

From: [Eric Lund](#)
To: [Karen Edwards](#)
Cc: [Rick Taintor](#)
Subject: Comment for Planning Board on Mill Road Plaza application
Date: Wednesday, January 05, 2022 2:04:31 PM

Please add the comment below to the Citizens' Comments on the Mill Road Plaza application.

Dear members of the Planning Board:

I am writing to comment on two matters regarding the pending application for redevelopment of the Mill Road Plaza. One is a follow-up to a previous written comment I have made, and the other concerns the possibility of closing the public hearing at the Planning Board meeting scheduled for 12 January 2022.

On 19 August 2021 I submitted a detailed analysis of the reasons why I believed the then-current version of the site plan failed to satisfy six of the eight general criteria for granting a conditional use (CU) permit, as well as not fully meeting the burden of proof on one other general criterion and three of the four criteria specific to activities in the wetland conservation overlay district (WCOD) and shoreland protection overlay district (SPOD). The applicants have since submitted a revised plan which is intended to address concerns on the part of both the board and the public regarding the WCOD/SPOD criteria. The revisions to the plan have done nothing to address the concerns I raised regarding the general criteria, so my opinion that the project fails to meet the first six CU criteria is still valid, and if anything, my concerns regarding the impact on property values (criterion 6) has been strengthened by the expert comment submitted by Matthew Meskill on 2 December 2021. Regarding the WCOD/SPOD criteria, I still have concerns about the access road partially within the buffer area that is intended to serve parking underneath and to the rear of proposed building C, which implicates the first two of the specific criteria. The applicant has provided a snow removal plan that calls for plowed snow to be accumulated at a location toward the rear of the property and outside the buffer. However, during snow events so far this winter the applicant has maintained the previous practice of plowing snow toward the edge of the brook, so the town will need a mechanism to ensure compliance with the stated snow removal protocol.

As for the possible closing of the public hearing, I believe that this would be in the interest of neither the town nor the applicant. The Conservation Commission is scheduled to hold a hearing on the proposed activities in the WCOD/SPOD at its 24 January 2022 meeting. My understanding is that the settlement between the Town and the applicant requires that the Conservation Commission approve the proposed activities, and that the applicant may wish to revise the plans in the event that the Conservation Commission disapproves of the current plans. Any such revision would be subject to the same public comment rules as the previous revisions the applicants have submitted, so closing the public hearing prior to the Conservation Commission weighing in on the matter would effectively give the Conservation Commission a veto over the current plans.

Thank you for your consideration.

Eric J. Lund
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