

# TOWN OF WEST NEWBURY

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MassHousing  
Michael Busby, Relationship Manager  
One Beacon Street  
Boston, MA 02108-3110

RE: The Cottages at Rolling Hills  
West Newbury, MA 01985

Dear Sir:

The Town is in receipt of Ms. Robbins' June 30, 2020 letter to your agency which submitted a new plan for consideration for Project Eligibility / Site Approval. It is inaccurate to characterize this plan as a revision, when it more appropriately should be considered a new plan. The developer was informed at the beginning of this process that his original submittal constituted a Large Project as defined in 760 CMR 56, and as such would unlikely receive the consent of the Town. The original proposal would be triple the size of any project in the history of the Town. The Developer insisted on continuing with the original proposal despite being told directly that it was clear that the proposal constituted a Large Project. The Town Boards and the citizens spent considerable hours in order to provide your office with thoughtful and comprehensive comments and analysis. This was accomplished despite the considerable handicaps imposed by the Covid 19 state of emergency. The inescapable conclusion is that the Developer has engaged in a "bait and switch" tactic in an attempt to evade a review of a plan that would be in compliance with the Regulations. It would be improper for your agency to permit such a maneuver that could deprive the Town of a meaningful opportunity to be heard on this new application. The Town deserves the chance to provide a review and critique of this new plan equal to the original submittal. The Planning Board, the Open Space Committee, the Conservation Commission and the Board of Water Commissioners would all want to meet to discuss this new proposal. As was done previously, the Board

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of Selectmen wishes to tailor its response with the expertise and input from these Boards. Obviously given the limitations of the summer season and Open Meeting requirements, and the continuing impacts of Covid 19 on all aspects of our operations, an appropriate amount of time is required to allow each of these public bodies to convene, prepare comments, then for the Board of Selectmen to convene and finalize its own comments, taking into account the input of other public bodies, Town departments, and residents.

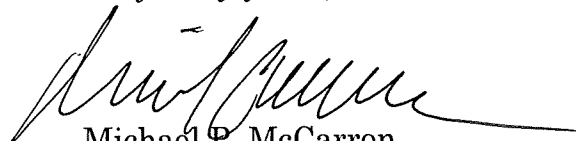
Therefore, the Town would respectfully request the following:

1. That in order for your agency to consider this proposal, that the Developer be instructed to provide a new application detailing the impacts of the new plan. (Whether there should be new fees associated with this submittal is left to your agency.)
2. As before, given the difficulties attendant to the Covid 19 state of emergency, upon submittal of the new application and plan, the Town be granted seventy-five days to submit comments.
3. That the costs associated with the original application not be included in the pro forma analysis of the Project. The Town should not be limited in proposing meaningful and appropriate conditions, due to a claim of such conditions would make the Project uneconomic.

I must reiterate that the Town and the citizens of the Town feel some frustration in this turn of events which culminates in their considerable work being wasted. Fundamental fairness requires that the Town and the citizens of the Town be granted the chance to meaningfully address this new proposal which is, as proposed, the largest development in the history of the Town by a factor of two.

Let me thank you in advance for your consideration in this matter, and if you have any questions or need any additional information, please do not hesitate to contact me.

Very truly yours,



Michael P. McCarron

cc: Town Manager  
Board of Selectmen  
Planning Board  
Open Space Committee  
Conservation Commission

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Board of Water Commissioners  
Board of Health  
Melissa E. Robbins, Esq.