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 6   Town of Brookline
     Board of Appeals Public Hearing
 7   re

 8   1299 Beacon Street 40B

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13   Town of Brookline Town Hall

14   333 Washington Street

15   Brookline, Massachusetts

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22   Wednesday, July 11, 2018
          7:00 p.m. - 9:10 p.m.
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 5　　　　　　　　　A P P E A R A N C E S

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 8　Maria Morelli, AICP

 9　Senior Planner

10　Planning and Community Development

11　Town of Brookline

12　333 Washington Street

13　Brookline, MA 0445

14　(617) 730-2670

15　mmorelli@brooklinema.gov

16　　　Counsel for the Town of Brookline

17

18

19　Board of Appeals

20　Jesse Geller, Chairman

21　Kate Poverman, Board Member

22　Randolph Meiklejohn, Board Member

23　Johanna Schneider, Board Member

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

 2   MR. GELLER: Good evening, everyone.

 3 We are reopening our hearing involving the

 4 property at 1299 Beacon Street. For the record,

 5 Randolph Meiklejohn, Johanna Schneider, Jesse

 6 Geller, and Kate Poverman.

 7   Tonight's hearing, again, is being

 8 recorded stenographically. Anybody offering

 9 testimony this evening, speak loudly, clearly.

10 Start by giving your name and your address.

11 There's a microphone right at the dais. Please

12 speak into that microphone.

13   Tonight's hearing is continued from

14 our last date, which was June 13. Our next

15 hearing will be September 5, same time, 7:00

16 p.m., or thereabouts. Tonight's hearing will be

17 an opportunity for us to hear from a variety of

18 peer reviewers. You'll hear a traffic peer

19 reviewer, without peer, and we'll also hear our

20 parking peer review. We'll have a staff report,

21 and I understand we'll get some preliminary town

22 presentations as well. Any other administrative

23 details, Maria?

24   MS. MORELLI: I just wanted to point

 1 out that this hearing is scheduled to close

 2 October 15, and so I am actually working on a

 3 schedule, because I do feel that we will need an

 4 extension, and I just want to scope out what I

 5 think is going to be a realistic schedule for

 6 this case and speak with the project team, and

 7 perhaps ask at the next hearing.

 8   MR. GELLER: That's fine. Why don't

 9 you go ahead and read your staff report.

10   MS. MORELLI: So just very briefly,

11 I'm Maria Morelli. I'm a planner in the

12 planning department, and I'm working with my

13 colleague, planner, Ashley Clark, on this

14 project.

15   Just really quickly, we did have some

16 outstanding required materials, which the

17 project team did provide. So what I'm going to

18 do is I'm going to -- usually we do this a

19 little bit earlier, but we needed those

20 materials before staff actually commented on the

21 proposal. Typically, I do a design analysis,

22 run it by the planning board and get their okay

23 and present it on their behalf. Because of the

24 timing that the boards haven't been able to

 1   schedule this for their agendas, we needed no

 2   site plan, 3D model, etcetera.

 3   What staff has decided to do, and

 4   we're talking about a cross section of town

 5   departments, is we've gotten together, we've

 6   exchanged some preliminary comments, and I'm

 7   going to present a site plan review and design

 8   analysis based on a range of town departments.

 9   That includes planning, of course, the

10   building department, public health, DPW, traffic

11   and storm water, as well as police and fire.

12   These are preliminary comments. I expect that

13   as things progress, you will be getting

14   individual letters from these departments.

15   So some of the things that we'll be

16   looking at -- I'm going to be very brief and

17   streamlined. I'm not going to go on for an

18   hour, because I know the main event is certainly

19   peer review, but I just wanted to give an

20   overview of existing site conditions,

21   neighborhood context, get into a coordinated

22   site plan review and design analysis, as well as

23   recommendations for areas that the applicant

24   might need to work on and that you might want to

1   explore further.

2   Typically, when we do these 40Bs, they

3   are comprehensive, indeed, and they do look --

4   for instance, your charge is going to be, quite

5   simply, to address primarily any issues that

6   affect public health, public health

7   environmental safety.

8   We also look at the site and building

9   design and the relationship to the context, ways

10   to better integrate a project of higher density

11   into the surrounding context that often involves

12   good neighbor measures, like buffering and

13   articulation of the massing.

14   Part of this review does involve going

15   through the permitting history should there be

16   any conditions that need to be carried over, are

17   there any new non-conformities related to maybe

18   like an abutting property, and any legal review.

19   And as we go down further into the public

20   hearing, there might be some discussion of

21   public benefits and mitigation and risk

22   management. But those four top items are really

23   the primary things.

24   There are technical reviews. I'd like

 1   to -- just because we have gone through this

 2   maybe like 15 times doesn't mean it isn't new

 3   for someone else, and I want to assure the

 4   public and anyone who's new to this process that

 5   there are technical reviews conducted by both

 6   staff, as well as independent peer reviews hired

 7   for the ZBA, that would include review of the

 8   traffic study, parking demand analysis, site

 9   circulation and parking design, site building

10   design, storm water management, rubbish,

11   lighting and noise, public health and safety,

12   police and fire. These are the various town

13   staff that do get involved in reviews and

14   supplying comments to the ZBA.

15   And again, I mention that there are

16   those site plan review components pertaining to

17   permitting history and any legal reviews. In

18   general, these are areas of reviews. If there's

19   any possible infectious invalidity or new non-

20   conformities, state standards, a preliminary

21   building code analysis further down the line, we

22   will be looking at any requested waivers from

23   zoning if there are any existing easements or

24   agreements or existing conditions that run with

 1   the land.

 2   So we'd like to start off with the

 3   permitting history and legal review. There are

 4   three components that exist at this time.

 5   Currently, the abutter has a tenant, Trader

 6   Joe's, that leases about I think 12 to 14 spaces

 7   from the subject property at 1299 Beacon. And

 8   because of that situation, because of that

 9   agreement, we wanted to review if there is any

 10   issue of infectious invalidity, and my excellent

 11   colleague has researched all of that and will be

 12   speaking to it in just a moment.

 13   There's also an issue with the

 14   existing fence, which the building commissioner

 15   has weighed on, and we certainly have some

 16   comments from the building commissioner. So I'm

 17   going to turn it over to Ashley. You got a memo

 18   from her, and she's going to present those

 19   comments to you.

 20   MS. CLARK: Hello. Ashley Clark,

 21   planner for the planning department. So as

 22   Maria mentioned, I was asked to look at kind of

 23   the history of zoning relief between 1299 Beacon

 24   Street and the Center Place building,

 1   specifically if any previous ZBA decisions

 2   required parking spaces at 1299 Beacon for

 3   Trader Joe's use.

 4   I looked up records found in the

 5   planning department, the building department,

 6   and I also looked at the town clerk's records,

 7   and the Norfolk Registry of Deeds. In the

 8   search, I found no evidence that an elimination

 9   of the lease parking spaces at 1299 Beacon will

10   create any zoning violation for either 1299

11   Beacon or the Center Place building.

12   I should note, as my memo does, I did

13   find a decision from 2006 from when the Center

14   Place building expanded that zoning relief was

15   granted, but none of this was for parking

16   requirements. So in the decision, it states

17   that 94 and a half spaces were required and that

18   there were 109 spaces available on site.

19   So I just wanted to note that there is

20   also a condition that states, in relevant part,

21   that parking for customers of 1309 Beacon Street

22   shall be made available at 1299 and 1319 Beacon

23   Street, when possible. I'm happy to read the

24   entire condition, but I did talk to Building

 1 Commissioner Dan Bennett, and he didn't

 2 interpret this condition as definitively

 3 requiring spaces be made available for Trader

 4 Joe's at 1299 Beacon.

 5   So to our knowledge, the parking

 6 arrangement is in existence by a private

 7 agreement, and a change to such an agreement

 8 will not create a new zoning non-conformity or

 9 make the lot at either 1299 or 1309 Beacon

10 Street more non-conforming with regards to

11 parking requirements. So if you have any

12 questions that I can't answer now, I'm happy to

13 take those questions and research further and

14 give you an answer at a later hearing.

15   MR. GELLER: Any questions?

16   MS. POVERMAN: Actually, I just have

17 one. In terms of numbers, what is the required

18 number of parking spaces that would have been

19 required by the Trader Joe's lot, and what is

20 there?

21   MS. CLARK: Right. So just looking at

22 the decision from 2006, it says that 94 and a

23 half spaces were required and that there were

24 109 spaces available on site. So in reading

 1   some of the discussion, it looked like there was

 2   a concern about how much parking was going to be

 3   needed, and it was represented, you know, we

 4   understand we're going to get spaces when

 5   available at other places. But I think the

 6   condition doesn't have a lot of teeth, because

 7   it wasn't actually required as part of the

 8   zoning relief.

 9   MS. POVERMAN: Thanks.

10   MS. CLARK: Thank you.

11   MR. GELLER: Thank you.

12   MS. MORELLI: Now, I'm going to

13   address on behalf of Commissioner Dan Bennett.

14   He's not able to be here this evening, but is

15   happy to attend the next hearing in September to

16   address any questions that you might have

17   tonight or in the interim.

18   It might help if I actually skip over

19   to existing site conditions, if you can see it.

20   I apologize that it is a little tiny, but we

21   have -- the subject site is this 1299 Beacon,

22   and it's roughly rectangle with this jog here.

23   The abutting property is 1297 Beacon. You might

24   see that there's a property line shared by these

 1   two properties here, and 1297 has a bit of a

 2   bump-out that is about one foot away from that

 3   property line.

