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Volume III
Pages 1-113

Brookline Zoning Board of Appeals Hearing
134-138 Babcock Street
Comprehensive Permit Application
Babcock Place, LLC
August 23, 2017 at 7:00 p.m.
Brookline Town Hall
333 Washington Street, 6th Floor
Brookline, Massachusetts 02445

Reporter: Kristen C. Krakofsky

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1 APPEARANCES

2 Board Members:

3 Jesse Geller, Chairman

4 Christopher Hussey

5 Kate Poverman

6 Mark Zuroff

7

8 Town Staff:

9 Alison Steinfeld, Planning Director

10 Maria Morelli, Senior Planner

11 Ashley Clark, Zoning Coordinator/Planner

12

13 Urban Design Peer Reviewer:

14 Clifford J. Boehmer, AIA, President & Principal,

15 Davis Square Architects

16

17 Traffic Peer Reviewer:

18 James Fitzgerald, PE, LEED AP, Director of

19 Transportation, Environmental Partners Group

20

21 Parking Peer Reviewer:

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

23 Consultants

24

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1 Applicant:

2 Peter W. Bartash, Associate Principal, CUBE 3 Studio

3

4 Members of the Public:

5 Guy Staff, 123 Stedman Street

6 Karen of Babcock

7 Dan Hill, Esquire

8 Carrie Staff, 123 Stedman Street

9 David Trevvett, 177 Babcock Street, Unit 1

10 Greta Fox, 125 Stedman Street

11 Dr. Goldman, 121 Stedman Street

12 Gina Crandell, 117 Stedman Street, Town Meeting

13 Member, Precinct 8

14 Fred Pinches, North Brookline

15 Yuan Zuo, 148 Babcock Street

16 Bruce Wolff, 50 Pleasant Street, 3D

17 Beth Kates, 105 Centre Street, Town Meeting Member,

18 Precinct 9

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1 PROCEEDINGS:

2 7:02 p.m.

3 MR. GELLER: Good evening, everyone. We

4 are continuing our 40B hearing on 134 Babcock

5 Street. Our last hearing was July 24, 2017.

6 Tonight's hearing is going to be dedicated

7 to -- we've got an update from Maria Morelli. I

8 understand there may be a presentation from the

9 applicant's traffic -- Yes? No?

10 No. Okay. Thank you.

11 We will have peer review on design,

12 traffic, and parking this evening. We will afford

13 the applicant an opportunity to respond, if the

14 applicant so desires.

15 We will also give the public an opportunity

16 to ask questions they may have within the confines

17 of what is being reported this evening.

18 I understand -- Maria, without officially

19 calling you up, I understand that we are running

20 tight on our schedule. Can you lay that out for us

21 so that I can then turn it over to the applicant and

22 we can figure out what we need?

23 MS. MORELLI: Sure. I would say that we

24 probably lost two months at the beginning of the --

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1 we opened the hearing in April -- April 13th. And

2 normally at the first hearing we have the

3 applicant's team introduce the project. What

4 happened then is that the hearing was opened, and it

5 was continued to a month later, and then there was a

6 bit of lag time.

7 So I would recommend -- our next hearing

8 very likely will be October 2nd. And the reason for

9 that is you have a great deal of testimony being

10 presented this evening from all three peer

11 reviewers. You very likely may give a charge to the

12 developer this evening, and so there will be a lot

13 of things for the project team to be working on, and

14 I imagine that will take about five to six weeks.

15 We also need to schedule peer review to respond to

16 anything that might be submitted.

17 So I'm thinking that if our next hearing is

18 October 2nd -- the September hearings won't work.

19 The 25th does need to be reserved for 455, and 9/27

20 is going to be dedicated to 111 Cypress. So we are

21 scheduled to close October 10th. As you can see,

22 that is not a lot of time between our next hearing

23 and the close of the hearing, so I would recommend

24 to the board that you ask the applicant for

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1 permission to extend the close of the hearing to
 2 January 11, 2018.
 3 MR. GELLER: Thank you.
 4 Who wants to speak on behalf of the
 5 applicant? Geoff?
 6 Where generally are you -- you got an
 7 unofficial charge, if you will, at the last hearing.
 8 MR. ENGLER: Correct.
 9 MR. GELLER: Do you have a sense of where
 10 the applicant is in terms of looking at the issues
 11 that were raised and being able to present something
 12 in the alternative?
 13 MR. ENGLER: We do.
 14 For the record, Geoff Engler from SEB. I'm
 15 here representing the applicant.
 16 So at the end of the last public hearing,
 17 this board gave us a clear charge, or identified
 18 real concerns about the proposal as it stands, but
 19 we were also told not to submit anything until we
 20 have the benefit of the peer review, so I'm quite
 21 interested to see what your consultants have to say
 22 tonight. But not to steal any of their thunder, but
 23 I probably could predict what some of those comments
 24 will be, which is a good thing because it's things

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1 we've already started to consider and work on.
 2 So Maria's schedule to October 2nd I think
 3 makes sense. I don't think it's going to take us a
 4 ton of time to resubmit an -- I mean, I think the
 5 changes are fairly extensive, but because they're
 6 not -- it's not like what we're going to hear
 7 tonight is the first time, hopefully we can have
 8 those in a reasonable amount of time, certainly
 9 enough time to submit them, give all the peer
 10 reviewers adequate time to review them, provide
 11 additional comments, and have us have time,
 12 hopefully, to then make additional edits before the
 13 2nd. You know, and I will concede that October 10th
 14 does not provide realistically enough time to have a
 15 meaningful conclusion of this public hearing
 16 process.
 17 I will also say the two months that were,
 18 quote/unquote, lost at the beginning of the process
 19 was through no fault of my client's. We were ready
 20 to go, and things happened and whatnot.
 21 With that said, as the board knows, on all
 22 the other projects I've been involved, some have
 23 required extensions. I've advised my client to do
 24 as much in a show of good faith. My client is not

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1 here tonight, but we can provide a short answer. I
 2 fully expect some sort of hearing -- I mean, some
 3 sort of extension will be granted. I don't know
 4 that we feel comfortable immediately hopping to
 5 January 11th, but we certainly, I think, will
 6 discuss with Maria and this board an appropriate
 7 extension beyond October 10th. And you can always,
 8 you know, as you know on other cases, provide
 9 additional extensions. But I think my advice to my
 10 client will be not to jump right to January, but
 11 let's give a real extension and then see how the
 12 process goes.
 13 MR. GELLER: Yeah. I just -- obviously, my
 14 questions are really about what is realistically
 15 needed so as not to force your client, the planning
 16 department, the public, peer reviewers, or the
 17 members of the ZBA to have to jump through false
 18 hoops. That's all. So I want to be realistic here.
 19 I'm sure your comment at the beginning was not to
 20 cast any sort of -- you know, pointing fingers at
 21 anybody. It was simply a factual statement. So I
 22 hear what you're saying.
 23 I would ask that the applicant consider the
 24 suggestion that's been made. You have to talk to

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1 your client. Certainly some form of an extension is
 2 in order. You know, Maria tends be fairly
 3 realistic, so I think it is likely there's some real
 4 basis there.
 5 MR. ENGLER: Right. And I understand that.
 6 And I think -- I think the time between the hearing
 7 tonight and the next hearing is very important
 8 because, as the board knows and I typically say,
 9 when the peer review starts in earnest, that's
 10 really when you get the benefit of all the technical
 11 recommendations and the plans start to change.
 12 So what we need to do is we need to get a
 13 revised plan set to the board and to its consultants
 14 ASAP to allow them, you know, a reasonable amount of
 15 time to look at the updated plans, provide us
 16 with -- and sometimes those comments don't need to
 17 be in the form of a formal memo. They could submit
 18 an email to Maria and say, well, I still have
 19 concerns about these four things, and she gets it
 20 back to us, and we can work on the plan again before
 21 the next hearing. So a couple bites at the apple as
 22 opposed to us submitting them, you know, five days
 23 before the 2nd, which provides nobody -- you know,
 24 it doesn't do anybody any good, and I can assure the

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1 board that that's not our intention.

2 MR. GELLER: Okay. So this will be a

3 discussion that -- you'll speak with your client.

4 And then, Maria, you will --

5 MS. MORELLI: Yeah. Mr. Chairman, I will

6 prepare a schedule that outlines some of the

7 functions and the tasks that need to happen. As you

8 know, two months -- if we have one hearing a month,

9 that's really not a lot of time to go through

10 waivers, maybe another round of revisions, and so

11 forth. So as you can see, two months is really not

12 a lot of time, but I'm happy to outline the process

13 for the applicant.

14 MR. GELLER: Sure. I think the applicant

15 knows the process. What we really need is to sort

16 of outline what the expectation is for milestones.

17 As was mentioned, our next hearing --

18 because I know everybody wants to put it in their

19 calendar immediately -- October 2nd, 7:00 p.m. Hard

20 to talk about October at the end of August.

21 Okay. Maria, why don't you jump into --

22 For the record, let me mention this again.

23 I've mentioned it at all of the prior hearings in

24 this matter. Zuroff, Hussey, Geller, Poverman.

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1 Tonight's hearing is being tape-recorded

2 for a record. It's being videotaped.

3 MS. MORELLI: Yes. It's also broadcast.

4 MR. GELLER: And there is a stenographic

5 record. That stenographic record is available

6 approximately two weeks after the hearing. It's

7 available at the planning department's site. If you

8 just scroll through, you'll find the listing for it.

9 You should get all the information, as well as

10 submittals that have been made with respect to this

11 case. So peer review reports, the applicant's

12 materials, those should all be available online.

13 Other administrative details? Anything

14 else?

15 MS. MORELLI: I can just go into my report.

16 MR. GELLER: Please do.

17 MS. MORELLI: I just want to remind you

18 that I'm working with my colleague Ashley Clark on

19 this project.

20 Okay. Just to go back in time a little

21 bit, at the last hearing there were additional

22 materials that were asked of the developer, which we

23 received. There was proof of site control. There

24 was an amendment to the purchase and sale agreement

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1 that extends the close to December 31, 2018, or

2 earlier.

3 I did consult with the subsidizing agency,

4 MassHousing, regarding that documentation. I did

5 receive a call from Greg Watson at MassHousing

6 stating that that documentation is sufficient.

7 Either a deed or a P&S agreement are the types of

8 documentation that would be submitted to a

9 subsidizing agency during the PEL stage, and the

10 extension is adequate. That is posted online, and

11 you also, Mr. Chairman, have that before you.

12 The traffic study -- the traffic

13 consultant, Vanasse, had used a proposed design that

14 wasn't approved for the town regarding complete

15 streets for Babcock. And we appreciate the

16 diligence and proactive, you know, sense in that

17 respect, but we do have to work with existing

18 conditions, per DPW's request, not future plans that

19 are not confirmed or approved yet. So Vanasse did

20 revised their AutoTURN. That was the aspect of the

21 traffic study that needed to be revised, and that

22 section of the traffic study was amended to reflect

23 existing conditions. It was forwarded to you, to

24 our peer reviewers, and was also posted online.

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1 We also -- staff had inquired about parking

2 demand. The situation at 120 -- the correct address

3 is 118-130 Babcock. I informally refer to it as 120

4 Babcock. As you know, the property line -- or the

5 parking does span the property line between 120

6 Babcock and 134 Babcock. There are about 44 parking

7 spaces at the site of 134 Babcock, and the majority

8 of those spaces do serve the tenants at 120 Babcock.

9 There is no parking on the site at 120 Babcock

10 serving those occupants.

11 We were interested, of course, in knowing

12 if there was anything proposed or triggered, any new

13 nonconformities. That isn't the case. That was

14 very thoroughly vetted by my colleague Ms. Clark and

15 vetted with town counsel and the building

16 department.

17 The other issue regarding parking demand

18 and the displacement of those vehicles, of course,

19 remains. So staff did ask Mr. Slater to provide an

20 analysis of how many units are at 120 -- there are

21 66 units -- how many parking spaces do serve those

22 occupants -- there are 45 parking spaces that serve

23 those occupants. They don't have a unit mix. 31, I

24 believe, are at 134 Babcock, and the other 13 spaces

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1 are across the street at 117 Babcock. That's
 2 roughly a ratio of .67.
 3 The other thing -- a rubbish plan or
 4 recycling plan wasn't submitted at this time. And
 5 the way we normally deal with this situation, if a
 6 revision is imminent, we will keep Pat Maloney, who
 7 is the director of environmental health, apprised of
 8 any changes so that the ZBA is informed, as the
 9 plans are revised, if his requirements for adequate
 10 trash storage are being addressed.
 11 And the last thing was regarding the 3D
 12 model, an electronic model. I did receive promptly
 13 from Mr. Bartash, who's the architect on this
 14 project, an interactive PDF. I personally don't
 15 find them really sufficient. They're hard to work
 16 with. And Mr. Boehmer, who is the peer reviewer for
 17 design, did request the native SketchUp file, and
 18 Mr. Bartash promptly supplied it to him. I do
 19 appreciate Mr. Bartash being very prompt in giving
 20 the peer reviewer what he needs, but materials do
 21 need to go through the town. These things are
 22 public record.
 23 You know, I do understand that CUBE 3 does,
 24 in general, have an issue with their content being

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1 distributed in cyber space, but the way we deal with
 2 this is that we make the SketchUp native files
 3 available to anyone who asks. So that is pretty
 4 typical on all 40B projects. We do understand the
 5 proprietary nature of the contents of these files.
 6 So I will be getting that this evening. I
 7 will indicate on our website how any member of the
 8 public can obtain the file. And if they wish to
 9 view it at town hall, I will also make myself
 10 available as well. And the ZBA also will have
 11 access to the native file itself.
 12 Last time you -- at the last hearing, the
 13 ZBA did specify an initial list of issues of local
 14 concern, and I did summarize that, and I forwarded
 15 that to the applicant. I will just summarize really
 16 briefly what those issues are.
 17 Size and massing of the building are
 18 excessive, insufficient front and rear yard
 19 setbacks. I think, Mr. Geller, you said that you
 20 were less concerned with the height and more
 21 concerned with the massing and setbacks. The other
 22 ZBA members are concerned overall with massing and
 23 setbacks and height. The focal point of the garage
 24 entrance at the center of the site is not desirable.

