

Homeowners,

There is a lot of important information in the email. Please read down through so you are aware of all the things happening in our area. **The information about the possible new road and retail development are at the bottom of this newsletter.**

This email may be shared. Any homeowner or resident wishing to be on the email group should send their email to [mtnbrookofmadison@gmail.com](mailto:mtnbrookofmadison@gmail.com). Remember, Government addresses will not work.

**AUTO BREAK-IN:** A neighbor on Canterbury reported two cars broken into overnight last week. Neither car was locked and one was parked in the street. Remember, you should lock your cars whether they are in the street or driveway.

**COVENANT COMPLIANCE:** The Board received a lot of positive response to the start of our compliance program. For three months it was run by a board member at no charge. This ended in May and we have not had a compliance program through the summer. The Board has received complaints about the problems that started back as soon as we stopped the program including parking on the street and trash cans being left out. The number one priority of the Board right now is the hiring of a property manager to run the covenant compliance program. We hope to have this program going again by August. Please remember, once we hire someone as our manager they will only be enforcing the covenants as we have them written. All decisions on compliance are the responsibility of the Board and not the compliance manager.

**COVENANT REMINDERS:** Resident vehicles are not to be parked in the street overnight. Commercial businesses that involve customers coming and going to a personal property are not allowed. Fence and mailbox maintenance should be completed before September.

**YARD WASTE PICK-UP CHANGES:** The City of Madison has contracted the yard waste pick up service to Allied Waste effective Monday, July 25, 2011. **Previous yard waste Friday pick up will change to Mondays. Large items will be picked up on Fridays.** Large items examples are hot water heaters; dishwashers; couches; large tree limbs; etc. If a large item is placed at curb on Monday, it will sit at curb till Friday. For your information, two man rear loading garbage trucks will be used for regular yard waste. Trailers with large boom and claw will be used for large items.

**TREE CUTTING:** Tree clear cutting is scheduled by Mr. Breland on vacant land south of I-565 and west of Zierdt Road in next few weeks. This will be tree cutting only; no construction will be taking place. The property owner is permitted to perform this activity without any city approval, permitting, or public hearing. Reason provided for the tree cutting is for easier location of utilities on property and for better property visibility for marketing.

**DISTRICT 3 NEWSLETTER:** The newsletter from Councilman Jennings is attached to this email and posted to the website.

**RETAIL SPACE AND ROAD NORTH OF MOUNTAIN BROOK:** Mr. Breland has started prepping his property north of Mountain Brook to prepare for a road and retail development. A meeting was held last week at the home of Frank Clark, 101 Hursthaven Court, [fkerneyclark@yahoo.com](mailto:fkerneyclark@yahoo.com), between a group of concerned

homeowners and Councilman Jerry Jennings. Mr. Clark has agreed to be the Mountain Brook focal point for this issue. The picture of the plat is posted on the website. Notes from the meeting are below:

#### **MEETING NOTES**

- Breland purchased 300 acres from Jim Medlock (Intergraph) 4 years ago.
- Upscale development...Retail space hotel, convention and planned park space.
- De Bartolow relationship is terminated.
- New partner Daniels Development Birmingham developed Leeds Alabaman...city council and mayor have visited new development in Leeds very impressed.
- Intergraph new European Owners want to build multi-story corporate headquarters in development...decision has not been made yet.
- Breland and Daniels have relationships with big box retailers and high end hotel.
- City needs road to be built to connect to lime quarry and intersect with Dunlop Blvd and create access from Wall Triana.
- 4 lane road with lamp posts in median planned for 20 feet from Mountain Brook Subdivision property line with vegetation buffering.
- Development plat shown.
- R4 zone planned for apartments not going in.
- Quarry to be potentially permitted to pump and treat the water for city water use for summer months.
- I-565 exit to be built potentially at top of hill by quarry, but not necessary for the development according to Daniels Development.
- City needs revenue and project very profitable for city and school system.
- Project funding through tax increment.
- City of Madison controls permit for the proposed road adjacent to Mountain Brook Subdivision to intersect with Zierdt Road.
- Breland can do whatever he wants as this is private property...including placement of road on his property. He will win if it goes to court.
- City of Madison and Mayor want this development ASAP
- Breland is accelerating the timeline and will start bull-doing the initial road.
- Suggest a meeting with Louis Breland and City Engineer sometime the last two weeks of August to express concerns.

#### **CONCERNS POSED BY HOMEOWNERS**

- 4 lane road with lamp posts in median 20 feet from property line not acceptable. Suggested placement of road at least 150 feet from property line.
- Flooding concerns on Hursthaven and role of creek along Mountain Brook property line.
- Security concerns with traffic pattern and loitering of pedestrians.
- Noise and light pollution
- City engineer has informed a homeowner that the creek will be covered and drainage put in.
- A homeowner suggested that a 8 – 10 ft solid brick privacy wall be erected to protect Mountain Brook from development and be incorporated into the plan to address security, noise and light pollution concerns. Jennings suggested BOD meet with Breland and City Engineer.
- Mountain Brook will be surrounded by heavy construction Breland development and Zierdt Road expansion for the next 5 years.
- Concerned about property value and proximity of development.