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HEARING OF BOARD OF APPEALS

PUDDINGSTONE

Monday, May 7, 2018 at 7:40 p.m.

Brookline Town Hall

333 Washington Street

Sixth Floor

Brookline, Massachusetts 02445

Reporter: Jennifer A. Doherty, CSR

1 APPEARANCES:

2 Mark Zuroff, Chairman

3 Lark Palermo, board member

4 Christopher Hussey, board member

5

6 Poly Selkoe, Assistant Director of Regulatory

7 Planning.

8

9 Alison Steinfeld, Director of Planning and Community
10 Development.

11

12 Joe Geller, FASLA Stantee Consulting Services, Inc.,
13 Site Planner.

14

15 Steve Schwartz, Esq., Goulston & Storrs, P.C., 40B
16 Attorney.

17

18 Marc Levin, President of Development and
19 Construction, Chestnut Hill Realty.

20

21 Frank Holmes, Stantec/Chestnut Hill Realty

22 APPEARANCES:

23

24 Margaret Murphy, Chestnut Hill Realty

1 P R O C E E D I N G S

2 CHAIRMAN ZUROFF: Good evening. I'm
3 opening this hearing on the project known as
4 Puddingstone 265-299 Gerry Road in Chestnut Hill.

5 My name is Mark Zuroff sitting as the
6 Chair of this 40B application. As you all may know,
7 this is a comprehensive permit application for the
8 construction of a six-story building with 186 rental
9 units, and three two-and-a-half story buildings with
10 12 renting units and a renovation of 28 apartments
11 and three existing two-story buildings with a total
12 of 350 parking spaces, 67 surface and 283 in a
13 two-level below grade garage. That's the summation
14 of the project.

15 This is a public hearing and so
16 everything that is heard here tonight will be
17 recorded as being transcribed and will be available
18 on the website for those of you who wish to refer to
19 it later. I ask that everyone who addresses the
20 Board go to the podium and identify yourself before
21 you speak and be aware that you have to speak
22 clearly so it is understood.

23 Sitting with me on this Board this
24 evening are to my right Lark Palermo and to my left

1 Christopher Hussey. And then we will hear from the
2 representative of the Planning Department and we
3 will have a report from the working group, I
4 believe, that has been working on this.

5 Hopefully, we will have a chance to
6 review the video presentation of the walk. As you
7 know, we had a site visit last Friday. Thankfully
8 it didn't rain too hard. So the developing team
9 will present a video representation of a
10 walk-through, I believe. Then we will hear from the
11 working group with Polly Selkoe, and we will also be
12 able to, throughout the process, ask questions. At
13 some point we will have an opportunity for the
14 public to address us. I ask that if you are
15 addressing us that you confine your remarks to those
16 materials that are presented this evening. You will
17 have an opportunity to comment on other aspects of
18 the project when those aspects are brought before
19 us.

20 So Mr. Levin, if you would like to
21 address us.

22 MR. LEVIN: Thank you. Good evening,
23 Chairman Zuroff, Board members, and planning staff.
24 My name is Mark Levin, Chestnut Hill Realty.

1 back here.

2 AUDIENCE MEMBER: Do you have a
3 better picture than that?

4 MS. SELKOE: It's much clearer in the
5 videos.

6 MR. GELLER: So you see this image
7 right here. We're on Gerry Road. This image down
8 here shows -- start that over again.

9 So the image here shows where you
10 are. Sorry. Starts on Independence Drive. So
11 we're on Independence Drive. This image here, this
12 ghosted image is what the building actually would
13 look like if it was behind where you would see it.
14 So as we go around, you'll see glimpses of it and
15 I'll point that out as we see it. You can see a
16 little bit of it right there.

17 So now we're on Independence Drive
18 coming to the corner of Gerry and Independence.
19 This camera height is about six feet, so this is
20 basically a tall person's eye level.

21 Coming around onto Gerry Road now,
22 coming around Gerry Road, the building again.
23 You'll see when we come to this point right here, if
24 you look back, you'll get a glimpse of the building,

1 the top right there. This is the Gerry garage
2 building. Again, you can see the building in the
3 back here.

