

From: [Marsha Kasilowski](#)
To: [ZBAmember](#)
Subject: Time is Short, Action is Needed
Date: Tuesday, September 26, 2023 1:20:23 PM
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)

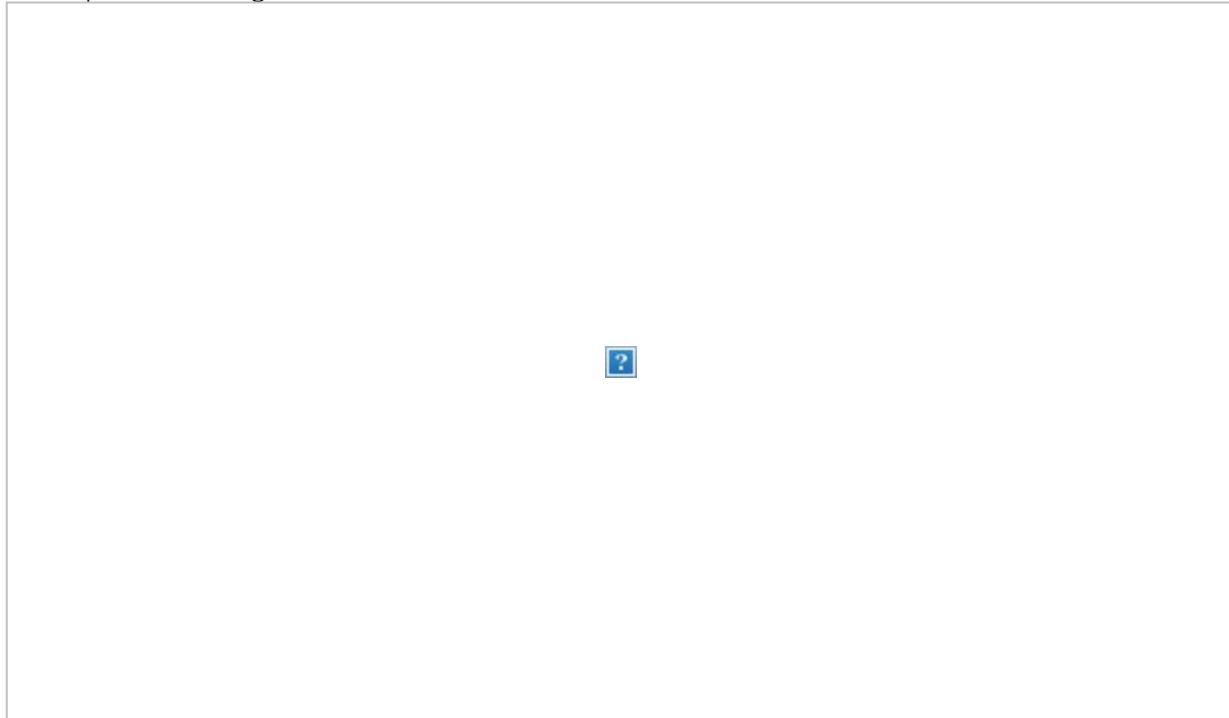
To: Zoning Board of Appeals Re: Proposed 47 Main Street Project

We understand that the town planner has requested each board/committee to reply to his request by October 11th regarding the proposed 47 Main Street project. As Upton Residents, we have reviewed the builder's plans and have many concerns. We are forwarding our concerns to you as well as a dropbox link of the developer's application for your board's review. We hope that you agree with us that the scope and size of this project is not appropriate for this location.

We are asking you as the Zoning Board of Appeals review these plans and respond to the town planner and selectman with your concerns about this project. We ask that you consider our concerns in your assessment. If you have any questions, please let me know.

Time is Short, Action is Needed

Developers Rendering:



Regarding the proposed 40B housing, we recognize and appreciate the need for additional affordable housing in our town, but have concerns about the suitability/feasibility of this particular location.

