**From:** Karen Faulkner [<mailto:kdfaulknerlaw@gmail.com>]   
**Sent:** Friday, May 21, 2021 2:52 PM  
**To:** Evan Lehrer <[ELehrer@mashpeema.gov](mailto:ELehrer@mashpeema.gov)>; [jfulone@comcast.net](mailto:jfulone@comcast.net); Evan Lehrer <[ELehrer@mashpeema.gov](mailto:ELehrer@mashpeema.gov)>  
**Subject:** PUBLIC COMMENT TO PLANNING BOARD

**WARNING! EXTERNAL EMAIL:** : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Dear Planning Board:   Please consider this public comment to the Planning Board.

UPDATE ON MASHPEE COMMONS’S EXPANSION PLAN  
  
After years of planning, Mashpee Commons is ready to go to the mat and get the expansion plan they want, contrary to the Vision Statement of Mashpee which says:   
"Mashpee is, and shall remain, a small town community whose members choose to live in harmony with one another and with nature, known for its leadership, ability and creativity in educating and serving its residents."  
  
Mashpee Commons has laid out an ambitious schedule of meetings with the Planning Board (set for June 2, 9, 10, 16, 23, and 30) for the purpose of engaging in discussions to draft a zoning bylaw which would create a zoning overlay district to be referred to as the “Community Activity Center” as their expansion plan. Their goal is to bring the proposed bylaw changes for consideration by the Mashpee voters at the October 2021 Town Meeting and the deadline for submitting the bylaw article is the second Monday in July, 2021, July 12.  
  
 Engaging in discussions about amending the Mashpee Zoning Bylaw before the public even knows what the Master Plan encompasses is just plain wrong.  Essentially, all we know right now is that Mashpee Commons intends to build a mixed-use development containing 1710 new housing units and 1.2 million square feet of commercial space on their 187 contiguous acres which includes the existing Commons and land which runs east of the rotary, west of Job’s Fishing Road and south to Donna’s Lane.  
  
Mashpee Commons has not told us what percentage of the build will be open space, the number of stories on buildings, the tax ramifications, whether there will be affordable work force housing, the environmental impact on the town and what the traffic impact will be with the estimated additional 3500 residents plus the daily traffic of out-of-towners coming here to shop.  
  
 Before we do an Amendment to the Zoning Bylaw (after which there will be no more public comment or review of the project) the correct order of business is to obtain a Development Agreement in which Mashpee Commons sets forth the proposed offers of benefits (called “proffers”) to the town in exchange for the benefits the town will give to Mashpee Commons.  In our current zoning bylaw under “Elements of Development Agreements” it states: “A Development Agreement may include, but is not limited to provisions whereby a Qualified Applicant agrees to provide certain benefits which contribute to one or more of the following: infrastructure; public capital facilities; land dedication and/or preservation; fair affordable housing, either on or off-site; employment opportunities; community facilities; recreational uses and/or any other benefit intended to serve the proposed development, the Town, another municipality or the county, including site design standards to ensure preservation of community character and natural resources. “ Mashpee Commons has not made any proffers.  
  
If an amendment to the zoning bylaw is adopted prior to a Development Agreement, Mashpee Commons could obtain variances which would be supported by the Zoning Board of Appeal, thus giving the Commons everything they want and circumventing any involvement by the Planning Board.  
  
If this rushed plan goes forward as projected, Mashpee’s small-town character and tranquility will be a page in history. It is up to all of us to speak up at upcoming Planning Board and Select Board meetings and tell our board members that we need more time to have public sessions, that we want to see a Development Agreement, that we want more time to read the estimated 15 pages of the bylaw being drafted, and time to obtain, read and digest the environmental impact analysis, fiscal analysis and traffic study which the applicant must provide. Additionally, Mashpee Commons should supply the town with funds to cover consultants’ costs to review the aforesaid studies for accuracy.  If Mashpee Commons’s permit for this project will run for 25 years, shouldn’t we, the residents,  have 25 weeks to examine all documents?  
  
  
Karen Faulkner   
205 Asher’s Path West Mashpee MA 508 681-0613