 4   So there's been maybe a longstanding

 5   issue as far as I understand regarding rear

 6   second means of egress at this property and the

 7   potential for trespassing onto the subject

 8   property. So there is actually another

 9   possibility for any occupants who had to leave

10   in an emergency to go onto the post office

11   property, but as far as we know, there are no

12   easement agreements with either these two

13   abutters and 1297 Beacon.

14   So back in 2010, the building

15   commissioner at the time did grant Mr. Dhanda a

16   permit to install a fence here. Now, what that

17   has done is it does prevent anyone who needs to

18   leave that -- or exit from the building from

19   opening the door and going onto this property.

20   So as this case has come before you, Mr. Volkin,

21   who's the attorney for Dr. Heinberg, who owns

22   the property at 1297 Beacon, has mentioned this

23   issue or discussed this issue and has wanted to

24   engage the building commissioner.

1   So the building commissioner has

2   consulted with the state -- it's actually the

3   Building Regulations Standards Board -- and

4   another state authority regarding this

5   particular issue.

6   Based on that advice, he's issued

7   building code violations to both the owner at

8   1297 Beacon and the owner at 1299 Beacon, his

9   reason being that the installed fence prevents

10 -- obstructs that second means of egress on the

11 abutting property, and in regard to the

12 violation issued to Dr. Heinberg, that owner

13 does have a responsibility for providing a

14 second means of egress.

15   So what happens here is that this

16 issue is a little bit bigger than the Town of

17 Brookline's building department, and there are a

18 number of ways this can go. Either party can

19 appeal the notice that Commissioner Bennett did

20 administer to either party, they can appeal to

21 the municipal court of law, or Dr. Heinberg

22 could go to the state board and ask for a waiver

23 from the building code, or they can -- the two

24 parties, either 1299 and 1297, or the post --

 1 the federal government owns this property here

 2 -- and Dr. Heinberg could have private

 3 agreements regarding an easement so that there

 4 is a means for people to leave the premises in

 5 the case of an emergency. There's also the

 6 possibility that there could be some remodeling

 7 done to provide that second means of egress.

 8   So where does this leave the board?

 9 Our 40B consultant, Judith Barrett, said the ZBA

10 does not have any purview over the state

11 building code. Nonetheless, we do want to be

12 really careful and get a legal opinion regarding

13 anything that might affect the public process

14 regarding this issue.

15   So where this stands right now is that

16 Commissioner Bennett is discussing this with

17 town counsel about next steps, and the two

18 parties do have notices from them. Until we

19 hear further, we're simply going to proceed. At

20 this point, there isn't anything that affects

21 proceeding with the public hearing. Thank you.

22 Do you have any questions?

23   MR. GELLER: Questions?

24   MS. MORELLI: So I do want to

 1   acknowledge that Commissioner Bennett did

 2   explain all of this in his July 10, 2018 memo to

 3   you. That's Part A, Existing Building Code

 4   Violations. And then in that same memo, he does

 5   ask for a preliminary building code analysis.

 6   So let's think now the -- if you see

 7   the project proposal, which we'll flip to in a

 8   minute, there is going to be a building that's

 9   basically hugging that property line. And so

10   the building code does -- in these instances,

11   there are certain provisions regarding high-rise

12   buildings, exterior walls, and safeguards during

13   construction. So what he's requesting at this

14   point, aside from the existing building code

15   issues, is a preliminary building code analysis,

16   which he will comment on.

17   MR. GELLER: Has this been requested

18   from the applicant?

19   MS. MORELLI: I just submitted this

20   memo. I didn't actually ask the applicant, but

21   in the past, we have not had a problem.

22   MR. GELLER: But you'll make that

23   request?

24   MS. MORELLI: I certainly will.

 1   MS. SCHNEIDER: Maria, in the

 2   commissioner's memo, he also recommended asking

 3   Mass. Housing for its advice. Is that something

 4   that you guys are --

 5   MS. MORELLI: Correct. Thank you for

 6   the reminder. So Judith Barrett actually sent

 7   an email to Mass. Housing, you know, should

 8   there be any issue, does this affect the

 9   proceeds here. Is there any advice for the ZBA.

10   Is there any issue pertaining to site control.

11   We have not heard back, but I just wanted you to

12   know we've really tried to cover all the bases

13   and consult with the state.

14   So I think on that note, I am just

15   going to proceed with this presentation and get

16   through it quickly so that we can turn to our

17   peer reviewers.

18   As you know, existing site conditions.

19   This is the subject site, which is on Beacon.

20   It's highlighted in yellow. It is on the block

21   bounded, of course, by Beacon Street, Harvard,

22   Longwood, Sewall, and Charles Street. The

23   intersection here is at Pleasant Street across

24   the street from Beacon.

 1   You might not realize that the

 2   entirety of that two-mile stretch in Brookline,

 3   Beacon Street is in the National Register

 4   district, and I'll explain a little bit more

 5   what that means. The zoning district is a

 6   general business district, 1.75.

 7   Of course, this is in the heart of

 8   Coolidge Corner. And as you can see -- probably

 9   you can't -- as with a lot of our major

10   thoroughfares, these major thoroughfares really

11   off the spines really run dense residential

12   neighborhoods. What surrounds this particular

13   block are multi -- a residential district zoned

14   as multi-family of increasing or varied density.

15   Just a little bit more about the

16   existing conditions at the site. It's a one- to

17   two-story brick structure, about 12,200 square

18   feet on an 18,600 square foot lot. As Ashley

19   mentioned, the parking spaces on the left are

20   largely leased to Trader Joe's, the abutter, and

21   then the rest of the surface parking I think

22   there's under 30 parked -- just under 30 parking

23   spaces is for Neena's.

24   There is a curve here. Sewall Ave. is

 1   one way going in this direction going east, and

 2   there's a gentle slope as well. Here, there is,

 3   I think, a firewall, and then there's probably

 4   like a four- to ten-foot space between this

 5   building and the abutting structure.

 6   You'll note that there's Beacon Street

 7   to the north, and then there is Sewall Ave. So

 8   this site actually has two front yards, and I

 9   will speak a little bit more why I think that is

10   important.

11   This is what the Beacon Street facade

12   looks like. I did a little bit of research just

13   because this is in a National Register. The

14   preservation commission will be weighing in in

15   August, as will the planning board and the

16   transportation board, so you'll hear comments in

17   September from them. But in the meantime, I

18   just wanted to check the Mass. Historical

19   Commission database should there be anything

20   architecturally or historically notable about

21   this building.

22   Any structure that is within a

23   National Register district is initially

24   considered significant, but this particular

 1   building has undergone so many changes and

 2   renovations that it no longer maintains its

 3   architectural integrity. That is not coming

 4   from the Preservation Commission, it's just

 5   something I observed in the notes in the

 6   Inventory Form B. Nonetheless, there are

 7   numerous examples of individual properties in

 8   this area on that block that are architecturally

 9   or historically significant.

10   A little bit about the National

11   Register district. What that means it's a

12   little bit different from local historic

13   districts. So what we try to regard here are

14   any character defining features. That's one of

15   the hallmarks of a National Register district

16   and really the focus of any reviews.

17   So some of the character defining

18   features of the Beacon Street district is that

19   you have commercial nodes that are one to two

20   stories interspersed with residential blocks of

21   three to four. You'll see a lot of this bay

22   treatment or the double height, you know, rising

23   steps up to the residential. You might see some

24   mixed use where there's residential in the base,

1   as you see here, with residential on top. There

2   is a really strong one- to two-story development

3   pattern.

4   One of the things we're going to look

5   at is how do you assess if a building that's ten

6   stories can or does fit in. And some of the

7   things we'll talk about are how you can really

8   just look at those proportions and adjust

9   segments to reinforce some of these character

10 defining features.

11   A little bit more about the

12 significance of buildings. This, of course, is

13 at the corner of Beacon and Harvard along that

14 same block where 1299 is located. That's an art

15 deco style building constructed in 1930, and, of

16 course, the S.S. Pierce Building, which is a

17 completely different architectural style, German

18 English medieval.

19   Just a word about tall buildings. I

20 noticed in the presentation given by the project

21 team examples, and I would be remiss to overlook

22 that there are tall buildings in the

23 neighborhood, not necessarily on that block.

24 But does that mean that, you know, gee, anything

 1   goes?

 2   Just as it's not illuminating for you

 3   or me to hear a building is too big -- it

 4   doesn't really tell you much -- pointing out

 5   tall buildings in the area doesn't say much

 6   either. We don't really look at a height, that

 7   metric disembodied from other metrics. We like

 8   to look at what is that height to set back

 9   ratio. There might be actually a ratio

10   regarding the height to the width of the street.

11   What is that sense of pedestrian

12   scale? What is the existing development

13   pattern? What does that street wall look like?

14   You'll see some tall buildings do this better

15   than others. They really look at maybe the

16   first two or three stories above street level to

17   really reinforce that pedestrian scale, and

18   maybe they'll segment or step back the upper

19   floors.

20   So those are some techniques that work

21   successfully. Others that don't, they might

22   have limited setbacks. There might be no

23   relief. It might be just really a box. So some

24   of the tall buildings that were pointed out in

1   the project team's review, they're sort of a

2   mixed bag. Some really do reflect sensitivity

3   to the surrounding context, others not so much.

4   And I think we can learn from like what not to

5   do.

6   Again, that's just a little bit of a

7   view of the block, and you can see the one-story

8   pattern on that block and the taller buildings

9   as you go west.

10   A little bit about the streetscape on

11   Sewall. It's no surprise if you've gone on a

12   site visit and you've walked here. You really

13   do see or get a sense of the rear of these

14   Beacon Street properties. And I just want to be

15   careful because remember that Beacon Street --

16   off of Beacon Street are really residential

17   neighborhoods. And just because we see what

18   seems to be like rear yard operations doesn't

19   mean that we have to reinforce it.

