

August 10, 2022

Via email to Mr. Ethan Parsons

Ms. Toni Mooradd, Chair
Planning Board
Town of Ipswich
25 Green St.
Ipswich, MA 01938

Re: 55 Waldingfield Road, Special Permit Application by Ora Incorporated

Dear Chair Mooradd and Members of the Planning Board,

Thank you for your service to Ipswich and our community. Your dedication and perseverance is of great value to how our community operates. I know I have said this to you in person, but I reiterate my appreciation for your attentive consideration of all points of view.

I have had the opportunity to review the Draft Decision document regarding the special permit application and offer my comments in the subsequent pages. My overarching comment is to encourage you to listen to your community whom you represent. Over 120 letters have been sent to the Planning Board opposed to the special permit application by more than 50 Ipswich residents. The letters are representative of our community and present the collective wisdom and experience of a great segment of our engaged residents. In addition to the letters there are well over 400 signatures from Ipswich residents on a petition opposing the proposed development. These are the same people with whom you shop, recreate with at Crane Beach, and share our community. Please listen to them as we all live here, Ora Incorporated doesn't.

In advance, thank you for your time and attention.

Sincerely

/s

Jack Whittier

35 Waldingfield Road

South Hamilton, MA 01982

Ipswich Planning Board
Special Permit Findings Document
Special Permit Application by Ora Incorporated
Great Estates Preservation Development
Comments by Jack Whittier

Introduction

The draft decision document is profoundly disappointing in its tone, disregard for community input, and selective use of material to support unfounded findings. The absence of critical thinking, challenging the assertions by Ora Incorporated on subjective matters, is widespread throughout the document and undermines the credibility of the report. It is difficult to read this document after reading almost all of the material presented, attending nearly every public meeting, and talking to numerous Town officials. In my opinion what is presented in the draft document is not reflective of the nearly yearlong process of dialog. Of specific concern is the overwhelming absence of **detailed, definitive** and **credible** information throughout the document. Personally, I believe it would be extremely challenging, indeed unwise, to make a decision reliant upon the information that has been put forward.

[To assist the reader, the outline of the draft decision document is followed in the following pages to allow for ease of reference to specific topics. Not all topics are addressed.]

Great Estate Eligibility

Draft Document: *The subject property and project are eligible for consideration as a Great Estate in accordance with Section IX.H.3.a of the Zoning Bylaw for the following reasons, which are expanded upon below. The subject property, consisting of 39.9 acres, was once part of a larger estate that had a land area greater than 60 acres on January 1, 1948. Portions of the former estate were donated to the Essex County Greenbelt Association for conservation purposes. The Historical Commission certified the historic and architectural significance of the Mansion, Barn, Farmhouse, Schoolhouse and landscape features on 12/10/2021. The property includes more than 30,000 sq. ft. of floor area within existing buildings. The mansion, constructed prior to 1/1/1948, contains more than 12,500 sq. ft. of floor area.*

Objection: Ora presently claims the current total is 30,891 SF. The reported GFA is questionable. Inclusion of basements at the mansion, the farmhouse and the barn as part of the calculation of gross square area is demonstrably inconsistent with prior practice in Ipswich as has been documented by Foley Hoag.

Furthermore, Ora Incorporated has proposed including 1,536 SF of dirt floors under and next to the barn in the GFA qualifying calculation. This would be a first in the history of zoning approvals to assume dirt floors are “built” space and ignores the fact that dirt cavities do not have outside walls from which to measure floor area.

Furthermore, the Town Assessor did not measure the GFA, and no Town Official has done so on behalf of the Planning Board. The Ipswich Historical Commission specifically required the Planning Board to perform its own calculations.

1. Application Materials

Draft Document: *The application materials include sufficiently detailed, definite, and credible information to show that the Board's granting of this Special Permit, as conditioned, is consistent with the intent of the Zoning Bylaw. As noted above, the Applicant submitted plans and documents including but not limited to civil engineering and stormwater, landscape architecture, building architecture, lighting, a traffic impact analysis, a description of the anticipated fiscal impact of the project, and utility plans. The Board makes this determination based in large part on the input of third-party peer review consultants (the Board hired a third-party transportation engineer and a civil engineer) as well as Town Staff.*

Objection: The assertion the “*application materials include sufficiently detailed, definite, and credible information*” is partially true and should be acknowledged as such. For example, there is a dearth of information on fiscal impact, environmental impacts, and credible sustainability plans.

