

From: [Peter Wolfe](#)
To: [Rick Taintor](#); [Karen Edwards](#)
Subject: Mill Plaza
Date: Tuesday, May 18, 2021 2:56:46 PM

Please forward to Planning Board Members and post this note online.

I have been following the Mill Plaza planning process with great interest since the opening of Design Review in 2014, when I was Chair of the Planning Board.

Previously I wrote with concerns about the 75-foot upland buffer strip ("setback") required by our Zoning Ordinance (see 175-59 2) and the recommendation from the Conservation Commission on the wetlands conditional use permit.

The Board has still not taken a firm position to protect this 75-foot buffer. This buffer is mandated by our zoning ordinance, plain and simple. The Planning Board does not have the authority to waive or modify it. The applicant is free to seek a variance from the ZBA, which does have that authority.

Unfortunately, your failure to protect this mandated buffer leaves the opposition a basis for legal challenge. Even given my limited experience, I believe that a court would side with those challenging your actions.

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