4 Then we're coming to the corner of
5 where Gerry and the entrance to the horse sanctuary
6 and the tennis courts are. Now we're heading up
7 Gerry Road towards the building up in this area
8 here. You'll see, as we just can see, the top of it
9 right there. Then you see a bit of it there.

10 Now we're coming to the driveway to
11 the building is right here. Here's the building.
12 Here's the existing buildings in front of it. I
13 think on the site walk we kind of walked to the end
14 here and came back. That's how high it is. One of
15 the questions is what you see from the road down
16 here. Again, you can see the building is hidden by
17 the existing building at this point, and you just
18 start to see glimpses of it in the road. If you
19 were walking down the sidewalk, you wouldn't see it.
20 You'll see a little bit of it right there between
21 the buildings. Again, to the top of it over the
22 building there, a piece of it here where we're going
23 down between the two buildings. Then you'll see a
24 little piece up here. Then you lose it as you go

1 down the hill.

2 Here's the building. Coming down
3 Sherman now to the intersection of Independence.
4 You can see just a little piece of it right there.
5 A piece of it there.

6 So this next one will take us up the
7 driveway, up Gerry Road, I'm sorry. This is the
8 horse sanctuary over here. Gerry Road coming up
9 this way, and then turning into the driveway right
10 here.

11 Coming down the driveway there are
12 existing buildings here, existing buildings here.
13 This is when we walked down where the stakes showed
14 the edge of the roadway as we were walking on the
15 site the other day. There's the building, garage
16 behind the wall here. Entrance to the garage right
17 here. Lobby drop-off here. Parking over on this
18 side.

19 Around the side of the building you
20 can see the parking over on this side. This was
21 that corner of the building where we couldn't quite
22 find the stake, but that's where it is. Coming down
23 by the existing buildings and to the circle at the
24 end.

1 peer design reviewer, Cliff Boehmer, there was a
2 report from the Planning Department, which was
3 informative, as well as comments made by town
4 officials including yourselves and residents.

5 So in fact, we've taken those to
6 heart, and we're working on a modification to the
7 plan. Actually, Chris Hussey made some comments
8 about that last time, and so what we're doing is
9 we're looking to replace the existing apartment
10 building that we just showed in the drive-by with
11 the building is consistent with the one that was
12 presented in November of '17 town meeting that will
13 entail us modifying the driveway, modifying the
14 marking, and we, of course, want to develop the
15 architecture further than what we have now.

16 So here you have the plan of the
17 existing 40B proposal with the townhomes in front
18 and you see it was sort of shoehorned in.

19 Here is the plan that was included in
20 the zoning overlay that was voted at town meeting
21 and negotiated with the abutters. And here are the
22 two side by side.

23 The hallmark of the new one, what we
24 call it right now, it hasn't been developed further,

1 is that the townhomes, 22 of which are in Brookline,
2 need to be demolished as well as actually eight more
3 in Boston, so there would be 22 units lost by moving
4 the building forward.

5 CHAIRMAN ZUROFF: Moving it towards?

6 MR. LEVIN: I'm sorry, towards
7 Sherman Road. There are advantages to this plan
8 that will give the building its own site instead of
9 inserting it between townhomes; and a quote
10 consistent with that from the peer reviewer was
11 demolishing the existing building and constructing
12 larger structures in a configuration that's more
13 consistent with the development pattern would allow
14 for more compatible site design.

15 Similarly, you would increase the
16 distance from the existing townhomes. The site plan
17 has been shoehorned, in effect, because of
18 insufficient setbacks the massive footprint of the
19 building, and lack of open space. By doing this it
20 will also give a much better street presence, so
21 unlike the drive-around that you just saw where its
22 hidden, you will actually see it from the center and
23 the entrance would move to the front. I think it
24 would make it a much better functioning apartment

1 building.

2 As our initial site development has
3 revealed that you will have a little bit better
4 internal circulation as well on the opposite side of
5 the building. Unfortunately for us, the economics
6 is very challenging and that's primarily, if not
7 exclusively, due to the demolition of those 22
8 townhomes, 14 of which are in Brookline and eight
9 are in Boston, as I have mentioned, but despite that
10 loss of value which essentially adds to the land
11 cost, we're going to work on developing that program
12 which we would present at our next hearing.

