



TOWN of BROOKLINE

Massachusetts

BOARD OF SELECTMEN

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MELVIN A. KLECKNER
Town Administrator

September 8, 2016

Jessica L. Malcolm, 40B Specialist
Comprehensive Permit Program
Massachusetts Housing Finance Agency
One Beacon Street
Boston, MA 02108

Timothy C. Sullivan, Executive Director
Massachusetts Housing Finance Agency
One Beacon Street
Boston, MA 02108

RE: 1299 Beacon Street—Brookline, MA

Dear Ms. Malcolm and Mr. Sullivan:

Thank you for providing an opportunity to the Town of Brookline to submit its comments on an application for Site Approval submitted by Brighton Allston Properties, LLC to construct a mixed-use development at 1299 Beacon Street under G.L. Chapter 40B. We also appreciate your willingness to grant the Town an extension in order to provide the Board of Selectmen time to engage Brookline residents and business owners.

The Board of Selectmen conducted a public hearing on August 16, 2016 to solicit input from interested parties in the town. Attached are comments from the public.

The Town of Brookline has methodically worked to increase the supply of affordable housing while at the same time supporting the improvement of existing subsidized units. The Town has in fact invested significant resources to expand housing opportunities for vulnerable populations. Attached is a summary of recent efforts by the Town to retain, improve and expand the availability of affordable housing, together with a memorandum from Brookline's Housing Advisory Board. The Town has been successful in increasing the

amount of affordable housing units by supporting well-designed housing that is integrated into its environs, respects the context in which it is located, and is welcoming to the residents who occupy the units.

The proposed development at 1299 Beacon Street is not well-designed. Selecting this site for a 14-story development is inconsistent with both the residential neighborhood and commercial area in which it is to be located and the 40B subsidizing agencies' stated *"commitment to ensure that affordable housing developments adhere to high standards of site and building design that enhance the quality of life of residents and the communities in which they reside."* Not only does this proposed project fail to adhere to that commitment, it fails to even recognize the basic premise that a project should be *"generally appropriate for the site in 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."*

We respectfully suggest that MassHousing should be as concerned about the damage this project will do to the 40B construct as the Town of Brookline is concerned about the irreparable damage it will do to Coolidge Corner and the quality of life enjoyed by residents and businesses in the area. The proposed property will loom over its neighbors, undermine the character of the neighborhood, destroy vistas, threaten public safety and stand as a testament to misplaced and inappropriate 40B development. The height of the development and the singular vehicular access to an extremely stressed one-way road render this site as inappropriate for a housing development of this magnitude. The proposed project is untenable and cannot be mitigated.



Street View: Sewall view north, CBT Architects

The Selectmen are basing their vigorous and unanimous opposition to the issuance of a PEL based on the following sets of fundamental design criteria established in the Handbook: Approach to Chapter 40B Design Reviews. **We implore MassHousing to apply the guidelines set forth in its Handbook to the proposed project, and seek assistance in doing so from a registered professional architect, as the Massachusetts Housing Partnership has done with recent multifamily housing project eligibility applications.** The Selectmen

are confident that if you do so, the project will be graded as “unacceptable,” resulting in either a denial of eligibility or a mandate to significantly redesign the project prior to any further consideration of eligibility. We hope that you acknowledge the fact that the Board of Selectmen has not taken this position in its prior statements to MassHousing relative to the 40B projects that are currently pending before our Board of Appeals. But the magnitude of this specific project relative to its physical context and its potential impact on public safety warrants the Board’s opposition and the tenor of this letter.

Parking, access, and circulation

The general area in which the proposed site is located is an extraordinarily congested block that includes a U.S. Post Office and regional mail distribution center, the busiest Trader Joe’s grocery store in New England, a synagogue with associated religious and pre-schools as well as homes and businesses—all of which rely on Longwood Avenue and/or one-way Sewall Avenue. The Town has actively been working since 2014 to mitigate impacts of the Post Office operations on the general area. The federal agency does not comply with local regulations, while significantly growing in operational volume—with concomitant impacts on the area—over recent years. Mail trucks encroach onto crosswalks, block site lines (particularly at the Sewall and Longwood intersection) and even park in Sewall Avenue, impeding through-traffic.

In addition to the automobile and traffic congestion that currently defines the street network, this is a particularly busy area with bicyclists and pedestrians including a large number of physically disabled people reliant on wheelchairs, as demonstrated in the attached comment letters. The proposed development will significantly exacerbate existing vehicular traffic issues and present untoward challenges to pedestrians and bicyclists.

The proposed parking and circulation pattern raises serious and compelling concerns about safety for the existing residential and commercial property owners, visitors and patrons, and the tenants of the proposed development. The sheer volume of additional traffic; the number of cars entering and exiting the garage onto a narrow, one-way street; and the high activity level consisting of motorists, delivery trucks, bicyclists and pedestrians will create conflict resulting in unsustainable conditions. This is exacerbated by the complex parking scheme.

In order to provide access to parking on an extremely tight and awkwardly-shaped site, the applicant is proposing a complicated automated parking system requiring lifts, car stacking systems and around-the-clock valet service in order to avoid providing a ramp system and/or reducing density. The Board is very concerned about reliability, noise, safety and perhaps most disconcerting, the very real potential of queuing onto Sewall and Longwood Avenues with potential impacts onto Harvard Street. The configuration of the development parcel and the problematic design of the building combine to make delivery truck access particularly difficult given the logistics of maneuvering and the need to back into one loading bay. Maneuvering of trash pick-up trucks on site has not been considered.

Emergency access and egress for current residents and business as well as the tenants of the proposed affordable housing complex will be jeopardized. Following a preliminary review of the proposed project, the Police Department has advised that, “Longwood Avenue is a major route for ambulances going to and from the

Longwood Medical Area and should be a major consideration for keeping adequate traffic flow in this locale.” Introducing a significant increase in traffic will seriously undermine existing traffic flow and, accordingly, the Board of Selectmen is acutely concerned about the ability of emergency vehicles—both during and upon completion of construction—to quickly and safely traverse the area. This will need to be studied in detail as unimpeded access by emergency vehicles to and from the Longwood Medical Area is critical not only for Brookline but the entire region.

The failure to adequately provide for efficient and safe site circulation, easily accessible parking, deliveries and trash pickup will result in traffic spillover onto Sewall and Longwood and potentially Harvard and Beacon Streets. It will also impede access to existing businesses. The very real potential of spillover effects onto local streets is inconsistent with the State’s guideline that *“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.”* (emphasis added)

In sharp contrast to the guideline recommending that *“[p]arking and circulation should ...be designed to provide for the maximum pedestrian safety, ease in traffic flow, and access/egress on the property,”* the proposed project threatens pedestrian safety; dramatically exacerbates existing traffic congestion; and impedes access and egress to and from the subject property as well as adjoining and nearby properties. The Board is also concerned that appropriate and compliant handicapped parking spaces are not being provided.

Relation to surrounding structures and public spaces

The proposed building fails miserably in meeting the fundamental guideline that a 40B development honor its surrounding context and respect—or for that matter, even recognize—existing development patterns, as demonstrated in the applicant’s renderings. Protruding upward, the 14 stories overwhelm the adjacent two- to four-story surrounding structures, destroying site lines, casting shadows, and undermining the enjoyment of public spaces.

Beacon Street, including this property, is in a National Register of Historic Places District; the proposed development, which would be the tallest building in Brookline, poses a threat to the integrity of the Beacon Street National Historic District. Before you make a Project Eligibility decision about the project, we request that you consult with the Massachusetts Historical Commission (MHC) to determine whether the project, as proposed, would have an adverse impact on historical and cultural resources.

The design is alien to the building typology, height and scale of adjoining and nearby properties. There are no comparably-sized buildings within close proximity to the proposed building. As documented in both the aerial view and renderings below, the 14-story high-rise will stand in glaring juxtaposition to the one- to three-story commercial structures, three- and four-story Victorian homes, and modest four- to eight-story multi-family complexes. The developer cites a number of taller structures along Beacon Street in justifying the height, but those are blocks away and outside of the line of sight of the proposed building. Further, the fact that the building will be sited on the top of a hill exacerbates the visual impact of the 14 stories and increases the effect of the proposed height relative to other buildings that are farther away.



Aerial View surrounding Development Site, with number of stories labeled for each building

Given the complexity of the proposed site circulation and the lack of reasonable setbacks from abutting properties, there is concern that access to and egress from adjoining commercial uses will be seriously impeded—even under normal circumstances—not only affecting the viability of these businesses but potentially creating life safety issues.



Street View: Harvard Street North, CBT Architects

Massing, scale, height, and proportion

An 18,632 square foot irregularly shaped lot cannot “reasonably accommodate” a 152,115 gross square foot development consisting of 108 residential units, 12,215 square feet of retail space, six surface spaces and two levels of underground parking for 178 cars. The proposed development overwhelms the site, as clearly demonstrated in the applicant’s proposal. There is no sense of proportion within the surrounding context. The massing, scale, height and proportion are diametrically opposed to the surrounding area.



CBT Architects

In light of the above, the Board of Selectmen respectfully requests MassHousing require a significant reduction in size, massing and scale and address the threats to public safety that this project presents prior to making a determination relative to eligibility. Only then can a host of other site and architectural details be addressed. Please note that the Board of Selectmen is expressly not identifying and expanding upon those details given that it is our hope and expectation that MassHousing will acknowledge the extent to which this proposal represents a blatant disregard of the guidelines set forth in your Handbook. Finally, the Board of Selectmen wants to alert you to the possibility that the owner of 1295-1297 Beacon Street, which abuts the subject property, may have legal access over the 1299 Beacon Street site to Sewall Avenue, as expanded upon in the attached letter from Rav & Associates, Inc. We respectfully request that MassHousing defer a ruling on the PEL application until the Board of Selectmen is able to provide you with further information.



CBT Architects Street View—Beacon Street Inbound

In summary, the Board of Selectmen urges you to recognize that this project presents a compelling opportunity to apply carefully promulgated regulations and guidelines in order to protect the integrity of Chapter 40B as well as the character and vibrancy of Coolidge Corner. This project is at a crossroad both literally and figuratively. The site is in an extremely prominent location at the center of Brookline’s busiest commercial district that has historically promoted the tenets of SMART growth and transit oriented development. A building at this site has the potential to be a high profile monument to Chapter 40B. Whether it is a monument to Chapter 40B’s success or excesses is in your hands. As proposed, the project will result in a building that looms over the entire area, literally standing as a testimonial to the State’s refusal to enforce its own guidelines expressly designed to promote affordable housing within the context of sound planning.

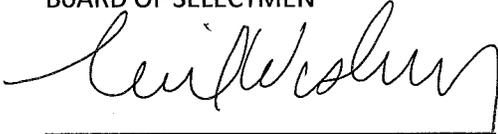
A denial or request for significant modifications of the PEL application will indicate to developers that, while affordable housing must be developed, it can and must be developed in compliance with the guidelines developed on behalf of all of the State subsidizing agencies. Since the Board of Selectmen is hopeful that MassHousing will apply its own guidelines to this PEL application, we are reluctant to give any credence to the possibility that MassHousing will issue a PEL. But, if you should decide to do so, we are providing as an attachment a list of information that should be included in any Comprehensive Permit application relative to this proposal.

The Town of Brookline remains committed to providing affordable housing and is certainly willing to work with MassHousing and the Applicant to create a mixed-used development of which we can all be proud—high quality, well-designed affordable housing that respects the existing development pattern.

Thank you for your consideration.

Sincerely,

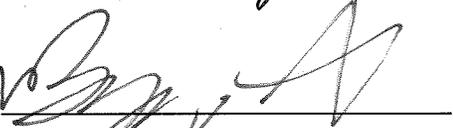
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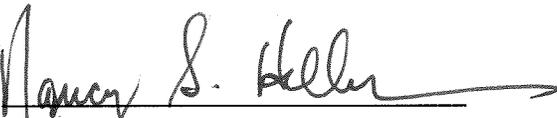
Neil A. Wishinsky, Chair



Nancy A. Daly



Benjamin J. Franco



Nancy S. Heller



Bernard W. Greene

Attachments

- cc: Senator Cynthia Creem
Representative Frank Smizik
Representative Jeffrey Sanchez
Representative Michael Moran
Representative Edward F. Copping

TOWN OF BROOKLINE

PREVIOUS MUNICIPAL ACTIONS TO MEET AFFORDABLE HOUSING NEEDS

The Department of Housing and Community Development's regulations for Comprehensive Permits under Chapter 40B direct that the Subsidizing Agency "tak[e] into consideration information . . . regarding municipal actions previously taken to meet affordable housing needs such as inclusionary zoning, [and] multi-family districts adopted under M.G.L. Chapter 40A...." Brookline has a robust commitment to multi-family and affordable housing, which is evident in its zoning by-laws and its funding and other support of affordable housing.

A. Multi-Family Housing in Brookline.

Brookline has nineteen (19) zoning districts that permit multi-family housing (more than a two-family structure) covering approximately 18% of the Town's land area. The impact of the Town's zoning is clear—approximately 20,360 units, or 77% of the Town's housing units, are in multi-family buildings. Approximately half of Brookline households rent their homes. Of these renters, approximately 50% pay less than 30% of household income for gross rent. This rate is comparable to that of the entire Boston – Quincy – Cambridge Metropolitan Statistical Area and the state average.

B. Affordable Housing in Brookline.

Brookline has a longstanding commitment to affordable housing and has often been cited by state officials as an exemplar community for creating and preserving opportunities for affordable and multi-family housing that address the goals of Chapter 40B. As of February, 2016, 2,410 of the Town's 26,201 year-round dwelling units (US Census, 2010), or 9.2%, qualified for the Subsidized Housing Inventory, as well as an additional 73 occupied affordable units serving households with incomes between 80% and 110% of area-median income. The current 40B-eligible units include 923 units owned and operated by the Brookline Housing Authority; 405 rental units owned by private investors; 769 rental units owned or controlled by non-profit organizations; 225 rental units permitted and/or in construction by 40B developers, and 88 owner-occupied homeownership units. Of the Chapter 40B-eligible units, a significant portion contains three or more bedrooms.

The Town has expended substantial municipal resources in support of all of its affordable housing programs and initiatives, facilitating the development and preservation of affordable housing, as more fully discussed below. Since 1992, the Town has spent more than \$20 million of Town appropriations, Housing Trust Funds, and Town controlled resources to support affordable housing. This is in addition to the more than \$10 million (\$9.7 million on operations and \$1.1 million on property modernization) expended annually by the Brookline Housing Authority. In 1987, the Town established an Affordable Housing Trust Fund, under the control of the Housing Advisory Board and the Board of Selectmen.

