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*Melissa E. Robbins**

**Admitted in MA and NH*

November 20, 2020

Newbury Zoning Board of Appeals
12 Kent Way
Byfield, MA 01922

**Re: The Villages at Cricket Lane, 55R Pearson Drive
Responses to Comments/Questions**

Dear Members of the Board,

Please recall this office represents Cricket Lane Development, LLC, Walter Eriksen, Manager, (hereinafter the "Applicant"), regarding the proposed 40B development referenced above, (hereinafter the "Project"). During the previous hearings on the Project, several questions and concerns were raised by members of the Board. While I believe we have provided either a written or verbal response to those questions/concerns, I am writing to provide written responses to the questions raised by Mr. Svahn as he did indicate we had not responded to a number of his questions/concerns. Please accept the following as the Applicant's response to those questions and concerns:

1. Request for additional plans/landscaping plans.

A full set of plans as required under both the state and town regulations has been provided to the Board and updated as necessary throughout the permitting process. Additionally, we have provided the Board a street plan with the proposed street landscaping (colored) and a 3-D rendering of one of the houses showing the proposed solar panels on that unit. I have attached hereto additional 3-D renderings of the proposed homes and will be forwarding to the Board, later this week, pictures of one of the proposed homes, which is being completed by the Applicant in another Town, with all of the landscaping installed. Lastly, since requested, all drawings have shown creation dates and revision dates.

2. Request for a copy of the requested waivers.

A copy of the waivers needed for the Project was provided with the Application. An additional copy was provided to the Board as Attachment A of my October 20, 2020 letter. Please note, the waiver listing will be updated as various issues are discussed and resolved necessitating modifications to the plans. A final waiver list will be provided to the Board prior to completion of the public hearing process reflecting any changes resulting from the Board's determinations.

3. HOA documentation including covenants and homeowner requirements.

These documents are not usually developed until such time as the Project is approved. It is typical that the Comprehensive Permit requires such documents to be drafted in conformance with the Comprehensive Permit, reflecting any applicable conditions or requirements. Further, there is typically a condition in the Comprehensive Permit requiring that such documentation be provided to the Board for review by Town Counsel for conformance with the Comprehensive Permit, prior to the issuance of Occupancy Permits. However, the initial draft documents were provided in my October 20 letter as Exhibit B, including rules and regulations. We would expect to modify them once the final conditions are approved.

4. Identify the location of the affordable units/development schedule.

The location of the affordable units is approved by MassHousing as part of the Regulatory Agreement, post approval of the Comprehensive Permit. However, it is required that they be disbursed throughout the Project (cannot be concentrated together), and must also be constructed along with the market rate units such that one affordable unit must be built for every three market rate units constructed. This requirement can also be made part of the conditions of the Comprehensive Permit. We will be proposing to designate the following units as affordable: 4,9,13,14,18, and 24.

5. Request for additional landscape plans (streetscapes and individual units).

The Board has been provided with a street plan with the proposed street landscaping (colored). and the Applicant will be forwarding to the Board, later this week, pictures of one of the proposed homes, which is being completed by the Applicant in another Town, with all of the landscaping installed. The trees will be a mixture of Sugar maples, Red Oaks, and Cleveland Pears. There are also clusters of shrubs and flowers proposed which are native species including Dogwoods, Hazelnut, Chokeberry, Blueberry, Holly, Viburnum and Azalea.

6. Requested copy of agreement with neighbor at entrance.

Please note, that there are two houses, one on either side of the entrance roadway. The Applicant controls the home to the left of the entrance. The neighbors to the right, are supportive of the Project, having reached agreement with the Applicant on the location of the roadway and the provision of fencing and landscaping to provide protective buffers to their home. There is no written agreement.

7. Wanted land to be donated shown on plan.

The plan was updated and provided to the Board. However, because Fisheries and Wildlife has been unresponsive to numerous calls and e-mails regarding the land to be donated, the Applicant will agree to donate the land to the Town (Conservation Commission) or to keep it as part of the Homeowners Association's open space, depending on the pleasure of the Board.

