



# Office of the Mayor

One JFK Memorial Drive  
Braintree, Massachusetts 02184

Joseph C. Sullivan  
Mayor

781-794-8100

November 25, 2019

Ms. Katherine Miller  
Planning and Programs - MassHousing  
One Beacon Street  
Boston, MA 02108

RE: Town of Braintree Comments  
Highlands Village MH ID No. 1053  
357 Grove Street, 365 Grove Street and 1006 Liberty Street

Dear Ms. Miller,

I offer the following information on the Town's efforts to meet our local affordable housing goals and state requirements as well as comments on the above referenced Comprehensive Permit. I have consulted with residents, evaluated the Public Comments, met with Town Councilors and the Developer and have worked closely with our Braintree Department of Planning and Community Development in their housing role and as they manage this process and evaluate the Site. These efforts, discussions and analysis have made it very clear that we, the Town of Braintree, are opposed to this proposed Comprehensive Permit.

The Town of Braintree has been and will to continue to address our local affordable housing needs. The Town has achieved great successes in all types of housing creation. Currently the Town has succeeded in creating 9.7% of their housing stock affordable for inclusion on the Subsidized Housing Inventory, which renders the Town **less than 50 Units** away from meeting the states statutory minimum of 10%. We have also pursued achieving our General Land Area Minimum (GLAM) through a Safe Harbor Appeal on Comprehensive Permit(s) MH ID No.'s 891 and 892 with the Housing Appeals Committee (HAC), who found that the Town has a GLAM of 1.39% where 1.5% is required. Based on the 40B timelines the Zoning Board of Appeals has reconvened the Public Hearing process and is evaluating the Project(s) and has reserved their rights to further challenge the HAC's GLAM decision. The Town further achieves its local housing goals and production through Special Permit negotiations. The last two Special Permit Decisions issued by the Planning Board for residential developments in Braintree were subject to an agreed to negotiated affordable housing restriction. These 50 Units of Housing will provide 5 (three condominiums and two apartments) affordable Units. Both of the residential developments provide sufficient parking, are within walking distance to MBTA Red Line and Commuter Rail Stations as well as being on an MBTA Bus Route. One is located in South

Braintree Square that offers all of life's conveniences within walking distance. This is the type of development that the Town of Braintree welcomes and supports.

The Town, as a member of the South Shore HOME Consortium (SSHC), has expanded our housing involvement within Braintree and the surrounding region. Our work as part of the SSHC includes the formation of a Regional Fair Housing Committee, the hosting of educational and outreach orientated workshops on relevant housing topics, the creation of a first time home buyer down payment assistance program and the implementation and successful operation of a Tenant Based Rental Assistance Program.

The Town has received a copy of the above referenced 40B Site Eligibility Application that was submitted by Liberty Grove LLC for the properties located 357 and 365 Grove Street and 1006 Liberty Street "The Comprehensive Permit". The Application has been reviewed in detail by my Administration and various Town Departments and further Staff of the Town's Departments and Members of Boards attended a the MassHousing Site Visit on October 23, 2019. The Town is very familiar with the site given the lengthy review and analysis of the split zoning and potential re-development of the former gas station at 357 Grove.

We have legitimate and substantive concerns about this proposed Comprehensive Permit. A residential use of this size, scale and intrusion has never been planned, supported or recommended by the Town at this location. Any development at this location shall be respectful to the existing and planned environment. Consideration to size, scale and location within Braintree shall be diligent given the pace in which we can responsibly manage and absorb growth. The Town's Administration and Planning Department have shown support for redevelopment of the site's current commercial use, with potential modernization of the former gas station and repair shop into a Cumberland Farms gas station with a convenience store. While recognizing this type of re-use would require a rezoning of a portion of the land, the concept plan shared with the Town provided for a significant buffer to the abutting neighborhood and one that preserves the onsite wetland areas by keeping a significant amount of the property at 357 and 365 Grove Street in a nature state and protected with a conservation restriction. The property owner dropped his plans for this commercial use due to neighborhood concerns and then pursued community outreach regarding a 55+ age restricted housing development that was also met with opposition.

