

Planning Board

From: cmsmailer@civicplus.com on behalf of Contact form at Town of Newbury MA
<cmsmailer@civicplus.com>
Sent: Thursday, July 09, 2020 4:10 PM
To: Planning Board
Subject: [Town of Newbury MA] 20 year old horse farm at 105 High Rd. (Sent by Stacy Barstelli 5 Hay St. Newbury, MA , Stashbar@aol.com)

Hello mtaylor,

Stacy Barstelli 5 Hay St. Newbury, MA (Stashbar@aol.com) has sent you a message via your contact form
(<https://www.townofnewbury.org/user/323/contact>) at Town of Newbury MA.

If you don't want to receive such e-mails, you can change your settings at
<https://www.townofnewbury.org/user/323/edit>.

Message:

To the planning board: The construction of a housing development abutting this property(105 High Rd) would destroy a 20 year old horse farm business!

This is not acceptable! I thought this issue was resolved. Where is the care and concern for the long time residents and farms already in existence?!

I'm watching more and more McMansions being built, destroying the magnificent views that are synonymous with the town of Newbury, and taxing long term residents that have paid into the town for generations... right out of Newbury! As a direct descendant of the First settlers of Newbury on two sides of my family, I am for preserving all of the town's working farms.

Save this working horse farm! Please read this letter at the meeting.

Sincerely, Stacy Baratelli

RECEIVED
JUL 09 2020
Newbury Planning Board

Planning Board

From: Stephen Roche <stephenrochejr@gmail.com>
Sent: Friday, July 10, 2020 2:20 PM
To: Planning Board
Subject: Open Space Residential Development (OSRD) Special Permit for 105 High Road, Newbury, MA, Assessors Map R48, Lot 49;

To whom it may concern:

I am writing to express very strong concerns I have about this proposed development, and its impact on my property.

I am a resident of Riverview Drive, and this development will greatly impact the value of our property as well as our site lines. I find the proposed unacceptable, its impacts will be everlasting not only for our neighborhood, but also will yield strong adverse impacts to our personal financial landscape.

I'm hopeful the committee considers the long term, non-reversible, negative impacts this will have on abutters and rejects the special permit request.

At all costs, we must preserve the historic nature of our beautiful town and not allow profits to be prioritized over quality of community.

Thank you.

Regards,
Stephen Roche
25 Riverview Drive
Newbury, MA 01951

RECEIVED
JUL 10 2020
Newbury Planning Board

Dear Planning Board of the Town of Newbury,

My name is Colin Rowe, I recently moved to the Newbury area a little over a year ago. I originally come from the beautiful state of Minnesota. I love Minnesota, I was born there, my family is still there, I even have the state tattooed on my arm. Despite my feelings towards Minnesota, the moment I arrived here I knew I was home. There is a natural beauty that comes with Massachusetts in general, but especially the Northeast portion of the state. With rolling hills, picturesque beaches, thick woodlands, and most importantly, beautiful and productive farm lands make this area truly unique. I write this letter to offer my opinion on whether or not to develop the land at 105 High Road. **I urge the Planning Board of Newbury to strike down this proposed development and preserve our precious land.**

Tendercrop Farms is an exceptional place and a mainstay in the area. People come from miles away to purchase healthy, sustainably-grown foods and ethically raised meat. With more and more commercial grocery stores popping up, **Tendercrop is an oasis for people to shop locally, ethically, and sustainably.** These proposed developments will be a direct blow to the heart of the farm, devastating to every service and product they provide. I am afraid places like Tendercrop Farms will soon be a distant memory we remember to our grandchildren. I for one, will not stand for that.

In addition to the direct blow to the nearby homes and businesses, the regional environmental implications of this proposal are vast. **The soil will be tarnished for decades, the roads will be ever more congested, the wildlife and businesses that depend on this land will take years to recover, if they ever do.** These are our neighbors. What kind of neighbors would we be if we let these outside development firms to come in and loot the land of its resources leaving nothing for us? Maybe your thinking, "Well, I do not own a farm, so this does not affect me". Unfortunately, that type of complacent thinking has been pervasive in this country for over a hundred years and is simply untrue. **We will all be affected by this development in one way, or another.** It is time for the people of this area to stand up to the greed embodied by companies who have no vested interest in the health of our community.

We need to come together as neighbors and realize what makes this area special. Do we love it because there are rows and rows of "cookie-cutter" developments and cul-de-sacs? Or do we love the natural landscapes that calm us, the family-owned farms that feed us, and the people that depend on both for their physical and financial well-being? I am only one voice, but I hope to use that voice to protect our neighbors and I urge you to do the same. **Please keep 105 High road undeveloped and preserve our land.**

Sincerely,

Colin Rowe
Concerned Citizen
Colinrowe7@gmail.com

*68 Northern Blvd.
Newbury, ME 06951*

RECEIVED
JUL 10 2020
Newbury Planning Board

Planning Board

From: Kristine Patti <kpatti610@gmail.com>
Sent: Friday, July 10, 2020 10:58 AM
To: Planning Board
Subject: PLEASE STOP development of 105 High Road

Dear Martha Taylor,

I would like for you to please read this letter into the record for the Newbury Planning board meeting of July 15th, 2020.

As a resident of Newbury now for 30 years and having grown up in Newburyport, I moved into Newbury because it is a Town and NOT a City. If people want City type services and community then they should move to a CITY! The farms on High Road are a part of Newbury's heart and it's heritage and these lands contribute to the surrounding wildlife, aesthetics and peacefulness of this town. Destroying this farmland and placing McMansions on them is not in the best interest of this community or the environment. This land should be kept as conservation land if it is not to be farmed. The damage to the environment and the surrounding wildlife would be disastrous. The residents in the areas surrounding this property should not have to be looked down upon from the second and third floors of these monstrosities. Nor should a horse farm that has been operating for over 20 years need to suffer for someone else's greed. The person requesting this build is clearly in it for the money with complete disregard for the community and its residents. We were horrified when I heard that this was being considered.

The benefits of preserving farmland extend beyond the farm. There is a strong connection between farmland preservation, groundwater recharge, water quality, and wildlife habitat. Farmland provides food and cover for wildlife, helps control flooding, protects wetlands and watersheds, and maintains air quality. Development, on the other hand, imposes direct costs to communities and the environment. Well-managed agricultural land generates more in local tax revenues than it costs in services.

We as residents of Newbury plead with the planning board NOT to allow the building of residential houses of any kind on this beautiful land.

--

Kristine A. Patti

*5 Maple Terrace
Newbury*

RECEIVED
JUL 10 2020
Newbury Planning Board

Planning Board

From: Leslie Dunleavy <lesakavl@icloud.com>
Sent: Friday, July 10, 2020 9:41 AM
To: Planning Board
Subject: Letter of Objection - Martha Taylor

Dear Ms. Taylor,

I recently found out about the plans for a 11 homes to be built on just 5 acres of precious land on 105 high road, Newbury please can you stop this and don't let Newbury succumb to what has happened in NBPT. There are a myriad of reasons to object, this will form a scar that cant be undone without the aid if tax payers money to fix it let alone ruin what nature has already provided. Why do this!? Nature isn't providing us with more land and we have to respect what we have.

Marshland can be infected, the air the Contamination leeching into neighboring land and Ultimately the water .. it's got to stop and standing firm would send a message that it's not ok to sneak a few more giant homes under the covers. Unfortunately these things are oftentimes Noticed AFTER the fact, people shake their heads in shame and it truly is a shame PLEASE STOP THIS.

Your time and consideration are sincerely appreciated. It's got to be very difficult to manage all of this. I'd like to hope My letter includes the voices that cant speak - nature, wildlife clean air - specifically in times like these we cannot assume more crowding more garbage more pollution is going to work out and be ok ... is it more important than more money? I don't think so. This is greed. Please read my letter into the record.

Thank you.

Respectfully,
Leslie K. Dunleavy

*11 Stover Court
Amesbury, MA*

RECEIVED
JUL 10 2020
Newbury Planning Board

Planning Board

From: Alissa Rice <alissa.rice@yahoo.com>
Sent: Friday, July 10, 2020 9:04 AM
To: Planning Board
Subject: 105 High Rd

July 10, 2020

To the Newbury Planning Board:

I am writing to object to the plans to subdivide the land at 105 High Road, Newbury, MA.

I have lived here in Newbury for years, and moved our family here because of the open space and farm lands. High Road (1A) is known for being one of the most beautiful and scenic stretch of road on the North Shore.

Recently, it seems there has been an abundance of new building that is eradicating the open space and farmland that Newbury is known for.

Newbury is special because of these open spaces and farmlands. Being able to raise our children in such a beautiful rural community is a rarity these days. This is why I believe that these open spaces and farmland needs to be preserved, not destroyed as a result of this latest building craze.

Additionally, this area of High Rd is a heavily trafficked area due to its proximity to Tendercrop Farms. How will this be addressed? Is new infrastructure planned? What about utilities for this development? Will the water be sourced from private wells or are there plans to hook up to town water? Can the latter sustain this development?

Thank you for hearing my objection,

Sincerely,
Hugh and Alissa Rice
7R Austin Ln
Byfield, MA

Please Confirm Receipt

RECEIVED
JUL 10 2020
Newbury Planning Board

Planning Board

From: noreen scelzo <go_sli_go@comcast.net>
Sent: Friday, July 10, 2020 6:59 AM
To: Planning Board
Subject: High road

Dear Martha,
PLEASE do not destroy any more farm land here in Newbury or anywhere else.
Once it is gone it is gone forever.. think about that!
We cherish Newbury for that very reason, agricultural land preserved not developed.

It sickens me to even think about it, not to mention all the aftermath with traffic on 1A a scenic road along the coast.

Let your conscience be your guide.
Please read this Wens. At the ZOOM meting

30 year resident on Hay street
Noreen Scelzo

Sent from Mail for Windows 10

*47 Hay Street
Newbury*

RECEIVED
JUL 10 2020
Newbury Planning Board

Planning Board

From: Christopher Ward <chris.ward828@gmail.com>
Sent: Sunday, July 12, 2020 8:22 AM
To: Planning Board
Cc: Kathy ward
Subject: 105 High Road plan

RECEIVED
JUL 12 2020
Newbury Planning Board

Good morning,

I would like digital copies of the most current plans.

I am all for private property rights however I do not support this project. I believe the last plan proposed with the "jog" to meet conforming lot sizes is totally against the intended spirit of dimensional regulations and the ORSD. I also question whether the design actually meets the uplands requirement.

I understand a similar proposal to develop the site many, many years ago was not permitted.

I hope our Town boards will uphold the intent of our bylaws and protect the character and charm we all cherish rather than bend the rules for private self-interest.

Respectfully,
Christopher and Kathryn Ward
17 Riverview Drive

RECEIVED
JUL 13 2020
Newbury Planning Board

July 13, 2020

Dear Newbury Planning Board Members,

We would like the following letter to be read into the record.

It is with great concern that our family writes this letter of opposition to the proposed building development by Mark DePiero planned for 105 High Road in Newbury, MA. As members of this community for the past 14 years we can honestly say that this town will be our "home" forever. Having grown up on Long Island, NY I can tell you firsthand what happens to a small coastal town when you allow urban development to continue. It loses its special feel and people leave.

We would like to point out a few points that we feel should be taken into consideration when ruling on this subject and against the approval of this project:

Cottage Road Development

Newbury has several properties still in existence that speak to the history of this amazing seaside town. The property adjacent to the Lower Green, Evergreen Cemetery and the old schoolhouse is a great example of this. However, Mark DiPiero has been allowed to clear cut this area to build seven homes which will forever change some of the landscape of the early settlers of Newbury.

Riverview Drive Residents

To say our family loves Old Towne Newbury and Riverview Drive would be an understatement. When my wife and I were looking to buy our first home in 2006 I was dead set on Newburyport. My wife was the one who convinced me to expand our search because we could get more for our dollar in Newbury. It was the best thing we ever did. We lived at 25 Riverview Drive (backyard looks out at the proposed development area) for 6 years. With a growing family we felt we needed more space so we moved to Byfield for 4 years so that we could stay in the school district and town we already loved so much. However, it did not have that same "country feel" as Old Towne Newbury and we quickly realized we wanted to get back to this side of town. In 2016 we were able to move back, this time to 30 Riverview Drive, on the opposite side of the street, adjacent to Tendercrop's growing fields. This is a very special street and neighborhood. The views and sounds of nature are one of a kind, and the houses are modest and fit the character of a quaint New England town. If you allow this development to be built you will be destroying some of those special characteristics that make this a street on which people are thankful to live.

Katherine's Horse Farm

How many people can say they live on a street where they can gaze off their back porches at any given moment and watch horses running around freely, playing with one another, grazing in open fields. As Katherine O'Brien will tell you at great length, the building of a development of this size and nature makes running a horse farm impossible and those beautiful views will no longer be there.

Wildlife

As an avid outdoorsman with two young boys, our family uses nature for many life lessons, from respect for all life to sustainability of our land and water. Sightings of deer, turkeys, coyotes, countless bird

species and other small wildlife are a daily occurrence here on Riverview Drive. A project of this nature ultimately disturbs all of them.

Schools

It is no secret the number of registered students for Triton schools and especially in sports is dwindling. The price of homes have skyrocketed making it nearly impossible for any young families to move into this town. The average price of a home in Newbury is close to \$600k. How many families can truly afford that? Yes, big homes equal big tax dollars, BUT the fact is those homes and the families that can afford them do not send their kids to public schools. They send them to private schools like Governors, St. Johns Prep, etc. How does that help our schools and our community?

Water Table

It's a joke often heard on Riverview Drive after big rain storms that "this is the street that never should have been built because of how low it is compared to the water table." You live here knowing your French drains and sump pumps must ALWAYS be in order or risk flooding your basement. Whatever the reason, every year seems to get worse and worse. More water, more run off, more street flooding. There is zero question in our minds that a development of this nature so close to Riverview Drive will affect the water table and the flow of water into our wetlands.

Traffic

The section of Route 1A in front of the Tendercrop Farm store is already busy and dangerous. There have been several accidents at that location as people try to pull out of the parking lot onto a very busy road. Adding another outlet on the opposite side of the street will make the area treacherous, not only for cars, but for the many bikers, runners, and pedestrians, including children, that also use High Road. (Since the sidewalks are not well-kept along this stretch of High Road, runners, walkers, etc have no choice but to be on the street. But that is a letter for a different time).

Mark DiPiero's Personal Residence

When thinking about historic landmarks in this town, we believe Old Town Hill is probably one that would end up on any residents list of top favorites. With its rolling fields and simple trails meandering through the woods to amazing views from the top, it's a special place. So when you see a bunker built into the side of such a place and the clear cutting of surrounding vegetation so large it changed the aerial view of a piece of property so a developer can build his dream house, we ask you this: was he thinking about the history of Newbury and its current residents? I think the answer is clear he was not. Henry Becker is another builder I would like to bring up in this subject. He is undoubtedly one of the best, most well-respected builders in the area and his work impeccable. He lives in a VERY modest ranch house on Riverview Drive. He could easily have built a huge house but he chose to do what's right for the street and build a house that fits within it's current look and feel. Very different than the plans that Mark DiPiero has for himself or for this development at 105 High Road.

In closing, we know that countless people are opposed to this development. How many will write or voice their opinion is unknown. Had it not been for Katherine O'Brien informing us of your meeting on Wednesday July 15th, 2020 we would never have known. Builders know the ins and outs of small town politics and how to work the system. Hard working residents are more focused on raising families,

working and taking care of their own properties and don't hear about these things. By the time they do it's too late to do anything. We ask that you truly think about what we have said here and know that we speak for many other people that did not have the opportunity to voice their opinion. Thank you for your time and consideration, and for your final disapproval of the 105 High Road Development.

Sincerely,

The Laky Family

Russ, Kettie, Paxton (12), Tyler (10)

30 Riverview Drive

Newbury, MA 01951

John and Christine Wilkinson
12 Pine Island Rd
Newbury, Mass

July 13, 2020

RECEIVED
JUL 13 2020
Newbury Planning Board

To the Newbury Planning Board

RE: Please read into the record

RE: Opposition to planned Dipiero subdivision at 105 High Road Newbury, Mass

To the members of the Newbury Planning Board,

We would like to express our opposition to the subdivision planned for 105 High Road in Newbury.

My husband and I have lived in Newbury for over 40 years. The farms, fields and vistas along High Road and throughout Newbury are the biggest reason we chose to stay in this area. The last 10 years has been particularly painful watching the beautiful fields and farms being torn down and thickly developed, especially along our "scenic byway" on Route 1A.


We have reviewed the current plans for this subdivision and find the following to be of our biggest concerns;

- 1) The entrance to this project will be almost directly across from Tender Crop Farm which we all know is a wonderful asset to the town and is heavily used. We both feel adding this increased traffic would create a dangerous traffic situation for people accessing Tender Crop and for direct neighbors.
- 2) Added runoff from more impervious surfaces in the form of road, driveways and rooftops would need to be contained. Lawn chemicals, chlorine from pools, and road salt are also a concern, with the Great Marsh bordering the project.
- 3) Construction noise could last many years, directly affecting the abutting Horse farm businesses and homes, not to mention the added light pollution that will accompany this project.

- 4) Between this project and the subdivision currently being built on Cottage Road, both will be adding to our already strained school system that will eventually create an added tax burden onto the residents.

We thank the Planning Board for its careful consideration, keeping in mind size of this project and the potential impact it will have on the residents of Newbury.

Signed,

Handwritten signatures of John and Christine Wilkinson in cursive script.

John and Christine Wilkinson

RECEIVED
JUL 13 2020
Newbury Planning Board

July 13, 2020

Dear Martha,

I am writing for a couple of reasons regarding the Planning Board Meeting of July 15, 2020. In the event that I am not allowed to participate fully at the public hearing, I would ask that the following letter be read into the record.

1. I would like each member of the Planning Board to personally acknowledge reading the entire binder/email that I prepared for this meeting.
2. I would like each persons' answer read into the record.
3. I object to the proposed subdivision of 105 High Road, Newbury on many levels. In this letter, I have addressed several of the dangerous issues that would evolve from your approval of the plan and your issuance of a special approval. The zoning bylaws ratified by the Newbury citizens should be followed. This subdivision does nothing to warrant a "special permit." What special advantage will this bring to the citizens of Newbury. There must be a "special reason" to issue a "special permit." Any "hardships" which might need a special permit were of the owner's own making when he bought the property.

Without any special consideration from you, this subdivision cannot go forward.

4. If this subdivision is approved by the Planning Board, the Board will be in direct violation of the Newbury Bylaw Article 1 63-1. And in direct violation to the protection and provisions in Article 97 of the Massachusetts Constitution and all statutes and regulations thereunder. It is in direct violation of the Massachusetts General Law Chapter 40A, section 3, Chapter 90, Section 9, Chapter 111, section 125A, and Chapter 128, section 1A. "We the citizens of Newbury restate and republish these rights pursuant to the Town authority conferred under the Home Rule Amendment to the Massachusetts Constitution."

"This bylaw (and the referenced Massachusetts General Laws and the Massachusetts Constitution) encourages the pursuit of agriculture, promotes agricultural-based economic opportunities and protects farm land within the Town by allowing agricultural uses and related activities to function with minimum conflict with abutters and Town Boards and commissions.

The Town hereby establishes the Agricultural Commission to serve as facilitator and to advocate and encourage the pursuit of farming and agriculture in Newbury and to promote agricultural-based economic opportunities in the Town, which shall work with Town officials and boards to promote and protect agricultural interest.

As I have previously stated, construction of any type will result in the loss of my horse business. This event is totally opposite the wishes of the citizens of Newbury. Horse and riders are already at risk of danger or even death when horses are frightened. Their hearing is more acute than human hearing and even the smallest noise, sight or anything difference in their environment can cause them to become frightened and spook, run away with a rider, break down fences, kick buck, rear and more thereby posing danger to themselves, their riders and bystanders. Would you like your daughter or granddaughter to be taking a riding lesson within ten feet of an active, chaotic construction area which will go on for years? Suddenly, a dump truck slams the tail gate to empty the truck of its cargo. Her horse is frightened and takes off with her on it, screaming in fright and not sure what injury or death will result. Have you ever been on site at an active construction area? I have many times. Here are a few of the sounds: pneumatic drills, nail guns, delivery trucks, laborers yelling and screaming at each other because they can't hear due to the excess noise either, cell phone, radio on extra loud volume so they can be heard over the noise of the construction, deliveries of supplies like lumber just dumped loudly on the ground. All of these noises and more startle the horses just like they would startle the neighbors. By approving this subdivision the Planning Board would be in direct violation of the above references laws in the Commonwealth of Massachusetts and the Newbury Bylaw ratified at a town meeting by the citizens of Newbury.

5. In addition to creating potential danger and death in the farmland, the traffic on State Highway 1A is excessive already. The speed limit is 45 MPH and the cars often ignore that. The well establish Tendercrop is a very popular place. Any additional traffic from the proposed street would enter and exit onto High Road directly across from Tendercrop's parking lot and within approximately 20 feet of my driveway.
6. I have clients/boarders who have horse trailers using my driveway to enter and exit on to Rte 1A. I currently have 30 polo ponies at my barn. They are trailered to polo matches around the area almost everyday. My regular bumper pull trailers usually carry 2-4 horses. The polo rigs carry between 8 and 16 horses in and out of the driveway several times a day. These rigs can not stop and start quickly.
7. Some are bigger than a tractor trailer truck. They have to pull right out onto the road to make a turn.

The average person does not understand that these big rigs can not maneuver quickly. A sudden stop of a car in front of a moving rigid usually ends in death. The weight of the rig varies depending upon how many horses are on it. With a full 16 horse rig the dead weight of the vehicle is about 30,000 pounds. These rigs exit and enter my driveway several times a day and will be doing so about 20 feet from the proposed private road. This will be a dangerous situation.

My horse boarders have already told me they would not come back next year if the subdivision is approved. This removes valuable income from me.

The approval of this subdivision will shut down my horse business which will be a huge hardship to me. It will also greatly diminish the value of my property.

Agricultural pursuits (including horse) are to be protected in Newbury – not shut down.

If you have carefully read my objections you know they are many and varied other violations of the codes; but I have restated these because they speak to the agreed upon values of the citizens of Newbury. The agreed upon wishes of the community should not be ignored.

I have a business permit issued by the Town of Newbury for the horse business. A copy of which was sent to you previously.

The land is designated as being in Chapter 61B by the Town of Newbury.

Kathryn O'Brien
103 High Road
Newbury, MA
978-465-1322

Planning Board

From: Christina Jones <christinajones317@gmail.com>
Sent: Tuesday, July 14, 2020 7:51 PM
To: Planning Board
Subject: Approval for 105 High Road

Dear Planning Board of Newbury, MA,

Thank you for taking the time to review and hear the voices of local community members. I have recently learned about a potential subdivision at 105 High Road and hope you will approve it. This development is quite exciting news for my growing family and myself. My husband, son, baby-on-the-way, and I have lived in the Newbury area since 2014. We have a deep appreciation for the rural yet accessible location and the coastal-farm setting this area shares with us. As current Rowley residents, we have long been searching for a place to plant roots in Newbury, MA. After some research on the named developer, Mark Depiero, it is apparent that he is a methodical and mindful planner. His attention to detail far surpasses any other local developments that I have seen recently. I believe the proposed subdivision would be a beautiful addition to the town by providing housing appropriate for the setting of historic Newbury. Young families like my own value outdoor space and would intend to respect the earth in which our homes are built upon. I fully support the proposed subdivision in hopes to give families an opportunity to join in the already outstanding Newbury community. If I had the opportunity to move to Newbury, my family and I would enjoy visiting local walking trails, visiting Plum Island yearround, supporting local farms/farmstands for fresh foods, and eventually being involved in the school community. Please approve of this subdivision to be developed with a vision that is true to Newbury's charm and allow a few more families to call Newbury home.

