ZENDKO LLC

15 Estes Street Amesbury, MA 01913 tzeke@comcast.net 978-852-4002

January 26, 2021

Newbury Planning Board C/O Martha L. Taylor, AIA, Planning Director Town of Newbury 12 Kent Way Byfield, MA 01922

RE: OSRD Special Permit Application, Fieldstone Lane
15 Coleman Road, Byfield, MA

Hello Martha,

The enclosed OSRD Special Permit Application for 15 Coleman Road consists of:

- 1. This Cover/transmittal letter
- 2. OSRD Special Permit Application Form
- 3. Project Description (including responses to various Bylaw requirements)
- Open Space Residential Development Plans, entitled "Open Space Residential Development, 15 Coleman Road, Newbury, MA 01922", revised to 01/25/21 (12 sheets)
- 5. List of Requested Waivers (see project description)
- 6. Abutters Lists
- 7. Development Schedule

Application and Review Fees will be submitted at your direction.

Thank you again for the feedback and perspective provided during previous Board meetings and site visits.

We have submitted an RDA Application to the Conservation Commission with the expectation of concurrent hearings in order to coordinate consistent permit conditions.

We will be submitting septic system plans shortly to the Board of Health with a separate submission.

Please let us know if you need anything further in order to schedule this application for the next available hearing date.

Thanks very much for your recent input and attention, we look forward to working through the planning process on this special project.

Sincerely,

Top Zahoruiko, Manager, Zendko LLC

Newbury Planning Board Form H

Application for Approval of an Open Space Residential Subdivision Special Permit

Two copies* of this form, filled out and signed, should be submitted with the original and 8 copies of the plan** To the Planning Board The undersigned applicant being the owner or agent or representative of the owner of all the land included within a proposed open space residential subdivision shown on a plan entitled: dated January 25, 2021 (Engineering Firm) being land bounded as follows SEE Hereby submits said plan as a CONCEPT plan in accordance with the Newbury Zoning By-laws and the Rules and Regulations of the Newbury Planning Board and makes application to the Board for approval of an Open Space Residential Subdivision Special Permit. The owner's deed of the property is recorded in the Essex South Registry of Deeds Book 38735 Page 125 of Land Court Certificate of Title No. _____ Registered in the Essex South

Land Registry District Book _____ Page _____. Name of Owner: Zendko LLC Owner's Address: 15 Estes Street, Ames bug, MA 01913 Applicant's Signature and Address if not the Owner. Amount Received_ Signature for the Board. I (we) agree to submit a check or money order to the Board in the amount of any reasonable technical (above amount). consultants fee over the amount of _ Applicant's Signature:__ Planning Board Acceptance of Preliminary Plan Application Signed: _____for the Newbury Planning Board

^{*} One copy to P.B/one copy to Board of Health ** 8 copies to P.B./ 2 copies to Board of Health

Parcel One:

A certain parcel of land with the buildings thereon, situate in Newbury on the road running from Byfield to Rowley and bounded and described as follows:

Beginning at the Southwesterly comer thereof by land of Moses Coleman; thence North to the corner of the wall, thence Westerly to land of Moses Coleman; thence Northerly by said Coleman land to land of N.T. Caldwell, thence Easterly by said Caldwell's land to corner of wall and land of heirs of George Knight, thence Southwesterly in a straight line to a point on Coleman Road two Hundred (200) feet more or less Southeasterly from the point of beginning; thence Northwesterly along by said road to bound begun at.

Containing ten (10) acres more or less.

For title, see deed dated October 1, 1992 recorded with Essex South District Registry of Deed at Book 12069, Page 219

Parcel Two

A certain parcel of land situated in Newbury and Rowley, and bounded as follows:

Beginning at a point on Coleman Road 200 feet more or less Southeasterly from land of Moses Coleman; thence running Northeasterly by other land of Grantor in a straight line to a stone wall and land of heirs of George Knight; thence running Southerly and Easterly by land of said heirs to land of Ezra Hale along stone wall; thence Southerly by Hale's land to land of Daniel Hale; thence Westerly by said Hale's land to land formerly of Moses Coleman, now of Driscoll; thence running Northwesterly by said Driscoll land 290' feet more or less; thence running Northwesterly by said Driscoll land 500 feet more or less to Coleman Road; thence Northwest by said Coleman Road 58 feet more or less to point begun.

