirements of the Zoning Bylaw. The project exceeds these standards but must still request a waiver.

There are also waiver requests for standards and requirements from the General Bylaws of the Town (i.e. housing numbering and utility connections).

During a comprehensive permit review, the ZBA can act as the local authority with respect to all local regulations found in Zoning, General Bylaws, and other local regulations.

Questions and comments from the ZBA

The ZBA asked the following questions with regard to the project application and presentation:

- Has there been any research and information gathered on the economic impact to surrounding neighborhoods?
- Can Beacon provide more information on the demand and need for affordable housing, including the metrics provided by HAP Housing?
- The target market did not include (undergraduate) students. Please explain how the management plan addresses student behavior.
- Please explain why 120 units is a threshold for better property management and decision for proposing 130 units at this site.
- Provide additional information on the expected tax revenue generated from the development—residential and commercial/retail.
- Provide more information about the proposed pedestrian access to Montague Road.
- Has there been any consideration to pedestrian access west to Sunderland Road?
- How will this project impact the Town’s Subsidized Housing Inventory (SHI)?
- Provide more detail about the play area near Atkins market such as physical layout, security, types and locations of play structures.
- Provide more information about site security. Is there a plan? Will there be closed circuit video monitoring of the development that would be available to the property managers?
- Explain more about the no smoking policy. Does this include the entire site, eve the outdoor commercial areas? Does it apply to marijuana?
- Provide more information about the lighting plan (type of fixtures, architectural details, etc.) in the residential section of the proposals. The information should also include impacts of the lighting on and off site.
- Investigate the potential lifting of the current natural gas moratorium.
- Please share experience from the past three years of owning and managing Rolling Green in terms of population management, complaint response and management, policies and ability to manage large populations.
- Provide more information about the sign system, including details, location, and size of display areas, for both residential and commercial areas. Will there be continuity of signs throughout the site? Would there be restrictions on potential future commercial tenants?

- Provide more information about the storm water management, including drainage calculations.
- Provide more information on the accessibility components of the development— parking, accessible routes, ramps and crosswalks, and how the development meets ADA standards.
- Provide more information on the treatment of vegetation along the perimeter of the lease area, including indication of existing vegetation that will remain and what would be removed.
- Provide more information about the amount of fill needed for construction. There are conditions in the Zoning Bylaw that regulate fill.
- Can you explain why there are no garages shown on the plans?

Public Comments

- Given the current drought and water ban, would like an update on the water level in the Town's reservoirs and status of the water supply. What are projections for the supply? How much more housing can be supported by the current water supply given that UMass is also adding students? There is a lot of growth happening very fast like 30 years ago.
- Provide a more statistical analysis of affordable housing and current need and demand. The regional housing waiting list is 26,000 for mobile vouchers.
- Could the development provide community space or a place where people come and meet?
- The playground could be closer to the housing and not attached to Atkins. Could playground be moved closer to residential units?
- What elements of design or tenant selection would be used to serve the target market and not students?
- What is the relationship of market rate units to affordable units? For instance, if fewer total units, how many affordable units?
- The playground looked like a large sandbox. Is this playground for families who live onsite? Would like to see more areas for families near the residential section.
- There are local amenities within walking distance of the proposed development, including attractive hiking across Montague Road (Route 63). Will there be any improvements to existing sidewalks and crosswalks to provide safe passage across the streets for pedestrians to reach the amenities?
- Does the traffic study examine the impacts to North Pleasant Street?
- Does the storm water plan account for a 100-year storm? Storms seem to be getting more serious.
- Provide more information about the costs to Town for the proposed development in terms of ambulance, police, schooling, etc.
- What is the lifespan of buildings? Should be planning for at least a 100 year lifespan.
- Please describe the net revenue of the development not just gross tax revenue. What is the net revenue when taking into account the costs to the town (water, sewer, staff time, etc.)?

- There is a need for affordable commercial rental space in Amherst. Will any be provided in this development?
- Other developers explain that housing helps support the business space. Can you explain the financing of this development and how the mixed uses work?
- Please provide more information on the vacancy rates in Amherst.
- Please provide more information on the target market for residential units. If Kendrick Place is a comparable, provide demographic information and vacancy rate there.
- There does not appear to be a place for residents to meet and gather and create true community. Could a community space, open to the general public, be incorporated into the design?
- Would like to learn more about the landscape maintenance plan, including long term responsibility of Beacon and who would manage the interior streets and snow storage.
- Provide more information on school buses using the site.
- Provide more information on the impact to public transportation, including Route 33 that is already heavily used and has decreased hours in the summer months.
- The Town should hire a professional artist/architect to evaluate the drawings because it is not clear that the perspectives and elevations are accurate.
- Provide written calculations showing availability of parking during various levels of snowfall.
- Provide a calculations of residential units permitted by the Zoning Bylaw and how many would need to be affordable according to the current Inclusionary Zoning provision.
- Provide information on storm water management and calculations and how this takes into account future projections of storm levels.
- It does not look like there is space for delivery trucks. How will delivery trucks access the site?
- Please explain where there will be perimeter fencing and why fencing would not be located on all sides of the site.
- There is not much space for playing near the residential section and the 'green' looks small; someone could easily kick a ball or throw a Frisbee across the green into the parking lots. There is not enough space for play. Consideration should be given to outdoor areas for kids.
- Although it was mentioned that the development will be LEED certified, the plans do not indicate passive solar or cross ventilation.
- There looks to be limited opportunity to ride or park bikes. Please explain more about circulation as it relates to cycling in and around the development and connections to other parts of town.
- Please explain what kind of actual energy savings there are in the project, and if they will benefit tenants?
- Because of safe harbor and comprehensive permit, it is not clear what criteria the ZBA will use to make a determination on the application. Please explain the criteria—local bylaw, state regulations—that will be used by the ZBA.
- Has there been a survey of how the project would impact the surrounding community? Are people trying to sell their homes because of the proposal?

- How does this project take into account the results of the community survey completed as part of the Master Plan process?
 - There is a lot of surface parking. How does all this parking impact drainage and is it supported by the Town's Climate Action Plan? How does this project impact climate action?
 - When will the public be able to speak? Zoning needs to protect the public good.
 - When will there be an opportunity for public comment (in support of the project)?
 - Please provide more data on bus service when UMass not in session.
 - There needs to be an independent review of architectural plans.
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- How is the water table impacted by the retention basins?
 - Please provide more data on traffic, specifically, daily trips now and after the development.
 - Please provide details on proposed traffic calming measures on Montague Road.
 - How does this project differ from a mixed use project under 3.325 of the Zoning Bylaw?
 - Please provide more information about the residential parking calculations and how 1.5 spaces per unit will work. This is a car dependent area.