Thank you for your dedication to the community,
Christina

RECEIVED
JUL 14 2020
Newbury Planning Board

Planning Board

From: Eileen Walkwork <eileenwallwork@gmail.com>
Sent: Monday, July 13, 2020 4:34 PM
To: Planning Board
Subject: 105 High Rd

RECEIVED
JUL 13 2020
Newbury Planning Board

July 13, 2020

To the Newbury Planning Board:

I am writing to object to the plans to subdivide the land at 105 High Road, Newbury, MA.

I have lived here in Newbury for years, and moved our family here because of the open space and farm lands. High Road (1A) is known for being one of the most beautiful and scenic stretch of road on the North Shore.

Recently, it seems there has been an abundance of new building that is eradicating the open space and farmland that Newbury is known for.

Newbury is special because of these open spaces and farmlands. Being able to raise our children in such a beautiful rural community is a rarity these days. This is why I believe that these open spaces and farmland needs to be preserved, not destroyed as a result of this latest building craze.

Additionally, this area of High Rd is a heavily trafficked area due to its proximity to Tendercrop Farms. How will this be addressed? Is new infrastructure planned? What about utilities for this development? Will the water be sourced from private wells or are there plans to hook up to town water? Can the latter sustain this development?

Thank you for hearing my objection,

Sincerely,

Eileen Wallwork
9 Greentree Ln

Byfield, MA

Please Confirm Receipt

Planning Board

From: malaika king <malaikak@verizon.net>
Sent: Monday, July 13, 2020 6:31 PM
To: Planning Board
Subject: Newbury farm land

-Martha

Hi my name is Malaika I grew up in the area and I have just recently heard about the possible plan to build multiple mansions on farm land in Newbury.

This is very upsetting to hear for many reasons. The loss of land will be devastating to the area wild life that already have had their habitats destroyed at a rapid rate. It also put quite an extra drain on the area reservoirs, and add more air pollution with the extra cars. More pesticides will be used that will negatively effect the area farm land. I hope that you strongly consider against allowing this to be built.

Regards

Malaika

Sent from Yahoo Mail on Android

RECEIVED
JUL 13 2020
Newbury Planning Board

Planning Board

From: BONNIE SIMPSON <jscollay@comcast.net>
Sent: Tuesday, July 14, 2020 5:30 AM
To: Planning Board
Subject: 105 High Rd.

Importance: High

Town of Newbury, Mass
Planning Board
Martha Taylor
Woody Knight
Peter Paicos
Lawrence Murphy

RECEIVED
JUL 14 2020
Newbury Planning Board

14 July 2020

Chris and Bonnie Simpson
107 High Rd.
Newbury, Mass. 01951

Dear Board Members,

Please read this letter into the record of the 15 July 2020 meeting regarding
105 High Rd. Newbury, Mass. 01951

REJECTION OF SUBDIVISION

The town of Newbury is the crown jewel of the North Shore. With it's open spaces, beautiful scenery, a deep sense of history, easy access to Newburyport, and our unique beaches, it truly is the perfect community. In fact, many families prefer Newbury over Newburyport because of the rural environment, large yards and space between homes. The proposed subdivision is the EXACT OPPOSITE of Newbury. In fact , it is the perfect contradiction to what Newbury was in the past, and stands for today.

TRAFFIC

EVERYONE KNOWS that RT 1A High Rd from Hanover St. well past Tendercrop Farm is a very dangerous stretch of road. Over the past 20yrs. it has gotten expediently worse. There have been car crashes, and fender benders. Our home is DIRECTLY across at 107. Every week we have a near miss entering or exiting our driveway. 4 months ago a car scraped our tree avoiding an accident related to the congestion at Tendercrop. Cars regularly exceed the speed limit. Children are out, people are walking/jogging, riding bikes, walking dogs all day. Now, add to the mix a regular stream of heavy construction equipment and vehicles in and out of the narrow driveway of 105

High Rd. A fatality is going to happen. Its not a matter of IF, it's a matter of WHEN, WHO, and HOW MANY.

ABBUTTERS:

We are the 3rd generation to live in the family home @ 107. This is a rhetorical question; What do you think will happen to the property values of 109, 107, 103, 99 High Rd, as well as those across the street from 105 going north? They very well could be destroyed for many many yrs. Who in their right mind would even consider buying a home with a 5yr. major construction site/subdivision occurring in their "figurative backyard." Answer: NO ONE. It would be outrageous for any or all of us homeowners to be financially damaged and or destroyed due to UNNECESSARY CONSTRUCTION. Facing this reality, we feel the planning board should take the seriousness of the abutters situation under special consideration when making a decision. This is so wrong on so many levels. We are stunned at the possible position we could find ourselves through someone else's selfish, thoughtless actions. Yes, these statements may sound harsh, but under the circumstances, who REALLY would want to live next door to this if it comes to fruition . Please try to imagine yourselves in this very personal situation. This is our home.

THE ELEPHANT IN THE ROOM:

For lack of a better word, G.R.E.E.D.

Developers see open spaces of land as opportunistic locations to build; make money and large profits. Little consideration is given to the type of community or the people who are invested and have spent generations there. It's understandable, it's their business. However, Newbury IS NOT A BUSINESS. It's a small town. And like all small towns, people talk. Many are not happy about The Lower Green and the problems already. These subdivisions are not improving or enhancing Newbury. And they are being seen for what it is, the agenda of making money. There is no thought about the environment, the beautiful scenery, the smell of the ocean, schools, the people who have spent their lives here, the growing families, the spirit of THIS community. This subdivision will forever change and damage Newbury in ways that will be permanent and unpredictable. And for what? GREED FOR A FEW at the expense of us all. We will then be left to clean up the chaos. There are many people who are very against this but are afraid to speak out; including but not limited to: being intimidated, retaliation, or being singled out. We are speaking out. We are speaking up for our Jewel of the North Shore because it's worth it.

PLEASE STOP THIS SUBDIVISION. We implore The Planning Board to "side with the better angels of our nature."

Planning Board

From: monixa Banx <monixabanx@yahoo.com>
Sent: Tuesday, July 14, 2020 8:50 AM
To: Planning Board; kathrynobrien@comcast.net
Subject: Attn Martha Taylor 105 High st subdiv

Attn: Newbury Planning Board

Martha Taylor

RECEIVED
JUL 14 2020
Newbury Planning Board

What possible benefit to the town of Newbury could a development like this offer such as assumed tax revenue (?), greater then the unique beautiful we would be setting precedent to lose if projects such as these are allowed to continue.

This seems like a selfish project with only goals of placing the most houses possible, in the beginning we know he wanted to put 22 homes on this land. Now with half that at 11 it still seems like to great an alteration of the immediate surrounding area. This development, in this specific area would result in direct detriment to said adjacent attributes. I have questions, how do we know that Depiero is committed to this project and will not just try to sell to another developer once this is approved, subsequently we are then stuck with someone else fulfilling the promises of this request and all the challenges and different variables that will bring. What guarantee is there that he will not start to sell plots and not actually do the building- as I personally have overheard him joke about in groups he felt he wasn't overheard. Sources close to Depiero say he wants to retire and is not committed to seeing this through and he only wants a quick buck to get the plans in approval then sell to the highest bidding subcontractor developer.

I am particularly concerned about this in part related to the fraud and money laundering Depiero is rumored to be involved in and under investigation for; as a paralegal it was not hard to look the documents up in court. As this progresses what guarantees can we have that his investigation/trial will not lead him to lose funding leading to a stop on construction in process and we will be looking at 11 holes in the ground for years. How are his investors and financial backers which I assume include the banks of Newburyport (Newburyport Bank and Institution for Savings) not concerned about this and how their greater constituents of costumers may feel undermined? I feel Mr. Depiero should have to answer for this situation and offer details as it appears he stole investors and invested it as his own money and was hiding money from the IRS. We say we appeal for progress, change and justice however in areas such as these are we limited to the faith we entrust in our elected and career city officials, that said the planning board should be held directly culpable if these and projects to the like are unbridled and approved.

Monica Tobin

In support of
the Kind People of Newbury

RECEIVED

JUL 14 2020

Dear Town of Newbury Planning Board,

Newbury Planning Board

In regard to the application for the 105 High Road OSRD Special Permit, we (Ralph and Andrea Sargent, 23 Riverview Drive) have the following concerns and questions regarding this proposed subdivision.

We wish that this letter be read into the record of the meeting of July 15th, 2020.

1. We understood that Mark Di Piero's application was rejected once or twice? How many times can a contractor come back to the town with a new plan?
2. We are concerned that this plan will undoubtedly change the complexion of our town and ignores our 2006 Master Plan.
3. We are concerned that this plan will add to the already serious traffic problems in front and across from Tender Crop Farm.
4. We are concerned that this plan will have a huge impact on wildlife habitat in the area.
5. We are concerned that this plan will have an impact on our property values.
6. We have major concerns regarding the water supply (pressure) from Newburyport which at times has been weak on Riverview Drive.
7. We have concerns regarding the proposed shared septic systems and/or septic treatment tanks. Many of us have had to go through hoops to replace and restore our own systems at great expense. How can septic treatment tanks be approved on land that has such close proximity to wetlands? What will the ecological impact be to our community? What will be the aesthetic impact to our community?
10. We are concerned regarding watershed issues from residential use.

11. It will be a disturbance and upset to the beautiful horses that graze on the adjacent land.
12. It will create a major loss of pastoral views for residents from both sides of the proposed subdivision.

We have an infinite list of environmental concerns and questions regarding any approval of this subdivision. We are hopeful that the Town of Newbury Planning Board will take all of our concerns under serious consideration when ruling of this OSRD application.

Sincerely,
Ralph & Andrea Sargent
23 Riverview Drive
Newbury, MA 01951

Planning Board

From: Jen Lee <jenniferwlee9@gmail.com>
Sent: Tuesday, July 14, 2020 6:03 PM
To: Planning Board
Cc: kathrynobrien@comcast.net; Sarah Haase
Subject: 105 High Road Subdivision Concerns

Dear Martha,

We are writing to voice our concerns regarding the proposed subdivision development on 105 High Road prior to the next planning board meeting this week. Both Sarah and I grew up in town, and my family has lived in Byfield for decades. We have many fond memories of Newbury/Byfield, and after going away for school and living elsewhere on the North Shore, we decided to come back home to Newbury to set up our permanent residence. One of the things we love most about the town of Newbury is the fact that it is a town. It has farm land, woods, marsh, fields, etc. It also already has a substantial number of developments. There are currently at least 17 houses for sale in Newbury (on Zillow alone), and more land being cleared (even just down the street on High Road) for other developments. We have concerns about the effect of construction in this particular area, especially in regards to farm and marsh lands, not to mention the effect it would have on local wildlife. High road is also already fairly congested with traffic, thanks to a thriving Tendercrop Farm business, but adding 11 houses just across the street would only increase traffic in this area. In conclusion, we know a town must continually build to sustain itself, but we also must keep the "town" in Newbury. Thank you for your time and consideration.

Please incorporate this email into the public record.
Thank you,

Jennifer Lee and Sarah Haase
3B Black Duck Circle
Newbury

RECEIVED
JUL 14 2020
Newbury Planning Board

Voters of Newbury -

I want it to be noted that I, Barbara F. Page, 143 High Road, am definitely opposed to granting permission to build those houses on 105 High Road. Our quaint country town is gradually becoming over run

Vote NO - so we can keep what is left of our quaint town.

Thank you -

Barbara F Page

REC'D

7/14/20



RECEIVED

JUL 14 2020

Newbury Planning Board

143 High Rd.

Newbury, Mass 01951

To: Newbury Planning Board

Subject: 105 High Road / Proposed OSRD / Hearing of July 15, 2020

From: Fred Thurlow

Members:

I have reviewed the OSRD Plan and the Yield Plan for this site and find both objectionable. However, the OSRD Plan seems the worse of the two, as its road is twice as long and with ten (10) new structures vs. five (5) with the Yield Plan the area of site disturbances seems likely to be less with the Yield Plan, or at least no worse than, with the OSRD Plan. This fails to comply with 97-5. C. 04) "To minimize the total amount of disturbance of the site.

Under 97-5. C. 03, the Purpose and Intent of an OSRD is "To encourage a less sprawling and more efficient form of development". But the proposal is just the opposite – the OSRD Plan is far more sprawling than the Yield Plan. This requirement is repeated in (11) 03).

The Yield Plan has one other big advantage. It's for two (2) family houses. This would provide some much-needed rental housing for the Town as highlighted in the Master Plan.

Reject the OSRD Plan. Let them build the Yield Plan.

Thank you.

*26 MARSHALL
NEWBURY, MA 01951*

RECEIVED

JUL 14 2020

Newbury Planning Board

Planning Board

From: Kristina <kmprovost22@yahoo.com>
Sent: Tuesday, July 14, 2020 9:43 PM
To: Planning Board
Subject: Planning board meeting

Good evening Ms. Taylor,

I am writing to express concern over the proposed development by Mark DePiero at 105 High Road. My husband, two young children and I reside on Riverside Drive. My husband and I have many objections to this development. One of our main reasons we fell in love with Newbury and moved here four years ago is the bucolic and beautiful wide open spaces. We value the pastures, farmlands and woods that make up our beautiful town. As former homeowners in Somerville, we moved to the countryside to escape the congestion, traffic and hectic lifestyle of the city.

If allowed to move forward, this development project would forever change the landscape of Newbury For the worse. Abutting residents would be subjected to five to six years of construction noise. Beautiful open space would be lost, and congestion in the area would increase.

I am asking for this letter to be read into the record at the planning meeting on July 15, 2020.

Sincerely,
Kristina Provost
26 Riverview Drive, Newbury
508-330-1640

Sent from my iPhone

RECEIVED
JUL 14 2020
Newbury Planning Board

Planning Board

From: Eileen Cashman <paints@lalobarun.com>
Sent: Wednesday, July 15, 2020 10:34 AM
To: Planning Board
Cc: Kathryn O'Brien (kathrynobrien@comcast.net)
Subject: Re: Objection to 105 High Road development Att: Martha Taylor

To Whom It May Concern,

We are writing to you in regards to the recent knowledge that the builder Mr. Dipeiro has yet again come before you to purchase and approve house lots on High Road adjacent to Kathryn O'Brien's horse farm on High Road.

This sparked our interest as we met this challenge several years ago regarding the Pikel property on Scotland Road which we also reside on.

I am a previous Certified Animal Control Officer for the Town of Amesbury, who assisted Salisbury and Newburyport of over 10 years now running a horse business here in Newbury.

Owning horses for over 50 years I can elaborate that they are fight or flight creatures. To disrupt their natural habitat and lifestyle may cause harm to them and to any humans in their path when spooked. Please research this before allowing this subdivision.

We are always subjected to these issues that arise here at our ranch when neighbors are dumping, mowing, cutting trees, brush, landscaping, house projects and we have had animals hurt in the process! We pay the vet bill! Will you?

Engineers, Animal Control, etc. all reasoned with the board that allowing the disruption of the earth on and abutting marshlands creates a serious change for our eco system. Where will the wildlife go? Animals large and small, minute that live beneath the soil and in the wetlands are terminated by the damage created by backhoes, excavators, drilling, upheaving the landscape and displacement of all wildlife is detrimental.

We ask that you reconsider this development here in our beautiful town we so love and enjoy.

Regards,

Eileen Cashman
83 Scotland Rd
Newbury, MA 01951
Paints@lalobarun.com
www.lalobarun.com
978.609.3999

RECEIVED
JUL 15 2020
Newbury Planning Board

Get [Outlook for Android](#)

Planning Board

From: Shauna Magee <smagee22@gmail.com>
Sent: Wednesday, July 15, 2020 9:01 AM
To: Planning Board
Cc: *Matt
Subject: 105 High Road

RECEIVED
JUL 15 2020
Newbury Planning Board

July 15, 2020

To the Newbury Planning Board:

I am writing to object to the plans to subdivide the land at 105 High Road, Newbury, MA.

I have lived here in Newbury for years, and moved our family here because of the open space and farm lands. High Road (1A) is known for being one of the most beautiful and scenic stretches of road on the North Shore.

Recently, it seems there has been an abundance of new construction that is destroying the open space and farmland that Newbury is known for.

Newbury is special because of these open spaces and farmlands. Being able to raise our children in such a beautiful rural community is a rarity these days. This is why I believe that these open spaces and farmland need to be preserved, not destroyed as a result of this latest building craze.

Thank you for hearing my objection,

Sincerely,
Shauna Magee
67 Main Street
Byfield, MA

Please Confirm Receipt

Planning Board

From: cmsmailer@civicplus.com on behalf of Contact form at Town of Newbury MA
<cmsmailer@civicplus.com>
Sent: Wednesday, July 15, 2020 8:05 AM
To: Planning Board
Subject: [Town of Newbury MA] 105 High Road Project - Affordable Housing (Sent by Dan Emerson, perfectturmoil@gmail.com)

Hello mtaylor,

Dan Emerson (perfectturmoil@gmail.com) has sent you a message via your contact form (<https://www.townofnewbury.org/user/323/contact>) at Town of Newbury MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.townofnewbury.org/user/323/edit>.

Message:

Hello -

I am hoping to join the Planning Board Zoom meeting this evening. However, if I can't make it, I wanted to reach out (and if you are the wrong person to contact, I apologize!)

I have seen some very NIMBY-ish posting online opposing the housing development project on 105 High Road. I tend to be very skeptical of comments along the lines of "doesn't fit in" and "we don't need more McMansions" - however, what I know we DO need more of is affordable housing in Newbury. I was wondering if a project of this scale might provide an opportunity to pick away at this problem that our town has. For example, would the developer consider taking one or two of the 11 properties planned and, instead of one large single family dwelling, consider building a four-apartment / condominium targeted towards affordability? I would expect that a developer of this caliber could accomplish such a goal in a way that fits the character of the development as well as the surrounding neighborhood, without sacrificing their other goals for the project.

Rather than continue to hope for one large affordable housing project in town to solve our issues, good fits for incremental progress like this one might where everyone can win may be our path towards making it so people can live in our great town. As a co-chair of the Newbury Democratic Town Committee, I know that there is support for making opportunities for our neighbors to stay in town and for children to be able to move 'back home'. I would love to know that affordable opportunities remain under consideration when reviewing proposals, and I know that there would be support for pushing for this kind of approach.

Thanks!
Dan

RECEIVED
JUL 15 2020
Newbury Planning Board

Planning Board

From: Phil Dunn <pdunn109@gmail.com>
Sent: Wednesday, July 15, 2020 4:08 PM
To: Planning Board
Subject: 105 High Road proposed new development

Ms. Taylor,

My wife, Alana, and I just wanted to drop a note to say how excited we are at the prospect of the new development being proposed at 105 High Road. We are abbutors at 109 High Road, and have had the pleasure of previewing the plans for the development. In our opinion the size, style and layout of the project will only enhance and add value to High Road and all of Newbury. We are excited to learn that 11 acres will be given back to town as usable public greenspace and we look forward to having access to the trails.

Thank you.

Regards,

Phil & Alana Dunn

- Phil Dunn
(978)764-0049

RECEIVED
JUL 15 2020
Newbury Planning Board

Planning Board

From: cmsmailer@civicplus.com on behalf of Contact form at Town of Newbury MA
<cmsmailer@civicplus.com>
Sent: Thursday, July 16, 2020 10:03 AM
To: Planning Board
Subject: [Town of Newbury MA] Building at 105 High Rd, Newbury (Sent by Elizabeth DeGrenier, elizde@comcast.net)

Hello mtaylor,

Elizabeth DeGrenier (elizde@comcast.net) has sent you a message via your contact form (<https://www.townofnewbury.org/user/323/contact>) at Town of Newbury MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.townofnewbury.org/user/323/edit>.

Message:

I am in support of the building of smaller homes and affordable housing at 105 High Rd. Newbury is in desperate need of affordable housing as residents and want to be residents are being forced out due to high cost of homes.

Sincerely,

Elizabeth DeGrenier

RECEIVED
JUL 16 2020
Newbury Planning Board

Planning Board

From: peter gantchev <peter.gantchev@gmail.com>
Sent: Tuesday, August 18, 2020 11:26 PM
To: Planning Board
Subject: My Opposition to the Depiero Subdivision at 105 High Road

RECEIVED
AUG 18 2020
Newbury Planning Board

Dear Planning Board Members,

I am a longtime Newbury resident on High Road and I would like to express my opposition to the problematic subdivision proposed by Depiero Properties LLC for 105 High Road. I moved to Newbury almost 20-years ago due to the semi-rural character of the town as well as the Town's proximity to the ocean, conservation lands and local farming. My concerns about the Depiero proposal are as follows:

- **Increased traffic and reduced safety** associated with the construction of a new road (Surrey Way) off of High Road by the already very busy Tendercrop Farms location. High Road is no longer a sleepy country road. It has become a very busy highway with a posted speed limit of 45 mph at the 105 High Road location. Furthermore, Tendercrop operates a fleet of tractor-trailers that make numerous deliveries to their flagship store at 108 High Road.
- **Adverse environmental impact** of the development to abutting conservation lands and wetlands.
- **Proximity to flood zones** that will increase taxpayer subsidies for flood insurance (albeit at the state and/or federal level) and potential clean up costs.
- Additional **burden placed on limited town resources** by the residents on schools, police, fire and water services.
- Continued **loss of precious farmlands** in Newbury to yet more housing developments, further threatening the ability of local, family-owned agricultural businesses to contribute to the Newbury economy. Consider the direct and in-direct contributions made by Tendercrop Farms, Colby Farms, High Tail Acres, Black Horse Stables, Evenstride, Kathryn O'Brien's Farm and Parker River Alpacas (to name a few) to the Town of Newbury.
- Failure to preserve local farmlands and maintain existing frontage requirements will render Newbury into just **another suburb of Boston** and not that special place that drew many of us here in the first place.

Thanks so much for your consideration and please feel free to contact me at your earliest convenience should you have any questions, comments or concerns about my opposition.

All the best

Peter Gantchev
117 High Road
Newbury, MA

August 7, 2020

To: Town of Newbury Planning Board

From: Julie Price

100 High Road

Newbury, MA

Re: 105 High Road Project

I have met with the owner/developer of the project at 105 High Road. I have no objections to the project. The developer has done a nice job to consider the neighbors and the towns concerns.

I have reviewed the plans and everything looks nice.

Thank you,



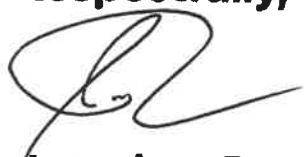
Julie Price

RECEIVED
AUG 19 2020
Newbury Planning Board

Hello,

My name is Jonathan Brown and I live with my family at 167 High Rd. I support Mark DePiero's Development project at 105 High Rd. It is my opinion that the quality homes that this builder develops and the added tax revenue should be welcomed into our neighborhood. While we all cherish open space / pasture, let's take a moment and remind ourselves that the homes that we live in were once open space / pasture too. Lastly, it's important to consider the less desirable scenario in which a larger scale development could be constructed by a builder without ties to our community.

Respectfully,

A handwritten signature in black ink, appearing to be 'Jonathan Brown', written in a cursive style.

Jonathan Brown

RECEIVED
AUG 19 2020
Newbury Planning Board

August 17, 2020

Ms. Taylor and Newbury Planning Board,

As residents of Newbury and direct abutters to the proposed development at 105 High Road, my wife Alana and I wanted to say how excited we are at the prospect of the new development being proposed at 105 High Road. We are abutters at 109 High Road, and have had the pleasure of previewing the plans for the development.

In our opinion, the size, style and layout of the project will only enhance and add value to High Road and all of Newbury. We are excited to learn that 11 acres will be given back to the town as usable public greenspace and we look forward to having access to the trails.

