Jeffrey Gatto
6 Victoria Drive
Webster, MA 01570

02/23/2018

RECEIVED
FEB 26 2018
Town of Webster
Planning Department

Paul LaFramboise, Chairman, and
Planning Board Members
350 Main St
Webster, MA 01570

RE: Request for evaluation of lot excavation by Healy Holdings LLC
LOCATION: Victoria Drive, Webster MA. Listed on the Board of Assessor's map #21 as Lot #19.

Dear Chairman and Board Members:

I am writing to discuss an abutting development project being completed next to my property, (Lot #20, 6 Victoria Dr. Webster, MA) by Healy Holders LLC. Chad Healy of 23 Hutchinson Rd Sutton, MA 01590 is the site manager of this project.

My concern is related to my property soil stabilization and erosion control that will be affected Mr. Healy's excavation of Lot #19. There is also a land boundary dispute.
I have been in contact with Mr. Healy since September 05, 2017 regarding his surveyors' identification of land boundaries being a serious concern that needs to be addressed. Mr. Healy always stated he would look into the matter but I never received a call back to continue discussions. I even asked to purchase the property but Mr. Healy declined my request stating the building plans are already in place. I explained there is still the issue of his surveyor's boundary line placement being in serious question. Again Mr. Healy stated he would drive by the property and call back but again I received no return calls.
I should point out, Mr. Healy's surveyor completed the property survey alone and in less than an hour then hung flags and spray painted lines on Victoria Dr. where he claimed the boundary lines existed. I did ask his surveyor how that was possible being only 6-7 feet from my dwelling. He had no explanation and would not discuss the matter.

On 11/28/2017, Mr. Healy's land clear cutting crew arrived. I spoke with Tom, the job foreman, and explained the boundary line issue and he said he would stay clear of the property line until his boss spoke with Mr. Healy as he did not wish to be responsible for destroying land that ownership was in question. I also left another telephone message for Mr. Healy to call back so we could rectify this situation.

On 11/29/17, I called Mr. Healy again. I spoke with him and he said he did not realize the boundary line came so close to my house and promised he would review the situation and call back. He also stated there were no plans to start building until spring 2018.

On 11/30/17, I went to the Webster Town hall building department and secured copy of Mr. Healy's building plan that I attached to this letter.

On 12/03/17, Tom came to my residence and asked if Mr. Healy had contacted me regarding the land boundary dispute. I informed he has not and my intention was to hire my own survey company to complete a professional instrument survey of my property boundary lines.

On 12/05/17, Tom and his clear cutting crew came back and cut more trees down including trees in the disputed area.

On 12/06/17, I called Mr. Healy and left him a message that we should meet to discuss this ongoing issue. I later received a text message from Mr. Healy to call him. I called Mr. Healy. He stated he spoke with plan engineer and said he could not sell 1 foot of land due to the septic system layout. I stated that on the other side of the lot and not the side abutting my property. Mr. Healy stated he would look into this and call back.

On 12/06/17, I contacted New England Land Survey 710 Main St. North Oxford, MA 01537 508 987 0025 and employed their services for instrument survey of my property boundary lines.

On 12/07/17, I texted Mr. Healy to follow up with our prior days conversation but received no response.

On 02/17/18, Mr. Healy's surveyor placed the corner stakes for the house he was building. I called and left message for Mr. Healy that I was having my property professionally surveyed and suggested he hold off on excavating the land. I again received no call back.

On 02/20/18, my hired surveyors from New England Land Survey began the survey.

On 02/21/18, New England Land Survey completed the job and stated they had found discrepancies with Mr. Healy's surveyor's boundary location and I owned more land than Mr. Healy's surveyor had indicated. Mr. Healy's dwelling project actually has a 21' set back from the property line and not the 32 plus feet Mr. Healy's surveyor indicated. My surveyors staked the property and the engineer will complete and send me their report. I will forward you this report once received.

Because my property is at a much higher elevation, (appx 15 feet) and very close to Mr. Healy's building project that he will undoubtedly be excavating soil in close proximity to my property, I request the following from your board(s):

1. Engineered soil stabilization plan to prevent my real property from collapse during and after Mr. Healy's proposed excavation and construction.

