 1   Volume IV

 2   Pages 1-105

 3

 4   Brookline Zoning Board of Appeals Hearing

 5   455 Harvard Street

 6   Comprehensive Permit Application

 7   Harvard Danesh 455, LLC

 8   June 7, 2017, at 7:00 p.m.

 9   Brookline Town Hall

10   333 Washington Street, 6th Floor

11   Brookline, Massachusetts 02445

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16   Reporter: Kristen C. Krakofsky

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 1   APPEARANCES

 2 Board Members:

 3 Kate Poverman, Chair

 4 Lark Palermo

 5 Christopher Hussey

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 7 Town Staff:

 8 Alison Steinfeld, Planning Director

 9 Polly Selkoe, Assistant Planning Director

10 Karen Martin, Planner

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12 40B Consultant:

13 Judi Barrett, Director of Municipal Services,

14 RKG Associates, Inc.

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16 Traffic Peer Reviewers:

17 James Fitzgerald, P.E., LEED AP, Director of

18 Transportation, Environmental Partners Group

19

20 Parking Peer Reviewer:

21 Arthur G. Stadig, PE, Vice President, Walker Parking

22 Consultants

23

24

 1 Applicant:

 2 Danny Danesh, Harvard Danesh 455, LLC

 3 Geoff Engler, Vice President, SEB, LLC

 4 Scott Thornton, P.E., Vanasse & Associates, Inc.

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 6 Members of the Public:

 7 Steve Herscovici, 87 Thorndike Street

 8 Sue Housmann, 46 Columbia Street

 9 Bob Lepson, 36 Thorndike Street, Town Meeting Member

10 Precinct 9

11 Marian Harris, 82 Thorndike Street

12 Mark Rosen, 88 Thorndike Street

13 Fred Pinches, 106 Thorndike Street

14 Joanne Noble, 120 Coolidge Street

15 Sloat Shaw, 88 Thorndike Street

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 1   PROCEEDINGS

 2   7:04 p.m.

 3   MS. POVERMAN: Good evening. I'm reopening

 4 the hearing regarding the comprehensive permit for

 5 the property at 455 Harvard Street which is

 6 proposing to construct 17 residential units,

 7 including four affordable units and 1,735 square

 8 feet of retail space.

 9   I am Kate Poverman. I am chairing today's

10 hearing. With me is Christopher Hussey and Lark

11 Palermo. Also up here with us is Polly Selkoe, the

12 assistant director for planning, and Karen Martin.

13   Today's hearing is being transcribed and

14 taped. The transcript will be posted on the

15 website, ideally two weeks after the hearing date.

16 If you come up to the podium, identify yourself,

17 including your address, and speak clearly.

18   So for tonight's rule, we have to end,

19 ideally, around 9:00, since Ms. Palermo had an

20 unexpected conflict and needs to leave, so that

21 gives us a good motivation to be quick tonight. So

22 this will mean for speakers -- no clapping in

23 between speakers, no shouting, no interrupting, no

24 speaking to each other while the hearing is going

 1 on. And if you want to carry on a conversation,

 2 please go outside.

 3   So as you all know, this is our fourth

 4 hearing. At the first one, the applicant presented

 5 their proposal. The second one, we heard some

 6 recommendations and took public testimony. We had a

 7 site visit, yada, yada.

 8   Anyway, tonight what is going on -- we have

 9 Judi Barrett, who is our distinguished expert on 40B

10 applications, and she will explain the parameters of

11 40B and the review process and what we as a ZBA are

12 constrained by and encouraged by, etc. And we will

13 also hear -- the traffic and parking peer reviewers

14 will present their reports. If we have time, we

15 would love to hear from the audience and neighbors.

16 If we don't have time tonight, we will figure out

17 how to do that in our next hearing. Then we will

18 hopefully have time for our planning staff report,

19 unless Polly would like to go right after Judi's

20 report.

21   MS. SELKOE: Yes.

22   MS. POVERMAN: Okay, great.

23   Anyway, let's start now. Judi, would you

24 like to begin the process?

1   MS. BARRETT: Sure. Am I projecting

2 somewhere tonight? Is this being projected or -- do

3 you have the slides? I thought you were going to

4 set up the slide presentation.

5   MS. STEINFELD: Did you send it to us?

6   MS. BARRETT: You've had it, like, forever.

7 We've used it here many times.

8   MS. POVERMAN: While that infrastructure is

9 being --

10   MS. BARRETT: Let me try to help everybody.

11 It's not a problem. It's fine. I could do it in my

12 sleep. Okay. So maybe because I don't have my

13 whole slide presentation with me, that I actually

14 can make the brevity expectations of the chair.

15   My name is Judi Barrett. I do a lot of

16 work with boards of appeal around the Commonwealth.

17 I'm here to really help the board work through

18 comprehensive permit proceedings, and I just want to

19 tell you a little bit about what this law is and

20 what the obligations are of the board and of the

21 town and of the applicant.

22   So this law was enacted in 1969 at a time

23 when a lot of residents of cities were moving out

24 into the suburbs, and the legislature had a big

1 concern about what was going to happen to city

2 centers as people left the areas. So Chapter 40B is

3 a directive to communities to provide their regional

4 fair share of affordable housing.

5   And the standard for determining whether

6 that regional fair share is met is that every

7 community is supposed to have at least 10 percent of

8 their year-round housing stock as affordable

9 housing. And what that means -- the definition of

10 affordability is based on percentages of a regional

11 area median income. So just to put numbers around

12 this, if you were thinking about a household of

13 four, you're thinking roughly about a household with

14 an annual income of about $66,000. That's typically

15 what we talk about with Chapter 40B. We sometimes

16 talk about lower incomes, but that is typically what

17 we're referring to.

18   And so an applicant who comes to the town

19 with a development that includes at least 25 percent

20 of the units as affordable, targeted to that income

21 range or below, is essentially entitled to an

22 expedited process, provided they submit a complete

23 application to the board and all the materials the

24 board needs to make a decision are available.

 1 They're entitled to a presumption, if the community

 2 is under that 10 percent limit, that the regional

 3 need for affordable housing outweighs a lot of the

 4 local concerns. Now, that doesn't mean the board

 5 has to approve every comprehensive permit that comes

 6 before it, but it does set a very high bar.

 7   Before the applicant ever gets here, they

 8 have to go through what you would call a

 9 "preapproval process" with the state agency. It is

10 sometimes an agency called MassHousing. It might be

11 MassHousing Partnership. But they have to submit,

12 essentially, what I would call, in layman's terms, a

13 prequalification package. Now the subsidizing

14 agency, as we call them, is obligated to review the

15 project, review the site, and make a determination:

16 If the board of appeals grants a comprehensive

17 permit for this development as we have seen it, we

18 would likely fund it. That's really what they're

19 saying.

20   So they go through a review process, they

21 look at the site, they meet with the town, and they

22 issue what's called a "project eligibility letter"

23 if they determine that the project is worthy to go

24 to the board of appeals. So there's a whole process

 1 that happens before it ever gets here, and there's a

 2 process that happens after the board of appeals as

 3 well.

 4   The board has to review the project with an

 5 eye toward are we at 10 percent or not. And if

 6 we're not, then there are, as I said, expectations

 7 that there will be deference to the regional need

 8 for affordable housing.

 9   The board can review and consider concerns

10 that relate to the physical and design

11 characteristics of the site, so environmental

12 impacts, open space, design, architectural and site

13 design are valid considerations for the board to

14 look at. Those are the kinds of things that a board

15 would look at for any type of development.

16 Transportation or traffic impacts, those are things

17 that are within the board's purview.

18   What's not in the board's purview are

19 things like who's going to decide who gets to live

20 in the housing, and how much money can the developer

21 make. That all falls within the realm of the

22 subsidizing agency's purview.

23   However, the board does need to be careful.

24 If it's going to impose conditions related to

 1 environmental impact, design, open space, those

 2 physical and design considerations I referred to,

 3 the board needs to make sure that it's not imposing

 4 conditions that will render the project uneconomic.

 5   And that's a financing term that I won't

 6 try to sort of explain in detail much tonight,

 7 except to point out that in the world of

 8 Chapter 40B, the question about economics has to do

 9 with can I take that permit to the bank and get

10 financing? Is my project going to meet all the

11 requirements that a lender would expect me to meet?

12 In the end, do I have the right ratios, do I have a

13 return on total costs? All that sort of analysis

14 gets done.

15   The board doesn't need to do that, but the

16 board needs to kind of be conscious that when

17 they're imposing conditions on a project, if they

18 make it uneconomic -- and that's an "if" -- the

19 developer has a right to go to what was at least

20 designed to be an expedited appeal process. It

21 isn't really. But the developer can go to an entity

22 called the Housing Appeals Committee, which is sort

23 of a subagency inside the department of housing and

24 community development.

1   And the developer would argue, gee, they

2 put these conditions on my project, and they've made

3 it uneconomic, and I can prove that. And generally

4 speaking, if they can show that the project -- the

5 conditions the board imposes have made the project

6 uneconomic, the Housing Appeals Committee will

7 generally -- because of the deference in the law to

8 affordable housing, the Housing Appeals Committee

9 will generally find in favor of the applicant,

10 unless there is an overwhelming local concern that

11 no matter what the board did, no matter what

12 conditions the board put on the project, that you

13 couldn't sort of alleviate a local concern.

14   And there's this balancing test the board

15 has to do: Well, if we impose this condition or we

16 impose this requirement on an applicant, have we

17 made the project uneconomic? Or we probably

18 shouldn't do that because we're going to get

19 overturned at the state level.

20   But if there is a compelling reason for the

21 board to impose that condition anyway, just know

22 that you're going to end up in an appeal. It's

23 always preferable in these cases for a board to try

24 to avoid, if possible, unless there's no other

 1 remedy, a denial.

 2   The board can do three things when a

 3 comprehensive permit comes in: They can approve it,

 4 they can approve it with conditions that are within

 5 that jurisdiction I described earlier, or they can

 6 deny.

 7   If the board denies a comprehensive permit

 8 and the town is not at that 10 percent threshold,

 9 the strong probability is that the board's decision

10 will be overturned because the law gives such

11 deference to the regional need for affordable

12 housing; that absent some overwhelming environmental

13 impact that can't be mitigated by any ordinary or

14 legitimate means, the Housing Appeals Committee will

15 simply overturn the board's decision. And so then

16 any conditions the board might have put on the

17 project you don't get to impose.

18   So we generally try, if we can, to work

19 with communities around coming up with a permit that

20 has conditions that don't render the project

21 uneconomic, and try to avoid, if possible, an appeal

22 situation. If it's unavoidable, it's unavoidable.

23 You have to do the best job you can, and this board

24 has done really a remarkable job with the several

 1 comprehensive permits that have come before it, so I

 2 have tremendous faith that the board will do the

 3 same thing in this case.

 4   But really, I think what I want you to

 5 understand is that the law is designed to create

 6 affordable housing. It is designed to overcome

 7 local rules and regulations that would otherwise be

 8 an impediment to the creation of that housing.

 9 That's what we're here for. That's what the whole

10 law is about.

11   So if you're going to venture in that realm

12 of I don't think this project's going to work, I

13 don't think that project's going to work, you need

14 to have tremendous professional evidence on your

15 side in preparation for an appeal, and otherwise,

16 what you try to do is get the best project you can

17 for your town.

18   So I think that really is sort of a wrap

19 around the many slides I usually go through when I'm

20 here.

21   MS. POVERMAN: Could you go through the

22 Amesbury standard?

23   MS. BARRETT: Yeah. There's a case that

24 came up several years ago in the high courts in

 1 Massachusetts called the Zoning Board of Appeals of

 2 Amesbury. And in that case, the board had tried to

 3 venture into conditions that the court later found

 4 were beyond the board's jurisdiction. What I said

 5 earlier, the board can look at design -- site

 6 design, building design, environmental impact,

 7 adequacy of opening space on the site, or open space

 8 implications. The board can also look at the

 9 relationship between the proposed project and the

10 community's planning, those things.

11   But when it comes to determining how the

12 property will be marketed, who will have the first

13 opportunity to choose the units, or how the tenant

14 or homeowner selection process will be done, whether

15 the town or the subsidizing agency kind of has the

16 final say over what constitutes too much profit, the

17 board said, that's beyond your reach.

18   So we kind of work with those Amesbury

19 standards in these cases in an attempt to sort of

20 focus the board's attention on plan review. Because

21 it's really in some ways like almost any other

22 projects. The focus is the plan and the project,

23 and not the sort of, you know, tangentials around

24 what is the public benefit, who determines the

 1 public benefit, as I said, who gets to live in the

 2 housing, and who gets to decide whether there's

 3 excess profit.

 4   So all those considerations that would

 5 never come up in a subdivision or some other kind of

 6 development, really the board has to go hands off

 7 on those things. That's kind of what the principle

 8 of the Amesbury decision was.

 9   Did you have a specific question?

10   MS. POVERMAN: I know there are some cases

11 which say that health and safety issues could be

12 considered, and I don't where that comes in in

13 relation to Amesbury.

