

JOHN J. GULDE, JR.
THOMAS F. MURPHY, JR.
JACQUELYN S. MAGNARELLI

THOMAS F. MURPHY (RET)
CHARLES L. SHEA, 1975

SHEA, MURPHY & GULDE, P.C.



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SHEA, MURPHY & GULDE, EST. 1958

HAND DELIVERED

November 9, 2022

Mr. Paul Sagarino
Town Administrator
Town Hall
29 Center Street
Burlington, MA 01803

Re: Winn View Heights II

Dear Mr. Sagarino,

This office represents Winn View Heights II, LLC (the Developer) with respect to a proposed “friendly” Chapter 40B project to be located at the rear of 35 Mountain Road, Burlington. As proposed it will be a 24 unit, age-restricted (age 55+), condominium building with 6 units designated as “affordable”. It was submitted under the Massachusetts Local Initiative Program (LIP) which is a state program that encourages the creation of affordable housing by providing technical assistance to communities and developers who work together to create affordable housing.

Under the statute it is necessary for a developer of a proposed LIP project to first obtain a Letter of Support from the local community. As you might recall this project first came forward back in 2019 and, on May 4, 2019, the Burlington Board of Selectmen issued a Letter of Support to the Department of Housing and Community Development (DHCD). The Board’s letter stated that the proposed project will provide the following types of public benefits:

1. An increase in high-quality affordable housing for low or moderate income households;
2. The development of a site in a setting identified by the Town as appropriate for higher-density residential development and served by existing infrastructure;
3. An increase in high-quality housing in an undersupplied housing market will continue to assist Burlington retain and attract more business to the area;
4. An increase in the Town’s Subsidized Housing Inventory; and
5. Sustainable growth in tax and other revenue to the Town.

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Subsequent to the receipt of the Letter of Support the Developer moved forward with its application to DHCD per the LIP regulations and, on May 20, 2020, the Department issued a letter of approval. After receiving the DHCD approval the Developer began the local permitting process, which is done through a Comprehensive Permit application to the Board of Appeals in accordance with MGL c. 40B, section 21. The public hearing before the Board of Appeals opened on January 19, 2021 and continued for several months thereafter however the proposal called for access to the project through Richardson Road and a question arose as to whether the Developer had sufficient legal access. As a result of those questions the Developer chose to withdraw its application without prejudice while it explored its options.

After consulting with its surveyors and engineers the Developer has decided to move forward with its proposal, however access to the site has been changed from Richardson Road to Mountain Road. The Developer checked with DHCD and was told that the approval as a LIP project was still in place but they did request that that the Developer obtain confirmation from the Town that the previously issued Letter of Support still stands and that the project does provide the public benefits described in said Letter. When I approached the Town about having the Letter of Support re-confirmed by the Board of Selectmen I was told that a new By-Law had recently been adopted and approved that requires this type of action item to be done in a public hearing before the Board of Selectmen.

As such I am requesting that this matter be scheduled as a public hearing on an upcoming agenda of the Board of Selectmen. I'd also request that a legal notice be prepared and sent to me so that I can send copies to the abutters as required in the bylaw..

Submitted in conjunction with this letter is a copy of the proposed Site Layout Plan which shows the location of a proposed 24' wide access driveway off of Mountain Road and leading up to the site. This is the only substantive change in the project from the original project as submitted back in 2019. The size and design of the condominium building remains the same as shown in the plans previously submitted. It will still consist of 24 age-restricted (age 55+) condominium units, 6 of which will be affordable, being reserved for households earning up to 80% of the area medium income.

This is to request that, after the public hearing is closed, the Board vote to re-confirm its Letter of Support for this project. In support thereof I submit that regardless of the means of access this project still provides the public benefits outlined in the May 4, 2019 Letter of Support. In addition to the 5 benefits set forth in that letter I'd also suggest that the age-restricted component is an additional benefit as it provides a housing option for "empty nest" seniors who no longer want to care for a single family house but who want to remain in the community. Clearly the need for affordable housing, and for

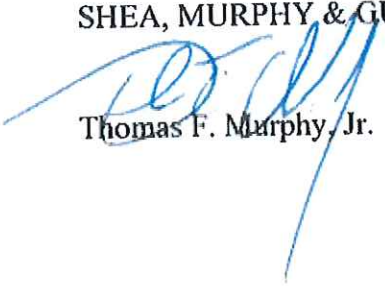
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ATTORNEYS AT LAW

senior-oriented housing, has been growing exponentially since 2019 and this project clearly helps address those important community needs.