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1 Would a side driveway -- side yard driveway be
 2 feasible? The loading zone is considered unsafe.
 3 The parking ratio is, quote/unquote, woefully
 4 inadequate. The site is decidedly residential, not
 5 merely transitional, and a redesign must speak to
 6 the neighborhood. Impact from massing, setbacks,
 7 and shadows would affect quality of life for
 8 abutters. Intensity of use is a major concern,
 9 namely parking and trash storage. Mr. Geller, you
 10 said that the modern style wasn't your favorite.
 11 Mr. Zuroff, you proposed -- you suggest that the
 12 proposal suggests an industrial or mill-type
 13 building. And Ms. Poverman stated the setbacks
 14 should be 20 feet, increase open space, as did
 15 Mr. Hussey.
 16 If there's anything else -- we did cover
 17 the extension. Is there anything else? Any
 18 questions that you have?
 19 MR. GELLER: Questions? No.
 20 MS. MORELLI: Okay. Then we would proceed
 21 with Mr. Boehmer, the architectural peer reviewer.
 22 MR. BOEHMER: Hi. I understand I'm not the
 23 only one presenting tonight, and I have a number of
 24 slides to go through, so if I'm going too fast, let

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1 me know and I'll slow down and obviously can answer
 2 questions.
 3 Just as a note, the parking spaces that
 4 Maria was talking about are these guys right here.
 5 So this is an aerial view looking towards the east.
 6 That's the subject property there. That's the
 7 66-apartment existing development, and those are
 8 those parking spaces. Stedman Street is back here.
 9 Like I said, I'm going to try to go pretty
 10 quickly. We'll start just reminding everybody about
 11 context on the street, and this, actually, is an
 12 image that I borrowed from the planning department
 13 presentation.
 14 Particularly towards the north, it's a
 15 relatively intact neighborhood of homes reaching
 16 over into a historic district. I think one of the
 17 most notable things of Babcock Street is a uniform
 18 setback, relative conformity of the size of most of
 19 the homes, particularly in this direction towards
 20 Brighton Avenue.
 21 As you can see here, you'll see a little
 22 more detail, there's a planting strip on both sides.
 23 The street isn't really that wide, but there are --
 24 the distance from the sidewalk is helped out a lot

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1 with the planting strip, a nice canopy over the
 2 street. As you can see, trees are virtually
 3 bridging across the street.
 4 Most of the smaller buildings on the street
 5 are two and a half stories, generally speaking. I
 6 think what makes a walk on Babcock Street -- part of
 7 what makes it so pleasant are lots of individualized
 8 entries, very welcoming entries, gestures made to
 9 the sidewalk, and pedestrians walk with some
 10 distance from the moving cars, which adds to the
 11 experience.
 12 A lot of the homes have lots of small-scale
 13 detail in them. Again, entry almost always being an
 14 important element. A well-expressed entry piece on
 15 the buildings is a defining feature, a quality on
 16 that street. Some places even have two entries and
 17 a nice invitation into the building.
 18 This is the neighboring building, 120,
 19 which is a U-shaped, horseshoe-shaped building.
 20 This is one of the bigger buildings. This is to the
 21 south of the subject site. This is three-
 22 and-a-half- to four-story-tall building masonry with
 23 this, but still maintaining the notion of a very
 24 inviting entry into the site and the building

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1 entries.
 2 This is our site. This is a significant
 3 historic home, late 19th Century home. Again, a
 4 prominent invitation, the entry into the building,
 5 and a reasonable amount of detail, the entry piece,
 6 smaller scale entry piece on the front of the
 7 building.
 8 And the houses are, again, lots of -- lots
 9 of ornamentation, generous stairways going up into
 10 the buildings generally, but smaller homes are up a
 11 little bit from the street to afford some privacy in
 12 the units.
 13 This is across the street. This is one of
 14 the bigger buildings very nearby, sort of across the
 15 street. This is, as you can see, a
 16 three-and-a-half- to four-story building with an
 17 entry -- entryway. While it's not a very prominent
 18 entry, it still is an invitation into the building
 19 reinforced with some architectural detail.
 20 This is -- and we'll get to this. This is
 21 the building just to the north on the same side of
 22 the street. And, as you can see, that is a break in
 23 the fabric. This is a building that our proposed
 24 building wraps around. That was a decision made to

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1 provide garage entry down at the street level,
 2 which, as you can see, is really not consistent with
 3 the existing development pattern on the street.
 4 So the proposal is 62 new apartments. 52
 5 of them are either studios or one bedrooms, so a
 6 very heavy mix on smaller apartments.
 7 Here you get a sense of -- this is the
 8 existing structure here. This is 120 with the 62
 9 apartments in there. A really striking feature of
 10 the site is that it really is the end wall of this
 11 park. I mean, you approach along here. It's really
 12 the main event that you see at the end of that
 13 street looking across the nicely landscaped park.
 14 This is the larger building we looked at with the
 15 entry. I think we were looking right into there.
 16 And there's the 62-unit building.
 17 Maria was talking about the parking spaces.
 18 There are the parking spaces. So the lot is an
 19 L-shaped lot that wraps around this building. This
 20 is the building with those garage doors facing the
 21 street. So these two buildings are taken out in
 22 order to build the new project, and these are the
 23 parking spaces that are lost.
 24 Here's the site plan. So the entry to the

Page 21

1 building is directly in the center of the building
 2 off of Babcock Street. This is the loading zone
 3 that Maria was talking about. This is the
 4 residential entry on this side, and this, I believe,
 5 is bike storage on this side. The residential entry
 6 and elevator happen on this side of the building.
 7 All the parking is close to being at the grade of
 8 the street, so you enter the street at grade and
 9 wrap around the L to access all of the parking lots.
 10 There is a grade change from Babcock up to
 11 the rear of the site so that by the time you're at
 12 this end of the building, it isn't a full -- there
 13 are a couple different versions of the rendering,
 14 but my understanding is that by the time you're at
 15 this end of the building, it's not quite a full
 16 story you see of parking. But I'm not positive
 17 about that.
 18 Here's a little more detailed plan. You
 19 can see the accessible spaces, entry piece, bike
 20 parking, trash room is back here. I'm showing this
 21 image because you get an idea of the size of the
 22 setbacks. This, I believe, is the narrowest point.
 23 This is the property line going all the way around.
 24 So for all practical purposes, particularly given

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1 building code restrictions about percentage of
 2 opening that you're allowed on buildings related in
 3 proximity to the property line, this is, I think,
 4 pretty close to maxing out a footprint for this
 5 site. There are other elements that need to be on
 6 the site that service the transformer, a stormwater
 7 infiltration system, and then, of course, the
 8 loading zone.

9 This is a street elevation. So looking
 10 from Stedman Street, this is the residential entry,
 11 two garage doors, and the storage room is over on
 12 this side. You are able to see right across the
 13 site to see the L, the rear end of the L of the
 14 building or the east face of the L of the building.
 15 And I think that one thing that I assume the
 16 architect was trying to do, as Maria mentioned, a
 17 kind of traditional building that -- I think one
 18 thing he was trying work out was a piece that more
 19 relates to the 120. And on this side of the
 20 building that's where the entry is, and then another
 21 piece that's clad in clapboard materials that has
 22 some relation -- more of a relationship to the
 23 historic home to the north.

24 This is the elevation -- the side

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1 elevation. This is -- you start to see the
 2 parking -- one of the side elevations. You see the
 3 entire parking zone along the first floor. This is
 4 the north-facing -- this faces the neighbor to the
 5 north. This side there you can see the
 6 five-story-tall structure there as well as the full
 7 five stories that are expressed on Babcock Street.

8 This is the elevation that the Stedman
 9 Street neighbors see. Again, five stories, parking
 10 all along the bottom, a stack of balconies servicing
 11 apartments, the elevator that is -- you recall the
 12 entry's over on that side of the building. And then
 13 right over here, not very far away is the edge of
 14 120, which is a four-story building, so that's up at
 15 about that height.

16 That's the other long elevation. Again,
 17 you see the parking all along the lower level
 18 service entry, more balconies, and this is the piece
 19 that wraps -- that is directly facing 120 Babcock.

20 Scale and massing, and I will -- I'll
 21 repeat what Maria said. I did have access to a
 22 three-dimensional model, which was extremely useful
 23 in being able to make some studies of the scale of
 24 the building. The model does have grades outside

Page 24

1 the site included it in, so it was very useful in
 2 understanding how the building would be perceived.

3 The first few views are not anything people
 4 would see typically, but this is -- you start to get
 5 an understanding of the massing of the building. It
 6 is a big building. There are 62 units here, and I
 7 think even more units across the street. I'm not
 8 sure how many there are in this development, but it
 9 forms one of the three large buildings there. The
 10 historic district starts right here.

11 I think probably what's most notable about
 12 the massing -- you can see many of the things I
 13 pointed out already. It's a story higher than this
 14 building, it's a story higher than this building.
 15 Even though it doesn't quite look that way, it is.
 16 It's higher than this building. And I think that
 17 what's most notable about the massing is that it
 18 is -- going back to the comment about maxing out the
 19 footprint of the building, this incarnation of the
 20 building really is just kind of a vertical extrusion
 21 of the maximum footprint on the site.

22 There you can see more wrapping around.
 23 You get a better idea -- once you're really facing
 24 the smaller-scale buildings, you get an idea of how

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1 big the building actually is.

2 Probably the most significant topographical
 3 aspect of this development is that from this grade
 4 down to the backyard of the Stedman Street homes is
 5 significant. I don't know exactly. I've read a lot
 6 of different counts of how much -- how many feet it
 7 actually is, but I think it is as much as 10 or 12
 8 feet, but maybe as little as 6 feet. But I wouldn't
 9 want to go on record saying that without really
 10 looking at a survey. Again, I think you get the
 11 notion of scale. These neighbors, for a very long
 12 time, have already had the experience of this
 13 building here, so this is an extension of that kind
 14 of scale plus another story.

15 Some more views of it. I think this gives
 16 you a good idea of the lower level that Stedman
 17 Street is, so rising up, like I said, significantly
 18 just to get to the grade plane on the subject
 19 property.

20 So also afforded -- the use of the model
 21 also gave me a good chance to understand
 22 street-level views of the building. Do keep in mind
 23 that you're not going to see a lot of trees here,
 24 but most of the trees in that neighborhood are

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1 deciduous trees, so there actually are many times a
 2 year where you really would have a very big view of
 3 the building. So this is the view going south on
 4 Babcock Street.

5 Here you really understand the diminution
 6 of the setbacks. So the typical setback that you
 7 saw in that very first slide is more like 20 feet on
 8 the street. It's 20 feet and a smaller-scale
 9 building. So when you take a significantly taller
 10 building and move it much closer to the street, not
 11 only does it just break the visual view corridor
 12 down the street, it also has a much greater impact
 13 on shadow and the general pedestrian experience
 14 along the street.

15 This is viewing it from the other
 16 direction, so we're looking north here, the same
 17 notion of the diminished setback from the existing
 18 building. This is that courtyard entry. The
 19 sidewalk is out here. And that's our larger
 20 apartment complex across the street. There's the
 21 park.

22 We're just going to walk around it at this
 23 point, so I took a number of screen shots from the
 24 model.

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1 When I mentioned that it is a very
 2 prominent site, this is -- looking at it from across
 3 the park, it really kind of owns the park in a sense
 4 that the existing building sits right dead center in
 5 this space. So it really is the streetwall -- makes
 6 a streetwall for the park. There's existing garage
 7 doors that are letting out onto Babcock Street.

8 So we're continuing to wrap around, looking
 9 at it as we go around the corner. I think it's
 10 Winchester Street that goes around the corner --
 11 Manchester Street, sorry. We'll continue walking
 12 around.

13 We're not quite there yet, actually. So
 14 we're just walking down the hill towards Manchester
 15 Street. This is looking up -- I think this is from
 16 Manchester Street looking up at that north
 17 elevation -- the north end of the L on the building.
 18 And here we are going around, making the connection
 19 over onto Stedman Street. These are the existing
 20 homes on Stedman peeking between yards. Again, you
 21 start to really understand the scale, particularly
 22 for the Stedman Street neighbors.

23 That's looking behind -- between two of the
 24 homes. That's a garage in the back. You really get

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1 a good sense of the grade change. You're looking
 2 up, so you're not even seeing the lower level of the
 3 garage at this point, but it is exposed.

4 And here you're peeking around, looking at
 5 the long view. So here's that existing property at
 6 120, and then the extension of that wall with the
 7 creation of Babcock Place. Here you get a little
 8 peek -- you get a sense, but we'll get -- look at
 9 this a little bit better in a few minutes.

10 So I did a quick analysis of the impact. I
 11 think there's -- obviously, a project of this scale,
 12 there's a lot to say, so I'm just going to kind of
 13 hit on the highlights at this point.

14 So looking at light, the big light impact,
 15 I think, is pretty obvious. It has to do with --
 16 the impact from light is largely a function of
 17 adjacency to existing properties. This happens to
 18 be a section through Babcock Street, so this is the
 19 existing neighboring building of 120, that's the
 20 existing building with the garage doors, and on the
 21 other side here is the subject property, street
 22 grade is here, entry into parking, that street.

23 But when you build close to other
 24 buildings, that's where you see the impact. And

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1 this is the more dramatic side. This is Stedman
 2 Street on this side. And not only do you get shadow
 3 impact -- I quickly will run through -- but it is
 4 the view of the open sky that is really impacted
 5 from that, and I'll show you a couple images in a
 6 second.

7 But the shadow studies are -- they were
 8 submitted and seem to be very accurate. I'm just
 9 showing -- not everything, but -- so the sun is over
 10 here. This is December, so this is the time when
 11 the longest shadows are cast. This is east over on
 12 this side. You can see very long shadows at that
 13 point that reach well out into Stedman Street.
 14 That's 9:00 in the morning. By 3:00 in the
 15 afternoon, obviously you're casting shadows all the
 16 way across Babcock, all along that section. Of
 17 course, existing buildings are doing their part
 18 already. This does extend the shadows further.

19 June is the time of least shadow impact.
 20 So this is 9:00 in the morning. The sun's already
 21 come around enough that you're really not having a
 22 huge impact anywhere. It's barely going off of the
 23 site. And by 3:00 p.m. it wraps around and
 24 obviously lengthens as you move towards the evening.