14   MS. BARRETT: Health and safety is a

15 significant consideration. I'm sorry I didn't

16 mention that. Health and safety is probably the

17 biggest issue that the board can look at. And so if

18 there is a concern about traffic safety, pedestrian

19 safety, fire safety, or something like that, the

20 board needs to be able to line up its ducks in a

21 row, because, no doubt, an applicant will come in

22 and say, I've looked at all these issues and

23 everything is fine.

24   So the board is going to want to accept and

 1 document testimony from your local police department

 2 and your local fire department. If it turns out

 3 that there's a disagreement between the applicant's

 4 team and your local staff, you bring in a peer

 5 review consultant, as the board often does, to try

 6 to make sure that the board has the best

 7 professional advice. Not to knock the staff,

 8 because the staff here are wonderful, but you need

 9 to be able to almost get some independent advice

10 outside the town, and for someone to take a fresh

11 look at the project.

12   So health and safety are valid

13 considerations, but again, everything is about this

14 balancing test. Everything is about the balancing

15 test. If there's a way to remedy or reduce a safety

16 concern, or if you can't legitimize a safety concern

17 because you don't really have adequate professional

18 evidence to that effect, you probably don't want to

19 go there. You need to make sure that you have the

20 information from a neutral party that says there is

21 a problem here that can't be remedied from any other

22 means. Because the law -- the preference of the

23 law, the deference of the law is the regional need

24 for affordable housing.

 1   Does that help, Kate?

 2   MS. POVERMAN: Yes. I just want to make

 3 sure that -- it's a very confusing subject for

 4 everybody, and I think that it would help people to

 5 know that those are some of the things we need to

 6 consider.

 7   MS. BARRETT: Sure. Alison handed me a

 8 couple of notes of things she wants me to make sure

 9 I go over. I don't have my slides.

10   MS. POVERMAN: What was your question,

11 Chris?

12   MR. HUSSEY: Judi, I'm glad you talked at

13 length about the Housing Appeals Committee because I

14 hadn't been so sure of that up to now. And it

15 sounds to me as though if the applicant's traffic

16 and parking consultants and the peer consultants all

17 agree that there is no serious hazard or risk to

18 pedestrians and so forth, that it would be very

19 difficult to have that as the reason to deny the

20 project and have it not overturned by the appeals

21 board. Is that --

22   MS. BARRETT: Well, the standard is, is the

23 project creating a condition that's new? And to

24 what extent is the project responsible for

 1 mitigating its own impact?

 2   Often these questions come up on the site

 3 during a situation, a context where there may be

 4 some existing concerns about vehicular traffic or

 5 pedestrian safety. But understand that those

 6 existing conditions are not a problem on behalf of

 7 the applicant. Those are the town's problem. And

 8 so if you're concerned about traffic or pedestrian

 9 safety in an area, the issue is for the town to

10 solve, not really for the applicant.

11   If the applicant is contributing to a

12 worsening of that condition, then the applicant

13 has -- I guess you would call it sort of an

14 incremental contribution to solving the problem but

15 not to fix the problem in its entirety because they

16 didn't create it.

17   So something else I just want to mention --

18 again, without my slides, I only have memory to go

19 by here. The board has 180 days to complete this

20 process from the opening of the hearing, and I've

21 kind of lost track as to where you are on that. But

22 certainly, as you get toward the end of that 180-day

23 period and you're making progress and you need a

24 little more time, typically an applicant will agree

 1 to a modest extension. But, of course, you would

 2 not want to rely on that during the hearing. So the

 3 board has to be making kind of a good faith effort

 4 throughout to comply with that 180-day regulatory

 5 requirement. That's not in the statue, but it is in

 6 the regulations, and so the board requires --

 7   The other thing that I should just mention

 8 vis-a-vis Amesbury is that the board can't consider

 9 things like the physical impact of the project. I

10 actually just gave a talk on this today, a

11 conference out in Central Mass.

12   You can't look at things -- you can't

13 impose requirements on a 40B that are not imposed on

14 other types of developments in your community. It's

15 in the statute. You just can't impose requirements

16 that go beyond what you would impose on any type of

17 development. So you need to be careful looking at

18 impacts that would be the impact of really kind of

19 any kind of development. And every development sort

20 of does its fair share to address those impacts, but

21 those are kind of community service issues that are

22 not part of the 40B process.

23   MS. POVERMAN: So to follow up on that, my

24 understanding is that -- which is very frustrating

 1 to Brookline -- is that even though our schools are

 2 overloaded, you cannot consider the fact that 40Bs

 3 will add to the school population; is that correct?

 4   MS. BARRETT: You cannot consider the

 5 fiscal impact of the project on the schools. You

 6 can't. I mean, the Housing Appeals Committee won't

 7 even accept that testimony. I know because I've

 8 testified there before. They won't even accept it

 9 into the record.

10   MS. PALERMO: Judi, I think it might be

11 helpful to also talk a little bit more about the

12 beginning of the process that you called --

13   MS. BARRETT: With the subsidizing agency?

14   MS. PALERMO: Right. Because there's

15 certain areas that they have reviewed and approved,

16 and I believe they are not subject to our review and

17 approval. We essentially are required to take at

18 face value what the subsidizing agency has agreed to

19 in its project eligibility letter.

20   MS. BARRETT: The subsidizing agency has

21 two key questions. I mean, there are four or five

22 criteria in the regulations, but the two key

23 questions are: If this project were permitted at

24 the local level, would it meet our funding

 1 requirements? Would we fund this project? That's

 2 really the main question the subsidizing agency has

 3 to answer because they're in the business of

 4 subsidizing housing.

 5   The second question is: Is the site

 6 generally appropriate? So they will not get into

 7 the detailed review that your board does, because

 8 you know your town better than the subsidizing

 9 agency does. But if it's a site that's generally in

10 a residential area or a site that's in a mixed use

11 area and there's, you know, a fair amount of housing

12 around it, the subsidizing agency -- or depending on

13 what your zoning says, the subsidizing agency isn't

14 going to say, well, this site isn't appropriate for

15 a multifamily. And that's always a question, is how

16 you fit multifamily housing with other types of

17 housing around it. They're not going to go there.

18 They assume that you will handle that.

19   And, you know, I mean, I'll be perfectly

20 honest with you. I think it makes it hard for the

21 board because the assumption is that the project, as

22 proposed, is appropriate for the site. So if it's

23 not, then the burden really shifts to you to sort of

24 document why that's not the case.

 1   I would never want to say to any board I've

 2 worked with, you're stuck with the subsidizing

 3 agency's decision, but they're not going to look at

 4 it the way you are. They don't look at the traffic

 5 impact. They don't look at any of that.

 6   But there is a presumption that if the

 7 applicant has that approval from the subsidizing

 8 agency, which comes in the form of a project

 9 eligibility letter, and if the applicant is an

10 eligible entity, which is either a public agency, a

11 nonprofit organization, or a limited dividend

12 organization, which is typically what we see, and if

13 the applicant has site control, if they meet all

14 those conditions, which a project eligibility letter

15 is a presumption that they meet, then the applicant

16 has a right to be in front of you and has a right to

17 expect that the board will, in the end, issue what I

18 like to call a unified permit. That's essentially

19 what this is.

20   The board's jurisdiction picks up all the

21 local permitting that would otherwise happen, so the

22 applicant doesn't have to go to the planning board.

23 It would only go to the conservation commission if

24 the project triggered state law. It would only deal

 1 with the board of health if somehow the project

 2 triggered state law. But everything that would be

 3 handled locally is handled here. The logic is one

 4 permit and expedite the process.

 5   MS. PALERMO: You identified one thing that

 6 had come up in the hearing, and it's site control.

 7 In this particular case, the applicant has leased

 8 the land to a restaurant, and statements have been

 9 made in the public hearings that there are problems

10 with the lease and that the applicant may not have

11 control based on potential legal issues with the

12 tenant.

13   It's my understanding that it is not within

14 our purview to question the project eligibility

15 letter's statement that the applicant has -- that

16 they have done the due diligence to determine

17 whether the site control exists.

18   MS. BARRETT: It's pretty clear in the

19 state regulations that if an applicant comes to you

20 with a project eligibility letter, there is a

21 presumption that they've met those three statutory

22 requirements. Those are statutory requirements.

23   Now, that said, if a project were in front

24 of you and it changed significantly in the course of

 1 the review, you would certainly be within your

 2 rights to communicate back to the subsidizing agency

 3 and ask them: Is this a significant enough

 4 change -- we kind of went through this on another

 5 project, I think, here. Is this a significant

 6 enough change to warrant a revisiting of the project

 7 eligibility letter? Their typical stance is they

 8 don't want to get involved again when this is going

 9 on. They will look at it later.

10   Maybe I should just mention this: Once you

11 grant your permit, they're not over. There's still

12 a lot that has to happen. There's a whole, what we

13 call, final approval process with the subsidizing

14 agency. That could take forever. People think

15 boards of appeal are slow. The final approval

16 process at MassHousing is quite demanding. And so

17 they will look at all of that again, but they

18 typically don't get involved while it's in the

19 review process locally, unless there's some real

20 significant question.

21   But I would say, if you have a concern

22 about that, you're well within your rights to ask

23 the subsidizing agency for comment. They probably

24 will say, we'll look at it during final approval. I

 1 can't speak for them, but I wouldn't be surprised.

 2   MR. HUSSEY: I've got one more question.

 3 The two main objections from the neighborhood in

 4 general, you've touched on both of them. One is the

 5 hazards, the safety. And the other has to do with

 6 the building itself, the design, the massing, the

 7 height, the nearness to other buildings that are not

 8 as big and what have you.

 9   How important is the peer reviewer's

10 opinion in this kind of situation? That is, if the

11 peer reviewer -- say the architectural peer reviewer

12 does not see a problem in that area, what's the

13 chance of us stating that we're turning it down on

14 that basis and not having it get through the appeals

15 committee? What do you guess?

16   MS. BARRETT: Slim to none.

17   MR. HUSSEY: Thank you very much. That's

18 what I was afraid you'd say.

19   MS. BARRETT: I think if you did because

20 you had other policy reasons -- you know, I hate to

21 sound like I'm tying your hands, because I don't

22 think that's my role. But I'm trying to also give

23 you a reality check. I think that if the board

24 decided that there was a height issue regardless of

 1 what the peer review architect said, you better be

 2 prepared, going into an appeal, to have another

 3 architectural review. Because believe me, the

 4 applicant will ask their peer review consultant to

 5 come in and testify.

 6   MS. POVERMAN: For different evidence --

 7 different types of evidence.

 8   MS. BARRETT: Sure. All of the above,

 9 Kate. All of the above.

10   MR. HUSSEY: Thank you.

11   MS. BARRETT: Any other questions from the

12 board, or anyone?

13   MS. POVERMAN: Mr. Engler, would you like

14 to ask a question? Could you please identify

15 yourself.

16   MR. ENGLER. For the record, Geoff Engler

17 from SEB, 40B consultant representing the applicant.

18   I appreciated Judi's thorough explanation.

19 I just have one real point of clarification. She

20 said 40B is -- the affordable units are intended for

21 people earning up to 80 percent of area median

22 income, which is a certain income level.

23   In fact, there are two programs that are

24 allowed. You can do 25 percent up to 80 or 20

 1 percent of the total units for households earning up

 2 to 50 percent, which is the program, in this case,

 3 my client has selected, where, in fact, they're

 4 doing more affordability. By law, under this

 5 program, you have to do 20 percent. They're doing

 6 23 1/2 percent affordability.

 7   What that means to people in the audience

 8 that don't quite understand, basically, the

 9 affordable units here will be set on a rent for

10 households earning up to 50 percent of area median

11 income.

12   MS. POVERMAN: Can you put a dollar amount

13 on that, Geoff, as to --

14   MR. ENGLER: I would say give or take

15 $1,000 a month, $1,100 a month, you know, give or

16 take for the affordable units, as opposed to units

17 priced -- or set at households earning up to

18 80 percent, which would probably be closer to

19 $1,500, give or take.

20   MS. POVERMAN: And those are the larger

21 units; is that correct?

22   MR. ENGLER: Those are for the four

23 affordable units.

24   MS. POVERMAN: Right. But different sized

 1 bedrooms is what I'm saying.

 2   MR. ENGLER: Oh, the generic -- yeah, it

 3 varies by bedroom type, so the different -- in a

 4 bigger bedroom -- two-bedrooms have a higher rent

 5 than one-bedrooms, so on and so forth.

 6   So I just wanted to -- because I know that

 7 was mentioned by the neighbors' counsel at the last

 8 hearing, that we were not meeting our affordability

 9 requirements. I don't think he was clear that we're

10 50 percent units instead of 80 percent units.

11   MS. POVERMAN: Actually, your unit mix was

12 confusing. I was looking at that myself. And this

13 is news to me that you'd switched to the 20/80.

14   So what are the exact numbers it breaks

15 down in terms of -- so 17 units --

16   MR. ENGLER: We never switched. It was

17 always four units.