It is the Developer's intent to re-file its Application for Comprehensive Permit with the Board of Appeals and that is the forum in which regulatory requirements and conditions (drainage, site design, parking, placement of utilities, access, etc.) will be discussed and reviewed.

Thank you for your attention to this matter and please let me know if there are any questions or if you need anything further.

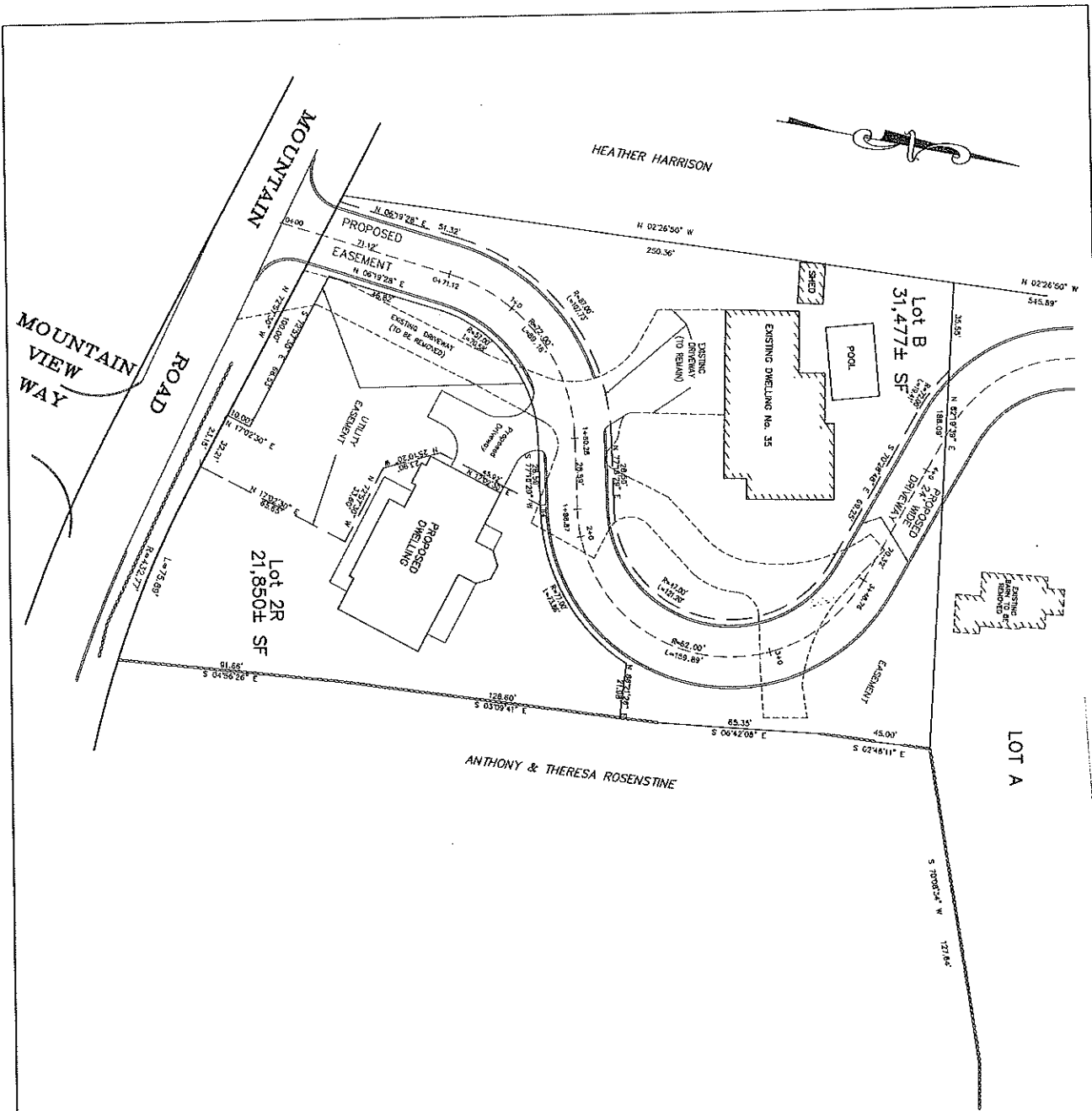
Very Truly Yours,
SHEA, MURPHY & GULDE, P.C.



