

Town Manager

From: Brody [REDACTED]
Sent: Monday, July 6, 2020 11:03 PM
To: Town Manager
Subject: Cottages at Rolling Hill

Hello

Thank you for your service to the town of West Newbury.

I do not believe that the development proposed by Cottage Advisors, MA LLC is appropriate for the community.

In my opinion this development will negatively impact the town's infrastructure, and recourses. I understand the interest in creating more tax revenue, however this would be a sharp, unnecessary increase to the population. The current proposal should be revised with possibly 40% less liveable space and more environmental buffers.

Thank you
Brody

Town Manager

From: Raisa Conefrey [REDACTED]
Sent: Monday, July 6, 2020 8:56 PM
To: Town Manager
Subject: Cottages at Rolling Hills

Hello,

My name is Raisa Herrera-Conefrey and I am a resident of West Newbury. I love this town; I love the open space and the beautiful views of nature we get to see when out around town.

I'm deeply saddened to hear of yet another developer trying to turn our small little town into an epicenter of condos and developments. After reading plans for "Cottages at Rolling Hills" I can't help but feel frustration over the size and scope of this project. Why must we develop all this land? Why does everything need to be urban? Why can't we have trees and open space?

I am writing to convey my discontent with this proposed project of 90 units and I hope that the taxpayers of West Newbury have a voice in this matter as this issue continues.

Respectfully,
Raisa Conefrey

Town Manager

From: Calli Towne [REDACTED]
Sent: Tuesday, July 7, 2020 8:42 AM
To: Town Manager
Subject: Coffin Street Project

Dear Mr. Jennings,

I am writing you to express my continuing concerns over the Coffin Street project.

Recent information indicates that the project is now proposed as 92 units. If we assume that there would be an average of 3-4 people per unit, this is an influx of 276-368 people to our town. With the likelihood that many of these units will house families with children, I'm seriously concerned about the impact to our schools. The new High School/Middle School was not designed for such a huge influx of kids. We are currently laying off teachers and support staff. This is an economic change that will likely continue into 2021 and possibly beyond.

Our town infrastructure simply does not support a building project of this scale. Please include my comments in strong opposition to this project. It is my hope that the town can come to some kind of compromise with the land owner to scale back this project further and actually consider the negative impact of his multiple building projects our town.

Sincerely,
Calli Towne
17 Pleasant Street
[REDACTED]

Town Manager

From: Hannah Koch [REDACTED]
Sent: Tuesday, July 7, 2020 6:43 AM
To: Town Manager
Subject: Coffin Street

I want to voice my concern that the 92 unit project is still too large for the area where it is proposed.

The "reduction" in size is not enough to offset the issues of the damage to the wetlands, the unacceptable increase in traffic in the rural area, and the increased burden on town facilities. Nor does it help to maintain the small town "feel" cherished by current residents.

Please do not allow this project, inconsistent with West Newbury, to be approved.

Respectfully,

Hannah Page Koch

Town Manager

From: Kristine Carney [REDACTED]
Sent: Tuesday, July 7, 2020 8:02 AM
To: Town Manager; Conservation
Subject: 40B Comments 92 Unit Project
Attachments: 40B supporting diagrams 2.docx

Dear Angus Jennings, Town Boards and Committees:

I am writing to express my concern for the wetland and environmental impact of the new proposal of the 40B project on the Beaucher property off Coffin Street. In this new state Cottage Advisors seeks to install 92 housing units. Although I am not a direct abutter, the scope of the project continues to raise my concern for surrounding wetlands and natural habitats.

As I illustrated previously with regard to the first proposal made by Cottage Advisors, the property located on Coffin Street contains significant wetland areas clearly illustrated in Diagram A which was taken from MassDEP and attached. This diagram highlights not only wetlands on the Coffin Street property, but surrounding wetlands they feed and impact. In fact, Diagram C, which was also taken from MassDEP highlights wetland outlines and hydrologic connections. This is of particular concern since the new proposal still calls for installation of a large septic system in an elevated area located between two large wetland areas; one of which contains a man-made dam. Wetlands are extremely susceptible to changes in hydrology and water quality. This is concerning given the rumors one or more vernal pools, and perhaps intermittent perennial streams may exist on the property. Certified vernal pools are protected by Massachusetts, and uncertified vernal pools that are documented during the wetland permit application review process are also protected. The State of Massachusetts protects not only the vernal pool but the 100-foot habitat zone surrounding it. The State of Massachusetts also recognizes that vernal pools may need additional measures to ensure existing migratory routes of amphibians and reptiles to their upland nesting areas remain protected.

In addition, the new proposal still calls for the use of lift stations to package wastewater pumping it to elevated leaching fields. Lift station 3 appears to be located within a 100-foot buffer zone and an area of steep slopes with no apparent storm mitigation in place. Moreover, as shown in Diagram A and C, the wetlands seem to originate in close proximity to the proposed leaching fields and have a hydrologic connection to wetlands on properties of abutters and non-abutters. It should also be noted, the wetland area near the leaching fields also contains the man-made dam which washed out Coffin Street years ago. Coupled with thousands of gallons of water use, this certainly seems to create the threat for lift station 3 and the leaching fields to contaminate nearby wetlands on the property and connected wetlands and wells nearby.

To make matters worse, the wetlands on the Coffin Street property appear to flow toward areas delineated by Massachusetts' Biomap 2 as "Core Habitats" and "Critical Landscapes", and flow towards the Indian and Merrimack Rivers as illustrated in Diagram B. These areas have also been delineated as "Core Habitat", "CH wetlands", "CNL Upland Wetland Core", "CNL Upland Aquatic Core", and "CH Priority Natural Community". Given the thousands of gallons per day the septic system will generate, it certainly would seem these areas may also be threatened.

I also question Cottage Advisors' new proposal since it appears to call for developing and disturbing land termed undevelopable. In a letter from Deschenes & Ferrell, PC to MassHousing dated June 30, 2020, the developer's attorney clearly highlighted the fact there would be 1.22 units per acre and stated, "Even removing wetland areas from the calculation, overall the development is 1.53 units per acre". It would seem this calculation illustrates Cottage Advisors intent to develop and disturb 60.13 acres of the property ($92 \text{ units} / 1.53 \text{ units per acre} = 60.13 \text{ acres}$). However, the planning board previously estimated the developable area to be 38.8 acres, which would mean 36.6 acres of the property was deemed undevelopable. Therefore, based on Cottage Advisors' estimates, it would seem the intent is to disturb 21.33 acres of wetlands, wetland buffer zones, and other undevelopable areas on the property in addition to the 38.8 acres the planning board estimated.

It is also important to remind MassHousing bald eagles have chosen a site nearby along the Merrimack River to nest and reproduce. I realize they are no longer endangered, but believe they are still protected by state and federal laws. A development of this scale may certainly threaten their choice of nesting location at the base of the Grew Property on River Road not far from the power lines. I have included a picture taken a few weeks ago to offer proof of their existence in the area.

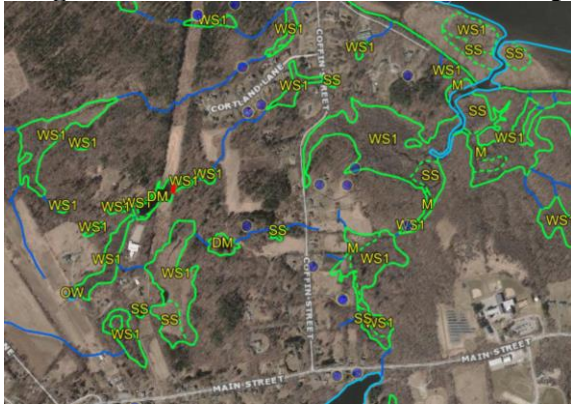
On a different note, I question the allowed revision of the initial development by MassHousing and whether this action constituted a violation of the regulatory process. Additionally, I question whether the developer rendered his first 40B plan for the area "uneconomic" through this revision.

I would like to thank the town boards and committees for their continued work through this process. I know you put in long hours researching and investigating the first project to ensure the health and safety of both the natural environment and community. I certainly hope MassHousing provides the town with an acceptable time frame to investigate and comment on this new project. It would seem unethical on their part not to. Again, I certainly see the need for affordable housing. However, I would prefer to see projects created and developed by our town to avoid the overdevelopment both 40B projects on the Coffin Street property have called for.

Sincerely, Kristine Carney

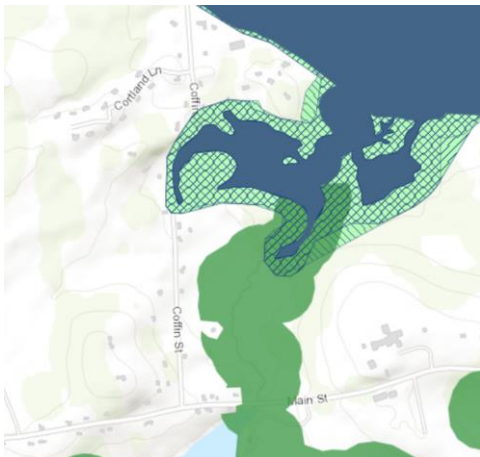
(I have attached supporting documents for your review)

Diagram A: Massachusetts Wetland Maps



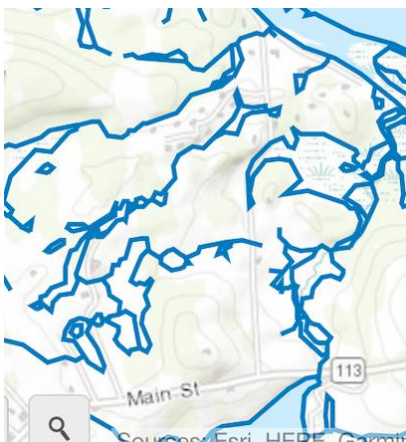
Source: <http://maps.massgis.state.ma.us/images/dep/omv/wetviewer.htm>

Diagram B: Massachusetts Biomap 2



Source: <http://maps.massgis.state.ma.us/dfg/biomap2.htm>

Diagram C: Wetland Outlines and Hydrologic Connections



Source: <http://maps.massgis.state.ma.us>

Bald Eagle Documentation: River Road, West Newbury Massachusetts, May 31, 2020



Town Manager

From: Kristine Carney [REDACTED]
Sent: Tuesday, July 7, 2020 12:10 PM
To: Town Manager; Conservation
Subject: Addendum to previous 40B comments submitted earlier

Dear Angus Jennings, Town Boards and Committees:

It has just come to my attention that the property located on Coffin Street for the proposed 40B housing project does in fact have a large vernal pool that happens to be shared with an abutting property. This large vernal pool is in the process of state certification from what I am told. Additionally, it has been indicated there is the strong likelihood of a second vernal pool within the property.

Feel free to add this as an addendum to my previous comments earlier this morning.

Kristine Carney

Town Manager

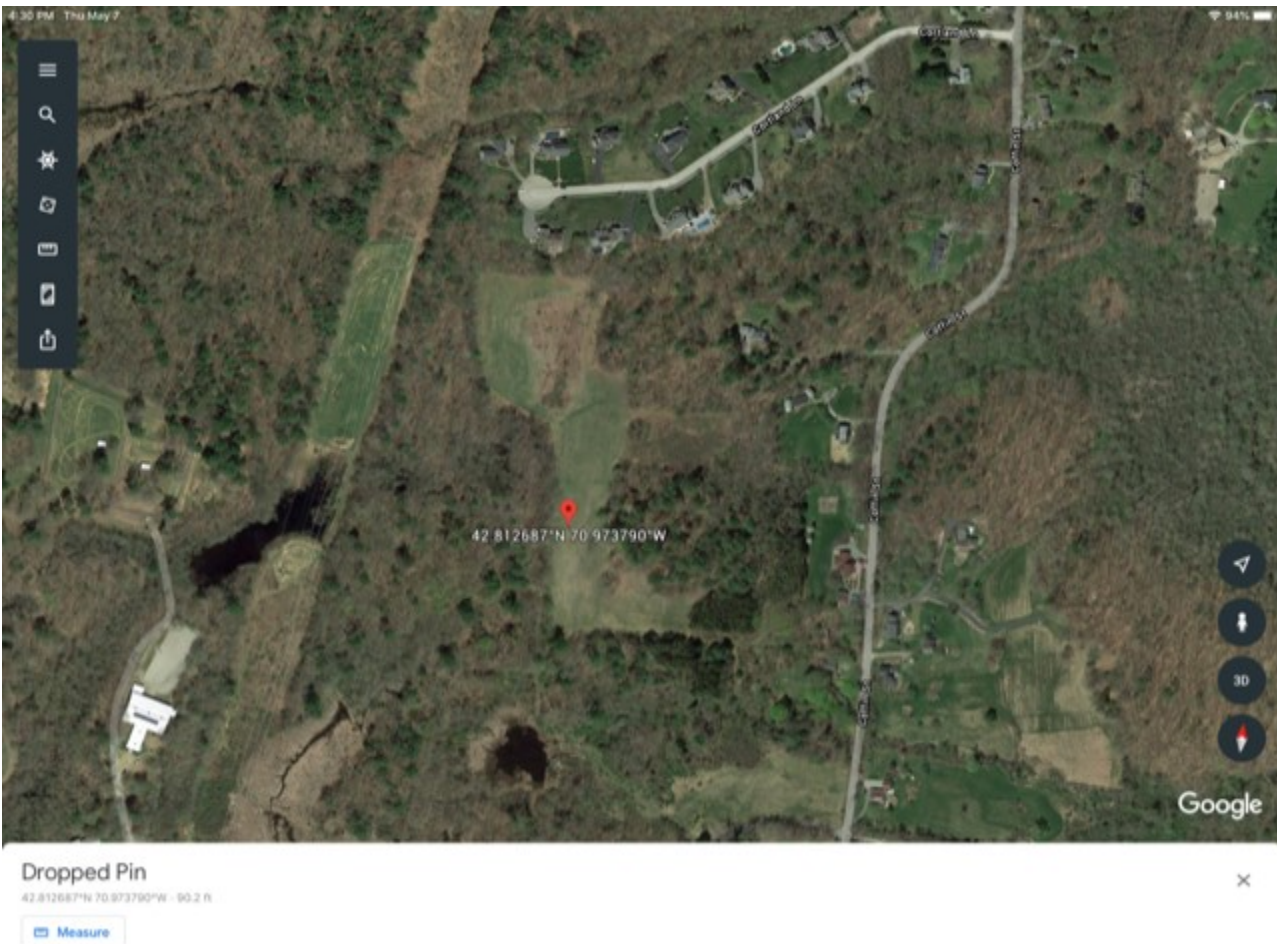
From: Jean Lambert [REDACTED]
Sent: Tuesday, July 7, 2020 2:24 PM
To: Town Manager
Cc: Kristine Carney; Kathy Feehery
Subject: Vernal Pools on Beaucher Property

