

Additional Citizen Comments
13-May-11

<u>Name</u>	<u>Address</u>	
Kenneth Atkins	19 Adams Street	mail
Doug Rank	6 Green Needles Road	email
Megan Rank	6 Green Needles Road	email
Vivek Kaluskar	45 Grist Mill Rd	mail
Martin Spicer	64 Grist Mill Road	mail
Pete King	66 Grist Mill Raod	mail
Daryl Baker	71 Grist Mill Road	mail
Jr & Emma Teto	74 Grist Mill Road	email
James Vash and Angela Munoz-Avila	85 Grist Mill Road	mail
John & Carrie Bergeron	92 Grist Mill Road	mail
Derek & Valerie Chisom	14 Mary Shepherd Road	email
David Collari	3 Pine Brook Lane	mail
Sakina Samma	23 Surrey Road	mail
Mark and Terrie Skillings	30 Surrey Road	email
Steven & Kate Lai	6 Wychwood Drive	mail

Jennifer Gibbons

From: Kenneth Atkins [atkins_k@msn.com]
Sent: Monday, May 09, 2011 11:51 AM
To: Keith Bergman
Cc: James.Eldridge@MASenate.gov
Subject: 40B Apartment Complex Development - Letter of Concern

Dear Mr. Bergman & Mr. Eldridge:

This email is in reference to the 40B Apartment Complex abutting Grist Mill Road and Route 119 in Littleton, being proposed by OMNI Development Corp.

After reviewing the available information, I find that this Apartment Complex should not be allowed for several reasons:

1) The by-passing of the permitting process especially in the area of the environment. This complex would be near a wetlands area and Lake Nagog which is the water supply for Concord. From a problematic or failed septic system would leak into and contaminate these areas.

2) I cannot see the financial benefit to the Town resulting from an increased burden to town services, such as schools, public safety, town electric and water usage, and road maintenance in this area. Would this mean an increase in our tax rate? What would be the overall benefit to the town?

3) During the normal everyday commuting times, the traffic going up and down Route 119 is bad enough, but to add the apartment complex into this equation would increase the traffic load in this area that the road would not be able to handle it. This would probably increase the traffic in and around the smaller roads of Littleton as motorists attempt to avoid the congestion.

Thank you for reading this.

Sincerely,

Kenneth E. Atkins
19 Adams Street
Littleton MA, 01460

Jennifer Gibbons

From: Doug Rank (AOL) [drankct@aol.com]
Sent: Tuesday, May 10, 2011 9:06 PM
To: Jennifer Gibbons
Subject: Deny or scaleback 40 B Project in Littleton, MA

Hello Jennifer.

I am writing to you to express my extreme concern about a proposed 200-unit apartment complex development at 15 Great Road, Littleton, MA.

As a 5 year Littleton resident, I believe this project is inappropriate and irresponsible for the site and will have serious safety implications for the surrounding neighborhoods due to increased traffic entering Great Road and to the proposal to create an access road onto Grist Mill Road. Importantly, it will have a very negative impact on our schools in terms of capacity and cost. The proposed project does not fit into the character of Littleton. There are no five-story apartment buildings anywhere in Littleton, let alone abutting single-family homes.

Impact on Schools:

- It is projected that this project will add a minimum of an additional 80+ children in our school system. This could put serious strain on our classroom space and on our teachers.
- According to the DESE the average cost to educate a child per annum is \$11,000. The state will subsidize only a fraction of that cost, typically less than \$2,000. The remainder of those costs will need to be paid for by taxes from the residents of Littleton.

Traffic and Safety:

- The proposed road for the apartments will be lot #56- Grist Mill Road, the open lot between 68 and 72 Grist Mill Road. Allowing a road represents a substantial change to the approved Apple D'or subdivision.
- Initial traffic studies estimate that there will be about 1,500 car trips per day to and from this complex to Great Road and Grist Mill (both entrances). Grist Mill Road was not designed to carry that traffic load, it is not wide enough (the paved road is only 24 feet wide, not the necessary 50 feet, and is 100% residential, not designed to be a major thoroughfare.
- There are school bus stops along Grist Mill and on Great Road during the highest traffic times when this road will be accessed.

Impact on Town Services

- The apartment complex will initially have 200 units of 420 people (full capacity 550+ people) which will more than likely increase the demand for town services including the EMS/Fire budget.
- I urge you to recommend that this project be denied, or greatly scaled back in size. It does not fit the character of the Littleton at all. It would fair to require the developer to scale down his plans, there is no need for such a large project, it can be scaled to meet the 10% affordable housing requirement.

Thank you,
Doug Rank

6 Green Needles Road
Littleton, MA 01460
978-729-2107

Keith Bergman

From: CTMegan@aol.com
Sent: Wednesday, May 11, 2011 1:12 PM
To: Jennifer Gibbons
Cc: Keith Bergman
Subject: Please Deny or Scale Back Great Road 40B project

Good afternoon Jennifer,

I am writing to express my concern on the proposed 200 unit apartment complex for Great Road.

My husband and I chose Littleton, MA 5 years ago as the place we wanted to raise our 3 children. We fell in love with the one stop light, the small school system, and a town full of farm stands.

OMNI Developments proposal is in stark contrast to the vision citizens have for Littleton. Our elected officials work hard, very hard, on developing Littleton in a way that maintains it small town character but provides services to it's citizens. Development is taking seriously in Littleton, one needs to only read the research put into the "overlay" districts, Littleton does not want suburban sprawl. This proposed development does not reflect Littleton, it needs to be denied or scaled back.

Please recommend that this project, as presented, be denied, it will increase demands on our town services and schools, and will increase taxes on property owners. This projects needs to be scaled down, so that the needs of 10% 40B can be met, ALONG WITH THE WISHES of our townspeople. This project, as presented, is too large for our Little Town.

