

4/21/2021

Building in Amherst to accommodate the present and future.

To whom it may concern,

We have to change the formula for building in Amherst, and to do so, we have to develop in a manner that positions us to remain competitive and relevant moving forward. The challenge is trying to think of our Strengths, Weaknesses, Opportunities and Threats while considering our community as a whole. I can offer one perspective, but for the purpose of this letter, I acknowledge that not everyone views the community the same way I do.

Strengths: Considering our community and where it has a competitive advantage in the Valley, state and world, I consider the existing ecosystem that we have in place. Academia is a catalyst for brilliant minds to come together and incubate the growing, curious and anxious minds of tomorrow. Amherst is inching higher in the world of education as a prominent community in which to pursue higher education. Hosting the flagship campus for the Commonwealth of Massachusetts is a significant benefit as it attracts investment dollars to the institution to make improvements in its campus to remain competitive in this ever-evolving world of technology and education.

Weaknesses: Our land use presents a significant challenge when it comes to raising capital through tax revenue to support the functions carried out by our municipalities. Dominant land uses include residential (23 percent of land area) protected agricultural (18 percent), conservation (18 percent), and land owned by Amherst's three institutions of higher education (16 percent). The Town has a relatively small amount of land (3.6 percent) designated as commercial, retail, or industrial zones. This shows that we are trying to generate enough capital to operate our town with 52% supplying little to no tax revenue. If you look at the balance of the "taxable" land use, there is 3.6% designated to some form of commerce where 23% is for residential use. This ratio of 1:6.39 puts a significant burden on the latter to produce enough revenue to support investments in our town and its services.

Opportunities: From my research and studies, a healthy neighborhood/community balance tends to be a microeconomy that allows and provides support for success for a creative economy. Creative economies include but are not limited to new ideas around STEAM, or Science, Technology, Engineering, Arts/Architecture and Mathematics. Our community has some of the richest ideas and minds in the world come through our institutions and yet we have not been doing enough to retain those ideas and nourish them.

Threats: There are many. Many of them are external, be it the pandemic, social-political unrest, economic disruption, or climate related. We also face internal threats, which include but are not limited to "banana republic" mindset or "nimby" (Build Absolutely Nothing Anywhere Near Anything or Not in My Back Yard). These internal threats can suffocate ideas or prevent progress which will make our community less desirable to join as a participant or community member.

These ideas are only a small part of the total picture of our town, our community, our home, but they are ideas that I continue to revisit while I watch the efforts of my neighbors in trying to make a difference. I am born and bred 4th-generation citizen of Amherst, and I have enjoyed most of my time here. I wanted to find a way to stay in the area to be close to family, but struggled with ideas on how to make it happen. After leaving for a few years to gather resources I returned to the community to start a

business. With blind faith I spent most of the first three years couch surfing, and sleeping on my office floor before finally renting a room from a friend. April 28th, 2021 will be our company's 10-year anniversary and I can now confidently say that I have seen this town through a variety of different lenses. I have been a child, a teen, a young adult and a working professional. My heart breaks a little bit each time I see another attack on a developer who is trying to invest in our community. We claim to have vibrance and wealth, but from my perspective I leave town for adventure and entertainment, to discover vibrancy. Although some wealthy people and families live in Amherst, many of our residents struggle substantially. Many spend more than 30% of their income on housing, most spending 40-50%, which stifles their ability to purchase the goods and services that do exist. If we want to enrich our community, we need to allow for development to take place and investments in our dying infrastructure. Schools, for example, need replacement. As much as we want to love the buildings and the memories we have from those schools, the buildings themselves only have a lifetime of about 40 years. Heating Systems, plumbing, electric, roofs, windows, etc. are already beyond their life expectancy. Patching them up is not enough to provide a sound, attractive, adequate learning environment for our youth. We also need to consider housing; adding new housing units is important for the health and wellness of our citizens. One way to add to our housing stock while protecting our natural resources is to build up instead of out. Consumer behavior has shifted to seeking walkable village centers that provide several amenities within a short distance from where someone lives - food, beverage, health and wellness within a few blocks of their bedroom. Design for new development reflects careful thought out and strategic curation to be relevant to a modern consumer who wants delivery to their door, but a café or yoga studio nearby.

Implementing a building moratorium will only hurt our growth which is important for the health of our community. We need to be creative in finding ways to create an ideal environment for the creative economy to try to increase the demand for commercial, retail, office, and lab space. The efforts to increase our revenue base on the commercial side are intended to relieve the burden on the residential side. We need to explore and support efforts to create ideas, jobs and opportunities. Squashing developments that embrace new housing and new commercial space continues to impede our growth as we navigate the 21st century.