The Town has regularly directed a portion of the Town's Free Cash to the Trust Fund under circumstances where the unreserved Fund balance is less than \$5 million, in order to ensure that significant resources are available without need for Town Meeting action whenever opportunities to support affordable housing projects arise. In accordance with this policy, the Town deposited \$163,078 into the Trust Fund in FY2015.

In 2005, the Town completed a multi-year comprehensive planning process, which reaffirmed affordable housing as one of the Town's most important long-affordability, consistent with Chapter 40B, and an annual goal of 25 new affordable units per year through conversion or new construction. The Town has adhered to its commitment in both the creation of new affordable housing and the preservation of affordability in "expiring use buildings." Since 2002, the Town has added 257 new affordable units.

C. Brookline's Affordable Housing Policies, Programs and Initiatives.

Under the direction of the Town's Housing Advisory Board, which provides advice and recommendations on the Town's affordable housing policies and initiatives, and the Housing Division of the Town's Department of Planning and Community Development, staffed by two (2) housing professionals who are responsible for implementing housing policy, the Town has employed a multi-faceted approach to increasing and preserving the Town's affordable housing stock. As discussed below, the Town uses virtually all possible opportunities and strategies to accomplish its goals, including regulatory incentives such as inclusionary zoning policies; financial and technical assistance to non- and for-profit property owners and developers to preserve existing affordable units and create additional affordable units through conversion and new construction; tax incentives; the utilization of Chapter 40B in Town-supported affordable housing developments; and technical and financial assistance to those seeking to purchase, rent and rehabilitate affordable homes in Brookline.

1. Inclusionary Zoning.

The Town has significantly increased the number of affordable housing units in mixed-income developments through the Town's inclusionary zoning provisions set forth in Section 4.08 of the Town's zoning by-law. Adopted in 1987 and revised several times since then, these provisions require developers of residential projects with 6 or more units to offer at least 15% of the units to households with incomes under 100% of area median income. At least two-thirds of these units must meet Chapter 40B requirements, that is, serve households with incomes under 80% of area median income. In lieu of providing on-site units, developers of projects with 15 or fewer units may choose to make a cash payment to the Town's Housing Trust in accordance with a specific schedule. This cash payment is based upon a percent of the sales price of each unit minus \$125,000 (the imputed price of an affordable unit). The percent charged ranges from 3%

for a 6-unit project to 9.75% for a 15-unit project, encouraging developers at the higher end to provide on-site units.

Between 1996 and the present, these inclusionary zoning provisions have directly produced 104 affordable rental and condominium units (the majority of which serve households with incomes under 80% AMI) in 22 properties. In addition, the zoning by-law has resulted in \$6.4 million in contributions to the Town's Housing Trust Fund. This source, along with \$4.1 million in Town appropriations and \$1.4 million in investment income, has resulted in total revenues of over \$12 million to the Housing Trust since its inception in 1987. Housing Trust allocations have already leveraged much greater amounts of State, federal and private funding for Brookline projects.

Examples of projects developed under the Town's inclusionary zoning program include:

Goddard House, a 115-unit development, providing 17 below-market, assisted-living units to low- and moderate-income seniors;

Longwood Towers, the addition of 26 units to an existing rental complex, resulting in 2 new on-site affordable units and 4 affordable units in an existing building off-site;

Kendall Crescent, a 35-unit development combining preservation of a former public school and new construction, and providing 5 affordable condominium units, including one fully accessible unit;

Cypress Lofts, a newly constructed 45-unit condominium in which the Applicant retained 5 units for low-income renters.

Park Place Condominium, a newly constructed 9-unit condominium with 2 affordable units;

The Hammondswood, a newly constructed 59-unit condominium, providing 9 affordable units; and

The Parkway, a newly constructed 16-unit condominium, with 2 affordable units.

2. New Affordable Housing Development.

Brookline has provided financial support and assistance to developers of new affordable housing, including projects on private properties, as well as Town and other publicly-owned properties. These Town-funded

developments went through an extensive planning process, resulting in designs compatible with the surrounding neighborhoods as more particularly described below.

The Olmsted Hill project, completed in 2012, is located on a 4.8 acre former Town-owned reservoir site in the single-family neighborhood of Fisher Hill. After several years of community planning and developer selection, the Town partnered with New Atlantic Development Corporation, which dismantled and filled two underground reservoirs, created a subdivision, sold 10 market-rate, single-family lots, and developed an affordable condominium complex. This project contains 24 affordable two and three bedroom units in three buildings, including 12 units that will serve families with incomes up to 80% of AMI and 12 units that will serve families with incomes up to 100% of AMI. The 2 ½ -story and 3-story multi-family buildings are designed to harmonize with the surrounding single family neighborhood by resembling a large estate home and carriage house. Permanent subsidy provided by the Town for the affordable units includes \$1,273,982 in HOME funds, as well as \$820,605 from Brookline's Housing Trust, \$2,326,600 in revenue from the sale of the lots and a discount to the developer by the Town on the value of the land. All 24 units were sold with long-term deed restrictions.

In 1999, the Town began working with the Archdiocese of Boston Planning Office for Urban Affairs (POUA) to develop St. Aidan's Church as a "friendly 40B" development. POUA submitted an application to the Board of Appeals that conformed to development principles and guidelines established by community process. The 59-unit development was completed in 2009, and includes 36 affordable units (20 low-income rental and 16 homeownership units); preservation of the church building through adaptive reuse; and conservation of open space and specimen trees. The 3-to 5-story buildings are organized around common green space designed for passive and active recreation. The Town's contribution of \$6.1 million in Housing Trust, HOME and CDBG monies leveraged \$5 million in gap funding from the state and \$4.5 million from private investors under the federal Low Income Housing Tax Credit program. This project was identified by Housing and Community Development Undersecretary Aaron Gornstein during his introductory remarks at the September 28, 2012 conference on Chapter 40B, co-sponsored by DHCD and CHAPA, among others.

Most recently, the Town supported the Brookline Housing Authority in its first venture as a developer of privately owned affordable housing. The Town provided \$4.3 million towards the development of a 32-unit Low Income Housing Tax Credit project, constructed on an existing under-utilized parking lot serving the BHA's Trustman Apartments. The project was completed in December of 2015 and is now fully occupied.

3. Renovation of Existing Affordable Housing Units

The Town supports the preservation of existing affordable housing by providing funding for capital improvements. The Town regularly funds improvements at Brookline Housing Authority developments, to which it has contributed over \$2.3 million. It also has assisted various residences serving individuals with special needs, including a total of \$363,000 to Humanity House, a home for 10 developmentally disabled individuals, and \$614,000 to a Pine Street Inn project in Brookline, a lodging house at 1043-1045 Beacon Street which serves 28 low-income individuals. Federal AARA dollars were allocated by the Town for energy-saving improvements to several properties controlled by nonprofits, including properties under the umbrella of Specialized Housing, Inc., which serves disabled adults at several locations in Brookline. The Town and the BHA have proven their commitment to modernizing and improving the Town's existing affordable housing stock.

4. Redevelopment of Existing Market Rate Housing.

Brookline has provided extensive financial and technical assistance to property owners and for-profit and non-profit entities proposing to redevelop existing market rate housing into affordable housing units.

Currently the Town is working with the Pine Street Inn to rehabilitate two lodging houses at 51-53 and 55-57 Beals Street. These long term lodging houses were managed by Pine Street under a lease with the owners since 2004. Pine Street Inn was able to purchase the property in 2014 with over \$1.9 million in Housing Trust, HOME and CDBG funds from the Town. The buildings are being redeveloped into thirty-one "enhanced" single room occupancy (SRO) units including small bathrooms and mini-kitchenettes.

In 2001, the Town financed the purchase of a dilapidated lodging house at 1754 Beacon Street by the non-profit Brookline Improvement Coalition, Inc. (BIC), the Town's Community Housing Development Organization, and assisted BIC in the selection of a non-profit developer to rehabilitate, own and manage the lodging house. Pine Street Inn, the successful applicant, used the Town's investment of over \$907,000 in HOME monies to leverage an additional \$1.6 million commitment from three state sources for the rehabilitation of this historic building. The 14 rooms and efficiencies, permanently affordable for income-eligible persons, were occupied in the fall of 2003. The project has been both nationally recognized for innovative use of HOME funds and by the Massachusetts Historic Commission as an exemplary preservation project.

During the summer of 2002, the Housing Division staff learned of another deteriorated lodging house on the market at 1876 Beacon Street. After several affordable lodging house operators viewed the property, the Town agreed to support Caritas Communities, Inc., in acquiring the building. At the same time, the developer of Longyear Estates was seeking property to satisfy its off-site affordable housing obligation under the inclusionary provisions of the Town's zoning by-law. By partnering Caritas with Longyear and supporting Caritas in advocating for additional funding from state agencies, the Town was able to assure that Caritas received the \$1.1 million in gap funding required to complete the acquisition, rehabilitation and long-term affordability of another 15 S.R.O. units for lower-income individuals.

At the end of 2003, the Town was notified of the sale of a 6-family building at 154-156 Boylston Street. BIC purchased and completed the rehabilitation and occupancy of this building in 2005 with \$593,000 in Town-controlled CDBG funds, leveraging about \$500,000 in gap funding from the Massachusetts Housing Partnership.

5. Preservation of Affordability in Expiring Use and Other Projects. Brookline also has actively sought to preserve affordability in its existing housing stock. One strategy has been to extend affordability at the Town's "expiring use" properties.

For example, in 2001, the Town assisted the Hebrew Rehabilitation Center for the Aged (Hebrew Rehab) in connection with its acquisition and rehabilitation of the senior housing at 100 and 112 Centre Street and 1550 Beacon Street, three such "expiring use" properties. The Town's commitment of \$1 million in Housing Trust funds and an agreement to terminate the projects' 121A tax agreements gave this non-profit the competitive edge needed to purchase the properties. At that time, only about 280 of 516 units were still affordable, with a potential loss of another 160 affordable units when restrictions expired in 10 to 15 years. As a result of the Town's commitment, Hebrew Rehab acquired and modernized the properties, and is operating them under the name of Center Communities of Brookline, with at least 60% (338) units preserved as affordable for an additional 40 years.

In 2004, the Town modified its 121A tax agreement with the owner of the subsidized project at 1371 Beacon Street, resulting in the extension of the affordability of the project's 30 units until 2028. The Town also negotiated with the Board of the 116-unit Brookline Cooperative, preserving 32 units as affordable condominium units, when the Co-op converted upon the expiration of the original HUD mortgage guarantee.

In 2015, Winn Development sought to pre-pay its federally-subsidized mortgage in order to take advantage of HUD's Rental Assistance Demonstration Program, which provides better protection for existing low-income tenants. The Town negotiated with Winn to increase the number of units that will remain affordable for the next thirty years. The Town also hopes to work with the owner to preserve the 116-unit senior building on the property as permanently affordable with additional state and Town-controlled resources.

6. Other Affordable Housing Activities and Funding.

The Town actively supports affordable homeownership in several ways. It operated a first-time homebuyer down payment assistance program from 1992 until 2010. With assistance increasing over the years from a maximum of \$25,000 to a maximum of \$175,000 per buyer, the program provided over \$5 million in HOME and CDBG funds, with some of this total reflecting the recycling of loan payoffs upon resale. Since all new units are sold subject to permanent deed restrictions, the Town regularly exercises its right of first refusal by identifying eligible buyers and holding a lottery upon all unit resales.

In short, unlike many communities in the Commonwealth, Brookline's efforts to create, promote and preserve multi-family and affordable housing have been long-standing, committed, comprehensive and effective. Brookline has committed significant Town resources to these efforts and has made measurable progress in creating and preserving affordable housing. Affordable housing that has been created in the Town is subject to permanent affordability restrictions. Through its own efforts and close cooperation with private developers, Brookline has demonstrated that affordable housing does not need to be incompatible with sound planning objectives, environmental concerns or its surrounding community.



Town of Brookline

Massachusetts

HOUSING ADVISORY BOARD

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To: Board of Selectmen

From: Housing Advisory Board

Re: 1299 Beacon Street – Proposed 40B

Date: August 24, 2016

The Brookline Housing Advisory Board (HAB) is charged with promoting the creation and preservation of housing that is affordable to individuals and families of low and moderate income, advising the Board of Selectmen on affordable housing policies and programs and the use of local, state and federal financial resources available to the Town in support of affordable housing.

Within the larger planning and regulatory review process and the HAB's broadly defined mission, the HAB has focused its primary attention upon affordable housing component of each mixed-income project. Accordingly, we expect that, in the course of reviewing any proposed 40B project, the Zoning Board of Appeals will solicit the HAB's input and recommendations regarding any ZBA-stipulated conditions that relate to each plan's affordable housing component.

Prior to the above-noted ZBA review and as part of the initial local comment period, the HAB offers the following, more generalized recommendations regarding minimum affordable housing conditions in this and all proposed 40B projects in Brookline:

1. Affordable units should be deed restricted in perpetuity and all deed restrictions should be recorded and in a form and satisfactory to the HAB.
2. The unit mix and total number of affordable bedroom and of the affordable units should match the unit mix of the market rate units.
3. Affordable units should be evenly dispersed throughout the project.
4. Affordable units should be indistinguishable from the market rate units in external appearance.
5. Affordable units should have the same interior finishes and/or appliances as the market rate units.
6. Affordable units should contain square footage of living area that is no less than:
 - 0 bedroom: 500 square feet
 - 1 bedroom: 700 square feet
 - 2 bedroom: 900 square feet
 - 3 bedroom: 1100 square feet
 - 4 bedroom: 1300 square feet

OR the average size of market rate units containing the same number of bedrooms

7. Floor plans for the affordable units which differ from those of the market rate units will not be approved without the recommendation of the Town's Department of Planning and Community Development/ Housing Division with input from the Housing Advisory Board.
8. Local Preference: The applicant will work with the Town's Department of Housing and Community Development/Housing Division to request that 70% of the affordable units be awarded to eligible households with local preference during the initial lottery, with local preference defined as a household with member who (a) lives or works in Brookline; (b) is employed by the Town or the Brookline Housing Authority; or (c) has at least one child enrolled in the Brookline public school system.
9. The Dept. of Planning and Community Development/Housing Division must review and approve the Affirmative Marketing Plan for the affordable units before it is submitted to the Subsidizing Agency for final approval. The Department of Planning and Community Development/Housing Division will work with the applicant to market the affordable units,

specifically identifying appropriate local outreach venues.

