

466 HIGHLAND STREET

COMMENTS FROM TOWN DEPARTMENTS

- CONSERVATION COMMISSION
- DEPARTMENT OF PUBLIC WORKS
- FIRE DEPARTMENT
- TOWN CLERK

COMMENTS FROM PRIVATE CITIZENS

- AMY E. CLARK, 15 CANTERBROOK LANE
- PAUL A. DESIMONE, 15 CANTERBROOK LANE
- DEBARUN GUPTA & AMANDA PETRAKIS, 450 ASBURY STREET

To: Hamilton Zoning Board of Appeals (ZBA)

From: Office of the Hamilton Conservation Commission

Re: 466 Asbury/ 421 Highland / Asbury Commons 40B Review:

Members of Hamilton's Zoning Board of Appeals,

The conservation office is in receipt of a proposed project at 466 Asbury St./421 Highland Ave. in Hamilton, which is being proposed under a Comprehensive Permit/MGL 40B. Upon an initial review, no issues jurisdictional to either the Commonwealth's Wetlands Protection Act, or Hamilton's Conservation Bylaw were noted.

However, based on the initial review of the project, I would like to submit the following comment, most of which would normally be raised for any project that was under Conservation Commission review.

1. Landscaping associated with projects of this scale often results in the use of invasive plants. While such plants are known problems in the environment, many are still sold commercially in garden centers. They are sold due to their "hardiness". From a conservation perspective, a plant list should be provided prior to approval, and the species chosen should ideally be beneficial to our local environment, and at a minimum, not detrimental to it. Sourcing from a nursery such as those run by the Native Plant Trust, or similar, would be ideal. This same logic would apply to checking the species used on any seed mixes, and discouraging the creation of lawns that will require significant pesticide and fertilizer usage to maintain, which result in impoverished soils. The plans note that a presumably yet to be chosen contractor will be responsible for carrying out all of this work. It would be a simple thing, with no discernable impact on the cost of the project, to submit a species list to the ZBA to be reviewed and adjusted. Should it be helpful, the Conservation Office is more than happy to assist in, or conduct, this species evaluation.
2. A development of this size will generate a significant amount of light pollution. Requiring all lighting fixtures used to be "Dark Sky Compliant" – would be of great benefit to the many creatures great and small that are adapted to the darkness of night. Furthermore, it would reduce general light pollution, and distractions for drivers traveling along Asbury St. "Dark Sky Compliant" light fixtures are widely available, and are becoming more and more common, and their integration into the project at this point should have no discernable impact on the cost of the project.
3. Regarding sewage treatment and stormwater management, a discussion of a constructed wetland seems appropriate. As currently designed, it appears that waters could quickly be directed to underground systems. Prior to directing the water to systems such as these, allowing the water to flow aboveground, through biologically active wetlands would benefit the treatment cycle of these waters, reduce the volume and variety of contaminants being directed to groundwater, while also creating wildlife habitat, and increasing the variety of natural features available to residents. A conversation on this topic should be engaged with.
4. Finally, in our current geopolitical times, with the changed climate contributing to an uptick in flooding, fires, and heat waves, every project should seek to do its part to reduce the use of fossil fuels. In this case, the opportunity exists to install geothermal heating, solar panels, electric heat pumps, and electric rather than gas appliances as part of construction. To use less environmentally intensive building materials, such as linoleum, where appropriate. While these devices and techniques go beyond the regulatory baseline a development such as this must meet, this is the only realistic phase such concepts could be integrated into the project. The systems installed now are those that will be utilized for the next several decades. Should a effort to choose less damaging options for their

families or their community develop among the residents, residents would be burdened with taking on such tasks themselves. In the case of gas stoves vs. electric stoves for example, the indoor air quality improvements gained by replacing a gas stove with an electric are significant, and well documented. I could go on citing examples of how to make a residence more friendly to both its residents and the planet. However, the Applicant should be required to defend their choices to use items or materials that are known to be more harmful than other options available, whether to the health of complex residents, to the wallet of those paying the bills for energy, or to the global physical processes such as the carbon cycle, water cycle, etc. which are the root cause of natural disasters.

