

THE RESIDENCES AT BURNS AVENUE

WALPOLE, MA

Notice of Project Change – Remand Order
20-Lot Subdivision

Prepared By:

Wall Street Development Corp.

P.O. Box 272

Westwood, MA 02090

Tel. 617-922-8700

Email: lou@wallstreetdevelopment.com

January 30, 2023

**NOTICE OF PROJECT CHANGE – 20-LOT SUBDIVISION
THE RESIDENCES AT BURNS AVENUE - WALPOLE, MA
JANUARY 30, 2023**

I. Summary:

The amended project change contemplates altering the development concept from a 38-unit townhouse development in 7 buildings to a 20-lot single-family home development (the “20-Lot Plan”). The 20-Lot Plan would incorporate the following features:

- a. The addition of the property at 7 Brook Lane to the development site
- b. A 600’ +/- extension of Brook Lane into the development site ending in a circular turnaround/cul de sac;
- c. The extension of Brook Lane will provide a single-entrance, 40-foot right-of-way from Union Street, including a 22-foot paved travel width with cape-cod berm and one sidewalk;
- d. Access to and from the development will be solely from Brook Lane without any secondary access to Burns Avenue;
- e. The project will consist of 20 individual building lots ranging in lot area from 2,700 sq. ft. to 5,600 sq. ft. and frontage from 38’ +/- to 52’ +/-;
- f. Each lot will provide for the construction of a single-family home with either a 1-car or 2-car attached garage;
- g. The project will be serviced by municipal water and sewer;
- h. A homeowner’s association will be established to maintain common areas and the stormwater basin; and
- i. Upon completion the roadway will be dedicated as a public way, with the Town responsible for providing customary town services, i.e. maintenance, snow plowing, trash collection, etc.

The 20-Lot Plan has been reviewed by MassDEP. MassDEP has issued an Amended Superseding Order of Conditions dated October 26, 2022 approving the 20-Lot Plan.

II. Description of Proposed Changes:

Other than the addition of the property at 7 Brook Lane, the development site remains unchanged. However, the design of the housing has changed from 32-Unit Townhouse Condominium project (the “32-Unit Plan”) and a 38-Unit Townhouse Condominium project (the “38-Unit Plan”) to a 20-Lot Single-family home development (the 20-Lot Plan”). Outlined below are some areas for comparison to show that the nature of the changes:

A. Building Type: The most significant difference between the original 32-Unit Plan and the 38-Unit Plan is that the current proposal will change the development concept from a multi-family condominium project, with 6-8 buildings, while the current 20-Lot Plan calls for 20 single-family homes on individual lots. As such, under the 20-Lot Plan, the housing type will be changed to single-family homes on individual lots and the number of dwelling units to be reduced from 32 or 38-units to 20-single family homes. The change to single-family homes from multi-unit townhouse buildings is more compatible to the existing and surrounding neighborhood. In addition, the overall density on the site is being reduced by 55%. Therefore, a change from the multi-unit townhouse design to a single-family alternative is significantly more beneficial to the overall development of the site and further reduces impacts on municipal services. For this reason, alone, the change to all single-family homes should not be considered a substantial change.

B. Building Heights: The single-family homes proposed under the 20-Lot Plan will be typical two and one-half story residential homes. In addition, some of the homes may have living space in the basement area with walk-out patios, due to the existing contours of the site. The heights of the roof ridgelines may vary since some parts of the residential buildings would be one and a half stories above grade and others two and a half stories. In either case, the maximum height of any home would not exceed 35-feet as permitted under the current zoning regulations. Since there is no change in the proposed heights of the buildings in the modified 20-Lot proposal this would not be a substantial change.

C. Setbacks from Abutting Properties: The original 32-unit townhouse plan showed a 16-foot side setback from the townhouse building to the abutting westerly property line, while the amended 38-unit townhouse plan reduced this side setback line to 15-feet from the condominium building to the property line. Under the modified 20-Lot Plan the side setback along the westerly property line will be reduced to 10-feet. However, it should be noted only 4 single-family homes are proposed along this property line, instead of the 10-12 townhouse units proposed under the 32-Unit or 38 Unit townhouse plans. In addition, the easterly side of the site is abutted by town-owned conservation land with no abutting private property owners and the proposed open space will remain the same size at approximately 37,000 +/- square feet.