Hi Angus,

Kristine Carney indicated that you were interested in the location of the two pools on the Beaucher property. The photo below (from abutter Kathy Feehery) shows the larger vernal pool at left that Kathy Feehery and I are in the process of certifying since it lies partly on her property - RiverRun Farm on Main. (It was once two pools, but Ed Beaucher and his heavy equipment turned it into one.) Kathy, Carol Decker (a professional naturalist now on the OSC), and I have been gathering evidence for vernal pool certification this spring and are working with my contact on the state level who helped me to certify the vernal pool next to me on River Road. We have all the evidence we need except for a picture of the pool all dried up and Kathy says this does not usually happen until August. The second, smaller pool is believed to be a vernal pool. Kathy has ridden on that property for 22 years with Ed's permission so has deep knowledge here but we could not access this pool given the current "No Trespassing" signs.

If you need more information, please get in touch. I still think that, given all the work you and the Town put in commenting on the first project, the developer should be judged on that. Thank you for your continued hard work on this exceedingly important project.

Best,
Jean



Sent from my iPad

On Jul 7, 2020, at 12:27 PM, Kristine Carney [REDACTED] wrote:

I heard back immediately from Angus once I sent an addendum to add to my previous comments that there is in fact a large vernal pool in the process of getting certified and likelihood of a second, and he wanted to know the exact location to add it to the GIS wetland maps. I told him you would email him the information you had on it. Hope that was ok. I want to thank both you and Kathy for working hard on this.

Kristine

Town Manager

From: Jennifer Brockway [REDACTED]
Sent: Wednesday, July 8, 2020 6:53 PM
To: Town Manager; Selectmen
Cc: leonard.mirra@mahouse.gov
Subject: Proposed 40b revisions (Coffin St)

Good evening,

Thank you for your ongoing efforts working on the proposed 40b building project off Coffin St and Main. I understand the developer has reduced the number of units he is proposing to build to 92. This is still an outrageous number of units to put anywhere in our small town. The developments he has already built here are overcrowded and not in keeping with the essence of our town. This development will put an tremendous strain on our already limited water access, our school system and town resources. It will dramatically increase traffic on already busy Main street, and create a dangerous situation on Coffin St (a very small country road). We simply do not have the infrastructure or funding to support this large of a project.

In addition to the above mentioned problems, there is significant environmental impact, not only will it permanently destroy beautiful open space, wildlife habitat and impact wildlife, but it will damage the existing wetlands and create unnatural runoff directly into the river.

It is clear that this developer has zeroed in on our town as a big source of revenue for himself, under the umbrella of affordable housing. His 40b "contributions" as he likes to refer to them as, will barely move the needle in the direction we are required to reach. We need a 40b plan for the town as a whole, that does not involve Howard Chip Hall's developments.

I vehemently oppose this grotesque development, the exploitation of our land and its impact on our town's character. Please include my comments when submitting them to the state.

Thank you,
Jenn Brockway-Peirce
614 Main Street

Town Manager

From: Kristine Carney [REDACTED]
Sent: Wednesday, July 8, 2020 8:23 AM
To: Town Manager; Conservation
Subject: 40B additional maps found, not for inclusion in my previous comments but may help
Attachments: 40B CAPS map and IEI.docx

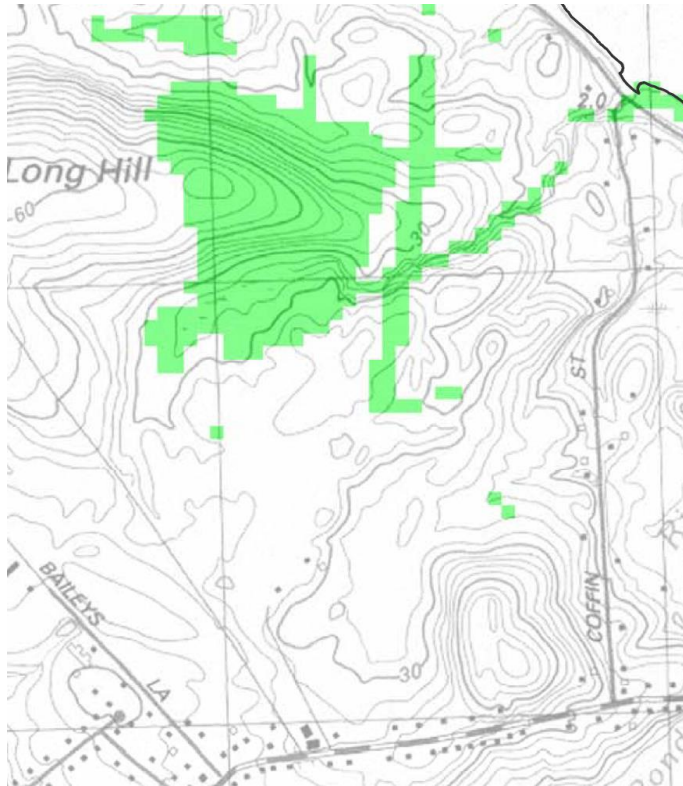
Angus and Conservation Committee,

I somehow stumbled on maps on a Umass website that seems helpful. The site gave a map of Conservation Assessment & Prioritization System (CAPS) and Index of Ecological Integrity (IEI). I submit them to you since the site claimed they were "created to support regulatory review under the Wetlands Protection Act" and I believe the MassDEP. The CAPS map shows habitats of regional or statewide importance and the second highlights freshwater wetland aquatics in blue. Both maps show areas that may be within the Coffin Street property ... not positive. But maybe you have access to other state maps that would highlight these areas better. Their inclusion on these maps certainly give me the impression they are of importance. It is important to note these maps were last updated November 2011.

You do not have to add this to my previous comments on the new 40B project, I just thought they may help somehow in delineating areas on the property that should be protected.

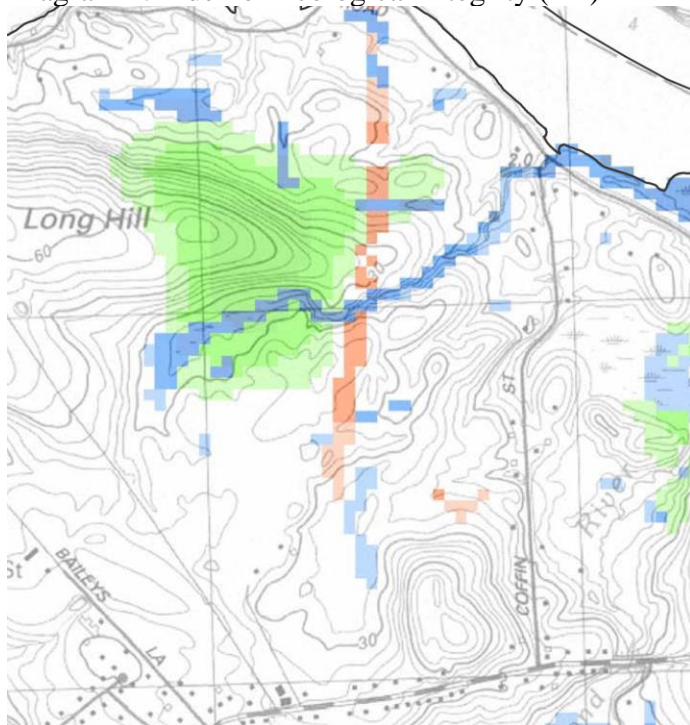
I am glad Jean Lambert contacted you concerning the vernal pools.

Diagram 1: Conservation Assessment & Prioritization System (CAPS) MassDEP



http://www.umass.edu/landeco/research/caps/data/dep/maps/CAPS_DEP_WEST%20NEWBURY.pdf

Diagram 2: Index of Ecological Integrity (IEI)



http://www.umass.edu/landeco/research/caps/data/iei/maps/CAPS_IEI_WEST%20NEWBURY.pdf

Town Manager

From: Loretta Harrigan [REDACTED]
Sent: Wednesday, July 8, 2020 8:48 AM
To: Bruce.Tarr@masenate.gov; Leonard.Mirra@mahouse.gov; Selectmen; Town Manager
Subject: 40B proposed cottages West Newbury

Good morning - Thank you for whatever efforts you have expended regarding this proposed building project in West Newbury - around Coffin Street and Main. Have heard that there has still not been a delay issued by the state regarding the contractor's permit. We need that delay. Also heard there has been some movement downward from the contractor regarding the overall number of units. IT IS STILL WAY TOO MUCH. The environmental impact of this project is pretty significant. Take the water issue as one of the major ones. Here in West Newbury although we have ample water available we buy our water from Newburyport - it expensive and not enough. The sign each year as you enter West Newbury to welcome you - has an additional message put on in late spring usually - that there is a water ban. We pay so much for so little and now all these potential users are going to make demands on it. The other environmental issue is electricity, sewerage; the issue of run off from this development into various areas including the River.

This development is monstrous and ill-advised. The increase in traffic alone is enough to stop this building. Also by the way, not sure what hold this contractor has on this town, but it had better come to a close - the two entities built already, especially Daily's Lane certainly not in keeping with the architectural and feel of this community.

My husband Tim joins me voicing our very strong concern (again) for this project. We implore you to act in a positive manner to do all you can to stop this development (if not stop really, really cut down on the size).

Thank you in advance for your efforts.

Loretta & Tim Harrigan

608 Main Street
West Newbury, MA 01985
[REDACTED]

Town Manager

From: Kristine Carney [REDACTED]
Sent: Thursday, July 9, 2020 12:17 PM
To: Town Manager
Subject: Vernal Pool GIS mapping information for 40B comments
Attachments: Vernal Pool location and suspected location.docx

Dear Angus, Town Boards and Committees,

As a follow up to the GIS location of the vernal pool in the process of becoming certified, I have attached a graphic of its location based on Kathy Feehery's aerial image that was provided to me by Jean Lambert. The vernal pool is located on both the RiverRun property and the Coffin Street property to be developed, as it is shared. The pool extends into the Coffin Street property to the man-made dam. This large vernal pool was once two pools until they were merged by Ed Beaucher. I am not sure what if any land beyond the dam may be part of this vernal pool area, but I am sure the Conservation Committee and wetland scientists will establish its perimeter. The other potential pool is located further into the property as indicated from the attached graphic. Both locations are circled in red on the GIS map.

This is of significance since MassDEP recognizes a vernal pool cluster as the presence of two or more vernal pools (certified or mapped by NHESP), connectivity between the pools with few obstacles to amphibian migration, and that the pools are within 400 meters of each other to protect migratory and dispersal distances for pool breeding (Mass.gov). Massachusetts also recognizes the importance of avoiding new stormwater impacts and preserving undisturbed habitat areas around vernal pool clusters. Therefore, it will be important to know the exact specifics with regard to the wetlands given the size and location of the proposed leaching field, stormwater management sites, and the fact the project must meet Total Maximum Daily Load (TMDL) requirements.