Respectfully submitted on behalf of the Conservation Office,

Brian Colleran, PWS, CERP, AFB
Conservation Administrator
978.626.5247
577 Bay Road, Hamilton MA 01936
bcolleran@hamiltonma.gov

RE: Town of Hamilton - 466 Highland Street - Asbury Commons - Comprehensive 40B Application - Please Review

Tim Olson <tolson@hamiltonma.gov>

Tue 3/15/2022 12:13 PM

To: Ray Brunet <rbrunet@hamiltonma.gov>; Mary Ellen Feener <permitting@hamiltonma.gov>; Patrick Reffett <preffett@hamiltonma.gov>; Jane Dooley <jdooley@hamiltonma.gov>; Russell Stevens <rstevens@hamiltonma.gov>; Joe Domelowicz <jdomelowicz@hamiltonma.gov>; Brian Colleran <bcolleran@hamiltonma.gov>; Dennis Palazzo <dpalazzo@hamiltonma.gov>; Greg Bernard <gbernard@hamiltonma.gov>; Carin Kale <ckale@hamiltonma.gov>; Alex Magee <amagee@hamiltonma.gov>; Sean Timmons <stimmons@hamiltonma.gov>; etracy@hwschools.net <etracy@hwschools.net>
Cc: Richard Maloney <rmaloney@hamiltonma.gov>

To all,

I have the same cooperative comment as Ray regarding water and drainage.

As mentioned at the Dept Head meeting, the applicant seemed agreeable to adding a public sidewalk along the frontage of the property adjacent to Asbury Street.

Tim Olson

Timothy J. Olson

Town of Hamilton
Director of Public Works
577 Bay Road
PO Box 429
Hamilton, MA 01982
P: 978-626-5227
F: 978-468-5582
tolson@hamiltonma.gov

3-16-22
emailed DPW's
Fire Dept
Comments to
B Tymann.

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From: Ray Brunet

Sent: Tuesday, March 15, 2022 9:04 AM

To: Mary Ellen Feener <permitting@hamiltonma.gov>; Patrick Reffett <preffett@hamiltonma.gov>; Jane Dooley <jdooley@hamiltonma.gov>; Russell Stevens <rstevens@hamiltonma.gov>; Joe Domelowicz <jdomelowicz@hamiltonma.gov>; Tim Olson <tolson@hamiltonma.gov>; Brian Colleran <bcolleran@hamiltonma.gov>; Dennis Palazzo <dpalazzo@hamiltonma.gov>; Greg Bernard <gbernard@hamiltonma.gov>; Carin Kale <ckale@hamiltonma.gov>; Alex Magee <amagee@hamiltonma.gov>; Sean Timmons <stimmons@hamiltonma.gov>; etracy@hwschools.net

Cc: Richard Maloney <rmaloney@hamiltonma.gov>

Subject: RE: Town of Hamilton - 466 Highland Street - Asbury Commons - Comprehensive 40B Application - Please Review

Fw: Town of Hamilton - 466 Highland Street - Asbury Commons - Comprehensive 40B Application - Please Review

Mary Ellen Feener <permitting@hamiltonma.gov>

Tue 3/15/2022 10:47 AM

To: Benjamin Tymann <btymann@tddlegal.com>

Input from the Fire Chief below. M-E

From: Ray Brunet

Sent: Tuesday, March 15, 2022 9:04 AM

Subject: RE: Town of Hamilton - 466 Highland Street - Asbury Commons - Comprehensive 40B Application - Please Review

Hi,

I wanted to let you know that I have met with the applicant several times with regards to, fire department access, fire alarms and the sprinkler system. They have been more than cooperative with the fire department and I have no issues with the project at this time.