Thank you,

Megan Rank
6 Green Needles Road
Littleton, MA 01460
978-339-5049

May 6, 2011.

Dear JANE

I am writing to you and the Littleton Board of Selectmen to express my extreme concern about a proposed 200-unit apartment complex development at 15 Great Road, Littleton, MA. As you are aware, Omni Development LLC has approached both the Commonwealth of Massachusetts and the Town of Littleton offering to increase the 40B affordable housing inventory in Littleton from 8.1% to nearly 15%, exceeding the required 10%, by developing land and building the equivalent of four- and five-story buildings at 15 Great Road.

As a 5 year Littleton resident, I believe this project is inappropriate and irresponsible for the site and will have serious safety implications for the surrounding neighborhoods due to increased traffic entering Great Road and to the proposal to create an access road onto Grist Mill Road. Importantly, it will have a very negative impact on our schools in terms of capacity and cost. The proposed project does not fit into the character of Littleton. There are no five-story apartment buildings anywhere in Littleton, let alone abutting single-family homes.

It is projected that this project will add a minimum of an additional 80+ children in our school system. This could put serious strain on our classroom space and on our teachers. According to the DESE the average cost to educate a child per annum is \$11,000. The state will subsidize only a fraction of that cost, typically less than \$2,000. The remainder of those costs will need to be paid for by taxes from the residents of Littleton.

The proposed road for the apartments will be lot #56- Grist Mill Road, the open lot between 68 and 72 Grist Mill Road. Allowing a road represents a substantial change to the approved Apple D'or subdivision. In addition, Littleton Planning Board document, Amendment to Certificate of Approval for Red-Line Revisions of a Definitive Subdivision Plan, dated January 30, 2003, in paragraph G clearly states, "No lot on Grist Mill Road will be used for access to possible future development on adjacent parcels (Assessor's Map U-1, Parcels 2, 3, 4, 5, 6, 7, 8, and/or 9). Initial traffic studies estimate that there will be about 1,500 car trips per day to and from this complex to Great Road and Grist Mill (both entrances). Grist Mill Road was not designed to carry that traffic load, it is not wide enough (the paved road is only 24 feet wide, not the necessary 50 feet, and is 100% residential, not designed to be a major thoroughfare. There are school bus stops along Grist Mill and on Great Road during the highest traffic times when this road will be accessed.

The apartment complex will initially have 200 units of 420 people (full capacity 550+ people) which will more than likely increase the demand for town services including the EMS/Fire budget.

I respectfully request that you petition the Commonwealth for a 60-day extension so that the Town of Littleton's response can adequately address the numerous issues at hand with respect to this project. Thank you for your interest and concern.

Sincerely,

VIVEK KALUSKAR
45 GRIST MILL RD
LITTLETON MA 01460

Martin Spicer
64 Grist Mill Road
Littleton, Massachusetts 01460

May 6, 2011

Ms. Janet Wilkinson
Chairwoman, Littleton Board of Selectmen
Town Office Building, 37 Shattuck Street,
P.O. Box 1305,
Littleton, MA 01460

Dear Ms Wilkinson.

I'm writing to you concerning a project planned by Omni Development and Brokerage, LLC for apartment buildings at 15 Great Road. Omni's specific intentions are described as 'conceptual' and depend on the audience, but it's safe to say they are seeking approval from Massachusetts Development for the construction of 6 apartment units with 200 households under the 40B regulations.

According to Omni, this development will encompass 23 acres of 48 acres they control through ownership or contract. An Omni partner, David Hale, stated April 27th at an Abutters Meeting that Omni plan to develop the other 25 acres at a later stage.

I believe there are three serious issues I would like to bring to your attention.

1. The development as described will result in a tax increase for Littleton's residents.

From presentations delivered to The Littleton Board of Selectmen, and also at the Abutters Meeting 2 days later, it's clear this project will impact the tax payers of Littleton.

Omni provided the following financial information at both presentations (slide 40):

School Cost Impact

Summary	Incremental cost	Average Cost
School Impact	\$5,000	\$10,083
Real Estate	\$306,600	\$306,600
Auto Excise	\$60,000	\$60,000
Water and Sewer Revenue	\$43,292	\$43,292

Total Revenue	\$409,892	\$409,892
Break Even	82	41
Number of Students		
Student/Unit	0.41	0.21
Break Even Ratio		

