

1. 6:00 P.M. Committee On Community Planning

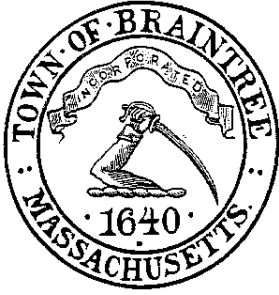
Documents:

[23 SEPT 26 MEETING CP AGENDA.PDF](#)

2. 6:00 P.M. Committee On Community Planning

Documents:

[23 SEPT 26 CP MTG DOCS.PDF](#)



Braintree Town Council

Committee on Community Planning

MEMBERS

Elizabeth Maglio, Chairwoman
Stephen C. O'Brien, Vice-Chairman
Joseph Reynolds, member

One JFK Memorial Drive
Braintree, Massachusetts 02184

AGENDA

Tuesday, September 26, 2023

Starting Time – 6:00p.m.

REMOTE via Zoom Webinar

Please click the link below to join the webinar:

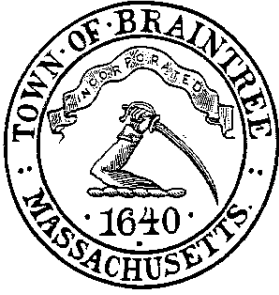
<https://us02web.zoom.us/j/85421707994>

Telephone: +1 312 626 6799 US

Webinar ID: **854 2170 7994**

International numbers available: <https://us02web.zoom.us/u/k0lYgVJbC>

1. Roll Call
2. Approval of Minutes
 - September 15, 2022
 - December 20, 2022
 - June 27, 2023
3. Old Business
 - None
4. New Business
 - **050 23 Councilor Maglio: Peterson Pool Progress or take up any action relative thereto**
 - **051 23 Councilor Maglio: Adams Park Status or take up any action relative thereto**
 - **052 23 Councilor Maglio: Evacuation Plan Activities or take up any action relative thereto**
 - **055 23 Councilor O'Brien: Covanta Transfer Station or take up any action relative thereto**
(As it relates to "environment" as listed in the committee's purview, on a recent hot day it was noticed by my constituents that the transfer station was very malodorous and yet the odor reducing spray system was not working. The request is to allow residents the opportunity to understand the environmental stench control strategy that Covanta and the Town have implemented.)
 - **056 23 Councilor O'Brien: Understanding the current status of the MBTA Communities Compliance Plan or take up any action relative thereto**
(with particular emphasis on this statement: "Both use and height over 2.5 stories require a Special Permit. We will be looking at amending those and testing the BWLD." and where these items stand.)
5. Adjournment



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September 15, 2022 MINUTES

A meeting of the Committee on Community Planning was held via Zoom Webinar on Thursday, September 15, 2022 at 6:30p.m.

Councilor Elizabeth Maglio, Chairwoman was in the Chair.
Clerk of the Council, Susan Cimino conducted the roll call.

Present: Elizabeth Maglio, Chairman
Stephen C. O'Brien, Vice-Chairman
Joseph Reynolds, member

Also Present: Steven Sciascia, former Councilor/resident
Liz Page, resident
Jill Coyle, resident

APPROVAL OF MINUTES

• December 19, 2017

Motion: by Councilor O'Brien to approve minutes of December 19, 2017

Second: by Councilor Maglio

Vote: For (2 – Maglio, O'Brien), Against (0), Absent (1 - Reynolds), Abstain (0)

For discussion: Councilor O'Brien asked to contact the administration to find out if item 094-17 Housing Production Plan took any action and if there is a housing production plan; from meeting minutes there was discussion, review, but subject to further discussion with stakeholders. Was there any discussion after that?

OLD BUSINESS

• None

NEW BUSINESS

- **041 22 Councilor Maglio: Multi-Family Zoning Requirements for MBTA Communities or take up any action relative thereto**
- **042 22 Councilor Maglio: Environmental Sustainability or take up any action relative thereto**
- **043 22 Councilor Maglio: Bike Lanes & Traffic or take up any action relative thereto**

Councilor Maglio, Chairwoman of the Committee on Community Planning stated tonight's committee meeting is the first in quite a few years, we have 3 items that were referred under new business for discussion this evening; as chair I will invite public comments, please use raise hand function. To get the discussion going, especially for those without the meeting materials, I will review the items we're talking about.

First, the description of committee as a baseline: The Community Planning Committee may consider and report upon all matters relating to short-term planning and community renewal projects as well as long term community planning and visioning and issues of sustainability and the environment.

There's a lot there that is fairly vague and broad and yet has specific implications on us as a community, as a town. Let's jump in on this first item from our meeting notes is 041 22 Councilor Maglio is similar to what was on the 2017 meetings, Multi-Family Zoning Requirements for MBTA Communities or take up any action relative thereto.

As part of this conversation we know that an economic development bill passed in 2021, there are new zoning requirements for housing that are connected to specific grant opportunities. This is aimed specifically at communities that host public transit. This is an area that will require extensive community planning in order for Braintree to figure out how we can understand, discuss, suggest, research and figure out who to bring in. That's the beauty of this first meeting. We can discuss and come up with a checklist of what we can bring to the table at future meetings for substantive discussions. The agenda that went out I included background links to get info and background.

Councilor Reynolds arrived at 6:40pm

Councilor O'Brien asked has anyone from the administration been invited to the meeting?

Chairwoman Maglio replied no, not for this first meeting

Councilor O'Brien stated let me start by saying this is not similar to the 2017 housing production plan. I brought this state requirement to the previous administration, it went to the planning department, and like many things, it didn't go anywhere because we never received a housing production plan. The chairman at the time, Councilor Owens, put together a community planning committee, but despite asking for an update, it appears we still do not have a housing production plan. I would argue we still don't have a housing production plan. Going back to an email that I sent in Jan 2022, I became aware of the MBTA community information requirement requesting to place on the Town Council agenda under the category of communications for a town wide briefing for an overall strategy to comply with the requirements of MBTA community and multi-family zoning requirements, referencing an email we received on January 5. It required that MBTA must submit the community information form by 5 pm on May 2, 22, and then to hold a briefing of your local legislative body no later than May 22, that form went to our required contact, Clerk Cimino. I received that my submission was late

and the planning department would work on it and give us an update. Fast forward to now, we're still waiting for the town to take action on a Jan 28 request.

Chairwoman Maglio stated the planning dept director did make a presentation at a public recorded council meeting on April 26, deadline being December 2022. She presented what they were able to understand at the time, and what I sent were links from the latest changes and updates from DHCD. The director did not present a plan; she talked about foundational information regarding numbers, qualifying factors, number of units required, general presentation.

Councilor O'Brien stated glad you remembered that, I zoned out on that, I'm glad we got that done, some things get done on time, some things deferred, I'm glad to have this discussion, this is a healthy conversation, I don't understand why we have to pay a fee to the MBTA.

Councilor Reynolds stated I share Councilor O'Brien's concern about compliance. I attended a DHCD webinar last week on MBTA multi-family zoning final rules based on feedback from communities. Braintree falls into rapid transit community category. One of the issues I heard is that the state is telling communities what to do and I can understand why people understand it that way. But the more I read about this and gotten more involved, I realize that we are part of a region with significant economic impacts because we have housing that is inadequate and has not kept up with the pace of our population. We have not kept up with the demands of what our local economy really requires in order for it to work with the fundamentals of a good economy. Businesses are impacted, etc., and I won't go into all of that, we'll have other times to talk about all the aspects. It's my understanding that we are not required to build the housing, we are required to designate the zoning for the purposes of being able to create housing. Some statistics that were just truly mind boggling is over the last 50 years – and I'm sorry I don't have the exact number but I will provide them at a later conversation – approximately 75% of total housing built in the last 25 years was built over 25 years ago and the remaining 25% has been built in the last 25 years, and it's still not enough to keep up with the population growth. So to ascertain the situation that we are all facing is that growth has lifted this region from an economic standpoint but its now that growth is beginning to collapse in on itself because we don't have a proper amount of inventory for housing. We're not talking about creating subsidized housing, we're talking about just workforce housing. People who are contributing to our economy. From my point of view having worked on the planning board for 13 years and then working in the Mayor's office for 3 years and now doing this, attending numerous types of conferences and forums, trying to identify what we are going to do to fix this problem. I attended a Mass Bio conference 2 years ago and the biggest concerns for those in the bio industry was the cost of housing, followed by transportation, and we all can identify with the transportation problems and the traffic issues that we face in this area. What does that do? It jeopardizes to the point that Mass Bio is concerned and I am concerned that we are jeopardizing the bio opportunity. So what are we going to do? This is the state coming to us and saying let's partner, let's genuinely look at what we can do to help with the housing that will help sustain the foundation of our growing economy in this region. We in Braintree are in a unique situation, we have opportunities to build housing, and multi-unit housing, in areas that won't impact our individual neighborhoods, or our streets, because we have significant transit centers. We're talking about a Master Plan. I had big concerns about our Master Plan being undermined by a vote recently in that area that brought a business that could potentially impede. I'm not going down that rabbit hole right now, but it tied into zoning, a master plan, how do we build what we need, sustain what we need, and this housing is a very important part of what we need to sustain Braintree's economic strength. We look at our budget over the last three years and they are going down, our revenue is going down, our expenses are going up, and we're cutting budgets, cutting services, we're not investing in our community, and housing in the area of the Ivory St. corridor is a terrific opportunity to keep cars off the road, to blend it in with the character of our community. But, we have time as well so to Councilor O'Brien's point, I am very concerned there are crickets coming out of the Mayor's office on housing, on an economic plan, they are doing nothing at all, and here we are, the council once again having to rattle the cage to

get some attention to try to get some answers to have a dialogue. Councilor O'Brien had to keep asking to get this information. Hoping that if we keep quiet, we'll go away. We're not going to go away. The state is saying this is a regional problem, we need the help of the communities, and we're going to incentivize to help with this problem. We're not doing anything even though we are being offered an opportunity to solve it on our terms. Doing nothing is not a solution. One of the things we should look at and I will work with you on this is to post what those notable changes were as a result of the pushback from the community. They changed/tweaked it, and right now we have until Jan 31 for a rapid transit community. We need to be 95% compliant, which means an action plan due to the state to zone, not build, but zone. That is responsible planning. Sitting on our hands doing nothing waiting for someone else to come up with the solution for us is not leadership and its not planning. I'm happy this community has stood up, is now meeting, and there are many topics we can force a conversation or dialogue on.