Containing thirty-three (33) acres more or less.

Excluding from the foregoing conveyance, however, any portion of the land described in the aforementioned deeds recorded with Essex South District Registry of Deed at Book 12069, Page 219 and Page 220 that lies in the Town of Rowley. The Rowley land consists of approximately 3.4 acres according to The Town of Rowley assessor's records and is identified on the Rowley assessor's Map: 21 Parcel:

Further excluding from the foregoing conveyance the land conveyed to Mark E. Woodbury and Tara S. Woodbury by means of the deed recorded with Essex South District Registry of Deed at Book 16535, Page 42

Proposed Open Space Residential Development (OSRD)

15 Coleman Road, Byfield, MA

Project Description

Site Location and Description:

15 Coleman Road is a 31.7± acre site which includes a circa-1787 traditional white clapboard home of approximately 3,000 sf (facing Coleman), an adjacent 40' x 36' red barn, a small shed/workshop outbuilding, and a more recent single-bay garage building.

The surrounding grounds consist of informally manicured open grassed areas, farm paths leading into more established and mature forested areas, a bisecting wetland which is traversed by an existing farm road crossing providing access to the rear of the site, where gently rolling terrain is criss-crossed by stone walls and vegetated with a variety of mature evergreen and deciduous trees.

The existing street presentation is dominated by the complex of buildings, along with stone walls (notably including the "Witchstone" which is now located in the stone wall near the Eastern end of the frontage), a few mature trees of varying health, and a picturesque stone wall on the West boundary which frames views of open farm fields.

The site is bordered by undeveloped forested property of the Governor's Academy, open farm fields, and a few residences.

Project Goals:

To preserve and enhance the appropriate elements of the existing complex of buildings, to protect the wetland resource and contiguous forested upland area beyond, and to sensitively design and develop a small residential neighborhood of high-quality and reasonably-sized homes, as expressed in Newbury Zoning Bylaw 97-5.C.1.

Conventional Design Option (Density Proof):

A conventional subdivision plan with a Basic Maximum Number of 5 lots is provided herein for reference, which plan complies with Zoning and Subdivision Rules and Regulations, with consideration of wetland resource areas and soil conditions as tested and observed. This conventional plan provides for limited satisfaction of project goals as presented.

OSRD Alternative Design Option:

The 7-lot OSRD Special Permit plan is the subject of this application. This plan was developed with the combined input from the property owner/applicant, landscape architect, engineer, surveyor, and soils expert, along with municipal feedback.

The proposed 7-lot density relies on section 97-5.C.11.a of the Bylaw, which provides for a bonus lot for each additional 10% open space over and above the 50% minimum requirement. In this plan, approximately 86% of the site is proposed as permanently preserved open space. The amount of open space would provide a density bonus of 3 lots, but the density bonus is further limited to 2 lots by the 50% total bonus provision in 97-5.C.11, bringing the proposed density to 7 lots (proof of 5 + 2 bonus), which includes the lot with the existing home and barn.

The proposed open space is 27.2 contiguous acres (86% of the parcel), of which 65% is upland. This area includes mature forest, healthy understory including large areas of blueberry, and gently rolling terrain, criss-crossed with old stone walls and extensive interconnecting trails, and is ideal for walking and hiking. This open space can be owned by the Town or an alternative steward at the Town's suggestion (such as the Trustees of Reservations or Essex County Greenbelt). The open space abuts undeveloped land of the Governor's Academy, as well as a few residential neighbors.

Right-Of-Way width is proposed as 40', expanded to 126' diameter in the cul-de-sac. Paving width is proposed at 22', expanded to 60' outside radius in the cul-de-sac. The proposed length of the cul-de-sac is 402', with expected modest grades not exceeding 4%, and a nearly balanced site regarding earth movement. Sloped granite curb is proposed along with conventional drainage infrastructure, since this allows less impactful grading and site alteration than LID on the smaller lots, which is what allows the compact development area in order to preserve the larger amount of open space.

