



River Road Study Committee July 27, 2016

MEETING NOTES

Committee Members

Select Chair Ben Franco
Dick Benka
Alan Christ
Chris Dempsey
Steve Heikin
Brian Hochleutner
Yvette Johnson
Ken Lewis
Wendy Machmuller
Hugh Mattison
Tom Nally
Marilyn Newman
Mariah Nobrega
Charles Osborne
Linda Pehlke
Bill Reyelt
Daniel Weingart

Committee Members Present: Ben Franco, Alan Christ, Tom Nally, Linda Olson Pehlke, Bill Reyelt, Steve Heikin, Charles Osborne, Chris Dempsey, Wendy Machmuller, Daniel Weingart, Ken Lewis, Marilyn Newman, *Mariah Nobrega, Brian Hochleutner, Yvette Johnson, Hugh Mattison,*

Committee Members Absent: Dick Benka

Staff: Andy Martineau

Guests: several members of the public were present.

Committee members met from 6:00 pm to 10:00 pm

Materials: agenda, draft minutes, draft zoning language handout, Claremont sidewalk lot coverage PowerPoint, zoning concepts/discussion PowerPoint.

Ben Franco opened the meeting with several remarks surrounding the progress the Committee has made and the discussions the Committee will be taking up this evening.

1. Review and Approve Meeting Minutes

- The minutes from 6/13/16, 7/11/16, 7/13/16 were approved as amended.

2. Public Comment

- Merelice: The challenge for this Committee will be to keep people's focus on the zoning. There are many people who will dig into the hotel proposal. They will focus on the project and the developer which is what happened at Brookline Place.
- Renee Holesovsky: What happens going forward will impact our neighborhood. The Developer has ignored us.
- Ruthanne Schneider: I request that the final report include a traffic study.
- Yvette Johnson: As a resident of the Village at Brookline I want to express the concerns from residents that have been expressed to me. People are concerned about the impacts of future development in this area and we feel ignored. We live here and will be impacted the most. We are hard a hard working community and we deserve the same benefits and enhancements.
- Wendy, 99 Kent Street: This is the most comfortable place I have lived in the Boston area and it is becoming like China. The hotel might go up in our backyard. There is insidiousness of construction.

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3. Continued Discussion of Draft Zoning Criteria:

Parking Discussion:

- Andy Martineau reviewed the discussion that took place during the June 13 meeting surrounding how parking should be regulated in the special district.
- Andy noted that several comments and observations from the Committee including: that there is an opportunity to employ reduced parking requirements in an area that is rich with transit and because the Committee is considering uses that are not as parking intensive. Parking maximums are a solution for ensuring that parking is not overbuilt, especially if FAR is not going to be used. Proposed ratios are viable especially where future BP garage could serve as a relief valve. Developers do not want to build more parking than is necessary. There needs to be some regulations for predictability (Town and Developer). Developers may find a range challenging because of uncertainty of how standards would be applied to specific project during the permitting process.
- Ken Lewis presented a proposed alternative method for regulating parking which included a range (minimums and maximums) by use.
- Ken Lewis observed that the current draft zoning provides no incentives for car sharing services or alternative modes of transportation. Future development in this area will likely take years so the parking regulations need to be flexible. If the maximums are too low, we may risk precluding a development from moving forward.
- Ken Lewis observed that there is a constituency in Town Meeting that will not favor having no minimum parking requirement and that could be an issue as far as getting the special district zoning approved.
- Ken Lewis stated that a range addresses both sides of the policy debate around parking and may set a precedent for how the Town regulates parking in the future.
- Steve Heikin stated that a range might make more sense versus a hard maximum. If a developer is not able to build their project because of parking, they would need to obtain a variance from the zoning which is not easy to do. The Planning Board has recently started encouraging applicants to ask the Board of Appeals for reduced parking. If a range is used there would be more flexibility at Town Meeting to narrow it while staying within scope.

