



TOWN OF WINCHESTER

OFFICE OF THE

PLANNING DEPARTMENT

BRIAN SZEKELY
TOWN PLANNER

71 Mount Vernon Street
Winchester, MA 01890

Winchester Board of Selectmen
71 Mt. Vernon St.
Winchester, MA 01890

August 11, 2016

Re: Forest Ridge Residences

Dear Chairman Grenzebeck,

I have reviewed the Site Approval Application submitted to MassHousing by the Krebs Investor Group, LLC for a multi-unit complex consisting of 222 market-rate and 74 Affordable units located on a 13+-acre parcel (the proposed site). All units would be located in Winchester, with frontage and the main access point in Stoneham off of Fallon Road. An emergency access is planned for Forest Circle in Winchester, and would not be open to the public. I aim to give a historical and current perspective regarding development in the immediate vicinity and address the appropriateness of the site for large-scale housing.

I would like to first stress the importance of Affordable housing in Winchester and that it is desperately needed. We have one of the lowest Affordable housing percentages in the Commonwealth and additionally we are very rapidly losing many smaller houses due to demolition. The replacement houses can be double or even triple the size of the original house, effectively destroying much of our smaller housing stock. The Housing Partnership Board and I are committed to siting Affordable housing in all corners of Winchester. However, the proposed site for the Forest Ridge Residences does not appear to be conducive to the level of large-scale residential development the Applicants are seeking based on previous studies performed on the site. Additionally, there are potential traffic issues that stem from this project that would need to be mitigated in Stoneham, yet there has been no acknowledgement from the Applicants that a joint ZBA hearing with Stoneham would take place. Unless a significant reduction in the number of units is planned, and joint ZBA hearings are scheduled (if allowed to go to the permitting phase), I cannot recommend the proposed project at Forest Ridge Residences.

Site Context:

Environs:

The proposed site is located on the border of Winchester and Stoneham, immediately west of Interstate 93 off of Fallon Road in Stoneham. There is currently a 298-unit complex in the middle of construction directly adjacent to the proposed site, and therefore potentially 900 vehicles between the two projects going on to Fallon Road. Other parcels off Fallon Road in the immediate vicinity include: a self-storage facility, a materials-supply company, a truck rental establishment, and a Staples shipping facility. The closest bus stop (Bus lines 132 and 325) at the corner of Main St and Summer St in Stoneham is 1 mile away. Buses come every 30-60 minutes

depending upon the time of day. The closest supermarket is almost 2 miles away, and the Middlesex Fells Reservation is nearly the only resource within reasonable walking distance from the proposed site. Many services, retail and restaurant establishments are near the bus stop location or further away from the proposed site. It is reasonable to say that public transit, amenities, and services are not readily accessible to residents on foot at Forest Ridge and therefore the site is considered car dependent. A certain level of car independence is warranted for the site, especially due to the nearly constructed 298-unit complex abutting the project site. The amount of new traffic travelling from Fallon Road onto Park St (assuming Forest Ridge gets built) will be greatly increased. The intersection of Park St and Marble St is already problematic for commuters as long backups exist even now at that intersection as vehicles try to go southbound on Interstate 93 in the morning and exit onto Fallon Road in the evening. Park St is a Department of Conservation and Recreation (DCR) road and the state is typically reluctant in doing any major changes to their roads (widening, implementing new traffic control measures, etc.). It is expected that traffic mitigation is warranted for the area due to the proposed project, but obviously a Peer Review will help uncover any outstanding issues. DCR should be contacted in order to determine their position on any potential upgrades that could be justified by the proposed project.

Previous Application:

The site has been the location of a Subdivision proposal as recent as 2006. A 10-unit subdivision proposal was brought in front of the Planning Board and was subsequently denied for traffic and stormwater issues. At the time, the former Town Engineer noted the high water table and seasonal frost may result in malfunctioning of the proposed stormwater systems in the event of early snow melt or spring rain events. Because of the high water table, there is potentially limited space for underground water storage tanks. In addition to the high water table, there is significant ledge on the site which has negative effects for the surrounding neighborhood with regards to flooding. The area around Polk Rd, Highland Ave, and Forest Circle has had major flooding events in the near and distant past and has been documented in photos. Much of the reason the 2006 Subdivision application was denied was related to the lack of information supplied by the applicant for the drainage system. However, the problems associated with drainage in the area are severe and could potentially be significantly worsened due to intense development on this ledge-filled site. Problems were clear from the beginning regarding drainage systems for the proposed 10 units, a significantly less intense Use than the current Forest Ridge proposal. Careful consideration regarding drainage is warranted due to the existing conditions on the site as well as abutting properties. It is unclear at the moment how the Applicant plans to manage the drainage on site even at a conceptual level.