10. For the period in which the project is being monitored by the Subsidizing Agency, upon the Town's request, the owner shall share all monitoring reports with the Town's Department of Planning and Community Development/Housing Division including annual rent increases and information verifying income eligibility for affordable units.

While the HAB's primary mission relates to the project's affordable housing components, it is also concerned that the overall massing and configuration of the building should be compatible with abutting properties and the surrounding neighborhood. The HAB may offer further comment on these concerns during the ZBA hearing process.

The Town of Brookline has engaged in longstanding, creative and fruitful efforts to create, promote, and preserve multi-family and affordable housing over the years—efforts that have been recognized by the Commonwealth and which have created and preserved over 2,200 units of affordable housing in Brookline.

We look forward to working with the Applicant and the Subsidizing Agency to ensure that the above conditions are met if a comprehensive permit is granted for this project.

INFORMATION THAT SHOULD BE INCLUDED IN A COMPREHENSIVE PERMIT APPLICATION

If MassHousing issues a PEL, the Applicant should be required to submit the following prior to or as part of an application to the Town's Board of Appeals:

- A 3D model showing the proposed and abutting buildings
- A site plan showing abutting buildings with setbacks of the proposed building to its property lines and to abutting buildings
- A traffic and parking circulation study, including the impact that this project will have on the availability of existing on-street parking in the immediate area and queuing onto Sewall Avenue
- Detailed information on the reliability, safety and effectiveness on the proposed automated parking system including information on the associated noise impacts and approaches to mitigate the potential noise
- A physical indication on the lot of the building's footprint to illustrate its size and (lack of) setbacks
- A comprehensive shadow study comparing and contrasting year-round shadows generated by both the existing and proposed development
- A stormwater management and drainage report
- A waiver list in tabular form
- A preliminary Building Code analysis with respect to height and area compliance as well as exterior wall rating and openings.

We anticipate that the ZBA will engage a parking expert to review the automated parking system and respectfully request that MassHousing expressly identify the need for such a review. The Board also recommends that the applicant meet with the Fire Chief and Police Chief as soon as possible in order to identify and address public safety issues.

RAV & ASSOCIATES, INC.

PO BOX 359
CANTON, MA 02021

TEL: (781) 449-8200

21 HIGHLAND AVENUE
NEEDHAM, MA 02494

FAX: (781) 449-8205

September 6, 2015

Board of Selectmen
Brookline Town Hall
333 Washington Street
6th floor
Brookline, MA 02445

REF: 1295-1297 Beacon Street
Brookline, Massachusetts

Dear Selectmen,

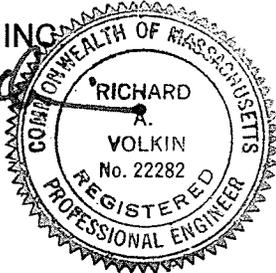
RAV & Associates, Inc., a Consultant and Design Engineering Firm, has been retained to research the surrounding property owned by 1295-1297 Beacon Street, LLC, particularly as to its ability to utilize adjacent property for a rear egress to Sewall Avenue, Brookline, in light of a requirement from the Town of Brookline on or about November 12, 1981.

Research has been on going at the Norfolk Registry of Deeds with a number of indicators that the egress exists and proceeds to Sewall Avenue through an area of a parking lot or open land. As these properties are owned by a number of property owners, we have been retrieving the appropriate plans, deeds, and other filings to render verification to allow access by 1295-1297 Beacon Street residents for emergency purposes.

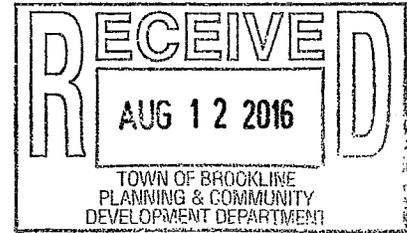
We therefore request additional time to continue the research and documentation.

Respectfully,
RAV & ASSOCIATES, INC.


Richard A. Volkin, PE
President



**Dr. Charles Heinberg
On behalf of
1295-1297 Beacon Street, LLC
Coolidge Corner Yoga
and others**



Tel. (781) 864-0854

fax (781) 344-4343

August 11, 2016

1299 proposed massive development

Board of Selectmen
Brookline Town Hall
333 Washington Street
Brookline, MA02445

The 1295-1297 Beacon St., LLC has owned 1295-1297 Beacon Street since 1979. During that time it was necessary to appear before the ZBA at least 3 times regarding egresses. To add a 2nd means of egress on to the second floor to make 2 complete floors. To cut through the basement foundation for a 2nd means of egress. To enclose the basement steps, shielding them from weather conditions.

Now the developer of 1299 Beacon Street, the adjacent property wants to build an enormous structure right up to the property line. This would effectively prevent the functioning of these egresses. This factor is especially upsetting when I am reminded of the Chestnut Hill fire, where 5 people died. Since their 2nd means of egress was chained closed, it made the pathway of egress nonfunctional causing the catastrophe.

Also, because the developer of 1299 Beacon Street wants to build a fourteen story structure up to the property line, the natural sunlight and beauty outside the windows will be significantly blocked, making it dismal for the tenants and their staff.

Additionally, because the developer of 1299 Beacon Street wants to build up to the property line, there will be no rear access to keep the rear area clean and maintain sanitary conditions.

Finally, the proposed foundation for 1299 Beacon Street includes provision for parking two levels below grade. The excavation and demolition of adjacent walls will surely undermine the integrity of 1295-97 Beacon Street, since that would make 1299 Beacon Street an extra story below grade.

Sincerely Yours,

A handwritten signature in cursive script that reads "Charles Heinberg". The signature is written in black ink and is positioned above the printed name.

Charles Heinberg

Trustee, 1295-1298 Beacon Street LLC

COOGAN, SMITH, MCGAHAN, LORINCZ, JACOBI & SHANLEY, LLP

ATTORNEYS AT LAW

144 BANK STREET - P.O. BOX 2320

ATTLEBORO, MASSACHUSETTS 02703

(508) 222-0002

FAX: (508) 226-3448

DATE: July 15, 2008

TO: Dr. Charles Heinberg

FAX NO: 781-784-5522

PHONE NO:

RE: Beacon St. Brookline

FROM: Attorney Timothy J. McGahan

MESSAGE: We enclose draft copy of correspondence to the Building Commissioner for your review and comments.

Please call following your receipt and review.

Thank you
Timothy J. McGahan

9 PAGES TRANSMITTED (INCLUDING COVER SHEET)

This telecopy may be attorney-client privileged and may contain confidential information intended only for the person(s) named above. Any other distribution, copying or disclosure is strictly prohibited. If you have received this telecopy in error, please notify us immediately by telephone, and return the original transmission to us by mail without making a copy.

TJM@coogansmith.com

FAX: (508) 226-3448

July 15, 2008

VIA FAX (617-739-7542)
and EMAIL (Michael_Shepard@town.brookline.ma.us)

Michael W. Shepard
Building Commissioner
Building Department
333 Washington Street
Brookline, Massachusetts 02445-6853

Re: Anticipated Application for Building Permit to
Erect Fence Along Property Line Between Property
Located at 1295-1297 Beacon Street and 1299 Beacon Street,
Application to be Submitted by Allston Brighton LLC as
Owner of Property of 1299 Beacon Street, Brookline, MA

Dear Mr. Shepard:

Please be advised this office represents Charles Heinberg,
Manager of 1295-1297 Beacon Street, LLC (hereinafter
"Heinberg/Beacon LLC"), a Massachusetts limited liability company
which owns the property located at 1295-1297 Beacon Street in
Brookline.

Our client has recently received correspondence from the
attorney representing Brighton Allston Properties LLC
(hereinafter "Brighton Allston LLC") which owns the property at
1299 Beacon Street, informing our client that the Brighton
Allston LLC owner intends on erecting a fence along the northerly
property line dividing the Brighton Allston LLC property line and
our client's property. A copy of the correspondence from
Attorney Kenneth Hoffman at Holland & Knight is enclosed with
this letter and marked EXHIBIT 1.

I have also enclosed with this correspondence a copy of Land Court Plan No. 24318A, which is marked as EXHIBIT 2 and I have highlighted in yellow the anticipated location of this fence based upon the information set forth in Attorney Hoffman's letter.

My purpose in writing this letter to you is to advise you that should a building permit be issued by the Town of Brookline allowing the erection of the fence along the northerly property line between the Brighton Allston LLC property and our client's property, the effect of such a fence will be to barricade two (2) means of emergency egress from our client's property and will also severely impact in a negative way a third means of emergency egress from our client's property, thus creating a potential situation that could be catastrophic in the event of a fire or other natural disaster which required exiting our client's building through any of these three (3) means of emergency egress.

Our client currently has three (3) commercial tenants in its building and on average there are approximately 50 persons in our client's building during the course of a work day. I am sure you will agree that from a safety issue standpoint, it would be absolutely imprudent for Town of Brookline officials to allow the erection of such a fence if in doing so these means of emergency egress were barred, impeded or barricaded.

In speaking today with the Town of Brookline Fire Prevention Bureau, they concur that any fence erected on the Brighton Allston LLC property must not be constructed in such a way so as to impede the free and clear opening of our client's emergency egress doors. Furthermore, no situation can be allowed to exist that would preclude persons exiting these egress doors, in the event of an emergency, from thereafter being able to find their way to a safe area away from the building. to street.

By locating the fence along the property line as we anticipate the Brighton Allston LLC property owner will attempt to do, two (2) of the emergency egress doors in our client's building will not be able to be opened freely and fully. The proximity of the fence will cause these doors to come in contact with the fence, thereby preventing persons in our client's building from exiting through these doors in the event of an emergency. The Heinberg/Beacon LLC's emergency egress doors have been constructed and in place for a minimum of 25 years, and the prior owners of the Brighton Allston LLC building never objected to the location of these emergency egress doors.

As I am sure you are aware, back in 2000 there was a tragedy which occurred in Chestnut Hill, Massachusetts, resulting in the

Important

Name?

1 1/2 hours escape

Notified for special permit

death of five (5) persons when a building located at 200 Boylston Street burned. These deaths were due, in part, to a situation where means of emergency egress were barricaded. I have enclosed a recent article from the Lowell Sun which reflects on this horrible tragedy. Certainly, no one wants a similar situation to occur.

Our client would not object to the location and construction of this fence sufficiently away from the Brighton Allston LLC property line so as to allow our client's emergency egress doors to open fully and freely, without any obstruction, and so as to allow persons exiting these doors in an emergency to distance themselves from the building. *to street*

If you would like to meet with our client at its property so that you can view the situation which would exist should the anticipated fence be erected on the property line, you will be able to see for yourself how emergency means of egress from our client's building will be physically impeded or prevented. Our client's schedule is flexible, and we can arrange to meet at a date and time that is convenient for your schedule.

As of this date, we have not been informed that a building permit application for this fence has been submitted, although from the correspondence enclosed as EXHIBIT 1, the Brighton Allston LLC's attorney has indicated that it would be submitted approximately thirty days after the date of his letter (June 16, 2008). I respectfully submit that for the reasons set forth above, any such building permit application for this fence, if it is located along the northerly property line between Brighton Allston LLC's property and the Heinberg Beacon LLC property should be summarily denied by your department.

Please call me if you have any questions, require any additional documentation from our client, or if you would like to set up a meeting to view the properties involved in this situation. Thank you for your attention and cooperation in this matter.

Very truly yours,
1295-1297 Beacon Street, LLC,
By its attorneys,

Timothy J. McGahan, Esq.
Coogan, Smith, McGahan, Lorincz,
Jacobi & Shanley, LLP

TJM/emt

cc: Charles Heinberg, Manager
1295-1297 Beacon Street LLC
Kenneth B. Hoffman, Esq.
Barry Ringler, Building Inspector
Attorney Jennifer Dopazo, Town Counsel

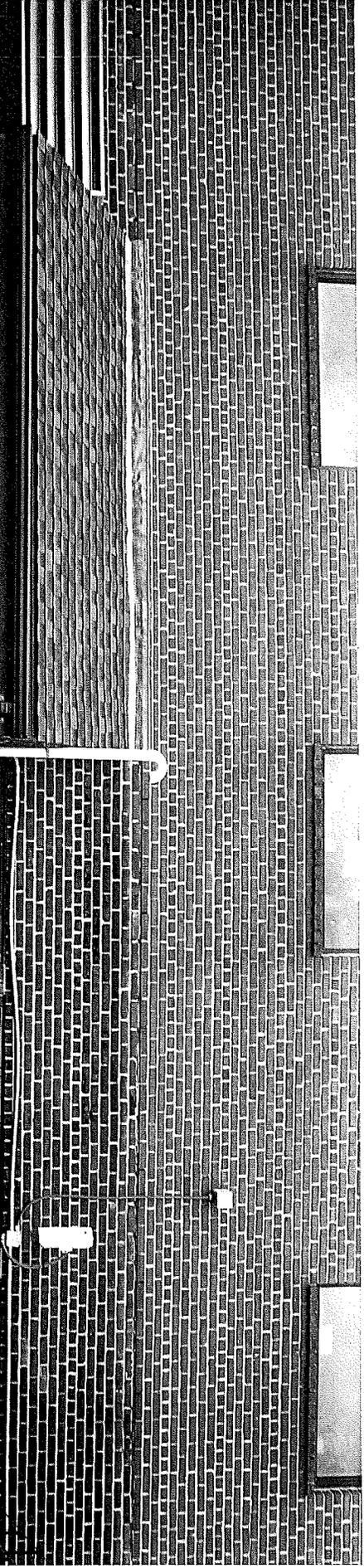
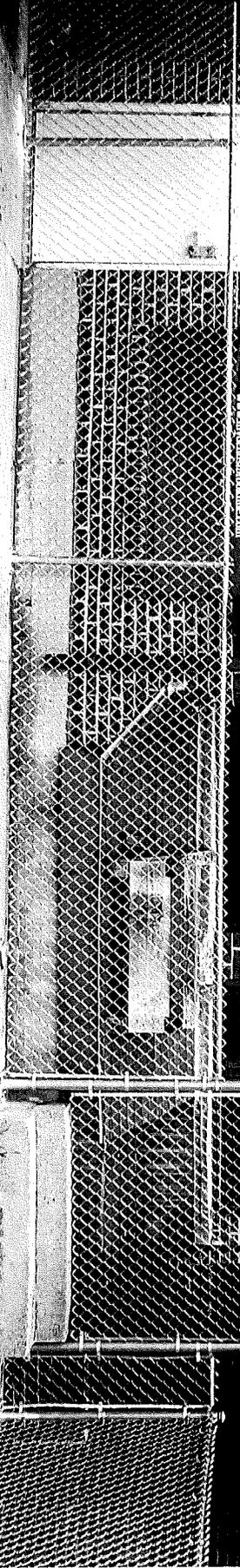
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MY DENTIST

Earl Leach, DDS, DMD & Jeff Leach, DDS, DMD
Henderson Henderson
Entrance On Beacon Street
Tel: 617-566-1524
Fax: 617-566-1514
www.earl-leach.com





WWW.D
F 7



**Dr. Charles Heinberg
On behalf of
1295-1297 Beacon Street, LLC
Coolidge Corner Yoga
And others**

Tel. (781) 864-0854

fax (781) 344-4343

August 14, 2016

1299 Beacon Street Faulty and Unsafe Design

Board of Selectmen
Brookline Town Hall
333 Washington Street
Brookline, MA02445

The following is a short history of the predicaments that 1295-1297 Beacon Street might not survive.