20   So I think one of the excellent things

21   about redevelopment of a property is that we

22   have opportunities to exploit. This is

23   certainly a property that is introducing mostly

24   residential housing and some mixed use. So

 1 these are opportunities to actually reinforce

 2 some residential qualities, maybe create a more

 3 welcoming pedestrian streetscape. So even

 4 though you are sort of faced with garage,

 5 driveway, congestion, that doesn't seem to be

 6 something that we have to actually accept on the

 7 subject property.

 8   A little bit more on Sewall, along

 9 with -- these are just some examples of maybe

10 residential feel. There is that -- typically,

11 no matter what size the building is, there

12 really is a landscaped strip that kind of

13 creates even a modest buffer between the

14 streetscape, or the street and the building.

15   I wanted to pause here, because we do

16 have some comments from the police department,

17 Deputy Superintendent Myles Murphy, and some

18 brief comments from Todd Kirrane, who's the

19 transportation administrator. And I don't know

20 if you'd like me to read them into the record.

21   MR. GELLER: Sure.

22   MS. MORELLI: So first of all, I mean,

23 just to refresh your memory, there were some

24 comments made at the last hearing. I think the

 1   project team mentioned a conversation that was

 2   had with Police Officer Michael Murphy, who

 3   works for Myles Murphy, and something about -- I

 4   think the excerpt was something like, oh, what's

 5   going on in Sewall or in this area is no

 6   different from any other Brookline street.

 7   So I just felt compelled to run that

 8   by Deputy Superintendent Myles Murphy, who

 9   oversees the traffic and community safety

10   division and oversees Officer Michael Murphy.

11   And Deputy Superintendent Myles Murphy was

12   emphatic that he has spoken publicly before the

13   transportation board about the existing

14   congestion and safety issues.

15   There is a lot of traffic volume and

16   activity off the Trader Joe's site. There's

17   certainly lots of deliveries. Having a

18   distribution center on the other side of 1299

19   Beacon where trucks are backing in, there's a

20   lot of, say, double-parking that exists, not to

21   mention it's a heavily trafficked area. There's

22   a school right down the street. There are

23   residences who do cross over. They are

24   connected, of course, to the commercial node at

 1   Coolidge Corner.

 2   So he just wanted to make it very

 3   clear that he wasn't happy to have those

 4   comments attributed to his department because he

 5   has been so vocal about existing conditions, and

 6   he also just wanted to reinforce them in a July

 7   2 email or memo to the ZBA.

 8   "Prior to this proposal at 1299 Beacon

 9   Street, the parking situation in this immediate

10   area is one that has been a constant struggle

11   for area residents and businesses. It is an

12   over-utilized locale for on-street parking. The

13   amount of community interaction with the

14   adjacent U.S. Post Office, temple, and Trader

15   Joe's traffic related problems has been

16   extensive.

17   "In recent years, it has only become

18   worse with the erecting of several condominium

19   buildings across the street at Sewall Ave. and

20   Longwood Ave. resulting in further conflicts in

21   the use of these streets. Not only is the

22   parking inadequate, but the amount of motor

23   vehicle, bicycle, and pedestrian traffic in this

24   immediate area is substantial.

 1   "As an example, Trader Joe's currently

 2   uses Neena's lot for overflow parking. The on-

 3   street traffic flow for this business can be so

 4   disruptive to the immediate area that a detail

 5   officer and one to two private parking personnel

 6   are assigned to the Trader Joe's rear lot to

 7   alleviate this problem.

 8   "This has also resulted in parking

 9   spaces that were once available on Longwood Ave.

10   west of Sewall Ave. to be marked no stopping.

11   In addition, from the constant neighborhood

12   complaints regarding the U.S. Post Office

13   parking, the USPS has agreed to alleviate

14   overnight parking matters by parking its fleet

15   of trucks on the Beacon Street medium.

16   "The temple currently has regular

17   services and a daycare that utilizes Sewall Ave.

18   As a result of these and other pressures,

19   parking signs in this immediate area have been

20   highly restricted, and enforcement is constant.

21   It should be further noted that Longwood Ave. is

22   a major route for ambulances going to and from

23   the Longwood medical area and should be a major

24   consideration for keeping adequate traffic flow

 1   in this locale. Further, the effect of this

 2   area is also seen on Harvard Street, a heavily

 3   used commercial retail area.

 4   "With the reported adjustments made to

 5   the original proposal, including the decrease in

 6   units/parking, the issues I outlined prior will

 7   still be adding to the neighborhood issues.

 8   These include substantially more vehicles and

 9   traffic seeking parking in the immediate

10   neighborhood.

11   "Further, as in the Trader Joe's

12   example, the rear lot off Sewall Ave. appears

13   inadequate to manage the amount of vehicles

14   entering/exiting off Sewall Ave., creating

15   traffic jams back to Longwood Ave.

16   "I see no designated bike racks on the

17   property. Lastly, the Beacon Street side of

18   this proposed building without any increased

19   space added would appear to create similar

20   conditions of double parking and traffic snarls

21   on the narrow stretch of Beacon Street inbound.

22   "These are my initial observations at

23   this time on the proposal. Respectfully, Deputy

24   Superintendent Myles Murphy, the Traffic

 1   Division."

 2   MS. POVERMAN: Is it possible --

 3   because he says he has discussed the issue at

 4   transportation board meetings, I would find it

 5   helpful to see minutes of those meetings, if

 6   that's at all doable.

 7   MS. MORELLI: I can certainly -- there

 8   might have been a notable transportation board

 9   meeting in which the board solicited Deputy

10   Superintendent Murphy's comments, so I will find

11   that out.

12   MS. POVERMAN: Great.

13   MS. MORELLI: No problem.

14   MS. POVERMAN: Thanks.

15   MS. MORELLI: Todd Kirrane, who is the

16   transportation administrator, sent me an email

17   on July 11, 2018.

18   "My initial thoughts are that I concur

19   with all of the issues raised by the peer

20   reviewers and would also like to add that the

21   area is part of the MassDOT/FHWA 2016-2015 HSIP

22   crash clusters for both pedestrians and

23   cyclists.

24   "The HSIP crash clusters are developed

 1 based on equivalent property damage only rating,

 2 which is a method of combining the number of

 3 crashes with the severity of crashes based on a

 4 weighted scale, where fatal crash is worth 10,

 5 an injury crash is worth 5, and a property

 6 damage only crash is worth 1. These clusters

 7 are created for locations where crashes are

 8 within the top five percent in the region.

 9   "Contrary to the statements in the

10 TIA, the intersections in the area pose a safety

11 concern for both pedestrians and cyclists in the

12 current conditions, and any additional

13 unmitigated motor vehicle trips will only add to

14 this problem. While the developer is not

15 responsible for the current issues, they will

16 certainly" -- "they will further exacerbate the

17 problems, and therefore, should be required to

18 contribute mitigation toward addressing it."

19   MS. POVERMAN: Maria, could we be sure

20 to get copies of those things you're talking

21 about?

22   MS. MORELLI: Yeah. That memo I got

23 from Todd, I did not forward to you. I just got

24 it, actually, right at 5:00.

 1   MR. MEIKLEJOHN: I just have a

 2   question about Deputy Superintendent Murphy's

 3   letter. His last comment is about conditions on

 4   Beacon Street, and he says it eventually inbound

 5   -- oh, sorry, inbound. Never mind. That is the

 6   side of the street.

 7   MS. MORELLI: So just switching gears

 8   a little bit, we do like to be cognizant of any

 9   policies that we currently have in place

10   regarding affordable housing. As you know, we

11   do have a state approved housing production

12   plan, and there is one figure that does identify

13   opportunities, corridors, and nodes for

14   additional affordable housing.

15   Where I've circle there, you'll see

16   the green screen going along Beacon Street right

17   here. That's identified as an opportunity

18   corridor. These yellow areas are opportunity

19   nodes. I really can't speak to why the yellow

20   isn't over the subject site, but I will follow

21   through with the housing division.

22   A little bit about the proposed site

23   plan. As you know, this is described as an

24   eight- to ten-story building, 74 units of rental

 1 housing over two levels of retail at the ground

 2 level and one level of subgrade parking. There

 3 are 93 parking spaces allotted in that subgrade

 4 parking with the use of a stacking system and

 5 six surface parking spaces here. There's a

 6 loading dock here. The outline of the building,

 7 I know it's hard to see, but you have that on a

 8 site visit, and you know that this dash line

 9 represents the supported upper floors, and the

10 foundation of the building pretty much hugs.

11 There are some modest setbacks.

12   There are some modest setbacks in the

13 front. I really apologize. My flashlight isn't

14 working, so I'm using this system here. There

15 are some modest side yard setbacks here on the

16 Beacon Street side, but largely, this really

17 does fill up the site. Thank you, Art.

18   Again, I might not have talked about

19 the square footage. I think there's about

20 112,000 square feet of housing -- of square

21 footage for the living area and about 12,200

22 square feet for the retail areas.

23   These were some shadow studies. It

24 would be helpful for the architect to go through

1 them, if you want. You certainly will get an

2 analysis. I'm not going to provide an analysis,

3 other than to show you that we did receive them.

4 You can see from the different -- into the

5 different quarters what new shadows are thrown

6 off by the building. Be assured that Cliff

7 Boehmer will analyze that further and

8 opportunities to mitigate that.

9   As I said, the proposed project --

10 there is this arrangement -- where I do

11 appreciate that there is some articulation, some

12 attempt to speak to the one- or two-story

13 structure, it is described, I think, as two

14 levels of retail. But if you look at the floor

15 to ceiling heights, you'll see that they're 18

16 feet on the first two floors, compared to the

17 10 foot 9 floor to ceiling heights on the upper

18 floors.

