
MIRICK O'CONNELL

A T T O R N E Y S A T L A W

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May 19, 2021

VIA EMAIL

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Mark J. Lanza, Esq.
9 Damonmill Square, Suite 4A4
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Re: 35 Cape Road LLC

Dear Attorney Lanza:

At the request of 35 Cape Road LLC, I am writing to you regarding the proposed development by 35 Cape Road LLC of the premises at Cape Road, Mendon, Massachusetts. As you know, this matter has been before the Planning Board for an extended period.

My client, in an effort to satisfy the concerns raised by the abutters, is willing to reconfigure the development as reflected on the attached plan. The attached plan shows the structure being relocated 15 feet to the north which increases the distance of the structure from the abutter's property. In addition, my client is willing to create a raised berm on a section of the development site by the south side of the parking lot. My client will also agree to create plantings on top of this berm to provide for additional screening. Lastly, my client is willing to reach out to the solar company, which owns the abutting property, to see if they would allow my client to put plantings on the solar property to further increase the screening.

All of this will take time and money to re-engineer. My client is willing to do this assuming the abutters are satisfied with the development as redesigned. Please review this matter with your clients and let me know their position.

At this point, my client has decided to purchase the development site whether the current permit request before the Planning Board is successful or not. However, there are other uses that may be made of the development site as a matter of right which may be less appealing to the abutters than the current proposal. This is not stated as a threat in any way. It is the simple reality that my client will need to realize a return on its investment.

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

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After you review with your clients, please be in contact.

Very truly yours,



Peter J. Dawson

PJD/ljk

cc: William Ambrosino, Chairman, Town of Mendon Planning Board (via email)
Francis A. Marcoux (via email)