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April 15, 2021

Joe Teixeira, Chair
Conservation Commission, City of Newburyport
60 Pleasant Street, Newburyport, MA 01950

RE: Colby Farm Lane 8, 10, 12 and 18 / Request for Minor
Modification for File #2020-SP-10

Dear Chair and Members of the Commission;

Reference is made to the above captioned matter. In that connection, a revised civil engineering plot plan of Lot 1 has been attached. The revised layout includes a porch and deck on piers, with the deck being offset right versus offset left as approved by the Planning Board (a copy of that is also attached "Exhibit 1").

We respectfully request relief from the R-2 setbacks of 25' for the front yard and 25' for the rear yard. This request would be consistent with the approved setbacks for the adjacent project on Colby Farm Lane, The Reserve at Bashaw Farm OSRD File # 2019-SP-08, where the approved setbacks are 15' front yard and 10' for rear yard. The Stables is a similar cluster development.

At the time of approval, the existing conditions of Lot 1 (labeled "Parcel A" on the attached Existing Conditions plan "Exhibit 2") were that of a parcel with little to no vegetation, covered in sand and gravel to support its use as trucking and heavy equipment storage area. As part of the ConCom approval, we agreed to shrink the lot size from 10,000sf to 7,125sf +/-, restore the disturbed area outside the reduced property lot lines, install a fence with signage identifying the

area past the fence is a "No Disturb Conservation Area" and plant restorative plants and grasses in the no disturb area.

With the understanding that we are restoring the previous heavily disturbed area, we feel the request for relief to the R-2 setback requirements can be considered a minor modification for the following reasons.

- a. The revised Lot 1 plot plan, which incorporates a porch and deck on piers off the rear of the house, does not add additional impervious surface to the site. The pier construction will not affect the stormwater management for the site.
- b. The landscaping shall not change from previously approved. The approved plantings will continue to hug the perimeter of the house footprint, including the porch and deck, and will be planted in similar soil conditions as approved (see attached "Exhibit 3").
- c. The location of the porch and deck will remain outside of the 25' no disturb area.

We are requesting to be scheduled at the next regularly schedule Conservation Commission meeting to formally present the requested minor modification.

Please feel free to call me at (978)866-6220 if you have any questions or require additional materials.

Sincerely,

Jonathan Miller



CFO

The Daly Group LLC