19   So that really reads to me as double

20 height floors really as four stories. Four

21 stories isn't a bad thing. It's just that I'm

22 really looking at proportions here to better

23 have this be in scale. Remember, we talked

24 about character defining features that the one-

 1   to two-story commercial, the three- to four-

 2   story residential, without necessarily reducing

 3   the overall height of the building, I think that

 4   those -- that kind of segmentation does need to

 5   be reinforced a bit better so that it does feel

 6   like it's more in scale or more responsive to

 7   the surrounding context, and there's also a

 8   pedestrian scale as well.

 9   You'll see that the volumes -- there's

10   a smaller volume with that lighter material in

11   the front, and then at the rear there's just a

12   larger more expansive cube. For me -- and this

13   is just another view -- you'll see that there is

14   -- this is Sewall. You'll see that this is the

15   supported area here, and so really there's the

16   bulk of the building, which is what some might

17   perceive as the rear of the property.

18   And I'd like to say, you know, you do

19   have two front yards here, and there's an

20   opportunity to exploit, to introduce a way to

21   really engage, say, potential customers to the

22   retail activity here. Certainly, it is -- there

23   are enough residential qualities on Sewall

24   Street and in this neighborhood that can be

1 reinforced to make it a little more welcoming,

2 and even a safer feeling for pedestrians.

3   That's another view of what I mean by

4 that double height here that reads as four

5 stories. Another thing that I think concerns me

6 a little bit is, you know, during the day, this

7 can be very striking and dramatic with visual

8 displays in this double height area, but at

9 night -- if this were just, say, you know, a

10 store that closes at 6:00 or 7:00, at night,

11 that could be a dark void, and that's --

12   One thing that we pride ourselves in

13 Coolidge Corner is really having an activated

14 streetscape with a lot of like evening

15 entertainment and activity, and just having a

16 dark void in such a prominent location and

17 intersection doesn't really reinforce the

18 qualities that we want to in this area.

19   Before I actually talk even more about

20 the massing, I do want to say that for us, for

21 staff, the main event is really -- it's

22 assessing the intensity of use. What's before

23 you is a project that really is -- you don't see

24 another ten-story building on this block, and

 1   they're not -- that really isn't part of the

 2   development pattern here, even though there are

 3   larger high-rises in the area.

 4   So again, we don't look at density,

 5   dwelling units per acre as a disembodied metric.

 6   We look at factors that help us indicate or help

 7   us understand the intensity of use. It could be

 8   FAR, it could be shadow impacts, side yard

 9   setbacks, that height to site setback ratio, and

10   really, most importantly, safe site circulation.

11   There is so much being crammed on the

12   site that maneuvering is not possible. Is it

13   realistic? If we look at the garage plan, is it

14   realistic that those parking spaces can be

15   accommodated? If people are waiting to park

16   their cars, where is that overflow parking going

17   to go? How is vehicular circulation managed

18   with pedestrian circulation? Deliveries. Is

19   that loading dock really going to allow for

20   circulation on the site, or is there going to be

21   a need to back into or out of the driveway?

22   Oh, the other thing is that you'll

23   hear more from the traffic peer reviewers, but

24   that stopping site distance, there are currently

 1   cars that are parked there. Is there going to

 2   be a need to remove some of those parking

 3   spaces? I know on Beacon Street, the project

 4   does proposed installing a taxi stand, which

 5   would eliminate some public parking. So those

 6   are examples of how the needs of the project --

 7   the proposal might affect the public way in

 8   terms of function or maybe alterations, so

 9   that's why we want to start with site plan

10   first.

11   One thing I might add. I had a

12   conversation with the project team regarding

13   parking design since, you know, it really is

14   such a specialized area. The architecture team,

15   very professional and skilled and great to work

16   with, but this is, you know, an area where

17   civil engineer and transportation planners can

18   be very helpful, especially of a project of this

19   size and this importance.

20   To their credit, they are interested

21   in hiring a parking design firm and were even

22   willing to revise the parking plan even before

23   we proceeded, but that's not something I had

24   advised. Nonetheless, I do want to reiterate

 1 that staff, DPW, police, the planning

 2 department, we really do feel the issues

 3 regarding the site circulation and access really

 4 need to be addressed first. They will have some

 5 bearing on the massing in terms of what can be

 6 accommodated on the site.

 7   I'm not going to spend too much time

 8 regarding this, but you can see that the loading

 9 zone is here, and there is this curve, and

10 there's the exit here. There is, I think, a

11 modest path for pedestrian access. Because of

12 this cantilever or overhang, there might not be

13 the greatest visual cues for where pedestrians

14 need to go. There also is not much separation

15 between the surface parking and that walkway.

16   I certainly would like to see not only

17 just a welcoming -- something that's welcoming

18 to residents or occupants of the site, but just

19 something that even simply is safe or there's

20 just more separation between the pedestrian

21 pathways and the vehicular pathways.

22   This has been a longstanding concern.

23 I think the one level of parking is a concern to

24 me, because it just seems like every inch of

 1 space is accounted for on that one level. And

 2 so it does beg the question if you need a valet

 3 attendant, if there is overflow parking, is

 4 there this expectation that it's going to be

 5 double parking or queuing on Sewall or that a

 6 valet might be using public streets to

 7 temporarily park cars. That's the kind of thing

 8 that DPW and the planning department absolutely

 9 do not support, so we'd like to see a parking

10 plan that shows how those scenarios would be

11 avoided.

12   One of the things that should be, and

13 I hope does get some traction with the design

14 peer reviewer, maybe just some possibilities for

15 expanding or going deeper on the parking level

16 so that there is more maneuverability. So

17 again, the parking design, if 93 spaces can be

18 accommodated on one level, and really what the

19 parking management or operations plan looks like

20 is really the first order of business. This is

21 just a site section that just shows the stacking

22 system here, which I'm not going to speak to

23 because that is not my area of expertise.

24   So the recommendations are really just

 1   assessing the feasibility of the garage design

 2   to see if 93 vehicles can, indeed, be

 3   accommodated along with maneuverability overflow

 4   vehicles and other parking operations, provide a

 5   site circulation parking management plan for

 6   managing vehicles waiting to park and, of

 7   course, avoid using the public way for

 8   accommodating that overflow.

 9   Definitely, backing out of or into

10   Sewall is really forbidden. Improving the

11   parking ratios, just to be more realistic about

12   visitor parking, assessing what the retail

13   scenarios might be. That's the one big question

14   mark that hasn't been specified, and depending

15   on the retail uses, the intensity of use also

16   changes.

17   How does that affect site circulation?

18   There could be increased traffic volumes if you

19   have, say, a medical office or a restaurant.

20   There could be more frequent trash pickups,

21   depending on the retail use. So we really do

22   want to zero in on some likely possibilities.

23   Again, comparing the merits of two

24   levels of subgrade parking without stackers and

1 one level with stackers and valet. And the

2 transportation board definitely wants to weigh

3 in on any proposals or any proposed changes to

4 the public way, whether it's adding a taxi area

5 or loading zone or removing parking spaces.

6   I talked a little bit about massing

7 and scale, so I won't repeat that. But one

8 thing I'll just say is that for me, because of

9 that character defining feature on Beacon

10 Street, I think that the first four stories,

11 say, are like 40 feet above street level.

12 Really, that whole belt there deserves a lot of

13 attention, because that is really going to

14 reinforce that street wall, that streetscape,

15 and that pedestrian scale.

16   That isn't to say that the site can't

17 sustain a ten-story building, but it's really

18 the arrangement of the volumes that deserve some

19 study, you know, where that articulation, where

20 those step-backs needs to be. If we're talking

21 about this issue here, what I don't like I

22 really -- I'm not crazy about this overhang,

23 because even though I think it was described as

24 improving some view sheds, I think we know that

 1   it's always dark.

 2   Like we have that potential dark void

 3   with the double height retail space on Beacon.

 4   This could be another dark void. It's not

 5   welcoming. How do you feel walking at night if

 6   you're like under six feet tall. That floor to

 7   ceiling height here is 18 feet. If you look at

 8   it corresponding to the 50 Longwood, I believe

 9   is here -- I hope I have that right -- 30, thank

10   you -- you know, you'll see that this is almost

11   like a story and a half, two stories, and where

12   does that -- you know, what is that experience.

13   It also contributes to the sense of

14   this project being out of scale. So you want to

15   look for reference points to bring the project

16   more of a pedestrian scale where it really

17   matters. So I certainly would encourage the

18   project team to reconsider that motif. Also,

19   that so much of the operations, the project

20   operations, are housed here. Just because it's

21   always -- we don't see a lot of redevelopment.

22   It's just an opportunity to see what we can

23   reinforce, what we value in this area, and what

24   could be reinforced.

1   Again, this is just a look -- if you

2   were just to imagine that cantilevered area with

3   this particular streetscape, you can see there

4   are a lot of like maybe residential windows

5   really at that ground floor. So what is that

6   experience across the way with the proposal.

7   So very briefly, articulate the

8   massing to reinforce the commercial and

9   residential street wall. These are character

10   defining features on the Beacon Street national

11   registered district. That might improve some

12   shadow impacts and view sheds. I would

13   acknowledge the two front yards to create a

14   welcoming residential and retail entrance on

15   Sewall and, quite frankly, a safer pedestrian

16   experience on Sewall.

