

Thomas Harrigan

From: Village President Neil Palmer
Sent: Friday, June 12, 2020 8:23 PM
To: Sheila Reynolds; Village Trustee Katy Cornell; Thomas Harrigan; Village Trustee John Domaszek; Village Trustee George Haas; Village Trustee Kim Irwin; Village Trustee Patrick Kressin; Village Trustee Thomas Michalski; David De Angelis
Cc: Patty Bunce; Pete Bunce; Jim Malewicki; Jim And Connie Malewicki; Russell Barcelona; Jenny Barcelona; Steve Kalmer; Sara Scullen; Sean Scullen; Kathy Schrubbe; John Stollenwerk; Mary Stollenwerk; Gregg Leas; Matthew Killps; Paris Kilps; Leo Salado; James Sayas; Sue Robinson; Robert Chang; Jeff; Kate Behring; Adam Romeiser; Julia Romeiser; Brian Hartlmeier; Laurie Kalmer; Glenn Schrubbe; Kristina Olkowski-Sayas; tom.powers@sikich.com
Subject: RE: SSND

June 12, 2020

Elm Grove Village Residents,

As you know, Mandel Group previously announced their agreement with the School Sisters of Notre Dame (SSND) to redevelop the SSND property in Elm Grove. Be assured that as of today, no plan or application for redevelopment have been submitted to the Village of Elm Grove and no schedule has been established to consider a SSND redevelopment plan (since no application or plan filed with the Village). Any redevelopment or change of use of the SSND property will first require a variety of Village approvals and permits.

Prior to the Mandel Group being selected by SSND, the Village staff and I, as Village President, met or talked with a number of parties interested in the site. In all cases these conversations involved discussions of how the Village development process works and is scheduled, the need for the developer to work closely with neighbors, and specific issues of concern like stormwater management, density, traffic, potable water supply, property values, emergency services and architectural quality.

Mandel Group has presented conceptual plans depicting preservation and renovation of the "castle" buildings at SSND, construction of new 3 story apartment buildings and side by side duplex rental homes, and a possible senior living property to SSND residential neighbors, Village Board and Plan Commission members, the Elm Grove Business Association members and other community groups to seek comments and input. These "digital meetings" have included numerous people and more presentations are planned.

Some Village residents have emailed or telephoned to express concerns and opposition to various aspects of the proposed development. Others have identified issues and concerns they want the Village Plan Commission and Board to consider. Some contacts have expressed support for a quality development on the site.

I agree that redevelopment of the SSND must proceed deliberately and consider all issues identified. No project will be rushed through a Village consideration process, and public input will be encouraged throughout the consideration process.

It is my understanding that Mandel Group is currently modifying their proposal based on input and comments they have received during their outreach efforts. I believe that Mandel should continue to seek and incorporate input. The Village government will continue to provide information about the legal process and issues of

concern we identify but will not take any official actions until a conceptual plan has been filed according to the established legal process. **We have not received a proposed plan or a request to begin a review process.**

Recently, a few residents have complained about scheduled meetings to move ahead on review of the project without more public input, especially since any meeting would be delayed or hampered by Covid19 concerns and difficulties. **But there are no scheduled** considerations by the Village Plan Commission or Village Board currently. Today, because of our public notice requirements and filing requirements that effectively means that the first step for any project; the Conceptual Plan presentation to the Plan Commission cannot likely take place until August at the very earliest.

Until the Village receives a Conceptual Project Plan with a request to begin the review process, we cannot and will not take any action.

Neil Palmer, President

Village of Elm Grove

From: Sheila Reynolds <smreynolds05@gmail.com>

Sent: Tuesday, June 9, 2020 8:05 PM

To: Village Trustee Katy Cornell; Thomas Harrigan; Village Trustee John Domaszek; Village Trustee George Haas; Village Trustee Kim Irwin; Village Trustee Patrick Kressin; Village Trustee Thomas Michalski; David De Angelis; Village President Neil Palmer

Cc: Patty Bunce; Pete Bunce; Jim Malewicki; Jim And Connie Malewicki; Russell Barcelona; Jenny Barcelona; Steve Kalmer; Sara Scullen; Sean Scullen; Kathy Schrubbe; John Stollenwerk; Mary Stollenwerk; Gregg Leas; Matthew Killps; Paris Kilps; Leo Salado; James Sayas; Sue Robinson; Robert Chang; Jeff; Kate Behring; Sheila Reynolds; Adam Romeiser; Julia Romeiser; Brian Hartlmeier; Laurie Kalmer; Glenn Schrubbe; Kristina Olkowski-Sayas; tom.powers@sikich.com