I support a moratorium

Ellen Dickinson <ellend@bio.umass.edu>

Wed 4/21/2021 7:03 PM

To: Planning Department Email <planning@amherstma.gov>

To the Planning Board,

We need a moratorium to assess the success of the building already there and to decide if we want more. We need to see if there is a housing crisis (for students? for low income families?) At any rate, we need to take a breath to decide what sort of town we want.

Ellen Dickinson, 115 High St Amherst

town planning

carol.anne.kaminsky@gmail.com <carol.anne.kaminsky@gmail.com>

Thu 4/22/2021 9:50 AM

To: Planning Department Email <planning@amherstma.gov>

Let UMass. build their own dormitories on their own land and stop the wall to wall approach for students with no parking and no set backs that are ruining Amherst! Thank you!!!

Carol Kaminsky

Moratorium Statement — Kristi A. Bodin

John Page <john@amherstarea.com>

Fri 4/23/2021 2:04 PM

To: Town Council Members <towncouncil@amherstma.gov>; Planning Department Email <planning@amherstma.gov>

Cc: Amherst Area Chamber of Commerce <claudia@amherstarea.com>; Gabrielle Gould <gabrielle@amherstdowntown.com>

Comment on the moratorium from attorney Kristi Bodin, who relocated her Amherst Office to Greenfield after many years. She was an active member of the Amherst Rotary Club and the community. Her reflections:

"I'm an attorney and have provided legal services for more than a dozen years to a number of small businesses in Amherst, including matters brought before the ZBA, Planning Board, Design Review Board, and others. Amherst is a very challenging place to do business, and it never seems to make things easier. I've done zoning, licensing, and permitting work all over Western Massachusetts, and have a much smoother and simpler experience in other towns. Amherst needs to take a hard look at turning its stated goals for growth and development into reality because they only seem to be pipe dreams now."

Kristi A. Bodin, Esq. - Legal Solutions in Plain English
Curtiss, Carey, Gates & Goodridge, LLP

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Best,



John Page

Marketing and Membership Manager, Amherst Area Chamber of Commerce

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Building Business. Building Community.



my response to a couple of comments recently made by planning board members

Ira Bryck <ira@irabryck.com>

Sun 4/25/2021 1:12 PM

To: Planning Department Email <planning@amherstma.gov>

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

My response [to this Indy column](#)

To the planning board members who are asking what the "driving" or "overriding" concerns are of those people advocating a 6-month pause for better planning, and questioning whether the moratorium is the proper cure:

You are correct to say there are several (not one) negative effects from the kind of projects being proposed and completed, and that our big concern is that more of those projects will drive more of those several negative effects. A moratorium will provide the opportunity for the public input that is a cornerstone of our master plan, and also of the theory of Smart Growth, and also a cornerstone of representative government. To another planning board member who says we should consider the emails that weren't written by those who are "too busy working" to keep up with the news or participate in meetings: the people who are writing and participating also have busy lives, many are still working (ie: me), have trouble knowing at which meetings proposals will turn into decisions. If the town would have a more strategic, fair, effective way to tap into the wisdom of the public they serve, we would all benefit.

Amherst community members who are clearly saying they want a downtown that is attractive and useful, and neighborhoods that aren't overcrowded, are not NIMBYs or old people in need of a hobby.

It didn't make it into the news when the planning director explained that the CRC, a subset of the town council, would be largely assuming the functions of the planning board, further consolidating power in Amherst. I'm surprised (and not surprised) that no planning board member commented about the dysfunctionality of that move, happening now. You may soon find yourself on the other end of the zoom call.

We complainers are people who think that there is not enough clarity, not enough transparency, not enough fair process, not enough collaborative and innovative thinking happening among those in power here. The sad part is that it seems by design.

I'd gladly spend fewer evenings involved in town meetings on zoom, if I felt our town government was, as our motto goes, "Open to the MAX!"

Your neighbor,

Ira Bryck

Ps: I would so prefer to spend some time in a constructive, collegial, innovative process, with openness and shared vision, rather than this contentious debate. It behooves the town leadership to improve this. It is discouraging to be characterized as toxic because you have ideas and perspectives to share.

