

## Fw: Proposed overlay zone for the "CVS" lot, and the matter of trust

Planning Department Email <planning@amherstma.gov>

Wed 10/13/2021 1:34 PM

To: Brestrup, Christine <brestrupc@amherstma.gov>

This came to the Planning email.

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**From:** Suzannah Muspratt <suzannahfabing@gmail.com>

**Sent:** Friday, October 8, 2021 1:52 PM

**To:** Ross, Evan R. <RossE@amherstma.gov>; Ryan, George E. <ryang@amherstma.gov>

**Cc:** Planning Department Email <planning@amherstma.gov>; Town Council Members

<towncouncil@amherstma.gov>; Brestrup, Christine <brestrupc@amherstma.gov>

**Subject:** Proposed overlay zone for the "CVS" lot, and the matter of trust

Please circulate to the Planning Board and CRC, and include this message in the meeting packets for the Planning Board on October 20 and the CRC on October 26.

I am gratified that you have responded to some of the concerns of the neighbors on North Prospect Street by supporting the Planning Department's suggestion of a single-lot overlay zone as an alternative to rezoning the town-owned "CVS" lot to B-G. However, the overlay proposal that was brought forward at Wednesday's Planning Board meeting only exacerbates other concerns that the neighbors have raised at previous meetings and in written comments. I am writing to address a particularly big one: the height limit.

Both of you are on the public record as stating that you would not support a garage with more than three parking levels (of which one might be a parking deck). You said you thought that no one on Town Council wanted a garage any taller than that. You asked citizens to "trust" that you and the Council would do the right thing.

*Now is the time the rubber meets the road, so to speak, on your previous statements.*

The Planning Department proposes a 40-foot height limit in the overlay. If, as Nate Malloy said Wednesday night, parking levels only require 7 or 8 feet of height, the 40-foot dimension would make possible a five-level parking garage! Possibly even six levels, since the 40 feet would be measured to the top of the parapet wall around a top deck. Nate explained that the Planning Board chose this number because 40 feet is the height limit in the R-G neighborhood that surrounds the lot on three sides. That would seem to be irrelevant. This overlay, as proposed, does not resemble the R-G in any other dimension. A zoning overlay allowing 95% lot coverage, no side setbacks, and a very small front setback would in no way reflect the R-G dimensional table, and even less the actual homes in the Local Historic District along North Prospect Street. St. Brigid's Parish Hall, next door, is set well back from the street and is only two stories high at its North Prospect façade.

The purpose of the single-parcel overlay district is very narrow: to describe the parking garage that can be built on this lot. *If you stand by your word that you would only support a three-level garage, I ask that you convey this message to the Planning Department as they "tweak" the proposal you are sponsoring in the coming weeks.* A 24-foot height limit would permit three parking levels but, I think, not four. That sounds like the right number to me, though I'm no expert in parking garage design. Solar panels installed on the roof or top deck should be required to fall within that limit. Alternatively, the wording could simply state that the height allowance would be three above-ground parking levels.

Additionally, I ask that as sponsors of the measure you explain your position at the CRC hearing on the zoning overlay on October 26 and urge the CRC and the Planning Board (on Oct. 20) to recommend this lower height limit. *Residents will be watching your actions in the immediate run-up to the election to see whether you can, indeed, be trusted to keep your word. They may well choose to factor your actions into their decisions when they vote on November 2.*

There remain many other issues with the proposed overlay and with the larger questions surrounding the garage in general. Citizens will undoubtedly continue to raise them, and I hope we can count on you to listen carefully and address these concerns as well.