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1 March, that's a kind of an intermediate
 2 period. But already in March you can see in the
 3 morning this is the real impact time for these
 4 neighbors, is morning hours. The sun wraps, so
 5 you're already looking at an alley of light once the
 6 sun wraps around from this angle.
 7 September looks a lot like March, not
 8 surprisingly. But going forward from September,
 9 you're getting towards those long shadows of
 10 December.
 11 And this is just to give you a real image
 12 of what it is for the neighbors on Stedman Street.
 13 That's the existing building. The proposed building
 14 is a story higher than this, which would start
 15 somewhere right around there and jump up and
 16 continue down. So I did sneak into a backyard to
 17 take that picture.
 18 This is another image that I lifted from
 19 the presentation to the planning board, I think, but
 20 this gives you an idea of what I was talking about.
 21 When you have both height and a small setback, you
 22 look at this ratio, and one thing that you look at
 23 is the ratio of the setback to the height of the
 24 building. And the existing -- the proposed building

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1 is really significantly greater than any of the
 2 buildings on Babcock Street.
 3 Other impact near the site: Trees. Just a
 4 couple of questions with this. It is -- the
 5 proposal is very close to the lot line, and it
 6 brings up questions both of preservation of
 7 neighbors' trees as well as are there really ways to
 8 provide adequate screening, realistic screening,
 9 that they can grow on the new property. And as I
 10 said, the setback is really minimal, and it starts
 11 to slope pretty quickly back here. So I think
 12 understanding the impact of what it would do to
 13 existing tree growth and what is a realistic
 14 landscaping plan that really could provide
 15 meaningful screening for the neighbors is an
 16 important thing to think about.
 17 Other impacts near the site: Mechanical
 18 equipment, parking garage, and balconies at the
 19 rear, which kind of bridges over onto privacy issues
 20 as well. So this is a roof plan of the building.
 21 It appears at this stage of their planning to have
 22 individualized systems for each apartment. This is
 23 a bank of -- it would have to be 62 -- whether
 24 they're heat pumps -- I'm not sure what system

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1 they're talking about, but mechanical systems up on
 2 the roof as well as some larger pieces of equipment
 3 that service the common corridors. So there's quite
 4 a lot of activity up on the rooftop in order to
 5 support a building of this scale.
 6 This is that rear elevation, again, facing
 7 the Stedman Street neighbors, and you can -- there's
 8 a parking garage there, which I believe is being
 9 designed as an open, ventilated parking garage, and
 10 then balconies looking out over the neighbors to the
 11 east -- or to the west, which, as I said, some of
 12 the letters that I did read -- I read all of the
 13 letters that have been sent by neighbors, and it did
 14 include issues of privacy.
 15 This is some, just, catch-all thing.
 16 Again, I'm really not pretending to be thoroughly --
 17 to be completely thorough at this stage, but some
 18 things to think about. The building code analysis,
 19 I talked about that earlier. This building does
 20 have very large windows in it. I think that was
 21 probably why some people reacted, likening it to a
 22 mill building kind of a frame with very large
 23 windows. That is an important consideration.
 24 This was something that I was thinking

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1 about when I was on the site, that there are various
 2 support systems for the soil in order to make that
 3 transition from the Babcock Street site back to the
 4 Stedman Street sites, including some retaining
 5 walls, and in varying conditions, I guess I would
 6 say. And a building that close to the lot line,
 7 it -- it just made me wonder about what kind of
 8 foundation system might be proposed that wouldn't
 9 have any negative impact on the neighbors. How does
 10 it get shored? There are a lot of constructional
 11 issues that could have impact on the neighbors.
 12 The parking -- I think that I did read the
 13 opinion about removing those existing parking spaces
 14 that are really -- from a zoning perspective, it
 15 seems to be fully acceptable. On the other hand, it
 16 is a consequence of improving the site, losing those
 17 parking spaces. I can't -- I'm not going to talk
 18 about the proposed parking ratio, but it is well
 19 under one space per unit. So, again, while it's not
 20 technically an issue, I think it is something that
 21 should be talked about.
 22 The traffic loading analysis you'll hear, I
 23 think even tonight. And I didn't touch the trash
 24 analysis either.

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1 So in summary -- and this is a quick
 2 summary. I think where it comes from is that I
 3 think we all acknowledge that the nature of 40B is
 4 going to encourage larger buildings or will result
 5 in larger buildings that are often sitting on
 6 transitional zones or right in the middle of
 7 existing zoning. It's a reality that exists because
 8 of the statute. On the other hand, I think it's
 9 also part of the intent, certainly, that mitigation
 10 is something that has to be taken very seriously and
 11 studied.

12 And that's what my last comments are
 13 really, which is eliminate or significantly decrease
 14 the size of the top floor. Again, I want to restate
 15 that I think the -- from a design perspective, the
 16 massing of the building is very, very simple. And
 17 as I said, it represents a kind of vertical
 18 extrusion of the maximum footprint.

19 And similarly, the -- increasing all of the
 20 setbacks I think is important to really make this
 21 viable and to really have a chance of having a
 22 border with the neighbors that is respectful.

23 The language of the building, facade
 24 treatment, this is actually number one on my list.

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1 I think that eliminating that garage entry from
 2 Babcock, I think it was a mistake. I hope that
 3 neighbor isn't in the room, but this -- the garage
 4 doors opening up and seeing that end of that
 5 building I think is really disruptive to the
 6 existing fabric of the building, and I think this
 7 would be even worse.

8 Other ideas are creating -- they're some of
 9 the things that Maria reported and I think you've
 10 already commented on, which is a less commercial
 11 look to the building, more articulation, more
 12 residential-sized windows.

13 Having said that, I do appreciate -- I
 14 think there really was a gesture to try to tie
 15 across to this building, and I think that's a good
 16 idea. There's one that I brought up, which is
 17 consider a closer relationship with the neighbor to
 18 the south. They're inevitably going to be viewed
 19 together, and they are, as a pair, making up that --
 20 you know, the end of the larger buildings and
 21 transitioning into the smaller-scale historic
 22 buildings, and then finally the -- taking cues from
 23 the other Babcock structures towards the other
 24 direction. And the main point of many of those

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1 images I showed you is really welcoming entries to
 2 the building. And this is the residential entry at
 3 this end of the building as currently imagined.

4 I think I will point out that I'm not the
 5 designer of the building, but I do think that
 6 addressing many of the issues that I already talked
 7 about would allow -- could very nicely allow an
 8 entry off of that existing driveway on this side in
 9 between the buildings and going to the parking deck
 10 from the side instead of from the front.

11 The site plan -- the top of the list is
 12 preserving the continuity of the Babcock
 13 streetscape. It's a beautiful place. It's not hard
 14 to make the moves that will reinforce that and
 15 continue that kind of quality.

16 Creating a suitable streetwall for the park
 17 across the street, I think that's extremely
 18 important. It's a beautiful little park, and having
 19 an enclosure on that side afforded by the buildings
 20 here is a good thing. I don't think that's a bad
 21 thing for the park. I think it's a good thing for
 22 the park if it's done properly.

23 And finally, working with the neighbors to
 24 design realistic options for landscape screening and

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1 protection of existing hardscape. That's what I was
 2 talking about, the kind of technical aspects of a
 3 building that close to a property line with that
 4 kind of grade change in the back.

5 And I think that's it.

6 MR. GELLER: Thank you.

7 Questions?

8 MR. HUSSEY: Mr. Boehmer, so you do believe
 9 it would be better to have that garage entrance not
 10 directly on Babcock Street, but in the side. But
 11 did I hear you correctly that you were thinking of
 12 the side of the 120 Babcock Street?

13 MR. BOEHMER: Yes. There's already a curb
 14 cut. There's parking spaces that we talked about
 15 that are bridging over the property line. And yes,
 16 I think that is the right side of the building to --

17 MR. HUSSEY: Could you go back on the site
 18 plan for the garage, the plan you just showed?

19 MR. BOEHMER: Sure. Bear with me.

20 MR. HUSSEY: Sure. So what you're saying
 21 is there's a curb cut right here?

22 MR. BOEHMER: Well, there are cars parked
 23 all along here.

24 MR. HUSSEY: There's cars parked, but the

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1 curb cut is down here someplace, isn't it?

2 MR. BOEHMER: I don't think so. Yeah, it's

3 in here.

4 MR. HUSSEY: Oh, it is?

5 MR. BOEHMER: It's in here. And so what I

6 was saying about increasing the setback, I just -- I

7 feel really strongly about having garage doors open

8 out onto the street, and I think it would be very

9 easy to have a more public face, more inviting face

10 across the Babcock Street facade and enter on the

11 side and go in this way -- go into the parking this

12 way.

13 MR. GELLER: I almost thought you were

14 going to suggest a replication of the courtyard

15 appearance of the neighboring structure so that the

16 L, rather than the dog leg right, is the dog leg

17 left, thereby leaving open more space to the

18 residential structure to the right.

19 MR. BOEHMER: I don't think there's space

20 to do that. The width of this building is a pretty

21 traditional double-loaded width. It's probably 60,

22 62 feet, something like that. And the site's really

23 not wide enough to do that. There is room to move

24 it over on the site, I think, in order to achieve

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1 the side entry, or cut it back for part of it to get

2 in.

3 MR. GELLER: Any questions? Kate?

4 MS. POVERMAN: Have you quantified to any

5 degree how big that setback would have to be to

6 allow the side entry garage?

7 MR. BOEHMER: I haven't, but our traffic

8 people could speak to that, I think. Again, there's

9 an existing curb cut there, so...

10 MR. HUSSEY: What about the loading area,

11 the loading dock? Do you think that's necessary?

12 MR. BOEHMER: You know, I'm not the

13 architect. I know that it has issues. I know that

14 having a loading dock there without a way for trucks

15 to turn around can create problems. It's not -- I

16 think there's a curve in the road, so there's some

17 issues of being able to see if somebody's backing

18 up. It's not a good thing for the street. I really

19 would have to know more about how they're going to

20 manage the building, really, before I can tell you

21 whether I think they need it. I think many

22 buildings of this scale, if they have a driveway,

23 trucks will block the driveway instead of having two

24 curb cuts servicing the building.

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1 MR. ENGLER: One point and one request: I

2 assume Maria will get a copy of not only Cliff's

3 report, but the other peer reviewers.

4 And then as Maria and the planning

5 department know, I think the board might know

6 because it was talked about with our traffic review,

7 is we're taking the loading zone out. So whatever

8 the future plans will be in whatever form, there

9 won't be a loading zone.

10 MR. HUSSEY: Okay, good.

11 MR. GELLER: Thank you.

12 MR. ZUROFF: Mr. Boehmer, I just have one

13 question for you. You're suggesting that it would

14 be more appropriate for the streetscape if the front

15 entrance of the building were centered opposite the

16 park; is that correct?

17 MR. BOEHMER: Not necessarily. I think

18 that the -- whether it's symmetrical, that's up to

19 the designer. But I think the main point is just

20 that you can have habitable active space all the way

21 across the front of the building. Whether you enter

22 it still on this side or that side or dead center,

23 it's more of what dominates the park. It's --

24 MR. ZUROFF: Garage doors.

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1 MR. BOEHMER: Well, first of all, the

2 building is dead centered on it, and then you have

3 garage doors in the center of that. It really makes

4 a point strongly.

5 And then I didn't realize that about the

6 loading zone, but that does open up other options of

7 being able to inhabit some of that space if you need

8 increased turning radius into the building.

9 MR. HUSSEY: Mr. Boehmer, but if you did

10 make this all sort of useable space, interior space,

11 and put the entrance to the garage here, you're

12 going to lose two or three parking spaces. Is that

13 not correct?

14 MR. BOEHMER: Probably, probably.

15 MR. HUSSEY: Thank you.

16 MR. GELLER: When you say "take cues from

17 other structures," can you be specific?

18 MR. BOEHMER: Well, to me it's a question

19 of the smaller-scale gestures to the street that

20 really make it clear that it's a place for people to

21 enter. And that's, as I said -- I can go to that

22 slide. So as I said, I think there was already an

23 idea about tying these two buildings together. I

24 think that makes a lot of sense. I think I would

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1 just expect to see, in this particular version, a
 2 smaller-scale move.
 3 And once this -- like all the buildings
 4 I've shown you -- now, I'm not suggesting that you
 5 put a little Victorian porch on the building, but I
 6 do think having an entry piece that provides
 7 protection to the residents when they're going in
 8 and really lets -- sends a signal that it's a
 9 residential building, an inviting entry.
 10 MR. GELLER: Would it also include roof
 11 structures at different planes?
 12 MR. BOEHMER: Well, from this perspective,
 13 the -- it's going back to what I was saying about
 14 significantly increasing the setback on that top
 15 floor or elimination of the top floor because that
 16 ratio I was showing you that's related to the height
 17 of the building versus the setback is real. I mean,
 18 the sense of how tall the building is really is that
 19 ratio. So as you -- in the sidewalk, clearly, if
 20 the building is this tall at the front with an
 21 inviting piece at the bottom, it's a whole different
 22 experience.
 23 MR. GELLER: But also if you add -- if you
 24 set it back and you also add angling roofs at

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1 locations where it's set back, I suspect you're
 2 starting to speak in the vernacular of some other
 3 structures along the street.
 4 MR. BOEHMER: You could, but it's -- I
 5 think the good thing about where this building sits
 6 is the opportunity to work with an accepted piece of
 7 fabric, I think. So to me, this is not a sloped
 8 roof building. It's -- I think you make a better
 9 connection with the neighborhood if you can really
 10 work with that line.
 11 MS. POVERMAN: Do you have a picture of the
 12 building next door? I know what the houses look
 13 like, but I can't remember what that building looks
 14 like.
 15 MR. BOEHMER: I think most of my pictures
 16 are pretty obscured by trees, but I'll show you what
 17 I've got. This is looking into the courtyard. It's
 18 a significant masonry on the structure.
 19 MR. GELLER: It's courtyard castlesque.
 20 MR. BOEHMER: Yeah. But for me it's a
 21 level of detail that is important to think about.
 22 Cues -- when I talk about cues from adjacent
 23 buildings in particular, it's detail, it's -- could
 24 be size of openings and picking up on horizontal