Respectfully submitted,

Ray



Raymond A. Brunet
Fire Chief, EMD
Hamilton Fire Department
265 Bay Road
Hamilton, Ma 01982

(978)-423-2565

From: Mary Ellen Feener

Sent: Friday, March 11, 2022 11:31 AM

To: Patrick Reffett <preffett@hamiltonma.gov>; Jane Dooley <jdooley@hamiltonma.gov>; Ray Brunet <rbrunet@hamiltonma.gov>; Russell Stevens <rstevens@hamiltonma.gov>; Joe Domelowicz

Fw: Town of Hamilton - 466 Highland Street - Asbury Commons - Comprehensive 40B Application - Please Review

Mary Ellen Feener <permitting@hamiltonma.gov>

Wed 3/16/2022 1:21 PM

To: allzba <allzba@hamiltonma.gov>

Cc: Patrick Reffett <preffett@hamiltonma.gov>; Richard Maloney <rmaloney@hamiltonma.gov>

Hello All,

Below are comments from the Town Clerk.

Attached is the excerpt from the Bylaw that states that when there is a subdivision the Planning Board will assign street numbers.

All the best,

M-E

emailed to
B. Tyman
3-16-22

From: Carin Kale <ckale@hamiltonma.gov>

Sent: Wednesday, March 16, 2022 1:16 PM

To: Mary Ellen Feener <permitting@hamiltonma.gov>; Patrick Reffett <preffett@hamiltonma.gov>; Richard Maloney <rmaloney@hamiltonma.gov>

Subject: RE: Town of Hamilton - 466 Highland Street - Asbury Commons - Comprehensive 40B Application - Please Review

Thank you for the opportunity to provide input on the Comprehensive Permit application from Harborlight.

My only comment pertains to the assignment of unit addresses which I don't believe has anything to do with the ZBA hearing. Eventually, when addresses are assigned the Clerk's Office will need to be informed so that we can update the voter registration system to recognize the addresses as legit so that residents can register to voter.

Thank you.

Carin

From: Mary Ellen Feener

Sent: Friday, March 11, 2022 11:31 AM

To: Patrick Reffett <preffett@hamiltonma.gov>; Jane Dooley <jdooley@hamiltonma.gov>; Ray Brunet <rbrunet@hamiltonma.gov>; Russell Stevens <rstevens@hamiltonma.gov>; Joe Domelowicz <jdomelowicz@hamiltonma.gov>; Tim Olson <tolson@hamiltonma.gov>; Brian Colleran <bcolleran@hamiltonma.gov>; Dennis Palazzo <dpalazzo@hamiltonma.gov>; Greg Bernard <gbernard@hamiltonma.gov>; Carin Kale <ckale@hamiltonma.gov>; Alex Magee <amagee@hamiltonma.gov>; Sean Timmons <stimmons@hamiltonma.gov>; etracy@hwschools.net

Cc: Richard Maloney <rmaloney@hamiltonma.gov>

Subject: Town of Hamilton - 466 Highland Street - Asbury Commons - Comprehensive 40B Application - Please Review

As the Representative of a Town of Hamilton Department/Local Board you are receiving a copy of the above noted application for your review and comments. The Zoning Board of Appeals will open the Public Hearing on April 6, 2022.

15 Canter Brook Lane
Hamilton, MA 01982

March 28, 2022

Zoning Board of Appeals
577 Bay Road
P.O. Box 429
Hamilton, MA 01936

To Whom It May Concern:

I am writing in regards to the proposed development referred to as Asbury Commons, a 40B project located at 466 Highland Street, Hamilton up for review on April 6, 2022. This project would have entry from Asbury St., adjacent to Canter Brook Lane, where I live.

The design of this project is for a 45-unit apartment building in a neighborhood of single family homes, fields, pastures, and woodlands. It seems totally out of place. There are no other residential buildings within two miles that are of this size and density. As our town website states, "Hamilton is a rural-suburban town." An apartment building of 45 units in this location is totally out of character. I realize that Hamilton is required to provide low- and moderate-income housing, and I support that, but this project is too large for this neighborhood. The area has single, duplex, and triplex low-rise residential units, which are harmonious with the existing neighborhood. Asbury Commons does not reflect the surrounding neighborhood in any way.

As you review this project, I hope you will consider the appropriateness (design, size, and density) of the proposed building, but also consider that Asbury St. is a rural, narrow two-lane road with no sidewalks and with poor sight lines (especially with the hill and turn near the entrance of the proposed apartment complex). The fact that this project includes parking for over 60 cars means that the daily increase in traffic on Asbury St. will be significant. As the project includes a playground, I assume that children will live there, and I question the viability of a school bus stop on Asbury St. given the curves and hills, limiting good visibility.