Thanks for the opportunity to weigh in on zoning and planning revisions

Cinda Jones <cjones@cowls.com>

Mon 4/26/2021 4:13 PM

To: Brestrup, Christine <brestrupc@amherstma.gov>; Town Council Members <towncouncil@amherstma.gov>; Planning Department Email <planning@amherstma.gov>

Dear Members of the Planning Board, Planning Staff, and Town Council CRC:

Thank you for the time and effort you're making to improve Amherst zoning bylaws. I have read your current drafts concerning Mixed Use Buildings, Accessory Dwelling Units, and Inclusionary Zoning and am writing to provide input from the perspective of a nearly life-long and generational downtown resident and North Amherst community investor.

My overall concern is that there are unforeseen opportunities to create workforce and more affordable housing but the inflexibility of the Zoning Bylaw prevents ideals from being realized. I'm writing to ask you to consider adding provisions to the bylaw that allow more latitude for the Planning Board and Building Commissioner to incentivize and accept proposals that achieve better than prescribed outcomes.

People keep complaining that innovative and publicly beneficial businesses aren't being created and that there are no places for families or retirees or firefighters or teachers to affordably live in town. But there are no provisions in our bylaws that address or encourage these opportunities. I have some suggestions.

Let's look at Mixed Use buildings standards, for example.

Community members say they would love to see a rooftop restaurant or basement music venue in a mixed use building, but mandating most of the a first floor of a mixed use building to non residential use would make those possibilities cost prohibitive. That's just too much commercial in one building, so there would be no innovative commercial use in addition.

Instead of mandating that 50% of a first floor must be COM, how about allowing for program optimization for community betterment? Allowing flexibility by permitting 1/6th of a building to be non residential – but not mandating where - would allow for the special permitting of basement music venues and top floor restaurants with views.

In order to assure your goal of a dynamic engaging downtown with an activated streetscape

- you could stipulate that non residential venue entrances – no matter what floor - should be street side and street level;
- you could allow live/work space for people who would have a store front or gallery, trades shop, or office in at least the first 10' of the front of the first floor of their homes;
- you could mandate that front windows at street level at least feature revolving public art or exhibits if residential is behind.

Achieving goals like outdoor public spaces could be most effective when incentivized. For example, there is a surprising amount of outdoor engagement potential at Archipelago's buildings. It's just not activated in the time of COVID. I'm sure they don't want to wipe down 10

benches and 10 bistro tables and a living room's worth of outdoor furniture that could go between building bump-outs and at corner patios. But this furniture could be here and a public asset – especially if it were incentivized. Perhaps for every % more public outdoor spaces and fixtures provided, the developer would be assured of help to keep public noise levels from bothering tenants and perhaps the developer could use another % more of the first floor for residential- associated uses – or you could pick another carrot.

Inclusionary Zoning also would benefit from latitude granted by permit authorities.

My problem with Inclusionary Zoning is that it's not realistic for someone like me to endeavor. It's complicated and difficult to comply. The end effect of IZ is that it can stifle building starts rather than encouraging building more affordable units.

I'd appreciate your consideration of Amherst's real housing needs - workforce affordable housing and housing affordable to first and last home buyers - and your thoughts about how we might incentivize building these kinds of communities.

Wouldn't it be amazing if we could be open to inventive ways of building whole neighborhoods of market rate affordable housing like my grandfather built on the Harlow Farm in the 1950s? These houses are still market affordable today!

If I could present a plan for workforce, first and last houses for community members who are our teachers and fire fighters and retirees and who will work at the Eruptor, wouldn't that be better for our town than increasing deeply affordable units for people to move here from miles around to take advantage Amherst's deeply subsidized offerings?

It's not practicable today to build reasonably priced housing because the zoning bylaw mandates such big expensive lots and road systems. But you could incentivize ingenuity and allow for market rate and market-driven solutions to developing real world affordable home owning options.

Please consider creating possibilities for developers like me to create workforce housing and allow for special permits and variances to achieve whole subdivision and condo communities of home buying opportunities.

What variances and special permits might be requested and considered? Zero lot lines for subdividing condos, duplexes, and triplexes. Under the right conditions, waiving the 100' circle requirement. Allowing shared utilities; congregate parking and laundry, and communal open space. Accepting more and smaller lots if they're sold at proportionally lower prices and built with density to assure ongoing affordability. The idea of Open Space Community Design without the 30% pre-sale requirement. This list is endless because who knows what some might propose to achieve goals you set and bars you raise? It's worth allowing variances to achieve your objectives. Just define your objectives, and watch us rise to your challenge.

Finally, I ask you to consider placing a by right but not mandated forest and farm conservation overlay on any parcel of open space over 5 acres. This overlay would conserve open space without associated costs to the town by allowing the same number of units allowed by right in a cluster subdivision today to be built on as small a footprint as practicable in an optimal parcel location as approved by the Conservation Commission and Planning Board. The open space remaining after a compact subdivision of lots or homes were created could remain sustainably managed forest or farmland or it could

become conservation land of the town. This simple step will conserve scarce open space at no cost while providing necessary housing in town and protecting local agriculture.

