



Town of Brookline

Massachusetts

BOARD OF APPEALS
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Paul Bell

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AUG 22 '22 4:11:19

TOWN OF BROOKLINE
BOARD OF APPEALS
CASE NO. 2020-0005
101 MONMOUTH STREET

Petitioner, 101 Monmouth Street LLC, applied to the Building Commissioner for a building permit to reduce the parking-space requirement in the property's garage, which is located across St. Mary's Street Extension, from 190 parking spaces to 75 parking spaces. The application was denied and an appeal was taken to this Board. The appeal sought to amend the variance that was previously granted by the Board on September 5, 1958, in decision #893, which was subsequently amended by a written decision dated August 21, 1959. Paragraph 6 of the variance, as amended in 1959, mandates that the Petitioner maintain parking for at least 190 vehicles and the Petitioner to "apply to this Board for an amendment of the [parking requirements in Paragraph 6]."

The Board administratively determined that the properties affected were those shown on a schedule certified by the Board of Assessors of the Town of Brookline and fixed April 28, 2022 at 7:00 p.m. as the date and time for a virtual hearing on the appeal. Notice of the hearing was mailed to the Petitioner, to its attorney of record, to the owners of the properties deemed by the Board to be affected as they appeared on the most recent local

tax list, to the Planning Board and to all others required by law. Notice of the hearing was published on 4/7/2022 and 4/14/2022 in the Brookline Tab, a newspaper published in Brookline. A copy of said notice is as follows:

Notice of Hearing

The Brookline Zoning Board of Appeals will hold a virtual public hearing via ZOOM on

Thursday, April 28, 2022 at 7:00pm

Registration Link: <https://bit.ly/3NCWAQQ>

The ZBA will consider the following pursuant to M.G.L. 40A & the Brookline Zoning-Bylaw:

Petitioner: 101 Monmouth Street LLC **Address:** 101 Monmouth Street

Zoning: M-2.0 **Precinct:** 1

Description: Modification of Variance #893 (9/5/1958) to reduce 190 required parking spaces for a residential building to 75 spaces

The Board will consider variances and/or special permits from the following sections of the By-law (and any additional zoning relief the Board deems necessary:

MODIFICATION OF PRIOR VARIANCE

ANY OTHER RELIEF THE BOARD MAY FIND NECESSARY

QUESTIONS, PUBLIC COMMENT FILES, PDFs OR PRESENTATIONS:

*Advanced submissions of files and presentations are strongly encouraged. In an effort to ensure the Board has adequate time to review materials we ask that any additional documents such as written comment letters, photos, files, or presentations or questions be sent before the hearing to **Polly Selkoe** (pselkoe@brooklinema.gov).*

All plans and submissions may be found at:

<https://brooklinema.gov/DocumentCenter/Index/2352>.

Public testimony will be taken during the hearing as normal.

Hearings may be continued by the Chair to a date/time certain, with no further notice to abutters by mail or in the papers. Questions about hearing schedules may be directed to the Planning and Community Development Department at vpanak@brooklinema.gov, or by checking the Town meeting calendar at: www.brooklinema.gov.

Assistive Listening Devices are available upon request:

<https://www.brooklinema.gov/560/Americans-With-Disabilities-Act-ADA>

***Jesse Geller, Chair
Mark Zuroff
Johanna Schneider***

Publish: 4/7/2022 & 4/14/2022

The public hearing was held on April 28, 2022 and continued to July 21, 2021.

Present at the July 21, 2022 hearing were Chair Johanna Schneider and Board Members Neil Wishinsky and Paul Bell. The case was presented by Chair Schneider.

Attorney Jeffrey P. Allen, attorney for the Petitioner, provided an overview of the proposed project. Attorney Allen explained that the Board had a unique opportunity tonight to approve a finished product that has taken significant time and effort after six Planning Board meetings. He explained that this was an application that started in November 2020. Since that time, the Petitioner has been working with the Planning Department, Planning Board, and, most importantly, the neighborhood. He explained that the Petitioner has listened to the concerns of these stakeholders and responded to their concerns. Attorney Allen specifically thanked Paul Warren, the lead for the neighborhood. He explained that the parties have been able to get to a point where they are in agreement.

