

From the Desk of:
Robert L. Allen, Jr., Esq.
ballen@bballenlaw.com

July 12, 2017

VIA HAND DELIVERY

Attn: Polly Selkoe
Planning Department
Brookline Town Hall
333 Washington Street
Brookline, MA 02445



Re: **Zoning Application**
700 Brookline Avenue, Brookline, MA 02445

Dear Polly:

I write on behalf of my client, Claremont Brookline Development LLC, regarding the proposed hotel development at 700 Brookline Avenue, Brookline, Massachusetts. Enclosed please find the following documents related to this zoning application:

- Application for Special Permit (original plus 3 copies);
- Denial Letter (4 copies);
- Zoning Analysis (4 copies);
- Environmental Summary (4 copies);
- Design Narrative (16 copies); and
- Proposed site plan, floor plans and elevations (16 copies).

Kindly notify my office once the application has been deemed complete pursuant to Section 9.04.4 of the Zoning By-law in order to schedule the Planning Board and Board of Appeals hearings.

Thank you for your attention to this matter. If you have any questions or if any further information is required, please be in touch at my above-listed telephone number.

Very Truly Yours,



Robert L. Allen, Jr.

Enclosure

EXHIBIT "A"

TOWN OF BROOKLINE BOARD OF APPEALS
APPLICATION FOR SPECIAL PERMITS AND/OR VARIANCES
(See MGL c. 40A s. 9 & 10, BOA Rules and Regulations, and Zoning By-laws § 9)

Date: 07/13/2017

Address of Premises: 700 Brookline Avenue

Applicant(s): Claremont Brookline
Development LLC

Address: 1 Lakeshore Center
Bridgewater, MA 02324

Owner(s) of Record: Claremont Brookline
Development LLC

Address: 1 Lakeshore Center
Bridgewater, MA 02324

c/o Robert L. Allen, Jr., 300 Washington Street, 2nd Floor, Brookline, MA 02445

Deed recorded in Registry of Deeds, Book: 33782 Page: 592

or registered in the Land Registration Office under Certificate No. _____

Tax Assessor's Property ID No.: 135-01-00 Map: 29B Block: 135 Lot: 01

1. Is the applicant applying for special permits X and/or variances X? Please list Zoning By-law sections under which special permits and/or variances are requested. (Refer to Denial Letter.)

Sections 4.07: Table of Use Regulations, Use #8; Section 5.06.4.j.2.a.iv: Northern District Edge Side Yard Setback; Section 5.06.4.j.3.b: Special District Regulations (Max Height); Section 5.06.4.j.4.a: Site Plan Review; Section 5.31.1: Exceptions to Maximum Height of Buildings; Section 6.04.2.e: Design of All Off-Street Parking Facilities; Section 7.01.c: Signs in All Districts; Section 7.04.1.c: Signs in I, G, L and O Districts; Any additional relief the Board may find necessary.

2. Provide a description of your proposal including proposed use, size, location on the site, etc.

Construct a 10-story building with no more than 175 hotel rooms and 128,847 s.f. of gross floor area. Please see attached plans and narrative for architectural description.

3. Present use of property (No. of dwelling units, if any).
Former gas station

4. Proposed use of property (description of all buildings and facilities, hours of operation, number of employees, visits by clients or pupils, amount of off-street parking, square footage of proposed additions or structures, etc.)

Hotel with no more than 175 rooms and 29 off-street parking spaces, which will be located in a second-floor garage. The building's total gross floor area will be 128,847 s.f., and the building will be 10 stories and 104'9" high.

5. Why does the applicant believe that the proposed use or building will meet the conditions for a special permit under Sec. 9.05 of the Brookline Zoning By-Law and will be in harmony with the purpose and intent of the Bylaw?

The proposed site was recently rezoned to allow a hotel use, and the proposed design has been extensively reviewed by a Design Advisory Team to ensure the use will not adversely affect the neighborhood nor cause a serious hazard to vehicles or pedestrians.