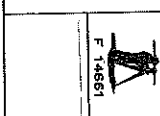
Thomas F. Murphy, Jr.

TFMJ:emw

cc: Town Counsel
Winn View Heights II, LLC



NOTES:
 1. ZONING DISTRICT: R0
 2. ASSESSORS MAP: 49
 3. RECORD REFERENCE: PLAN 1422 OF 1964 & 1121 OF 1989
 4. RECORD OWNER: JOHN A. HUSSEY, JR. & DENISE M. BUTTARO



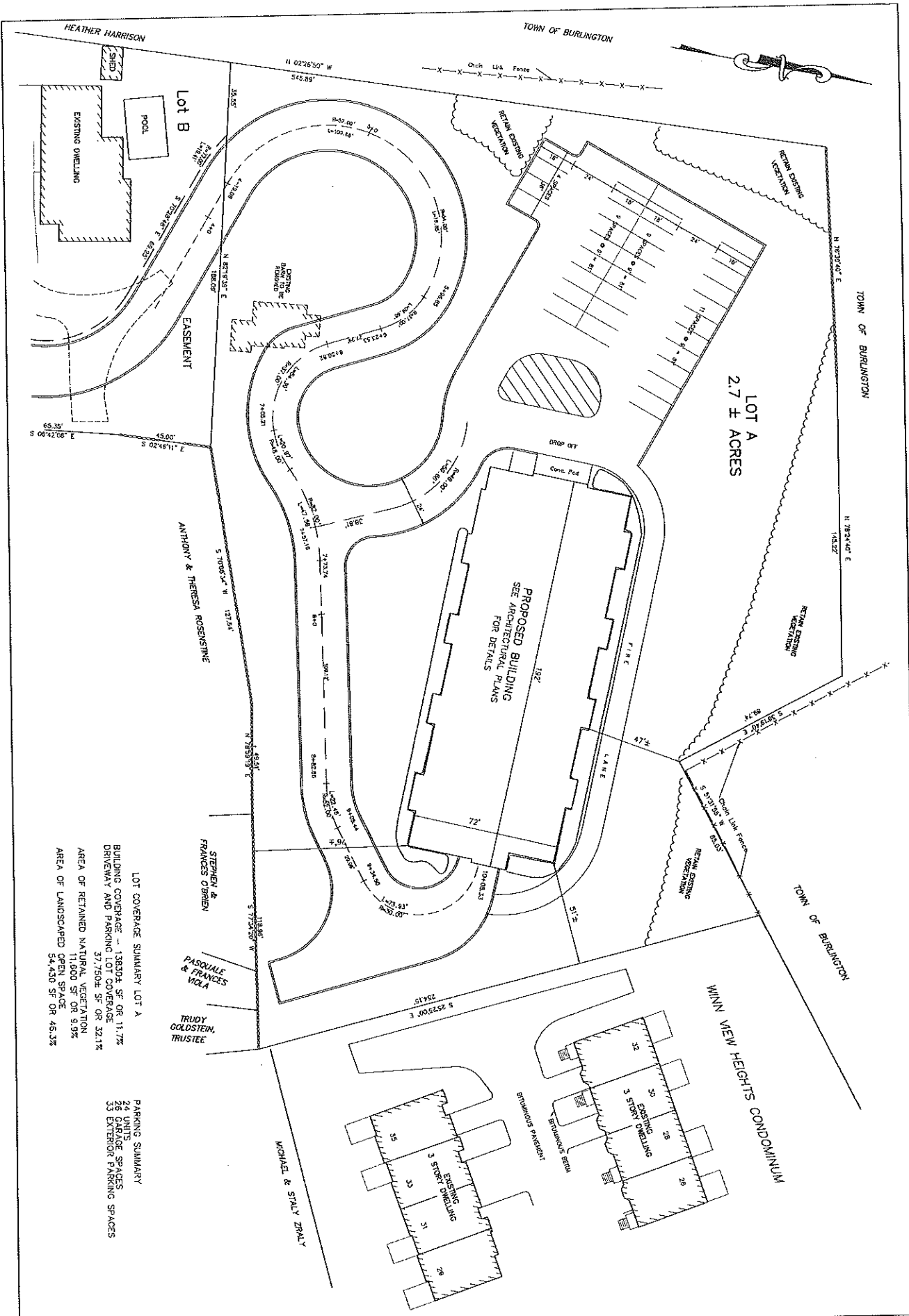
SITE DEVELOPMENT PERMIT PLAN
WINN VIEW HEIGHTS II
PROPOSED AGE RESTRICTED RESIDENTIAL DEVELOPMENT
BURLINGTON, MASSACHUSETTS
SITE LAYOUT PLAN