18   MS. POVERMAN: So it's about 25 percent

19 still.

20   MR. ENGLER: 23 1/2, four of seventeen.

21   MS. POVERMAN: Okay. So fantastic.

22   MR. ENGLER: So that's all I wanted to say.

23 I don't have anything else.

24   MS. POVERMAN: Thank you.

1   MR. ENGLER: Oh, one other thing. I'm

2 sorry. I can't help myself. There was a question

3 raised before about site control, and I agree, it's

4 not the board's purview. It's the subsidizing

5 agency's.

6   But being as a matter of record, my client

7 has a lease with the tenant for a new property, so

8 any allegations or information that he or she is

9 leaving against their will and being thrown out is

10 not accurate. He has a lease for another property

11 that he likes better than the one he currently has,

12 so hopefully this will bring the site control issue

13 to bed. Thank you.

14   MS. POVERMAN: Great.

15   All right. Polly, did you have anything

16 else you would like to ask Judi?

17   Judi, is there anything you would like to

18 add?

19   MS. BARRETT: No. Not at this time. I

20 think if something comes up during the process, you

21 know, I'm here.

22   MS. POVERMAN: Fantastic. Thank you very

23 much.

24   Actually, while you're here, could you take

 1 one of the questions from the questions from --

 2   MS. BARRETT: Absolutely.

 3   MS. POVERMAN: Why don't you come up and

 4 introduce yourself, just so we know who you are for

 5 the record. And we do need to move quickly through

 6 this. I apologize. I know Judi is a very valuable

 7 resource.

 8   MS. HOUSMANN: I'm Sue Housmann. I'm from

 9 46 Columbia Street, Brookline, of course.

10   My question for Ms. Barrett is how does one

11 measure the volume of community opposition,

12 discomfort, whatever, with a package? I mean, that

13 was alluded to as a character, but I don't know what

14 the metric is on that.

15   MS. POVERMAN: I'm not sure what you're

16 asking. Where does it play a role? Is that what

17 you're asking?

18   MS. HOUSMANN: I thought I heard mentioning

19 about considering opposition from the community, and

20 I don't know how opposition from the community is

21 measured. That's very squishy.

22   MS. BARRETT: It is. It is. It's

23 really -- you know, if a neighborhood has concerns,

24 typically most developers will try, if they can, to

 1 work with the neighborhood and make the board's job

 2 much easier.

 3   But, you know, the board -- the board's job

 4 is to try to get the best project they can for the

 5 town, given all of the considerations that the board

 6 is allowed to make. And so community opposition is

 7 certainly one consideration. But for each issue

 8 that neighbors may be concerned about, the board

 9 then tries to get independent input. You know, how

10 serious is the traffic issue? Can it be mitigated?

11 How significant is the design issue? Can it be

12 mitigated?

13   It isn't that the board doesn't hear what

14 the neighborhood opposition is, but the law -- this

15 is different from a special permit under the zoning

16 act. This law defers to the need for affordable

17 housing. There are many other permits under the

18 zoning act that kind of defer to a whole lot of

19 other considerations. But when it's a Chapter 40B

20 comprehensive permit, the board's first duty is to

21 defer to the need for affordable housing wherever

22 possible.

23   MS. POVERMAN: And I know this is extremely

24 frustrating to hear, but personally, I find the

 1 neighborhood's participation and voice very

 2 important, and I find that issues brought up by the

 3 neighborhood are also very helpful because they give

 4 us more information. And the more information we

 5 have, the better decision we can make.

 6   MS. BARRETT: Right. That's true.

 7   MS. POVERMAN: Okay, on to Polly.

 8   Thank you very much, Judi.

 9   MS. BARRETT: Thank you.

10   MS. SELKOE: I'm Polly Selkoe, assistant

11 director of regulatory planning.

12   Tonight we're going to be discussing

13 parking and traffic, but I just wanted to take a

14 minute to discuss design issues. The planning staff

15 and Cliff Boehmer, who's our peer reviewer on

16 design, met with the applicant's team to discuss

17 design issues. And the bottom line is that they are

18 still working on design issues and are going to be

19 making some changes, which I think at the July 12th

20 meeting they'll be able to present to this board.

21 So that's not being ignored, but we're going to wait

22 to hear anything about the changes because they're

23 still working on them.

24   I don't know if -- Geoff, if you wanted to

 1 add anything to that.

 2   MR. ENGLER: I think that's an accurate

 3 representation. We did have that meeting. It was

 4 productive. And Peter, who you know, and my client

 5 are evaluating those suggestions, and I think you'll

 6 see that the revised plans do represent or factor in

 7 a lot of the things that Mr. Boehmer and, to a

 8 certain extent, the board and the neighbors have

 9 communicated.

10   We thought it made sense to have the

11 benefit of the comments on traffic and parking as

12 well because those can have a design component, so

13 we'll hear that. I mean, we've seen the letters,

14 obviously. We'll hear tonight the testimony, and

15 then we can factor everything together, because some

16 of those concerns have a design component as well.

17   So prior to the 12th, we'll get the plans

18 to the board, to Mr. Boehmer, and then we'll do a

19 full presentation on the updated plans.

20   And relative to one other comment about

21 neighborhood input, my client has had discussions

22 recently with one of the neighbors that retained

23 Mr. Hill, and we expect to have a larger discussion

24 in the coming weeks about some of those concerns.

 1 And I would say I can represent, I think, before the

 2 12th those will have occurred as well, so...

 3   MS. POVERMAN: One of the things I want to

 4 raise is with summer coming and this being our

 5 fourth meeting, the six months is up in September.

 6 So if we're in June -- we started in March, so

 7 March, June, July, August, whatever. It's ending in

 8 September. So I think we need to at least plan some

 9 meetings and set some dates aside, at least a couple

10 per month. We can always cancel them. But with

11 vacations coming up, I really think we need to start

12 working on meeting more frequently, just in case we

13 need to discuss design, whatever.

14   MS. SELKOE: Right. But we have to keep in

15 mind that they need time to make the revisions to

16 come back to us so that the meetings are profitable.

17   MS. POVERMAN: Right. So after July

18 12th --

19   MS. SELKOE: Well, why don't we discuss

20 that -- we have the July 12th date. I know that the

21 applicant's team can make it that evening, the board

22 can make it, and we will pick a couple more dates.

23 I can poll everybody.

24   MS. POVERMAN: Sure. I just don't want to

 1 have them July 12th, August 12th, September 12th,

 2 oops.

 3   MS. SELKOE: We'll make sure that doesn't

 4 happen.

 5   MS. POVERMAN: Okay. Great. All right.

 6   MS. SELKOE: Okay. We're ready for the

 7 traffic and parking peer reviewers.

 8   MS. POVERMAN: Fantastic. Mr. Fitzgerald?

 9   MR. FITZGERALD: Thank you very much.

10 Again, my name is Jim Fitzgerald, and I'm with

11 Environmental Partners Group. And we performed the

12 traffic peer review on Vanasse & Associates May 5,

13 2017 traffic assessment for the redevelopment of

14 455 Harvard Street.

15   The site is anticipated, as you know, to be

16 redeveloped into 17 apartment units and 1,735 square

17 feet of retail. It's located within relatively

18 close proximity to a number of public transportation

19 options, including especially the bus Route 66 stop,

20 which is only a block away. There's also the bus

21 stops for Route 57, 57A, and the B and C branches of

22 the Green line, all of which are within 1,600 to

23 2,500 feet of the site.

24   The proposal includes an access along

 1 Thorndike Street closing the two existing curb cuts,

 2 installing one in the center, and removal of a curb

 3 cut along Harvard Street.

 4   The 42-foot-long curb cut along Harvard

 5 Street is anticipated to become a temporary loading

 6 zone and trash pickup location for a four-hour

 7 period in the morning. Some of the documentation

 8 shows that four hours falls between 5:00 to

 9 9:00 a.m., others show 6:00 to 10:00 a.m. During

10 all other times, the space, that 42-foot length will

11 be used for two metered parking spaces.

12   Intersection safety was reviewed in the

13 documents using information provided by the local

14 police department identifying three crashes during a

15 three-year period of 2014 to 2016. Only one crash

16 per year.

17   We looked up some MassDOT crash data as

18 well during this time period of 2011 to 2014.

19 That's a four-year period. There were six crashes,

20 according to MassDOT, so according to MassDOT it's

21 about 1.5 crashes per year.

22   Trip generation was performed in order to

23 determine the number of trips being generated by the

24 site using the Institute of Transportation and

 1 Engineering, ITE's trip generation manual. To the

 2 apartment usage, it was a pretty straightforward

 3 computation using Land-Use Code 220.

 4   For the retail component, it got a little

 5 bit more confusing, or less accurate, I should say.

 6 The land-use code used was 826, Specialty Retail

 7 Center, which fits the description of what's being

 8 proposed here. Unfortunately, the data points

 9 available in ITE are very limited for this land-use

10 code. For instance, in the evening peak hour, there

11 are only five data points available. All the

12 developments are substantially greater in size than

13 this one, 15,000 square feet to 215,000 square feet

14 versus our 1,700-square-foot development for retail.

15   So we did a little bit further digging in

16 ITE. Unfortunately, there's not really a great

17 application for this scale of retail use. We looked

18 at other land-use codes, such as 820, and coming up

19 with similar volumes but the same issue of much

20 larger scale developments.

21   Given the small scale of this retail

22 component, we anticipate that the number of trips

23 generated by it are approximate. Depending on what

24 specific retail uses go in, that would really shed

 1 more light onto the number of trips, but I would

 2 suspect we're talking about the difference of a trip

 3 or two per hour, so it's not substantial.

 4   There were reductions taken on the trips

 5 generated by the site because the numerous -- the

 6 options for public transportation in the area. This

 7 was based on the 2010 to 2014 commuting to work

 8 information. It included a reduction of about

 9 55 percent, which appears to be reasonable and has

10 been used on other projects as well in the area.

11 This is a reasonable reduction for the apartment

12 usage, again commuting to work.

13   This same reduction was used, however, on

14 the retail component. Since the reduction is based

15 on commuting to work, we didn't feel that that was

16 appropriate, although we do recognize that depending

17 on the type of retail that goes into the site, there

18 would be likely some sort of reduction taken for

19 pass-by business, or if it's a convenience store,

20 perhaps some of the residents of the apartments

21 might use the store, etc. So we asked for

22 additional clarification on that.

23   In the end, based on the assumptions made

24 in the report, there were five trips generated in

1 the morning peak hour, two entering, and three

2 exiting, and seven trips during the evening peak

3 hours. That's four entering and three exiting. So

4 relatively low traffic volumes for this scale of

5 development, certainly.

6   A question was raised having to do with the

7 lack of analysis for Saturday, because if there is a

8 retail component, typically a retail's peak falls on

9 a Saturday, although probably negligible given the

10 1,700-square-foot size of retail is relatively

11 small, depending on what goes into that site.

12   Sight distance was perhaps the biggest

13 concern having to do with the development. The

14 Harvard Street/Thornton intersection was looked at

15 for sight distance, mainly at the Thorndike Street

16 approach, because all the proposed traffic will be

17 accessing this intersection via Thorndike versus the

18 current site has -- the Thorndike driveway access is

19 closed currently, so the site currently accesses

20 Harvard Street instead.

21   The applicant identified the 85th

22 percentile speeds along northbound on Harvard Street

23 at 26 miles an hour and along southbound Harvard

24 Street at 27 miles per hour. The data was not

 1 provided, however, for us to verify that.

 2   We looked into intersection sight distance

 3 and stopping sight distance. Ultimately, if the --

 4 according to AASHTO, which is what we reference for

 5 standards, if the available sight distance for an

 6 entering or crossing vehicle is at least equal or

 7 approximate to the stopping sight distance to the

 8 major roads, then drivers have sufficient sight

 9 distance to anticipate and avoid collision.

10   So based on this location, if you were

11 sitting at the Thorndike Street approach to Harvard

12 Street, you would be required to have 173 feet of

13 stopping sight distance. And what we're measuring

14 looking to the right -- because the parcel, as

15 you're on Thorndike Street approaching Harvard, is

16 on your right -- currently there is only 80 feet

17 available for sight distance under existing

18 conditions because there is a parking space right

19 adjacent to the intersection. However, just beyond

20 that parking space is the existing curb cut opening

21 where there is no parking. That's how they access

22 the restaurant currently.

23   So there is some level of additional sight

24 distance if you were to be able to look between

1 the -- that one parked vehicle, if there was a

2 parked vehicle there, and the existing bush on the

3 existing property. So we estimate about a disrupted

4 sight distance of about 190 feet under existing

5 conditions.

6   Now under proposed conditions, that curb

7 cut is anticipated to now become on-street parking

8 during the majority of the day or loading or trash

9 pickup during those four hours in the morning. So

10 in addition to that, there will be obviously a large

11 structure along the back edge of the sidewalk. So

12 we anticipate that the addition of these features

13 would worsen the sight distance even further from

14 this approach when you're looking to the right.

