Subject: Re: Good Neighbor Plan Advisory Committee Update
From: "find@abettersite.org" <find@abettersite.org>
Date: 7/13/2011 1:20 PM
To: mayorandcouncil@townofchapelhill.org

Mayor and Council,

We would like to summarize important facts from the attached PDF of emails.

- We asked for the process documentation and a list of the invitees and on June 20th, 23rd, 27th, 29th, July 5th and 8th. However, these were withheld by the developer until 3:15pm Friday July 8th, which was one business day before the meeting.
    - Once those documents were disclosed, the fatal deficiencies became obvious.
- We asked that the meetings follow open meeting law since this is a town-mandated process. The developer denied our request.
- We asked that the meetings be observed by the general public. The developer denied our request.
- We asked that neighbors be allowed to attend the meetings. The developer denied our request.
- We asked that our alternate representatives be allowed to attend the meeting for continuity given that it is summer and we would be traveling and taking turns attending. The developer denied our request.
- In the May 9th SUP hearing, we expressed concerns that the developer would stack the deck of participants, and it is clear that it has done so.
    - There is only one Home Owner Association (HOA) representative.
    - Most of the "neighbors" are hand-picked supporters of the developer.
    - The Larkspur representative was invited by the developer and the Larkspur HOA was not asked to recommend or appoint an invitee.
    - The North Forest Hills neighbor is also a staunch supporter of the

developer and is the next door neighbor of the biggest supporter of the project who is also on the committee.

- All of the committee members live one half mile away or more from the shelter. We would expect that the committee would include several closer homeowners and business owners.

- At no point in time did the Dispute Settlement Center seek to understand or help to resolve the differences regarding our participation. When we asked the town council for DSC involvement on May 9th, we were counting on DSC support to insure diverse representation and to create a fair and open process.

We notice in the developer's email that **the future meetings are still not announced and there is no declaration that the public or neighbors can attend**. Neither the public nor the council has any way to verify that the meeting went well or that any substantive or controversial subjects were actually given consideration**. Closing meetings to neighbors is a poor way to begin neighbor relations. Furthermore, closed meetings indicate that the developer is extremely unlikely to be open and forthcoming in future relations.**

It is bad enough that the membership of the committee is almost entirely comprised of hand-picked developer advocates versus one representative for the only organization that has proposed stipulations and conditions for the SUP and the lease, but it is intolerable that the developer chose to deny observers and to fail to follow open meeting rules for transparency.

We urge council members to watch the video of the guidance that you gave to the developer during the May 9th meeting. Council members clearly stated that the developer needed to go beyond simply inviting attendees and needed to make sure that they felt welcome and that diverse opinions were being fairly represented. Unfortunately, neither has happened.

This is an expected outcome when a developer is allowed to come up with a plan to govern itself.

We request the following from the town council:

- To make sure that our input is given equal consideration and is available in the

same agenda materials as the developer-created "neighbor plan", we request that the developer be required to provide any draft of the plan to the public at least two or three weeks before the deadline for materials to be submitted for the agenda for the town meeting where said draft will be discussed.

  - We further request that the town email the existing list of concerned citizens to publicize that said draft is available.

- We request that the town council incorporate our updated stipulations and comments that we will bring forth at a future time as permanent requirements into the lease.

Sincerely
ABetterSite Team

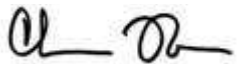
-------- Original Message --------
Subject: Good Neighbor Plan Advisory Committee Update
Date: Tue, 12 Jul 2011 11:35:32 -0400
From: Chris Moran <executive@ifcmailbox.org>
To: Town Council <mayorandcouncil@townofchapelhill.org>
CC: Manager <manager@townofchapelhill.org>

Dear Mayor Kleinschmidt and Council Members,

I am pleased to report that the first Good Neighbor Plan Advisory Committee (GNP) meeting was held last evening at the United Church of Chapel Hill and facilitated by the Dispute Settlement Center. The meeting was very well attended. The current GNP's roster is attached and as you will see, the GNP represents a wide number of different groups, neighbors and philosophical interests as you instructed. A few neighborhood groups have declined to participate, as has A Better Site. The IFC and the GNP will continue to identify and attempt to rectify any gaps in representation. Future meetings will be held at other neighborhood locations to work on the Good Neighbor Plan as described in Resolution C adopted by you on May 9.

