

From: Alexander Whiteside [mailto:alex.whiteside@hotmail.com]
Sent: Wednesday, December 12, 2012 11:49 AM
To: edenooyer@comcast.net
Cc: William Clark; ned@corcoranpc.com
Subject: FW: Assisted Living Zoning Article

Ellen - Thanks for your comments. They are thoughtful and useful.

I understand that there are some benefits to delaying action until the fall town meeting or until the Master Plan Committee gets funding and produces a master plan. However, there is a developer which is very interested in developing an assisted living facility at the Horse Play Stables site, and a delay could well cause that developer to lose interest. I think that the Town Meeting should have a chance to address zoning written specifically with that development in mind. If in the future the Master Plan Committee determines that other assisted living facilities are desirable, zoning designed to meet the siting, design and operational standards specified by the Master Plan Committee can be proposed for Town Meeting action. I personally think that siting these large apartment complexes should be very strictly limited.

Perhaps you are right that ideally design standards should not be written into zoning. However, without design standards in the zoning, at the very least the Town will need a Design Review Committee staffed by professionals to pass on proposed designs. With no standards to guide it and no design review committee, the Planning Board would be totally unequipped to determine a good design. The project architect could and would tell the Board that his or her design was excellent and that the personal views of the untrained amateurs on the Board without any standards to guide them would be an arbitrary and capricious reason to deny a development. The project architect would have a point. The result could be a very inferior building.

I concur that some of the language in the proposed zoning is ambiguous. I will do my best to tighten it. However, it is my opinion that language, which may be ambiguous on paper, can be fleshed out with professional input at a hearing and become adequately specific for enforcement.

The "significant public benefit" afforded by the proposed development could be improvements to the dump road. The provision of affordable assisted living could also provide such a benefit.

I personally feel that the zoning proposed at the Fall Town Meeting was pretty good but that a number of changes would improve it. I plan to make a number of proposed revisions to address points made by you and others and request the Board to file the revised article by the deadline for the May Town Meeting. If the article needs changes in the future, those changes can be made at such a future time. I don't think that the matter should be delayed. Alex