15   As a result, what we had suggested

16 considering in our memorandum was the idea of a curb

17 extension. It allows the -- provides the

18 opportunity to push the stop line -- the crosswalk

19 and the stop line further in towards Harvard Street

20 a bit more so that can you see oncoming traffic

21 easier, more around those parked vehicles. It also

22 serves many other purposes. It does help to shorten

23 the crossing distance, which helps reduce the

24 exposure that pedestrians have when they're crossing

 1 the street, the exposure that they have to oncoming

 2 traffic. And it also helps to calm traffic. Any

 3 time you narrow a roadway, you're slowing traffic

 4 down, typically.

 5   The sight distance from Thorndike Street --

 6 along Thorndike Street at the site -- at the site

 7 driveway was not covered in the memorandum. It was

 8 covered, however, in a presentation the applicant

 9 had given dated May 15th. But there was no backup

10 provided to it or computations provided, so we

11 asked -- requested in our memorandum that that

12 information be provided. We anticipate that there

13 might be some sight distance issues having to do

14 with if a vehicle is exiting the garage, stops

15 behind the sidewalk, and not impacting the flow of

16 pedestrians walking by: Will they be able to see

17 oncoming traffic adequately if the corners are

18 located where they appear to be located right now?

19   I should point out, however, that there is

20 adequate sight distance between the pedestrians and

21 the exiting vehicle, that vehicle exiting the

22 driveway, in the accordance with the local zoning

23 bylaw.

24   So I want to also point out the site

1 driveway currently is only dimensioned at 19 feet

2 wide. I believe the zone requirement is for a

3 25-foot wide opening. And also, the curb cut is

4 somewhat narrow. So as a result, in order for a

5 vehicle to turn out of the driveway, exit the

6 driveway and swing right, they would likely be going

7 into the opposing stream of traffic. To further

8 complicate things, there is on-street parking on the

9 opposite side of Thorndike Street, so perhaps that

10 curb cut opening could be lined up a bit to make

11 that a little bit easier for movement to keep

12 traffic on the right side of the road.

13   Looking into the loading zone and trash

14 pickup, again, this was proposed along that existing

15 42-foot-long curb cut that is along Harvard Street.

16 And one thing that we want to note there is that

17 the -- there is a driveway transition proposed at

18 that location. Even though the driveway -- there is

19 no driveway along the back edge of sidewalk, it

20 appears to be a driveway transition sloping up. And

21 what we would recommend is for there to be a

22 vertical granite curb, 6-inch curb reveal, to

23 provide protection for pedestrians.

24   And that concludes the traffic peer review.

 1 I don't know if you'd like to roll right into the

 2 parking with Art Stadig and Walker.

 3   MS. POVERMAN: No. Let's separate the two.

 4   Ms. Palermo, do you have any questions?

 5   MS. PALERMO: I don't. But I will once we

 6 hear from the parking reviewer, because they are all

 7 connected.

 8   MS. POVERMAN: Mr. Hussey?

 9   MR. HUSSEY: I've got a question, I guess,

10 about the bump-out feature to reduce the problem

11 with the corner of Thorndike and Harvard Street. I

12 don't see the sketch in your report. Is the

13 architect going to have a drawing that'll show that?

14 I don't quite understand what --

15   MR. FITZGERALD: So if you envision the

16 edge of Harvard Street, right now we have one lane

17 of vehicle travel in each direction. Outside of

18 that is a bike lane, outside of that is on-street

19 parking.

20   So bump-outs, what they do is they extend

21 the curb out to almost the distance of the bike

22 lane. We don't want to impact bike circulation at

23 all. It just bumps it out where they're into that

24 parking lane where technically no parking is allowed

 1 that close to the intersection. It just kind of

 2 extends the sidewalk out further.

 3   What that does in this case is that helps

 4 to push the crosswalk and the stop line coming from

 5 Thorndike into Harvard Street a little bit more so

 6 you have a better viewpoint of oncoming traffic.

 7   MR. HUSSEY: You're impinging on

 8 town-controlled land, though; right?

 9   MR. FITZGERALD: Correct.

10   MR. HUSSEY: So how does the developer get

11 that done? What if the engineering department

12 doesn't allow it?

13   MS. SELKOE: I think I can address that.

14   They will need to go to the transportation

15 board for a recommendation, and transportation board

16 will give you a recommendation. However, town

17 counsel has opined that really it's this board that

18 can make that decision.

19   MR. HUSSEY: Okay.

20   MS. STEINFELD: Although, I assume

21 the board would expect the developer to pay for it.

22   MS. POVERMAN: And who's talking?

23   MS. STEINFELD: Alison Steinfeld.

24   MS. POVERMAN: Anything else, Mr. Hussey?

 1   MR. HUSSEY: That's it for the moment.

 2   MS. POVERMAN: Related to the bump, as your

 3 report notes, the Thorndike Street intersection into

 4 Harvard is not at a 90-degree angle. So my question

 5 is whether or not the bump out would make a turn

 6 left from Harvard Street onto Thorndike Street more

 7 complicated.

 8   MR. FITZGERALD: Whenever you do any sort

 9 of geometric changes, you always have to run vehicle

10 templates to make sure whatever you're putting in is

11 not too severe. Certainly, you want make to sure

12 that the vehicles are able to circulate properly,

13 stay in the lane that they're supposed to be, so

14 that would all have to be looked into as part of the

15 design.

16   MS. POVERMAN: And I believe you also

17 commented in your report that one of the ways of

18 making -- well, one of the contributors, rather, to

19 the difficulty in seeing as a result of the project

20 was because of the extent to which the project is

21 close to the sidewalk -- so the size of the project.

22 So could one infer that bringing back the project

23 would improve sight lines?

24   MR. FITZGERALD: The problem is it's kind

 1 of a double whammy, because you've got the building

 2 along the back edge of sidewalk and you're also

 3 adding parking. So now you've got a solid line of

 4 parking, not just that one random parking space on

 5 the corner and then an opening. It's just

 6 consistent parking. And depending on the size of

 7 the vehicle and if vehicles are present, that could

 8 serve a double whammy. Certainly, the two are

 9 related. So if we're able to bump the stop line

10 further out, it helps alleviate the situation,

11 including that parking, which really is a big issue.

12   MS. POVERMAN: But if the parking were

13 taken away, that would eliminate one sight problem;

14 is that correct?

15   MR. FITZGERALD: If the parking was taken

16 away and the stop line was extended further out with

17 something like a bump-out, that would alleviate the

18 situation.

19   MS. POVERMAN: Mr. Boehmer had suggested a

20 possibility where, as I understood it, it was sort

21 of a partial step-back. And how I envisioned it was

22 like a pediment with the first floor being cut back

23 some and I think a cantilever over the second floor,

24 which would allow greater vision, at least around

 1 the corner.

 2   MR. FITZGERALD: Correct. If you were to

 3 leave -- if you were to bump back the corner a

 4 little bit and have that gap in parking that exists

 5 today at the existing curb cut, then you would have

 6 a similar situation to what you have today. But by

 7 adding that loading zone area and parking space,

 8 that fills that area in. And also, the building on

 9 the corner is curved, but there are supports that

10 appear to protrude further in that are impacting the

11 line of sight.

12   MS. POVERMAN: Okay. That's something.

13   MR. HUSSEY: That could be adjusted, I

14 think.

15   MS. POVERMAN: Right. Something to

16 consider.

17   Let me look at my notes.

18   All right. Why don't we move on to

19 parking. Thank you very much, Mr. Fitzgerald.

20   MR. STADIG: Good evening. Art Stadig with

21 Walker Parking Consultants.

22   Walker has reviewed the requirements for

23 the project with respect to parking and have issued

24 a report through Environmental Partners. We had

 1 issued a report dated June 2nd for the review. What

 2 we had taken a look at was the parking requirements

 3 for the project both in terms of the supply and

 4 demand issues and also how the parking operates,

 5 etc.

 6   Our first note was that the proponents

 7 asked for a waiver to deviate from the

 8 zoning-mandated requirements for parking. In the

 9 town's requirements, they do have a transit parking

10 overlay district which allows a slight reduction in

11 the otherwise required parking spaces. And if

12 you're within a half mile from a T stop, you're

13 allowed to have slightly reduced spaces.

14   I have the spaces listed in the report.

15 When I was reviewing this report earlier before

16 coming here, I noticed I made an arithmetic error,

17 so I apologize for that if it's caused any

18 confusion. But I've listed in there 27 spaces were

19 required. What I failed to do is add in the

20 required 9 spaces for retail, so the actual number

21 is 36. So I apologize for that. I've got a revised

22 copy of it if you want that. That will have that

23 correction in there, and I apologize for any

24 craziness or consternation I may have caused you.

1   Regardless, that doesn't change the overall

2 findings in that the proponent is asking for a

3 waiver to provide 12 spaces -- or 13 shown on the

4 drawings, but -- call it 13, which is in the order

5 of magnitude of a third of that required. A slight

6 difference with respect to -- depending upon which

7 way you count that. So I think that's the big

8 point, is they're providing a third of what's

9 ordinarily required.

10   In addition to that, the parking facility

11 is relatively small, which is fine, and it is

12 employing a semiautomated vertical puzzle parking

13 system to accommodate the parking. While there's no

14 problem with that technology, everything's perfectly

15 fine with it, what it does lend itself to is more

16 repeat users. So it would lend itself to residents

17 and/or employees of the retail, and would not lend

18 itself to either visitors that would come to the

19 residential complex or any type of retail customers

20 that would want to come to the retail. So this

21 parking facility will not accommodate those users as

22 it is anticipated.

23   What I'm requesting in there, because it's

24 such a significant request to provide only a third

 1 of the code for the zoning-mandated spaces, that the

 2 proponent provide a more definitive defense of

 3 providing that large reduction in the required

 4 parking.

 5   We're suggesting taking a look at a review

 6 of the actual residential and retail demand and how

 7 that would be accommodated. For example, within the

 8 number of units that they have, there's a various

 9 mix; looking at that. Certainly, looking at the

10 affordability component of it.

11   And also, a big portion of this would be

12 the intended nature of the retail. As Jim had

13 indicated there's really no indication of what that

14 could be. So, for example, if it were to be a

15 restaurant type of establishment, that would have a

16 much different parking demand generation than if it

17 were a quiet retail establishment that would only

18 get an occasional visitor or two. And depending

19 upon the type of establishment, whether the

20 customers would be captive to the neighborhood would

21 also have an effect. So would people just walk down

22 the street to go to this establishment, whatever it

23 might be, or is it the type of establishment that

24 might draw something from a little bit further where

 1 people might tend to drive. So unless we know that,

 2 it's hard to say exactly what the effect on that is.

 3   Other than that, it's not taking into

 4 account, generally speaking, what the -- the parking

 5 reduction that's being requested.

 6   And finally, pricing of parking and the

 7 idea or concept of a market rate for parking has a

 8 huge effect on parking demand in general. So, for

 9 example, if parking were free, the demand would go

10 up. If parking is very high priced, the demand

11 would go down. And in light that this is affordable

12 units, how that plays into it would also be part of

13 it. So to the extent that we're just asking that

14 that pricing portion as it would inform or affect

15 the parking demand be at least discussed and brought

16 about.

17   We have made a slight comment on the

18 parking peak hour volume. Jim had covered that.

19 Really nothing that we're saying is really contrary

20 to that. We're not saying that there is any issue

21 at all. We take no exception to what was indicated.

22   Our third item is that the garage door

23 within the facility is only 16 feet wide. And I say

24 "only 16 feet wide" in a sense that this is a small

 1 primarily residential parking facility. That would

 2 not necessarily be a problem. What we're pointing

 3 out is that it only allows enough dimension for

 4 one-way movement. Either you could come in

 5 predominantly or you could leave, but you really

 6 can't have two-way action with that narrow of a door

 7 and with the geometrics of all that's going on

 8 inside the facility and out.

 9   So what that will occasionally do, as

10 someone may be leaving and somebody may be trying to

11 come in at the same time, that person on the street

12 would have to wait, and that might have slight

13 impacts on traffic right in front of the facility

14 there.

15   We make some comments about how the

16 semiautomated system might work inside. We believe

17 that it can absolutely work, and there would be no

18 problems. It would just need some care, and some

19 special attention might be needed to take a look at

20 that to see the best way to make that work. But

21 absolutely, there shouldn't be any problem with

22 that.

23   And the CityLifts puzzle parking system was

24 provided as a reference. There may be some

 1 additional requirements about how that's laid out

 2 and whether the columns are in the way, etc., and

 3 more design issues to actually achieve the parking

 4 count and the dimensions that they indicate. The

 5 point would be will the town-mandated zoning

 6 requirements for parking dimensions be met by this

 7 system? We don't know. It's certainly possible,

 8 but that would be details that would have to be

 9 ferreted out later on.

10   Okay. So I'll open it up for questions, if

11 you have any.

12   MS. POVERMAN: Ms. Palermo?

13   MS. PALERMO. I just have a couple of

14 questions, and thank you for clarifying the math.