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1 datum lines.
 2 And to me, I think it would be a really
 3 tough order to try to put a sloped roof on this
 4 building. I think there are -- I appreciate the
 5 architect's gesture to make a different statement
 6 towards the north, because as you saw from those
 7 aerial views, all of those neighbors that wrap
 8 around the Stedman Street, that's the primary view
 9 they have. But I think that with more articulation
 10 in the building, moving -- deal with that top story
 11 so that the building -- the wall of the building
 12 isn't so tall, it would make a big difference, even
 13 for the neighbors who are down the hill.
 14 MR. GELLER: Okay. Anything else?
 15 MS. POVERMAN: Often in your presentations
 16 you do give very concrete suggestions as to what you
 17 think would mitigate the commercial impact of the
 18 building, discussing the size of windows or other
 19 placements. Are you not doing that in this case
 20 because you are waiting to see future iterations?
 21 MR. BOEHMER: Well, I'm definitely looking
 22 forward to seeing future iterations. But a lot of
 23 what makes the commercial look, I think, is views
 24 like this where there's really virtually no change

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1 in the fabric of the facade, very large windows,
 2 completely repetitive, no real movement in the
 3 facade.
 4 And this is the view I was talking about
 5 for the -- when you're starting, this is the view
 6 from the neighbors' on Manchester wrapping around to
 7 Stedman. It does have a kind of mill building light
 8 because of that perfectly regular pattern. There
 9 are many good examples in Brookline of, I think,
 10 successful apartment buildings, you know,
 11 four-story, even some five-story apartment buildings
 12 that do very well at creating a lot of visual
 13 interest.
 14 MR. GELLER: Okay. All set? Thank you.
 15 MR. FITZGERALD: My name is Jim Fitzgerald.
 16 I'm with Environmental Partners Group, and we have
 17 done the traffic peer review for the proposed
 18 development, 134-138 Babcock, for 62 apartments. We
 19 reviewed Vanasse & Associates' traffic impact
 20 assessment dated February 2017.
 21 In general, the document was prepared in a
 22 professional manner that is consistent with standard
 23 engineering practices. The study limits included
 24 three locations. First, Babcock at Freeman Street

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1 intersection adjacent to the site, as well as the
 2 Harvard Street/Babcock intersection to the south,
 3 and the Commonwealth Avenue/Babcock intersection to
 4 the north. These study limits appear to be
 5 reasonable.

6 There are a number of transit options in
 7 the area, both the Green Line as well as bus
 8 service. To the south of the site, the C branch of
 9 the Green Line provides for a stop over at Coolidge
 10 Corner, which is about 2,500 feet away, about a
 11 10-minute walk or so. There are also bus stops to
 12 the south for Bus Route 66. To the north, the B
 13 branch of the Green Line runs along Commonwealth
 14 Avenue with stations there as well as bus stops for
 15 Routes 57 and 57A.

16 The report reviewed safety at the three
 17 study intersections using MassDOT data for the five-
 18 year period of 2010 through 2014. A pretty low
 19 number of crashes were found with this data. All
 20 locations were shown to have a substantially
 21 lower-than-average crash rate compared to the
 22 statewide and local district averages.

23 A supplemental letter was provided to VAI
 24 dated July 7, 2017, that included crash data for the

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1 years 2010 through 2016 from the Brookline Police
 2 Department to confirm some of the crash data from
 3 MassDOT. The data investigated two of the three
 4 intersections: Babcock at Harvard and Babcock at
 5 Freeman.

6 The Babcock at Harvard intersection was
 7 found to have more than double crashes -- double the
 8 number of crashes that were found from MassDOT data.
 9 Nine crashes instead of four during the mass --
 10 during the five-year study period that MassDOT had
 11 looked at. However, still, with this increased
 12 number of crashes, there's still a substantially
 13 lower number -- the crash rate is substantially
 14 lower than the statewide and local district
 15 averages.

16 And at the Babcock/Freeman intersection, no
 17 crashes were found, consistent with the MassDOT
 18 data.

19 The report presented traffic counts that
 20 were collected in January. January tends to carry a
 21 lower-than-average number of vehicles along most
 22 intersections and roadways, and as a result, the
 23 report included an increase to bump the numbers up
 24 to the average year traffic volumes. They used an

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1 increase of 12 percent. Based on the information we
 2 saw, it seems that this increase should be actually
 3 a 13.5 percent increase, so it's only a difference
 4 of 1.5 percent. It would change the numbers in the
 5 report a bit, but not enough to really change the
 6 findings of the study.

7 The report then went and generated future
 8 no-build volumes looking at background growth rate
 9 increases as well as specific developments that are
 10 anticipated in the area. First, for the background
 11 growth rate, a 1 percent per year growth rate was
 12 used. And although backup data was not provided, we
 13 came to the conclusion that this appears to be a
 14 conservative number.

15 The additional sites that were reflected in
 16 developing the future no-build traffic volumes when
 17 projecting traffic volumes out seven years to the
 18 year 2024 included the following: 420 Harvard
 19 Street, 384 Harvard Street, 455 Harvard Street,
 20 21 Crowninshield Road, 1299 Beacon Street, and
 21 8-10 Waldo Street. And although the numbers appear
 22 to be increased to reflect these developments, the
 23 backup data was not provided in the report for us to
 24 verify.

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1 Next, the report then developed the future
 2 build volumes. It's the volumes that reflect the
 3 proposed development on top of all the other
 4 developments that may take place in the area over
 5 the next seven years. This was done by using the
 6 Institute of Transportation Engineers, or ITE,
 7 Land-Use Code 220 for apartment, which was accurate.
 8 In the end, it resulted in 34 trips during the
 9 morning peak hour. That would be 7 entering trips,
 10 27 exiting trips. And during the p.m. peak hour, a
 11 total of 52 trips. That would be 34 entering trips
 12 and 18 exiting trips.

13 The analysis was conservative from the
 14 standpoint that the trip generation did not take any
 15 sort of reduction for anticipated transit usage or
 16 biking or walking. It also did not reduce the
 17 amount of trips that would be a result of removing
 18 the existing residential buildings on the property.
 19 So overall, the trip generation was conservative.

20 Operational analysis was performed to
 21 compare the future no-build with the future build to
 22 see what impact this development would have on these
 23 three study intersections.

24 For the Commonwealth/Babcock intersection

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1 and the Harvard/Babcock intersection, there was no
 2 substantial change in operations. Any increase in
 3 delay was negligible.

4 For the Freeman Street approach to Babcock,
 5 there was an increase in delay of six seconds during
 6 the morning peak hour. That, in turn, resulted in
 7 the level of service for that approach being bumped
 8 over, just over the line from D into a level of
 9 service E. But, again, the analysis that was
 10 performed in establishing these generated trips as a
 11 result of this site were done in a conservative
 12 manner, so we would anticipate that the delay would
 13 be less than six seconds.

14 Sight distance was performed at the
 15 proposed site driveway. Along Babcock Street, the
 16 posted speed limit in both directions is 25 miles an
 17 hour. Based on the speed study that was done in the
 18 report, an 85th percentile speed of 28 miles per
 19 hour and 26 miles per hour were found along the
 20 northbound and southbound Babcock Street approaches
 21 respectively. So as a result, the design speed that
 22 was used in accessing sight distance was 30 miles an
 23 hour, a bit conservative.

24 And based on the 30-mile-an-hour speed

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1 limit -- I'm sorry -- this 30-mile-an-hour speed,
 2 the minimum stopping sight distance requirements are
 3 met provided that the cluster of trees that are
 4 currently located along the northern property line
 5 be removed. This is the cluster of trees that are
 6 located just on the back edge of sidewalk that
 7 impact visibility to oncoming traffic.

8 As far as visibility for pedestrians,
 9 the -- we checked the zoning bylaw requirement for
 10 sight distance for pedestrians, and those are
 11 adequately met.

12 As far as the site driveway is concerned,
 13 the traffic impact assessment indicates that a
 14 driveway minimum width of 24 feet would be provided,
 15 which would meet the zoning requirements of a
 16 minimum 20-foot width for two-way driveways.

17 However, based on the site plans that we
 18 looked at, it appears, based on the width of the
 19 aisle through the building, that this may be -- the
 20 width that's being shown right now is more like 23
 21 feet, but clarification is requested as far as what
 22 that driveway width actually is that abuts the
 23 roadway.

24 There were different sets of site plans

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1 that were provided: a set of plans from Hennessy,
 2 June 21st, VAI's plan for July 7th, and then VAI's
 3 plans for August 9th, all of them showing turning
 4 templates, what the passenger's vehicle path would
 5 be entering or exiting that site driveway. And
 6 based on the existing widths shown -- again, I'm
 7 assuming it's about 23 feet, the vehicles --
 8 passenger vehicles are able to enter and exit the
 9 site.

10 However, in order to do so with the type of
 11 driveway configuration as shown, the path of
 12 entering and exiting vehicles will overlap each
 13 other. So if you have a vehicle exiting and another
 14 vehicle exiting at the same time, they would have to
 15 work their way around each other. In order to avoid
 16 this, you would need to have a wider driveway or
 17 more opening width at the mouth of Babcock Street.

18 We would recommend for pedestrian safety
 19 and convenience that the -- as this site plan is
 20 further designed, that the elevation of the existing
 21 sidewalk that passes in front of the site be
 22 maintained and not dip down in elevation as a result
 23 of trying to meet a driveway grade.

24 We also looked initially at the loading

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1 zone and trash pickup, which apparently will be
 2 changing in the site plan. As it was shown, we had
 3 some concerns and questions having to do with the
 4 trash truck being able to turn into this narrow
 5 driveway without obstructing traffic in the other
 6 direction, but apparently that is being changed.

7 And just to point out that there are -- the
 8 report identifies that transit schedules and maps
 9 will be posted on-site to promote transit usage, and
 10 bicycle storage has been shown on the plan.

11 And that concludes the traffic portion of
 12 the review.

13 MR. GELLER: Before other people ask their
 14 questions, Maria, has that additional information
 15 that Mr. Fitzgerald has asked for already been
 16 requested of the applicant?

17 So there were two specific items: backup
 18 data for the build scenario --

19 MS. MORELLI: We got these reports this
 20 morning, so obviously the applicant will read these
 21 reports and will submit --

22 MR. GELLER: I just want to make sure that
 23 he does get that information.

24 MS. MORELLI: Yes, he will get that

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1 information.

2 MR. GELLER: Great. And the second one was

3 verification of the driveway width.

4 Okay. Questions?

5 MR. ZUROFF: Mr. Fitzgerald, one of your

6 cautions or analysis said that in order to maintain

7 sight lines, you would recommend that there be a

8 removal of street trees, a group of street trees.

9 Where are they? And how many trees are there? And

10 what size are they?

11 MR. FITZGERALD: There are a cluster of

12 trees that are located just behind the sidewalk. I

13 believe they're right in -- I believe they're right

14 along this side here. There's a cluster right

15 around this area, right behind the sidewalk where

16 there's just a cluster of random trees. They're not

17 the trees between the sidewalk and the roadway

18 behind the sidewalk.

19 MR. ZUROFF: So they're in the yard of the

20 structure?

21 MR. FITZGERALD: Yes.

22 MR. ZUROFF: And how large are they?

23 Maria, if you want --

24 MS. MORELLI: I'm sorry. I didn't mean to

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1 interrupt you. I just wanted clarification. There

2 is some discussion about changing the location of

3 the driveway, and I just wanted to know if any trees

4 in that area -- how the sight distance would be

5 affected if the driveway were to be moved from the

6 center of the site.

7 MR. FITZGERALD: So if the driveway -- the

8 proposed driveway is right around here, I believe,

9 in the center. If it was to be relocated further

10 down in this area, that would get us further away

11 from that cluster of trees a bit and could change

12 the requirements, but we would have to see where the

13 exact location was in order to assess that. But

14 that could help things.

15 MR. ZUROFF: Are those trees mature?

16 MR. FITZGERALD: Some are, some are small.

17 MR. ZUROFF: All right. Well, that is

18 something that we may further investigate.

19 MR. FITZGERALD: Sure. Depending on where

20 the driveway moves to, sure.

21 MR. ZUROFF: Right. And in your analysis

22 of the traffic flow, do you take into consideration

23 the change of demographic? Because this is a new

24 building, it will be higher rentals. Do you change

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1 the type of population that's accessing the building

2 than what's in the neighborhood now?

3 MR. FITZGERALD: From a traffic standpoint,

4 that would not change the findings. The trip

5 generation that is typical in the industry is to use

6 ITE's trip generation for -- in this case it would

7 be Land Use Code 220. So that would not necessarily

8 change the volumes.

9 But, again, what we would anticipate is

10 the -- there would be a reduction in those volumes

11 based on transit usage in the area.

12 MR. ZUROFF: Okay. But that's a national

13 average?

14 MR. FITZGERALD: Yes; and certainly in a

15 location where you don't necessarily have the

16 transit options or the walking or biking. So that's

17 the industry standard approach to determine trip

18 generation of the site based on numerous studies

19 nationwide. It's not just a couple of sites that

20 are looked at. It's several. And that's the

21 benefit with certain land-use codes, such as

22 apartments, where you have the benefit of having a

23 substantial amount of data that is used in

24 establishing these curves and graphs that we use to

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1 determine the number of trips the best that we can

2 based on available data. And that methodology that

3 was used in the report is consistent with industry

4 standards.

5 MR. ZUROFF: All right. But, again, it's

6 based on national average. It really isn't geared

7 at all towards this particular type of neighborhood

8 in this particular town, the demographics of

9 Brookline, in particular. It has nothing to do with

10 that. This is just national average.

11 MR. FITZGERALD: Correct. We would

12 anticipate that with a location such as this with

13 the transit and other modes of transportation

14 available, the numbers would probably decrease based

15 on what's in the area compared to national.

16 MR. ZUROFF: Is that based on your

17 experienced in the Town of Brookline or similar

18 towns?

19 MR. FITZGERALD: We don't have,

20 necessarily, data for another site on this parcel,

21 the before and after, to verify how accurate ITE

22 trip generation with reductions for transit would

23 result in. If that data is available, we'd

24 certainly love to look at it. But we base our

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1 assessment on what is available.

2 MR. ZUROFF: I understand that. Thank you.

3 MR. FITZGERALD: Sure.

4 MS. POVERMAN: There's one thing I would

5 like to comment on, which would further support, I

6 believe, pushing the driveway of the building closer

7 to Harvard Street.