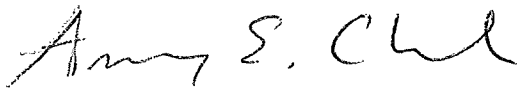
I trust the proposal includes plans to mitigate for water runoff, so as not to affect nearby houses. The large parking area will create an impermeable surface for rain water. And the plans should include an environmental impact study, of course. In just the few months I have lived here, I have seen many bird species feeding in the field, and the woods in front and to the sides are home to small woodland creatures, including salamanders.

If the project is approved, I hope there will be consideration of the neighbors during construction to limit traffic, construction noise, potential blasting disturbance, potential damage to abutting homes due to construction/site preparation, and pollution from runoff. If the project is completed, I hope the developer will use evergreens to screen along Asbury St. and along the shared property line with Canter Brook to reduce noise and to screen the parking lot from view.

Lastly, as I understand it, the Habitat for Humanity 40B project across Asbury St. is likely to begin construction soon. Have you considered the impact that two projects being built at the same time will have on the neighborhood?

My preference, of course, would be that the land designated for this project be left as is. As that is not likely to happen, I strongly urge the Zoning Board to reject the current building design and consider something more in keeping with the neighborhood. The rural character of Hamilton should be preserved and the current proposal, as designed, would be an affront to the bucolic nature of Hamilton.

With regards,

A handwritten signature in black ink, appearing to read "Amy E. Clark". The signature is fluid and cursive, with the first name "Amy" being the most prominent.

Amy E. Clark

15 Canter Brook Lane
Hamilton, Massachusetts 01982-5200

April 1, 2022

William Bowler
Chairman
Hamilton Zoning Board of Appeals
Town Hall
Hamilton, Massachusetts 01936

BY HAND DELIVERY

Re: Proposed ZBA Application for Construction of "Asbury Commons" as Multifamily Housing ("Asbury HCP") under MGL Ch. 40 B by Harborlight Community Partners ("Harborlight") to be located at 466 Highland Street, Assessor's Map 28-8, Lot 1, Zoning District RA

Dear Chairman Bowler & ZBA Committee Members:

The purpose of this letter is to be on record with respect to the above-captioned application submitted to the ZBA by Harborlight Community Partners.

By introduction, I am a new permanent resident of the Town of Hamilton, my wife and I having purchased a condominium unit at Canter Brook Farm in 2021. Canter Brook Farm was constructed with Town approvals as an "over-55" community, subject to negotiated restrictions in terms of occupancy, size, and amenity, between the Town and the Developer – Restoration Capital (Lawrence Smith). This development, its rural character, views and beautiful location were *primary reasons* for choosing to relocate here from Cambridge, **in our retirement years**.

I have over 20 years of professional experience developing and financing of residential rental housing, including affordable housing, initially with the Massachusetts Housing Finance Agency (MassHousing), Housing Economics, New England Mutual Life Insurance Company, Equity Resource Investments, and the Cambridge Housing Authority. I understand affordable housing goals and state mandates, and the purposes of 40 B, which has been around for decades.

Prior to signing our Canter Brook Farm Purchase and Sale Agreement in late April 2021, my wife and I made inquiries about the use of the adjoining field along Asbury Street. On at least three occasions, the Canter Brook developer and his real estate agent represented that the adjacent field was protected under very conservative Town of Hamilton zoning limitations as "permanently agricultural." "Nothing will ever be developed there in your lifetime." "It's protected under Agricultural Zoning for 99 years." "It's owned by a multi-generational family that has deep roots in the area." "Views from your unit across the field will be very attractive."

Not until after we moved to Canter Brook Farm (January 2022), did we learn about this proposal to develop the adjacent field for multifamily housing under 40 B. (Please note this letter does not address concerns about the Habitat for Humanity development off Asbury Street.)