In 2006, the major issue with regards to traffic was centered on the sub-standard access road in Forest Circle. Forest Circle (the now emergency-access only road) is currently 15' in several locations and even during the non-winter months can be difficult for two cars to pass each other. The Applicant has made a large part of this problem go away, by making only emergency access via Forest Circle and not open to public traffic. All of the vehicles will enter and exit via Fallon Road. However, as taken from the Planning Board decision (decision attached) in 2006 as it related to Forest Circle and the previously proposed Marino Drive.....

“Based on the lack of public road layout, the narrowness and poor geometry of the roadway, the existing obstructions in the roadway, the poor sight distances from both the easterly and westerly entrances/exits onto Forest Street, and the poor ability and/or lack of ability to safely access the proposed Marino Drive, no improvements can be made to bring the existing Forest Circle up to a reasonable standard that would allow the safe access of emergency vehicles to Marino Drive.”

Issues with Site Approval Application

Section 2:

- Buildable site area is incorrect according to their math
- Applicant states the site is located entirely within one municipality. This is untrue as the access to the site is over a parcel of land in Stoneham. The maximum amount allowed (5,000 square feet) of wetlands is planned for destruction in Stoneham in order to construct a bridge that will access the site. All vehicles will enter and exit through this location in Stoneham.
- No Previous Development Efforts were listed on page 6, even though the Applicant had to have been aware of the failed subdivision from 2006 based on their relationship with the former applicant of the failed subdivision.
- Bus line 132 says that it is 3 minutes away from the site. This is obviously assuming a vehicle is being used to take someone to the bus. More often than not, someone is taking a bus because they don't have access to a car. 3 minutes is unreasonable on foot, and should be nearly 20 minutes.
- 2.5 By-right site plan. The site plan produced by the Applicant is not a by-right plan, as waivers required may include but are not limited to the sections below based on the analysis already performed by the current Assistant Town Engineer. Sections italicized below are called out to show what potential waivers are needed from the Rules and Regulations Governing the Subdivision of Land in the Town of Winchester, Massachusetts.

Section 3.7- Standards of Adequacy- Access, Part (c) addresses access to a subdivision it's stated that existing ways that provide access to a subdivision must meet the standards of the subdivision rules and regulations for right of way width, pavement width, sight distance, and maximum grade. It's likely that Forest Circle doesn't meet all of the subdivision standards.

Section 6.5.1- Stormwater Management Report- The fifth bullet states that the board may require off-site mitigation if analysis shows increases in peak rate or volume. Given the topography of the site this may require sacrificing a few building lots to meet the standard, but the board merely may require it, it isn't a requirement that would need to be waived.

Section 7.2.2- Unsuitable Land- If the board finds the land to be unsuitable for any of a host of reasons- including improper or adverse drainage, adverse topography, poor soils, or bedrock- then it shall not be subdivided unless adequate measures are formulated by the applicant and approved by the board to eliminate or minimize any impacts.

Section 7.3.1- Lot Arrangement- it is required that lots are arranged to prevent foreseeable difficulty in securing permits in compliance with the zoning law. At a minimum the topography will trigger site plan review on many of the lots due to the necessary grade changes.

Section 7.3.3- Lot Drainage- Rooftop runoff shall be infiltrated where soil conditions and subsurface geology allow.

Section 7.4.4- Subdivision Straddling Municipal Boundaries- The board shall require documentation from the Applicant that access has legally been established across land in the other town as a public street or as part of an approved subdivision, and that access is adequate for expected traffic.

Section 7.6.2- Horizontal and Vertical Design Standards- This lays out the maximum slope of 8% for a distance of not more than 300' and 7% otherwise, which seems to be less than the slope required to meet the existing grades for the proposed roadways. It also requires that side slopes within the right of way not exceed 3:1 without retaining walls.

