



Town Of Newbury

Office of
The Board of Selectmen
12 Kent Way, Suite 200
Byfield, MA 01922
978-465-0862, ext. 301

September 23, 2019

Michael J. Busby
Relationship Manager
MassHousing
One Beacon Street
Boston MA 02108

Re: Project Eligibility/Site Approval Application
Byfield Estates, Newbury, MA
55 Rear Pearson Drive
Applicant: Cricket Lane, LLC

Dear Mr. Busby:

In accordance with your notification letter to us dated July 16, 2019, and the extension granted August 13, 2019, we are herewith submitting the Town's review comments regarding the Project Eligibility/Site Approval Application submitted by Cricket Lane, LLC, for the proposed "Byfield Estates" Chapter 40B development to be located at 55 Rear Pearson Drive in Byfield (Newbury) (the "Project"):

1. **Roadway Length:** The Town has a very high level of concern about the Applicant's proposal to construct an 845 foot long cul-de-sac at the end of a non-through road which is itself over 3,000 feet (0.6+ miles) long from Orchard Street to its farthest point. As the Planning Board notes in its review letter regarding this application, which is included herewith, the effective length of the proposed cul-de-sac, from Orchard Street to the end of the proposed new roadway, far exceeds, by over seven times, the maximum length allowed under the Town's Subdivision Rules and Regulations. The purpose of the Town's Subdivision Rules and Regulations limiting the length of a roadway without an alternate access is based upon the ability of the Town to properly respond to public safety, fire and health issues. The proposed road length without an alternative means of access poses a serious threat to public safety and significantly lengthens the time for emergency response and poses potential issues for response to traffic incidents. The length of the roadway coupled with the potential for inadequate water pressure at hydrants (see below) poses a significant public safety risk to the residents of the Town.
2. **Roadway Layout:** The proposed roadway is not sufficiently wide to accommodate fire apparatus or other large emergency equipment. In his letter dated September 23, 2019, the Newbury Fire Chief states that the roadway must be at least 22 feet in width to accommodate the Town's fire apparatus – this width is required to allow for two fire trucks to pass each other in opposite

directions. The proposed roadway does not meet this criterion. This is of particular concern given the density of the proposed development, the close spacing of the houses (15 feet apart), and the length of the roadway as noted above from Orchard Street along Pearson Drive to the new homes.

The Fire Chief also states that the short proposed dead-end sections of road should be eliminated or reconfigured. As laid out, the dead-ends will make it necessary to stack fire apparatus in the event of an emergency and make it difficult for aerial apparatus to reach buildings on fire. We note that dead-end roads are not allowed under Newbury's Subdivision Rules and Regulations.

Finally, the Fire Chief states that the layout should provide 20 (twenty) feet of space between the houses due to exposure issues in the event of fire.

3. **Pedestrian Safety:** The Town is also concerned about the impact that the increased traffic associated with the proposed development will have, both during construction and after project completion, on the safety of pedestrians and bicyclists using Pearson Drive, which is a rural roadway with no sidewalks. The Application states that two parking spaces will be provided for each dwelling, resulting in a total of 48 vehicles. However, we note that each dwelling has not only a two-car garage, but also enough driveway area to accommodate at least two additional vehicles. The proposed development therefore has the potential to provide resident parking for up to at least 96 vehicles. This count does not include service vehicles, guest vehicles, and other traffic that will be associated with the development. Without a second point of access, all vehicles going to and from the project site will need to travel the full length of Pearson Drive.
4. **Unique Environmental Harm:** The project will overstress the water supply taken from the Parker River Basin. Newbury, like many of the surrounding communities, has experienced long periods of drier than normal weather conditions over the past years and the Byfield Water District, which serves the residents of Pearson Drive, regularly institutes mandatory water restrictions on the users of the water system. George Comiskey, Director of the Parker River Clean Water Association, notes in a letter dated September 16, 2019, that the "Parker River is considered one of the most highly stressed rivers in the Commonwealth, according to the Massachusetts Water Resource Commission" and that "Byfield is a water-poor community, lacking sizable aquifers and suitable water withdrawal sources..." Similarly, Kristen Grubbs, Environmental Planner, PIE-Rivers Partnership, notes in a letter dated September 17, 2019, that it is the opinion of the Partnership that the current Byfield Estates proposal "would have a *direct, negative impact* on the Parker River watershed, its wetland areas and buffer zones, and its sensitive resources including the Parker watershed's public water supplies." Copies of these letters are included herewith.

Paul Colby, Director of the Byfield Water District, which is a private water company, has communicated that the Byfield Water District has adequate water supply and pressure to support the proposed Project (see attached letter dated August 8, 2019). However, residents have commented repeatedly on periods of low water pressure, especially at times of heavy use. The Town is concerned about having sufficient water pressure at the hydrants on the new cul-de-sac for fire-fighting and about the capacity of the existing system to accommodate twenty-four (24) additional single-family homes, with a proposed total of 78 bedrooms. Additional pressure tests should be conducted on the water system at the hydrant closest to the project site at various

times of day, particularly during times of peak usage, to determine the capacity of the system to support the new development.

5. Impact on Critical Open Space:

- a. The parcel on which the Project is to be located abuts the southwestern end of the Martin Burns Wildlife Management Area (WMA), protected land owned by MassWildlife and open to hunting, trapping, birdwatching, and other wildlife-related recreation. In the fall, the WMA is stocked with ring-necked pheasants for hunting in close proximity to the project site. Further, the WMA contains two shooting ranges, both slightly less than a mile from the project site. The parcel on which the proposed Project is to be located has acted as an effective buffer between the residential development on Pearson Drive and the WMA. The development will place new homes closer to the WMA thereby having an impact on the wildlife, fowl in particular, and may pose a public safety risk related to the permitted hunting in the wildlife area.
- b. The Town is further concerned about the potential environmental impact of the Project. There are significant natural resources on the project site, including wetlands, wetland buffer zones, and two vernal pools, one of which has been certified and one of which is under review. The plans for the proposed Project show development occurring over the entire upland area of the site, with substantial regrading within portions of the 100' wetland buffer zone up to the edge of the wetlands themselves. We note further that the Martin Burns WMA contains NHESP Priority Habitat for state-listed rare species directly abutting the project site, as shown on the most recent Priority & Estimated Habitat maps, dated August 1, 2017. The proposed Project will remove the transitional buffer between that mapped Priority Habitat and the existing residential neighborhood, thereby removing critically needed open space.

6. Disparate Treatment of Affordable Units: We note that the Application states that all features and amenities available to market-rate unit residents will be available to affordable unit residents. However, no four-bedroom units are included in the affordable unit mix, and the affordable units contain only one and a half baths, instead of the two and a half baths provided for the market rate units. If the Applicant is permitted to go forward, there should be an affordable four bedroom unit available and all affordable units should include the same number of bathrooms as the market rate units.
7. Application Materials are not Consistent or Complete: Finally, we are very concerned about the inconsistent, incomplete, and in some instances incorrect information provided in the Application. These issues are raised in the Planning Board's letter and the letter from the PIE-Rivers Partnership. The Applicant should be required to rectify these inconsistencies and errors.
8. Affirmation of Seller Involvement: We note that the current owner of the property, Byfield Estates, LLC, is managed by Mr. Haralambos Katsikis, who signed the Purchase and Sale Agreements on behalf of Byfield Estates, LLC. The Project Eligibility Letter for the previous Byfield Estates Application was rescinded in March 2018 due to Mr. Katsikis' failure to disclose the fact that he had been the subject of several felony indictments, as well as several misdemeanor charges. The Town would like assurances that Mr. Katsikis will not be involved in the proposed project in any way or at any time other than as the Seller of the property.

We have received comment letters from Newbury's Planning Board, Fire Chief, and DPW Director, all of which are attached here and which are incorporated herein by reference. In addition, we have received a letter from the Parker River Clean Water Association (PRCWA), a letter from the PIE-Rivers Partnership, a letter from the Byfield Water Department, and a letter from a resident of Pearson Drive, which are also attached hereto.

Thank you for your consideration of our comments. Should you have any questions, please don't hesitate to contact me or Martha Taylor, Newbury Town Planner.