8 Is it possible to get a picture with the

9 little triangular park being shown of Babcock

10 Street?

11 Yeah. So what really concerns me, based on

12 having driven this area -- based on driving patterns

13 that I have seen, is people coming down Freeman and

14 then going left here at the same time that somebody

15 might be going right there. Do you see any

16 visibility issues relating to that?

17 MR. FITZGERALD: For a vehicle coming up

18 and turning left here while a vehicle is coming out

19 from the site?

20 MS. POVERMAN: Yeah. Well, one coming --

21 it's more the turn. It's not so much somebody

22 coming down Babcock as somebody turning from Freeman

23 onto Babcock. People just seem to race around these

24 corners. So I was wondering if you saw any

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1 potential conflict in that, because there weren't

2 any analyses.

3 MR. FITZGERALD: Right. You know, in

4 theory, those movements are supposed to be made in a

5 relatively slow movement, hopefully, and having

6 driveways throughout an urban location like this is

7 extremely common. So provided that there is

8 adequate open space here to see this oncoming

9 movement, which there is, I don't see that as an

10 issue.

11 MS. POVERMAN: Okay, thanks.

12 MR. GELLER: Thank you.

13 MR. STADIG: Good evening. My name is Art

14 Stadig. I'm with Walker Parking Consultants. I'm

15 the parking review -- peer reviewer for the project.

16 We provided a memorandum of our review of the

17 parking situation.

18 The biggest and most pressing issue that I

19 think has been mentioned three or four times already

20 by others is that the project is in the Transit

21 Parking Overlay District, and the town certainly

22 requires ratios that are slightly less than the

23 overall town in that overlay district. It's 1 space

24 per studio, 1.4 for a one-bedroom, and 2 for two- or

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1 three-bedroom units. If you apply the TPOD numbers,

2 the requirements for this project would be 82

3 parking spaces. On average, 1.32 spaces per units.

4 The proponent has indicated a parking

5 supply of 31 spaces or 1/2 space per unit parking

6 ratio, so that's significantly less -- certainly

7 much less than half of what's required by the TPOD.

8 Further, you know, Walker's taken a look at

9 this area. It's our opinion that an appropriate

10 parking ratio that would provide a reasonable

11 residential parking supply would be somewhere

12 between .7 and .9 spaces per unit, or something in

13 the range of 44 to 56 parking spaces. The proponent

14 has, in the order of magnitude, 1/2 to 3/4 of what

15 we think would be reasonable or adequate for the

16 parking here.

17 In addition, as has been pointed out by

18 Maria, the other big whammy is that this site is

19 providing approximately 44 -- or contains 44 parking

20 spaces. So when the project is built, those 44

21 spaces will be eliminated. 42 of those 44 spaces

22 are provided for residents in the neighborhood that

23 are not on that parcel of land, so essentially 42

24 parking spaces will be lost to the neighborhood, if

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1 you will. That is not necessarily the proponent's

2 duty to provide those, but it is extremely important

3 to understand the context of what are adequate

4 parking spaces for this project. This neighborhood

5 is really going to be taking a significant decrease

6 in parking supply for this project.

7 Jim went into depth with the traffic

8 report. We take no exception to the trip generation

9 or trip volumes other than to note that it is

10 significantly high for the number of parking spaces

11 that are provided here, and we just think that's

12 really more a statement that the number of parking

13 spaces supplied is less than what you'd normally

14 expect to generate those kinds of peak-hour volumes.

15 There was also in the record, somebody had

16 commented on, that providing a parking facility with

17 openings in there -- the ventilation requirements of

18 that would, you know, perhaps be an environmental

19 issue of the air quality.

20 We took a look at the -- what the proponent

21 had indicated, and we are assuming that since there

22 are openings in the parking levels, as viewed from

23 the renderings on the outside of the garage, that

24 this will be a naturally ventilated parking

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1 facility. There are requirements of the code to
 2 meet open parking garage requirements, for the
 3 amount of area and distribution of those openings to
 4 meet those requirements, and this is all spelled out
 5 in the building code.

6 If they do meet those requirements -- and
 7 we think that they have a good shot at meeting the
 8 requirements of being an open parking garage -- that
 9 openness will provide natural ventilation. There
 10 should be no issues, in our opinion, of any kind of
 11 diminution of air quality in the area, and
 12 particularly in light of the simple fact that on the
 13 site right now there are 44 parking spaces that is
 14 highly utilized of the 44 vehicles. Those 44
 15 vehicles currently have to be started and create
 16 emissions. This project has significantly less
 17 parking spaces, so the emissions, actually, at this
 18 site would be less than what's currently on the
 19 site.

20 But the main point on this would be if it
 21 does meet that open parking garage requirement, from
 22 what we can tell with the setbacks and everything,
 23 that this would be -- meet code and would be
 24 acceptable.

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1 The entry doors that have been indicated
 2 into the building are certainly far enough away from
 3 the street that would allow approximately two
 4 vehicles to queue so they wouldn't block traffic on
 5 the street as they might be entering at the same
 6 time. We don't know what credential would be used
 7 to open the garage doors, but, you know, assuming
 8 it's an automatic system of some sort, there
 9 shouldn't be too much issue. We don't know what the
 10 dimensions of those doors are, but we don't see that
 11 as being problematic. That can be worked out later
 12 on in design.

13 Within the parking facility, there are
 14 three accessible parking spaces. We believe that
 15 the size of the accessible aisle of this appears to
 16 be narrow and doesn't meet requirements of Mass.
 17 accessibility regs. That would have to be certainly
 18 taken a look at in design. If that's the case, this
 19 could reduce the number of parking spaces by one.
 20 It's possible. So it's just that alone with a bunch
 21 of other things in here make it a very tight parking
 22 design. We are not saying that they are out of
 23 compliance with zoning. We're just saying in the
 24 spirit of zoning -- for example, they're indicating

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1 compact spaces in several locations. These compact
 2 spaces in one case is directly up against a wall,
 3 compact spaces up against columns, and regular-sized
 4 spaces directly up against columns in other
 5 locations.

6 The point on this is that in the spirit of
 7 the zoning, this being next to or adjacent to these
 8 hard objects or columns and walls makes these
 9 parking spaces appear smaller in terms of
 10 maneuvering ability, getting in and out, and door
 11 swing. So it's just a point that they are pushing
 12 the limits on the size of these in the spirit of the
 13 zoning ordinance.

14 Also, zoning allows compact spaces up to
 15 25 percent. They are currently showing 29 percent
 16 of the total number of compact spaces. That's
 17 allowed if you go for a special permit application,
 18 to go above the 25 percent as outlined in the zoning
 19 ordinance. So I just point that out, that they're
 20 aggressive with showing compact spaces at this point
 21 in time, and that would need to be further reviewed
 22 if it stays at this ratio.

23 And that's the end of my report. If
 24 there's any questions, I'd be more than happy to

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1 answer them.

2 MS. POVERMAN: You said in your report that
 3 you think it would be appropriate to have a parking
 4 demand study done to determine -- I think it was
 5 your report.

6 MR. STADIG: Yes.

7 MS. POVERMAN: -- to determine what the
 8 most appropriate number of parking spaces would be.

9 I agree, or else I say those spaces -- I
 10 mean, the spaces are inadequate. I know there's not
 11 an adequate number of spaces there for what the
 12 demand is in that part of Brookline, so I'm
 13 wondering how my colleagues feel about -- and, of
 14 course, the developer -- having a parking demand
 15 analysis done. Because I'm having a very difficult
 16 time being happy with the project with the
 17 percentage of parking spaces that are currently
 18 there.

19 MR. HUSSEY: Well, it would be interesting
 20 to have a parking demand study. I don't know how
 21 you'd do it and how accurate they could be.

22 MS. POVERMAN: That's up to him.

23 MR. GELLER: Mr. Engler.

24 MR. ENGLER: I'm confused. I just heard

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1 his report, and he said based on his analysis, he
 2 estimated what an appropriate parking demand -- or
 3 parking ratio would be. The ratio ties to what the
 4 demand is, and I believe he said .7 to .9 spaces for
 5 this use with this density would be a more
 6 appropriate supply. I don't know why we need a
 7 whole parking demand study done when he's an expert
 8 in the field.

9 MR. STADIG: What I will say is in my
 10 review of other projects that have been in front of
 11 you, as part of the traffic demand analysis, there
 12 have been portions of those reports that have
 13 reviewed parking adequacy, supply/demand situations,
 14 and they have gone into a rationale for why a lower
 15 parking supply or lower parking ratio being applied
 16 to the project is acceptable. In my review of the
 17 information, there doesn't appear to be anything
 18 really trying to get at that in any of the traffic
 19 analysis or elsewhere.

20 The point being is that going for a
 21 substantially lower ratio, less than half -- you
 22 know, 1.32 is what is required by the TPOD -- and no
 23 justification for that -- that's my point in my
 24 analysis saying that that really should be

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1 justified. And to the point of at least
 2 understanding where you are with the justification
 3 is really what I'm stating here, why I think that
 4 would make sense.

5 It's my opinion that .7 to .9 might be a
 6 reasonable range. But certainly, as I've indicated
 7 before, doing research with respect to what's going
 8 on, taking a look at census data, etc., all of these
 9 things can go into taking a look at the situation
 10 and seeing what's adequate for this particular
 11 development in addition to unit mix, etc.

12 MS. POVERMAN: Well, I guess that's where I
 13 sort of got confused, is that I also understood you
 14 to say that basically with it being an overlay
 15 district, it was already taken into account the fact
 16 that there might be reductions based on public
 17 transportation, etc. And it's also commented that
 18 we're going to -- those 42 spaces are going to be
 19 lost next door. There's no overnight parking in
 20 Brookline, so it would seem to me that the
 21 conclusion, at the least, would be that you need to
 22 follow the overlay district requirements and have
 23 82. So that's where I get a little lost in your
 24 thinking it's okay to have .7 to .9.

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1 MR. STADIG: The issue would be in --
 2 certainly taking a look at zoning -- is that the
 3 reason that the zoning is in there is to make sure
 4 that every development has adequate parking.
 5 Certainly there's the existing situation that has
 6 been there for many decades, that the parking wasn't
 7 there. But any new development would have these
 8 adequate amounts so that you're not creating more of
 9 a problem and more of a burden for the requirement
 10 of on-street parking, or providing for parking
 11 somewhere else.

12 What I'm suggesting is it's based on a
 13 research and review of other projects that a ratio
 14 of -- in the order of magnitude of .7 to .9 would be
 15 in the range of what's adequate for residential
 16 parking. Okay?

17 MS. POVERMAN: Okay. Thanks.

18 MR. GELLER: Other questions? Mr. Zuroff?

19 MR. ZUROFF: No. I think we're being asked
 20 to provide a waiver of the minimum requirements, and
 21 that's part of the reason we're here.

22 MS. POVERMAN: Well, that's why I think in
 23 this case it's especially problematic to ask for the
 24 waiver from what is required, which is why --

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1 MR. ZUROFF: We're being asked to waive
 2 many things that are required by the code.

3 MS. POVERMAN: Right. No, I know. But
 4 this has been a big issue in many 40Bs, and it's a
 5 really big issue here. Maybe we'll hear from the
 6 neighbors as well, but that's my personal knowledge
 7 and assessment of what's going on the area. And
 8 it's different than other places we've looked at
 9 40Bs, like 40 Centre or some of the Harvard Street
 10 properties.

11 MR. ZUROFF: You can incorporate that in
 12 our discussion when we finally make a charge to the
 13 developer.

14 MS. POVERMAN: Sounds good.

15 MR. ZUROFF: Mr. Geller can chime in for me
 16 on that too.

17 MR. GELLER: You did such a good job, Mark.
 18 Okay. Anything else? No? Thank you.

19 MR. STADIG: Thank you.

20 MR. GELLER: Does the developer want to
 21 respond at this point?

22 MR. ENGLER: We appreciate the review and
 23 the technical analysis that was offered by the three
 24 peer reviewers tonight. We take very seriously the

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1 comments. We look forward to having the benefit of
 2 seeing those in writing tomorrow, and we'll role up
 3 our sleeves and, you know, see what we can do
 4 relative to meeting as many of the concerns as
 5 possible.

6 And no surprise to the board, we don't
 7 necessarily agree with everything that we stated
 8 tonight, but we obviously understand that there's
 9 concerns that need to be further evaluated, so we
 10 appreciated that and we will endeavor to do as much.

11 MR. GELLER: Thank you.

12 Okay. So, again, I just want to note, the
 13 purpose of tonight's hearing was about design peer
 14 review, traffic peer review, and parking peer
 15 review. Within those spheres, if people have
 16 questions on the technical review reports or brief
 17 comments, I want to open up the floor to the public
 18 for testimony. But, again, I want people to focus
 19 on the subjects that we're looking at at this
 20 hearing. As I've said before, listen to what your
 21 predecessors say. If you agree with them, point to
 22 them, let us know that you agree with them. If you
 23 have new information, by all means, provide it to
 24 us. Start by giving us your name and your address

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1 and please speak into the microphone.

2 MR. STAFF: Good evening. My name is Guy
 3 Staff. I live at 123 Stedman Street, and I have one
 4 very brief comment to make related to everything
 5 that was discussed tonight. And it is that a
 6 material reduction in the number of units in this
 7 building solves many of the problems that were
 8 discussed this everything, and I'd ask the board to
 9 consider that as you continue the deliberations.
 10 Thanks.

11 MR. GELLER: Thank you.

12 Karen from Babcock. Karen, what are my
 13 topics for tonight?

14 KAREN: Urban planning.

15 MR. GELLER: Design, traffic, parking.

16 KAREN: Yes. In regards to design --

17 MR. GELLER: Tell us who you are, Karen.

18 KAREN: I'm Karen of Babcock, and I've
 19 taken three urban planning classes. The fourth
 20 one's coming up in September, and I'm recommending
 21 the board and the audience look at it. It's called
 22 "Livable Cities" at harvardx.com, and it's an
 23 excellent class. And my passion is livability of
 24 residents, and we're number 1.

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1 I feel very strongly about this, and I want
 2 the plan to fit in the lot that's proposed, because
 3 it can fit. But we have to work together.

4 And we have five tenants -- newer tenants
 5 in my current building who are troublemakers from
 6 BU, and I want you to be aware they're looking for a
 7 new place to stay.