Additionally, the draft decision document is deficient because of what is not in the document, important criteria for decision making are absent. The absence of some information is not the result of ignoring the GEPD criteria, rather certain fundamental information should be put forward to assist the Planning Board in determining the merits of the special permit application.

Furthermore the assertion about the third-party transportation engineer is factually true. However, and unfortunately, the findings provided by the third-party transportation engineer are, seemingly conveniently, ignored in the findings presented in this document. Indeed, the traffic volumes continue to be a source of unknown impact as Ora has made unfounded assertions of daily employee headcount which are a proxy for vehicular trips. Expert testimony provided by Professor Yaro provides the substance and credibility to link increased vehicular trips to increased accidents on rural roads. Why is this **detailed, definitive, and credible** information not included in the document?

Not mentioned above but indicative of the application is the absence of substantial information that could have been, and in my mind should have been, included in the decision document to provide a basis for decision making. What is missing is the character of Ora Incorporated, after all the Town is allowing a corporation into the community under the auspices of a “special permit.” From the hearings all we know about Ora Incorporated is an orchestrated presentation of selective materials presented in a manner to curry favor with the Planning Board. What due diligence has been performed regarding the firm itself? Where is the Dun & Bradstreet report? What about Ora Incorporated’s Environmental, Social, and Governance document? What is the firm’s Glass Door rating? Has the Town interviewed Ora Incorporated’s current landlord? Has the Town documented the experiences with Ora Incorporated and its other retreat properties in Maine and Arizona? It is astonishing what is not known to the Town at this point given how much time has passed.

Much of what is not included is indicative of the reluctance, indeed secrecy, that Ora Incorporated has displayed to the Planning Board and the public. For instance, a credible Purchase and Sales agreement was never presented to the Planning Board as required. The Planning Board is well aware that the P&S is

a condition for the special permit application, the Planning Board wrote this condition into the regulations. Only after nearly a year of not providing the required P&S did Ora Incorporated reluctantly provide a heavily redacted P&S. The Planning Board is left with huge uncertainties regarding what conditions the property owner and Ora Incorporated entered into and that uncertainty is both troubling and unwarranted. The marked reluctance to provide a required document and then to present a severely redacted document are indicative of a corporation that is not willing to be forthcoming and transparent in its intent.

2. Special Permit Evaluation Criteria

a. Social, economic or community needs served by the proposal

Draft Finding: *In May of 2021 Town Meeting amended the GEPD section in the Zoning Bylaw to make the subject property eligible as a GEPD project site based on a desire to provide alternative development scenarios to other potential development scenarios permitted on this lot (such as a residential subdivision, which may or may not have protected the existing historic buildings and which likely would not have protected the existing landscape to the extent this GEPD project will protect it). The Planning Board finds that the Applicant's project will serve an economic and community need by creating employment opportunities, enhancing and diversifying the Town's tax base, and by sensitively reusing a significant estate property in a manner that satisfies the purpose of the Town's GEPD Zoning Bylaw section. The preservation of the historic and architecturally significant buildings and landscape will ensure that the property will be enjoyed by residents, not merely private parties. The Applicant will be permanently protecting critical open space for the protection of existing viewsheds of the property as well as for the benefit of the public for public access and for wildlife and environmental protection. While the Applicant will be protecting the required minimum 40% of the lot as open space, when adding in an existing 8.8 acre conservation restriction, the result is that 62% of the total lot area will be permanently protected open space. The Town's 2021-2036 Community Development Plan identified the subject property as a farmland preservation priority property, which the Applicant will achieve through its open space protection.*

Objection: What community need is being served by the corporate complex? The over 120 letters in opposition to the Ora plans are representative of community thinking. Town planning requires consideration of the community's concerns and needs. In this case a large portion of the community has thoughtfully and respectfully objected to this development and that is significant in and of itself.

Regarding the Town vote which has been used as a proxy for Ora support, 309 Ipswich residents voted in favor of amending the GEPD bylaw, their vote was not a vote approving 55 Waldingfield as a qualified Great Estate, nor was it an approval or even a vote in favor of Ora. Rather the Town voted to amend the bylaw.

And now there are over 400 Ipswich residents who have signed a petition in opposition to the proposed development, far greater than the number who voted just to approve a bylaw change, **not** an approval of Ora's plans. In response to the public hearings and testimony, many Ipswich residents who were initially in favor of Ora's plans have switched their thinking and now actively oppose the proposed corporate complex.