Sincerely,



Damon Jespersen, Vice Chair
Newbury Board of Selectmen

Attachments: Letter from Newbury Planning Board, dated September 20, 2019
Letter from Newbury Fire Department, dated September 23, 2019
Letter from Newbury DPW Director, received September 17, 2019
Letter from Byfield Water District Director, dated August 8, 2019
Letter from Parker River Clean Water Association, dated September 16, 2019
Letter from PIE-Rivers Partnership, dated September 17, 2019
Letter from Paul Rowe, 3 Pearson Drive, dated September 19, 2019

cc: Lisa Mead, Mead, Talerman & Costa, LLC
Adam Costa, Mead, Talerman & Costa, LLC
Tracy Blais, Newbury Town Administrator
Peter Paicos, Chair, Newbury Planning Board
Douglas Packer, Conservation Agent/Chair, Newbury Conservation Commission
Steven Fram, Chair, Newbury Board of Health
Michael Reilly, Newbury Police Chief
Douglas Janvrin, Jr., Newbury Fire Chief



Town Of Newbury

Office of
THE PLANNING BOARD
12 Kent Way
Byfield, MA 01922
978-465-0862, ext. 312

September 20, 2019

Newbury Board of Selectmen
Newbury Municipal Offices
12 Kent Way
Byfield, MA 01922

Re: Byfield Estates – 55 Pearson Drive
Project Eligibility/Site Approval Application
Applicant: Cricket Lane, LLC

Dear Members of the Board of Selectmen:

The Planning Board has reviewed the Project Eligibility/Site Approval Application submitted by Cricket Lane, LLC, Walter K. Eriksen, Manager, for the proposed “Byfield Estates” 40B development off of Pearson Drive. As Newbury’s recently completed Housing Production Plan 2018-2022 (HPP) demonstrates, the Town has an acute need for affordable housing, particularly housing that is affordable for young families and for our elder population. However, we have serious concerns about the appropriateness of a residential development of this size and density in the proposed location off of Pearson Drive. We note that Newbury’s HPP, which was approved by DHCD in 2018, identifies a number of sites in Town that we consider suitable for residential development, including multi-family housing and mixed-use structures in addition to single-family housing. These sites do not include the site proposed for the Byfield Estates project.

With respect to the Byfield Estates Project Eligibility/Site Approval Application, we offer the following comments:

1. Public Safety:

- a. The proposed development consists of 24 single-family detached dwellings on an 845’ long cul-de-sac off of Pearson Drive with two short dead-end spurs. We note that this cul-de-sac length exceeds the maximum length allowed under our Subdivision Rules and Regulations (500’) by 345’ and also that dead-ends of any length are not allowed. We note further that this cul-de-sac is proposed to be constructed at the end of an existing subdivision road which is itself a non-through road, with only one connection to another road, Orchard Street. The distance from Orchard Street to the beginning of the loop at the western half of Pearson Drive is approximately 1,500’. Total travel distance from Orchard Street to the beginning of the new cul-de-sac is approximately 3,100’ and from Orchard Street to the end of the proposed new cul-de-sac is approximately 3,945’, or $\frac{3}{4}$ of

mile. We see construction of this proposed development on a cul-de-sac to be built at the farthest end of this existing non-through road as a major potential safety issue, particularly in case of emergency. A significant amount of consideration went into development of the maximum road length under our Rules and Regulations. Of foremost consideration is the ability and speed with which first responders can reach the residents of a subdivision. The proposed road length absent an alternative means of access poses a serious threat to public safety and significantly lengthens the time for emergency response and poses potential issues for response to traffic incidents. The length of the roadway coupled with the potential for inadequate water pressure at hydrants (see below) poses a significant public safety risk to the residents of the Town.

- b. The Town's Subdivision Rules and Regulations require a minimum roadway width of 22' feet, per request of the Fire Department, to allow two fire trucks or other large emergency vehicles going in opposite directions to pass each other. The proposed 20' wide roadway will not provide this clearance. This is of particular concern given the density of the proposed development and the length of travel from Orchard Street along Pearson Drive to the new homes. We note that the short dead end branches off the cul-de-sac also pose access issues for fire apparatus. Both of these conditions impede first responders from accessing residents in the event of an emergency.
 - c. The length and the width of the roadway exacerbate the unsafe condition created by the proposed layout of the houses in the subdivision. We have serious concerns about the ability of fire apparatus to go between the buildings to access the rear of the units if needed, since the dwelling units are, on average, only 15' apart. Additionally, due to the design of the stormwater management system, many of the dwellings will not be accessible directly from the rear by fire apparatus. These conditions seriously impact the ability of first responders to properly protect the safety of the residents.
 - d. There are currently no sidewalks on Pearson Drive – all pedestrians and bicyclists must share the roadway with vehicular traffic. The Application states that parking for 48 cars will be provided as part of the development – two cars per dwelling unit, each of which will have a two-car garage. We note that the driveways associated with the dwellings are large enough to accommodate an additional two cars each, for a potential total of 96 cars associated with the development. The addition of up to 96 resident cars traveling the entire length of Pearson Drive to reach the new development, plus additional visitor vehicles, will exacerbate existing safety concerns for pedestrians and bicyclists. This is of particular concern for children from the new development who will need to walk the length of Pearson Drive to and from the school bus stop on Orchard Street.
 - e. The sight lines for cars exiting Pearson Drive on to Orchard Street are very poor, especially to the left (east). The addition of up to 96 resident cars and some number of visitor cars will increase the potential for accidents at that intersection. In addition, signage at the island at the entry to Pearson Drive will need to be improved to ensure that the entry and exit lanes are clearly marked. This condition must be addressed in any final application.
2. Project Design: While we commend the development team's intention to provide housing that is similar in size and scale to the existing homes on Pearson Drive, we find that the proposed design does not, in fact, accomplish this goal. The project is significantly denser than the Pearson Drive development, and currently provides only two house design options, one for a three-bedroom unit and one for a four-bedroom unit. This will result in a uniformity of design which is inconsistent with the surrounding neighborhood. The Applicant stated in a presentation made on September 10, 2019, that he is looking at a third design option. If the project is granted site approval, we

recommend that this additional design option, as well as the possibility of reducing the density of the development, be explored.

3. **Project Impact on the Parker River and Water Supply:** While we had significant rainfall this past spring, Newbury, like many of the surrounding communities, has experienced periods of drier than normal weather conditions in recent years and the Byfield Water District has frequently instituted mandatory water restrictions. Residents of Pearson Drive have commented on frequent low water pressure, especially at times of heavy use. Both the Parker River Clean Water Association and the PIE-Rivers Partnership have noted that the Parker River is considered one of the most highly stressed rivers in the Commonwealth (see attached letters). The Board is concerned that the water needs of an additional 24 single-family homes, with a total of 78 bedrooms, will further stress the Parker River and that water pressure will be further compromised, with a negative impact on pressure at the fire hydrants and for the residences. If the project receives approval to move forward, we encourage the Applicant to explore ways to conserve water, such as capturing and recycling rainwater and gray water and installation of low-flow plumbing fixtures. We further recommend that additional water pressure tests be conducted at the hydrant closest to the project site during periods of peak water demand.
4. **Priority Habitat:** The Project Site abuts the Martin Burns Wildlife Management Area, which contains Priority Habitat for state-listed rare species, as shown in the 14th Edition Natural Heritage Atlas, dated August 1, 2017. As an unimproved parcel, the proposed project site provides an important buffer between this Priority Habitat and the existing residential development on Pearson Drive. Further, two vernal pools have been identified on the site. One of these pools, which is adjacent to the proposed septic system, has been certified; further hydraulic studies are needed for the other pool before it can be certified.
5. **Transportation:** The Application states that the project site is within walking distance of public transportation, and references the Council on Aging van, the Merrimack Valley Regional Transportation Authority (MVRTA) Ring and Ride Program, and the Northern Essex Elder Transport (NEET) Program. It should be noted, however, that none of these services constitutes regularly scheduled public transportation and all have limited hours of operation. These services are therefore not, in fact, available public transportation. It will be very difficult for anyone living in the proposed development to access necessary services and amenities without a car.
6. **Unit and Bedroom Mix:** Our understanding is that the affordable units are required to be substantially equivalent to the market rate units. We note, however, that while the market rate units are a mix of 3- and 4-bedroom units, all of the affordable units have only 3 bedrooms. Further, while the 3-bedroom market rate units have 2.5 baths, the affordable 3-bedroom units have only 1.5 baths. The Applicant should be required to provide four bedroom affordable units and construct all units with the same number of bathrooms.
7. **Accessibility:** The Application states that none of the units will be Handicapped Accessible (ADA/AAB compliant). While accessibility may not be required by law, strong consideration should be given to incorporating Universal Design principles into both the affordable and the market rate units and to making some percentage fully accessible, especially given that Newbury's population is aging, as shown by data gathered for both the HPP and the current Master Plan update.
8. **Parking Spaces:** The previous Byfield Estates application stated that 4 parking spaces per dwelling, for a total of 96 cars, would be provided. However, this application states that two

parking spaces per dwelling, for a total of 48 cars, will be provided. We note that each dwelling will be provided with a two-car garage as well as a driveway which can accommodate additional resident parking. Confirmation of total number of cars associated with the development is needed. (See related traffic safety concerns noted in #1d. above.)