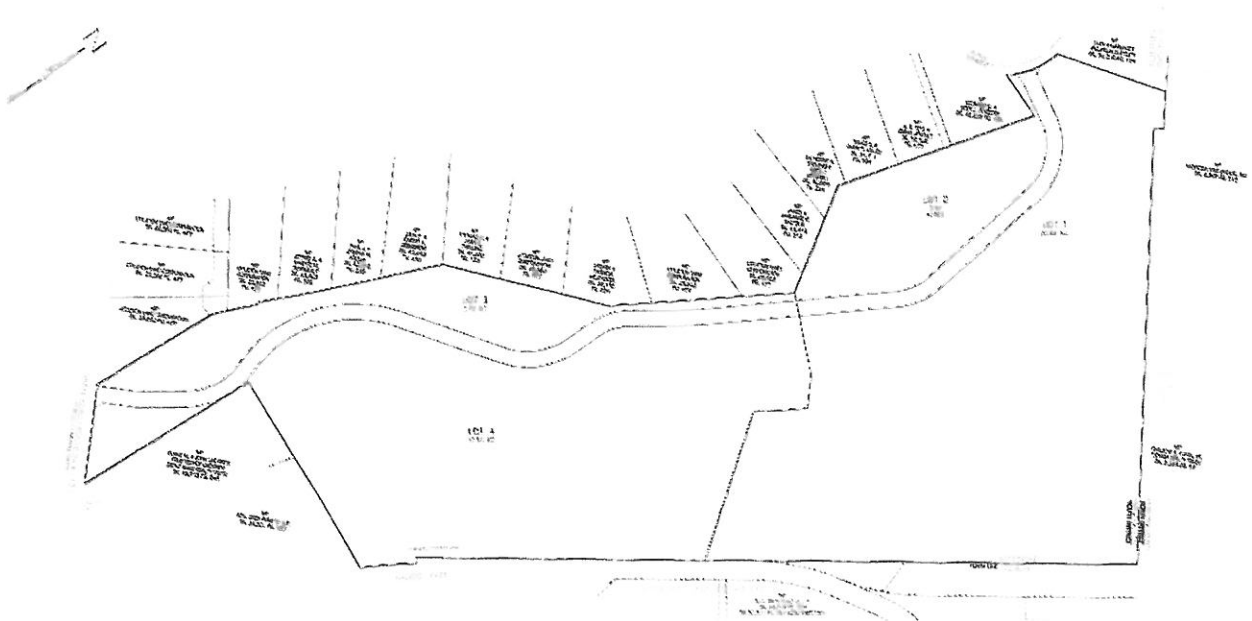
Note: School Impact is expense per student, Real Estate, Auto Excise, Water and Sewer represent town income.

The Average Cost per student might be a more appropriate measure than just the Incremental Cost but, notwithstanding, Omni's own projections indicate a break even at or below the likely increase in the number of children attending local schools.

Worse still, using Omni's own projections, NO town costs are covered for the additional expenses incurred by Highway, Police, Fire or any other services

2. Our children's safety is at risk.

Omni's plans involve constructing a road moving north from 15 Great Road, travelling along the rear of homes on Grist Mill Road, then entering Grist Mill Road at what is currently know at Lot 56.



Lot 56 has something of a history which is my next point (3). But what I want to emphasize right now is that Grist Mill Road is a small neighborhood road of some 24 feet

width. I mention this specifically to rebut David Hale from Omni who states that Grist Mill Road is double the width it actually is. The potentially misleading implication of David Hale's claim is that Grist Mill Road can support additional traffic capacity which it cannot.

Omni project 1500 traffic movements per day from the 200 households. While no one can be certain, it is reasonable to expect as many will leave the development and drive east toward Concord and Boston, as will head west via Grist Mill Road toward Littleton and I495. That represents a potential increase use of Grist Mill Road of some 750 daily traffic movements.

Presently Grist Mill Road has only 58 households. There is a sidewalk in front of 34 of them, and the remaining 24 households have no area to walk other than the road itself. When plowed in the winter, Grist Mill Road barely has room for vehicles to pass each other, and pedestrians have to share the same space. This includes our children getting to and from the school bus.

In fact Grist Mill Road has a very high density of young, elementary level children. But our neighbors know this, they are conscious of their safety, and they drive accordingly. Making Grist Mill Road a through road (I heard mention of the term "collector road") will create a serious risk to their safety.

I also take issue with statements from Omni to the effect there is no alternative. In fact Omni presently controls property that would allow a connection to Nagog Park Drive. Nagog Park Drive is wider and designed to handle traffic from the Avalon Apartment Complex and some commercial properties. I believe the issue is not whether there is no alternative, but that Omni would have to pay the private owners of Nagog Park Drive for access.

Finally, while the plans for the other 25 acres under Omnis control are not yet available, they will obviously make a very dangerous traffic situation even worse.

3. Omni's control of the land.

David Hale, an Omni Partner who presented this development at both meetings I attended, states they have control of the land. This, I understand from him, is a vital element to get a site approval letter from the state.

Lot 56 was designated during the Apple D' Or development of Grist Mill Road which started some 10 plus years ago. Along with others there is a covenant stating "No Lot shall 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".

Using Lot 56 for a roadway has previously been the subject of dispute between OHC Development LLC (responsible for Apple D'Or) and the town of Littleton and was emphatically denied.

Among parcels the developer claims control over is Lot 56. The deeds for Grist Mill reference an approved subdivision plan 1349 of 2003. In examining that plan, there is no road indicated for Lot 56. Deeds for the Grist Mill Homes reference a plan that also does not indicate road access on lot 56. Allowing a road represents a substantial change to the approved Apple D'or subdivision. In addition, Littleton Planning Board document, Amendment to Certificate of Approval for Red-Line Revisions of a Definitive Subdivision Plan, dated January 30, 2003, in paragraph G clearly states, "No lot on Grist Mill Road will be used for access to possible future development on adjacent parcels (Assessor's Map U-1, Parcels 2, 3, 4, 5, 6, 7, 8, and/or 9)." (Emphasis added)"

The current owners of Lot 56 in Grist Mill Road are Mayel Development Inc. of One Intercontinental Way, Peabody MA 01960. I suspect it's not a coincidence that Mayel share the same office address as OHC Development LLC.

Control of this land, and the right to build a roadway through Lot 56, is not be as clear as Omni represents, and it should be further investigated prior to the issue of a state site approval letter.

Omni repeatedly say the plan is conceptual at this time which enables them to gloss over any probative questions. The plan is also presented inaccurately by Omni in favor of their getting a site approval letter. For example, I think it's difficult to believe and accept that a professional property developer can mistake a 24 foot wide neighborhood road for a 50 foot wide collector road. If Omni are that careless over this critical issue, then I think we should rightly be concerned about the reliability of other information they provided.

I therefore respectfully request that you reject the current plan in it's entirety until these questions have been resolved.

Thank you for your help and attention.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. Spicer".

