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August 4, 2021

Town of Bourne Zoning Board of Appeals
Bourne Town Hall
24 Perry Avenue – Room 203
Buzzards Bay, MA 02532-3441

RE: Cape View Way Development

Dear Members of the Board:

The undersigned represents Tudor Cherry Investors LLC ("Tudor") which owns Cherry Hill Apartments and is a direct abutter northeasterly of the proposed Cape View Way Housing development. I addressed the Board on behalf of my client at prior hearings.

When we were before the Board on July 7, 2021 we presented a sketch plan set that superimposed the Applicant's plan onto an aerial of the area to illustrate the openness Applicant's plan then on file appeared to eliminate the natural buffer between the Applicant's property and that of my client's that currently provides both protection and privacy for the families residing at Cherry Hill apartments. The purpose was to illustrate the need for screening, preferably in the form of a fence along the common boundary line. The Applicant presented to the ZBA a colorized so-called "landscape plan" that was placed on the easel at the July 7, 2021 hearing. But the colorized landscape plan had not been filed with the Board and therefore was not available to my client. This is the reason that my client at that time was limited to using the Applicant's plan that had been filed and which did not show any landscaping or screening. After the July 7, 2021 at my client's request the Applicant did file the landscape plan that had been posted on the easel at the hearing and is now available on line.

At the July 7, 2021 hearing we agreed to submit a sketch plan for the August 4th ZBA meeting that would show the screening or fencing that we are requesting. Attached is the sketch plan superimposed on the Applicant's most recent landscape plan. The attached plan illustrates the location for a requested stockade fence and the natural screening to blunt headlights and noise that will emanate from the parking lots. We feel that any conditions as to vegetated screening should specify the screening material or plants and require the Applicant to maintain such screening. The Applicant should also be required to maintain the fence in good condition.

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2021 AUG -4 PM 3:37
TOWN CLERK BOURNE

Insofar as the green area shown on the upper right corner or Northeasterly corner of the Applicant's landscape plan, there is a question as to the extent of the preservation of natural material. The Applicant has represented that this area will be used for a leaching field. If this is the case, it will mean that the ground must be cleared in order to accommodate such a leaching field. Therefore, the Applicant needs to specify what natural material will be retained and what material will be planted in the area designated for a leaching field and that directly abuts along my client's property line.

By way of recapitulation, my client feels strongly that landscape screening and fencing is necessary in order to protect the tranquility of my client's residents and to protect the safety of tenants in both developments insofar as preventing migration onto my client's land and migration by my client's residents into a busy travelled area. The likelihood of migration onto my client's property absent sufficient fencing or screening raises grave concerns for liability issues. We have presented our arguments previously to the Board on these points.

