

Christine Apicella
27 Padden Road
Franklin, MA 02038

TOWN OF FRANKLIN
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October 28, 2022

Zoning Board of Appeals (ZBA)
Town of Franklin
Franklin, MA 02038

RE: Subdivision of land and 64-unit multi-family development proposed at 237 Pleasant Street

Dear ZBA members,

As a resident of Padden Road, directly opposite St John's Episcopal Church, I am writing to express concerns regarding the proposed subdivision of land and development of multi-family housing at 237 Pleasant Street. This development proposal is being pushed through as an affordable housing development without consideration of the context of the property and potential impacts.

According to the ZBA agenda for the November 3, 2022 meeting, St John's and The Community Builders, Inc. are proposing to construct 64 dwelling units through a Comprehensive Permit through Chapter 40B of the Massachusetts General Laws (MGL), and a subdivision of land into two parcels. It is my understanding that the Chapter 40B statute enables local Zoning Boards of Appeals to approve affordable housing developments under flexible rules if at least 20-25% of the units have long-term affordability restrictions. Density bonuses, such as what is being proposed in this case, can be used if a community has inadequate affordable housing defined as less than 10% of its year-round housing or 1.5% of its land area. It is also my understanding that while there is demand for more affordable housing in Franklin, the town's current affordable housing supply exceeds these thresholds. **My primary concern is that the "flexible rules" under 40B have allowed this development proposal to proceed without fully evaluating the impacts of the development.** The Narrative Description of the project submitted with the ZBA Application acknowledges that requirements and regulations can be waived:

*"MGL c.40B allows a zoning board of appeals to sit as the one permit granting board for a low- and moderate-income housing development, and a zoning board of appeals can grant waivers to the otherwise applicable local requirements and regulations, including but not limited to zoning bylaws, subdivision rules and regulations, and local wetlands regulations."*¹

I support affordable housing, density and mixed uses to support a vibrant downtown, and walkable neighborhoods. However, benefits and detriments of any development should be fully evaluated as part of the Town's approval process. Based on the somewhat limited information publicly available, the proposed development at this location is not consistent with Town plans and regulations. The development application makes broad statements that there will be "no impacts" and will provide

¹ https://www.franklinma.gov/sites/g/files/vyhlf6896/f/uploads/2._project_narrative_zba_app.pdf

“benefits” to the Town of Franklin without providing supporting information. What is provided, is bare bones at best and glosses over any substantive issues such as traffic and environmental impacts. This documentation would be required for a subdivision of land and development of housing in a Single Family III zoning district, but is being overlooked as part of the 40B process.

I respectfully ask for your consideration of the following factors as you evaluate the request for a Comprehensive Permit. Please do not waive the *otherwise applicable local requirements and regulations* before these issues are evaluated in the detail that would be required if it were not for it being an affordable housing development within the 40B process.

1. Intersection Safety

Access to St John’s property is provided via Pleasant Street, with two sloped driveways. Padden Road intersects Pleasant Street between these two driveways. The application documents make no mention of Padden Road and the residential neighborhood directly to the north of the project site. This is a significant omission in understanding the roadway operations of Pleasant Street onto which the property fronts.

The two driveways for St John’s and Padden Road intersect Pleasant Street east of a bend on Pleasant Street that limit sight lines for vehicles westbound on Pleasant Street, as well as from the St John’s driveways and Padden Road. The slope of St John’s driveways further hinders sight lines for vehicles exiting the property onto Pleasant Street. All of this is a safety concern under existing conditions. The additional vehicle trips associated with 64 residential units will make this location even more dangerous for potential vehicle crashes.

The Traffic Assessment dated July 2022 authored by Langan², provides minimal information on trip generation and safety. The project description contains directional errors and incorrect street names, making it challenging to understand the details, and raising doubts about the overall quality of the assessment. There is no mention or consideration of Padden Road, even though it intersects Pleasant Street between the two site driveways. There is reference to an Attachment A for the site survey, site plan, and sight triangles for the intersection sight distance analysis, but Attachment A has not been made available to the public.

The summary table and text for the intersection sight distance (ISD) analysis does not specify which driveway is the focus of the analysis. It is also not clear if the distances reported are based on a textbook application of distance on a two-dimensional map or if field work was completed to determine the ISD provided. Given the curve of Pleasant Street, and topography of the site sloping up to Pleasant Street, field verified unobstructed sight distances should be the basis for the conclusion on adequacy of sight lines.