Martin Spicer

May 6, 2011

Peter L. King
66 Grist Mill Road
Littleton, MA 01460

Dear Ms. Wilkinson,

I am writing to voice my **STRONG** opposition to the proposed access road, and the 40B apartment complex at 15 Great Road. I am a resident of the Grist Mill neighborhood and have been a resident of Littleton for over 12 years. When my wife and I were expecting our first son, we moved to Snow Drive from Acton. While expecting our second son, we chose to stay in Littleton and build a house less than a mile down the road on Grist Mill Road. We now have three young boys, who attend the Littleton Public Schools.

I was born and raised in the same house which my parents owned in Acton for 36 years. My wife grew up in a small, rural farming community in western Pennsylvania. When we began our family, we wanted to grow roots in a town similar to what we both enjoyed as children. When my parents were ready to retire to New Hampshire, we had the opportunity to purchase their house in Acton. We made a conscious decision **NOT** to return to Acton and instead built in Littleton. Littleton had all the qualities we wanted for a growing family and it reminded me of "my Acton". As I grew up in Acton, I watched Great Road become lined with huge apartment complexes and business developments. The whole town was changing to a massive industrial development. The community environment was disappearing and being replaced by commercial demand. I do not want Littleton to make the same mistakes and change from a rural, family town to a town lined with huge commercial developments.

Our Grist Mill neighborhood is an amazing, vibrant, and bustling area. There are over 100 children who value our neighborhood's safety. Our children are constantly outside playing, riding bikes, running from house to house, playing tag and hide and go seek. It's a neighborhood where every year we have a massive block party that starts at 2pm and the bonfire can still be seen at midnight. We are not just neighbors; we have built deep friendships and family ties. Opening our road to a commercial development will most definitely change the environment and create safety issues. With 1500+ car trips a day, parents and children will hesitate to play freely in the neighborhood.

The homeowners of Apple D' Or, under their "Declaration of Covenants", were led to believe that when purchasing their homes from OHC/Mayel and LLC no lot within our neighborhood would be used as an access road for future development. Our home-owner's covenants clearly state "No lot shall be used except for residential purposes." Further to that point, in May 2003 Littleton's Planning Board filed an amendment to the Definitive Subdivision Plan for Apple D'Or stating in paragraph G that "No lot on Grist Mill Road will be used for access to possible future development on adjacent parcels."

OHC/Mayel and LLC still own lots on Grist Mill Road and have a vested interest in the proposed 40B property. They appear to use deceptive practices to support their own agendas. Their expansion and development will not stop with the 40B; there is additional land they can access through Grist Mill that they will develop. Allowing access to Grist Mill Road is irresponsible and completely unsafe for the residents.

Lastly, I do not oppose 40B or affordable housing in Littleton but agree with what Senator Eldridge states on his website, "advocating for sensible changes to the law that will help communities more reasonably reach the state's 10% affordable housing requirement. He's proposed legislation that would permit more local control over affordable housing developments to allow for wetland preservation as well as comprehensive development planning." And Senator Eldridge states "I oppose repealing Chapter 40B. However, over time it's become clear that parts of the law aren't working. The law does not give enough credit to towns and cities for their affordable housing, and at times creates new developments out of step with a community's rural character. A sensible compromise is needed to help communities more reasonably reach the state's 10% affordable housing requirement."

We as a neighborhood are requesting that you do everything to STOP access to Grist Mill Road and the proposed 40B development. The residents of Grist Mill Road and the neighboring roads are counting on our town to preserve and protect our town as a safe rural community where families and friends build a life.

Thank you,

Sincerely,


Pete King

Pete King & Family

To: Board of Selectman, Planning Board

Subject: Comments on 15 Great Road OMNI 40B Development

I am a resident of Grist Mill Road and I am extremely concerned about the proposed 200-unit apartment complex development at 15 Great Road, Littleton, MA. This is a huge rental development that will have significant impact to the town of Littleton.

The submitted documentation from the state application includes some factual inaccuracies, disregard of wetlands, excessive profit taking, unstated future development and significant traffic impacts. I have only limited expertise to provide detailed comments. I am concerned the town has proper time to identify and respond to each item in the developers package. With significant issues in the application, I encourage the town response provide as much comment as feasible and request additional time to properly review the submittal BEFORE the state grants approval.

As proposed the development does not fit the surrounding character of the area. To quote from the 40B regulations " *Therefore, the Subsidizing Agency must give particular attention in reviewing the Project to the matters that relate to how the Project site plan and design relates to the existing development pattern(s) of the immediately surrounding area.* " This proposed development of 3 and 4 story (4 and 5 story on rear side) is not consistent with the 2 story residential housing abutting the property (Littleton), nor the 1 story NAGOG shopping mall, the 2 Story commercial Insurance company building, and 1 story Beckford's restaurant all directly abutting the property.

The town cannot accept this development as proposed.


Darryl Baker

Resident 71 Grist Mill Rd.

May 9, 2011

JR and Emma Teto

74 Grist Mill Road

Littleton, MA 01460

Dear ,

I am writing to voice my extreme opposition to the proposed access road, and the 40B apartment complex at 15 Great Road. We have been residents since 2001. My Husband grew up in Concord, MA and I grew up in the city, so our original plan was to purchase a home in Concord but when we came out to the site and looked at the plans for Apple D'or, we decided this was the right place for us to raise a family.

These plans and promises to build a safe and friendly community in a small family oriented town seemed the better choice for us. We were given documents that said there would be no lots used as access roads and the neighborhood would remain as on the original plans. We now have 3 children in the Littleton public schools and planned to stay here because we saw that the town was continuing to move in the right direction in terms of growth and development but yet stay a non-commercial, rural, family town.

