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**To:** zoning@rockland-ma.gov,  
**Cc:** rvgalvin@comcast.net, buildinginspector@rockland-ma.gov, dlapp@rockland-ma.gov,  
**Subject:** NO HARDSHIP 365 Concord Street  
**Date:** Mon, Jan 18, 2021 6:51 am

TOWN CLERK, ROCKLAND  
 JAN 19 '21 AM 11:06

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Chairman Rosa and board members,  
 Please include the emails below in the upcoming ZBA meeting for 365 Concord Street. Thank you.

Dear Chairman Rosa and board members,

I would like this email included as part of the public record and read aloud so my concerns may be presented to the public.

The application submitted for 40 homes at 365 Concord Street references a hardship to the applicant. -A hardship is an inability to reasonable use one's property.

- \*There is absolutely no hardship to the applicant or owner of the properties!
- \*They have created their own hardship!
- \*The traditional grid will allow 20 homes BUT they are requesting double -40 homes.
- \*There is nothing wrong with the topography, shape or soil until you seek 7 variances to build 50% MORE homes than what is allowed!
- \*Please do not confuse GREED with hardship.

The plans that were submitted by Carvanaro Consulting state there is an "existing 8" sewer line" on Concord Street.  
 The Sewer Department meeting of 1/30/2020 state "there is an existing 6" connection". In fact John Loughlin stated "you may have to convert back to 8". How is that?  
 Seems to be the plans already fit the project! Please see attached meeting minutes from 1/30/2020:  
[https://www.rockland-ma.gov/sites/g/files/vyhli4941/f/minutes/meeting\\_01.30.2020.pdf](https://www.rockland-ma.gov/sites/g/files/vyhli4941/f/minutes/meeting_01.30.2020.pdf)  
 Thank you,  
 Sue Joyce

Dear Chairman Rosa and board members,  
 (Please send confirmation that you have received this email.)

We are writing this email in opposition to the Planned Unit Development for 365 Concord Street. We will not be attending the Zoning Board meeting on August 4, 2020 due to the pandemic and the COVID rules. We would like this email read aloud so that our concerns and questions will be heard by the public and answered by the board.  
 A copy of this email will be dropped off in the box at the town hall.

The applicant/owner is seeking 7 variances in total to build 40 homes. Five variances requested are under "Relief request from the Rockland zoning by law". (415-47A, 47C, 48B, 50 D and 415-52 on the application. Two other variance request are under "requested finding fact in support of variance" 415-45 Regulations and Signs. 415-22 Building and Lot regulations. The first 5 "relief request" are paraphrased with a brief description and reason for relief. The other 2 variance requests however are not paraphrased and do not include reasons for the relief. There is no information regarding a sign attached or requested in the application. 415-22 covers approximately 7 regulations:

Parking/access and egress requirements

Yard regulations

Height regulations

Landscaping regulations

Multi-Family developments

Traffic impact review.

We do not believe the board can approve or consider 415-22 by law without breaking down each and every section.

1. The plan submitted by Carvanaro Consulting refers to an "existing 8" sewer line". The Sewer Commissioner's meeting of 1/30/2020 stated "there is an existing 6" connection". Loughlin stated "You may have to convert back to 8".

Was the sewer line already changed from 6" to 8"?

When was this done and by whom?

Please see attached 1/30/2020 sewer department minutes:

[https://www.rocklandma.gov/sites/g/files/vyhlf4941/f/minutes/meeting\\_01.30.2020.pdf](https://www.rocklandma.gov/sites/g/files/vyhlf4941/f/minutes/meeting_01.30.2020.pdf)

2. Why didn't Carvanaro Consulting cross reference any other plans to create the plans that have been submitted to the zoning board? There are many plans on file at the registry of deeds to reference in the Concord Street area. In fact there are plans on file with the registry of deeds for 365 Concord Street that could have been used. I'm not sure if it is required but we have learned from the past that referencing plans that have been done in the past can answer questions that might not have ever been asked!

3. Has the Zoning Board requested or mandated title searches be done for each property for this project? Map 62 Lots 35, 36, 41, 42, 43, 44 and 46? 320 Concord Street didn't have a title search done and look at what happened there!

4. Has the Zoning Board taken into consideration the increase in the water, sewer (currently over capacity for years) increase in school population, police and fire. As tax payers we are extremely concerned with the continued increase in taxes.

5. Will the Zoning Board take into consideration the 2006 Moratorium discussed at the Sewer Commissioners's meeting on January 30, 2020? The following is an excerpt from that meeting:

Chuck Heshion- "I,m worried about capacity issues. 2005 EPA says we violated the flow capacity 46% of the time. Since then, we have been in violation 48% of the time and 52% since 2017. Sewer Board voted for a moratorium that was approved in 2006. We applied for a NPDES Permit at that time. Since 2012 the Board has approved 172 new users and have never refused a permit. In our response to the new permit, we sent in a Corrective Action to the EPA. We didn't do what we told the EPA we would do. Our biggest constraint is French's Stream. We can't now approach North River Watershed since we also told them that we were going to do a facility study. They are going to ask why did it take 15 years?"

French's Stream runs along every property being considered in this PUD.

6. How can the town approve anything if a procedure by the sewer department isn't being done correctly?

7. We, the abutters are very concerned about water! There has been an increase in water flow into everyones properties and it is getting worse. When there is heavy rain or winter thaw the properties and basements get flooded! This project is conveniently being heard in the summer months when the properties are dry. How can the town approve anything without considering the entire year not just the dry months like August?

8. Is the zoning board aware that in 2013 DanDel (town employee Rockland Fire Department, owner of 365 Concord Street) was hired by the Sewer Department to clear out the culvert that flows under Summer Street that is fed by Middle Brook? How can an employee of the town of Rockland be hired to change the topography of land that directly effects his own property? Middle Brook runs directly through Map 62 Lots 35, 36, 41, 42, 43, 44 and 46? It is currently dry due to the lack of rain. The sewer department claimed at the time it was a emergency tree removal but in the end the culvert was completely redone! The new culvert didn't change anything all the properties are still getting flooded!

9. Has there been a study of the wildlife and endangered plants?

10. Has there been a traffic study done?

11. Are there any conflicts of interest with any board member who will be voting on this project?

\*Middle Brook is the name of the "intermittent stream". Reference 1903 map of Rockland.

In closing we would like to say there is absolutely no hardship to the applicant or owner! They have created their own hardship! The traditional grid will allow 20 homes. There is nothing wrong with the topography, soil or shape of the properties until you try and seek 7 variances to build 50% MORE homes than what is allowed! Please do not confuse GREED with hardship.

1/19/2021

NO HARDSHIP 365 Concord Street

Respectfully submitted,  
Carol Brigham 308 Concord Street  
Marie Chase 366 Concord Street  
Carol Gordon 333 Concord Street  
Tim  
Ann Carol  
Arnold  
Hicks  
Boyd  
Janice DelPrete Frost

Please include this email as part of the public record for 365 Concord  
Street PUD