Evidently our due diligence was insufficient, or we were naïve, relying on oral representations of the Canter Brook developer and his sales agents. We now understand that discussions had been taking place by the Town of Hamilton for some time prior to our contractual commitment and developing the next-door parcel **was common knowledge in Town**. This causes a great deal of disappointment, and we are not alone among Canter Brook residents in this regard.

I object to the development of this 45-unit multi-story apartment building and attendant parking as contemplated in the plan, and below state my specific concerns and questions:

1. Density

The proposed site is unsuitable for a dense housing development, as described. The proposal to create 45 apartments containing 90 bedrooms, and potentially over 150 people, 65 +/- parking spaces, a garden, playground area - and the environmental disturbance of locating dumpsters, sheds, and site lighting – is overwhelming. **The Town is being asked to approve development of a 45-unit apartment building, proposed to be constructed in an otherwise attractive agricultural setting, out of keeping with the character of rural Hamilton.** This proposal represents a huge intrusion in this part of the community, on many levels.

The proposed housing density is inconsistent with the surrounding neighborhoods. Highland Street may be the address of the land parcel, but actual site access will be from Asbury Street, near the crest of the hill approaching the land parcel from the rising curve heading eastward. Visibility is limited. Increased traffic and vehicular speed will become an issue and will affect nearby Topsfield and nearby single-family homes.

Streetlights are non-existent at the site **and would be unwelcome in this part of the Town**. Pavement along Asbury Street is broken up along both sides of the street. **Grand trees along Asbury Street will likely need to be removed.** Traffic speed is not noted as visibly enforced – either passively with signage and radars, or actively.

Before the proposal to use this site for multifamily property is approved by Hamilton ZBA or by the Commonwealth, **I respectfully request that the density of the proposed development be significantly reduced.**

2. Site Plan – Drainage / Septic

The Preliminary Site & Utility Plan depicts storm drainage chambers, drain lines and outlets oriented towards Canter Brook Farm. **Disturbance of the terrain by new**

construction is likely to result in surface water infiltration, ponding, and ice build-up along the property line. There is also an easterly "trench drain" along the property line. Trench drains fill with water. This is not an acceptable terrain design for us as abutters. Drainage of any kind must be oriented away from Canter Brook Farm.

Granting a permit that allows for re-design of septic and site / stormwater drainage from the preliminary plan that is filed, is of great concern. Modifications to the plan that Harborlight may require after permit approval and construction start may further negatively impact Canter Brook Farm and other abutters, with little opportunity for redress and re-design. This is a significant issue.

3. Site Plan – Placement of Equipment & Out-Buildings

The location of any noise-generating outside equipment should be westerly and oriented completely away from Canter Brook Farm. This includes electrical generators, pumps, septic equipment including access areas for trucks servicing the building, the septic system, collecting trash and recycling.

The preliminary site plan depicts a Utility Shed oriented towards Canter Brook Farm. This will be unsightly and invites noise, activity, and potential for exterior storage of equipment in our back yards at Canter Brook Farm.

4. Site Plan – Asbury Street View

The verge of Asbury Street contains an ancient stone wall and mature trees that provide attractive screening, consistent with the length of the street. I object to any plan for removal of the mature trees and the ancient stone wall.

5. Environmental Considerations

While my wife and I have only lived here a few months, I wish to be on record that we are gratified to see considerable wildlife, including at the proposed site. These include unusual mammals, birds, and many amphibians, emerging this Spring. **What considerations have been given to environmental disturbances including to wildlife, and to stabled horses, and how will this be mitigated by the proposed development?**

6. Traffic / Parking & Transportation

Residents of the proposed development will require automobiles, because of the rural location and character of this part of Hamilton. This raises serious concerns about increased traffic load on a country road. **Safety, in the absence of sidewalks and crosswalks along the rest of Asbury Street, is a serious safety concern.**

The developer should be required to provide some form of transportation for residents, as is often the case in Massachusetts 40 B developments in rural locations.

Parking along Asbury Street should be posted as prohibited.