In the early nineteen forties the Brookline ZBA, gave approval for a building at 1295-1297 Beacon Street **with three 2nd means of egress exiting over private land.** Soon after the approval, the building was constructed.

About 1953, the owners of 1299 Beacon Street went before the Land Court. As a result the **land became certified, with the Town not objecting.** Now the **egresses were exiting over certified private land** and the owners of 1295-1297 Beacon Street had **no valid 2nd means of egress.**

I purchased 1295-1297 Beacon Street in 1979, and a year later I was issued a building permit, to cut a doorway through the basement wall for a **new invalid 2nd means of egress exiting over certified private land.**

A couple of years later I was issued building permit to complete the 2nd floor. This permit required me to put in a fire escape that **traversed over certified private land,** and as a result I now have another **invalid 2nd means of egress.**

Around 2004-2005 the era of Raj Dhanda came into play, and I learned the hard way about certified land.

He made it quite clear that he wanted my property and he started to make life difficult. He started to talk to my tenants, telling them that he was going to buy my property, which was news to me. I offered him a like kind exchange deal, through my broker. He laughed in the broker's face. He wanted the property for next to nothing.

Raj then started threatening Verizon saying he was going to cut the telephone and cable wires going over his property. In the end Verizon moved the wires over the Post Office land and then to my building.

After that squeeze did not work, he was pushing to put a fence on the property line, which would block **all 2nd means of egresses**. At that point the only thing I could do was put in a sprinkler system. Michael Sheppard worked with me and delayed the fence permit until the sprinkler was complete. In the end when Raj came for the permit, Michael Sheppard (the Building Commissioner), told him "not until your neighbor finishes the sprinkler". Raj's answer was "he can't do that" knowing what it meant.

If Raj has it his way, there will be no 2nd means of egress.

The Fire Department made it quite clear, the fence would not stop them from saving lives, but a building structure is in a different category all together.

I don't want people dying on my watch. Every time I see what Raj has done, I have dreams of the 5 people that died because there was not a functioning **2nd means of egress**.

Make safety a priority, and require legal and valid **2nd means of egress**.

Sincerely Yours,



Dr. Charles Heinberg,
Manager of 1295-1297 Beacon St., LLC

Roberta G. Sydney
on behalf of KS Company Trust
1309 Beacon Street (Trader Joe's and others)
And
On behalf of Harvard & Beacon LLC
1319 Beacon Street (Bank of America and others)
Brookline, MA 02446

Board of Selectmen
Brookline Town Hall
333 Washington Street
Brookline, MA 02445

August 12, 2016

RE: Grave concerns about the 1299 Beacon Street Proposed 40B Project

Dear Sirs:

As the longstanding owner of two adjacent properties at 1309 Beacon Street and 1319 Beacon Street, this letter is to express grave concerns about the size and scope of Raj Dhanda's proposed 40B mixed use development at 1299 Beacon Street. In short, we feel that his proposed plan is neither well designed nor suitable for the size and shape of the 1299 Beacon Street site.

HEIGHT AND SCALE OF BUILDING IS OUT OF STEP WITH NEIGHBORHOOD

A 14 story building is an enormous structure and out of scale with the Coolidge Corner neighborhood and all adjacent and nearby buildings. This proposal of a heavily massed 14 story structure that lacks articulation and set-backs is more than three times the neighborhood height of surrounding buildings towering over other buildings, none of which is greater than four stories. Both of our buildings conform to zoning code and are in keeping with the neighborhood. This proposed plan is out of scale with both.

TRAFFIC AND CONGESTION

The traffic that will be created by 108 residential units above two stories of retail with 178 parking spaces served by elevator lifts is excessively large and burdensome. The area around that site is already congested, and this proposed development would effectively create a roadblock and jam the streets as cars, trucks, and other service vehicles enter and exit the property. At certain hours, due to the extreme surface street congestion, our tenant, Trader Joes, hires off-duty Brookline Policemen to assist with traffic flow into and out of the lot at 1309 Beacon Street. The surrounding streets can not accommodate the level of additional traffic contemplated by a project of this magnitude. The proposed plan is not feasible.

NARROW SITE SHAPE CREATES ACCESS AND PARKING CHALLENGES THAT ARE POORLY ADDRESSED

The 1299 Beacon Street parcel is narrow, which creates automobile and delivery truck access and parking challenges. Instead of a traditional underground garage ramp with no mechanical parts that can fail, the developer's proposal contemplates car elevators and stacker lifts, mechanical devices that can

and do break down—which will only create more congestion and vehicular jams on Brookline Streets when these situations arise. This congestion problem will be further magnified with truck deliveries and trash pickups on the proposed 1299 Beacon Street development program, and trucks attempt to turn around on narrow one-way Sewall Avenue and back into the narrow site and station themselves on the site's far left side for these purposes.

ONE WAY SEWALL AVENUE NOT SUITABLE FOR MAGNITUDE OF BACKING UP AND TURNAROUNDS

The delivery, moving, and trash trucks will be unable to easily navigate the site access proposed by developer. This area is highly congested, and traveled by walkers with small children and strollers, along with elderly folks using canes and walkers. The multiple vehicle back-ups and traffic could create pedestrian and bike confusion, leading to accidents due to tightness of the space. Site access needs to be thoughtfully redesigned.

WIDTH AND TURNING RADIUS PROBLEMS DUE TO POOR SITE DESIGN AND INADEQUATE CIRCULATION

The narrow width and turning radius of the proposed development site traffic flow creates access and site circulation challenges, which will create backups on the proposed development site, and on Sewall, Longwood, and potentially Harvard Street. Adequate turning conditions and access for emergency vehicles, like ambulances and fire trucks to the proposed site has not been considered either. The site circulation needs to be thoughtfully redesigned.

- Moving Trucks
- Commercial/Retail Delivery Trucks
- Ambulances
- Firetrucks
- Trash storage and removal
- Fedex/UPS daily deliveries to residential customers of on line packages (Amazon, etc.)
- Pickups by Cabs, The Ride, UBER, Lyft and other ride-sharing services

INSUFFICIENT SURFACE PARKING TO MAKE THE PROGRAM WORKABLE

Developer has very limited surface parking in his program, which will create more congestion and back-ups on the streets of Brookline impairing our tenants access to the properties at 1309 and 1319 Beacon Street, and make both the residential and retail experiences difficult for his tenants.

INCONVENIENT AND NON-WORKABLE UNDERGROUND PARKING WILL IMPEDE ACCESS FOR OUR TENANTS

Parking lifts/car elevators and car stacker systems are cumbersome mechanical systems which sometimes fail. Any delays will layer cars one behind the other and onto the Brookline Streets and would create a back-up on Sewall Avenue and Longwood Avenue and potentially Harvard Street, complicating access to our sites at 1309 Beacon Street and 1319 Beacon Street. The proposed underground parking program needs to be redesigned.

POACHING PARKING AT OUR PARKING LOTS DUE TO LACK OF EASE TO PARK AT 1299 BEACON

We are also concerned that potential residents and customers of the proposed development will “poach” parking at our 1309 Beacon and 1319 Beacon Street lots since people will prefer an easy drive into a parking lot rather than wait to access a parking stacker via a car elevator system, human nature being what it is. This will overburden our very busy parking lots, and is unfair to us and to our tenants’ customers.

LOT LINE

The plans would suggest that the 1299 Beacon Street building would not be built to abut the property line at 1309 Beacon Street. We would like clarification on this point, since our 1309 Beacon building is built to the lot line abutting 1299 Beacon Street

TRASH AND DELIVERY USES POORLY PLANNED OR UNPLANNED

Being long-standing commercial property owners and operators, we understand how important it is to locate trash compactors in appropriate places, screen them well, do pest prevention for food waste, and the like. The developer seems to have omitted plans for trash, and seems to think that trucks will be able to turn around on one-way Sewall to back into a narrow delivery spot on the left rear of the site. This plan will create major backups on Sewall and Longwood and the developer should rethink and redesign these two important site needs.

LIFE SAFETY ISSUES IMPEDING SWIFT ACCESS TO LONGWOOD MEDICAL AREA

Longwood Avenue is a key axis to the Longwood Medical area. We bought out the row of parking meters from the Town of Brookline on Longwood Avenue in front of Brueggers a number of years ago and together with the town, worked to eliminate those few parking spaces, and to create a second lane of traffic. This enabled us to streamline a left turn lane into the very highly visited Trader Joe’s parking lot so that life safety vehicles could flow freely in the right lane. The traffic backup on Sewall and Longwood as cars and trucks wait to turn in to the proposed development would thwart medical vehicles that use this corridor to reach the Longwood Medical Area. Furthermore, delivery trucks routinely station themselves in the no parking area despite prominent signage, and block this right travel lane. This will likely continue due to lack of enforcement. A development of this scope at 1299 Beacon Street would further exacerbate the non-enforcement problem, and complicate and impede swift ambulance trips.

LOSS OF ANCILLARY PARKING TO TRADER JOES DUE TO THE MAGNITUDE OF THIS DEVELOPMENT

Our long-standing tenant, Trader Joe's, would lose 20 ancillary parking spaces that it has enjoyed renting from the developer and using for overflow customers for many years on the 1299 Beacon Street site.

CONCERNS ABOUT VIABILITY OF PROPOSED RETAIL SPACE CONFIGURATION

The narrow and excessively deep shape of the retail space is not typical, and will present marketing challenges for the developer. We are concerned about his ability to lease retail space with those dimensions and fear the impact of vacancy on Beacon Street or selection of substandard tenancy to fill the space. The second floor similarly shaped retail space presents even greater lease-up challenges. A different approach to building massing would help address these issues.

FLEXIBILITY OF RETAIL TO ACCOMMODATE CHANGES THROUGH THE YEARS

The plan does not adequately contemplate multiple types of retail tenancy over the life of the building. For example, at 1309 Beacon, over the years since we built it in 1985, we have leased to a wireless phone store, a game store, a furniture store, a lighting store, a bank ATM, a prepared food emporium, and now rent our retail space to Trader Joe's and 16 Handles, which sells frozen yogurt. The site design, circulation, pest control, and trash needs of each of these uses has been accommodated by our location because the site design, trash and delivery concerns, vehicle access, and circulation, were well thought out and structured. We would suggest that the proposed development has not contemplated nor planned for these issues, and suggest that the developer retool his plan and does the same, since change is a constant in retail concepts.

OTHER IMPACT ON OUR TENANTS—REQUEST DEVELOPER REVISE PLAN TO ADDRESS NEIGHBORING BUILDINGS AND THEIR USES

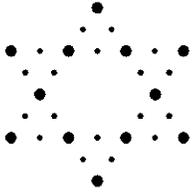
- Potential harm to the functionality of ATT cell tower antenna tenant on the 3rd floor at 1319 Beacon Street due to the massing and height of proposed development
- Impact on 1309 Beacon Street 2nd floor tenants rear patios and loss of enjoyment (view)
- Back-ups will create congestion and impede Bank of America ATM drive through and regular bank customers who would have difficulty accessing the parking lot and drive-through
- Complication and congestion from 1299 Beacon's potential delivery and residential moving trucks would impede the deliveries and trash and surplus food pickups (Loving Spoonfuls for homeless shelters) that occur multiple times daily for Trader Joes.

For all of these concerns, as longstanding owners of commercial property in the Town of Brookline who work hard to be good neighbors, we vehemently oppose the proposal as designed, respectfully request that the Board of Selectmen take a stand against this poorly conceived huge development project that is too large, functionally cumbersome, and presents burdensome and unsafe circulation, traffic, and parking conditions. We further suggest that the developer scale back and redesign his program to solve site access, circulation issues, and address the neighbors and the associated traffic already in existence.

Very truly yours,



Roberta G. Sydney
Trustee, KS Company Trust
and Manager, Harvard & Beacon LLC



TEMPLE SINAI

A vibrant, progressive community

August 31, 2016

Rabbi

Andrew D. Vogel

**Assistant Rabbi for
Engagement**

Shoshana Meira Friedman

Rabbi Emeritus

Frank M. Waldorf

Education Director

Heidi Smith Hyde

Executive Director

Linda Katz

Cantorial Soloist

Cherina Eisenberg

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Caroline Potter

Neil Wishinsky, Chairman, Board of Selectmen

Alison Steinfeld, Director, Planning & Community Development Department

Town of Brookline

333 Washington St

Brookline, MA 02445

To the Board of Selectmen:

We are writing to express Temple Sinai's grave concern about the building project being proposed at 1299 Beacon Street. We are strongly opposed to this construction.

The project, a 108 unit, 14 story building, is completely out of scale with the rest of the Coolidge Corner neighborhood. The height, size, and density of the structure will change the character of the area and exacerbate the existing congestion problems in what already is a crowded and busy district.

More importantly, we have significant safety concerns about the project. In addition to our own school, Sewall Avenue is the access point for both the Traders Joe's market and for the trucks and cars used by the central Brookline Post Office. The street is already very crowded and difficult for ambulances and fire trucks to navigate. This new construction would worsen an already serious problem.

As we understand it, the new construction at 1299 Beacon would also include a two story garage housing more than 170 cars -- accessed from Sewall Avenue. It is our understanding that a loading dock would also be on the Sewall Avenue side of the 1299 building. So in addition to car traffic entering and exiting the 1299 garage, there will also be delivery trucks and trash for us to contend with. Sewall Avenue is too small to manage the number and length of the postal trucks. It cannot accommodate additional delivery vehicles on this small one way street. The street is so small that it will be impossible for a delivery truck to back into or turn into the loading area designated on the plans.