Subject:

To: Members of the Elm Grove Board of Trustees
Members of the Elm Grove Plan Commission
Dave DeAngelis
Tom Harrigan

From: Current Residents of the neighborhoods of Caroline Heights and Meadows of the Grove

Date: June 10, 2020

Re: Proposed Mandel Development on School Sisters of Notre Dame Property

Dear Representatives and Village Staff,

On May 21, 2020, the neighbors surrounding the School Sisters of Notre Dame (SSND) Property participated in a Zoom meeting with the Mandel Group to learn of their proposal to develop the SSND property. Overall, we were disturbed to see the density and height of the project proposed and are writing to express our concerns with the presentation and the project and its dramatic impact on our neighborhood. Mandel Group had identified key aspects of anticipated concern to address in their presentation, based on the survey results from our neighborhood, which were shared with the Mandel Group and Village President, Neil Palmer, in advance of the presentation. We understand that you have met with Mandel Group and have seen a similar presentation. Our comments are set forth in accordance with their format. Because the email addresses of the Plan Commission members are not available on the website, we are copying the Village Manager to request that our concerns be provided to the Plan Commission as well.

RESIDENT CONCERNS

Architecture/Aesthetics/Property Values

Historical Preservation Should Not Be to the Detriment of the Adjacent Neighborhood – We understand that the Mandel Group is a quality developer. While we admire that Mandel has pledged to be sensitive to the architectural character of the SSND “castle” building, we are concerned that the cost of converting an older structure to a new use and of preserving the grape arbor, forgoing key development acreage on Watertown Plank, is driving Mandel to increase the density of units elsewhere on the property, to the detriment of surrounding single family homes. While we are sympathetic to the Sisters desire to assure for the financial future of their members, their desire to preserve their heritage should not come at the cost of remaining taxpaying residents.

Historical Perspective on Development of Single-Family Residential Neighborhood – All of the property that is now Caroline Heights and Meadows of the Grove once belonged to the SSND. As their use of the property diminished and they needed funds, they sold off portions to be developed into single family residences. Those of us who purchased our lots from them, expected that they might in the future, again sell acreage for development into single family homes. We have built and maintained attractive residences and take great pride in our homes. Our homeowners have often been acknowledged with “Elm Grove Beautification” awards. It is our strong preference that further development be limited to single-family homes.

Strong Assurances Provided To Neighborhood Residents During Downtown Master Planning – Residents of this neighborhood have been repeatedly assured by trustees during the downtown redevelopment plan meetings that our single-family homes would be buffered by other single family homes, and conceptual diagrams included in the drafts available for public comment reflected that. Only in the final plan, released during COVID-19 with no opportunity for public discussion or comment, did that assurance change. The Village President, knowing residents’ key concerns about density/traffic/apartments/impact to property values, repeatedly asked residents to “trust me”. Based on the Mandel plan submitted, that trust appears to have been gravely misplaced.

Mandel Plan Will Significantly Reduce Home Values in Caroline Heights and Meadows of the Grove –Home values in our neighborhood have historically increased and houses in the neighborhood have been quick to find new buyers. The Mandel Group assures us that that will not change, however, it has been difficult to assess this core claim and it runs counter to common sense. Mandel hasn’t been able to provide us with copies of the studies they cite and they are not easily available on the internet.

Our own research has uncovered studies that contend clearly otherwise, concluding that **single family homes within a quarter of a mile of new apartment construction lose value**, even if the impact on the zip code overall is negligible. Indeed, the studies available on the internet that conclude that multi-family housing does not decrease property values are based on a zip code wide analysis and concede that homes close to the development do lose value. They are also done in large urban areas like Boston, San Francisco and New York.

More relevant studies include a 2012 study in Fort Collins, Colorado that used specific GIS locations of living units rather than zip code or census tract analysis used by many older studies. It found that “Rentals within a quarter mile of a sold home had a negative impact on price...” (The Rental Next Door: The Impact of Rental Proximity on Home Values, Wendy Usrey, Colorado State University).

Another study, done in Omaha in 2002, concludes that both proximity to apartments and density of the apartments had a negative impact on housing value. (The Impact of Apartment Complexes on Property Values of Single-Family Dwellings West of Interstate-680 in Omaha, Nebraska, Lesli M. Rawlings, University of Nebraska at Omaha).

