



Town of Winchester

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July 6, 2020

Woburn City Council
Woburn City Hall
10 Common Street
Woburn, MA 01801

RE: *The Vale* Special Permit Applications – Pulte Homes of New England and LCS Woburn LLC

Dear Councilors,

The Town of Winchester was recently made aware of two special permit filings related to the redevelopment of the former Kraft Foods property filed under the Technology and Business Overlay District (TBOD) Master Plan that was approved by the Woburn City Council in 2019. The property owner, Leggat McCall Properties LLC has proposed the redevelopment of this approximately 77-acre site into a mixed-use development, known as *The Vale*, consisting of office/lab/flex/research and development, retail, hotel, institutional, and residential uses comprised of townhomes, multi-family housing, and senior housing. The Town understands that redevelopment of the site will occur in a phased manner, with different applicants responsible for the various components of the project build-out.

The recent special permit applications filed pursuant to this master-planned redevelopment include: (1) Pulte Homes of New England, LLC (Pulte) for *Highland at Vale*, a townhouse and multifamily residential development, and (2) LCS Woburn LLC for the construction of congregate elderly housing units and an extended care facility consisting of assisted living and memory care units, known as *The Delaney*. The Town also understands that Notice of Intent (NOI) filings have been made with the Woburn Conservation Commission for some portion of the projects associated with *The Vale* development, and that the public hearing process has not yet begun for those filings.

The Town of Winchester has closely followed the redevelopment of the Kraft Foods site since notice of the plant closure was announced in 2016. The proposed project represents a once-in-a-generation opportunity to reshape the built environment, but if not carefully executed, it could result in harmful impacts to the abutting residential neighborhoods in Winchester on Sunset Road and Forest Street, and to wetlands, water resources, stormwater, flooding, and traffic. Although the project is located fully within the City of Woburn, the detrimental impacts from flooding, stormwater runoff, and changes to the character of well-established residential neighborhoods will be felt primarily by the residents of Winchester.

Winchester appreciates this additional opportunity to provide comments on this important regional redevelopment project through the special permit process currently underway with the Woburn City Council.

Highland at Vale Project Alternatives

The Town of Winchester does not support the number of townhouse and multi-family units currently proposed as part of the Pulte Special Permit application. In our comments on the Draft Environmental Impact Report (DEIR), Winchester outlined a “Reduced Build Alternative” that should be pursued or at least studied further. Section 28.6#11 of Woburn’s TBOD zoning states that “*the total number of residential units shall not exceed 150 units of which there shall be a maximum of 112 apartments with the remainder being townhouses*”. The development proposed under this special permit application calls for the development of 197 units total, including 75 townhouses and 122 multi-family “garden-style” units, which exceeds the maximums allowed under TBOD.

The Final Environmental Impact Report (FEIR) did not lower the number of townhomes or total unit count, and the applicant’s response to the comment in the FEIR outlined the need for 75 townhomes based on the City Council’s vote and their assessment that anything less than the 75 may make the project infeasible. ***The Town of Winchester urges the City Council to require the applicant to reduce the total number of townhomes on the property, and to develop a site plan that minimizes the impact to the neighboring residential properties in Winchester and reduces impervious areas.***

Project Renderings and Vegetated Screening for Highland at Vale

The plans associated with the special permit application for the townhouse/multi-family development show significant re-grading of the site and a large number of retaining walls, including elevation changes of over 15-feet in the backyards between the townhomes, with additional fencing on top. The landscaping plan for the project shows a proposed seven-foot high cedar fence running along the entire length of the project border with the Town of Winchester as screening, with no landscaping on the Winchester side of the fence.

The Pulte Special Permit application clearly impacts the character and sense of place for the Sunset Road neighborhood. ***The Town of Winchester requests that photo-simulations and renderings of the townhouse development from the Sunset Road neighborhood be provided to demonstrate the visual impacts of the project on the abutting neighborhood. Further, the Town requests that a condition be placed on the permit requiring a tall vegetative buffer along the 900-foot southern border with the neighborhood, using some type of tree to provide a vegetative screen of the fence and walls. The vegetated buffer may be provided in addition to the cedar fence currently proposed along the municipal boundary.***

Downstream Stormwater & Flooding Impacts and Peer Review

Over the past two decades, the Town of Winchester has spent tens of millions of dollars designing, permitting, and constructing a set of comprehensive flood control improvements along the Aberjona River and its tributaries. As noted in our comments to MEPA, Winchester is

very concerned that stormwater runoff from *The Vale* development will erode the effectiveness of the Town's flood mitigation program, thereby increasing flooding downstream in Winchester.

