

# **ZBA CORRESPONDENCE LOG**

**9/27/11**

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

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

- 13. EMAIL FROM PAUL AVELLA – SEPTEMBER 22, 2011**
- 14. EMAIL FROM MARYBETH MAGNUSON – SEPTEMBER 27, 2011**
- 15. EMAIL FROM JAMES VASH & ANGELA Munoz-Avila – DATED 9/27/11**

## Michelle Cobleigh

**From:** Paul Avella [avellap@comcast.net]  
**Sent:** Thursday, September 22, 2011 10:03 AM  
**To:** Michelle Cobleigh  
**Subject:** Letter of Concern For 15 Great Road

Michelle,  
Please distribute to ZBA members. Thank you,  
PJ

Paul Avella

781-354-7235

Dear Chairwoman Gould and Zoning Board of Appeals Members,

I am writing to you today to express my growing concern with the proposed 15 Great Road development project in our Town of Littleton. I say “growing” because, despite learned and articulate presentations by abutters and the Town of Littleton to both the MassDevelopment, and to the developer, Omni, residents and our town have been met with nothing but contempt and a disregard for any sensible mitigations to a high-rise development in our farming community.

I want to establish up front that I do not oppose development. I would not be living, and enjoying my life, in Littleton were it not for developers transforming unused acreage into land suitable for homes. Development, however, must be SMART growth. That is, growth in a community such as ours must be Sensibly Managed And Responsibly Targeted. As proposed, the 15 Great Road project is neither sensibly managed use of home sites, nor is it responsibly targeted to wholesome community enrichment.

The most oft cited argument for allowing a juggernaut such as 15 Great Road is that, "According to state law..." Adherence to law is to be respected and admired. So too, one must respect and admire the morality of an issue. Forcing a municipality to swallow unsafe conditions, growth in population nearing seven percent in less than a year, destruction of a habitat previously established for the benefit of all, and suffering the erection of high-rise buildings in a single-family neighborhood is a moral affront to the decent people of our town.

It is not permissible to hide behind the cloak of legality and allow an immoral act to prevail in our town.

I beseech you to fully expose the outright fraud being imposed upon our town and deny the development of four- and five- story buildings in a single-family neighborhood. These monstrosities would tower over the tallest commercial building in our town. Think of that picture in a neighborhood of single-family homes.

Use all of your legal authority to deny the facilitation of direct road access from 15 Great Road to Grist Mill Road. The safety of children alone dictates this denial. Adding 1,500 (conservative estimate by Littleton Police Department) vehicular trips inside an area less than 4,000 square feet is a recipe for disaster. Disaster in this sense could easily involve one of our children.

Fight with all of your might to deny the excessive growth and massing of population in one location in less than a year's time that this project imposes on our town. There is no legal argument that trumps the moral



imperative of preserving our town's character. Nothing binds our town to blindly acquiescing to a conglomerate that has no regard for our town.

Declarations by Omni's senior principal, Mr. David Hale, such as "*improving town assets is not our problem,*" followed by, "*this is not a negotiation session,*" and for good measure, "*We are not builders and we are not landlords, we have tried that and it didn't work – it's not what we do. We develop real estate and secure permits then sell those permits to builders and developers.*" do not establish Omni's bona fides as a socially conscious, morally responsible corporate citizen. Quite the contrary, by words and deeds to date, Omni has clearly established itself as the complete antithesis.

MassDevelopment had an opportunity to deny, or at least cause Omni to mitigate their absurd proposal. Ann Howard, MassDevelopment CFO, and others, in the kindest of terms, shirked their duty.

As you debate, and ultimately decide, the fate of 15 Great Road you have that wonderful opportunity to take a principled stand, founded in law, and buttressed by conscientious morality to cause Omni to not only rethink their proposal, but to alter it significantly enough so that the project really does fit into existing developmental patterns and conforms to prevailing community standards.

I know each of you, and each one of you is SMART.