I hope this information is of help and thank you and the boards for all your hard work investigating this second project proposal.

Source: Mass.gov. Retrieved from <https://www.mass.gov/guides/mapping-and-protecting-vulnerable-wetlands-and-stormwater-management-planning-project>



Town Manager

From: Deb Binder [REDACTED]
Sent: Friday, July 10, 2020 9:10 AM
To: Town Manager
Subject: Rolling Hills Feedback

I just wanted to share my thoughts on the Rolling Hills project.

While I totally appreciate that the project has been reduced to 92 units, I feel that the development is still too large for the site. From the information shared, the developer has not provided a plan with all the details needed to ensure that the development addresses all environmental, logistical and functional requirements. Additionally, the development will negatively impact the flavor of the neighborhood and the town at its newly proposed scale.

Thank you,
Debra DiPietro

Town Manager

From: Elizabeth Bonomi [REDACTED]
Sent: Friday, July 10, 2020 3:46 PM
To: Town Manager
Subject: rolling hills

Dear Mr.Jennings

I do not think 92 units albeit reduced from 152 is acceptable. The residents of West Newbury ultimately will pay for all the resources needed no matter how much real estate tax revenue is collected from those unit owners. Our current budget and projected regional school ultimately will place a larger burden on all of us. I wrote on my original letter to our Congressman all my concerns and my husband (a former finance committee person) wrote you as well we both are not in agreement that 92 units are acceptable Thank you

Elizabeth Bonomi
Carroll Winch
22 Moody Lane
West Newbury

Town Manager

From: Becky Benson [REDACTED]
Sent: Friday, July 10, 2020 9:06 PM
To: Debi Binder
Subject: Rolling Hills

I am asking the town to continue to object to the number of units proposed for the Rolling Hills development. Driving daily past a sign currently stating there is not enough water available for the existing needs of our community leads me simply to ask from where the necessary water will come to serve the needs of this development without a seriously detrimental effect?

The water quality report is already border line for safe consumption. So many additional septic systems will have a huge negative impact on the quality of ground water for miles around. I cry for the river.

I can voice so many concerns about this huge proposal. The fingers reach far to profit only the developers and pick the pockets of current residents. I struggle to keep my negative comments brief. I see no positives here. None.

As a retired teacher I will end stating my concern about the impact on our current school system. These homes will be built years before the schools can be prepared to educate the children living there. Please consider and add the yet unseen disruption and massive costs from the Corona Virus. Quality of the level of education will be compromised for years to come. A true test here. Additional school tax monies will most certainly be levied on our town's residents that will be a burden for all.

Times are so different today from when this proposal was first presented to the board. The base line has changed completely. Alarming how many things will not be able to be anticipated. These are truly unprecedented times and not times to add to the existing challenges of our community for the benefit of few and the detriment of many.

Thank you for your effort and time put towards this proposal.

Sincerely,
Rebecca Benson
15 Ridgeway Circle
West Newbury, MA
Sent from my iPad

Town Manager

From: Anne Puricelli [REDACTED]
Sent: Saturday, July 11, 2020 9:20 AM
To: Town Manager
Subject: Rolling Hills

Dear Mr. Jennings,

I understand that that the Developer for Rolling Hills has reduced the size of the proposed project.

I am not opposed to some development on this land and I believe that West Newbury would benefit from more tax income. However, I feel that 92 units is still too large a development for the land area.

Sincerely,
Anne Puricelli
16 Moody Lane

Sent from my iPad

Town Manager

From: Robert Goose [REDACTED]
Sent: Saturday, July 11, 2020 3:38 PM
To: Town Manager
Cc: Deb Binder
Subject: Rolling Hills 92 unit Housing Project on Coffin Street (from Cottage Advisors)

West Newbury Town Manager,

We have several concerns regarding the proposed Housing development from Cottage Advisors on Coffin Street.

1. 92 units when complete would produce up to 200 or more car trips onto and off Route 113 from Coffin Street every day.
2. There could be a school impact of 200 or more students on the school district, including the Page School and Pentucket Regional School.
3. 92 dwellings in that small area would require a separate and dedicated water line from the West Newbury Artichoke well field, or else everyone on the east side of town using Town water will experience a severe water pressure drop. There is simply not enough water supply capacity in that small area without a new line.

That new water line must be paid for by Cottage Advisors as a condition of project approval.

4. Cottage Advisors must be required to pay for a natural gas line from Groveland or Newburyport to supply heating and cooking energy. The only other source of heating and cooking would be electricity (prohibitive costs to owners), or Propane tanks buried on site. That would require 46-50 buried 1000 gallon tanks for 92 units. This seems much too dense for the land area.

Thank you, Robert and Alice Gosse
14 Ridgeway Circle
West Newbury, Mass. 01985

Sent from my iPad

Town Manager

From: CELESTE EDWARDS [REDACTED]
Sent: Tuesday, July 14, 2020 6:46 PM
To: Town Manager
Subject: Coffin street

To whom it may concern

I have been a resident of West Newbury for 20 years. Witnessing good and bad changes.

I understand urban growth...What I don't understand is a development this size in a town like West Newbury . We've all seen the over growth of Newburyport and what it's done to that town.

From what I've seen and heard regarding other developments in town, the builders haven't followed their building guidelines, violating town trust, with little to no repercussions. Where is the affordable housing that's been promised. Anything over 300k is not affordable housing.

Traffic in town, especially on 113 is sometimes impossible, speeders no longer addressed or controlled. Water shortages has been a constant.

I don't believe I am the only resident opposed to the size of this proposed development. It in no way benefits the town. It may generate additional tax revenue, however will tax the resources in our small town.

Save the town from becoming another overdeveloped Newburyport, where homes are squeezed on top of one another.

I, like many, moved here to avoid a town like Newburyport.

Stand up and do what's right, don't let the size of development be approved. Once we allow one, more will come.

Thank you

Town Manager

From: Wendy Willis [REDACTED]
Sent: Tuesday, July 14, 2020 1:23 PM
To: Town Manager
Subject: Proposed 40B Development

Dear Town Manager,

I would like to express my deep concern over the impending project on Coffin Street. Cottage Advisors has found a profitable niche in our little rural town. Chip Hall has built two communities in town that while large than we are accustomed to, were still in keeping with the rural charm of our community. This development is not that. He started at 250 units, than 152 and now 92. He is still way too high at that number. I think 40 units is something that would be more in keeping with the community. Furthermore, as a local Realtor I have had many clients complain about the quality of his work. Resale units are in need of repairs that we would typically not see at that point. I fear that if left unchecked he will have fill every available space with these poorly built units. In addition, our town will be left holding the bag with increased costs. The costs to our tiny town are very real. Increased school costs, police, water, road maintenance etc... This developer is making millions off our little town and not offering us anything in return. Our town has formed a committee to address affordable housing as it is very much needed. It is their intention to work quickly and thoroughly to formulate a plan to get to the 10%. We know what our town needs. We need intergeneration living with access for seniors, which is our largest growth demographic. We need one level living not the town houses that Cottage Advisors is building . Thank you for your time.



Wendy Willis | Willis and Smith Group
 Keller Williams Realty

[REDACTED]
 1 Merrimac Street, Suite 8, Newburyport MA

kw GREATER
 NEWBURYPORT
 KELLERWILLIAMS. REALTY

Willis & Smith

Town Manager

From: Stephen Palenscar [REDACTED]
Sent: Wednesday, July 15, 2020 3:24 PM
To: Selectmen
Subject: RE: Rolling Hills Housing Development @ Coffin/Main

To: West Newbury Board of Selectmen

We have contacted you before on this issue and are pleased to find out that the number of housing units to be built has been reduced from 152 down to 92. Thank you for accomplishing this much to date as we realize that this was not an easy task.

Hopefully, a further reduction can be obtained prior to the final approval of this new housing development so as not to burden our town with further expenses especially in view renovations already scheduled for the Page School and the new Middle School / High School. On top of that is the cost of infrastructure to our streets and sidewalks.

Thank You,

Stephen G. Palenscar

Christine Robicheau

12 Ridgeway Circle

West Newbury, MA 01985

[REDACTED]

Town Manager

From: Ross Haghighat [REDACTED]
Sent: Thursday, July 16, 2020 10:14 AM
To: Town Manager
Subject: Cottage Advisors - 28 Coffin St. and 566 Main St.
Attachments: 10 Coffin St. W. Newbury - pdf.pdf

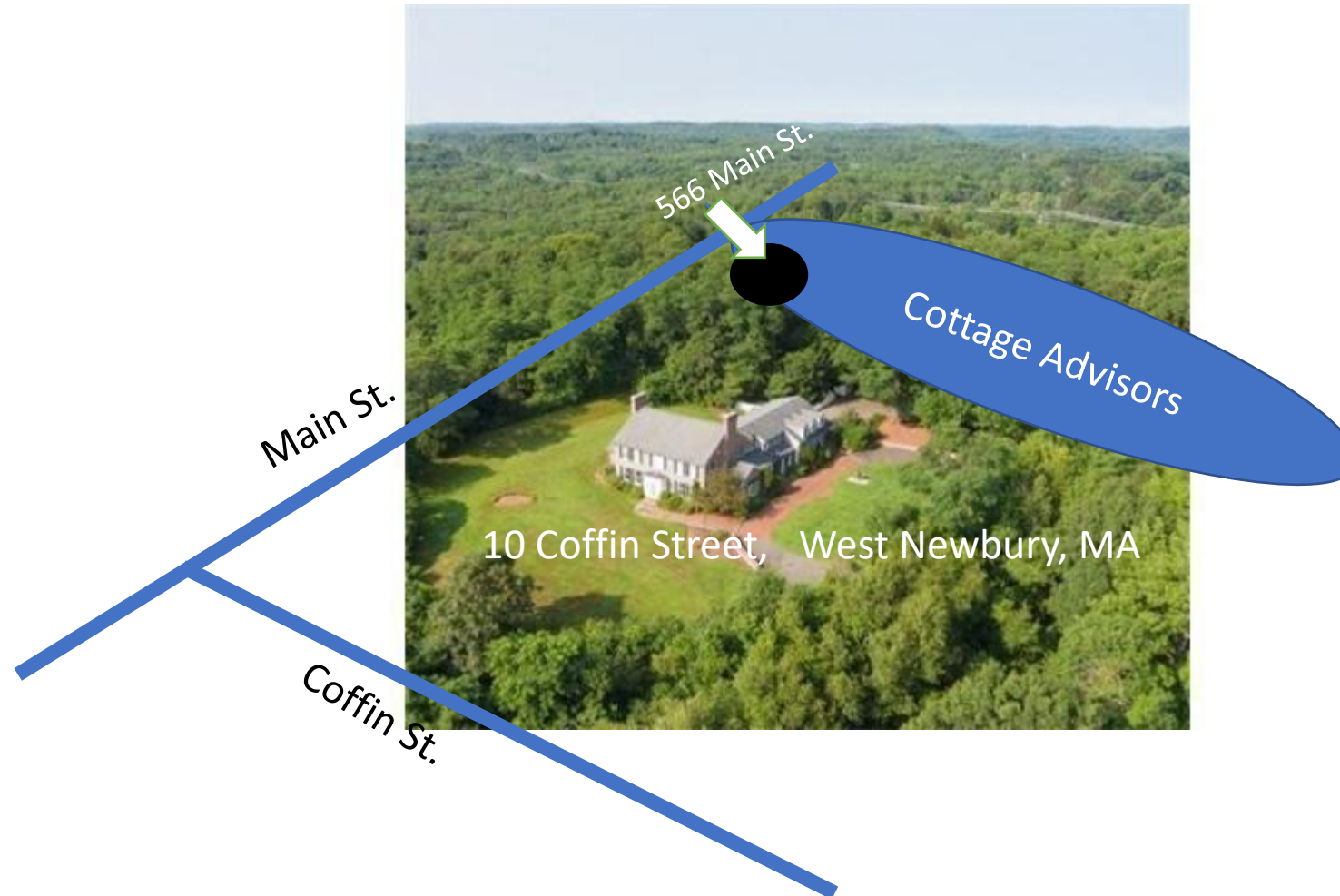
Dear Angus,

My name is Ross Haghighat and I reside at 10 Coffin St. My property is next door to Mike Ricci, is adjacent to 28 Coffin St as well as 566 Main Street. Please see attached. The proposed Cottage development will build structures that are within a few feet of my property. Moreover, I am familiar with Chip Hall's other projects, especially familiar with the development in Westford, where I hold a property for 20 years and Newburyport, where I have properties on High St.

I'd like to provide for a visit to my property by the Selectmen as their schedules allow. I believe by walking on my property, it immediately becomes apparent that the proposed project will adversely impact the entire town of West Newbury and especially this neighborhood. I would be pleased to discuss this matter further.

