

Mustafa Karabas & Ipek Demirsoy Karabas
(Abutter to 262 Virginia rd project)
24 Quail Run dr., Concord, MA 01742

9 December, 2024

Subject: 262 Virginia Rd. application for a Front Lot ADU with intention of subdivision by abusing ADU bylaw

Dear Mr. Kindermans and Members of the Board of Appeals,

We are writing to inform you that we are in opposition of this ADU project application which has been a clear intention to subdivide the land with a front lot ADU by attempting to abuse a well-intended ADU bylaw not **ONCE** but **TWICE** (now using the Healey act).

This project, designed as it can be seen with the intention of expanding/finishing certain areas to turn this ADU, is almost as big as the original dwelling at a front lot which was clearly indicated during the last review that it cannot be the location for an ADU.

When the concerns were discussed with Mr. Gresty at the site last time, he ignored them all and said "If the plan was 750 sq.ft, I would not need to talk to you guys at all. 250 sq.ft is all the fuss about!". Obviously, the fuss was not only about the extra 250 sq.ft but also the location and bylaw! I will list below my concerns one more time to the members of the Board of Appeals for consideration to reject this project!

1. Proposed ADU is likely to have a negative impact for neighbors' properties in a **sensitive water bed region**, especially by adding a huge basement, another asphalt driveway, septic system and leach field.
 - a. This was communicated as other to Mr. Gresty, and his response was "I will use a state-of-the-art water sealing system and my basement should be fine!"
2. Proposed ADU is likely to **reduce the market valuation** of our property and other in the neighborhood
3. Proposed ADU includes a private driveway which increases **traffic accident risk** in our neighborhood
4. Placement of the ADU should be as close as possible to the existing dwelling and not on the front lot. I am not aware of any front lot ADU. Allowing this front lot ADU means allowing the people to secretly subdivide their lots by abusing our bylaws, rules, and community values.
5. Placement of the proposed ADU will result in **significantly less privacy for our family** while maximizing the privacy of the proposed ADU and the owners of 262 Virginia Rd. It is not even designed to be closer to the Virginia Rd but it is optimized for 262 Virginia Rd privacy and monetary gain.
6. I am also concerned that nature (mature trees next to original dwellings) is being used for not following the bylaws. The mature trees can be moved easily by a tree service. Building a single house at a FRONT LOT itself is an economic hardship and agreeably not an easy task; however, it **should NOT** be allowed to use the following excuses
 - a. moving a few trees to a new location possibly to proposed ADU site
 - b. a few trucks load of excavationto bend bylaw and abuse well intended ADU rules/acts.

Objection to 262 Virginia Rd. Front Lot ADU project with additional Septic and Leach Field

Mustafa Karabas & Ipek Demirsoy Karabas

(Abutter to 262 Virginia rd project)
24 Quail Run dr., Concord, MA 01742

Below we specify the specific reasons for each of our concerns tied to the specific design features of the proposed ADU


1. **Sensitive Water Bed Region:** A full impact evaluation should be done in the area by town before moving forward with this project that has **unnecessarily large basement space** for the following reasons:
 - a. Since we moved in, our long-time resident neighbors (houses in the Quail Run Dr. were built) have been talking to us about how the land and underground waterbed are sensitive, and they have had flooding experiences from time to time in the neighborhood in the past. Within last two years we experienced water damage in our basement at the same time as Jonathan/Rachel Bandi's house. I strongly believe that *placing a big structure with a very big basement* will detriment the issue further and I am worried our properties will have water damage issues more often than ever due to the removed soil, trees, and added driveway. As a resident and tax payer of Concord, my expectation is that the town should do its due diligence to relieve these concerns of mine and other abutters before letting this project move forward at proposed **FRONT LOT** location.
 - b. The plan proposed suggests this issue can be handled by waterproofing the proposed structure's basement by redirecting the flow around the house. However, this doesn't solve the problem of abutters, as there is no proposed plan or consideration of how *the water flow redirection* will impact what is happening underground and what will happen to my and other neighbors' properties during wet seasons. It is full of ignorance on the developer side but in the board of appeal we trust and we should not only consider how the ADU would be affordable but also how the ADU **should not** create economic damage for the existing residents/neighbors.
 - c. In addition to a very big basement, the new ADU will have its own septic tank and leach field. It is unsound that one property has two leach fields! Placement of a septic tank to the ground that will remove more soil from the ground in our sensitive waterbed area. I am anxious to see the evaluation of how Septic tank placement and additional leach field addition will impact the sensitive waterbed/underground water and our properties. Specifically, the town should evaluate the impact of water flow when the drainage happens and how the additional stress on the underground water in the sensitive waterbed region will impact neighbors' properties, including estimated cost of a potentially large detrimental event such as basement flooding.
 - d. In addition to a septic system and very large basement, the proposed plan also includes a paved driveway. This would create even more water problems due to lack of surface area where the water is absorbed. And assuming that the water would be sloped away from the house, it would create more water issues surrounding neighbors. If anything, there should be no additional driveway at any time for this reason. The applicant should provide a parking space from their original dwelling parking lot. For above reasons:
 - i. *It **MUST** be as far away from the surrounding neighbors as possible; and as close as possible to its original dwelling*
 - ii. *It **MUST NOT** have a basement space at all so that the water bed disruption is minimal and there is enough soil for enough water absorption in order to minimize the detriment on neighborhood and neighbors' properties.*
 - iii. *It **MUST NOT** have an additional paved or unpaved driveway and parking space that would impact the water bed*
 - iv. *It **MUST NOT** have an additional septic tank and leach field*