50 Sewall Avenue, Brookline, MA 02446-5238

office 617.277.5888 • fax 617.277.5842 • school 617.277.5883

office@sinaibrookline.org • www.sinaibrookline.org

The only entrance to Temple Sinai's Religious School building is located on Sewall Avenue, a very short distance down the street from the proposed entrance to the 1299 parking garage and the loading dock. Temple Sinai has 332 member families, over two thirds of whom are Brookline residents. Over 160 children attend our school, from little children in kindergarten through elementary school to grade 10. We also rent space to several other schools, including several programs for toddlers and their parents.

We are most concerned about the safety and security of those children. We feel this project puts the safety of the students coming to school and of our members at risk. At the present time, it is impossible to walk on the sidewalk along Sewall that borders the back side of the post office since the portion in front of the post office is frequently blocked by parked trucks and cars.

Congestion is already a problem - both on the sidewalks and on the street. The load of additional cars traveling down Sewall Avenue or waiting to get into the garage cannot be supported by a narrow one-way street like Sewall Avenue. And while it is a big positive that there will be elder units in the building, then these same elders, as well as other elders attending our synagogue, will have greater difficulty navigating this sidewalk.

While Temple Sinai certainly supports the concept of affordable housing, we are all obligated to provide a safe environment for the children of our community. The negative impact of this wholly unsuitable project on Sewall Avenue and its potential for seriously undermining the safety of Temple Sinai's Religious School students and members cannot be minimized.

Please do not put our children, our members, and the members of the community at risk! We urge you to contact state officials to deny approval for this project.

Sincerely,

Nora Abrahamer
President

Linda Katz
Executive Director
officially representing the Temple Sinai community

Cc: Maria Morelli, Brookline Planning Department

From: Joyce Zakim [<mailto:joycezakim@gmail.com>]
Sent: Monday, August 29, 2016 11:25 PM
To: Neil Wishinsky
Cc: Alison Steinfeld; Stephanie Orsini
Subject: Safety Concerns - 1299 Beacon Street

August 29, 2016
Board of Selectmen
Brookline Town Hall
333 Washington Street

Brookline, MA 02445

Dear Mr. Chairman and Honorable Members of the Board:

I am the owner of a condo at 30 Longwood Avenue. My daughter, Shari Zakim, lives there. The reason I purchased in this particular building for my daughter is that Shari is a wheelchair user. Coolidge Corner, and particularly this address, is an extremely accessible location for her. There are many people who use wheelchairs living in this section of Coolidge Corner.

One concern that I have always had is the traffic from Trader Joe's when customers cross Sewall Avenue. There is often a steady flow of customers crossing Longwood and Sewall Avenues. My concern is that a driver rushing along may not see someone at the wheelchair level. It is already congested during the day and, in fact, Trader Joe's already hires off duty police officers to manage the traffic flow.

Between the post office and Temple Sinai's congregants, Sewall Avenue is often blocked with cars double and triple parked, as well as vehicles pulled over onto the sidewalk. People in wheelchairs have to move out into the street to avoid these vehicles. The addition of 108 units with 178 vehicles is a daunting prospect to me. The developer's parking plan involves valets using elevators and the delivery plan is that trucks will use the Sewall Avenue entrance. I worry about Shari and others crossing through all of that traffic.

Although I support bringing affordable housing to Coolidge Corner, the traffic issues in this 40B proposal will surely cause safety hazards to all the citizens in the area, most especially for wheelchair users. I encourage you to reject this proposal. It is clearly a threat to safety and accessibility in the area.

Thank you.
Sincerely,
Joyce Zakim

cc: Ms. Alison Steinfeld, Director, Planning and Community Development Department
Ms. Stephanie Orsini, Town of Brookline

August 21, 2016

To Whom It May Concern:

My name is Lisa Rabinovitz and I live at 30 Longwood Ave. I have cerebral palsy and use a power wheelchair every day. Getting around the streets of Brookline is difficult on a good day. I have become aware of the plans to build a large apartment building with retail space on some of the lower floors with the parking garage emptying on to Sewall Ave. The thought of this terrifies me. I can only envision trucks lined up on Sewall Ave., an already narrow street filled with traffic on a daily basis and post office trucks and cars using the sidewalks as an additional place to park. With the addition of delivery trucks of all sizes parking on the street and worse parked up on the sidewalk my right to safe passage disappears. Am I supposed to cruise down the street actually out on the street? The thought of this sends chills up and down my spine. I ask that whoever makes the decision as to whether this project goes forward think about the people who rely on clear sidewalks for safe passage and vote not to allow this monster to invade our neighborhood.

Sincerely Yours,

Lisa Rabinovitz

Victor E. Darish
30 Longwood Avenue, Unit 402
Brookline, MA 02446

August 30, 2016

Mr. Neil Wishinsky, Chair
Board of Selectmen
333 Washington Street
Brookline, MA 02445

Dear Mr. Wishinsky

My wife and I have lived at 30 Longwood Avenue for 16 years. The back of our building is on Sewall Avenue. We have two doorway entrances as well as a garage entrance and driveway on Sewall Avenue.

There are two major problems with the proposed 1299 Beacon Street project... SAFETY and TRAFFIC CONGESTION. The Town of Brookline is very familiar with the safety and traffic issues that plague Sewall Avenue. That is one of the reasons why they recently denied Mr. Raj Dhanda a permit to construct a hotel on his property located on both Sewall Avenue and Beacon Street. Now Mr. Dhanda is trying to use Chapter 40B as a loophole to circumnavigate Brookline's zoning requirements.

SAFETY ISSUES

The Post Office's loading docks are located on Sewall Avenue. In order for the postal trucks to position themselves on such a narrow street, they have to turn their vehicles onto the sidewalk across the street. This creates an obvious safety issue for pedestrians.

Every weekday morning the letter carriers load bundles and trays of mail into their private cars. Because the Post Office has no parking spaces, they double park on the street blocking traffic.

Temple Sinai doesn't have any parking spaces. Cars double and triple park in front of the Temple. They also park on the sidewalk on the opposite side of the street. This creates a very dangerous safety issue for the children who dart in and out of the street trying to get in and out of their cars during drop-off and pick-up times. Due to cars blocking the roadway the traffic often gets backed up all the way to Longwood Avenue. Unfortunately, I was not able to photograph the traffic congestion at Temple Sinai because their various school programs and activities are not in session this week.

Emergency vehicles as well as pedestrians have difficulty passing the congestion on this very short and narrow street. Pedestrians including children, handicapped people and individuals in wheelchairs sometimes have to navigate in the street because the sidewalks are blocked by cars and trucks.

TRAFFIC ISSUES

Vehicles driving south on Harvard Street are not allowed to turn left onto Beacon Street. Therefore, they cross Beacon and then turn left on Longwood, then left on Sewall and then left again onto Charles Street to finally be able to access Beacon Street. Charles Street, which is a very short street, is a two-way street entering from Beacon (but only about halfway) and is a one-way street entering from Sewall. The traffic light cycle where Charles intersects with Beacon is very brief. It allows only about four cars to pass during its green light cycle. This results in traffic backing up onto Sewall.

Again, this section of Sewall Avenue is a very short and congested. It currently has difficulty handling the existing traffic. It could not handle any additional traffic generated from 108 apartment units, 178 cars, their visitors, vendors, service people, etc.

The area of Sewall Avenue where Mr. Dhanda wants to build his high rise building is the only section of Sewall Avenue that is one-way. Cars are frequently seen driving up the street the wrong way. This is especially dangerous when they reach Longwood Avenue as cars are turning into Sewall and pedestrians are crossing in the crosswalks.

According to Mr. Dhanda's plans residents will not be permitted to park their own cars as a mechanical lift system will be used inside the two story garage. The residents will have to rely on two valet parking attendants during the day and one at night to park their cars. Cars will be forced to wait their turn on Sewall which will further back up street traffic.

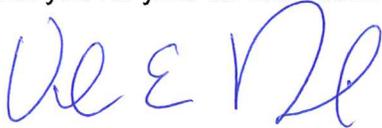
Mr. Dhanda's plans do not show where handicap parking would be located.

Trader Joe's generates a tremendous amount of traffic. They regularly hire a Brookline police officer to help direct traffic on Longwood near the intersection of Sewall.

If construction were to occur, where would all the construction equipment and vehicles be located? There is absolutely no room on Sewall Avenue or Beacon Street.

Please examine the attached photos. They show some examples of what I have described.

Thank you for your consideration of the matter.



Joy and Victor Darish

Cc: Ms. Alison Steinfeld, Director
Dept. of Planning & Community
Ms. Nancy Daly, Board of Selectmen
Ms. Nancy Heller, Board of Selectmen
Mr. Ben Franco, Board of Selectmen
Mr. Bernard Greene, Board of Selectman

Post Office

Temple Sinai

30 Longwood
Charles St

Seaton St.

1299 Property

Trader Joe's



Longwood Ave

Sewall Ave
(one-way section)



Bicyclists and pedestrians.

Notice broken sidewalks caused by parked trucks.



The ONLY section of Sewall Avenue that is one-way is the very short section between Longwood Avenue and Charles Street. This is the section of Sewall Avenue where the proposed project would be constructed. Many cars come down the street the wrong way making it dangerous for pedestrians and for cars turning onto Sewall from Longwood. It also makes it difficult for cars going the correct way to safely pass the cars going the wrong way.



There is very heavy traffic on Sewall Avenue as well as heavy traffic turning onto Sewall Avenue from Longwood Avenue. Because the road is so narrow, trucks regularly park on the sidewalk making it very difficult and dangerous for pedestrians. Two pedestrian entrances as well as the garage entrance for 30 Longwood is located on Sewall Avenue. There are two individuals living at 30 Longwood who use wheel chairs. They specifically chose to live at 30 Longwood because of its convenient and safe access to Coolidge Corner amenities.



Every day postal letter carriers severely block traffic while loading mail into their personal cars.



This very short section of Sewall Avenue is the only portion that is one way. Vehicles enter from Longwood Avenue. Cars also try to enter into the traffic from driveways that are located on both sides of the street.

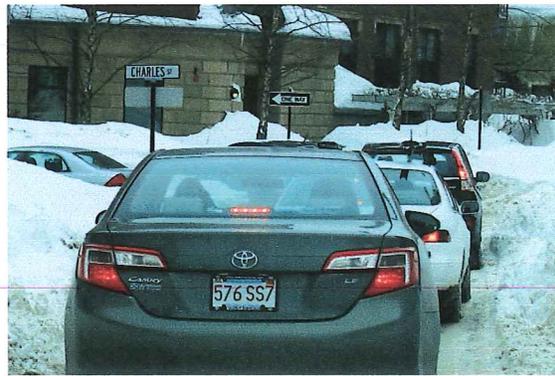


View of 1299 Beacon Street (Neena's) property from Sewall Avenue.



View of Sewall Avenue from 1299 Beacon Street (Neena's) property.

There is a beautiful old tree that may be on Town property.



Because the postal trucks are permitted to park on Sewall Avenue all night as well as on weekends and holidays, the town plows are unable to plow the snow to the curb. They can only make a single pass down the street. This small, one way section of Sewall Avenue between Longwood Avenue and Charles Street remains a bottleneck all winter long.

Stacy Berloff
30 Longwood Ave., Unit 104
Brookline, MA 02446

August 23, 2016

Chairman Neil Wishinsky
Brookline Board of Selectmen
333 Washington Dt.
Brookline, MA 02445

Dear Chairman Wiskinsky and Members of the Board:

I am writing to you because I just learned there is a 14-story building being proposed in the space that is currently occupied by 1299 Beacon St. and its corresponding parking lot that abuts Sewall Ave.

I have been a resident of 30 Longwood Ave. since 2000 – the year it was first occupied. 30 Longwood Ave. sits at the corner of Longwood Ave. and Sewall Ave. and the side of our building is directly across the street from the proposed new building. I live with my parents. The reason my parents purchased in this building was in order for me to live in a safe environment where I can be as independent as possible. You see, I am a person with a disability and use a power wheelchair. When I am able, I go around town with my Service Dog, Billy.

I love Brookline. I know when I go out people will not be staring at me. I am not the only person using a wheelchair, or a service dog, or with a disability. There are lots of people in my neighborhood who have disabilities. The diversity of my neighborhood and the feeling of being safe allow me to be happy where I live.

As I am sure you know, Sewall Ave. is already a street that is overburdened with vehicles. I can't tell you how many times I have been in the middle of the crosswalk and a car comes barreling down one-way Sewall Ave. going the wrong way, or people jockeying for a parking space start backing up almost hitting me. Because both private cars of postal workers and the mail trucks have insufficient space in the post office lot, they park, and double park along Sewall Ave.

Then there are the parents who are dropping off or picking up their children from programs that are held at Temple Sinai. They already double park, very often blocking the driveway into our building.

All of this congestion results in delivery trucks parking along the sidewalks on both sides of Sewall Ave. Where that is merely unsightly or inconvenient for most pedestrians who are forced to walk on the grass to get around them, for me it is extremely dangerous. It forces me either out into the street or having to go down a block only to cross the street in the opposite direction of where I wanted to go.

The thought of doubling the amount of traffic on Sewall Ave. by a building that will have 108 apartments, retail space, and 178 parking spaces, truly frightens me. As people are coming home from work in the dusk or dark and are tired and anxious to get into their garage, will they see me in my wheelchair if I am in the crosswalk as they are turning onto Sewall Ave.? What about the delivery trucks? When we first moved here the post office used 18-wheelers to deliver the mail to their facility. They used to turn onto the lawn of 51 Sewall. When 51 Sewall was developed and a wall was put up around the property, the 18-wheelers no longer had enough space to back into the post office loading dock, so for a while they started turning into our driveway which was not constructed to hold that kind of weight; and because Sewall Ave. was never designed to handle that size truck, they would often leave their truck parked in the middle of our drive and run over to the post office to have someone move the vehicles in their lot so they could back up. This means we were trapped in our garage. How is it going to work to have moving vans and additional delivery trucks trying to back up on a street and into a loading dock that has already been proven to be impossible?

I can't tell you how many times, because either mail trucks or lines of double parked cars were blocking our driveway, I've been late for doctor appointments. In addition, I often use The Ride, and the drivers have a very difficult time finding a safe place around my building to pick me up.