This proposed 5-story 40B (affordable housing) is planned for a wooded, wetland area, with 2 underground streams that helps provide the town drinking water. Located behind the funeral home with an entrance road on Rt. 140, it is in the congested area on Rt. 140 near Memorial School and flanked by the clogged School St. and Hartford Ave. intersections with frequent traffic backups.

After reviewing plans for the 5-story, 68-unit apartment building at 47 Main Street in Upton, residents' concerns grew. 63 people emailed their concerns which were presented to the Board of Selectmen, the Town Planner, Mass Housing, Senator Fattman and Representative Muradian. These concerns were reiterated by Mass Housing in their project eligibility approval letter along with concern of Upton departments and boards, but the project is moving forward. Keep in mind, the decisions here will set precedence for other projects.

The building size and scope is inappropriate for a residentially zoned area. Zoning for this area is 2 stories. From the Developer's design drawing above, it clearly is 5 stories plus the façade to hide the solar panels; it is 5 ½ stories.

Surveys were done by the EDC for plans to redevelop our downtown, residents want to keep the village look and feel of the town; this project does not accomplish this and will be a scar on the face of the town.

The project entrance and address is in a designated historic district. This 5+ story structure will loom over the historic district as well as the residential neighborhoods. It will scar the face of Upton. (see pics at bottom of doc)

Water is a key concern. A longtime resident told us that there were 2 streams in the areas where they build Whitney and Hazeltine. We were also told that when Memorial School was built, it caused major flooding of area homes. The fire department helped to pump peoples' basements. The property across from the project site flooded and became wetlands when Whitney and Hazeltine were built. Our water concerns are valid based on years of experience.

We have been told that hydrogeological testing of the area is needed to understand how to remediate the issues before any further building is done.

The town's drinking water is at risk. **No water, No town.**

- The current environment is rich in vegetation and undisturbed soil that filters the water draining from surrounding developed areas. This will be replaced with asphalt and structures, with contaminates from landscaping chemicals, road chemicals, oil and dog park. The area that currently acts as a filter, will add to the contamination when it is developed.
- All of our water comes from underground. The water flows so any contamination will be distributed throughout the town. Even if water can be filtered at the pumping stations, many residents still depend on private wells.
- There are 2 pumping stations and 4 wells are within 2 miles of the site
- There are area residents that depend on private wells
- Sinkholes are a common problem in the area. Many see changes in the sinkholes or new sink holes when building occurs.
- We have a water ban from early spring until late fall, how can we supply another 68 units for this project plus the 158 units from Governors Landing and more projects coming?

Storm water and flooding is an ongoing issue in the surrounding area.

- The storm drain at the end of Hazeltine is known to overflow. Even during droughts, one can hear the sound of a heavily, flowing stream coming from the drain.
- Most homes in the area have had water issues; many have reoccurring issues, even after remediation.
- People are concerned that the entrance road and other structures could create a dam and create more flooding in the surrounding properties. Although, I understand the state has laws preventing people from flooding other's property, our bylaws do not reflect this. I hope such a bylaw will be considered for our town. It will insure people are more careful in their actions.

- With the removal of trees and vegetation, erosion will become a problem. Along with erosion, there is the increased flow water which will cause more erosion.
- Residents on School St. discussed current water issues; they have a water structure that is supposed to handle the water draining into their property, but it is insufficient. A resolution should be included in the project as it moves forward.

Because of the foundation cracks, sinkholes, flooding, and other issues we see from ongoing water issues, we are concerned about damage from the act of excavation and building, especially if blasting is needed. Other building projects in the area have caused renewed water issues for residents so our concerns are valid. We need protection from this occurring again.

This area has wetlands throughout. The abundance of wildlife here depends on this area wetlands for drinking water. The entry road is going to infringe on the wetlands. The asphalt, road and lawn chemicals will destroy the creatures that live and breed there.