13 This here depicts those 22 townhomes
14 that would need to be demolished to accomplish this
15 sort of relocation of the building, reshaping and
16 relocation.

17 So our next steps, as we see it
18 anyway, is to finalize that program or finalize the
19 program in massing, and we want to work with Cliff
20 Boehmer on the architecture, need to modify the
21 driveway, and we'll have to update the stormwater
22 and traffic for the small changes that would be
23 resulting from the change to the plan.

24 We would also like to analyze the

1 side more than the other, so I would like to see
2 that. And will this result -- because you'll have
3 less total units, will it be resulting in a
4 reduction in the number of parking spaces?

5 MR. LEVIN: Well, in fact, the
6 footprint is slightly larger. The unit count is
7 going up a little bit. We haven't refined that, but
8 it looks like it's going to go up by a handful of
9 units.

10 CHAIRMAN ZUROFF: It would be a net
11 increase in units?

12 MR. LEVIN: Yes, it is. And that is
13 both the size of the building and the net increase
14 in units are mandated by the economics. I mean, we
15 are tearing them down -- income-producing units --
16 and we have to make it up somehow. In fact, that's
17 how we came to the original design, was to preserve
18 the units at all costs, but we've come around to
19 recognize the improvement of the site design that
20 will more than offset the reduction in the
21 returns.

22 CHAIRMAN ZUROFF: Will there be an
23 increase in the height?

24 MR. LEVIN: No.

1 MS. SELKOE: A decrease in the
2 height?

3 MR. LEVIN: No.

4 CHAIRMAN ZUROFF: Do you have any
5 other questions at this point?

6 MR. HUSSEY: I do. I'm not sure if
7 this is the right time to do it, but could you put
8 this up?

9 AUDIENCE MEMBER: Microphone,
10 please.

11 MR. HUSSEY: Could you put this up on
12 the screen or something like it?

13 MR. LEVIN: Would I or did I?

14 MR. HUSSEY: Could you. I want to
15 raise an issue that I don't think has come up yet
16 that you might want to consider.

17 MR. LEVIN: How's that?

18 MR. HUSSEY: That's good. That will
19 do it. Do you know what the construction of the
20 building, the main building, is going to be, the
21 type of construction?

22 MR. LEVIN: It's going to be wood,
23 fire retardant wood. It's six stories. The first
24 story would be between the garage podium and first

1 floor podium, and above that first floor podium we
2 will then build five stories of fire retardant
3 wood.

4 MR. HUSSEY: Okay. There was a point
5 one of your earlier designs some time ago had you
6 running, continuing this driveway out to
7 Independence Drive. Do you remember that?

8 MR. LEVIN: Yes. In fact, that
9 resulting overlay that went before town meeting had
10 a clubhouse where the Independence Garage is. It
11 was situated over here, however, and it enabled you
12 to have a drive-through and both go to the back of
13 the larger building as well as go to the back of
14 what is now the Gerry garage, which in that master
15 plan was a 36-unit, three-story building. And one
16 of the comments that, I guess, both you were making
17 and Cliff Boehmer made at the working session was
18 that resurrecting that drive-through would make the
19 site circulation much better. So after we get this
20 building squared away, we're going to try to address
21 that comment.

22 MR. HUSSEY: That's good, because
23 what I got worried about is if this is not a fully
24 fireproof, fire resistant construction, you're

1 saying it's fire treated wood framing, if there was
2 ever a major fire here, you would have all these
3 trucks, fire trucks jammed up here and no way for
4 them to get out. You got these turnarounds and
5 everything that were there, but I was thinking that
6 it really would be good to have that through
7 condition or to have a fully fire resistant
8 construction that is reinforced concrete and so
9 forth. You've got the fire resistance wood framing,
10 but I would like to have a technical response to
11 whether that constitutes a fireproof building, so
12 there is not a chance of a horrendous fire in this
13 building and the results. If you can get that
14 driveway to go through, that would relieve my
15 concerns considerably.

16 MR. LEVIN: Not withstanding the fire
17 department's acceptance of this plan, I agree with
18 you. We're working towards figuring a way to
19 replace the value created by those three 40-unit
20 buildings.