I can't imagine how this size building that depends so much on access via Sewall Ave. can possibly work. All the difficulty I have encountered over the years will be so very much worse. Not just for my own safety and quality of life, but for the safety and quality of life of all the other pedestrians who regularly use my neighborhood, both folks with and without disabilities, I beg you to please deny this building.

Sincerely,

Stacy Berloff

Cc: Allison Steinfeld
Stephanie Orsini

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 determination 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.

Fred and Evelynne Kramer
30 Longwood Avenue
Apartment 401
Brookline, MA 02446

August 23, 2016

Board of Selectmen
Brookline Town Hall
333 Washington Street
Brookline, MA 02445

Dear Sirs:

We have been citizens of Brookline since 1978 and have lived at our current address in Coolidge Corner for 13 years. We have serious reservations about the development plans proposed for 1299 Beacon Street, which is directly across Sewall Avenue from our building.

These reservations arise from the proposed scale of the project that will adversely affect the character of Coolidge Corner and have potentially severe impacts on the safety of persons using Sewall Avenue.

A 14-story building shoehorned into a small, irregular lot will tower above its neighbors most of which are 2 or 3 stories on Beacon Street and 4 stories on Sewall Avenue. Recent new buildings in the area have conformed to Coolidge Corner zoning practices. This one does not even approach the existing standards. According to the plan, this massive 14-story building fronting on Sewall will have a set back of only 10 feet. Much of this will be taken up by two driveways - one for cars entering the building's garage and one for trucks backing into a loading platform.

Let us look a little more closely at the traffic patterns that this configuration presents. Sewall Avenue is a narrow, one-way street with limited parking on one side only. There already is significant congestion on the street because the post office, which abuts the proposed development, engenders traffic from official postal vehicles and from personal vehicles used by mail carriers to pick up mail from the facility. The proposed building at 1299 calls for a loading area abutting the existing Post Office driveway. Only small delivery vehicles -- about the size of the typical postal delivery vehicle -- will be able to back in to the 1299 loading area easily. Anything larger will have difficulty negotiating that turn without running onto the sidewalk of 30 Longwood. Even going up on the sidewalk will require more time than simply backing a small vehicle into that area. This has the potential to jam up Sewall, backing traffic onto Longwood Avenue. It would only take 6 or 7 cars waiting for the truck to back in to make this occur.

This same kind of backup along Sewall Avenue would occur if cars wanting to use one of the 178 spaces in 1299's proposed garage had to wait for the operators of the 2 car lifts in the garage. According to the plan, there are no ramps for cars to drive directly to their assigned parking spots. What if one of the car lifts in the garage fails? It would take only 5 cars waiting on

Sewell Street to get into that garage to back traffic up to Longwood. Imagine the problem at rush hours. Since Longwood Avenue is a key ambulance route to the Longwood medical area, backup from 1299 parking could have serious consequences for those going to the hospital.

Similar backups could occur when trash carters remove garbage and recycling containers. The plans do not indicate how the trash from 2 levels of retail and 108 apartments will be handled. Will they use dumpsters? If so, where will they put them for convenient pickup? The plans do not indicate a storage space for trash for the number of businesses and apartments planned. Where would they put them? 108 apartments can generate lots of trash and recyclables.

But let us consider some safety consequences of such a large building's affect on traffic. The sheer volume of traffic on Sewall Street would increase markedly. Even if the mechanical lifts in the garage work as they are supposed to, 178 spaces will generate more traffic. All of it will be sent down Sewall past the post office and past Temple Sinai, which has an active religious school and activities for other children's groups from the community, some of which are not affiliated directly with the temple. The sidewalks in this area are only the standard width. Additional traffic adds to the risk.

These problems may be alleviated by drastically scaling back this project, severely cutting the number of parking spaces, and creating a ramp for entry to and exit from a much smaller parking operation.

In short, we think the 1299 project as proposed is too large and will have an negative impact on Coolidge Corner. We hope the Board of Selectmen will fight to cut this project done to a more reasonable scale.

If you would like clarification of the points raised in this letter, please contact Fred directly at 617-731-5109 or fkramer766@aol.com.

Sincerely yours,

Fred A. Kramer

Evelynne H. Kramer

From: Alan Agresti [<mailto:alanagresti@gmail.com>]
Sent: Sunday, August 21, 2016 12:19 PM
To: Neil Wishinsky
Cc: Stephanie Orsini; Alison Steinfeld
Subject: Proposed building at 1299 Beacon Street

Board of Selectmen
Brookline Town Hall
333 Washington Street
Brookline, MA 02445

To the board:

We are writing to convey our very deep concerns about the proposed 40B mixed use development at 1299 Beacon Street. It was quite a shock to us to hear about a proposed structure that is completely out-of-scale with the surrounding Coolidge Corner neighborhood. This building, with its size and amount of traffic it would bring to a small street, would seriously adversely affect the safety of residents and irrevocably alter the character of a historic neighborhood.

We live in unit 101 at 30 Longwood Avenue, a four-story building at the corner of Longwood Avenue and Sewall Avenue, across the street from the proposed building. Sewall Avenue is a one-way street that already suffers from overcrowded conditions because of the presence of a U.S. Post Office with multiple trucks and traffic exiting the nearby Trader Joe's. In fact, Trader Joe's regularly employs the services of safety officers to direct the traffic in and out of its parking lot. The traffic on Sewall can make it difficult, and at times dangerous, for residents of our building to drive out of our garage onto Sewall Avenue. It is also often a challenge to cross Sewall Avenue as pedestrians on our way to the bus stop and Green Line stop nearby at the corner of Beacon and Harvard streets. Allowing such a development will add severely to these already existing serious safety concerns. It is impossible to envision how this could possibly be accommodated safely.

The proposed structure, with a footprint that encompasses much of the existing parking lot and extends to the lot line, would have 108 residential units and 178 parking spaces. We can only imagine the continual flow of cars, delivery trucks, and various service vehicles such as garbage trucks that would burden an already overly-crowded narrow street that was never designed for such a volume of traffic. The traffic on Sewall Avenue would often face congestion backups with the proposed building, because of the small surface space for vehicles at the property and the car elevators that would be used in the building to handle the parking of residents' vehicles.

A building of this size, with its height and footprint, would be completely out of character with the neighborhood around it. Much of Coolidge Corner's charm comes from its human scale, consisting mainly of two-, three- and four-story residential and commercial businesses. Nothing anywhere near this size has been build in Brookline in the past generation. Allowing it would result in a severe change in the character of the neighborhood and in the day-to-day safety of those of us who live nearby. We strongly urge that this proposed development be turned down.

Thank you for hearing our concerns.

Sincerely,
Alan Agresti and Jacalyn Levine
#101, 30 Longwood Avenue, Brookline 02446

From: Cindy Cheng [mailto:cynthia0114@gmail.com]
Sent: Thursday, September 01, 2016 9:50 AM
To: Neil Wishinsky
Cc: Alison Steinfeld; Stephanie Orsini
Subject: Proposed project on 1299 beacon street

I am the resident on 30 Longwood ave, I am writing to raise my concerns about the proposed construction of a 14 story, 108 unit apartment building at 1299 beacon street. This building will be across the street from our building on Sewall Avenue, which is an one way street, I am concern the traffic this building will be adding to the already busy streets by Coolidge corner. I am also concern about the safety alert this could bring to this neighborhood. I am a parent raising two little boys, we chose to live in Brookline for its safe, convenient yet not as compact and busy as down town back bay to raise my children. With this project, I can't help but think about all the people who will rush in, it definitely will increase safety issues.

I oppose the project and hope our concern will be considered.

Sincerely,

Cindy Cheng

From: Cindy Goldstein [<mailto:cbgoldstein@comcast.net>]
Sent: Monday, August 29, 2016 12:42 PM
To: Neil Wishinsky
Cc: Alison Steinfeld
Subject: 1299 Beacon Street- proposed development

August 29, 2016

Dear Chairman Wishinsky,

I am writing to express my concerns about the proposed 40B development at 1299 Beacon Street. I am a resident of 70 Sewall Avenue and have lived in the Coolidge Corner area for over 40 years.

Simply put, a 12 story, 108 unit, 183 parking space plus retail development is too massive for the lot and neighborhood, architecturally out of character, and a potential traffic and safety hazard in an area that is already dangerous for both pedestrians and vehicles.

As you may be aware, the plans show the parking entrance to the proposed building on a short, one-way section of Sewall Avenue that is currently often congested. Activity at the post office rear parking area spills over onto the street with truck and car loading and unloading at all hours of the day and night. Temple Sinai uses its side and front entrances for drop-off and pick-up of children for various programs during the day and some evenings. Trader Joes shoppers exit the parking lot and turn onto Sewall and Charles Street to access Beacon Street. I have often had to walk in the street on Sewall Avenue while cars and trucks are temporarily parked on the sidewalk. Charles Street, also a heavily used, partially one-way street, can be a danger to pedestrians trying to cross it as cars from Sewall come around the corner at too high speeds.

Sewall Avenue continues past Charles Street as a two-way block and is used as access to St. Paul and Beacon Streets, backs up with cars and trucks attempting to make a left or right turn onto busy St. Paul Street, and is often partially blocked by trucks using the loading dock for 50 Longwood Avenue.

If there is another street in the Coolidge Corner area that is less suited for a development of this size with its inherent problems and hazards, I would like to know where it is. Brookline needs more affordable housing, but this project is not it.

Sincerely,

Cindy Goldstein
70 Sewall Avenue, Unit 4
Brookline, MA 02446

From: Daniel Stover <daniel.g.stover@gmail.com>
Sent: Sunday, August 28, 2016 9:20:05 PM
To: Neil Wishinsky
Subject: 1299 Beacon

Dear Mr. Wishinsky,

I wanted to write to express my concern regarding neighborhood safety due to the proposed building at 1299 Beacon Street.

I live at 55 Sewall and our family have been Brookline residents for 13 years. We have seen the growth of the neighborhood, stores come and go, buildings be built. Ultimately, Brookline has continued to grow and the traffic on Sewall has progressively gotten worse. I am concerned about the remarkable density increase implicated in the proposed building at 1299 Beacon.

I have a one year old son who has just started walking. Crossing Sewall Avenue toward Beacon has some safety concerns already. There are no stop signs from Longwood to St. Paul and cars often come through the intersection of Sewall and Charles well above the posted speed limit. Further, street parking is invariably always full due to US postal workers in combination with existing residents. In addition, the Temple at the corner of Sewall/Charles often has children being picked up or dropped off.

With the proposed building at 1299 Beacon, we would anticipate a significant increase in traffic along Sewall Avenue. Although the proposed building provides some underground parking, visitors and residents who elect to park on the street would further complicate an already busy street. From a safety perspective, additional traffic and parked cars - which impede the vision of drivers coming down Sewall - will increase the danger for the many children we have living in our (and nearby) buildings.

Far beyond any other concerns that this building raises, the safety of the children in our neighborhood - including my son - is paramount. Such a marked increase in density raises serious concerns regarding the safety of Sewall Avenue. I implore you and the Selectmen to consider blocking this proposal on safety grounds.

Thank you for your consideration.
Sincerely,
Daniel Stover
55 Sewall Ave, Apt 1C.

The substance of this message, including any attachments, may be confidential, legally privileged and/or exempt from disclosure pursuant to Massachusetts law. It is intended solely for the addressee. If you received this in error, please contact the sender and delete the material from any computer.

From: Sparrow, David [mailto:David.Sparrow@va.gov]
Sent: Wednesday, August 31, 2016 2:33 PM
To: Neil Wishinsky
Cc: Alison Steinfeld
Subject: Development at 1299 Beacon Street, Brookline

To whom it may concern:

As I exit from the garage (condo of 30 Longwood Ave) onto Sewall Avenue I never know what to expect but the situation ranges from chaotic to sometimes just busy. I anticipate that this area of Sewall Avenue will worsen if the development of 1299 Beacon Street goes forward and may decrease safety substantially. There are just too many pedestrians and cars. There is a range of traffic conditions ranging from speeding cars to dismally slow progress, often due to traffic impedance from double parking (post office workers, Temple Sinai drop offs and pickups).

Thank you

David Sparrow

30 Longwood Avenue #301

Brookline, MA 02446

From: Detlev Suderow [<mailto:dsuderow@comcast.net>]
Sent: Thursday, August 25, 2016 11:24 AM
To: Neil Wishinsky
Cc: Alison Steinfeld; Stephanie Orsini
Subject: Re. 1299 Beacon St.

Chairman Neil Wishinsky

Brookline Board of Selectmen

333 Washington Dt.

Brookline, MA 02445

Dear Chairman Wiskinsky and Members of the Board:

I am a resident of 70 Sewall Avenue and I am writing to you regarding the proposed 14-story building being proposed in the space that is currently occupied by 1299 Beacon St.; and it's corresponding parking lot that exits onto Sewall Ave.

As I am sure you know, Sewall Ave. is already a street that is overburdened with vehicle traffic because:

1. High traffic from Trader Joe's that often requires a police presence to manage the congestion.
2. High traffic from individual post office workers packing their individual cars for deliveries much less the volume of mail deliveries from trucks that enter and exit there regularly.
3. Temple Sinai parents who are dropping off or picking up their children from programs that are held there. Visitors already double park all along Sewall Ave. and very often block the driveway into our building.

Sewall Avenue allows parking on one side. The remaining street is so narrow that two cars can barely pass each other. I can't tell you how many times residents in our building almost got into an accident from people speeding down Sewall Avenue trying to avoid the Coolidge Corner congestion.

I can't imagine how this size building, and the unbelievable number of rental units, that depend so much on access via Sewall Ave. will not become a nightmare and a very dangerous traffic situation. The Sewall Avenue traffic is already risky and often dangerous.

Sincerely,

Detlev Suderow
70 Sewall Avenue, Unit 7
Brookline, Mass.

Aug 22, 2016

Re: 1299 Beacon St Proposal

Dear Mr. Wishinsky,

As Chair of the Brookline Board of Selectmen I wanted to tell you that I have grave concerns about the proposed project at 1299 Beacon Street. I live at 70 Sewall Ave and know first hand how congested the traffic already is on Sewall and how unsafe it can be where Neena's is. Since it is a one way street between Longwood and Charles people go much faster than if it were two way. They speed past Neena's parking lot and quickly turn onto Charles Street at all hours of the day. You practically take your life into your hands crossing Charles at Sewall because of the curve and peoples hurry. I do this daily. Added to that you have the children's classes right there at Temple Sinai. When the children are being dropped off or picked up the congestion is even worse and more dangerous. To possibly add a building with 100 residential units and two floors of commercial space on the site of Neena's lot would be too much for our already overburdened traffic pattern to bare. Thank you for your time.

