



The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133-1054

April 22, 2024

Jeanne Pinado, Chair
Carolina Avellaneda, Vice Chair
Chrystal Kornegay, Executive Director
Massachusetts Housing Finance Agency
One Beacon Street
Boston, MA 02108

RE: O'Brien Homes, Inc./Murphy's Farm, Dracut
Project Eligibility/Site Approval
Mass Housing ID No. 1171

Dear Madame Chair Pinado; Madame Vice Chair Avellaneda; and Executive Director Kornegay:

As a lifelong resident of the Town of Dracut and its State Representative for 30 years, I write with firsthand knowledge of the priorities of the community regarding development of affordable housing; preservation of historic assets; and the continuation of the community as a farming community. Dracut was incorporated in 1701. That means Dracut has been a farming community for 323 years. It is a bedroom community that has very limited businesses and borders the State of New Hampshire (adding huge competition with its limited tax burden.) Dracut was one of the first dozen towns to accept the Community Preservation Act with Dracut voters putting the priority of preserving farmland and open space having saved hundreds of acres with CPC funds and Agricultural Preservation Restriction projects.

In regards to Affordable Housing, the Town has supported the transformation by the Coalition for a Better Acre of the Dracut Centre School into 9 affordable apartments for veterans. We have been working with the nonprofit Common Ground of Lowell to create 56 units of much needed elderly housing at 144 Greenmont Avenue.

Our Dracut Public Schools are filled to the brim except for the most recently renovated Dracut High School. The Town has been applying to the MSBA for an invitation to get in the MSBA

program for a new or renovated with an addition to an elementary school. The construction or renovation of any elementary school is probably 7 years off in the MSBA process.

In regards to public safety, we have just gotten our police and fire staffing up to a good, safe number but the community is most likely facing a \$3 million deficit in the FY'25 budget. So unless we can get more assistance from the State, there will most likely be cutbacks in every department.

With this little history of my community of Dracut, I would like to address the Murphy's Farm project that was granted Project Eligibility on July 5, 2023.

Mr. Kevin O'Brien, Manager of O'Brien Homes, Inc. had been approved for a 22 single family home subdivision on the site of Murphy's Farm, 231 Wheeler Street, Dracut, MA. (His application to Mass Housing says the site is 5 Poppy Lane, Dracut.) He had originally applied for 30+ single family homes but the neighborhood opposed that many homes and he was approved for Twenty-two. He then waited and applied for this 40B project of 300 - 4 bedroom rental units. The developer has NO history of producing rental units, nevermind 300, with all having four bedrooms. He has not provided any market analysis to show that 300 - 4 bedroom apartments are sustainable in our area. The plan that was originally provided to the neighborhood and the Town shows no real recreational space on the property besides a walking path around the property. There are only two parking spots for each unit and no guest parking whatsoever. The property has wetlands running throughout it, a major natural gas pipeline and the property is between two thirty year old single family cul de sacs with a hay farm to the west of the property and an active blasting quarry to the south of the property. There is no public transportation within 3.7 miles, nor is there any businesses nearby.

I am very concerned about how much investigation is done into the developer and their history of developments in the Commonwealth before Project Eligibility is granted. This developer has been approved for a 40B in Lunenburg which has run into legal issues and has not been developed yet. He seems to have issues with finances as he didn't even pay his property taxes on the Murphy's Farm property until just before the application for the 40B was submitted. It now looks as though another entity, "231 Wheeler Street Realty Trust, Catherine Colman, Trustee" has become involved in the property. Catherine Colman appears to have lent Mr. O'Brien \$2 million. As far as I am aware, he has not been forthcoming with this information. I just happened to see it on the Middlesex North Registry of Deeds.

What are the underwriting requirements for MassHousing to approve a project this large? Mr. O'Brien has informed me and my staff that he "doesn't care what he builds, he just wants to maximize the money he can make on this project before he retires." Mr. O'Brien's project has been before the Zoning Board of Appeals in Dracut for months now. He has failed to provide all the necessary studies and information that has been requested of him. He has continued to ask for continuances. This 40B application has caused alot of emotional turmoil in the neighborhood; serious financial concerns for the Town; tremendous work for Town staff and countless hours of volunteer Zoning Board of Appeals members' time.

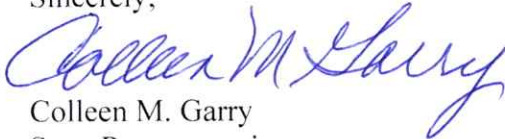
The Project not only involves land in Dracut but also land in Methuen. Methuen is claiming "safe harbor" and counsel for the neighborhood and counsel for the developer have differing views on the definition of the "project" and whether the Dracut's Zoning Board of Appeals hearing should be stayed along with the Methuen hearing pending the appeal at Housing Appeals Committee.

In addition, the Dracut Planning Board granted a one year extension of the Applicant's subdivision approval "related to construction on the same land." It is argued that the Applicant can not proceed with a 40B project on the same land for twelve months until February 14, 2025.

As Dracut is having to deal with the MBTA Communities Act; and several other 40B projects, I respectfully request that Mass Housing rescind the approval of Project Eligibility in the Murphy's Farm project. I would suggest that O'Brien's Lunenburg project be completed properly before allowing him to devastate another community with his inexperience with rental units; incomplete plans; questions on financial resources; and failure to provide a marketing analysis to show the viability of this extraordinarily large project - so this aging developer can make "as much money on the project as he can before retiring."

Please investigate this important situation for my community of Dracut!

Sincerely,



Colleen M. Garry
State Representative

cc. Secretary Edward Augustus, Secretary of Exec. Office of Housing and Livable Communities, 100 Cambridge Street, Suite 300, Boston, MA 02114
Ann Vandal, Town Manager, 62 Arlington Street, Dracut, MA 01826
CARDD, c/o Michelle Boormeester, 45 Paddock Lane, Dracut, MA 01826