We support this project. Thank you.

Regards,

A handwritten signature in black ink that reads "Phil & Alana Dunn". The signature is written in a cursive, flowing style.

Phil and Alana Dunn

109 High Road, Newbury

RECEIVED
AUG 19 2020
Newbury Planning Board

August 17, 2020

Town of Newbury

Planning Director

Planning Board

As a long term resident of the Town, I am interested in our Town matters. I have reviewed the plans for the new homes at 105 High Road and I am in favor of this project. I am familiar with the developer and the quality of his projects. This development will be a positive addition to our neighborhood.

I am in favor and support this project.

Sincerely,

A handwritten signature in black ink that reads "Nancy Roy". The signature is written in a cursive, flowing style.

Nancy Roy

2 Littles Lane

Newbury, MA

RECEIVED
AUG 19 2020
Newbury Planning Board

Planning Board

From: Myk Crouch <myk.crouch@gmail.com>
Sent: Wednesday, August 19, 2020 8:01 PM
To: Planning Board
Subject: 105 High Road - Opposition

Hello,

My family, located at 127 High Rd, Newbury, MA 01951, is against the current plan. As someone who walks in the field on the south side of this property almost daily, I am in favor of leaving it as more open space. If we want to clear it <knock down the fence and the small structure and add that to the haying that happens in the other field, I am fine with that and would actually prefer that to what is currently there.

My forested property also is very near (if not adjacent to) this property and I am a fan of having people hike my property and enjoy the beauty that it is able to give them and this development would likely deter the neighbors and others from walking.

Overall, I am not against development. I am just against this plan at this time.

-Michael Crouch

127 High Rd, Newbury, MA 01951
310-902-8014

RECEIVED
AUG 19 2020
Newbury Planning Board

August 13, 2020

Town of Newbury Planning Board

To Whom it May Concern:

I am an abutter of the development project at 105 High Road. I own and operate an equestrian facility at 97 High Road. I have taken the time to review the development plans for the project.

I am in favor of the project as I see no negative impact to my property and/or business. I know of the developer and the caliber of his work is excellent. The project will not only increase property values, but will add quality to the immediate neighborhood and town.

The board should vote to approve this project.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Salina Chandler".

Salina Chandler
97 High Road
Newbury, MA 01951

RECEIVED

AUG 13 2020

Newbury Planning Board

Planning Board Admin

From: Carol Rice <clr1@verizon.net>
Sent: Thursday, August 20, 2020 1:59 PM
To: Planning Board
Subject: 105 High Rd

Hello,

I attended the meeting last night regarding this address. Being relatively new to the town, I cannot speak to our laws, zoning and conservation plans and constraints.

And of course, as a relatively new resident, we always want to be the last ones in (although we are not in a new place).

That said, I am against this development plan. First, a new road coming onto High Rd right at the busiest business in town will be a traffic nightmare and safety hazard. The narrow lot with high density wrt High Rd should be an issue for abutters with a pretty big density increase in a very small area.

The lots, all with inground pools is poor resource use in an area where water is such a precious resource. Where are the wells and water treatment facilities for this much water consumption? I have not seen the building designs, so I cannot comment.

This is a lovely, working farming community and a typical cramped suburban subdivision does not sit well with me. I do respect property owners rights to do what they need or want with their land within the constraints of conservation, town planning and laws, but I believe the rights of other property owners are at risk with this subdivision.

Thank you for your work,

Carol Rice
330 High Rd

RECEIVED
AUG 20 2020
Newbury Planning Board

Gary W Brown
Virginia L Brown
81 High Road
Newbury, MA 01951

September 3, 2020

Town of Newbury Planning Board
Martha Taylor, Town Planner
Town of Newbury Planning Board Members

RECEIVED
SEP 03 2020
Newbury Planning Board

Dear Martha Taylor and Members of the Newbury Planning Board,

I send this letter to state our opposition of the proposed 105 High Road Development.

Our family moved to Newbury over 40 years ago. It was at that time a hidden gem. A reasonable drive to Boston yet a world apart with its farmland, marshes and the Atlantic. Newburyport was undergoing it revitalization which gave us small city life and country life all in one. Those who came to visit were surprised and captivated. Who knew!!

Time moves on and all things change. It is the nature of things. But to think that people can have no effect on the speed and direction of change is to resign to just let things happen.

Ginny and I both strongly oppose the proposed development at 105 High Road.

Property owners have the right to use their land as they see fit following the direction and conditions of the zoning laws. We are not opposed to property owners making a profit from an investment. What seems to be missing here is the proportion and its impact on the town and those near it.

Newburyport has become the perfect example of profit over proportion. One only needs to look at how much Newburyport has changed and how much of the historic character is gone. By the time it is fully realized and acted on it is too late. Is this what the people of Newbury want?

Several years ago, with residents' inputs, a Master Plan was developed detailing what the towns people deemed was important in maintaining the character of the town on a forward basis. The 105 High Road Development is not in keeping with the spirit of the Plan.

Several issues come to mind as we think through the proposed Development:

1. Construction traffic and Tender Crop traffic converging at the same point. A dangerous situation currently! Has an independent impact traffic study been done?
2. Leach field and lawn fertilizer run off into an area that is becoming wetter more often. Has an independent environmental study been done?

3. Impact on local business such as horse farms.
4. The overall scale relative to the surrounding structures and area.
5. Arrangements made with owner and developer for the repair and restoration of High Road and Sidewalks due to use of trucks and heavy equipment during construction.

We realize that development is natural and expected, what we object to is profit over proportion. Taking more than you need and emptying out the store and the character of the town.

We hope a reasonable solution can be found that can satisfy not only the want to develop but the need for proportion not just profit. Where there is a will there is a way.

Remember: "you don't miss your water till the well runs dry"

Thank You,

Gary and Ginny Brown

September 29th, 2020

RECEIVED
SEP 29 2020
Newbury Planning Board

Dear Members of the Newbury Planning Board,

Thank you for courteously permitting me to make brief comments on the 105 High St proposal at your last meeting.

I have put together a more exhaustive (not, I hope, exhausting!) review of this latest version of the proposal based on what I believe to be the intent and purposes of the OSRD by-law provision in Newbury's zoning.

As I said in my prior comments this proposal shows clear signs of "reverse engineering". By that I mean that the applicant now has either profit or density goal/s in mind for this lot and proceeded to use the OSRD process to reach that goal, which required the establishment of some mind/rule bending conventional subdivision lots as a starting point in order to reach the final goal.

As a past member of the Newbury Planning Board I know the challenge of the decision process when confronted with an unorthodox proposal with many moving and changing parts. I hope that my review comments will aid you as you move forward in decision making process.

Thank you again for welcoming my participation in this hearing.

Sincerely,

David Powell

Having copies of the current plans available will be helpful while reading the comments below.

A Review of 105 High road, Newbury : Proposed OSRD as submitted August

This proposal as presented to the Newbury PB deals with a number of constraints presented by this lot. These include: the limited highway frontage, existing buildings on the lot, the severe dislocation of the lot at its mid point, the existence of wetlands and areas of the lot in the Newbury ACEC, the reliance of any development on a municipal water supply provided by a non-community controlled agency.

In light of these and other constraints any Yield Plan that seeks to maximize the potential number of lots possible under standard subdivision rules and regulations faces even more severe constraints and becomes an exercise in “reverse engineering” . The first defining requirement of any lot is that it have 125 feet of frontage on a legal way. On this lot at 105 high St. that leads to a limitation of lots grouped around a dead end street with a turning circle –all of the lot frontages being derived from this set up. To maximize the number of dwelling units it follows from this that the lots must be for two family housing that has a municipal water supply in order to reduce the lot size from 80K to 60K square feet which results in six two family house lots on the plan.

It is these constraints that lead to the Yield Plan currently submitted to the PB. All though this plan does “technically” meet all the requirements for a subdivision, the resultant configuration produces a set of lots that ignores both the conventions of good planning and responsible land use.

To date the PB has very properly focused particularly on the public safety aspects of the plans as they relate to access for emergence vehicles to the two rear lots. There are an additional number of concerns that need to be addressed:

- The proposed dimensions of two lots in particular: lot 1 (pink) and its 3 feet plus inches access to its rear portion; and also lot 6 (green) that runs alongside the “side by side” drive ways and then, *[after a “pinch” of 2.78 feet opposite the 3 foot pinch of lot 1 !!!]*, it runs along the whole extend of the northeast boundary of the back part of the existing lot. This part of Lot 6 would appear to be less then ten feet wide along that boundary, (These proposed dimensions are all, at the very least, legal nightmares!);
- a definitive decision on the nature and extent of the easement shown on the northeast lot boundary;
- an undertaking in writing that municipal water will be available from Newburyport and that it can sustain supplies at pressure to hydrants many hundreds of feet from the highway main, (This can no longer be taken for granted in light of recent future water supply issues in Newburyport);
- the proposed side by side “driveways” present a number of practical problems not addressed by the plans or the applicant – design and construction, stormwater control, snow plowing, maintenance, delivery access, etc. ;
- how would the two wet land crossing be dealt with so they do not create isolated wetlands, whether on the existing lot or on abutting properties.

So in summary, the yield plan has a number of unaddressed issues that have not and I suspect cannot be resolved without more contortions. As a property owner I cannot imagine purchasing any of these lots given the layout and often pointless extent of all of them and the nature of the abutting uses (driveways) proposed for all of the lots but one, let alone obtaining financing and insurance for such a lot.

The OSRD process requires that a specific process be followed to reach the point of approval of the OSRD plan itself. The parts of the process are: a pre-application materials submittal and meeting to explore the project in its early stages (these are optional but strongly recommended), preparation of the Concept Plan which has two parts the Sketch Plan and the Yield Plan. The Concept Plan when approved is issued as Special Permit under which the OSRD plan may then be submitted under the Subdivision Control Law.

The current plans as submitted are not labelled with those titles and following that sequence, which leads to incorrect assumptions being made about what formal approvals are being requested as the process moves toward the finally approved Special Permit authorized OSRD plan. This needs to be addressed before the public hearing process continues.

The current Sketch Plan (their title OSRD SITE CONTEXT PLAN seems like the best fit) seems to lack a locus identifier as do all other plans in this sequence and also lacks the location and distance of abutting property driveways, state highway travelled surface width and right of way locations, and distances to the year-round commercial operation immediately opposite (Tendercrop Farms). The aerial photo submitted in the original narrative, which now needs to be properly revised and married to the revised submittal, does not provide the required level of data.

One of the roadway design waivers suggested in the original narrative is not providing a sidewalk. In view of the length of the proposed roadway and the access to the proposed walking trail at the very end of the turning circle, it would seem that for the safety of both residents and trail users a sidewalk is needed.

Finally, the applicant has made an assumption that I believe is not warranted by the intent and purpose of the OSRD bylaw. The applicant has assumed that if approval is given to the Yield Plan they have established approval of 12 dwelling units that can be set out in separate structures fundamentally different from the two family houses proposed in the Yield Plan under dimensional regulations that permit reductions in frontage, lot size etc. This assumption is made clear in the plan title that reads "OSRD 12 UNIT LOT YIELD PLAN" on C103, C104. This is not what this plan shows. It shows six lots with two family houses on each.

The decision to permit this change from two family homes on six lots to 12+ single family homes on twelve lots or as a 12+ unit condominium must, I believe, be specifically requested before the Concept Plan can be approved. This issue should have arisen in any pre-application meeting which is why they are strongly recommended as a way of exploring the potential applicants plans and the PB's comfort levels with the proposal.

In summary, as an experienced "citizen planner", I find this proposal to be fatally flawed. The straight faced presentation of two Yield Plans that are clearly not a practical reality, or even slightly stretched one, but a convenient regulatory fiction that is at best laughable and at worst insulting.

The intent of the OSRD alternative process for subdivisions is to encourage an alternate denser, more efficient use of land with a lighter development footprint and the conservation of irreplaceable open space for the public benefit. It was not established to be a process to encourage or permit the blatant manipulation of the creation of a proposed subdivision in order to achieve the greater density permitted by an OSRD on a parcel that requires such extensive and indefensible manipulation to produce a Yield Plan with high numbers of lots.

There may indeed be a way to "develop" this property, but this is definitely not it.

The long narrow parcels running down from High Road, across the marshy land toward the creeks that feed the Parker River, that resulted from agricultural and family inheritance practices of the early settlement of Newbury have and will continue to present tough challenges to both their owners and the community when it comes to any kind of “development. The parcels were never originally laid out for residential use and as a result are both too big (larger property tax bills) and not big enough (for sensitive development). The community needs perhaps to see them with a different eye that moves toward some kind of public/non profit ownership of those areas that are essentially undevelopable that results in coherent agricultural use where possible and conservation resource lands where nothing else will work.

Sadly this attempt to maximize the financial benefits from developing this parcel has led to an abuse of the OSRD process as opposed to achieving a positive financial contribution for the owner and open space for the community through the use of zoning bylaws focused on the best use of design and property.

David Powell

September 21, 2020

September 16, 2020

RE: High Road Development

To Whom it may concern:

I am writing in response to the rampant blustering going on surrounding the above referenced matter.

It would appear there are many opinions, but it would seem most are inexperienced with the exact matter at hand.

- 1) Is subdivision/development ALLOWED under zoning? YES
- 2) Has not the Town of Newbury adopted an Open Space conservancy model as the preferred vehicle? YES
- 3) Isn't it within any private property owner's rights to undertake such action, provided, of course it adheres to the guidelines in place at the time of application? YES
- 4) Should such a subdivision on High Road be approved? YES

As a private property owner, myself, I find it quite egregious that strangers feel they have the right to some input on any other owner's land. I do not believe anybody has any claim to the outcome of a private property, other than the current owner and zoning regulations.

Much banter has been raised about 'the environment', and purporting it would not be in the best interests of 'our community.' But I ask this: how many of these people would allow a 3rd party to restrict their property rights?

More importantly, how many of these vocal agitators have actual EXPERIENCE with an Open Space Conservancy development?

For example, I live on Maple Terrace next to the round school. It is fairly well agreed by most who visit, that they would love to live on our street, right? Well, guess what folks, this neighborhood is very similar to an Open Space development. The homes are close together, on small lots, and the 'community' it creates is irreplaceable. I am not aware of any neighbors who are itching to move away from it.

More specifically, I sold the 77 homes developed at Cherry Hill farm in Newburyport as an Open Space conservancy subdivision.. How many have spent time there? Asked the inhabitants if they wished their homes were further apart? How many have walked the acres of public opens space and trails?

Environmental impact? The old fashioned 2 acre zoning method creates urban sprawl, chewing up twice the land as an 'open Space,' creates distant, disengaged neighbors, and uses as much as twice the hazardous waste asphalt on longer roads, leaving all the land in private hands, with no public access.

Open Space developments protect sensitive wetlands areas, set aside +/-50% of the land for public use in perpetuity, and create 'communities' benefitting from a much more heightened social experience.

Please end this nonsense and approve the development.

Eric Towne

One Maple Terrace

978-979-9100

Martha Taylor ~ Town Planner
12 Kent Way
Byfield, MA 01922

RECEIVED
NOV 16 2020
Newbury Planning Board

November 10, 2020

To Whom it May Concern,

I am writing to voice my concerns regarding a proposed development adjacent to 105 High Road in Newbury, MA. I understand that the plans for the property call to place 11 (but have also heard 13) new homes onto a very small 4+ acre plot of currently open land abutted by actively used horse farm(s) and hayed meadows. I object to the proposal and am surprised that in Newbury of all places this type of development would be allowed. Please find the reasons for my objection listed below and kindly read them aloud for the Planning Board record at your next meeting.

The proposed development lies immediately adjacent to the flood zone, a wetland and 2 streams that drain to the Great Marsh which has been designated an Area of Critical Environmental Concern (ACEC). Development adjacent to wetlands in particular an ACEC is known to contribute stress to the fragile and important environments.

I noted the plans depict a large septic system (presumably to be shared by all 11 (13) large homes) at the nearest edge to the ACEC in addition to a large open storm water structure to capture what would predictably be a LOT of storm water. These types of structures should not be placed so near a wetland or an ACEC and certainly not so close to the flood zone given predicted sea level rise and the intense ramping up of storm events both in frequency and capacity. If the structures are not properly sited and maintained they can fail putting these resources in jeopardy.

Storm water structures are very rarely designed to be sufficient in size and require routine maintenance. Yet historically storm water structures are rarely maintained and can lose their functional value within a short period of time. Sedimentation inhibits or reduces proper functioning and creation of mosquito

breeding habitat which typically support vector species such as Culex (spp) most commonly associated with West Nile Virus frequently occurs.

If this does pass with Board approval I would hope that the developer has outlined a strict maintenance plan and even more importantly has identified the responsible party(ies) for maintaining the structure ad infinitum. But I did not see this mentioned. Even when identified in a deed for example it unfortunately falls to the Town to determine whether or not the responsible party(ies) are providing sufficient maintenance.

Above all, small local farms should be protected more than ever as well as clean water. The Town of Newbury is well known and cherished for its rural and pastoral scenes by its residents and the many who travel to the area (and support the local economy) to hike, bike, boat, fish, swim, and horseback ride. Farms are a big part of Newbury's history. They offer us good fresh food and an option to soak in bucolic views much needed for our mental health and recreation for our physical well-being. The proposed development will most certainly pose undue upset to those living nearby (animals and humans included) and excessive hardship on the businesses abutting the property for years to come.

Where are the setbacks?

The houses look to be immense and clearly will command a hefty price. The proposed development is completely out of character with the Town and will certainly not be affordable to most Newbury residents. Is this insta-mansion village really what we want the face of Newbury to look like? Do we really want to gentrify this community? That is a cost no one can afford. I say no thank you to the proposed development at 105 High Road.

Thank you for allowing me the opportunity to share my concerns. Much appreciation for your time and consideration.

Sincerely,



Emily White

4 Pauls Way
Newbury, MA 01951

Planning Board

From: John Statom <jcsphs@comcast.net>
Sent: Monday, November 16, 2020 12:06 PM
To: Planning Board
Cc: kathrynobrien@comcast.net
Subject: DePiero Development Project 105 High Road,

RECEIVED
NOV 16 2020
Newbury Planning Board

To Martha Taylor, Town Planner,

I have been a resident of Newbury for nearly 60 years. I have watched it slowly becoming a small town of homes owned by families for many years to a desired place to live and build. It has a wonderful flavor of rural life. Slowly it began to change when developers discovered its charm and decided to utilize the land for new homes. Riverview Drive was one of these developments and provided a street of affordable homes that reached down into the farm fields next to Walsh's Farm. Now, another project has loomed for the same area reaching down into the fields. It is one thing to drive along Rte. 1-A through a rural town and see a street of homes reaching to the east. It is another to see that the fields are being utilized for more development. Some of the new developments have had good sized property and keep the rural feel. Long View Lane is one of those that spread the three houses out. The development of Mrs. Bushee's race track on High Road was a loss of farmland, but it was bearable to see as one drove along High Road as those houses had appropriate sized lots. The Bushee property on Newman Road was also a huge loss, but controlled to size of properties. The Humphrey property development is another loss. I am sure the Humphrey family would be very upset to see what is happening to their back fields.

The DePiero plan to run a street into fields next to farmland and another resident street is too much. It does not conform to the rules and regulations of the OSRD, ignoring the Right to Farm By-Law, and not following the Master Plan for the town.

The town plan should be controlling what is happening here. Please consider that when you are making your decisions. Mr. DePiero has changed the character of Newbury with his developments and could care less.

Sincerely,

Pollyann Statom
139 High Road
Newbury

Planning Board

From: peter gantchev <peter.gantchev@gmail.com>
Sent: Tuesday, November 17, 2020 7:21 AM
To: Planning Board
Subject: Please Vote NO on the Depiero OSRD Application

RECEIVED
NOV 17 2020
Newbury Planning Board

Dear Members of the Newbury Planning Board,

After attending multiple Zoom meetings hosted by the Planning Board as well as reading the multiple OSRD applications from Depiero Properties, I would like to reaffirm my opposition to the proposed Depiero Properties OSRD subdivision at 105 High Road and to ask you to vote NO on the Depiero subdivision application. Their application runs contrary to the goals of the OSRD while also changing the look and feel of Newbury from a semi-rural town to that of a cookie cutter suburb of Boston. The OSRD does not meet the five primary goals of the Newbury Master Plan of 2006 as follows:

Goal #1 Preserve the Town's Scenic Landscapes and Rural Character: With 13 large houses squeezed into several acres, the rural character of the Town will be dramatically eroded.

Goal #2 Preserve and Protect the Town's Municipal Water Supply Sources: The current water source for the houses on High Road is the City of Newburyport and it is not clear that Newburyport will always have the excess water supply to support our growing needs particularly with the rapid introduction of 13 families, 13 lawns and multiple swimming pools with the Depiero proposal. Newburyport has also embarked on their own building spree with a major condo development at the MBTA station as well as other large scale projects that will further challenge their water supply.

Goal #3 Protect and Enhance Inland, Estuarine, and Coastal Water Quality: The addition of 13 landscaped properties on the border of the Parker River National Wildlife Refuge (PRNWR) threatens the estuarine, and coastal water resources of the Town through the added runoff from driveways, roads, lawns and gardens as well as from the septic system to support 13 homes.

Goal #4 Protect and Enhance Critical Upland, Water Resource, and Wetland Habitats to Sustain Biodiversity: There is a rich mix of wetland habitats and biodiversity on the properties bordering the proposed Depiero subdivision including the PRNWR, Colby Farm, Kathryn O'Brien's Farm and the site of the Depiero subdivision proposal. The addition of 13 homes will threaten these habitats as well as threaten the wildlife that inhabits these lands including deer, fox, coyotes, hawks, eagles and snakes.

Goal #5 Preserve Prime Agricultural Land and Working Farms: The Depiero subdivision is located on a former horse farm and it is located in the heart of Newbury's equestrian industry with High Tail Acres, Black Horse Farm and Kathryn O'Brien's Farm all in the neighborhood. Furthermore, the subdivision abuts 55 acres of preserved agricultural land that is

owned and farmed by the Colby family. Loss of this farm to development will challenge our ability to preserve our remaining viable farm lands.

Newbury is a very special place and I would like to see it developed as per the vision and recommendations of the 2006 Master Plan that was painstakingly developed with the collaboration of the Town rather than the profit needs of a single developer.

Please vote NO on the Depiero OSRD application!

Thanks so much for your consideration and please feel free to contact me at your earliest convenience should you have any questions, comments or concerns about my opposition.

All the best

Peter Gantchev
20 Year Resident
117 High Road
Newbury, MA

Planning Board

From: Kendra Beuparlant <kendrab943@gmail.com>
Sent: Wednesday, November 18, 2020 8:42 PM
To: Planning Board
Subject: objection to 105 High Road subdivision

RECEIVED
NOV 18 2020
Newbury Planning Board

November 18, 2020

To the Newbury Planning Board,

My name is Kendra Beuparlant and I have lived in Newbury all of my life. I am writing to object against the plans to subdivide 105 High Road. I feel very strongly about this for many reasons.

To start, preserving the farmlands and ecosystem should be the top priority when it comes to these devised plans. Being a horse person and having worked with them most of my life, this would substantially affect their health. Horses have a very strong startle reflex and will spook at the slightest of sound. I have personally witnessed that myself and it can be very scary. Horses are very quiet creatures and need their peace and quiet. In addition, their caretakers and riders would also be put at risk of serious injury. Equestrianism is a very complex sport and with the construction of unneeded houses potentially being put in would devastate it. It just wouldn't be fair at all.