21 MR. HUSSEY: Thank you.

22 CHAIRMAN ZUROFF: Lark?

23 MS. PALERMO: I really appreciate
24 having this video which clarified what we saw when

1 we went through the walk-through. I'm not
2 completely clear on where you're going other than to
3 demolish the three buildings that are located on
4 Sherman, is it?

5 MR. LEVIN: This one is technically
6 Gerry, and this is Sherman.

7 MS. PALERMO: So you would be
8 demolishing those three, and you were just --

9 MR. LEVIN: Reshaping the building
10 and pulling it towards Sherman.

11 MS. PALERMO: Pulling it closer to
12 Sherman. I see. And adding square footage in the
13 footprint?

14 MR. LEVIN: Yes.

15 MS. PALERMO: And adding units?

16 MR. LEVIN: A few.

17 MS. PALERMO: So at the end of the
18 day maybe you will make up for some if not all of
19 the units that are being demolished?

20 MR. LEVIN: Some. When I say a few,
21 I mean in the aggregate, that we'll end up with a
22 few more units in the 40B. The larger building
23 would grow by more than a few units, but we're
24 replacing 22. So right now it's 186 plus 22 is 208,

1 and it will be under 220, but it's somewhere
2 between --

3 MS. PALERMO: 22 units are located in
4 the other three buildings?

5 MR. LEVIN: No, that's these. We
6 haven't figured out how to replace those.

7 MS. PALERMO: Okay. Now, it is true,
8 however, that there would have been a cost
9 associated with renovating the units in the three
10 buildings you're planning to demolish?

11 MR. LEVIN: That's true.

12 MS. PALERMO: So it's not a complete
13 loss?

14 MR. LEVIN: Not a complete loss.

15 MS. PALERMO: I mean doing demo,
16 especially if you're going to be doing that big of a
17 construction project I think it will be to your
18 advantage to have a little extra staging area.

19 MR. LEVIN: That too.

20 MS. PALERMO: Okay.

21 CHAIRMAN ZUROFF: Would the building
22 be behind from what we're looking at? That
23 building, is that being renovated still?

24 MR. LEVIN: We're looking to see how

1 we're going to draw the 40B lot line, setbacks and
2 everything else, but that may, in fact, drop out of
3 the 40B lot.

4 CHAIRMAN ZUROFF: So it stays there
5 but it may not be part of the project.

6 MR. LEVIN: The building stays there
7 for sure.

8 MS. PALERMO: And when you were
9 discussing the traffic pattern and rearranging
10 things so it opens up under Independence Drive, you
11 were anticipating losing four units in that
12 building; is that correct?

13 MR. LEVIN: Yes, if not, all three.

14 MS. PALERMO: I see. Okay. That's
15 very helpful. Have you given consideration to
16 reducing the height of the large building?

17 MR. LEVIN: No. Well, when we do the
18 math it becomes -- now that we're taking out those
19 units, we've gone below where we would minimally
20 want to go and to go further would be economically
21 unrealistic.

22 MS. PALERMO: How far down are you
23 going to be excavating for the garage? How many
24 levels would there be in the garage?

1 MR. LEVIN: Two.

2 MS. PALERMO: And they're both below
3 grade?

4 MR. LEVIN: Yes. Define below the
5 grade plane.

6 MS. PALERMO: Well, right.

7 MR. LEVIN: Yes.

8 MS. PALERMO: You're taking the
9 puddingstone down.

10 MR. LEVIN: Built into the hill.

11 MS. PALERMO: Okay.

12 MR. LEVIN: The roof will be the same
13 height as what you see here.

14 CHAIRMAN ZUROFF: The level of the
15 base of the garage is unchanged?

16 MR. LEVIN: I believe that is so. I
17 know that the roof is not -- I don't think the four
18 floors changed, so my logic.

19 MR. GELLER: I think that's accurate.
20 We have to see when we finally get the building
21 design, we'll end up with the four floors. I think
22 the key way to think about it too is when we are
23 walking along Sherman where it intersects with
24 Gerry, the buildings were much higher up on the

1 hill. Imagine if we're closer to the grade of the
2 road where the entrance of the building is now
3 instead of being up on the hill like that, and so
4 that gives all that space in front of the building.
5 We have to push the building closer to Sherman. We
6 ended up with a lot of space in front.