15   MR. STADIG: I apologize again.

16   MS. PALERMO: No. It's not my forte, and I

17 kept adding it up and going --

18   MR. STADIG: It doesn't work.

19   MS. PALERMO: Okay. And that helps a lot

20 because the retail space does require 9 parking

21 spaces under the zoning code.

22   MR. STADIG: Yes.

23   MS. PALERMO: And the residential units

24 would require the --

 1   MR. STADIG: 27, based on the slight

 2 requirements of the overlay district. So 27 plus 9

 3 is the 36.

 4   MS. PALERMO: Which is actually less than

 5 would typically be required, but for the overlay

 6 district.

 7   MR. STADIG: Correct. It was previously 43

 8 or 44, depending upon the rounding.

 9   MS. PALERMO: Okay. The town has taken

10 into consideration the fact that this site is -- has

11 good access to public transportation in its zoning

12 bylaw by the overlay district.

13   MR. STADIG: Yes.

14   MS. PALERMO: And you've identified

15 something that I found quite interesting, which is

16 clearly the importance of retail use. There's a

17 variety of reasons it's important. But in

18 particular, we don't have any standard that will

19 allow us to assess with a 1,700, approximately,

20 square foot retail space what traffic would be

21 generated by that.

22   MR. STADIG: You could approximate, and it

23 would be extremely helpful if the nature of that

24 retail would be established. So, for example, like

 1 I said, if this were a restaurant, that would be one

 2 thing. If it were a quiet jewelry store, that's

 3 something else. So depending upon the nature, we

 4 could -- or Jim could make estimates of the traffic

 5 and/or parking demand that would be generated from

 6 that.

 7   MS. PALERMO: I would find it helpful if

 8 you could potentially come with up suggestions,

 9 because I would assume that the developer would be

10 amenable to a condition that identifies the type of

11 retail uses that would not generate a lot of

12 traffic. But I'd want to know how to make that --

13 in other words, I can't say -- we can't say, you

14 must have a jewelry store retail use. That's a

15 little restrictive. But I appreciate the fact that

16 that's not going to generate a lot of traffic. So

17 clearly, you know, the obvious ones are restaurants

18 that would generate more. But, you know, sort of

19 quiet retail use is -- would be hard for me to

20 define.

21   MR. STADIG: Correct. And also, the nature

22 of a retail that might be -- tend to be more what we

23 call "captive." In other words, it's a

24 neighborhood-related type of retail establishment as

 1 opposed to something that might be a little bit more

 2 regional, if you will, or a regional draw. So if it

 3 were a highly specialized store that people would

 4 come from a far distance to, they would tend to

 5 drive more, just because of the nature of the store.

 6 So -- as opposed to if it were more a neighborhood

 7 bodega or something like that where people just walk

 8 down -- tend to walk down and not drive to.

 9   So that's another issue with that, and, you

10 know, it's just highly variable situation retails to

11 all the different things it could be.

12   MS. PALERMO: And so the other thought I

13 had was 1,700 square feet would -- is proposed to be

14 used for retail. But if it were used for

15 residential and were potentially 2 one-bedroom

16 apartments, that would require --

17   MR. STADIG: About three -- an additional

18 three spaces if it were 2 one-bedroom units, yeah.

19   MS. PALERMO: Which could be better in

20 terms of generating traffic and finding a place to

21 put the cars.

22   I also note that the PEL, the project

23 eligibility letter, does reference a requirement

24 that the applicant be prepared to provide sufficient

 1 data to assess the potential traffic impact. And so

 2 it sounds like some of the recommendations you're

 3 making about identifying the type or the nature of

 4 the retail space would comply with this requirement

 5 that's in the project eligibility letter as well if

 6 you get this additional information from the

 7 developer.

 8   MR. STADIG: Yes. What I'm -- my view is,

 9 from a parking standpoint, is primarily based on is

10 the parking supply adequate to meet the

11 requirements. Jim would be a little bit more --

12 taking a look at the review of how that would impact

13 traffic, etc.

14   Having said that, if not enough parking is

15 provided for what is -- would be anticipated to be

16 the demand for this site, that puts more pressure on

17 the neighborhood and the town to pick up the slack

18 for what parking is not provided in a broad general

19 sense. So that's just a point, you know, for you to

20 think about and consider as, you know, the parking

21 supply might not meet the demand that's required for

22 this site.

23   MS. PALERMO: We don't allow overnight

24 parking on the street in Brookline.

 1   MR. STADIG: Yes, I'm aware of that.

 2   MS. PALERMO: Okay. Thank you.

 3   MS. POVERMAN: Mr. Hussey.

 4   MR. HUSSEY: I've got a question on the

 5 number of parking spaces between 12 and 13. I count

 6 five stacker spaces, and those are all two parking

 7 spaces; right? Each stacker?

 8   MR. STADIG: This is an automated system.

 9 So one side -- and I'm sorry that there's not a plan

10 up there, but there was a plan on the town's website

11 which shows where the parking spaces are located.

12 It is a colored diagram, just to let people -- yeah.

13 So it's indicating eleven lift spaces. Okay? And

14 it indicates on this diagram -- it's on the

15 website -- how they are shown. But basically, one

16 side of the lift goes down and up, so there are

17 eight spaces there. There will be eight spaces

18 here, plus one more is nine, plus three spaces here.

19 That is twelve, plus one accessible space is

20 thirteen.

21   MR. HUSSEY: So these are stacker spaces,

22 one, two, three, four, five stacker spaces.

23   MR. STADIG: This is more than stackers.

24 Those three spaces -- those three positions would

 1 render eight spaces because they go both down and up

 2 and then you have one empty space. So it's a puzzle

 3 system of nine minus one open space. That's eight

 4 parking spaces. This is a puzzle system of four

 5 minus one open space, would be three.

 6   MR. HUSSEY: I gotcha. And then the

 7 compact space --

 8   MR. STADIG: Yeah, then the two more spaces

 9 there. Okay?

10   MR. HUSSEY: Thanks.

11   MR. STADIG: Sure.

12   MR. HUSSEY: The other questions I have are

13 really for the architect. But I noticed you pointed

14 out that the maneuvering around the stair on the

15 north side is pretty tight. I think there's a way

16 to alleviate.

17   MR. STADIG: We believe that with a little

18 bit of care, the architect can make all of that work

19 out within the parking facility.

20   MR. HUSSEY: I think he can, too. Okay.

21 Thank you.

22   MS. POVERMAN: The dimensions of the stalls

23 I could not find anywhere. But when I looked at

24 the -- to check and see if they complied with the

 1 stall requirements of the town -- when I looked at

 2 what the City Lift required, it was well in excess,

 3 as best I could tell, to what the town requirements

 4 were. So to the best of your knowledge, Developer,

 5 are you going to be using City Lift?

 6   MR. ENGLER: We haven't committed to a

 7 vendor, but I'd say it's likely.

 8   MS. POVERMAN: And I know you also had a

 9 concern about the stanchions or other pillars that

10 might need to be in place to support a system like

11 the puzzle system; is that correct?

12   MR. STADIG: Well, basically, the columns

13 will be coming down. They're supporting the

14 building above, so this mechanized system needs to

15 fit in between the columns. What we just don't have

16 is enough information to conclude that it all works.

17 I'm confident that the architect can work all of

18 that out, but at this stage for this review, we just

19 really can't determine all the dimensions in there.

20 So I'm just pointing it out and saying that those

21 dimensions would need to be fully worked out and

22 vetted later with inspectional services.

23   MS. POVERMAN: Right. So I think that's

24 something, especially since the number of units is

 1 in flux, that we would like to nail down exactly how

 2 that would work. And I would like to see an exact

 3 turning study, a model.

 4   MS. SELKOE: Turning radii.

 5   MS. POVERMAN: Yeah, the radii, right, to

 6 see how the cars are going in, how they would turn.

 7 And I think you said the driveway was 16 feet?

 8 Somebody said it was 16 feet, somebody said it was

 9 19 feet deep.

10   MR. STADIG: Let me clarify that for you

11 real quick. First, when you're referring to turns,

12 I would suggest doing AutoTURNs, which is a program

13 on -- a derivative of AutoCAD that would help make

14 the turns, which is the common industry practice.

15 So that can be certainly looked at very simply.

16   I'm referencing 16 feet, which is the

17 dimension right at the doorway. Okay? And I

18 believe what Jim was referring to is a curb cut,

19 which is further out, probably a distance of 10, 12

20 feet away from the door, whatever that dimension is.

21 So what I'm referring to is right there at the

22 entrance to the garage. It's 16 feet wide. And

23 with the way cars have to turn in and out, really

24 only one vehicle can either come in or out at the

 1 same time, and they can't have two-way action at

 2 that point.

 3   MS. POVERMAN: Right. So there would be

 4 the potential of cars queuing, trying to get -- wait

 5 for someone to get in and out.

 6   MR. STADIG: Every once in a great while,

 7 you know, you're going to have a coincident

 8 situation where somebody's trying to leave while

 9 somebody's trying to get in. Technology can

10 certainly help with that, to help that situation.

11 Just something to point out.

12   MS. POVERMAN: Are there ways -- what

13 happens if somebody's, like, downstairs trying to do

14 things -- well, I guess somebody just waits in the

15 approach to it or has to back up. But that doesn't

16 need to be dealt with now.

17   MR. STADIG: No. But the point that you're

18 making is if somebody's trying to retrieve a car out

19 of a rack system and somebody's trying to come in,

20 there could be enough room inside. That would have

21 to be studied to make sure that the two vehicles

22 could pass each other internal to the garage, but

23 certainly not at that doorway getting in and out of

24 the roadway system.

1   MS. POVERMAN: Yeah. I mean, it would be

2 preferable that nobody would have to back up and go

3 back into the street for the other car to exit. Is

4 that something that we can include in the radii

5 study?

6   Thank you, Mr. Engler.

7   MR. ENGLER: Well, I was going to comment.

8 I mean, we're certainly aware of the comments. We

9 can make the internal -- we've already talked to

10 Peter. We can widen the internal driveway. There

11 shouldn't be the issue of cars not being able to go

12 in both directions at the same time, so I don't have

13 any concern that that will not be addressed.

14   We can also do a turning movement analysis.

15 That's customary.

16   Lastly, relative to the pillars, I would

17 agree with the comment that we can design to it.

18 You're not going to do a structural plan at this

19 point in time when the design is still in flux.

20 We'll do that once we've confirmed that the building

21 is not moving, at which point we'll have some

22 opportunity to look at that. But we have every

23 confidence that we'll be able to design it so that

24 it's not going to compromise any of the 13 spaces.

 1 So we'll demonstrate as much as we provide

 2 additional details now that we have the benefit of

 3 these two peer review reports.

 4   MS. POVERMAN: Okay. One of the things

 5 that surprised me during the course of these

 6 hearings is that none of the neighbors have

 7 commented on the size of the parking lot, the amount

 8 of parking being provided, which is very usual in

 9 40B hearings where a request for a waiver is being

10 given to go below the amount of parking that is

11 required by zoning.

12   MR. ENGLER: Can I comment on that?

13   MS. POVERMAN: Yes. I'm just noticing,

14 which leads me to infer that it's not a huge issue.

15 If it is an issue for neighbors, let us know.

16   MR. ENGLER: Well, I'm troubled by that

17 assertion, and it says as much in both reports.

18 There is a full-service restaurant on that property

19 now that provides six parking spaces. All right?

20 Our future proposed use, at worst, will be equal to

21 that current use in terms of parking and vehicle

22 trips.

23   So I don't know why -- I'm not saying it's

24 heavy scrutiny, and the board's certainly well

 1 within its rights to ask these questions. But our

 2 position is going to be that from an intensity of

 3 use, we're no worse than what's there now. In fact,

 4 we're probably better. Let's figure out a way to

 5 maximize the parking we have, and we'll certainly do

 6 that to make the design as good as possible. But we

 7 could put a gas station there that's going to

 8 generate 50 times the number of cars that we're

 9 going to generate in the proposed use.

10   So I think -- I mean, we'll work with both

11 the peer reviewer and the town on this issue, but

12 it's not like we're going to suddenly miraculously

13 come up with 25 spaces, nor are we going to do a

14 five-unit development either. So to set the

15 expectations to the board, I mean, that's going to

16 be kind of our position moving forward, so...

17   MS. POVERMAN: I understand that. But

18 there's a difference between, you know, cars going

19 in and out of a garage and somebody needing a place

20 to park overnight. And we discussed some creative

21 solutions earlier, so I just want to put it out

22 there. And as you know, Mr. Engler, the board can

23 always be sensitive to parking issues.

24   And, again if an Anna's Taqueria goes into

 1 this space, that's a lot different than a quiet

 2 jewelry store. And there could be other reasons why

 3 there's not much traffic coming in and out of the

 4 Indian restaurant.

 5   Mr. Danesh, if you would like to say

 6 something quickly, could you go up to the -- say it

 7 loudly or go up to the podium.