D. Project Density: The original approved project was the 32-Unit Plan on a development site consisting of 140,816 square feet or 4,401 square feet per unit. Following the addition of the property at 7 Brook Lane (16,557 sq. ft.) and the proposed increase to 38-Unit Plan, the development site increased to 157,373 square feet or 4,141 square feet/unit. Under the currently proposed 20-Lot Plan, on the same development site of 157,373 square feet, the density of the site is now 7,868 square feet per unit. This amounts to a 52.6% reduction in the density of the from the original 32-Unit Plan to the proposed 20-Lot Plan.

E. Impervious Surface and Stormwater Management: With regard to impervious areas, the original 32-Unit Plan called for 48,552 square feet, including all structures, paved roads, parking, and sidewalks or 34.5% of the total impervious areas on the site. The Amended 38-Unit Plan called for 61,547 square feet, including all structures, paved roads, parking, and sidewalks or 39.1% of the total impervious areas on the site. However, the 20-Lot Plan with single-family homes calls for 52,065 square feet, including all structures, paved roads, parking, and sidewalks or 33.1% of the total impervious areas on the site. Under the 20-Lot Plan, the impervious surface is reduced as a percentage of the total site. Moreover, the development foot print or the area of the site to be developed has not changed. In addition, the stormwater management for the 20-Lot Plan has been reviewed by MA-DEP's Southeastern Regional Office which has approved the 20-Lot Plan and issued an Amended Superseding Order of Conditions dated October 26, 2022. A copy of the Superseding Order of Conditions is included herein.

F. Parking: The original 32-Unit Plan called for 2-parking spaces per unit (1- garage space and 1-driveway space) or a total of 64-parking spaces for the units. In addition, the 32-Unit Plan provide for 8-guest parking spaces. With the addition of the Brook Lane Property. and the increase to the project from the 32-Unit Plan to the 38-Unit Plan, the number of parking spaces was also set at 2-spaces per unit (1- garage space and 1-driveway space) for a total of 76- parking spaces. No guest parking spaces were proposed under the 38-Unit Plan. The currently proposed 20-Lot Plan provides that each home will have a 2-car garage and therefore, will provide 4-parking spaces per home (2-garage spaces and 2-driveway spaces), totaling 80-parking spaces. The reduced density of the project and the additional parking spaces per home make it less likely guest parking will be a concern.

G. Configuration of Roadways and Traffic Circulation: The original 32-Unit Plan provided for a single access roadway from Burns Avenue to the proposed access drive serving the proposed project, with a turnaround/cul de sac. During the hearing process the Board expressed concern regarding the total length of Burns Avenue and the access drive being 991 +/- dead end street. With the acquisition of the Brook Lane Property, the proposed 38-Unit Plan would have been able to provide a through access from Burns Avenue to Brook Lane eliminating the concern for a dead-end street and without need for a turnaround. During the hearing process for the 38-Unit Plan concerns were then raised that the through access from Burns Avenue to Brook Lane, and vice-versa, may create an incentive for cut-through traffic allowing for additional off-site traffic to travel through the project. The 20-Lot Plan proposes to have a single access roadway to the project via Brook Lane ending in a turnaround/cul de sac. Although the 20-Lot Plan also proposes a dead-end street ending in a turnaround, the length of the dead-end street is reduced from 991 +/- feet to 800 +/- feet, a 23% reduction in the length of the dead-end street. Moreover, the access proposed by the 20-Lot Plan provides for a more direct route to the project, disrupting fewer existing homes than exist on Burns Avenue and provides for less traffic on adjoining streets. There are 3-existing homes on Brook Lane, as compared to the 11 existing homes on Burns Avenue. The Board's peer reviewer, Tetra Tech's previous report dated February 10, 2022, suggested a single access only from Brook Lane reduced overall traffic impacts, stating:

“Utilizing Brook Lane reduces the length of travel to Union Street and significantly reduces the number of residences impacted by construction traffic.”