My next point I want to talk about is how this plan goes against what the community wants as a whole. Stated on Newbury's community page, "Its mission is to protect and preserve its vast historical and cultural resources for present and future generations". This proposed plan is completely the opposite of that. Newbury is known and frequently visited for its quaintness and its wonderful open spaces. It should stay open for the greater good. Why destroy it? We should be doing *more* to protect it! Growing up in Newbury has really taught me to appreciate its natural beauty and I'm afraid the future generations may not have that opportunity to appreciate it. We should be able to raise our future generations with what we have, which is such a rarity. Newbury is a town, NOT a city.

Lastly, the residents and small businesses abutting this would be greatly affected if this plan gets approved. For example, Tendercrop has grown to be the most

popular and fresh resource that we bring to our dinner tables. The traffic there now is already existing at high volumes and this plan would be creating a disaster waiting to happen. High Road will be so overwhelmed between all the residents and Tendercrop's customers. It is just unsat to think about what could happen.

As you can see, there are many reasons I have stated as to why I strongly urge the Committee to vote NO on this. Thank you for your time and consideration.

Sincerely,

Kendra Beauparlant
25 Withington Street
Newbury MA 01951

Planning Board

From: Nancy Soward <njsoward@yahoo.com>
Sent: Tuesday, December 01, 2020 1:08 PM
To: Planning Board
Subject: Development at 105 High Road

Dear Martha Taylor,

I have only lived in Newbury for 11 years but after living in Newburyport, Houston, Texas, Suburban, N.J. and back to Newburyport I saw how development can change the character of an area. When I came back to Newburyport in 2005 after 25 years away the feeling of the town had changed dramatically. It felt congested...too many cars, too much infilling, too many people. Newbury seemed to provide a wonderful, peaceful idyllic alternative. When you pass the development going on Colby Farm Road in Newburyport you see large houses one on top of the other. The thought of something like that happening in Newbury would be heartbreaking.

I have seen, in the area of Virginia where my daughter lives, a transformation of country farmland to a series of developments and shopping centers and busy roads. It is a very sad loss and it happens quickly. The town of Newbury has to have a plan for the future. How much development do you want and what kind? How much are you willing to sacrifice? Shouldn't there be lot restrictions of 2 acres per house lot?

Sometimes you don't realize how wonderful something is until it's gone. Newbury is a treasure and should be treated with caution and care.

Sincerely,
Nancy Soward
29 Old Pine Island Road,
Newbury, Ma.

RECEIVED
DEC 01 2020
Newbury Planning Board

Planning Board

From: Angel Beauparlant <abeaup25@comcast.net>
Sent: Wednesday, December 02, 2020 8:06 PM
To: Planning Board
Subject: objection to 105 High Road

RECEIVED
DEC 02 2020
Newbury Planning Board

To the Newbury Planning Board,

I am writing to object the plans to subdivide 105 High Road. I have lived in Newbury my whole life. This whole plan makes me really upset to see this town turning into a city. Newbury is all about farms and open spaces, why do we need more houses? Sometimes I think this is all for the money.

The traffic on High Road will be so congested with the houses potentially being put in. For example, on November 19th, I witnessed 2 cars collide right out front of Tendercrop. Does the Planning Board really think adding more houses will be safe to the already existing traffic? How will this be addressed? This happened on a normal business day. Traffic is already existing at high volumes and adding more will surely be detrimental. In addition, the day before Thanksgiving, Tendercrop was crazy busy. Cars were lined up the entire length of High Road. I can't imagine cars coming out of the very narrow driveway that's supposedly going to be built will be able to safely merge on this scenic highway.

On the farmland side of things, this is totally unfair to the abutting horse farm at 103 High Road and the one next to it. Non horse people fail to realize how much this is going to affect them. It will impact the horses health and their caretakers. Farms deserve peace and quiet, not the sound of construction and more noise around them. Open spaces deserve to be left OPEN. Leave them the way they are! The only thing this plan will benefit is the builder's pocket.

Please think about the community that IS going to be affected negatively when it comes down to voting for this. Someone should physically go down to the land and really try to picture what is potentially going to be put in. It might look okay on paper, but I think they should really think how it just doesn't fit. Please STOP this nonsense!

Sincerely,
Angel Beauparlant



Planning Board

From: Carol Rice <clr1@verizon.net>
Sent: Sunday, December 13, 2020 9:08 PM
To: Planning Board
Cc: Clr1@Verizon.net
Subject: 105 high road

Greetings,

I reviewed the town master plan and find that subdivisions like this one are not in line with what the town aspires to in that plan.

I reflected on this as I waited close to 5 minutes to turn right onto high road from Tendercrop (on a slow Monday mid-morning). That part of High rd is going to be tough for traffic and the pedestrians - adults and children visiting the petting barn.

I remain opposed to this project.

Thank you,

Carol Rice
330 High Rd.

RECEIVED
DEC 13 2020
Newbury Planning Board

Planning Board

From: Will Roberts <roberts22o5@aim.com>
Sent: Monday, December 14, 2020 3:49 PM
To: Planning Board
Subject: Objection to 105 High Road, Newbury

To the planning board of Newbury,

I hope this email finds you well. I am contacting you to give my opinion on the 105 High Road subdivision plan. I find this very upsetting. I think everyone can agree that Newbury has always been known for its open spaces and farmlands. I don't see a reason to cram another set of houses in the middle of all that. This will disrupt the abutting farms and wildlife that surround it, considering most of the existing plots on that road are farms. The planning board needs to realize horses cannot handle high noise levels. They do not deserve what is going to be potentially surrounding them. Keep Newbury's open spaces OPEN! This new subdivision is only going to cause more trouble! The location of this plan could not be more wrongly placed. Tendercrop already has such high volumes of traffic that this would make it more dangerous. Have they even looked at how narrow the road going down is going to be? I strongly suggest these members go down to the lot and physically look at the big picture instead of some blueprints. I just don't see how this plan will ever work. I hope you consider these objections as Newbury does not need any more projects.

Vote NO on this!

Sincerely,
Will Roberts

Sent from my iPhone

RECEIVED
DEC 14 2020
Newbury Planning Board

Planning Board Admin

From: BONNIE SIMPSON <jscollay@comcast.net>
Sent: Wednesday, December 16, 2020 6:45 AM
To: Planning Board
Subject: 105 High Rd.

Martha Taylor
Woody Knight
Peter Paicos
Laurence Murphy

RECEIVED
DEC 16 2020
Newbury Planning Board

Dear Board Members,

As an abutter at 107 High Rd., the longer these meetings continue, the more questions and concerns arise. In reading the emails sent to the planning board, it is obvious that many troubling details to questions remain unanswered or are ignored by those who are involved in the project.

TRANSPARENCY:

A. Mr. DePiero. We do not know him personally other than he is a developer in this area. It is common knowledge that me frequently mentions freely that "Newbury loves me and I can do whatever I want." Over the period of the previous several months he is now sharing in many circles that he is just pushing the development plans through and will not be involved in the actual building.

1) If this is the case, WHY? Why do the owners of 105 High Rd. need a go-between? Is there a specific reason? Many departments of Newbury Town Hall have had previously contact with Mr. Costonis since 2007. This seems curious. This is a question shared by many in town, not just a select few.

2) So, Mr. DePiero is not going to be involved with the actual building of this development. WHO IS??? What is the company, it's size, reputation, assets, relationships with lenders, previous projects? And, why is this not public information? This is information that residents of a community need to know. It is even MORE important that the Planning Board have access to this information while making a town changing decision. If people know, then this should be publicly disclosed. Mr. DePiero hasn't been present for most of the zoom meetings. We are not the only ones troubled by this and who have questions.

3) Is the Planning Board aware of the company BEDROCK DEVELOPMENT owned by Mr. Costonis? If not, why not? Google it. Is this company going to be involved in the development?? And if so, HOW? Financially? Labor? AGAIN, so many legitimate, unanswered questions. It's rather unsettling... Are we to just be distracted and frustrated by the changing and evolving blueprints, the numerous meetings, and miss the "devil in the details" about what is really going on? This effects our town and represents a permanent change, EVERYONE has a right to know.

4) AFFORDABLE HOUSING: ASKING FOR ANSWERS NOW

Most everyone agrees that there is a tremendous need for affordable housing in Newbury. Even the most basic older family home starts at approximately 600k and goes up from there. NEVER, NOT ONCE, has anyone asked what these houses/ units are going to sell for?? And NO ONE involved in this project has VOLUNTEERED even a price range. These homes are going to have swimming pools!!! A new home in Newbury with a swimming pool AFFORDABLE!!!! We are being figuratively "snowed," and everyone needs to pay attention about what's NOT BEING said. AGAIN, no transparency. If this were affordable housing, they would put it out there to help sell the project. OR, build 3 homes and donate the remaining land for public access and enjoyment. There are millions

and millions of dollars to be made. That's how developers made a living. Or maybe a very nice retirement. The fundamental question to be answered is simply this: is this good for Newbury and the town's vision voted on by the people OR, is it about greed and personal profit. We have read the letters and emails sent to the planning board. There are many valid reasons and arguments AGAINST this development. It is encouraging to read everyone's passion and commitment to our town. 9 letters were in favor and 33 were against. Clearly, WHAT DOES THAT SAY? Easy, people are seeing through the bluster and know what is truly going on. GREED.

We are also aware that many do not do the zoom meetings, BUT, if not for Covid, there would be a room full of people physically present at town hall meetings to oppose this. We would like to thank Mr. David Powell for his due diligence on the zoom meetings as well as his written documentation to the board. As a former member of Planning Board, he has unique experience, knowledge and insight. He stated that this development is both "reversed engineering" and "fatally flawed." This should be given lengthy and serious consideration and his insight valued. He's looking out for Newbury's best interest, not profit. Seriously, how many meetings or attempts is the board going to keep granting this "fatality flawed" plan? Even one of the Board members stated in October's meeting that this is "obnoxious" after a long discussion going nowhere. The members have been more than fair and patient. And we thank you all. Isn't it time to at long last stop?

TRAFFIC TRAFFIC TRAFFIC

During one of the zoom meetings, (don't recall her name) but an attorney made the argument assuring everyone that after the homes were sold and occupied, it would not impact or contribute to the traffic situation on High Rd. What spoke EXTREMELY loudly was the OMISSION regarding the heavy equipment and work trucks/vehicles entering and exiting the narrow "Surry Road" onto 1A. All day, everyday 7a to ? 5pm Monday through Friday, maybe Saturday for what 3,4,5 years. Read that again. Most opponents of this development have realistic and valid concerns about High Rd. Everyone who has lived here for many yrs./ decades have watched traffic increase yearly. YET, NO mention on traffic issues while construction occurs. We are going on 17 yrs at High Rd., (Chris is third generation in our home.) I decided to monitor just how much traffic passed by 105 and 107. On Thursday September 17th between 12:30pm and 1:30pm, 793 vehicles traveled by our homes. I was STUNNED. 3/4 of the traffic were mostly cars, but there were private work trucks- (ex: Chevy Silverado/Ford F series-) some pulling trailers, large work trucks with more than 4 wheels, private work vans, delivery vans and lawn service trucks all towing trailers with heavy equipment on the back. There were 7 motorcycles, 5 people on bikes, 12 people out walking, (3 with dogs,) 4 jogging. Obviously, many turned into Tendercrop but this is a busy heavily traveled State Highway. Just a regular travel day through Newbury.. The next day September 18th from 2:15 to 3:35pm documented traffic again. Total vehicles were 838 in an hour and 15mins. Very similar car /truck ratio. There was one Walmart 18 wheeler, 10 motorcycles. Now there were 2 school buses. 11 people on bikes, 9 people walking- 4 with dogs. 3 jogging. 2 children approximately 7-9 yrs old walking alone going north. As everyone is aware, no one travels the speed limit of 45mph. It's usually 50-60. What will be the consequences with these regular conditions- then adding heavy equipment/construction vehicles entering and exiting 105 High Rd. . This is already a very dangerous stretch of road. BTW, this was September, not during the extra busy season for Tendercrop of Thanksgiving/Christmas/Memorial Day/4th of July/Labor Day. All the vacationing tourists of the summer months. There are near misses and fender benders regularly. We are inviting any and all members of the board to come and observe the traffic we see everyday in front of our home. You too will be stunned. We knew it had increased over the years but the sheer volume was shocking. This could not be a WORSE location for a development- adding more congestion, traffic, and I repeat, with numerous heavy construction vehicles entering and exiting a narrow driveway regularly during the day. WHO is going to ultimately take responsibility for this? it's an important, valid and reasonable question to ask. Someone is going to get killed.

IN CONCLUSION

Several weeks ago, I came from from work in the morning to find our sign posted in the front yard opposing this development was gone. Ever since we moved in, we've had No Trespassing signs posted. After considerable thought, this was reported to the Newbury Police Department and a report was filled out. The officer did not think this was a random act or prank. Never in our widest dreams did we ever imagine being told by the Newbury Police to take security precautions, including but not limited to a security camera. This is Newbury- a safe community, a trusted place. We were also instructed to report anything that occurs in the future. Trespassing and stealing private property are crimes and the person or persons are subject to arrest. Here is a rhetorical question. What was the point to steal a sing? This childish act was what? If all the signs are gone is there then the allusion that the town does not oppose this development? Was it to bully, power posture of to intimidate? We will never know because the person or persons will not come forward, admit it and be arrested. What it says to us are several things. Is this a red flag or a warning of possible things to come over money and a development? This is both heartbreaking, repugnant and incomprehensible that something like this would occur in the town we love and appreciate: for its community, unique beauty, and safety. Yes, it was a \$10 sign and no one was hurt, yet the message was clear. This development is going to destroy our town. In many ways, the decay has already started. Please, just once and for all, end this and stop dragging out a "fatally flawed" development and now a fatally flawed campaign of intimidation. WE ARE BETTER THAN THIS, all of us. We both appreciate and understand the board is not interested in emotions, but rather facts. The board needed to be aware of THIS fact as well as every citizen of Newbury. If something similar has happened or does happen to you, the Police want to be aware. Speaking to the officer was truly a sobering moment. Please, everyone, let's aspire to the better angles of our nature

Thank you,
Sincerely ,
Chris and Bonnie Simpson
107 High rd.
Newbury, Ma 01951

Planning Board Admin

From: kathrynobrien@comcast.net
Sent: Sunday, December 27, 2020 10:48 PM
To: Planning Board
Cc: kathrynobrien@comcast.net
Subject: Hi Martha - I hope you had a really nice Christmas with your family.

RECEIVED

DEC 27 2020

Newbury Planning Board

Two things

1. Are we still waiting for the town counsel to review the home owners association plans and the bond/tripartite agreement for Green St?
2. I want to raise my concern that the definition of the yield plan for 105 High Road is being determined by three attorneys who have already declared their decisions. Two of the attorneys are working for the applicant and the third attorney is Lisa Mead, Town Counsel for Newbury, who has her firm's comments in favor of the latest plans clearly spelled out on the applicant's plan, presented Dec. 16, 2020. I am not sure how she can be representing both the town and the applicant, but I am disagreeing with the Chair's decision to allow them to determine the fate of this subdivision and future OSRD subdivisions which will use their decision as precedent for future OSRD developments. I would like to suggest that the determination for the decision should be decided by the voters of the Town at the next Town Meeting. The Master Plan of 2006 clearly states the residents are against increased development in the town and this decision of the number of lots and houses determined by this particular yield will have a grave impact on the direction the residents have said they want to proceed in the future. COVID

precautions should not be used as an excuse to move forward on this decision until a Town Meeting can be held and 2/3 of the registered voters be allowed to make the decision. The large impact this decision will have on the entire town cannot be ignored and placed in the hands of a couple of people who do not even live in the town and already expressed their bias. Would you please bring this concern to the attention of the Planning Board prior to the next meeting regarding this subject at 105 High Road, Newbury? Thank you

Please Confirm Receipt

Kind regards,
Kathryn O'Brien, M.Ed.
RE/MAX Partners
978.465.1322
KathrynOBrien@comcast.net
*Over 1300 homes **SOLD** in your area*

Planning Board Admin

From: Diane Tufts <tuftsgang@icloud.com>
Sent: Friday, January 15, 2021 8:31 AM
To: Planning Board
Subject: Stop High Road Overdevelopment

RECEIVED

JAN 15 2021

Newbury Planning Board

In regards to the upcoming meeting on the awful overdevelopment of High Road (near Tendercrop Farm)

This will impact the entire Mid-High Road area & traffic patterns will be slowed & disrupted...all for a few more tax dollars & the big profits of an unscrupulous developer. I refuse to use his name.

We live & travel in that same area & we do NOT want the development to commence.
There is simply not enough land there for such a big development & for so many new homes.

We asked the town to divide our 1.54 acre lot (to give our daughter a lot) & they promptly said NO. We accepted that, and the SAME must be done here in this case.

There can be no favoritism in Newbury allowing one resident to do something, but not others. Absolutely not.

I understand that 3 attorneys are involved in this case, they should all back me up on that. NEWBURY said NO to me in 2016. And I had MORE land per home than this new awful overdevelopment does.

No excuses. No special favors for land developers, unscrupulous builders & greedy unlawful attorneys.

We pay the taxes in this town, taxes pay town salaries. We have the say on this unlawful large development. It is a clear case. We will not tolerate this.

Diane Tufts
Peter Tufts
Samuel Tufts
Monica Tufts McNeil
Eric McNeil
25 Pine Island Road
Newbury, MA 01951

tuftsgang@live.com

Sent from my iPhone

Planning Board Admin

From: kathrynobrien@comcast.net
Sent: Wednesday, January 27, 2021 2:24 PM
To: Planning Board
Subject: A letter to the Planning Board

103 High Road
Newbury, MA 01951
December 18, 2020

RECEIVED

JAN 27 2021

Newbury Planning Board

At the most recent meeting the yield on the plan for 105 High Road was in question. You appointed three attorneys to determine the definition of a yield plan and report at the next meeting. I must strongly object to using the three attorneys currently involved in this case. Both Jill Mann and Lisa Mead have acknowledged their definition at the last meeting. Both of them have endorsed the most recent plan presented at the December 16th meeting. By doing so, two of the three attorneys have already accepted the current yield number. The yield needs to be defined by an expert in OSRD not someone with an obvious stake in the project.

Has Newbury ever approved an OSRD and what is the location of that subdivision. If Newbury has not approved an OSRD, then no precedent has yet been determined for Newbury. Establishing the yield for the first OSRD subdivision will establish precedent for the future requests for the OSRD subdivisions. Instead of the yield being the number of lots, all of the following OSRD developments will do the same. This subdivision at 105 High Road will determine the yield to be the number of housing units that a developer can squeeze onto a lot. Then they, too, will be able to

over build the lot in direct opposition to the directive of the residents. This is not the intent of the OSRD.

The yield plan for 105 High Road will impact the future development of Newbury beyond this one subdivision.

As you, and everyone else knows, the residents of Newbury are fighting hard to disapprove this entire poorly conceived subdivision. But it is equally important to look forward to the tragic effect your decision will have on the entire town. The number one goal of the residents in Newbury is clearly spelled out in the Master Plan of 2006.

No more developments. Please revisit the original Master Plan of 2006. This directive is to the decision-makers who have been elected to carry out the residents' goals is clearly spelled out. I have attached the results of the only Master Plan currently approved and endorsed by the residents of Newbury.

How can you even consider accepting the word of the developer? Neither he nor anyone else in the room have any impactful knowledge based upon fact except the person who crafted the document. David Powell. He is the only person with unquestionable understanding of the parameters of the ORSD and only he has the authority and experience to inform us of the definition and integrity of the

Receipt

Kind regards,
Kathryn O'Brien, M.Ed.
RE/MAX Partners
978.465.1322
KathrynOBrien@comcast.net
*Over 1300 homes **SOLD** in your area*

Planning Board

From: Alissa Rice <alissa.rice@yahoo.com>
Sent: Sunday, March 14, 2021 3:22 AM
To: Planning Board
Subject: 105 High Rd

RECEIVED
MAR 14 2021
Newbury Planning Board

March 14, 2021

To the Newbury Planning Board:

I am writing again to object to the revised plans to subdivide and develop the land at [105 High Road, Newbury, MA.](#)

I have lived here in Newbury for years, and moved our family here because of the open space and farm lands. High Road (1A) is known for being one of the most beautiful and scenic stretch of road on the North Shore.

Recently, it seems there has been an abundance of new building that is eradicating the open space and farmland that Newbury is known for.

Newbury is special because of these open spaces and farmlands. Being able to raise our children in such a beautiful rural community is a rarity these days. This is why I believe that these open spaces and farmland needs to be preserved, not destroyed as a result of this latest building craze.

Additionally, this area of High Rd is a heavily trafficked area due to its proximity to Tendercrop Farms. How will this be addressed? Is new infrastructure planned? What about utilities for this development? Will the water be sourced from private wells or are there plans to hook up to town water? Can the latter sustain this development?

Thank you for hearing my objection,

Sincerely,
Hugh and Alissa Rice
[7R Austin Ln](#)
[Byfield, MA](#)

Please Confirm Receipt

Planning Board

From: LORI TIMONY <ltimony@comcast.net>
Sent: Sunday, March 14, 2021 11:33 AM
To: Planning Board
Subject: Vote against the proposed subdivision at 105 High Rd. Newbury

To Whom It May Concern:

Please note that I am AGAINST the proposed subdivision at 105 High Rd. in Newbury.

My neighbors and I did not move here to live in a community with increased housing, increased traffic, increased car accidents, etc.

Thank you
Lori Timony
190 High Rd.
Newbury MA

RECEIVED
MAR 14 2021
Newbury Planning Board

Planning Board

From: noreen scelzo <go_sli_go@comcast.net>
Sent: Sunday, March 14, 2021 1:41 PM
To: Planning Board
Subject: High Road development across from Tendercrop Farm

I would like to voice my opposition to any development of the property across from tendercrop farm on High road.

It is crammed into beautiful surrounding properties and will take our beautiful residential/agricultural neighborhood into a whole new over crowded,urban jungle that will be forever changed.

Leave mother earth alone in the few areas we have left to pass on to our children and grandchildren.

The added traffic will cause accidents and then probably traffic lights!

NO NO NO

Noreen Scelzo 47 Hay st

Sent from [Mail](#) for Windows 10

RECEIVED
MAR 14 2021
Newbury Planning Board

Planning Board

From: pam.jamison@comcast.net
Sent: Sunday, March 14, 2021 6:54 PM
To: Planning Board
Subject: New construction

Greetings Board

Please stop the multi housing which Depiro keeps bringing forward. This type of increase will burden the town and school system and many other things altering the flow of movement and life in Newbury

Maybe the contractor can buy old houses and fix them up and sell them

Thank you
Jamison's

Sent from Xfinity Connect App

185 Middle Rd.

RECEIVED
MAR 14 2021
Newbury Planning Board

Planning Board

From: Dee Crowley <deedee.crowley@gmail.com>
Sent: Monday, March 15, 2021 7:57 AM
To: Planning Board
Subject: 105 High Road

Planning Board

Please do not let Mark DePiero ruin yet another plot of land in Newbury. I live on Cottage Road. Enough already.

Dee Crowley
44 Cottage Road
Newbury, MA

RECEIVED
MAR 15 2021
Newbury Planning Board

Planning Board

From: Olga <olga_hutson@yahoo.com>
Sent: Monday, March 15, 2021 9:25 AM
To: Planning Board
Subject: 105 High Road, Newbury

Hello,

I strongly believe that the plan to build a development at 105 High Road will negatively affect our beautiful area. The Town of Newbury is all about farms, meadows, and nature. Building a development of 10 duplexes that translate to 20 family units will jeopardize all this as well as working farms in the area. It will also add a huge disruption of additional heavy traffic both during the construction and should the development is allowed to be built.

I am very much against the DiPiero development plans.