 8   MR. DANNY DANESH: I'd just like to note

 9 that, as you mentioned, Anna's Taqueria and most of

10 the restaurants or retailers, the book store or

11 jewelry store or his restaurant, they don't have

12 parking. And there's a big parking lot just a block

13 away, so -- over 50 spaces for their customers. So

14 it's not like we're proposing something that

15 doesn't -- is not -- you know, doesn't exist right

16 now. It's everywhere along the street. Thank you.

17   MS. POVERMAN: Okay. Would anybody on the

18 board here like to make any other questions of our

19 parking specialist?

20   MS. PALERMO: No.

21   MS. POVERMAN: What I would request is that

22 the studies and requests being set forth in the

23 parking report and in the transportation -- excuse

24 me -- traffic report be followed up by the

 1 developer, and I will leave it in Ms. Selkoe's

 2 competent hands to follow through on that. And I

 3 thank you very much for your report.

 4   And I think we are at the group comment

 5 time -- I'm sorry. Mr. Engler, why don't you go up

 6 and -- I believe it actually is your time to make

 7 comments. I didn't mean --

 8   MR. ENGLER: I was just going to say that

 9 we brought our traffic engineer tonight who is going

10 to talk at a high level about some of the comments

11 we've heard tonight, and we anticipate providing a

12 more formal written response to some of the comments

13 that we heard tonight.

14   MS. POVERMAN: Absolutely. I didn't want

15 to cut you off at all. The more traffic the better,

16 in some ways.

17   MR. THORNTON: Thank you. For the record,

18 my name is Scott Thornton. I'm with Vanasse &

19 Associates, and we prepared a couple traffic

20 assessments for the project. And as Mr. Engler

21 mentioned, I'm not going to get too detailed into --

22 or too detailed a response tonight. We appreciate

23 the comments from Mr. Fitzgerald and Mr. Stadig,

24 and, you know, there's a few things that we need to

 1 work on, we can look at with them.

 2   One item in particular related to the sight

 3 distance. There are some issues as far as vantage

 4 points and reference points where the sight distance

 5 measurements were taken and also -- so that has a

 6 bearing on what the actual sight distance is for

 7 vehicles both approaching on the major road and the

 8 sight distance for drivers coming out of the minor

 9 street as to how far they can see along that major

10 road. So that's something that we have to --

11   MS. POVERMAN: Do you have any pictures

12 that might help with that, or you're going to

13 address in a --

14   MR. THORNTON: I think it would be better

15 if we address in a -- when we're all on the same

16 page.

17   MS. POVERMAN: Literally.

18   MR. THORNTON: Literally.

19   And then the -- related to the pedestrian

20 bump-out that was mentioned, it's -- we've designed

21 a lot of them. They're a good -- as Mr. Fitzgerald

22 mentioned, they're a good traffic-calming device.

23 They also have an application that -- there's a

24 certain place for them and a certain place where

 1 they may not have the intended effect, and then

 2 there are some places where they just don't fit.

 3   And one thing -- or a couple things that

 4 need to be looked at in the context of bump-outs at

 5 this location is, as you mentioned, the geometry and

 6 effects of vehicles coming out. Because there is a

 7 skew effect of Thorndike Street, and so there's

 8 going to be a complication for vehicles exiting

 9 Thorndike Street. But also, any vehicles that are

10 coming through the -- I'm thinking specifically of

11 fuel trucks that may deliver at the gas station, how

12 they have to get through, so that's something that

13 would have to be looked at.

14   The other key thing really is drainage,

15 because right now Thorndike is on a downgradient.

16 There's a catch basin located around the location of

17 the -- this would be the southernmost driveway for

18 the site. That's closed. There's one catch basin

19 there, and then there's another catch basin -- there

20 isn't another catch basin until you're out on

21 Harvard Street.

22   So if you -- so right now, any runoff from

23 the storms that we had in the last few days, that

24 rainfall would be coming down Thorndike Street. It

 1 would want to wrap around the corner, around

 2 Thorndike, hit the one catch basin, and then

 3 continue around to the catch basin on Harvard

 4 Street. If you have a bump-out there, that water is

 5 going to -- is most likely going to flood out into

 6 Harvard Street. So it's something that we can --

 7 that we have to look at. It may be -- you know,

 8 there may be some other things that can be done

 9 there.

10   In addition, on the other side of Harvard

11 Street you have to be careful because that gas

12 station's curb cut is almost -- they have two of

13 them, really, that are almost at the corners. So to

14 put an effective bump-out, which means it has to be

15 wide enough to accommodate wheelchair ramps and ADA

16 compliance, it has to be a certain size, and then it

17 could wind up encumbering the curb cut, and that

18 could be an issue. So those are some things that we

19 need to look at.

20   I will say as far as -- you know, regarding

21 the parking and the supply of parking, a lot of

22 towns have the viewpoint that more parking equals

23 more traffic and less parking equals less traffic.

24 It's not just in this area, it's not just in

 1 Cambridge and Somerville and Boston. It's in

 2 suburban areas as well. So that's something that

 3 needs to be -- that should be considered.

 4   MS. POVERMAN: We had a huge fight about

 5 that in town meeting about a year ago, so -- sort of

 6 on both sides. That's how we ended up with this

 7 reduced requirement for -- zoning requirements for

 8 parking, but you'll find people on both sides.

 9   MR. THORNTON: Yeah. I don't doubt it.

10   So then I think that's really it, just in

11 the interest of keeping it short. And, you know, as

12 Mr. Danesh mentioned, there is a municipal parking

13 lot up off Fuller. There is a Zipcar there as far

14 as -- we talked a little bit about alternative

15 transportation. There's a number of other services

16 that are in the area designed to help people leave

17 their cars behind when they come to this site.

18   MS. POVERMAN: Ms. Palermo?

19   MS. PALERMO: I have a question about

20 perhaps another way to resolve the issue about sight

21 at that corner. The pedestrian bump-out is one, and

22 you have given us a lot of reasons why that might

23 not solve the problem, particularly the stormwater

24 runoff.

 1   What if the building were set back several

 2 feet from Harvard and from Thorndike? Would that

 3 help?

 4   MR. THORNTON: Where the -- part of the

 5 difficulty is that when vehicles come out onto --

 6 when they come down the street to exit onto Harvard

 7 Street, you know, the point at which they actually

 8 enter the travel way is 20 feet at least past the

 9 point where they're first supposed to stop. And

10 that point where they're first supposed to stop is

11 actually past where the current edge of the building

12 is.

13   So resetting the building may not have --

14 you may pick up a foot or two, but the point is that

15 no one -- no one that I've seen stops at the stop

16 bar and then continues out into Harvard Street.

17 They stop at the stop bar. There's invariably

18 pedestrians crossing the crosswalk. They have to

19 wait until the crosswalk is free. Then they can

20 proceed. They have to check to make sure there's no

21 bicycles passing in the bike lane. They have to

22 inch out a little further. So then they're almost

23 into the travel way on Harvard Street before they

24 can come out.

 1   So I don't -- you know, I don't think that

 2 resetting the building is going to have a big effect

 3 on improving the sight distance. And quite

 4 honestly, you know, what Mr. Fitzgerald mentioned as

 5 far as the parking and you mentioned removing the

 6 parking or reducing the parking --

 7   MS. POVERMAN: On street.

 8   MR. THORNTON: On street -- that would have

 9 a big -- that would play a big part in improving

10 sight distance. But I don't know where you draw the

11 line with that, because it's that way on Naples

12 Street, it's that way on Russell Street, it's that

13 way on Brainerd Street, Coolidge. All the way down

14 you have parking spaces right on either side of the

15 intersections.

16   And, you know, they're not -- if these --

17 and I haven't looked at crashes at all these other

18 locations. We looked at crashes at this location.

19 One crash a year and not -- you know, not serious

20 crashes, not substantial -- and not substantial in

21 number, doesn't show that there's a safety problem.

22   So you know it's -- so we look at that all

23 together and, you know, I think it's just something

24 that we'll have to work with the peer consultant on.

 1   MS. PALERMO: So, again, back to my

 2 question. It's sounds like if the building were set

 3 back a couple of feet on Thorndike and on Harvard,

 4 it might improve the sight for cars, as you said, by

 5 a foot or two. So it would have an impact. And

 6 coupled with -- you referenced parking on the

 7 street. Are you talking about parking on Thorndike

 8 Street --

 9   MR. THORNTON: On Harvard.

10   MS. PALERMO: -- or parking on Harvard

11 Street?

12   MR. THORNTON: Yeah.

13   MS. PALERMO: Okay. Well, coupled with --

14 the developer has proposed using -- or putting in

15 metered parking in front of the building. And if

16 that were not done so that there was not parking

17 there, would that help?

18   MR. THORNTON: Well, it could -- I'm not

19 sure that that would improve things, again, because

20 I think it only makes a difference if you're

21 starting from the position in back of the stop line,

22 which no one really does. They proceed through the

23 stop line into the crosswalk and then execute their

24 movement. So I don't think removing those parking

 1 spaces makes a great impact -- makes a great

 2 improvement there.

 3   But, you know, if you're -- if you --

 4 because that's kind of the practical condition of

 5 what happens.

 6   If you were to remove parking spaces on all

 7 of the -- you know, abutting all the intersections,

 8 then people would be able to pull out from the stop

 9 bar and not have to proceed so far into the

10 intersection.

11   MS. PALERMO: I understand. And I will

12 express my concern that this project, as designed,

13 may be actually increasing or creating a safety risk

14 at the intersection. As you said, it may not be

15 there now, but now there's an open lot on this site.

16 There's nothing really prohibiting or blocking the

17 sight line on that side. And there's not a lot on

18 the other side either because you've got a gas

19 station. So you have -- I mean, I'm doing this by

20 memory, but you have a fair amount of open sight

21 line left and right as you come down Thorndike now.

22 And once this building is there, you're going to

23 lose a lot of it on the right, and that's what I'm

24 trying to resolve. And I recognize you're

 1 redesigning the building, and you're coming back on

 2 July 12th, and I'm looking forward to that.

 3   MR. ENGLER: But could I also say, by

 4 existing underlying zoning, we could do a 40-foot

 5 building with no setback on Harvard Street.

 6   MS. PALERMO: But you would have to provide

 7 40 parking spaces.

 8   MR. ENGLER: Correct. But you're talking

 9 about sight line issues. Parking has nothing to do

10 with it. If we put a 40-foot building on Harvard

11 with no setback, talking about sight distance, that

12 would be the same condition that we're talking about

13 now, and we could do that as of right.

14   MS. POVERMAN: Wouldn't that be

15 subject to the approval of the transportation or

16 engineering department, Polly, in terms of safety?

17   MS. PALERMO: That would be design review.

18   So anyway, we aren't doing a commercial

19 building here. We're doing a residential and

20 somewhat small commercial use. And as I said,

21 that's my concern. So any way you can address it,

22 whether it's setting back -- and again, as an

23 engineer and your architect, you can play around

24 with it. But pulling it back from Harvard, pulling

 1 it back from Thorndike, it would be helpful to

 2 understand if that helps. If you could do a

 3 study --

 4   MS. BARRETT: So are you asking the

 5 applicant to look at that, and then the peer review

 6 consultant --

 7   MS. PALERMO: I am. That's exactly what

 8 I'm asking. Thank you, Judi.

 9   MS. POVERMAN: Mr. Hussey?

10   MR. HUSSEY: No more questions.

11   MS. POVERMAN: I don't have any questions

12 for you. But effectively, can I call Mr. Fitzgerald

13 back to the stand?

14   MR. FITZGERALD: Yes.

15   MS. POVERMAN: I would just like to know if

16 you have anything to say in response to

17 Mr. Thornton's comments about whether or not the

18 building adds to the problem at the intersection.

19   MR. FITZGERALD: Well, in my opinion, I

20 feel as if it's a combination of the -- the

21 combination of the additional on-street parking,

22 filling in that gap, and having that building along

23 the back edge of the sidewalk I believe provides

24 more barrier, more visual obstruction than exists

 1 there today. So there's not great sight distance

 2 there now, and I guess, in my opinion, it will be

 3 worsened a bit with these changes.

 4   And just a few things. When it comes to

 5 the curb extension, the bump-outs, absolutely,

 6 whenever any of those are designed, we certainly do

 7 have to -- would look at turning movements and the

 8 truck templates, etc., to make sure that it's

 9 appropriate.

10   And when it comes to drainage, a lot of

11 times drainage structures do have to be shifted or

12 perhaps a new drainage structure might be added in.

13 It's typically not a big deal. Typically you make

14 those adjustments. But certainly, you do want to

15 make sure, as he pointed out, a very good point,

16 that you have to make sure that we're not creating

17 puddles by doing this.

18   As far as shifting the on-street parking, I

19 think it was mentioned that that would -- if parking

20 were eliminated -- not that I'm proposing

21 eliminating parking, because that's typically a big

22 deal. But if on-street parking were cut back from

23 that corner, that would certainly help to improve

24 sight distance. So there are a number of different

 1 ways that I'm sure as they're massaging the drawing

 2 a little bit, they can probably come up with to make

 3 things a little bit better.