Attorney Allen stated that the Planning Board is supportive of the proposed project and, after two members dissented, the Petitioner added a condition that the dissenting members requested, suggesting that if the dissenting members of the Planning Board had the opportunity, they might now be supportive of the project. Attorney Allen stated that the Petitioner also has unanimous support from the Town Meeting Members from Precinct 1. Attorney Allen explained that the Town Meeting Members from Precinct 1 conditioned their support on a request for an additional condition, which the Petitioner has met. Attorney Allen stated that he provided the Planning Department with a redlined copy of the conditions so the Zoning Board of Appeals can see the changes as compared with the

Planning Board's suggested conditions; the key change being meeting the concerns of the neighborhood.

Attorney Allen went on to summarize the history of the property and proposed project. He explained that, in 1959, a modification was made to a 1958 variance to allow 149 rental units to be constructed in Brookline on Monmouth Street. The building has become known as 101 Monmouth Street. The variance was conditioned on providing 190 parking spaces in a freestanding garage across the street from 101 Monmouth Street. Attorney Allen noted that the street separating 101 Monmouth and the garage is a private way. Attorney Allen explained that 101 Monmouth Street is entirely in Brookline and the garage, with 190 spaces, is entirely in Boston. Attorney Allen explained that, for the last decade or more, the garage has been vastly underutilized. He stated that this is due, in no small part, to the fact that this is a transportation district serviced by two branches of the Green Line and also bus service within a 3-minute walk of 101 Monmouth Street. Thus, the use of the garage has dwindled and, as of today, Attorney Allen believes that only 66 spaces of the 190 spaces are utilized by residents of 101 Monmouth Street. He explained that this has been fairly consistent for the last decade.

Attorney Allen explained that the request before the Board is to modify the 1958 variance to require 75 parking spaces for 101 Monmouth Street. Attorney Allen explained that this, in and of itself, would not have taken six Planning Board meetings. He stated that, what did take six Planning Board meetings, and what the neighborhood was rightly concerned with, is that the reason the Petitioner wants to reduce the number of parking spaces in the garage is that the Petitioner wants to utilize that site for housing. Attorney

Allen explained that the current conceptual plan is 80-90 units on that site. He underscored that 80-90 units in that building will have to undergo the entire zoning process in Boston. Thus, development is not imminent. Attorney Allen explained that this is the reason for most of the conditions before the Board.

He explained that Brookline rightfully wanted to have a seat at the table as the project goes through the Boston zoning process, and that is in the conditions. Attorney Allen stated that the parking facility has provided parking to some residents of the area who do not live at 101 Monmouth Street and, in the conditions, the Petitioner has promised those people who were parking in the garage at the beginning of this year that they will have parking throughout the zoning process and construction process. Attorney Allen stated that, when the Petitioner comes up with a temporary parking plan for the residents of 101 Monmouth, anyone who is a resident of the neighborhood and parking in the garage as of January 1, 2022 will be part of that process and will they will be charged the same rate for the spaces as the tenants are being charged. He stated that, when the building is finished, the Petitioner will guarantee 15 parking spaces on the Monmouth Street site will be available to neighborhood residents for parking, being charged the same parking price as the residents of 101 Monmouth or the new building. He stated that, in addition to the 15 spaces, all available spaces not utilized by residents will be offered to neighborhood residents first.

Attorney Allen commented on how difficult it is to meet the bipartisan drive for more housing—it runs into neighborhood opposition, zoning opposition, and so forth. Attorney Allen explained that what everyone has been able to accomplish here—getting 15

town meeting members to support this—speaks well of the Brookline community in general and Present 1 specifically. He explained that residents, Petitioner, and others involved had a difficult time, but that was understandable because of the issues to be resolved, and it was accomplished. Attorney Allen stated that, because of this effort, if the Board joins with the Planning Board and the Town Meeting Members, there will be more housing brought online, which is supposed to be the goal of the Commonwealth. Attorney Allen gave credit to the neighborhood because, although they were in opposition for some time, they were in opposition because they had valid concerns, and they were willing to work those valid concerns out. Attorney Allen said that he does not think there is a proposal that could come before the Board with more public benefits than this project.