The draft decision document appears purposely slanted which seriously undermines its independence and credibility. For instance, the draft decision document notes the Ipswich Community Development

Plan and “farmland preservation priority” but then **fails** to mention the economic development aspects of the CDP, namely:

- “Ipswich [will] attract and sustain businesses in its commercial and industrial districts” (p 6), and
- Chapter #4, Core Vision Theme: “business development continues to be concentrated in walkable areas, including Town Center and near the train station.” (p 21).

Nowhere in the CDP does it say “let’s develop a corporate complex on farmland” as a means of preservation. This exact consideration has been pointed out to the Planning Board and yet it is inexcusably ignored in the draft decision document. The open question is why cherry pick just one section of the CDP?

Regarding Open Space, it is incorrect and misleading to suggest that Ora is responsible for 62% of the property being conserved. The existing 8.8 acres of Conservation Restriction land should not be attributed to the project or to Ora. Rather Ora has met the **minimum** conditions only, 40%, with considerably more land that could and should be protected by Conservation Restrictions. Yet Ora resists going beyond the required minimum. What is the firm doing for Ipswich other than reluctantly complying with the minimum?

b. Potential fiscal impact, including impact on Town services, tax base, and employment

Draft Finding: *While a significant tax revenue increase is not a condition of the Board’s approval, the Board finds that the project would have a positive fiscal impact on the Town by increasing local employment, including construction and service jobs, and enhancing and diversifying the Town’s tax base. The project will enhance the real estate value of the historic property with its rehabilitations and reconstruction of the five significant historic and architectural buildings. Over a period of time the property tax value is expected to increase based upon the proposed work. The project is not anticipated to generate a significant increase in public safety response based on the similarities of the project with other existing businesses in Town. The project will not add school-aged children or result in significant demand for water. Adding an employer in Town is anticipated to bring desired customer traffic to Ipswich’s downtown and other businesses throughout Town.*

Objection: The draft finding is indefensible as there is an absence of detailed, definite, and credible information about fiscal impact of Ora’s operations, as required by the Bylaw. We do not know if the Project will have a negative or positive fiscal impact due to the lack of information. How can an assertion be put forward the “*the project would have a positive fiscal impact*” without any data? This statement by itself is without merit.

Other considerations include:

- No evidence has been put forward to indicate how many local jobs may be created and for how long.
- “...over a period of time” is not a credible statement upon which to base a decision. How long? How much of an increase in tax value?

There are no answers as the Planning Board has not been presented with any **detailed** information to support a decision, let alone assert in the decision document that there will be a **definite** increase in tax value.

It is likely that the tax base impacts, which are uncertain and likely much lower than anticipated due to the following:

- Conservation restrictions and/or Chapter 61A will generate limited tax payments to Town for land
- Building improvements and new construction will provide taxable basis for Town, but
- Ora does not commit to construction beyond Phase 1B and thus it is unwise to assume increased tax payments to Town
- Local jobs: The current Ipswich unemployment rate is 2.5%.¹ No local employee new hires are projected by Ora, construction and service jobs are unknown and temporary in nature.

c. Traffic flow and safety, including parking, loading

Draft Finding: *While the Board recognizes the significant historic and aesthetic value of Waldingfield Road, the Board finds that the project will not create unsafe conditions on Waldingfield Road or surrounding intersections and roads. The project will generate new vehicle trips, including trips associated with construction and services related to the maintenance and operation of the property. The Applicant will take appropriate measures to mitigate the impacts of adding vehicle trips to Waldingfield Road. The Applicant's employees will work on a primarily remote basis and will not be required to work in the office. The Applicant is limiting the number of parking spaces to the site to 90, which is a reduction of 30 from what is required (this is subject to the Board allowing a waiver of Section VII of the Zoning Bylaw, addressed below). The Applicant will utilize off-site parking downtown to reduce trips to and from the property, and the Applicant will encourage employees to use the commuter rail and shuttle. The interior vehicular maneuvering configuration, including parking and drives, has been designed to promote safety and convenience, as well as to protect existing vistas and site features.*

Objection: The draft decision makes the unsupportable assertion that the “*the project will not create unsafe conditions on Waldingfield Road or surrounding intersections and roads*” without mentioning non-vehicular users. We all want safe roads for people and for vehicles. The lack of acknowledgement that Waldingfield Road is used by people is a profound oversight, especially in light of the testimony of Professor Yaro and the many, many letters from the community regarding safety on Waldingfield Road. On the specific topic of non-vehicular road user safety, the draft decision is astonishingly tone deaf to expert testimony and, perhaps most importantly, our community experience on this road. Please listen to the people who use the road, these are your fellow community members who are being placed at risk.