Section 7.15.4- Stormwater Runoff Peak Rate and Volume Control- The site shall be designed to ensure that post-development peak discharge rates and discharge volumes do not exceed pre-development rates and volumes.

Section 6:

Applicant Entity 40B experience is left blank, while the applicant touts his experience in other sections. Additionally, members of his team, namely SEB have arguably the most 40B experience in the Commonwealth. Unsure why this section was left blank.

I would like to again stress the importance of building more eligible Subsidized Housing Units in Winchester as they are desperately needed. Additionally, the market rate units proposed are needed as well as there is a dearth of quality units that are geared towards the downsizing baby boomer generation in town. However, I feel that the site could not support the scale of development that is proposed by the Applicants due to major stormwater issues that are well-documented, confounding traffic impacts in Stoneham, and emergency access in Winchester. I urge the Board of Selectmen to either take a position to reduce the building footprint/number of units significantly, or to take a position that the site is not conducive to the type of intense development being proposed on the basis that the conceptual project design is generally inappropriate for the site on which it is located.

Cordially,



Brian Szekely
Winchester Town Planner
71 Mt. Vernon Street
Winchester, MA 01890

PLANNING BOARD SUBDIVISION DECISION

Winchester Planning Board
Town of Winchester, Massachusetts

Pursuant to the authority vested by MGL, Chapter 41, Section 81u, and by the Town of Winchester Rules and Regulations Governing the Subdivision of Land in the Town of Winchester, Massachusetts, the Planning Board (herein "Board") hereby denies the approval (herein "Decision") of a ten-lot subdivision known as Shannon Estates to:

Applicant: The Marino Group, Inc.
385 Massachusetts Avenue
Arlington, MA. 02474
Owner: Shannon Investment Trust

The Board's decision is based on the following plans entitled:

Shannon Estates
Definitive Subdivision
Forest Circle, Winchester, Ma.
Owner: Shannon Investment Trust
Applicant: The Marino Group, Inc.
385 Massachusetts Avenue
Arlington, MA. 02474
Engineer: Frederick W. Russell, P.E.
154 Aldrich Road
Wilmington, MA. 01887
Surveyor: Keenan Survey
8 Winchester Place
Winchester, Ma. 01890
Date: July 17, 2006 and revised to July 7, 2007
Scale: 1"=50'; 1"=40'; or as noted
The plan set consists of eight (8) sheets.

TOWN OF WINCHESTER

TOWN CLERK

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Additional reports were provided by the Developer for drainage and traffic:

Drainage Analysis

Definitive Subdivision

Shannon Estates, Winchester, MA.

Dated: July 20, 2006, revised to January 15, 2007, March 28, 2007 and July 7, 2007.

Stamped by: Frederick W. Russell, Registered Professional Engineer

Report prepared by: FlowAssessment Services, LLC

Dated: November 30, 2006 (Received in the Engineering/Planning Dept. January 17, 2007)

Prepared for: Frederick Russell, 154 Aldrich Road, Wilmington, MA. 01887

For flow monitoring data collection in Winchester, MA. From 10/11/06 to 11/09/06

Technical Memorandum

Prepared by: Michael R. Abend,
Abend Associates,
265 Winn Street, Burlington, MA. 01803-2616

Project: Traffic Impact Assessment
Shannon Estates Residential Subdivision
Forest Circle, Winchester, Massachusetts

Dated: December 29, 2006

Project #: 20633

The Board's decision applies to a parcel of land which is located on Forest Circle (Map 16, Lot 1-202), consisting of 398,574 square feet of land (or 9.15 acres), herein the Subject Property. The proposed subdivision was for the development of a 400+ foot roadway with ten (10) building lots having frontage on the newly created roadway.

The Board bases its denial on the following information and findings:

1. **Drainage Systems.**

(Section V- Required Improvements. C- Drainage System.)