Chairwoman Maglio stated as we think about how to move this forward and how to partner with the mayor's office and how to see some planning take place, it seems like we have a couple of options. Do we want to assemble some panelists to speak before our committee? We could talk to CHAPA, DHCD to look at timelines. We could hear from the director of planning again to get her most recent input on what some of those changes are and what the next step is in terms of deadlines. We could also bring in some other communities who are working on this and what some of the pros and cons are. We have to do our own research but it would be good to talk to other cities and towns who are also grappling with this and why not build some bridges as we make our way through?

Councilor Reynolds stated I agree.

Councilor O'Brien stated I'd like to make one comment. I looked at April 26 Town Council agenda and it was listed as MBTA communities under the president and so that's probably why it went over my head, below my shoulders. But I also noticed that the presentation was not in the documentation, so at a minimum I would like to get that presentation again, paper is fine. But then I agree on the other items.

Chairwoman Maglio stated keep in mind when you review that presentation, there have been updates since April.

Councilor O'Brien stated want to make sure we have an understanding. The entire Landing area, we'll call it Braintree Landing, has been rezoned to allow for MBTA Community Development. It has been rezoned, there was a large swath of area that was rezoned and I have to admit and let me just say, at least one of us is familiar with the area, but if you look to the left as you're heading to the new development, there is a nursing home, to the right of the nursing home is a church, to the right of the church is a fairly decent amount of land there and I am shocked someone hasn't come through to redevelop that area to increase the housing. BTW, I'm not a fan, if you've paid any attention to Councilor O'Brien, he's not a fan of medium or over-development, and I may not have even approved the zoning for that, but it is what it is and maybe I was a no vote, but if it got a yes vote, I have to accept it because it got a yes vote. A previous councilor mentioned something that recently went down that the two of us believe it should not have gone down, but it did, whether I like it or not as a councilor I have to accept it because it's now law. So there is that land and I'm shocked no one has come forward. That said, I know we have control over that. So for example if someone comes to my patch and decides they want to put a massive development in, they don't come to this guy, they go to one person and he's the mayor, so we don't have insight and for all I know someone could be planning on doing something. What I'm saying in a way is I don't want to undercut the executive branch because there have been some initiatives around at least one MBTA station, in this case the commuter rail, so there is opportunity. We know there is a 40B development going in Councilor Maglio's patch that few people know is a 40B, but that's because people don't pay attention to East Braintree, and no one is complaining about it because it's a betterment of what exists, but it's also

exceeding what could be developed there and I don't think anyone is unwelcome of that, plus there are also requirements for betterments along the waterway which we're all going to benefit from. So I think that's probably why it's not getting 40B noise. I'm sorry to go off on a diatribe but I think it's all healthy discussion and I think we need administration to further the discussion.

Councilor Reynolds stated I would agree again with Councilor O'Brien that we at least need to have the dialogue and that was the example he cited on the vote of the council this summer. It was a healthy dialogue and it was a healthy dialogue, there were good hearings on it. That's what we need in this case. Doing nothing is not a solution. This has risen to a level where our economy is at risk. I don't mean to be an alarmist but when you fail to take care of business, business will fail. When you fail to plan, you plan to fail. A conversation doesn't cost anything. Now, to your point Madame Chair, there is assistance available on this topic from the station, they call it 3ATA, and assistance from MHP, DHCD, EEA for land use planning grants, MAPC. They're all available to provide technical assistance and clarification on the scope of the law, the minimum requirements of the law that will keep a community in compliance, eligible, smart roads program, and other community development grant money from the state. It doesn't have to be done overnight or as a rush job. I'm very open to having those subject matter experts come in and provide us on the panel and residents the opportunity to ask questions and to obtain a deeper understanding of what this all really means.

Chairwoman Maglio stated I agree and think that being able to get reliable, valid information, to be able to ask questions, to get the pros and the cons, I think that's important for us to be able to build movement forward on this. So I would ask you, in terms of the work of the committee, do we each want to go out and take an agency and see who we can get from that agency to come and speak at a next meeting, do we do all of this through me? I'm looking for the surest way for us to have experts at our next meeting.

Councilor O'Brien stated I'm a little concerned about going out and bringing in "experts" until we've heard from the administration. What we don't know, or maybe the MBTA presentation that went over my head, that agenda was pretty busy so personally I understand why that one went over my head plus it did not have my name listed with the item, but I just don't know what the administration has done. Perhaps, there is assistance available, but we don't know if the planning dept has already engaged those people.

Chairwoman Maglio stated I definitely agree, and that's our first step is to reach out to the planning dept.

Councilor O'Brien stated Let's get that first, I'm not trying to delay, this is all good stuff, but I think we need to give them an opportunity to defend any actions or inaction.

Chairwoman Maglio stated what I'm thinking about is there is a month between meetings and it will be January before we know it, would it be possible for us to have meetings 2 weeks from now, another 4 weeks from now to digest what we learn. If the planning dir is already working with the state that is fantastic so we could look at how to support that and build this, if there haven't been any steps taken, we'll need to take the steps.

Councilor O'Brien stated I don't know if accessing or contacting these folks to get their assistance for the council is the right thing. Getting someone to present what the previous member talked about is a no brainer. I guarantee you can get about 5 people lined up to talk to us. But if they already talked to the planning dept and they're already taking some action, because I recognize planning is busy, especially in the summer due to amount of building in spring and summer, so I guess I'm saying yes to all the above, but I was thinking even a weekly wouldn't be bad, but I'm not sure that a weekly for the planning dept is good, right, so you want to make sure the people who do come to us are properly prepared. But if we do it 2 weeks out and say this this this, in later sessions we'll be bringing other components of the planning dept. and maybe after that we can have a weekly meeting.

Councilor Reynolds stated I agree with that approach, I think the most prudent is to invite the planning director for the town's update on this topic and provide us with a stake in the ground update, where are we as far as our ability? We may be making assumptions here as well. We don't know from the Mayor's office what is the mayor's stance on this? From my perspective this mayor has communicated in numerous ways that he does not think multi-unit housing is right for Braintree. That is just my own opinion I'm stating. I would like to hear that directly from the mayor's office. There has been no articulated policy on housing in our community, nor on any kind of economic plan. So I think Councilor O'Brien's invite the planning director in, where do we stand, what is the exec office ideas on this? We as a council are going on the record of what we feel is important for our community in moving ahead, but I definitely think that's the right place to start, at our next meeting to have the planning director come in and to give us some articulation about what is the policy, how does this administration plan to respond and proceed, if at all?

Councilor O'Brien stated In fairness, a texter provided me the name I was looking for when I was discussing the new zoning in the landing. It is called transit-oriented development, I keep forgetting that, but I don't think there is any incentive for the town to perform transit-oriented development. So that could be an area for discussion, if that is, because I know in your information relative to the council order, it does talk about grant opportunities, and so we might end up veering off into the grant area, which is another component for the town, we do have a person who specializes in grants, and I don't know this because I don't manage the exec branch, but in general I agree the grant person/org, when they see a grant they let the administration know and then they contact planning and things proceed from there. But I guess my point is there could be some inaction by developers to actually do transit-oriented development in that patch I talked about. I recall in previous conversations we have height limitations, I don't know if the zoning does away with height limitations because they were of concern to the development in the landing. They acquiesced and I think they did a fantastic job, unlike the other side of the landing, but that could be a pain point for some developers that we don't know because we don't have insight because we're not the executive branch and they don't come to us.

<https://www.youtube.com/watch?v=zTv3l1DrvpQ>

Chairwoman Maglio stated so I think all of that makes perfect sense. This committee is about getting as much information as we can get. Tonight's meeting is about a starting point. One thing I will share from the presentation we had back in April was that it was factual in terms of what was being required at that time. I did not get a sense at that time whether there was a decision that was made as to whether this would be feasible or not for Braintree. We need to understand that for ourselves in addition to and along with what the Mayor's Office has decided. We can play a role of conduit in terms of letting people know what this plan is about. We can provide that information. We can get input and feedback and hopefully be another channel for people to have knowledge and a say for how the town moves forward and meets the needs of its residents.

Councilor Reynolds stated Councilor O'Brien raises another legitimate concern voiced by some residents about size, about density, maybe I'll just take that a bit beyond about what some of those concerns are. He's right, those issues were addressed in the most recent DHCD final zoning rules for MBTA communities and what they have done is they have accounted for changes to reasonable size criteria. They have created safety valves if you will, or circuit breakers is the term they use, that no more than 25% increase of existing housing stock across the community is being asked for here. Local zoning rules are to be adhered to so they are not taking away the important ability for the community to set its own standards, rules, to plan on its own terms, which Braintree obviously has the deep desire to do. We want it on our terms but we have to have the conversation. Unfortunately we haven't had it, but this forum, and thank you again Madame Chair, is giving us that opportunity and I want to really engage more on this. Data is available through the master plan. There is a plethora of housing and economic data that paints a picture. There's plenty of community data that paints a picture. If someone truly reads it they'll see that doing nothing is not an option for us at this particular point. I

don't want to be construed as turning Braintree into Quincy, turning Braintree into a city – no, the character of Braintree is paramount to me. I love this community. However, I don't live like an ostrich and put my head in the sand if there is something I don't like and hope it goes away. I understand we must proactively manage issues. That is the nature of what we do on this council and what leadership basic principal is.

Chairwoman Maglio stated thank you Councilors Reynolds and O'Brien. I see a hand raised and I'm going to recognize Steve Sciascia.

Steven Sciascia First of all let me say I greatly appreciate you having this meeting and I couldn't agree more on the tenor of the meeting and that Braintree has for decades lacked any sort of planning. The landing district was done, but not done with a full plan. We're seeing the repercussions of that with parking and with other things. One thing I would encourage this committee to look at is to go through this document in more detail yourselves because I think that what DHCD is putting out there about what this does and does not do is very misleading. To follow-up on what Councilor Reynolds said, these rules would not require any more than a 25% increase in total housing units to zone for that. In Appendix 1 of DHCD compliance guidelines you'll see for Braintree that is 3769 new housing units. Those have to be allowed for in a 50 acre area, so while they keep saying no more than 15 units per acre would be necessary. If you do that math that is 75.4 units per acre. That is an unprecedented level of density for Braintree. To put that in context, the Holland 40B in Braintree Square is 36 units per acre. It's a 4 story building. One level of parking, 3 levels of residential, and keep in mind this is a building where they have crammed as many units as they can into their parcel. They have no fire access, they have variances for open space and parking in order to cram as many units in there as they can. If you modified that plan to 75 units/acre instead of 36 you'd be looking at a 9 story building. If you assumed 1.5 parking spaces per residents instead of 1 you'd be looking at a 10 story building. And we're talking about doing this across 50 acres of Braintree so that would be 25 Holland projects x 2.5. The density they are asking for here is remarkable that they would even suggest it. As far as doing things Braintree's way, as Councilor O'Brien pointed out we have some transit-oriented development, like Landing 53, but one of the things we had to fight for there was to get ground floor commercial. The builder did not want to do it. We ended up having to do tax breaks and offer a lot of incentives to get them to do that. These rules prohibit the town from requiring any commercial, so in an area like Braintree Weymouth landing, you would actually be telling developers you can build 9 or 10 story buildings, and no commercial is required. Think about what that would do to the landing and all the businesses disappeared. Reading through this document carefully there is a lot to be concerned about. Before you bring people in, go through this and I would be surprised if you read through this in detail that anyone would really want to do this anyway. One thing you could ask is the Mass Works and the other grants that are listed, I looked at the history of what is available online at the state level and I don't see a record of Braintree ever receiving these grants in the past, so it's not clear to me that we're even giving up anything by not complying with these rules. So as you go forward I really hope that you will dig deep into this because there is a lot to be concerned about in this document. Thank you.