9. Site Design:

- a. Layout: The Application includes two different versions of drawing CS1001 "Layout and Materials Plan," one prepared by TTI Environmental, Inc., and one prepared by Ranger Engineering & Design, LLC, showing different layouts for the roadway, the units, and the soil absorption areas. The Applicant should confirm which layout is being proposed and which firm is the engineer on the Project Team. The Applicant must submit only one design so the Town understands what it is reviewing.
- b. Stormwater Management: While Newbury's Subdivision Rules and Regulations call for use of low-impact development (LID) techniques for stormwater management, the design drawings show curbing, catch basins, and other hard structures. The stormwater management design should be reviewed to see what opportunities there are for LID.
- c. Waivers: The required tabular zoning analysis has not been provided and there is no list of requested waivers from Newbury's Zoning By-Law and Subdivision Rules and Regulations.
- d. Open Space: We note that there is no open space within the developed area set aside as a park or for other passive or active recreational use (see related comments below). The proposed development is clearly one meant for families with children. The Applicant should be required to provide area for recreational activities for children, particularly in light of the lack of sidewalks in the area of Pearson Drive. The Applicant should show an area of the plan which includes active recreational opportunities such as a playground.

10. Project Description - Narrative:

- a. Bedroom Mix: The description of the dwelling units in Section 3.3 states that eight of the dwellings will contain four bedrooms. However, the table on page 9 under Section 3: Project Information, states that six of the dwellings – all market rate – will have four bedrooms. The Applicant should clarify what the mix of three and four bedroom units will be.
- b. Decks: The description states that each dwelling will have an outside deck area as private space. However, the renderings and the floor plans of the typical units do not show any private deck area other than small porches at the front entries.
- c. Neighborhood: The narrative states that the design approach of the development is to "maintain a consistent massing, scale and building typology to the surrounding residential neighborhood." While we appreciate the fact that the Applicant is proposing detached single-family dwellings of reasonable size, we note that the density of the proposed development and the close spacing between the dwelling units is not consistent with the development pattern along Pearson Drive, which has minimum lot sizes of 20,000 s.f. and required front yard setbacks of 40'.
- d. Proximity to Services: We note that the distances given in this description between the proposed development and the nearest services are not correct. The distances shown in Section 1.3 on page 6 are more accurate.
- e. Compliance with Commonwealth's *Sustainable Development Principles* (pp. 29 ff.):
 - i. Concentrate Development and Mix Uses: Through its Open Space Residential Development (OSRD) By-Law, the Town encourages cluster development to promote preservation of open space and associated habitat (both upland and wetland), agricultural land, etc. However, we note that the design of the

proposed Byfield Estates uses virtually all the developable upland on the site. The remaining “open space,” other than a grassed area over the common septic system, is comprised almost entirely of wetlands – open space that must be preserved in any case. Further, we note that while the proposed development may have sidewalks and therefore be considered “pedestrian-friendly,” Pearson Drive itself has no sidewalks, nor does Orchard Street, to which Pearson Drive connects, nor do most of the roadways in Newbury.

- ii. **Advance Equity and Make Efficient Decisions:** As stated above, we note that the project does not incorporate any Universal Design principles and none of the units is designed to be handicapped accessible. Given the aging population of the town and therefore the age of those who may be interested in these units, we encourage the Applicant to design the units to Universal Design standards and develop some units to meet ADA/AAB requirements. Further, while we agree that the development will provide a few much-needed affordable units, it is unclear to us how a development of the proposed density will “improve the neighborhood,” which is well-established and well-maintained.
- iii. **Protect Land and Ecosystems:** Again, the Applicant states that clustering the 24 single family homes will allow a “significant portion of the site [to be] left as open space.” As noted above, virtually all the upland on the parcel is being developed – the majority of the open space, other than what is over the shared septic system, will consist of wetlands. The project, rather than protecting habitat, will be removing important wildlife habitat which is adjacent to the Martin Burns Wildlife Management Area and area that has been identified by Natural Heritage as Priority Habitat for Endangered and Threatened Species.
- iv. **Use Natural Resources Wisely:** From the Applicant’s explanation, it is not clear to what degree alternative technologies and LID or other “innovative” techniques are being used to conserve natural resources. As previously noted, the project site contains significant wetland resources and is located in a stressed watershed. The proposed stormwater system appears to rely heavily on conventional stormwater management strategies, such as curbing, catch basins, and other hard structures, rather than on LID techniques. Further, there is no mention in the Application of potential alternative technologies for wastewater management and water conservation measures, such as recycling of gray water and rain water, use of low flow plumbing fixtures, etc.
- v. **Expand Housing Opportunities:** We note that the project site is not near any employer of any size, other than Triton and the Governor’s Academy, or near any regularly scheduled public transit. While the Applicant has stated that the affordable units will be priced to be affordable to households earning 80% of the median income for the area, we note that none will be priced to be affordable to low income households.
- vi. **Provide Transportation Choice:** As noted above in #5, the proposed development is not walkable to any regularly scheduled public transportation. Further, it is not walkable to local amenities, which are, on average, at least 1.5 miles away and accessible only by rural roads with no sidewalks. Travel to and from the proposed development will require, rather than reduce, dependence on private automobiles, and the development will not increase or promote bicycle and pedestrian access. This will be an automobile-dependent neighborhood.
- vii. **Increase Job and Business Opportunities:** We would like an explanation of how the project “Re-uses or recycles materials from a local or regional industry’s waste stream,” how it will “support manufacture of resource-efficient materials,

- such as recycled or low-toxicity materials,” and how it will “support businesses that utilize locally produced resources such as locally harvested wood or agricultural products.” Adequate explanation is not included in the Application.
- viii. Promote Clean Energy: More explanation is needed on how the project will maximize energy efficiency and renewable energy opportunities. The homes could, for example, be built to meet the Stretch Energy Code, not just Energy Star standards, and/or could incorporate renewable energy systems. During the Applicant’s September 10 presentation, he noted that solar panels will be mounted on the roofs of the dwelling units, but that is not mentioned in the Application itself.
 - ix. Plan Regionally: We note again that while Newbury’s Housing Production Plan 2018-2022 identifies a serious need in Town for affordable housing, the site of the proposed project is not one that is identified in the HPP as appropriate for residential development of this density.

11. Purchase and Sale Agreements:

- a. We note that the current owner of the property, Byfield Estates, LLC, is managed by Mr. Haralambos Katsikis, who signed the Purchase and Sale Agreements on behalf of Byfield Estates, LLC. The Project Eligibility Letter for the previous Byfield Estates Application was rescinded in March 2018 due to Mr. Katsikis’ failure to disclose the fact that he had been the subject of several felony indictments, as well as several misdemeanor charges. The Town would like assurances that Mr. Katsikis will not be involved in the proposed project in any way or at any time other than as the Seller of the property.
- b. We question the Applicant’s assertion that the subject property, identified as “55 Rear Pearson Drive” in the Project Eligibility/Site Approval Application, is in fact a separate buildable lot. The Application identifies the area to be developed as a 15.08 acre parcel of land at 55 Rear Pearson Drive. However, referencing an ANR Plan that was endorsed by the Planning Board on December 21, 2005, and recorded at the Southern Essex District Registry of Deeds on February 21, 2006 (Plan Book 396, Plan 5), the “affected” parcel is not a standalone parcel, but was created and merged with 55 Pearson Drive through that ANR Plan. What the Applicant calls 55 Rear Pearson Drive is identified on this Plan as Parcel B, and is described thus: “Parcel B is not a buildable parcel by itself, but is to be combined with Map R-20, Lot 75, to form one continuous parcel containing 16.36 +/- acres.” Our Assessors database contains only 55 Pearson Drive, with an area of 16.36 acres. It does not contain any parcel identified as 55 Rear Pearson Drive.

12. Applicant Team Qualifications:

- a. We note that TTI Environmental, Inc., is listed as the Development Consultant for Architecture and Engineering. However, the site design drawings contained in the Application include drawings by both TTI Environmental, Inc., and by Ranger Engineering & Design, LLC. Our understanding is that Benjamin Osgood, who was introduced as the Applicant’s engineer at the site walk and at the September 10 presentation, is now working for Ranger Engineering & Design, LLC, and not TTI Environmental. Clarification is needed on which firm is, in fact, the engineer for the project.
- b. We note that the “3D Architectural Renderings” of the two proposed house designs have been prepared, signed, and stamped by Ronald Henri Albert, AIA, of Lunenburg, MA; Mr. Henri is identified as the Architect for the project in the list of Development Team members. However, the floor plans for the units were prepared by KDK Design of Wilmington, MA, which, according to its website, is a “residential design business

serving homeowners, builders and realtors.” Clarification is needed on the relationship between Mr. Albert and KDK Design and on which entity will be responsible for the architectural design of the project.

Thank you for your consideration of these comments and observations with regard to the proposed development. Should you have any questions, please contact me or Martha Taylor, Newbury Town Planner.