Sincerely;

Hana Drew
70 Sewall Ave
Unit 2
Brookline, MA 02446

From: Ellen Beth Suderow [mailto:eblande@comcast.net]
Sent: Tuesday, August 30, 2016 11:17 PM
To: Neil Wishinsky; Alison Steinfeld
Subject: Proposed development at 1299 Beacon Street

Dear Chairman Wiskinsky and Members of the Board:

I am a resident of 70 Sewall Avenue, Unit 7, and I am writing in regards to the proposed 12-story building at 1299 Beacon Street with projected parking entrance/exit on Sewall Ave. I am concerned about the impact of an additional 180+ cars on the pedestrian and vehicular congestion on Sewall Avenue for the following reasons:

- 1) The parking access to the proposed building would be directly between two highly trafficked areas - the Post Office loading docks and the Trader Joe's parking lot. The short stretch of Sewall Avenue between Longwood and Charles Street is already a pedestrian and driving challenge. Post office trucks are often double (and triple) parked - requiring pedestrians (many of whom are elderly) to walk in the center of the road and do their best to avoid on-coming traffic.
- 2) Throughout the day access to the Trader Joe's parking lot is clogged with cars approaching from two directions – necessitating security guards directing traffic – as well as shopping carts and pedestrians with strollers, canes, walkers and motorized wheelchairs.
- 3) In addition, the location of Temple Sinai on the other side of the post office compounds the traffic back-up on Sewall as parents drop-off and pick-up their children from afternoon school.
- 4) Sewall is a one-way street from Longwood to Charles Street — the site of the proposed entrance to the 1299 Beacon garage. Parking is often taken up with Post Office trucks, making the street very narrow and difficult for two lanes of traffic to pass, and even more difficult for pedestrians. Between Charles Street and St. Paul, Sewall is narrow with parking on one side. I am frequently unable to see the street when I exit my driveway, as vision is often blocked by parked trucks, delivery vehicles and construction vehicles.

I am at a loss to imagine how the area could live with the dramatically increased traffic, congestion and safety concerns for any residential population, much less one with a high porportion of elderly and infirm residents. They are brave enough to get on with their lives as it is! Don't make it even harder

Thank you

Ellen Beth Suderow
70 Sewall Ave., Unit 7
Brookline, MA 02446

70 Sewall Avenue, Apt. 5
Brookline, MA 02446
617-232-5087
kwexler@elaine.com

August 31, 2016

Commonwealth of Massachusetts
Boston, MA

Re: Neena's Site
Beacon Street
Brookline, MA

To Whom It May Concern:

I am a 35 year resident of Brookline currently residing on Sewall Avenue.

I am writing to you regarding the proposed 40B Development at the Neena's Parcel in Coolidge Corner, Brookline.

As a developer and contractor, I am a strong believer in managed, sustainable, and thoughtful development. The proposed project does not meet any of these goals.

A 103 unit apartment building with (2) floors of retail and 183 parking spaces will overwhelm the commercial and residential neighborhood.

In addition, the traffic generated would seriously impact both Sewall Avenue & Charles Street. Between cars speeding down Sewall Avenue to avoid Coolidge Corner, the Post Office trucks and employees parked on the street and sidewalk, the drop off and pick up of children at Temple Sinai and the Traders Joes' traffic, Sewall Avenue is already an unsafe street and is hazardous to pedestrians.

I respectfully request that the Commonwealth does not approve this project. The project that should be developed in that location should be constructed in accordance with Brookline's Planning & Zoning requirements.

Very truly yours,



Kenneth N. Wexler

From: michele russell [<mailto:michelerusselleinhorn@gmail.com>]
Sent: Sunday, August 21, 2016 12:31 PM
To: Neil Wishinsky; Alison Steinfeld
Cc: lkshivdasani@gmail.com; ramesh.shivdasani@dfci.harvard.edu; Malcolm L Russell-Einhorn; Linda Katz
Subject: proposed development at 1299 Beacon St.

August 21, 2017

Neil Wishinsky, Chairman

Board of Selectmen

Town of Brookline

333 Washington St

Brookline, MA 02445

To the Board of Selectmen:

We are writing to express our serious concerns about the building project being proposed at 1299 Beacon Street. We are strongly opposed to this construction.

The project, a 14 story building that would be the tallest in Brookline, is proposed to be built between Beacon and Sewall Avenues. It would sit between the Trader Joes and the US Post Office—Temple Sinai is next to the US Post Office.

We live in the Victorian on Sewall Avenue (51 Sewall) that is next to the condo development at 30 Longwood that faces directly across from the driveway and parking lot of 1299 Beacon.

Sewall Avenue is a narrow one way street. It is currently a traffic and safety nightmare. Cars use it as a cut through from Longwood to Beacon. Customers from Trader Joe's park on the street, as even the overflow lot in Neena's Lighting (the planned site for this 14-story tower) isn't sufficient to handle all of the parking. Meanwhile, the US Post Office does not have enough space in its lot and: 1. parks its trucks on Sewall; 2. employees park their cars on Sewall; 3. large postal trucks park on the sidewalk as there is nowhere else to park; 4. large postal trucks drive into the areas across the street in order to turn and back into the post office's small delivery area; and 5. at times during the day when postal employees and trucks are packed up for deliveries, the street is often blocked up.

On top of this, Temple Sinai has a school and has services and other activities resulting in additional traffic coming to pick-up and drop off members. Double parking is routine on Sewall. In addition, not a day passes when someone drives the wrong way up single-direction Sewall. Moreover, pedestrians sometimes cannot walk on the north side of Sewall where the post office is now because the trucks park over the sidewalk; this is frequently dangerous for children and disabled pedestrians in particular. We should add that the sidewalk on the south side of the street has also become more hazardous as delivery and service vehicles pull up on this stretch of sidewalk due to the unavailability of any other places (which not only cause impediments to pedestrians, who are forced onto the street, but break up the pavement on the sidewalk; the sidewalk is now beginning to crumble in several places, creating an uneven surface). Perhaps most alarming, ambulances and fire trucks have sometimes been stuck in traffic on this street—something that becomes even more hazardous during snowfalls.

It is on this street that the developers are proposing to build a 14 story building that will accommodate 174 cars that will access the building via Sewall Avenue. The problems above would clearly become worsened with the addition of a very large number of residents, service aides, vendors, and others entering and exiting the new development on already burdened Sewall Avenue. It borders on insanity to think that this street, with its current character, could accommodate anything more than an additional few vehicles on a regular basis.

This audacious, out-of-proportion development shows a clear disregard for the residents and businesses on the street, and for the residents of Brookline as a whole, many of them frequent pedestrians on Sewall and Longwood Avenues. Most disturbing, it shows a ***total lack of acknowledgement of a traffic and safety situation that is well known to the owner of the property who himself has attended meetings in the Town concerning the traffic and congestion caused by the postal trucks.*** Something this large, with perhaps 150 new permanent residents (there are 108 units proposed and it is fair to assume that some could have more than one person), simply does not belong in this location.

We urge you to contact state officials to deny approval for this project.

Sincerely,

Michele and Malcolm Russell-Einhorn

51A Sewall Avenue

Brookline, Mass 02446

617-872-1558

michelerusselleinhorn@gmail.com

m.russell-einhorn@umb.edu

From: Peggy Morrison [mailto:prmorrison@verizon.net]
Sent: Tuesday, August 23, 2016 9:53 PM
To: Neil Wishinsky
Cc: Alison Steinfeld; Stephanie Orsini
Subject: Proposed Development of 1299 Beacon Street

Dear Mr. Wishinsky

Although I am delighted by efforts to increase the supply of affordable and elderly housing in Brookline, I am deeply concerned about the impact the proposed development on the Neena's property will have on the already unsafe and congested traffic on Sewall Avenue from Longwood Avenue down to St. Paul Street. Presently, the combination of cyclists turning from Harvard Street onto Longwood Avenue, cars using the Trader Joe's parking lot, post office trucks parked on the sidewalk on both sides of the street and tradesmen' vans servicing the existing residential buildings constitute a danger to drivers and pedestrians alike. Temple Sinai sponsors activities seven days a week with children and adults walking and being dropped off outside of 9-5 business hours. Strollers, people using walkers, and family groups often have to walk in the street because of cars parked on the sidewalks, broken sidewalks, or existing driveways. The additional traffic generated by the new building will exacerbate this hazardous situation. Sewall Avenue simply does not have the capacity to absorb the additional activity that a building of the projected size would create.

Peggy Ann R. Morrison
70 Sewall Avenue
Unit 3
Brookline, MA 02446

From: Lisa Kiele Shivdasani [<mailto:lkshivdasani@gmail.com>]
Sent: Thursday, August 18, 2016 8:46 PM
To: Neil Wishinsky; Alison Steinfeld
Subject: 40B Project at 1299 Beacon Street

Dear Chairman Wishinsky and Director Steinfeld,

We want to thank you and the Board of Selectmen for listening so attentively to the community's serious concerns this week regarding the development of 1299 Beacon Street, as proposed.

After the hearing, we reached out to our longtime friend and colleague, Senator Dan Wolf, for advice on navigating this issue toward a final product that fits better with our community's ideals. Dan suggested that we contact you in order to understand more fully with which stakeholders at the state level the community's efforts will be most effective. For example, does the Housing Authority, a legislative committee, or some other office hold the key?

Perhaps there is a simple answer to this question. If not, may we request a brief discussion on this topic, at your convenience, with you, a Board Member, or the Town's Dept. of Planning? Sen. Wolf is most interested because, like many members of our community, he is also a proponent of affordable housing. As we would all want to see the best possible project move forward, we look forward to your response.

With many thanks and kind regards,

Ramesh & Lisa Shivdasani
51B Sewall Avenue
lkshivdasani@gmail.com

From: Roger Goldstein [<mailto:rngoldstein@comcast.net>]
Sent: Sunday, August 28, 2016 8:27 PM
To: Neil Wishinsky; Alison Steinfeld
Cc: Ken Wexler; Detlev Suderow
Subject: Response to 1299 Beacon Street proposal

August 29, 2016

Mr. Neil Wishinsky, Chair
Brookline Board of Selectmen

Re: 1299 Beacon Street Proposed Development

Dear Mr. Wishinsky:

I am a resident of 70 Sewall Avenue, writing to express my concerns over the proposed development at 1299 Beacon Street, aka the Neena's property. Although our building is less than a block from the development site, we had not received any direct notification about this project, and learned about it from our neighbors. I have a number of significant issues with the development as currently illustrated in the documents submitted by the proponent and CBT Architects, and feel that it is much too large and fundamentally ill-conceived for this site. I should also point out that I am an architect with forty years of experience.

Bulk and Massing: the proposed project, at 12 stories, is nearly four times the height of abutting properties, and would apparently be one of the tallest buildings in Brookline. This site in Coolidge Corner is completely inappropriate to accommodate such a large building. I believe that the 40B guidelines published by the Commonwealth cite compatibility with adjacent and nearby structures as a threshold criterion, and the proposed project fails utterly on that count. There is nothing in the proposed design that I could label as "compatible" in its context. If it were reduced to, say five stories, it might be more palatable.

Parking, Traffic Capacity and Vehicular Circulation: Sewall Avenue would clearly be the primary street serving the building's residents and their cars. This is another fundamental problem, because that section of Sewall, between Longwood and Charles Street, is already heavily congested for much of the day. The Post Office is one primary source of this congestion, as their trucks (and their workers) are parked right at the bend in the street, often straddling the curb, making walking hazardous. Second, Temple Sinai generates both foot and vehicular traffic due to its school and weekly services. Third, the removal of Trader Joe's overflow parking (in the Neena's lot) will intensify the traffic problems that already exist at the market.

While the idea of stacked parking and valet service might be a useful amenity, I am confident the sheer quantity of cars being addressed in this proposed development—that is, the throughput of the valets handling cars at peak times—will result in added backups of cars onto Longwood and Sewall. Again, this street network is already strained by existing loads. We cannot allow this many cars to be added to these streets.

Finally, I want to point out that Coolidge Corner, as a transit-served neighborhood, would be an appropriate place to drastically reduce the amount of parking being provided by new developments.

That is one of the fundamental tenets of what is called “transit-oriented development.” Even if 108 housing units were to be deemed appropriate on this site (which I feel they are not), a parking ratio of, perhaps, 0.5 parking space per unit would make more sense. The residents should be using the T or renting Zipcars. In short, Sewall Avenue cannot handle the volume of 183 additional cars from 1299 Beacon Street, without exacerbating an already hazardous condition.

Building Program and Design: I seriously question the viability of second-floor retail on this site. Not only is the visibility from the street essentially non-existent (and the density of retail in Coolidge Corner is lower than it should be to justify such an approach), but I question how it will be serviced, since the proposed loading dock looks undersized. Where is the dumpster? Where will delivery vehicles park while loading/unloading? How can these activities not interfere with the current and ongoing traffic in this area?

The building’s elevations don’t help the developer’s case. The size of the architectural gestures actually emphasizes its oversized bulk. Though, to be sure, there is no way to hide its actual 12-story height, no matter how the architects delineate floors or groups of floors. The building is simply too big—a literal “blockbuster.”

Accessibility: After reviewing the plans, I don’t see any accessible parking as required by the ADA; even if 40B developments may be exempt from compliance with Mass. AAB regulations, the garage needs several accessible spaces as well as van parking. It isn’t at all clear that the proposed stacking/valet system can even accommodate accessible parking. I would also imagine that many of the prospective occupants of this building would be older, thereby increasing the likely demand for accessible spaces.

I want to summarize by being as direct as I can. I feel that Coolidge Corner can handle sensitive, properly-scaled development that fits properly into the context. However, the developer and the architects of this proposed development should be embarrassed by its size, height, bulk and design. To propose something so clearly over-scaled—by a factor of 3 to 4—on this site is ludicrous and indicates a level of arrogance and greed that I find appalling.

Please reject this project as proposed.

Regards,
Roger Goldstein, FAIA
70 Sewall Avenue, Unit 4
Brookline, MA 02446

The substance of this message, including any attachments, may be confidential, legally privileged and/or exempt from disclosure pursuant to Massachusetts law. It is intended solely for the addressee. If you received this in error, please contact the sender and delete the material from any computer.