17   It's also an opportunity to connect

18   customers who live in the neighborhood to the

19   commercial activity on the site. Again, I would

20   avoid that supported overhang on the Sewall

21   facade. I'd reconsider some of those floor to

22   ceiling height windows. I know that is a trend

23   of luxury apartments, but they're kind of cold

24   to occupants, and I just wonder if we really

 1 need to see all of that expansive glass. It's

 2 not only an energy efficiency issue, but it

 3 might be a way to actually reduce the

 4 verticality of the building. And I would

 5 improve setbacks to reduce the impact on the

 6 abutter at 1297 Beacon, regardless of any court

 7 or state board decision.

 8   We did talk about rubbish management.

 9 We don't have a plan. You know, eventually,

10 that does come, and we do have public health

11 weigh in on that and provide some guidelines.

12 So again, do need to have some specificity about

13 the retail uses that does have some direct

14 bearing on the recycling plan, and the key

15 questions we'd like to have answered, is it

16 going to be managed by a private service, how

17 many times a week, how many trash recycling

18 receptacles, what sizes, will there be a trash

19 compactor on the site.

20   We do have a noise management bylaw

21 that it would have to comply with, is the trash

22 storage room adequately sized to accommodate

23 receptacles. A door storage is verboten. And

24 if we did have to examine the adequacy of the

1 trash management plan one year after 90 percent

2 occupancy, is there room to scale up.

3   So this is just another example of

4 assessing intensity abuse. Something like this

5 we might tend to think of as an afterthought or

6 not even at all. And I can't tell you how many

7 times the arrangement of the storage rooms

8 really maybe cost a few parking spaces just to

9 adequately address our issues.

10   MS. POVERMAN: Can I just throw

11 something out? So since this can be such a big

12 issue, especially with a ten-story building, how

13 can we really adequately assess circulation on

14 the site if we don't know maybe half of it is

15 going to be taken for refuse or recycling?

16   MS. MORELLI: Yeah. So I will have,

17 actually, Pat Maloney, who is the chief of

18 environmental health, what methodology does he

19 use to anticipate what is needed. I think some

20 insights from Mr. Maloney might be helpful.

21   MS. POVERMAN: Or the applicant.

22   MS. MORELLI: Or the applicant. I

23 think that's pretty much it. So if you have any

24 questions.

1   MR. GELLER: Questions? Thank you.

2 We are next going to call on Jim Fitzgerald,

3 who's going to provide us traffic peer review.

4 Jim, introduce yourself.

5   MR. FITZGERALD: Thank you very much.

6 Again, my name is Jim Fitzgerald of

7 Environmental Partners Group, and we did the

8 traffic peer review for the proposed development

9 at 1299 Beacon Street, focusing in on the

10 traffic impact assessment that was prepared by

11 Vanasse & Associates, VAI, dated February 2018.

12 In general, the TIA was prepared in a

13 professional manner and consistent with standard

14 engineering practices, with the exception of the

15 items that I'm going to be talking about

16 tonight.

17   The proposal is based off of a

18 development that includes 74 apartments and

19 12,285 square feet of retail space. A number of

20 MBTA accommodations are in the area, as you're

21 all well aware. The Green Line C branch has a

22 stop right at Coolidge Corner, as well as there

23 being bus stops for bus route 66.

24   Traffic counts were collected back in

1 September of 2016 to look at the morning and

2 evening weekday peak periods. Those traffic

3 counts were then projected up to the year 2018,

4 using an annual growth rate of one percent,

5 which appears reasonable -- conservative and

6 reasonable and appropriate for this project.

7   Traffic counts were collected for

8 Saturday to look at the Saturday volumes in

9 January of 2018. A seasonal adjustment increase

10 was applied to these traffic volumes at three

11 percent to reflect the fact that this is not --

12 this is a lower -- January is a lower than

13 average month. However, these counts were --

14 the counts that were collected were collected on

15 Martin Luther King holiday weekend, and also

16 while the local colleges and universities were

17 out of session.

18   So although, typically, a three

19 percent increase might be appropriate in a

20 location where there are greater fluctuations,

21 depending on what's going in the area, we

22 suspect that these volumes, at a minimum, need

23 to be verified and justified, perhaps recounted

24 during a time when school is in session or a

1   more -- a higher traffic volume month just to

2   verify those Saturday counts.

3   The study limits included nine

4   intersections and appear to be reasonable. It

5   included Harvard at Beacon intersection, Harvard

6   at Longwood, Harvard at Sewall -- I'm sorry,

7   Sewall at Longwood, Sewall at Charles, Sewall at

8   the site driveway, Sewall at St. Paul Street,

9   Beacon at Pleasant, Beacon at Charles.

10   Crash data was reviewed to identify

11 safety deficiencies using MassDOT information

12 for the five-year period of 2010 through 2014.

13 However, we are aware that the crash -- there

14 are discrepancies at times between the MassDOT

15 crash data and the local police department crash

16 data, so we request that investigation of the

17 local police department crash data be pursued,

18 especially given the HSIP situation that Maria

19 had referenced earlier.

20   Based on the MassDOT data, all of the

21 locations, with the exception of one, fall below

22 the local district average. When we compare the

23 amount of crashes to the amount of traffic

24 traveling through the intersection, we determine

1 what the crash rate is. Crash rates exceeding

2 the average crash rates in the area identify a

3 potential safety concern. Again, with the

4 exception of one location, all of the locations

5 fell below that local district average.

6   The intersection of Harvard at

7 Longwood, however, fell at, approximately at the

8 local district average. There were no

9 fatalities reported in the crash data that was

10 provided. So again, we want to look back and

11 see what information is available from the local

12 police department to get more refined crash

13 information.

14   Traffic volumes were projected to

15 establish a future no-build condition to the

16 year 2025. This was done using an annual growth

17 rate of one percent, which seems to be

18 reasonable. Additional traffic volumes were

19 incorporated into the no-build volume to reflect

20 anticipated developments in the area. These

21 developments included Waldo Street, 40 Center

22 Street, 420 Harvard Street, Devotion School,

23 455 Harvard Street, 54 Auburn Street, 384

24 Harvard Street, and Babcock Place.

1   In order to establish a 2025 build

2   condition, trips were generated using the

3   Institute of Transportation Engineers Trip

4   Generation Manual. For the apartment usage,

5   Land Use Code 220 for apartments was used from

6   the 9th edition of ITE Trip Generation Manual,

7   which appeared to be reasonable.

8   There is a more updated trip

9   generation document that's available, the 10th

10   edition. So we did a comparison on Land Use

11   Code 221, multi-family housing mid-rise with the

12   10th edition, and verified that the volumes used

13   are appropriate and conservative.

14   The trips for apartments were reduced

15   to account for the transit opportunities in the

16   area. This was done looking at local census

17   data for the years 2012 through 2016, taking

18   into consideration things like public

19   transportation, people who walk, bike, use

20   taxis, or work from home. In the end, this

21   resulted in a 65 percent reduction in the

22   apartment usage, which is justified based on the

23   census data.

24   Next, for the retail use, Land Use

 1 Code 826, specialty retail center, was used from

 2 the 9th edition of the ITE Trip Generation

 3 Manual. Although the description of this land

 4 use code appears to be reasonable, there are

 5 very few data points available. Data points are

 6 critical in the accuracy of this information and

 7 using it to project trips.

 8   So although there were three data

 9 points available for the evening peak hour,

10 there were even fewer points available for the

11 morning and the Saturday peaks. Given the --

12   MS. POVERMAN: What exactly do you

13 mean by a data point?

14   MR. FITZGERALD: So ITE generates this

15 document that allows us to predict trips of

16 different sized developments based on existing

17 data, data points. So they'll look at a

18 development that has 15,000 square feet of

19 retail, and they'll go out and count how many

20 cars that retail is generating and put the point

21 in.

22   And you have enough data points as a

23 comparison to come up with a curve or some sort

24 of comparison between square footage in the case

 1 of retail and number of trips generated. So if

 2 you don't have many data points, the information

 3 isn't really all that reliable. So as a result,

 4 we would recommend either using a different land

 5 use code or available -- researching other

 6 developments in the area with similar land uses.

 7   Speaking of which clarification on the

 8 type of retail is really important. That also

 9 comes into play when we look at things like trip

10 reductions because of transit. In this case,

11 the traffic study used a 75 percent reduction in

12 retail trips, which really wasn't justified or

13 backed up in the document and seems very high,

14 in our opinion.

15   We're not sure what is going to go in

16 as this retail usage. Different types of retail

17 will have a big impact on the amount of trips

18 that are actually generated. Certainly, if it's

19 a lighting store, like is currently at that

20 location, not many people would buy a chandelier

21 and take the train. So it would be helpful to

22 know what the intent is.

23   According to the TIA, before any

24 refinements are made based on what I'm

1   presenting tonight, VAI projected that 336 new

2   trips would be generated at the site on an

3   average weekday. That's a 24-hour period.

4   During the morning peak hour, 16 new trips would

5   be generated, and during the evening peak hour,

6   33 new trips would be generated.

7   On a Saturday, 24-hour period, 296 new

8   vehicle trips would be generated, and during the

9   peak on that Saturday, there would be 25 new

10 vehicle trips. Again, this is all based on the

11 information that was provided before any

12 refinements to the trip generation is made.

13   Operational analysis was performed at

14 the study intersections. Because there was such

15 a light amount of traffic that was presented in

16 the TIA, there was a very slight increase and

17 delay at the study intersections, pretty

18 negligible, but again, we would need to see how

19 the revised trips would impact the no build and

20 the build comparisons.

21   The TIA presented a transportation

22 demand management program, TDM, to include

23 designating a transportation coordinator,

24 posting transit schedules in public locations in

 1   the building, as well as providing links to the

 2   MBTA website, providing bicycle spaces, both

 3   inside and outside of the building, along with

 4   lockers, showers, and changing areas, providing

 5   an electric car charging station, providing MBTA

 6   discounts to tenants and Hubway discounts to

 7   tenants as well.