Attorney Allen noted that Brookline passed a new zoning by-law on parking, which has not yet been approved by the Attorney General; however, if that new by-law was approved, this building would only need 118 parking spaces and that could be reduced by special permit in return for public benefits. Accordingly, this project aligns with the new zoning. Attorney Allen stated that, not only is the Petitioner providing parking to neighborhood residents but, at the request of the neighborhood, the Petitioner is making a commitment that the new building will be fossil fuel free, that a certain number of spaces will be electric-vehicle-supply-equipment ready and another group of spaces will be EV ready. Attorney Allen stated that the Petitioner is committing to providing two car sharing spaces, a limitation on the maximum height of the new building, making \$150,000 contribution to the upkeep of Monmouth Park, that the Brookline Planning Department will be given notice of public meetings with the City of Boston, and that before they seek final

approval from Boston on a design that they will come back to the Brookline Planning Board and seek its input.

Attorney Allen stated that what the Petitioner is doing is taking a building that is aesthetically not worthy of retention and totally underutilized and hopefully turning it into housing in an area that is surrounded on three sides by public transportation. He stated that the Boston zoning process is rigorous and this building will have to go through that process. Attorney Allen stated that, accordingly, the Petitioner is looking for a modification of the variance with respect to parking so they can move forward.

Chair Schneider stated that she has reviewed the 10 conditions that were set forth in the Planning Department memorandum, and she wanted to confirm that those are all conditions that the Petitioner has agreed to and that were a product of the neighborhood negotiations as described. Attorney Allen indicated that was correct; however, he hoped that Chair Schneider also had a chance to review the redlined copy, which includes one of the conditions agreed to with the neighborhood subsequent to the Planning Board meeting. Attorney Allen summarized the changes including, but not limited to, the change to 1(h) that was the Petitioner acquiescing to the last request made by the neighborhood and the dissenting members of the Planning Board related to parking. Attorney Allen also added that this modification of the variance will not take effect unless the City of Boston issues a building permit for the new building. Attorney Allen said that, if that does not happen, the modification of the variance does not happen.

Chair Schneider invited Board Members Wishinsky and Bell to ask questions of Attorney Allen. Board Member Wishinsky asked how many spaces this proposal is

committing to having on site. Attorney Allen answered 90 spaces—75 for the residents of 101 Monmouth plus 15 for the neighborhood. Attorney Allen clarified that 75 have to be in the garage. Board Member Wishinsky asked if the commitment for EV referred to the new zoning for EV. Maria Morelli, Senior Planner for the Town of Brookline, responded that the new zoning would not be applicable. Attorney Allen added that the site is in Boston, and that is also a reason that the Brookline zoning is inapplicable. Board Member Bell confirmed that the plan would be to demolish the old parking garage, which is located in Boston, and build a new building there. Attorney Allen answered in the affirmative. Board Member Bell confirmed the condition regarding EV parking spaces. He then confirmed with Attorney Allen that the 15 additional spaces would be for the neighborhood. Attorney Allen also confirmed for Board Member Bell that, during the period when there is a temporary parking plan, residents from the neighborhood who currently are renting a space will be included in that plan. Board Member Bell asked what the mechanism is that the Monmouth Street residents have access to the spaces and Attorney Allen explained that the property has been, and continues to be, in common ownership. Chair Schneider clarified that all Petitioner is really looking for from the Board is relief with respect to the parking ratio. The members of the Board then indicated that they had no further questions.

