

From: Elizabeth Hughes
Sent: Tuesday, April 21, 2020 9:51 AM
To: Geoff Edgers; Planning
Subject: Re: Preliminary Subdivision Plan #246

Good morning Geoff,

I have tried to answer your questions (in RED) as best I can, although I know some of the answers are not very promising.

Is there any way to revive the P.R.D. or bring back the idea of open space bordering Highland and a fossil fuel free development? The Applicant is the only one that could revive the PRD. The process for the review of this proposal is now under the Planning Board Subdivision Rules and Regulations, which are governed under the State's Subdivision Control Law. This is significantly different than the PRD Special Permit process under the Zoning Bylaw. Under the Subdivision Rules and Regulations and Subdivision Control Law, there is no mechanism by which the Planning Board could restrict the use of fossil fuel in the development. There is also no mechanism to require the open space border along Highland. The option available to the Planning Board under the Rules & Regs is pursuant to Section 6.20 Reservation of Land for Public Purpose. The Board may require the designation of a portion of the land be reserved for up to 3 years for municipal purposes, which could be a public park. The size of the area to be reserved shall not be unreasonable in relation to the total size of the property being subdivided and to the prospective municipal use of the reserved land. Additionally, the Town is required to "justly compensate the owner for the land acquired." This means that the Town would be required to pay fair market value to purchase the reserved land.

As for the size of the land, if the Town needed an area of land for a small electric substation, it could not say it needed 3 acres be reserved for it since that would be considered unreasonable. If the Town wanted a public park, we would have to research technical planning requirements for what would be adequate for the number of homes being built. Please remember, the size of the park is in relation to the size of the land being developed; Not the size of the neighborhood.

- What protections are there for the trees on site? The only protection for the trees on the site is pursuant to Section 6.2.1 Protection of Natural Features, which requires the applicant when laying out the roadway, to give due regard for all natural features such as large trees, that if preserved, would add attractiveness and value to the subdivision. These features shall be left undisturbed wherever practical and the Board may waive design requirements in order to protect important natural features. The construction of the subdivision road, utilities and stormwater drainage are not subject to the Town's Tree Bylaw. The

construction of the individual homes on each lot will be subject to the Tree Bylaw.

- Will the homes still be designed by local architect Elise Stone? Will they be changing in appearance? **The Board has no control or authority over the design of the homes.**
- Can we get assurances that construction vehicles will not park on our street and will access the development from internal access roads, not Highland? (We have seen quite a lot of new construction traffic even with the single house Symes is now in the process of building.) **Should the Planning Board approved a Definitive Plan, there would be a condition of approval prohibiting access to and parking on Highland.**
- Please assure us that Earth removal will not proceed through our neighborhood. It should be through the larger access of Main Street. **If the Zoning Board of Appeals grants a Special Permit for the Earth Removal, there would be a condition of approval prohibiting access to and parking on Highland.**
- Will air quality be monitored during construction? **There is no specific requirement in the Zoning Bylaw for the Earth Removal or the Subdivision Rules & Regs requiring air quality monitoring during construction. I believe there are specific State standards through DEP regarding air quality, but this is something that will have to be researched and discussed during the Definitive Subdivision and the Earth Removal Special Permit public hearing process.**
- What hours will construction work be allowed to proceed? **The Town's Construction Noise Bylaw limits construction noise to: prior to 7:00 am and after 8:00 pm on weekdays and Saturdays which either annoys, disturbs, injures or endangers the reasonable quiet, comfort, repose or the health and safety of others within the Town. Additionally, it shall be unlawful for any person or persons to create, assist in creating, continue or allow to con-tinue any excessive, unnecessary or unusually loud noise related to non-public construction activities as outlined below prior to 8:00 am and after 6:00 pm on Sundays and the following holidays: New Year's, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Christmas.**

Additionally, I believe that trucking for earth removal onto Main Street would be restricted from happening during morning and evening peak hours.

I hope this helps explain a few things. Please let me know if you have any other questions.

Sincerely,
Elizabeth

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From: Geoff Edgers <gedgers@icloud.com>
Sent: Monday, April 20, 2020 2:47 PM
To: Planning
Subject: Preliminary Subdivision Plan #246

Dear Planning Board:

I am writing about Symes Development's application for a 22-lot subdivision off 146B, 1440, and 1450 Main Street. I live at 50 Highland Street, which borders the proposed development.

First, I want to commend the Planning Board on your earlier recommendation with conditions for the P.R.D. on the site. We are very disappointed that the plan, far superior to a standard subdivision in so many ways – green space bordering a residential neighborhood, a commitment to not install a fossil fuel link, some control over tree removal – was not really understood by the ZBA and also was opposed by a small group of loud voices who both don't live in the area and spread misinformation throughout this process. We have been unable to get information from these folks - who live on Prairie Street, which is not in the shadow of this land. They have regularly whispered to others in their neighborhood about a "plan" that they have but our attempts to extract that "plan" have been met with silence.

We are hoping, with your understanding of the many, complex issues and simple geography that you will weigh our considerations as direct abutters.

Jeff Rhuda, who has been our main point of contact through Symes, has been told about our concerns and has tried to work with the neighbors for more than two years. He has listened to our concerns and while we don't agree with everything Symes does, I do appreciate that level of responsiveness and hope it is noted.

Here are questions I would like to raise:

- Is there any way to revive the P.R.D. or bring back the idea of open space bordering Highland and a fossil fuel free development?
- What protections are there for the trees on site?

- Will the homes still be designed by local architect Elise Stone? Will they be changing in appearance?
- Can we get assurances that construction vehicles will not park on our street and will access the development from internal access roads, not Highland? (We have seen quite a lot of new construction traffic even with the single house Symes is now in the process of building.)
- Please assure us that Earth removal will not proceed through our neighborhood. It should be through the larger access of Main Street.
- Will air quality be monitored during construction?
- What hours will construction work be allowed to proceed?

Thank you for your volunteer work and we appreciate your thoughtful approach.

Best,

Geoff Edgers
50 Highland Street
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