

Myra and Howard Berloff
30 Longwood Ave. Unit 104
Brookline, MA 02446

August 23, 2016

Dear Chairman Wishinsky and Members of the Board of Selectmen:

We are writing in regards to the proposal to build a 14-story building at 1299 Beacon St. During the Selectmen's hearing of August 16, 2016, we learned this is not Mr. Dhanda's first attempt to construct a building on this small parcel of land that is out of scale and scope for the neighborhood. We learned he previously proposed a hotel be built at this location and that the Board of Selectmen and the Zoning Board of the Town of Brookline would not grant permission.

Now comes Mr. Dhanda hiding behind the need for affordable housing in town and Chapter 40B of Massachusetts state law. Using 40B he now proposes an enormously out of scale building for this site and location. Centered in the middle of historic Coolidge Corner, directly across from the historic T stop, Mr. Dhanda proposes a 14-story structure that spans lot line to lot line on an extremely small parcel. This is not a project arising out of a developer embracing the need for affordable housing. This is a development designed out of greed. This is an example of a property owner attempting to turn a small parcel of land in an established setting into an abomination in the middle of a historically significant area, wiping out all open space on his property and impeding skyline views for the entire neighborhood.

In addition to the out of scale design features of the building with the height of the building tremendously out of scope to the width of the public way, are the problems that will arise on Sewall Ave. when 178 additional cars and ancillary moving vans, delivery trucks, and emergency vehicles begin using this small street that was never designed to accommodate the needs of a high rise apartment building. Currently there are times during almost every day that cars are lined up on Sewall Ave. stuck because of the double and sometimes triple parked cars, honking their horns to get someone to move who is either picking their child up at Temple Sinai or a mail truck trying to park or a postal worker loading their personal car. The 178 additional cars that will require being parked by an attendant will only exacerbate the existing congestion. In addition P. 30 of the Mass Housing 40B Design Handbook states:

“Individual parking spaces should be designed, maintained and regulated so that no parking or maneuvering incidental to parking is on any public street or sidewalk and so that any automobile may be parked and un-parked without moving another automobile.”

With that in mind, it becomes even more questionable that parking for this building has been appropriately addressed since all parking will take place on lifts and be attended to by valets. In addition, the preliminary drawings show absolutely no indoor parking that would accommodate a full size handicapped van.

We moved to Brookline because of the diversity of its residents and because it was important to us to live in a safe walkable community. We moved to Brookline with our daughter who is disabled. She uses a power wheelchair and when she can, she is out in the community with her service dog. Adding the number and constellation of vehicles to an

already congested Sewall Ave. will exponentially escalate the danger of her being a pedestrian since she is lower in sight line and could very well be in the blind spot of the large vehicles that will now need to navigate Sewall Ave.

Nothing in the surrounding neighborhood remotely resembles the building being proposed at 1299 Beacon St. This is a neighborhood of 2-3 story Victorian houses, 3 story brownstones and 4-story low-rise apartment buildings. We most likely would not have moved here if there were a 14-story glass high-rise building as our immediate neighbor. More than changing the esthetics of Coolidge Corner (which is a destination point for so many people) the increased traffic caused by a building of this magnitude will make our neighborhood no longer safe for pedestrians, especially if that pedestrian is using a wheelchair.

In preparation for writing this letter we did a bit of research and found the “HANDBOOK: APPROACH TO CHAPTER 40B DESIGN REVIEWS” that was developed by MassHousing and other state agencies as guidelines for 40B project reviews. We have attached excerpts from the design guide – every one of which seems to be in direct conflict with the proposed building.

This design was ill-conceived at best, and arrogant and self-serving at worst. We all need safe affordable housing, and we hope the town continues to work toward that effort. But this building, as designed in this location is not an appropriate answer; and the 40B design guidelines seem to agree.

We hope you are able to work with the state agencies to block this proposal.

Sincerely,

Myra & Howard Berloff

Cc: Allison Steinfeld, Director, Planning Department
Stephanie Orsini

HANDBOOK: APPROACH TO CHAPTER 40B DESIGN REVIEWS

Excerpts:

Section I Purpose

The reason for creating this Handbook is that certain changes were recently made in the Chapter 40B program regarding review criteria for the siting and design of projects. These design elements are listed in the implementing regulations found at 760 CMR 56.04(4)(b) and (c). Using a list of criteria, the sections require findings:

“that the site of the proposed Project is generally appropriate for residential development” and, “that the conceptual project design is generally appropriate for the site on which it is located”

This Handbook instead suggests that the site and building design, not the numerical density, determines if a development is “generally appropriate for the site.” In some instances, a proposed development may contain more units than a site can reasonably accommodate. In those instances, the reviewing subsidizing agency may reject a proposed development that it determines to be inappropriate or make a determination that results in modifications of the project by the sponsor, including a reduction in size.