Prepared For
 Winn View Heights II
 Development LLC
 83 Cambridge Street
 Suite 20
 Burlington, Mass. 01803

Prepared By
 Eastern Land Survey Assoc., Inc.
 Christopher R. Wells P.L.S.
 104 Lowell St. Needham Heights, MA, 01960
 (978) 531-8121

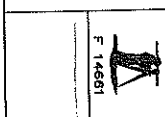
SCALE 1" = 20'
 DATE: August 8, 2018
 REVISIONS
 1. DECEMBER 10, 2020
 2. OCTOBER 31, 2022





LOT COVERAGE SUMMARY LOT A
 BUILDING COVERAGE ... 138,804 SF OR 11.7%
 DRIVEWAY AND PARKING LOT COVERAGE ... 37,750 SF OR 32.1%
 AREA OF RETAINED NATURAL VEGETATION ... 11,600 SF OR 9.9%
 AREA OF LANDSCAPED OPEN SPACE ... 54,430 SF OR 46.3%

PARKING SUMMARY
 24 UNITS
 26 GARAGE SPACES
 33 EXTERIOR PARKING SPACES



SITE DEVELOPMENT PERMIT PLAN
 WINN VIEW HEIGHTS II
 PROPOSED AGE RESTRICTED RESIDENTIAL DEVELOPMENT
 BURLINGTON, MASSACHUSETTS
 SITE LAYOUT PLAN

Prepared For
 Winn View Heights II
 Development LLC
 67 Cambridge Street
 Suite 20
 Burlington, Mass. 01803

Prepared By
 Eastern Land Survey Assoc., Inc.
 Christopher R. Welo P.L.S.
 104 Laurel St. Peabody Ma, 01960
 (978) 531-8121