Access to Asbury Commons by its residents using the private dirt road located between Asbury Street and Highland Avenue along the property line of Canter Brook Farm will need to be impeded by some means to preserve privacy and the rural character of the neighborhood. Dense landscaping and attractive fencing should be installed along the private dirt road along the shared property line to limit trespass and provide site-line screening from Canter Brook Farm towards the west.

What Asbury Street infrastructure improvements are being provided by the Town of Hamilton, such as new street surface pavement, curb-cuts? Will there be traffic lights and signage? Speed bumps?

7. Property Management

Under the special permit, Harborlight should be required to have an **on-site property manager**, available not only to residents, but to neighbors, for purposes of assuring peace and quiet, and adherence by residents of Asbury Commons, to occupancy rules and regulations. **Harborlight should be required to have a *responsible and responsive* manager accessible by Canter Brook Farm residents in case there are any problems.**

The proposed development is multi-family (vs. elderly), and **I am greatly concerned about the supervision of family dependents, at all hours.** Noise and commotion caused by recreation, outside parties, loud music, the use of motorized cycles and so forth are a real concern given the proposed density. Canter Brook Farm is an over-55 community, comprising retirees and those nearly retired. **The answer is not to "call the police" or a property management answering service. A multi-family development immediately adjacent to a Town-regulated "over-55" community seems incongruous and inconsistent with the limitations negotiated under the permit for Canter Brook Farm.**

Will Asbury Commons have a full-time custodian, responsible for care of the buildings and grounds?

8. Police Enforcement

How is the Hamilton Police Department being incrementally funded and equipped to handle additional responsibilities for patrolling at Asbury Commons?

If there is an increase in petty or serious crime in the adjoining neighborhoods, will the police force have sufficient personnel to conduct prompt investigations and take remedial actions?

How will Harborlight handle on-site security? Will there be security cameras? Are common areas fenced and locked? What signage is contemplated? Will site illumination be excessive, causing issues for abutters?

Will Harborlight be required to carry insurance, or be self-insured, to pay for any damages that occur on the grounds or at the buildings of Canter Brook Farm and other abutters, if established that damages are caused by residents, employees, agents and other third parties of Asbury Commons and Harborlight? What is the claims process?

9. Fire Department

What routine fire inspections will take place in this multifamily development, and on the grounds? How will the property manager address and permanently remedy issues related to the repeated sounding of fire alarms occurring by malfunction? Will alarm testing occur that will create noise and disruption on a regularly scheduled basis?

10. Refuse and Recycling Pick Up

What is the expected schedule for pick-up of trash and recycling at the proposed development? Does the Town provide these services, or will Asbury Commons be expected to hire contractors privately? Will Asbury Commons be required to clean up trash or recyclables scattered by the wind, including to adjacent properties? If so, how will this be enforced by the Town? Is there a Town composting requirement?

11. Snow Plowing and Landscaping Services at Asbury Commons

Will the Town require Harborlight to provide such services with the objective of maintaining the care, appearance, and accessibility of the property? How will noise and damage issues caused by plowing, parking lot sweepers, leaf blowers and other services of landscaping contractors be mitigated that affect abutters, including Canter Brook Farm and the horse stables adjacent?

12. Landscape Plan and Privacy Screening

The Town should require Harborlight to submit a landscaping plan to the Canter Brook Farm community, to elicit input about privacy screening along the entire length of the two properties. This would include a requirement that Harborlight make reasonable adjustments to add buffer landscaping requested by the Canter Brook Farm community, intended to improve mutual privacy, limit noise, and inhibit trespass. The Utility Shed should be relocated away from Canter Brook, as noted above.

13. Architectural Character

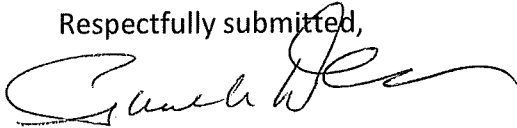
The exterior design of Asbury Commons should be reflective of the neighborhood, in terms of massing, fenestration, external lighting of grounds and buildings, location of dumpster area(s), and the types of building materials used. For instance, exterior sheathing and trims principally made of aluminum, vinyl or other inexpensive materials should be disallowed. Sheds and out-buildings should be permanent, not built from kits.