8. Questioned solar panels (not on most plans, will they be effective?)

The Applicant is working with Boston Solar in the design and installation of the solar panels. It is proposed that each home will have solar panels. The design will be different for each home due to the varying designs of the homes and their orientation to the sun. A rendering showing one example was provided as part of my October 20, 2020 letter to the Board. The actual location and design of the solar panels will be completed as each house is constructed. Given Boston Solar's experience, we expect them to be well designed, installed, and therefore effective.

9. What other developments in Newbury are like this one?

This is the Applicant's first project proposed in Newbury and the Applicant does not have first-hand knowledge regarding other 40B projects in Town. However, in terms of design and density, the Cottages at Drakes Landing, a new development in West Newbury presents a good representation of a similar project. The home sizes are comparable, they are designed on dead end streets and have similar separation between homes. Attached are pictures from The Cottages at Drakes Landing. Additionally, the landscaping on these homes is quite similar to that proposed by the Applicant.

10. Discussion of architectural styles and benefits this neighborhood will provide.

The architectural style of the proposed homes was chosen for several reasons. First, it is the Applicant's belief that the architecture including materials and size, is comparable and consistent with home styles in the area, not only in Newbury, but surrounding towns and is a style very much in demand. The Applicant has developed homes of this style in several towns in Massachusetts and they have been very well received and sold quickly. The architectural style, based on my client's experience, is in keeping with the desires of both young families and older buyers looking to downsize and so appeals to a wide

variety of buyers. The proposed homes (neighborhood) therefore becomes available to buyers of all ages including those with children. The Condominium ownership structure, smaller yards and high-quality building materials proposed, along with the energy efficiency of the homes, will result in less costs and less maintenance for buyers. This is also a characteristic in demand in the market. Given its expected diverse ownership (younger, older, couples, families), and “village” style design, it is expected that this neighborhood will be highly attractive to people looking to purchase new homes in today’s market which has a shortage of inventory. In short, it is the Applicant’s expectation that the style, size, design, and proposed amenities will make this a very attractive option for new home buyers looking to live in a close-knit community in Newbury.

11. Request for “full” traffic study.

The traffic to be generated by the proposed Project does not warrant the completion of a full TIAS. The Applicant has provided a Traffic Assessment Report for the Project which has been reviewed by the Town’s traffic peer review consultant, Stantec. Stantec found the report to be “conservative and done in accordance with the accepted transportation engineering practices and procedures.” Further, they found that “No traffic-related operational issues were identified in the TA and we concur with the overall assessment that this development will not significantly affect normal traffic operations and safety.” Further, it was stated by Mr. Hebert, that the traffic counts generated by a full study would likely show less traffic being generated than what was reflected by the Applicant’s use of the ITEE traffic generation manual as part of the Traffic Assessment Report.

12. Board member wanted more info on sprinklers to be provided

Residential sprinkler systems are designed and used throughout the Commonwealth of Massachusetts and are subject to both state and local regulations. The systems to be used in the Project have yet to be designed. They will however be designed by an engineer licensed to do so and will be submitted to the Fire Department and Building Department for review and permitting as required by code. If so desired the Board could condition the Comprehensive Permit to require the designs be submitted to the Board for review.

13. Will 20’ Driveways be large enough?

Based on the Applicant’s discussion with his traffic engineers, 20’ driveways are adequate to support today’s vehicles. While 95% of the cars on the road today are less than 19’ in length, the average passenger vehicle is only 14.5’ in length. This information, along with the fact that most driveway and/or parking space regulations call for 20’, supports that provision of 20’ driveways. Lastly, the Applicant’s experience in building hundreds of homes and condominiums has shown that 20’ driveways are sufficient.

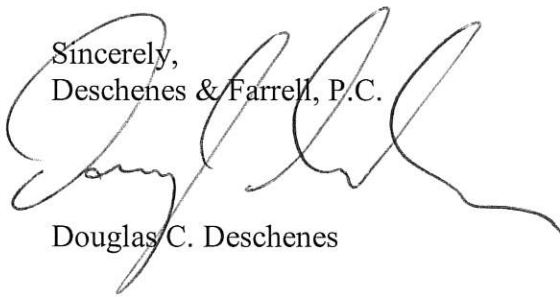
14. Why are we applying National Fire Code Regulations and not Massachusetts regulations for our roadway design?