From: Sondra Gotkin [<mailto:sgotkin@comcast.net>]
Sent: Thursday, September 01, 2016 8:36 PM
To: Alison Steinfeld
Subject: 1299 Beacon Street Project

Dear Ms. Steinfeld,

I am an elderly woman residing at 64 Sewall Avenue with mobility issues and vision problems.

I am able to walk around my neighborhood very slowly using a cane and usually with a companion.

The 1299 Beacon Street Project would directly impact my safety. The increased traffic congestion and influx of people would make navigating the sidewalks and crossing the streets extremely difficult, not to mention the hazards created from shadows from such a tall building.

I have lived in Brookline for over 50 years and moved to this area when I gave up driving so as to easily get groceries at Trader Joes, medicine at CVS, and enjoy a coffee at Peets ... all within walking distance.

For these reasons, I am vehemently opposed to the 1299 Beacon Street Project.

Thank you,
Sondra Gotkin
64 Sewall Avenue

1264 Beacon Street
Brookline, MA 02446
August 17, 2016

Subject: 1299 Beacon Street 40B proposal

Members of the Board of Selectmen:

We are writing to raise concerns about the 1299 Beacon Street 40B proposal for Beacon Street pedestrians that did not receive attention at the hearing you held on August 16. Public comment was highly critical of the proposal for many reasons. Much of the public comment was focused on traffic problems on Sewall Avenue. In its discussion, the Board did include some concerns about traffic problems that can be anticipated on Beacon Street. My focus is on the needs of pedestrians who use Beacon Street.

We have two related concerns. First, the proposed building will be directly at the foot of the crosswalk that connects the south side of Beacon Street to Pleasant Street. Second, the sidewalk in front of 1299 Beacon Street and the buildings to its east is narrow.

The sidewalk in front of 1299 Beacon Street and east to Charles Street is a total of 8 feet wide. However, because of utility poles and tree pits, the useable sidewalk for pedestrians is 4 to 5 feet wide. At the Pleasant Street crosswalk in front of 1299 Beacon, the sidewalk has a curb extension the width of a parking space.

In spite of the developer's intentions to direct building traffic to Sewall Avenue, the building will attract significant vehicle drop-off traffic on Beacon Street. Motorists will want to pull up directly in front of the building for drop-off purposes. The building will also attract emergency vehicles that will want to pull up in front of the building. Vehicles that stop directly in front of the building will block the crosswalk. Because of the curb extension, they will also be blocking one of two lanes of motor vehicle traffic. Blocking both a traffic lane and the pedestrian crosswalk with building-related vehicle loading and unloading is not an acceptable option.

To address the need for curb-side drop off space on Beacon Street to accommodate needs of 1299 Beacon Street, the developer is likely to propose that one or more parking spaces immediately east of 1299 Beacon Street be eliminated to create a loading zone.

The sidewalk at 1299 Beacon Street and to the east is already too narrow for the pedestrian traffic it carries. The proposed building will add significant pedestrian traffic to the South side of Beacon Street. The Town should be considering elimination of on-street parking on Beacon Street between 1299 Beacon Street and Charles Street to permit the widening of the sidewalk.

Any proposal from the developer to eliminate on-street parking to create a loading zone will be contested by pedestrian advocates who will advocate for a wider sidewalk.

Beacon Street pedestrian access and safety concerns give further reasons to discourage a large residential development at 1299 Beacon Street.

Sincerely,



Francis G. Caro
Town Meeting Member Precinct 10



Carol B. Caro
Town Meeting Member Precinct 10

August 24, 2016

45 Longwood Ave
Unit PHC
Brookline, MA 02446

Alison Steinfeld, Director
Brookline Planning Department
333 Washington St
Brookline, MA 02445

Re: 1299 Beacon St. proposal

Dear Ms. Steinfeld:

I am writing to urge you and the Planning Board to use every possible effort to reduce the scope of this proposed project. As proposed, it is simply too large for the site. While Section 40B allows developers to receive waivers from zoning requirements, the magnitude of the waivers requested here are outrageous and astonishing. According to the "Proposed Waiver List" included in the application (13_Proposed Waiver List.final.pdf) the floor area ratio is approximately 8.16, and the height is 165 feet compared to zoning limits of 1.75 and 45 respectively.

Given the massive size of the project, it is difficult to imagine how it could be constructed safely without extraordinary disruptions to the neighborhood. According to the drawings provided the building would cover almost the entire site. Once the first two floors are erected, there is virtually no space available to store construction materials and equipment. Presumably a tower crane would be used so the crane itself would be within the building footprint. However, the crane would need to lift the delivered materials off of trucks parked on Sewall Ave. (or Beacon St.). Given the heights to which the materials would need to be raised, safety concerns would probably require that the street be entirely closed to vehicles and pedestrians while materials are being unloaded. Again, given the massive size of the proposed building, requiring thousands of tons of building materials, it is not hard to imagine that Sewall Ave could be closed in front of the site for a year or more. At a minimum, the Planning Board should require the developer to provide estimates of how many truck trips would be required to deliver materials to the site and plans for the logistics of truck travel through the neighborhood streets as well as Brookline as a whole.

Once the building is completed, the 51 underground parking spaces proposed for retail use seem problematic. It appears that all parking will require valet service, that is the few street level spaces are intended as a holding area for the valets until the cars can be moved to the underground spaces. The Planning Board should request that the developer identify how many cars per hour should be expected at various times of the day and year for the 11,000 plus square feet of retail space planned and specify what valet staffing levels would be required to manage those parking rates. For example, if it takes a valet six minutes on average to load a car into the elevator, drive to a stacked parking space, stack the car and return to the street level, he/she could manage about ten cars per hour. It goes without saying that inadequate valet staffing will result in traffic backups on Sewall and Longwood Avenues exacerbating the backups that regularly occur at the entrance to Trader Joe's.

I am strongly opposed to this proposed building. I ask the Planning Department and the Planning Board to do all it can to prevent approval of this proposal. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "John J. Elder". The signature is written in black ink and is positioned above the printed name.

John J. Elder

August 24, 2016

45 Longwood Ave
Unit PHC
Brookline, MA 02446

Alison Steinfeld, Director
Brookline Planning Department
333 Washington St
Brookline, MA 02445

Re: 1299 Beacon St. proposal

Dear Ms. Steinfeld:

I am writing to you about my concern regarding the 40B project proposed for 1299 Beacon St.

I do not believe that the neighborhood can support the additional traffic and congestion that this project would bring to the area. Sewall Ave. behind the proposed building cannot even support the current traffic of the post office trucks and other vehicles plus the traffic for the temple and temple school/classes. There are often vehicles double-parked and parked illegally in this block.

The other equally concerning traffic problem is the two block area of Longwood Ave between St. Paul Street and Harvard Ave. There is so much congestion here already and the intersection of Longwood Ave and Sewall Ave is extremely dangerous for pedestrians and bicyclists. There are almost always cars backed up to enter Trader Joes causing backups along Longwood and Sewall. Drivers become angry and speed and swerve around other cars and do not always see the pedestrians.

Beacon Street in this block is only two lanes wide and could not support vehicles stopping to pick up and drop off mail, packages, and people.

The 1299 Beacon Street proposal is against all local zoning regulations. There are no buildings of this size in Coolidge Corner and I don't believe there are any of this height anywhere in Brookline. This proposed building does not fit in Coolidge Corner. It is just too large for an already congested area.

Of utmost concern though is how the traffic and safety of this area would be compromised.

I am strongly opposed to this proposed building and I ask the Planning Department and the Planning Board to do all it can to not allow this proposal to be approved. Thank you.

Sincerely,



Mary Beth Elder

Judy & Paul Kales
45 Longwood Ave #704
Brookline, MA 02446

August 30, 2016

Alison Steinfeld, Director
Brookline Planning Department
333 Washington St

Re: 1299 Beacon St.

Dear Ms.Steinfeld:

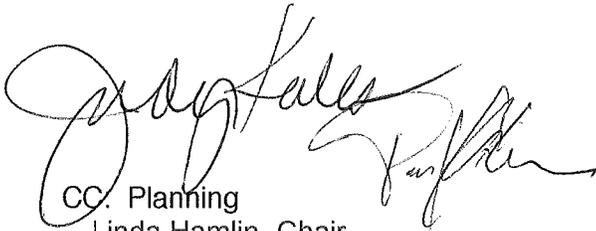
Please help. We are concerned about this proposed building. This block on Beacon is already busy. Between cars & trucks double parked, families & visitors walking... day-care kids hanging on to ropes, bikers and elderly people moving slowly. We want to be sure it stays safe.

The proposed building at 1299 Beacon street is massive and out of proportion to the area. It will cause increased traffic both automotive and pedestrian. The scale of this proposed building will totally change the characteristics of our neighborhood....Characteristics that brought us to Coolidge Corner and that we cherish.

Brookline desperately needs low/moderate income housing. That is a given. But to disregard local zoning regulations and create this amount of added congestion & traffic, seems to be too great a price.

With my deepest concern, I strongly urge the Planning Department and the Planning Board to work at revising the proposed design of 1299.

Thank You.



CC: Planning
Linda Hamlin, Chair
Robert Cook
Steven Heikin
Blair Hines
Sergio Modiglia
Matthew Ouden
Mark J. Zarrillo
Board Of Selectmen: Neal Wishinsky, Chair ✓

Maria Morelli

From: Janet Kolodner <KOLODNER@BELLSOUTH.NET>
Sent: Monday, July 25, 2016 11:50 AM
To: Maria Morelli
Subject: building at 420 Harvard St

Hello Ms. Morelli,

It has recently come to my attention that the developer who purchased 420 Harvard St. wants to put up a 6-story building. While the modern retail space and the affordable rentals would be wonderful, the building is too large for the property — both in footprint and height. The building will dwarf everything else in the neighborhood, not only because of its height but also because it will have so little set back. I worry, also, that there is not sufficient parking being planned for 36 units. I am opposed to allowing the developer to violate so many zoning rules; a much smaller building would be more appropriate.

I wonder, as well, whether the 8 affordable units will actually add significantly to the affordable housing options in Brookline; I see several very small studios planned for the building; each is barely large enough for a single person and certainly would not accommodate a couple or family. If the building is considered for rezoning, I'd like to know that the affordable apartments are more than just a tease.

Thank you.

Janet Kolodner
106 Naples Road #2
02446

August 17, 2016

45 Longwood Ave
Apartment 311
Brookline, MA 02446

Alison Steinfeld, Director
Brookline Planning Department
333 Washington St
Re: 1299 Beacon St.

Dear Ms. Steinfeld:

I was horrified to read about the 40B project proposed for 1299 Beacon St. At first, I thought it was a joke!

In the nine years that I have been living on Longwood Avenue, I have witnessed the mounting congestion in this part of Coolidge Corner.

Imagine being a pedestrian, an elderly person, a parent pushing a stroller. Danger lurks all around. Cars waiting to turn at the intersection of Longwood and Sewell. Emergency vehicles and other traffic zooming down Longwood on their way to the medical area. Delivery trucks and others double-parked along Longwood, blocking bike lanes and sometimes a whole lane. Lines of cars trying to turn into Trader Joe's, sometimes resulting in a two-block backup on Longwood.

Now imagine the congestion that would be added by the proposed building at 1299 Beacon street! Massive increases in traffic, deliveries and movers blocking Sewall Avenue. Fire trucks, police vehicles, and EMS vans unable to reach their destinations.

The 1299 Beacon Street proposal is against all local zoning regulations. In addition to the dangerous congestion it would cause, the size and height of the proposed structure would overwhelm the area. The character of Coolidge Corner would be destroyed.

With my deepest concern, I strongly urge the Planning Department and the Planning Board to resist this outrageous proposal. All of Brookline is counting on you!

Bea Mikulecky 

CC: Planning

Linda Hamlin, Chair
Robert Cook
Steven Heikin
Blair Hines
Sergio Modiglia
Matthew Ouden
Mark J. Zarrillo
Board Of Selectmen: Neal Wishinsky, Chair

45 Longwood Avenue
Brookline, MA 02446
August 27, 2016

To: Alison Steinfeld
Brookline Planning Department
333 Washington Street
Brookline, MA 02445

Re. Proposal for 1299 Beacon St.

Dear Ms. Steinfeld:

I am writing to urge that the Brookline Planning Board NOT approve the proposal submitted for construction at 1299 Beacon St.

This construction would constitute an increased **safety hazard** to pedestrians, bicyclists and automobiles that travel frequently on the portion of Sewall Avenue from Longwood Avenue to Beacon St. There is a large bend that juts out on this portion of the road, making it very difficult for motorists to see children and adults attempting to cross the street and for these pedestrians to see oncoming automobiles and bicyclists.

Compounding the problem is the fact that the corner of Sewall and Longwood Avenues is frequently a very congested area. Automobiles and pedestrians enter this intersection from 3 different directions. Increasing the amount of traffic entering Sewall Avenue would greatly impact **safety** in this area.

Thank you for your thoughtful consideration of this matter.

Sincerely yours,



Mary Mindess

Nancy L. Shafer
45 Longwood Avenue - Unit 511
Brookline, Massachusetts 02446

August 22, 2016

Alison Steinfeld, Director
Brookline Planning Department
333 Washington Street
Brookline, MA 02445

Re: 1299 Beacon Street

Dear Ms. Steinfeld:

I am writing as a concerned resident of the Coolidge Corner neighborhood - having lived at 45 Longwood Avenue for over 25 years. I am very concerned about the proposed 40B Project for 1299 Beacon Street. As anyone who lives in or frequents this neighborhood knows it is one of the most congested areas around - and allowing any new apartment buildings - let alone one of this size to be added into the mix is a potential for disaster.

As I understand it this proposed project violates all normal zoning regulations - and for good reason. To add over 100 apartment units in this small congested space will be a monumental safety concern and add to the already over congested neighborhood - 100 more cars daily - 100 more daily deliveries - 100 more visitor's cars daily - 100 more moving vans annually - congestion on all of the back streets - as well as on Beacon Street as 100 residents are being dropped off or picked up right in the middle of Coolidge Corner. It won't be safe to walk - or even to drive around our neighborhood any more! And this does not even take into account the police, fire, and emergency vehicles having a harder time navigating the streets to get to their destinations.

In addition to the safety and congestion concerns, a building of this size squeezed into such a small footprint in the middle of Coolidge Corner will be so out of place and overwhelm the area. It will detract from the area rather than add anything to it.

On behalf of myself and my fellow neighbors I strongly urge the Town of Brookline to deny this project at this location for the safety and well being of all.

Sincerely yours,



Nancy L. Shafer