We have all turned this neighborhood into a place where everyone knows each other, feels safe and comfortable out on the streets, bikeriding, walking, driving etc. Its is a community within itself and its one of the main reasons that we have stayed in Littleton. Its exactly the atmosphere we want to raise children and this is one of Littleton's strongpoints.

Proposing a road coming through Grist Mill Road is absolutely unreasonable and irresponsible. This will create problematic safety issues for residents, children, and drivers. We already have safety issues at the beginning of the original Grist Mill Road with no sidewalks and blind corners. We already worry and wait for accidents to occur there. An access road will also cause our property values to decrease.

The homeowners of Grist Mill, under their "Declaration of Covenants", were led to believe that when purchasing their homes from OHC/Mayel and LLC no lot within our neighborhood would be used as an access road for future development. Our home-owner's covenants clearly state no lot will be used to build a road with access to Grist Mill Road. Further to that point, in May 2003 Littleton's Planning Board filed an amendment to the Definitive Subdivision Plan for Apple D'Or stating in paragraph G that "No lot on Grist Mill Road will be used for access to possible future development on adjacent parcels." OHC/Mayel and LLC still own lots on Grist Mill Road and have a vested interest in the proposed 40B property.

We do not oppose 40B housing in Littleton but request that you do everything possible to prevent access to Grist Mill Road and the oversized 4-5 story large apartment complex. This will ensure continued safety on our roads, protect any impact on our schools and town taxes and preserve the characteristics of a town you worked hard to build. Together, it is our responsibility to maintain the scenic rural characteristics of Littleton and retain its original character which is what is so attractive to that area.

Thank you,

JR and Emma Teto

May 6, 2011

Littleton Board of Selectmen
Janet Wilkinson, Chairwoman
Town Office Building, 37 Shattuck Street,
P.O. Box 1305
Littleton, MA 01460

Dear Ms. Wilkinson, and Members of the Littleton Board of Selectmen:

We are writing to you as concerned citizens and residents of Littleton regarding the Project Eligibility (Site Approval) Application for Fifteen Great Road Apartments, filed by Fifteen Great Road II LLC / Omni Properties.

We would like to call to your attention portions of the application proposal which are brought into question by facts in the public record. These items attempt to circumvent the intent of the Comprehensive Permit program, and lead to unnecessary traffic and safety risks for Littleton, and in particular, Grist Mill Road.

As parents of twin three year old boys and a six month old baby boy, we are particularly concerned about the potential impact on the safety of neighborhood children, and believe that the good faith of the applicant should be probed by having the Town of Littleton Board of Selectmen and Town Administrator specifically request via their comments on the Project Eligibility Application, that these issues be satisfactorily addressed before site approval by MassDevelopment.

Item #1: The Evidence of Site Control filed with the application (http://www.littletonma.org/filestorage/49/3596/65/8458/11136/Exhibit_1_-_Evidence_of_Site_Control.pdf) shows a Real Estate Purchase Agreement between Fifteen Great Road LLC (Buyer) and Fifteen Great Road II LLC (Seller), both of which are directly affiliated with the applicant, with an agreement to sell at the purchase price of \$5,000,000. However, the owners of record for the parcels involved (per http://www.littletonma.org/filestorage/49/3596/65/8458/11136/Project_Eligibility_Application.pdf, these are parcels U01-2, U01-6, U01-1-56, shown in the Town of Littleton Assessor Map at http://www.littletonma.org/filestorage/53/1044/97/5904/5934/Littleton_2010_U-01.PDF) are Mayel Development Inc, JFM Realty Trust, and Mayel Development Inc, respectively, according to both the Assessor's Office (<http://littleton.patriotproperties.com/default.asp>) and the Registry of Deeds (<http://www.masslandrecords.com/malr/controller>). **The applicant provides no documentation as to how Fifteen Great Road LLC has acquired the right to enter into the Real Estate Purchase Agreement as the Seller.**

Item #2: The recent history of transactions regarding these parcels of land appears to put their market value far below the \$5,000,000 price of the Real Estate Purchase Agreement,

thus circumventing the intent of the Comprehensive Permit program. This table shows that recent history.

Date	Seller	Buyer	Consideration	U01-2	U01-6	U01-1-56	Ref
3/7/2007	OHC Development LLC	Mayel Development Inc	\$3,440,000	X		X	Book 49092, Page 359
3/18/2005	Littleton Land Corp	OHC Development LLC	\$238,000			X	Book 44885, Page 284
3/1/2005	Nagog Development Company	JFM Realty Trust	\$66,667		X		Book 44725, Page 484
12/31/2003	RID Realty Trust	OHC Development LLC	\$1,000,000	X			Book 41709, Page 502

Leaving out the transaction of 3/7/2007, which was between two directly affiliated entities (having the same address of record), the total consideration for the transfer of the property at market value, acquired between 12/31/2003 and 3/18/2005 (at the peak of the real estate market), was **\$1,304,667**, far below the \$5,000,000 consideration used in the Site Control evidence presented with the application. Furthermore, the assessed value in total for these parcels, per the Assessor's Office, is only **\$507,600**.

Item #3: The developer has claimed that the road access from the proposed complex to Grist Mill Road is critical to the submitted application; that it does have the right to construct such a road; and that it does **not** have the right to construct a road instead to Durkee Lane/Westford Lane and Nagog Park Drive. However, these last two claims are demonstrably false.

First, in the Town of Littleton Planning Board "Amendment to Certificate of Approval for Red-Line Revisions of a Definitive Subdivision Plan" dated January 30, 2003, condition G states, in part: **"No lot on Grist Mill Road will be used for access to possible future development on adjacent parcels (Assessor's Map U-1, Parcels 2, 3, 4, 5, 6, 7, 8, and/or 9)."** This condition would apply to parcel U01-1-56, through which the applicant has proposed a road.