 4   MS. POVERMAN: Okay. Any more questions

 5 for any of our parking or traffic experts from the

 6 panel?

 7   (No audible response.)

 8   MS. POVERMAN: All right. Thank you very

 9 much.

10   Polly, what's next?

11   MS. SELKOE: It looks like we have time to

12 take some public comment, if people keep it brief

13 and don't repeat what other people said. You can

14 just say, I agree with the person who spoke before

15 me.

16   MS. POVERMAN: Okay. Great. So if people

17 would like to speak, we would like to hear what you

18 have to say. Come up to the lectern, give us your

19 name, your address. And if you agree with the

20 person who just spoke, say, I agree with person X.

21 And please proceed. Thank you. Oh, and save your

22 applause to the end. Thank you.

23   Mr. Herscovici.

24   MR. HERSCOVICI: Hi. For the record, I'm

 1 Steve Herscovici. I live at 87 Thorndike Street.

 2   So I think -- I don't have comments as much

 3 as questions at this point. It's unclear to me,

 4 with respect to the loading dock, two issues: One

 5 is it sounds like that's going to cut off the sight

 6 line even more between -- sometime between -- for

 7 four hours between 5:00 a.m. and 10:00 a.m., whether

 8 it's 5:00 to 9:00 or 6:00 to 10:00. And that's

 9 prime rush hour when there are a lot of cars coming

10 down Thorndike Street making -- left turns, I guess,

11 is a probably more important turn here, that the

12 sight would be blocked by loading trucks or whatever

13 might be there.

14   And my other concern about that is with

15 respect to pedestrians and children walking to

16 school, that their sight line is going to be blocked

17 by the loading dock -- by the trucks that would be

18 in the loading dock during those hours.

19   And I also have a question about the

20 loading docks generally. I thought deliveries

21 cannot start before 7:00 a.m., so I'm a little

22 surprised to hear that the loading zone would be a

23 load zoning starting, you know, at 6:00 a.m. or

24 earlier.

 1   MS. POVERMAN: It would comply with local

 2 zoning rules. I can't remember if it's 6:00 or 7:00

 3 myself. 7:00, yeah. So whatever is required, it

 4 would comply. So not to worry about that.

 5   MR. HERSCOVICI: Okay. But that -- you

 6 know, it still is a concern that I have or a

 7 question that I have about the loading zone during

 8 rush hour.

 9   The bump-out, as somebody who bikes

10 frequently in that area, you know, the bump-out may

11 be a concern as well to the extent that if there's a

12 sidewalk there, bicyclists don't have the option to

13 move over to the right-hand side of the bike lane if

14 there are no cars there, which is something that we

15 frequently do when there's a bus coming on the

16 street behind us or a truck or other cars. And so I

17 do have safety concerns about one of the proposed

18 remediation issues.

19   And then just finally, you know, just for

20 the record -- you know, anyone can look it up on

21 Google Maps, but the right turn from Thorndike

22 Street onto Harvard Street is a much sharper turn

23 than from other streets that were mentioned earlier

24 today, Naples Road, Coolidge. Fuller is also a

 1 90-degree turn, but it has a traffic light, so it's

 2 probably less of an issue. Naples, Beals, Coolidge,

 3 what am I missing? Stedman Street also has a

 4 traffic light. And so I think it is a -- it should

 5 be more of a concern -- at least it is to me --

 6 about the sight lines on that street than some of

 7 the other streets that were mentioned that have

 8 parking.

 9   MS. POVERMAN: Just to interrupt one

10 minute. Could the developer actually do the

11 calculation of what the angle is of the street,

12 Thorndike going into Harvard? Thank you very much.

13   MR. HERSCOVICI: And those are my only

14 questions. Thank you.

15   MS. POVERMAN: Okay. Thank you.

16   MS. HOUSMANN: I'm Sue Housmann. I'm at 46

17 Columbia.

18   My concern is that the strip of roadway

19 between Thorndike and Russell on Harvard Street is a

20 very active little piece of land, so it's not merely

21 a question of the volume of traffic, it's the amount

22 of decisions that are made or involved when you have

23 multiple moving parts going in different directions.

24   You have cars entering -- vehicles entering

 1 and exiting from Thorndike and entering and exiting

 2 Harvard Street from four positions at Harvard and

 3 Thorndike, three positions at Harvard and Columbia,

 4 four positions at Harvard and Russell/Lawton, four

 5 positions at the gas station between Columbia and

 6 Harvard, three positions at the mini mall in between

 7 the proposed parking lot and the mini mall, and

 8 specialized traffic at the funeral home.

 9   Then you have bicycles entering and exiting

10 Harvard Street from four positions at Harvard and

11 Thorndike, three positions at Harvard and Columbia,

12 three positions at the mini mall and the parking lot

13 between the proposed parking -- the proposed project

14 and the mini mall. You've got bicycles easing into

15 Harvard Street from the bike rack that goes there --

16 I think it's four months a year.

17   You have pedestrians and schoolchildren

18 crossing at four crosswalks at Harvard and

19 Russell/Lawton, the mini mall on Harvard Street,

20 four crosswalks at Harvard and Thorndike Street.

21   It doesn't take a professional to recognize

22 that this is more than just high volume. There's a

23 lot of moving parts and a lot of decisions need to

24 be made quickly.

1   So the proposed project is going to add an

2   additional 17 housing units. 13 units will have

3   automobiles exiting on a very small street, which is

4   much smaller and much more restricted in view than

5   in the photos displayed on the slide shows seen

6   previously. 13 will have vehicles that will exit

7   onto a tiny street and then onto -- into the area on

8   Harvard. And also, 17 will attract visitors, which

9   will either mean more vehicular, pedestrian, or

10 bicycle traffic.

11   And the loading dock between the mini mall

12 and Thorndike Street opposite the gas station and

13 the bike rack -- deliveries at the loading dock is

14 going to take up space in the roadway. What is the

15 66 bus going to do when it passes a truck in the

16 loading dock during rush hour? Stand still or go

17 into the oncoming traffic.

18   If they're going to have multiple shops and

19 each shop has more than one product to offer, how

20 many deliveries are they going to have, and how many

21 delivery trucks are there going to be?

22   And the shops are also going to add

23 additional traffic on foot or in a vehicle. And the

24 slowdown that's going to be created by the increase

 1 that's going to be required for people to make safe

 2 decisions navigating the small spot is going to back

 3 way up Harvard Street. You see it happening all the

 4 time. It's called "gridlock."

 5   As a bicyclist with 44 years of commuting

 6 under my belt, I find exiting onto Harvard Street is

 7 dangerous. I think at this point, what the change

 8 in traffic at that location would be if the project

 9 were to go forward as proposed, would make --

10 increase the danger level to possibly

11 life-threatening, and I don't think the statistics

12 currently there can predict exactly how it would

13 change with these changes introduced. Thank you.

14   MS. POVERMAN: Thank you.

15   MS. HOUSMANN: I actually forgot one thing:

16 Is there another location along Harvard Street that

17 has this much different entering and exiting

18 activity in the same amount of space? Thank you.

19   MR. LEPSON: Good evening. My name is Bob

20 Lepson, 36 Thorndike Street, town meeting member

21 Precinct 9, as well.

22   I agree with Steve, and I agree with Sue.

23 I think Sue highlighted a very, very important

24 consideration about the decision-making processes

 1 that are needed and happen all the time. I've got

 2 two children who recently learned to drive, and what

 3 I have said to them is if you can navigate the

 4 corner of Harvard and Thorndike Street, you can go

 5 on the Mass. Pike and drive to New York City. There

 6 is nothing that is more complicated than that

 7 intersection at this point, and certainly there

 8 is -- a structure of that size would make it even

 9 more complex. No question about that. I think

10 that's a very, very good point.

11   My main issue here, which was -- I was

12 surprised by this, and perhaps I should be more

13 informed about this. I did not realize that, I

14 guess by regulation, that a building of this size

15 with retail space and the number of housing units

16 would ideally have 36 spaces.

17   Now, I'm a person who believes in less

18 cars, so I don't have a problem with the number of

19 parking spaces being provided for a building of that

20 size. But what it does show me is that this entity

21 is so dense and there is no room on the site to

22 provide even close to the proper number of parking

23 spaces. It's just representative and emblematic of

24 a structure that is way too big and way too

 1 oversized for the spot that it is in. And that's

 2 really the point that I'm trying to get across.

 3 Thank you.

 4   MS. POVERMAN: Thank you.

 5   MS. HARRIS: Hi. My name is Marian Harris.

 6 I live at 82 Thorndike Street, two houses away from

 7 the proposed development.

 8   Mostly, I agree with what the other

 9 community members have said so far. I agree with

10 Steve about concerns in the morning particularly

11 about having the loading zone active while kids are

12 getting to school. I'm the mother of two young

13 kids.

14   And combined with that, the complexity that

15 Sue mentioned I absolutely agree with. And I've had

16 conversations in our house, and I'm not sure we've

17 come to the right answer or not, but whether it's

18 actually safer to cross Thorndike Street between

19 Clarence and Harvard rather than at Harvard because

20 there's so much going on at that intersection

21 between Harvard and Thorndike that for an 11-year-

22 old to kind of keep track and navigate -- I think

23 it's beyond sort of an 11-year-old's capacity to do

24 that well. And having trucks there in loading zones

 1 and increased, you know, obstruction of sight lines

 2 I think will only make that more complicated.

 3   And I did want to encourage further studies

 4 about turning radiuses for getting in and out of the

 5 driveway, particularly if their driveway, if I'm

 6 remembering correctly, is located across from street

 7 parking.

 8   So my driveway is located across from

 9 street parking, and I can tell you that I frequently

10 have a very hard time getting in and out, and it

11 requires sort of making one approach and then

12 backing up and then approaching it again. And

13 traffic will stop for me while I'm doing this. And

14 it gets worse in the wintertime when there's snow,

15 which theoretically is plowed, but as we all know,

16 it sort of still, you know, really narrows the

17 street and kind of drifts out another foot or so,

18 and so those cars get even closer, and it makes it

19 very hard. So I would want to make sure that these

20 cars really can get in and out without blocking

21 traffic, even leaving a side where the cars could

22 enter or exit sometimes. Thank you.

23   MS. POVERMAN: Thank you.

24   Mr. Rosen.

1   MR. ROSEN: Who knows my name here? Huh?

2   Hi, everybody. I'm Mark Rosen. I live at

3 88 Thorndike Street, and I'm a proud citizen of the

4 Town of Brookline, and I've come here to speak about

5 this development.

6   And I think one thing everybody in

7 agreement on this side over here and here pretty

8 much is saying is this building is way too big for

9 the lot size. It's creating a density that's hard

10 for traffic to deal with, for pedestrians to deal

11 with.

12   Some suggestions I heard tonight was why

13 don't we just extend the sidewalk into Harvard

14 Street. That's a terrible idea. Harvard Street is

15 extremely busy. It's what's known as a very busy

16 thoroughfare. And at the time of the morning, such

17 as rush hour, to narrow that street would be

18 disastrous. It would just cause incredible traffic

19 tie ups. That traffic is tied up from Comm. Ave.

20 halfway back to Beacon Street. And Thorndike sits

21 right about in the middle of that. And I live on

22 Thorndike.

23   Now, there's two T stops, and I work over

24 at a college. I can take the T.

1   Do I? No.

2   Why? Because the T is terrible. Everybody

3 knows it. Nobody wants to take it unless they

4 actually have to.

5   So I drive. Like most people, I drive to

6 work. And when I leave Thorndike, in order to cross

7 Harvard Street I have to drive over to Clarence and

8 down Coolidge so I can take a right on Harvard and

9 then cut across Harvard Street to get across that

10 big huge river of traffic that Bob Lepson was

11 talking about. It's impossible to cross. And then

12 I go merrily on my way to my job. And when I come

13 back home, I do the opposite. You know, I never

14 can -- very rarely can cross over to the other side

15 of Thorndike. I have to make a right on Harvard,

16 and then make a left on Coolidge and so forth. So I

17 just wanted to just bring that out into the open.

18   Everybody's talking about moving the street

19 out to accommodate the building. Well, that's kind

20 of unheard of. I mean, I could be old-fashioned.

21 You know, I do have a phone that I'm taking notes on

22 now -- right now, so that makes me new fashioned.

23 But the reality is why not pull the building back so

24 that it fits into the place that the developer --

 1 the very nice Mr. Danesh, who was just here a moment

 2 ago. He's left. But anyway, he's a very nice man,

 3 and he owns a piece of property. Why do we have to

 4 extend the street to accommodate the property? Why

 5 not modify the building in some way?

 6   And the architects are good fellows. I can

 7 see them all over there sitting very happily, and I

 8 know that they can do good work, and I want to

 9 encourage them to keep working on this design and

10 make a design that actually fits the location.

