

# JOHN R. MONROE ATTORNEY AT LAW

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AUG 14 2014  
City of Roswell  
Community  
Development  
Dept.

August 14, 2014

Mr. Donald A. Rolader  
Rolader & Rolader, P.C.  
1865 Lockeway Drive, Suite 601  
Alpharetta, GA 30004

Via Facsimile 770 442 0641 and U.S. Mail

RE: **Lehigh Homes, 110 Woodstock Street**

Dear Mr. Rolader:

I represent Lori Henry and the Townsend Place of Roswell Homeowner's Association, Inc. (the "HOA"). My clients own property that abuts your client's property/project referenced above. There are several issues with the current usage of the property and proposed usage that I wish to bring to your attention.

Currently, your client's property includes a ditch along the north border of the property. The grade of the property is generally southwest sloping to northeast. The effect is that storm water falling on your client's property (as well as on the City's parking lot adjacent on the west lot line) tends to collect in the ditch. The ditch then empties into the northeast corner and deposits its contents onto Ms. Henry's property, causing her lot to flood during rain storms.

Also currently, your client's property includes an abandoned (or at least disused) connection to the private sanitary sewer lateral of the HOA. This connection was not authorized by the HOA when it was made, and it continues to be unauthorized.

I understand the proposed usage of your client's property is a 21-unit townhouse community. This usage will make the large majority of your client's property impervious to rainwater, thus greatly exacerbating the current issue with flooding on Ms. Henry's property, possibly resulting in damage to her home itself and not just exterior flooding. In addition, storm water runoff could be expected to impact the HOA's property.

In addition, recent site plans show your client's intentions to make a connection to the HOA's sewer lateral. Premitting whether the HOA's lateral is even capable of handling an additional 21 units' worth of sewage, your client has neither sought nor obtained permission from the HOA to use the HOA's sewer lateral for the project.

Finally, site plans made public indicate your client intends to disturb the root system of approximately one-third of a large gum tree on Ms. Henry's property, as well as the root systems of trees on the HOA's property. Such activity is highly likely to result in the destruction of Ms. Henry's tree,

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and perhaps the trees of the HOA. Please be advised that Ms. Henry and the HOA have not authorized the destruction of their trees.

At a recent "neighborhood meeting" on the project, your client was asked if it would be willing to meet with homeowners in the area to try to resolve potential problems before they arise. Your client said "no." If your client continues to work unilaterally to develop its property to the detriment of its neighbors' property, my clients intend to take appropriate action to prevent trespasses, nuisances, and other violations of the law that interfere with their quiet enjoyment of their property.

Sincerely,

John R. Monroe

cc: Brad Townsend  
City of Roswell

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