Second, the applicant's own Evidence of Site Control, which contains an excerpt from a deed for parcel U01-6 (Book 44725, Page 484), states, in part: **"The aforesaid parcels of land are conveyed together with the perpetual right and easement, to pass and**

repass, [...] for ingress and egress to and from Durkee Lane/Westford Lane and Nagog Park Drive.”

Given the evidence, there is absolutely no reason for the applicant’s request to attach the proposed development to Grist Mill Road, and doing so presents an unacceptable traffic and safety risk to the residents of that road, and the Town of Littleton in general. The existing traffic signal present at the intersection of Great Road and Nagog Park Drive (in Acton) is clearly better suited to handle any traffic associated with the proposed development.

Also given the evidence, there appears to be clear intent on the part of the application to inflate the price of the parcels associated with the proposed development in order to circumvent the intent of the Comprehensive Permit program.

As such, we strongly urge the Board of Selectmen and Town Administrator to bring these items to the attention of MassDevelopment via their comments on the Project Eligibility Application.

Sincerely,

Handwritten signatures of James Vash and Angela Munoz-Avila. The signature of James Vash is on the left, and the signature of Angela Munoz-Avila is on the right.

James Vash and Angela Munoz-Avila
85 Grist Mill Road
Littleton, MA 01460

May 5, 2011

Ms. Janet Wilkinson
Chairwoman, Littleton Board of Selectman
Town Office Building, 37 Shattuck Street,
P.O. Box 1305
Littleton, MA 01460

Dear Ms. Wilkinson,

I am writing to you and the Littleton Board of Selectmen to express my extreme concern about a proposed 200-unit apartment complex development at 15 Great Road, Littleton, MA. As you are aware, Omni Development LLC has approached both the Commonwealth of Massachusetts and the Town of Littleton offering to increase the 40B affordable housing inventory in Littleton from 8.1% to nearly 15%, exceeding the required 10% , by developing land and building the equivalent of four and five-story building at 15 Great Road.

As a resident of Littleton for almost 6 years, I believe this project is inappropriate and irresponsible for the site and will have serious safety implications for the surrounding neighborhoods due to increased traffic entering Great Road and to the proposal to create an access road onto Grist Mill Road. Importantly, it will have a very negative impact on our schools in terms of capacity and cost. The proposed project does not fit into the character of Littleton. There are no five-story apartment buildings anywhere in Littleton, let alone abutting single-family homes.

Impact on Schools:

It is projected that this project will add a minimum of an additional 80+ children in our school system. This could put serious strain on our classroom space and on our teachers. According to the DESE the average cost to educate a child per annum is \$11,000. The state will subsidize only a fraction of that cost, typically less than \$2,000. The remainder of those costs will need to be paid for by taxes from the residents of Littleton.

Traffic and Safety:

The proposed road for the apartments will be lot #56 – Grist Mill Rd, the open lot between 68 and 72 Grist Mill Road. Allowing a road represents a substantial change to the approved Apple D'Or subdivision. In addition, Littleton Planning Board document, Amendment to Certificate of Approval for Red-Line Revisions of a Definitive Subdivision Plan, dated January 30, 2003, in paragraph G clearly states, "No lot on Grist Mill Road will be used for access to possible future development on adjacent parcels (Assessor's Map U-1, Parcels 2, 3, 4, 5, 6, 7, 8, and/or 9). Initial traffic studies estimate that there will be about 1,500 car trips per day to and from this complex to Great Road and Grist Mill (both entrances). Grist Mill Road was not designed to carry that traffic load; it is not wide enough (the paved road is only 24 feet wide, not the necessary 50 feet) and is 100% residential, not designed to be a major thoroughfare. There are school bus stops along Grist Mill and on Great Road during the highest traffic times when this road will be accessed.

Impact on Town Services:

The apartment complex will be initially have 200-420 people (full capacity 550+ people) which will more than likely increase the demand for town services including the EMS/Fire budget.

I respectfully request that you petition the Commonwealth for a 60-day extension so that the Town of Littleton's response can adequately address the numerous issues at hand with respect to this project.

Thank you for your interest and concern.

Sincerely,

A handwritten signature in cursive script that reads "John & Carrie O Bergeron". The signature is written in dark ink and is positioned above the printed name of the signatories.

John and Carrie Bergeron
92 Grist Mill Road
Littleton, MA 01460

Jennifer Gibbons

From: Derek Chisom [chisomd@yahoo.com]
Sent: Sunday, May 08, 2011 9:58 PM
To: Keith Bergman
Cc: JamesEldridge@MASenate.gov; Jennifer Gibbons
Subject: Letter of Concern Re: Proposed 200 Unit Rental at Route 119 and Grist Mill Road

Dear Ms. Wilkinson,

I am writing to let you know that my wife and I oppose the proposed development of a 200 unit rental at route 119 and Grist Mill Road. We believe that the development will have a deleterious effect on the school system, traffic and safety, town services, and taxes. If the objective is to increase the amount of affordable housing in Littleton, we believe that this can be achieved by means that will not have as negative an impact on the town as the proposed development. Given that Littleton currently has 8.1% affordable housing we are concerned that this proposed development will far exceed the 10% target level and unduly burden the town's residents. We are requesting that the zoning board deny approval for this proposed development so that alternative proposals can be investigated. We would be supportive of alternatives that increase the affordable housing stock without undermining the character of the town.