The site will be serviced by municipal water which is available in Coleman Road. The proposed on-site common septic system is located in the better soils on Lot 1, and is a pressure-dousing system for planned capacity of (7) 4-bedroom homes. Underground electric/telephone/cable services will be provided, and natural gas is available in Coleman Road, with provisioning subject to the policies of that utility. Fee ownership of the homes and lots is proposed, an HOA is proposed only for the common septic system, and the intent is to offer the road to the Town for acceptance as a public way. I expect to post required bonds in cash.

The main house and barn are proposed to remain in place, and the shed/workshop is proposed to be either moved or measured/documented in detail, and recreated in a similarly prominent location on Lot 7 with a strong presence to Coleman Road, in order to retain the current multi-building aesthetic. The development area is confined to the area closest to Coleman Road, where there is only one adjacent residence, and street trees, landscaped and buffer areas are as indicated on the Concept Plan.

Documents needed to implement the development include but are not limited to Deed to Open Space, Open Space Restrictions Document, HOA for septic system.

The following waivers are requested:

- Reduced area and frontage from the required agricultural residential zoning dimensions of 40,000 square feet area and 125 lineal foot frontage, in order to preserve more open space.
- Section 117-18.b.13 Trees over 6" in diameter, hundreds of tress over 6" in diameter, most to be preserved.
- Section 117-18.c1-2 Environmental Analysis. Requesting waiver from strict compliance since the majority of this section has been covered with the OSRD review of site and impacts, and due to the small scale of the development.
- 4. Section 117-23 General layout and dimensions: ROW width 53' required, 40' proposed; cul-de-sac ROW diameter 165' required, 126' proposed; cul-de-sac pavement width 140' required, 120' proposed (shown as sufficient for emergency vehicles in plan set).
- 5. Section 117-34.a.1 Utilities: drainage pipe required RCP, proposed HDPE.
- Section 117-35 Sidewalks/Bikeways: no sidewalks on adjacent streets, extensive onsite trails are being preserved and enhanced.

Fieldstone Lane Proposed Development Schedule

April 2021:

Record Decision/Plans
Install erosion control
Prepare construction entrance
Document and rebuild workshop on site
Tree clearing, stumping
Rough grading
Begin utility installation

May 2021:

Complete utility installations including stormwater facilities Prepare gravel base Binder pave Begin foundation installations

June-December 2021:
Complete installation of (4) foundations
Complete renovation work on 15 Coleman
Install septic system
Install curbing
Complete 3 homes for occupancy

2022:

Install remaining foundations and complete all homes Stabilize remaining disturbed areas Install remaining landscaping features Shim and finish pave Prepare and submit final as-built plans



Office of The Board of Assessors 12 Kent Way Suite 101 Newbury, MA. 01951-4799 (978) 465-0862 x308 Fax: (978) 465-3064

Frank N. Kelley III, Chairman, Board of Assessors Sanford Wechsler, Assessor Linda McCamic, Assessor

Jason DiScipio, Principal Assessor Stephanie Sergi, Assessor's Clerk

Memo

To Thomas Zahoruiko Date January 20, 2021 RE 15 Coleman Rd

The following is a list of abutters within 300'of R02-0-12

These listed owners are to the best of our knowledge the owners of record as of January 20 2021 and are the only abutters listed in Newbury.

