

Mr Toponce and members of the ZBA

Abutters to the 40B project have done their best to communicate their multiple concerns about the North Square Project and to suggest ways in which those difficulties could not only be ameliorated but also create a more workable and thus profitable project for those concerned. Two abutters were unable to sell their properties last year and now only expect to be able to sell at a considerable loss given 2 years of construction, (12 hours a day , 6 days a week! ) and then road works.

North Amherst residents supported the Atkins project and agreed to the Atkins small truck access across residential zoning, even as an appropriate access existed from Cowl's Rd. Residents also agreed to commercial signs on residentially zoned property. Seasonal decorations including lights and a "specials" sign have been added. A bill-board advertising property available on Sunderland Rd remains. Enforcement of Special Permits is weak in the area as evidenced by permanently unscreened chain link fencing 'protecting' junked cars in the village center.

However it appears NO Special Permit is required for the construction of the proposed public pathway across R-N zoning, as it is being included under the State 40 B process. The new public footpath was not part of the North Square project when the DHCD reviewed it, nor during the initial phases of the Hearing. Resident abutters find it an unnecessary and threatening addition. They have been given no good reasons why 'the Town' requested it or would benefit from it and have themselves provided evidence and reasons why it would create further disturbance to their properties.

In these circumstances, I ask that the Town support existing heavily taxed but powerless residents, by restricting the North Square project to the Commercial site as originally proposed. If there is one simple CONDITION that would ease the abutters' realistic concerns regarding the impact the project will have on their daily lives, it would be to have a CONTINUOUS, unscalable FENCE, separating the commercial and residential zoning to help direct activity and noise towards the Commercial Sunderland Rd side of the project. Nowhere else in Amherst is Commercial zoning adjacent to Residential zoning to such an extent. This inherent protection is necessary in these unprecedented 40B circumstances. The project's commercial site will, in any case, need to be fenced during construction, so there would be little extra cost in making it permanent.

Respectfully, Melissa Perot  
Jan 30th 2017