Sincerely,

Derek and Valerie Chisom
14 Mary Shepherd Road
Littleton, MA 01460

CC:

Jamie Eldridge, State Senator
Sherill Gould, Chairman Zoning Board

David Collari
3 Pine Brook Lane
Littleton, MA 01460

May 4, 2011

Ms. Janet Wilkinson
Chairwoman, Littleton Board of Selectmen
Town Office Building, 37 Shattuck Street,
P.O. Box 1305
Littleton, MA 01460

Dear Ms. Wilkinson,

I am writing to you and the Littleton Board of Selectmen to express my extreme concern about a proposed 200-unit apartment complex development at 15 Great Road, Littleton, MA. As you are aware, Omni Development LLC has approached both the Commonwealth of Massachusetts and the Town of Littleton offering to increase the 40B affordable housing inventory in Littleton from 8.1% to nearly 15%, exceeding the required 10%, by developing land and building the equivalent of four- and five-story buildings at 15 Great Road.

As a fourteen (14) year Littleton resident, I believe this project is inappropriate and irresponsible for the site and will have serious safety implications for the surrounding neighborhoods due to increased traffic entering Great Road and to the proposal to create an access road onto Grist Mill Road. Importantly, it will have a very negative impact on our schools in terms of capacity and cost. The proposed project does not fit into the character of Littleton. There are no five-story apartment buildings anywhere in Littleton, let alone abutting single-family homes.

Impact on Schools:

It is projected that this project will add a minimum of an additional 80+ children in our school system. This could put serious strain on our classroom space and on our teachers.

According to the DESE the average cost to educate a child per annum is \$11,000. The state will subsidize only a fraction of that cost, typically less than \$2,000. The remainder of those costs will need to be paid for by taxes from the residents of Littleton.

Traffic and Safety:

The proposed road for the apartments will be lot #56- Grist Mill Road, the open lot between 68 and 72 Grist Mill Road. Allowing a road represents a substantial change to the approved Apple D'or subdivision. In addition, Littleton Planning Board document, Amendment to Certificate of Approval for Red-Line Revisions of a Definitive Subdivision Plan, dated January 30, 2003, in paragraph G clearly states, "No lot on Grist Mill Road will be used for access to possible future development on adjacent parcels (Assessor's Map U-1, Parcels 2, 3, 4, 5, 6, 7, 8, and/or 9).

Initial traffic studies estimate that there will be about 1,500 car trips per day to and from this complex to Great Road and Grist Mill (both entrances). Grist Mill Road was not designed to

carry that traffic load, it is not wide enough (the paved road is only 24 feet wide, not the necessary 50 feet, and is 100% residential, not designed to be a major thoroughfare.

There are school bus stops along Grist Mill and on Great Road during the highest traffic times when this road will be accessed.

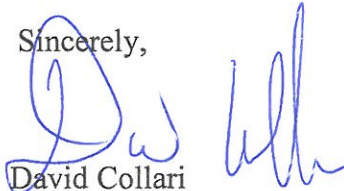
Impact on Town Services

The apartment complex will initially have 200 units of 420 people (full capacity 550+ people) which will more than likely increase the demand for town services including the EMS/Fire budget.

I respectfully request that you petition the Commonwealth for a 60-day extension so that the Town of Littleton's response can adequately address the numerous issues at hand with respect to this project.

Thank you for your interest and concern.

Sincerely,



David Collari

May 3, 2011

Ms. Janet Wilkinson
Chairwoman, Littleton Board of Selectmen
Town Office Building, 37 Shattuck Street,
P.O. Box 1305
Littleton, MA 01460

Dear Ms. Wilkinson,

I am writing to you and the Littleton Board of Selectmen to express my extreme concern about a proposed 200-unit apartment complex development at 15 Great Road, Littleton, MA.

As a 2-year Littleton resident, I believe this project is inappropriate for the site and will have serious **safety implications** for the surrounding neighborhoods due to increased traffic entering Great Road and Grist Mill Road. Importantly, **it will have a very negative impact on our schools** in terms of capacity and cost.

Traffic and Safety:

- The proposed road for the apartments will feed onto Grist Mill Road. Allowing a road represents a substantial change to the approved Apple D'Or subdivision.
- Initial traffic studies estimate that there will be about **1,500 car trips per day to and from this complex to Great Road and Grist Mill (both entrances)**. Grist Mill Road was not designed to carry that traffic load, it is not wide enough (the paved road is only 24 feet wide, not the necessary 50 feet), and is 100% residential.
- **There are school bus stops along Grist Mill and on Great Road during the highest traffic times when this road will be accessed.**

I request that you petition the Commonwealth for a 60-day extension so that the Town of Littleton can adequately address this project's numerous issues.

Sincerely,



Sakina Samma
23 Surrey Rd.
Littleton, MA 01460

Littleton Board of Selectmen
Administrator Keith Bergman
37 Shattuck Street
PO Box 1305
Littleton, MA 01460
May 10, 2011

Dear Sirs,

Thank you again for giving the residents of Littleton, and as it turns out others from Acton and Westford all of whom oppose the 15 Great Road Development project. Thank you also for the way in which you allowed active and constructive discussion while managing grandstanding by either side in this dispute. I have previously written about my concerns on this project but would like to add a couple more based on last night's discussion.

First, I found it quite ironic that the Fire Chief was able to halt, and greatly alter the participation and dynamics of the discussion based on concerns of safety, yet the Town of Littleton does not have a similar right to suspend or alter the terms of the 15 Great Road project on far larger, and more realistic safety concerns. That said:

A presentation was made by the town on the facts of the 40B statutes. What our rights and obligations are and where we stand with respect to the statutes. One of the key findings for me was on the slide titled *"Required Findings in Determination"*. It said that as a town we have not provided Multifamily Zoning, Smart Growth Overlay or Inclusionary Zoning. Yet, while we may not have done so by statute, we have in fact acted in the spirit of the law in at least two cases by allowing multi-family low income housing as indicated on Mannion place and have started the process of creating overlay districts, starting of course in the most congested area of town. Like the developer, who is granted wide latitude to exceed, if not totally ignore town zoning ordinances as well as hard and fast environmental statutes such as wetlands and rare species protection simply by stating his intent to create additional inventory of affordable housing, so too should the town be able to make its case based on the intent and result of actions taken, not just by the words written on paper. Actions I am reminded speak louder than words. Perhaps this is something that town attorney can investigate further. Because as Daniel Patrick Moynihan said: *"Everyone is entitled to their own opinions, but no one is entitled to their own facts"*. And Mr. Hill is exploiting his own facts as if they were true. But just because they are spoken, does not make them true.