Sincerely,



Peter Paicos, Chair
Newbury Planning Board

Attachments: 55 Pearson Drive, Property Record Card
55 Pearson Drive, Parcel Map
Approval Not Required Plan, Plan Book 396, Plan 5, Sheets 1 through 3 of 3
Priority Habitat Map, Martin Burns WMA

cc: Lisa Mead, Mead, Talerman & Costa, LLC
Adam Costa, Mead, Talerman & Costa, LLC
Tracy Blais, Town Administrator

Town of Newbury

ASSESSED: 515	
Legal Description	User Acct
	GIS Ref
	GIS Ref
	Insp Date
	10/26/18

OWNERSHIP
Unit #

Total Card	16,360	191,300	1,900	322,600	515,800
Total Parcel	16,360	191,300	1,900	322,600	515,800
Source:	Market Adj Cost	Total Value per SQ unit /Card:		470.62	/Parcel 470.6

01/07/01

Tax Yr.	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes
2019	101	FV	195,900	500	16.36	322,600	519,000	519,000	Year End Roll
2018	101	FV	175,600	500	16.36	300,800	476,900	476,900	Year End Roll
2017	101	FV	175,600	500	16.36	300,800	476,900	476,900	Year End Roll
2016	101	FV	176,400	500	16.36	300,800	477,700	477,700	Year end
2015	101	FV	168,300	500	16.36	261,600	430,400	430,400	Year End Roll
2014	101	FV	168,300	500	16.36	261,600	430,400	430,400	year end roll
2014	101	10	168,300	500	16.36	261,600	430,400	430,400	fianal la10
2013	101	FV	164,600	500	16.36	272,500	437,600	437,600	Year End

PAT ACCT

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif
SMITH,JEFFREY J	36692-493		5/3/2018	PRIV SALE	725,000	No	No	
SMITH,JEFFREY J	34428-106		10/7/2015	CONVENIENCE	100	No	No	
SMITH,JEFFREY J	27941-442		7/25/2008	CONVENIENCE		No	No	
OLJEY TIMOTHY L	24882-254		9/28/2005		390,000	No	No	
OLJEY TIMOTHY L	07223 0128		9/22/1983		85,000	No	No	
PEARSON MARY M	06574 0767					Yes	No	

DN	DN
DN	DN

PEARSON MARY M	06574 0767	9/22/1983	01/28/1988	03/00/NO	03/00/NO	Yes	No
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Date	Result
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Right.

Type	LT Facto	Base Value	Unit Price	Adj	Neigh Influ	Neigh Mod	Intf 1	%	Intf 2	%	Intf 3	%	Appraised Value
		0	5	1.00	NG	1.00							217,800
S		0	15,000	0.46	NG	1.00	WET	-35					104,830

Alt Class	% Land	Spec J Code	Fact Use Value	Notes
			217,800	
			104,800	

Total:	322.632
Sai Credit	
Total:	322.600

2020



USER DEFINED

EXTERIOR INFORMATION

Type: 18 - SPLIT ENT

Sq Ft: 1 - 1

Total: 1

(Liv) Units: 1

- CONCRETE

Foundation: 1

- WOOD

Frame: 1

- CLAPBOARD

Sec Wall: 1

- WOOD SHI

5%

Roof Struct: 1

- GABLE

Roof Cover: 1

- ASPHALT SH

Color: BLUE

View / Desir

GENERAL INFORMATION

Grade: C - AVERAGE

Year Blt: 1983

Eff Yr Blt:

Alt %:

Jurisdct:

Fact:

Const Mod:

Lump Sum Adj:

INTERIOR INFORMATION

Avg HWFL: STD

Prim Int Wal: 1

- DRYWALL

Sec Int Wal:

Partition: 1

- TYPICAL

Prim Floors: 3

- HARDWOOD

Sec Floors:

Bsmnt Flr: 12

- CONCRETE

Subfloor:

Bsmnt Gar: 2

Electric: 3

- TYPICAL

Insulation: 2

- TYPICAL

Int vs Ext: S

Heat Fuel: 1

- OIL

Heat Type: 1

- FORCED H/A

Heat Sys: 1

% Heated: 100

% AC: 0

Solar HW: NO

Central Vac: NO

% Com Wal

% Sprinkled

EXTERIOR FEATURES

Full Bath: 1

Rating: AVERAGE

3/4 Bath:

Rating:

A 3QBth:

Rating:

1/2 Bath: 1

Rating: AVERAGE

A HBth:

Rating:

Othr Fix:

Rating:

OTHER FEATURES

Kits: 1

Rating: AVERAGE

A Kits:

Rating: AVERAGE

Fppl: 1

Rating: AVERAGE

WSFlue:

Rating:

CONDO INFORMATION

Location:

Total Units:

Floor: 1

- 1ST FLOOR

% Own:

Name:

DEPRECIATION

Phys Cond: AV - Average

19.5%

Functional:

Economic:

Special:

Override:

Total:

19.5%

CALC SUMMARY

Basic \$ / SQ: 80.00

Size Adj: 1.60437942

Const Adj: 1.00999999

Adj \$ / SQ: 129.634

Other Features: 39000

Grade Factor: 1.00

NBHD Inf: 1.00000000

NBHD Mod:

LUC Factor: 1.00

Adj Total: 237700

Depreciation: 46352

Depreciated Total: 191349

COMPARABLE SALES

Rate

Parcel ID

Typ

Date

Sale Price

WtAv\$/SQ:

AvRate

Ind Val

Jur. Factor:

Before Depr: 129.63

Special Features: 0

Val/Su Net: 83.32

Final Total: 191300

Val/Su Sza: 174.54

MOBILE HOME

Make:

Model:

Year:

Color:

SPEC FEATURES/YARD ITEMS

Code

Description

A

Yl

Qty

Size/Dim

Qual

Con

Year

Unit Price

Dl

Dep

LUC

Fact

NB F

Appt Value

JCo JFac

Jur. Value

2

SHED/FR

D Y

196

A

AV

1992

8.08 T

40

101

1

1

500

22

WOOD DK

D Y

1 12X14

A

AV

1999

11.95 T

30

101

1

1

1,400

COMMENTS

MEAS AND ENTRY DENIED. 5/7/2018 PARCEL 1 PLAN BK 152 PLAN 63 1.28AC. PARCEL 2 PLAN BK 396 PLAN 5 15.08AC. TOTAL ACRES 16.36. INITIAL APPLICATION FOR 40B WAS WITHDRAWN..

RESIDENTIAL GRID

1st Res Grid

Desc: Line 1

Units: 1

Level

FY LR DR D

K IFR RR BR FB HB L

O

Other

Upper

Lvl 2

Lvl 1

Lower

Totals

RMs: 6

BRS: 3

Baths: 1

HB: 1

REMODELING

RES BREAKDOWN

Exterior:

No Unit

RMS

BRS

FL

Interior:

1

6

3

1

Additions:

Kitchen:

Baths:

Plumbing:

Electric:

Heating:

General:

1

6

3

SUB AREA

Code

Description

Area - SQ

Rate - AV

Underpr Value

FFL

1ST FLOOR

1,096

129.630

142,079

LLV

LOWR LEVEL

1,056

51.850

54,757

WDK

WOOD DECK

144

12.940

1,864

SUB AREA DETAIL

Sub

%

Descr

%

Usbl

%

Area

%

Usbl

%

Type

%

Qu

%

Ten

IMAGE

AssessPro

Patriot Properties, Inc

SKETCH

24

26

18

WDK

(144)

8

FFL

(24)

4

FFL

(16)

MOBILE HOME

Make:

Model:

Year:

Color:

SPEC FEATURES/YARD ITEMS

Code

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1

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22

WOOD DK

D Y

1 12X14

A

AV

1999

11.95 T

30

101

1

1

1,400

EXTERIOR INFORMATION

Type: 18 - SPLIT ENT

Sq Ft: 1 - 1

Total: 1

(Liv) Units: 1

- CONCRETE

Foundation: 1

- WOOD

Frame: 1

- CLAPBOARD

Sec Wall: 1

- WOOD SHI

5%

Roof Struct: 1

- GABLE

Roof Cover: 1

- ASPHALT SH

Color: BLUE

View / Desir

GENERAL INFORMATION

Grade: C - AVERAGE

Year Blt: 1983

Eff Yr Blt:

Alt %:

Jurisdct:

Fact:

Const Mod:

Lump Sum Adj:

INTERIOR INFORMATION

Avg HWFL: STD

Prim Int Wal: 1

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Sec Int Wal:

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- TYPICAL

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Subfloor:

Bsmnt Gar: 2

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- TYPICAL

Insulation: 2

- TYPICAL

Int vs Ext: S

Heat Fuel: 1

- OIL

Heat Type: 1

- FORCED H/A

Heat Sys: 1

% Heated: 100

% AC: 0

Solar HW: NO

Central Vac: NO

% Com Wal

% Sprinkled

EXTERIOR FEATURES

Full Bath: 1

Rating: AVERAGE

3/4 Bath:

Rating:

A 3QBth:

Rating:

1/2 Bath: 1

Rating: AVERAGE

A HBth:

Rating:

Othr Fix:

Rating:

OTHER FEATURES

Kits: 1

Rating: AVERAGE

A Kits:

Rating: AVERAGE

Fppl: 1

Rating: AVERAGE

WSFlue:

Rating:

CONDO INFORMATION

Location:

Total Units:

Floor: 1

- 1ST FLOOR

% Own:

Name:

DEPRECIATION

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A

Yl

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Size/Dim

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Con

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Unit Price

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Fact

NB F

Appt Value

JCo JFac

Jur. Value

2

SHED/FR

D Y

196

A

AV

1992

8.08 T

40

101

1

1

500

22

WOOD DK

D Y

1 12X14

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AV

1999

11.95 T

30

101

1

1

1,400

COMMENTS

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FY LR DR D

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Other

Upper

Lvl 2

Lvl 1

Lower

Totals

RMs: 6

BRS: 3

Baths: 1

HB: 1

REMODELING

RES BREAKDOWN

Exterior:

No Unit

RMS

BRS

FL

Interior:

1

6

3

1

Additions:

Kitchen:

Baths:

Plumbing:

Electric:

Heating:

General:

1

6

3

SUB AREA

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Description

Area - SQ

Rate - AV

Underpr Value

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1ST FLOOR

1,096

129.630

142,079

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54,757

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WOOD DECK

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12.940

1,864

SUB AREA DETAIL

Sub

%

Descr

%

Usbl

%

Area

%

Usbl

%

Type

%

Qu

%

Ten

IMAGE

AssessPro

Patriot Properties, Inc

SKETCH

24

26

18

WDK

(144)

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(24)

4

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(16)

MOBILE HOME

Make:

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Year:

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Patriot Properties, Inc

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MOBILE HOME

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Year:

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SPEC FEATURES/YARD ITEMS

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%

Descr

%

Usbl

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%

Usbl

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IMAGE

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Patriot Properties, Inc

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(144)

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(24)

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(16)

MOBILE HOME

Make:

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Year:

Color:

SPEC FEATURES/YARD ITEMS

Code

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Yl

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Size/Dim

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Con

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SUB AREA DETAIL

Sub

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IMAGE

AssessPro

Patriot Properties, Inc

SKETCH

24

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(144)

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FFL

(24)

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FFL

(16)

MOBILE HOME

Make:

Model:

Year:

Color:

SPEC FEATURES/YARD ITEMS

Code

Description

A

Yl

Qty

Size/Dim

Qual

Con

Year

Unit Price

Dl

Dep

LUC

Fact

NB F

Appt Value

JCo JFac

Jur. Value

2

SHED/FR

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SUB AREA DETAIL

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AssessPro

Patriot Properties, Inc

SKETCH

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MOBILE HOME

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IMAGE

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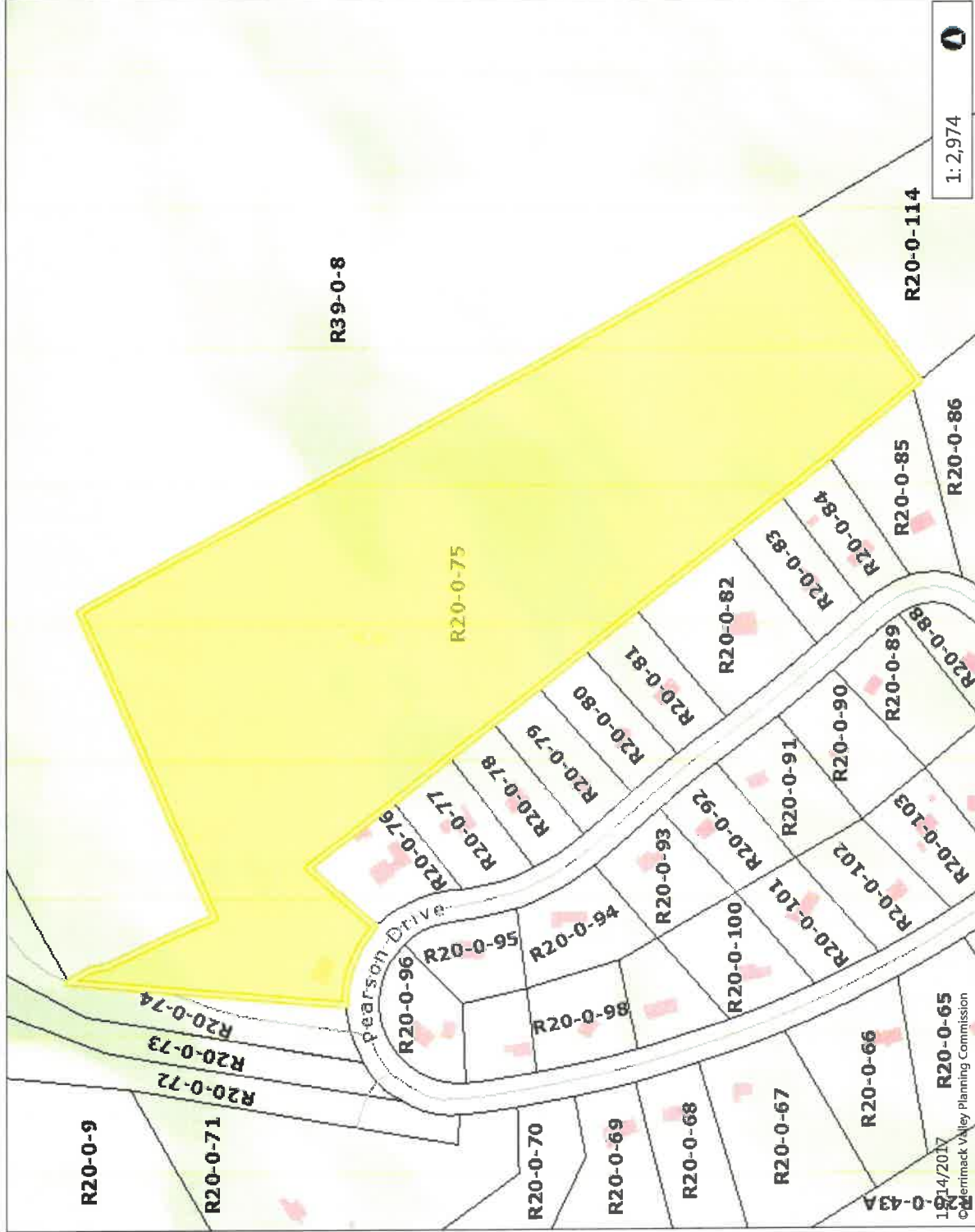
1

1,400

COMMENTS

MEAS AND ENTRY DENIED. 5/7/2018 PAR

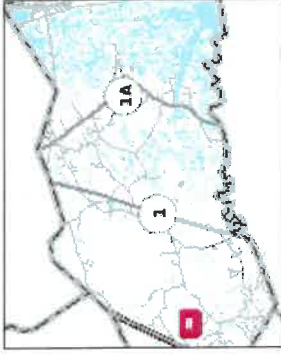
Town of Newbury - 55 Pearson Dr., R20-0-75



Data Sources: Produced by Merrimack Valley Planning Commission (MVP) using data provided by the Town of Newbury & MassGIS. The information depicted on this map is for planning purposes only. It may not be adequate for legal boundary definition or regulatory interpretation. THE TOWN OF NEWBURY MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE TOWN OF NEWBURY DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.