Thank you for considering my ideas about how the Town of Amherst could create opportunities for community goals to be realized through creating more latitude for variances and special permits in the zoning bylaw. What people say they want is impracticable to build today and you can change this.

Cinda Jones
Resident, 232 Amity St
9th Generation Community Investor in The Mill District, North Amherst

Learn more about The Mill District's new commercial space at North Square:

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April 26, 2021

Dear Planning Board and Town Council Members:

As you've all heard from me before, I'd hoped not to have to write again, but questions asked, and comments made, during the April 21st Planning Board (PB) meeting necessitate a reply.

Conflating building moratorium with issuance of business licenses

During the portion of the PB agenda set aside for "Proposed Zoning Article 16," there seemed to be a conflating of the "Temporary [building] Moratorium" with the issuance of business permits.

The citizen petition doesn't in any way speak to business licenses, so the suggestion that the moratorium will be the death knell for new business in Amherst doesn't ring true. New businesses are welcome to come to Amherst before, during, and after a 6-month moratorium in permitting new apartment buildings downtown. If the inference is that a delay in permitting new buildings -- such as the soon-to-be-proposed 11-13 East Pleasant -- translates to a delay in new ground-floor commercial space becoming available, sadly, with the closing of Blue Marble, Bart's Ice Cream, and a few other retail establishments downtown, Amherst doesn't have a shortage of space for new businesses wanting to locate here. (In fact, it's taken more than three years for much of the ground floor at One East Pleasant to be filled.)

Petition signatories dismissed as "some people" living in downtown adjacent neighborhoods

Toward the end of the moratorium discussion, one Board member dismissed the petition signatories as a few people who don't want more building in their "backyard;" this member went on to say that it's everyone's downtown. Couldn't agree more - it is everyone's downtown, which it is why the **petition already has over 800 signatures from residents who live ALL over Amherst.**

Ageism at work as residents who follow Town affairs characterized as people who don't work?

Also during the 4/21 PB meeting, one member stated (without meaning to be ironic) appreciation for Cinda Jones' email sharing the perspective of "the working class, the people who are keeping things running. That perspective is a minority in terms of the voices we hear. I wish we heard more from them, but they're all so busy working that they don't have time to come to these meetings or to keep up with everything in 'The Daily Hampshire Gazette' or on the Town website."

Implicit in the above statement is the assumption that those pushing back against a certain kind of development downtown are privileged by virtue of having the time to partake in participatory democracy. On more than one occasion during Town Board and Committee meetings (as well as other forums, such as Nextdoor UMass), my neighbors and I are accused of

having “too much time on our hands” -- that this is what allows us to remain abreast of Town affairs and Zoom into meetings. Interestingly, I’ve never heard advocates for new schools or a renovated library (of which I am one) characterized as such.

And all too often, those pushing back against the proliferation of pricey dormitory-style apartments are also tarred as NIMBYs, when many of us, for whom downtown is our “backyard,” have long advocated for inclusionary zoning and affordable housing throughout Amherst. We are neither idle nor NIMBYs, but longstanding, vocal supporters of inclusionary zoning – and yes, even in our backyard.

Moratorium request – why now?

At another point during the meeting, one member asked why opposition to the dormitory-style apartments downtown is happening now. In fact, it’s been happening since the application for Kendrick Place first appeared before the Planning Board five or more years ago.

Many residents attended and spoke during public hearings when the proposal for Kendrick Place came before the Board. We asked for onsite parking, but were told that the days of students bringing cars to school was a thing of the past. In fact, we were told that Kendrick Place wasn’t student housing at all, but intended for families, professionals and retirees. When we pointed out that, on the architect’s website, Kendrick Place appeared under “Student Apartments,” the posting was promptly taken down. When we asked that the building be four stories rather than five; that there be appropriate set-backs and green space, we were ignored and dismissed as naysayers. The same scenario played out when the proposal for One East Pleasant came before the Planning Board the following year.

For as long as I’ve lived in Amherst, those in the community advocating for some restraints on unfettered development are routinely dismissed as anti-development and obstructionist. We’d rather our concerns and comments be considered and respected, than dismissed as annoyances, so that we wouldn’t have to petition for a moratorium, the option our Town charter provides as a last resort for residents to have their voices heard.

Sincerely,
Jennifer Taub
259 Lincoln Avenue