

Toponce, Brandon

From: Brestrup, Christine
Sent: Friday, January 06, 2017 1:01 PM
To: Toponce, Brandon
Cc: Malloy, Nathaniel
Subject: FW: 40B questions

Brandon,

Please post this email on the North Square website.

Thanks,

Chris

From: Melissa Perot [<mailto:missaperot@yahoo.com>]
Sent: Friday, December 16, 2016 1:57 PM
To: Planning Department Email <planning@amherstma.gov>
Subject: 40B questions

I attended the previous Planning Board meeting to participate in the discussion and once again sat through Beacon's presentation, with very little time for the public to ask questions or comment. The presentation was repeated again at length the following evening at the ZBA although we understood from the previous ZBA meeting that we would start reviewing the waivers and were so prepared. Instead there was a superfluous overview by Beacon's Counsel.

I am now out of town for a month and note that on the 21st Dec. the PB will be making recommendations to the ZBA regarding the W.D.Cowls/Beacon project and respectfully request the questions attached below be answered by the Board. I believe that attention to these fundamentals prior to proceeding is needed in order to promote the trust required to arrive at an appropriate development on this site.

The Comprehensive Permit Process accepts the DHCD's opinion that this is a suitable site and the project financially viable as presented. They are in Boston and are not familiar with the unique circumstances in Amherst or this atypical neighborhood community in particular. The local community and residents throughout town do not share their opinion for good reasons. Unfortunately in this ZBA regulated process they cannot be articulated in a cohesive way, as the proponents of the project have repeatedly done. Their presentation has been changed slightly on each occasion but with important differences. For instance students have recently been included amongst the projected tenants, a very important reality not previously acknowledged by the proponents. I believe there are other realities with respect to access to the site, net benefit to the town, water, (too much from above and too little from below), road safety and maintenance, and impact on vital Recreational and Conservation areas. The ZBA's job, is to fine tune the presented project by reviewing the 30 plus waivers requested and responses to specific 'findings' under the Special Permit process before making 'conditions'. I suggest this is both inappropriate and unfortunate. This site, and those adjacent to it, also owned by W.D.Cowls, deserve good development that will sustain the town as a whole and the now increasingly important village centers in the face of population needs. The very diverse residential neighborhood also deserves respect since it contributes taxes from 9 rental complexes to the detriment of neighborhood services and vitality, (unlikely to be augmented by North Square).

Having achieved 'Safe Harbor' and with mechanisms in place to maintain our "enviable" position, I suggest it would perhaps be more productive if the Town Government would exercise the right to deny the project and review it under the local Bylaw. If the ZBA continues with the Comprehensive Permit Process I suggest taxpayers of the town at least deserve to know why the law is not protecting them in this situation.

Abutters have consistently sought, and where possible, promoted appropriate and stabilizing development. They also appreciate the more organic densification that is taking place in the community, including two affordable family houses next to the community farm and three new family homes on Summer St. We simply seek a more inclusive and collaborative process, exemplified by the Cecil Group Consultant's \$60,000 charette and recommendations. One open to today's new reality experienced by North Amherst, one that could result in housing and services for those in most need, identified by the HPP as seniors and families. Such housing could be supported by commercial/business/office ventures likely to broaden the Amherst Tax base on the only available commercially zoned property left in Amherst where Cowls Building Supply and Atkins Market are already making significant contributions.

Melissa Perot TMM Precinct 1

In what way is the following statement from the ZBA Project Application Report *not* applicable to this situation?

"If a community satisfies the 10% threshold, it can deny the Comprehensive Permit application, and instead review the project under the local Zoning Bylaw requirements only."

And more specifically:-

What effect does the use of the aggressive State Comprehensive Permit Process, (designed for a community that has *not* achieved Safe Harbor), have on a community like Amherst that through concern and effort *has*?

What responsibility does the Amherst Government have in upholding the Master Plan's overriding goal of sustainability and how can we test development plans against that objective?

Would review of the Beacon Project under the local Bylaw provide greater opportunities to the town not available under the limitations of a Comprehensive Permit Process that only considers the project itself in a limited context?

In what ways would review of the project under the local Bylaw be detrimental to the town's overall development objectives as outlined in the Master Plan?