



Medfield Conservation Commission

Town Hall

459 Main Street · Medfield, Massachusetts 02052

(508) 906-3028 · Fax (508) 359-6182

October 11, 2024

Eileen Murphy, Chair
Medfield Select Board
Town Hall
459 Main Street
Medfield, MA 02052

RE: MassHousing Site Eligibility Application
Comprehensive Permit Site Approval Application
Homeownership
Winder Estates – Medfield, MA 02052
Application ID: 352

MEDFIELD CONSERVATION COMMISSION COMMENTS

Dear Ms. Murphy:

The Medfield Conservation Commission submits the following comments in response to its review of the above-referenced application.

1. Existing Site Conditions/Site Information and Site Characteristics and Development Constraints. The Commission draws to your attention the fact that a very substantial portion of the proposed project site consists of resource areas protected by the Massachusetts Wetlands Protection Act (WPA) and the Town of Medfield Wetlands Bylaw (Town Bylaw). As you know, the WPA and the Town Bylaw are intended to protect multiple resources which, in Medfield, are significant to the following interests: protection of public and private water supply, protection of ground water supply, flood control, storm damage prevention, prevention of pollution, and protection of wildlife. These resources include an unusually large, certified vernal pool providing significant breeding habitat for protected vernal pool species and an adjacent, surrounding, high quality wetlands with upland forest within the 100-Foot Buffer Zone to Bordering Vegetated Wetlands. As the applicant correctly notes (Existing Conditions/Site Information page 6 of 23) the site is heavily wooded. The applicant incorrectly states, however, that the site does not contain a vernal pool (Site Characteristics and

Development Constraints page 8 of 23). MassHousing should require the applicant to correctly identify at the outset resources at the site including those protected by both the Wetlands Protection Act and those protected by the Town of Medfield Wetlands Bylaw. This site warrants strict scrutiny of the applicant's application and requested waivers to ensure there is a true balancing of competing governmental interests (housing development and protection of resources) leading to a just result in keeping with the Town of Medfield's needs.

2. **Sustainable Development Criteria.** In keeping with the Commission's charge to protect resources deemed significant to defined WPA and Town Bylaw interests, all of which confer community health, safety and well being benefits as well as they work to mitigate the impacts of climate change, the Commission supports sustainable development criteria, particularly with respect to land and ecosystems. (Sustainable Development Criteria (3) Protect Land and Ecosystems page 21 of 23). Of the eight (8) objectives under this principle (Protect Land and Ecosystems), the Applicant indicates that it meets only one of the eight criteria listed: "Creation or preservation of open space or passive recreational facilities." The applicant states that "[t]he Comprehensive Permit allows for increased density, thus preserving open space." At present, however, there is just one house on the existing fourteen acres, that, as previously mentioned, consists of Bordering Vegetated Wetlands (BVW), forested upland in 100-Foot Buffer Zone, and unusually large, certified vernal pool. Any subdivision-type development of the site with multiple housing units, such as that proposed by applicant's Comprehensive Permit Application, necessarily reduces the amount of open space available. The applicant does not provide any detail about the quality of the open space that would remain and does not address the development and human impacts upon that remaining open space and the sensitive resources at the site. If protection of land and ecosystems is, in fact, an important criterion, then the applicant should be required to demonstrate that quality open space is, in fact, preserved and that wetlands resources are protected. Given that this applicant previously proposed a smaller development under the Town's Zoning Bylaw Chapter 300, Article 7 (Open Space Residential Zoning) which would support development without Town waivers, the Applicant should be required in the context of the Comprehensive Permit Application to present meaningful evidence as to why/how this project meets the Sustainable Development Criteria of the MassHousing Application, particularly in the context of a project in Medfield, which is a community that consistently identifies its open spaces and conservation lands as hallmark features of the town contributing not only to its visual appeal but also to the health and wellbeing of its residents.
3. **Waivers.** The Medfield Conservation Commission objects to the applicant's multiple requests for waivers under the Town's Wetlands Protection Bylaw. The Commission requests the applicant provide relevant and material information demonstrating the need for any requested waiver (in that the applicant would suffer significant economic hardship absent a waiver) and then provide relevant and material information demonstrating that the waiver sought is that which results in the least impact on a protected resource.

The Medfield Conservation Commission acknowledges that it expects the applicant to submit a Notice of Intent for Commission's review of this project in the near future. To the extent that the applicant or MassHousing feels that the Commission's comments should be held until such time as a Notice of Intent is filed, the Commission respectfully disagrees and requests attention to the

concerns raised by the Commission from the very inception of this project through its conclusion. Absent attention from the very beginning of this process, the resources at the site may become an afterthought for other reviewing boards despite the Commission's best efforts to protect them.

The Medfield Conservation Commission requests MassHousing require the applicant to submit at the outset of this process more detailed information about the open space and protected resources at the project site and to submit meaningful evidence in support of the otherwise unsubstantiated conclusions that the project as designed meets the Sustainable Development Criteria identified and that the project warrants waiver of Medfield's Wetlands Bylaw provisions. This applicant projects a seventeen percent profit on the project, which profit is estimated at about three million dollars. The applicant, however, does not provide any analysis of the potential project impacts on the resources at this site given the density of development, and the applicant does not provide any data on costs and projected profit with a lower density development such as the previously proposed Open Space Residential Zoning project.

Thank you for the opportunity to submit comments for your consideration

Respectfully,
On behalf of the Medfield Conservation Commission,



Deborah J. Bero, Chair

cc: Medfield Select Board
Medfield Town Administrator
Medfield Land Use Department
Medfield Zoning Board of Appeals
Medfield Planning Board
Medfield Building Commissioner
Medfield Board of Health
Medfield Department of Public Works
Medfield Parks and Recreation
Medfield Police Department
Medfield Fire Department
Robert Hartzel, Medfield Conservation Commission Interim Agent