

External Email Warning 3 Beech St Abutters letter

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To: Mary Ellen Feener <permitting@hamiltonma.gov>; Richard Maloney <rmaloney@hamiltonma.gov>

William Bowler, Chairman

Hamilton Zoning Board of Appeals

577 Bay Road

Hamilton, Ma 01936

In regards to the proposed changes on project at 3 Beech St,

First, I do think he had a nice set up with the original plans, as stated a single story addition, it was set up as 2 offices with a Jack and Jill bath they could have easily used as bedrooms until the kids would reach adult age. The basement is not exactly a crawlspace, the ceiling must be 9 feet high, it's about a thousand square feet with a new bathroom and large windows, could be used in so many ways. I had no issue with those plans. I get it to leave neighbors to their own business. I've lived here for 30 years, never had to before and prefer to keep to myself.

I would have preferred to just never bother with this but I was not just left alone, let me expand. He came at me with a shock and awe tactic, I would never have expected anyone to do. Shortly after pouring the basement Mr. Mimmo put up a fence under the cover of darkness well over the property line that was clearly established from two prior neighbors conflicts of the same approach. Not just a regular stockade fence, plywood sheets, he cut branches off my 50 year old arborvitae's and directly screwed right into them at a height of 9 feet. I have photos on request. I spoke with him and he said sorry he couldn't afford the price of the stockade fence. The additional changes to the project could leave him without funds to finish.

He moved the fence a second time another 6 inches still obviously encroaching on my property. The property line was not rectified until I paid to have a survey done and used the services of an attorney. I handed him a copy of the Hamilton fence code and mentioned the height which is still over 8 feet, he stated he liked his privacy and intended to add lattice work on top of that as well in the future. The fence issue happened the same way with 4 abutters, built first and not moved until the abutters paid for a survey.

As the saying goes if it looks like a duck..... when you look at the second story addition it's making the property a two family house, adding more space without transparency, even if the current owner didn't dramatically increase boarders, renters or extended family a new owner could.

The septic system is older and not tested for Title V in quite some time – it was stated it would be upgraded when sold but what about testing prior to that with an expansion more than doubling the current structure. There are 3 septic systems within 5 feet of the property line due to the lot sizes

The second story, industrial rectangle building style has 18 feet of observatory windows directly over the 3 tiny lots we have as abutters, it does take away privacy, it is before you because it's less than 10 feet from the property line, please when visiting, stand on both sides of the fence to see for yourself, notice the ground level that has been changed, the ground level on my side of the fence is the mother nature one, one that has been here for 30 years on both sides of the property prior to this project, the other side was added by truck and filled upon starting the project, stand in your own backyard and imagine that from a neighboring property.

The size and scope, you can walk all around the lake, this has been called the cottage district because it was originally summer cabins with small lots, there are some larger houses with much bigger lots and no set back issues, some places are just packed in tight

Parking has already been an issue, they have had to park across the street on the reservation, which is fine on occasion but its been almost on a daily basis up until these meetings started

I know when I remolded my property right next door the town give me a 2 bedroom deed restriction to prevent overgrowth, it had nothing to do with the capacity of my top of the line septic system but to restrict overgrowth..... why such a change? Can we all now base expansion on the septic capacity because with the installed system I have it could handle a whole condo project according to the designer and installer

I would prefer to remain anonymous to avoid future abuse but understand this is a public activity, my attorney had all correspondence from Mr.Mimmo directly as I was no longer comfortable with how I was treated.

Thank you for your time, efforts and consideration

Michael Jodoin

Sent from [Mail](#) for Windows