As indicated by the attached report to Planning Board Chairman Peter Van Akin from Stephen Casazza of FST, dated July 13, 2007, "for the drainage/stormwater analysis, additional information is required by the Applicant in order for FST to complete its review." Additional information requested by FST includes, but is not limited to: details and information relative to proposed basin areas and high groundwater elevations and their compliance the two foot separation requirement with the Massachusetts Department of Environmental Protection Stormwater Technical Handbook (dated March 1997); drainage calculations to demonstrate system adequacy, including gutter flow capacity, width of gutter flow spread, inlet capacity/percent interception versus percent by-pass for selected inlet grate configurations; calculations demonstrating that flows resulting from the 100-year storm event will be conveyed to the infiltration systems and detention pond; inlet capacity analysis or pipe capacity analysis for the 100-year storm event; revisions of the drainage calculations for the inclusion of portions of drainage area subcatchment 4 into the detention pond HydroCAD model; and other technical issues outlined in this attached document. The Town Engineer notes that the high water table and seasonal frost may result in malfunctioning

of the proposed systems in the event of early snow melt or spring rain events. The Developer has not provided technical responses to these concerns.

The Board finds that the lack of detailed technical information does not provide assurances that the proposed 10-lot subdivision will not cause drainage impacts to the adjacent properties, which presently experience negative impacts from periodic high water and flooding conditions.

The Board finds that the drainage, as proposed, does not meet the standard of having zero increase in storm water drainage from the pre-development to the post-development condition, as has been the standard of Winchester and adjacent communities in accordance with the Massachusetts Department of Environmental Protection Storm water Technical Handbook (dated March 1997). The peer review, conducted by Fay, Spofford and Thorndike, indicates that the system for storm water design is not adequate for capacity, particularly given the high groundwater levels found in the area.

2. Traffic.

(Section IV – Design Standards. A-Streets. 1-General Systems and Location)
a. . . . “Proposed streets shall be designed to afford safe access to abutting lots and existing streets including consideration of traffic factors, such as vision at corners, sight clearance, sight lines, existing obstructions, width of existing streets and similar conditions”

The proposed variable width Marino Drive is proposed to be constructed from an existing, sub-standard public way, Forest Circle. Forest Circle is a looped roadway with two entrances and exits onto Forest Street. The easterly intersection has limited sight distances to the east and westerly intersection is a three-way intersection with Polk Road, Forest Circle and Forest Street all merging together at obscure angles.

Forest Circle is considered a public way even though it does not meet current Town standards for roadways (or even alleys), with the roadway narrowing to 15 feet in width in several locations, due to the location of mature trees, electric poles and other obstructions. There is no municipal layout of the public road and what improvements can be made to it without encroaching on private property. Based on the lack of public road layout, the narrowness and poor geometry of the roadway, the existing obstructions in the roadway, the poor sight distances from both the easterly and westerly entrances/exits onto Forest Street, and the poor ability and/or lack of ability to safely access the proposed Marino Drive, no improvements can be made to bring the existing Forest Circle up to a reasonable standard that would allow the safe access of emergency vehicles to Marino Drive.

Additionally, the existing Forest Circle roadway cannot safely support the addition of ten (10) new homes, generating fifty (50) or more vehicle trips per day. The Developer’s traffic consultant, Abend Associates, recommended traffic mitigation measures but was not specific or clear as to what those

recommendations would be (other than to learn “quickly” to avoid the trees in the existing Forest Circle roadway) and lesser mitigation measures may not afford safety and operational benefits to the existing residents of Forest Circle or the future residents of Marino Drive. Based on the existing Forest Circle roadway and the lack of ability to address all of the issues with the existing roadway, the proposed subdivision cannot be adequately accessed to protect the health, safety and welfare of the future residents of the proposed Shannon Estate.

The Board and its peer reviewer, Fay, Spofford and Thorndike, agree that Marino Drive is laid out to a reasonable standard, however Forest Circle, the roadway off which Marino Drive is proposed, is not compliant with American Association of State Highway and Transportation Officials (AASHTO) standards, standards that are recognized in the industry, for safe design. The Board and its peer reviewer have concluded that:

- a. neither intersection of Forest Circle with Forest Street can comply with AASHTO standards for configuration and safety;
- b. The proposed intersection of Marino Drive and the existing Forest Circle does not meet recognized traffic standards for sight distances from Marino Drive;
- c. Portions of Forest Circle are 15-16 feet in width, woefully below the 26' wide standard of the Town of Winchester for two-way traffic travel and not in compliance with recognized industry standards for road widths;
- d. The existing Forest Circle cannot accommodate large vehicles, such as fire engines, that would provide for the public safety to the area. Particularly of concern to Town Staff, the Planning Board and its consultants is the situation where two vehicles are unable to simultaneously pass each other, even in the best of weather conditions;
- e. There is no “quick fix” for the existing traffic condition on Forest Circle. Adding more vehicles to an already compromised condition, which could be further compromised in inclement weather, would result in increasing an already dangerous and non-compliant traffic condition.