Section 2: REQUIREMENTS FOR DESIGN REVIEW (p.3)

c.40B Regulations on Design Elements

The implementing regulations for the law are found in 760 CMR 56.00. Within section 56.04(4) of those regulations, entitled Findings in Determination, there are a number of terms to consider related to use and design. The relevant subsections read as follows:....

“(c) that the conceptual project design is generally appropriate for the site on which it is located, taking into consideration factors that may include proposed use, conceptual site plan and building massing, topography, environmental resources, and integration into existing development patterns (such finding, with supporting reasoning, to be set forth in reasonable detail);”

The regulations at subsection (b) frame the considerations for the choice of a site for the Project. Using this standard, the determination of consistency should be defined as a general allowance for residential development. The regulations at subsection (c) then consider the Project design which at this early stage is a ‘conceptual project design.’ The Project design elements considered here include the use (expected to be predominantly residential), the building in terms of massing, site conditions defined by topography and environmental resources, and the Project’s ‘integration into existing development patterns.’

The c.40B Guidelines that were drafted to meet the goals stated in the Introduction to this Handbook define the ‘context’ of a Project by elaborating on the relationships with adjacent buildings and streets, as described in the next sections.

c.40B Guidelines on Design Review (p.4)

The c.40B Guidelines prepared by DHCD (revised as of July 30, 2008) suggest approaches for applying the regulations with some additional terms and phrases in section 3. Findings, Design (760 CMR 56.04(4)(c)):

“Relationship to Adjacent Building Typology – Generally, a Project is developed in the context of single family dwellings and introduces a different form of housing into the neighborhood. Assuming that this is the case, it is important to mitigate the height and scale of the buildings to adjoining sites. In this context, it is particularly important to consider the predominant building types, setbacks, and roof lines of the existing context.

- The massing of the Project should be modulated and/or stepped in perceived height, bulk and scale to create an appropriate transition to adjoining sites.
- Where possible, the site plan should take advantage of the natural topography and site features, or the addition of landscaping, to help buffer massing.
- Design may use architectural details, color and materials taken from the existing context as a means of addressing the perception of mass and height.

Relationship ip

Streets – Likewise, the manner in which the buildings relate to adjacent streets is critically important. Massing should take into account the pattern of the existing street frontage as well as maintain a human scale by reasonably relating the height of buildings to the width of the public way.”

These elem en

which the design review process is executed.

B. Design Terms and Phrases Explained (p.6)

- Scale may be defined as the height and massing of a building and building elements and the relationship to surrounding spaces and structures. Common relationships are to the size of a human, to the context of the site, or in the relationships to adjacent buildings.
- The mass and scale of a building may be reduced by altering the building’s bulk. The features that can minimize the mass and scale should be about the same size as the same features on adjacent properties.



- *Note differences in height, density and style. While that particular apartment style on top is not similar to the existing homes, other building styles may provide similar densities.*

Figure 2 | Elevations of Different Building Types (p.7)

Building Typology (p.8)

- Key design issues to review in the application materials and discuss with the applicant include:
- *Facade appearance and orientation* - Does the proposed design front onto the street the same way as the adjacent properties?
- *Architectural and site details* - Are the construction details of the proposed design SFDU compatible with the adjacent properties or minimize the differences between the new and existing structures?
- *Design treatments of the edge* –Do the street and landscaping details minimize the differences or buffer the transition between the different sizes, materials or orientation of the new design and adjacent properties?

Surrounding context (p.12)

The surrounding context is defined by the existing development patterns outside of the site. From the c.40B Guidelines, specific reference is made to adjacent building typology and adjacent streets. Assuming that the new buildings will vary from the surrounding buildings, consideration should be given to the differences in architecture and settings. The conditions of the adjacent streets may define access points that in turn affect site layouts. The location of the buildings in relation to the streets may also be a factor in the visual impact of the building,



Separation to Buildings Separation to Street Landscape Buffer

Figure 9 | Elements for Consideration of Relationship to Adjacent Buildings and Streets (p.13)

D. Checklist Review Procedure (p.19)

...Of particular concern is the impact the Project's design will have on adjacent properties.

Pages 22 & 23 provide a checklist used as part of the analysis to determine Integration with Adjoining Properties. The following details are noted and are to be assessed as either acceptable, not addressed, or unacceptable:

- Relation to Surrounding Structures and Public Spaces
- Architectural & Site Details
- Scale
- Height
- Proportion
- Shape or Form
- Façade Design
- Streetscape and Landscape
- Design Treatments of Edge
- Building Setbacks
- Building Height and Stepbacks
- Façade Length and Articulation
- Architectural Treatments
- Modulation of Building Mass, Scale & Bulk
- Environmental Resources
- Parking & Access
- Buffering Techniques

(P.30)

- Individual parking spaces should be designed, maintained and regulated so that no parking or maneuvering incidental to parking is on any public street or sidewalk and so that any automobile may be parked and un-parked without moving another automobile.