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January 28, 2019

Katherine Miller
MassHousing
One Beacon Street
Boston, MA 02108

RE: 2 and 3 Burke Lane, Wellesley, MA Site Eligibility Response

Dear Ms. Miller:

On behalf of the Town of Wellesley (the “Town”) Board of Selectmen and Planning Board, please find the following comments with respect to the *Comprehensive Permit Site Approval Application* recently submitted by Cedar Place, LLC for the construction of a mixed income development at 2 & 3 Burke Lane which would include 16 units of residential housing on approximately 41,307 square feet of land in Wellesley.

Overview

The Town finds that this area is generally appropriate for the development of affordable housing, although the Town has several serious concerns about the specific project and site. It is the Town’s position that should the developer take steps to address the concerns specified in this letter, the project would be greatly improved.

The specific details of the proposed development raise some concerns given the context of its surroundings and the layout of the site. While the density is more appropriate than other recent housing projects, it will nonetheless represent a significant change to a neighborhood comprised of smaller single-family homes. The Town would like to see a reduction in the density of the project to better align with the neighborhood.

Burke Lane is a small neighborhood street which provides challenging access for a residential development of this scale, and the added housing units will strain circulation patterns in the vicinity. Burke Lane also lacks sidewalks and public transit is not easily accessible from this site, thus limiting access and accommodations for pedestrians. Improvements to these issues will provide safer pedestrian, car, school bus and other traffic circulation through the neighborhood for school children, residents and neighbors. The Fire Department also has significant concerns regarding appropriate access for fire apparatus.

The developer has included 2 Burke Lane in their proposal; 2 Burke Lane is an undersized, triangular lot consisting of a mere 2,277 square feet and located across the street from the Project site. As such, the inclusion of 2 Burke Lane does not contribute to the Project in any meaningful way and the Town requests that it be removed from the application. Similarly, assurance of permanent parking access on 7 Burke Lane, which the developer manages but does not own, will be essential for residents of the proposed building.

Site Constraints

The Town records indicate the Project parcels (2 and 3 Burke Lane) have a combined area of 41,307 square feet. As noted above, the Town objects to the inclusion of 2 Burke Lane in this proposal. The proposed development has a building foot print of 7,545 square feet and will be 2.5 stories high.

The topography of the rear portion of the site transitions quickly from 112 feet to 142 feet, of which approximately 20 feet would need to be removed by cutting into the hill. The applicant will need to install a retaining wall, but no details have yet been provided on this critical structure. Trees indicated in the Application to be retained for screening may be impacted by this change. Information on stormwater management has not been provided, so the Town is unable to opine as to how stormwater runoff will be controlled. Several abutters have raised concerns about the impact to the down-gradient neighborhood of Willow Park and surrounding properties which, if not managed properly, may significantly impact these residents. While the Application does indicate that the driveway will be constructed of pervious material, stormwater analysis will be required to determine how this will be handled.

Access Limitations

Access to the site is served by Burke Lane which is a 22'-wide curving neighborhood street. There is access from Burke Lane to Route 9 eastbound. However, vehicles must navigate an access route along Route 9 before they can safely merge onto Route 9. Access westbound requires either a U-turn once on Route 9, or an altogether different route southbound through the neighboring streets. Access to Burke Lane from Route 9 East is prohibited across the access route described above. The only approved access from this direction to Burke Lane is via the ramp from the Cedar Street intersection to Route 9. Moreover, there are no sidewalks on Burke Lane which inhibits access and poses a safety risk for pedestrians. The Town is also concerned about access to the site for public safety vehicles. Large vehicles such as a fire truck responding to the site would fully block the narrow road, and the layout of the parking lot would require vehicles to back up to exit as there is no way to turn around.

Traffic

As indicated above, there are no sidewalks on Burke Lane. In order to create sidewalks, a retaining wall on the property and/or within the right-of-way would have to be removed. The developer also proposes two curb cuts (less than 25 feet apart) which the Town believes will cause confusion and will increase the potential for accidents. Should drivers choose not to make a U-turn once on Route 9 to head westbound, they would travel southbound to McLean Street and through the adjacent neighborhood. The intersection of McLean Street and Cedar Street is also the intersection for Hastings Street and Hunnewell Street, which are essentially across the street from the entrance to the Fiske Elementary School. Given the intersections' locations relative to general traffic patterns, it is extremely congested during the morning and evening commute and during morning and afternoon school pick-up and drop-off times.