Projection: NAD_1983_StatePlane_Massachusetts_Mainland_EPS_2001



- Legend**
- Municipal Boundary
 - Roads
 - Interstate
 - Major Road
 - Local Road
 - Parcels
 - Trails
 - Rail Line
 - Hydrographic Features
 - Streams
 - Building Footprints
 - Swiss Hillshade
 - High : 267
 - Low : -1

Notes

PLAN BOOK 316 PLANS
 5/20/11
 5/20/11
 5/20/11



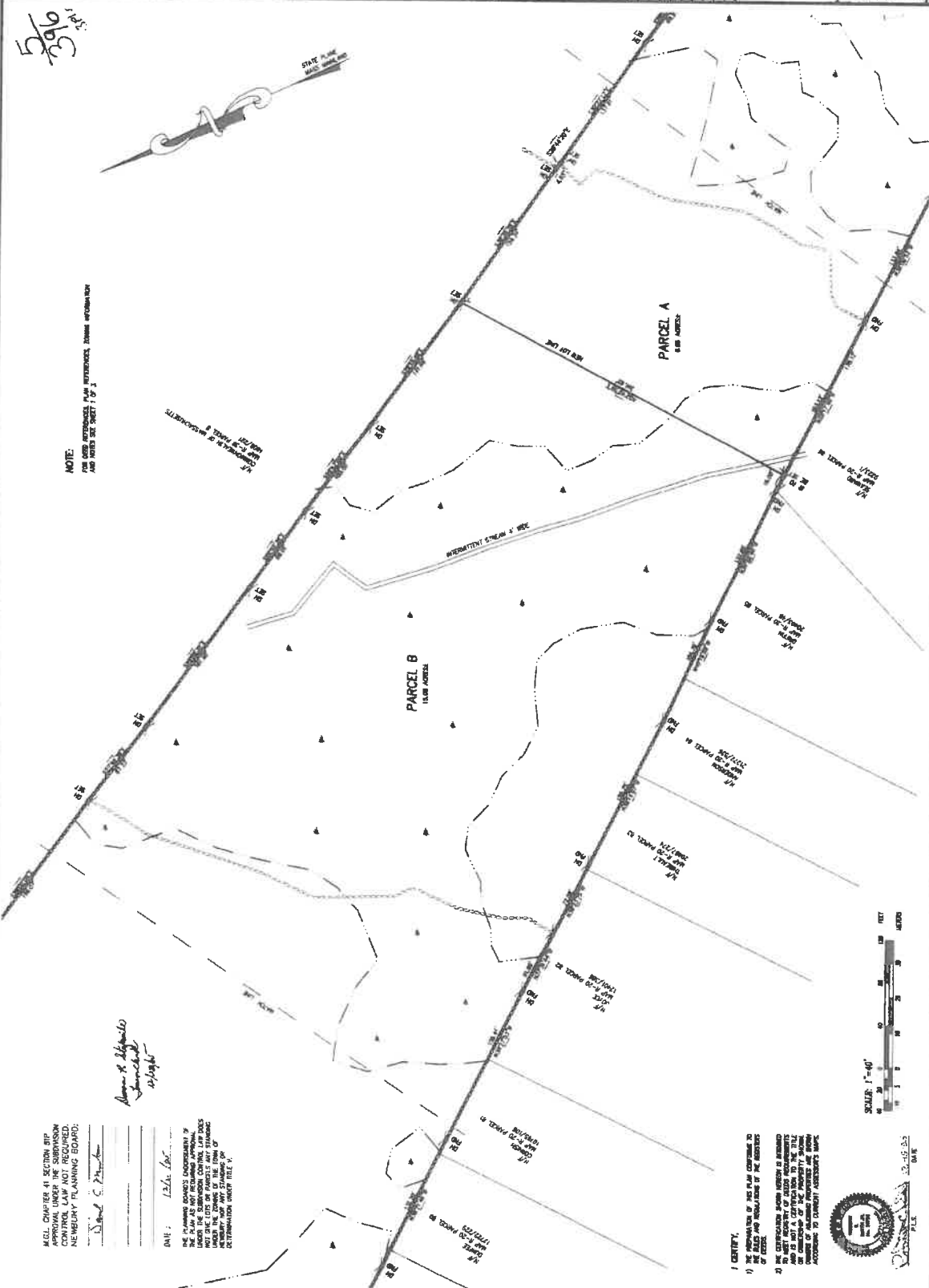
207 ELM STREET, AMESBURY, MA
 PHONE: (978) 388-2157 Fax: (978) 388-2158
 COMMERCIAL ENGINEERING &
 SURVEYING, INC.
 1000 STATE STREET, SUITE 200
 AMESBURY, MA 01810

APPROVAL
 NOT REQUIRED
 PLAN
 PIKE
 DEVELOPMENT
 LLC
 ORCHARD STREET
 NEWBURY, MA

PIKE
 DEVELOPMENT
 LLC
 1 ASHLEY LANE
 MERRIMAC, MA 01880

NO.	DATE	DESCRIPTION	BY
1	11-11-10	ADD AREA CHART	ES
2	11-11-10	ADD RELAND LOTS	ES

DATE: 5/20/11
 DESIGNER: S. SMITH
 CHECKED: S. SMITH
 FILE: 11-11-10
 JOB # 11-11-10



NOTE:
 ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
 ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD.

WELL CHAPTER 41 SECTION 87B
 CONTROL LAW NOT REQUIRED.
 NEWBURY PLANNING BOARD.

DATE: 12/1/10

THE PLANNING BOARD, SUPERVISORY BY
 THE PLANNING BOARD, SUPERVISORY BY
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UNDER THE TERMS OF THE FORM OF
 DETERMINATION, UNDER TITLE 41.

DATE: 12/1/10

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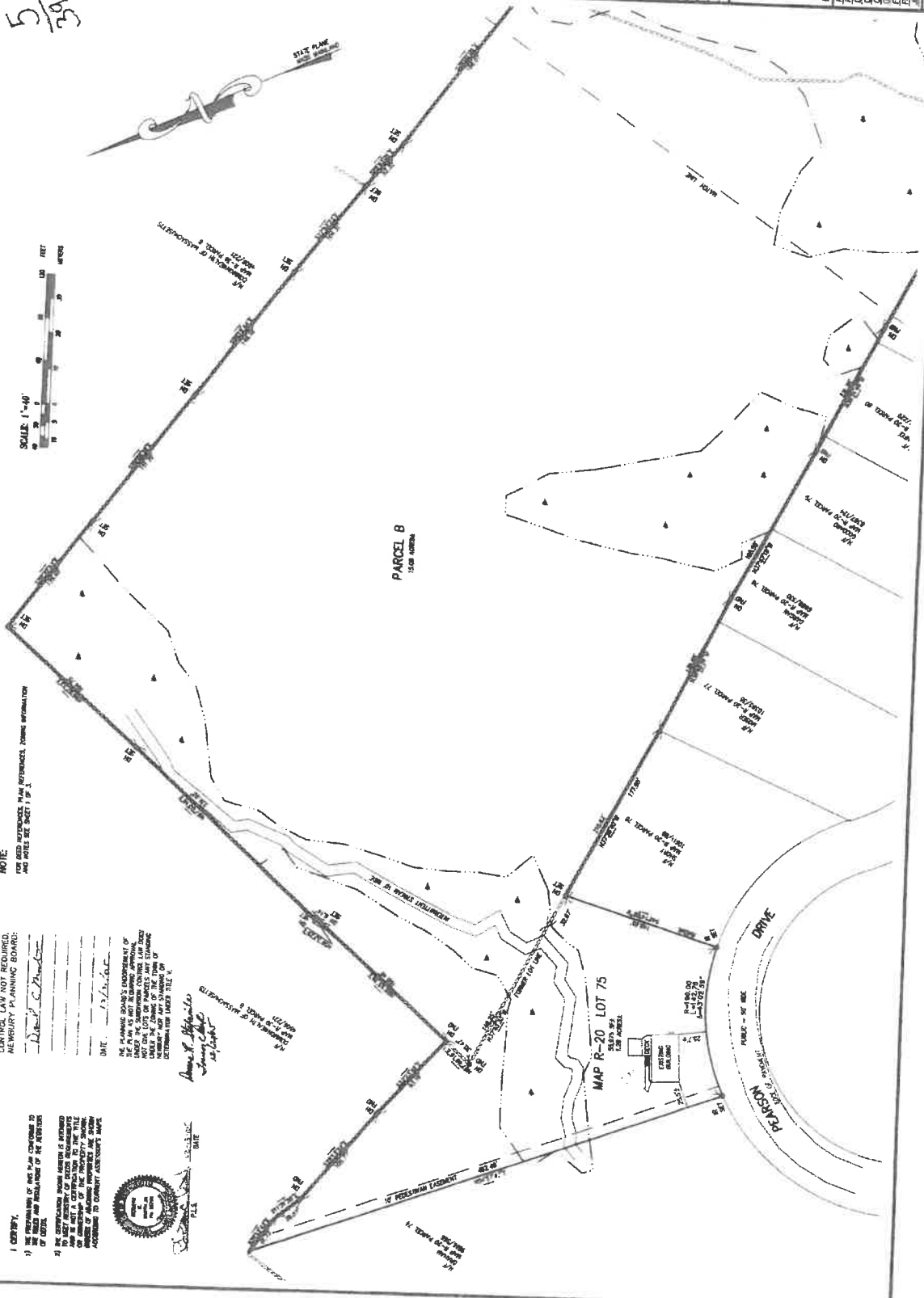
DATE: 12/1/10

PIKE
DEVELOPMENT
LLC

REVISION			
NO.	DATE	DESCRIPTION	BY
1	11-28-01	ADD AREA CHART	MEB
2	12-16-01	ADD RETURN LINES	MEB

NAME	ROLLINS, R. SMITH
FIELD	B. DOWEN, M. SANTIAGO
PERSON	
POSITION	R. SMITH
DEPARTMENT	W. CAMAGET
DATE	11-1-50
FILE	44-10508-4418-DMG
BY	571-572
CLERK	33624

SHEET 3 of 3



M.G.L. CHAPTER 41 SECTION 81P
APPROVAL UNDER THE SUBDIVISION
CONTROL LAW NOT REQUIRED.
NEWBURY PLANNING BOARD:

1. COUNTRY.

2) THE PREPARATION OF THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE AGENCIES OF CITIES.