Please note that the Commonwealth of Massachusetts has adopted the national standards and therefore does not have specific Massachusetts standards.

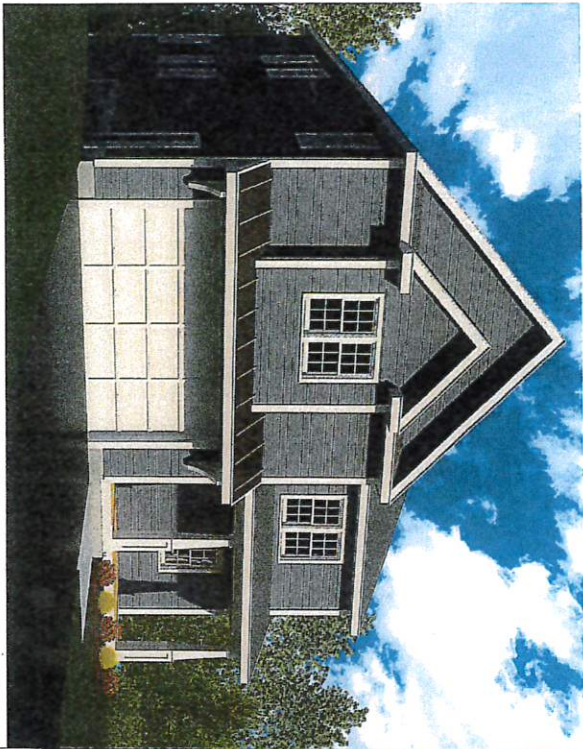
In closing, please accept this information as part of the hearing record in response to comments and questions discussed above.

Thank You for your time and consideration.

Sincerely,
Deschenes & Farrell, P.C.

A handwritten signature in black ink, appearing to read 'Douglas C. Deschenes', is written over the typed name below. The signature is fluid and cursive, with a long horizontal stroke at the end.

Douglas C. Deschenes



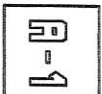
FRONT-LEFT 3D ARCHITECTURAL VIEW
no scale



FRONT-RIGHT 3D ARCHITECTURAL VIEW
no scale



Scale: NO SCALE
Date: 10-15-19
Rev: 1



THE VILLAGES AT CRICKET LANE
4 BEDROOM - 2108 S.F. HENRIETTA, NY
DEVELOPER:
CRICKET LANE DEVELOPMENT, LLC
9 HUNTERLEY ROAD, TYNEDALE, NY 13157
3D ARCHITECTURAL RENDERINGS



FRONT-LEFT 3D ARCHITECTURAL VIEW
no scale



FRONT-RIGHT 3D ARCHITECTURAL VIEW
no scale



THE VILLAGES AT CRICKET LANE
1 BEDROOM - 2,108 S.F. NEWBURY, MA
DEVELOPER:
CRICKET LANE DEVELOPMENT, LLC
60 HODDLEBERRY ROAD, THUNDERBOLT, MA 01462
3D ARCHITECTURAL RENDERINGS

ronald henri albert, aia architect
69 Island Road, Newbury, MA 01462 978-828-5411



FRONT-LEFT 3D ARCHITECTURAL VIEW
no scale



FRONT-RIGHT 3D ARCHITECTURAL VIEW
no scale



NO SCALE
DRAWN BY: MJPZA
DATE: 10-15-19



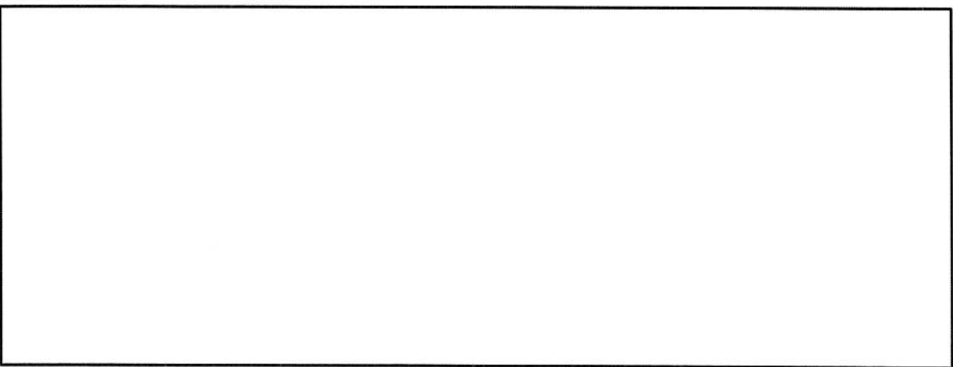
Project:
THE VILLAGES AT CRICKET LANE
3 BEDROOM - 2278 S.F.
CRICKET LANE, INDIANAPOLIS, IN
DEVELOPER:
CRICKET LANE DEVELOPMENT, LLC
CRICKET LANE, INDIANAPOLIS, IN 46204
3D ARCHITECTURAL RENDERINGS