Attached

- 1. This cover letter
- 2 Original request
- 3 Mailing Labels (2 sets)
- 4. Mailing List (non-label)
- 5 GIS Map
- 6 Abutters List Other Towns (if applicable)

Sincerely,

Stephanie Sergi Assessor's Clerk Town of Newbury

CERTIFIED ABUTTERS LIST

TOWN OF NEWBURY BOARD OF ASSESSORS

ADDRESS 15 Coleman (
PAGE / OF 5



TOWN OF NEWBURY

BOARD OF ASSESSORS

12 Kent Way, Suite 101, Byfield,MA 01922 978-465-0862 x308 978-572-1228 fax

www.townofnewbury.org

| REQUEST FOR CERTIFIED ABUTTERS LIST |
|--|
| PROPERTY LOCATION: 15 Coleman Road |
| ASSESSORS MAP/LOT#: Map ROZ Lot 12 |
| CHECK BOX FOR TYPE OF LIST REQUESTED: |
| 1. CONSERVATION COMMISSION within 100 ft. |
| CONSERVATION COMMISSION Lot area greater than 50 acres |
| CONSERVATION COMMISSION Linear Project greater than 1,000 ft |
| 2. ZONING BOARD OF APPEALS within 300 ft. |
| 3. ZONING BOARD OF APPEALS/Wireless Communication within 900 ft. |
| 4. PLANNING BOARD within 300 ft. |
| REQUESTED BY: Thomas Zahowi No PHONE NUMBER: 978-852-4002 |
| DATE REQUESTED: 1/19/21 DATE PAID: 1/20/21 CASH |
| ASSESSOR'S CLERK DATE: 1/20/21 CERTIFIED ABUTTERS LIST TOWN OF NEWBURY POARD OF ASSESSOR'S |
| NOTE: There is a \$20.00 charge per each request. Checks can be made payable to the Town of Newbury. |
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ZENDKO LLC P O BOX 8073 WARD HILL MA 01835

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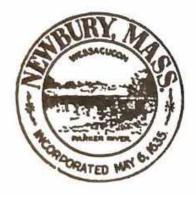
C IRTIFIED ABUTTERS LIST

TOWN OF NEWBURY BOARD OF ASSESSORS

ADDRESS 15 Coleyon Rd

1/20/21 SS





Office of The Board of Assessors 12 Kent Way Suite101 Newbury, MA. 01951-4799 (978) 465-0862 x308 Fax: (978) 465-3064

Frank "Budd" Kelley, Chairman, Board of Assessors Sanford "Sandy" Wechsler, Assessor Linda McCamic, Assessor

Nate Cramer, Principal Assessor Stephanie Sergi, Clerk

IN ADDITION TO 300' ABUTTERS PLEASE MAIL TO THE FOLLOWING

Georgetown Planning Board 1 Library Street Georgetown, MA 01833

Groveland Planning Board 183 Main Street Groveland, MA 01834

Newburyport Planning Board 60 Pleasant Street Newburyport, MA 01950

Rowley Planning Board 39 Central Street PO Box 714 Rowley, MA 01969

West Newbury Planning Board 381 Main Street West Newbury, MA 01985

If the list is for the Newbury Zoning Board of Appeals include:

Newbury Planning Board 12 Kent Way Suite 101 Newbury, MA 01951

ERTIFIED ABUTTERS LIST

TOWN OF NEWBURY

BOARD OF ASSESSORS

ADDRESS 15 Coleman &
PAGE 5 OF 5



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Memo

To Thomas Zahoruiko Date January 20, 2021 RE Coleman Rd

The following is a list of abutters within 300 of R02-0-13 These listed owners are to the best of our knowledge the owners of record as of January 20, 2021 and are the only abutters listed in Newbury.

Attached

- 1 This cover letter
- 2 Original request
- 3 Mailing Labels (2 sets)
- 4 Mailing List (non-label)
- 5 GIS Map
- 6. Abutters List Other Towns (if applicable)