I leave you with a closing thought. This is not a fight against developers. This is a fight to conserve Littleton as a community of mixed residential, light commercial/retail, and farming, and to preserve a single-family neighborhood as such. You have my total support in this endeavor.

Thank you for your attention to this most important issue and your very insightful consideration in the days and weeks going forward.

Sincerely,

PJ

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#14

**From:** Jennifer Gibbons  
**Sent:** Tuesday, September 27, 2011 1:14 PM  
**To:** Alan Bell; 'Bill Farnsworth'; 'Cheryl Cowley-Hollinger'; 'Jeff Yates'; John Cantino (CantinoJohn@Yahoo.com); 'Marc Saucier'; 'Rod Stewart'; 'Sherry Gould'  
**Cc:** MCobleigh@littletonma.org  
**Subject:** FW: Impact Statement regarding 15 Great Road

Here's another letter from a concerned resident.

**From:** Marybeth Magnuson [mailto:[marybeth.magnuson@yahoo.com](mailto:marybeth.magnuson@yahoo.com)]  
**Sent:** Tuesday, September 27, 2011 1:07 PM  
**To:** Jennifer Gibbons  
**Subject:** Impact Statement regarding 15 Great Road

Littleton Zoning Board of Appeals  
Attn. Jennifer Gibbons, Sherrill Gould  
Littleton, MA 01460

**Dear Ms. Gould and Ms. Gibbons**

I kindly request that a copy of this letter be made available to each member of the Zoning Board of Appeals for the 9/27/11 meeting and the 15 Great Road Comprehensive Permit application discussion.

When my husband, Glenn, was transferred to the Boston area 10 years ago, we began looking for homes in and around Littleton. We decided on Littleton for many reasons – a small town, good schools and services and nice, quiet neighborhoods. The town has an old, farming town feel, with many businesses residing in old homes. There are no high-rises, no fast food chains, not even drive-through Dunkin Donuts.

When we decided to build our home in Apple D'Or we did so because it was a small neighborhood of single family homes on a quiet street. The neighborhood design included sidewalks and streetlights. It was a place we knew we could call home for a long time and watch our children grow and become more independent feeling safe and secure. Whether pushing strollers, walking dogs or going for bike rides we have felt safe around our neighborhood. Over the years we have enjoyed block parties, Halloween parades and Easter egg hunts and since everyone in the neighborhood was involved we were never concerned that cars would be flying by, using our road as a pass-through.

When we signed our P&S, one of the covenants stated that "NO lot, including lot 56A, shall be used except for residential purposes. No building or structure shall be erected, altered, placed or permitted to remain on any Lot other than one detached single family dwelling, with an attached two or three car garage." We signed our P&S and began building our home in good faith, confident that the neighborhood would be developed with single family homes. There was never any disclosure that one of these lots could ever be used as a road of any kind.

Needless to say, we have many concerns about the proposed new development at 15 Great Road, the most important being **SAFETY**.

- Grist Mill Road is a narrow, winding residential street.
- There are several blind spots.
- There is NO sidewalk on the lower end of Grist Mill Road.

- The sidewalk that does exist does not stay on the same side of the street and one of the places it crosses the street is right where the proposed access road would be.
- Buses come through the neighborhood for grades K-5 and there are always many children waiting at the bus stops, often riding bikes or scooters while waiting.
- Buses do not come through the neighborhood for grades 6-12. The students are dropped off at both ends of Grist Mill Road and walk home. This means children as young as 11 years old are walking down Grist Mill before and after school. Since the lower part of Grist Mill does not have sidewalks, the students have no choice but to walk on the street. If you add significant snowfall like we had this winter, the roads become even narrower and more dangerous.
- Our oldest son has special needs. One of the only ways he gets physical exercise is to take walks around the neighborhood with his iPod touch playing and earbuds in his ears. Because of our quiet, small neighborhood, he feels safe and confident, as do my husband and I, while walking around the block listening to his music. If there is a cut-through road put in the middle of our neighborhood resulting in a significant increase in traffic, we would no longer allow our son to walk with his iPod due to safety concerns. Without his iPod, he would lose the motivation to take his daily walks and get his much needed exercise.

