

From: Curtis Rising
Sent: Wednesday, April 3, 2024 11:32 PM
To: Gail Hunter <HunterG@manchester.ma.us>
Subject: [EXTERNAL] - Continued concerns about the MBTA Zoning Task Force

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Hi Gail, please convey this further input to the MBTA Zoning Task Force. Thank You.

As a matter of transparency and urgency, I'm sending the MBTA Zoning Task Force further (and some repeated) inputs. My issues have not been addressed yet. Please see my below note to the Conservation Commission (Kristan Farr confirmed that she sent this email to the full Conservation Commission). I will focus on four items:

- 1) Please see my previous points about District E, point #1 in both of my letters: <https://manchester.ma.us/DocumentCenter/View/6809/Rising-022624>
To be blunt, the Task Force seems like District E ensuring that District E isn't rezoned in any part or way while preserving a precious village. The price paid by people just outside or tucked within the village is high. Your extreme hypothetical that we must avoid 45 units on 3 acres doesn't work with me. If the only other option is to force more density onto the most-dense and climate/environmentally-sensitive areas, then District E (especially its half of the 1/2 mile radius) has to share the burden.
- 2) At your meeting on 03/14/24, I was concerned by the discussion of Norwood Ave. at 31:55 and Allen Ave. at 32:15. There was a comment that "people objected to" rezoning Norwood Ave. In reference to Allen Ave., it was called "a nice little neighborhood" and "it was suggested by some people to stay out of there." This does not meet The Open Meeting Law guidelines and appears to be private brokering. My point is not to advocate for these great neighborhoods to be rezoned but to tell you that this is bad process leading to faulty rationale.
- 3) At your meeting on 03/21/24, the discussion at 53:10 just troubles me. Various members used the phrases "trying to frustrate," "keep from following," "not doing what it was intended to do" and "deliberately steering away from" in reference to the law itself. This is wrong and it is now on YouTube. In terms of Wetlands and Conservation issues, Manchester's Conservation Commission and the state do not play games. To say that it's Con Com's issue is a very poor strategy, especially if it is documented that this Task Force knowingly proposed districts that have conservation issues. As I commented at your meeting on 03/14/24, I don't see how this kind of approach will work with the state and it will cause major issues down the line.
- 4) I have repeatedly stated my position on Powder House/Elm Street. This area should be excluded from consideration or further development; based on the Massachusetts Wetlands Protection Act, our strict riverfront protections and climate trends. At your meeting on 03/28/24 at 4:30, you mentioned the possibility of adding Knight's Circle and Friend Street to the list. Knight's Circle and Friend Street are even more water-inundated than Powder House/Elm Street, being a low point in the Sawmill Brook Watershed. That final stretch of Sawmill Brook is currently threatened and, despite upcoming culvert revisions, it is going to get worse. The water rise on Knight's Circle and Friend Street, as well the impact on properties, have been thoroughly documented.

I'm sending a selection of links and two attachments that clearly show the intensity of the Sawmill Brook wetlands issue, now and going forward:

<https://www.tighebond.com/project/manchester-by-the-sea/>
<https://www.fema.gov/press-release/20221206/fema-awards-almost-4-5-million-manchester-sea-fight-flooding>
<http://manchester.ma.us/355/FEMA-PDM-Grant-Projects>
<https://www.manchester.ma.us/367/Lands-that-Flood>
<https://www.manchester.ma.us/365/Rivers-Streams-Brooks-Drainage-Ditches>
<https://www.tighebond.com/manchester-by-the-sea-receives-nearly-1-6-million-grant/>
<https://www.manchester.ma.us/DocumentCenter/View/626/Potential-Climate-Change-Impacts-to-MbtS-PDF?bidId=>
<https://sailemsound.org/wp-content/uploads/2023/05/2016-TigheBond-Manchester.pdf>
http://www.manchester.ma.us/DocumentCenter/View/2291/Task-2-Final-Deliverable_Hydrologic-Monitoring?bidId=
<http://www.manchester.ma.us/354/Sawmill-Brook-Watershed-Project>
<http://www.manchester.ma.us/DocumentCenter/View/2779/SM-Brook-Central-Pond-MVP-Action-Grant-FINAL-RPT?bidId=>
<http://www.manchester.ma.us/DocumentCenter/View/609/Sawmill-Brook-Watershed-PDF?bidId=>
<http://manchester.ma.us/354/Sawmill-Brook-Watershed-Project>

Best,
Curtis Rising

From: Curtis Rising

Date: Wed, Mar 20, 2024 at 1:12 PM

Subject: Concerns about the MBTA Task Force's work without Conservation Commission expertise

To: <farrk@manchester.ma.us>, Steve Gang <steve.gang@resonanceinsights.com>, Olga Hayes <olgahayes@comcast.net>, David Lumsden (<dklumsd@gmail.com>)

Hi - I hope that you all are doing well. Please convey this message to the entire Conservation Commission. I don't have some of the email addresses and wasn't sure how to submit this to the whole Conservation Commission.

I am extremely concerned about how the MBTA Task Force is proceeding. They are now moving quickly toward proposals or a proposal and I think there will be some **major issues with what they propose, if their approach doesn't change. I have three** primary concerns with the MBTA Task Force's approach and one of those is directly related to the Conservation Commission. I addressed this primary concern directly; in two letters posted to the MBTA task force website, at the 03/02/2024 public forum and at the most-recent 03/14/2024 meeting. My concern is that they are not adequately **considering the Massachusetts Wetlands Protections Act or riverfront protections. As you will see in video of the 03/14/2024 MBTA Task Force meeting (the link is below with timings for your convenience)**, it was stated that the Conservation Commission refused to be involved with the MBTA Task Force's work and, secondly, that any Wetlands issues are the Conservation Commission's concern, not theirs. They stated that they are only looking at zoning.

I think that we need this gap in their review and proposal-build to be addressed now. We need the Conservation Commission's expertise in applying Wetland and environmental regulations to their proposals, showing them what land cannot be developed or built on, highlighting excluded and sensitive lands. It doesn't work and it isn't right to submit to the state districts and lots that are prohibited. It will be challenged by the state and by people like me. I will also add that the Manchester-by-the-sea Resiliency Plan and its associated data have to be factored in. Our Wetlands challenges in some of the areas being discussed, will only get worse.

My second letter (that includes my first letter):

<https://manchester.ma.us/DocumentCenter/View/6809/Rising-022624>

The meeting video:

<https://www.youtube.com/watch?v=2R2j6ezycvw>

Keys points in the video:

21:30 - Almost voted

40:00 - Ecologically-sensitive land

44:50 - Could increase Powder House Elm Street

56:20 - My questions

1:03:20 - Con Com refused

1:03:50 - Major issue: statement 1

1:09:25 - Powder House area flooding, not our concern, that's the Con Comm

1:09:50 - Major issue: statement 2

1:10:45 - My second comment

1:28:30 - Vote on the area that includes Powder House and Elm Street

1:48:30 - Very wet excluded land & sensitive land (Why is this addressed here and ignored with Powder House and Elm Street?)

Thank You,
Curtis Rising