2. Engineered rain water mitigation plans as there is a natural flow of water from my dwelling toward Mr. Healy's dwelling location. Excavation of soil in this area without proper drainage will in turn cause severe soil erosion over time of my property.

3. A review of Mr. Healy's building plan based on the discovery of the correct property boundary lines.

If the engineered plans properly addressing the aforementioned issues have not been filed by Mr. Healy, I ask that you place an immediate cease and desist of all excavation/building of Mr. Healy's project until acceptable plans are in place.

Thank you for your consideration of this matter,

Best Regards,

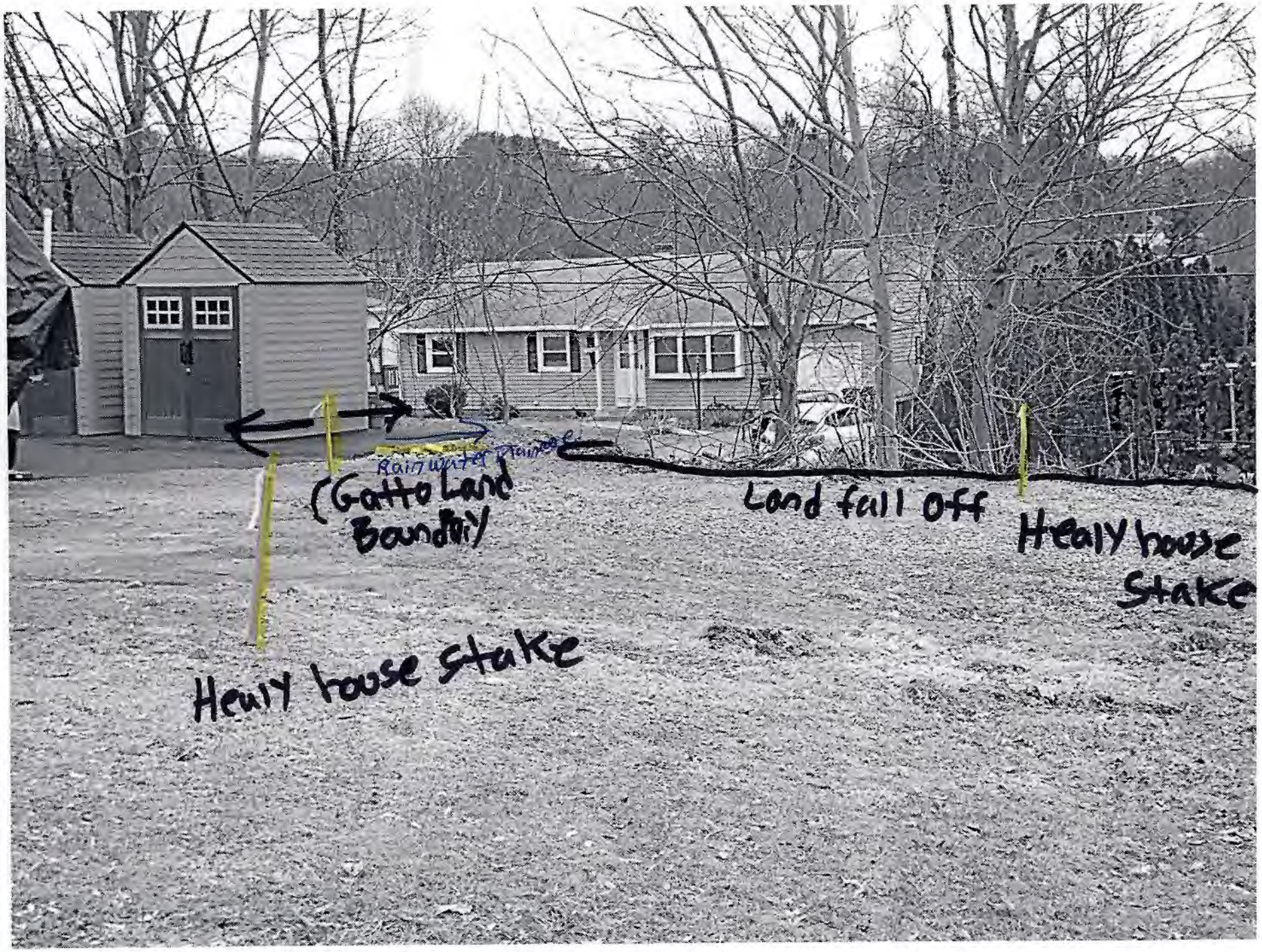
Jeffrey E. Gatto
774-230-2260

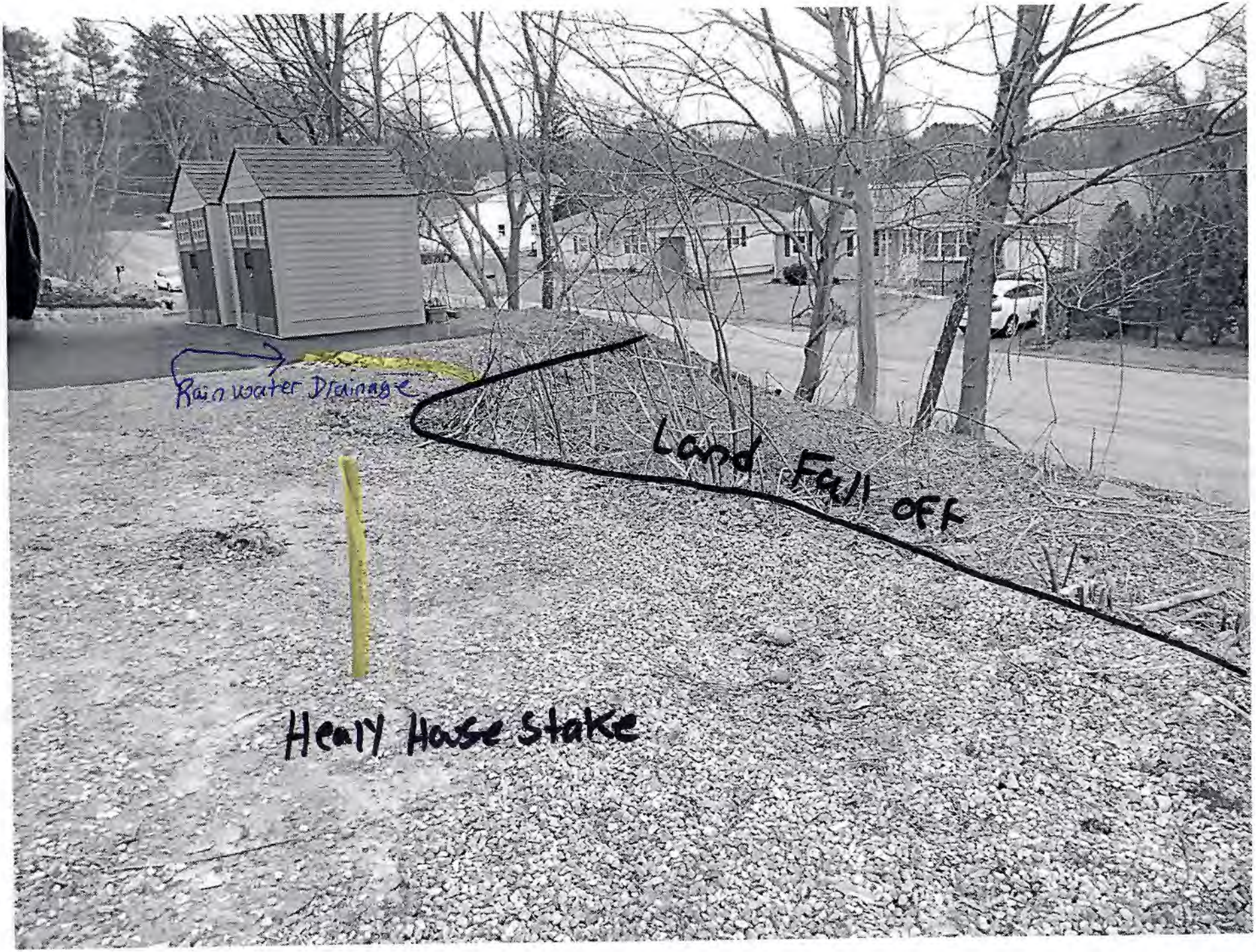
CC: Conservation Commission; Joseph Kunkel Chairman & Board Members