Best regards
Ross Haghighat
[REDACTED]

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Town Manager

From: Rose Vetere [REDACTED]
Sent: Monday, July 20, 2020 6:20 PM
To: Town Manager
Subject: Comment on Modified 40B Project
Attachments: Letter to MassHousing3.pdf

Good evening Angus,

I am attaching a comment letter for the Board of Selectment regarding the current 40B proposal. Please include it in the collection of public comment that the Town will submit in response to the recent and unexpected modified project plan submitted by Cottage Advisors to MassHousing.

Thank you for your attention to this matter and confirm that you are in receipt of my letter.

Respectfully,

Rose Vetere
[REDACTED]

"To achieve great things, two things are needed: a plan and not quite enough time."
Leonard Bernstein, composer

Vetere
54 Coffin Street
West Newbury, Massachusetts 01985

July 20, 2020

West Newbury Board of Selectmen
381 Main Street
West Newbury, MA 01985

Re: Chapter 40B Eligibility/Site Approval Application
Cottage Advisors MA, LLC
566 Main Street and 28 Coffin Street, West Newbury, Massachusetts

Dear Members of the Board of Selectmen,

As a direct abutter to the above-referenced project, a 92-unit housing project entitled “The Cottages at Rolling Hills” proposed by Cottage Advisors MA, LLC through the Chapter 40B Eligibility/Site Approval process (the “Project”), I wish to voice my objections to the Project by highlighting misrepresentations and inconsistencies in the original application, which still apply despite the recently submitted modification, and nonconformities of the project with the criteria of the Ten Sustainable Development Principles of the Chapter 40B regulations.

It is important to highlight these inaccuracies and omissions because a decision to allow this project to move forward is dependent on the integrity of the information presented in the application.

Application for Chapter 40B Project Eligibility/Site Approval/Homeownership Projects

Section 2: EXISTING CONDITIONS/SITE INFORMATION

Previous Development Efforts

Applicant responded that there were **no** previous development efforts; this is incorrect.

In 2018 the Town of West Newbury voted down a solar overlay zoning district change that would have accommodated the construction of a 4MW solar power plant on the 28 Coffin Street property.

Prior to that development effort, Greene Construction proposed a 34-unit housing development on the 28 Coffin Street property. Greene Construction abandoned the project when the Planning Board required it to test the soil for its capacity to support 34 individual septic systems.

In 2014, when 28 Coffin Street first went on the market, there was interest by the West Newbury Open Space Committee (OSC) in preserving the then approximately 80 acres of open space. The OSC partnered with Essex County Greenbelt Association to conduct an appraisal of the property. The conclusion of the appraisal conducted by Real Estate Consulting Group – LandVest, Inc. was that a 16-lot development was the “*maximum theoretical lot yield* on the property as several lots fall within areas of marginal soil and certain building areas are

constrained by wetland buffers.” The appraisal also stated that, “Slopes pose a moderate to significant constraint to residential development.”

Surrounding Land Use/Amenities

Applicant omitted information about Multi-family housing in the Project vicinity. There are four multi-family housing sites near the proposed development; Pipestave Hill Apartment House on Main Street, Hills Court and Boynton Court on Bachelor Street, and senior housing behind the 1910 Building at 381 Main Street.

Applicant neglected to note that there is NO public transportation available to the listed amenities.

Public Transportation

Applicant identified the Newburyport Park and Ride facility next to Interstate 95 (3.3 miles from the Site) and the Newburyport MBTA Station (6.1 miles from the Site) in Newburyport. Both facilities are only accessible by automobile.

Site Characteristics and Development Constraints

Applicant responded that there were **no** easements, rights of way, or other restrictions affecting the development of the Site. In fact, there is a 200’ wide New England Power Company easement for electric transmission lines that runs through the property. Also, the Existing Conditions Plan shows Easements A and B per Plan Book 454, Plan 4; Access Easements 1 and 2 per Plan Book 454, Plan 4 by 28 Coffin Street. Additionally, it is believed that there are vernal pools on the Site.

Section 3.5: SUSTAINABLE DEVELOPMENT PRINCIPLES

This Project does **not** meet a minimum of 5 out of 9 Sustainable Development Principles as required. The development does **not** meet the following Principles outlined in the regulatory criteria.

(1) Concentrate Development and Mix Uses

Applicant states “It is a pedestrian friendly neighborhood with sidewalks that is within a mile from Town Hall, Open Space and Trails, Playgrounds and Schools” and checked off *Pedestrian Friendly*. There are no sidewalks on Coffin Street or on Main Street near 566 Main Street. It is unsafe to walk on these roads, especially after the addition of increased traffic from the development, so *Pedestrian Friendly* is an inaccurate description of the proposed Project. 566 Main Street is also on state highway Rt. 113, which experiences frequent heavy truck traffic.

(3) Protect Land and Ecosystems

Applicant checked that this development would create or preserve open space or passive recreational facilities. In fact, almost all of the upland area in the submitted plan is utilized for the 92 unit housing development, roads, utilities, and almost all of the open space is wetland. This is not in the spirit of sustainable development principles. Further, insufficient wetland setbacks created to provide open space will threaten the species that breed in at least one vernal pool on the site. Destruction of acres of woods due to site preparation will destroy the habitat of wetland species, as well as other wildlife, whether or not endangered, that depend on the woods for survival.

(4) Use Natural Resources Wisely

Applicant failed to address conservation of natural resources such as woods, wetlands, or vernal pools, all of which will be disrupted by the site preparation and construction of 92 housing units. The significant amount of tree cutting for site preparation will increase, not reduce, pollution given the contribution that trees make in improving air quality, conserving water, preserving soil, and supporting wildlife, and will increase soil erosion.

Applicant does not describe EPA Energy 5 Star guidelines or explain how the units will exceed them, nor is there any proposal for solar panels. Although the types of heating systems are not discussed, they will likely rely on fossil fuel in the form of either fuel oil, propane, or electricity.

(5) Expand Housing Opportunities

This development is not located near jobs, public transit, or other services. It is also not compatible with the community's character and vision in light of its massive size and density and the negative impacts on the infrastructure of a small town.

Applicant has not indicated how or whether the affordable units will be ADA compliant. Approximately 28% of West Newbury citizens 65 years or older, a good portion of whom would be expected to suffer with some type of disability or mobility issue, would be candidates for affordable housing. (*West Newbury Housing Production Plan, 2018-2022*)

(6) Provide Transportation Choice

According to the 40B Project Eligibility/Site Approval application, a proposed project is to "maintain and expand transportation options to reduce congestion, conserve fuel and improve air quality. Prioritize rail, bus, boat, rapid and surface transit, shared vehicle and shared ride services, bicycling, and walking." The developer's plan for approximately 500 parking spaces will not reduce congestion, conserve fuel, or improve air quality.

The town does not have access to surface transit, and access to rail and bus transportation is by automobile exclusively. Biking or walking on hilly Rt. 113/Main Street, a secondary state highway, is difficult if not dangerous. This project will not meet the criteria to expand transportation choices described above.

For rural West Newbury, this development is further than **one** mile to a transportation corridor that provides access to employment centers, retail/commercial centers, civic or cultural destinations. Interstate 95 is 3.3 miles from the proposed development. Interstate 495 is approximately 8 miles from the proposed development.

This development is **not** located within West Newbury's town center, as stated in the applicant's comments. There is no easy access to the center of West Newbury, which is 1.3 miles from 566 Main Street to the center of town, because there are no sidewalks on Rt. 113/Main Street in the Site area. Therefore, this development will not revitalize the very limited business district in the town center.

(7) Increase Job and Business Opportunities

The checked items in this section are misleading. The jobs associated with this project will be temporary construction jobs only, and subsequent jobs will be limited to maintenance and repair opportunities.

The current West Newbury employment demographic is described in the *West Newbury Housing Production Plan, 2018-2022* as “Roughly 60 percent of West Newbury’s total labor force is employed in the industries of management, business, science, and arts. About 20 percent is employed in sales or office occupations, and about 8 percent is employed in the service industry. The remaining employed population works in the fields of natural resources, construction, and maintenance and production, transportation, and material moving.” The business opportunities described by the applicant will not enhance the professions and vocations of the residents currently living and working in West Newbury.

This development will provide **none** of the stated goals to promote economic development, expand access to education, training and entrepreneurial opportunities, support growth of local businesses, including sustainable natural resource-based businesses. There is no substantial commercial center in West Newbury within which economic development could thrive.

The Applicant has misrepresented this project to me, the Town of West Newbury, MassHousing, and the Department of Housing and Community Development. On the basis of the omissions, inconsistencies, and misrepresentations found in the application, I respectfully request that this Site Approval be denied.

Respectfully,

Rose Vetere

Town Manager

From: Deborah Rogers-Thornton [REDACTED]
Sent: Wednesday, July 22, 2020 9:26 PM
To: Selectmen
Subject: 40B

Dear Board of Selectman,

I am writing to express my opposition to the development plan 40B. While a new plan has been submitted I do not feel it is much better than what was originally presented.

I have ongoing serious concerns and that few, if any, are alleviated by this “new plan,” such as; Wetland buffer zones, great strain on water supply (watering ban the past 3 weeks), traffic safety, extensive deforestation, minimal setbacks to abutters and character of the Town (86% are duplexes.) The Project is the antitheses of sustainable development. Whether at 152 units or 92 units, the Project is a textbook example of “sprawl,” and still only increases affordable homes in the town by 1.5%, less than even the previous massive 152-unit plan.

I urge you all to do what is best for our town and do whatever necessary to stop this project.

Thank you for your time.

Deb Rogers-Thornton
71 Rogers St

Sent from my iPhone

Town Manager

From: Jean Berkenbush [REDACTED]
Sent: Wednesday, July 22, 2020 3:36 PM
To: Selectmen
Cc: Town Manager
Subject: 40B project

Thank you in advance for giving my comments your attention.

One subject I have not heard much about regarding this development is the width of the roads. I will admit I have not studied the plans and what I am about to state may be a non-issue.

When the right-of-way I live on was converted to a street, 19 Chestnut Lane, the requirements were a 50' width on paper and the paved street had to be 20' wide. By the way there are only 2 houses on my street and will not have any more in the future. The development on Follansbee Lane is less than that 50' width. I took a tour of a home when it was a new development and asked about the cars parked on both sides of the road and questioned how a fire truck would get through in an emergency. I was told that the Homeowners Association would address that issue in the future.

More than a year later, I spoke with someone in the Homeowners Association. I asked what the association was doing to address the narrow passage on the street with cars parked on both sides. She responded by saying, "I am working on that very issue".

Today, there are still cars parked on both sides of the narrow road. I still believe it is an accident waiting to happen, when emergency vehicles will not be able to get through or lose valuable time negotiating the street. I also wonder why a street built on land that had been in the family for over one hundred years is held to a higher standard than a developer who will make their profit and leave town.

Thank you

Jean Berkenbush

Sent from my iPad

Town Manager

From: Laurie spielvogel [REDACTED]
Sent: Wednesday, July 22, 2020 9:38 PM
To: Town Manager; Selectmen
Subject: 92 is still TOO BIG!!

Thank you for your tireless work for our town. I am struck hard by this development that is taking place on Coffin St. I have first hand experience with Howard Hall and Cottage Advisors as Drakes Landing abuts my property on Meetinghouse Hill. 'Chip' is exploiting our town, building these pocket communities. I implore you to encourage changing our zoning laws, I also encourage you to put an affordable housing plan on the fast track to fruition so we can be done once and for all with these issues! Thank you all for you time and consideration, warm regards, Laurie Spielvogel

Town Manager

From: Maggie Spalding [REDACTED]
Sent: Wednesday, July 22, 2020 2:38 PM
To: Selectmen
Subject: 40B

To the Selectmen,

I had previously written as well as contacted both Lenny Mirra and Sen Tarr with good responses from both of them. Here we go again....the developer thinks by reducing the number to 92 he is off the hook with us, but please don't let him be! This ginormous project yields us a dismal lack of increase in affordable homes. That lack of affordable homes combined with an inevitable strain in so many ways on this town shows that this developer cares only about the dollars and nothing about our town. We can not allow him to have his way again.

I acknowledge that we as a town have been lacking in our efforts to provide affordable housing here. Shame on us. This does not mean that now we have to succumb to a project that in no way represents West Newbury. Knowing the difficulties with septic issues in this clay and rock town of ours, knowing how many people it is expected to support scares the hell out of me! Right next door there are septic systems for single homes costing 60,000 due to the lack of suitable material onsite. The logistics of a system this size here just doesn't seem possible.

Septic worries, environmental impact so close to the river, impact on transportation and roads, impact on population increase, etc etc etc.....

Please do all you can to fight this monster of a project! Please also do all you can to use this as a springboard to starting a reasonable, acceptable and needed answer to our lack of affordable homes.

From a true "townie" to you as our elected voices, please do all you can. Thank you.