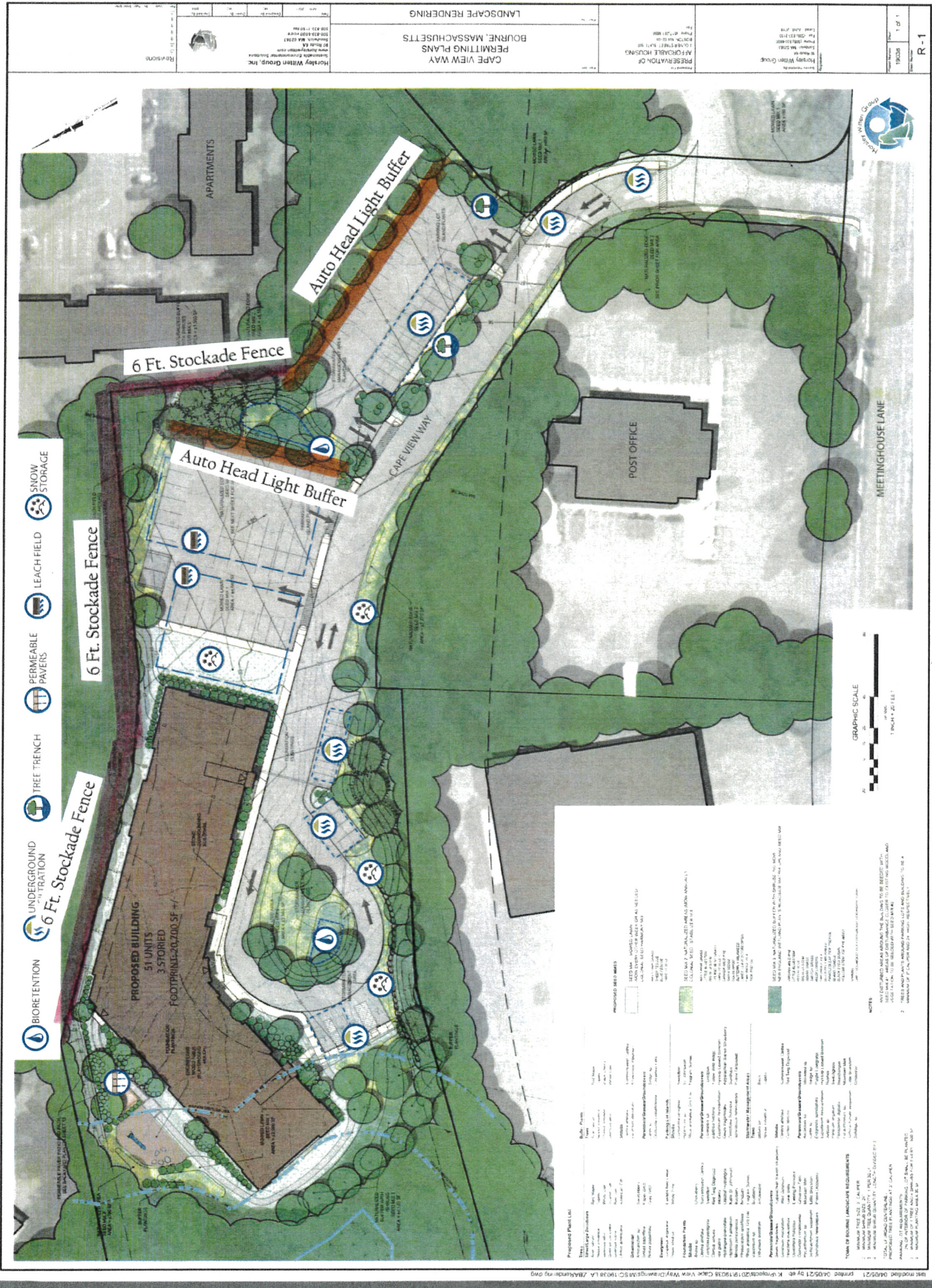
Finally, the Board should be informed that the Applicant has requested that my client and I meet with them on site to review our request. We have a tentative meeting scheduled for August 9, 2021.

Thank you again for your time and consideration.

Sincerely,

Charles M. Sabatt

Charles M. Sabatt
CC: Peter Freeman ESQ
Enclosure



- BIORETENTION
- UNDERGROUND TREATMENT
- TREE TRENCH
- PERMEABLE PAVES
- LEACH FIELD
- SNOW STORAGE

6 Ft. Stockade Fence

6 Ft. Stockade Fence

PROPOSED BUILDING
51 UNITS
3 STORIES
FOOTPRINT: 20,000 SF +/-

Auto Head Light Buffer

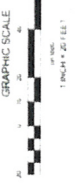
6 Ft. Stockade Fence

Auto Head Light Buffer

CAPE VIEW WAY

POST OFFICE

MEETINGHOUSE LANE



PROPOSED SPECIFICATIONS

LEACH FIELD
1. LEACH FIELD SHALL BE DESIGNED TO TREAT ALL WASTEWATER FROM THE BUILDING.
2. LEACH FIELD SHALL BE DESIGNED TO TREAT ALL WASTEWATER FROM THE BUILDING.
3. LEACH FIELD SHALL BE DESIGNED TO TREAT ALL WASTEWATER FROM THE BUILDING.

BIORETENTION
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UNDERGROUND TREATMENT
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TREE TRENCH
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PERMEABLE PAVES
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SNOW STORAGE
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NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (DPW) SPECIFICATIONS.
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THANK YOU FOR YOUR BUSINESS

CONTACT INFORMATION

PROJECT INFORMATION

DATE: 04/05/21

PROJECT: 1917013 CAPE VIEW WAY/CHANGING/55-1010 LA/24/landscaping.dwg

CAPE VIEW WAY
PERMITTING PLANS
BOURNE, MASSACHUSETTS

PREPARATION OF
APPROVALS
10/10/2020

10/10/2020
10/10/2020
10/10/2020

R-1