2) THE CATEGORIZATION ZONING SYSTEM IS REFERRED TO MOST MINISTRY OF REGION GOVERNMENTS AND WE HAVE A CERTIFICATION IN THE TITLE ON COMMISSIONER OF THE PROPERTY SHOWING. NUMBER OF ALLOTTING PROPERTIES ARE GIVEN ACCORDING TO CURRENT ASSESSOR'S MAPS.

THE PLANNING BOARD'S ENDORSEMENT OF THE PLAN IS NOT REQUIRING APPROVAL UNDER THE SUBDIVISION CONTROL LAW DOES NOT GIVE LOTS OR PARCELS ANY STANDING UNDER THE ZONING OF THE TOWN OF FAIRBURY NOR ANY STANDING ON DETERMINATION UNDER TITLE V.

4006/273
 CLARKSON, N. H.
 8 2000
 11/2/2000
 12/2/2000
 12/2/2000
 12/2/2000



55 Pearson Drive - Priority Habitat





Douglas C. Janvrin, Jr.
Fire Chief

TOWN OF NEWBURY FIRE DEPARTMENT

12 KENT WAY, SUITE 101 • BYFIELD MA 01922
BUSINESS: (978) 465-7271 • FAX (978) 463-3158



Wallace J. Ziehler, Sr.
Deputy Fire Chief

September 23, 2019

To Whom It May Concern:

The Newbury Fire Department has reviewed the most recent plans for the proposed subdivision in the area of 55 Pearson Drive. We would like to strongly suggest the following measures in the interest of public safety:

- The roadway be at least 22 feet in width to accommodate fire apparatus
- A paved pull off for the 1st fire hydrant coming into the subdivision which is capable and large enough to support fire apparatus, and marked for no parking
- Parking be restricted to one side of the street at all times
- The circle at the end of the subdivision be a hard surface underneath and that it be kept clear of snow at all times
- A minimum of twenty (20) feet of space between buildings due to exposure issues in the event of a fire
- The proposed dead-end sections be reconfigured as circular roadways with two (2) ways back to the main road or eliminated completely. The current configuration will result in a stacking of fire apparatus in the event of an emergency situation. This configuration may make it difficult for aerial apparatus to reach the fire building. Snow and on street parking could also make this situation worse. If reconfiguration or elimination is absolutely not possible, the length of the "top" part of the T should be at least 120 feet in length. These 120 feet should be marked for no parking and should not be part of any driveway. This area should be left open to accommodate the turning of fire apparatus.

Thank you for your consideration in this matter. If there are any questions or concerns, please feel free to contact me at any time.

Respectfully,

Douglas C. Janvrin, Jr.
Chief of Department
Newbury Fire Department

RECEIVED
SEP 23 2019
Newbury Planning Board



TOWN OF NEWBURY
Department of Public Works
197 HIGH ROAD
NEWBURY, MA 01951-4799
Phone: 978-465-0112

RECEIVED
SEP 17 2019
Newbury Planning Board

To: Whom it may Concern,

The reason for this letter is to inform you that after reviewing the plans for the Byfield Estates 40B I have a couple concerns. I know it is going to be a private way but the road width only being 20 feet wide and the cul-de-sac being 25 feet wide makes for a narrow road. It could be difficult to get emergency vehicles and delivery trucks down the road if cars are parked in the road or in the winter with snow and the roads become narrow do to snow bankings. The other concern would be the additional traffic and wear on Pearson Drive. If you have any questions feel free to give me a call at the highway garage 978-465-0112.

Sincerely,

James Sarette

Dpw Director

BYFIELD WATER DISTRICT

*2 Fruit Street
P.O. Box 64
Byfield, MA 01922
(978)462-3023*

RECEIVED
AUG 12 2019
Newbury Planning Board

August 8, 2019

Martha Taylor
Town Planner, Town of Newbury
12 Kent Way
Byfield, MA 01922

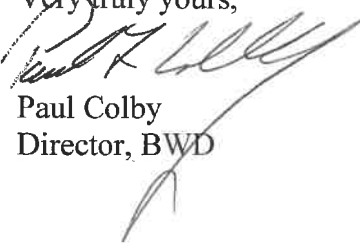
RE: Byfield Estates, 55 Pearson Drive

Dear Ms. Taylor:

The Byfield Water District would like to acknowledge that we have adequate water supply and pressure to support the proposed Byfield Estates project as described off of Pearson Drive, Byfield. The developer will however have to submit a full set of utility plans showing all water infrastructures for approval by the district. The developer should stop by the water district office to pick up a set of our water main and service installation requirements.

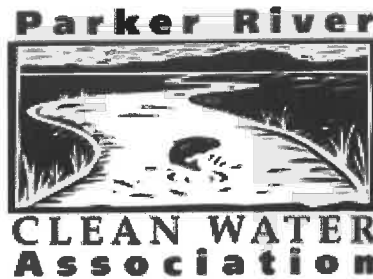
Please feel free to contact me with any questions.

Very truly yours,


Paul Colby
Director, BWD

CC: Byfield Board of Water Commissioners

PO Box 798
• Byfield, MA 01922



www.Parker-River.org
• 978-462-2551

September 16, 2019

RECEIVED
SEP 16 2019
Newbury Planning Board

Newbury Planning Board

12 Kent Way Byfield, MA 01922

RE: 55 Pearson Drive (Byfield Estates)

Dear Chairman Paicos:

The Parker River Clean Water Association (PRCWA) is writing this letter regarding the proposed Chapter 40B development off Pearson Drive in Newbury. PRCWA has reviewed the project eligibility letter for Byfield Estates that is available on the Town of Newbury's online portal and has the following comments on the project.

According to the documentation, nearly 7 acres of the 15-acre parcel contain jurisdictional wetlands. Mass Housing requests any documentation of the site containing State Certified Vernal Pools (CVP). Indeed, one CVP does exist being shown on MassGIS along the northeast border of the property. According to site plans, this CVP runs between the D series and E series wetland flagging. A wetland crossing will be needed across the CVP to access the site. Plans also show 1400 square feet of replication will be provided to offset this loss of wetlands and habitat.

PRCWA recommends the proposed replication is inadequate for the loss of breeding habitat that may be affected by the wetlands filling. A ratio of 3:1 to 5:1 mitigation is more appropriate given the circumstances and also the concern expressed by Mass Housing in determining the existence of these vital wetlands. A pre-construction and post-construction study of the habitat that currently exists may be order in light of the abutting priority habitat contained within Martin Burns State Forest.

Several detention ponds and one infiltration basin are shown on the current plans. While details on the stormwater facilities and stormwater report are not included in the letter, the town should require a thorough review of this project. The extensive network of wetlands throughout the site seems to indicate high groundwater levels. An underground infiltration system may not function properly in high groundwater. The increase of surface water in detention basins may increase the threat of airborne disease, such as the Triple E virus, if water remains in these basins over 72 hours.

Newbury should give special consideration to the amount of water being allocated for this project. Conditions may be warranted to offset the amount of water being proposed in this cluster development and should be a consideration of other land-use boards in the Town of Newbury for similar future proposals.

The Parker River is considered one of the most highly stressed rivers in the Commonwealth, according to the Massachusetts Water Resource Commission. Lack of recharge in the upper-watershed (Boxford/Georgetown) causes stretches of the river to run dry, thus limited water to downstream supplies. Byfield is a water-poor community, lacking sizable aquifers and suitable water withdrawal sources (much of Newbury is tidal).

Water offsets, either on or offsite can minimize a development's impact, thus providing the necessary water for health and safety concerns for the greater community. The Town and developer should come to a mutual consensus for a suitable water savings ratio. For instance, for every gallon that is planning to be used under the proposed living design application, two gallons will be saved by using higher conservation standards. Examples of offsets can include installing high efficiency toilets or low flow faucets inside every unit, and/or by installing drip irrigation systems, water cistern storage outside.

If you have any questions, please do not hesitate to contact PRCWA.

Sincerely,

A handwritten signature in blue ink that reads "George M. Corniskey".