Chairwoman Maglio stated thank you Steve, I appreciate your comments. I think that's why its important to have public forums and for people to be able to weight in so thank you very much. One thing with regard to the last point about the grants. In terms of the unit/acre that was discussed and presented back in April and it has been updated. In terms of the grants we would be able to apply for I think part of what's interesting about that is we never got any; we have not received money to repair the infrastructure on Allen Sat, we are not getting that kind of funding, and one of the incentives is that we would have more of an option at getting those kinds of grants. Whether that's true or not I have no idea. Next up, Liz Page.

Liz Page stated Thank you for taking my question I appreciate that and I have read at least somewhat the latest update from the state and I have some questions, but I do want to go back and I would like to comment that someone said that it would give us the ability to blend with the character of the town and based on what I have

read about the zoning guidelines is that town relinquishes all control and the developer does it as of right so we would have no input on the character or style of these buildings. My first question is what particular area are we talking about because what I have seen from the state is they basically draw a half mile radius around the Braintree T station and so my question is when you rezone this, you would be rezoning all these residents property which is there single biggest and most important investment that they will make in their lifetime...their home, their house, and so everyone who lives within a half mile radius as the crow flies near this T station will have their zoning change as a result, and when you do that you no longer make housing more affordable for the average resident to buy a home. Instead, a home goes up for sale, a builder will outbid a person and the builder buys that house and will throw a big apartment on a small lot, a large multi-family unit, and you have forever changed the character of this neighborhood where people have owned their homes. There may be a couple of two family homes in that area, but the entire area from the T station to Franklin St will be impacted by this dramatically and my question is have you notified all of these people in writing that their zoning is possibly going to be changed because I think they should be part of this conversation from the very beginning. In addition to that area there will likely be another area in town that will be considered for this type of zoning and I'm wondering what is the other area that you are discussing to be considered for the other area outside of the T station?

Chairwoman Maglio stated if I could give 2 quick answers and then I'll go to Councilor Reynolds. In terms of letter that have gone out, areas that have been considered...this is so preliminary that if anyone has an answer to that it would be their own answer because as a committee this is our first opportunity to meet together with residents as a committee of the council to talk about what we learned back in April and what has changed since then. I would say those are good questions and I've written them down and I personally do not have those answers but absolutely agree that they are questions that need to be asked and answered.

Liz Page stated as its written by the state it does encompass a half mile radius from the T station, so with a map as the crow flies it would have a huge impact on many resident neighborhoods in Braintree and I think you'd have a huge impact on many residents in town on their largest investment ever. I don't think we're putting our heads in the sand when we say we want our residential neighborhoods to be protected and preserved and I think Braintree has made it clear they don't want big tall buildings like Quincy, which is different from what Braintree wants, and I think residents need to be notified that these conversations are going on. Right now we know that certain areas near the T and the center will be impacted dramatically. I would like to suggest that notifications go out to all of them before your next meeting.

Councilor Reynolds stated It's not surprising to hear some of these same answers we're getting from some of the same individuals and I thank them for being here and being part of this important public conversation and that we adhere to the facts. First, the requirements of this program do not compel the community to build this housing in this area. I'll go back to the planning...when I say head in the sand it's like saying there is a problem that we're not dealing with. What we're talking about here is for reasonable people to talk through what the future looks like. We're not looking backwards into the 70s or 50s. Time waits for no one. The Boston area has grown tremendously in just the last 20 years and it's not be cause of Braintree, its because of the region, and this is a regional issue that we are part of. We're not giving up our autonomy of planning how we want Braintree to be. But it's irresponsible on our part to do nothing. One of the things is there is no requirement in any of these rules saying you are required to build housing within this half mile radius of the transportation center such as the Braintree T station. It talks about zooming, and when you want to talk about building as of right, that doesn't supersede the zoning laws of the community. If a builder could just go ahead and build as right there is no need for a planning board or planning department. I just want to put that in context as a counter-balance to statements that we are giving up the farm. Nor do they allow for the removal of current residents and homeowners to be bought out of their existing homes. As I stated before we can't conflate between our single family neighborhoods and the areas that can support multi-unit housing. We have a lack of diverse housing in

this community and this is a program that is going to allow to benefit the people of Braintree, our children who can't afford to buy here. I bought my home in 2006 and it's increased in value by 62% in that timeframe, and many others have similar increases. It's great to know that we're sitting on this big amount of money, but the simple rule of supply and demand is deteriorating our local economy and the ability of people to live in this community, our children who grew up here and want to stay, senior citizens who have no other choice but to stay in their homes because they have nowhere else they can afford to go, and yet staying is hard to afford also. I get tired of the extreme extrapolation of what these rules mean, they are guidelines with a context. I get frustrated when the facts are taken out of context to make it sound like an extreme situation. No one wants to build 9 story buildings in this community and to use that is hyperbole, in my opinion. These new rules that have been tweaked allow you to string them out based on your available space to build and what makes sense; it's a credit toward the MBTA zoning itself; it's unrealistic, you're not required to stay within that half a mile. We don't have to build everything that this requires. I'm against the density – it's an abomination, the Holland project. That's stuffing 10 lbs into a 5 lb bag, it makes no sense and that's bad policy and we're fighting it. But that's 40B because we have done nothing about it, we're late to the game. I want to solve these problems, I don't want 40B, I don't want 5-6 story buildings in our communities. But, doing nothing, and scaring people into doing nothing, is not the way for us to move forward.

Chairwoman Maglio stated we've heard people mentioning the importance of reading this, we've all read certain parts, got primers on it, watched videos, and that's why we need to talk to the people who are actually doing this, all day every day, and have them come in and talk to us about options, possibilities, opportunities or drawbacks there are. If I could ask for everyone's indulgence there are two other issues to talk about tonight that may not have the traction of the MBTA issue, but they're related because we're talking about planning, the community, building, not building, and when we start to look at the earth we're doing this on and the issue of environmental sustainability, we're poised to gather a lot of information just like we're gathering info from the master planning process, the MBTA information, etc. We're looking at land, at what's in the community, the whole issue of public spaces, fertilizers, pesticides, what kind of plants get planted, what maintenance there is in our public spaces and parks. Having green spaces is part of how we don't completely overload our community with just buildings. It's to maintain green, have healthy air, look at green spaces, parks, how parks are being used, if they are being used, and it gets into quality of life issues around public and green spaces. Can we move from a strictly MBTA housing development focus to talk about the second item which is environmental sustainability. Are there any comments from the councilors? But first, one more comment on the previous issue, and while she's getting on, jumping into the last issue, we don't want to give short shrift to the other important issues. The place that we live, walk down the street, breathe healthy air, we want to be able to move through it by foot, by car, by bike, by wheelchair...I think that is another area that has not been given a lot of attention. The traffic congestion, the near misses we hear about from people trying to cycle to the MBTA, the train station, bus stop, etc. How can we as a community make everything safer for people? Where people live is where they want to walk, where they go to and from, and they want to not get blown up by a compressor station, or breathing toxins in their air. Clerk Cimino is getting a caller on the line, Jill Coyne.

Councilor Reynolds stated thank you chairwoman Maglio for having this meeting first of all. I actually prepared something for the first item 441-22 but I'm not realizing the members of this board are not up to speed on what the MBTA program is so I won't go in to that. I'd like to thank you first of all for bringing this out into the public, and for having a meeting on community planning for the first time in almost four years. I will say that after looking at this MBTA requirement that I disagree with a prior speaker for saying that the zoning that was quoted is incorrect. I will not go on with what I have because it would be nothing more than another reason for someone to get aggressive. I just wanted to thank you for this and I have a cost-effectiveness program to see if residential does make sense for Braintree and I will bring that forward at a future meeting when you are more up to speed on this. The other thing to point out is this is not a "have to do." There are other towns not doing this. We have not ever received the grants associated with this so we are not losing anything. I want people to

know this is not mandatory. I'll point out that if we change zoning to reflect his, whether someone says this won't be built out, people won't come and build these houses, if the zoning allows it, it will be built eventually. Thank you for your time.

Chairwoman Maglio stated thank you, that information would be very helpful.

Councilor O'Brien stated Who was that, do we have the last name?

Councilor Reynolds stated Resident Jill Coyle.

Chairwoman Maglio stated my mistake, I should be asking people to identify themselves.

Councilor Reynolds stated I think Ms. Coyle and I are in agreement that this is not a requirement, but to discern a difference between her and I, this is not a requirement for a community to sign on to it. Because what was followed, if the community does not participate in this program, then the community loses out on the opportunity of funding from the state in a number of different types of programs. There may be examples where we have not used that particular funding, but I think a larger comprehensive picture that has to be painted here is that we are in a dire situation in this community, the town of Braintree, when it comes to our revenues. And those revenues, impact on local services, it's a fact that you can go on the site on the Dept. of Revenue that the last ten years ending in FY22 that the town of Braintree year after year has had a negative economic growth, a negative economic growth. We have seen our services cut time after time because of that. So again, when I say these types of things it isn't, I'm not saying that I'm promoting unsustainable or uncontrolled growth in our community, it's part of the growth in our community. Braintree started out as a little farm town, and the world changed around us, so for us to live in a little cocoon, and think that we're unaffected by the changes of the world, I'm just saying that my point of view is that it's unrealistic to take that point of view. We have to have this conversation. We need to have a conversation, and we need to be able to acknowledge what our problems are and listen to one another. I'm willing to listen, and I have been listening, and these are my responses, and I'm sorry if the people who don't agree with my responses or my points of view say that I'm overly aggressive. I'm stating an opinion. I could say the very same for those on the other side of my opinion, that they're overly aggressive, but I'm not going to because this is a conversation and I do want the benefit of the conversation to move forward for the benefit of the people of Braintree. Thank you Madame Chair, I appreciate the opportunity to address that.

Chairwoman Maglio stated thank you, to Councilor O'Brien

Councilor O'Brien stated before I go, are we going to take the raised hand requests? I would naturally defer to you Chairwoman.

