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MELVIN A. KLECKNER
Town Administrator

September 16, 2014

Zoning Board of Appeals
Town of Brookline
333 Washington Street
Brookline, MA 02445

Dear Chairman Geller and Members of the Zoning Board of Appeals:

This letter responds to the revised plan that has been submitted by Chestnut Hill Realty (CHR) for the Residences of South Brookline in connection with its Chapter 40B application for a comprehensive permit. Your consideration of these comments and recommendations is appreciated.

Our overall position on this development has not changed since we submitted our initial comments to you on January 27, 2014 in connection with CHR's original application. We continue to "vigorously and unanimously assert that the proposed development of Hancock Village is poorly conceived and undermines the characteristics and underlying philosophy that establish Hancock Village as a well-planned community." We strongly disagree with the statement made by CHR's counsel that the revised plan is "good for the Town." We believe that the revised plan is not good for the Town, the abutting neighborhood, or the residents of Hancock Village itself. The design features of the massive apartment building and of the development located in the greenspace threaten the character of the surrounding single family residential neighborhood and jeopardize the historic integrity of the Garden Village plan that has existed for over three quarters of a century at that location. As you know, these issues are central to the Town's claims in the matter of Town of Brookline, et al v. MassDevelopment, et al.

We are well aware that the Town is subject to the constraints of Chapter 40B, which, together with its supporting regulations and guidelines, severely restrict a municipality's ability to regulate and guide development in order to protect the quality of life it affords its residents. As a result, we strongly encourage you to act upon those provisions of the 40B law and regulations that authorize local zoning boards to impose conditions addressing local concerns. Accordingly, should the Board of Appeals decide to issue a comprehensive permit to the Applicant, we urge you to impose conditions as follows:

Reduce the massing of the five-story apartment building. The planned apartment building is massive and completely incongruous with its surroundings. The visual impact of the East elevation of the building on the abutting single family neighborhood at Asheville Road is especially intrusive and overwhelming. We urge you to consider condition(s) reducing the massing of the building; namely, to reduce the height by eliminating the fifth floor, and to reduce the massing and visual impact by removing the Eastern gabled “pavilion” in its entirety. With removal of a portion of this building, the parking area in the adjacent greenspace should be reduced or eliminated proportionally.

Protect the greenspace. Since the original development of Hancock Village, the greenspace along the perimeter has provided the abutting neighborhood with a significant visual and sound buffer. The impact of any development in the greenspace upon the neighborhood must be minimized. We urge you to consider condition(s) that further reduce the number and massing of buildings, paved parking spaces and other impenetrable surfaces located within the greenspace.

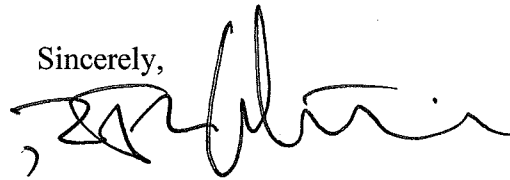
Reduce the massing of buildings and parking in the greenspace. The dormers on the multi-family units located within the greenspace are imposing, contribute to the bulk of the structures, and create the impression that the buildings are three stories high rather than the “two stories plus lofts” asserted by the Applicant. We urge you to consider condition(s) removing the dormers in order to ameliorate the visual impact of these structures. Presumably, their elimination will necessitate the removal of lofts. With removal of a portion of these buildings, the parking areas should be reduced proportionally. Another strategy to reduce parking is through Transportation Demand Management (TDM). CHR has offered a TDM plan without any apparent linkage to a reduction in the number of parking spaces. If the TDM plan is effective, the number of cars on the property should be reduced and the plan should reflect this in its request for parking spaces. Therefore, we urge you to consider CHR’s offer of TDM, but with conditions that would actually make it effective. It needs to be something a lot more than an information sheet handed to a tenant when the lease is signed and some bicycle racks. These conditions should include approval by appropriate town departments prior to the issuance of a building permit and yearly reviews by the Town with a means of enforcement. The number of parking spaces can then be reduced in recognition of such a plan.

Reduce traffic impacts. The streets neighboring Hancock Village will undoubtedly suffer from increased traffic generated by the development of an additional 184 residential units. Access to and egress from the property must be provided via the VFW Parkway. This proposal will help to mitigate—although certainly not eliminate—the traffic impacts on residential streets that cannot and should not accommodate additional traffic. A newly created curb cut will also contribute to enhanced public safety by providing additional access for emergency vehicles. Accordingly, we urge you to consider condition(s) requiring CHR to take any and all necessary steps to secure a curb cut on the Parkway; requiring that any building or occupancy permit issued by the Town be predicated on the Applicant having secured approval from the State for such a curb cut; and requiring the Applicant to restrict access from Asheville Road to emergency vehicles or otherwise provide a plan encouraging tenants of the development to enter and leave the property via the Parkway rather than Asheville Road. Finally, we urge you to impose conditions addressing pedestrian safety on Independence Drive.

We fully understand the conditions proposed herein, individually or collectively, may be perceived by the Applicant as rendering the project uneconomic, necessitating a *pro forma* review. Should this be the case, we urge you to seek such review pursuant to your authority to do so under the Chapter 40B regulations and not to accept such claims without that review.

We sincerely appreciate your willingness to serve on the Town's Board of Appeals and your consideration of these recommendations pursuant to G.L. c. 40B, s. 21. We remain committed to support your ongoing efforts and ensure the best possible outcome for the Town and its residents and a responsible approach to the need for affordable housing.

Sincerely,



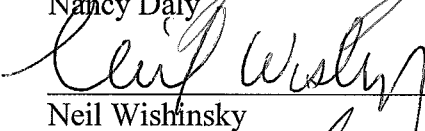
Kenneth Goldstein, Chairman



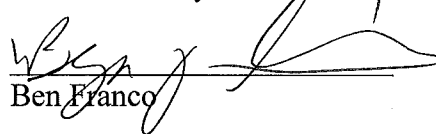
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