 8   A site distance evaluation of the new

 9   site driveways was not provided, so we would

10   request that one be provided, along with

11   collecting speed data along the roadways, a

12   basis on those site distance comparisons. We

13   would also ask that a revised site plan be

14   provided to identify what parking spaces -- or

15   how much parking is going to be impacted on

16   Sewall.

17   Certainly, the balance here is to

18   provide safe site distance from the proposed

19   driveways, one of which is closer to the

20   Longwood intersection than existing, all the

21   while trying to not impact on-street public

22   parking too much. Of course, safety is

23   critical. Safe site lines is critical.

24   Speaking of parking, as Maria had

1 mentioned earlier, not only will the on-street

2 parking be impacted on Sewall, but also a few

3 parking spaces on Beacon will also be impacted

4 with the current proposal of converting them to

5 a taxi drop-off area right on the front side of

6 the building, again impacting the number of on-

7 street parking spaces.

8   The on site circulation is going to be

9 covered in greater detail by Art from Walker

10 Parking in a moment, but a few things to note.

11 Vehicle templates were not provided to really

12 clearly identify what the intended circulation

13 was. The driveway widths appear to be very

14 narrow. Scaling the plans off, it appears that

15 the western driveway is only 18 feet wide, the

16 eastern driveway is 13 feet wide, yet the

17 proposal from what we've seen in the TIA

18 indicates two-way access at both driveways.

19   The town's zoning bylaw requires 20

20 feet minimum for two-way traffic. And the TIA

21 indicates the site drives will be a minimum --

22 should be a minimum of 24 feet in width. So

23 there are a number of inconsistencies having to

24 do with what the intended circulation is.

 1   So we would like to see what vehicle

 2   templates would look like for certainly the

 3   vehicles, passenger vehicles entering to park,

 4   as well as the trucks loading on site. Whether

 5   or not it's anticipated that those trucks will

 6   have to back into Sewall or if clockwise

 7   circulation is anticipated, again, further

 8   clarification is required.

 9   The other thing that we would want to

10   take into consideration is what will those truck

11   volumes be depending on what the retail usage

12   will be, what will the delivery times be for

13   those trucks, and how will they impact traffic

14   during the peak periods.

15   Lastly, trash pickup clarification is

16   requested. We're not sure where the trash will

17   be located or where the trash trucks will back

18   in, so we request further clarification on that.

19   And that concludes the findings on the traffic

20   portion before we get into the more detailed

21   parking in site.

22   MR. GELLER: Questions? Randolph?

23   MR. MEIKLEJOHN: Just a question about

24   the vehicle templates that you were speaking

1   about at the end. Could you just speak a little

2   bit about that? Could you explain what that

3   looks like when the information is provided?

4   Are these, for example, you know, flan (?)

5   diagrams of vehicles of difference and here's

6   how it moves through --

7   MR. FITZGERALD: Exactly. So when

8   you're designing anything, a roadway or a site,

9   you're making sure that the appropriate vehicles

10 can get through where they need to go. So for

11 the passenger vehicle access, for instance, it

12 would be a regular passenger vehicle, which is a

13 smaller sized vehicle, compared to trucks trying

14 to back into the loading docks.

15   That template shows clearly where

16 those vehicles will be, where the tires will be

17 located as they drive through and turn. The

18 intersection corners on the site plan that we

19 have so far appear to be extremely tight, so

20 it's important to know if these maneuvers are

21 feasible with these size vehicles.

22   MR. MEIKLEJOHN: So does that yield a

23 drawing that has --

24   MR. FITZGERALD: Yes.

 1   MR. MEIKLEJOHN: -- for a car and one

 2   for a trash truck and that sort of thing?

 3   MR. FITZGERALD: Correct, and you can

 4   physically see where those tires will be, where

 5   the vehicle overhangs will be relative to the

 6   curb lines to make sure it all fits.

 7   MR. GELLER: The data codes that you

 8   mentioned, in particular as they apply to

 9   retail, are there subcategories that are

10   dependent on type of retail? In other words,

11   assuming we were -- the board were to press the

12   applicant about type of retail; would we be able

13   to determine or distinguish between more

14   intensive retail uses versus less intensive

15   uses, and would that apply as data code points

16   for your analysis?

17   MR. FITZGERALD: So if you were to

18   specify a specific retail --

19   MR. GELLER: Grocery store.

20   MR. FITZGERALD: -- that exists

21   today --

22   MR. GELLER: Grocery store.

23   MR. FITZGERALD: Grocery store. Well,

24   that would have its own --

 1   MR. GELLER: Separate --

 2   MR. FITZGERALD: -- land use code,

 3 LUC, right. You know, if it were a convenience

 4 store, say it was a small convenience store, one

 5 might argue that, well, somebody wants to grab a

 6 water as they head up to their apartment, that's

 7 one thing. But with over 12,000 square feet of

 8 retail, and I'm sure it's something more

 9 substantial, the question is what is it.

10   As I mentioned earlier, the lighting

11 example. I would suspect everybody would travel

12 via their own passenger vehicle to some sort of

13 land use like that, not that I'm suggesting

14 that's what's going to remain there.

15   MR. GELLER: Can you give us an

16 example of a less intensive retail use?

17   MR. FITZGERALD: I mentioned the

18 convenience store.

19   MR. GELLER: But a convenience store

20 is really going to be a significant amount of

21 square footage.

22   MR. FITZGERALD: Correct. What would

23 be a lesser use? Honestly, I would have to do a

24 comparison, and it would vary -- each usage

 1 would vary between a.m., p.m. and Saturday as

 2 well. So if you were looking at a retail of a

 3 hardware store, for instance, morning, you know,

 4 that won't have much weekday traffic.

 5   MR. GELLER: What I'm getting at is it

 6 seems to me that the very nature of the use,

 7 which is retail, it would be one thing if it

 8 were designated commercial space. There is

 9 softer commercial space, but the nature of

10 retail is you are inviting others to come to

11 your store, purchase items, and take them away

12 with them.

13   MR. FITZGERALD: Correct.

14   MR. GELLER: And that requires a

15 certain demand letter.

16   MR. FITZGERALD: Correct. And we're

17 also assuming here that there's no restaurant

18 usage anticipated, but we're all just guessing.

19   MR. GELLER: But that is a retail use.

20   MR. FITZGERALD: But that would also

21 have a huge impact on parking as well, which I'm

22 sure Art can chime in on in a moment.

23   MS. POVERMAN: I guess I'll save my

24 question as to the reason for rationale for

 1 dividing the parking into 45 retail, etcetera,

 2 on the resting residential. You refer in here

 3 to a traffic network, and I'm wondering as

 4 you're discussing projected traffic volumes, and

 5 then you discuss the no build traffic volumes on

 6 seven or so intersections, and you've got a

 7 sentence saying, "Back up traffic networks for

 8 each of the above developments were not provided

 9 in the TIA," and I just don't know what a

10 traffic network is.

11   MR. FITZGERALD: So a traffic network

12 is essentially like a turning movement diagram.

13 So for each of those developments that are

14 provided, there are, as you know, a full book of

15 traffic studies that show how many trips are

16 generated by that development, and they

17 distribute those trips throughout the network,

18 the roadway infrastructure, throughout all the

19 intersections.

20   So we have turning movement diagrams,

21 we call them, that show three vehicles that are

22 generated by the site will turn right at this

23 intersection and then turn left into the site

24 driveway. That sort of information was not

 1 necessarily in the report from VAI, but we had

 2 that data available from other studies, so we

 3 were able to verify the numbers lined up.

 4   MS. POVERMAN: Thanks.

 5   MS. SCHNEIDER: I have a question.

 6 I'm sorry.

 7   MR. GELLER: Sure.

 8   MS. SCHNEIDER: I think, though, we

 9 have heard the applicant describe this project

10 as being an active adult residential complex

11 targeted or restricted to 55 and older. Does

12 that have any impact on your analysis or your

13 assumptions in terms of mode share or parking

14 demand or, you know, different peak hour

15 utilization?

16   MR. FITZGERALD: Again, the ITE trip

17 generation book is -- there are actually two

18 volumes about this thick each, so I believe

19 there's an over 55 land use code in there. What

20 would it do to the traffic volumes? Right now,

21 the traffic volumes were reduced by 65 percent

22 for transit uses. Over 55 would have a slightly

23 different amount of number of people who own

24 vehicles, perhaps. There might be some slight

 1 differences. I don't necessarily think it would

 2 be all that great. But certainly, if that is

 3 part of the proposal, then we can look into that

 4 in more detail.

 5   MS. POVERMAN: I would find that

 6 helpful.

 7   MR. FITZGERALD: Sure.

 8   MR. MEIKLEJOHN: Again, hopefully

 9 you'll have some data on it, because, you know,

10 in an informal discussion, man or woman on the

11 street opinions swing either way.

12   MR. FITZGERALD: Absolutely.

13   MR. MEIKLEJOHN: So some data if

14 you've got it.

15   MR. FITZGERALD: Absolutely.

16   MR. GELLER: Maria, have the requests

17 that are included in Jim's report been relayed

18 to the applicant for a response?

19   MS. MORELLI: No, only -- it was

20 actually this morning that we sent the letter,

21 so I'm not sure if the applicant or the

22 applicant's team has a response, but we should

23 ask.

24   MR. GELLER: Okay. But that letter

 1 has been relayed?

 2   MS. MORELLI: Yes.

 3   MR. GELLER: Geoff, have you seen that

 4 letter?

