

**From:** tggmusic@rcn.com [mailto:tggmusic@rcn.com]

**Sent:** Tuesday, September 13, 2016 8:56 AM

**To:** Maria Morelli; Neil Wishinsky; Julie Washburn; Jennifer Buller; Melvin Kleckner; Polly Selkoe; Kerry Fleming; Alison Steinfeld

**Subject:** Re: Further Comment 420 Harvard Street

Dear All-

I am unable to attend the hearing tonight so I will give my opinions in writing below based on my understanding of the new materials that the developer has provided.

Yesterday, we received some new draft plans for 420 Harvard Street showing what appears to be some incremental progress on reducing the size of the building.

We also see the loading zone is now on Fuller - not surprised as when I talked to the Butcherie they said they had limited contract with the developer and had not made - and did not intend to make - any shared loading deal.

The incremental changes do not address the peer reviewer's core comment:

"The new building's massing, and scale are radically and abruptly at variance with the surrounding context, both along Harvard and Fuller Streets. It is likely that the building if constructed as currently proposed would be the tallest structure anywhere on Harvard Street, all along its run through Brookline. It is the opinion of this reviewer that the height of the building (almost 64 feet to the main roof), as well as its unbroken length along Fuller Street, combined with zero front and side setbacks, puts it significantly outside of existing development patterns over the entire distance along Harvard Street/Avenue from Brookline Village to Cambridge Street in Boston. While the site is arguably generally appropriate for residential development, the scale, massing, setbacks (and perhaps façade design) create a typology wholly outside of existing fabric. The impact of the streetscape will be significant, as will the degradation of privacy and access to natural light to the immediate neighbor on Fuller Street."

It appears that very little has been done on the Fuller side in response to the ZBA Chair's comment that the building must fit the residential character of Fuller Street in a way different than the commercial Harvard side. As proposed, the building will continue to appear as a cliff wall on Fuller.

We do not see a new shadow study - or impacts on the restaurants and cafes on Harvard Street as requested.

The traffic and parking also remain entirely impractical. The loading zone now on Fuller only exacerbates the problems I have noted in earlier comments. The proposal of flashing lights in what the ZBA Chairman correctly pointed out is a residential neighborhood on the Fuller side of the building is a reflection of safety issues on a residential street serving a senior center and school children as well as many other pedestrians. The proposal appears to be that pedestrians - our children - cross two lanes of entrance/exit traffic and a commercial loading zone! An entrance on Fuller with its heavier traffic, light with no right-turn and a parking lot entrance across the street is not workable and the entrance should be moved to Coolidge Street as the developer initially proposed.

To further give a sense of the traffic problem, I am attaching two photos taken this morning at about 8am. The first photo shows four cars waiting at Fuller and Harvard. The second photo shows the same four cars with the current entrance and exit of 420 Harvard in the background. It should be clear that cars cannot now get out of the parking lot at 420 Harvard onto Fuller with just four cars at the light. Sometimes there are more. Putting a loading zone and active car traffic for the residential and commercial units on Fuller and it is all over. We will have gridlock and safety issues. Keep in mind the Center Street parking lot across the street and the blocking problems on both sides of the street caused by people trying to enter and exit. The foot traffic was very light - and it took me just 3 or 4 traffic light cycles to get the photos. It gets worse with five or more cars as I have shown in past photos.

I appreciated the ZBA Chair's summary at the end of the last hearing that a balance is needed between the interests of the community and purposes and standards of 40B. I also listened with interest to the testimony of a lawyer suggesting the Town needed to do little more than make sure the project was economically viable to the developer, and the ZBA needed to get moving on this point to best protect the interests of the community given that the developer had refused the ZBA's request for an extension of time to consider the application which was noted to be incomplete in many respects. The developer's overall attitude in the hearings - and the limited commitment to "affordable" housing in the project should be considered.

Given the small incremental progress made on the massing and size, it seems to me the best course of action is to prepare to deny the permit and prepare for litigation unless the developer reduces the size and massing to fit the community with some incremental size and massing over a non-40B project if and only to the extent needed to make the project economically viable. We are clearly not there with a five story building and unworkable parking and traffic.

I repeat my request that the town not give this developer one waiver, one variance or one accommodation of any kind now or in the construction process not expressly required by law.

I heard about resource constraints in some of our town departments at the last hearing, and thank all in the town who are working hard on this matter.

Thank you.

