

Project Description
The Village at Chebacco Hill
133 Essex Street Hamilton, MA
Chapter 40B

The Village at Chebacco Hill is a proposed condominium ownership community by Chebacco Hill Capital Partners, LLC (the "Applicant") consisting of 59 mixed income residential dwelling units in 32 buildings. The development includes 44 age-restricted units priced at market rate, and 15 units income restricted to households at or below 80% of AMI. The market rate units will not allow householders under the age of 18. The income restricted units will allow householders of any age as long as one household member is age 55 or older. Building styles will be a mixture of single, duplex, and triplex unit layouts. All units will be energy-efficient with two bedrooms, 2 ½ bathrooms, two garages, and a primary bedroom attached to an en-suite on the first floor. On-site amenities will include an extensive walking trail connecting to a nearby network of conservation areas as well as community gathering areas.

Site Control

The Applicant, Chebacco Hill Capital Partners, LLC was formed on January 4, 2021. The deed to the property is currently held by Country Squire Realty, Inc.(the "Owner") found at Book 4540, Page 467. The Applicant and Owner have entered into a purchase and sale agreement dated January 15, 2021 and amended through June 9, 2023. The Property was held and maintained by the Owner as two distinct parcels of land. As shown on the proposed site plan, the Property is being formally subdivided into two lots to memorialize the historic and existing use of the Property. The area of the Property that will be used for the proposed housing development contains 56.8 acres of land ("**Lot 1**").

The Site:

As shown on the preliminary site plan, the developable parcel has a total area of 56.8 acres of land consisting of 44.6 acres of upland and 12.2 acres of wetland. The Development includes creating 40+ acres of forestland that will be preserved in perpetuity pursuant to a conservation restriction as protected Open Space.

The development will utilize the Property in harmony with the neighborhoods by reducing the units

visible from Chebacco Road and ensuring that no homes will be visible from Essex Street.

The development will minimize sprawl by restricting disturbance to 16 acres of land and limiting final land consumption to about 7 acres of impervious area, preserving 40.1 acres of open space and providing housing alternatives for senior citizens.

The development has adequate capacity to meet the public service needs of its residents. There is a sidewalk, electricity, street lighting, municipal water, and a Title 5 compliant and approved septic system (currently for 50 units but can be upgraded to the 59 proposed units with two bedrooms in each).

The use of the Property will be consistent with adjacent uses. It will consist of residential units and open space.

The character of the diverse neighborhoods will be preserved, connection to the existing walking trails will be created and opened to the public, the density will not exceed the neighborhood average, the Development will be entirely screened from Essex Street and substantially screened from traffic passing by on Chebacco Road and entirely screened from any of the neighboring homes, and the proposed landscaping will reflect the natural vegetation that exists in the area.

The existing conditions of the uplands on the property are comprised of steep slopes with visible ledge outcrops in many areas. Ledge removal will be required for construction of roadways and building sites.

The Property is located partially in the Ground Water Protection Overlay District ("GWPOD ") and has a series of wetland features all as shown on the preliminary site plan.

Based on the existence of these natural features, the applicants limits the developed area of the Property to the upland portions that lie well outside of the GWPOD and outside of the 100' buffer to all jurisdictional wetlands (except for a hoizational drilling area that is "underneath the a small section of the wetlands").

The property has two vernal pools which are int the future conservation areas and part of the known and deliniated wetlands. These are outside of the development area and addressed in the Superceding Order of Conditions.

At the present time, the Property is private and is not open to the public for any purpose whatsoever. However, the Proposal identifies a walking trail that is in excess of 4,000 linear feet that will provide the ability to connect to offsite trail systems that may be situated on various abutting properties as well as to provide a walkable path from Chebacco Road to Chebacco Woods.

Furthermore, the applicant's Proposal provides a means to an amicable resolution of the longstanding dispute involving pedestrian trespass on the Property. The applicant is proposing to construct a trail system that will be open to the public and that will allow access and will provide for vehicle parking with an electric vehicle charging station.

The Applicant’s civil engineer, legal counsel, and town’s peer reviewer have examined the regulatory matters applicable to the development in detail. They have determined the following:

1. The Development parcel is not identified by the Department of Environmental Protection, the Division of Wildlife and Fisheries, the Town of Hamilton, The Army Corp of Engineers, or any other state or local environmental agency as being a parcel of land that is environmentally fragile or sensitive or requires any special protections.
2. The Development parcel is not in a regional water resource area.
3. The Development parcel is not in an aquifer recharge area.
4. The Development parcel is not part of any priority habitat for wildlife.
5. There is no fault line on Development parcel.
6. There is no underground aquifer on the Development parcel.
7. The Development parce is not located in a Zone II, Interim Wellhead Protection Area, Aquifer Protection Area or Zone A (flood zone).

Dwelling Units:

The proposed site includes 32 buildings consisting of 59 units. The proposed allocation of the style units and market/affordable unit ratios are per the following chart:

Style	Buildings	Units	Affordable	Market
Single	12	12	3	9
Duplex	13	26	6	20
Tri-plex	7			
Tri-end		14	4	10
Tri-middle		7	2	5
Totals	32	59	15	44

The market rate units will look the same from the outside as the affordable units, but some levels of interior finishes my differ.

Sustainability / Environmental Protection

Like all other homes built by Restoration Capital (“RC”) (6 other communities have been developed by this Applicant team), the homes at The Village at Chebacco Hill are constructed to exceed local and state energy and building codes. RC takes great pride in building

environmentally friendly quality homes and provides homeowners (both market rate and future affordable units) with lower energy consumption, resulting in tremendous annual expense savings. Some examples of these energy efficiency features include structural sheathing panels, closed cell foam insulation (creating a building envelope from the sill of the basement to the peak of the roof (making the energy efficiency feature known as a hot roof), energy recovery units, efficient heating systems, high quality and energy start performance rated windows, garage doors with thermal ratings.

Sustainability features include solar-ready homes, an electric vehicle-ready hookup in each garage, a public electric vehicle charger at the trailhead, and all interior and exterior lighting using LED technology.

The Low Impact Development features for the site have been incorporated in this design, including reduced road lengths, reduced parking lot impervious areas, reduced paved right of ways, reduced road widths, using natural stormwater treatment, disconnected non-rooftop runoff, minimizing clearing of native vegetation, and a generally environmentally sensitive development by protecting wetlands and creating and preserving in perpetuity 41 acres of open space.

Permitting History Overview (see separate document with dated history)

The applicant has obtained a unanimous favorable decision from the Town of Hamilton Conservation Commission, which a DEP-issued Superseding Order of Conditions upheld after a challenge by an abutter group. The applicant also has an approved OOC under the local Wetland by-law. The applicant received a non-favorable ruling for 50 units of age restricted homeownership from the Town's Planning Board for a special permit housing and stormwater permit in September of 2022 for an age-restricted community. The permit included a financial donation for affordable homes. The unfavorable vote was five members against and two in favor. These unfavorable rulings are currently under appeal. To the best of my knowledge, this appeal is the only litigation that the Applicant is involved in.