Given the history of flooding and local hydrologic conditions in our community, the Town of Winchester has adopted a volume control standard for all new and redevelopment projects, which goes a step further than state regulations that only require developers to match pre and post-development runoff rates leaving a site. ***The Town of Winchester requests that the City of Woburn also impose a volume control standard for The Vale development to help mitigate the downstream flooding impacts from the project.*** Currently, the stormwater analysis provided by the applicant shows that there will be significant increase in stormwater volumes to the Aberjona River (Design Point 3) for the 2, 10, 50 and 100-year events.

Additionally, the Town of Winchester remains very concerned about the proposed design of the stormwater management system for the two special permit applications, which rely on a highly engineered collect-detain-discharge design. The projects do not include any green infrastructure or Low Impact Development (LID) principles to more effectively integrate the development into the natural topography, to reduce impervious areas, improve water quality, and treat stormwater runoff at its source. Use of these practices was noted in the FEIR submitted by Leggat McCall. The applicant should also demonstrate compliance with the phosphorus controls required under the MS4 permit for discharges to impaired waterbodies, such as the Aberjona River.

The *Highland at Vale* development includes a large, above ground detention basin in the southwest corner of the property, which is located directly adjacent to several residential properties in Winchester on the north side of Sunset Road. The system is designed to provide upwards of 95,000 cubic feet of storage, which would cause catastrophic damage to downstream properties should the basin fail.

Given the potential detrimental impacts from the project on the adjacent residential neighborhood in Winchester and on the Town's larger flood mitigation program, the Town of Winchester intends to hire an independent peer reviewer to review the stormwater and flooding impacts of the project, and the relationship of the individual Notices of Intent to the overall stormwater management, as well as an analysis of impacts to wildlife habitat. There are serious enough concerns regarding the stormwater and flooding issues that the Secretary in the FEIR, referred the applicant to review the comments from the Town of Winchester.

Phased Construction Impacts and Dust Control

In addition to our concerns regarding the full-build stormwater and flooding impacts, the Town is also concerned about the interim build and construction impacts. The applicant should provide documentation to confirm that the post-development rates and volumes for each phase of the project do not exceed post-development conditions. Additionally, the applicants should provide plans showing the interim stormwater controls that will be used on the site during construction to protect water quality and ensure that there are no off-site flooding impacts. This should include erosion control measures, such as silt sacs and filter tubes, as well as temporary stormwater and sedimentation basins and soil stockpile areas. The applicant should also address dust and rodent control measures for the project.

Restriction to Site Access from Sunset Road in Winchester

Both petitions claim their frontage on Sunset Road in Winchester through a uniquely-shaped lot, but require zoning relief from the City of Woburn to allow access to the developments through Hill Street. Leggat McCall has said in multiple meetings, letters, and filings that they do not want to ever use the Sunset Road as access to the project. ***Therefore, the Town of Winchester requests that a condition be placed on the permit preventing any motorized vehicular connection from the Project to Sunset Road in perpetuity, emergency, construction, or otherwise.***

Emergency Access from Forest Street in Winchester

Both Special Permit applications show an emergency access connection from the southern end of TBOD property to Forest Street in Winchester. This is the only other access to the site aside from the primary access drive off of Hill Street in Woburn.

All portions of land in Winchester that touch the southern edge of the TBOD are located in a residential zoning district (RDB-10). The underlying zoning and the TBOD are *less restrictive* than the Winchester zoning. One cannot use a parcel that is more restrictive (Winchester residential zone) to access a parcel that is less restrictive in terms of zoning. ***The Town refers to the letter dated July 6, 2020 from our Town Counsel Anderson/Kreiger for additional information on this topic.***

Off-site Traffic Impacts and Mitigation

The traffic memos submitted with the special permit applications from VHB outline the trip generation from the two projects only (Pulte and LCS). The memos rely on the traffic analysis submitted as part of the MEPA filing in 2019. From the outset of the MEPA filing, the Town of Winchester stressed the importance of looking at the intersection of Park and Marble Streets in Stoneham. We contend that even though there will be infrastructure upgrades to the Hill Street on/off ramp area and other intersections in Woburn, many cars will bypass this area completely, and instead use Exit 35 off of I-93 to get to Winchester via Park and Forest Streets. This intersection was never studied, even upon multiple requests from the Town of Winchester. Further, the Certificate from the Secretary of Energy and Environmental Affairs (EEA) on the Final Environmental Impact Report (FEIR) states: “*Comments from the Town of Winchester also deem the traffic mitigation to be inadequate to address existing traffic congestion and request additional analysis of an intersection in Stoneham....*” Looking at the entire TBOD is imperative to effectively managing the traffic implications from this development. This was not fully done in the EIR process and the proposed traffic mitigation is insufficient when looking at the Master Plan in its entirety. ***The Town of Winchester request further study of the traffic impacts at the intersection of Park and Marble Streets in Stoneham prior to approval of this or any other Special Permit associated with the TBOD.***