Objection to 262 Virginia Rd. Front Lot ADU project with additional Septic and Leach Field

Mustafa Karabas & Ipek Demirsoy Karabas

(Abutter to 262 Virginia rd project)

24 Quail Run dr., Concord, MA 01742



2. **ADU rules and regulations on setbacks and front lot:**

a. *The location (**FRONT LOT**) and intended use of the ADU significantly impacts the neighbors' privacy, valuation of their properties, and as a result town's property tax revenues. Therefore, these factors should be appropriately considered.*

i. *The proposed plan for the ADU maximizes the main house's privacy and subdivides the lot by abusing the well-intended ADU rules. In addition to abuse of well-intended ADU rules, it is very close to my house and backyard to the extent that it oversees my deck and my backyard. I believe that this is not fair to me and other neighbors, as it will result in less privacy for us while Mr. Gresty could have reasonably followed the bylaw and designed his ADU attach or close to his original dwelling as set by bylaws (**NOT the FRONT LOT**). **Combined with the additional risk for water damages articulated above, we anticipate that it will lead to a reduction in overall market value of our properties** while residents of 262 Virginia rd. see increased valuation of their property for a second home! Yet ADU rules misses the rules for a special case like this (big lot, water bed, neighbors' interests), it does not mean the planning board should allow projects like this that most likely will detriment other neighbors' only houses' values/privacies.*

3. **Accident Risk at Virginia road:**

a. *Where the driveway entrance at proposed design is very concerning since it is the bottom of the hill and blind spot for incoming cars and any car leaving that driveway. I am concerned that with that driveway entrance, it is just welcoming accidents for town residents and by including bikers. The town should do a risk analysis for that location before allowing it. Combined with water bed issue, the public safety due to traffic accidents should be a great **reason for not allowing a secondary driveway** for this ADU project!*

i. **PUBLIC RISK** by welcoming accidents at very risky location where our kids take the school bus?

4. **Property valuations:**

a. *Given the factors above ((water damage, damage to the yard, or property is used out of its intended proposal – illegally condosized, illegally short term rented, long term rented etc.)) the Town should conduct an independent assessment of how property values will be impacted in the neighborhood by letting Mr. Gresty to add a front lot ADU for monetary reasons. While Mr. Gresty suggests it adds economic hardship for him not to build at proposed location (**FRONT LOT**), who will consider the economic hardship added to multiple properties by losing value if the **FRONT LOT said ADU** but a single house is added to 262 Virginia Rd.*


b. *At minimum, if the independent analysis suggest that the property values can be negatively impacted for abutted neighbors due to a **FRONT LOT ADU**, owners of **262 Virginia Road** or **the town** should be obligated to compensate the neighbors for the reduction in their property value due to this **FRONT LOT said ADU**.*

c. *Any decision from the town should be paired with a clear articulation of neighbors' legal rights to take action against the town and owners of 262 Virginia Rd if the proposed ADU negatively impacts our property in the future, e.g., water damage, damage the yard, or property is used out of its intended proposal – illegally condosized, illegally short term rented, long term rented etc.).*

Mustafa Karabas & Ipek Demirsoy Karabas

(Abutter to 262 Virginia rd project)

24 Quail Run dr., Concord, MA 01742



In conclusion, we are opposed to the ADU proposed at **FRONT LOT** location at 262 Virginia Rd. and we kindly ask the Board of Appeal withstand their position on the decision made in the past. Please let the record show our concerns and objections.

Mustafa Karabas & Ipek Demirsoy

9 Dec 2024

Objection to 262 Virginia Rd. Front Lot ADU project with additional Septic and Leach Field