Maggie Spalding

Sent from my iPhone

Town Manager

From: mike welch [REDACTED]
Sent: Wednesday, July 22, 2020 5:54 PM
To: Selectmen
Subject: 40B plan

I would like to voice my opposition to the 40B plan recently amended by the developer. The plan would effect schools and traffic.
I think of it this way: for a small town like ours, 92 of anything at once is too much.

We need, and the town deserves, something better.

Mike Welch
623 Main St
West Newbury

Sent from my iPad

Town Manager

From: Cheryl Richardson [REDACTED]
Sent: Saturday, July 25, 2020 10:54 AM
To: Selectmen; Town Manager
Subject: 40B coffin st project

Dear Friends,

We would like to state our concerns for the 40B project on main/coffin street. There are several issues that concern us:

1. The water resources in West Newbury are already limited to a serious degree. This project would add a significant burden to the needs of current residents.
2. The land and wildlife habitats in our town are a valuable asset to current residents, potential buyers, and to the birds and animals both living in these places and migrating during the year. The fact that the land is near the Merrimack River that leads to the ocean means it provides feeding and stopover grounds for songbirds, water birds and raptors. The fields and forest edge habitats in New England are rapidly being lost to development putting threatened and endangered species (cottontail, bobolink, eastern box turtles, etc) at risk. While the loss of wildlife may seem like a superfluous issue, it's one of the main reasons that residents choose to live in our town.
3. Predicted weather patterns from climate change will create drought followed by extreme rain events (we've seen this already). These patterns cause significant flooding as fields and earth are replaced with pavement.
4. On average, conserved land pays 44 cents per dollar back to the town where houses cost 12 cents on the dollar *more* in municipal services than they pay in. Water quality and quantity, clean air, recreation areas, etc., are not currently qualified on the free market.

I vote to look carefully at how this development can serve the affordable housing needs while preserving as much of the valuable and important land as possible.

Thank you for helping us to care for our neighborhoods and their human and non-human companions :)

Warmly,

Cheryl Richardson & Michael Gerrish

Town Manager

From: Howard Hall [REDACTED]
Sent: Monday, July 27, 2020 5:52 PM
To: Town Manager
Cc: Melissa Robbins; Michael McCarron
Subject: Re: P&S page

This was an omission in the P&S language. There is no section 2.5 Hence there is no missing page.

Regards,

Howard "Chip" Hall

Sent from my iPhone

On Jul 27, 2020, at 4:50 PM, Town Manager <townmanager@wnewbury.org> wrote:

Melissa,
Could you please provide the page referenced below?

Thanks,
Angus

From: Town Manager <townmanager@wnewbury.org>
Sent: Tuesday, July 14, 2020 8:45 PM
To: Melissa Robbins [REDACTED]
Cc: Chip Hall [REDACTED]; Michael McCarron <mmccarron@wnewbury.org>
Subject: P&S page

Hi,
We noticed that the P&S we received on June 22nd is missing a page, which contains Section 2.5, covering adjustments in the purchase price.
Could you please provide the missing page at your convenience?

Thanks,
Angus

Angus Jennings, Town Manager
Town of West Newbury
Town Office Building
[381 Main Street](#)
[West Newbury, MA 01985](#)
[\(978\) 363-1100 x111](#)

Town Manager

From: Jason Goldweber [REDACTED]
Sent: Monday, July 27, 2020 9:21 AM
To: Town Manager
Subject: 40B Coffin St

Angus,

I am sure you do not need any further emails regarding the size and scope of this project not being in tune with that of this community. I can reiterate the lack of consideration for the wetlands, animals, run-off issues in an already dirty Merrimac River or the massive amounts of new traffic but I believe those issues will be addressed sufficiently in the future letters to the state regarding this development. My primary concern is that of our water, when we already purchase so much at a higher rate from Newburyport I believe that it would irresponsible to allow such a large development without some major improvement plans for a more sustainable water supply. Also, should this development go through, I would hope that the new water supply be paid for, at least in part, from the profits of the developer. I would also like to see more community space and trails, including side walks linking the development to that of the sidewalks on Main St. which end just at the training field. This would allow for safer walking in the area from the development to the orchard/library/scoops/town hall/etc. Please don't hesitate to let me know if you have any questions, We are one of the direct abutters in this case being directly across from the access point on Main St. Thank you for your continued hard work in navigating this difficult and cumbersome process.

Jay & Meg Goldweber
561 Main St

The Ricci's
28B Coffin Street
West Newbury, MA

July 27, 2020

To whom it concerns,

We are the Ricci's, currently residing at 28B Coffin Street in West Newbury, Massachusetts. We are writing to you to voice our deep concerns related to the proposed 40B project within our town. The Developer claims he has altered the proposed plans due to the town and citizen's request. This is clearly not true considering he had to reduce the amount of units in order to meet the large project scale cap. We regret that this letter does not have more concrete numbers given the short time frame to respond to his proposal. Please do not allow him to make a mockery of the MassHousing rules and regulations. In our opinion, the developer submitted an unbuildable, completely bogus original plan. He had the town's people and officials waste their time by doing research and putting well thought comments and concerns together, for nothing. By swapping out his plans last minute, this gave us and the town's people less time to research and find hard facts to dispute. If deception is how he must operate in order to accomplish his goals, his intentions are not pure and he should not be trusted.

We used our life savings to move to a rural environment in a beautiful town four years ago. The characteristics of the town, the open space between homes, nature and wildlife are what drew us to this particular town. We got married on our property and we have dreams to raise our child in a quiet and safe community. The proposed project will destroy these notions. Although we agree with the need for subsidized housing, this plan would put such a stress on our town. Increasing our town's population by such a large amount to increase the subsidized housing by such a small amount does not work for a small town like ours. Why should we have to succumb to our property value decreasing and changing our way of life for one person's gain? The value and appeal to our property is that it is a tucked away farmhouse. If this project is allowed, it will completely destroy the characteristics of this property. The proposed plan does not show any characteristics of the town as it is today.

If we use the plan proposed as a formula to set a precedent, we would have to build approximately 600 new homes to meet the states 10% requirement. Which is simply not possible in a town like ours.

Included below are additional bulleted concerns related to the project.

Roadways and Safety:

- Coffin Street can barely handle the current traffic demands it currently has.
- This project would be a major and unsafe traffic increase to a neighborhood that does not currently have sidewalks.
- Close proximity of new intersections and roads in the new development to my property is very concerning for animals and children.
- The road touches our property at one point.

Property Setbacks:

- The developer has shown no mercy when it comes to distance of structures or roads being setback from abutting neighboring property lines.
- The new proposed plan has more homes in close proximity to our house than the previous plan. It riddles our property line with homes as close as 35 feet. This is in no way, shape or form a characteristic of the town.
- Clear cutting an entire hillside behind my property and leaving only a thin strip of very tall trees will prove detrimental to my property and the proposed plan during a wind storm.

Wildlife and Nature:

- The land is some of the richest wildlife in town. The list of animals that thrive on the proposed property could go on for days. Some include but is not limited to: deer, turkey, woodpeckers, endangered owls, blue spotted salamander, a variety of turtles, peeper frogs, tree frogs, bald eagles, hawks, fox, coyote, etc.
- There are also multiple vernal pools and extensive wetlands on the property.
- Increasing the population to such a dense level in a small area along with the additional motor vehicle traffic would be detrimental to all this wildlife and habitat. Not to mention, diminish the serene oasis and tranquility that we observe looking out our windows on a daily basis.
- Although the plans show for open space, the majority if not all of that space is either swamp or unusable wetlands.
- It also has a giant leech field in close proximity to wetlands and vernal pools. There is a great concern for storm water runoff and excessive gray water at approximately 30,000 gallons a day going into the ground in such close proximity to said vernal pools and wetlands. The leech field is also above grade from said Vernal pools and wetlands. Gravity will only take the polluted water in those directions.
- His project will call for extensive clear cutting of trees and removal of thousands of feet of multiple stonewalls older than the town.

- The pure size and scope of this project, along with its poor engineering, leaves much to be desired. It also leaves no room for mistakes or corrections down the road.

The Developer:

- The developer's very poor engineering of a project of this great scale is very concerning. A lot of his numbers do not add up. Having houses in close proximity to abutting neighbors and claiming he's going to change grade, build berms and put up visual blockers is not possible in the space he has allotted for in between the property lines.
- The developer's application is riddled with mistakes and lies regarding the property in question. For example, he claims the property has never been attempted to be developed. This is not true considering I, myself, tried to develop it two years ago. The property is landlocked by a piece of my property. The current owner of 28 Coffin Street must always ask permission before bringing potential investors/developers out to the property because they have to cut through our land. He has done so countless times over the last four years to do testing such as perk tests and wetland markings. A few years prior, The Green Company attempted to also develop the land. The town has some plans submitted by them.
- After researching the developer's last projects and reaching out to those communities, we have heard time and time again that he is not to be trusted. He makes promises to abutting neighbors that he does not keep. Furthermore, when the project is over he is nowhere to be found when things go wrong. His past developments also show very poor quality riddled with engineering problems and mistakes including one that has a failed community septic system similar to the one he plans on installing in this proposed project.
- To my previous point regarding the developers quick hand and plan change, the developer failed to include storm water basins in the initial proposed plan yet included them in a plan with fewer homes. This begs to question his legitimacy of the first plan.

Municipalities:

- Water: Our town already struggles to meet the demands of freshwater supply. We currently have to purchase water from surrounding cities to meet our demands. As it is June, which should be the end of our wet season, we are already in a mandatory water ban. How are we going to supply 92 additional houses with clean and safe, drinkable water?
- School systems: The developer's prediction that there will only be a small percentage of children living in this development is not only absurd it is a blatant lie. According to the Census Bureau from December 2019, the average household has 1.2 children. This indicates that given the scale of the proposed project, there will be an additional 110.4 children added to the

school system. In such a small town adding this increase in population to the school system can be detrimental to the overall quality of education the children would be receiving.

- Police and Fire Department: Increasing our population by this much will put a strain on our police and fire department that are already spread thin as is.

In closing, like previously stated, we are in favor of more subsidized housing. However, this is not the solution to our problem. The developer may say he is doing this for the good of the town and to increase our subsidized housing levels. However, a plan that jams this many units into such a small and unstable area shows nothing but the developer's greed, and blatant disregard to the town's integrity and characteristics. It is not fair to allow one person's greed to destroy a neighborhood/town so that he can stand to profit greatly at the town and citizen's expense.

As you review the developer's application, we would like you to consider our concerns and imagine how a project of this scale would impact your life if it came to your backyard. We would like to invite you to please visit our land to see what this would do to our property first hand. For a personal tour please contact

████████████████████ We thank you for your time and attention in this matter.

Sincerely,



Michael Ricci



Katie Ricci

Town Manager

From: dana maglione [REDACTED]
Sent: Tuesday, July 28, 2020 11:33 AM
To: Town Manager
Subject: 40B

Hello again Angus,

There are many reasons this modified 40B proposal to 92 units is bad for the town as a whole but I will hit a few of the main concerns.

This proposal would add nearly an additional 10 percent of total connections to the town water supply which is already strained and has restrictions many times spanning six months during the year.

The proposal is also three times the size of the other two this developer has already established in town. That being the one on the old Daley Property and one off Whetstone street. The displaced wildlife is a serious concern here as well.

We all agree the town definitely has an affordable housing concern, many of which have started to address of late, but a development as such is not the answer. I mean if this went thru as written this one developer would have been responsible for adding roughly ten percent of homes to West Newbury, with very little affect to affordable housing concerns.

Anyway, there are other concerns as well (traffic implications, too much volume in small area, wetlands and impact to natural resources) that most others have already addressed.

thanks again,

Dana Maglione
Main Street

Town Manager

From: Melanie Cosgrove [REDACTED]
Sent: Tuesday, July 28, 2020 1:40 PM
To: Selectmen; Town Manager
Subject: Proposed 40B Coffin St

Hello,

My name is Melanie Cosgrove and I am a local resident of town. I am also a local realtor and I am reaching out to share my concerns regarding the proposed 40B development off Coffin St.

As a resident, I am concerned overall about our town's lack of a Master Plan. I grew up in a similar community (Dunstable Ma) where 113 also cut through the town and most who drove through as a cut through to other towns all while passing by our beautiful open spaces and dairy farms. Until one day when those open spaces and climbing real estate values grabbed the attention of developers.

As a realtor, I can appreciate a developer seeing the possibilities in a town like ours and understand the shortage of inventory driving prices. However, much like little Dunstable, we in West Newbury are extremely vulnerable to the developers who have deep pockets and little to no true respect and appreciation for our little town. They see dollar signs. Period. And I know this first hand from my experience as a realtor. Dunstable was successful in creating a Master Plan (proud to say my Mother played an active role) that is still in place today and has ensured that not is the town protected as the plan was designed to do, it allowed for smart growth and changes too.