8 And tenants with lower incomes that are
 9 seasoned tenants, "seasoned" meaning they've lived
 10 there for a long time in the private market and have
 11 good credit, are not getting first place.

12 Thank you very much.

13 MR. GELLER: Thank you.

14 Mr. Hill.

15 MR. HILL: Mr. Chairman, members of the
 16 board. Thank you. My name is Dan Hill. I'm an
 17 attorney representing several of the neighbors and
 18 abutters on this project, including the two most
 19 directly affected abutting properties which
 20 collectively hold four families on Stedman Street.

21 I'm mindful of your charge, Mr. Chairman,
 22 about keeping on topic. I did want to just ask a
 23 question about the site control issues, since that
 24 was something we raised at the last hearing. There

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1 was a document filed with the zoning board this
 2 week, I believe, addressing half of my question, not
 3 the full question, so I just wanted to make sure the
 4 board understood that we still have a concern with
 5 the site control based upon the unrecorded deed for
 6 half the property. That was not addressed by the
 7 applicant.

8 MR. GELLER: Okay. Ms. Morelli, was that
 9 asked?

10 MS. MORELLI: Yes. That was posed to
 11 MassHousing.

12 MR. GELLER: And their response was?

13 MS. MORELLI: The P&S was a suitable
 14 document. We can reiterate that question, but they
 15 said that --

16 MR. GELLER: He's raising the question
 17 about the unrecorded deed.

18 MS. MORELLI: They didn't say that that
 19 wasn't adequate. They can look at a P&S agreement
 20 or a deed, and the P&S agreement was a suitable
 21 document regarding site control.

22 MR. GELLER: Somehow I think you have a
 23 comment about that.

24 MR. HILL: Well, the P&S agreement is only

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1 as good as what's behind it, and half of the P&S
 2 agreement deals with half of the property, which is
 3 not controlled by Rentals. It's subject to an
 4 unrecorded deed. It begs the question why the deed
 5 is unrecorded. It doesn't make a lot of sense,
 6 unless there's some specific reason. Perhaps the
 7 owner of that property doesn't want the deed
 8 recorded. Perhaps there's some agreement. I don't
 9 know.

10 MR. GELLER: Let's -- since we are not --
 11 we, as the board, don't make that determination.
 12 Let's ask the question specifically of the party
 13 that does, so let's expand the inquiry that relates
 14 to --

15 MS. MORELLI: The project team's attorney
 16 is here, if you --

17 MR. GELLER: Well, it's not for the
 18 applicant to respond to this. This is for
 19 MassHousing to respond to the question about an
 20 unrecorded deed and whether that raises any issues.

21 MS. MORELLI: I will have them put their
 22 response in writing.

23 MR. GELLER: That's perfect. Thank you.

24 MR. HILL: Okay. Moving along.

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1 Before we get to the traffic study, I did
 2 want to make just one comment about the design
 3 review that was done by Mr. Boehmer. Generally
 4 speaking, 99 percent of his report and analysis was
 5 spot on. I think my clients would agree with pretty
 6 much all of his comments.

7 My only concern was that Mr. Boehmer was
 8 using slides and images, I believe, that were coming
 9 from the developer's modeling, and those slides
 10 showed a lot of trees. There were fake trees.
 11 There were trees that don't exist. There are trees
 12 on the project site that will not survive the
 13 construction of the project. I was on the site
 14 yesterday, and so I can attest that a lot of the
 15 vegetation that's shown in these models don't exist.

16 And I find it very deceptive, frankly, and
 17 I don't use that word, usually, to describe
 18 developer presentations. But I find it deceptive
 19 when slides like that are being presented to a
 20 zoning board with the purpose of trying to
 21 demonstrate that this project will be screened by
 22 natural vegetation to direct abutters when, in fact,
 23 they won't be. And there are trees on my client's
 24 property that will be impacted, and we are reviewing

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1 that currently. We're having those tree surveyed
 2 and reviewed by professionals and hope to provide a
 3 report to you by your next meeting on that issue.

4 Moving to the traffic study. My first
 5 comment or question is related to sight distance.
 6 This issue came up, actually, in the 40 Centre
 7 Street project as well, and you may recall my
 8 critique about the adequacy of the review of the
 9 sight -- sight distance evaluation.

10 Here, the developer is claiming that they
 11 have 200 feet of stopping sight distance from the
 12 project driveway. The developer's traffic study
 13 didn't even address intersection sight distance, but
 14 the traffic peer reviewer did make that comment in
 15 his report, stating that the stopping sight distance
 16 of 200 feet is adequate for IST as well.

17 The project's driveway, as has been
 18 mentioned, is roughly in the location of the
 19 existing cement walk that goes up to the building,
 20 and that's right here. And then, as you can see
 21 facing north/northwest up Babcock, there's a curve
 22 in the road. And you can tell -- you can see the
 23 vegetation. And the strand of trees, I assume, is
 24 probably this one that was referred to by the

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1 traffic peer reviewer.

2 MR. GELLER: Are those real, or are those
 3 the --

4 MR. HILL: These are real trees.

5 MR. GELLER: -- the developer's figment of
 6 their imagination?

7 MR. HILL: These are real trees.

8 If you move the driveway further up, by the
 9 way, I wonder if this tree affects the placement of
 10 the driveway or potentially the sight distance from
 11 that driveway location that's moved.

12 I just took Google Maps. I sketched out
 13 what 200 feet would be from this cement walk. And I
 14 put the line here because this is right in front of
 15 the sidewalk. When you're measuring intersection
 16 sight distance from a driveway, you're measuring it
 17 from -- well, the standard is 14 feet, but there's
 18 allowance for moving it closer to the street. And
 19 here it makes sense to put that stopping bar right
 20 in front of the sidewalk, so that's where I drew the
 21 line.

22 And you can look at -- I mean, assuming
 23 that Google Maps is accurate with respect to the
 24 scale, I measured out 200 feet, and you can tell the

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1 line clearly crosses the properties -- adjacent
 2 properties that this project developer doesn't
 3 control. There's a lot of trees and vegetation
 4 here, and so I'm just questioning whether or not
 5 anyone's reviewed the sight triangles. That's an
 6 essential component of sight distance analysis, to
 7 make sure that you have a clear view, 200 feet,
 8 going in this direction.

9 And then intersection sight distance, which
 10 wasn't discussed in depth -- there's two kinds of
 11 intersection sight distance. There's the minimum
 12 required, which is 200 feet. It's the same as
 13 stopping sight distance. But there's also a
 14 desirable intersection sight distance which wasn't
 15 raised, and that number is 331 feet. And, again, if
 16 you take the same line, taking from the proposed
 17 intersection of the driveway north, you see that,
 18 again, it crosses several properties here. It
 19 barely clips them, and I'll concede that. But,
 20 again, I think that needs to be evaluated, whether
 21 or not this sight distance actually is available to
 22 300 feet.

23 With respect to the parking spaces, this is
 24 a comment that I made in my initial comment letter.

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1 It goes to the comments that were just made by some
 2 members of the board. There is a Transit Parking
 3 Overlay District. Member Poverman just asked, why
 4 not do a traffic -- I mean, a parking demand study?
 5 Well, one's already been done. The Town of
 6 Brookline did this. It created this Transit Parking
 7 Overlay District and reduced the minimum parking
 8 requirements for properties that are in the
 9 district, presumably based upon some scientific data
 10 that was collected that suggests that the demand for
 11 parking is less in this area where you can walk to
 12 the T. So it reduced it from the two parking spaces
 13 to something less.

14 For this project, if it was two parking
 15 spaces per unit, it would be 126.4 spaces. In the
 16 TPOD, you're down to 82, and I agree with that
 17 number that was quoted. And now the developer is
 18 proposing 31. So I think, frankly, this is a very
 19 defensible argument, that the zoning board has to
 20 hold strong to your TPOD requirements.

21 The applicant will probably say, well, we
 22 don't need all these parking spaces, because you can
 23 walk to the T in both directions.

24 Well, that's already been accounted for.

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1 The town's already done that work, and the town has
 2 decided in its infinite wisdom, presumably, again,
 3 backed up by scientific data, that the number of
 4 parking spaces that fit the demand should be 82 for
 5 the site.

6 Further, the parking ratio for this project
 7 is even worse than it was for 40 Centre Street, so I
 8 don't see how this board could even possibly
 9 entertain a ratio that's worse than what it approved
 10 for 40 Centre Street. And, if anything, the demand
 11 for parking is greater. 40 Centre Street is right
 12 in the heart of Coolidge Corner, and this project is
 13 not. So, again, we think that the TPOD requirement
 14 should be not waived. That is the bare minimum for
 15 a project like this.

16 With respect to the density and design
 17 issues that were raised by Mr. Boehmer -- and my
 18 client Mr. Staff said it eloquently, frankly, that
 19 everything's driven by the density, the number of
 20 units. But the main problem here is the intensity
 21 of use. It's the virtual complete buildout of the
 22 site, meaning bare minimum setbacks. Your FAR is
 23 being exceeded by almost three in a T-5 district.
 24 And if this project was smaller with fewer units,

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1 the parking deficiency would be mitigated, and a lot
 2 of the other waivers would be mooted, which
 3 basically drives home the point that we really need
 4 an economic presentation by the developer. You will
 5 need to waive bylaws and regulations in order to
 6 make this project economic, so you should be putting
 7 the developer to the test to show why he needs all
 8 of these waivers.

9 Finally, you should be looking at
 10 alternatives. Your practice is to give developers a
 11 charge. This is an example of a design that would
 12 mitigate a lot of the adverse impacts. It provides
 13 a 30-foot setback in the rear instead of 10, it
 14 provides better setbacks in the north and the south,
 15 and, obviously, a bigger front yard setback is what
 16 Mr. Boehmer was alluding to in his presentation.

17 This alternative design would be three floors
 18 instead of five, and it would still have 27 units,
 19 which is more than what's on the site currently. So
 20 we think this deserves some attention as well.

21 A couple other quick points. On the
 22 traffic memorandum, there was an issue about the
 23 growth rate. The assumed growth rate was 1 percent
 24 a year, and the peer reviewer stated there was no

<p style="text-align: right;">Page 82</p> <p>1 backup data provided for that but he accepted it.</p> <p>2 In my experience, the growth rate is</p> <p>3 something that traffic engineers will use based upon</p> <p>4 MassDOT data that's collected at a variety of</p> <p>5 different stations around the state. I don't know</p> <p>6 where the closest station is here in Brookline, but</p> <p>7 that data is available somewhere, and I don't know</p> <p>8 why that wasn't used for this traffic study and why</p> <p>9 we're not insisting that that be part of the</p> <p>10 equation.</p> <p>11 KAREN: The closest one is Babcock Street.</p> <p>12 MR. HILL: And finally, on the rear</p> <p>13 setbacks, there was a discussion towards the end of</p> <p>14 the night about the ventilation. As you can tell</p> <p>15 from the slides that Mr. Boehmer was showing, the</p> <p>16 ventilation of the garage faces the rear property --</p> <p>17 the rear yard. It faces the folks on Stedman Street</p> <p>18 and particularly my clients from 117 to 123. I</p> <p>19 can't think of a more unfair setup than putting your</p> <p>20 garage exhaust ventilation facing the backyards of</p> <p>21 existing residential abutters.</p> <p>22 As I mentioned, I was at the site</p> <p>23 yesterday. One of my clients has a hammock set up</p> <p>24 about 10 feet from the rear property line. You can</p>	<p style="text-align: right;">Page 84</p> <p>1 of that driveway, would be a little bit to the south</p> <p>2 of that location. So this figure isn't exactly</p> <p>3 accurate.</p> <p>4 As far as the intersection sight distance</p> <p>5 versus stopping sight distance, of course we looked</p> <p>6 at sight triangles. The measurement is taken from</p> <p>7 14 1/2 feet back from the curb line or 20.5 feet</p> <p>8 from the center lane of that southbound lane.</p> <p>9 And so the -- yes, the preference is to</p> <p>10 provide intersection sight distance, but it is</p> <p>11 perfectly acceptable, according to all engineering</p> <p>12 standards, to go -- to provide the minimum of</p> <p>13 stopping sight distance for that sight triangle, and</p> <p>14 that is being provided, provided that the cluster of</p> <p>15 trees be removed.</p> <p>16 Regarding the 1 percent per year background</p> <p>17 growth rate that was used in developing the future</p> <p>18 no-build traffic volumes, that increase in volume is</p> <p>19 consistent between the no-build and the build</p> <p>20 volumes. So if you're really charged with trying to</p> <p>21 identify the differences between the no-build and</p> <p>22 build conditions when you're looking at delays, that</p> <p>23 background growth rate will be the same number of</p> <p>24 vehicles in both scenarios, so you're comparing</p>
<p style="text-align: right;">Page 83</p> <p>1 only imagine what that's going to be like as they're</p> <p>2 relaxing in the summer on a nice day on a hammock</p> <p>3 with car exhaust being aimed at their heads. That's</p> <p>4 just indicative of a number of disrespectful and</p> <p>5 inappropriate design elements for this project that</p> <p>6 need to be fixed.</p> <p>7 We appreciate the comments that have been</p> <p>8 raised by peer reviewers and the board members, and</p> <p>9 we sincerely hope that the applicant will take this</p> <p>10 to heart and come back well before the October 2nd</p> <p>11 meeting with a redesign that addresses these</p> <p>12 interests and is more consistent with the planning</p> <p>13 in this neighborhood. Thank you.</p> <p>14 MR. GELLER: Thank you.</p> <p>15 Mr. Fitzgerald, there were a couple of</p> <p>16 points that were raised that I would really like you</p> <p>17 to respond to.</p> <p>18 MR. FITZGERALD: So a couple things, first</p> <p>19 of all, having to do with sight distance. The</p> <p>20 proposed driveway, based on the plans that we were</p> <p>21 provided, is actually not dead center on the</p> <p>22 existing walkway. It's actually shifted a little</p> <p>23 bit to the south. So a vehicle exiting the</p> <p>24 driveway, which would typically be on the right side</p>	<p style="text-align: right;">Page 85</p> <p>1 apples to apples. So if that rate were, say,</p> <p>2 reduced or increased a little bit, you're doing it</p> <p>3 under both the no-build and the build case, so you'd</p> <p>4 be decreasing or increasing the volumes</p> <p>5 respectively.</p> <p>6 So that's my response.</p> <p>7 MR. GELLER: Thank you.</p> <p>8 MS. STAFF: Hi. I'm Carrie Staff, also at</p> <p>9 123 Stedman Street, and I have one comment and one</p> <p>10 question.</p> <p>11 One comment is that the openings in the</p> <p>12 garage -- side of the garage, I think they're</p> <p>13 illustrated to be some kind of mesh material. In</p> <p>14 the images that Mr. Boehmer used today in his</p> <p>15 presentation, the grade of the property is not</p> <p>16 reflected in those images. It's all very flat. I</p> <p>17 believe there were some other images, maybe, that</p> <p>18 were from the planning department's presentation and</p> <p>19 the one Maria did last week that do reflect a change</p> <p>20 in grade. And I assume that the details of how that</p> <p>21 would work with these mesh windows into the parking</p> <p>22 garage have not yet been worked out, because really</p> <p>23 it's just sort of a wavy line that goes sort of</p> <p>24 diagonally across these windows as you get -- it</p>