SCALE 1" = 20'
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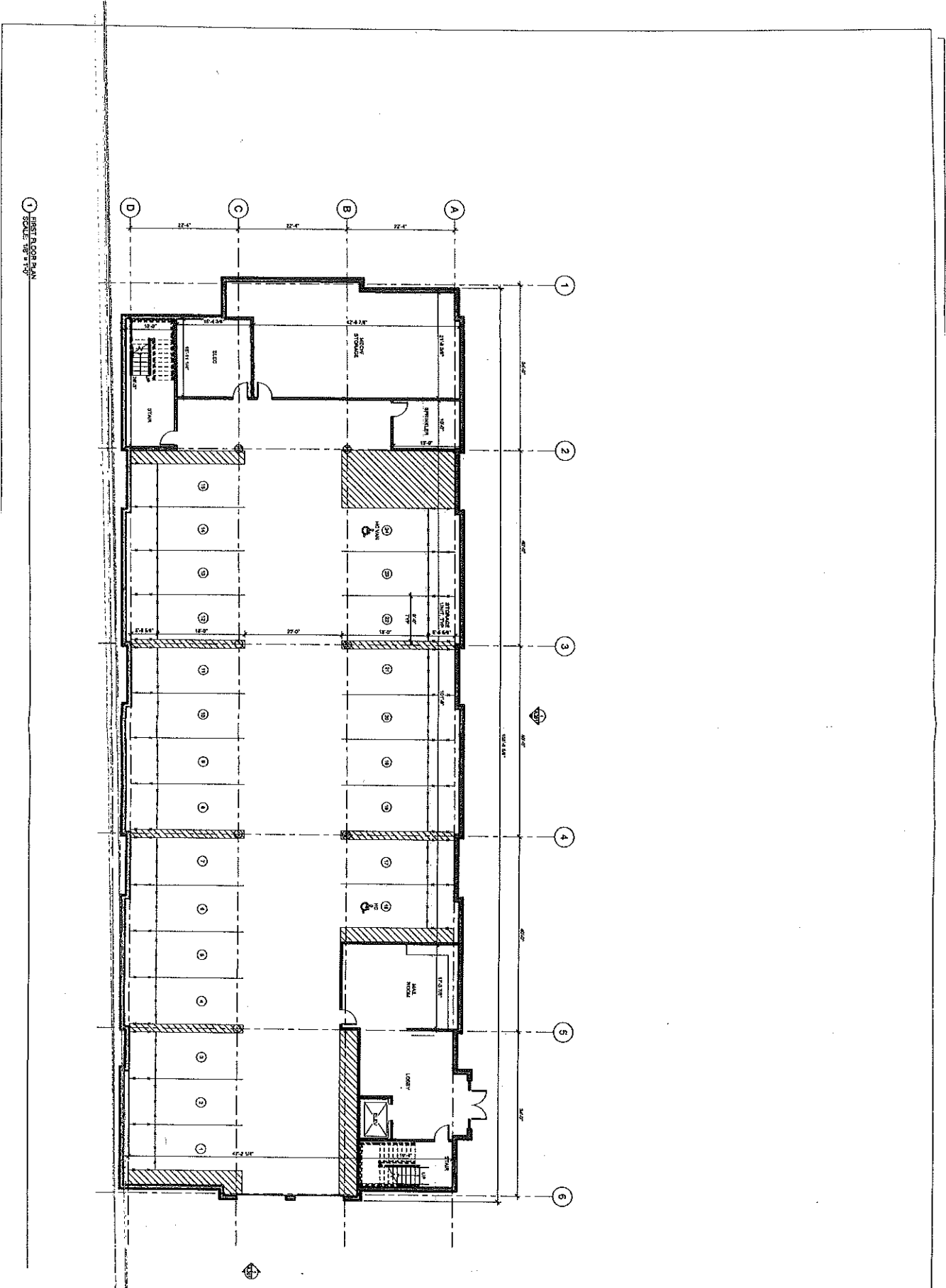


Winn View Heights II

Burlington, MA 01803



November 7, 2018

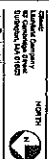


1 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

Notes:

Sheet Number:

Winn View Heights II
 PROJECT ADDRESS:
 PROJECT NUMBER:
 DATE:



Architect:

Designer:

Checker:

