



Town of Newbury
Board of Selectmen
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April 22, 2020

Mr. Howard Traister, Chair
Zoning Board of Appeals
Town of Newbury
12 Kent Way
Byfield, MA 01922

Dear Chairman Traister,

In accordance with the e-mail request of the Zoning Board of Appeals dated February 27, 2020, and as part of the Comprehensive Permit/40B process, the Board of Selectmen are herewith submitting review comments from the Board of Selectmen meeting of April 14, 2020, regarding the Application for the proposed "Village at Cricket Lane, 55R Pearson Drive."

Selectman Jespersen noted that the letter dated September 23, 2019, submitted by the Office of the Board of Selectmen to MassHousing, (copy attached) largely covers many of the issues. Several points of concerns made in the letter were noted and discussed. Comments made by the Board of Selectmen included:

1. Certain locations in Newbury were identified as amenable to 40B development by the Housing Production Plan put together by the Planning Board. A development at this particular location was not an identified site. The parcel is not an appropriate area for the location of such a dense, sizable development.
2. The Town is a victim of the State's Open Space Residential Development, (OSRD), which allows a percentage of houses built to be affordable and is being used as a tool for development. This can result in permitting developers to use land which is inappropriate and marginal for that type of development.
3. Great concern was expressed for the impact of the volume of increased traffic on Pearson Drive, a rural roadway with no sidewalks, located in a small neighborhood.
4. The proposed entrance of the roadway between two homes is obtrusive.
5. The proposed roadway is not sufficiently wide to accommodate fire apparatus or other large emergency response equipment, especially if passing in opposite directions on the roadway.

6. The proposed 40B development is to be compliant and adequately address the Massachusetts Sustainable Development Principles. The application states that the project site is within walking distance of public transportation. Despite the Application's assertions, there is no actual access to public transportation. There is nothing within walking distance of the end of Pearson Drive, nor the furthest back corner. It will be very difficult for anyone living in the proposed development to access necessary services and amenities without a car.
7. Water testing performed for volume was done at an inappropriate time and does not reflect water usage.
8. The parcel abuts the Martins Burns Wildlife Management Area, protected land owned by Massachusetts Division of Fisheries and Wildlife. Martin Burns contains shooting ranges and allows hunting. Therefore, the discharge of firearms frequently occurs. The proposed development will place homes considerably closer to the Martin Burns area and the permitted hunting activities which take place at the area. Significant funds have been put forth by the State of Massachusetts toward allowing such recreation activities at Martin Burns. The potential development may also infringe on those activities.

Thank you for your consideration of the Board of Selectmen's comments. Should you have any questions, please don't hesitate to contact me.

Sincerely,

J.R. Colby, Chair
Newbury Board of Selectmen

A handwritten signature in black ink, appearing to be 'J.R. Colby', written over a light blue horizontal line.