As I am sure you are aware, a master plan is a way to protect the future of our little town. It would be my suggestion that we bring in a professional master planning service to inspect all the wonderful attributes of our town allowing residents to be reminded of and appreciate all that the town had to offer and take pride in our little piece of country living. Most know it already and were drawn here because of it. A master plan would educate residents and see the big picture plan for future as well as controlling population or smart growth to ensure a strong infrastructure that would truly be necessary to support any influx in building new homes.

We moved here from Groveland 10+ years ago. We bought here in town because of our love for open space and the rural character of our West Newbury. We raise our three teenage boys and have horses, chickens, a goat, alpacas and a donkey in an antique that dates back to 1729 on 10 acres on Crane Neck St and is, in our opinion, everything West Newbury should be. We feel so fortunate to live here and I am proud to share that story each time I list and/or sell a home in town.

What we don't need is another development by this developer who has clearly tapped into something here in West Newbury and is back for more. He is not here because he cares about West Newbury he is here because he was successful in building cottages on prime pieces of land and none of his plan is in keeping with the rural character of our town. He will continue to come here as will others if we as a community do not stop it - at least for now - and come up with a plan to protect what we have before it is gone forever.

The last thing we need here in this community is more COTTAGES. Once we allow what we have to be developed on we can never get it back. Please do not allow this to happen to West Newbury.

Thank you for your time and consideration.

Melanie Cosgrove
Pat Badger
75 Crane Neck St
West Newbury MA 01985
[REDACTED]

Town Manager

From: Tom and Beth D [REDACTED]
Sent: Tuesday, July 28, 2020 1:39 PM
To: Selectmen; Town Manager; Bruce.Tarr@masenate.gov; Leonard.Mirra@mahouse.gov
Subject: Cottages at Rolling Hills #2

Gentlemen,

We have been residents of West Newbury since 1973 and have enjoyed living in our small town community. All of our four children attended the Page School and Pentucket Regional Schools. Because of the quality of their education, they all went on to graduate from excellent four year colleges.

We believe it is essential to be environmentally sensitive to our surroundings and as such, support Mass. Audubon Society and the Essex Green Belt Association. We, like many of our neighbors, enthusiastically took advantage of the Town's residential electric solar panel program. We have been supporters of the Town's purchase of open land as it is crucial to the West Newbury wildlife's survival.

The Cottages at Rolling Hills is an affront to the essence of West Newbury. For the almighty dollar, this developer is attempting to use the excuse of providing some affordable housing to circumvent the Town's core values. A 92 unit housing development on seventy one acres is too much, too quickly. West Newbury's soil is principally glacial clay which does not drain well and requires expensive leaching fields. Our Town does not have a sewer system and each home must provide their own environmentally approved system. In the near future the Cottages at Rolling Hills' leaching fields will need to be updated. Jamming this many residences in this small area will not afford these homes the ability to construct new leaching fields. Who will pay for these anticipated and expensive costs? The property drains into the Merrimack River.

This project will increase the Town's population by 5%, creating a major burden on the school system, straining the West Newbury water system and reducing wildlife habitat.

We adamantly oppose the proposed development!

Thomas and Elizabeth DiGiuseppe
327 Middle Street
West Newbury, MA 01985

Sent from my iPad

Town Manager

From: Kathy Feehery [REDACTED]
Sent: Tuesday, July 28, 2020 5:38 PM
To: Town Manager
Subject: Comments on 40B revision

To Board of Selectmen and Town Manager,

First of all, this should have been presented as a new application as there are questions left unanswered by the revisions in the 40B application for the Coffin and Main Street Site proposed by Cottage Advisors.

I feel that the developers of Cottage Advisors continue to show their ignorance about our town and this site as well as disdain for West Newbury in this revision.

The letter from Cottage Advisors continues to tout Open Space but this is not a reality. There is no contiguous Open Space from Main Street to the northern boundary of this site, unless this is the road, wetlands and land under the National Grid ROW. There is some additional space near Cortland Lane but I suspect this land is not being developed as it would be uneconomic to do so - the cost of road and utilities outweighing the possibility of larger areas around the "cottages" for the owners to enjoy as well as provide more privacy and security. Additionally, the letter mentions trails to open "tracks" (perhaps they mean tracts?) such as Long Hill and "Mill Point" These demonstrate the developers ignorance of the local area. Long Hill is a private farm and is only accessible from this development by a perilous walk down 113 to a farmstand. And I presume Mill Point refers to the Mill Pond Area, which again is accessible by walking down 113. The site plan does not show trails nor sidewalks for pedestrians either within the development or for access to the site.

As an abutter to this proposed project, I feel the disdain from Cottage Advisors as they have not reached out to the abutters. It has been over 4 months since the original proposal was submitted and although the developer has "attended " some remote meetings, no comments have been made nor has a remote meeting ever been offered to the abutters. I fear for the effects that this project will have on my business, a local horse farm that has been operating since 1997. My primary concerns are for the wetlands that bisect our properties and the private water wells that my home, business and neighbors depend on for clean healthy drinking water. I note that the leaching fields on this revised plan seem to be the same size as on the original proposal which makes me question the engineering behind them. The leaching fields are constrained by wetland delineations and are proposed to be uphill from a sizable wetland which most likely be adversely affected by the 10's of thousand of gallons that will be processed daily.

Other concerns regarding this changed proposal are what and where are the "pocket parks" on this site. If there is so much open space, why are these being touted? Another example of ignorance is the continued misspelling of the road for Cottage Advisor's local office. Story Avenue is not a road in Newburyport and if it is Storey Ave, the "office" is most likely a mail box at a local strip mall. Also, what happened to the community center which was to be a focal point for residents? There seems to be a tiny building with 4 parking spots in that area but no indication what it is, possibly infrastructure for the community septic system? Yes, Cottage Advisors is certainly promoting "new urbanism" with sprawl and congestion.

Sincerely,
Kathy Feehery
Riverrun Farm
540 Main Street
West Newbury

Town Manager

From: [REDACTED]
Sent: Tuesday, July 28, 2020 10:43 PM
To: Leonard.Mirra@mahouse.gov; Town Manager; Selectmen
Subject: Cottages at Rolling Hills "Revision"

To All,

First, we wish to thank all of you (and others) with the efforts already made regarding the proposed "Cottages at Rolling Hills" development plan.

This "revision" of 92 units is still too large. As many of us stated in previous letters, this planned development will have a profound impact on our town's infrastructure, water supply, open spaces, wetlands and wildlife. The increase in traffic volume on Coffin Street and River Road, along with the proposed two access points on Main Street, are potentially life threatening and of major concern. This "revised" plan negatively affects the rural character that many of us moved to West Newbury for.

We are also concerned with the tactics being used by this developer. The "bait and switch" that took place is very disturbing. His attorney's letter to Mass Housing dated June 30, 2020 implies that he reviewed all the comments from the town of West Newbury regarding his first proposal and "has made significant changes to the development to mitigate many of the concerns". How can that be? **The "revised" site plans are dated March 24, 2020 - two months before the town residents' letters were submitted!**

In this same letter to Mass Housing (page 4), his attorneys state, "The layout, infrastructure and the cottages are designed with **new urbanism concepts**, allowing for large tracks of land to be preserved as Open Space." Characteristics/definition of New Urbanism - "*an urban planning and design movement that began in the United States in the early 1980s. Its goals are to **reduce dependence on the car**, and to create livable and walkable, neighborhoods with a **densely packed array of housing, jobs, and commercial sites**.* Where are the jobs in West Newbury? The public transportation? And how is that in keeping with the beauty and character of our town?

We have nothing against affordable housing and realize that we need to address that issue. However we do take issue with a developer claiming 40B as a vehicle to his own gain. Let's just call it as it is - Greed, plain and simple!

Regards,
Clif and Debra Treco

Town Manager

From: Alice Stengel [REDACTED]
Sent: Tuesday, July 28, 2020 9:39 PM
To: Selectmen
Subject: 40b development

Dear Selectmen,

I am vehemently opposed to this development. I have no objection to affordable housing but I see many house available in town under the price this builder has set as his affordable price. It's a strain on roads - water - services with little investment from an opportunistic builder with no ties to the community. Please do whatever possible to stop this poorly designed and badly planned development.

It's the wrong builder, the wrong plan, in the wrong community. No to 40 b

Alice Stengel
11 Newell Farm Drive
West Newbury MA
Sent from my iPhone

Town Manager

From: Scott Szycher [REDACTED]
Sent: Wednesday, July 29, 2020 8:45 AM
To: Selectmen
Subject: comments on 40B proposal

Good morning,

I am a West Newbury resident, and would first like to thank the Board of Selectman for their work regarding the proposed 40B development off Coffin Street. I am writing to you to express my continued concerns, even with the scaled-down proposal that the developer has submitted. I can summarize my concerns as:

- It's still, by West Newbury standards, a very large development with significant impacts, that if I understand correctly, would only increase the town's affordable housing stock by 1.5%.
- We have on-going water concerns in West Newbury (both in terms of our need to purchase water from Newburyport, and the broader troublesome trends in low river flow and drought during extended periods of Spring and Summer), and this development would only exacerbate that situation.
- The land proposed for the development is quite valuable and sensitive; I'm not sure whether part of this parcel was under consideration for the solar farm proposed a few years ago, but even if not, this land seems ill-suited for a major development from an environmental and ecological perspective.

While I am in favor of smartly increasing the town's affordable housing stock, this proposal would do little to accomplish that objective. It strikes me that the vast majority of the benefits would go to the developer, rather than the town. I hope the Board of Selectmen and Mass Housing will reject this plan, and we can pursue developments that benefit the town to a much greater degree.

Best Regards,

Scott Szycher
17 Hilltop Circle

July 29, 2020

**BY ELECTRONIC MAIL: MBusby@masshousing.com
AND FIRST CLASS MAIL**

Mr. Michael Busby
Massachusetts Housing Finance Agency
One Beacon Street
Boston, MA 02108-3110

Re: 28 Coffin Street & 566 Main Street, West Newbury – Proposed Chapter 40B Project

Dear Mr. Busby:

As you may recall, we represent neighbors and abutters to a proposed Chapter 40B project at 28 Coffin Street & 566 Main Street, West Newbury, Massachusetts (the “Project” and the “Site”). We submitted a comment letter to MassHousing on June 12, 2020, and the Town of West Newbury submitted several comment letters on June 16, 2020.

On June 30, 2020, the Applicant Cottage Advisors MA, LLC (“Developer”) submitted a new plan set, depicting a substantially re-designed project. Specifically, the unit density has been reduced from 152 units to 92 units, the lot and roadway configuration is materially different, and stormwater management utilities are now shown, for the first time, in locations where residential structures were previously proposed - a remarkable admission that the original 152-unit design was not technically viable.

We have reviewed the revised 92-unit plans and the June 30, 2020 cover letter from Attorney Melissa Robbins. Attorney Robbins claims that the Developer “made significant changes to the development to mitigate many of the concerns [stated in the town comment letters].” Letter, p. 1. However, the only significant change that “mitigates concerns” is the reduction in the number of housing units, which the Developer needed to do anyway to get below the “Large Scale Project” cap under 760 CMR 56.03(6) and avoid an outright denial of the comprehensive permit from the Zoning Board of Appeals. We would like to address and specifically rebut several mischaracterizations of the 92-unit plan in the Robbins letter.

A. *Open Space and Wetlands*

The 92-unit project is still harmful to public safety, planning and environmental interests,

as the Project will still require the deforestation of most of the developable areas on this 75-acre site. Attorney Robbins' continued promotion of this project as preserving "open space" is disingenuous at best.¹ We and the Planning Board noted in our first round of comments that development of large portions of the Site is impractical, confined by poor soils, steep slopes, and the presence of high-tension wires and poles. These areas, which are shown as undeveloped areas on the new plan, could not be developed anyway, and it is therefore inappropriate and misleading for the Developer to take credit for their protection.

Attorney Robbins says that the Open Space "is not fragmented," but that is untrue. Letter, p. 3. A road network snakes through the wetlands on the Site, from the Main Street access to the south, to the adjacent Cortland Lane neighborhood to the north. These roads bisect the Site, cutting the westerly open space adjacent to the power lines off from the open space provided on the east side of the road.

The 92-unit project will still require significant intrusion into the state-regulated 100-foot wetland buffer zone, including stream and wetland crossings. The Developer's continued omission of jurisdictional streams on the Project plans, which are clearly shown on MassGIS and USGS maps, has the effect of downplaying the environmental sensitivity of the Site, to the Developer's advantage. This should not be condoned.