Both Realtor.com and Beacon Property Management state that nearby rentals can lower your home value.^{[\[1\]](#)}

The value of our homes is our primary asset. Adjacent homeowners to the proposed development should not bear the significant and highly detrimental cost of the Village's desire to preserve a historic building, obtain water infrastructure for further downtown development, and grow downtown businesses. Significant accommodations should be made to reduce the impact on our lives and our home values by buffering us from the brunt of this development.

High Density Should Not Be Elm Grove's Destiny

Proposed Housing Density Calculation by Mandel Appears Incorrect – The Mandel Group presentation inaccurately minimized the density of the proposed project. The Mandel Group used Multiple-family senior living center Rm-2 zoning , (which allows 16 apartments per acre, but is limited to senior facilities whose residents are limited to those over 62 years of age) to perform their "Density Context" comparison calculation. Most of their planned residents will not meet this criterion. The 16 dwelling units per acre shown on their comparison is misleading. The more accurate comparison would be to use Multiple-Family zoning Rm-1, which allows only 8 dwellings per acre, or a maximum of 224 living units total on the 28 buildable acres. Single family zoning consistent with the existing neighborhood would allow only 1.7 units per acre. With 28 acres developed as single-family homes under Rs-1 rules, there would be allowed only 47 dwelling units total or 1.7 units per acre allowed to be built on the property. The Mandel proposal is ten times that density.

The current plan for apartment buildings is too dense and highly inconsistent with the existing neighborhood.

Buildings that are three and a half stories and 47 feet high are planned to replace many buildings that are currently only 2 stories tall. Rm-1 zoning limits building height to 36 feet which is a much more appropriate scale for a multi-family development abutting single family homes. The single-family homes in Rs-1 zoning are limited to 36 feet in height. As planned, the apartments will tower over existing single-family homes, impeding the ability of current homeowners to enjoy privacy in their yards, threatening their privacy inside their homes, and reducing their property values.

We ask that the Village require modification of the proposal consistent with all prior versions of the Downtown Master Plan to require Rs-1 single family homes be built across the majority of the property with multi-family housing limited to along Watertown Plank Road, and that the height of the new buildings constructed by Mandel be limited to 36 feet

Impact on Schools and other Public Services

Calculations in Mandel's Presentation Understate Number of New Students at Tonawanda – The Mandel Group indicated that they anticipate the apartments will be occupied by older adults who want to sell their Elm Grove homes and move to rental properties. Despite the majority of the units being 2 or three bedrooms, Mandel predicts that only 8% of their residents (35) will be children.

- For the sake of comparison on the potential impact of single-family homes, Mandel inaccurately projects that there would be 40 children that move in if single-family homes were to be built. In doing so, Mandel uses the wrong zoning density Rs-2 (2.2 houses per acre) to calculate 66 homes instead of the 47 (1.7 houses per acre) that would be allowed under the Rs-1 zoning applicable to the rest of the neighborhood. If you use 47 units you get 123 total residents which results in 28 children, not 40. Mandel uses 10 year old census data to determine the rate they apply to single family homes, and a much lower rate "based on representative Mandel Group Suburban properties" to estimate their own number of children, but their other apartments are generally in much more urban settings without yard or pool space that is more likely to attract families.
- Mandel also does not take into account the likely increase in the number of new families to Elm Grove due to the departure from single family homes of the senior Elm Grove adults they say will be their primary residents. While the district may be able to accommodate additional students by shifting some Elm Grove

families away from Tonawanda to other elementary schools, that will be at a cost of the sense of community that arises from Elm Grove families being connected through Tonawanda.

Current Police and Fire Service Insufficient for Significant Expansion – We are also concerned about the impact on police and fire service of a development that will increase the population of Elm Grove by about 10%. Our current fire and EMT service is volunteer-based, and the volunteer coordinator says it will not be possible to recruit sufficient volunteers to serve this substantial increase in population, especially since more senior residents use EMT services more often. Will we need a professional fire department and new equipment to protect this commercial development? It seems likely that any tax revenues to be gained will soon be absorbed by these additional expenses.