Chair Schneider asked if any members of the public had comments regarding the proposed project. Sean Lynn-Jones of 53 Monmouth Street indicated that he is a Town Meeting Member of Precinct 1 and that he and his wife have lived in their home for almost 30 years. Mr. Lynn-Jones indicated that he rents a space in the garage and that he is very familiar with the garage and the importance of the garage for the neighbors. He said that,

with respect to the plan to build additional residential units, he has not heard a lot of support, but he believes that is for Boston to work out through its zoning process. He explained the history of the property and the variance and thanked Attorney Allen and Paul Warren for all the time they have devoted to this. Mr. Lynn-Jones commented that this has been going on since 2019 and Attorney Allen has agreed to many of the conditions that the neighbors wanted and that is a welcomed development. Mr. Lynn-Jones is glad to see that 15 spaces will be set aside for neighbors plus 75 for the residents of 101 Monmouth. He said that this is a big step in the right direction, and he has written to the Board, as have all 15 members of the Present 1 Town Meeting Delegation, to indicate that they would like to see this change. Mr. Lynn-Jones commented that 90 spaces seems to be the right figure to accommodate current demand but does not allow for growth. He asked if Attorney Allen could comment on how many of the 90 parking spaces would be located inside versus outside. Attorney Allen indicated that it is dependent on how much parking the City of Boston requires.

Chair Schneider asked if any other members of the public had comments regarding the proposed project. Dolores Boogdanian of 452 Park Drive, Boston, who is President of the Audubon Circle Neighborhood Association, spoke next. Ms. Boogdanian expressed her appreciation for the opportunity given to her by the Brookline Planning Board to weigh in on this matter. She expressed that the Petitioner's commitments made in connection with this proposal are all to the good and that the Planning Board's conditions are constructive. Although Ms. Boogdanian has reservations regarding reducing parking, she nevertheless asks that the Board adopt the conditions recommended by the Planning Board and stated

by Town Meeting Member Lynn-Jones. Other members of the public wishing to comment were called upon, but none came forward.

Chair Schneider called upon Zoning Coordinator/Planner Madison Anthony to review the findings of the Planning Board. Ms. Anthony then read the report into the record.

FINDINGS

Modification of the Conditions in Decision #893 of 1958 and 1959 is required.

PLANNING DEPARTMENT STAFF COMMENTS

The proposed parking reduction from 190 to 75 parking spaces for 149 units would result in a .5 parking ratio for the residential building at 101 Monmouth Street. Under the zoning just approved by Fall 2021 Town Meeting and because this site is located in the Transportation Planning Overlay District (TPOD), the by-right requirement for parking would be .5 parking spaces for a studio and 1.0 parking space for a unit with one or more bedrooms, which results in **118** parking spaces being required for this 149 unit residential building. However, if a special permit were granted under the new zoning, the parking could be reduced any amount that was found justified if the applicant provided counterbalancing amenities, such as provision of on-site affordable housing units in excess of the requirement, a fossil fuel free building, and/or support for community services or facilities.

The applicant has submitted a parking count for the garage for the last 11 years, showing that many spaces are not used, and a site visit by planning staff confirmed this. (See the submitted plan that shows the empty and used parking spaces, two bicycle racks and two car sharing spaces.) There is also easy access to both the rapid transit C line on Beacon Street and the Riverway D line.

The biggest concern of residents of 101 Monmouth and neighbors is that if a large residential building replaces the garage, which is located in Boston, will the new building provide adequate parking for both the new building and 101 Monmouth Street and will it have detrimental impacts to the surrounding neighborhood.

After meeting with several concerned neighbors, the applicant's attorney has suggested several conditions which would help to address these and other concerns, including not having the modification take effect until the garage is replaced by the development of a new building. Town Counsel has confirmed that such conditions could be attached to the decision.

PLANNING BOARD COMMENTS

The Planning Board supports this modification request to reduce the required parking from 190 parking spaces to 75. At the Planning Board meeting, neighbors were most concerned that a new building would be too tall and that parking for the neighborhood would not be provided.

The Chair opined that that the new building constitutes reasonable development and a reasonable reduction in parking. He added that the original variance did not require parking be provided to the neighborhood, and therefore, should not be a condition required to continue in perpetuity. However, the applicant has agreed to a condition to provide parking off-site during construction for those residents who currently park in the garage and when the new garage is opened, to offer any extra parking spaces first to individuals who were renting a space on 1/1/22.

Therefore, the Planning Board recommends approval of the modification of the prior Board of Appeals decision for reducing the parking allocated to 101 Monmouth Street to 75 parking spaces, subject to the following conditions.

