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## **Holbrook landowners challenge a change in proposed Overlay District**

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Holbrook, MA Several local business owners and landowners are questioning a change in the town's proposed Overlay District, in particular noting the inclusion of an industrial park on Mear Rd. immediately adjacent to a Superfund site.

The Overlay District is as a result of the MBTA Communities Act, by which communities categorized as "commuter rail" or "adjacent communities" are required to pass new zoning that allows for permitting of multifamily housing units in dense areas, primarily around transit stations. While the state mandate doesn't require that units be built, it calls for new zoning which allows them by right.

Holbrook landowners and business owners Steven and Susan Wright, along with partner Robert Pritchard, originally had their land, a parcel of nearly eight acres, as part of the town's newly-created Overlay District, and the town removed it. In its place, the district now includes the Holbrook Industrial Park on Mear Rd.

The Wrights are former owners of Wright Brothers Bowling Alley and Wright Brothers Driving Range, land they believe would be better suited for the Overlay District.

The landowners have undertaken a tax analysis which shows that including their eight-acre parcel in the Overlay District would have far better tax consequences for the community.

Citing the MBTA District on Union and Centre St. (which includes their property) instead of the industrial park, they say, provides advantage to the town which include:

- The entire area is located within a half mile of the MBTA Station.
- No opposition from neighbors.
- The state requirement of approximately 662 units can be easily accomplished and still have more than adequate open spaces.
- Roadway and sidewalks have already been recently done over by the Department of Transportation.
- Old English Sq., owned by Mullins Management Co. is located at 229 Union St. and is already

permitted for 211 units.

- An area of more than eight acres is currently for sale and has enough room for 200 or more units with ample open space to be attractive and comply with MBTA regulations.
- Centre St., which is alongside the tracks has multiple commercial owners who want to retire and sell for MBTA District development.
- The town could gain \$2.3 million in taxes annually.

Conversely, they say, the town's decision to remove the Union and Centre Street option in favor of the Industrial Park on Mear Road carries disadvantages to the community, which include:

- Removal of the Industrial Park land from the tax rolls
- It is located next to an ongoing and working Superfund Site at Baird McGuire. While the land works for industrial purposes, changing to residential would be problematic
- The Environmental Protection Agency (EPA) could require restrictions on the property which could make funding a building project difficult
- There is an inactive but still existing lease for possible use as a Trash Transfer Station on this property, setting up the potential for legal challenges

MBTA regulations state that the location for proposed housing units should not be stuck in an undesirable place. Currently, Holbrook has zoning for adult entertainment in the Industrial Park. Additionally, there is a permit for a cannabis growing facility. Should the MBTA district be allowed there, it is possible that any housing could be surrounded by a dispensary or adult entertainment facility, neither desirable for children.

- There are no sidewalks
- There is considerable truck traffic even without a transfer station
- There is no intention to actually build any units, which has been stated publicly by members of the planning board
- This appears to be an attempt to circumvent the law, and could result in penalties from the Attorney General's office
- In the event of a challenge, the town could incur legal fees in its defense

The state is requiring the town to provide 662 units. To achieve this goal, businesses which are paying large taxes would need to relocate. The Industrial Park currently provides \$698,388.in tax

revenue, with valuation of \$26.55 per thousand. The residential rate, by contrast, is \$13.44 per thousand.

One other consideration is that if the MBTA Zone doesn't pass the town will forfeit grant money to repair the culverts on Union Street (Route 139) and on Centre Street. The value of the grant is \$6 million.

Mullins Management Co. has expressed interest in being included in the district via the Holbrook Planning Board public hearings. They have also voiced their concerns regarding the suitability of the Mear Road Industrial Park for the Overlay District. "For reasons that we have stated, and others, it makes no sense to include the Industrial Park in this district as opposed to the Union and Centre Street area which was in the original plan," they said. Steven Wright added, "Making this switch would net the town a considerable amount in tax revenue, as opposed to lost revenue and potential legal challenges by including the Industrial Park instead, which as we all know, could never support housing."

For additional information, please contact Steve or Susan Wright, [dreamwrights@gmail.com](mailto:dreamwrights@gmail.com), or 781-429-2372.

New England Real Estate Journal - 17 Accord Park Drive #207, Norwell MA 02061 - (781) 878-4540