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1 goes higher as you get towards the Stedman Street
 2 part of the property. So my understanding is that
 3 there are not any retaining walls around those
 4 windows, so I'm not sure how the grade can sit right
 5 up against a mesh window, for one thing.
 6 And then the other thing is that if the
 7 building in the rear is sunk underground, it will
 8 not be the full square -- rectangular shape that
 9 will provide ventilation. It will be a smaller
 10 amount somehow. So I hope that in the next set of
 11 drawings we'll have a better understanding of that.
 12 And then my question is about the current
 13 traffic plans -- change in plans -- and the bike
 14 lane and things that are proposed for Babcock
 15 Street. My understanding is that the traffic
 16 reviews were all done without any regard for what
 17 those changes might be, but --
 18 MR. GELLER: It's reverse.
 19 MS. STAFF: Oh, it's reversed? So they are
 20 incorporated in this?
 21 MR. GELLER: They were originally done
 22 taking into account prospective changes, but the
 23 review was supposed to be as existing.
 24 MS. STAFF: Okay. And is that -- so one of

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1 the proposed changes is removing -- including a bike
 2 lane and removing all of the resident daytime
 3 parking on Babcock Street. So in addition to the
 4 parking spaces that will be displaced out of the
 5 project, there will potentially, I guess, be these
 6 other ones.
 7 Now, is that a regulation that's part of
 8 the 40B laws or --
 9 MS. POVERMAN: Is what a regulation?
 10 MS. STAFF: Reviewing the current state
 11 rather than a potential state of the street.
 12 MS. MORELLI: So I did consult with
 13 Mr. Ditto, who is the director of engineering and
 14 transportation. And because we do not have approved
 15 plans for the redesign of Babcock, any analysis must
 16 be done on existing conditions.
 17 However, in the course of the next few
 18 months, if we do have revised plans -- approved
 19 plans for the redesign of Babcock, then this project
 20 should be looked at against those plans.
 21 The plans -- the prospective plans that
 22 were discussed regarding the redesign, they will
 23 greatly change. That I understand. I don't know in
 24 what way, but Mr. Ditto was certain that they would

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1 change from what they were proposed. I don't know
 2 if residential parking will be eliminated. I'm
 3 really not sure.
 4 MR. GELLER: Thank you.
 5 MR. TREVETT: My name is David Trevett.
 6 I live at 177 Babcock Street, Unit 1.
 7 Just a couple of points. One, just a very
 8 minor thing, but I heard -- I think heard at one
 9 point a claim that could be -- there was plenty of
 10 space for lanes of two cars coming into the parking.
 11 I thought I also heard that because of the turning
 12 radii, you couldn't have cars coming in and out at
 13 exactly the same time, and so the queuing
 14 potentially creates a traffic jam. So I just wanted
 15 to call that to your attention, if I heard
 16 correctly.
 17 The second is just an observation. If I
 18 understand correctly, there are 31 spaces that
 19 currently exist that are rented to the clients and
 20 inhabitants in the neighboring building. While I
 21 understand that the nature of 40B hearings probably
 22 requires consideration of the one site, the
 23 proposal, sort of in isolation, if you take a step
 24 back and say that there are 31 sites that are

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1 already claimed and being used, then one way to view
 2 this proposal is that it has net zero new parking.
 3 That is to say it proposes 31 site -- 31 parking
 4 places on a parcel of land where 31 places are
 5 already being used by a neighboring -- residents in
 6 the neighboring building. So it's just another way
 7 to look at the situation. What's required by law
 8 may not always reflect the way it affects the
 9 neighborhood. Thank you.
 10 MS. FOX: I'm Greta Fox. I live at
 11 125 Stedman Street next to the Staffs. I live in
 12 the old drafty carriage house that also sits right
 13 behind this development. It is drafty in ways that
 14 cannot be mitigated. And this is a household full
 15 of people with health problems, including asthma and
 16 cancer, so we're very concerned about the garage.
 17 And I did want to address one thing that I
 18 just didn't hear from the parking consultant or
 19 really anybody else. It's a fair point that there
 20 are cars already being parked outdoors, and we're
 21 talking about a similar number of cars being parked
 22 indoors. But I think there's a real physical
 23 quantitative as well as qualitative difference
 24 between cars that are being parked in a completely

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1 outdoor space versus the garage.

2 If you go into any garage and you actually

3 inhale through your nose, the first thing you notice

4 is that it stinks. And the reason is that as, you

5 know, motors are turned on and run, you have

6 emissions inside and then you have some residue that

7 builds up and remains on the physical structures:

8 the walls, the ceilings, and the floors, as well as

9 cars drip gasoline and so forth. So in addition to

10 the live emissions of cars being started and stopped

11 and so forth, you've also now got all of this

12 residue that is going to really, really stink.

13 And the idea that it's all going to be,

14 quote, naturally ventilated is not really impressive

15 to me. It's actually very worrisome and very

16 frightening. And it makes the residents of my home

17 feel that we are trapped in a toxic waste zone with

18 no place to go. So I would be interested to see

19 whether the consultant has anything to add about the

20 difference between outdoor parking versus indoor

21 parking in terms of toxic residue.

22 MR. GELLER: Thank you.

23 Art, do you want to respond?

24 MR. STADIG: I guess the characterization

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1 of anything that comes from a vehicle -- modern

2 vehicles is toxic, I guess, would -- I wouldn't

3 really agree with that assessment.

4 Once again, there are 44 parking spaces

5 that are highly utilized on that site. The

6 proponent is indicating 31, so any type of emissions

7 that come out of the vehicles will be in the order

8 of magnitude of 75 percent of what's there.

9 All I can say is if the building, as

10 proposed, meets the open parking garage requirements

11 of the code and the wisdom of the code, if you will,

12 that's adequate for dissipation of any type of

13 carbon dioxide, carbon monoxide, or nitrogen

14 monoxide that would be coming out of the vehicles,

15 it will dissipate into the air. And I know, in my

16 experience doing this, that there's been no issue

17 that I've known of that has been problematic of

18 concentrations of any of these emissions that will

19 be any problem.

20 So in my view, working on garages like this

21 all the time and being aware of these issues, I

22 don't see any problem with that related to the

23 environmental.

24 In terms of anything else that's inside the

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1 garage, the characterization that there would be

2 things dripping from the cars or sticking to the

3 walls, I would just say that that doesn't appear to

4 ring true. Even though that may be a perception, I

5 just don't see that as being the case.

6 MR. GELLER: Thanks.

7 MS. FOX: May I just respond?

8 Sir, would you want to sleep in a garage?

9 MR. GELLER: Mr. Hill, and then the

10 gentleman over there.

11 MR. HILL: I just want to ask a follow-up

12 on that point because I -- maybe I'm dense and not

13 getting this. But it seems to me, if you put 44

14 cars that are parked outdoors and that exhaust is

15 dissipating in all directions: up, down, over the

16 side, isn't that qualitatively different than a

17 situation where are cars parked in a garage where

18 everything is being ventilated in one direction?

19 MR. STADIG: The characterization that it's

20 being ventilated in one direction, at least from

21 what I'm seeing on the drawings, which this isn't --

22 there's openings on three sides, potentially. The

23 garage doors themselves can be open or partially

24 open in terms of openness, so all four sides of this

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1 garage can be potentially open in terms of

2 ventilation.

3 The openness requirements that are part of

4 the code take this into account. They're saying the

5 openness needs to be at least on two different

6 sides, and there are requirements for the

7 distribution of the openness. So if that meets the

8 code requirements for openness, that's been taken

9 into account, and there would be a dissipation, and

10 that would meet the open -- or the ventilation

11 requirements.

12 Once again, this is less vehicles than are

13 on the site, and this does meet code requirements --

14 or would meet code requirements if it does comply

15 with that -- to get the natural ventilation.

16 If it doesn't meet those requirements, then

17 it goes to an enclosed public garage, which would be

18 ventilated in a different way. But I don't need to

19 go there because, you know, I'll have to wait and

20 see what the proponent comes up with as to whether

21 this is naturally ventilated.

22 MR. GELLER: Thank you.

23 DR. GOLDMAN: My name is Dr. Goldman. I

24 live at 121 Stedman Street.

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1 I just have a question. Perhaps I'm a
 2 little bit naive in the 40B process, but it seems to
 3 me that in terms of the parking garage structure,
 4 we're relying on the code to say it has to meet this
 5 code to be acceptable, but yet with the parking
 6 volume, we're willing to waive the code in terms of
 7 what's already been approved. So I'm kind of
 8 struggling with this logical inconsistency. I don't
 9 understand why at one point we follow the code and
 10 at another point we're willing to dismiss it. So I
 11 guess I just don't understand that.

12 MS. POVERMAN: I can give it a try, which
 13 is -- I can be corrected. One is that safety codes
 14 are state demanded, and 40B cannot change any state
 15 code. The parking code is specific to Brookline,
 16 and the board stands in the place of every other
 17 possible board to determine whether or not it can be
 18 waived.

19 MR. HUSSEY: Let me give it a try.
 20 All we're talking about is the zoning
 21 code -- the zoning code -- which allows for the size
 22 of the building and setbacks and all that stuff.

23 The ventilation of the garage is the
 24 building code, and we have no jurisdiction over the

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1 building code.

2 MS. CRANDELL: Hi. Gina Crandell,
 3 117 Stedman Street, town meeting member Precinct 8.

4 I have a question. We found out sort of
 5 unofficially at the meeting tonight from Geoff
 6 Engler that future plans won't include a service
 7 drive, and I'm wondering at what point we will
 8 evaluate the cost of not having a service drive on
 9 the traffic on Babcock Street. Trash vehicles or
 10 other kinds of service vehicles that would usually
 11 use that drive, will they be on Babcock Street? Or
 12 when will that be evaluated?

13 MR. GELLER: I think the proposal is that
 14 on the October 2nd hearing that -- or in advance of
 15 that hearing, that they'll submit a revised
 16 proposal, and hopefully they will address that as an
 17 issue.

18 And then there's an overarching concern,
 19 though that's stated too strongly. But typically we
 20 do require a narrative that explains, for instance,
 21 how their trash is going to be stored and removed.
 22 So those are issues that will get addressed as we
 23 move forward in the hearings.

24 But I think the next step is to see what

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1 their proposed amendments, alterations will be.

2 MS. CRANDELL: Okay. Thank you.

3 MR. GELLER: Sir, you've been very patient.

4 MR. PINCHES: Hi. My name is Fred Pinches,
 5 F-R-E-D, P-I-N-C-H-E-S. I live in North Brookline.
 6 Not an immediate neighbor, but I'm concerned about
 7 the whole North Brookline as well as town situation,
 8 40B.

9 A couple of questions, not to complicate
 10 the discussion. Many of these parking spaces that
 11 we're going to lose, the 42 out of 44 on the present
 12 location, many of these, from comments that have
 13 been made, are rented or leased to the tenants of
 14 120, which is basically the same owner. I know we
 15 have a new LLC, corporate entity, purchase and sale
 16 agreement, all the other things, but basically,
 17 we're talking about one owner, same owner for 120
 18 and 134. And it appears that he's basically, you
 19 know, sticking it to his own tenants by depriving
 20 them of their parking, which they, of course, would
 21 depend on with our present town parking regulations.

22 Again, any question of their right to park
 23 there or lease parking spaces, that goes along with
 24 their lease. That would be something for the

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1 tenants to fight out. And I know many of the
 2 objections on 40B involve questions that are
 3 detrimental to the neighbors, but in this case here,
 4 we're taking their parking spaces away so we can
 5 make a bigger profit at 134 than they can make from
 6 renting parking spaces at 134. That's not just, you
 7 know, detrimental to the neighbors now, that's a
 8 tangible loss and a serious problem based on our
 9 parking regulations and what people really need. So
 10 I don't know if somebody would want to look at that
 11 and find out exactly what's lost.

12 Residential leases run, you know, a year,
 13 so any agreement for leased parking, rental deals,
 14 whatever, would probably expire long before any
 15 actual development occurred, so they could wipe that
 16 easily. So it may not be, actually, a legal
 17 question for you, but I think it might be an ethical
 18 and moral question to look at the developer and what
 19 they might be able to do and see if that just might
 20 move forward into, you know, a tangible impact based
 21 on safety, traffic, parking, the topics we've
 22 discussed here tonight. Because, again, it looks
 23 like the owners are playing games, very bluntly,
 24 just to make a bigger profit. And parking, of

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1 course, is a serious question.

2 One other thing, too, on the Transit

3 Parking Overlay District -- getting into a question

4 which you just kind of got into -- is that state

5 regulations or requirements, which 40B, you know,

6 cannot wipe out -- or is that something the town has

7 basically adopted as a municipal regulation which

8 40B could wipe out? Again, I don't know exactly

9 what the legal requirements would be and what our

10 responsibilities would be to comply with the Transit

11 Parking Overlay District. But again, if that is

12 required, then, again, it could be that we could

13 invoke state regulations or something that, you

14 know, 40B could not supercede in this situation.

