

Luckett, Jay P

From: Greg Troutman <jgtatty@yahoo.com>
Sent: Tuesday, May 7, 2019 12:44 PM
To: Luckett, Jay P
Subject: 19DevPlan1080
Attachments: Abbeywood Boundary 2.pdf; Abbeywood Boundary 1.pdf

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Jay,

I am a resident and board member in the Village of Abbeywood. The Village is adjacent to the proposed development at 4200 Simcoe Lane which is the subject to 19DevPlan1080. I understand you are the Planning case manager assigned to the matter.

I am attaching a copy of the boundary plat prepared for the subject property in both 16DevPlan1071 and 15835. Both plats depict the location of the Village of Abbeywood perimeter fence as encroaching on the subject property. (See redline on attached plats). The developer of the Village (HFH) constructed the perimeter fence in approximately 1994 or 1995, and its placement has not changed over the ensuing years. In addition, the Village has landscaped on its side of the fence, and maintained the ground since the fence was installed. The problem facing the proposed development is that the sewer connection necessary to construct improvements is located per the plat on fence line. I have informed the developer's representatives of the issues outlined above, and expressed the position that the Village claims the subject ground by way of adverse possession and will not allow encroachment upon its property in furtherance of the development.

I wanted to bring this to your attention, as the matter of the encroachment will have to be resolved to the Village's satisfaction before the development project can commence if the subject sewer line is to be utilized. Moving forward with approval of the project prior to such resolution would be rather hollow. Quite frankly, I am surprised this issue was not caught by the planning and design officials during either of the two prior zoning cases.

Greg Troutman

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