7 CHAIRMAN ZUROFF: You're going to
8 lower the grade where the existing buildings are?

9 MR. GELLER: Those buildings coming
10 out allows us to lower the grade and has much better
11 transitions. The parking will be below grade at
12 that point, but the back of the building, as it was
13 before, you'll see that one level of garage, the
14 garage doors and as we go around the corner to the
15 lower garage, so that would be very much similar.

16 The other thing that Cliff pointed
17 out about this, and I think I want to clarify, Marc,
18 you were looking to see what that side of Sherman
19 Road will look like and in this case it creates a
20 lot of open space which is one of the things that
21 was missing from the other.

22 CHAIRMAN ZUROFF: Right. I was
23 concerned about the relationship of the buildings
24 that exist with the new building.

1 MR. GELLER: We can show that new
2 video too.

3 CHAIRMAN ZUROFF: Okay. So it will
4 have a more pedestrian-friendly entryway and it will
5 have more street presence.

6 MR. LEVIN: Without a doubt.

7 CHAIRMAN ZUROFF: Your illustration
8 was very generous in showing much foliage and
9 camouflage of the building. Obviously, that's all
10 going to be plantings that won't have that immediate
11 presence. We haven't gotten to landscaping yet, but
12 I'm sure that will be one of our concerns and
13 hopefully will be yours.

14 MR. LEVIN: Absolutely. We're very
15 committed to an extensive list.

16 CHAIRMAN ZUROFF: It might be
17 helpful -- and I know you did it once before -- to
18 show the buildings without the foliage, like winter
19 foliage or lack of foliage, just so we can get a
20 better pedestrian view.

21 MR. GELLER: it's hard to pull the
22 leaves off the trees, but we'll do our best.

23 CHAIRMAN ZUROFF: Magic can happen, I
24 know.

1 MR. LEVIN: I think it's important to
2 note that even after that occurs, and I'm
3 speculating, but I'm pretty confident that the
4 buildings themselves will block the view of this
5 particular building from Independence Drive from the
6 public, from public view.

7 CHAIRMAN ZUROFF: I don't doubt that,
8 but as we walked -- we virtually walked down the
9 driveway, you couldn't see the big building because
10 all those trees were all nicely grown in. They
11 wouldn't be for a while. Any other questions?

12 MR. HUSSEY: No.

13 MS. PALERMO: No.

14 CHAIRMAN ZUROFF: No? Anything else
15 you want to add at this point?

16 MR. LEVIN: No.

17 CHAIRMAN ZUROFF: I guess we can hear
18 from Polly.

19 MS. SELKOE: Yes. As they said, the
20 working group met two times, and this last time we
21 were pleased with the direction of relocating the
22 building and giving it its own setting and
23 minimizing some of the impact to the existing
24 residence. One big concern we had was the

1 articulation of the building because it's such a
2 very long building, and that was one thing that they
3 were going to work on for next time. We do have one
4 working group scheduled before your next meeting On
5 May 23.

6 CHAIRMAN ZUROFF: And I also. We
7 didn't really get a sense of the articulation of the
8 design of the building, which I gather at this point
9 will be redesigned or at least reconfigured in some
10 ways. So we have a lot of data that we will be
11 looking at because this is a different project for
12 all intents and purposes.

13 MR. LEVIN: I can only say we will
14 feed as much as we can when we present the plan, and
15 we'll welcome requests for more.

16 CHAIRMAN ZUROFF: And presuming that
17 all of this will be submitted to our peer reviewers
18 and for instance stormwater will be reviewed because
19 it will be all different data.

20 MR. LEVIN: A little bit.

21 MR. GELLER: I think we are meeting
22 with the peer reviewer and we'll go through the
23 things that we know we can address, that any
24 comments that they have, traffic I think we have

1 already done and the stormwater we will be doing
2 next and there will be a certain number of things
3 that are going to change, and we'll talk about those
4 with them so at the next meeting we can put behind
5 us the stuff and hopefully keep moving in that
6 direction.