There is no school bus stop for elementary school children on Burke Lane. Children from this neighborhood must either walk or be driven to Fiske school. The nearest school crossing guard is at Cedar Street and Sheehan Circle. No traffic count information was provided with the Application. The increased traffic from the proposed development is of some concern to the Town and some changes to circulation patterns will likely be required to alleviate congestion and improve safety.

Fire Department Apparatus Access:

The Fire Department has significant concerns regarding the project as there is insufficient access to the site as designed for fire apparatus. The proposed project fails to meet several Massachusetts Fire Regulations (527 CMR 1, Chapter 18), including appropriate evacuation of fire apparatus through the access road based on the largest piece of equipment in the Town's fleet; unobstructed widths of not less than 20 feet for Fire Department access roads; and a minimum turning radius of a fire department access road of 25 feet, which can be increased to accommodate the apparatus. Finally, no portion of the facility or the exterior wall of the first story of building can be located more than 150 feet from the fire department access roads.

Density and Proximity to Other Neighborhoods

The property is zoned Single Residence District and 15,000 Square Foot Area Regulation District. The maximum density under the Zoning Bylaw for this District is 2.9 units per acre, and the surrounding neighborhood was developed consistent with this level of density. This project comprises 16.84 units per acre which is more than five times the density of the abutting and surrounding residential neighborhoods. Construction of this many units will double the number of residential units on this small street and impact the neighborhood character, but the Town recognizes that the proximity of Route 9 and a commercial district make this level of development more appropriate.

Wetlands

There are no wetlands on this site nor in the immediate vicinity.

Utilities

Existing water and sewer lines are present in Burke Lane in front of the property, and gas service is available on the street.

Proposed Parking

The plan indicates that there are 25 parking spaces or 1.56 spaces per unit. A review of the plan only indicates 24 spaces, and three of those are not delineated in front of the existing building. All parking is exterior, with the majority being to the left of the building. *There is no on-street parking allowed on Burke Lane.* The angled layout of the five spaces on the left side of the parking area would require a driver to execute a three-point-turn to exit the parking area and increases the risk for accidents between cars entering and exiting. While the Town finds that the currently proposed parking quantity is adequate for residents, the location and arrangement of parking spaces is poorly designed and there appears to be no provision for visitor parking. At a joint meeting of the Selectmen and the Planning Board the developer indicated that there was opportunity to provide additional parking on an adjacent overflow lot that his company manages at 7 Burke Lane. The Town is concerned that there is no ownership interest in this lot and therefore no guarantee that this parking would be permanently available to support the development.

Public Transportation

The MetroWest Regional Transit Authority operates the Route 1 bus along Route 9 with a limited schedule Monday through Friday. Residents seeking to take the Route 1 bus must walk to the Cedar Street interchange to get the bus. As mentioned above, there are no sidewalks along this route. All other public transportation services noted in the applicant's submittal are in Newton. Access to those would require a safe route along Route 9 through the 128/95 interchange. There are currently no sidewalks from the property heading east bound until after Dearborn Street, but sidewalks have been improved through the Route 9/Route 128 interchange. There are no sidewalks heading west along the eastbound side of Route 9 from Burke Lane for pedestrians to use to reach Cedar Street for the Route #1 bus. Thus, public transit options in the vicinity of the proposed project are quite limited unless a resident has access to a vehicle to reach them.

Landscape

There are no landscaping plans submitted in the Application. The proposed site plan does not specify how the removal of the rear grade will be addressed, including the number of trees to be removed and how screening for abutting properties will be affected. Additionally, tree removal may be required along Burke Lane and a number of those trees may be public shade trees.

Construction Management

The Town has significant concerns with compact nature of this site and the applicant's ability to safely construct this Project given the need for parking for construction workers and storage of site equipment. The size of the site, narrow street, and lack of on-street parking will create challenges for both the developer and the neighborhood. Deliveries will need to be coordinated and off-site parking of workers may be required. The developer has not detailed in the Site Eligibility Application how construction would be staged and coordinated.

Wellesley's Progress on Affordable Housing

While Wellesley has not yet reached the 10% threshold of affordable housing inventory, the Town has been making steady progress over the last 15 years in increasing the Subsidized Housing Inventory and anticipates meeting the 10% threshold by 2019-2020. The Town received approval in 2018 of its Housing Production Plan to expand its range of housing, including affordable, suitable for elder residents and those who wish to downsize and remain in Town, accessible to members of the local workforce, and appropriate for young families. The Town has also passed several zoning provisions to assist with affordable housing as redevelopment opportunities in Wellesley's commercial districts arise.