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- Bill Reyelt stated that having a maximum is the same as having a range, because someone could have less than the maximum. Having maximums does not preclude TDM or provisions for car sharing.
- Linda Olson Pehlke stated that not having a minimum is the best solution for this area where the parcels are narrow, ramping is challenging and there is proximity to transit. Minimums are a potential cost burden for future developers because they will be required to build parking.
- Hugh Mattison stated that he agrees that not having a minimum parking requirement is the right approach. Car sharing should not count against a developer.
- Brian Hochleitner stated that there are two issues raised in this discussion: whether to impose parking minimums and whether to modify the previously-discussed parking maximums. Brian Hochleitner stated that he does not think that it is necessary to impose increased (i.e., above zero) minimum parking requirements within the special district, but that he is open to reconsideration of whether the previously-voted maximum parking numbers are the right ones. Brian Hochleitner distinguished prior discussions at Town Meeting regarding town-wide parking minimums and pointed out that the current discussion concerned a small one block area that is unique from the rest of Town. We are also talking about larger developments because of the minimum lot sizes, the economics of which will drive developers to seek to build an appropriate amount of parking based on market factors.
- Tom Nally stated that there needs to be flexibility and predictability to account for changing conditions and uses.
- Charles Osborne stated that we do not have a specific development project for the other sites. Brookline is not a car-centric community. We need to balance allowing development with protecting the community and having flexibility is a way to do that.
- Chris Dempsey stated that it would be a shame if a developer came forward with a project that worked without parking and they were forced to include some because of a minimum parking requirement putting the Town further from TOD goals.
- Alan Christ stated that there is a housing affordability crisis and that parking is a driver of the high cost of housing in the area.
- Steve Heikin stated that the Fenway zoning reduced parking across the board to .75 per 1K, but that some projects have come in closer to 1 space per 1K. Some

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projects have less than .75. In other words, the actual result has been a range. Zip car does not count in the reduction of parking (as suggested by Hugh Mattison). I would not imagine any of the projects we have been modeling coming in with no parking. Also noted that some recent projects in Brookline – several 40Bs on tight sites – have proposed using car elevators and stackers – avoiding ramps entirely. This may also work for the EI district.

- Tom Nally asked how a parking maximum might impact the financing for a future project.
- Ken Lewis stated that their lenders would be concerned about the potential reuse of the property.
- Marilyn Newman suggested using maximums, but allowing for some flexibility to have more parking when the need can be demonstrated.
- Ken Lewis stated that the permitted maximum for a micro unit should be low.
- Alan Christ stated that the BRA uses .75 – 1.0 ratios where someone is proposing to use stackers.
- Andy Martineau stated that he spoke with Pam McKinney about the fundamental issues with using maximums, minimums or a range. Pam indicated that maximums will work in this area for all of the uses we are trying to incentivize. Senior housing is the one use that could be problematic as there are different market types (55+, 62 and over, assisted living etc.) Each has different parking demands.
- Yvette Johnson stated that she lives in a 55+ community now, there are few residents that have a car because of the location and many of the caregivers that drive there park on the street.
- Several Committee members recommended that zip car spaces provided by a developer should be excluded from the maximum parking cap.
- The Committee discussed using maximums by use and allowing for some flexibility by granting an increase in parking by up to 20% when the need can be demonstrated. The Committee also discussed adjusting the maximum ratio for age restricted housing to 1.25 spaces per 1K, with the 20% need-based increase allowable by special permit.

VOTED: The Committee voted 11-4 with one abstention on a motion to use parking maximums as outlined below and to allow up to a 20% increase in parking by special permit where the need can be demonstrated.

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USE	MAXIMUM PARKING
Principal Use 8 (Hotel) and 8a (Limited Service Hotel)	0.40 per room
Principal Use X (Dwelling, age restricted)	1.25 per unit
Principal Use X (Live/Work space)	0.50 per unit
Principal Use 6 (Multiple or attached dwelling units that are less than 400 SF)	0.50 per unit
Principal Uses: 18A (Small group health/fitness); 20 (medical office); 20a (Licensed veterinarian); 21 (professional office); 29 (store less than 5K SF); 30 (Eating places less than 5K SF); 32 (Service use business); 33 (Stores not exceeding 10K SF); 33a (Stores over 10K SF); 34 (Place for sale and consumption of food not exceeding 5K SF); 36A (research lab)	1.25 per 1,000 SF

Following the vote, the Committee requested that staff draft language for 20% increase by special permit.

FAR Discussion:

- Andy Martineau reviewed the Committee’s discussion of FAR from June 13 noting that that Committee took a straw vote not to use FAR in the special district zoning. Andy noted that the Committee observed that FAR is not a predictable means of regulating scale as different uses have different floor height requirements; developers feel entitled to the maximum FAR allowable, which does not always equate to an attractive design or a better building; FAR has been used as a tool in our existing zoning to protect more traditional residential abutters from neighbors that might otherwise overbuild; this area

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has a different context so the traditional FAR approach may translate as well here; there is a desire to take a form-based approach towards regulating the scale of future buildings in this district and using FAR is not a preferred method of accomplishing that goal; and the Committee has been encouraged to focus on building form, design and aesthetics. Shorter/fatter ≠ better/attractive

VOTE: The Committee voted 14-2 with one abstention on a motion not to use FAR in the special district zoning.