1. Modification of the parking requirements for 101 Monmouth Street and its garage shall not take effect until such time as the City of Boston issues a building permit for the construction of a residential building at 142-146 St. Mary's Street. For the modification of the parking requirements to take effect, the building to be built at 142-146 St. Mary's St. must meet the following requirements:
 - a. Have a height no greater than the limit provide by the Boston zoning ordinance, but in no case greater than 69 feet.
 - b. Have a minimum of 75 indoor parking spaces dedicated to 101 Monmouth St. at 142-146 St. Mary's Street.
 - c. For the 75 spaces dedicated to 101 Monmouth St., a minimum of 20 spaces must be EVSE-Installed (Electric Vehicle Supply Equipment) and 55 spaces must be EV-Ready for future installation.
 - d. Have the parking spaces and aisle widths conform to the dimensional requirements of either Boston or Brookline, whichever is more stringent;
 - e. Conform to the State building code for the required number of handicap parking spaces;
 - f. Provide at least two car sharing spaces;
 - g. Meet the then-current requirements for the number of secure bicycle parking spaces for Boston or Brookline, whichever is more stringent;

- h. All neighborhood residents who were parking in the garage or on the site on 1/1/22 must be entitled to parking, including temporary parking during construction, until such a time as the new garage in in 142-146 St. Mary's St. is open for use. Thereafter any parking spaces not rented to the tenants of 142-146 St. Mary's St. or 101 Monmouth St. must be offered to the residents of the neighborhood with preference given to individuals who were renting a space on 1/1/22. At all times residents of the neighborhood parking in the garage/site or participating in the temporary parking program during construction, shall be charged the same rental fee as charged to the tenants of the buildings. All rights granted to neighborhood residents parking in the garage/site on 1/1/22 shall be personal to that individual and shall not be transferrable.
 - i. No natural gas connection and the building must be fossil fuel free.
 - j. All affordable units provided pursuant to Boston's inclusionary zoning requirements must be located on site at 142-146 St Mary's.
2. Before submitting a proposed design to the City of Boston, the applicant shall hold a neighborhood meeting within the Town of Brookline, with notice to 101 Monmouth St residents, Town meeting members of precinct 1, and Brookline abutters, to provide in advance the plans for the proposed building and invite and listen to input on the proposal.
 3. Notice to the Brookline Planning and Community Development Director shall be given for all public meetings/hearings with the City of Boston on any project at 142-146 St. Mary's Street.
 4. Within three months before the project is nearing final approval from the City of Boston, the applicant shall appear before the Brookline Planning Board to seek their input on the final design.
 5. The applicant shall electronically submit a landscape plan that includes the north and east side of the 101 Monmouth St. property for review and approval by the Assistant Director of Regulatory Planning.
 6. The applicant shall electronically submit a copy of the storm and ground water management plan filed with the City of Boston to the Director of Engineering for the Town of Brookline.
 7. The applicant shall electronically submit an interim, off-site parking plan for all users of the garage to be reviewed and approved by the Assistant Director of Regulatory Planning.

8. Prior to building permit, the applicant shall electronically submit a parking plan for construction worker vehicles, approved by the Building Commissioner and Director of Traffic and Engineering, so that those vehicles are prohibited from parking on Brookline streets. Brookline parking permits will not be issued to construction workers, companies or contractors involved in the demolition and development of the 142-146 St. Mary's Street site.
9. The applicant shall electronically submit documentation, approved by the Assistant Director of Regulatory Planning, demonstrating payment of a \$150,000 grant to the Brookline Greenspace Alliance for the purpose of enhancing and maintaining Monmouth Park. Said payment shall be made in two equal installments of \$75,000. The first installment shall be due within thirty days of the City of Boston issuing a building permit for the property at 142-146 St. Mary's St. The second payment shall be due within ten days of the City of Boston issuing a Certificate of Occupancy for the property at 142-146 St. Mary's St.
10. The applicant shall electronically submit to the Building Commissioner evidence that the Board of Appeals decision has been obtained from the Town Clerk's office by the applicant or their representative and recorded at the Registry of Deeds.