Sunset Road at Washington Street Pedestrian Improvements

The proposed *Highland at Vale* development directly abuts Sunset Road in Winchester, which has no sidewalks on either side of the street. Sunset Road intersects to the west with Washington Street, in close proximity to the existing Tri-Community Bikeway; however, there is currently no safe crossing at Sunset Road for pedestrians and bicyclists to access the path. ***The Town requests that the Woburn City Council require the applicant to explore the installation of a***

sidewalk on the north side of Sunset Road from the townhouse development to Washington Street, as well as the installation of a crosswalk, handicapped ramps, and a Rectangular Rapid Flashing Beacon (RRFB) at the intersection of Sunset Road and Washington Street to provide a safe crossing to the trailhead of the Tri-Community Bikeway. We expect that pedestrian access between Winchester and the TBOD development will be desirable for residents of both communities to access the existing nearby recreational, retail, and healthcare resources in Winchester, and future site amenities at *The Vale*.

Connection to the Tri-Community Bikeway

The Town of Winchester is pleased to see the proposed connection from the Tri-Community Bikeway at the north end of the site along the ring road. ***The Town requests that the applicant evaluate an expansion of the path to the southwest along the Aberjona River, which would link the site to the portion of the Bikeway in Winchester,*** providing access to Winchester's Town Center, and the two commuter rail stations in Winchester. Construction of this section of path would allow users an option to bypass the existing on-road sections of the path on Washington Street in Winchester and D Street in Woburn, as well as the busy roadway crossing on Washington Street in Woburn just south of Montvale Avenue. In recent months, the Tri-Community Bikeway has been a heavily utilized recreational facility, allowing residents of the Winchester, Woburn, and Stoneham a safe space to get some greatly needed outdoor activity. Expansion of the path on *The Vale* property would only enhance this resource, and would be a significant amenity to future residents, employees, and users of the site.

Proposed Regional Transit and TDM Program

As noted in Winchester's comments on the DEIR, existing public transportation options are located too far from the TBOD site for residents and people accessing the site facilities to use them regularly. MBTA's Route 354 does not operate with midday or weekend services, making it unlikely to be used by those in the proposed senior housing units. ***Winchester recommends that the applicant commit to additional TDM measures to reduce individual vehicle trips to and from the Site.*** Specific measures should include the development of a shuttle system to serve all the proposed future users at the site, including residents, senior housing, office, retail and hotel uses, and car-sharing services such as Zipcar, which could be used by residents when the Route 354 bus is not in service. The Master Plan applicant stated that a shuttle service will be deployed when demand warrants, with demand measured through surveys throughout the life of the project. However, a shuttle service should be agreed upon at this time so that future residents and business tenants know from the beginning how they are going to be getting to and from work. This information will dictate how many people are willing to move to the site without a personal vehicle.

Blasting Requirements

The proposed development in the southern portion of the site will require significant blasting and earth moving activities. The Town of Winchester requests that a condition be placed on the permit requiring the proponents, before any blasting begins, to inspect and document the condition of existing dwellings on Sunset Road and Forest Street within 300-feet of the property boundary, and of the historic or culturally significant properties listed below, and promptly and fully repair any damage to foundations or walls in such dwellings after blasting has been completed.

July 6, 2020

- 465 – 467 Washington Street*
- 569 Washington Street*
- 597 Washington Street (National Register)
- 620 Washington Street*
- 118 Forest Street*
- 120 Forest Street*
- 131 Forest Street*
- 142 Forest Street*
- 146 Forest Street*
- 162 Forest Street*
- 193 Forest Street*
- 200 Forest Street*
- 224 Forest Street*
- 230 Forest Street*
- 257 Forest Street (National Register)

*Denotes listing on Massachusetts Cultural Resource Information System

Construction Hours and Noise Impacts

Construction work hours should be limited to Monday through Friday, 7am to 6pm, and 9am to 5pm on Saturday. No construction should be permitted on Sundays or state and federal holidays. Additionally, enforcement of the MassDEP noise pollution policies should be a condition placed on the permit. Measuring noise levels at day and night for pre-construction and after the townhomes are populated should be required. Due to the close proximity of the proposed projects to the Winchester abutters' homes, the Town requests a condition be placed on the permit requiring use of the quietest, lowest noise emitting air conditioning and air handling equipment and that proponents will not allow any light from street lights, site lighting, or security lighting on the site to trespass or extend into property in Winchester.

The Town of Winchester is grateful for the opportunity to provide comments on this important regional development, and looks forward to working with the Woburn City Council to address our concerns regarding the project. Thank you for your consideration.

Sincerely,

DocuSigned by:


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Michael Bettencourt
Chair, Winchester Select Board

cc: Senator Jason Lewis
Representative Michael Day
Chad Reynolds
Leggat McCall, Joe Tarby, Murtha Cullina