Sincerely,

Stephanie Sergi Assessor's Clerk Town of Newbury

CERTIFIED ABUTTERS LIST

TOWN OF NEWBURY BOARD OF ASSESSOR

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PAGE / OF 5

1/20/21 53



TOWN OF NEWBURY

BOARD OF ASSESSORS

12 Kent Way, Suite 101, Byfield,MA 01922 978-465-0862 x308 978-572-1228 fax www.townofnewbury.org

REQUEST FOR CERTIFIED ABUTTERS LIST

JAN 2 U 2021

| REQUEST FOR CERTIFIED ABOTTERS LIST |
|---|
| PROPERTY LOCATION: Coleman Road |
| ASSESSORS MAP/LOT#: Map ROZ Lot 13 |
| CHECK BOX FOR TYPE OF LIST REQUESTED: |
| 1. CONSERVATION COMMISSION within 100 ft. |
| CONSERVATION COMMISSION Lot area greater than 50 acres |
| CONSERVATION COMMISSION Linear Project greater than 1,000 ft |
| 2. ZONING BOARD OF APPEALS within 300 ft. |
| 3. ZONING BOARD OF APPEALS/Wireless Communication within 900 ft. |
| 4. PLANNING BOARD within 300 ft. |
| REQUESTED BY: The mas Zahorulo PHONE NUMBER: 978-852-4002 |
| DATE REQUESTED: 1/19/21 DATE PAID: 1/20/21 CASL |
| ASSESSOR SIGNATURE: DIPLOID LIGHT DATE: 1/20/2/ CERTIFIED ABUTTERS LIST TOWN OF NEWBURY BOARD OF ASSESSORS. |
| NOTE: There is a \$20.00 charge per each request. Checks can be made payable to the Jown of Newbury. |
| PAGE 2 OF 5 |
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CERTIFIED ABUTTERS LIST

ADDRESS Coleman Rd

PAGE 3 OF 5

1/20/21 55



Office of
The Board of Assessors
12 Kent Way Suite101
Newbury, MA. 01951-4799
(978) 465-0862 x308

Fax: (978) 465-3064

Frank "Budd" Kelley, Chairman, Board of Assessors Sanford "Sandy" Wechsler, Assessor Linda McCamic, Assessor Nate Cramer, Principal Assessor Stephanie Sergi, Clerk

IN ADDITION TO 300' ABUTTERS PLEASE MAIL TO THE FOLLOWING

Georgetown Planning Board 1 Library Street Georgetown, MA 01833

Groveland Planning Board 183 Main Street Groveland, MA 01834

Newburyport Planning Board 60 Pleasant Street Newburyport, MA 01950

Rowley Planning Board 39 Central Street PO Box 714 Rowley, MA 01969

West Newbury Planning Board 381 Main Street West Newbury, MA 01985

If the list is for the Newbury Zoning Board of Appeals include:

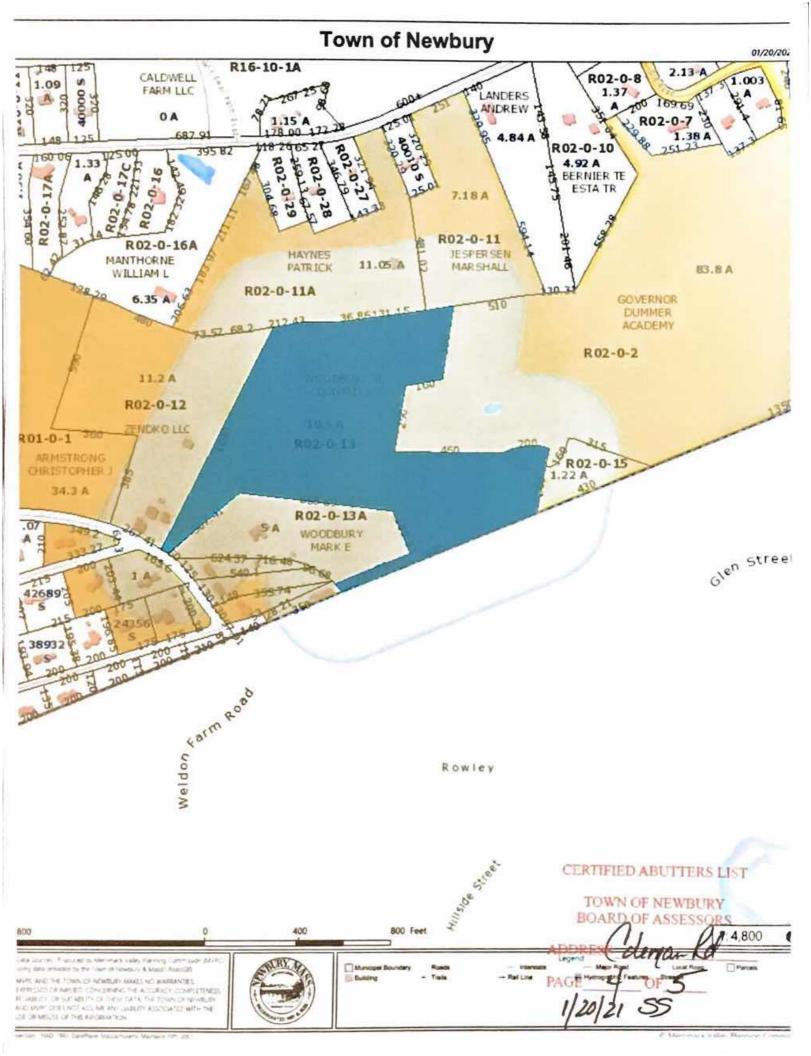
Newbury Planning Board 12 Kent Way Suite 101 Newbury, MA 01951 CERTIFIED ABUTTERS LIST