Ms. Anthony noted that there is a version of the Planning Board report with revisions by Attorney Allen that the Board has before it. Board Member Wishinsky indicated that the document was delivered to the Board on July 18, 2022 by Planner Victor Panak. Attorney Allen stated that the redlined version is not dated. Chair Schneider discussed how best to reference the redlined document in the decision.

Chair Schneider requested that Deputy Building Commissioner Paul Campbell present the findings of the Building Department. Mr. Campbell stated that the Building Department has no objection to the requested relief sought by the Petitioner. Mr. Campbell stated that, should the Board grant the requested relief, the Building Department will work with the Petitioner to ensure compliance with the conditions set forth in the Board's decision.

Chair Schneider invited deliberation from the Board. Board Member Neil Wishinsky suggested to the Board that they adopt the redlined version of the Planning Board report. He stated that item 1(a) had improved wording that sets forth that the Board does not endorse the Boston process but puts a ceiling on the Boston process at least in terms of the height; so it starts forming a maximum around it. Mr. Wishinsky commented that this is a voluntary commitment from the owner, which is great. Mr. Wishinsky added that there is a change in item 1(h), which reflects the agreement between the owner and the neighborhood, which is very welcome. Thus, Mr. Wishinsky believes it is important that the Board adopt those changes. Mr. Wishinsky commented that something very important happened here: the applicant and the neighbors talked to each other, negotiated, and came up with an agreement that everyone seems happy with. Mr. Wishinsky explained that public policy objectives that Brookline has been pushing are being met voluntarily, although the development is going to be in Boston. This includes the development being fossil fuel free, affordable housing, and tangible counterbalancing amenities, such as the commitment to a set amount of spaces for the neighborhood and the contribution to the Green Space Alliance for the improvement and maintenance of the local park. Mr. Wishinsky noted that the Board often times sees counterbalancing amenities that consisting of relatively small measures; however, these are really going to benefit people. Mr. Wishinsky said that this is a win-win, and he is glad about that. Mr. Wishinsky stated that he is happy with this and will be voting "yes."

Board Member Paul Bell stated that he agrees with what Mr. Wishinsky said. Mr. Bell said that everything about this process has been well-reasoned, there is good reason to

modify the variance to reduce the amount of parking spaces, especially in light of current objectives in construction and development of housing to have less parking, especially near transportation-on-demand facilities. Mr. Bell recognized that the Petitioner has worked with the neighborhood and agreed to a lot of concessions, and we are getting some nice counterbalancing amenities. Mr. Bell said that more housing is needed even though it is not in Brookline proper. Thus, with the conditions, that are in the Planning Board recommendation redlined version, Mr. Bell is in support and votes in favor.

Chair Schneider indicated that she had nothing to add beyond what her esteemed colleagues had to say.

Accordingly, the Board voted unanimously to modify the prior variance to reduce the parking allocated to 101 Monmouth Street to 75 parking spaces, subject to the following conditions.

1. Modification of the parking requirements for 101 Monmouth Street and its garage shall not take effect until such time as the City of Boston issues a building permit for the construction of a residential building at 142-146 St. Mary's Street. For the modification of the parking requirements to take effect, the building to be built at 142-146 St. Mary's St. must meet the following requirements:
 - a. Have a height no greater than the limit approved in the Boston zoning process, but in no case greater than 69 feet.
 - b. Have a minimum of 75 indoor parking spaces dedicated to 101 Monmouth St. at 142-146 St. Mary's Street.
 - c. For the 75 spaces dedicated to 101 Monmouth St., a minimum of 20 spaces must be EVSE-Installed (Electric Vehicle Supply Equipment) and 55 spaces must be EV-Ready for future installation.
 - d. Have the parking spaces and aisle widths conform to the dimensional requirements of either Boston or Brookline, whichever is more stringent;
 - e. Conform to the State building code for the required number of handicap parking spaces;
 - f. Provide at least two car sharing spaces;
 - g. Meet the then-current requirements for the number of secure bicycle parking spaces for Boston or Brookline, whichever is more stringent;
 - h. 101 Monmouth St./142-146 St. Mary's St. shall provide (15) parking spaces on the property for rental on a monthly basis to residents of the neighborhood. Neighborhood residents who rent spaces at 101 Monmouth St./142-146 St.