Olga Hutson
43 Hay Street
Newbury

RECEIVED
MAR 15 2021
Newbury Planning Board

Planning Board

From: Daniel Hutson <hutsondo@yahoo.com>
Sent: Monday, March 15, 2021 10:00 AM
To: Planning Board
Subject: 105 High Road, Newbury

Dear members of the Planning Board,

I am very much AGAINST the current plan to build a development at 105 High Road - it will negatively affect our beautiful area. The Town of Newbury is all about farms, meadows, and nature. Building a development of 10 duplexes that translate to 20 family units will jeopardize all this as well as working farms in the area. It will also add a huge disruption of additional heavy traffic both during the construction and should the development is allowed to be built.

--

Daniel L. Hutson
43 Hay st.
Newbury MA

RECEIVED
MAR 15 2021
Newbury Planning Board

Planning Board

From: Pauline Peters <pauline.peters1@gmail.com>
Sent: Monday, March 15, 2021 9:45 AM
To: Planning Board
Subject: subdivision at 105 High Road, Newbury

Dear Planning Board Members

I should like to convey my opposition to the planned subdivision at 105 High Road. The number of units is far above what that piece of land should carry and would be contrary to the rural landscape of that area. In addition, the increased number of vehicles (presumably at least one per unit) would add to an already exploding number of vehicles on the inadequate roads of Newbury (and Newburyport). In particular, that part of High Road is already difficult to dangerous with the large trucks going in and out of Tendercrop farm and also into the nearby horse farms.

Already in Newbury, we are seeing the destruction of what used to be a beautiful town - Route 1 is becoming as ugly as the parts of Route 1 in Saugus. Those of us living on Boston road are now seeing massive destruction of woods being erased by a set of ugly storage units, a so-called 'development' that will cause enormous run off and erosion in that area. We already have to deal with the fast moving traffic on 'dump' aka recycling days and now will have even more vehicles on our once peaceful road. Since the pandemic, we have seen far more people walking on Boston road (heading for Hay and Green streets), a route that is one of the most lovely areas of Newbury. They too are in danger of ever more traffic.

The crowded plans for 105 High Road are another example of how far planners and some property owners are from considering what is appropriate change for Newbury and its residents, rather than merely their profits.

Yours sincerely
Pauline Peters

69 Boston Road

RECEIVED
MAR 15 2021
Newbury Planning Board

Planning Board

From: Kendra Beauparlant <kendrab943@gmail.com>
Sent: Monday, March 15, 2021 10:07 AM
To: Planning Board
Subject: Objection to 105 High road

RECEIVED
MAR 15 2021
Newbury Planning Board

Hello Planning Board,

I am emailing yet again to strongly voice my opposition to the proposed Subdivision plan for [105 High Road](#). I have been following this series for a very long time as a Newbury resident. To start off, it is SO absurd that this silly, illogical plan is still being considered. This has been an issue for over a year now and has not yet been resolved. Perhaps because this is such an unnecessary nuisance. Meeting after meeting, the consensus has stayed the same -- each member voted no and could not come up with something anyone could agree on. The yield was never agreed on and every time each member disliked DePiero's submitted plans. How many times can someone be denied and then be allowed to keep coming back? On a side note, the owner is no longer Costonis, but is Mitchell Manton. I feel along with many others that DePiero is being given a "favor". It is very apparent that he is always granted more time to consult and come back and play the same old song and dance. This project has been such a long, drawn-out discussion that has not gotten anywhere and everyone is sick of it. It will not get anywhere. The majority of the letters, very much like mine, are all against this. How does the Planning Board not see that Newbury doesn't want this? Whatever happened to listening to the people? Clearly, the citizens are being ignored and have no say in what happens to their town. It is repulsive that it has gotten this far. It needs to stop.

In the past meetings, this OSRD plan has been put up to a list of requirements. Each member has gone through the list and concluded that it does NOT meet them in any way. In fact, it has been concluded that it is "more detrimental than beneficial". There are so many flaws to this plan. Who would want to live here? Route 1 is such a highly traveled state highway that merging onto this road would be impossible without some sort of light system. There have been so many accidents and this would be another one waiting to happen. Having this development put in would impact not only the residents, but it will impact the beautiful wildlife surrounding it. Open space deserves to be OPEN. Leave it that way!

Another thing that has significantly bothered me for a while now is how attorney Jill Mann has tried to emphasize that there are significant open walking trails to the public connecting to the plot. Quote for quote she said, " They are most certainly connected by walking trails". She has consistently tried to preach that there is so much open space that this development would not take up really anything. Upon her saying this, Woody Knight declared that these so-called "trails" don't exist and haven't existed for a while. It is giving the Planning Board the wrong idea and in my opinion, pulling sleight of hand. It isn't right nor is it okay.

I hope this email has made it very clear Newbury and its residents are very unhappy with this proposed plan and wish for it to never take place. The values of Newbury as a whole have always stayed the same and should never be at risk for change without democracy. Please put an end to this ongoing issue by voting NO next meeting. Look at the bigger picture and see Newbury does not want this!

~ Kendra Beauparlant

[25 Withington St](#)
[Newbury MA](#)

Planning Board Admin

From: Mark rao <markrrao@hotmail.com>
Sent: Monday, March 15, 2021 10:20 AM
To: Planning Board
Subject: Development 105 High road

The residents of Newbury are not interested in more development. The board is only interested in more tax revenue and more power. You work for us not for Dipitro. Though based on the board's behavior you would never know it. No more Dipitro developments period. Its not up to you.

Mark Rao
199 High Road.

Sent from my iPhone

RECEIVED
MAR 15 2021
Newbury Planning Board

Planning Board

From: Ashley Berek <ashleyberek@yahoo.com>
Sent: Monday, March 15, 2021 10:15 AM
To: Planning Board
Subject: CONCERNS 105 high road development

To whom it may concern,

As a resident of the town of Newbury, specifically a resident of High Road, I am requesting you decline the approval of a new development of town houses at what would be 105 High Road. We moved to this town, specifically because of it's beauty, location and the mere fact that it isn't over populated. Since moving here, developments are popping up left and right. Driving past tender crop farm multiple times a day, I cannot imagine the impact 20 additional units would make on the traffic. Traffic is already a nightmare with people coming in and out of the farm, this would be a huge problem and potential for accidents. Everybody I talk to who lives in this town, does not want this development built. There's plenty of other land in other areas that are less developed and will do less harm to beautiful farm life that we have here in Newbury.

Thank you for hearing my concerns,
Ashley Rao
199B high road

Sent from my iPhone

RECEIVED
MAR 15 2021
Newbury Planning Board

Planning Board

From: Kettie Laky <kettielaky@gmail.com>
Sent: Monday, March 15, 2021 4:01 PM
To: Planning Board
Subject: Letter in Opposition to Proposed Development at 105 High Road
Attachments: 105 High Road Development.docx

Dear Planning Board Members,

We sent the following attached letter on July 13, 2020 in opposition to the proposed development at 105 High Road. We are still opposed to any multi-house development on this property. It has come to our attention that the developer, Mark DePiero, is again requesting an exception from the town for a new plan of 10 duplex units but that, in order to oppose this new plan, we would need to re-send a letter stating our opposition. For the same reasons outlined in this letter dated 7/13/20, we continue to strongly object any multi-house developments on this piece of property. Please read the attached letter into the record again at Wednesday evening's meeting.

Thank you,
Kettie & Russ Laky

30 RIVERVIEW DR.

*SEE ATTACHED LETTER DATED
7/13/20 - RE-APPROPRIATED*

RECEIVED
MAR 15 2021
Newbury Planning Board

July 13, 2020

Dear Newbury Planning Board Members,

We would like the following letter to be read into the record.

It is with great concern that our family writes this letter of opposition to the proposed building development by Mark DePiero planned for 105 High Road in Newbury, MA. As members of this community for the past 14 years we can honestly say that this town will be our "home" forever. Having grown up on Long Island, NY I can tell you firsthand what happens to a small coastal town when you allow urban development to continue. It loses its special feel and people leave.

We would like to point out a few points that we feel should be taken into consideration when ruling on this subject and against the approval of this project:

Cottage Road Development

Newbury has several properties still in existence that speak to the history of this amazing seaside town. The property adjacent to the Lower Green, Evergreen Cemetery and the old schoolhouse is a great example of this. However, Mark DiPiero has been allowed to clear cut this area to build seven homes which will forever change some of the landscape of the early settlers of Newbury.

Riverview Drive Residents

To say our family loves Old Towne Newbury and Riverview Drive would be an understatement. When my wife and I were looking to buy our first home in 2006 I was dead set on Newburyport. My wife was the one who convinced me to expand our search because we could get more for our dollar in Newbury. It was the best thing we ever did. We lived at 25 Riverview Drive (backyard looks out at the proposed development area) for 6 years. With a growing family we felt we needed more space so we moved to Byfield for 4 years so that we could stay in the school district and town we already loved so much. However, it did not have that same "country feel" as Old Towne Newbury and we quickly realized we wanted to get back to this side of town. In 2016 we were able to move back, this time to 30 Riverview Drive, on the opposite side of the street, adjacent to Tendercrop's growing fields. This is a very special street and neighborhood. The views and sounds of nature are one of a kind, and the houses are modest and fit the character of a quaint New England town. If you allow this development to be built you will be destroying some of those special characteristics that make this a street on which people are thankful to live.

Katherine's Horse Farm

How many people can say they live on a street where they can gaze off their back porches at any given moment and watch horses running around freely, playing with one another, grazing in open fields. As Katherine O'Brien will tell you at great length, the building of a development of this size and nature makes running a horse farm impossible and those beautiful views will no longer be there.

Wildlife

As an avid outdoorsman with two young boys, our family uses nature for many life lessons, from respect for all life to sustainability of our land and water. Sightings of deer, turkeys, coyotes, countless bird

ATTACHED TO EMAIL OF 3/15/21
RECEIVED
MAR 15 2021
Newbury Planning Board

species and other small wildlife are a daily occurrence here on Riverview Drive. A project of this nature ultimately disturbs all of them.

Schools

It is no secret the number of registered students for Triton schools and especially in sports is dwindling. The price of homes have skyrocketed making it nearly impossible for any young families to move into this town. The average price of a home in Newbury is close to \$600k. How many families can truly afford that? Yes, big homes equal big tax dollars, BUT the fact is those homes and the families that can afford them do not send their kids to public schools. They send them to private schools like Governors, St. Johns Prep, etc. How does that help our schools and our community?

Water Table

It's a joke often heard on Riverview Drive after big rain storms that "this is the street that never should have been built because of how low it is compared to the water table." You live here knowing your French drains and sump pumps must ALWAYS be in order or risk flooding your basement. Whatever the reason, every year seems to get worse and worse. More water, more run off, more street flooding. There is zero question in our minds that a development of this nature so close to Riverview Drive will affect the water table and the flow of water into our wetlands.

Traffic

The section of Route 1A in front of the Tendercrop Farm store is already busy and dangerous. There have been several accidents at that location as people try to pull out of the parking lot onto a very busy road. Adding another outlet on the opposite side of the street will make the area treacherous, not only for cars, but for the many bikers, runners, and pedestrians, including children, that also use High Road. (Since the sidewalks are not well-kept along this stretch of High Road, runners, walkers, etc have no choice but to be on the street. But that is a letter for a different time).

Mark DiPiero's Personal Residence

When thinking about historic landmarks in this town, we believe Old Town Hill is probably one that would end up on any residents list of top favorites. With its rolling fields and simple trails meandering through the woods to amazing views from the top, it's a special place. So when you see a bunker built into the side of such a place and the clear cutting of surrounding vegetation so large it changed the aerial view of a piece of property so a developer can build his dream house, we ask you this: was he thinking about the history of Newbury and its current residents? I think the answer is clear he was not. Henry Becker is another builder I would like to bring up in this subject. He is undoubtedly one of the best, most well-respected builders in the area and his work impeccable. He lives in a VERY modest ranch house on Riverview Drive. He could easily have built a huge house but he chose to do what's right for the street and build a house that fits within it's current look and feel. Very different than the plans that Mark DiPiero has for himself or for this development at 105 High Road.

In closing, we know that countless people are opposed to this development. How many will write or voice their opinion is unknown. Had it not been for Katherine O'Brien informing us of your meeting on Wednesday July 15th, 2020 we would never have known. Builders know the ins and outs of small town politics and how to work the system. Hard working residents are more focused on raising families,

working and taking care of their own properties and don't hear about these things. By the time they do it's too late to do anything. We ask that you truly think about what we have said here and know that we speak for many other people that did not have the opportunity to voice their opinion. Thank you for your time and consideration, and for your final disapproval of the 105 High Road Development.

Sincerely,

The Laky Family

Russ, Kettie, Paxton (12), Tyler (10)

30 Riverview Drive

Newbury, MA 01951

Planning Board Admin

From: Irene Martyniuk <martyniuk33@gmail.com>
Sent: Monday, March 15, 2021 1:57 PM
To: Planning Board
Subject: 105 High Road Development

To: Planning Board Members

I am writing to express my strong opposition to the development proposed for 105 High Road.

I ask you— how many pristine natural areas does this developer have to ruin before the town says ENOUGH!

1. Newman Road looks like a bunch of Walmarts with gables.

and

2. the intersection of High road and Cottage Road is an abomination . the traffic and drainage issues are already affecting the neighborhood. In addition the disproportionately large houses look odd — crass— on the landscape. Most important for the town, is the fact that housing like this is unaffordable for middle income people.

Please I implore you, do not allow this developer to ruin yet another neighborhood and more of the natural landscape.

thank you for your consideration.

Irene Martyniuk
30 Riverfront
Newbury, Ma.

RECEIVED
MAR 15 2021
Newbury Planning Board

Planning Board

From: Diane Tufts <tuftsgang@icloud.com>
Sent: Tuesday, March 16, 2021 8:47 AM
To: Planning Board
Subject: Against Overbuilding: 105 High Road

Very against the single family home on 105 High Road plans to install 20 residences!
Overcrowding for profit.
Disgusting!

Diane Tufts
25 Pine Island Road
Newbury, MA 01951

Sent from my iPhone

RECEIVED
MAR 16 2021
Newbury Planning Board

Planning Board

From: tufts gang <tuftsgang@live.com>
Sent: Tuesday, March 16, 2021 8:54 AM
To: Planning Board
Subject: Against: 105 High Rd. Overbuilding

I am very AGAINST the overbuilding plans for:
105 High Road in Newbury
to add 20 residences to the single family home.
Disgusting.
Greedy & unjust.

Peter Tufts (homeowner)
25 Pine Island Road
Newbury

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RECEIVED
MAR 16 2021
Newbury Planning Board

Planning Board

From: BONNIE SIMPSON <jscollay@comcast.net>
Sent: Wednesday, March 17, 2021 5:22 AM
To: Planning Board
Subject: High Rd Subdivision

Dear Board Members,
Please read this into the record.

RECEIVED
MAR 17 2021
Newbury Planning Board

S O L D
105 High Rd. Newbury, Mass
PRICE: 577,333k
DATE: 5 January 2021

- original listing price was 2.25 million July 2018
- after numerous price reductions to finally 1.395 million Sept. 2021
- WHAT is going on? WHY so cheap? Is EVERYONE being PLAYED?
- Who is the buyer? At this BARGAIN price; it can only be a "friend," business associate, or family member.
- AGAIN, there is no transparency or accountability being offered by the home owners. No matter what is on paper, the Costonis' are still living there. Curious.
- This subdivision has been in the PUBLIC forum for almost 2 yrs. They put themselves there. The Planning Board and the citizens have a right to know about what is going on behind the scenes. It effects us all. Can anyone honestly say they trust this proposed situation?? \$577,333 thousand rings that many alarm bells.
- How can the Costonis' continue to move forward on this project if they no longer "own" the property?
- DePiero says he is not going to be the builder. WHO is?

10 Structures/ DUPLEXES

- That's TWENTY HOMES. Realistically, 2 adults each, that's 40 people. Now factor in children. There could easily be 80 + people back there.
- CARS: every household has 2 cars now. That's 40 cars. If there are teenagers the total is increased. Now, these home owners have visitors- more cars. Parties, holiday celebrations- even MORE cars trying to park there. "Surry" is short and narrow. Has ANYONE SERIOUSLY CONSIDERED an emergency; a fire truck or 2, and an ambulance maneuvering around visitors parked cars?? Emergency vehicles were discussed in previous zoom meetings, ie: clearance to turn/exit/enter, but parked cars in the "street", obstructing was not mentioned or considered.
- AFFORDABLE HOUSING: Massachusetts Housing guidelines -40B- price is considered between 180k-220k. NEVER is the price of these homes mentioned. NEVER. AGAIN, No transparency. So please disclose the price of these homes.

Everyone wants to know. Any affordable housing? Newbury does need that

TRAFFIC. INJURIES. FATALITIES

- Discussing this would be redundant. Everyone KNOWS adding to the already dangerous stretch of road jeopardizes lives, safety and property. The concern is real and not to be dismissed or minimized.
- hard facts, figures, and accurate information needs to be included in regards to this subdivision before making a decision. Nothing less would be disastrous. (One time this was mentioned briefly by the lawyer. It was only about resident traffic after they moved into the subdivision!) These must be the factors: the increased activity of a large construction site; including but not limited to the number and type of heavy equipment and vehicles entering and exiting; when and how often, the number of personnel, deliveries and what is being delivered, pedestrians, TENDER CROP Farm traffic both cars and pedestrians.
- In short, an INDEPENDENT TRAFFIC SAFETY STUDY is a must and imperative to assess the safety, accident risks, and traffic patterns. This is a very heavily traveled State Highway that almost everyone exceeds the 45mph speed limit. Again, who is going to take responsibility when someone is killed?

THE MASTERPLAN 2006

- FACT: it was voted on and approved by the residents of Newbury.
- everyone should re read it carefully, especially the people who are behind this subdivision.
- it was written to spell out what the town wants and doesn't want. Open space is completely contraindicated by a subdivision of this type. This is not within the comportment of what the future of Newbury is to be. It speaks of what the voters want it to be. That needs to be honored and respected. Votes and laws need a majority to be changed. Put the MASTERPLAN and this subdivision on the ballot!! The answer will be crystal clear.
- the longer this project drags on, the STRONGER the opposition grows, and the number of determined residents to stop it INCREASES. Even with the many "disappearing" signs.
- the driving force is The MASTERPLAN and its objectives and goals. This subdivision does NOT enrich Newbury, it only literally enriches several individuals. The town knows this. Please read all the letters again. Our voices are true and need to be heard.

Thank you,
Chris and Bonnie Simpson
107 - High Road

Planning Board

From: peter gantchev <peter.gantchev@gmail.com>
Sent: Wednesday, March 17, 2021 6:42 AM
To: Planning Board
Subject: My Opposition to the Revised DiPiero Subdivision Proposal for 105 High Road

Dear Members of the Newbury Planning Board,

I would like to express my continued opposition to the ever changing OSRD subdivision proposals from DiPeiro Development for 105 Road. How did the plans go from 11 residential units to now a whopping 20 residential units? Has the Planning Board voted to approve the DiPiero yield plan? If bot, why hasn't this been completed as the first step of the process before going through the multiple iterations of subdivision proposals?

I am opposed to the project for the following reasons:

- Increased high-speed (45mph) traffic on Route 1A by Tendercrop.
- Increased risk of serious accidents associated with the increase in traffic.
- Poor access to the subdivisions from High Road for emergency vehicles, snow plows, delivery vehicles, garbage trucks, utility vehicles, service trucks and more.
- Increased demand for limited water from the City of Newburyport.
- Incompatible with the development vision outlined in the Town of Newbury Master Plan.
- Proximity of the subdivision to an ever expanding flood plain.
- Lack of trails and recreational opportunities behind the property.
- No plans on how the recreational opportunities would be managed.
- Threat of damaging (if not ending) the farm livelihoods of Kathryn O'Brien and the Colby family on High Road.

Overall, I believe that this development is a bad deal for the residents of Newbury who cherish and love the rural look and feel of the Town. I also believe that this project will weigh heavily in future town elections.

Kindest regards and thanks so much,

- Peter Gantchev
117 High Road
Newbury, MA 01951

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MAR 17 2021
Newbury Planning Board

Planning Board

From: Andrea Sargent <sargentandrea@yahoo.com>
Sent: Wednesday, March 17, 2021 1:42 PM
To: Planning Board
Subject: 105 High Road OSRD
Attachments: Dear Newbury Planning Board.docx

Kindly find attached our letter in response to the 105 High Road OSRD proposed subdivision. We wish the letter be read into the record at tonight's meeting of March 17, 2021
Thank you kindly.

Ralph and Andrea Sargent

RECEIVED
MAR 17 2021
Newbury Planning Board

RECEIVED

MAR 17 2021

Newbury Planning Board

Dear Town of Newbury Planning Board,

In regard to the application for the 105 High Road OSRD Special Permit, we (Ralph and Andrea Sargent, 23 Riverview Drive) have the following concerns and questions regarding this proposed subdivision.

We wish that this letter be read into the record of the meeting of March 17, 2021.

1. Mark Di Piero's new plan is for 10 single family homes. How can this plan be approved when the yield for this parcel has not been determined?
2. We remain concerned that this plan will undoubtedly change the complexion of our town and ignores our 2006 Master Plan. This plan impacts the preservation of Newbury's traditional New England landscape.
3. We remain concerned that this plan will impact the traffic and safety of residents adding to the already serious traffic problems that exist in front and across from Tender Crop Farm.
4. Wildlife is abundant in the area and the development will destroy their habitat. Any planned development of the property should take into consideration endangered species and consult the appropriate agency to determine such.
5. We remain concerned regarding the water pressure supply from Newburyport which periodically on Riverview Drive. We need to protect the existing water supply.
6. We remain concerned regarding the proposed septic system and/or septic treatment tanks. Many of us have had to go through hoops to replace and restore our own systems at great expense. How can septic treatment tanks be approved on land that is in such close proximity to wetlands? What will be the ecological impact be to our community? What will be the aesthetic impact to our community?
7. We remain concerned regarding watershed issues from residential use.
8. We remain concerned at the disturbance and upset to all wildlife, including the beautiful horses that graze on the adjacent land.

9. We remain concerned of the major loss of the scenic vistas and pastoral views for residents from both sides of the subdivision.

We urge you to disapprove the proposed OSRD Plan. From recent meetings and discussions with neighbors, we know our opinion is shared by many who have not managed to attend meetings via zoom or write letters and emails.

Thank you for your continued service and support of the Town of Newbury.

Sincerely,

Ralph and Andrea Sargent

23 Riverview Drive

Newbury, MA 01951

Planning Board Admin

From: Sue McGrath <newburyportbirders@comcast.net>
Sent: Wednesday, March 17, 2021 3:24 PM
To: Planning Board; Sue McGrath
Subject: 105 High Road - OSRD

Dear Martha,

I'm writing this as a follow-up to our earlier phone conversation. I'm very excited to learn of the modified plans and the amount of Open Space now proposed in the 105 High Road - OSRD.

As you're well aware, the Greater Newburyport area is an avian rich environment. Plum Island, Parker River National Wildlife Refuge and the Great Marsh attract thousands of birders during the Spring and Fall bird migrations. I can envision local students exploring this open space during their field trips.

The addition of this open space to the Town of Newbury would be a great asset and would allow environmental educators an outdoor classroom.

Best regards,
Sue

Sue McGrath
Newburyport Birders
Newburyport, MA 01950
www.newburyportbirders.com
978-204-2976

RECEIVED

MAR 17 2021

Newbury Planning Board

March 30, 2021

Town of Newbury Planning Board

Re: 105 High Road Project

RECEIVED
MAR 30 2021
Newbury Planning Board

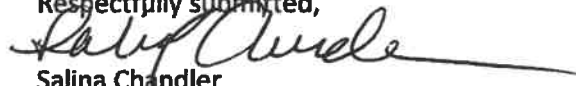
Dear Planning Board:

Thank you for the opportunity to express my opinion with regard to the 105 High Road Project at the last public hearing.

