

May 20, 2021

Planning Board – Town of Lynnfield  
55 Summer Street  
Lynnfield, MA 01940

**Re: 109 Lowell Street – Vallis Way – Hearing May 26, 2021**

Dear Lynnfield Planning Board,

We have owned 4 Mohawk Lane, which abuts two of the proposed lots in the 109 Lowell Street – Vallis Way subdivision under consideration in the upcoming May 26<sup>th</sup> hearing, for nearly fifteen (15) years (purchase date 2007). We plan on attending the hearing (via Zoom) as well, but are submitting our specific concerns in advance for the Planning Board's consideration. We do not oppose approval of the subdivision or the development of the property generally, however, we write to request that the Board consider requiring the following specific modifications to the plan:

Rain Water Drainage

We are requesting that the Planning Board consider requesting that the applicant relocate the Infiltration system in lot 5 to the West side (street side) of the property to minimize risk to our property (and finished basement). Although I understand from the drawings that much of the water is being directed towards an infiltration pond in the NW corner of the subdivision, the rooftop drainage appears to be directed to a roof Infiltration system at each house. As drawn, the infiltration system in lot #5 is situated behind the proposed home. Based on the topography of the land, that system, even when buried, will be higher than our land which is already wet, particularly after sustained rains. Because it appears that the proposed location of the system will cause damage to our neighboring property, we ask that you consider requiring it be moved to West side of the property prior to approving the subdivision plan.

Property Line Trees

We are very concerned about 5-6 fully mature Pines that are on/near the property line. These trees are already a bit precarious (many in these woods have already toppled over), but when the land West of them is cleared (or substantially cleared), they will be left unprotected, creating a very serious hazard to my family's personal safety. These trees are enormous (roughly 3x the height of our home) and will not simply break a window if they fall; they will likely cause material property damage and serious injury (or worse) to anyone in the home. The smaller existing trees near the property line will assist in offering privacy (we hope these will remain) between the proposed lot and ours, but these large pines, unfortunately, need to be addressed for safety's sake.

Spirit of the Zoning Requirements

Under the town Zoning Bylaws, RC lots require 40,000 sqft. While lot #5 appears to have satisfied this technical requirement, it does not, at all, satisfy the spirit in which this bylaw was drafted. The lot has manufactured 40,000 sqft only by creating a narrow (408' x 30') 'pan-handle' of virtually unusable land along the proposed street (which, under normal circumstance, would otherwise constitute the barrier for the property line). Subtracting this approximately 12,000 sqft pan-handle results in a remaining 'effective' lot size of approximately 29,000 sqft., well below the required 40,000 sqft requirement, and at

a significant disadvantage to any future owner of this property. We accordingly write with the hope that the Planning board will consider this seriously, along with the precedent it creates, and require this deficiency be remedied before approving this proposal (perhaps by moving the proposed location of the street to the west in front of the proposed lot to allow for more land, or by requiring consolidation of the lot sizes to conform to the spirit of the zoning requirements). This appears to have been done solely for the purpose of squeezing an additional home into this subdivision.

Again, we are not seeking to block any lawful development. We are only asking that the development be done in a manner not detrimental to our family's safety, physical property, or to the continued enjoyment of our home.

Thank you in advance for your consideration of our concerns. If you have any questions or are interested in a site visit in advance, the best number to reach us is 857-205-8111.

Respectfully,

*Kris & Rich McCarthy*

Kris & Rich McCarthy  
4 Mohawk Lane  
Lynnfield, MA 01940