B. *Site Design and Recreational Amenities*

Remarkably, the Developer is claiming that the proposal allows for active and passive recreational opportunities (Letter, p. 4), but there are no recreational areas shown on the plans, and most homes have very small yards. The Developer touts trail connections to abutting open space parcels (Letter, p. 4), but the plans do not show any locations for trails, on-site or off-site. Attorney Robbins further claims that there will be "pocket parks, walking trails and sidewalks" within the open space, with connections to "neighborhood infrastructure." Letter, p. 4. However, the plans show none of this. As we discussed in our first letter, Main Street is a busy road with no sidewalks, and Coffin Street is a narrow country road with no sidewalks. Thus, we question what connections these "sidewalks" will make with "neighborhood infrastructure."

Attorney Robbins' suggestion that the design of the Project "promotes neighborly interaction while preserving personal space and privacy" (Letter, p. 4) is belied by the fact that most of the units are in duplex buildings, and most of the duplex buildings are separated from one another by a mere 20 feet. Roads and buildings are set back just 30 feet from abutting properties. The Developer implausibly extols this over-crowding and lack of privacy as a benefit – "well positioned homes that encourage people to spend time with one another," (Letter, p. 4).

There is nothing the Developer can do to change the fact that the Project is the antitheses of sustainable development. Whether at 152 units or 92 units, the Project is a textbook example

^{1/} Attorney Robbins states that the homes are "strategically nested together to provide a larger area of shared open space and common area." Letter, p. 4.

of “sprawl.” The Developer has made no effort to improve existing public infrastructure that could make the Project more pedestrian and bicycle friendly.

C. *Water Supply*

Concerning the capacity of the municipal water system to serve an additional 92 units on the Site, we respectfully suggest that this is not an issue to defer to the zoning board’s public hearing. The availability of water is probably the most important prerequisite to any residential development, anywhere. A comprehensive water study should be done now, and if the existing municipal system cannot accommodate the anticipated increased demand, the Developer should not receive a project eligibility letter until it can demonstrate a viable plan to provide water to the Project.

D. *Regulatory Issues*

In our prior letter, we criticized the Developer’s “by right” plan, which represented that a 38-lot subdivision could be achieved through conventional zoning and permitting (non-40B). We explained that under no conceivable circumstances could an appraiser rely on such a plan for appraising purposes, because the 38-lot plan would require extraordinary waivers and variances from local bylaws that the property owner or a developer has no hope of obtaining.

In her letter, Attorney Robbins defends the 38-lot plan as “in conformance” with Chapter 40B’s land valuation standards. Presumably, Attorney Robbins is referring to Section IV.B(1) of the Chapter 40B Guidelines, which state that the allowable land cost under Chapter 40B is the “fair market value of the site under current zoning,” which “shall be determined by an appraisal.” For all the reasons we stated earlier, the 38-lot plan is demonstrably not in conformity with appraising industry standards as recognized by Massachusetts courts, and therefore does not comply with the Chapter 40B Guidelines’ land valuation policy.

Concerning site control, we understand that the Developer has now provided the purchase and sale agreement for the Project Site. The copy that was provided to the Town of West Newbury is missing page 5, however, which contains a provision concerning adjustments to the purchase price. We respectfully request that the Developer furnish the missing page to MassHousing and to the Town.

Concerning MEPA, Attorney Robbins agreed to send “all required documentation” to the MEPA Office once a project eligibility letter has been issued. We presume she is referring to an Environmental Notification Form, in which case we believe that would satisfy the statutory requirements. However, the June 30th letter failed to address the deficient NEF lender letter, or the discrepancies and omissions in the applicant information under Section 6 of the Application. The Developer also failed to explain any of its implausible responses in the “sustainability score card” section of the Application, which the Board of Selectmen, Planning Board, and others also commented on.

In conclusion, the revised 92-unit proposal is still materially detrimental to legitimate, local planning, environmental and public safety concerns, and should be rejected by MassHousing through this project eligibility evaluation process.

We appreciate the opportunity to comment.

Very truly yours,

/s/ Daniel C. Hill

Daniel C. Hill

cc: Clients

Town Manager

From: Pepper Wallace [REDACTED]
Sent: Wednesday, July 29, 2020 9:56 PM
To: Town Manager
Subject: Revised 40B project

Dear Mr. Jennings,

I am writing to express my concern for the revised proposal of the 40B site. I am particularly concerned with the developer in question who seems to have been dishonest with two other former projects in West Newbury. As the old adage goes " Fool me once shame on you..." Considering the public response to this project, I would say the citizens of West Newbury have had enough.

I am also very concerned about the percentage of wetlands on the property and how that seems to be in state of flux. This varies depending on which side of the fence you stand on. Who is right? An independent survey should surely be conducted when faced with such conflicting "data".

The development is still too big. I shudder to think of all the 18 wheelers full of stone, dirt, lumber and backfill FOR THE WETLANDS, Jake braking down 113 and zooming up Coffin. A project of this scale could take years. So let's imagine that disruption for years.

The "lower income" houses are not affordable. Using median home values in a town like this to create "affordable housing" is a farce and an insult in our current socio-economic climate. Shame.

Finally I am concerned with the basic infrastructure of the town like schools, water, and roads. So many new citizens in the town that quickly would be detrimental to the system as it stands now. Once it is done there is no going back.

Thanks So Much for your time.

All The Very Best,
Pepper Wallace

Sent from my iPhone

Town Manager

From: Zippy [REDACTED]
Sent: Wednesday, July 29, 2020 1:22 PM
To: Town Manager; Selectmen; Leonard.Mirra@mahouse.gov
Subject: Secondary Coffin/Main 40B proposal

Hi Angus and all,

I am writing in regards to the secondary proposed development off of Main and Coffin Streets.

I believe that the number of comments that were received the first time around speak volumes as to the overall feeling that the residents have towards this proposal.

After researching it even further, there seems to be a profound disinterest from the developer to be forthcoming and honest with exactly what is to take place.

There has been very little (zero) effort by this party to include the residents and abutters in the overall process.

I am very concerned with the negative impact that even a reduced development of this size would have on our town. The physical and environmental make-up of the town would change drastically much too fast. There would be significant negative impact on all quality of life characteristics, especially for those closest to the proposed area. The traffic increase alone would permanently and negatively alter those qualities that people seek when visiting or becoming residents of West Newbury. Additionally, this development would have the potential to cause harm to the surrounding waterways and watersheds including the Merrimack River, Indian River and Mill Pond, not to mention private wells and septic systems.

Overall, I am not opposed to all development, but even at the reduced size, this is still a terrible idea. I cannot express my opposition enough.

Thank you for your time.

Sincerely,
Zip Corning
619 Main St,
West Newbury, MA 01985
[REDACTED]

Comments to MassHousing on 40B Plan The Cottages at Rolling Hills

Donald Doak 14 Cortland Ln

1. It is very disappointing that the citizens and the Town have only been given 38 days to provide comments on this “New Plan,” particularly given the tremendous amount of work done by more than 200 citizens, Town Boards, Commissions and Committees
2. to review the “first plan,” and provide thoughtful and valuable comments on their many concerns.
 - a. Given the time of the year, and that we are still working within the state’s COVID restrictions on distancing, this has again put an undue burden on providing timely comments for this highly controversial project.
 - b. These changes are comprehensive and this should be viewed as a “New Plan,” and the request for more time, much closer to the amount of time requested in the letter from town council Mike McCarron on July 2nd, should have been allowed.
3. This should be deemed a “New Plan” and a new application submitted by the developer
 - a. It would appear that such substantial changes would be deemed a “New Plan” and therefore the need for a new application, or at minimum, be updated to determine issues such as:
 - i. In the PE application, Section #5 shows financials that are to be provided by the builder to determine the % of profit (14.4 % in original application.) It would seem this needs to be updated based on 92 units and then provided to the town for review during the commenting period. The fact that this has not been updated would not give commenters the appropriate information on the project.
 - ii. There is no indication as to how many “affordable” units are part of the 92 total units.
 - iii. There are several other portions of the PE application that should have been updated and sent to the Town as part of the commenting process.
4. This is clearly a “bait and switch” which was not done with any good faith to work with the Town, or town citizens.
 - a. The only reason this New Plan was reduced to 92 units is to slide under the “Large Project,” category and had nothing to do with the first round of commenting.
 - b. The “lack” of specifics in the original plan is evidence there was no intention to believe the builder was anticipating the 152-unit project would be allowed.
 - c. If the developer wanted to hear the feedback of the abutters and town citizens he could have met with us prior to submitting the 152-unit plan and we would have conveyed these concerns, yet there was no attempt to meet with any of us.

- d. This led to considerable work on the part of over 200 citizens, in addition to the Boards, Commissions and Committees and could have been done much more effectively had the developer taken the time and courtesy to have these discussions prior to the end of the first commenting period. If he were sincere about “hearing” the comments of the people of the town, a great amount of time would be saved in the need for a second round of review and commenting.
 - e. This is especially difficult to have a second round of comprehensive commenting during summer, with vacations, end of the FY for the Town and closing out fiscal business and still in COVID protocols, again, likely part of the developer’s “scheme.”
5. Greenbelt had LandVest do an appraisal of the property in 2014 (available upon request) where it was determined this plot of land could effectively handle from 6-12 homes
 - a. 92 units is a far cry from 6-12.
6. The increase in affordable housing
 - a. Although we do not know how many units would be affordable, (as this was not updated in the letter from the Hall attorney, or application,) but if you used the 25% minimum as required (23 affordable homes,) it is only an increase of 1.5%
 - b. This is compared to new market-priced homes, which would be an increase of 5.5% increase.
 - c. This increase in affordable housing is insignificant, compared to the increase in market-priced homes and puts too much of a financial burden on the town, safety, traffic, water (which we have been on a watering ban for over weeks.)
 - d. The Planning Board in a town of this size would never approve 92 (5.5% increase) in market-priced homes under normal permitting (three times the size of any building project in the town.)
7. Regarding application section for Sustainable Development Principles
 - a. Although within one mile of the Town Center, there are no sidewalks on either Coffin St.-a narrow, winding country road with several blind spots and dangerous at best with the amount of current traffic.
 - b. No sidewalks on Main St. immediately outside of the proposed entrance/exit for the vast majority of the distance to the Town Center allowing for safe walking, or bicycle access to the Town Center.
8. Reference to the development utilizing existing water
 - a. The town has been on a water ban for over 4 weeks, and this size development would put even greater strain on the water supply and add cost to the town to

purchase additional water from Newburyport.....all for an 1.5% increase in affordable housing (although as stated above, there has been no update to the application or in the developer's attorney letter as to how many of the 92 units will be affordable versus market rate homes.)

9. The plot of land at 28 Coffin St could have the most wetlands per acre in the town
 - a. This project will have extreme adverse environmental impact, including to a vernal pool on the project land that has been certified.
 - b. It is believed that an additional vernal pool very close to the leach field will be certified and would threaten the wildlife in the vernal pool.
10. High density placement of tanks
 - a. As in suburban areas, can result in regions containing very high concentrations of wastewater.
 - b. This water may seep to the land surface, run-off into surface water, or flow directly into the water table.
11. The setbacks from current homes and wetlands would not be allowed under any town's zoning laws and would create beyond an undue burden to existing abutters, who in good faith purchased their home with the protection and reasonable expectation that they would have a "reasonable" buffer zone if development were to be built on the property in question.
12. Storm Water run-off would put several homes on Coffin St at great risk of water damage due to the slope of the land and the inability to divert the water appropriately.
 - a. Areas of slopes are more than 25% exist in multiple locations.
13. The Town determined the appropriate zoning for this property is Rural/Agricultural/Light Residential many years ago for a reason.
 - a. Based on wetlands, slope, access to rural roads and more, A neighborhood of 92 units does not come close to meeting any of these three.
14. The scale and scope do not fit the character of the town and is in conflict to the reasons so many have chosen to purchase their biggest investment, their home, in a town with open space and rural character.

Given the many concerns beyond the normal course of good development and planning principals, the plan for the 92-units is still greatly detrimental to legitimate, local planning, environmental and public safety concerns, and we respectfully ask that it be rejected by MassHousing through this project eligibility evaluation process.

Town Manager

From: Kathy Feehery [REDACTED]
Sent: Wednesday, July 29, 2020 10:04 PM
To: Town Manager
Subject: 40B site Walk

Hi Angus,

I want to comment on two statements from the engineer from LandTech, representing Cottage Advisors on the site walk for the 40B proposal that have bearing on this development proposal.

As we crossed 113 to where the new road will intersect Main Street/Route 113 a car was heading East, cresting the hill and coming fairly close to the pedestrians group. The engineer commented on how he had not seen the approaching vehicle which reiterates the bad site lines that this new road will have.

Additionally, as we walked the area near the top of the hill on the east side of the development, he commented on how cool it was underneath the trees. And of course, all these trees will be clear cut to the property line to make room for the proposed duplexes, destroying any cooling and possibly exacerbating the effects of wind, especially in winter as this will be a NW exposure.