6. (IF APPLICABLE) Why does the applicant believe that the proposed use or building will meet the conditions for a variance under MGL c. 40A, Sec. 10, i.e. what are the special circumstances relating to soil conditions, shape, or topography of such land or structures, which do not generally affect other land or structures in the same zoning district, so that a literal enforcement of the by-law would involve substantial hardship, financial or otherwise, and that relief may be granted without substantial detriment to the public good and without substantially derogating from the intent or purpose of the By-law?

The unique shape and location of the lot necessitated the placement and overall design of the structure, which informed the sign program for the building.

Certification and Signatures

If your application is deemed incomplete per §9.04.4 of the Zoning By-law, the missing information must be submitted before a Board of Appeals hearing is scheduled. After the Board of Appeals hearing is set, the Planning Board will hold a meeting prior to the Board of Appeals hearing to consider the case and make a recommendation to the Board of Appeals. Contact the Planning and Community Development Department (617-730-2130) with any questions about the approval process and/or meeting schedules.

- _____ An original completed application with (4 copies)
- _____ Denial Letter issued by the Building Department (4 copies)
- _____ A certified plot plan or site plan showing **existing** and **proposed** conditions (16 copies)
- _____ One full size floor plans and elevations showing existing and proposed conditions
- _____ 11x17 sized plans including floor plans and elevations which indicate **all existing** and **all proposed** conditions (16 copies)
- _____ Application fee (\$350 base fee + \$21 newspaper fee + \$50 per 1,000 net sqft)

- _____ Any previous relief granted by the Board of Appeals for the lot (*if applicable*)

(Signatures of Appellant(s) and Owner(s) of Record are required.)

I (We) hereby certify that the statements within my (our) Appeal and attachments are true and accurate to the best of my (our) knowledge and belief.

<i>Elias Patoucheas</i>	<i>7/12/17</i>	508-279-4308
Signature(s) of Appellant	Date	Daytime Telephone Number and/or Cell

epatoucheas@claremontcorp.com
E-Mail Address

<i>Elias Patoucheas</i>	<i>7/12/17</i>	508-279-4308
Signature(s) of Owner of Record	Date	Daytime Telephone Number and/or Cell

epatoucheas@claremontcorp.com
E-Mail Address

If Applicable:

Robert L. Allen, Jr.	617-383-6000
Name of Attorney for Applicant	Phone Number of Attorney

300 Washington Street, 2 nd Floor Brookline, MA 02445	<i>ballen@boballenlaw.com</i>
Address of Attorney	E-Mail Address

Marc Rogers, Cambridge Seven Associates	617-492-7000
Name of Architect or Designer	Phone Number
	<i>mrogers@c7a.com</i>
	E-Mail Address

700 Brookline Avenue

Proposal: Construction of new 175-room hotel and associated restaurant use

Zoning Table

	Requirement		Proposed		Relief
Minimum Lot Size	13,600 s.f.		19,051 s.f.		Complies
Sidewalk Width	Brookline Ave	12'	Brookline Ave	12'	Special Permit (Section 5.06.4.j.2.a.iv)
	River Road	12'	River Road	12'	
	Washington St	10'	Washington St	9'*	
Maximum Height	40'		104'9"		Special Permit (Section 5.06.4.j.3.b)
Lot Coverage for Additional Height	50%		50%		Complies
Mechanical Equipment Height	120' (no more than 10' above height limit)		118'3"		Complies
Hotel Use	Allowed by SP		Hotel (no more than 175 rooms)		Special Permit (Table 4.07, Use #8)
Parking Spaces	.40 per room maximum		29 spaces (no more than 70 spaces)		Complies
Compact Parking Spaces	No more than 25% of parking spaces may be compact		48.3%		Special Permit (Section 6.04.2.e)
Loading Spaces	4 loading spaces		1 loading space		Site Plan Review (Section 5.06.4.j.4.a)
Street Trees	23 trees		25 trees		Complies
Signage Height	25' maximum		116' 7/16"		Variance (Section 7.01.c)
Signage Not Parallel to Street	Sign area maximum of 12 s.f.		240 s.f.		Variance (Section 7.04.1.c)

*Relief needed for an approximately 43'-long section of sidewalk along Washington Street near the corner of River Road, which is needed in order to provide the Town with the easement for roadway improvements.