Height/Lot Coverage % Discussion:

- Andy Martineau stated that the Committee voted on July 13 to allow for hotel and limited service hotel use to go up to 85' anywhere in the district and up to 110' for no more than 60% of the lot area for lots within a certain proximity of Washington Street.
- Andy stated that the Committee asked him to develop language that would ensure that the middle floors of the hotel and the upper floors of the other buildings that are being modeled do not cover the entire lot.
- Andy stated that the draft zoning proposes to cap the lot coverage % for the floors above 65' for the other buildings being modeled. The proposed cap is based on the current massing model where the floors above 65' cover 54% and 44% of the lots respectively.
- Andy also stated that he is working with public works on a graphic to help distinguish buildings north of the hotel site from the proposed hotel. The current graphic and corresponding zoning language includes a 190' requirement from Washington Street for certain uses.
- Joe Geller stated that the graphic should be revised to include a radius so it is clearer how the 190' measurement is being taken.
- Andy Martineau showed an updated massing model showing what 60% lot coverage on floors above 65' looks like.
- Several Committee members stated that 60% of the lot coverage may be too much and suggested using the lower building floors to regulate the coverage of upper floors.
- Andy Martineau stated that the difference between the percentages for the upper floors of both buildings are so different that it would be challenging to write in zoning.
- The Committee debated capping lot coverage on floors above 65' to 50 or 55%.

VOTE: The Committee voted 3-13 with no abstentions on a motion to cap the lot coverage for floors above 65' for buildings north of the hotel site to 50%. The motion failed.

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VOTE: The Committee voted 14-2 with no abstentions on a motion to cap the lot coverage for floors above 65' for buildings north of the hotel site to 55%. The motion passed.

- Alan Christ suggested that there be a side yard setback from the current storm water easement.
- The Committee debated an appropriate side yard setback on either side and selected 10' on either side as that is what the Committee has been modeling.
- The Committee then discussed whether or not to include a setback from the Town owner parcel at the northern tip of the zone. The discussion was tabled.

VOTE: The Committee voted 9-5 with one abstention on a motion for the zoning to include a 10' side yard setback requirement for buildings abutting the mid-block storm water easement.

- Elias Patoucheas gave a brief presentation on the approximate lot coverage % for heights up to 110', heights between 45'-75' and heights 45' or less for each of the hotel massing options noting that the exact percentages have not been determined yet because they have not designed the building. The 45'-75' portion are showing an approximate coverage of 90% because there needs to be some flexibility to allow for any of the massing options to be viable.
- Several Committee members stated that the proposed 90% coverage does not match the graphics for any of the massing options and asked that they be updated to be more accurate. The 45' and less coverage was shown as covering 96% of the lot, meaning that the 45' or less portion of the building would be allowed to cover only 6% or less of the lot. The Committee also requested to see what the worst case scenario in terms of lot coverage looks like.
- The discussion of lot coverage % for heights between 45 and 75' and less than 45' was tabled.

Sidewalk Discussion:

- Andy Martineau stated that the zoning subcommittee and full committee discussed sidewalk widths during their July 11 and July 13 meetings respectively. On July 13 the Committee voted minimum sidewalk widths as follows: 12' on River Road and Brookline Ave. 10' on Washington Street. Andy stated that he was asked by the Committee to

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develop language that would allow for a reduction in sidewalk width in limited areas by special permit. Andy presented the language to the Committee.

- Several Committee members expressed a concern about narrower portions of the sidewalk being free and clear of furniture and other potential obstacles.
- Steve Heikin stated that this concern can be addressed by the Planning Board via a special permit condition requiring portions of the sidewalk under the required minimum be free and clear of obstructions.

VOTE: The Committee voted 11-1 with one abstention on a motion for the zoning to include the following language:

Where it can be demonstrated that achieving the required sidewalk width would be infeasible in limited areas, the Board of Appeals may by special permit reduce the required width of the affected areas to no less than 8 feet on Washington Street and River Road. No relief may be granted for a reduction in sidewalk width along Brookline Ave. Applicants for a special permit to reduce the width of a sidewalk shall provide written and graphic documentation to the Planning Board illustrating why the required width is not attainable in the affected area. The Planning Board may in an affirmative and written determination make a recommendation to the Board of Appeals to reduce the width of the sidewalk in limited areas. Where relief is granted, applicants shall provide counterbalancing amenities in the form of wider sidewalks and/or landscaping on site or in the immediate area adjacent to their site, subject to the review and approval of the Planning Board.

The Committee agreed to meet next week on Tuesday, August 2 and Thursday, August 4 (if needed).

MEETING ADJOURNED.