 5   MR. ENGLER: Yeah, we've seen the

 6 letter from Jim and from Art. We haven't seen,

 7 I don't think, your presentation that you made

 8 tonight.

 9   MS. MORELLI: No.

10   MR. ENGLER: We would respectfully

11 request a copy of that.

12   MR. GELLER: Sure.

13   MR. ENGLER: And we'll synthesize all

14 the information as we advance and modify our

15 plans.

16   MR. GELLER: And we'll keep particular

17 note to make sure to remind them that we're

18 looking for the data.

19   MS. MORELLI: Yes.

20   MR. GELLER: Great. Thank you.

21 Anything else for Jim? No?

22   MS. POVERMAN: No, nothing else.

23   MR. GELLER: Thank you.

24   MR. FITZGERALD: Thanks.

1   MR. GELLER: Art?

2   MR. STADIG: Good evening. Art Stadig

3   with Walker Consultants. I'm the parking peer

4   reviewer. Walker has prepared a peer review

5   report dated June 28, and I will review the

6   findings of our review.

7   As Jim had indicated, I don't need to

8   really go through it, but, basically, 74

9   residential units in approximately 12,300 square

10   foot retail. Also, the proximity of this

11   project to transit and the general area of

12   Coolidge Corner affects parking and some other

13   items that I will go through a little bit later

14   all play into that.

15   First and foremost, zoning requires

16   two spaces per unit for residential for these

17   size residential units, and the requirements are

18   one per 300 square foot for retail. So

19   combining those with the amount of units and

20   square footage of retail requires approximately

21   189 spaces by zoning, which is significantly

22   greater than what is actually being provided.

23   So there's a significant reduction of

24   approximately 1.22 spaces per unit for

 1 residential, leaving .78 spaces per unit

 2 provided, and that is that they are -- providing

 3 45 spaces will be allocated for retail, and the

 4 remaining 54 will be for residential, and that's

 5 how that .78 spaces per unit ratio is derived.

 6   Typically, we take a look at what's

 7 happening in the area. We look at the census

 8 data, the tracks that this is in and adjacent

 9 tracks. We certainly have looked at the

10 demographics of this particular residential,

11 that it's 55 and older, and that will affect

12 parking demand, and also certainly the proximity

13 to transit will affect the mode share and reduce

14 the overall parking ban.

15   But based on our experience, what

16 we've seen is something in the range of .7 to .9

17 is reasonable for this type of residential. In

18 this case, I believe it's the upper end of this

19 range for the residents themselves, or .9 demand

20 for just the residents.

21   It should also be pointed out that

22 typically, these discrete users, residential and

23 retail, have their own use patterns, and they

24 peak at different times. So if there's a shared

 1 use analysis performed, and if you are truly

 2 sharing parking, that can be taken into account

 3 with respect to what's going on here. So, for

 4 example, you would be pretty reasonable to say

 5 at midnight or overnight, you won't have any

 6 retail parking, or very little on a typical

 7 weeknight, and the entire amount of parking

 8 supply would be able to be devoted to

 9 residential.

10   So I think you get the idea there that

11 if there was more sophisticated shared use

12 analysis and, in fact, if everything, which it

13 appears to be, is sharing, and sharing well,

14 that that will help the overall parking supply

15 demand situation for the project.

16   Further, the zoning requires that you

17 have ten percent of the required residential

18 spaces be allocated under these types of mixed

19 use residential for a visitor and/or

20 tradespeople parking. So since two is required,

21 ten percent of that would be .2 spaces per unit

22 would be provided and allocated for visitors and

23 tradespeople. This aligns fairly well with some

24 of the industry standards, ULI (?), that are in

1   the range of .1 to .2, depending upon location,

2   etcetera.

3   So based on that, we feel that it's

4   probably reasonable to say that there would be

5   about, at given times, ten extra vehicles of

6   either visitor or tradespeople, home healthcare,

7   etcetera, that there would be needing to be

8   parking somewhere. It would be pretty

9   reasonable to think that they could park within

10 the parking area, just as any other visitor or

11 retail user would.

12   But the point on that would be that

13 you would add that demand in addition to the

14 residential demand, which would get your overall

15 demand ratio up to in the range of 1 to 1.1

16 spaces per unit. So we think that's a

17 reasonable area. If you take into account

18 shared use, that helps. ameliorate the situation

19 a little bit.

20   We don't really take exception to the

21 residential peak hour volumes that were

22 established in the traffic report. Typically,

23 residents don't have high peak hour movements.

24 They're spread out a little bit more, and

1 they're actually quite predictable, so that's

2 really not the issue. Retail is another story,

3 and we'll get into that in a minute.

4   As has been discussed here, there

5 really is no indication as to what type of

6 retail tenant there is, so it's really difficult

7 to estimate exactly the adequacy of both parking

8 demand and peak hour volumes until you're really

9 more established a little bit better as to what

10 the retail use could be.

11   What we typically see is peak hour

12 factors that range anywhere from 30 to 60

13 percent movement in that peak hour. So if you

14 had 100, let's say, retail parking spaces, your

15 peak hour movement could vary from 30 to 60

16 vehicles. So in this particular case, we just

17 took an example of if we did have a particular

18 retail use that would generate 50 percent peak

19 hour volume, that's a little bit on the busier

20 end, but you could certainly see a grocer or

21 certain types of restaurants can generate that

22 type of volume and movement.

23   That may generate in the range of

24 about 22 vehicles per hour on an average basis,

 1 and then even within that hour, there are peaks

 2 and valleys of use, which it makes it even more

 3 intense. The point on that would be that you

 4 would have a vehicle showing up about one every

 5 three minutes or so, both coming into the

 6 development and out using that approximate 50

 7 percent peak hour.

 8   The point of all of this would be to

 9 indicate how busy it can be and how much

10 activity you're going to be seeing. Typically,

11 with a valet operation, we would normally see

12 about one valet operator could handle about 12

13 vehicles per hour, or one every five minutes or

14 so. So the staffing levels that they've

15 indicated of approximately two people would not

16 be adequate at certain times, that they'd

17 probably actually need to have double, or even

18 more than that to handle that.

19   The challenge with that is actually

20 not so much that they couldn't staff up for it,

21 but you would really need to have the queuing

22 capacity or the ability to accommodate these

23 vehicles both coming and going and all of the

24 dwell time that typically occurs with that. As

 1 you could imagine, if somebody is pulling up to

 2 the retail establishment, pulls out of their

 3 vehicle, gets one of the children out of the

 4 backseat, gets the other one out of the car

 5 seat, puts them in the stroller, there's a lot

 6 of time involved with that, and that vehicle has

 7 to be there in a dwell waiting for the valet to

 8 pick it up.

 9   So all of these activities need to be

10 taken into account when looking at the overall

11 parking operation. So simply put, based on our

12 opinion, this area that we have outside off of

13 Sewall Street indicates six parking spaces. In

14 addition, what you really can't see by just

15 looking at that is these are extremely tight

16 parking spaces. The overall module at its

17 bumper-to-bumper dimension is approximately 55

18 feet, which is about five feet less than what

19 you typically see out in a typical parking lot,

20 retail parking lot.

21   Because of the extra tightness, this

22 will constrain movement, slow things down

23 considerably, and further exacerbate the

24 challenges of having this type of volume or

 1 movement. It's our opinion that if this were

 2 strictly residential, you probably -- strictly

 3 residential, and if the parking geometrics were

 4 improved, you probably would have an okay

 5 operation with what you have shown here, a valet

 6 with a couple of elevators.

 7   However, with a retail operation of

 8 this size with this amount of parking, we think

 9 there's going to be significant problems with

10 the amount of space that you have up there. And

11 as you could imagine, this may back up a queue

12 into the streets, etcetera or, quite simply,

13 just not work, and people just don't come here.

14 So we are requesting because of that that there

15 be a detailed operational study of the valet

16 operations under the conditions that the

17 proponent has put forth to insure that this all

18 works.

19   MS. POVERMAN: Art, I have a question

20 about the structure of the inside parking lot,

21 or the inside. There are cars all around

22 obviously the walls, but then are you aware of

23 what is happening with the three or four cars

24 that are parked right in front of the other

 1 parking spaces? Are these just kind of floating

 2 cars or --

 3   MR. STADIG: I'll tell you what, I

 4 will address that a little bit later.

 5   MS. POVERMAN: Sure.

 6   MR. STADIG: That way, we can more

 7 thoroughly get into that as opposed to shifting

 8 from what's going on here at the grade level.

 9   What we're also not clear, as Jim had

10 alluded to earlier, is that there is really no

11 indication as to how this is intended to work.

12 As Jim indicated, the dimension of this curb cut

13 is approximately 19 feet, that's what we have

14 scaled, and this, I believe, is 13 feet. Those

15 are inadequate for two-way movement, you know,

16 vehicles moving in both directions.

17   Typically, you'd see something closer

18 to 24 feet, actually even slightly greater than

19 that with this very high turnover activity would

20 be actually preferred. The one-way nature of

21 Sewall would indicate that the vehicles may

22 enter one way into either one of these and then

23 circulate around. I don't really have a super

24 strong preference which is preferred, but

1   perhaps if there is no blockage with loading

2   operations, vehicles may turn in here, pull this

3   way, and drop off at the porte-cochere in front

4   of the front door.

5   The challenge with that is there is no

6   easy direct turn into the elevator. There would

7   actually have to be a three-point turn or a

8   five-point turn to get in there. Alternatively,

9   if you enter here, you're also exiting here or

10 creating a cross problem if you're trying to --

11 so it's just a whole mess of issues that would

12 really need to be studied with what's going on.

