

Mahoney, Lenore

From: Jared Linder [REDACTED]
Sent: Wednesday, July 31, 2019 8:51 PM
To: _ZBA
Cc: Joseph Zani; Grant Owens; Brian Germani; Gary Miller
Subject: Cedar Place Development

Dear Board Members,

We had the opportunity to watch the July 18th ZBA meeting regarding the Cedar Place development proposal. There are some concerns and questions we would like to bring to your attention in hopes that the developer will address them in the future.

1. The architecture peer reviewer, Cliff Boehmer, raised concerns around the lack of abutting structures on the site plan. As abutters, we share these concerns. It is very difficult to grasp the impact of some of proposal's features without understanding exactly how they relate to the abutting property. For example, the developer moved the dumpster from the eastern property line to the southern property line. It is unclear whether this dumpster will be within a few feet from our bedroom window or 100 feet away from our house. And if it is within an unreasonable distance, why would the dumpster be positioned closer to a neighbor's structure than the proposal's structure? I'd think the developer would have to show a strong justification around this and I'd hope he be challenged to find a more suitable alternative.
2. There were a number of references to the woods along the eastern and southern property lines. It is important to note, that the retaining wall will cut deeply into these woods, potentially removing a large number of the trees in the process. Additionally, it is unclear whether the impact its construction will have on the remaining tree's root structure. Damage to root structures can kill existing trees months to years after construction.
 1. Can the developer provide clear plans on how many and which trees will be removed? And for the trees that remain, can the developer provide details on how he plans to ensure they are not damaged in the process? Would a certified Arborist be consulted to review these plans to ensure tree safety, and therefore abutter physical and property safety?
 2. If the root structure of large trees residing on the property line are damaged, resulting in the tree unexpectedly falling on an abutting property or the proposed property, who is responsible for the ensuing property damage? Who is responsible for personal safety? Please keep in mind this is not an act of nature, but a deliberate act taken to develop land in a way which legally circumvents bylaws that would otherwise prevent such action.
3. Throughout these hearings the developer and his representative have made a number of references to the quality and aesthetics of the proposed property. He also recommended the neighbors see his property behind Smith & Wollensky as a visual reference. Mr. Boehmer raised concerns around the non-conforming and unimaginative design and the use of vinyl

siding on such a large structure. We share these concerns. Along with the lack of clear landscaping plans and the poor precedence set by Equity Partner's in this neighborhood, we worry this development will become an extension of 170 - 184 Worcester St. Which is and has been an eyesore for the neighborhood for years under their management.

4. Throughout the hearings the developer has made a series of commitments (ex: construction traffic will be restricted to route 9 and will not use Burke Lane, soil will not be trucked offsite, etc.). How will these verbal commitments be codified and enforced? What will happen after approval, if the developer decides to withdraw from these commitments?

Thank You,
Jared & Caitlin Linder
15 Burke Lane

Grant & Danielle Owens
17 Burke Lane

Joseph, Franca, Victoria & Christina Zani
19 Burke Lane

Brian & Stephanie Germani
22 Willow Park

Gary Miller
150 Cedar Street