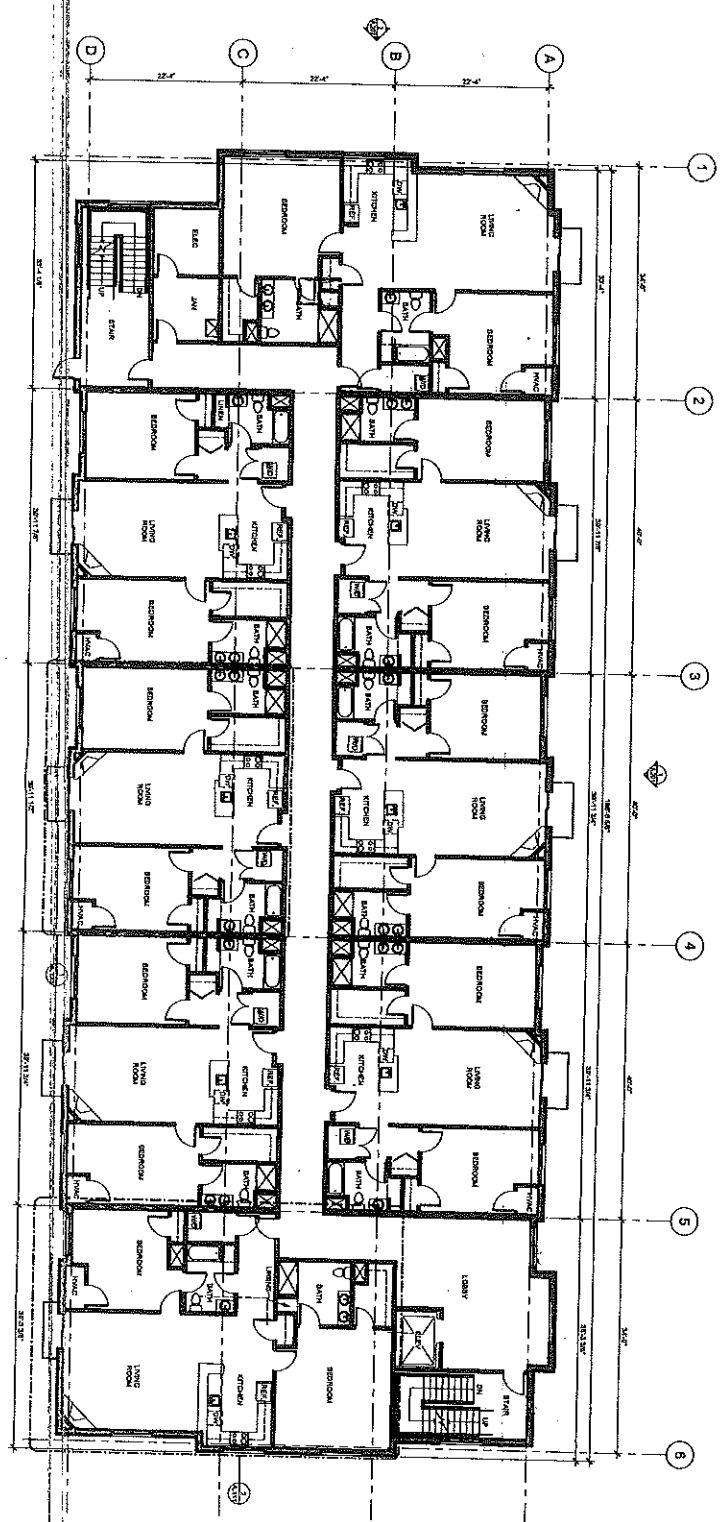
Date:

NO.	REVISION	DATE

A.101

ahp ARCHITECTS
 2000 WEST 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202
 PHONE: (303) 733-1111
 FAX: (303) 733-1112
 WWW.AHPARCHITECTS.COM

1 SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



ahp ARCHITECTS
2000 W. 10TH AVENUE, SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
WWW.AHPARCHITECTS.COM

A.102

Second Floor Plan

DATE:	02/27/13
ISSUE:	02/27/13
BY:	SALE, M. HANSEN
CHECKED:	SALE, M. HANSEN
DATE:	02/27/13
BY:	SALE, M. HANSEN
CHECKED:	SALE, M. HANSEN

Client: **Wash View Heights II**

Project: **Wash View Heights II**

Location: **Wash View Heights II**

Scale: **1/8" = 1'-0"**

North Arrow

North

Scale: 1/8" = 1'-0"

