

15 September 2020

Dear Councilors,

I will be commenting on item 316-20 at the public hearing tonight and requesting the hearing be suspended.

I live at 450 Dedham Street, sharing a long (325 ft) border with 432 Dedham Street, the lot proposed for the special permit. Based on what I've learned so far, I have concerns about the proposal and understand that this is a special permit and not a by right development. Due to the long shared border, this proposal has potential to impact me significantly and there are undressed material concerns.

Timing

Unfortunately, I have not had enough time to understand and reflect on the situation given this hearing is being conducted on one week's notice to me. I received the legal notice on Sep 7th, it was postmarked on Sep 3rd. I began my inquiries in a timely manner, and have learned a lot in the past week, but request more time in order to make informed comment.

David Geffen, the developer, introduced himself to me when I happened to be working in the front yard sometime the week of Aug 31st and said a public hearing was imminent and offered to talk. After receiving the city notice the following week and reviewing the plans, I reached out to Mr. Geffen and we spoke on Sep 13th. He has happily gone over the plans and answered my questions. However, this is one meeting, and there are unresolved questions. I am particularly concerned about the proposed retaining wall and the many trees on and close to the lot line.

Retaining Wall Plan

In the proposed plans, the retaining wall is noted as a straight line. However, given the location of the large trees in the vicinity, a straight retaining wall is not possible. I believe the detailed plan should address three specific areas, prior to approval:

- A. After considering the existing trees, where will the final retaining wall be placed?
- B. What is the elevation profile of the wall?
- C. How will this affect the large trees on both existing properties?

I expected that the plan would be sufficiently detailed to assuage these concerns, unfortunately it is not yet at that stage. I assume the placement of the retaining wall could potentially impact the grading and drainage plan. I am reluctant to just assume everything will all be fine and hope for the best once the special permit is granted.

Additional Considerations

One additional point of feedback, which admittedly does not materially affect my interests: why are the front lots (2 and 3) not just rectangles at 15,000 square feet? Having the odd trapezoidal bit at the back of each lot where Lot 1 has exclusive use seems very odd. If that land is needed to meet the planning rules then the individual lots should have use of that land. If the land is needed

for drainage, then why not have an easement on Lot 1 for Lots 2 and 3. It may be overly simplified, but I am a believer that if you own the land, then you should be able to use it.

Finally, regarding the Public Hearing Memorandum, I concur with the concerns raised there including:

- Amount of paving along Dedham Street with the T driveways and parking areas adjacent to the sidewalk.
- Additional screening on the left and right property lines.
- Placement of the retaining wall on the petitioner's property. (Note: Mr. Geffen said it would be one foot from the property line.)

Conclusion

I have happily lived here for 36 years and this is my first public hearing and first interaction with the land use committee. I find myself in the position of not knowing what I don't know - navigating the process on my own is daunting. I feel it is in my best interest to seek counsel from experts who are impartial but that takes time to identify and then connect with them. My goal with this request is to be able to perform my due diligence and provide relevant, informed comments to the land use committee at the next regularly scheduled meeting in a month.

Hopefully, I've used the right terms: I read "The Land Use Committee also may vote, at its discretion, to suspend rather than close the Public Hearing, conduct the Working Session, and then reconvene the Public Hearing for comments after the Working Session but before a final vote."

In conclusion, I am requesting the public hearing be suspended. Approximately one week's notice has not been sufficient time to fully understand the plan's implications, and prepare an informed response.

Thank you for your consideration,

Mary Pope
450 Dedham Street

Addendum: Specific Concerns with Retaining Wall Planning

- 1) **Black Walnut:** the tree is directly in the path of the wall. Mr. Geffen has assured me that he can move the path of the wall, but this is not reflected in current plans, which may have further impact on the proposed development.



- 2) **Beech:** there is an enormous beech, which provides significant cover on both sides of the property line. Additionally, walking under the canopy shows that the tree has rooted on both sides of the property line. Mr. Geffen has assured me he cares deeply about the beech tree and will figure out the retaining wall but no details are known at this time. I believe these details are critical in understanding the impact of the development.



- 3) **Wooded Area:** the property line goes into a wooded area with a number of trees providing screening for both properties. I am concerned how trenching and filling might affect the root systems and health of those trees.