It is remarkable that the draft decision document ignores the finding of the independent traffic assessment of “significant” impacts on Waldingfield Road. It is an even more remarkable omission because the independent assessment is put forward as justification for the determination in the “Application Materials” section. The independent assessment was sought by the Planning Board for the objective and nonpartisan opinion and yet the draft decision makes no mention of this important determination.

¹ <https://lmi.dua.eol.mass.gov/lmi/LaborForceAndUnemployment/TownComparison>

Rather the draft decision appears to be reliant upon unverifiable assertions by Ora Incorporated that its employees will “work on a primarily remote basis.” This assertion is a presently trendy idea that may or may not represent future work patterns, nobody knows. The Ora proposal to limit traffic is reliant upon self-reporting. How does the Planning Board propose to enforce the parking space limitation, the use of vanpools, and other Ora suggestions? What happens when Ora employees park on the grass? What happens when the parking lot is filled every day of the week rather than on the 3 or 4 day schedule suggested by Ora?

And it has been noted multiple times, the special permit runs with the property and there is no way of knowing how many people/vehicles will be on site in the future, particularly if a future owner elects to utilize space in a manner consistent with current office space utilization rates which are far denser than the Ora values.

d. Adequacy of utilities and other public services

Draft Finding: *The Applicant has made adequate provisions for utilities and public services by its elimination of fossil fuels, its connection to the public water supply and water conservation measures, the connection of its fire suppression system to the Town’s municipal water system, and its provision for public safety vehicle access. The project has been reviewed by the Town’s DPW, Electric Light, Police and Fire, Water and Public Health Departments. The Applicant will collect, treat, and discharge stormwater at rates less than pre-construction conditions to ensure infiltration and to reduce discharge off-site. The stormwater management facilities have been designed in conformance to the Massachusetts Stormwater Standards and in accordance with the Ipswich Stormwater Bylaw to ensure that post-development runoff does not exceed pre-development runoff rates. The project uses a pea-stone surface for all drives and parking areas, and relies on natural stormwater infiltration systems for treatment and recharge to groundwater. The Applicant will implement dust control and stabilization measures during construction, including sweeping and the use of water trucks. The project will not use any automated irrigation except during the initial planting phase. The project eliminates fossil fuels and will rely upon electrification with a commitment to reduce carbon emissions. A new three phase electrical service will be installed by the Ipswich Electric Light Department. The project will also use modern thermostat control systems for reduced energy usage, and sustainable waste management including composting. The project will use rain barrels to capture, collect, and reuse rainwater. Buildings will be made solar-ready. Conversion of existing lawn to pollinator meadows will enhance habitat and reduce water use. The Applicant will comply with the Stretch Building Code and will use low flow interior appliances and toilets and will follow LEED management practices during site work, construction, and future building uses. The Applicant will use municipal water for domestic purposes and comply with the Town of Ipswich Water Use Mitigation Program.*

Objection: Much of what is stated in the draft decision is adequate if not very imaginative, if implemented. It is hard to imagine how the Town will enforce Ora’s plans on this topic as well as others.

On the topic of energy sustainability, the document is off base because there is no **detailed, definitive or credible** information to support the notion that the corporate complex will implement, let alone achieve, elimination of fossil fuels. The Planning Board has not been presented with any documentation

on how the corporate complex will be powered from zero fossil fuels. Not only does the Planning Board not know the plans, how will this vague assertion be enforced?

From a firm that has not provided the Planning Board with an Environmental, Social and Governance document, how does the Planning Board reach a decision regarding a vision based upon no information and from a firm that has never done anything like this? A handful of PowerPoint presentations about intentions is a far cry from **detailed, definitive, or credible**.

For example, Ora has indicated they will use solar energy, photovoltaic modules, and the decision document says Ora will include “solar ready roofs” but there is no there there. First what does “a solar ready roof” even mean? Next, how much solar, one module, 100% of supply? These are the engineering analyses that the Planning Board should require from Ora to support the proposed development, otherwise there is no substance to the draft decision document.

