

To: Board of Alderman, Planning and Development Board, Land Use Committee, Zoning Committee
From: Alice and Joe Bresman, Direct Abutters to Kessler Woods, 81 Rangeley Rd, Chestnut Hill, MA
Date: November 5, 2014
Subject: Abutter request to add the following Conditions/Amendments to any Special Permit that may be granted for the development of Kessler Woods.

Dear Aldermen:

We are writing to you as direct abutters to Kessler Woods. We are quite concerned about the impact of the proposed development on the integrity of our homes, our residential neighborhood, and our quality of life. As you consider whether or not to grant the special permit with its change in zoning, we respectfully request that you consider adding the following conditions, with those attached to the original special permit, should you grant a Special Permit to the current proposal.

Thank you for your time and consideration.

Sincerely,

Alice & Joe Bresman

Abutter Protection Provisions:

Chestnut Hill Reality (CHR) shall designate a contact person within their organization with overall construction responsibility. This individual shall promptly suspend construction activity upon receipt of notification, by e-mail from an abutter, of any violation of the terms and conditions shown below. This individual shall acknowledge receipt of the abutter's e-mail and restart construction activity only after the violation has been resolved to the satisfaction of the abutter. CHR will provide each abutter with the e-mail contact information for this individual.

Construction Monitors:

Seismic, noise and dust monitors shall be installed within 10 ft of the each abutter's back yard fence. The readings provided by each monitor shall be e-mailed to each abutter at the end of each work day.

Water Monitors:

Water monitors shall be installed in the basement of those abutters that request them. In the event that water is detected, after the start of construction, in a basement that was shown by the monitors to be previously dry, then CHR shall immediately initiate appropriate remedial action to eliminate any further infiltration of water into that basement. CHR shall be responsible for the full cost of successful remediation as well as for any damage caused by the water. The success or failure of the CHR's remediation shall be determined by the water monitor data obtained for a period of one year from the date of completion of the remediation effort.

Construction Hours:

Construction activities shall be limited to the hours between 8:00am and 4:00pm Monday through Friday. No construction activities shall be performed on religious holidays.

Blasting Periods:

Blasting shall be limited to the hours between 10:00am and 2:00pm, Monday through Friday. No rock crushing shall be done on the northeast side of the site between Rangeley Road and the knoll.

Water Management Plan:

CHR shall provide a surface water management plan that will prevent rainwater from flowing onto abutters' properties from the construction site, during site construction. Necessary elements of the plan shall be in place prior to the start of construction.

After construction, CHR shall monitor the integrity of the water management provisions in place. CHR shall ensure that water does not flow from the perimeter road downhill and onto the abutters' properties.

Landscape Screening:

A row of 8 to 10 ft fast growing evergreen trees shall be planted as close as possible to the Rangeley Road Abutters' property lines of each abutter who requests those trees. These trees should reach at least 20 to 30 ft in height when fully grown and shall be planted prior to the start of construction. The trees will serve to buffer noise, screen construction activities and reduce dust deposited onto abutters' properties. Appropriate quantities of new soil shall be brought in where needed to support and provide for these trees.

Plantings elsewhere on the site for the purpose of visually screening the development from Rangeley Road abutters shall be of a kind that retains its screening characteristics throughout the winter months. Soil to support these plantings shall be brought in and used in areas where surface rock would otherwise prevent successful planting. Every spring and fall, CHR and any subsequent owner of the development, shall perform regular maintenance on the plantings throughout this site such that they continue to provide adequate year round screening.

Escrow Account:

CHR shall set up an escrow account to provide a ready source of funds to abutters. This account will quickly cover expenses such as; cleanings required due to construction related dust, blasting induced structural damage, water infiltration, vibration induced cracks, and effects of pest extermination activities. The account should be initiated with a minimum of \$3M.

Daily Operation:

CHR shall identify an individual with responsibility to manage The Residences At Kessler Woods after construction activities have ended. This individual shall ensure that residents do not engage in activities, nor generate noise, sufficient to disturb the abutters. CHR will provide abutters with this individual's contact information.