I was disappointed to learn about A Better Site's July 10 communication to you. The IFC worked very hard to get A Better Site representative to the table, come to our first meeting and involved in the Good Neighbor plan process. From what we understand about the message, A Better Site's July 10 communication to you does not reflect all of the circumstances, good intentions and communications that have been ongoing between our two groups since June 16. So that you have a full set of communications and information, I am attaching all of IFC's communications with A Better Site regarding the GNP for your reference. Note that the 7.12.11 roster attached that was originally sent to the GNP committee with the 7.11 agenda has been updated. I am happy to keep you updated about these very important discussions and process.

Sincerely,



Chris Moran

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If there is light in the soul,
there will be beauty in the person.
If there is beauty in the person,
there will be harmony in the house.
If there is harmony in the house,
there will be order in the nation.
If there is order in the nation,
there will be peace in the world.

-- Chinese Proverb

On Sun, Jul 10, 2011 at 5:59 PM, find@abettersite.org <find@abettersite.org> wrote:

> Town Council Members,
>
> When Council approved the permit for the new men's homeless shelter it asked the developer to create a good neighbor plan for the Homestead Park area. At that time we were concerned about getting a "seat at the table" to help shape this plan and we were disturbed that the council would allow a private developer to create the plan that would be used to govern itself.
>
> We finally received the information about the date of first scheduled meeting, committee membership, and proposed process late Friday afternoon, **one business day before the first scheduled meeting** on Monday afternoon, despite our having requested this information several weeks ago.
>
> *We have reviewed the developers process for creating a good neighbor plan and it has many fatal deficiencies*
>
> - **The subcommittee members do not hold diverse points of view because the developer filled the committee with its closest friends.** Almost all of the members that the developer appointed are staunch supporters of the new shelter, including most of the members listed

from neighborhoods. Most committee members do not actually live near or own property near the new facility. Families who raise children and own property in the area - residents who have the most at stake - are not represented. The most impacted retail businesses in The Station at Homestead who are closest to the new facility are not represented at all and the largest development Parkside is not represented.

- **The meetings will not be held in a neutral location.** United Church of Chapel Hill, the intended meeting place for this process, has repeatedly voiced it's support for the new facility. At last year's annual meeting, Tom Whisnant, a project manager for the developer, wrongly characterized many area residents while speaking at UCC. See link.

- **The developer will not abide by open meeting law.** The July 11th meeting is a closed, unannounced meeting. We assumed a process that is required by a town resolution would follow open meeting rules and would expect a developer who is given so much public funding from taxpayers would provide transparency. We requested that the developer abide by the same laws that would apply if the neighbor plan was being created by a town committee, but the developer refused to follow **any** of the open meeting rules.

According to Resolution C the primary Goal of the GNP is **establishing mutual understanding and respect**. Despite the extensive research that the members of A Better Site have done during the SUP process and despite the many families who share our views, our group was allotted only one slot on the GNP subcommittee.

We would like to participate in the development of the neighbor plan, but we cannot do so due to the deficiencies stated above. A process which does not represent the neighbors who have clearly documented the facts and issues will have no legitimacy for Homestead Park area residents and does nothing to establish mutual understanding and respect.

Allowing the developer to manipulate and control this process will result in **no good plan** for Homestead Park area residents.

Sincerely,
ABetterSite Steering Committee

Attachments:

Neighbor Plan Participation emails between ABetterSite and IFC.pdf 177 KB