

Attn: Mr. Ross Povenmire- Planning Agent, Town of Boxford Planning Board  
Mr. Robert Gore, Chair, Town of Boxford Planning Board  
Ms. Paula Lia Fitzsimmons, Chair, Town of Boxford Zoning Board of Appeals  
Mr. Robert Aldenberg- Building Inspector  
Mr. Kerry Stickney  
Mr. Gordon Russell  
Mr. John Dold

From: Patricia Hojnowski-Diaz  
Owner & Resident 14 Woodhill Lane  
Boxford, MA 01921

Date: March 19, 2015

Subject: ZBA Item # 943- Regarding 16 Woodhill Lane; Fates Family- Abutter Appeal  
Request by abutter to deny all applications, special permits and waivers at this time

Dear Planning and Zoning Board Chairs, Vice Chairs and Members:

It is with earnest intent that I write to you regarding the proposed applications and requests for expansion and development of a new residence at 16 Woodhill Lane, a property which directly abuts my land and home at 14 Woodhill Lane.

I request that the application for driveway permit modification, at the entrance to the proposed, new home (submitted and signed by the Fates Family on 3/2/1015), and the Special Permit request for 5 garage spaces along with the demolition of the current residence submitted to the ZBA (stamped 2/23/15) **be DENIED and NO Waiver granted at this time.**

My concern is not motivated by any desire to limit the creation of a new residence for this family but to protect and insure the integrity of my home and property, and to promote safety on Woodhill Lane as threatened by the position and condition of the current driveway.

The new owners of #16 have omitted any plan to change the approach to the site from the street. While creating a completely new home site, a new driveway approach compliant with current standards is requested prior to any approvals for site demolition and development. This request is also for consideration of the preservation and privacy of the abutter's residence and improving safety entering and exiting Woodhill Lane.

## **Problems**

### Location to my Foundation

The current driveway pavement and drainage ditch is barely 25 feet from my foundation, a brick chimney supporting 2 fireplaces, and my dining room windows.

Runoff is a concern with the west side of my home's foundation being the "wet" side of my house.

Vehicle vibration and sheer volume of traffic passing that close to my home concerns me regarding structural impact, privacy, noise and security in both the short and long term.

My well is in the lower part of my front yard near the Circle adjacent to the base of the current #16 driveway.

The driveway has degraded over time with large heaves and a disintegrating surface. Improvements to the driveway where it is currently located would negatively impact my home and property. Any ongoing/increased use in its current condition would only escalate the deterioration and again negatively impact my property.

When I purchased my home in 2006 a land swap was required to insure the minimum 25 feet to boundary from my foundation along this driveway. The driveway was constructed over 35 years ago for a much smaller footprint with 2 vehicle garage, prior to the environmental impact and experiential knowledge we now have in town as home sites have been developed.

Post the Mother's Day rains in 2006 I experienced water issues with the run off contributing to densely packed, saturated soil on the west side of my home. Fortunately I was able to mitigate the water seepage but at personal cost to me. Over these years there have been no improvements to the driveway structure or surface and I have watched it degrade over time even with minimal use from the recent families (2 persons each) who have resided there since I purchased my home.

### Severe grade impacting water flow, speed and safety

All three sections of the driveway have a severe grade. The approach from the street, the sharp right turn once up the first part of the hill, then a left turn switchback are very steep and not reflected in the Fate's application nor are they part of the proposed improvement plan.

Currently the severe slope requires vehicles to zoom up the hill and exit down the hill onto Woodhill Lane with increased speed. The first section of the driveway directly touching Woodhill Lane has been used for snow sliding it is so steep.

A recent resident reported to me the driveway was so difficult a taxi could not bring her up the hill to the residence during inclement weather. The approach is treacherous with any inclement weather and precarious on the best of days.

The sharp right hand turn parallel to my upper garden threatens safety in my yard upon vehicle descent. It is also the location where snow is plowed onto my land to melt, adding additional melt/water flow and drainage.

### Security

Cars have positioned themselves at the top of the first part of the driveway parallel to my upper garden, out of site from the road with direct access to my shed, and the back of my home.

### Overall Concerns

The access road/driveway in question, if allowed to remain in its current position with any proposed expansion of the home site will greatly change the fabric and atmosphere of Woodhill Lane for the next couple of years and possibly longer. The position of the driveway with the associated activity related to a demolition, construction, short and long term/ ongoing traffic flow of residents, visitors, vendors, handypersons, delivery vehicles, safety vehicles and others required to maintain such a property threaten to impose severe safety issues including but not limited to: speed of vehicles required when in the circle to ascend the hill and speed incurred upon descent; direct sight and access to my private back yard and into my home posing security issues; vibration with negative impact to my structural foundation being just 25 feet from the property line; breach of my property line with any improvements needed to the current access road/drainage ditches; severe ground saturation and water runoff along the west end of my structure; construction vehicles traveling under both National Grid and Cable wires crossing the driveway to my residence; and concerns that all this activity with the current position of the driveway could negatively impact my well.

