

September 20, 2016

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

With only 8 weeks left in the review process, we are now at an impasse. After tweaking the building façade elements, and modifying the front setback by the barest minimum, the Applicant believes that negotiations are over. At the September 12 ZBA public hearing, the Applicant even refused to produce missing information about stormwater management, trash management, and shadow studies unless the ZBA dropped its demands for necessary modifications to the building massing. The Applicant's hardball tactics are simply deplorable. These missing studies are required to assess public health impacts, and his refusal to provide them demonstrates his callousness to the proposal's impacts to the Town of Brookline.

**I strongly urge the ZBA to impose conditions on this project that would substantively mitigate the Local Concerns of public health, safety and municipal planning.** In my comment letters, I have provided numerical data from the Town's Public Safety department – and expert studies commissioned by the Planning and Community Development department – as evidence for these Local Concerns. Now is the time for the ZBA to act: to apply the balancing test between Local Concerns and the regional need for affordable housing.

**At the upcoming ZBA public hearing, I exhort the ZBA to adopt three concrete actions:**

- 1. Impose substantial conditions on building height & number of on-site parking spaces;**
- 2. Formally register the Applicant's claim of Uneconomic Burden on these conditions;**
- 3. Request a pro forma statement from the Applicant within three business days for financial peer review of a pro forma statement.**

At the last ZBA hearing there was much discussion about the most appropriate parking ratio. I suspect that there is in adequate time and diligence on the part of the Applicant's transportation engineer to conduct a thorough and accurate traffic study, especially during major congestion from the Farmers Market and also during walking hours to and from Devotion school. I also suspect that the Applicant may produce an inadequate analysis of parking demand at comparable multi-unit apartment complexes in Brookline. Therefore, I urge the ZBA to impose its best estimate of parking demand based on the incomplete information that was provided. As an illustration, let's compare this project with the recent revision for 420 Harvard:

	<b>40 Centre (Sept 1 plans)</b>	<b>420 Harvard (Sept 13 plans)</b>
Lot Area	10,889 square feet	10,851 square feet
Land acquisition cost	\$3,600,000	\$5,075,000
Building height	<b>66' 4"</b>	<b>56' 10"</b>
Number of units	<b>45 units</b>	<b>24 units</b>
Number of bedrooms	<b>61 total bedrooms</b> (20 studio, 17 1-bed, 8 3-bed)	<b>45 total bedrooms</b> ( 8 1-bed, 11 2-bed, 5 3-bed)
Parking spaces	<b>18 parking spaces at grade</b> (11 regular, 7 compact).	<b>24 underground parking,</b> <b>4 parking spaces at grade</b>
Parking ratio	<b>0.40</b>	<b>1.17</b>

For example, a reduction of 15 housing units only corresponds to three fewer subsidized units for residents at 50% AMI. Surely the clear and present danger on Local Concerns of public health, safety and municipal planning outweigh 3 additional subsidized housing units.

**Please act at the upcoming public hearing on September 27.** I remind the ZBA that the Planning Director suggested September 12 as the due date for requesting a financial peer review (August 15 ZBA public hearing transcript, page 85). We are simply running out of time.

Yours truly,

A handwritten signature in blue ink that reads "Derek Chiang". The signature is written in a cursive style and is centered within a light gray rectangular box.

Derek Chiang