

1 Dunlap Avenue
Marcellus, New York 13108
February 25, 2021

To: Mayor, John Curtin
Trustee, Jack Murphy
Trustee, Timothy Manahan
Village Clerk, Charnley Abbott
Code Enforcement, Bill Reagan

Subject: **Comments/Concerns on Baltimore Ridge Development Proposal**

I write this as both a resident of the Village's Wilson Tract and a Realtor. I am strongly against the planned development's access through Baker and Dunlap Avenue. If access were granted to this development just from South Street I would not oppose the proposal so strongly. Please consider the following:

What NYS Real Estate law grants owners of real property:

"Restrictions on Ownership Rights in Real Property

In addition to limitations on the use of your property that are imposed by zoning laws and building codes, other limitations may be created by laws enacted by government and by traditions that have the force of law ("common law"). For example, no owner may use his property **to create a nuisance for his neighbors. A nuisance under common law occurs when an owner uses his property to interfere with the use and enjoyment of his neighbors' properties – such as making unreasonable and excessive noise**, or conducting activities that carry with them the risk of an explosion or a release of dangerous chemicals."

The amount of cars coming and going from a development of 25 homes would certainly be a "nuisance" to all the current residents. One of the greatest "selling" points of our neighborhood (unlike any other in the Village) is it's closed "circle". The neighborhood children are free and relatively safe using (as they do) the street to roller blade, skate board, ride bikes, walk and in general just play. Also, there are a large number of daily walkers in our neighborhood, most of whom don't even live in the Wilson Tract. They come here because it's a great place to walk as it's quiet and safe. I fear we would lose this wonderful trait with the additional traffic.

Again, entrance from South Street only, not as opposed.

I just don't understand the logic behind why Baker Road and Dunlap Avenue are even being considered as access roads to the proposed development. It certainly can't be for emergency vehicles, as Wilson Road (Baker, Dunlap, Hillside), Flower Lane, Park Street, Chrysler Street, Paul Street, Bradley Street and Academy Green have no multiple access roads. So, clearly, it's not NEEDED in the proposed development.

My other concern is for the 5 houses (3 on Hillside, 1 on Dunlap, 1 on Baker) whose property will be the most affected. Those 5 properties will no longer be wooded, but will have a house right in their back or side yard. Something I'm sure they didn't envision when they purchased. Their resale values will be hurt the most. Perhaps this effect could be limited by reducing the number of lots by 3 or 4 and leaving a wide, maybe 30', area of the natural woods. Again, this could safeguard resale values somewhat.

I have concerns on what this proposed development's affect will be on property taxes, most specifically, the already high Village Tax.

My last (major) concern is our Village's sewer system. We hear and are reminded all the time about how over taxed the system is. It's brought up in almost every newsletter. And, the sewer rates seem to be skyrocketing. Why would the Village Government and Village residents think it would be a good idea to add another 25 or so houses to a system already under stress? Have there been any studies on the affect of this development on our current sewer capacity?

I understand the desire for increased Village revenue. But, won't whatever additional revenue this produces just equal the services the development will required? Not sure how this would truly financially benefit the Village.

Thank you for your consideration. I am assuming that my letter will be read at the Public Hearing March 3, 2021, and made part of the official record. c

Yours truly,

Betsy W. Whitmore