As you know, I am an abutting neighbor of the 105 High Road Project residing at 97 High Road. I own and operate Black Horse Farm, an equestrian facility.

I have monitored the project very carefully over the past year. The current proposal before the board (town) is truly a benefit to the neighborhood and the town in general. The small development footprint and public benefit of eighty percent of the property is a wonderful opportunity for all of us. I am strongly in favor of the project as proposed. I urge the board to approve this project.

Respectfully submitted,



Salina Chandler

97 High Road

Newbury, MA 01951

Planning Board

From: Myk Crouch <myk.crouch@gmail.com>
Sent: Wednesday, March 17, 2021 8:44 PM
To: Planning Board
Subject: Re: 105 High Road - Opposition
Attachments: image001.png

RECEIVED
MAR 17 2021
Newbury Planning Board

Hello, I just wanted to voice that I am against this new plan as well. Arthur sent me the docs and this is not something the community needs. 9 houses on 3 acres, all 3-3.5 k sq footage. Those houses will be in top of each other.

Thank you

Michael Crouch

127 high Rd, Newbury, MA 01951

On Thu, Aug 20, 2020, 1:22 PM Planning Board <planningboard@townofnewbury.org> wrote:

Hi Myk,

Thanks very much for joining our meeting last night and for following up with your email. I will forward it on to the Planning Board members.

Martha

Martha L. Taylor, AIA

Planning Director

Town of Newbury

12 Kent Way

Byfield, MA 01922

T 978-465-0862, ext. 312

planningboard@townofnewbury.org



Planning Board

From: John Statom <jcsphs@comcast.net>
Sent: Monday, March 22, 2021 11:43 AM
To: Planning Board
Subject: DePiero Project on High Road

RECEIVED
MAR 22 2021
Newbury Planning Board

Dear Martha,

I read the article in the Newburyport Daily News today about DPiero's project on High Road. I live one mile down High Road from Tendercrop Farm which is across the street from where the entrance to the proposed project is. I am aware that you live a little farther down , so you must be aware, as I am , of the traffic problems that occur on weekends at Tendercrop. I am a supporter of the farm as it has been the saving grace for all of us providing food and drink throughout this pandemic. We are so fortunate to have them there.

I think allowing more traffic from a development that is across the street from Tendercrop is foolishness and poor planning. The town of Newbury is a rural town , loved by the inhabitants for that reason. Seeing it turned into a town that is slowly being eaten up by developments is sad, particularly because Rte. 1A is now designated as a scenic roadway. The Humphrey property across from the Lower Green is another example of poor planning. The buildings going up there are monstrous. I am sure Dr. Humphrey and his wife would be extremely upset to see that happening in their backyard.

All of the comments in the article were designed to make it seem like what was going to happen was beneficial to the town. Giving it a fancy name, Surrey Lane, does not make the project any better or reduce the number of vehicles that will be coming and going in a day. Placing three birdhouses on the property would not do much good. The birds would be happier with an open field and woods. The area is close to the marsh which will end up with drainage in it from the development no matter how it is designed. Private property owners will not want people trespassing. The trails are non-existent. I think the residents buying any homes there would be very unhappy to have the public coming into their road to get to any walking areas. The road appears to be more of a driveway than a road.

I'd like to think that there is some way to stop this development from happening. I have objected by letter earlier in the planning. Open space in town needs to be open space. If the Costonis family wants to improve Newbury, then have them keep it open in their back yard.

Sincerely,
Pollyann H.Statom
Long time resident

Planning Board

From: Christine Wilkinson <wilky-oobuck@comcast.net>
Sent: Tuesday, April 06, 2021 12:20 PM
To: Planning Board
Subject: 105 High Road Subdivision

April 6, 2021

Newbury Planning Board
Subject; 105 High Road Subdivision

RECEIVED
APR 06 2021
Newbury Planning Board

Town of Newbury Planning Board

We respectfully request the following letter be read into the record.

Dear Planning Board Members,

We would like to reiterate our opposition to the planned OSRD subdivision located at 105 High Road. (see letter sent to the PB on July 13, 2020)

We have watched the many meetings and everchanging plans associated with this subdivision since July 2020. It is with great dismay we see this subdivision is still under consideration by the town.

It is painfully obvious that the pandemic and the change to “zoom” meetings has benefited and given an unfair advantage to the applicants. It is so difficult to detect passion and sincerity in the written word versus being in the same room. The same passion and sincerity that the people who spent many hours putting together the Master Plan...the vision of what the residents desire this community to be, is absent from the Zoom format.

After reading through that very plan, we do not envision this type of subdivision being that vision, and certainly not this location. Open farm fields and horse farms are the reason that make Newbury so special. These farms are becoming increasingly rare.

What is to become of the neighboring horse farms? Are they also slated for development? Are we looking at not 10, but 30 homes in that large parcel?

Please carefully consider the traffic impact on an already congested High Road, Hay Street and Tender Crop Farm area.

Is it possible for the PB to visit on a sunny Saturday, across from 105 High Road during business hours at Tender Crop Farm to help to see what the added traffic from more vehicles will do to this stretch of High Road?

We certainly appreciate all the time the Planning Board members have put into this project and hope to see that this plan is rejected at the next meeting.

Sincerely,
John and Christine Wilkinson
12 Pine Island Rd
Newbury, Mass

April 15, 2021

Planning Board, Town of Newbury
Attn: Planning Director

RECEIVED
APR 16 2021
Newbury Planning Board

Dear Ms. Taylor,


Please note that as avid students of ornithology my wife and I have been informed of the proposed development on High Road in Newbury.

We have taken the time to inform ourselves on the nature of the development. The development plans and narratives provided are very informative.

The striking issue to us is the tremendous benefit to the public relative to the amount of open space that is being made available. As avid birders, and part of a much larger community, we embrace the ability to have access to pristine forest to marsh habitat and the wildlife that it shelters.

We are very excited about this project and the future birding opportunities and experiences it will provide to us as well as many other naturalists. We applaud the Planning Board on its progressive and conservation minded approach to new development. We support this development.

Cheers,

Toby Jacobson


Toby and Eric Jacobson
North Street
Merrimac, MA 01860
emjacobson82@gmail.com

RECEIVED
APR 20 2021
Newbury Planning Board

April 17, 2021

Planning Board, Town of Newbury
Martha Taylor, Planning Board

Dear Planning Board:

By way of introduction, I live at 22 Rolfe's Lane Newbury, MA. We built our home 28 years ago and love this community, our neighbors, and the town.

We are direct neighbors of the eight home OSRD project that Mark DePiero developed 8 years ago on Wilshire Road. As you might imagine, we were pleased to see that the old Harbor School property was developed with such a high level of conformity, quality design and respect for the environment. From my lens this has been a wonderful addition to our community.

As has been communicated broadly in the local community and news, The Town of Newbury is perilously low on housing inventory. As with any development we were very concerned (even frightened) that DePiero's Wilshire project could have very easily have been a prime candidate for high density housing. There was even discussion at one point that a large commercial nursing home was in consideration in the residential setting. The decision to do residential single-family homes was pivotal for the neighborhood. Our family was very supportive of thoughtful development using open space residential development as a model. This open space is a key element of the development – and our family takes generous advantage of the field and pathway.

I also understand that there is an ongoing review of the 105 High Street property. From my lens Mr. DePiero is a serious and competent builder/developer. The Wilshire project was completed with ongoing concern to me as a direct abutter, and the contractors were respectful, and the construction site always site well-maintained. I believed it important to share that we had firsthand experience with the developer and the OSRD model of development. No doubt that there will be slight disruption as with any construction project – this said my experience was nothing but highly positive.

Thank you,

Todd Gustafson
22 Rolfe's Lane
Newbury, MA 01951

Planning Board

From: Kendra Beauparlant <kendrab943@gmail.com>
Sent: Tuesday, April 20, 2021 3:47 PM
To: Planning Board
Subject: 105 high road objection

RECEIVED
APR 20 2021
Newbury Planning Board

Hello Planning Board,

I'm writing again to strongly oppose this project.

I have sent many emails in the past about this nonsense. This should be a no brainer but I feel that the Planning Board CONTINUES to ignore Newbury and its people.

In the last meeting, Attorney Mann went on and on about how they are going to revamp the area if the houses go in. You can't and shouldn't "revamp" the Salt Marsh. It is a protected area of land and these houses are only going to deteriorate it! Open space should be kept OPEN! Wildlife lives there. Kids will not be able to "play in these fields" and they certainly won't be able to "play soccer" because they will be riddled with ticks and mosquitos by the time they set foot on it. We don't need any more houses squeezed in places they don't fit because of someone's greed. Absolutely ridiculous.

I don't think the planning board understands how much these "condominiums" will impact this sensitive area either. There are 2 horse farms directly abutting the proposed area. It is ignorant to think that the horses will be okay with the noise level this will create. They deserve quiet! I am first hand experience to a horse getting spooked and it is very, very dangerous. This will put Ms Kathryn O'briens horse farm right into the ground despite The Right to Farm Bylaw rules, which are also being blatantly ignored.

There are many reasons I object but these two really bothered me last meeting.

I do have some questions though:

If the Costonis barn is pushed back, how will they be able to fit the proposed road and houses in? For the record, Arthur and Sandra are no longer the owners, Mitchell Manton is. The already existing house will be so close to the road and would be a nightmare getting out of. Besides, who would want to go through someone else's property to get to their own?

Secondly, I noticed there is a 7ft easement that people continue to ignore. If and when this gets claimed, the road would be forced to be even closer to the side of the Costonis house. It is not "maintained" the way it is set up in the plans. I am afraid DePiero will do the complete opposite of what he tells the Planning Board he is going to do and tarnish this area. I am worried this will be swept under the rug.

I hope the Planning board takes in its residents feelings and thoughts to disapprove this. I will continue to voice my thoughts on this and stand to keep Newbury the way we found it.

Kendra Beauparlant
25 Withington street
Newbury MA
Sent from my iPhone

Planning Board

From: Ashley Berek <ashleyberek@yahoo.com>
Sent: Tuesday, April 20, 2021 12:38 PM
To: Planning Board
Subject: 4/20 meeting

RECEIVED
APR 20 2021
Newbury Planning Board

To whom it may concern,

As a resident of the town of Newbury, specifically a resident of High Road, I am requesting you decline the approval of a new development of town houses at what would be [105 High Road](#). We moved to this town, specifically because of it's beauty, location and the mere fact that it isn't over populated. Since moving here, developments are popping up left and right. Driving past tender crop farm multiple times a day, I cannot imagine the impact 10 additional units would make on the traffic. Traffic is already a nightmare with people coming in and out of the farm, this would be a huge problem and potential for accidents. Everybody I talk to who lives in this town, does not want this development built. There's plenty of other land in other areas that are less developed and will do less harm to beautiful farm life that we have here in Newbury.

Thank you for hearing my concerns,

Ashley Rao

Ashley Rao Sent from my iPhone

199 High Road

April 20, 2021

RECEIVED
APR 20 2021
Newbury Planning Board

Town of Newbury
Ms. Martha Taylor, Planning Director
Mr. Peter Paicos, Chairman Planning Board

Ms Taylor and Planning Board,

I would like to speak in favor of the development proposal of new homes at 105 High Road across from Tendercrop Farm. I am pleased with the plan. The Open Space component of the development is an attractive feature of this development proposal. The public benefit to the neighborhood and community is noteworthy.

I support this development proposal and ask the Board to approve this project as designed.

Respectfully,



Leslie M. Varrelman
Resident - Cottage Road

April 20, 2021

RECEIVED
APR 20 2021
Newbury Planning Board

Dear Newbury Planning Board,

As a resident of the Town of Newbury, and a neighbor I would like to voice my opinion on the project proposed on High Road across from Tendercrop Farm.

I have taken the time to review the project proposal and note the following;

I like the Open Space Residential Development(OSRD) format that it follows. This methodology is a win-win scenario. The project is much better designed and the community wins by virtue of the open space component. In this case a more intimate design of nine new homes on three acres and the rest of the sixteen and a half acres restricted to public open space is a tremendous benefit to the neighborhood and community. This template for residential development should be noted as it is exactly in line with the Master Plan of the Town of Newbury.

This project as designed would be a welcome addition to the neighborhood, and the Developer and Board should be applauded for their efforts to create this design. It is worth noting that this property could have been developed in other much less desirable formats.

The developer of the project is a known entity in Town and has an excellent track record.

I strongly support this proposal as currently designed. Vote to approve.

Regards,



John Lee

66 Cottage Road
Newbury, MA 01951

Planning Board

From: BONNIE SIMPSON <jscollay@comcast.net>
Sent: Wednesday, April 21, 2021 6:30 AM
To: Planning Board
Cc: jscollay@comcast.net
Subject: 105 High Rd

Importance: High

21 April 2021

PLANNING BOARD

ATTENTION:

Martha Taylor
Peter Paicos
Woody Knight
Lawrence Murphy

RECEIVED
APR 21 2021
Newbury Planning Board

We are again writing in strong opposition to the proposed subdivision, next door at 105 High Rd. We are direct abutters and have unique issues and concerns. It is difficult to know that our rights and concerns are being addressed. It seems that it's all about the Costonis' and what they want to do. As property owners we all have equal rights and responsibilities. Like most people, our home and property is the most valuable financial asset. Over the past 17yrs. we have been systematically renovating and upgrading our house. We've reached out to 2 different realtors. Here are their responses. 1. "Any existing homes are devalued by new construction close to them. The devaluation would not be with your assessment which effects your tax rate. The devaluation would be what an actual buyer would pay for your home." 2. "My honest professional answer to your question is this; a construction site behind your property will make it very difficult to sell your house. Even with the upgrades, renovations and a prime location, most potential buyers would not schedule a showing. Those that do will be looking for "a deal," something well below fair market value." So, how is it that Mr. Costonis "rights" supersede ours? He decides to build a subdivision netting him a multi million-dollar profits and we take a financial loss? This isn't just about yield plans and building codes. This is about people's lives, this is about rights and fairness. Also, I am am R.N. I've worked nights my entire career and sleep during the day. Am I going to be forced to quit my job because the construction noise prevents me from getting appropriate rest to safely take care of my patients? (Or is it, who cares, there is money to be made; too bad he moved next door to YOU, bad luck, deal with it.) Well we all have a responsibility to do the right thing and look out for EVERYONE in Newbury, not just several people and their money making agendas. Also, does Mr Costonis have the right to put Ms. O'Brien's farm out of business due to a subdivision? She is also a direct abutter. I remind you a subdivision that is STRONGLY opposed by most/majority of the people who live in Newbury. She also has a right in both local and state laws to have her

business. Again, how is it that Mr. Costonis seems to be entitled to more rights and consideration to do whatever he pleases and the hell with everyone else in Newbury?

We are not alone with this concept. It is a constant theme with just about everyone.

“THE GENEROUS GIFT” (as it’s known) of open space for Newbury. That is the next thing that needs to be addressed. This is a very basic concept, at ANY TIME after moving here in 2007, Mr. Costonis could have opened up the back area of the property to the general public. AT ANY TIME. It is no coincidence that this “generous gift” is attached and conditional on the approval of the subdivision. It’s the carrot to sweeten the proposal. No mystery there, It was so obvious at the last zoom meeting. The open area was increased, 2 units removed, and more parking spaces were added because they knew they were in trouble. Then there was the “sales pitch” that went on for over 35 minutes. It was a deflection, a distraction, and your basic gaslighting. BIRDS AND BUTTERFLIES?? SERIOUSLY???? One very astute, intelligent man compared it to a used car salesman promising free oil changes and a floor mat upgrade desperate for the sale. (And yes, we all agree it is their right to make the presentation however they chose.) We also all appreciate that our area of the North Shore is very fortunate and rich with many, many lovely outdoor areas for the public to enjoy year around. Are thousands going to be flocking to 105 High Rd.? Doubtful. Birds and butterflies are everywhere. Many view this “generous gift” as a sort of a quid pro quo, maybe a subtle bribe for lack of a better word. (Not our word, but a term floating around town.) One other point about the “sales pitch.” It was stated repeatedly and emphasized that the new “units” would not be visible from High Rd. The structures being visible is NOT THE ISSUE, it’s the development itself that is the issue. It’s not wanted in Newbury. The opposition to this subdivision continues to be ignored by everybody trying to push this subdivision through.

Our personal opinion of where Arthur made his mistake was his lack of research. He just never understood or appreciated all the unique things that make Newbury so fabulous and it’s citizens so dedicated to our town. Newbury is steeped in history from the 1600’s. There are current families from those roots living here today. There is a desire to maintain the open space, the farms, agricultural, the peacefulness, wildlife, wetlands, the smells, and the rural atmosphere. Families have large yards, space and privacy between the neighbors. Newbury NEVER

wants to become Newburyport were every inch is developed with postage stamp

size yards. Maybe he never read the MASTERPLAN of 2006, maybe he didn’t understand it, or maybe he decided it wasn’t going to stop his plans. It’s all very sad because this situation is causing unwanted and unnecessary, serious problems. Not for just the abutters but for everyone who loves Newbury.

At the zoom meeting in March, finally, FINALLY someone stated out loud and confirmed that the “units” are not affordable housing. We are all still waiting for the price of these units. And still, the lack of transparency continues to plague this development . We want to talk about specific details, and facts, they want to talk about birds and butterflies. Also, there is still no discussion about an independent traffic survey that needs to be done. The dangers of this stretch of 1A should make it mandatory.

We want to thank everyone who has taken the time and effort to email, contact people, communicate, and to speak up against this subdivision and for Newbury. And PLEASE remember, this is a for PROFIT SUBDIVISION for individuals. It's not a for profit subdivision for Newbury.

Bonnie and Christopher Simpson
107 High Rd.
Newbury, Mass

for Newbury

just h

stamp yards

April 12, 2021

Martha Taylor, Town Planner
Town of Newbury

RECEIVED
APR 21 2021
Newbury Planning Board

Dear Ms. Taylor and Planning Board:

My wife Linda and I have followed with great interest the project proposed at 105 High Road. The developer, Mark DePiero, completed a project in my neighborhood of eight homes known as Wilshire. His new project is across the street from Tendercrop Farm and has sixteen and a half acres. The project as presented will be done pursuant to open space residential development. We are very much in favor of this and sensitive cluster development. The site will maintain over thirteen acres to be public open space. This amount of give back to the community and neighborhood of public open space is extraordinary. Additionally, the location being midway between the upper and lower greens and across High Road from Tendercrop Farm is wonderful.

We strongly support this development and developer. Do not overlook the tremendous public benefit inherent in this project.

Sincerely,

Handwritten signatures of Linda and Charlie Stefanidakis. The signature for Charlie is written in a cursive script, and the signature for Linda is written in a more stylized, blocky script.

Linda & Charlie Stefanidakis
6 Rolfes Lane, Newbury, MA

Planning Board

From: Eva Jackman <silverledgefarm@yahoo.com>
Sent: Thursday, May 13, 2021 10:26 AM
To: Planning Board
Subject: Opposition to 105 High Road

RECEIVED
MAY 13 2021
Newbury Planning Board

Dear Board,

I am writing with concerns over the proposed subdivision at 105 High Road.

1. I feel it is too big of a project for that parcel and its negative impact on neighboring farms. That parcel also has the best soil for agricultural use something every town should be thinking about in an effort to feed our own.

I also don't understand how a 61A property can be negotiated without the aid of the Agricultural Commissions input.

2. I live in Old Town and feel the impact to traffic in front of Tendercrop will be unsafe.

With no decent sidewalks not just on High Road but Hay Street walking with a stroller or in my case a wheelchair is very difficult at best. Pedestrians safety with adequate sidewalks, cross walks are a must. I would like to see what improvements will be made keeping the Essex Coastal Scenic Byway vision in mind.

3. I am dismayed by the lack of 103 High Roads ROW being better documented, ie: copy of the ROW. I would like to see it have a better review as to spare present owners on both sides any undue stress and impairment of use.

Understanding how this ROW works on the planning boards side is important to me as I would want the planning boards support as a resident with my best interest exceeding that of a developer.

Please if I have missed copies or reviews of this ROW could you kindly forward me a link.

Thank you for your consideration of my concerns and everyone else that is opposed to this project.

Eva Jackman
48R Low Street
Old Town

Planning Board

From: Kendra Beauparlant <kendrab943@gmail.com>
Sent: Tuesday, May 18, 2021 12:33 PM
To: Planning Board
Subject: Objection to 105 high road

RECEIVED
MAY 18 2021
Newbury Planning Board

Good afternoon ,

I'm continuing my objection to the [105 High Road](#) Subdivision plans. I see that Mark DiPiero has yet again submitted new plans and I can't help but think how redundant it is at this point. How many times will the Planning Board allow someone to keep coming back with plans that are so obviously ill-advised? This has been going on for over a year now and enough is enough. The potential houses being put in will absolutely devastate the 3 farms DIRECTLY abutting them. The sewage that is being put towards the back of the lot will leech out into Mr. Colby's crops and hay field, Ms. Obrien's hay field, and into the Great Marsh (which is a very protected area and is to never be disturbed). This will put these farmers livelihoods at stake and should never be contended with. The right to farm bylaw should be looked into and abided by promptly.

I also want to make it very clear that there are NO existing trails that the public can access like the attorneys have said. The public will not be able to access them because they will be trespassing on either Ms.Obrien's lot and Mr. Colbys lot. There is only 30 ft between the two and that area is engulfed in trees, brush, ticks, mosquitos , and a whole bunch of other things. Beyond that is the Great marsh that nobody is allowed to disturb. I will include pictures at the bottom of this area. The Great marsh should and cannot be used as "open contiguous space" because it is protected and cannot be disturbed.

About a week ago, Spencer Pierce Little Farm had several incidents where they were broken into and vandalized. To put into perspective, DiPiero will be adding around 50 more people to the 105 lot. I'm not saying those 50 people will do the same to these farms, but it is to be considered when approving/disapproving these plans. I shelter my horse at the stables and I continue to worry about not only her safety, but the rest of the horses that are there. It is not right nor is it fair for those horses to have to live with the noise levels for as long as they are there. They deserve peace and quiet, which is the opposite of DiPiero's intentions. He wants to fit as many developments as he can to make the most money. People do not move to Newbury for the developments, they move here for the OPEN SPACE and beautiful farms / wildlife Newbury offers. Who would want to live so close to one another that you could throw a rock and hit the next door neighbors window? Not me.

We as a town do NOT want it to be developed anymore and want to keep whatever heritage it has left, which is very limited.

Please look at the big picture here. This will NOT benefit Newbury whatsoever. It will do more harm than good. We don't need any more houses!! We need to protect what we have left! Vote NO on this and stop this once and for all.

Kendra Beauparlant

[25 Withington St](#)

Sent from my iPhone





Planning Board

From: BONNIE SIMPSON <jscollay@comcast.net>
Sent: Wednesday, May 19, 2021 6:14 AM
To: Planning Board
Cc: jscollay@comcast.net
Subject: 105 High Rd.

RECEIVED
MAY 19 2021
Newbury Planning Board

Ms. Taylor and Planning Board Members,

We are again writing to express our continued opposition to the development of 105 High Rd. The previous zoom meeting of 21 April 2021 brought attention to a very concerning and serious matter. We are requesting that all of the board members watch the meeting starting at marker 1:30. For those who did not see the zoom meeting, we feel this situation needs to be addressed prior to a final decision.

Although we were not named specifically, everyone knows who lives at 107 High Rd. We are the third generation in this home. Mark DePiero's statement: ... "the abutters to the right of us who has a 30 yard construction dumpster and it's a full blown construction site, the one who's complaining. It's actually a dumpster I think the Tannery owns and they use it as a sub site. So we can sit here for months and take these little hits but we want to come back at these things here, we want to talk the truth."

