

ZBA CORRESPONDENCE LOG

2-16-12

RE: LETTER FROM CONCERNED CITIZENS -15 GREAT ROAD 40B PROJECT

1-12 ON CORRESPONDENCE LOG DATED 9/21/11

13-15 ON CORRESPONDENCE LOG DATED 9/27/11

16. EMAIL FROM PHILLIP AND LISA BUCKELLEW RECEIVED 10-11-11

17. EMAIL FROM CHRIS SIMONE RECEIVED 2-16-12

Littleton Zoning Board of Appeals
Sherrill Gould, Chairman
37 Shattuck Street, Room #302
Littleton, MA 01460



Dear Ms. Gould,

We are residents of Grist Mill Road and are writing to express our concerns regarding the proposed 15 Great Road Development by Omni Properties.

Linking a 200 unit apartment complex to our currently safe, closed loop road will decrease our safety, and destroy the way our community functions for the following reasons:

1. It is estimated by Chief Kelly that 1500 car trips per day will be generated by the proposed development. Omni's presentation shows 1,336 trips per day. Our road is not built for this amount, or even a large portion of this traffic.
2. The "older" section of Grist Mill Road does not have sidewalks, therefore residents must walk in the street, whether it's for pleasure or to get to the bus stop. The increased traffic would be extremely dangerous for pedestrians in the street.
3. The "older" section of Grist Mill Road has a blind curve, which is currently hazardous to pedestrians. The "newer" section of Grist Mill Road has many curves, which do not afford much reaction time for pedestrians in the road. The risk for automobile accidents, as well as collisions between autos and pedestrians/bikes will increase with additional traffic.
4. This is only phase one! Mr. David Hale, the developer, stated at the April 25th Board of Selectmen meeting that the back half of the land will be developed. More traffic is planned for our small road!
5. The additional traffic will represent an increase in "strangers" driving through our community. This will cause us to restrain our children's freedom to walk/bike to friends' homes.
6. A safe and secure street is critical to the way we live, and a major reason why we bought our home in Apple D'Or four years ago. Just one example, every October we have a Halloween Parade for our children. We walk together as friends, as neighbors, as a community, stopping at homes along the way to collect goodies. Also in October, you will find neighbors sneaking around in the dark "Booing" each other by ringing doorbells and leaving surprises on front door steps. Our safe environment supports these activities, as well as others.
7. It is illogical to decrease the safety and freedom of our community when the 40B can be accomplished without connecting a subdivision road to Grist Mill Road.

We believe the size/design of the proposed apartment complex is not suitable for 15 Great Road for the following reasons:

1. The proximity of the proposed road is inappropriate to abutters.
 - a. Car lights- Car lights should not enter the property of any abutters.
 - b. Noise- Abutters should not be subjected to the noise of hundreds of car trips per day.

- c. Privacy- The loss of any abutters' privacy due to car traffic is unacceptable.
- 2. The proximity of multi-story buildings is inappropriate to abutters.
 - a. Lighting- Winter months bring bare trees which will result in the relentless lighting of abutters' homes and property 24 hours per day.
 - b. Noise- Parking lots positioned behind abutters' homes will efficiently carry noise from the complex to their backyards.
 - c. Privacy- The loss of any abutters' privacy is due to building proximity is unacceptable.
- 3. The size of the proposed project is out of scale with its Littleton surroundings.
 - a. Existing buildings across the line in Acton should have no bearing on the scale of this project. Clearly Littleton has developed its land differently than Acton, this is the reason the landscape changes as soon as you leave Acton and enter Littleton.
 - b. Our largest employer, IBM, houses thousands of employees in buildings just 3 stories high. As opposed to the 4 and 5 story buildings proposed by Omni.

Besides tax revenue (which may or may not cover the costs of additional students and services required from the town), how will this development serve the community of Littleton?

- 1. How many people from Littleton will actually move to this new apartment complex?
- 2. Will members of our community (Littleton residents, town employees, family members of residents and employees, families which school choice into Littleton) have priority to rent 40B and/or non-40B apartments?
- 3. Will Littleton businesses be utilized in constructing and/or maintaining the grounds/facility?
- 4. Will this development be deeded as affordable housing in perpetuity so that Littleton will not have to endure the development of another high-density project?

We have believed from the start, that Omni is trying to use the power of the 40B law to circumvent the Planning Board in order to insert a subdivision road crucial for accessing "landlocked" parcels on the back half of the property, but unnecessary for the 40B. The unknown nature of the back half of the subdivision causes us great stress, as we have no idea what will be developed on this land. If history is an indicator, we wonder if Omni will ask for a change of zoning for the back half of the proposed subdivision? On more than one occasion Mr. David Hale has presented that the land is zoned Residential/Non-Profit Elderly, but mentions with a change of zoning it could become For-Profit Elderly. This change would enable them to sell/transfer the entire subdivision, 40B as well as back half of land, to one entity, as they did with Avalon in Acton. Does Omni intend on constructing and managing this apartment complex themselves, or are they just the "front team", as they were for Avalon? What type of agreement will the ZBA process yield? Will agreements between the ZBA and Omni be enforceable if the permit is transferred to another entity?

We have spent numerous hours at meetings over the past six months and hundreds of dollars on babysitters and lawyer fees. We are committed to maintaining a safe and secure neighborhood for our children, as well as the other 70+ children in our community.

Sincerely,

Phillip L. Buckellew
Lisa F. Buckellew
73 Grist Mill Road

Please make our letter available to all of the Zoning Board of Appeals members:

Sherrill Gould, Chairman
Bill Farnsworth, Vice-Chairman
Jeff Yates, Clerk
John Cantino, Assistant Clerk
Cheryl Hollinger, Member
Rod Stewart, Alternate
Marc Saucier, Alternate
Alan Bell, Alternate
Patrick Joyce, Alternate

Michelle Cobleigh

From: Sherrill Gould [sherryesq@yahoo.com]
Sent: Thursday, February 16, 2012 8:03 AM
To: Keith Bergman; Michelle Cobleigh
Subject: Fw: Thank you

Please add to correspondence

Sherrill R. Gould
Gould Law Offices
P. O. Box 752 - 311 Great Road
Littleton, Ma 01460
Ph: 978-486-9566
Fax: 978-486-9434
Private: 978-501-2744



----- Forwarded Message -----

From: Christopher Simone <chrismsimone@gmail.com>
To: sherryesq@yahoo.com
Sent: Thursday, February 16, 2012 7:51 AM
Subject: Thank you

Dear Mrs. Gould,

I am writing regarding the 15 Great Road apartment complex. More specifically, I am writing to thank you for the time and effort of the Littleton Zoning Board of Appeals.

The moves and strategies of the Developer continue to be of grave concern to a number of residents with whom I am in contact. Many believe that the current plan more closely reflects the outcome the Developer always intended rather than the product of "negotiation". The sprawl reflected in the current plan, and the potential precedents set, are of significant concern. The ultimate motives and intentions of this "for profit" enterprise will remain concerning.

The traffic, safety, and environmental implications of a sudden, dense, 200 unit development alone warrant continued scrutiny and vigilance. We trust the Board will continue to safeguard the long-term social and economic interests of our great Town.

I especially want to thank you for your strong management and leadership.

Please call upon me if there is anything that I can do to help.

Kind Regards,

Chris Simone
18 Surrey Road
Littleton, MA