Next, I found it telling that Mr. Hill personally was quoted (and the tapes should back this up) that he is absolutely committed to building at least one more project on the back parcel of land of un-named scope, adding even more to the issues of size, impact, safety and cost to the town. Our "intent" ought to have at least equal, if not more weighting to his "intent" give we are the host community and thus the party most impacted.

He then went on to say that he was "willing to work with the town on what our priorities are". This is totally disingenuous since it implies as a whole, he has no real concern for what our wishes are, only that he will take reasonable steps to mitigate, "the most important ones". If we take him at his word, and there was ample hard-evidence presented last night as to why we should not, we should tell him our #1 priority is to not have this project built and our #2 priority is that barring #1, he be forced to scale the project without a single variance AND without a connector road to Grist Mill. (I found it enlightening that the reason he is proposing a 200 unit complex is only because that is the maximum # allowable under the statute) If he can do all of this, and make a fair profit, I could get behind that as long as the additional safety and impact concerns are mitigated by the scaled down project. And as a show of good faith and to once and for all put behind us the status of the cut through, since he claims to own the rights to that parcel, I would like to require that he deed those rights over to the town so that this never has to be fought again. This will tell us unequivocally how "sincere" he is to the wants and needs of the town and the neighborhood.

A personal note. I spent much of the evening watching Mr. Hill's expressions. Watching body language and facial expressions is something that I have spent a lot of time learning and perfecting in my previous profession. I can tell you that, as called out also by someone sitting closer to him, Mr. Hill showed extreme contempt for the process, for the Board and especially for all of the folks in the room. He doesn't really care about what we want; only what he wants. For the town and the overflow crowd last night, this is something that we individually and collectively are passionate about: Protecting our culture, our kids and quality of life. For Mr. Hill it is only about how much money he can extract in the process and he has no intention of backing off. We are in this situation because we as a town chose not to fight the last battle. And it has come back to haunt us. We must as a town commit ourselves to not let this happen again and I urge that the town make defeating this project our number one priority. Because this is only the first of many dominoes that Mr. Hill has planned.

Lastly, Mr. Hill seemed to be begging for emotional support when he indicated that he shared several items that he was not obligated to. And in fact that someone at Mass Development had suggested he redact certain things he had disclosed. I would like to request, that unless Mass law so dictates, all future discussions on this matter be closed to all but residents of the town of Littleton. And that he NOT be given any documents that would hint at our strategy. And that any questions we have for him require a written response. I see no reason to give him a bat that his lawyers can use to beat us with. I think Daniel Patrick Moynihan said it best: *"While everyone is entitled to their own opinions, no one is entitled to their own facts"*

By way of summarizing, as a long time resident of Littleton we repeat our objection to this development in 3 major areas:

1. Safety impacts on the town and especially on the roads nearest the proposed development
2. The Impact on the town as a whole of a project that increases the town's population almost 10% overnight which is incredible since the most recent census indicates that it has taken 10 years to increase it by roughly the same amount
3. The apparent strategy of the developer of using the 40b statutes to circumvent OUR TOWNS (he/they are not of our town) zoning ordinances in order to cram as much revenue into their pockets with total disregard for this towns and neighbors values.

Sincerely,

Mark D and Terrie R Skillings
30 Surrey Road
Littleton, MA 01460

508-596-5164

Steven and Kate Lai
6 Wychwood Drive
Littleton, MA 01460

Ms. Janet Wilkinson
Chairwoman, Littleton Board of Selectmen
37 Shattuck Street,
P.O. Box 1305
Littleton, MA 01460

May 5, 2011

Dear Ms. Wilkinson,

We are writing to you and the Littleton Board of Selectmen to express our extreme concern about a proposed 200-unit apartment complex development at 15 Great Road, Littleton, MA. As you are aware, Omni Development LLC has approached both the Commonwealth of Massachusetts and the Town of Littleton offering to increase the 40B affordable housing inventory in Littleton from 8.1% to nearly 15%, exceeding the required 10%, by developing land and building the equivalent of four- and five-story buildings at 15 Great Road.

As 9 year Littleton residents, we believe this project is inappropriate and irresponsible for the site and will have serious safety implications for the surrounding neighborhoods due to increased traffic entering Great Road and to the proposal to create an access road onto Grist Mill Road. Importantly, it will have a very negative impact on our schools in terms of capacity and cost. The proposed project does not fit into the character of Littleton. There are no five-story apartment buildings anywhere in Littleton, let alone abutting single-family homes.

Impact on Schools:

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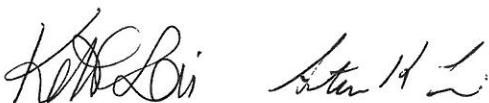
Impact on Town Services

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We respectfully request that you petition the Commonwealth for a 60-day extension so that the Town of Littleton's response can adequately address the numerous issues at hand with respect to this project.

Thank you for your interest and concern.

Sincerely,

The block contains two handwritten signatures in black ink. The first signature is 'Steven Lai' and the second is 'Kate Lai'. They are written in a cursive, flowing style.

Steven and Kate Lai