For the record, this was a blatant lie with the full intent to discredit our integrity. Since Mark has knowledge of the dumpster, he must be aware the it's red, and is clearly marked "Pearson's" and their phone number. We have the receipt. It was rented for a major attic clean out and unwanted junk removal. Dumpsters are more efficient and cost effective than individual dump runs as Mark understands. If we were doing construction, we would do the right thing and pull permits. We now have a 2nd one on the property for yard cleanup. We have the receipt for this one as well and are happy to provide them to any interested parties.

We knew when we decided to speak out in opposition to this subdivision, that there would be attacks and retaliatory responses, and there have been. This one is particularly serious and egregious.

Not only was it directed at us, but this occurred on a public zoom meeting and now a matter of public record. The citizens of Newbury were lied to, the Planning Board Members, (who are elected officials) were lied to. People coming to you, who want to do business with Newbury and get approval are to be honest, respectful and have accountability and integrity correct? Otherwise, how can anyone believe them or trust that they will do what they say? Especially a subdivision as large as this; once it's approved and put in motion, it's almost impossible to stop it. This a a multimillion dollar profit situation. With all due respect (a rhetorical question) - Can we all come to you and lie and still get approved? Actually, we were stunned at how effortlessly Mark lied and never expected anything like this. By attempting to discredit us, he actually exposed HIS lack of integrity. So, THANK YOU Mark for showing everyone what you do and who you are.

We would like to thank ALL of you for allowing us this opportunity to be forthright, honest, and maintain our integrity. We just couldn't let Mark's lie stand in the public domain as the truth. We also sincerely appreciate all your to many months of hard work, endless meetings, and due diligence on this subdivision. We also understand that you know all to well the overwhelming opposition that exists and you are trying to do your job as mandated. At some point, something of this magnitude-that will change Newbury; the citizens should have direct input, maybe put to a vote in an election. Things need to be seriously revised, that if someone finds a loop hole again, it is not continued and exploited for MONEY.

Again, thank you,
Sincerely,
Bonnie & Christopher Simpson
107 - High Rd.
Newbury, Mass.

Planning Board

From: Diane Tufts <tuftsgang@icloud.com>
Sent: Wednesday, May 19, 2021 8:55 AM
To: Planning Board
Subject: 105 High Road Development

Newbury Planning Board:

I hope that this is the final time I will need to email a message to my town about this subject.
All previous letters should be considered.

As residents & taxpayers & lovers of this land & community...

We cannot allow such a large development to be built on such a small land parcel.

I was denied, told NO when I wanted to divide & give my own child a .50 acre parcel of my lot, to build their home in Newbury. They told me NO, so tell this Land Developer NO.

Fair is Fair. No special circumstances!

There simply is not enough room in that land parcel to put all the homes proposed + sidewalks + utilities + septic + open space & parking. Ridiculous.

This developer is only motivated by profit & does not care about the community.

Please, do not approve this monstrous development.

Tufts Family
25 Pine Island Road
Newbury, MA 01951

Peter Tufts
Diane Tufts
Samuel Tufts
Monica Tufts-McNeil
Eric McNeil

RECEIVED
MAY 19 2021
Newbury Planning Board

Sent from my iPhone

Planning Board

From: Carol Rice <clr1@verizon.net>
Sent: Monday, June 14, 2021 11:21 AM
To: Planning Board
Subject: 105 high road development

RECEIVED

JUN 14 2021

Newbury Planning Board

Hello,

I am writing in opposition to this project for the third time. The traffic is still, in my mind, a huge issue that will be the most obvious harm to passersby. The density is an issue, the swimming pools are an issue- where does the water come from to fill them and where does it go when they are emptied? Our water is a delicate resource, as is our open space, small town atmosphere and right to farm. Each iteration of this subdivision is more aggressively offensive than the last and in conflict with what I have read of the town Master Plan and conversations with neighbors. There are enough developments that have gotten by on High road since I have lived here, we need to stop and think about what kind of town we want to live.

Carol Rice
330 High Rd

-----Original Message-----

From: Carol Rice <clr1@verizon.net>
Sent: Sunday, December 13, 2020 9:08 PM
To: planningboard@townofnewbury.org
Cc: clr1@verizon.net
Subject: 105 high road

Greetings,

I reviewed the town master plan and find that subdivisions like this one are not in line with what the town aspires to in that plan.

I reflected on this as I waited close to 5 minutes to turn right onto high road from Tendercrop (on a slow Monday mid-morning). That part of High rd is going to be tough for traffic and the pedestrians - adults and children visiting the petting barn.

I remain opposed to this project.

Thank you,

Carol Rice
330 High Rd.

Planning Board Admin

From: Planning Board
Sent: Wednesday, June 23, 2021 10:50 AM
To: Planning Board Admin
Subject: FW: Thoughts, Questions and Concerns on the DePiero Proposal for 105 High Road
Attachments: Thoughts, Comments and Concerns on the OSRD Proposal for 105 High 06212021.pdf

Martha L. Taylor, AIA
Planning Director
Town of Newbury
12 Kent Way
Byfield, MA 01922
T 978-465-0862, ext. 312
planningboard@townofnewbury.org



RECEIVED
JUN 23 2021
Newbury Planning Board

From: peter gantchev [mailto:peter.gantchev@gmail.com]
Sent: Tuesday, June 22, 2021 10:05 PM
To: Planning Board
Subject: Thoughts, Questions and Concerns on the DePiero Proposal for 105 High Road

Dear Members of the Newbury Planning Board,

Attached please find a PowerPoint Presentation (in .pdf format) that I've prepared to document my thoughts, concerns and questions related to the DePiero OSRD Proposal for 105 High Road. I believe that the proposal is highly problematic as called out in the attached document and consequently the proposal should not be approved as currently presented to the Newbury Planning Board by DePiero LLC. I was hoping to be able to present an earlier version of the presentation at the Public Meeting several weeks ago but my internet connection was spotty and I ultimately lost my connectivity bandwidth. My key concerns (that have not been adequately addressed by the applicant and the Planning Board) documented in the attached include that fact that the DePiero proposal:

- Employs questionable yield plan assumptions.
- Completely ignores the existence of Kathryn O'Brien's 7-foot easement and its impact on the OSRD Proposal.
- Results in high housing densities that negatively impact taxes, traffic, municipal services and local farms.
- Impacts the natural resources of the area.

Thanks for the opportunity to articulate my concerns, ask my questions and share my thoughts.

Sincerely,

- Peter Gantchev
117 High Road
Newbury, MA 01951

RECEIVED

JUN 23 2021

Newbury Planning Board

Thoughts, Questions and Comments:

OSRD Proposal for 105 High Road



Peter Gantchev (117 High Road)

The Meadows and Lands of High Rd are a Special Place

Area surrounded by vulnerable, restricted use lands that include:

- Several working **private farms**
 - 55 acres restricted by the Massachusetts Agricultural Preservation Restriction (APR) Program
- Marshlands designated as an ***Area of Critical Environmental Concern*** (ACEC) by the Mass Secretary of Energy and Environmental Affairs
- Lands managed and protected by the **Parker River National Wildlife Refuge**
- **FEMA Flood Zone lands**

Impact of the Project on the Town

- **Negatively impacts local farms**
 - Colby Farms (we've heard from the Colby family)
 - By the Way Horse Farm (we've also heard from Kathryn)
 - Tendercrop Farms' growing fields
- **Increases demand for**
 - Water from Newburyport
 - Fire, Police, School, EMT and DPW services
- **Compromises road safety on 1A**
- **7-foot easement** restricts access to the development.
- **Threatens conservation, preservation and refuge lands.**

Some Questions

- **WATER:** Doesn't Newbury need a written commitment from Newburyport Water to supply the new subdivisions with water without jeopardizing the flow and supply of water to the current base of customers?
 - Isn't the availability of public water crucial to the yield plan calculations?
- **TRAFFIC:** Wouldn't it be wise to have a traffic survey performed?
 - Traffic on High Road has increased dramatically over the past several years and at speeds of 45mph.

Some Additional Questions

- **ROAD ACCESS INTO THE DEVELOPMENT:**
 - Has the Newbury Fire Department approved the latest plans submitted by the applicant?
 - Shouldn't the Planning Board require that the applicants' plans be amended to deal with Kathryn's 7-foot easement that was decided and legally recorded in 2005?

7-Foot Easement Poses an Access Problem

Not a lot of room to build a road to access the 10 condominiums under consideration.



Yield Plan and OSRD Calculations

- All of the previous OSRDs employed:

1 Lot = 1 Residence in their Yield Plan Calculations

OSRD	Approved Yield Plan	Approved OSRD Plan
Caldwell Farms	63 lots	63 dwelling units
Livingston Lane	9 lots	9 single family homes
Marsh Meadow	5 lots	5 single family homes

From the Newbury Zoning Regulations

☐ § 117-6 One dwelling on any lot.

Not more than one building designed or available for use for dwelling purposes shall be erected or placed or converted to use as such on any lot in a subdivision, or elsewhere in the Town, except where specifically allowed by the Town of Newbury Zoning By-Law, without the consent of the Board, and such consent may be made conditional upon the providing of adequate ways furnishing access to each site for such building, in the same manner as otherwise required for lots within a subdivision.

From the Newbury Zoning Regulations

For Districts Zoned as Residential-Agricultural:

(NP) not permitted in District

RESIDENTIAL USES	
Hotels and Motels	NP
Single Family Residence	P
Two Family Residence	P
A single family residence as an accessory use for the owner of or the security personnel employed by the commercial enterprise located thereon	NP
Structures customarily accessory to single family residences	P
Multi-Family dwellings, five units or more	NP
Multi-family dwellings, up to a limit of four units	NP
Accessory apartment-attached	P

From the Newbury Zoning Regulations

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Structures customarily accessory to single family residences	P
Multi-Family dwellings, five units or more	NP
Multi-family dwellings, up to a limit of four units	NP
Accessory apartment-attached	P

BUT ... (SEE NEXT SLIDE)

BUT ...

- **Seems to be an inconsistency in the previous table:**
 - What is the difference between a Two Family Residence and a Multifamily Dwelling of Two Units?
 - Per the Merriam-Webster dictionary, there are no differences.
 - How does this get reconciled?

Does Two Units per Lot Make Sense?

- 87% of Newbury's structures are single family detached buildings.
- Multi-family housing is not representative of the town's character.

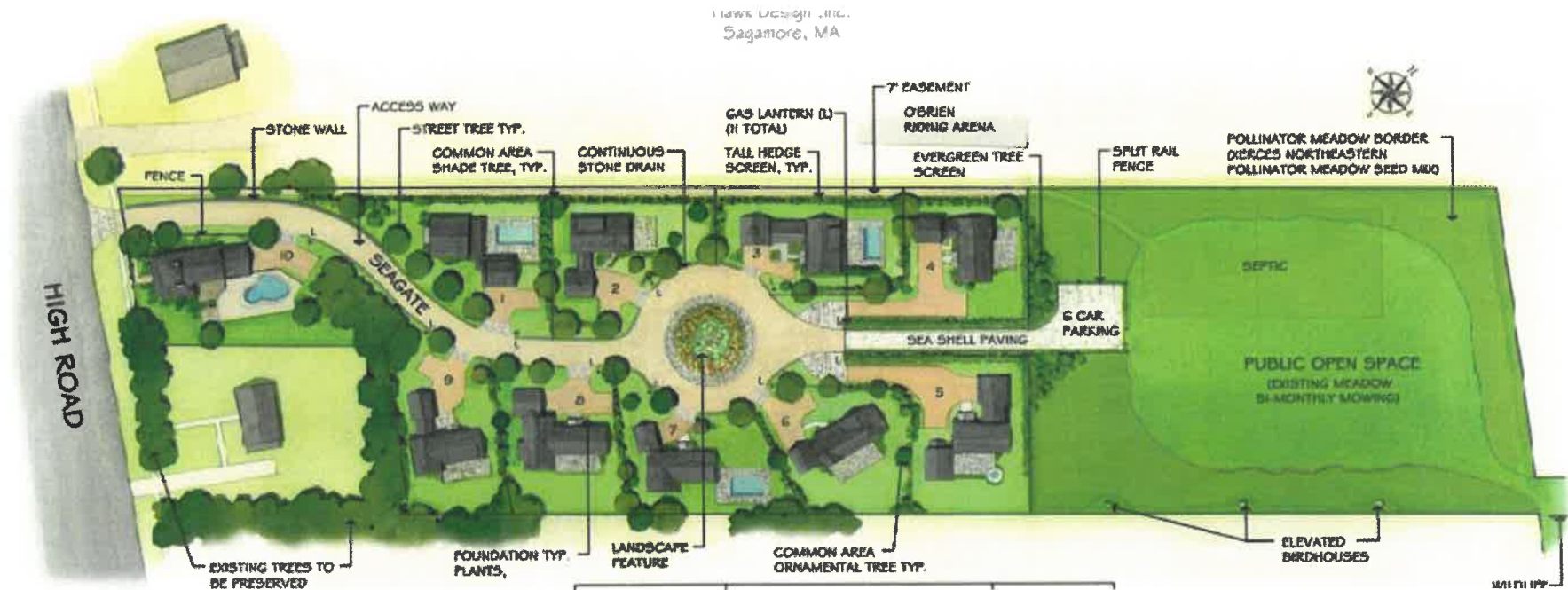
Therefore this assumption should not be used in the Yield Plan calculations.

Source: **TOWN OF NEWBURY HOUSING PRODUCTION PLAN, 2018-2022** by the Merrimack Valley Planning Commission

Newbury Units in Structure, 2017

	Newbury	
Units in Structure	est.	%
Total	2,985	100%
1, detached	2,595	87%
1, attached	136	5%
2	130	4%
3 or 4	0	0%
5 to 9	113	4%
10 to 19	11	0.4%
20 to 49	0	0%
50 or more	0	0%
Mobile home	0	0%
Boat, RV, van, etc.	0	0%
Source: 2011-2015 ACS Estimates, Table B25024		

Proposed Project @105 High Rd as of 05.11.21



The artist's rendition makes the project look specious and roomy but what would it look like in real life?

Possible Real Life Look of the Completed Project



Newburyport OSRD on Low Street with similar housing densities

What We Lose From the Proposal!



What We Get from the Proposal!



We get a wall of houses

The Bottom Line

The DePiero Proposal is problematic on many fronts

- Employs questionable yield plan assumptions
- Ignores the existence of a 7-foot easement
- Results in high housing densities that negatively impact taxes, traffic, municipal services and local farms
- Impacts the natural resources of the area



The Bottom Line

While DePiero LLC is a strong developer of residential properties on the North Shore:

This is the wrong development project for this location It is simply too large for the lot and for the location on High Road

Thank You So Much!



Planning Board

From: DONALD CORNONI <dbcorn@comcast.net>
Sent: Wednesday, August 25, 2021 2:40 PM
To: Planning Board
Subject: condos
Attachments: Don.vcf

Re: proposed subdivision at 1105 Hgh Rd. Newbury, Ma.
i am very much opposed to this development. Long time resident and tax payer. Donald Cornoni 41 Riverview Dr. Newbury Ma.

RECEIVED
AUG 25 2021
Newbury Planning Board

Gary W Brown
Virginia L Brown
81 High Road
Newbury, MA 01951

September 1, 2021

Town of Newbury Planning Board
Martha Taylor, Town Planner
Town of Newbury Planning Board Members

RECEIVED
SEP 01 2021

Planning Board

Dear Martha Taylor and Members of the Newbury Planning Board,

We again send this letter in opposition of the proposed 105 High Road Development.

Since we first became aware of the plans for this property it was obvious to us that the scale of this project was not in keeping with the property and its topography. The lower portion of the property which represents approximately half of the total is wetland and/or seasonal wetland and by its very nature could not and should not be developed.

Given that such a significant portion of the property is not developable the Development Group decided that if they submitted this project as an OSRD it would allow them to create a denser development than would be allowed if it was a sub-division plan.

The Development Group is not using the OSRD for the purpose that it was created for. They are using it to maximize their profit over the proportion of the property. Giving the "open space" in this proposed development for recreation use only satisfies their objective for an overly developing the property. They can make it sound as flowery as they want in their description of the open space, no one is standing in line to use it!

The property owner has every right to develop their land, but call it what it is which a sub-division not an OSRD.

It is inevitable that Newbury will continue to be developed, but we need to balance the right to develop with the Towns Master Plan in order to retain the character that makes the town desirable. Otherwise we will become just another overdeveloped bedroom community that let profits overwhelm the proportion of the town.

We ask the Planning Board to reject the OSRD plan and request that a sub-division plan be submitted instead.

Thank You,
Gary and Ginny Brown

Planning Board

From: Adam Timothy <adam.timothy@unionmachine.com>
Sent: Wednesday, September 01, 2021 9:06 AM
To: Planning Board
Cc: kathrynobrien@comcast.net; Eva Timothy; londonjtimothy@gmail.com
Subject: 105 High Rd Development Proposal

Dear Planning Board,

I am writing to request denial of the DiPiero proposal for subdivisions at 105 High Rd.

We are a community that prizes the rural character of this town, so much so that the number one priority of the Master Plan was to retain that character when considering growth.

That space between High Rd and the Merrimac is some of the most picturesque open area around. Our family is concerned as well regarding the push generally to create complexes and subdivisions from existing residential lots and its impact on the nature of this area.

We moved to Newbury from San Diego, a place where subdivisions couldn't be built fast enough. However these rapidly expanding cookie cutter communities, felt fake, lacked sincerity and character and were one of the main reasons we left the area and came to New England.

We have raised our three children in this town largely because of the natural open spaces and the opportunity to run a backyard farm. Our children have learned wonderful lessons from raising flocks of sheep, chickens and ducks as well as the wonder of planting, cultivating and harvesting.

These opportunities would not have been available, were it not for the manner in which the lots in this town and its development have been preserved over centuries. Subdivisions built on adjacent properties would have made this lifestyle impossible while drastically reducing the quality of life and the character of the area we moved into.

As much of the population ages in this area, we are concerned about this practice generally as more lots become available to tempt the would be developer of subdivisions.

It is relatively easy for a developer with a financial incentive and almost no skin in the game to create, adapt and present plans ad infinitum.

However it is we the residents of Newbury who will live here after the developers are long gone. As such I urge the board to take a skeptical view of this and any such proposal that would uproot the historic and rural character of this, one of New England's original townships.

Thank you,

Adam Timothy
54 High Rd
Newbury, MA 01951

RECEIVED
SEP 01 2021
Newbury Planning Board

General Manager
Union Machine Co.

978.521.5100 x240
www.unionmachine.com

Planning Board

From: Gary Brown <garybrown@verizon.net>
Sent: Tuesday, September 14, 2021 7:48 PM
To: Planning Board
Subject: Re: Opposition to 81 High Road Development

RECEIVED

SEP 14 2021

ewbury Planning Board

Hi Martha

In tomorrow nights Planning Board Meeting can you please request that a yield plan for the proposed High Road Development be discussed. I do not believe that there has ever been one shown. Also can you ask the Town Attorney to enter an option on the easement issue. Thanks in advance for addressing these open issues.

Be well.

Best regards
Gary Brown

September 14, 2021

Martha Taylor

Town Planner

Town of Newbury

All Member of the Planning Board

RE: Application for approval of the most recent plans submitted for 105 High Road, Newbury, MA 01951 by Mitchell Mantin, owner

RECEIVED
SEP 14 2021
Newbury Planning Board

No one present at the last public meeting could hear or understand what was being discussed by the Planning board, and, is now going to be discussed Wednesday, September 15th at the next meeting? Do you know the topic which will be discussed?

I would like to remind the Board that the first topic that needs to be examined properly is the yield plan. It is fruitless to be discussing the plans or any aspect of the plans for a 10 lot housing development/condominium when the yield is 4. As you know, part of the approval process requires the applicant defend the yield. This has never happened. During the August Planning Board meeting, I requested the issue be addressed again at the "next meeting" which was scheduled for September 8, 2021 and was postponed to September 15, 2021. I want to make sure that this request is not swept under the rug

and that the applicant defends the reasons for his opinion of the yield by referring to the same Rules and Regulations of subdivision, OSRD, Table of Use Regulations, Zoning laws that I have used in questioning it. (Please refer to the presentation I made at the Public Hearing section of the Planning Board meeting in August 2021. I will attach the Chapter and Section for the Planning Boards' information and to keep the applicant on topic.

I am requesting the defense of the yield be conducted by the applicant at the next meeting Wednesday, September 15, 2021 before any other issues are discussed. It is the Planning Boards' obligation to enforce this rule.

I am dismayed that the Planning Board has never addressed the yield and yet has moved on to discuss the "recent plans." Why? Without using the correct yield of 4 lots, everything else is moot.

I have provided the Planning Board with data of the other approved and built OSRD developments which have followed the rules of "1 lot = 1 structure" as the standard of acceptance by the Planning Board. It is beyond understanding how the Board can disregard the facts, or even fail to discuss them. A yield of 4 lots does not equal 10 structures. Instead, the many legal and recorded documents, and Rules and Regulations of the

town of Newbury, the Rules for an OSRD, the Zoning Bylaws, the Table of Use Regulations, and the Master Plan have been consistently ignored by the Board and particularly by Peter Paicos. After extensive observation during the past two years, it is my opinion that he is obviously biased in favor of the subdivision. I have respectfully used the public hearing section of the meeting to teach him/them why they are incorrect in their assumptions and decisions. Mr. Paicos' response has been the same, no matter what the topic of contention. In my opinion, he has been very passive aggressive, discriminatory, biased, and dismissive of anyone who has a very good claim in opposition to this project. No explanations or dialogues have been provided to the public (Violation of the Open Meeting Laws); allowing the applicant's attorney the opportunity for unending rebuttals while not allowing the residents the same opportunity; and, in general, not representing the public. In my opinion, an elected official has an obligation to listen to the people who elected him, follow the rules and regulations, and be accountable for his actions.

I am reminded of DiPiero's former claim of special treatment in Newbury.

'I get anything I want in Newbury. Newbury loves me.'

And another quote from DiPiero, when asked about his lack of access on High Road, he replied “Oh, we make easements go away.” The Planning Board has not made the easement go away; through their actions they have given the easement to the applicant and the engineers. The Planning Board has usurped my legal 7 foot easement to squeeze a driveway into 105 High Road because they do not have the room on this very narrow lot to carry out their plans of 10 houses. The most recent attempt at fabricating the actual frontage of 129 feet (recorded at the Registry of Deeds) can be seen by the markings made on High Road by the applicant. These marks were not made by an engineer/surveyor. Several people saw DiPiero making them. Mr. Paicos who is supposed to be representing the public’s interests, and the existing laws and rules and regulations which are clearly spelled out in the Rules and Regulations, Master Plan, Right to Farm Bylaw, Table of Use Regulations has decided to “give” my easement to the owner of 105 High Road, Mitchell Mantin, to use freely despite no evidence forthcoming from the applicant that they have any rights towards it. (Who, by the way, are not Sandra and Arthur Costinos. The owner is Mitchell Mantin, Atlantic City, New Jersey. This needs to be corrected.) I believe Mantin’s purchase of the property January 2021 required a new application for any subdivision plans submitted to

the Planning Board for their consideration. I have also raised this issue in the past with no answer from the Board.