Client: **Wash View Heights II**

Project: **Wash View Heights II**

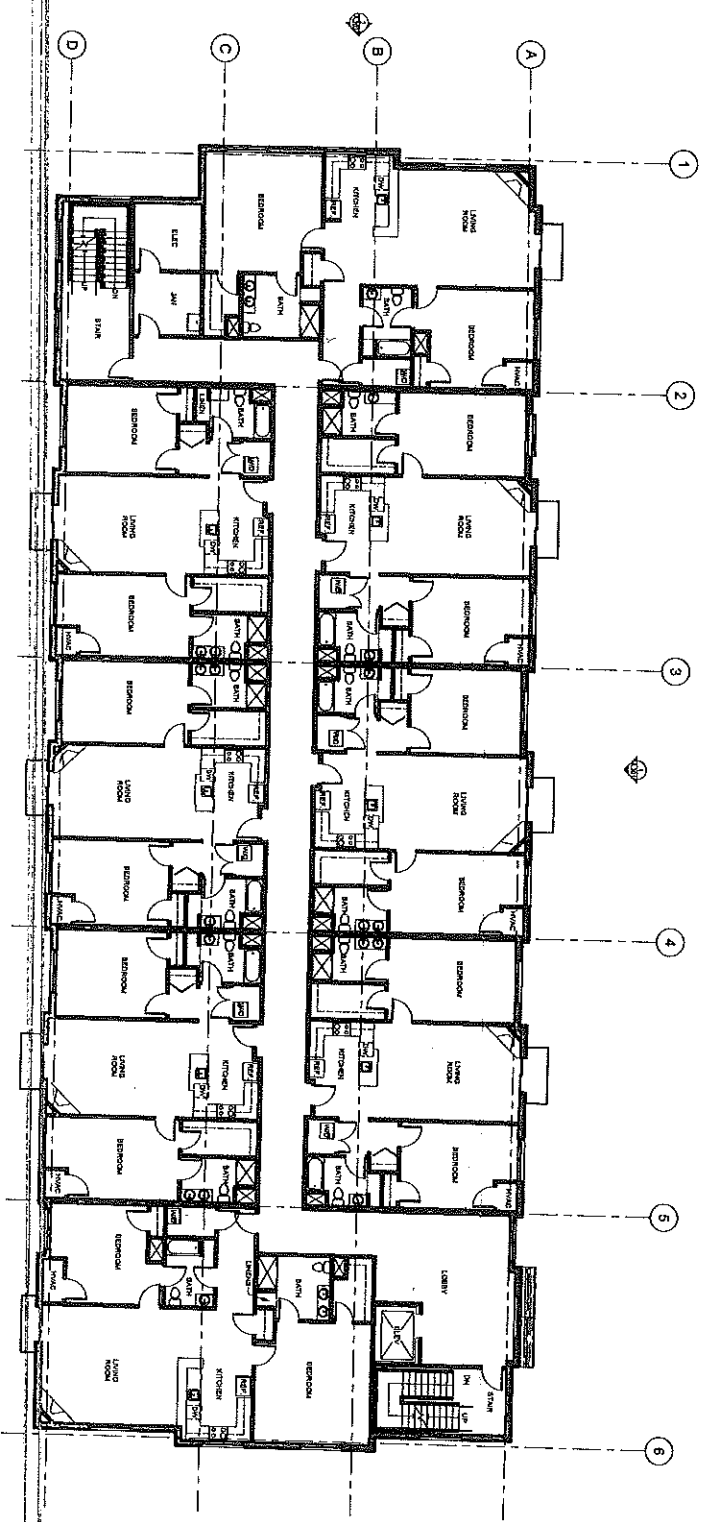
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Scale: **1/8" = 1'-0"**

North Arrow

North

Scale: 1/8" = 1'-0"



① THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"