Chairwoman Maglio stated oh, those are the two who have already spoken.

Councilor O'Brien stated They would like to speak again, I would defer, would wait for them to speak again...

Chairwoman Maglio stated I'll go in order from before...Steve and Liz....Steve you have the floor. Did you reraise your hand?

Steven Sciascia stated I did, thank you Madame Chair. I think it may behoove this committee to separate some issues. There is no doubt about the general need for a plan and for planning for our future, and that includes housing as well as everything else in this town, transit, schools, but we are here talking tonight about the MBTA housing program, and the fact that some people think this particular program is detrimental to Braintree does

not mean that we are living in a cocoon or putting our heads in the sand like ostriches. I have read this in great detail, and I think this particular plan would be terrible for Braintree. That doesn't mean that I'm opposed to all plans, or any plan. Anyone that's been on the council for any number of years knows that I have communicated these things to the council repeatedly, and if we're going to have a conversation about these things then I think we need to be very clear in what we're saying because what we're talking about tonight is this specific agenda item being proposed by the Commonwealth, that is very different and far more expansive than any other plan Braintree has considered in the past. And opposition to it is not burying our heads in the sand. Thank you.

Chairwoman Maglio stated Liz Page, did you have another comment?

Liz Page stated Yes, thank you, I want to let you know that on the website Mass.gov and this there most recent one, multi-zoning requirement for MBTA communities, and if you go to the section, what is the new law? Requirement is in section 3J of MLC40-A MBTA communities shall have a zoning ordinance or bylaw that provides for at least one district of reasonable size in which multi-family housing is permitted as of right, as I said earlier, and provided however that such multi-family housing shall be without age restrictions and shall be suitable for families with children. I'm going to skip over a couple of sections and go to: It should be located not more than .5 miles from a commuter rail, subway or bus station. So if you draw a circle around that station, all I'm saying is you make all of these homes, which were zoned in one particular way, you will be changing the zoning for all these homes and the possibility exists at some point in time that these entire neighborhoods can be changed dramatically. I'm not trying to be an alarmist, but I think it's only fair to these residents that they be made aware of these risks because they are real risks and it's in this writing so please do take the time to read it thoroughly because that information is all in there and as Mr. Sciascia just said we're all aware that we need housing, and that things have to change and that's all well and fine, but, we don't have to have the town as we know it completely upended for this project proposal because I do not think it will be in line with what most Braintree residents would like. Thank you very much for starting the conversation and I do hope you will notify all the people in that area.

Councilor O'Brien stated my comments are relative to what the previous speaker mentioned, which is we are solely here to talk about the multi-family zoning requirements for MBTA communities. That said, as the previous speaker just said, there may be some requirements but then again there may not be. We don't want to, and I think we did slightly veer off, we don't want to talk about the overall planning because we know there's a process engaged in multiple departments but mostly in the planning department and the planning board and we have the extra committee that is looking at it so all that is in process, yes, fine, perfect. But I think when we started this we did discuss early on that we need the experts to come in because while I appreciate a data gatherer and another attendee who definitely read everything ad infinitum, but it might be moot if the planning director, or more importantly the one guy who is responsible for all of this, the Mayor, says I have no interest in this. With that said, we could bicker all night long, although I hate to use that word but there has been the dialogue all evening long that has been a little spicy, but then again, the Mayor, as a previous speaker has said, isn't a fan of this stuff, maybe has already said we are not doing it so it's a moot conversation. So that's item 1.

Relative to the 2nd item, which is environmental sustainability, just as an adjunct, because to me environmental sustainability includes getting rid of plastic bags at supermarkets, my issue has been sitting in a committee for a god forsaken long time with very little forward motion, hung up on whether or not the supermarket reservation desk, whatever they call it, where people go to talk about things, should have a bag that is available for a less than able person, separately from the bags that you're going to force, not force because that's harsh, but in essence we're going to better the world by providing a paper bag that can be recycled. That said, another part of this section talks about the air quality, and I know that there are two of us that represent districts that are being hurt by negative air quality, so one of the things that I would like to see happen as an adjunct form this and again its similar to my previous request to have the clerk look into the planning, um development, um housing

production plan. I also don't believe that some of the work that has been performed by non-governmental personnel, and that would be the Fore River Community Group and the professor that they engaged, the PhD they engaged, was looking at some of the environmental science and some of the items that are effecting our air quality in East Braintree, but I don't believe air quality ever went to our health board. Our health board should be looking at the air quality because they health board is supposed to represent the betterment of the health of the individuals that live in the town of Braintree. So I think that discussion, much like the first one, requires executive branch expertise because we can't tell the health board what to do, but I wonder if the health board has ever looked at some of those air quality studies to decide whether or not what's going on in your patch, Chair Maglio, is in fact effecting the entire town, not just close to the water if you will, in East Braintree, because I'm in East Braintree too. And finally, if we're going to roll things forward a little bit quick, as to _____ one of the focus there is bike lanes...I do want to say that the community in general has got to be brought in for those discussions and I'll tell you why. I live in an area where there was a request in the planning department, one of the agencies, the planning department, to strategize on a bikelane that would literally go from one section in my neighborhood all the way through to the forest that's over here near the school, I should know it, but anyway, the issue wasn't necessarily creating the bike lane and making it available to residents of greater Massachusetts so they could do it. The issue is that some residents in the community in my specific local neighborhood didn't want to be publicized as a bike lane or a bike avenue if you will to get to conservation land because they didn't want bikes going through their streets. Personally it caught me off guard when I heard, completely off guard, but as referenced in multiple conversations here, bringing in the community to talk about these things is important, so I guess at that high level dissertation I think these are great conversations to have, but I believe that we need the experts and the experts will tell you what I just described, because when I talked to the expert she was as shocked as I was that people didn't want bikes going through their neighborhood and I didn't understand why because I think it's a great thing but you have to let the residents speak, unlike something that occurred in the summer when the residents said they didn't want something and we ended up approving it, it's one of those things that putting your head in the sand doesn't help, you need to listen to the residents. I'll stop and I appreciate what we're going, I'm gung ho for a two week out break to get the experts lines up and ready and then we can go from there. My opinion.

Chairwoman Maglio stated I would love to comment on a couple of things myself. I think my overall intention of before this meeting, during this meeting and after this meeting, is that we have to figure out where we're going to start, this is absolutely something that has to be done in concert with the community, it's why it's apart of the community planning committee, it's why I want to be sure there is chat access, speaking access, why I posted it on my social media, we have to use the town channels in order to make sure that people know this is available. By the same token I don't know how to get people more active. I look at the participation in the master plan and I'm hearing that it may have increased somewhat but overall there hasn't been a huge response and I don't know how we get through that other than to do the best we can other than to use the strategies that we know will get people present. With that said, often it's when things are potentially serious issues that people have a lot of feelings about that brings people out, but also our work has to happen before we walk in somewhere. When there's a vote that's about to happen, we need to have been spending the six months in advance of that vote studying, talking, listening; it's not based on an hour of testimony its based on months of research, at least it was for me. And it takes into account all the testimony, takes into account all the emails and everything else, but this is where we have to do our homework. I think this committee is the same thing. We have to do our homework if we're going to be either suggesting or speaking against major housing plans. So anyway I wanted to mention that, and I think this is a perfect beginning point, although here are some really critical milestones that we have to make so if there is anyone else Councilor Reynolds you would like to say or anyone else who would like to make a public comment, otherwise we probably need to vote to table these issues. Councilor Reynolds..?

Councilor Reynolds stated we've opened the discussion on 042-22 and 043-22. Is that correct? I just want to make sure...so I agree with you and I do like the idea of following up Councilor O'Brien's point on air quality study, was there anything that ever did go to our health department on that, was there any actionable or review or any kind of assessment that was produced, perhaps pointing out the resources most appropriate to do that under the town of Braintree would be under the executive branch. I would be interested in finding that out. Is that a takeaway?

Chairwoman Maglio stated I think that's a definite takeaway. I can mention something about that in terms of are we talking about the health board or the health department? Those are two different entities, one works for the town, the health board is the board of health. I can say for the vote that we're talking about this summer, I pulled all of the meeting minutes for the past five years to see if during any of the conversations that they had and I don't want to conflate issues which I'm starting to do...but I looked to see in all of these conversations about cannabis, were there any conversations about air quality, health, residents, etc., there wasn't a one that was ever documented in the minutes going back about five years.

Councilor Reynolds stated OK, so that being said, my understanding is better, I would suggest that we as a committee ask/make a recommendation to the full council for a request for a report from our health department. I'm assuming the health department would engage the health board on this and I know that we'd probably have to be very specific, Madame Chair, what we're asking for, from an informational standpoint. Just to ascertain the facts to date. It's a very important issue. On that same air quality standpoint, it's the compressor station itself, and maybe this is grounds for a separate topic for another meeting. I'd be very interested also to understand our public safety posture as it pertains to the risks or potential risks of the compressor station, its operation, and particularly what are the plans in place and what kind of conversations have occurred around evacuation, as well as mitigation assistance, to the town of Braintree where we are heaven-forbid anything were to happen, similar types of incidents that have occurred in other parts of our country where these stations have had accidents and explosions, the impact here can be significant in a very densely populated area. I'm interested in that but that may be another topic outside the realm of this particular motion.

Chairwoman Maglio stated I think it's very relevant because its about air quality and safety and if that's having an impact...but the other thing, too, is there is going to be on the Council agenda on Tuesday night we're going to get some kind of an update, comment, about the evacuation plan, which to date has been "head to the high school" and I'm hoping that it's more than that, and that was before the compressor was built. Now that it's actually been built....

Councilor Reynolds stated Terrific, thank you, if I could maintain the floor, 043-22, an issue near and dear to my heart is traffic. I shouldn't say near and dear to my heart, but a major concern of mine and a major concern of constituents of D2, I'm working on 2 different issues now, and I could add a 3rd, Hawthorne, Adams, Commercial, and to an extent residents on Cleveland Ave. I share that district with Councilor O'Brien, the Commercial district I share with you Madame Chair. We have had neighborhood meetings in all 3 neighborhoods, there is a severe problem we are having with cut-through traffic. I think everyone knows that in Braintree, there are major concerns about the lack of proper sidewalks, signalization, traffic calming, and I would like to see this committee take up as an item a discussion, a definitive discussion on what can we do that makes sense where we've already been told the money is not available in our police budget for fielding a traffic enforcement team. What we see is the hand-off to the DPW and their responsibility is they put up speed bumps, and unfortunately it seems to be the only kind of mitigation that has been observable, but speed bumps you either hate them or you love them. What bothers me the most the what we can cite as part of our committee's efforts, is to expose a broader understanding of what it is that we can do as a community to find solutions in the lack of having an enforcement division to help us to enforce traffic, cut-throughs, and whatnot. What kind of physical and monetary things can we do to get creative? When we're planning our streets for repaving, for example,

Braintree has committed a lot of money every year to repaving the streets of our infrastructure. It makes sense for us to leverage those efforts, also, from a public safety standpoint, so what can they do to calm traffic in these high speed zoning areas within our neighborhoods where folks complain quite a bit about the speeding through side streets, not just the major arteries, I see it all the time and I don't want to see us have a tragic accident or death be the impetus to do something. We as a committee can show some innovative thinking about what we do to help this problem.