FRONT-LEFT 3D ARCHITECTURAL VIEW
no scale

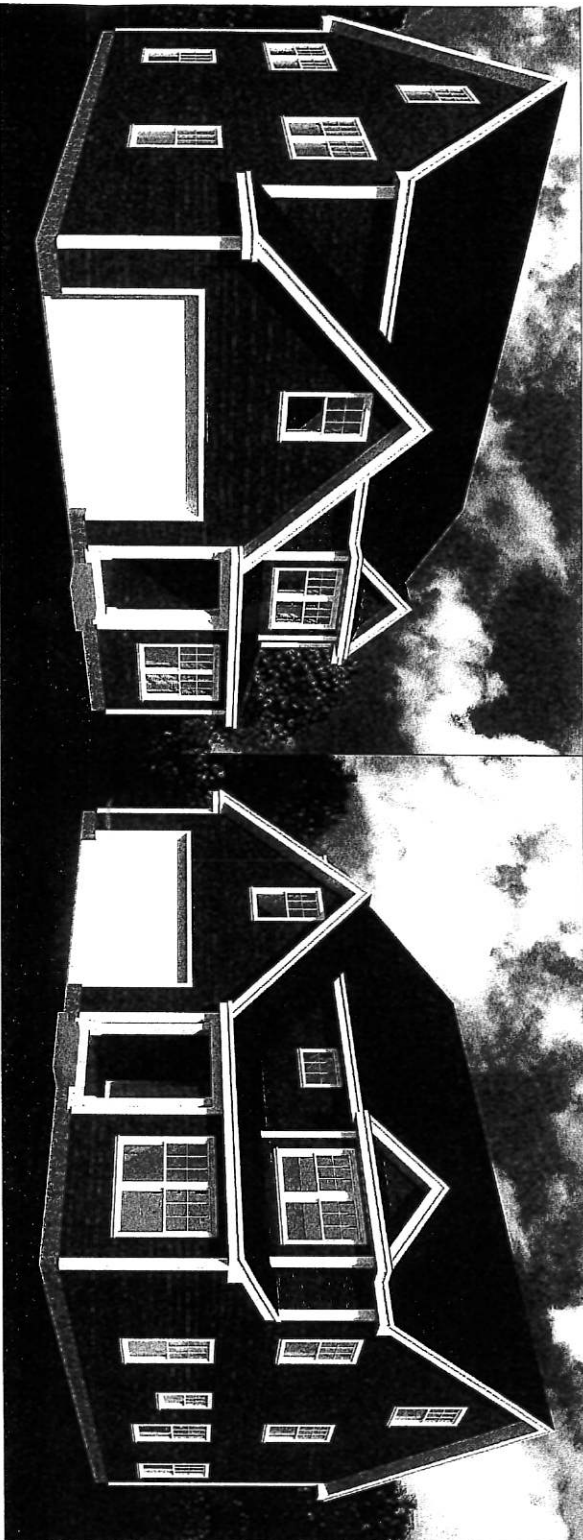


FRONT-RIGHT 3D ARCHITECTURAL VIEW
no scale



PROJECT
THE VILLAGES AT CRICKET LANE
3 BEDROOM - 2,298 S.F. NEWBURY, MA
CRICKET LANE
DEVELOPER:
CRICKET LANE DEVELOPMENT, LLC
95 HODDLESEX ROAD, TYNGSBOROUGH, MA 01879
3D ARCHITECTURAL RENDERINGS

by ronald henri albert, aia architect
69 island road, newbury, ma 01862 978-428-5411