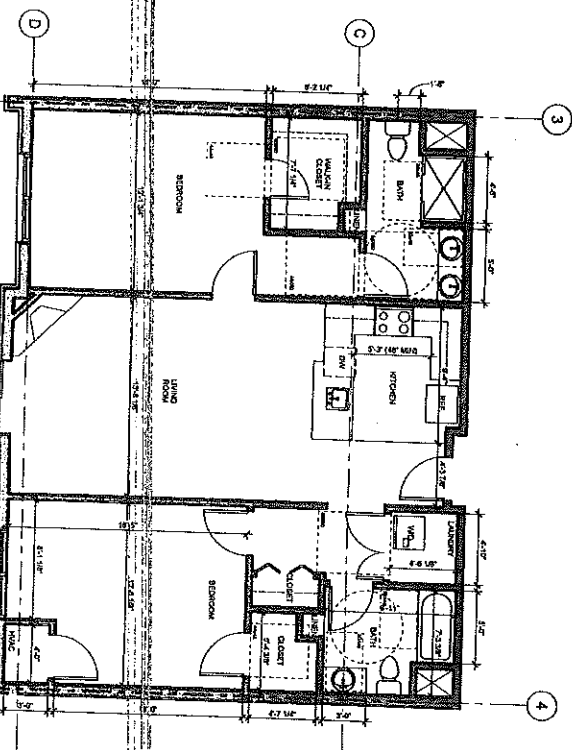
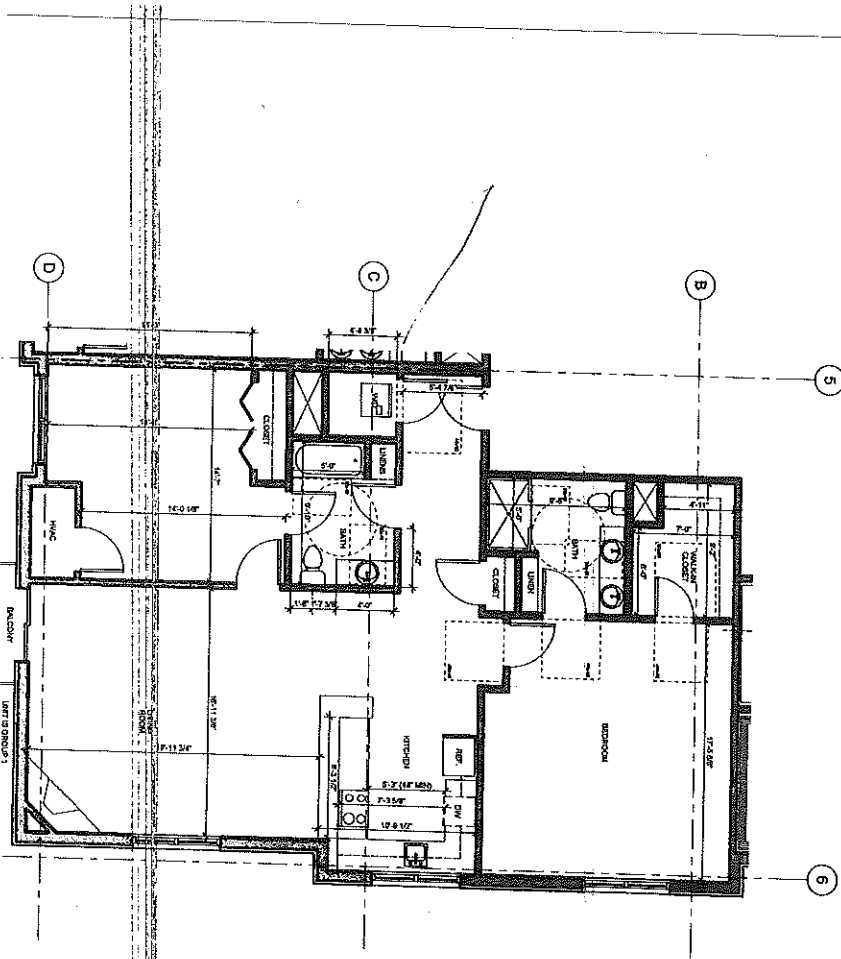
Notes:

Vista View Heights II

Project:	Vista View Heights II
Client:	WYATT
Architect:	ahp ARCHITECTS
Scale:	1/8" = 1'-0"
Date:	10/23/20
Revised:	
Drawn:	
Checked:	
Approved:	
Disc:	

A.103

ahp ARCHITECTS
2000 University Avenue, Cambridge, MA 02138
www.ahparchitects.com



Project: **Winn View Heights**
 8120 Old Dominion Road
 Alexandria, VA 22304
 8120 Project #: 10040
 Scale: As Shown
 Date: 11/11/11
 Drawn By: *[Signature]*
 Checked By: *[Signature]*
 Title: *[Signature]*
 Sheet Number: *[Signature]*