

June 3, 2020

Planning Board, Room 303
Town Administration Building
37 Shattuck St
Littleton, MA 01460

RE: June 4th, 7:30 pm continued public hearing for Healy Corner/ 195 Tahattawan Rd.

To Planning Board Members:

Please find concerns for consideration regarding the Healy Corner Development for the June 4th planning board meeting.

Healy Corner Development Concerns:

Per the Littleton town code Chapter 143 Scenic Roads, 143-1 Roads enumerated, Harwood Avenue and Tahattawan Road are both designated at Scenic Roads which special town code protections required.

143-1 Roads enumerated.

The following roads within the Town have been designated as scenic roads under the provisions of MGL C. 40, § 15C, in order to preserve the natural character and physical appearance of said roads, and the Planning Board is instructed, in exercising its responsibility hereunder, to take into consideration solid planning principles, aesthetic considerations and preservation of natural resources, as well as public safety.
(emphasis added)

The applicants OSD plan creates a clustered development at the intersection of Harwood Ave and Tahattawan Rd. This is completely contrary to the Littleton Code section 143-1 requirements. This will negatively impact the aesthetic considerations, natural resources as well as public safety at this intersection as further evidenced herein.

While the stop signs added in the proposed Intersection and Signage Plan will help with public safety, this does not completely resolve all the resulting traffic safety concerns.

To properly consider the aesthetic considerations I ask that the Planning Board to require the applicant to provide the required perspective drawings in accordance with section **173-98 Submission requirements, part C (4) Which states:**

Perspective drawings illustrating views from existing public roads abutting the site after the completion of development.

These plans should show the detriment to the scenic roads through the applicants intended removal of trees as required per the Traffic Analysis Study recommendations to provide the necessary line of sight for safe traffic operations.

The TEC Inc. Traffic Analysis Study includes the following Conclusions and Recommendations.

- *Egressing Tahattawan Road from the north, the intersection sight distance (ISD) looking to the west is restricted by existing tall grass which could be mowed for general maintenance. Once existing non-tree vegetation is kept to trimmed levels, the ISD looking west would extend approximately 330-feet.*

This land which is requiring regular maintenance for safety is not part of the applicant's property. Basing the public safety on a neighbor's ability or willingness to maintain this land is not a sound approach to ensure public safety is maintained. Alternatively, considering adding this cost to the towns regular maintenance is not in the public's interest.

- *Along the proposed cul-de-sac, the ISD is limited in both directions by existing trees which line Harwood Avenue to both the east and the west. The Applicant will commit to removing the additional trees on-site and in the public right-of-way within the ISD sight triangles, egressing the cul-de-sac, to meet AASHTO minimum recommendations as noted in Table 2.*

Removal of trees is not consistent the requirements for maintenance of our scenic roads natural resources which currently provide privacy for existing residents and are not all within the applicant's property. Offering to remove neighboring trees for personal private profit should be obviously seen for what it is and not be allowed.

Per the Littleton town code:

Article XIX Open Space Development: Most of the town code's decision criteria for Open Space are NOT met.

173-100 Decision Criteria:

- A. *In an Open Space Development, dwellings and accessory buildings should be arranged in groups that **do not detract from the ecological and visual qualities of the environment** and are **harmonious with the existing neighborhood**.*
(emphasis added)

Placing a clustered development on these scenic roads where no such cluster exists is certainly not harmonious with the existing neighborhood. These criteria are clearly not met.

- B. *Prior to the granting of a Special Permit under this article, the developer shall execute and deliver to the SPGA a binding agreement, which may state that it is contingent on the granting of the permit, to convey and restrict the open space in accordance with the terms of the Special Permit.*

The applicants plan restricts the offered open space as private property, which is highly irregular and should not be allowed by the town. The town has the right to reject the Open Space plan if not in the towns interest and where this space is not useful to the residents due to the significant impassable wetlands, there is no equivalent value to match the value provided to

the applicant. There should be no option in consideration for any future open space which would not fully transfer open space lands to the town as has been the regular practice.

C. The Planning Board may approve or approve with conditions, a Special Permit for Open Space Development, provided that the Board determines that the plan complies with all relevant requirements of the Zoning Bylaw, and is **on balance no less beneficial to the Town than the development likely without such approval**, taking into consideration the following, among other concerns. (emphasis added)

Keeping the traditional plan is consistent with the Harwood & Tahattawan Scenic Roads to preserve the character of our town. A clustered development certainly diminishes Harwood Ave's & Tahattawan Road's character and the Open Space is certainly less beneficial to the town vs a Traditional Plan considering the Open Space offer from the applicant provides no benefit to Littleton residents and only invites disturbance to environmentally sensitive wetlands.

1. Preservation of natural resources, especially in relatively large-scale contiguous areas.

Being mostly existing EPA protected wetlands, calling the existing federally protected land town open space does nothing add to the preservation of natural resources. This rather invites disturbance by suggesting a trail which ends at impassable wetlands.

2. Protection of visual character by having open spaces which are visible from major roads.

The criteria item is not met and is completely opposite to the code intent where the open space is hidden from the public view behind the proposed clustered development with limited access.

3. Reduction in length of publicly maintained roads and utilities per dwelling unit served.

4. Location of development on sites best suited for such and avoiding environmentally fragile locations.

The entire open space site is environmentally fragile being majority wetlands and protected under EPA regulations. If this open space were attempted to be used by the public, the town is essentially inviting the public to regularly disturb these environmentally sensitive Do Not Disturb wetland areas.

5. Protection of major street appearance and capacity by avoiding development close to or egressing directly onto such streets.

The criteria item is not met and has been completely disregarded where the entire clustered development is directly on a major street and compounded by the fact Harwood Ave and Tahattawan Road are designated by the Town of Littleton as a Scenic Roads with special town bylaw protections which have also been disregarded. This full development egresses directly into the Harwood Ave/Tahattawan intersection. The plan couldn't be more opposing to the intent of the town bylaw protections to prevent such private profit developments at the detriment to our town.

6. Contribution to meeting housing need.

The town is already running into concerns with size limitations on the recently constructed schools. I would suggest the Planning Board consider limitations on the number of new housing developments per year to allow the town to appropriately plan and budget for population growth. This should not be considered a current benefit to the town.

7. Protection of water resources through careful location of potential sources of contamination.

The proposed plan includes a massive combined septic system. I bring to the Planning Boards attention that the septic leeching mound site constitutes over 1 full acre of land not including an additional 2500 sqft for the septic tanks all being placed within 40ft of multiple existing residents. Furthermore, the applicant has provided no such studies to show that this will not result in ground water contamination. The risk of water contamination associated with the failure of such a massive septic system is significant compared to a failure of a traditional plan single dwelling septic system.

Based on so many decision criteria items not being met, I request that the Planning Board reject this Open Space Plan and force the applicant to develop a traditional plan meeting all Title V requirements per lot.

I want to acknowledge the tremendous commitment from our volunteer Planning Board. Your job is challenging enough without having projects like this which disregard so many regulations and seem to be focused on wearing down all the reviewers and consulting parties, rather than following the required process and requirements.

Your continued commitment to remain uncompromising of our town requirements is much appreciated.

Regards,

Mike Rassias
272 Harwood Ave