7 CHAIRMAN ZUROFF: I appreciate that.
8 We will have lots more to consider at our next
9 meeting. I don't think we have any further
10 questions, so given that, I will ask if there is
11 anyone in the public that wants to comment on this
12 but keeping in mind that we're going to be looking
13 at slightly different -- not slightly, kind of a
14 majorly different project. So if you want to
15 address that redesign and those issues.
16 Mr. Verrell, identify yourself for the record?

17 MR. VERRELL: William Verrell, 45
18 Ashville Road, Brookline. I just got this response
19 to the peer reviewer's questions that was issued on
20 Wednesday, and it's very confusing to me and if
21 there's going to be a complete redesign, I hope that
22 all of these issues that they pointed out will be
23 addressed in that future design.

24 There was 22 original comments made,

1 four new comments made, and at the end of this memo
2 that was prepared they had six -- what they call
3 suggested conditions of approval that are really the
4 most benign comments of the whole thing, and these
5 are the only six conditions that they want met. It
6 doesn't make any sense to me and I hope you guys are
7 aware of that.

8 For instance, in the comprehensive
9 permit plan, comment five, it says, "Most of the
10 subsurface basins, DD1 is shown above the existing
11 ground." The handbook typically -- construction,
12 infiltration, BMTs on top of fill materials."

13 So the construction book says, Don't
14 do this. It's not a best practice. If fill
15 materials are present, the handbook stipulates
16 hydraulic soil group of the most restrictive layer
17 must be used. This is a best practice. This should
18 be enforced. 40B allows you to waive the zoning
19 conditions, but it does not allow to waive best
20 practices.

21 CHAIRMAN ZUROFF: It's not our
22 function to make judgments on the scientific part of
23 this project or the construction materials. That is
24 for our peer reviewers. We listen to them. So if

1 you have issues with the stormwater or the drainage
2 peer reviewer, I would suggest that you bring those
3 to their attention, and they will address them.

4 Then they will present their conclusions to us.

5 You're talking technical things that really I don't
6 understand and I'm not going to pretend to, and I
7 don't know if any of the Board members do either.

8 MR. VERRELL: I mean, I understand
9 you're not engineers, you can't understand those,
10 but you can check the boxes. When a comment is made
11 like this peer reviewer made and the answer is,
12 We're not going to do it, then that should raise a
13 red flag.

14 You don't have to be a technical
15 person to see, for instance -- I mean, one of the
16 new comments is basin D1C has an outlook control
17 structure which prevents watertight structures from
18 fully draining, limiting the capacity for future
19 storm events. That's the comment I brought up at
20 the last meeting. I was told that I was wrong, they
21 stood behind their design, but obviously the peer
22 reviewer now agrees.

23 It says, "The applicant should
24 provide calculations that would accurately reflect

1 this condition or revise the design to ensure that
2 the chambers drain within 72 hours." You don't have
3 to be an engineer to understand that he is saying
4 the chamber should drain in 72 hours. In his report
5 he also says "provide evidence that these are
6 watertight." How does that jibe? You don't have to
7 be an engineer to know if something is watertight
8 it's not going to drain in 72 hours?

9 CHAIRMAN ZUROFF: I'm going to leave
10 the answer to that question to the peer reviewer.
11 I'm sure your comment has merit, but we have to rely
12 on our peer reviewer. You can have a discussion
13 with him and --

14 MR. VERRELL: Could I be present?

15 CHAIRMAN ZUROFF: No, you cannot be
16 present at the working meetings, but you can address
17 the comments to the Planning Department and they
18 will make sure they're addressed by the peer
19 reviewer. That's what we do here, so that's how
20 it's going to be done.

21 MR. VERRELL: But you guys are not
22 asking technical questions to try to satisfy
23 yourself.

24 CHAIRMAN ZUROFF: We want conclusions

1 from the peer reviewer based on discussions with the
2 engineering that's presented to them by the
3 applicant. We will get those answers, but it's not
4 up to us to question the engineering. It's up to
5 the peer reviewer to provide us with his conclusions
6 after he reviews your comments as well as their
7 engineering department.

8 MR. VERRELL: But I just said here --

9 CHAIRMAN ZUROFF: I understand what
10 you're saying, Mr. Verrell. You're talking about
11 items that are over our level of understanding.
12 It's above my pay grade when it comes to the
13 engineering part of this.