11   Another question I have before I sit down

12 is about the parking system. I heard them mention

13 tonight that, oh, well, we'll pick a vendor at some

14 point. Well, I've given testimony at previous 40B

15 hearings about parking systems, mechanical ones,

16 that were recommended that do not function below 50

17 degrees. And I don't know if anybody in this area

18 knows it, but 50 degree happens, you know, quite

19 frequently. It happened yesterday. And to have the

20 parking system fail would cause traffic tie-ups on

21 Thorndike and then out into the other streets.

22   People use Thorndike as a cut-through from

23 Comm. Ave. to Harvard Street. I know that because

24 we see cars roaring up Thorndike Street all the time

 1 going way beyond the speed limit.

 2   So I think we need to have a definitive

 3 answer of what parking system are you gentlemen

 4 going to choose for this site, maybe have the

 5 manufacturer's name, the model number. We'd like to

 6 look at the specifications to find out exactly -- is

 7 this machine going to function in the hardy, brrr,

 8 cold weather of New England? Because the last time

 9 we were talking at a 40B hearing about a parking

10 system, it froze dead in its tracks at about 40

11 degrees. It slowed down at 50. So I think that's

12 important information. This is important.

13   And people were talking about parking, and

14 the residents in the area aren't talking about

15 parking. Well, I'm going to speak to them to see if

16 we can get some letters in, because I know we're all

17 very concerned about that. And I think maybe the

18 reason why you might not have heard about it in

19 other letters is because we're concerned that the

20 gigantic, 40-foot-high wall, 70 feet long is looming

21 over our neighbor's house. So we thought, well,

22 that's more important to talk about than the number

23 of parking spaces, or the fact that you can't see

24 out onto Harvard Street when you're driving and you

 1 might, you know, possibly injure or maim a

 2 pedestrian, a motorist, or a bicyclist. As the

 3 client's -- the developer's traffic person talked

 4 about, it's a very busy intersection. And your own

 5 peer reviewer said that the building itself most

 6 probably would serve to continue to limit visibility

 7 there. It's not going to improve the situation.

 8   And I know when you start these meetings --

 9 I always like when you start because -- I always

10 like to start our meetings, because when you start

11 you say, Mr. Developer could you please tell me

12 about the improvements that you're going to make to

13 this property. That phrase stuck in my mind. I

14 thought that's a very good phrase.

15   So in terms of what improvements are you

16 going to make, what improvements are you going to

17 make so that this building does not compromise this

18 intersection and make it a potential hazard for

19 children, for adults, for elderly, people in

20 wheelchairs. We have an elderly center right up the

21 street, and they shop around there. There's lots of

22 stores around and so forth.

23   So those are my concerns, and I think

24 they're reasonable ones. And they look like a

 1 bright bunch of fellows over there sitting in the

 2 front row. I'm sure they can put their heads

 3 together and come up with a really good, rock-solid,

 4 down-to-earth solution that doesn't involve

 5 modifying the street. Perhaps modifying the design

 6 of the building might be a better idea. Okay?

 7 Thank you so much for listening.

 8   MS. POVERMAN: Thank you.

 9   MR. ROSEN: And I'd like to ask for a round

10 of -- oh, wait a minute. There's one more. But

11 after him, a nice round of applause for everyone

12 whose spoken.

13   MR. PINCHES: I will share the applause

14 later.

15   My name is Fred Pinches. Our family home

16 is at 106 Thorndike Street, just past Clarence

17 Street, approximately 500 feet from the intersection

18 which is the big topic right now.

19   A number of questions and comments:

20   First of all, the question on the

21 transportation engineer, I don't know how much they

22 studied the actual traffic volume and flow on

23 Thorndike Street. I know you can't basically put up

24 a tent and camp out there for 48 or 72 hours.

 1 Budget wouldn't allow that. But there are very

 2 specific situations over there which may be unusual

 3 if not unique to the neighborhood and the other

 4 streets mentioned.

 5   One, as Mr. Rosen had just mentioned over

 6 there, Thorndike Street is basically a bypass route

 7 for Commonwealth Avenue right through to Harvard

 8 Street. That's the first street that you can take

 9 after the intersection of Harvard and Common, which

10 is a famous if not notorious intersection, which is

11 one reason why Thorndike Street is probably one-way

12 beginning at Clarence going all the way down the

13 hill, as you've well seen.

14   The volume of traffic is substantial during

15 rush hour. It is high speed, and all day long.

16 It's not just high speed for the commuters or the

17 people going through. It also seems to be the test

18 run for Herb Chambers, BMW, Honda, Porsche, Mini,

19 and whatever else you want.

20   In fact, one of our neighbors, the abutter

21 at 78 who would be most impacted by this development

22 down there, I think he was almost involved in a very

23 serious accident, got into his car, followed the

24 Herb Chambers man back down to the showroom down

 1 there, really got into it. Didn't do anything

 2 stupid or violent to get himself arrested. But, I

 3 mean, this is the situation that we're dealing with

 4 with the situation on Thorndike, which, again, as I

 5 said is unusual.

 6   So, again, the question is, have they

 7 looked at some of this volume and flow and activity

 8 a little more than just -- I'm not going to say

 9 "superficial." I think that would insult you, and I

10 think you've done a very good job to the point. But

11 you may have to go beyond that point to look at the

12 situation as it exists.

13   Also, there's a lot of activity at the

14 service station on the other side of the street. We

15 have been talking about the garage entrance conflict

16 with this, that, and everything else. Again, very

17 good job to the point which you have done it. But

18 again, when you've got all this activity that is a

19 fairly big service station which involves service,

20 moving cars from the back lot to the front,

21 everything in, out, all the way, you know, again,

22 the street is basically an extension of that

23 operation. So, again, there's potential conflict

24 there.

1   So those would be the two questions on --

2 actually, on Thorndike Street itself.

3   This idea of putting in a bump-out I think

4 could be detrimental to the whole operation. First

5 of all, the sight lines that we've been talking

6 about seem to be -- and again, this would be a

7 question. Are we talking about just cars exiting

8 Thorndike Street and turning right onto Harvard

9 Street, or have you looked at the traffic pattern

10 that might be turning left off of Harvard Street

11 onto Thorndike Street? Once you're on Thorndike --

12 once you're on Harvard Street down there, people

13 have to make a very fast decision when they can

14 cross the street.

15   Again, expanding the territory of your

16 study -- and I know we can't expand it too much;

17 budget constraints to begin with -- but you've got a

18 traffic light at Fuller Street. When there's

19 traffic at the green light there, you're going to

20 get a bulge of traffic, and that whole section down

21 there to Coolidge, to Thorndike as they basically

22 head down the hill to T.J. Maxx, you have very

23 little -- except Thorndike Street -- very little

24 conflict of traffic there. So cars would accelerate

1 on a green light. They're accelerating for some

2 distance.

3   So again, you're going to have the

4 potential for accidents there if the cars have to go

5 more out into the street just to make the right turn

6 onto Harvard Street. So I think that's a potential

7 problem which could become much more serious than it

8 is now, particularly when cars are trying to make

9 the turn -- left turn from Harvard onto Thorndike

10 Street, have to make a very quick decision to get

11 through that rush of traffic sometimes, and even

12 routine traffic to pull into Thorndike Street. And

13 their sight line I think is just as important if not

14 more important than the traffic coming out of

15 Thorndike Street, which is moving at a much lower

16 speed. So I think there's a potential safety

17 question there.

18   Also, the activity in the neighborhood --

19 and again, we can't expand the territory too much,

20 but we also have large vehicles coming on Thorndike

21 Street, particularly down from Clear Flour bakery,

22 and large vehicles that would now have to go out

23 into the street and make a much wider turn than they

24 are now. So again, that would slow down the

 1 traffic, possibly involve that in more conflict. So

 2 that would be another question that I think we

 3 should look at, the whole activity on that corner.

 4   And the last thing on the question, the

 5 bump-out. I know that 40B prohibits the

 6 municipality from charging a developer for

 7 infrastructure any more than they would basically

 8 charge anybody else. Usually, bump-outs are a

 9 decision made by the town, the transportation board,

10 whoever. It's the town's decision. The town pays

11 for it.

12   But in this case here, the developer may

13 offer to pay for the actual bump-out. But then

14 again, they may be required to pay for all the

15 infrastructures that may go with it by moving

16 stormwater systems and everything else. Even a

17 short distance around the corner was mentioned. You

18 know, that's going to be an expense for the town.

19 So again, who's going to pay for the whole thing if

20 the whole thing has to go through?

21   So that would be the five points over

22 there: Traffic and volume on Thorndike Street;

23 activity across the street, possible conflict there;

24 sight lines coming off of Harvard Street, which

 1 would be more dangerous; large vehicles that might

 2 be pushed out into the street; and then again the

 3 question of cost on the infrastructure. See if we

 4 can pass that along if the town requires it for this

 5 bump-out, which I think would be a mistake. Thank

 6 you for your time.

 7   MS. POVERMAN: Thank you, Mr. Pinches.

 8   MS. NOBLE: My name is Joanne Noble, and I

 9 live at 120 Coolidge Street, and I'd like to make

10 two comments.

11   One is the agreement with the fellow

12 residents. I agree with what they stated so far

13 this evening. I want to lend my voice to concerns

14 about the parking situation. I think there's a -- I

15 wasn't aware of the diminution of the spots for

16 this -- the number of spots down to 13. And living

17 within a few blocks of the area, I'm completely

18 aware of the challenges that the residents have for

19 parking right now for all kinds of activities. I

20 wanted to make sure I put my name in. That is a

21 concern. Thank you.

22   MS. POVERMAN: Thank you.

23   MS. SHAW: Hi. I'm Sloat Shaw. I live at

24 88 Thorndike Street.

1   And I want to bring up the fact that if you

2 have an underground parking of 13 spots with one

3 lane with the cars going in and going out, that's a

4 really potentially difficult situation for anybody

5 backing in and backing out. It's a small space.

6 And if you look at the people who have just three

7 parking spots that they rent out in their driveway,

8 that operation of moving cars in and out crowds the

9 street incredibly. And if people are living with

10 these spots, they're going to want to go in at rush

11 hour, out at rush hour. Everybody wants to use them

12 at the same time.

13   And I think that one way to approach this

14 problem is to make the entire building smaller so

15 that there's more room in the building and it's not

16 all squished in trying to make an impossible

17 situation safe. It doesn't feel like it's a safe

18 building, and it doesn't feel like it's designed

19 properly.

20   In order to ensure the neighborhood --

21 after the developers leave, we're stuck with all of

22 the people doing this dance of cars back and forth

23 in Brookline. It's a really difficult site right

24 here. And I know that as residents of Brookline,

 1 these developers have that as their concern, and I'd

 2 like them to think about it as something that's

 3 essential for all of Brookline.

 4   MS. POVERMAN: Thank you very much,

 5 Ms. Shaw.

 6   Okay. If nobody else is going to speak,

 7 you may applaud.

 8   Are there any administrative matters we

 9 need to deal with, Polly?

10   MS. SELKOE: Well, it sounds like the

11 traffic issues -- maybe we should be -- the peer

12 reviewer should be speaking with the -- your traffic

13 consultant.

14   MR. ENGLER: As I mentioned, we have the

15 benefit now of the peer review consultant reports in

16 combination with the design comments we've heard. I

17 think what we're going to do is, simultaneous to,

18 you know, a design revision, we're going to prepare

19 a response. I think prior to, perhaps, issuing a

20 formal response, we may reach out to the peer review

21 consultants through the town who will facilitate to

22 perhaps bounce some ideas, get clarification, say

23 this is what we're going to be proposing, what do

24 you think about it, and not just a hopscotch back

 1 and forth, submit a report, they comment, we

 2 comment. Try to make it a little bit more

 3 collaborative.

 4   And I think we have a reasonable amount of

 5 time to make some meaningful progress between now

 6 and the July 12th hearing. So if it pleases the

 7 board and the planning department, that's what I

 8 would recommend. We obviously have email addresses,

 9 but any communication we have will run through Polly

10 and her team so the town and the board is kept

11 informed relative to what's going on.

12   MS. POVERMAN: I think that makes sense.

13   Polly, do you agree? Planning department?

14   MS. SELKOE: Yes. I think that's a good

15 idea.

16   So I think you could move to continue this

17 meeting to July 12th, and at that time we will be

18 discussing both design and traffic issues.

19   MS. POVERMAN. Okay. Then we will be

20 adjourned until July 12th, and maybe it would go

21 above 50 by then. Let's cross our fingers. Thank

22 you very much.

23   (Proceedings adjourned at 9:08 p.m.)

24

 1   I, Kristen C. Krakofsky, court reporter and

 2 notary public in and for the Commonwealth of

 3 Massachusetts, certify:

 4   That the foregoing proceedings were taken

 5 before me at the time and place herein set forth and

 6 that the foregoing is a true and correct transcript

 7 of my shorthand notes so taken.

 8   I further certify that I am not a relative

 9 or employee of any of the parties, nor am I

10 financially interested in the action.

11   I declare under penalty of perjury that the

12 foregoing is true and correct.

13   Dated this 19th day of June, 2017.

14 _____

15 Kristen Krakofsky, Notary Public

16 My commission expires November 3, 2017.

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12th
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35:1 77:2 104:6,17,20

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