

## Planning Board Admin

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**From:** Jill Mann <jill@mannpc.com>  
**Sent:** Thursday, December 17, 2020 4:06 PM  
**To:** Planning Board; Planning Board Admin  
**Subject:** 105 High Road, OSRD (offer to sell by K O'Brien)  
**Attachments:** Offer to Sell K O'Brien.docx

RECEIVED  
DEC 17 2020  
Newbury Planning Board

Hi Martha, I hope you are staying warm and out of the snow.

I wanted to follow up on last evening's meeting. I already reached out to Brian Winner and copied you on the email. I hope that the Board understands that Mark is making an effort to respond to their comments and that the 11 unit plan is intended to meet Mark's financial needs while providing the Town with a large parcel of desirable open space and being mindful of density.

During the meeting Mark, in reaction to Kathryn O'Brien's statement that she is trying to protect the neighborhood from development, informed the Board that Ms. O'Brien has actively attempted to market her property as a high density residential development and in fact offered to sell her property to Mark for \$2.7 million dollars. An offer that Mark declined due to title issues relating to an outstanding order of conditions on Ms. O'Brien's property.

Last night I did not want to engage in "he said she said" during the public hearing and respectfully withheld comment. That being said, attached is a copy of the email chain between Ms. O'Brien's attorney and Mark's attorney, Mark Griffin. Please distribute this email and the attached communications detailing Ms. O'Brien's offer to the members of the Board. Also please post this communication and attachment as part of the public record. It is important that the public and the members of the Board understand that the sentiments expressed by Ms. O'Brien are not based on altruistic values but rather stem from avarice and resentment due to Mark's refusal to acquire her property.

Thank you, Jill

*Jill Elmstrom Mann*

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**From:** Charles D Rotondi <[charlesdrotondi@hotmail.com](mailto:charlesdrotondi@hotmail.com)>  
**Sent:** Friday, May 29, 2020 12:11 PM  
**To:** Mark W. Griffin <[mark@finnic.com](mailto:mark@finnic.com)>  
**Subject:** Re: 101-103 High Rd Newbury/Mark DiPiero/Back up Offers

That is fine Mark. Just spoke to Kathryn.  
Thanks  
Chuck

Sent from my iPhone

On May 29, 2020, at 8:57 AM, Mark W. Griffin <[mark@finnic.com](mailto:mark@finnic.com)> wrote:

Chuck

My client would like permission to walk the land with his engineer on Tuesday. He expects to have an answer to your client by next Friday. Kindly advise.

Mark W. Griffin, Esq.  
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[mark@finnic.com](mailto:mark@finnic.com)

**From:** Charles D. Rotondi <[charlesdrotondi@hotmail.com](mailto:charlesdrotondi@hotmail.com)>  
**Sent:** Wednesday, May 27, 2020 9:03 AM  
**To:** Mark W. Griffin <[mark@finnic.com](mailto:mark@finnic.com)>  
**Subject:** Re: 101-103 High Rd Newbury/Mark DiPiero/Back up Offers

Mark:

My client has 13 acres of land at 103 High Road. She tells me that she is looking for back up offers in case a pending deal falls through. My client believes that the parcels should require minimal site work because she believes the land is flat, dry and all sand. The first person to put in a back up offer will be first in line. My client believes that there may be as many as 20 lots with a cluster zoning plan. If your client has purchased the next door lot at 105 High Road the purchase of my client's 13 acres will give him even more potential lots. My client believes that 2.7 million dollars is a fair price when considering the future value of the property to a developer.

I am working from home today and will try calling you this afternoon.

Thank you.

Chuck Rotondi

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**From:** Mark W. Griffin <[mark@finnic.com](mailto:mark@finnic.com)>  
**Sent:** Tuesday, May 26, 2020 4:03 PM  
**To:** Charles D. Rotondi <[charlesdrotondi@hotmail.com](mailto:charlesdrotondi@hotmail.com)>  
**Subject:** RE: 101-103 High Rd Newbury/Mark DiPiero

Chuck

My guy is interested to know your client's price. I left you a vm. Let's catch up tomorrow. My cell is 978-973-4424.

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**From:** Charles D. Rotondi <[charlesdrotondi@hotmail.com](mailto:charlesdrotondi@hotmail.com)>  
**Sent:** Monday, May 25, 2020 12:34 PM  
**To:** Mark W. Griffin <[mark@finnic.com](mailto:mark@finnic.com)>  
**Subject:** Re: 101-103 High Rd Newbury/Mark DiPiero

Thank you Mark. I understand his initial "offer" was for my client to give him enough frontage to put a road in and in exchange he would give her two form A lots. He now has an opportunity to buy her entire 11 acres and perhaps adjoining lots . He can do the math and realize the potential profits he could realize. Let me know if he would like to revisit this opportunity.

Chuck Rotondi

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**From:** Mark W. Griffin <[mark@finnic.com](mailto:mark@finnic.com)>  
**Sent:** Monday, May 25, 2020 11:54 AM  
**To:** Charles D. Rotondi <[charlesdrotondi@hotmail.com](mailto:charlesdrotondi@hotmail.com)>  
**Subject:** RE: 101-103 High Rd Newbury/Mark DiPiero

Chuck

I'll reach out to Mark but you should know that he made an offer to her previously which had a drop dead date on it. He sounded pretty resolute that he would not renew it. I'll check. I hope you are having a good holiday weekend.

Mark W. Griffin, Esq.  
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Newburyport, MA 01950

Tel 978-462-1514 ext.134  
Fax 978-465-2584  
[mark@finnic.com](mailto:mark@finnic.com)

**From:** Charles D. Rotondi <[charlesdrotondi@hotmail.com](mailto:charlesdrotondi@hotmail.com)>  
**Sent:** Monday, May 25, 2020 9:44 AM  
**To:** Mark W. Griffin <[mark@finnic.com](mailto:mark@finnic.com)>  
**Subject:** 101-103 High Rd Newbury/Mark DiPiero

Mark:

I left a voicemail Friday and hope you are enjoying your Memorial Day weekend. I spoke to you about a month ago regarding 101-103 High Road in Newbury. You related to me that your client, Mark DiPiero would have an interest in purchasing the property from my client Kathryn O'Brien. I understand Mark is planning a development directly abutting my client's property. Obviously, Mark could significantly increase his development and profit if he were to purchase Ms. O'Brien's property. My client's farmhouse and barn sit on approximately 11 acres of land and she also owns abutting parcels.

Please speak to your client as soon as possible about this. We could arrange a meeting at the site this week.

Thank you and please get back to me at your earliest convenience. I am available today and tomorrow to speak about this matter.

Chuck Rotondi  
978-462-9393