There is an opportunity for the Planning Board to show leadership on energy sustainability and write a condition that the site must be a net energy producer of carbon-free energy. From a life cycle cost perspective, the financial viability of PV, batteries, and assorted energy efficiency measures is most likely to be a favorable investment.

e. Compatibility with neighborhood character

Draft Finding: *The project is consistent with and will enhance the neighborhood’s character. The project will retain the historically and architecturally significant buildings and landscape and will create new open space access opportunities for the public. Sixty-two percent (62%) of the property will permanently protected open space. The location and size of additional buildings and parking areas have been designed to protect the views into the property from Waldingfield Road and abutting properties. The proposed buildings with enhanced vegetated screening will improve the existing vegetated buffers, increase neighborhood privacy, while protecting views of existing meadows and horse paddocks. The project has been designed to mitigate impacts to the natural environment by avoiding work within wetland resource areas, work in the flood plain, work on steep slopes, and in forested areas. There will be no outside storage of refuse or debris.*

Objection: The draft finding is offensive in its characterization that the proposed corporate complex “will enhance the neighborhood’s character.” Even Ora does not have the temerity to suggest the proposed office/hotel development will enhance Waldingfield Road in any fashion. And the paragraph itself is contradictory, the purpose of screening is to block from view insulting and out of character elements.

The text of the draft decision is remarkable for what is not there. There is nothing about how a corporate development with nearly 100 daily employees, ~75,000 SF of office/hotel/dining space, and >500 average daily trips that “will enhance the neighborhood’s character.” Please consider, none of this exists on Waldingfield Road at present. The whole concept is totally out of character to the rural, **residential** area.

Greater than 100 letters from over 80 people have addressed the theme that Waldingfield is a Scenic Road with a special character to be preserved. Bending the words to suggest that a corporate complex enhances the neighborhood’s character is Orwellian doublespeak and misses the entire point of character.

The proposed buildings with enhanced vegetated screening will improve the existing vegetated buffers, increase neighborhood privacy. What testimony or letter has the Planning Board received complaining about the “existing vegetated buffers”? Is there any testimony about current “neighborhood privacy”? These phrases are insupportable and just wrong and create a false narrative. There are no complaints about the existing vegetation nor have neighbors ever complained about privacy.

f. Impacts on the natural environment, species conservation:

Draft Finding: *The project will not have a significant adverse effect on the natural environment, in that the proposed project will preserve the view corridor along Waldingfield Road, as well as preserve significant portions of the open and wooded areas on the site. The Applicant has proposed to retain and restore existing buildings rather than raze and reconstruct buildings to reduce its carbon footprint. The Applicant will be energy retrofitting the existing buildings to reduce carbon with high performance windows, new cooling systems, electric appliances, and air sealing improvement; implementing renewable energy sourcing, including solar energy; installing high efficiency water fixtures; obtaining LEED building certification for energy and water efficiencies; converting to 100% electric; selecting building materials with less carbon and chemical emissions; replacing invasive plant species with native plants and protecting the majority of existing trees; reducing and converting the lawn and turf to pollinator meadows and plantings; designing rain gardens using only native plants; protecting the formal gardens; and, limiting the grading associated with stormwater and septic designs to reduce impacts on the natural and built environment.*

Objection: The assertion “proposed to retain and restore existing buildings...” is a requirement of the GEPD bylaw. Let’s not start this section by suggesting Ora is doing more than what is required.

From the perspective of impact on the natural environment the paucity of information provided by Ora Incorporated is astonishing, there is none and the bylaw requires an inventory of wildlife and their habitats on site.

Specific considerations not addressed in the draft decision document include:

- The project site is within and adjacent to Biomap2 Aquatic Core habitat and Wetland Core Habitats (Core 2805), which support species of conservation concern including the Blue-spotted Salamander and Sharp-shinned Hawk, and is also a Critical Natural Landscape (1266).
- “Protection and stewardship of BioMap2 Core Habitat and Critical Natural Landscape is essential to safeguard the diversity of species and their habitats, intact ecosystems, and resilient natural landscapes across Massachusetts.”
- Ora has not addressed this issue, despite being brought to their attention that the existing mansion and lawn are within the 100-foot wetland buffer zone with drainage discharging into these habitats.

As for LEED rating, what is the target? This is a commonplace architectural/engineering protocol and the absence of identification of the target rating leaves open the opportunity for Ora to achieve just the minimum, just like with Open Space.

As noted earlier, the solar energy aspects are weakly worded and indicative of how little planning has actually been done. How does the Planning Board make a decision based upon vague assertions? The

Planning Board is advised to obtain from Ora **detailed, definite, and credible** information about the elements of the energy-related plans, which is a common engineering practice.