Traffic Will Increase Substantially – The current plan to create roadways throughout the property leading to two exits, one on Watertown Plank and the other on Stephen Place is concerning. While Mandel predicts that only 114 of the 400 apartments will use the Stephen place exit, there are no barriers limiting the residents from choosing that exit, and it is logical that many more will, especially when they plan to head east out of the development. Currently, the SSND parking lot that exits to Stephen place has no more than 10 cars in it on a given overnight. The impact of the project that will have more than 400 new cars using the exit on the Caroline Heights neighborhood is severe. Mandel Group indicated a willingness to reroute the Stephen Place exit directly onto Watertown Plank Road and we ask that the Village work with them to accomplish that and reduce the negative impact on the immediate neighbors.

Financial Impact to Village – What Will It Be?

Mandel has not been specific about the ultimate value of the proposed development and therefore, it is difficult to anticipate what tax revenue will be gained from it. They have indicated that they have been in discussion with the Village about creating a Tax Incremental Financing district (TIF) to cover the cost of bringing municipal water to the property. The impact of the TIF will be to substantially reduce any potential benefit to existing homeowners in the form of property tax relief. Clearly the cost of services to provide police, EMT and fire protection to multiple story new construction and 10 percent more residents will not be insignificant.

Environmental

The single-family homes to the South of the development sit below grade from the SSND property. The new development seems to further increase land that is impervious to absorbing the water that gathers on the property and spills over Watertown Plank from subdivisions to the North during heavy rains. We ask that the Village assure that the development does not result in flooding of adjacent properties.

The SSND property contains some of the oldest trees in the Village and those trees provide important screening for adjacent single-family homes. Elm Grove is a Tree City and a Bird Sanctuary City. The mature trees on the SSND property provide important habitat for owls and other raptors, as well as shielding for existing homeowners.

We ask that Mandel be required to retain the mature evergreens that provide shelter for residents and wildlife and that they be required to plant further coniferous buffers to shield the back yards of existing single-family homes on Green Meadow and Meadow from new construction.

Process

Mandel's proposed development will have a substantial and permanent impact on Elm Grove. Although construction cannot begin until 2022, we understand from Tom Harrigan that he expects the Mandel plan will be on the agenda of the July meeting of the Planning Commission at which Mandel will seek conceptual approval. There is deep concern that this is taking place, with very limited disclosure to the Elm Grove community, at a time when a pandemic is raging through the country and even the CDC continues to strongly discourage gatherings of people in groups over ten.

1. Residents request that the Village slow down the schedule Mandel has proposed to rezone the SSND property and receive conceptual approval for a dramatic shift in zoning to allow the broader community to be properly informed and educate themselves. The current COVID-19 pandemic and the restrictions associated with it to prevent the spread of the virus reduce the ability of residents to gather and petition their representatives. Residents are unable to visit Village Hall, meet with Village staff directly to become better informed, and even their attendance at public meetings is either online or in very limited numbers at public meetings with most trustees only present via a shaky Zoom connection.

2. Residents request a direct meeting with Village trustees and Plan Commission members to discuss the project, understand why trustees believe this might be a good plan for Elm Grove, and share our concerns, not all of which are shared in this letter.

We would like to meet with representatives in our backyard, both to provide appropriate social distancing, and so you can see firsthand the potential impact of your decisions on the people you were elected to represent. We will be eager to talk with you on the evenings of June 15-18 in the back yard of the Bunce home, 12925 Meadow Drive. Please let us know which date you will join us.

Sincerely,

Jenny and Russ Barcelona, 12955 Meadow Drive

Kate and Jeff Behring, 1100 Red Barn Lane

Patty and Pete Bunce, 12925 Meadow Drive

Bob Chang and Sheila Reynolds, 12850 Green Meadow Place

Jenny and Brian Hartlmeier, 12915 Meadow Drive

Lori and Steve Kalmer, 12800 Green Meadow Place

Matthew and Paris Kilps, 12755 Stephen Place

Gregg Leas, 1070 Red Barn Lane

Connie and Jim Malewicki, 12800 Meadow Drive

Kathy and Tom Powers, 12900 Green Meadow Place

Sue and Jon Robinson, 12775 Green Meadow Place

Julia and Adam Romeiser, 1090 Red Barn Lane

Leo and Ana Maria Santos Salado, 12800 Stephen Place

Kristina and James Sayas, 12535 Stephen Place

Kathy and Glenn Schrubbe, 1150 Red Barn Lane

Sara and Sean Scullen, 1030 Red Barn Lane

Mary and John Stollenwerk, Jr., 12750 Stephen Place

^[1] <https://www.realtor.com/news/trends/things-that-affect-your-property-value/> <https://www.beaconmanagementservices.com/rentals-community-affect-property-values/>

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