TOWN OF NEWBURY BOARD OF ASSESSORS

ADDRESS

Coleman Ko

1/20/21 55



Date: 01/25/2021

Town of Rowley

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CERTIFIED ABUTTERS' LIST

| | CE | RTIFIED | ABUTTERS' LIST | Page 1 |
|------------|----------|-----------|---|--|
| Parcel ID | Location | | cation | A |
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| | | | | ROWLEY, MA 01969 |
| | | | | KONDET, PA 01969 |
| 020-017-06 | 169 | GLEN ST | | MACCAUSLAND DALE |
| | | | | MACCAUSLAND F GARY |
| | | | | 27 COLEMAN RD |
| | | | | BYFIELD, MA 01922-2803 |
| 003 000 | | | | AND THE RESIDENCE OF THE PROPERTY OF THE PROPE |
| 021-009 | 109 | GLEN ST | | DESROCHERS GLORIA H |
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| | | | | ROWLEY, MA 01969 |
| 021-012 | 75 | CI TO CO | | |
| 722 022 | 13 | GLEN ST | | BROWN TIMOTHY A JR |
| | | | | 75 GLEN ST |
| | | | | ROWLEY, MA 01969 |
| 021-015 | 67 | GLEN ST | | And Valley of Market State Sta |
| | | 02011 01 | | SULLIVAN KERRY J |
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| | | | | ROWLEY, MA 01969 |
| 021-016-01 | 61 | GLEN ST | | TRE POSEMOND DANIEL |
| | | _ | | TRS ROSAMOND DANBY WHITMORE LIVI |
| | | | | WHITMORE ROSEMOND DANBY TRUSTEE PO BOX 791 |
| | | | | ROWLEY, MA 01969 |
| | | | | TOURET, PM 01969 |

7 parcels listed

Maspidne Sean MMC Faddere Principal assisson

Elm Street

Newbury



PUNTATO POR TO STATE OF THE PORT OF THE PO

TOWN of ROWLEY

MASSACHUSETTS

Certified List of Abutters Request

| OFFICE OF THE |
|--------------------|
| BOARD OF ASSESSORS |

| Subject Property: |
|--|
| Map/Block/Lot: MAP 21 LOT A |
| Property Location: OFF COLEMAN ROAD (LAND-WCKED) |
| Property Assessed Owner: Donald + Jane Woodbury |
| Board or Commission this Request is for: (check one) |
| Board of Health: |
| Board of Selectmen: |
| Liquor License (100'): |
| Special Permit's |
| Earth Removal (300'): |
| Soil Suitability (300'): |
| Conservation Commission (100'): |
| Historic District Commission (100'): |
| Planning Board (300'): X |
| Zoning Board of Appeals (300'): |
| The Assessors Office has 10 days to respond to your request, please plan accordingly |
| Abutter List Research Fee: §15.00 |
| Contact Name: Thomas Zaho ruko |
| Telephone Number: 978-852-4002 |