Ora presented about “regenerative design” yet those words all ring hollow without substantive documentation about what the firm actually plans to do. Since Ora has never built anything before, why allow for an historic property on a Scenic Road to be their first project? The community would be better served if Ora tested themselves and their ideas on a less sensitive property. Why should the residents of Ipswich be the testing ground?

- g. Minimization of water demand in accordance with the Board of Water Commissioners’ Water Use Mitigation Program regulations

Draft Finding: *The project, by its employment of water-use conservation measures and compliance with the Town’s Interim Water Use Mitigation Plan requirements, which are under the authority of the Select Board, will meet this standard. The Applicant is taking the following measures to conserve water and minimize water use: commitment to Low Impact Development drainage design including rain gardens, infiltration system, naturally occurring infiltration areas, converting lawn areas into meadows, and using semi-pervious pea-stone surfaces for parking and access drives; drought tolerant and “deer resistant” plantings for landscaping; no permanent irrigation system used on the site; high efficiency low flow water fixtures for proposed plumbing systems; the water drawn for the Town water supply will discharge to septic systems on-site resulting in at least 85% of all water used returning to the aquifer; stormwater harvesting will be employed for non-potable use, including equestrian uses; and, natural water filtration.*

Objection: Adding a corporate complex water consumption without increasing supply is indefensible. Projecting 85% return to the aquifer does not imply there is new water supply to meet demand. Even the Town’s Director of Water and Wastewater notes the “moderate” impact of just Phases 1A and 1B. What is unsaid at this point is what will be the impact with future Phases including the Phases that Ora Incorporated refuses to rule out?

3. GEPD Special Permit Considerations

- a. **Draft Finding:** *The project preserves open space for conservation and/or recreation purposes, and creates public access to the open space. This is achieved by the Applicant proposing an additional 40% of the property as permanently protected, open space, in addition to creating public access to existing open space through a trail network on the property. The project will create an approximately one-mile trail around the perimeter of the property;*

Objection: The GEPD bylaw requires 40% open space. To assert that Ora Incorporated proposes just the minimum Open Space is almost irrelevant, the firm has to do this.

As for creating public access, again, public access already exists. Why imply Ora is doing something that is already present?

- b. **Draft Finding:** *The project protects natural features of the land, which are important to the character of the Town and provide wildlife habitat and help protect the Ipswich River. This is achieved by preserving the view corridor along Waldingfield Road, carefully managing*

stormwater recharge, keeping exterior lighting to a minimum and directing it downwards, and keeping newly developed areas adjoining existing developed areas; and

Objection: Regarding the viewshed there is a contradiction in the logic of the draft decision document that is unsupportable. "...preserving the view corridor along Waldingfield Road" is not in the plans. Rather, as noted in the draft document, Ora will vegetate large portions of the property to screen unsightly parking lots filled with trucks and cars, the hotel adjacent to Waldingfield Road, as well as o

Draft Finding, Item #6. *The rehabilitation and renovation of the existing buildings on site, including the Farm House, Barn, School House, Mansion, and Carriage House that have been deemed "historic", totaling 30,900 square feet, shall qualify for the bonus as specified in Sub-paragraph 3.b.(ii) of Section IX.H.*

Objection: As noted earlier in this document, substantial doubt has been presented as to whether the existing buildings total 30,900 SF and therefore the property may not qualify for Great Estate status rendering the qualification for a bonus moot.

4. Site Plan Review Findings

Draft Finding Item: Building setback *The Board does not consider the Applicant to require a waiver from the restriction against newly constructed buildings within 250 feet of a public way in order to add on to the existing Farm House, however some members of the public have suggested otherwise. To the extent one would challenge the Board's position on this matter, the Board hereby grants a waiver, and explicitly supports and approves, of the addition to the Farmhouse, as the Board is authorized to do pursuant to Section X.H. Waiver of the Zoning Bylaw. The Board's position, and that of the Design Review Board, is that requiring the Applicant to move the Farmhouse or construct the addition as a new freestanding building elsewhere on the property, would be contrary to the purpose of the GEPD Bylaw.*

Objection: The Bylaw is clear (Section IX.H.5.vi.): "Newly constructed buildings in a GEPD, other than gatehouses, shall be setback at least two hundred fifty (250) feet from a public way." Phase 1B proposes replacing the existing "farmhouse" with a new structure and additions, and adding to barn, all within 250 feet of the road. The setback is designed to protect important streetscapes, particularly important for Waldingfield, a Scenic Road