Chairwoman Maglio stated are you suggesting that as a continued area of discussion for this group?

Councilor Reynolds stated yes I would like that to be a continued area of discussion. I'd be happy to provide an outline of ideas of who should be engaged who can produce actionable items.

Chairwoman Maglio stated Thank you. Councilor O'Brien.

Councilor O'Brien stated I want to reference what I was discussing about what occurred this summer was specifically about the vote on marijuana in general, and what I read was the public came out in a negative and they already voted against it. So that was my commentary about that, it had nothing to do with air quality specifically, but of course that is part of the decision, so we're stuck with the results we end up with. What I was specifically talking about and I guess I should have been clearer, was in fact in the East Braintree area it has been proven there is in fact information out there in the DEP that we exceed the guideline for at least one chemical, benzene, and so the results have been of concern to me and have been of concern to me for many months, in fact years, but back in 2017 we exceeded the guideline for benzene, that's the thing I don't believe the board of health ever took action on. So not just benzene, but any of the air quality issues that are occurring in the East Braintree area. That's what I think we need to have addressed. We need experts. And as to traffic calming, the Mayor told me there is no more traffic calming, there is no money for it, there is no more traffic calming, there is no traffic calming engineer, but I think honestly we need the engineer that we have to even talk about. Over a year ago I brought the Mayor to a community where there was all kinds of traffic control aspects that were discussed and zero occurred. I just spoke to a resident yesterday and she wants to know when is something going to happen? I don't control that. And if we don't have an engineer in that conversation, and the way we are heading Madame Chair, and of course you can make this decision, these kind of things could be lengthy, so we may be splitting these up into more than one meeting. Individual categories if you will, if we bring in residents, and it's healthy, and I know that you agree too, that will extend the meeting.

Chairwoman Maglio stated Councilor Reynolds

Councilor Reynolds stated I want to thank Councilor O'Brien for adding those particular comments. He touched on something very important, we can't handle excuses any more, we need effort, we need recommended solutions, and to say that we don't have money that's an excuse, I'm sorry if it's a political commentary, I don't mean it to be, but its just as obvious to me that Councilor O'Brien and everyone on this call that has found themselves in organizations, have found themselves in their own private lives, where they face problems all the time and to throw up your hands and say I'm sorry we don't have any money – that's not good enough. That's our job, to find solutions. So thank you Councilor O'Brien.

Chairwoman Maglio stated Thank you Councilor Reynolds, I agree, and thank you Councilor O'Brien, but that's the whole point – we need a plan. We need a plan for all of these things, and its not easy, it's not pretty, and its certainly not fast, so we're going to roll up our sleeves and do our best and welcome in anyone who wants to be part of figuring out a plan. We're not starting with decisions, we're starting with ideas that we will shake out. So I'm going to suggest that if there are no other comments, if so, I think that we will table these and do a roll call vote if there is a motion to table.

Councilor Reynolds stated would it make sense for us, to make a motion to vote on having the planning director before us, request the planning director to give us a presentation on the current status of the town's policy as it pertains to the MBTA community zoning and transit-oriented development initiatives.

Councilor O'Brien stated I would defer to the Roberts Rules person but I don't believe we need to have a formal motion. I think the Chair schedules the next meeting and we request the expert through the mayor's office through our channel, which so everyone is aware, those that are paying attention, and I do want to thank the 6 attendees, because generally these get crickets, so 6 of 37,000 is pretty good. I jest, but I don't think we need a formal motion. But I think the Chair has to seriously consider breaking it into 3 or 2...but I think the first one is a beefy discussion, or not, we may find out the planning director says the Mayor says no, we're not doing it, not considering it, and bam, its over. I think the Chair can manage that. And I'll defer to the Roberts Rules expert who is shaking her head yes in the corner.

Chairwoman Maglio stated So that's easily something I can do. There was another recommendation to the full council on engaging the health department to find out and ascertain some of the data to date. Is that something that I can also move forward on?

Councilor O'Brien stated It wasn't to the full council, it was just like finding out about the housing production plan, we should also find out if the health board has ever studied the results of the DEP's perspective on human health risk in the East Braintree area.

Chairwoman Maglio stated the same DEP that approved and then vacated but allows the permitter to keep operating...?

Councilor O'Brien stated Bingo, and I think we can call it the Fore River Area. Putting aside there is a compressor station we don't and never wanted, got approved without any real oversight until the feds decided oh well, we'll look at it but its too late. Let's face it, there's a tank farm over there. Gas, benzene, hello. It's been there for years. There is potential, some cancer issues in the East Braintree area, no one has studied it. My point was not the council, just the health dept and the executive branch.

Chairwoman Maglio stated the board would be separate though, right?

Councilor Reynolds stated they serve at the pleasure of the mayor.

Councilor O'Brien stated they get called to order by the health department.

Motion by Councilor O'Brien to table all items to a future meeting

Motion: by Councilor O'Brien to table items 041 22, 042 22, 043 22 to a future meeting

Second: by Councilor Reynolds

Vote: For (3 – Maglio, Reynolds, O'Brien), Against (0), Absent (0), Abstain (0)

<https://www.youtube.com/watch?v=zTv3l1DrvpQ>

It was unanimously voted to adjourn the meeting at 8:25p.m.

Respectfully submitted,

Susan M. Cimino, Clerk of the Council



Braintree Town Council

Committee on Community Planning

One JFK Memorial Drive
Braintree, Massachusetts 02184

MEMBERS

Elizabeth Maglio, Chairman
Stephen C. O'Brien, Vice Chairman
Joseph Reynolds, member

December 20, 2022 MINUTES

A meeting of the Committee on Community Planning was held via Zoom Webinar on Tuesday, December 20, 2022 at 5:30p.m.

Councilor Elizabeth Maglio, Chairwoman was in the Chair.
Clerk of the Council, Susan Cimino conducted the roll call.

Present: Elizabeth Maglio, Chairman
Stephen C. O'Brien, Vice-Chairman
Joseph Reynolds, member

Also Present: Crystal Huff, Assistant Town Solicitor
Melissa SantucciRozzi, Director of Planning & Community Development
Connor Murphy, Assistant Director Planning & Community Development
Liz Page, resident via Zoom
Dan Clifford, former Town Councilor, resident via Zoom

APPROVAL OF MINUTES

• September 12, 2022

Motion: by Councilor O'Brien to Table minutes of September 12, 2022

Second: by Councilor Reynolds

Vote: For (3 – Maglio, O'Brien, Reynolds), Against (0), Absent (0), Abstain (0)

OLD BUSINESS

- **041 22 Councilor Maglio: Multi-Family Zoning Requirements for MBTA Communities or take up any action relative thereto**

Motion: by Councilor O'Brien to take off the Table item 041 23

Second: by Councilor Reynolds

Vote: For (3 – Maglio, O'Brien, Reynolds), Against (0), Absent (0), Abstain (0)

As part of the economic development bill passed in 2021, there are new zoning requirements for housing that are connected to specific grant opportunities. This is aimed specifically at communities that host public transit. This is an area that will require extensive community planning in order for Braintree to develop a plan that meets the needs of current and future residents.

Helpful Links:

<https://www.mma.org/dhcd-releases-final-zoning-rules-for-mbta-communities/>

<https://www.chapa.org/housing-news/chapa-statement-on-final-mbta-community-guidelines>

<https://www.mhp.net/community/complete-neighborhoods-initiative>

<https://www.mhp.net/news/2022/correcting-some-misconceptions-about-the-states-new-zoning-law-for-mbta-communities>

Crystal Huff, Town Solicitor gave an overview of of the regulations. There has been a lot of information in the news. This will require broad changes with our Zoning. This gives a guideline for multi-family by right. Braintree is classified as a rapid-transit community. We have the red line stop and the greenbush line. New guidance gives a 50 acre minimum land area that we have to put that on. It also says only 50% of that has to be within the half mile of the station. That allows the Planning & Community Development department as the next year goes on to look at where is the best fit for some of these zones that are being mandated by the state.

Melissa SantucciRozzi, Director of Planning & Community Development provided for reference maps of red line and greenbush line showing the half mile radius. As the density goes up the acreage goes down. I am looking at parcels and acreage. There is a list of exclusions: town, government, schools. We were awarded technical assistance of \$20,000 to look at scopes with a consultant from RKG to be complete around June 2023. The main goal of this evening is to show the Action Plan. After submission of this it will buy us compliance until December 31, 2023.

IMPORTANT

All Action Plans must be submitted online through
www.mass.gov/mbtacomunities.

This PDF copy of the form is a courtesy guide to MBTA communities. If you have questions, please reach out to the DHCD Section 3A Team at
DHCD3A@mass.gov.

Action Plan for MBTA Communities

DRAFT FOR DISCUSSION 12/20/22
Community Planning Sub Committee

Section 3A of MGL. c. 40A requires all MBTA communities to have at least one zoning district of reasonable size in which multi-family housing is permitted as of right. DHCD's Section 3A Guidelines allow an MBTA community to obtain "interim compliance" before it adopts a compliant zoning district by submitting an Action Plan that establishes an achievable path to zoning adoption. The Action Plan provides guidance to MBTA communities and establishes communication between DHCD and MBTA communities that are developing strategies for compliance. During the development and implementation of the Action Plan, MBTA communities are strongly encouraged to explore and use the abundant technical assistance resources described at: www.mass.gov/mbtacomunities

For all MBTA communities that have not achieved DHCD-certified district compliance, the deadline to submit this Action Plan is January 31, 2023. Action Plans submitted after January 31, 2023 will not establish FY2024 eligibility for the funds described in Section 3A.

Please read the Section 3A Guidelines before attempting to complete this form.

Please note: Action Plan Forms must be submitted by a municipal official with authority to act on behalf of the municipality on matters of zoning, such as the municipal CEO or planningdirector.

Section 1: Identification

The Section 3A Guidelines establish zoning metrics that apply uniquely to each MBTA community based on its local transit stations, existing housing stock, population, and developable land. This section of the Action Plan helps to identify the transit stations that determined each community's category. Appendix 1 of the Section 3A Guidelines lists each community's category and minimum multi-family unit capacity requirement.