H. Sidewalks: During the prior hearing process, the Board expressed concerns for pedestrian safety and that the 32-Unit Plan and the 38-Unit Plan did not provide a sidewalk for pedestrians and homeowners. As part of the roadway design for the 20-Lot Plan, one sidewalk is being provided for pedestrians and homeowners.

I. Access for Emergency Vehicles: The proposed single access roadway from Brook Lane in the 20-Lot Plan, with the proposed turnaround, has been designed to provide adequate access and turning for emergency vehicles and fire apparatus. The roadway shown on the 20-Lot Plan provides for safe and improved access for emergency vehicles and fire apparatus.

J. Other Benefits of the Project Changes: It should be noted that the change in the project design from the 32-Unit Plan, and the 38-Unit Plan, to the 20-Lot Plan will also provide other beneficial factors. In this regard, it should be noted that the reduction in the number units provides other benefits to be considered, such as:

- a. The total number of bedrooms in the development has been reduced from 67 and 80, respectively to 60- bedrooms (assumes all 3-bedroom homes);
- b. The reduction in the number of units and bedrooms reduces the sewer flows from 7,370 gal./day and 8,800 gal./day to 6,600 gal./day under the 20-Lot Plan, a reduction of 10.4% - 25% in sewer flow;

Again, the 20-Lot Plan results in many more benefits than that offered by the previous 32-Unit Plan or the 38-Unit Plans. A comparison of the proposed benefits that result from the 20-Lot Plan have been summarized in the attached Table I, attached hereto.

BURNS AVENUE – 40B PROJECT COMPARISON

PREPARED BY – WALL STREET DEVELOPMENT CORP.

JANUARY 28, 2023

Project Feature	Original Project	1 st Amended – Project Change	2 nd Amended – Project Change
Land Area	32-Unit Townhouse 140,836 s.f.	38-Unit Townhouse 157,373 s.f.	20 – Lot Subdivision 157,373 s.f.
No. of Units	Proposed 36/Approved 32	Proposed 40/Denied 38	20
Type of Units	Multi-family/Townhouse	Multi-family/Townhouse	Single Family
No. of Bedrooms	67	80	60 (3 Bedroom/Home)
No. of Parking Spaces	64 (2 Spaces/Unit)	76 (2 Spaces/Unit)	80 (4 Spaces/Unit)
No. of Guest Parking	8	0	0
Development Concept	Condominium	Condominium	Subdivision – Individual Lot Ownership
Roadway & Infrastructure	Privately Maintained	Privately Maintained	Public Way/Town Maintained
Utilities – Town Sewer	Yes	Yes	Yes
Utilities – Town Water	Yes	Yes	Yes
Total Sewage Flow	7,370+/- Gal./Day	8,800+/- Gal./Day	6,600+/- Gal./Day
Primary Access	Access - Burns Avenue Dead-end	Access – Burns Avenue to Brook Lane	Single Access - Brook Lane/Dead End
Length of Dead-End Roadway	Burns Avenue & Access Way - 991 +/- feet	N/A	Brook Lane Extension – 800 Feet
No. of Buildings	6 (4- 6 Units/Building)	7 (5-7 Units/Building)	20 – Single Family Homes
Density - Land Area/Unit	4,401 s.f./Unit	4,141 s.f./Unit	7,868 s.f./Home
Lot Coverage – Structures	22,175 s.f. (15.8%)	35,567 s.f. (22.6%)	24,240 s.f. (15.4%)
Lot Coverage – Total Impervious	48,552 s.f. (34.5%)	61,547 s.f. (39.1%)	52,065 s.f. (33.1%)
Ownership	Home Ownership	Home Ownership	Fee Simple – Home Ownership
Sidewalks	No	No	Yes