George Corniskey,

Director, PRCWA

RECEIVED

SEP 17 2019

Newbury Planning Board

September 17, 2019

Michael Busby
40B Project Coordinator, MassHousing
Via email to mbusby@masshousing.com



PIE - Rivers Partnership

Re: 55 Rear Pearson Drive, Newbury, MA

Dear Mr. Busby,

Thank you for accepting these comments on Cricket Lane LLC's proposed Byfield Estates development at 55 Rear Pearson Drive, Newbury, MA, which was submitted to the Mass Housing Comprehensive Permit Program, dated July 1, 2019. The Ipswich River Watershed Association convenes a regional partnership of municipalities and non-profit organizations, called the Parker-Ipswich-Essex Rivers Partnership ("PIE-Rivers"), formed to support communities in protecting the natural resources of the region. The Partnership will often review and comment on land use projects located throughout the region; we respectfully submit these comments on Byfield Estates, located in the Parker Watershed.

It is our understanding that in order for the project to receive Site Approval, Mass Housing must "determine that the site of the project is generally appropriate for residential development and that the conceptual project design is generally appropriate for the site." In addition, an applicant seeking site approval for a project "must demonstrate that the proposal is consistent with the Commonwealth's Ten Sustainable Development Principles."

It is our firm opinion that the conceptual project design as shown in Cricket Lane's application is *NOT appropriate for this site* and also that it is *NOT consistent with the Commonwealth's Sustainable Development Principles*. As you are aware from the maps and site plans in the application, the 15.08-acre site proposed for the project abuts the 1,555-acre Martin Burns Wildlife Management Area, an important high value natural resource area with Natural Heritage Endangered Species Habitat and other associated wetlands. The site is stated to have 6.96 acres of wetlands, including two certified or pending-certification vernal pools, intermittent streams, forested upland buffer areas, and areas of steep slope and ledge. It is our opinion that the current proposal, which includes filling wetlands, developing new impervious areas for 24 homes including 48 parking spots and an access road stated to be 840+ feet long, septic systems and leaching areas located in and near vernal pools and within wetland buffer zones, and traditional grey stormwater management infrastructure throughout the site, would have a *direct, negative impact* on the Parker River watershed, its wetland areas and buffer zones, and its sensitive resources including the Parker watershed's public water supplies. As such it is NOT appropriate to develop this site as proposed by Cricket Lane.

In addition, we are very concerned about the developer's self-assessment for "consistency with the Sustainable Development Principles", and disagree with many of their statements. The application reports the following:

Page 28: The project is NOT walkable to transit, village center, school, library, retail and services. While the site is located approximately 2 miles to the Newbury Library and the temporary town offices, the 2-miles of roadways do not have sidewalks and are primary arteries to Route 95 with extremely heavy traffic. Pedestrians do not use these roads. There are two small general stores and one bar located in Byfield Center but no other retail establishments.

Page 29: The project does NOT support the revitalization of city and town centers; nor does it concentrate development or offer mixed uses. Rather, the site is to be built with a new 800+ foot new cul-de-sac located at the end of a 2500+ foot long dead end residential street, abutting significant conservation areas.

Page 30: The affordable housing proposed by this project will not be affordable to many potential qualified applicants due to the choice to develop the units as condominiums, with significant association fees.

Page 30: Contrary to the developer's assessment, this project *does not protect* sensitive land and has negative impacts on the site's wetlands. The proposed wetland mitigation filling and the development of significant impervious areas, as described earlier, will *negatively impact* the sensitive wetland and upland habitat on and abutting the site. The only open space proposed to be protected by the project is land that is already unable to be developed due to its wetlands or steep slope and ledge.

Page 31: We do not see any alternative technologies or low impact development practices in the proposed plans. In fact, new connections to the Byfield water infrastructure will be developed and a new irrigation well is stated to be needed for traditional ornamental landscaping. The Parker River is considered one of the most highly stressed rivers in the Commonwealth, according to the Massachusetts Water Resource Commission. Lack of recharge in the upper-watershed (Boxford/Georgetown) causes stretches of the river to run dry, thus limiting water to downstream supplies. Byfield is a water-poor community, lacking sizable aquifers and suitable alternative water withdrawal sources, and sensitive to drought conditions as was seen recently in 2016. ANY new housing development in Byfield should be required to include water-neutral elements and best management practices, neither of which is in the Byfield Estates plans.

Page 31 & 32: As stated earlier, these proposed homes are not located near jobs, transit, or other services. The homes are not walkable to any public transportation. Not only wouldn't the project reduce dependence on private automobiles, the homes would *require* private automobiles and would bring hundreds of new daily trips across the one-way access road and through the Pearson Drive neighborhood.

Page 32: I would be interested to see some detail about how the project will support local businesses, use locally harvested wood or agricultural products, and use or re-use locally recycled materials – all boxes which were checked by the developer but were not explained.

Page 33: The applicant checked the box that the project is consistent with a municipally supported regional plan. In fact, this property was *NOT* one of the sites identified as a "Potential Housing Development Location" in the [Town of Newbury's Housing Production Plan 2018-2022](#). When asked, during the town's recent Select board meeting presentation, if the developer had considered any of the sites that were identified in the town's Housing Plan, the applicant stated: "No."

In summary, ***we do not believe this particular proposal in any way meets the criteria of the Commonwealth's Ten Sustainable Development Principles*** and are very concerned about the impact of Cricket Lane LLC's proposed Byfield Estates development at 55 Rear Pearson Drive in Newbury, MA on the significant natural resources of the site.

Please incorporate these comments into the public record on this matter, and please contact me if you have any questions about these comments. Thank you for your consideration.

Sincerely,



Kristen Grubbs, Environmental Planner
PIE-Rivers Partnership, Municipal Services Program

Cc: Newbury Board of Selectmen, J.R. Colby, Chair via jackmancolby@yahoo.com
Newbury Planning Board, Peter Paicos, Chair via peterpaicos@yahoo.com
Martha Taylor, Newbury Town Planner via planningboard@townofnewbury.org
Tracy Blais, Newbury Town Administrator via administrator@townofnewbury.org

Mass Housing
c/o Martha Taylor
Office of The Planning Board
12 Kent Way
Byfield, Ma 01922

RECEIVED
SEP 20 2019
Newbury Planning Board

September 19, 2019

Re: Byfield Estates-55 Pearson Drive

To Whom It May Concern:

My name is Paul Rowe and I reside at 3 Pearson Drive along with my wife Connie and our son Kevin. I am writing to express my disappointment in hearing that the proposed "Byfield Estates" project which was declined over a year ago has a new Applicant who is attempting to develop the same project. When the first Applicant's application was denied, my family drew a huge sigh of relief, along with all of the other residents of Pearson Drive. Our reasoning however, wasn't exactly the same as our neighbors (although all of their concerns were valid).

Our 23 year old son has severe cerebral palsy. This condition requires him to use a walker (he is unable to walk on his own due to his condition). He also has a special needs three wheel bike that he rides while accompanied at all times with his Personal Care Attendant due to the fact that he has no sense of safety awareness. He frequently walks in his walker and rides his bike with assistance down Pearson Drive. When we heard that a 24 unit housing project in the form of a cul-de-sac was going to be constructed at the end of OUR cul-de-sac, my concerns for my son's safety were a top priority. My wife and I seriously considered moving, given the fact that each of the homes would have a two car garage as well as a driveway that could allow for three cars per home. This would add an additional seventy two vehicles traveling at various times on Pearson Drive with only one way in and one way out. Also, Pearson Drive is also an extremely narrow road with no sidewalks as well as no night time lighting.

Upon hearing the news that the project was not going forward and that the site had been removed from the Merrimack Valley Planning Commission map as a viable project site, we made the decision to completely remodel our downstairs to accommodate my sons special needs, adding a roll-in shower, widening doorways and making easy access to our driveway so that Kevin did not have to be physically carried down stairs when leaving our home to go to his day habilitation program. This was done with the knowledge that the project was not going to be an issue. All that has changed again.

I personally do not have a problem with the idea of a 40B project coming to our Town, but Pearson Drive is not a viable site for such a project. I however would strongly recommend that sidewalks, lighting, special signage "SLOW" and "DISABLED RESIDENT" and another access road for either entering or leaving Pearson Drive should be installed. Other features which would increase the safety of everyone include

the installation of new more visible signage to indicate "ONE WAY" / "ENTER HERE/ EXIT HERE" at the beginning of Pearson Drive. Currently vehicles continually drive down the wrong side of the street when entering Pearson Drive causing a dangerous situation for drivers leaving Pearson Drive, as well as for my son. Of course there are many other problems at this site which are very problematic, but I'm assuming that you will be reviewing some if not all of my neighbors' concerns.

There are, as I have been informed, at least eight other sites in Newbury/Byfield which would be better suited for a 40B project. These sites should be pursued.

I thank you for the opportunity to address these issues and I hope that you might take them into consideration when making your decision.

Best regards,

A handwritten signature in cursive script, appearing to read "Paul Rowe".

Paul Rowe