Thank you for your attention,

Kathy Feehery
Riverrun Farm
540 Main Street
West Newbury, MA

Sent from my iPad

Town Manager

From: Mike Ricci [REDACTED]
Sent: Thursday, July 30, 2020 9:37 AM
To: Town Manager
Subject: 40b site walk update

Hello Angus, just wanted to share a few things from the site walk with you. I already sent you my letter to MassHousing I hope you received it. Three things that came up that I think are worth mentioning that should be included in some form of the cities report are.

1. Right at the beginning of the walk when we were standing on main street about to cross to the location where the main entrance to the development would be. The lead engineer himself walked out in the street and was immediately almost hit by a car that came up and over the bump in the road. The car was coming from the direction of the ice cream stand. When he was almost hit he said and I quote "Wow I couldn't even see that car coming up over that hill" which I responded with "neither will the hundreds of cars/ pedestrians that will be pulling in and out of this development every day."

2. When talking about open space he told us the way they came to the acreage they are representing on the plan is he had the computer remove all of the roadways and all of the houses/structures and then removed the wetlands to arrive at their open space number. So when asked if the open space numbers included the front yard, the backyard, and the side yards in between the houses he said yes. I would argue that that is not open space. Open space is something everyone is supposed to be able to enjoy. I'm sure if I dragged a barbecue and some lawn chairs over there and set up in between two of the houses the people living there would have an issue with that.

3. My third point is just something the engineer said that really resonated with me. When we were at the location where the leaching field will be going and the engineer was describing the surroundings to us he said and I quote "We are currently standing on what will be the leaching field for the entire development. There are Wetlands almost completely surrounding us that we are upgrade from." This sounded even more outrageous coming from the person designing the project and saying that it will be environmentally friendly and safe.

These are all statements and actions directly from the lead engineer of the project. All three of these items were very concerning to me and like I said I feel like are worth incorporating in some thing that is going to MassHousing. Thank you for your time on this matter and thank you for having me on the site walk.

Thanks, Mike R

Sent from my iPhone

Town Manager

From: Jean Lambert [REDACTED]
Sent: Thursday, July 30, 2020 6:50 PM
To: Town Manager
Subject: 40B Comments Round 2

Importance: High

7/29/2020

Dear Board of Selectmen,

I am writing regarding the 40B Project Eligibility/Site Approval Application for 28 Coffin/566 Main Streets based on the new and second plan submitted by Cottage Advisors on June 30, 2020 and strongly urge you to work for the denial of this application to MassHousing. The proposed development, a third Cottage Advisors development *three* times as large as the two others in our Town, as well as a project on a scale on which the developer has never built before, would cause significant harm to West Newbury and its residents in numerous ways. While I support affordable housing that fits our community and our town Housing Production Plan that will move us to more of that, I feel strongly that allowing this project would forever negatively impact our Town, markedly compromising the rural life we residents all value and threatening our safety. Here are my specific reasons:

1. **Unacceptable Size, Density** - While the new and second plan proposed by Cottage Advisors conforms with the state requirement/formula of not increasing housing in our town by more than 6%, it is at the maximum point of increase and still way too big for rural West Newbury. A total of 93 housing units all at once would increase both West Newbury housing units and population by far too much simultaneously, placing undue burden on town services such as police, fire, and schools as well as adversely impacting all town residents through mounting taxes for these services. As cited below, a previous 2014 study of this property by LandVest (paid for by the Town and Greenbelt) concluded that, given the land's topography and extensive wetlands, the "highest and best use" of this acreage was 8-16 houses with the 8-house option preferred and yielding slightly more profit than the 16-house option.

"Given the slightly higher value and considerably lower risk associated with Plan A (8-Lot Definitive Subdivision), I consider Plan A to be the more reliable illustration of the property's realistic physical and legal carrying capacity." (LandVest, December 2014)

2. **Traffic Imperils Residents** - MassHousing may not usually consider increased traffic an issue, but there are special circumstances here that need to be recognized. While the developer does not specify the number of parking spaces on the new plan, daily trips by the multiple residents of 93 housing units - conventional estimates stipulate 4 per person per day - would be in the hundreds and endanger residents. One of the two exits from this development is on Coffin Street, as shown on the revised site plan. Coffin Street is a narrow, hilly, rural road and with several dangerous curves and limited visibility ahead under the best of circumstances. It cannot absorb this considerable increase in traffic without greatly endangering residents. Residents traveling on Coffin St. would take their lives in their hands every time they got in their cars for necessary errands. I myself have driven Coffin St. for 35 years and am still always on my guard, especially now that folks constantly drive in the middle of the road and you cannot see them until they are very close. It is a dangerous road already and would become deadly with even half the traffic this new development would add.

Additionally, River Road, accessed by Coffin Street, is a chief recreation road in West Newbury as well as a designated River Trail and a link to the town's Riverbend Recreational Area. Many residents - both adults and children - take advantage of River Road to enjoy scenic river views, bird and wildlife watching, fishing, river access, running, bicycling, walking, and baby carriage pushing. Recreation on this road has increased notably with the

ongoing virus pandemic. It too is narrow and curvy and dangerous, even under optimum conditions. I walk River Road almost every day and have seen over and over again that if I am walking and two cars are passing each other, I am in danger of being hit. Multiplying the car trips on these roads by hundreds will certainly imperil residents.

3. **Wetland, Well Contamination by Sewage** - The sewage plant as depicted on the new and second site plan shows multiple lift stations that are located far from the sewage treatment plant and would require extensive piping. Given the topography of this land, they are needed to convey the sewage uphill to the leach fields. According to Ray Cook, an engineer on our town Planning Board, such systems require pressurization and are known to leak a great deal. These leaks in the pipes are difficult to find and fix, Ray notes. Additionally, the leach fields are bordered by large wetlands on each of two sides, wetlands that are down very steep slopes from the leach fields. It seems that such a system would be prone to spewing out effluent into the ground and that this effluent with its bacteria could easily get into the wetlands plus the water table thus compromising the wells of those in the area as well as wetlands and wetland wildlife.

4. **Adverse Effect on Area Wells** - West Newbury is already facing water shortages since its well field is insufficient to meet demand. The proposed development would require a considerable amount of water daily to service multiple residents of 93 housing units, water the Town simply does not have and cannot buy from Newburyport since Newburyport is currently short on water too. Also, if the development were to turn to wells, it could constrain wells in the area or even run them dry given its large daily gallon requirement.

5. **Compromises Wetlands** - The new plan for this development endangers wetlands and ignores legal wetland buffer zones, depicting inadequate and problematic buffers. For example, there are two vernal pools on this property that are not considered. (One of these, which falls partly on the abutting Feehery property is currently in the process of being certified.) State law requires a buffer of 100 feet around vernal pools and even more when there is connectivity between vernal pools, as there may be here. Moreover, the five leach fields sit between two large wetland parcels which incline very steeply up to the leach fields. *E. coli* bacteria could leak into the wetlands from these leach fields hurting wetlands and their wildlife.

4. **Wildlife Endangerment** - The scale of this project, the resulting traffic, the widespread wetlands on the parcel to be built, the extensive clear-cutting of trees, and the land's location in the middle of an extended wildlife corridor less than a mile from the Merrimack River would severely threaten an already shrinking wildlife habitat and endanger or kill many wetland-dwelling protected and endangered species. For example, the proposed project could obliterate vernal pool-breeding species such as the blue-spotted salamander. It could decimate species that breed in the vernal pool and then live in the woods when not breeding, like the wood frog. In addition, there are bald eagles who have nested and hatched young on the Merrimack River currently (on River Road), less than a mile from the proposed development. They regularly fly over this property to hunt, according to abutters of many years. The accompanying building and subsequent dramatic increase in traffic cited above would negatively affect these nesting bald eagles along with other wildlife such as snapping turtles which come up from the river and across River Road to breed.

6. **Developer's Unkept Promises/Legal Action** - This particular developer promises much but does not deliver what he says he will. He has a bad track record of unkept promises and legal trouble. Residents at his River Hill development on Follinsbee Lane off Whetstone Street in West Newbury are currently considering a class action lawsuit against Cottage Advisors to address severe drainage and erosion issues plaguing their neighborhood as a result of promises the developer made but did not keep, poor construction, and dubious practices such as removing all the River Hill topsoil to sell for profit. (Concerning this last point, residents told me they cannot grow lawns given this practice of his.) In the new development this developer is building on Main Street, Drake's Landing, I heard he is engaging in unethical selling practices by increasing prices suddenly at the closing meeting. As of the end of July, residents of Drake's Landing are informally organizing against him. He is also facing legal action related to his development in Wells, Maine, and his new development in Newburyport, Port Place, on the old Evergreen Golf Course, is experiencing complaints by residents. As of the end of July I have learned that residents of Port Place are also organizing informally against him and have gone to city officials to seek help. (Note, both Drake's Landing and Port Place are not yet fully built so do not yet have Homeowners' Associations. Thus they must handle their grievance process informally.)

I ask that the developer's building history be thoroughly investigated as part of this application. Specifically, data need to be gathered to examine the ongoing legal actions plus complaints against him and residents across Cottage Advisor

developments who have been aggrieved by his tactics should be interviewed to get their stories. We do not want this developer to create more problems in our Town.

7. Increases Town Vulnerability Re Climate Change and Pandemics - Speaking more generally, I am concerned about the extensive clearing of trees this project would require (particularly the many old-growth oaks and other old-growth mature trees I saw on a site walk of the property on July 29) when we know with the certain proof of scientific studies that carbon-storing trees help mitigate climate change and provide habitat for all sorts of wildlife. Why should all of us in West Newbury - about 4,500 residents - increase our vulnerability to climate change plus diminish critical wildlife habitat so one man can make a lot of money? Additionally, we have clear evidence from our current pandemic that dense areas where people are closely packed together result in increased cases of the Covid-19 virus and deaths. Why should West Newbury introduce a dense city within our Town and risk residents' physical safety by obliterating rural spacing, all for one man's profit?

Thank you for listening and for working for the denial of the Cottage Advisors 40B Project Eligibility/Site Approval Application for 28 Coffin/566 Main Sts. 40B projects like this one are meant for urbanized areas close to public transportation and services or densely populated suburban areas, not rural areas like our Town without public transport and easily accessed services. The issues cited above, along with the many other problems related to this project that others have addressed in comments submitted to you, demonstrate that the proposed project, even in its new and second iteration, is not at all well thought out or a good fit for West Newbury.

I appreciate your representing and serving West Newbury, the Town I care deeply about and have also tried to serve in various ways for over 35 years.

Respectfully,

Jean Lambert

Dr. Jean Trescott Lambert
215 River Road
West Newbury

Town Manager

From: Deb Hamilton [REDACTED]
Sent: Friday, July 31, 2020 12:18 PM
To: Town Manager
Cc: Rick & Cathy Feehery
Subject: Coffin Street Development comments

Dear Angus, BOS and ZBA,

The reduced number of units now proposed for the Beaucher property on Coffin Street will still wreak environmental mayhem on both abutters and the Riverbend Conservation Area. Impervious surfaces—rooftops, parking, sewer system, infrastructure and roadways—will certainly exacerbate the runoff along Coffin Street, affecting nearby homes and degrading the pristine watershed along the Indian River across the street.

I cannot believe that accurate storm water calculations and soil analysis have been considered in the plans filed to date. Additionally, inclusion of a footpath and equestrian trail should be an integral part of any development proposal, safely allowing residents and neighbors access to Town land and over existing deeded trail easements. The modified plans are only slightly less egregious than the earlier proposal, and the number of housing units is still excessive.

Thank you for your consideration.

Deb Hamilton
227 Middle Street
Mill Pond Committee Member
WNRDC Vice President
ECTA CoChair
former Conservation Commissioner

Sent from my iPhone

Town Manager

From: ellen alden [REDACTED]
Sent: Sunday, August 2, 2020 9:51 AM
To: Selectmen
Subject: 40B Coffin St

Dear Selectmen-

I am having the same concerns about this revised 40B development as the original plan --for the following reasons :

1 -water --the town cannot support the additional water needed for this vast a development --many of us are on well water and could be adversely affected by a surge in overall usage of town water which could affect the quality and quantity of our well water --

2 - roads - Coffin st - River rd and Main street will be adversely affected by too much traffic added to an already overly busy rte 113 (Main st) -

3-terrain - the wetness and slope of the terrain cannot support this type of development --for example I horse sit occasionally for a person on Coffin St who abuts this proposed development - I know how wet the properties there become in the Spring -I fear that this development will cause major flooding and major septic problems, both inside and outside of the development --

3- schools --the school system will be overloaded with many more students adding more expense to the town - creating another financial burden --

open space --there are numerous important trails thru this acreage that connect to easement trails, public trails , and private trails, one of the assets that make this town very special --

In conclusion, I am totally against going forward with this project and am hoping my opinion will help to make a difference ---I know I am in the majority of residents who are against this development --frankly, I don't know of one person who supports it ---

as a concerned resident and tax payer --

sincerely

Ellen K Alden

august 2, 2020