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**50 Centre Street**  
**Brookline, MA 02446**

December 13, 2016

To the Brookline Zoning Board of Administrators

Dear Board Members,

The developer of the proposed 6-story structure at 40 Centre Street under 40B has failed to provide well thought through, detailed analysis of a number of important points about the project that have environmental and safety impact. Even the limited information that the developer has provided has come out slowly, over time, and typically remains incomplete and non-specific. The natural implications of the proposed numbers when estimating various impacts of these concerns have been not taken to their clear and inevitable conclusions. The consistent, unavoidable message of this tactic is that the developer intends to move this project along with a strategy best characterized, as “it is easier to ask forgiveness afterwards than to request permission beforehand.” Set out below is a fuller discussion of some of the points of impact that will be made if the current proposal for 40 Centre Street is permitted to go forward.

**1. Waste Management.**

An accurate estimate is that the 40 Centre Street proposed 6-story 40B project will generate 1 to 1 ½ tons of garbage every week.

Previous estimations have been based on a consideration that an average household in the United States generates 29-30 pounds of garbage/week. But this seriously underestimates the garbage that will be produced if this project is built as planned. Actually, the relevant reference number is that the average individual generates 4.3 pounds of waste (paper, plastic, glass, and food) per day (reference:

<https://center.sustainability.duke.edu/resources/green-facts-consumers/how-much-do-we-waste-daily> - from the Duke Center for Sustainability and Commerce.

This is consistent with the EPA and other estimates of 4.1 – 4.3 pounds of garbage generated, per person, per day in this country. While some of us leave home during the workday to generate some of this waste at school and work, others stay home all day and may generate more than the average (infants, for example or the sick homebound). Even if we allow that some of this daily waste will be generated outside of the home, we can still conclude that most (say, 25 of these estimated pounds/week) will in fact be generated and thrown away at home. How many people, then, will live in the proposed 6-story

building at 40 Centre Street in the estimated 42 units? One reasonable ‘underestimation’ would be that we should anticipate approximately 80 people living in the proposed structure. Those 80 people would then be expected to generate, as a conservative approximation, 2,000 pounds of paper, food trash, plastic, and glass each week. This is a low-ball weight projection, based on a conservative estimate of the number of potential occupants. The total waste produced could easily be more, and can be anticipated to exceed this on some occasions (for example, Christmas morning, Super bowl Sunday).

The proposed trash storage room at 40 Centre Street will not hold this amount of trash, even if compacted. The proposed trash pickup schedule is not practical or realistic. The present building design and proposed trash pick-up schedule do not allow for trash in this quantity to be accumulated, stored hygienically, or disposed of safely. Once the building is completed, our Town and the unsuspecting occupants of 40 Centre Street will be left holding the bag, quite literally. What guarantees do the Town and the immediate neighbors have that there will be room to house additional waste containers in the trash room at 40 Centre Street, should the Public Works Department deem them necessary once the building is occupied?

These considerations, as well as multiple other lines of evidence reinforce the impression that the proposed building plan is designed only to maximize profits for the developer, with blatant disregard for project development-related issues that are critical to the welfare of the Town, the neighborhood, and the individuals who will live there.

## **2. Noise Pollution.**

We have been told that 44 compressors will be located on the top of the proposed 40 Centre Street structure. There has been brief mention of the sound that a compressor generates, but no thoughtful consideration of the cumulative effect of 44 units all massed together. In the same way that we understand that the chorus produces a more powerful presence than the soloist, we can understand that a “chorus” of 44 such units represents a much greater sonic contamination than a single unit. Therefore, it is reasonable to not allow the developers to, once again, take a “wait and see” approach to sound dampening, but to require them to present a reasonable estimate from a sound engineer as to what the environmental impact of the compressors will be for individuals on the street or those like myself and the residents of nearby Winchester and Wellman Streets who will encounter the noise from their bedroom windows.

Another potential source of noise pollution will be the proposed parking stackers that will be used in what is essentially a screened parking lot on the ground floor level. The developer feigned ignorance of the manufacturer and model of the stackers he intends to use. Without that information, it is not possible to assess the noise those stackers will make and the disruption that noise will cause for residents of 40 Centre and for neighbors.

We have no true appreciation yet of what the environmental noise impact of the proposed site will be on neighbors – or how much of it, if any, can even be mitigated. It is not

unreasonable to ask that a specific, fact-based set of noise impact estimations be produced by the developer and by experts for the Town and distributed for comment.

### **3. Delivery Traffic.**

We have looked at the impact of the proposed structure from several aspects. I think that we are significantly underestimating the number of deliveries that will be made by Amazon, UPS, FedEx, the postal service, restaurants, pizza parlors, etc. to this new building, as we have not been given a reasonable estimate of how many individuals would inhabit this structure. The design offers no off-street parking for these deliveries or for businesses providing cleaning, plumbing, electrical work, elevator maintenance or other services to the residents. Given that parking is not permitted on the even-numbered side of Centre Street, the 40 Centre Street building will almost certainly have more impact on the neighborhood traffic flow and safety than the low-ball estimates of traffic to be generated by the building would suggest. And again, in some circumstances (weeks leading up to Christmas or Super Bowl Sundays, for example) there are reasons that the “average” traffic impact can be anticipated to be exceeded.