Memorandum

Date: June 28, 2017

Recipient: Claremont Corp.
Mr. Elias Patoucheas

Copy To:

Sender: Peter J. DeChaves, L.S.P.

Project: 700 Brookline Avenue; Brookline, MA

Project No: 6000

Subject: Environmental Summary

This memo has been prepared to summarize the results of laboratory testing conducted on soil and groundwater samples obtained from the site located at 25 Washington Street in Brookline, Massachusetts. During September 2015 McPhail Associates, LLC completed an environmental due diligence assessment of the subject property as part of a real estate transaction for Claremont Corporation of Bridgewater, Massachusetts. The assessment included a subsurface exploration program and sampling of soil and groundwater from the above referenced site which is a former gasoline filling station.

During October through December 2015, Environmental Compliance Services, Inc. (ECS) oversaw the decommissioning of the former gasoline filling station, which included removal of the gasoline underground storage tank (UST) system; excavation and management of petroleum-impacted soil beneath the former dispenser island; removal of a waste oil UST; excavation and management of impacted soil in the vicinity of the waste oil UST; removal of three (3) hydraulic lifts; removal of an oil-water separator associated with the former repair garage; and removal of an oil-water separator associated with the former car wash.

ECS joined ATC Group Services LLC (ATC) during October 2016.

ATC has prepared a Method 3 Risk Characterization and draft Permanent Solution Statement for the release site. The report indicates that a condition of No Significant Risk, as defined by the Department of Environmental Protection, of harm to human health, safety, public welfare and the environment has been achieved for the disposal site. Further, an Activity and Use Limitation (AUL) is not necessary to maintain the condition of No Significant Risk.

We trust that the above information is sufficient for your present requirements. Should you have any questions concerning the recommendations presented herein, please do not hesitate to call us.

N:\Working Documents\Jobs\6000\Environmental Summary 062817.docx

Design Narrative:

The proposed Hotel located at 700 Brookline Avenue is a building designed to define the entry to Brookline from Boston along Washington Street. Overlooking the Emerald Necklace, the form of the hotel has been shaped to present a minimal massing facing the river and park while its presentation along Washington Street and Brookline Avenue forms a proper street edge similar in scale to the Brook House Condominium and the Brookline Place Development. The uniqueness of the hotel's form is that it responds to a variety of street edges and surrounding neighborhood structures while conforming to zoning requirements for future neighbors to the north along Brookline Avenue.

The building will be sheathed in glass, a material that is distinctive, light in feeling, and transparent. Floor to ceiling glass is used in conjunction with ribbons of specular metallic aluminum bands indicating each floor level. The glass is enhanced with the use of frit patterns that help modulate the uses within and to hide the garage in its entirety. At the ground level, wood in the form of tall, slender paneling is utilized to soften the public realm. The wood paneling is used on exterior walls as well as the soffits of the ground floor cantilevers. This further reduces the overall mass of the building, down to pedestrian scale creating warm and welcoming entries into the hotel.

The form of the building is softened using curved corner conditions throughout. The curves dispense with sharp angular geometries but they also serve to visually reduce scale. Another reduction in scale is achieved by subtle shifts in its wall planes, this occurs at a variety of levels including at 75' above grade and again at the mechanical penthouse level. Along Brookline Avenue the building is comprised of two wings separated above the entry this forms another step back at 30' above ground level. This allows the entry to stand alone and become its own composed element with the overall architecture framework. As noted above, as the building approaches the Emerald Necklace its form shifts again revealing an outdoor terrace overlooking the park. Above the terrace the building shifts once more to further reduce scale and height of the building overlooking the park and negate any shadows which otherwise might fall onto the Necklace. These design interventions all taken together have shaped the building's form to respond to a variety of neighborhood and street edge conditions while maintaining a unique and comprehensible massing that is responsive to context and zoning requirements.

The building's statistics include an overall occupied height of 104'-9" with other portions of the structure are scaled at 15' above grade, 30', 75' and finally 104'-9". The total square footage is 128,847gsf and the hotel contains 175 hotel guestroom keys. The ground floor plane of the building is designed to activate all public edges surrounding the site with hospitality uses seen through clear glass with public entries located at various points along the perimeter.