As of January 7, 2019, the Town is at 6.77% of its 10% goal, with 11 units recently added to the Subsidized Housing Inventory with the issuance of a Comprehensive Permit for the project at 135 Great Plain Avenue. Below are the Town's actions that have supported development of affordable housing:

Major Recent Developments

- In March of 2018, the Board of Selectmen, with assistance from the Planning Board, released an RFP to develop the Tailby and Railroad Parking Lots for affordable housing and parking. From the six proposals submitted to the Town in June 2018 the Board of Selectmen selected Trinity Financial for this project. Negotiations with Trinity are underway, which in part will determine how many units of affordable housing would be constructed, as well as provide an opportunity to diversity the Town's housing opportunities.
- April 2018: Town Meeting approved the transfer of \$200,000 to the Wellesley Housing Authority from the Community Preservation Committee, with support of the Board of Selectmen, to prepare surveys and other studies to ready the Authority's Barton Road property for potential redevelopment, including the improvement of existing housing and the creation of additional housing opportunities.
- On June 4, 2018, John Hancock announced that it will be redeveloping the Wellesley Office Park site and would like to partner with the Town to construct 350 housing units. The Board of Selectmen approved on January 28, 2019, the submission of an Application for Preliminary Determination of Eligibility for Ch. 40R to DHCD.

Legal Changes to Promote Affordable Housing

- The Town adopted the Inclusionary Zoning Bylaw ("IZB") in 2004 which requires residential projects in commercial districts to provide 20% affordable housing, and commercial projects over 10,000 square feet to provide 2% affordable housing (1 unit for every 50,000 square feet constructed).
- 2005: The Town modified the IZB to require subdivisions having more than five lots to comply with the Bylaw at 20% threshold. 2007: The Town modified the definition of Floor Area Ratio in the Zoning Bylaw to exclude affordable units developed under the IZB from being included in the FAR to increase density and increase opportunities for affordable housing units in commercial districts.
- New units and affordable unit funding resulting from IZB changes:
 - 2007: The Linden Square project was completed, wherein seven affordable housing units were created under the IZB (these units have recently been found to be missing from the Town's SHI but are being added now).
 - 2007/2008: permitting began for projects at 978 Washington Street and the former Wellesley Inn site at 576 Washington Street in Wellesley Square; these projects were delayed due to the recession, but both have now been completed, resulting in seven SHI-eligible units at 978 Worcester and 5 SHI-eligible units at 576 Washington Street. Both projects were developed under the Town's Zoning and subject to the IZB; 978 Worcester St. also resulted in payment in-lieu funds for 1 unit.
 - 2009: the permitting of a CVS resulted in the payment of in-lieu funds under the IZB.
- 2013: The Town amended the Wellesley Square Zoning District to create a special permit to increase density; this benefited and allowed the previously stalled Wellesley Inn project to proceed.

Addition of New Units

Since 2004, the Town has added 99 units of affordable housing to its SHI inventory.

Planning Actions to Promote Affordable Housing

- The 2007-2017 Comprehensive Plan recommended actions for affordable housing including exploring the feasibility of using Town-owned parcels for affordable housing and modifying the zoning bylaws to encourage housing diversity, both of which the Town has and continues to implement and explore.
- 2016 to present: The Town has developed the first Unified Plan in the Commonwealth that brings together the Town’s strategic plan and comprehensive plan. The complete draft is available on www.wellesleyunifiedplan.com. The Selectmen and Planning Board will adopt the final plan this month that includes a housing strategy that employs a variety of mechanisms to increase housing type and affordability.
- March 2018: Town Meeting appropriated to the Planning Board funds to develop a sub-area study and plan, with additional funds to be provided from the Community Preservation Committee, with a focus on development/redevelopment opportunities in a defined area to support the development of additional affordable housing.
- The Town’s Housing Production Plan (“HPP”) was approved by the Department of Housing and Community Development effective September 27, 2018.

For reference, 40B projects currently in Comprehensive Permit Review are:

1. Delanson Circle (90 Units) - MHP
2. 148 Weston Road (55 Units) - MassHousing
3. 16 Stearns Road (24 Units) - MassHousing
4. 680 Worcester Street (Previous proposed 20 Units) - MassHousing

The Town believes that the proposed site and development may be acceptable given the surrounding uses and densities, but maintains substantial concerns related to site access and neighborhood circulation, safety, pedestrian accommodations and public transit, parking on site, and screening.

Sincerely,



Jack Morgan, Chair



Marjorie R. Freiman, Vice Chair



Ellen F. Gibbs, Secretary



Thomas H. Ulfelder



Elizabeth Sullivan Woods