Tom Gunning

**From:** tggmusic@rcn.com [mailto:tggmusic@rcn.com]

**Sent:** Thursday, September 15, 2016 9:45 AM

**To:** Maria Morelli; Neil Wishinsky; Julie Washburn; Jennifer Buller; Melvin Kleckner; Polly Selkoe; Kerry Fleming; Alison Steinfeld

**Subject:** The Entrance, Exit and Loading Zone to the 420 Harvard Street Project must to on Coolidge Street

Dear all-

I have given general comments on 420 Harvard Street. Going forward, I will focus only on the need to have the entrance, exit and loading zone on Coolidge Street and not on Fuller Street for traffic and safety reasons.

I have submitted photos of the existing traffic problems at the intersection of Harvard and Fuller. One shows that the back ups sometime now already block both the Center Street parking lot and my driveway at 39 Fuller Street.

I am attaching two more photos taken on Tuesday, September 14, at 830am. I am also attaching another photo taken from my window at 815 am this morning. As you will see, the traffic backs up at the red light. In the first two photos, a car cannot exit the Center Street parking lot so it blocks the sidewalk. You can also see that bikers use this street. In all photos you can see existing traffic blocks the the entrance to the Center Street parking lot. You can also easily see from the photo from my window that the proposed loading area and the both exit and entrance to 420 Harvard are south of the entrance to the Center Street parking lot. It is very clear that no car could make a left hand turn on to Fuller from the proposed exit at 420 Harvard in normal traffic. No car or truck could reach the 420 Harvard proposed entrance or loading area coming down Fuller in normal traffic- those cars and trucks would simply add to the back-up and will block my driveway. No truck which will necessarily need some room in the opposite lane could enter or exit the loading area when the opposite lane is full. No car coming off of Harvard on to Fuller to park at the Center Street parking lot could make a left turn into the Center Street parking lot in this traffic. No pedestrian could cross the sidewalk on Fuller on the Center Street parking lot side in this traffic. In all likelihood, if the entrance, exit and loading area are on Fuller, the sidewalk on the 420 Harvard side of Fuller would also be blocked as cars and trucks have difficulty entering and exiting due to congestion. Cars will likely back-up on to Harvard as the entrance and exit is perhaps three car lengths at most from the intersection. All will be compounded by increased volume. Gridlock and safety issues will be created.

Unfortunately, I missed another photo showing traffic again blocking my driveway and lined up well past my house at 39 Fuller Street. As noted, Fuller is very busy because Center Street empties on to it.

I have noted Fuller Street carries much more pedestrian volume than Coolidge Street, including many residents from the senior life center who use Fuller with walkers to get to the shopping areas on Harvard. I believe the developer's traffic study shows we have more accidents at Fuller and Harvard than Coolidge and Harvard. I recall twice as many.

In contrast, there are NO problems if the entrance is on Coolidge as initially proposed by the developer. None.

As I noted earlier, the entrance was moved because of simple preference of vocal Coolidge Street residents. This is very well reflected in the testimony of Mr. Brown, the site architect, on August 10 on why the the Developer moved the proposed entrance from Coolidge to Fuller Street:

So right now, you know, between the lot on 420 and then the parking lot across the street, there's kind of an inherent traffic pattern coming off of Fuller, whereas bringing it onto the Coolidge Side, we'd be introducing something new, which my understanding is the neighbors may more object to that."

Mr. Brown went on to say the Developer was essentially indifferent to an entrance on Coolidge or Fuller.

In short hand, it appears that some residents of Coolidge protested to the Developer that they do not have traffic or parking entrances now so all should go to Fuller. This is not a safety or traffic argument. It is a simple "not in my back yard argument".

The ZBA cannot and should not abandon its responsibility for planning, safety and the traffic issues because some residents of Coolidge would like a quiet street and do not wish to share the burden of the new building with Fuller and the rest of the town. The best mitigation of the traffic and safety issues that I have pointed out is to put the entrance on Coolidge. There is no reason not to according the Developer's architect except that the Coolidge Street residents do not want it.

I suggest town officials start considering moving the entrance back to Coolidge as initially proposed as part of ongoing working sessions with the developer. Perhaps the house at 45 Coolidge that the developer also purchased should be taken down to allow for a proper entrance, exit and loading zone and additional greenspace for what continues to be a very large project.

I am hopeful town officials will consider the entrance, exit and loading zone issue objectively. An unworkable and unsafe entrance, exit and loading zone on Fuller when another workable and safe alternative is so readily available would be plainly wrong and arbitrary.

I hope it does not become necessary to further focus the issues in a writ of mandamus or other action.

Thank you,

Tom Gunning