Wildlife was displaced when they built Loural Lane; this project will take away their last space.

Most of the trees in the 6+ acres will be cleared. These trees and vegetation replenish our oxygen, provide shelter for the wildlife and screen noise and light pollution. No one that lives here wants to lose these trees.

Sewer capacity is a concern with the addition of 47 Main Streets' 68 units and Governor's Landing 158 units and more projects coming.

We have concerns about the accuracy of the Traffic Impact Assessment (TIA). In summary, we feel that:

- The volume of traffic is incorrect for a number of reasons. The number of vehicles impacting rush hour traffic are low (18 additional vehicles in the morning and 27 in the afternoon).
- The site study states that the site line leaving the proposed development is adequate. However, when cars are parked along Rt 140, the site line is blocked and it is difficult to see oncoming traffic.
- The study does not take into account the intersection of Fiske Ave and Rt. 140. We feel that this is where the majority of traffic leaving the development will be headed when leaving the development.
- There was no traffic study done on Fiske Ave where the elementary school is located. This is currently a cut-through for cars heading to Hopkinton Road. Volume and speed of vehicles is already a concern. The crosswalk exiting the elementary school is already ignored by drivers. Increasing the traffic from this project will increase the percentage of incidents.
- The study has no predictions of traffic accidents when people leave the proposed 47 Main Street development and try to proceed left (south) on Rt. 140.

We feel that the omission of Fiske Ave in this study makes it incomplete. There will be a significant impact to Fiske Ave with this development's entrance so close to Fiske Ave and Memorial School. There is no mention of Memorial School in the traffic study at all. We feel that this is a significant omission of a project of this size so close to the school.

The lack of parking is key. The combined 104 parking spaces and garage spaces are insufficient for the 68 units. With 2 vehicles per unit, that would require 136 spaces with no room for visitors or children with vehicles. How many of the 104 spaces are reserved for handicap?

That further reduces the general use parking spaces. **This would result in people parking in unauthorized places that could prevent police, fire and EMS from access.**

In addition, we are concerned with the increased noise for a development of this size surrounded by single family homes. With 68 units and over 100 parking spaces, dog park and

playground the impact to noise levels will be significant. There will be no buffers for noise between the residences and the development.

Municipal and Citizen Concerns:

Size and scope of the project – 5 floors with roof façade to obscure solar panels)
Violation of 2-story building code in residentially zoned area
Historic District
Storm Water/runoff
Wetlands
Underground Streams – high water table
Drinking water capacity and possible contamination
Increase chemicals (such as ice melt, salt, fertilizers, asphalt) permeating our ground water seeping into our town and private wells. No water, No town.
Waste water capacity
Flooding
Erosion
Tree loss
Memorial School student and staff safety with increase traffic and driver line of sight issues
School district planning
Traffic concerns – builder's traffic study raises new concerns regarding the data
Line of sight for traffic safety
Fire truck access, hydrants, and equipment to handle 5-story structure
Trash
Rodents
Snow storage and removal
Light pollution
Noise
Blasting concerns
Security on the property
Lower property values of surrounding homes
Endangered plants
Displacement of wildlife

For Developers plans, please see:

<https://www.dropbox.com/sh/g4p1s857prktd8o/AADeUIBNcEuighmWRGCogoaoa?dl=0>

To review a recording of the Board of Selectmen meeting where the project is discussed and residents provide comment, see this link: <https://www.youtube.com/watch?v=hls6hjQtF7c>
Dennis Westgate: 5:30 – Pipe updates grant
Michael Antonellis – 9:45 – Lobisser Construction Corp application
Citizen comments – 20:00
Michael Antonellis – 50:00

These images provide a simulation of what the height of the building may look like given the current terrain. This image has been modified to provide an artistic rendering of what the buildings may look like, but this is **NOT** an official image provided by the Lobisser Construction Corporation.

Route 140 Behind the Funeral Home



Whitney Lane Neighborhood