1.1. MBTA Community Name*

BRAINTREE

1.2.

Community Category* **RAPID TRANSIT**

Rapid Transit

Commuter Rail

Adjacent

Adjacent Small Town

Community categories are listed in Appendix 1 of the Guidelines. For more information about the methodology that was used to determine community categories, please refer to the Definitions of each category in Section 2 of the Guidelines.

1.3. Multifamily Unit Capacity Requirement* 3769

Multifamily unit capacity requirements are listed in Appendix I of the Guidelines. For more information about the methodology that was used to determine capacity requirement, please see Section 5 of the Guidelines. The capacity requirement represents the number of multifamily housing units that a compliant district's zoning must accommodate. It does not represent a production requirement or expectation.

1.4. Does this municipality have any MBTA rapid transit stations within its boundaries?*

Yes No

YES

If Rapid Transit to 1.2 and no to 1.4

Although there are no MBTA rapid transit stations within its municipal boundaries, this municipality's community category is Rapid Transit. This is because the methodology used to determine community category considers not only stations located within municipal boundaries, but also any stations that create 100 or more acres of "developable station area" within the boundaries. Section 1 of the Guidelines provides definitions of "transit station area", "developable station area", and "developable land" to explain how this determination was made. Developable station area from stations located outside of municipal boundaries may also affect district location criteria as further described in Section 8 of the Guidelines.

If Commuter Rail to 1.2 and yes to 1.4

Although there is a MBTA rapid transit station within its municipal boundaries, this municipality's community category is Commuter Rail. This is because the methodology used to determine community category considers not only stations that are located within municipal boundaries, but also whether the transit station area associated with those stations creates at least 100 acres of "developable station area" within the boundaries. Section 1 of the Guidelines provides definitions of "transit station area", "developable station area", and "developable land" to explain how this determination was made. Developable station area from stations located outside of municipal boundaries may also affect district location criteria as further described in Section 8 of the Guidelines.

If Adjacent to 1.2 and yes to 1.4

Although there is a MBTA rapid transit station within its municipal boundaries, this municipality's community category is Adjacent. This is because the methodology used to determine community category considers not only stations that are located within municipal boundaries, but also whether the transit station area associated with those stations amounts to at least 100 acres of "developable station area" within the boundaries. Section 1 of the Guidelines provides definitions of "transit station area", "developable station area", and "developable land" to explain how this determination was made.

If Adjacent Small Town to 1.2 and yes to 1.4

Although there is a MBTA rapid transit station within its municipal boundaries, this municipality's community category is Adjacent Small Town. This is because the methodology used to determine community category considers not only stations that are located within municipal boundaries, but also whether transit station areas associated with those stations amount to at least 100 acres of "developable station area" within the boundaries. Section 1 of the Guidelines provides definitions of "transit station area", "developable station area", and "developable land" to explain how this determination was made.

If yes to 1.4 BRAINTREE REDLINE STATION

1.4a. Please list MBTA rapid transit stations that are located within this municipality's boundaries*

Please enter all station names separated by commas

1.5. Does this municipality have any MBTA commuter rail stations within its boundaries? * **YES**

Yes No

If Rapid Transit to 1.2 and Yes to 1.5

Although there is an MBTA commuter rail station within its municipal boundaries, this municipality's community category is Rapid Transit. This is because a community's category is determined by the transit station with the highest level of transit service. If there are 100 or more acres of rapid transit stations' developable station area within municipal boundaries, then the community category is Rapid Transit regardless of whether the community is also served by the commuter rail. Section 1 of the Guidelines provides definitions of "transit station area", "developable station area" and "developable land" to explain how this determination was made.

If Commuter Rail to 1.2 and No to 1.5

Although there are no MBTA commuter rail stations within its municipal boundaries, this municipality's community category is Commuter Rail. This is because the methodology used to determine community category considers not only stations located within the boundaries, but also any stations that have 100 acres of "developable station area" within the boundaries. Section 1 of the Guidelines provides definitions of "transit station area", "developable station area", and "developable land" to explain how this determination was made. Developable station area from stations located outside of municipal boundaries may also affect location criteria as further described in Section 8 of the Guidelines.

If Adjacent to 1.2 and Yes to 1.5

Although there is an MBTA commuter rail station within its municipal boundaries, this municipality's community category is Adjacent. This is because the methodology used to determine community category considers not only whether a station is located within municipal boundaries, but also whether that station has at least 100 acres of "developable station area" within the boundaries. Section 1 of the Guidelines provides definitions of "transit station area", "developable station area", and "developable land" to explain how this determination was made.

If Adjacent Small Town to 1.2 and Yes to 1.5

Although there is an MBTA commuter rail station within its municipal boundaries, this municipality's community category is Adjacent Small Town. This is because the methodology used to determine community category considers not only whether a station is located within municipal boundaries, but also whether that station has at least 100 acres of "developable station area" within municipal boundaries. Section 1 of the Guidelines provides definitions of "transit station area", "developable station area", and "developable land" to explain how this determination was made.

1.6. Does this municipality have any other MBTA transit stations that are located outside of its municipal boundaries that may have "developable station area" within them? * **YES**

Yes No

Generally, stations located within 0.5 miles outside of municipal boundaries can cause developable station area to be inside of the municipal boundaries.

If Yes to 1.6

Stations that are located outside of municipal boundaries but that have "developable station area" within the boundaries might affect district location criteria, as further described in Section 8 of the Guidelines. Please refer to Section 1 of the Guidelines for definitions of "transit station area", "developable station area", and "developable land".

1.6 a. Please list the MBTA transit stations that are located outside of the municipal boundaries but might have developable station area within them.*

Please enter all station names separated by commas. If unsure, consider that generally, stations located within 0.5 miles outside of municipal boundaries can cause developable station area to be inside of municipal boundaries.

1.7. Please provide the name of the person filling out this form*

First Name*

Last Name* **MELISSA**

SANTUCCIROZZI INFO WILL BE INSERTED

1.7 a. Title*

1.7b. Email Address*

1.7c. Phone Number

1.8. Please briefly describe other members of the core team developing the multi-family zoning district.* **MELISSA, CRYSTAL, CONNOR AND T.A. FROM MHP (RKG AND INNES DESIGN)**

(Municipal staff, planning board members, regional planning agency, private consultants, etc)

Section 2: Housing Overview

2.1. Does this municipality have any established housing related goals or strategies from municipal planning documents, such as a Housing Production Plan, Master Plan, or Economic Development Plan?*

Yes No **NO**

If Yes to 2.1

2.1 a. Please briefly describe any relevant strategies, goals, or objectives, and the work that has been done to date.* **WINDJAMMER/ALLEN STREET/RFP FOR 74&90 POND STREET AND 85 QUINCY AVENUE**

2.2. Is this municipality currently working on any other planning for housing?*

Yes No **YES**

If Yes to 2.2

2.2 a. Please briefly describe the housing work underway.

MASTER PLAN

Section 3: Preliminary Zoning Strategies

3.1. To the best of your knowledge, which of the following zoning strategies is this community most likely to use for compliance? (Select all that apply)*

a. An existing zoning district or districts that you believe already complies with the Section 3A Guidelines **NO**

b. An existing zoning district or districts that must be amended to comply with the Section 3A

Guidelines **YES**

- c. A new 40R or other overlay zoning district **YES**
- d. A new base zoning district or districts **YES**
- e. Other zoning strategy *If select a*

3.1a. Please identify and briefly describe the possibly-compliant district(s), including any characteristics of existing development or transit options that make it suitable for use as this community's 3A-compliant district. Optional: Attach any supporting documents.*

If select b

3.1b. Please select the changes that may be necessary for the existing district to comply. Optional: Attach any supporting documents that describe this district.*

- District boundaries
- Use schedule
- CHANGE SP TO Y**
- IN USE TABLE**
- Dimensional regulations
- Parking requirements
- Other:

Select all that apply

If select c

3.1c. Please briefly describe the potential district and location. Optional: Attach any supporting documents that show planning work the community has already done for this district(s). **MBTA OVERLAY AROUND MBTA REDLINE BRAINTREE STATION**

If select d

3.1d. Please briefly describe the potential district and location. Optional: Attach any supporting documents that show planning work this community has already done for this district. **CREATE ALTERNATE MBTA/HB DISTRICT AROUND MBTA REDLINE BRAINTREE STATION**

If select e

3.1e. Please briefly explain the strategy. Optional: Attach any supporting documents that show planning work this community has already done for this strategy.

For all 3.1. options a-e

File (optional)

File uploads may not work on some mobile devices.

3.2. What non-housing characteristics are important for this community to consider in its 3A zoning district?* **MMSR WILL PROVIDE A RESPONSE RE: WATER, HIGHWAYS AND EXCLUDED LAND**

(For example: walkability, bike lanes, street retail, bus connections, accessibility, street tree canopy, municipal services, etc)

Section 4: Action Plan Timeline

This section creates a framework to input preliminary plans for a zoning adoption process. On the table below, please use Column 1 (from the left) to describe a task, Column 2 to input a start date, and Column 3 to input a finish date. Every community must provide a timeline for the below-listed tasks. Additional space is provided for any other tasks that a community wishes to list. DHCD will review proposed timelines for feasibility before approving an Action Plan.

- Public outreach
- Developing zoning
- Applying DHCD's compliance model to test for density and unit capacity
- Holding planning board hearings
- Holding legislative sessions and adopt compliant zoning
- Submit District Compliance application to DHCD

THE TABLE BELOW WILL BE POPULATED WITH ITEMS NOTED ABOVE ALSO TO INCLUDE TECH. ASSISTANCE

<u>Task</u>	<u>Start Date</u>	<u>End Date</u>
Short Answer* <input type="text"/>	Click or tap to enter a date.	Click or tap to enter a date.
Short Answer* <input type="text"/>	Click or tap to enter a date.	Click or tap to enter a date.
Short Answer* <input type="text"/>	Click or tap to enter a date.	Click or tap to enter a date.
Short Answer* <input type="text"/>	Click or tap to enter a date.	Click or tap to enter a date.
Short Answer* <input type="text"/>	Click or tap to enter a date.	Click or tap to enter a date.
Short Answer* <input type="text"/>	Click or tap to enter a date.	Click or tap to enter a date.
Short Answer (optional) <input type="text"/>	Click or tap to enter a date.	Click or tap to enter a date.
Short Answer (optional) <input type="text"/>	Click or tap to enter a date.	Click or tap to enter a date.

If there is any other feedback you would like to share about the compliance process, please use this space to provide it. **MMSR WILL PROVIDE A RESPONSE**

[Save and Resume Later](#)

Director SantucciRozzi stated we are very preliminary. The ask is where do you stand? What do you think you can do and when can you do it by?