### **4. Environmental Impact – an additional consideration.**

There have been multiple requests for a realistic assessment of the impact on of the proposed structure on the fate of the trees currently gracing the side and back of the building. A detail that has not been mentioned is the fate of the single maple tree that is planted in front of 40 Centre Street. One has only to stand on the side of the property at 5, 10 or even 15 feet back from the sidewalk and look across to the other side to understand that it is almost inevitable that this tree will be an early and complete victim to any such significantly reduced setback. The developer knows where he wants his building to stand and yet he has failed to acknowledge this inevitability. Again, we might have only learned that this tree was doomed when the “permission granting” phase was long past and the only thing the Board would have left to demand of the developer would be an empty apology.

### **5. Oversized.**

As I understand it, the constraints of the Chapter 40B law are such that mere aesthetic considerations have no weight and that the ZBA is not able to consider aesthetics per se when considering a 40B proposal. With that understanding in mind, I wish to revisit the form of the proposed building. The present proposed structure is clearly designed to make the absolute maximum profits for the developer by turning as much of this parcel of property into building as is technically possible into rentable space, leaving as very little as possible for any other purpose. The 6-story height is the maximum that the developer can technically achieve with the particular cheap form of construction he intends to use. If he wished to go higher, he would have to engage in a very different economy of scale. Here is the real math of Centre Street. There are no other buildings with a setback even remotely as short as the one proposed by this design. There are a total of 24 separate structures on Centre Street between Fuller and Beacon Street. The vast majority of these buildings rise only 3 stories above their raised foundations. These are 3-story homes and some 4-story multi unit structures. There are only 3 structures on the length of this street that exceed 4 stories. These multi-unit buildings, including the taller ones, are generally

well-spaced and proportioned -- and all of them have substantial setbacks in front – equal to or exceeding those of the private homes. Several recent structures extend further than traditional homes towards the side property lines. But even these buildings have not violated the overall residential streetscape that is preserved by the 25-30 foot setback of most buildings. It is in this one feature that the character of Centre Street has so far been fully retained. In the initial presentation, the developer created a false analogy by introducing (irrelevant) numbers that distract from their intent to disrupt Centre Street's streetscape, by comparing their proposed setback to the very limited setbacks on nearby Beacon Street, which is not a residential street in this immediate area, rather than comparing it to other residential streets, or even the residential parts of Beacon Street outside of Coolidge Corner.

The truth is that Centre Street remains a residential Street, one of several that is a gateway into the larger residential areas surrounding Coolidge Corner. Centre Street's value to the neighborhood in part is related to its function and feel as a street of residences. The developer has chosen in many and varied ways to ignore this reality as he proposes to erect a structure that also ignores this reality. It is understood that, in general, the ZBA has been instructed to look away and told that it has to let the issues of aesthetics fall by the wayside. However, I propose that in this one area, the setbacks at the front and the back of this proposed structure (as well as the encroaching on the property lines on the sides), the design goes from being a question of aesthetics to being one of undesirable density and overuse of the site. The massing of the current proposed design is, finally, "a bridge too far." That is, the destruction of the setbacks in the front and the back is simply too much, too deviant from the environs, and so irreversibly destructive of the inherent cohesion and character of the streetscape.

The rear setback adversely impacts the environmental quality of the residents of 19 Winchester Street and will interfere with their quiet enjoyment of their property. The scale of this proposed 40 Centre Street building should be considered beyond the pale.

#### **6. Deviant Design, downstream effects.**

When the impact the proposed building will have on this area over the next decades is taken into account, the current proposal must be seen, ultimately, as a design that is so substantially deviant from the structure, composition and proportion of its longer-standing neighbors that the potential impact transcends the realm of aesthetics and enters the realm of public safety concerns— both directly in so many ways detailed above and elsewhere, but also less directly in that the planned building will substantially and irrevocably alter the equation of the streetscape and how community members live and commune here in near and longer future.

It is my hope that the Board would not accept the developer's vague generalities and untethered promises when responsible detailed analysis of easily anticipated future problems is critical for them to be able to take an accurate measure of the proposed project's impact. It is my hope you, the Board, will acknowledge that there is a limit, even within the constraints of 40B, that a project needs to bear at least some relationship to it's neighborhood in order for that neighborhood to continue.

We do understand that you, our Zoning Board of Administrators are substantially overburdened with work at this moment. Whatever project gets built on at 40 Centre Street will have a significant impact on this little part of Brookline for decades to come. In the roll out of this project you have been faced with a developer who has been consistently offhand and vague, obfuscating and delaying when he was asked to address these complex problems that will plague us here long after he has moved on. We ask that the Board, in it's gate-keeper responsibility, not accept the repeatedly half-sketched-in particulars that are repeatedly offered up defensively, not proactively, as reasonable a substitute for the professional due diligence that is owed to the future tenants and to the town of Brookline.

The important goal of 10% affordable housing units in the Town can be served in many ways. Ultimately it is not really served by a project that deviates so drastically from the neighborhood streetscape and so clearly present anticipatable risks of adverse impact on the present and future life and safety of the community into which it is placed.

It cannot be beyond the ZBA's authority to take a stand that reflects and protects the Town that it represents, and that makes clear that the present design is not only not in the Town of Brookline's self-interest but that it has deviated so far from the Town's and the neighborhood's interests that it should not be permitted to come into existence.

Sincerely yours,

Donald Sherak, MD, Resident of 50 Centre Street since 1997