Grist Mill Road is clearly not designed to handle the significant increase in traffic that the proposed development's access road would bring.

Although safety is a prime concern, there are many other reasons we feel that this proposed development would not be a responsible decision for the town and state of Massachusetts to make.

I think I speak for most, if not all of us, when I say that we are not against 40B or providing affordable housing. However, with a town of our size it would be difficult to handle the impact that this proposed project would have. This proposed development is just too large of a scale and too dense.

Over the past 10 years, the residents of Littleton have seen their taxes increase 85% and this was due to their support of growth and development – SMART growth and development.

The voters approved overrides for the building of 2 new schools, a new police station and renovations, just to name a few. This proves that the residents of this town care about where they live. They knew that these things would benefit the town, making it a better place to live.

We have made many friends over the years and discovered that many people in this town grew up here, went to school here, married their high school sweetheart and made a decision to stay in Littleton to raise their families.

The residents, the town officials and the state need to make responsible decisions as our town continues to grow. The proposed project's disadvantages far outweigh the advantages of providing affordable housing to 40 families. If the current residents' taxes continue to rise to support this project, many people will be forced out of their lifelong homes.

The impact on our schools will be huge and not just financially. Right now we have a good school system with good, manageable class sizes and the teachers are able to provide a good education for all of our students. If the student population suddenly grows without any attrition, our classrooms will swell beyond capacity which will certainly dilute each and every student's education, INCLUDING the

new students from the proposed development. Teachers would not be able to effectively teach, resulting in lower test scores and potentially causing Littleton to fall behind in their state requirements.

All town services would suffer, including our fire and safety. Response times to emergencies would surely go up. Again, this would be a disservice to all current residents of Littleton as well as to the future tenants at 15 Great Road.

A development of this size and scale is just not suited for Littleton at this time. We urge the town officials and the State to make the responsible decision to deny this proposed project.

### A Smart Alternative

In the May 22, 2011 Boston Globe Magazine, Littleton was written up as the winner for the best place for buying a starter home. Listed among the reasons it won were "small class sizes, large lot sizes, easy access to major roads while keeping the small town feel with open space, farm stands and stables with prices lower than towns such as Acton and Carlisle." The only problem is that the housing stock is limited.

Clearly what this town needs is a development of new, yet affordable and modest two and three bedroom single-family homes on  $\frac{1}{2}$  acre lots. Using the land at 15 Great Road for a development like this would be a better, more viable and responsible use of the land. More rental properties are not in need – Pondside Apartments on King Street in Littleton has rental availability and Avalon Apartments in Nagog Park in Acton, just over the Littleton line, also has plenty of apartments available for rent for those people who are not in the market to buy a home.

Many young families looking to purchase their first home would like a new, move-in ready modest sized home. They don't have the extra money or time to update and repair an older home. Finding a starter home at an affordable price is challenging and frustrating due to a lack of inventory. Building a "starter home" development would be a smart and responsible way to provide affordable housing. It would provide people with an opportunity to own a home instead of renting. With mortgage rates so low, a mortgage payment could easily be in the range of \$1,500 - \$2,600 per month (the same as the rentals of the proposed rental development), yet the homeowner would be building equity, a benefit a renter does not get.

As the family's size, income and equity grows, these families would look to move into a bigger home in Littleton or a surrounding town. These homes would then be put back on the market, providing an opportunity for another family to purchase a starter home and start putting down roots.

Another segment of the market that this type of development would be appealing to is the older families who have lived in Littleton and raised their children here and are now "empty-nesters". With their children grown and gone, they no longer need a large home with a lot of upkeep, yet they may not be ready to give up homeownership or leave Littleton. A smaller but newer home with less upkeep could be the perfect option.