Record of Filings and Public Hearings:

The Developer filed an application for Definitive Subdivision with the Board on July 27, 2006. The Planning Board provided due notice to abutters and held a public hearing on the definitive subdivision on August 31, 2006. The public hearing was continued to September 28, 2006. On September 28, 2006 the Board did not continue the public hearing nor was the applicant present to discuss the subdivision.

Developer granted the Board an extension for issuance of a decision on the definitive subdivision and the Board held a new public hearing on December 7, 2006. At the

Board's meeting on November 21, 2006, Attorney Larry Murray was present representing the Developer and stated that the Developer was not prepared to proceed with the public hearing which was scheduled for December 7, 2006. Attorney Murray requested an extension of time for the Board's decision to February 15, 2007.

The Board scheduled a new public hearing on February 1, 2007. At the designated time, Chairman Van Aken indicated that he had received notification that the engineer for the project, Fred Russell, had been hospitalized and was unable to attend the hearing. The hearing was abbreviated, with Attorney Murray apologizing for Mr. Russell's absence from the hearing. The Board expressed concern with a number of technical issues that needed to be resolved: public safety due to terrain, looped water system, drainage issues, etc. After abbreviated discussion, Attorney Murray provided a letter of extension to March 15, 2007, which the Board voted upon. The Board continued the hearing to March 15, 2007, at which time a schedule for response to outstanding issues and peer review agreement was to be discussed.

On February 15, 2007 the public hearing was opened. Attorney Larry Murray, representing the Developer, requested a continuance through June 30, 2007. Board Chairman Peter Van Aken noted that there were outstanding technical issues that needed to be resolved and that the Board would move forward with a peer review on the project once final plans were submitted for review. Attorney Murray indicated that he did not know when revised plans would be submitted but he would be back to the Board before their next meeting with a response as to when final plans and submissions would be ready for review.

At the Board's March 29, 2007 meeting, the Board continued discussion on the proposed subdivision, noting that the letter of March 22, 2007 from the Town Planner to Attorney Murray outlined a series of outstanding issues that needed to be resolved within established time frames. There was discussion of the Planning Board hiring a peer reviewer to examine the traffic, drainage and water and sewer issues relative to the proposed 10-lot subdivision. The Board expressed their concern with the lack of response by the Developer and his representatives.

On May 3, 2007 the Board continued the public hearing on the Shannon Estates subdivision, with discussion on the hiring of a peer review consultant. The Board was awaiting the final plans of the Developer so that repeated reviews would not have to be completed. The hearing was continued to Thursday, June 21, 2007.

On July 21, 2007 the Planning Board met with the Developer and the peer reviewers for the Planning Board, Fay, Spofford and Thorndike (FST). The preliminary peer review comments were discussed, which were based on the revised plans provided by the Developer on July 9, 2007. A schedule for soil testing and sewer flow tests was established, so that a full report could be prepared by FST. In response to Attorney Murray's request to extend the time frame for the Planning Board decision to September 29, 2007, the Board noted that they wanted the Developer to complete the technical work for the subdivision, have it reviewed by the peer consultant and wanted to make a

decision at one of the next meetings. The Board requested that all technical data be provided and resolved by July 19, 2007 so that the Board could make a decision on the definitive subdivision. The public hearing was continued to July 19, 2007, at which time the Board would make a decision on the project.

A copy of this Decision shall be filed with the Town Clerk, and one copy shall be mailed to the Developer and the Owner. This decision may be appealed to the Superior Court within twenty (20) days of its filing with the Town Clerk.

This permit shall become effective only upon the recording of a copy, certified by the Town Clerk, with the _____ Registry of Deeds, as required by MGL, Chapter 41, Section 81 _____.

Executed this 27 day of July, 2007.

Town of Winchester Planning Board

R. T. Walsh, Chairman

The Developer hereby assents to all of the terms and conditions of the Decision without limitation and assents to be bound by the same, this _____ day of _____, 2007