The scale and theme of the neighborhood is a mature suburban residential area that offers residents with a town scale shopping plaza, that has a variety of uses and services that provide convenience for the Town's residents. However, the traffic volumes that the intersection of Liberty and Grove experience are fairly significant. The intersection currently operates between a LOS C and E at the AM, PM and SAT Peak Hours and depending on the construction of recently approved projects could be slightly improved. The Town is of the opinion that this site is best served by capturing vehicle trips that are already in the street network, a use that feeds off

current pass-by trips and most important one that provides a substantial buffer to the adjacent neighborhood, benefit to the public welfare and convenience to the residents of the Town.

As proposed, this 4-Story building will be 62 +/- feet in height with a building wall that will span the corner of Liberty and Grove Streets. The 94,870 square foot building measures 245 feet by 190 feet, setback 30 feet from the intersection. It will present a physical and visual building wall at the intersection from all approaches. The building footprint and surrounding paved parking areas occupy almost all of the uplands located on the site. The design includes large paved parking areas within 5 feet of abutting residential homes and includes land that is accessible by a small turnout area for a few single family homes. Given the property size of 3.37 acres the proposed residential density of 28.48 units per acre is unprecedented for this neighborhood. Simply put this proposal is overwhelming and unacceptable.

Based on the Town's current review of the Comprehensive Permit Site Eligibility Application (Comp. Permit), we offer the following comments:

#### Easements

The Site contains a 20 foot wide Sewer Easement which would need to be relocated. The Comp. Permit depicts a proposed building located within the sewer easement. The development cannot adversely impact any rights that others possess within these easements, nor shall the development preclude or obstruct anyone from exercising any rights/benefits they may have within this easement.

#### On-Site Parking/Circulation

Based on a review of the Comp. Permit the proposed scale, intrusiveness and expansive coverage of the parking provided far exceeds the scale in which this property shall be redeveloped at. The idea of parking lots with 80 parking spaces abutting a single family neighborhood within 5 to 10 feet is not an appropriate design. Further, this design requires the filling and alteration of onsite wetland areas.

#### Stormwater Management System

The Comp. Permit lacks information or calculations related to a Stormwater Management System. This property is located in an area that has high groundwater due to the on-site wetland resource area. The Comp. Permit depicts the need to fill in a resource area. The Town questions the ability for the Site to be designed to meet and comply with the Massachusetts DEP Stormwater Regulations and all applicable Braintree and State level permitting required in order to fill in a resource area.

#### Traffic Review

The Comp. Permit lacks information related to transportation. The Town has not been provided with a trip generation memo or traffic impact analysis. Given our knowledge of the neighborhood and the street network we have serious concerns about newly created trips to the

intersection and how the use's traffic patterns in and off the site will be able to function. Any additional trips to this location would need to be fully mitigated in order to maintain the intersection's level of service.

On-Site Contamination

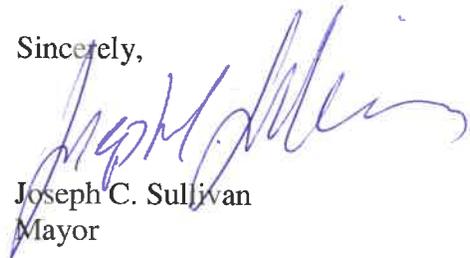
Given the historic use of the Site, the Town needs to have a clear understanding of any and all environmental remediation that will be required. The Braintree Fire Department and Health Department will be involved in the oversight of this site to protect the safety of all residents in the area.

Clearing, Grading and Tree Removal

The Comp. Permit site design will require the entire property aside from the wetland resource area to be cleared and regraded. This design concept is completely unacceptable.

On Behalf of the Town and more specifically the Liberty/Gove neighborhood, I ask that you please accept these comments as the initial commencement of our review of the Highlands Village proposal. On behalf of the Town, I reserve the right to offer additional comments to be considered as this process evolves. However, I hope that will not be necessary since your ability to stop this process and declare this Comprehensive Permit as "Not Eligible" would be the correct one for this ill-fated proposal.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joseph C. Sullivan".

Joseph C. Sullivan  
Mayor