FRONT-LEFT 3D ARCHITECTURAL VIEW
no scale

FRONT-RIGHT 3D ARCHITECTURAL VIEW
no scale

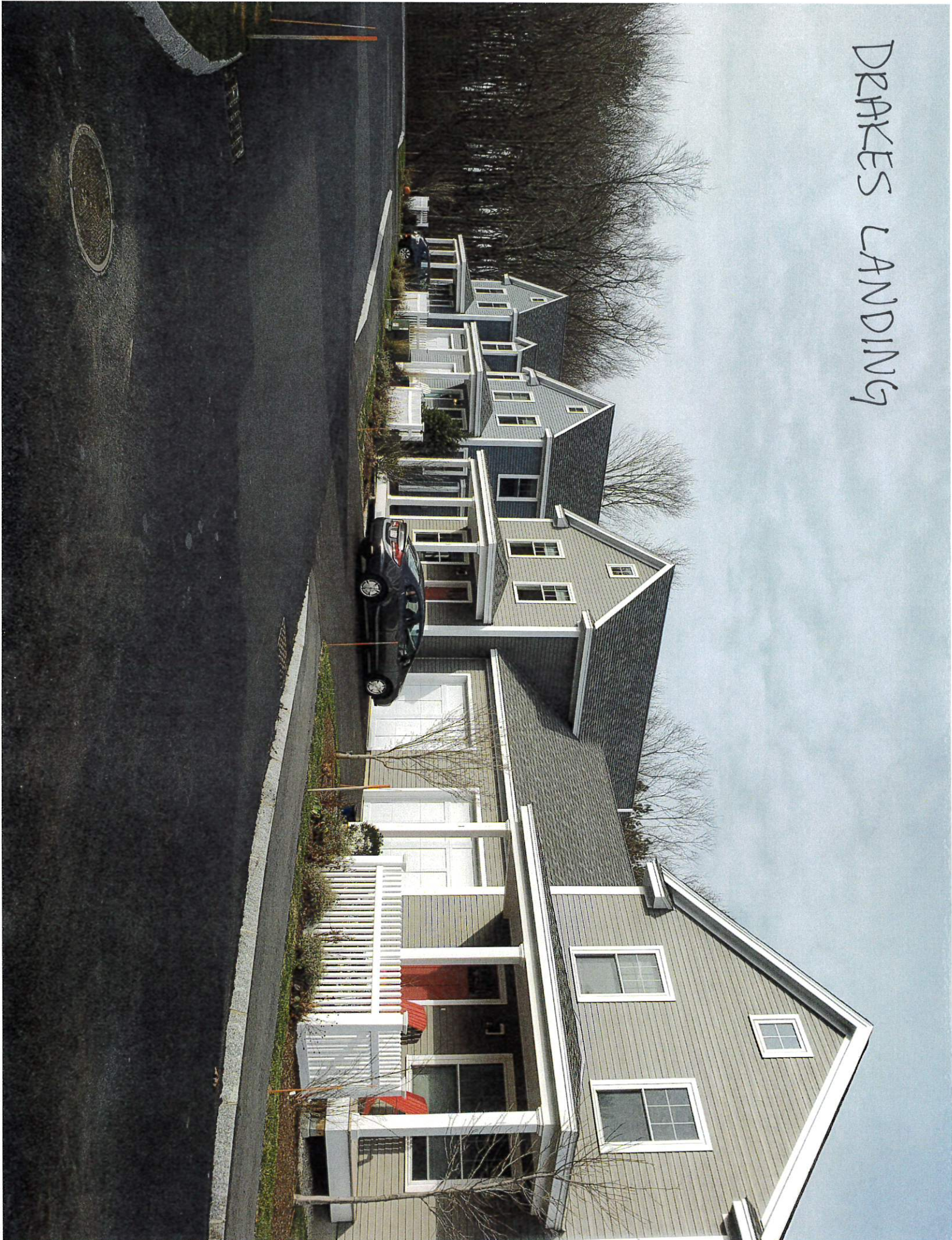


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DATE 10-15-14
REV.