15 Also, another thing, too. I think one of

16 the questions on public safety -- and I think this

17 is a question we ended up with over at 40 Centre

18 Street -- was fire department access. When you get

19 these property-line-to-property-line developments

20 over there, you know, the firefighters are going to

21 have a difficult time getting a fire extinguisher

22 down the side of the building. And, again, when we

23 look at this one here, you know, we have the same

24 situation, very close to the property line. I think

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1 they could get a fire extinguisher, but, again,

2 getting equipment, that would be more difficult.

3 I think on the other ones the fire

4 department said their requirement is that they have

5 access to one side of the building, usually the

6 front side of the building. And if they have that,

7 that would be adequate for the whole building. Now,

8 most of these buildings are basically rectangular,

9 so the front side of the building would basically

10 give them access straight through to the whole

11 rectangular building.

12 This one here, we've got this -- well, this

13 is the substitute plan, but the basic plan you see

14 there. You've got this section on the back, so

15 where is the front of the building? Where would the

16 access be? Or is the fire department going to have

17 to run down the hall and, you know, make a turn?

18 And are we going to have to make, you know, right-

19 turn signs, you know, for the fire department if

20 they search the building in an emergency?

21 I'm being somewhat facetious here, but,

22 again, the design of this building down there, it

23 might complicate the question of fire access from

24 the fire department since this back corner here -- I

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1 don't think there's any way for the fire department

2 to get to that building with their vehicles and

3 equipment for any suitable response without going

4 through the whole building, which, if a situation or

5 a serious incident were occurring, could literally

6 be a maze. And when you're dealing with that kind

7 of situation, that could be life and death, so that

8 would bring it into a possible public safety

9 question, which, of course, is something that we

10 could use to defend ourselves against the 40B.

11 So those are my comments and questions.

12 And as I said, not to complicate the discussion.

13 Thank you.

14 MR. GELLER: Thank you.

15 Maria, fire department?

16 MS. MORELLI: So the fire department did

17 review these plans and did not see a problem with

18 fire access. Please keep in mind that with every

19 iteration, the fire department -- the fire chief

20 will be asked to look at the plans.

21 MS. POVERMAN: Can you remind me, Maria? I

22 know in addition to the access from one facade --

23 isn't there a certain footage or yard number that

24 the chief feels comfortable, if he can have access

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1 for 30 yards or whatever?

2 MS. MORELLI: I think it's 200 feet, but,

3 honestly, I'd rather have that come from the fire

4 chief in writing for your reference.

5 MS. POVERMAN: Yeah. If we could get that

6 in writing, that would be fantastic, and then we can

7 do an analysis whenever we have the final project.

8 MS. MORELLI: Absolutely.

9 MR. ZUO: Good afternoon. My name is Yuan

10 Zuo, and I live at 148 Babcock Street.

11 About the parking garage, not just the --

12 you know, my concern is not just the ventilation.

13 You know, the ventilation, yes. You know, they're

14 actually into my backyard. To the fence, to the

15 corner, maybe 6 feet, 8 feet at the most. And it's

16 directly into my yard.

17 And also, about the ventilation noise, you

18 know, that will be 24/7, you know, almost every day,

19 all the time. And about the noise pollution, about

20 the garage ventilation, plus the -- all of the air

21 conditioning units on the rooftop -- you know,

22 Babcock Street at that little corner, you know,

23 Manchester, Stedman, it's a very quiet little

24 corner, and all of the ventilation, all of the air

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1 conditioners will be making lots of noise. So
 2 that's one.
 3 Second, about the traffic situation, on my
 4 driveway, you know, when I'm coming back home, I'm
 5 just driving in. When I'm coming out, I have to
 6 back out from my driveway. In the recent years, we
 7 already felt the traffic, you know, especially
 8 during early morning and evening rush hour. And we
 9 have to wait almost like two or three minutes almost
 10 every time, you know, to backing out.
 11 And also, people -- lot of people doesn't
 12 stop at the Freeman and Babcock Street intersection.
 13 They just go. So that makes our backing out very
 14 dangerous. You know, if more people drive in the
 15 building next door, lot of people -- you know, a lot
 16 of cars go into the garage and, you know,
 17 pedestrians walking. You know, that will make
 18 things more difficult. You know, getting very
 19 crowded in that little area. You know, sometimes I
 20 have to wait for like five minutes or more.
 21 So those are the two things I'm concerned:
 22 noise and the traffic. Thanks.
 23 MR. GELLER: Just a note about noise: The
 24 project will be subject to the town's noise

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1 ordinance, and so they -- there are standards that
 2 will apply to mechanical systems, so that should not
 3 be an open-ended concern that you should have.
 4 MR. WOLFF: Hi. I'm Bruce Wolff. I'm
 5 Precinct 2, 50 Pleasant, 3D.
 6 Simple question: Does this program have
 7 central air? Are they going to have central air?
 8 MR. GELLER: I don't know of any modern
 9 building that's constructed without it.
 10 Peter, did you decide to put in air
 11 conditioning?
 12 MR. BARTASH: Yes, we did.
 13 MR. PINCHES: He said "central," not the
 14 individual units.
 15 MR. GELLER: Do you mean for the building
 16 or for units?
 17 MR. WOLFF: The whole building.
 18 MR. GELLER: Yeah, the whole building.
 19 MR. HUSSEY: Individual units on the roof.
 20 MR. WOLFF: All right. Then the individual
 21 units shown on the drawing -- there's basically two
 22 sets of individual units. One is vertical and the
 23 other is horizontal. The horizontal unit, which has
 24 to work with -- in size with the windows -- the

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1 horizontal unit is more -- is available much easier
 2 than a vertical unit. And I think that whatever
 3 they do, they have to design this air conditioning
 4 thing, which lasts five to ten years, something in
 5 that area. Each individual unit often is five to
 6 ten years. I've seen them longer, I've seen them
 7 shorter. But the horizontal unit seems to be more
 8 readily available in various sizes. The basement
 9 window or the one that goes vertical is more
 10 expensive to operate.
 11 MR. HUSSEY: These are all rooftop units,
 12 sir. They're not in the windows, I believe.
 13 Is that right, Peter?
 14 MR. BARTASH: That's correct.
 15 MR. HUSSEY: They're not in the widows.
 16 They're all on the roof.
 17 MR. WOLFF: What are you going to have in
 18 the building?
 19 MR. HUSSEY: Well, it will be unit
 20 ventilators in the building. There will be piping
 21 down -- hot or cold water down to the units. There
 22 will be little ventilated units in the space, not
 23 the widows.
 24 MR. WOLFF: In essence, they're having a

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1 type of central air.
 2 MR. HUSSEY: Well, not really. Central air
 3 has one big chiller on the roof. These are a whole
 4 bunch of --
 5 MR. WOLFF: I didn't see any drawing with
 6 a -- that looked like it was a thing that contains
 7 the air conditioning units.
 8 Thank you.
 9 MR. GELLER: Thank you, sir.
 10 Anybody else?
 11 No. Okay.
 12 Board, let's have an update of our earlier
 13 conversation, sort of stepping into giving guidance
 14 or direction to our developer.
 15 I'll start by noting that I heard nothing
 16 from any of the testimony that we've had tonight --
 17 and we had primarily testimony from three peer
 18 reviewers -- that dissuaded me from any of the
 19 issues that I've raised. If anything, I -- and
 20 Mr. Engler would be the first to acknowledge, no
 21 surprise. If anything, those same issues that I
 22 raised seem to be a common concern that need to be
 23 addressed, and I won't extend the hearing by raising
 24 them again. They're of record from the last

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1 hearing. If the applicant needs me to repeat
 2 them --
 3 You're shaking your head no.
 4 MR. ZUROFF: I'll reiterate as well. I
 5 haven't heard anything that dissuades me from my
 6 original comment that I find the design to be
 7 incongruous with the residential character of the
 8 neighborhood. I think it could be improved.
 9 I also support Kate's original
 10 recommendation that there be further additional
 11 setbacks and reduction in the number of units in the
 12 building to the point where the development is still
 13 economic, but -- because it is a developable site --
 14 but I think it could be made smaller and still
 15 economic. So I'd like it to be smaller and shorter,
 16 better designed. Does that cover it?
 17 MR. HUSSEY: Do you mean "smaller" by
 18 smaller units, or smaller by less units?
 19 MR. ZUROFF: I would like to see less
 20 units. I don't care what size they are, but I would
 21 like to see less units so that the building mass is
 22 appropriately reduced.
 23 MR. GELLER: Mr. Hussey?
 24 MR. HUSSEY: Well, I agree with your

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1 comments from last time. I just needed that
 2 clarification on Mr. Zuroff's comments. But
 3 otherwise, I agree with what you said generally.
 4 And I agree in general with what the
 5 architectural peer review has elaborated on:
 6 reducing the top floor or eliminating the top floor,
 7 increasing most of the setbacks. I'm not sure about
 8 all of them. I'm not so sure about getting that --
 9 I know the garage doors in the front are
 10 unfortunate, but I'm not sure whether they're going
 11 to be able to make them come around the side or not.
 12 But they should certainly try and do that. And a
 13 less commercial look with smaller windows, etc., and
 14 greater residential entry.
 15 MR. ZUROFF: Can I just add that I'm also
 16 concerned about the lateral support on the part that
 17 faces Stedman Street. The grade change is
 18 substantial. It's not portrayed, necessarily, in
 19 the drawings, but that building looms over those
 20 yards. And also, because it's so close to the lot
 21 line as presented, threatens with drainage and air
 22 circulation and shading issues that I'm hoping that
 23 the developer will address in its next iteration.
 24 MS. POVERMAN: That's exactly what I was

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1 going to bring up.
 2 MR. ZUROFF: I sorry I beat you to it.
 3 MS. POVERMAN: No. I love having
 4 agreement. Because I know, especially raised by
 5 some of the neighbors, I have the same concerns
 6 about that grade. And they describe some swampy
 7 river and how already water goes into their
 8 basements and things like that.
 9 I don't know the extent of which stormwater
 10 infiltration deals with this at all, so maybe we
 11 could have an opinion from Mr. Ditto at some point,
 12 or another appropriate person, to give everyone
 13 reassurance that the building is not going to cause
 14 flooding on the neighborhood properties, it's not
 15 going to cause crumbling of their property or
 16 anything else like that.
 17 I think an open issue is whether or not, as
 18 raised by one neighbor, an environmental impact
 19 study is warranted, because I don't really know what
 20 would be included in that. But I think we do need
 21 to make sure an iteration -- that obviously the
 22 neighbors aren't harmed.
 23 And back to parking, as you may guess.
 24 There has to be a better equivalence between the

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1 number of units and the parking. Even the police
 2 department said in their letter that parking is a
 3 problem, so it's obviously something that needs to
 4 be taken seriously.
 5 And I reiterate that I think that the
 6 building has to have much better, larger setbacks,
 7 at least 20 feet in front and on the side. And in
 8 the back, at least 20 feet, maybe even more, is
 9 necessary to prevent harm to the abutters.
 10 And, you know, a final comment is one which
 11 we all know and have gone over, is that you can't
 12 have a building that takes up basically every single
 13 inch of the lot. The intensity of that use is just
 14 too much, and it's not supportable, even under 40B.
 15 So make it smaller.
 16 MR. GELLER: Okay. Are you asking a
 17 question, ma'am?
 18 MS. KATES: Kind of, yes.
 19 MR. GELLER: Are you asking a question, or
 20 are you making a comment? If you're making a
 21 comment, we're done with the testimony for this
 22 evening.
 23 MS. KATES: Well, I'll ask a question.
 24 MR. GELLER: If it's really a question.

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1 MS. KATES: I have to identify myself;
 2 right?
 3 Okay. My name is Beth Kates. I'm a town
 4 meeting member from Precinct 9, 105 Centre Street.
 5 My question is is it possible to require
 6 the developer to do a geological survey in order to
 7 determine the strata and the stability of that grade
 8 change there? That's my question.
 9 MR. GELLER: Maria, the question that I'd
 10 like answered is have we done this in the past? Do
 11 we do it on other projects, 40A and 40B of similar
 12 type?
 13 MS. MORELLI: In terms of how this would be
 14 supported, we do have questions about -- and I think
 15 Mr. Boehmer actually made it very clear that he
 16 would like to see some thought given to how the
 17 foundation would be supported. And often there are
 18 borings that are done before construction drawings
 19 are finalized.
 20 So it's really what kind of -- in order to
 21 show, as Mr. Boehmer requested, some thought given
 22 to the foundation, the structural support, how all
 23 of that grade will be supported -- there's going to
 24 be a lot of horizontal pressure. There isn't a


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1 retaining wall that's shown. So some of these
 2 issues, in order to be thought out, there might be
 3 some testing that needs to be done on the
 4 architect's part.
 5 So maybe the answer to your question is
 6 let's see what we're provided in terms of
 7 Mr. Boehmer's request and maybe look at it that way
 8 rather than -- a geological test isn't going to
 9 really tell you how the response -- the engineering
 10 response to the soil testing would be done.
 11 MS. POVERMAN: What did we have done at
 12 40 Centre? I know there was concern about it
 13 affecting the pools. Did we have a condition of,
 14 you know, some sort of analysis getting done?
 15 MS. MORELLI: So there were conditions that
 16 were provided that were related to the stormwater.
 17 There were some testings that were supposed to be
 18 provided as a condition, but it wasn't part of the
 19 public hearing process.
 20 MS. POVERMAN: And does the stormwater
 21 infiltration have anything to do with affecting
 22 whether or not there's a downflow of --
 23 MS. MORELLI: Yes, absolutely. So what we
 24 do have -- so everything that Mr. Ditto looks at --

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1 he's going to look at erosion control during
 2 construction, he's going to look at pollution
 3 management, a construction pollution management
 4 plan. Any runoff pre- and postconstruction onto
 5 abutting properties, that rate cannot be increased
 6 by the project. It has to be designed in a way that
 7 the rate is not increased.
 8 MR. GELLER: All right. We'll see what the
 9 developer proposes with the amended plans, and
 10 hopefully there will be sufficient information.
 11 Again, our next hearing is October 2nd,
 12 7:00 p.m. Hope to see everybody there. I want to
 13 thank everyone for their testimony this evening.
 14 Have a good evening.
 15 (Proceedings adjourned at 9:34 p.m.)
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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 6th day of September, 2017.
 14
 15 
 16
 17 Kristen Krakofsky, Notary Public
 18 My commission expires November 3, 2017.
 19
 20
 21
 22
 23
 24

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