

## *Moody Point Waterfront Condominium Association*

May 1, 2016

Mr. Michael Hoffman

Code Enforcement Officer

Town of Newmarket

186 Main Street

Newmarket, NH 03857

Dear Mr. Hoffman,

We are writing to you as board members of the Moody Point Waterfront Condominium Association ("the association"). We'd like to voice the concerns of our members regarding the potential impacts of the owner's planned development of Lots #2 - #7 on Cushing Road.

The association respects the owner's vested development rights for this land. It understands that the town has now issued a building permit for the construction of a duplex on this site. Beyond the association's concerns with the potential environmental and aesthetic impacts of construction at this location, it has practical concerns – as an abutter – regarding the potential impacts of construction on this parcel of land. These include: 1) potential deleterious impacts to the condition and use of the adjacent MPCA "fire road"; 2) potential drainage impacts on land immediately adjacent to the construction site (to the south of Units # 507-#510); and, #3) potential impacts on the flow of water to the fire pond, which our association – and the town – rely on for fire suppression.

- 1) The fire road was constructed over twenty years ago. It provides access to a dry hydrant, immediately adjacent to the pond itself. The road was sited and constructed to provide critical access for town fire department personnel and equipment. This access road is immediately adjacent to the development site. The association has concerns regarding potential damage to the road during construction. Further, it is concerned that the developer retains sufficient "shoulder" room to ensure that town vehicles and equipment retain unimpeded access to the pond and hydrant.
- 2) A number of years ago, the association invested more than \$10,000 to mitigate the impacts of poor drainage on land situated between the pond and Units # 507-#510. As a result, this land now features a mowed lawn that affords members year round "livable" outdoor space. Lots #2 - #7 are situated up hill and immediately adjacent to this space. The association is concerned that the proposed development could impact the southward flow of water from Cushing Road and ultimately impact the drainage and use of this lawn area which services and lends value to these four neighboring units.

- 3) Lots #2-#7 feature a wetland drainage area that directly impacts the quality and flow of water to the fire pond. The association is uncertain of the potential impacts to the quality and flow of water emanating from these lots during and after construction. The pond represents a critical source of water supply for fire suppression and a sensitive habitat for Moody Point wildlife species. The association is eager to make certain that this resource is not negatively impacted – both short and long term.

The Moody Point Waterfront Condominium Association is presenting its concerns to town officials because of the unique character of this space and its proximity to its member units. Lot #2 - #7, with the neighboring fire road, residential units and fire pond are situated within a compact, compressed land area. The proposed construction is fraught with opportunities to upset the ecology and utility of these physically interrelated land uses.

The association respectfully requests that it be kept apprised by town officials if and when construction issues – relevant to the concerns expressed in this letter - arise.

Thank you, in advance, for your continued vigilance on behalf of the town of Newmarket and the residents of Moody Point.

Best regards,

Michael Hickey

363 Cushing Road

David May

512 Cushing Road

Trish Simon

510 Cushing Road