Summary

The over-all unfavorable impact from building a 45-unit apartment building in this rural section of Hamilton can be greatly limited if the density by number of bedrooms and apartment units is reduced.

I appreciate the consideration the Zoning Board of Appeals will give to these concerns and questions. I also realize that many of my considerations may be in the process of discussion with Harborlight. I will be available to participate in discussions intended to shape the impact of this development on the neighbors.

Respectfully submitted,



Paul A. DeSimone

Deb & Amanda
450 Asbury St, South Hamilton, MA 01982
617-459-3541

----- Forwarded message -----

From: **Margarita Amanda Petrakis** <margaritaamanda.petrakis@gmail.com>

Date: Tue, Apr 5, 2022 at 11:02 PM

Subject: Re: Harborlight Plans

To: Debarun Gupta <dgupta599@gmail.com>

Concerns:

- Is the lot in zoning district R-1B? If so, permitted use of land in this district includes single family dwellings; specifically precluded is "two or more dwelling units, second floor and above when part of a mixed-use building or development". Is the Harborlight Developments, comprising of 45 multi-family (attached), 3 story building with appurtenant utilities not in violation of the zoning district limitations?
- The Project is estimated to generate over 9900 gallons of sewage per day and rainwater will collect in the parking lot, which along with the building constitutes one-third of the site (all impervious) - is it not fair to conclude that the drainage of this additional water requires Harborlight to improve the surrounding roads and utilities? Why haven't they submitted a document of these necessary improvements with their application? They have indicated that it is "non-applicable" (N/A).
- The purpose of the Groundwater Overlay Protection District is: to conserve the natural resources of the Town and to prevent temporary and permanent contamination of the environment. They require a special permit for any use of the land that will render impervious more than fifteen (15) percent or twenty five hundred (2500) square feet of any Lot, whichever is greater. A system of groundwater recharge must be provided which does not degrade groundwater quality; Harborlight needs a special permit because they are creating a total of 65678 sq of impervious pavement. However, while they have applied for a comprehensive permit, they haven't applied for a special permit. Does the proposed use meet the regulations? Or will it adversely affect the existing or potential quality or quantity of water that is available in the GPOD? Has it been designed to avoid substantial disturbance of the soils, topography, drainage, vegetation, and other water-related natural characteristics of the site to be developed?

Other concerns

- The residents at 450 Asbury St are concerned about bright lighting in the parking long area, which would shine directly into the home. We do not believe that the tree screening and grading proposed is sufficient to manage the lighting issue, especially if the proposed lights are above ground on posts.
- We are concerned about doubling of the traffic on Asbury Street, and safety (Asbury Street & Highlight Street intersection is on a blind hill & there is minimal speed control)
- We are concerned about the noise pollution generated from a 45 multi-family dwelling all right across 450 Asbury St
- Rainwater runoff flowing down to our property (450 Asbury St is downhill & below street grade). There is no gutter on Asbury Street, yet the proposed stormwater management system expects overland runoff to Asbury Street. "The project does discharge to or near a critical area [wetlands], source Controls and pollution prevention measures for the construction period are highlighted and discussed in Standard 8 of this report..." Yet nothing in Standard 8 addresses what will happen to runoff that drains downhill onto our property which includes wetlands.
- Cars parked facing our home (68 spots total, all facing the front of the property), with their lights shining into windows of 450 Asbury Street.
- Current residents of Asbury Street adjacent to the driveway entrance of Asbury commons will likely expect an increased number of people using our driveway to make U-turns, shining their lights into our home
- Considerable change in character of the semi-rural suburb with the creation of a large apartment building across the street

Questions:

- Will these be rental properties or condos? (I believe 40B is for first-time homebuyers). Who will maintain these properties, including conduct the maintenance work & fund maintenance activities? What has

Harborlight's experience been with other 40B property upkeep?

On Tue, Apr 5, 2022 at 1:24 PM Debarun Gupta <dgupta599@gmail.com> wrote:

[Harborlight-Asbury-Commons-40B-Comprehensive-Permit-Applicaition-1.pdf \(hamiltonma.gov\)](#)

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Debarun Gupta