Councilor Reynolds stated there is interpretation that a build by right will blow away everything Braintree has in place. I try to ensure no housing will be impacted to achieve the desired outcomes for multi-family housing and it must comply.

Crystal Huff, Town Solicitor stated we are still working all this out.

Director SantucciRozzi stated there are no residential parcels that I am looking at. We are looking at properties that would make sense for multi-family development. No Res A, B or even C probably.

Chairwoman Maglio stated a question was asked at the last meeting from Councilor O'Brien:
For discussion: Councilor O'Brien asked to contact the administration to find out if item 094-17 Housing Production Plan took any action and if there is a housing production plan; from meeting minutes there was discussion, review, but subject to further discussion with stakeholders. Was there any discussion after that?

Chairwoman Maglio stated there was not any action on a housing production plan or anything happening with it.

Councilor O'Brien asked what made us in compliance?

Crystal Huff, Town Solicitor stated we made some submissions that ensured we are in compliance and we will keep in compliance with the next submission Melissa will be making which she went over tonight.

Councilor O'Brien asked if there are actually 2 greenbush stops. Stating the commuter rail near the red line.

Crystal Huff, Town Solicitor stated we will see if that can go into our calculations.

Liz Page, resident asked why is Boston excluded from this? I do not think that is fair.

Crystal Huff, Town Solicitor stated you will need to ask your legislature. That is not a question we are capable of answering.

Liz Page, resident stated there are 51 communities being forced by the state to comply. If we do comply we then have the ability to apply for loans and grants. What are we guaranteed to get at the end of the day? What burden will be bare at the end of the day. Please consider these issues.

Crystal Huff, Town Solicitor stated again this is beyond the scope of our discussions tonight.

Dan Clifford, 265 Saint Clare Street, please describe what 40A is.

Crystal Huff, Town Solicitor stated MGL Chapter 40A – it applies state wide except Boston on how towns can implement zoning. (Section 3A is the MBTA Communities)

Chairwoman Maglio stated we would love to stay involved in some way is appropriate on this.

Motion by Councilor O'Brien to table item 041 22 to a future meeting

Motion: by Councilor O'Brien to table items 041 22 to a future meeting

Second: by Councilor Reynolds

Vote: For (3 – Maglio, Reynolds, O'Brien), Against (0), Absent (0), Abstain (0)

NEW BUSINESS

- None

<https://www.youtube.com/watch?v=zTv3l1DrvpQ>

It was unanimously voted to adjourn the meeting at 6:30p.m.

Respectfully submitted,

Susan M. Cimino, Clerk of the Council



Braintree Town Council

Committee on Community Planning

One JFK Memorial Drive
Braintree, Massachusetts 02184

MEMBERS

Elizabeth Maglio, Chairwoman
Stephen C. O'Brien, Vice Chairman
Joseph Reynolds, member

June 27, 2023 MINUTES

A meeting of the Committee on Community Planning was held via Zoom Webinar on Tuesday, June 27, 2023 at 6:00p.m.

Councilor Elizabeth Maglio, Chairwoman was in the Chair.
Clerk of the Council, Susan Cimino conducted the roll call.

Present: Elizabeth Maglio, Chairwoman
Stephen C. O'Brien, Vice-Chairman
Joseph Reynolds, member

Also Present: Margaret Laforest, Chief of Staff
Crystal Huff, Town Solicitor
Melissa SantucciRozzi, Director of Planning & Community Development
Jim Arsenault, DPW Director
John Thompson, Asst DPW Director/Town Engineer
Sharmila Biswas, Director Elder Affairs
Lou Dutton, Superintendent Water & Sewer
John Fabiano, resident
Jim Guiliano, resident

APPROVAL OF MINUTES

• September 12, 2022

Motion: by Councilor O'Brien to Table minutes of September 12, 2022

Second: by Councilor Reynolds

Roll Call Vote: For (3 – Maglio, O'Brien, Reynolds), Against (0), Absent (0), Abstain (0)

• December 20, 2022

Motion: by Councilor O'Brien to Table minutes of December 20, 2022

Second: by Councilor Reynolds

Roll Call Vote: For (3 – Maglio, O'Brien, Reynolds), Against (0), Absent (0), Abstain (0)

OLD BUSINESS

- **041 22 Councilor Maglio: Multi-Family Zoning Requirements for MBTA Communities or take up any action relative thereto**

Chairwoman Maglio asked if there was a Motion to Take off the Table item 041 22.

Motion: by Councilor O'Brien to take off the Table item 041 22

Second: by Councilor Reynolds

Roll Call Vote: For (3 – Maglio, O'Brien, Reynolds), Against (0), Absent (0), Abstain (0)

Chairwoman Maglio stated I would like to get a brief status update on each of these items. Director SantucciRozzi stated we submitted our interim compliance forms in January 2023 and we are in compliance until the end of 2023. At that time we will need to document to the state that the Council has in fact accepted our proposed MBTA Zoning. What I have been doing over the past couple of months is putting together materials to be submitted to our technical assistance partners at RKG. What they are doing is testing these proposed districts. I am putting together some basic parameters. To see if we can get to the magic number of 3,769 dwellings. What we do is look at projects already permitted and constructed. One being the landing and the other area being around the red line station, that will work with our current built environment.

Councilor O'Brien asked is the consultant considering this because we are not in compliance? Director SantucciRozzi stated no we are not in compliance.

Councilor O'Brien asked does the Council have the dollar amount/funds we will lose if we reject this? Director SantucciRozzi stated first the answer is yes because annually \$300,000 gets funded to the Housing Authority. The next part of your question is no. My partners here, John and Jim are the wing of municipal government that puts in for mass works grants. We are not able to forecast right now what a grant could be in a year or 2 and what the cost of that particular work could be in a year or 2.

Councilor O'Brien asked for clarification on what the mass grants were for and the dollar amounts. John Thompson stated I will verify but I believe the mass works grant was \$2.5 million and the Federal earmark that was received was close to \$3 million. Councilor O'Brien stated going around town people are upset about this but \$2million and \$3 million changes the game and the fact that we would no longer be eligible for those.

Councilor Reynolds asked what other funding could potentially be nullified if we were not to follow the guidelines of the MBTA Community. Director SantucciRozzi stated it would be the mass works and the one stop.

Crystal Huff, Town Solicitor stated there has been additional letters from Attorney General Andrea Campbell who basically stated that any other state funding that we could potentially be eligible for would be put at risk, put in jeopardy if we were not to comply with the MBTA Communities. The Attorney General also said she would take legal action against any town that does not comply.

Councilor Reynolds asked when the next compliance date is?

Melissa SantucciRozzi, Director of Planning & Community Development stated December 31, 2023 when our zoning needs to be signed, sealed and delivered.

Councilor Reynolds asked would that be the completion of our zoning essentially.

Melissa SantucciRozzi replied yes.

Chairwoman Maglio stated it seems like this option is no longer an option. It sounds like its pretty significant to get cities/towns to comply.

John Fabiano, resident stated I think we should comply with these MBTA guidelines or find a way to get rid of the MBTA stop.

Motion by Councilor O'Brien to table item 041 22 to a future meeting

Motion: by Councilor O'Brien to table items 041 22 to a future meeting

Second: by Councilor Reynolds

Roll Call Vote: For (3 – Maglio, Reynolds, O'Brien), Against (0), Absent (0), Abstain (0)

NEW BUSINESS

• 043 23 Councilor Maglio: Master Plan Steering Committee Update or take up any action relative thereto

Chairwoman Maglio asked what was coming down the pipe next.

Director Santucci Rozzi stated we concluded our road show. We hit up 15 groups in town. That was part of our Phase 3: Achieving Braintree Tomorrow. We have created our vision and core themes and now we are down to strategies and ideas. To create what the community would like to see. There is a Master Plan website and portal where you can provide feedback. It will eventually get put all together in a Master Plan book.

John Fabian, resident asked if the Mayor attended any of these meetings?

Director SantucciRozzi stated yes he has and he has spoken at them as well.

Motion by Councilor O'Brien to table item 043 23 to a future meeting

Motion: by Councilor O'Brien to table items 043 23 to a future meeting

Second: by Councilor Reynolds

Roll Call Vote: For (3 – Maglio, Reynolds, O'Brien), Against (0), Absent (0), Abstain (0)

• **020 23 Council President: Green Communities - Braintree Energy Reduction Plan or take up any action relative thereto**

Margaret Laforest, Chief of Staff stated I did meet with President Boericke previous to this. I will be meeting with Facilities DPW teams to give a real review the Green Communities. We would like to provide you a deeper update on a future day.

Councilor O'Brien asked about the street lights and if the town/BELD owns them all?

Director Arsenault stated the vast majority of lights are maintained by BELD but there are some street lights within the vicinity of town hall that we maintain.

Councilor O'Brien commented BELD should be involved because they are pretty significant here.

Councilor O'Brien commented he asked former Superintendent Hackett for a NORESCO update and never received it.

Councilor Reynolds is wondering about the Green Communities Committee as a goal stated in the draft plan. What will that make up of committee consist of? Does BELD have a seat?

Director Arsenault stated BELD is involved. The big companies like Eversource etc have to pay into a fund to help pay for improvements and energy reductions.

Director Arsenault stated Mike McGourty, Facilities Director is very diligent at getting reductions to costs. It is a very complicated criteria to get the funds and get the process initiated. It is a long process.

Margaret Laforest stated we thought this was going to be tabled to another meeting so Mike McGourty can be here. He and his team have spent time on energy reduction items applicable to this plan.

Councilor Reynolds stated I am concerned there is not enough funding dedicated to this plan.

Chairwoman Maglio asked when the original funds need to be spent by.

Margaret Laforest stated she is unaware of this. It was my intention this evening was not to discuss this topic.

Chairwoman Maglio stated it would be good to get an update after the interal meeting you have in July.

Motion by Councilor O'Brien to table item 020 23 to a future meeting

Motion: by Councilor O'Brien to table items 020 23 to a future meeting

Second: by Councilor Reynolds

Roll Call Vote: For (3 – Maglio, Reynolds, O'Brien), Against (0), Absent (0), Abstain (0)

• **039 23 Councilor Maglio: Holland Project Status or take up any action relative thereto**

Crystal Huff, Town Solicitor stated the Holland appeal is the combination of two decisions from the Zoning Board denying comprehensive permits under Chapter 40B. One for eight townhouses and the other for a 70 unit apartment building at 383 Washington Street. We recently received the Superior Court decision in the combined cases the Superior Court upheld the housing appeals committee decision overruling the ZBA, which is unfortunate. The Town has taken further steps for further appeal up to the Massachusetts appeals court for further review. We are looking at a fairly lengthy process.