### Some Background

Board members may or may not know Woodhill Lane. It is a lovely, quiet street with four houses then my home, #14 is in the circle. #16 is up the hill behind my residence. The street is a perfect location in that it provides the best Boxford has to offer, privacy, wildlife and quiet with a small accessible neighborhood.

I have lived here since 2006 and thoroughly enjoy the peace and security. The space is a sanctuary with woods, wetlands, animal trails and quiet space with minimal to no traffic; the reasons I moved to the location and also characteristics treasured by others residing on Woodhill Lane.

### Requests/Recommendations

I am appealing to the members of both Boards and the consulting town officials knowledgeable about the topography, current standards, and safety concerns that they require the interested parties/applicants to revise the driveway plan to include major improvements that will have a beneficial impact not only on their proposed new residence but on my property and Woodhill Lane in general. 1) Design a new entrance from the Woodhill Lane Circle positioned to the right of the current opening on the other side of the electrical pole using their property in the woods for a gradual and more aesthetic approach connecting at the switchback portion of the stretch heading to the house. This will effectively

alter the direction of the driveway access and egress point moving the traffic flow away from my property line and foundation and eliminate the speed going up and down Woodhill Lane by vehicles approaching and exiting the driveway. 2) Naturalize the current two lower segments of the driveway with native plants so that water is absorbed through the terrain limiting the flow onto my property, minimizing the drainage down onto the Woodhill Lane Circle, eliminating the practice of plowing snow from the middle segment onto my property, and insuring that unwanted vehicles will not have direct access to my upper garden, shed and home while insuring a safer, more environmentally sound and aesthetic access road for the newly proposed construction/ residence and those adjacent on Woodhill Lane.

### **Summary**

My key concern is insuring that the negative impact of #16's residential development project is as minimal as possible in the short and long term to me and others living on Woodhill Lane.

Key points: the access road/driveway for #16 is steep with degrading pavement, is directly up to my property line, very close to my foundation; the current private driveway is the singular access for residents, vendors, visitors and safety vehicles; the multiple driveway segments all have severe grades, which slope and negatively impact water flow onto my property primarily contributing to "wet" status of the west side of my property line nearest to my residence; and the use of unsafe acceleration to ascend the driveway and excessive speed when exiting the driveway into the circle and street.

The current driveway predates standards and parameters for new construction. This access road has been troublesome even with an environmentally sensitive past owner, a much smaller residential structure to access and fewer vehicles.

I trust that both the Planning Board and the ZBA will consider the enormous negative impact the proposed development will impose on me/my property and those adjacent on Woodhill Lane if the current driveway is not moved and improved.

Until this situation can be remedied I sincerely and in good faith request that no approvals or waivers be granted for the submitted requests by the Fates Family.

My opposition is stated as sincere concern with no malcontent. Improvement of one property cannot be at the detriment of another. We are good neighbors here on Woodhill Lane and welcome opportunities to improve and enhance our landscape, property values and town tax contributions.

I have confidence in the town boards to insure and promote the safety and welfare of all residents, especially established abutters who desire to maintain, secure and when possible improve rather than negatively impact safety, environmental integrity, privacy, and investment already made prior to new endeavors that will impact the street for many years into the future.

While cost is always a consideration, the size and scope of the proposed project, with the short and long term impact on the land and the abutters requires compliance with the latest standards but also demonstrates: good will and consideration to those that reside nearest to the driveway; good land stewardship; concern for safety; overall consideration; and environmentally sensitive long term access to the hillside location.

I thank you for your kind and attentive consideration, expertise, and dedication to serve as volunteers for our town.

Respectfully,

Patricia Hojnowski-Diaz  
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PS: I expect to attend the Planning Board Meeting on 3/25. I had intended to also be at the ZBA on 3/26 but will unfortunately be out of town on 4/2. If this item is tabled please keep me informed. My understanding is that if the Planning Board does not grant approvals the ZBA will not be granting a Waiver or Special Permit. Please keep me informed of any future meetings and decisions

Submitted for consideration to the Town of Boxford Planning Board (scheduled to meet on Wed 3/25/2015) and the Town of Boxford Zoning Board (Newspaper Notice states meeting Thursday 3/26/2015- then notified meeting changed to April 2nd).