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Mendon Planning Board
20 Main Street
Mendon, MA 01756

January 26, 2021

Re: Pond Meadow Estates
Open Space Encroachment

Dear board members;

In preparing plans for the road acceptance of Pond Street, it was determined that portions of the retaining wall, constructed as a turtle barrier, was constructed within the town's open space parcel and the habitat management area. The encroachment is approximately 6,240 s.f. with approximately 2,100 s.f. within the habitat management area. This situation needs to be resolved for the conservation commission will issue a certificate of compliance for the subdivision. We offer the following information and possible solution.

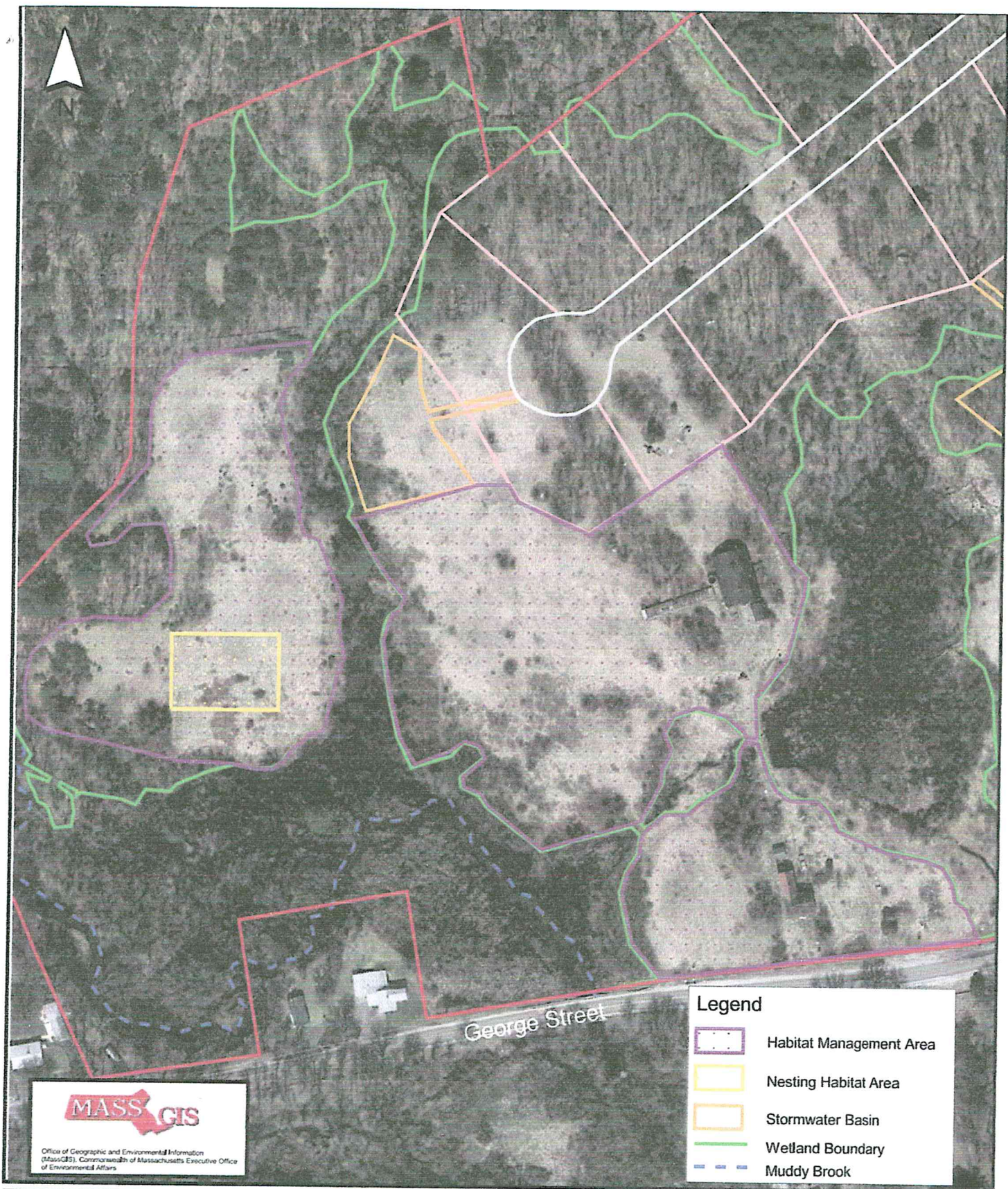
The original parcel of land consisted of 36.46 acres. The constructed subdivision was required to provide 55% of the total area as open space or 20.05 acres. The developer provided 24.16 acres of open space. After the open space was deeded to the town, an additional frontage lot was created, and sold to a private individual, with an area of 76,719 s.f. of which 66,435 s.f. is within the habitat management area. This action reduced the open space area to 22.40 acres.

The development of lots 8 and 9 is what has caused the encroachment. The wall was constructed and the yards established during the summer of 2018. Currently there is 6,240 s.f. of well-established lawn, on the two lots, with an attractively built wall. We are proposing that the developer be allowed to purchase an 8,100 s.f. parcel of open space, from the town, to be added to lots 8 and 9 thus eliminating the encroachment. This will still leave 22.21 acres of open space.

I want to remind the board that the developer provided over four acres more open space than he was required and he was rushed to deed the open space to the town long before he was close to completing the subdivision. I am hoping the board will look on our proposal as a more favorable option than removing and relocating the wall and altering the established, stable vegetation.

I look forward to discussing this with you at your earliest convenience.

Robert J. Poxon, Project Engineer



LEC Environmental Consultants, Inc.
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Habitat Managment Map

Pond Meadow Estates
George Street
Mendon, MA

Approx Scale
1:100

January 25, 2013

Fig 2. Encroachment area stone retaining wall, lawn and mowed area at the base of the wall



Fig. 3 Encroachment area stone retaining wall and lawn, person standing at boundary marker



Fig 4 Encroachment approximated to the left of orange arrow at chain link fence