The Trip Generation summary provides anticipated average daily and peak hour volumes for the housing proposed, or the net new number of trips. It does not account for existing trips for the

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https://www.franklinma.gov/sites/g/files/vyhli6896/f/uploads/11.2_237_pleasant_street_traffic_assessment.pdf

church. Most importantly, the review does not acknowledge Padden Road and therefore does not account for the total trip volume and roadway operations on this segment of Pleasant Street.

The proposed development includes 104 surface parking spaces for residents (1.5 spaces per dwelling unit) and 53 for the church. This seems excessive for an affordable housing development and is not accounted for in the trip generation assessment that is based solely on anticipated trips for the land use. Consideration should be given to the specific turning movements of both site driveways and Padden Road. The potential for left turn conflicts is high, with safety issues compounded by the sight limitations noted above.

2. Density of housing at this location:

The property is zoned Single Family III which does not allow for the multifamily housing proposed without the Comprehensive Permit requested via the ZBA process. Increased density at this location is not consistent with Town plans. The area has not been included in the proposed zoning changes to increase density in targeted areas of Town through the "Franklin for All" process.

<https://www.mapc.org/resource-library/franklin-for-all/> Therefore, the density of housing at 64 units on 5 acres (or even the full 20 acres) at 237 Pleasant is not consistent with the Town's plans that support the 2022 Housing Production Plan.

The Project Narrative Description states, "The Project will not be located within any wetland or flood hazard area. There is no endangered species habitat." There has been no documentation provided to support these statements. While the project may not be "within" a wetland or endangered species habitat, the application materials correctly note that it is adjacent to the Del Carte Conservation Area. The Survey Narrative indicates "The land slopes down to an intermittent stream to the southwest and Miller Brook to the southeast. Both border the property ..." ³ The project likely has impact on these environment resources that should be evaluated by the Town Conservation Commission.

3. Mobility needs for affordable housing residents:

The Town's 2022 Housing Production Plan and Franklin for All aptly describe the need for mixed use development and proximity of housing to goods, services and education. While the proposed development is adjacent to Del Carte Conservation Land and St John's church, it is not easily accessible to other areas of Franklin without the use of a car. The United States Census data show that low-income residents are less likely to own an automobile. This increases the need for strong pedestrian, bicycle and transit access.

Both the Survey Narrative and the Traffic Assessment state "Pleasant Street has sidewalks on both sides of the road between Union Street and Hillside Road and a sidewalk on the north side north of Hillside Road." The statement erroneously notes sidewalks on the north side of Hillside Road, when it is likely in reference to Pleasant Street. The presence of sidewalks between Union Street and Hillside Road, more than 1,500 feet away, is not a useful amenity for future residents if they cannot safely access the existing sidewalk network. The sidewalks on Pleasant Street east of Hillside Road are only on the north side of the street, requiring pedestrians from St John's to cross Pleasant Street

³ https://www.franklinma.gov/sites/g/files/vyhlf6896/f/uploads/2.1_2022-10-10_237_pleasant_survey_narrative_0.pdf

to access the sidewalks. As noted previously, the intersection has sight line constraints and is likely not a safe location for a crosswalk.

Providing over 200 parking spaces on the two sites does not acknowledge potential lower automobile ownership that may be anticipated for an affordable housing development. If the project applicants truly want to meet the needs of low-income residents, improved access for walking, biking and GATRA bus trips should be an important component of the development plan. Transportation Demand Management (TDM) measures to reduce vehicle trips is not mentioned.

The Project Narrative Description states the development "...has been carefully designed to eliminate any local concerns." I argue that the community has largely been unaware of this proposed development until recently. I submitted a request via the ZBA website portal on October 26, 2022, and applicant materials were posted on the website after 7:00 p.m. Friday, October 28, 2022, less than a week before the ZBA hearing.

Thank you for your consideration of these comments. Please do not grant a Comprehensive Permit that waives otherwise applicable regulations. I urge you to fully evaluate this development proposal and confer with the applicable department and boards in Town to assess the impacts of this development before additional consideration is given to issuing a building permit.

Sincerely,

A handwritten signature in blue ink that reads "Christine Apicella". The signature is written in a cursive style and is positioned above a horizontal line.

Christine Apicella

cc: Jamie Hellen, Town Administrator
Town Council Members, Town of Franklin
Casey Thayer, staff to the Franklin Zoning Board of Appeals