As our town plans future developments, let's take the right steps toward smart and responsible growth. Littleton is a great place to live thanks to a strong town administration, great schools and services and supportive, caring residents. We all need to work hard and work together to ensure that all current and future residents are proud and happy to call Littleton home.

Please consider all of my concerns as well as the smart alternative as you review OMNI's proposal for 15 Great Road. I plan to attend the meeting on 9/27/11 and will be happy to answer any questions you may have regarding my letter and concerns.

Sincerely,

Marybeth Magnuson

September 27, 2011

Littleton Zoning Board of Appeals  
Attn: Michelle Cobleigh, Sherrill Gould  
Littleton, MA 01460



Dear Ms. Cobleigh and Ms. Gould:

Per this e-mail please make a copy of this letter available to each member of the Zoning Board of Appeals for the 9/27/11 and/or subsequent meetings held to review the 15 Great Road Comprehensive Permit application.

We have previously written to the Littleton Board of Selectmen on this topic, while it was forming its recommendation to MassDevelopment on the Project Eligibility application. We live on Grist Mill Road and request that you reject the Comprehensive Permit application in its current form for the following reasons:

- 1) Connecting this new street to Grist Mill will add too much traffic to the existing street, which is not a collector road. Grist Mill is currently home to many families with small children, including our own children, 4-year-old twins and an 11 month old. Among other things, the width of the road, inadequate/incomplete sidewalks (including an unmarked crosswalk right at the proposed intersection), and inadequate lines of sight all present severe safety hazards. Even an "emergency access" approval as part of this proposal would effectively cede the ZBA's ability to control that access from eventually becoming a road for general use, which would increase though-traffic not only to this new development, but perhaps even to the immediately adjacent border with Westford, to other road networks outside of the Town's control. The new street's proposed connection to Grist Mill is completely orthogonal and immaterial to the 40B application, and should not be approved as part of the application. This issue is a fatal flaw in the application as it was presented in the Project Eligibility plan, and the Board of Selectmen recognized that in its recommendation to MassDevelopment. We ask the ZBA to do the same in its decision.
- 2) There is insufficient line of sight proposed intersection of the new street and 119. There are already turn difficulty issues near this location and the number of accidents may increase. Has an independent traffic study been completed during multiple times of the year across all affected roads?
- 3) There are many waivers requested by 15 Great Road ranging from avoiding making submittals to the Planning Board to extensive parking waivers to a categorical disregard from the local wetlands regulations. We suggest that the ZBA review each waiver request in detail and make an independent judgment on each.
- 4) The proposed road could be rerouted to be considerate of the abutters and relative proximity to existing homes without material impact to the application, and such an adjustment should be suggested/required by the ZBA.
- 5) From a heritage perspective – does Littleton want this building to be the tallest in the town by 20 feet? As residents we do not want this to be the case.
- 6) Many open items from Planning Board have not been addressed (e.g. open area plan) and have been ignored by the applicant – as stated in their own letter dated 8/12/11. The ZBA should hold the applicant responsible for making a good-faith response to these important issues and take into consideration whether those responses are adequate.
- 7) A number of additional items were identified in the Board of Selectmen letter addressing issues such as: Potable Water Capacity, School, and additional Heritage issues.

Please make this e-mail available to the entire board:

Sherrill Gould, Chairman	2013
Bill Farnsworth , Vice-Chairman	2013
Jeff Yates, Clerk	2014
John Cantino,Ast..Clerk	2014

Cheryl Hollinger, Member	2012
<u>Alternates:</u>	
Rod Stewart, Alternate	2013
Marc Saucier, Alternate	2013
Alan Bell, Alternate	2013
Patrick Joyce, Alternate	2014

While we have many more concerns these are our primary reasons. We plan to attend the recently rescheduled 9/27/11 meeting as well to provide this feedback in person.

Sincerely,

James R. Vash  
Angela M. Munoz-Avila

85 Grist Mill Rd  
Littleton, MA 01460