14 MR. VERRELL: With all due respect, I
15 heard you talking 20 minutes about how thick the 40
16 millimeter --

17 CHAIRMAN ZUROFF: That was not me.
18 That's somebody else. That's not this Board. You
19 have comments of a technical nature, please present
20 them to the Planning Department and they will bring
21 them to the proper people who understand them and we
22 will deal with them, but bringing them before us
23 tonight, before this Board, is not going to get us
24 anywhere. You're talking about things that I'm not

1 technically aware of.

2 MR. VERRELL: Will a written response
3 be provided to our comments or how will they not get
4 lost?

5 CHAIRMAN ZUROFF: The peer reviewer
6 I'm sure will address your concerns in their final
7 report. You're going to bring them to their
8 attention.

9 MR. VERRELL: So this memo is not a
10 final report?

11 CHAIRMAN ZUROFF: I honestly don't
12 know what memo you're referring to but I suspect
13 that you are correct. Nothing is final yet.

14 MR. VERRELL: Thank you.

15 MS. LEICHTNER: Hi, I'm Judy Leichter.
16 I'm a town meeting member of Precinct 16. So it's
17 very interesting tonight. It brought up some
18 questions that I hope you will be asking. One of my
19 questions has to do with property being demolished
20 in Boston and I wonder if people in Boston have been
21 informed. Do they know about this and what kind of
22 communications are being done with Boston, Boston
23 residents, not just in Hancock Village, but in the
24 surrounding area, and I hope that those issues are

1 going to be dealt with.

2 The fire issue that Mr. Hussey raised
3 is certainly one that I've been very concerned about
4 and I hope this is going to be, as you see whatever
5 the project that comes up is going to be addressed.
6 As the two of you who were here the last time, Chief
7 Ford had a lot of concerns about tall buildings and
8 the number of new residents in this part of
9 Brookline, which is as far as you can get from a
10 fire department. And I'm particularly interested in
11 the fact that we don't have a ladder truck in close
12 proximity that will reach this high. The one we
13 have I think is in -- I think it's on Washington
14 Street. So I think that should be a real concern;
15 one in terms of the materials Mr. Hussey raised. We
16 have seen some pretty terrible fires over the past
17 year in some other locations particularly before
18 buildings were finished, but we don't have a fire
19 truck that will get that high that's anywhere near.
20 So I hope that's a question you'll be asking and
21 that there will be somebody coming to address that.

22 We didn't really hear how many units
23 this was going to be, and I find it interesting that
24 the number of units is going up as opposed to down

1 as we know that this is a lot of units. And Ms.
2 Palermo asked about whether the size of the building
3 could come down. I heard Mr. Levin talk about how
4 this is economically unrealistic, but I'm a little
5 cynical about whether that's actually the case and I
6 would love to find out more than just listening to
7 the developer's comments about business, if that
8 really is the case. Can this large building be
9 shrunk in some ways? What can be done? What is the
10 least amount of a size that could be put into this,
11 into to this project?

12 I also wasn't totally clear. There
13 seems to be a lot about the large building. Are all
14 the other buildings N2 and N3 and N4 all still
15 staying? Is that changed, or are they still there,
16 or are they incorporated into this?

17 CHAIRMAN ZUROFF: One of them is in
18 play, I think. Am I correct?

19 MS. SELKOE: They got the answers
20 they don't know yet, but I think they're exploring
21 possibly removing all three, but anything is
22 possible.

23 MS. LEICHTNER: Okay. And then my
24 final question has to do with -- I know that you get

1 the final say, but part of what you do is
2 incorporate the opinions from the other boards in
3 town, and if there is a new plan, which it sounds
4 like this is going to be a new plan, is this going
5 to be submitted again for comments that then you can
6 consider from preservation, conservation, Planning
7 Board? Will they get a chance to comment, because
8 they certainly did have a chance to comment on the
9 first one. Usually they comment so that you can
10 incorporate their thoughts on this.

11 CHAIRMAN ZUROFF: I think to answer
12 that, we're basically -- we're not starting from
13 scratch, but there is a new plan being submitted to
14 us, and it is my hope that it will be examined by
15 all interested parties before we actually make a
16 judgement on it. So I would hope that you are
17 correct in that it will be looked at by all
18 interested parties.