Councilor O'Brien stated thank you for all your work on this.

Chairwoman asked when did this start?

Solicitor Huff stated 2017.

Motion by Councilor O'Brien to table item 039 23 to a future meeting

Motion: by Councilor O'Brien to table items 039 23 to a future meeting

Second: by Councilor Reynolds

Roll Call Vote: For (3 – Maglio, Reynolds, O'Brien), Against (0), Absent (0), Abstain (0)

• **040 23 Councilor Maglio: Penniman Park Status or take up any action relative thereto**

John Thompson, Asst DPW Director/Town Engineer stated this project is still in a state of pause. We have heard concerns about the size of the parking lot from residents. We also have a stormwater grant issued to the Town from the DEP. We have this consultant to assist us in looking at the Elder Affairs site as a whole. To potentially add more recreation. To have a robust public process we are reaching out to the neighborhood and work with the Council on Aging. Hopefully to land on a plan that everyone is happy with that we can construct and be proud of. We are still working on details with the design engineer so I don't have a lot of details yet. We would like to begin the public process some time in the fall. Looking to get shovels in the ground and complete next spring.

Chairwoman Maglio asked the name of the design firm.

John Thompson replied Niche Engineering.

Sharmila Biswas, Director of Elder Affairs stated the parking lot has been really good to the community I serve. They come and park safely and get out of the car safely and drive away safely. We don't have to cancel events just to accommodate for parking. We don't have to go out and direct traffic like we used to.

Councilor Reynolds stated there needs to be a balance with the Council on Aging clientele and with recreation and green space needs of the neighborhood at Penniman Park. What areas will the Stormwater project impact?

John Thompson replied the intent is to construct a Stormwater Best Management Practices (BMP) or bio retention area that will treat the stormwater both from the site and upstream of the site and ultimately treat the water before it runs into the Monatiquot river. The area is right behind the building between the parking lot and the botche courts.

Councilor Reynolds asked is this an open basin?

John Thompson replied yes it is.

Councilor Reynolds stated so it would require surface area to be used so it would not be available for other types of use. What is the size?

John Thompson stated probably a little bigger than a basketball court.

Councilor Reynolds asked what scope of work will the consultants do.

John Thompson stated we will be asking them to do some sort of parking needs analysis. We want to make sure the Council on Aging needs are met but also be sensitive to the fact that we would like to free up some space if we could. What we are doing now is design several conceptual plans.

John Fabiano stated it feels like the neighborhood is pitted against the Council on Aging. Will the parking lot be ADA compliant?

John Thompson stated the current parking lot was not topped with the final layer and therefore not yet completed as ADA compliant.

Jim Guiliano, resident stated I have been involved in the park and a lot of the conversations you had here we have had the same conversations a year ago. There was not a good plan here from the very beginning. When you talk about construction next spring is that only for the drainage?

John Thompson stated we would like to come up with a plan that is cohesive for the entire site.

Jim Guiliano, resident stated this will not get done in a large group. It takes a small group. It needs to fit the Council on Aging and the interest of the community. The only one not included in this inclusive community we live in is the community. The town has done what they wanted. I will give everyone here my cell phone. I will help you. I'm loaded with great ideas. There are a lot of kids that use that playground. It is probably the worst playground in town. There are no picnic table and only one trash barrel up in the parking lot. A lot of trash being left behind.

Motion by Councilor O'Brien to table item 040 23 to a future meeting

Motion: by Councilor O'Brien to table items 040 23 to a future meeting

Second: by Councilor Reynolds

Roll Call Vote: For (3 – Maglio, Reynolds, O'Brien), Against (0), Absent (0), Abstain (0)

• **041 23 Councilor Maglio: Sewage Outflow Status or take up any action relative thereto**

Lou Dutton stated we are in our year 10 construction and year 11 investigation. We are in our third year of smoke testing which is underway. Modeling phase 1 completed that shows a lot of factors that are contributing to the problems. We can eliminate the problem at Jay Street by raising that structure up 2 feet. We are going to do that as soon as possible. The SSO's frequency has lessened. We have had a few storms with no issues whatsoever. We added level sensors in the manhole structures that notify us if anything is going on. With the inflow work we have been doing, we have noticed a reduction in our MWRA cost. This shows we are removing I&I and inflow but we have a lot of work to do.

John Thompson stated to let it flow out naturally instead of pumping then you are releasing the absolute minimum to the environment.

Councilor Reynolds asked where the outflow is located.

Superintendent Dutton stated at the river bank by the old BELD station is correct.

Councilor Reynolds asked about the Jay Street manhole.

John Thompson stated that manhole needs to be raised to prevent the overflow from happening.

Director Arsenault stated this discharge happens about 2-3 times a year. It is not constant. Every discharge is not acceptable but I wanted to let you know this.

Chairwoman Maglio stated with the Jay Street raised manhole this would just mean the outflow would eventually happen not just in that wooded area.

I am concerned about the impact on the already toxic water that it is entering where there is so many efforts to try and clean up the area and we're investing all this money at Watson Park, we have smelt ladders, but that doesn't really counter the negative impacts of sewage that's being pumped in.

Are there promising studies, ideas, efforts to try to mitigate the impact of that going into the water?

John Thompson stated unfortunately I don't think there is a lot you can do to mitigate that with the tides, flows and impacts to the bacteria levels. The bacteria levels go away over time with dilution and that is how its mitigated.

John Thompson stated the Board of Health during these events in Spring/Summer will have expanded water sampling to make sure Smith Beach or recreational areas are closed until we can return clean samples.

Chairwoman Maglio asked what happens when the alarms go off?

Superintendent Dutton stated when alarms go off and we know that we're going to start overflowing we have a list of notifications that have to go out immediately. This includes EPA, DEP, Fisheries, Marybeth so she can do what she needs to down in the Smith Beach area.

Director Arsenault stated this is a State requirement that within 2 hours we notify and follow up until the discharge stops.

Chairwoman Maglio asked if there is netting to dredge some out or filtering.

Director Arsenault stated it is at a point it is already turned up quite a bit called grey water. You don't see something solid there. It is still a contaminate. It would be very difficult to treat.

Chairwoman Maglio stated signage is important. People don't know its illegal to swim or fish or crab at the end of the Fore River and at Smith Beach. When Smith Beach is tested the area down at the end of Glenrose is not and no one would know that its an even higher level of bacteria than normal. The mayor agreed on signage.

John Thompson stated in his office Hilary Waite had a conversation with the Division of Fisheries and stated there recommendation with the level of events that were happening did not rise to the point where we should be having that signage there permanently. We would encourage people to subscribe to the alerts we put on the town website. Under the new DEP requirements for SSO reporting we do need to make early and repeated alerts that go to the website and when there is an alert you will get an email.

Chairwoman Maglio stated I remember the discussion of signage to state it is illegal not just related to the outflow at events but in general always that fishing is not allowed there. Or that you fish at your own risk or that there's high levels of toxins there.
Isn't it illegal to fish there?

John Thompson stated I am not sure if it is illegal if you have a license. I will follow-up with Ms. Waite.

Chairwoman Maglio stated I think there are ways to put up nice signs to let people know that this is really not inappropriate place. In addition I don't know people are really going to go to the website to subscribe for alerts. Anything that gets alerted at Smith Beach should also be posted as a temporary one as well as a general caution

John Thompson stated I think in that vicinity of the electrical lines is actually private property. We do have signage that is erected when Smith Beach is closed and once samples come back clean the signage is removed. I don't know how we can signage on private property.

Motion by Councilor O'Brien to table item 041 23 to a future meeting

Motion: by Councilor O'Brien to table items 041 23 to a future meeting

Second: by Councilor Reynolds

Roll Call Vote: For (3 – Maglio, Reynolds, O'Brien), Against (0), Absent (0), Abstain (0)

• **042 23 Councilor Maglio: Emergency Evacuation Plan Status or take up any action relative thereto**

Chairwoman Maglio read a statement from Margaret Laforest, Chief of Staff.

The Braintree contingency which consists of Chief of Staff Laforest, Chief O'Brien, Captain Pistorino, Braintree Police Department Wallace, BEMA Rob Millett attended a regional tabletop exercise hosted by the City of Quincy Emergency Management department and facilitated by Tetra Tech on May 9, 2023. This exercise was funded with federal grant money Mayor Kokoros held held a meeting with MEMA on May 17, 2023 with Laforest, O'Brien, Pistorino, Dubois, Cahoon and Millet to discuss their new community Emergency Management plan (CEMP) template and our planned updates are underway. They advised of resources to contact all cell phones in a specific area at a designated time to communicate during emergency situations and how and when a municipality can utilize. Mass Maritime has also offered to be a resource for the town and a meeting is being scheduled. The City of Quincy is working on creating a multi-judicial emergency response plan for all of the facilities in the Fore River Basin that currently possess hazardous materials. Braintree facilities are providing information to be included. Laforest met with Quincy, Ali Sleeman on June 27, 2023 to discussed their draft document which will be provided to Braintree upon completion.

Councilor O'Brien stated we need more details and more data. Why we wait until we have an emergency and then all of a sudden something like this becomes important. Maybe the Hazardous Mitigation Plan needs to come back before the Council for review since it was done in 2019.

Councilor Reynolds stated as it pertains to the Clean Harbors Fire there are real examples of how we could have responded better. I was Chief of Staff when we put out the 2019 Hazardous Mitigation Plan. This Evacuation Planning is the first step. Whats the next steps? What is actually tangible that can give the people of Braintree a level of confidence that they can be protected when something more dangerous happens.

Chairwoman Maglio stated I have been looking for a plan for 4 years now. The fact there was a Hazardous Mitigation Plan in 2019 and then Enbridge built a compressor station and nobody thought to update the plan is just irresponsible, appalling and basically writing off an entier part of this community. There really is no saving us if one of these things was going to blow. Luckily the Clean Harbors fire was a huge near miss. We can recover and learn from that and do better. I hope this will result in something and not to just check it off a list. The new robo call system was brought up at a meeting at East Middle School. The first question was is it multi-lingual? Does it connect to home or cell phones? How do you get the cell phone numbers? The answers being – I don't know. It is still in the talking stage and it should be a huge priority.

Motion by Councilor O'Brien to table item 042 23 to a future meeting

Motion: by Councilor O'Brien to table items 042 23 to a future meeting

Second: by Councilor Reynolds

Roll Call Vote: For (3 – Maglio, Reynolds, O'Brien), Against (0), Absent (0), Abstain (0)

<https://www.youtube.com/watch?v=zTv3l1DrvpQ>

It was unanimously voted to adjourn the meeting at 8:48p.m.

Respectfully submitted,

Susan M. Cimino, Clerk of the Council