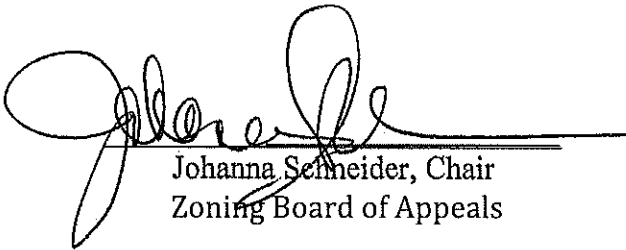
Mary's St. shall pay the same rent as the tenants of the building pay for a like space. All neighborhood residents who were parking in the garage or on the site on 1/1/22 will be entitled to parking, including temporary parking during construction, until such a time as the new garage in in 142-146 St. Mary's St. is open for use. Thereafter any parking spaces not rented to the tenants of 142-146 St. Mary's St. or 101 Monmouth St. in excess of the fifteen spaces mentioned above, must be offered to the residents of the neighborhood with preference given to individuals who were renting a space on 1/1/22. At all times residents of the neighborhood parking in the garage/site or participating in the temporary parking program during construction, shall be charged the same rental fee as charged to the tenants of the buildings. All rights granted to neighborhood residents parking in the garage/site on 1/1/22 shall be personal to that individual and shall not be transferrable.

- i. No natural gas connection and the building must be fossil fuel free.
 - j. All affordable units provided pursuant to Boston's inclusionary zoning requirements must be located on site at 142-146 St Mary's.
2. Before submitting a proposed design to the City of Boston, the applicant shall hold a neighborhood meeting within the Town of Brookline, with notice to 101 Monmouth St residents, Town meeting members of precinct 1, and Brookline abutters, to provide in advance the plans for the proposed building and invite and listen to input on the proposal.
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 4. Within three months before the project is nearing final approval from the City of Boston, the applicant shall appear before the Brookline Planning Board to seek their input on the final design.
 5. The applicant shall electronically submit a landscape plan that includes the north and east side of the 101 Monmouth St. property for review and approval by the Assistant Director of Regulatory Planning.
 6. The applicant shall electronically submit a copy of the storm and ground water management plan filed with the City of Boston to the Director of Engineering for the Town of Brookline.
 7. The applicant shall electronically submit an interim, off-site parking plan for all users of the garage to be reviewed and approved by the Assistant Director of Regulatory Planning.
 8. Prior to building permit, the applicant shall electronically submit a parking plan for construction worker vehicles, approved by the Building Commissioner and Director of Traffic and Engineering, so that those vehicles are prohibited from parking on Brookline streets. Brookline parking permits will not be issued to construction workers, companies or contractors involved in the demolition and development of the 142-146 St. Mary's Street site.

9. The applicant shall electronically submit documentation, approved by the Assistant Director of Regulatory Planning, demonstrating payment of a \$150,000 grant to the Brookline Greenspace Alliance for the purpose of enhancing and maintaining Monmouth Park. Said payment shall be made in two equal installments of \$75,000. The first installment shall be due within thirty days of the City of Boston issuing a building permit for the property at 142-146 St. Mary's St. The second payment shall be due within ten days of the City of Boston issuing a Certificate of Occupancy for the property at 142-146 St. Mary's St.
10. The applicant shall electronically submit to the Building Commissioner evidence that the Board of Appeals decision has been obtained from the Town Clerk's office by the applicant or their representative and recorded at the Registry of Deeds.

Unanimous Decision of
The Board of Appeals

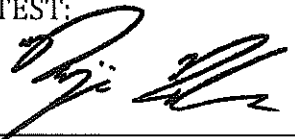
Filing Date: 8/22/22



Johanna Schneider, Chair
Zoning Board of Appeals

A True Copy

ATTEST:



Ben Kaufman
Clerk, Board of Appeals