19 MS. LEICHTNER: Thank you very much.

20 CHAIRMAN ZUROFF: Thank you. Is
21 there anyone else? Then I think that we have pretty
22 much concluded our business for this evening. Do we
23 have any administrative matters other than
24 continuing the hearing?

1 MS. SELKOE: I think that's it.

2 Continuing to a day certain.

3 CHAIRMAN ZUROFF: So we are going to
4 continue this meeting to Wednesday, May 23, at which
5 point we will get some further information on our
6 revised proposal presumably. We will hear from --

7 MS. SELKOE: The stormwater and
8 traffic peer reviewers.

9 CHAIRMAN ZUROFF: Based on the new
10 submission.

11 MS. SELKOE: Well, no, I don't know
12 if it will be based on the new submission, which
13 makes me think that maybe that part should be
14 postponed because you will be seeing the new designs
15 for the first time, and they won't really have that
16 before you see it.

17 CHAIRMAN ZUROFF: Then obviously we
18 will have to consider extending the time for the
19 hearing overall, and maybe --

20 MS. SELKOE: There has already been a
21 time extension granted. Alison, do you want to give
22 a date that they extended the time for the making
23 the decision to?

24 MS. STEINFELD: September 30.

1 CHAIRMAN ZUROFF: Hopefully that's
2 enough --

3 MS. SELKOE: So I think if you agree,
4 we should postpone the stormwater and traffic until
5 we see this new design and then they can get the new
6 design.

7 CHAIRMAN ZUROFF: I think that's a
8 good idea. Obviously we'll get that in to review
9 and until your design is sort of more solidified, I
10 think we should put off peer reviewer on that until
11 we see that, so I assume you're okay with that. So
12 what will be our agenda for May 23?

13 MS. SELKOE: I think we will receive
14 the new iteration.

15 CHAIRMAN ZUROFF: We'll look forward
16 to seeing a new iteration and maybe you'll give us
17 some bare trees to look at as well so that we have a
18 better perspective on the new project. Yes, ma'am?

19 MS. FRAWLEY: There is a hearing
20 device for this room, and I would so love it if it
21 were available for all ZBA hearings so I can hear
22 you better. It's an amplifier.

23 CHAIRMAN ZUROFF: We want you to
24 hear, so I'll see what I can do.

1 MS. SELKOE: We'll make sure it's
2 available next time.

3 THE WITNESS: What's that?

4 MS. SELKOE: We will make sure it's
5 available.

6 MS. FRAWLEY: I rest my case.

7 CHAIRMAN ZUROFF: Yes, Joe?

8 MR. GELLER: We probably won't have
9 the animation for the next meeting, but we will have
10 the plans --

11 P R O C E E D I N G S

12 CHAIRMAN ZUROFF: I'm okay with that.
13 You know, it just prolongs the process a little bit,
14 but it is a process.

15 MR. GELLER: I want to make sure we
16 have it right. It takes a long time to take those
17 leaves --

18 CHAIRMAN ZUROFF: I understand.
19 We'll be watching for those bags of leaves. All
20 right. Thank you all for coming. This meeting is
21 now adjourned. I'll see you or some of you -- it's
22 continued, I'm sorry, and we'll see you on May 23.
23 Thank you.

24 (The hearing was adjourned at 8:20 p.m.)

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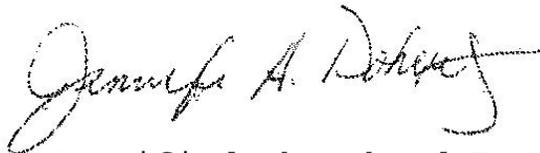
C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

I, Jennifer A. Doherty, Certified
Shorthand Reporter and Notary in and for the
Commonwealth of Massachusetts, do hereby certify
that the foregoing Pages 1 to 38 to be a true,
complete and accurate transcript of the testimony of
the aforementioned hearing held at the time and
place hereinbefore set forth, to the best of my
knowledge, skill and ability.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY
HAND AND SEAL THIS 14TH DAY OF MAY, 2018.



Certified Shorthand Reporter

CSR No. 1398F95

My Commission Expires:
October 19, 2023

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