While I do not believe the “current plan” has begun to meet the standard of consideration by the Board, and any discussion for these plans are premature at best, here are a few obvious comments which the Planning Board should be asking: the regulations require a road with a sidewalk, the current plan has a driveway which will not have a sidewalk because there is not enough room to build one (yet the “open space” is being offered to the general public for enjoyment, - how do walkers and bikers access this area by traveling on a common driveway without a sidewalk or a shoulder as currently shown on the most recent plan?), or the fact that a common drive is only allowed to serve 3 homes (not ten!). They do not have the room to adhere to the Rules and construct a road of the required width road, storm run-off swales, and a sidewalk (2 side). No mention for the construction or approval of a condominium project can be found in the Town of Newbury Zoning Bylaws, Rules and Regulations for Subdivisions, the Rules and Regulations of an OSRD project, or the Master Plan. The approval of any condominiums, or the rules governing their approval, is not mentioned or defined in the Table of Use Regulations for the Town of Newbury.

I have found it particularly disturbing that Mr. Paicos refuses to acknowledge my legally executed and well-documented easement, recorded at the Registry of Deeds in Salem in 2005 which was on record well before Costinos purchase 105 High Road. His acceptance of the deed, and all subsequent deeds, acknowledged "any easements or restrictions of record" on the deed for 105 High Road. The easement burdens 105 High Road by 7 feet beginning at the edge of High Road and continuing to the back fields at a distance of 1156 feet. The applicants have, or should have known, this easement was in existence at the time of the purchase of 105 High Road. It is easily seen during a routine title search available to all people when they purchase property. The Planning Board and Town Counsel knows this. They have received the documentation supporting my legal right, and the applicant has not produced one scrap of evidence that he has any right to use this easement. To the contrary. The exclusive easement disallows him any access at all onto the easement. The Planning Board consistently has stated that they are not there to make a legal decision about it. They have made a legal decision by "giving" the land to the applicant for their use. The Planning Board has had two years to ask for a legal opinion from Town Counsel. Why has that not been

done? They do not want to admit the easement is legal and binding. By ignoring this they can pretend ignorance. Yet the applicants use of an “exclusive use easement” surrounding each of the proposed single-family homes/condominiums is not a problem for the Planning Board to comprehend. Without the 7 foot easement the applicants do not have enough room for an approved road, driveway, or path to access the 4 lots which they have acknowledged as the correct number of lots on their own Yield Plan. The property currently has 2 structures on the property so the actual yield would only be 2 more structures. Even moving the current structures would limit the number of new structures available to two. The applicant is planning to simply flip the approved plans to someone else to build upon. Any contractor who would be interested in buying the approved plans will, of course, not pay much money for a property whose buildable options are 2-3 houses. The Seller of this project would make more money if the approved plan allowed the new builder to erect 10 houses. The simple math is the obvious determining factor. And all of us know how anxious this town has become to make more money.

The fact that the Planning Board has decided to give 8092 square feet of my exclusive use to the applicant and robbed me of the exclusive use of 8092 square feet of

land, of course, has a monetary value which will need to be recouped.

I have given the Planning Board the “Right to Farm” Bylaw supported overwhelmingly by the residents and approved at a Town Meeting by more than a 2/3 vote. A small portion reads: the bylaw protects farmlands within the town by allowing agricultural activities to “function with minimal conflict from abutters and TOWN BOARDS and commissions.” The Planning Board is a Town Board. Under the direction of Mr. Paicos the Planning Board has ignored that law, too, in favor of promoting a subdivision own by Mitchell Mantin of Atlantic City, New Jersey. This proposed development is surrounded on 4 sides by farmland. How can anyone in Newbury think this would not have a negative impact on all the farms and all its residents.? Have any of the members of the Board ever owned a farm/worked on a farm/have any intimate knowledge of the delicate working of a farm? I would suggest that they are not qualified to make any decisions about the workings of a farm and are not within their authority to pick and choose which laws will be followed and which laws they will ignored. This very attitude is the reason the Right to Farm Bylaw was passed. To protect the town and the farms from the questionable intent of “Town Boards.” I have already lost thousands of dollars of income with the just the threat of development from

boarders (40+ polo ponies), which will have to be recovered from the town. Additionally, the value of the farm has diminished affecting my ability use it as an equity source. So the decision of the Planning Board will carry serious financial consequences to the town and the residents who do not want the subdivision. The Planning Board will be burdening the residents with an additional cost in higher taxes to compensate farmers for lost income. No one wants that.

Perhaps the answer to the question, "How does DiPiero get anything he wants in Newbury?" is obvious.

I respectfully request that the Planning Board not make any decisions regarding the disposition of Mantin's application until my attorney can file a Cease and Desist on the applicant and the Planning Board. I could do it myself, but my experience with the Board shows that the probability of it being ignored and discriminated against again has already been proven..

Please circulate this letter of objection to the individual members of the Planning Board and publish it on the Planning Board's website.

As always, thank you.

M. Kathryn O'Brien
103 High Road,
Newbury, MA 01951

Attachments to follow.

Planning Board Admin

From: Adam Timothy <adam.timothy@unionmachine.com>
Sent: Tuesday, September 14, 2021 9:43 AM
To: Planning Board
Cc: kathrynobrien@comcast.net; Eva Timothy; londonjtimothy@gmail.com
Subject: RE: 105 High Rd Development Proposal

RECEIVED

SEP 14 2021

Dear Planning Board,

Newbury Planning Board

After attending last week's and catching a glimpse of the proposed plans for the subdivision at 105 High Rd. I felt to share a short addendum to a previous letter regarding the economics of generational development in this area.

Our town has managed to retain its beautiful rural character over centuries of progress and development. Many families have purchased homes built in the 1800's here and stayed on for decades. Still we do have an aging population here and in the coming years we will see more and more properties passed onto the next generation.

Some of these properties are still in wonderful shape. Many others need a good deal of TLC, but are perfectly capable of being restored and maintained through the next generation.

While real estate in the area is in demand, those properties which need refurbishing become the natural path of more affordable housing for the next generation to grow into and care for as their own, dedicating resources over time to the renovation and upkeep.

However as long as there remains a financial incentive, there will be pressure to take previously single family properties with their open spaces and transform them into cul-de-sacs of condominiums. Thus denying many first time home owners this opportunity to both renew this town while retaining its character.

The major check we the citizens of Newbury have to preserve the character of our town against stacking houses in these spaces, is the power of the board to remove that incentive. Each approval of proposals in this regard sets a precedent for potentially drastic and, on the whole, a negative transformation of our community.

Thank you for your careful consideration of these matters,

Adam Timothy

From: Adam Timothy
Sent: Wednesday, September 1, 2021 9:06 AM
To: planningboard@townofnewbury.org
Cc: kathrynobrien@comcast.net; Eva Timothy <eva@illumea.com>; londonjtimothy@gmail.com
Subject: 105 High Rd Development Proposal

Dear Planning Board,

I am writing to request denial of the DiPiero proposal for subdivisions at 105 High Rd.

We are a community that prizes the rural character of this town, so much so that the number one priority of the Master Plan was to retain that character when considering growth.

That space between High Rd and the Merrimac is some of the most picturesque open area around. Our family is concerned as well regarding the push generally to create complexes and subdivisions from existing residential lots and its impact on the nature of this area.

We moved to Newbury from San Diego, a place where subdivisions couldn't be built fast enough. However these rapidly expanding cookie cutter communities, felt fake, lacked sincerity and character and were one of the main reasons we left the area and came to New England.

We have raised our three children in this town largely because of the natural open spaces and the opportunity to run a backyard farm. Our children have learned wonderful lessons from raising flocks of sheep, chickens and ducks as well as the wonder of planting, cultivating and harvesting.

These opportunities would not have been available, were it not for the manner in which the lots in this town and its development have been preserved over centuries. Subdivisions built on adjacent properties would have made this lifestyle impossible while drastically reducing the quality of life and the character of the area we moved into.

As much of the population ages in this area, we are concerned about this practice generally as more lots become available to tempt the would be developer of subdivisions.

It is relatively easy for a developer with a financial incentive and almost no skin in the game to create, adapt and present plans ad infinitum.

However it is we the residents of Newbury who will live here after the developers are long gone. As such I urge the board to take a skeptical view of this and any such proposal that would uproot the historic and rural character of this, one of New England's original townships.

Thank you,

Adam Timothy
54 High Rd
Newbury, MA 01951

General Manager
Union Machine Co.

978.521.5100 x240
www.unionmachine.com

Planning Board

From: BONNIE SIMPSON <jscollay@comcast.net>
Sent: Wednesday, September 15, 2021 6:49 AM
To: Planning Board
Subject: Fwd: 105 High Rd

----- Original Message -----

From: BONNIE SIMPSON <jscollay@comcast.net>
To: "jscollay@comcast.net" <jscollay@comcast.net>
Date: 09/15/2021 6:09 AM
Subject: 105 High Rd

RECEIVED
SEP 15 2021
Swbury Planning Board

To all the Planning Board Members,

AGAIN, we are writing to continue our firm opposition to the development of 105 High Rd. Living NEXT DOOR to all of this has presented unique problems and outrageous situations. We want the board to be aware that we are continuing to document ALL of these occurrences. Our patience and good natured tolerance has passed the threshold and is over. We have been and will continue to take all appropriate measures to ensure that their actions are stopped. We also want to remind the board that Arthur no longer owns the property; he just "lives there." Mark does not own the property either; he is just a "developer." Mitch, Arthur's best friend for decades, owns the property. Does he have any idea or has he approved what is going on? After all, as the owner, he is responsible. Mitch is like a ghost. He has never participated in any zoom meetings and has not been in any in person meetings.

Many many times, the board has stated that "we can't tell people what they can do with their property." With all do respect, there are examples where you do and have done exactly that. What is puzzling to the MAJORITY of the taxpayers who oppose this subdivision is: why others have been shut down and the plan rejected quickly, and 105 High Rd gets every opportunity and endlessly goes on and on. We keep thinking about Dave Powell. As a respected former planning board member, he understands better than most what is going on here. His comments concluded that this was "reversed engineering, a fatality flawed plan, and was not the right property for this subdivision. His expertise was ignored.

Peter Gantchen's power point presentation was exactly right, spot on. Every point he made was ignored as well. The OSRD needs to be

denied. It's only being used to "back door" in a subdivision. The yield plan is also being used the same way. (1 lot, 1 unit.). Let's just all stop using the inappropriate terms or semantics and call this what it is, A SUBDIVISION of 10 units/homes on 3 acres!! Therefore a SUBDIVISION plan needs to be submitted. The residents of Newbury are not stupid nor blind to what they are watching. Whether the board acknowledges this fact or not, the opposition is vast and the taxpayers are angry...

The reality is very simple: this is the wrong development, on the wrong property and in the wrong community.. There are literally thousands of towns in say New Hampshire, Connecticut, Vermont, Maine and western Massachusetts who would love this subdivision; welcome it in fact. Arthur and Mark could triple the project, build 30 - 40 "units" with plenty of space for a road, sidewalks, a backyard, and swimming pools. They could even do the right thing and include some affordable housing and still make millions of dollars. Do the right thing and DENY this subdivision so Arthur and Mark are free to go elsewhere.

The hilarious irony is, if they owned our property at 107, ALL their problems would be solved. Tear down our house. They would have the frontage, plenty of room for a road, the yellow house and barn could remain, and even build another "unit" or two. No one has ever approached us since this all started. Again, poor planning and no forethought. And, it only proves the point that this is a flawed plan. Farms on all 4 sides and our house being problematic as next door neighbors, right in the middle of what they need. It explains what we've been subjected to as well and why.

For those in the small minority who like Mark's work as a builder and who support this subdivision, MARK IS NOT DOING THE BUILDING HERE. He has repeatedly stated that. The project will be SOLD TO SOMEONE ELSE. So, if you think you are supporting Mark and how he builds homes, you are being misled and sorely mistaken. And that's the important point here. Whether you are for or against this subdivision, we are ALL being "snowed" about what is really going on. This whole thing is ONLY about money. There is no regard whatsoever for Newbury. Just Opportunistic.

So, to the Planning Board Members:

- 1) has Newburyport agreed to supply the water for this 10 "unit" subdivision? NO? If it is not yet in writing, how can you vote prematurely to approve this?
- 2) How can you approve the subdivision and not know who the builder is going to be? How will you guarantee that the plans you voted to approve will be followed? Wouldn't it be germane for a named builder, who will be held accountable, after Arthur and Mark are long gone - Mitch Mantin too. Again, approving this is premature.
- 3) The likely hood and certainty of potentially many and various legal

matters will need to be resolved prior to any vote of approval. Again, this would be premature and would place the town of Newbury in a vulnerable and potentially expensive financial situation. As elected officials, you must represent all the citizens of Newbury, not just 2 or 3 people. (Mitch doesn't live or pay taxes here. He has property in Nevada, Florida and N.J. (By the way, Mitch's condo in Jupiter Florida is right next door to Arthur's condo.)

Again, please just stop this once and for all. At the very least, put an indefinite hold on this. Everyone is aware that all of the Planning Board members appreciate and understand completely the destruction this subdivision will do to Newbury. Put our town first. And yes, change happens everywhere, but it should be a beneficial change for everyone.

Thank You,
Bonnie and Christopher Simpson
107 - High Road
Newbury

From: BONNIE SIMPSON [<mailto:jscollay@comcast.net>]
Sent: Wednesday, September 15, 2021 5:11 PM
To: Planning Board
Subject: Fwd: 105 High Road

RECEIVED
SEP 15 2021
Newbury Planning Board

----- Original Message -----

From: BONNIE SIMPSON <jscollay@comcast.net>
To: "jscollay@comcast.net" <jscollay@comcast.net>
Date: 09/15/2021 5:08 PM
Subject: 105 High Road

Dear Planning Board Members,

We wish to add this email to the previous one sent this morning.

While DePerio was spray painting on the property lines of 103 and 105 High Rd, he also came to our property. A white line and arrow was placed at the edge of the road. We would like to refer the board to our established property lines.

SW by High Rd 140 ft

NW 200 ft

NE 140 ft

SE 200 ft.

107 High Rd was deeded June 6 1925. On August 5 1925 it was recorded with the Essex South District Registry of deeds, Book 2643, page 448 to Henry and Ruth Knapp. As our property was bought and sold through 3 generations, there has been a clear title with each transaction. At no time have these property lines changed in 96 years. Coincidentally, the line Mark painted is 7ft from an unknown line previously marked. We view this as both an attempt to increase the property lines of 105 on our side and to intimidate us as next door neighbors. As we previously stated, we will not tolerate these attempts to harass, bully, slander or intimidate in a highly unprofessional manner by those associated with 105 High Rd. Shouldn't the board members step up and stop these tactics? We have a right to live here peacefully and not be subjected to this egregious behavior. How can the board approve this subdivision when you are aware that they are willing to do anything necessary to jam this through. We are adding photos of the line that Mark painted and the dumpster that he previously lied about to you the board members.

Again, Thank you,
Bonnie and Christopher Simpson



+ Emma

315

of Dedham
being married, for consideration paid, grant to Walter H. Howard and Barbara S. Howard,
husband and wife as tenants by the entirety, both
of Newbury, Essex County, Massachusetts

with particular covenants

the land in Newbury aforesaid, with the buildings thereon, bounded and
described as follows, viz:-

(Description and dimensions, if any)

<u>Southwesterly</u> by High Street, one hundred forty (140) feet;	140
<u>Northwesterly</u> by land of the late Henry A. Knapp, two hundred (200) feet;	200
<u>Northeasterly</u> by land of the said late Henry A. Knapp, one hundred forty (140) feet; and	200
<u>Southeasterly</u> by land formerly of John C. Rolfe, now of Fuller, two hundred (200) feet.	140

Being the same premises to us conveyed by Henry A. Knapp by deed dated
August 5, 1925, recorded with Essex South District, Mass. 2642/372 1925/1523

Said premises are conveyed subject to municipal taxes assessed for the
year 1953, to be paid by the grantee.

Mass. Excise Stamps \$ 16.95 affixed
amount
and cancelled on back of this instrument

U. S. Deem. Stamps \$ 16.50 affixed
amount
and cancelled on back of this instrument

husband of said grantor;
wife

release to said grantee all rights of tenancy by the entirety and other interests therein.
dower and homestead

Witness our hand and seal this 2nd day of January 1953

Harold A. Knapp
Emma P. Knapp

Not Public
Notarary

The Commonwealth of Massachusetts

ss.

Then personally appeared the above named Harold A. Knapp and Emma P. Knapp

and acknowledged the foregoing instrument to be their free act and deed, before me

Henry Rolfe
Notary Public

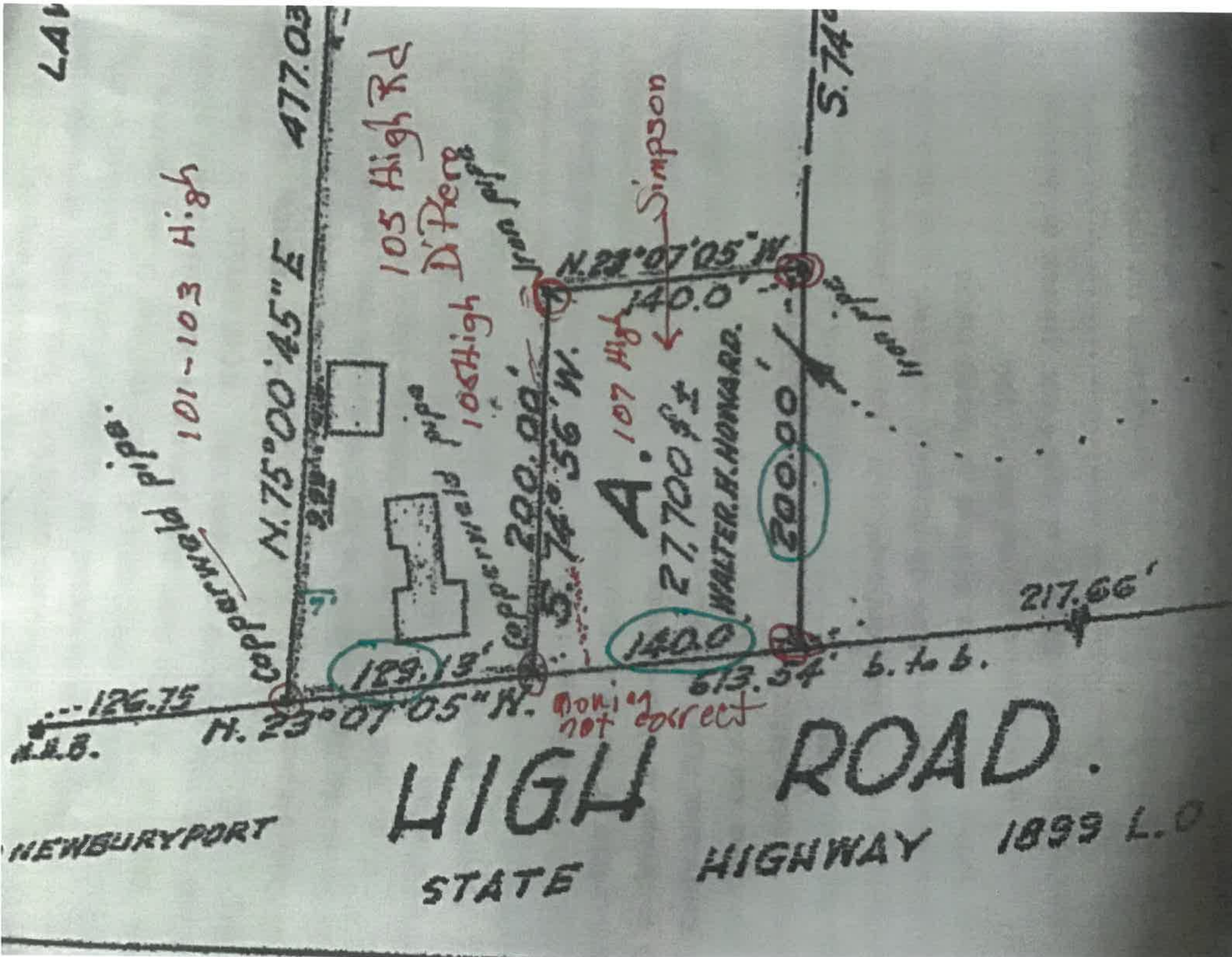
My commission expires

July

1956.

Essex ss. Recorded Jan. 5, 1953. 13 n. post 11 A.M.

L41



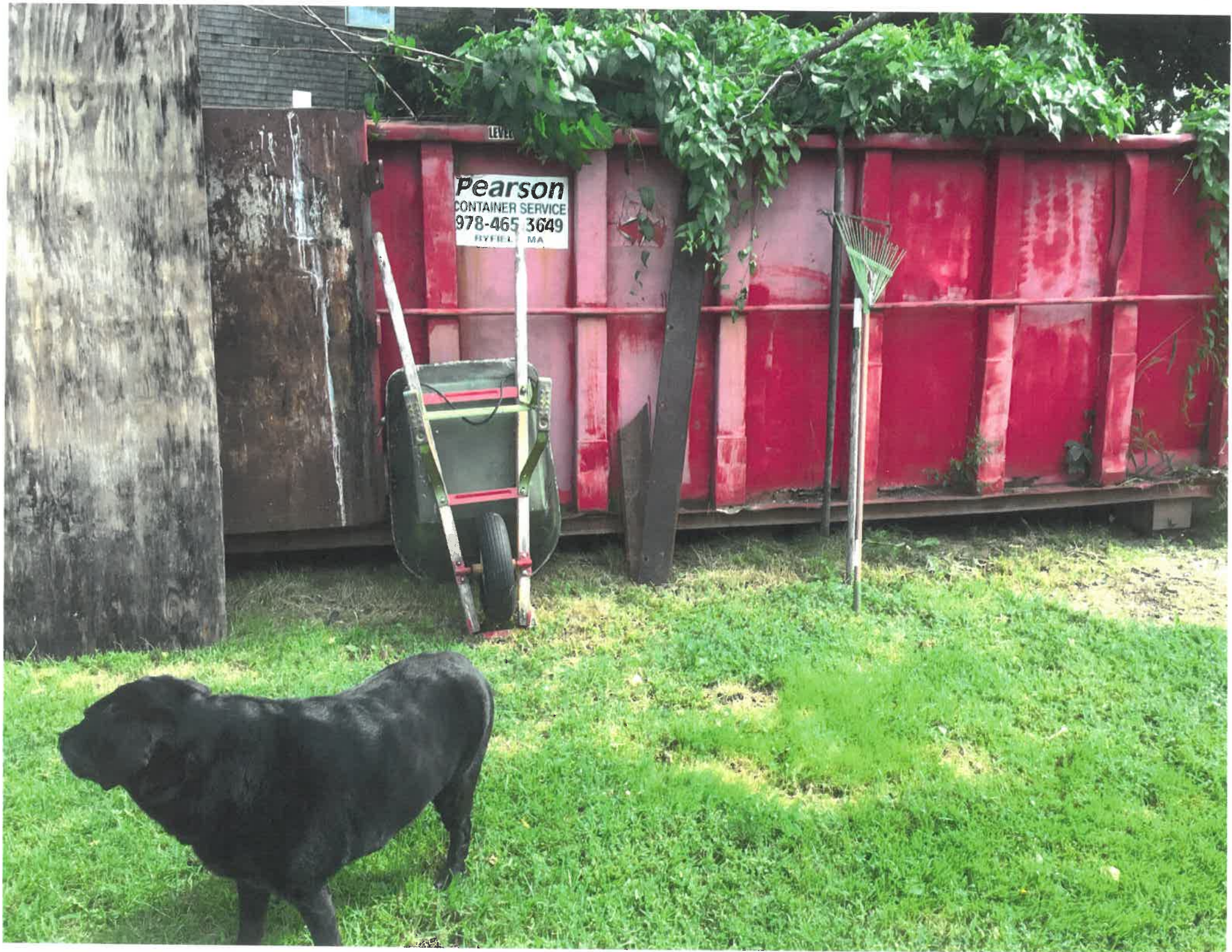
HIGH ROAD.

STATE

HIGHWAY 1899 L.O







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CONTAINER SERVICE
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