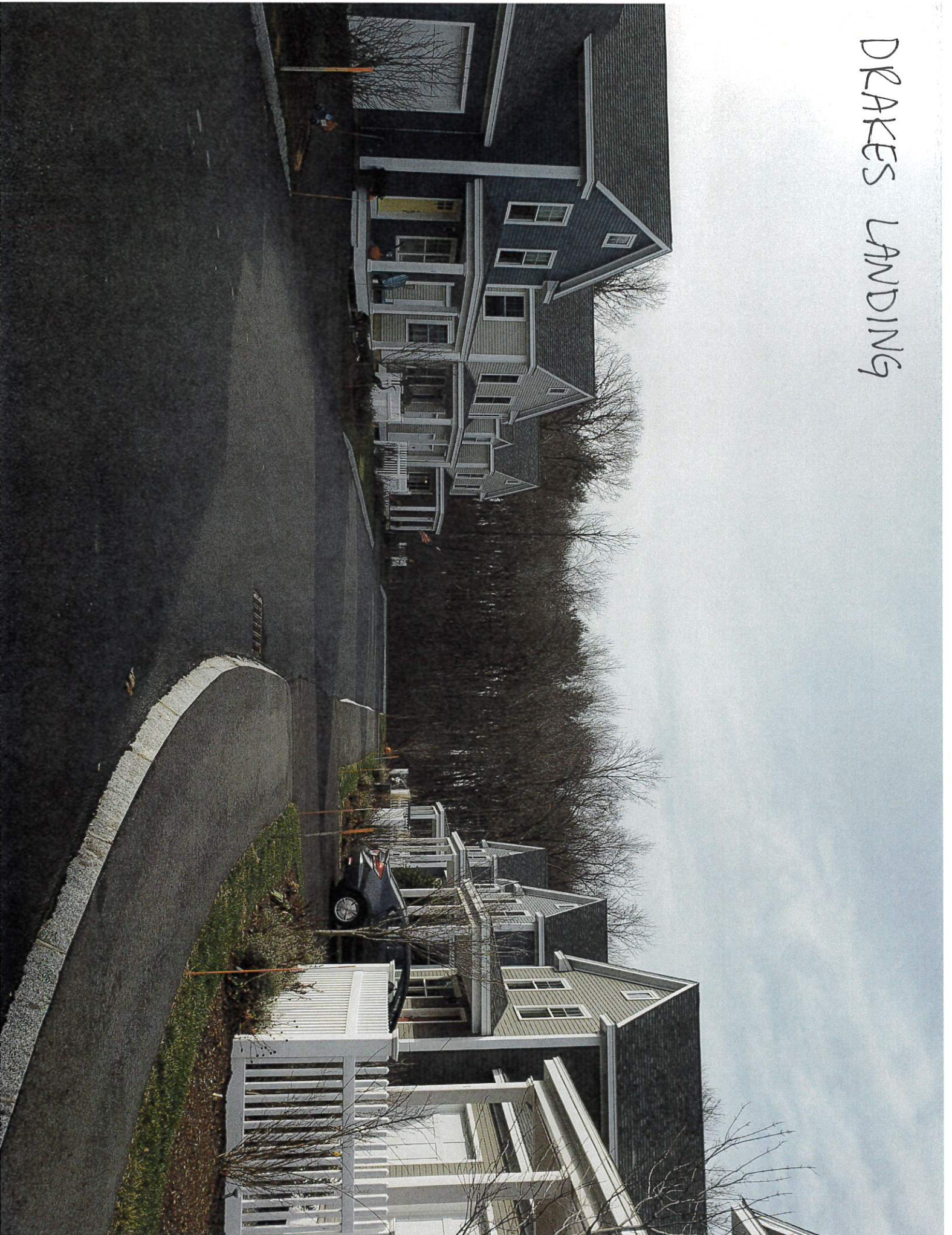
R-1

Project
THE VILLAGES at CRICKET LANE
3 BEDROOM - 2348 S.F.
CRICKET LANE, NEEDHAM, MA
DEVELOPER:
CRICKET LANE DEVELOPMENT, LLC
500 WESTERN AVENUE, NEEDHAM, MA 02459
Architect
3D ARCHITECTURAL RENDERINGS

DRAKES LANDING



DRAKES LANDING



DRAKES LANDING





DRAKES LANDING