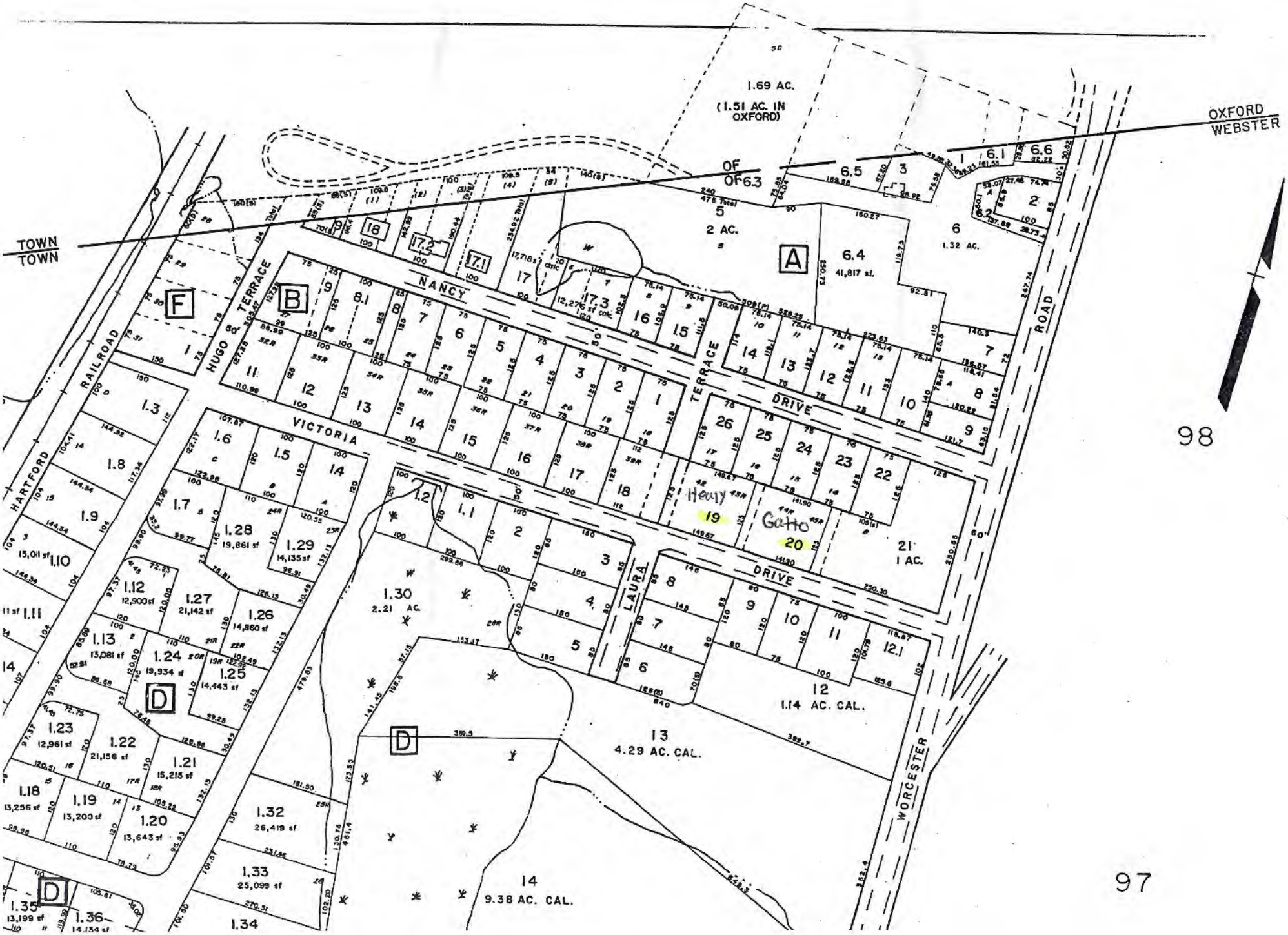
←Healy Victoria Drive Gatto→

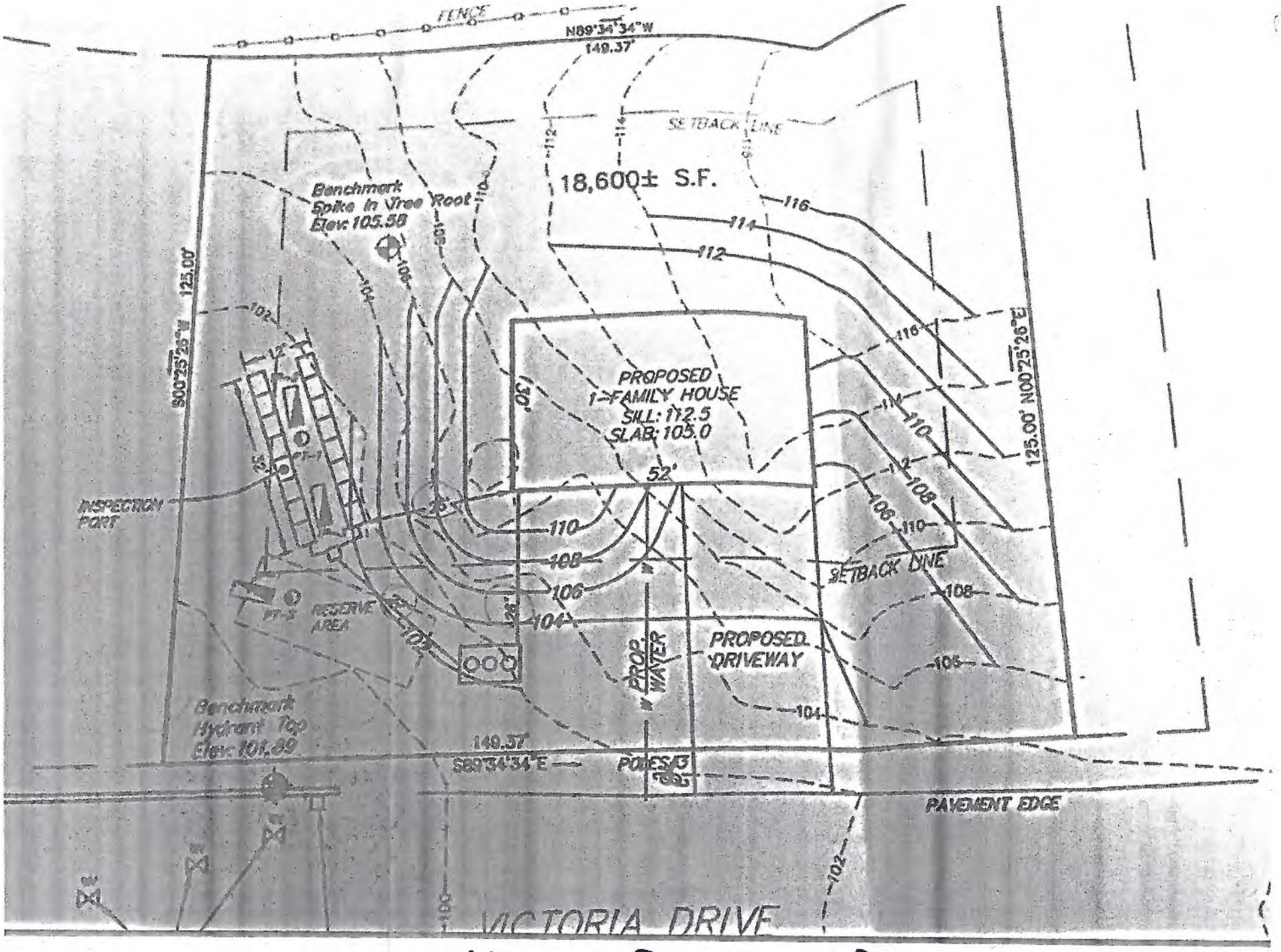
Healy House Stakes

POSTED
Rain Water Drainage
Gatto
Healy
Gatto Land Boundary


Rainwater
(Gatto Land Boundary)
Land fall off
Healy house Stake
Healy house stake


Rain water Drainage
Land Fall off
Heavy Hose Stake


OXFORD
WEBSTER
TOWN
TOWN
OF
OF
1.69 AC.
(1.51 AC. IN OXFORD)
NANCY
DRIVE
VICTORIA
DRIVE
TERRACE
HUGO TERRACE
LAURA
HARTFORD
RAILROAD
WORCESTER
ROAD
2 AC.
1.32 AC.
41,817 sf.
1 AC.
1.14 AC. CAL.
4.29 AC. CAL.
9.38 AC. CAL.
2.21 AC.
Heavy
Gallo
98
97



Healy Building Plan