13   One additional item is that Mass.

14 accessibility regulations require that you have

15 an accessible drop-off, pickup location. I'm

16 not saying that they can't provide that, but

17 that needs to be taken a look at. We assume

18 that the retail back door entry is at this

19 location. There is one presumably accessible

20 parking space that would accommodate some of the

21 accessible parking needs, maybe the accessible

22 drop-off, but this would all have to be studied.

23   Mass. accessibility regulations

24 indicate a relief from providing van accessible

1   parking spaces within a valet operation, but

2   does not relieve the amount of accessible

3   parking spaces that are required. So we still

4   believe that four accessible parking spaces are

5   required. Mass. accessibility regs do not

6   really get into exactly where they need to be.

7   The common sense approach would indicate that

8   perhaps if you have one up here that that would

9   be adequate and that the three other accessible

10 spaces would be -- or the valet would put them

11 down below.

12   I will point out that the ADA, ADAG

13 regulations are not so easy on that and further

14 indicate that they do not allow you to not have,

15 in our interpretation, the accessible parking

16 spaces out front. They used to allow you to get

17 away with that, but with more recent 2011

18 changes, you are required to put all accessible

19 spaces out front where the valet drop-off and

20 pickup location is. So there needs to be some

21 further review on how accessible parking and

22 accessible drop-off and pickup are taken into

23 account.

24   We agree with the traffic report that

1   electric vehicle charging should be provided

2   down below. That shouldn't be a problem,

3   although it will be a little bit tricky with the

4   vehicle stackers. That needs to be looked at.

5   Having said that, if I can flip to the lower

6   level and talk about the --

7   This is actually, I believe, an

8   earlier version. The parking layout, the floor

9   plan, is, I believe, still the same. The

10 section view, I think, is an earlier version

11 that shows two lower levels. There's only one

12 level of parking there, so this is not current.

13 But really what I'm looking at is this one level

14 of parking.

15   There is your elevators. The vehicles

16 are brought down on the elevator lifts, and then

17 the valet attendants drive the vehicle around to

18 any one of the positions. Each one of these

19 positions lining the walls are vehicle stackers

20 or mechanical vehicle lifts. That's a two-

21 position stacker. There's a vehicle below and a

22 vehicle that's lifted up on the lift above.

23   These are pretty common. Their use is

24 pretty simple. We have a number of locations in

1 Boston that have these. They do require a valet

2 operator, typically, to use them, so there's

3 nothing really too special with that other than

4 from an operations standpoint. You need to take

5 that into account with respect to how long it

6 takes to retrieve vehicles, etcetera, and that

7 essentially turns out to be a staffing level

8 that really has to be looked at to insure that

9 you can move vehicles around.

10   Once again, if it were purely

11 residential with no retail, I would not see any

12 issues at all. This would be a fairly

13 straightforward, easy operation. With the

14 retail component and the amount of turnover, it

15 would get quite busy, both inside the garage,

16 down below, but more importantly, up at the

17 drop-off, pickup area at grade.

18   We've reviewed the overall operation

19 of how vehicle lifts work. This is, like I

20 said, pretty common and denser of an environment

21 to use this type of technique to densify (?)

22 parking. We don't see anything particularly

23 unusual about it. It's not really necessarily

24 addressed by zoning, per se, but we don't see

 1 that there's any operational issue with it.

 2   The proponent has requested a waiver

 3 from off street parking design and dimension

 4 requirements. They don't really say

 5 specifically case by case what they are, but

 6 typically, within the garage, this dimension

 7 module here is 57 feet, so they're requesting

 8 quite a number of these vehicle stackers be

 9 compact spaces.

10   Really, essentially, what they're

11 saying is the drive lane is not adequate for

12 full size vehicles, so they want column

13 compacts, but the width of them is ample enough

14 to put in a regular width parking space. That,

15 to us, is the more important issue that you

16 really want a full size width stacker to allow

17 them to get in and out and make the operation

18 easier.

19   We don't really take too much

20 exception to any of the dimensional

21 requirements, because it's going to be valet

22 operators down there. They're going to be used

23 to the conditions, the tight conditions.

24 They'll learn how to navigate through there.

 1   Quite frankly, that's their concern as to how

 2   they can park. We see that. It's adequate for

 3   what they've shown.

 4   There's quite a number of tight

 5   dimensions. For example, the dimension between

 6   the stair tower and the stackers only allows

 7   about an 18-foot drive lane. It's very

 8   difficult to get a regular sized vehicle, and it

 9   would almost have to be you have to have compact

10   cars parked there. But once again, that's

11   something that they would need to take a look in

12   and/or accommodate.

13   That's the conclusion of our review,

14   and I'd be happy to answer any questions that

15   you might have.

16   MR. GELLER: Questions?

17   MS. POVERMAN: I just want to start

18   with one. Sorry I'm jumping in. So based on

19   your statement that one valet can handle about

20   12 vehicles per hour and the machinations that

21   need to be done, would it be fair to conclude

22   that it will take about five minutes per car to

23   get people in or to valet take it, park it, come

24   back? My concern would be if it takes anywhere

1 near that long that there will be a queue

2 forming while people wait to get the valet to

3 take their car, etcetera.

4   MR. STADIG: I'd say yes. So to get

5 with the approximate 12 -- I mean, that's an

6 approximation and an average, if you will, given

7 reasonable conditions of, you know, what the

8 parking situation is, but that's a general rule

9 of thumb. If you were to ask a parking

10 consultant or valet operators, that's a general

11 range. So having said that, you're correct. It

12 would be about five minutes per transaction.

13 From the time they greet the customer pulling up

14 until the time they place the car and run back

15 up, it takes approximately five minutes.

16   So with the appropriate staffing

17 levels, we would have to take a very serious

18 look at what type of retail use is, and actually

19 what type of peak hour volume that they would be

20 seeing there to see, in fact, if it is going to

21 be backing up and queuing. But I believe, in my

22 experience, if there is any reasonable middle

23 ground retail operation, they will absolutely

24 from time to time have problems. They just

 1 won't be able to move the vehicles quick enough.

 2   Just the timing, the random nature of

 3 when a vehicle -- three could show up at once,

 4 five could show up at once. It's not that they

 5 come exactly every three minutes. So you need

 6 that adequate queuing capacity and stacking

 7 capacity to make it work, and that's if

 8 everything is working perfectly.

 9   The dwell time you'd get, though, with

10 the family that shows up with three toddlers in

11 the back, or if they're coming out of the retail

12 establishment and they have parcels, and it

13 takes time to load them into vehicles, all of

14 these things, you know, need to be taken into

15 account with respect to that type of operation.

16   MR. GELLER: When you're referring to

17 staffing, I think the assumption we make is that

18 you're referring to bodies to operate two

19 elevator systems, two mechanical devices, right?

20 You're not talking about increasing the number

21 of mechanical devices?

22   MR. STADIG: No. The number of

23 elevators is what fits. They are actually tight

24 in terms of dimensional requirements. In other

 1 words, if they can make these elevators a foot

 2 or two wider, that would be great to help move

 3 things along a little bit quicker. There is a

 4 redundancy, so at least they have two. It's

 5 certainly possible for an elevator to break

 6 down, but I'm not talking about that condition,

 7 that's something else. But you do need that

 8 redundancy.

 9   Typically, if you have two of these,

10 one is going to be operating in the in and down

11 mode to get vehicles in, and one is going to be

12 operating in the up and out mode. Because if

13 you think about it in the retail environment,

14 you know, like I'm saying, in that peak hour,

15 you have 22 cars coming in in an hour or 22

16 going out in an hour, both of these elevators

17 are going to be just really working hard. And,

18 you know, no mishaps, no screw-ups, everything

19 is moving pretty smoothly to try to keep things

20 moving along.

21   MR. GELLER: Is there some existing

22 standard that determines calculation of the

23 number of elevators that are appropriate, given

24 types of use and demand?

 1   MR. STADIG: No, no standards, but it

 2 is based on experience, and consultants such as

 3 ourselves can take a look at that, and they'll

 4 look at a specific situation and run

 5 calculations. Elevator consultants can do it

 6 also.

 7   MR. GELLER: Thank you. Other

 8 questions?

 9   MR. MEIKLEJOHN: I have a few. The

10 first one is about the parking plan that you

11 have up on the screen. I think you said at the

12 left end of the drawing towards Beacon Street

13 that the -- I'm going to call it the "depth,"

14 the up and down on the drawing from the end of

15 one car against the wall to the end of the

16 opposite car against the opposite wall, what's

17 the dimension there?

18   MR. STADIG: That dimension -- we've

19 measured that or scaled that at about

20 approximately 57 feet from bumper to bumper.

21   MR. MEIKLEJOHN: Is that not adequate

22 for full size vehicles? Is that what you were

23 saying before?

24   MR. STADIG: Your zoning requires, I

 1 believe, 59 feet for 8 foot 6 stalls and 58 feet

 2 for 9 foot stalls. A normal or most often and

 3 most used standard would be a 60-foot module.

 4 So what you typically see whenever you're

 5 driving around is most often a 60-foot module.

 6 Just for a reference point, this is 57 feet.

 7 What they're saying is that they would use

 8 compact spaces, which zoning allows for 16-foot,

 9 which would then give them the relief to have

10 16-foot, plus an 18-foot stall on the other end,

11 plus a 23-foot drive lane, and I think that adds

12 up to 57 feet.

13   MR. MEIKLEJOHN: Right. I mean, if

14 the footprint of this building is at the lot

15 lines on either side, I think that the 57 feet

16 is -- without some structural heroics, that's

17 what you can get because of the size of the

18 property?

19   MR. STADIG: Right.

20   MR. MEIKLEJOHN: Second question.

21 This is about the accessible spaces. My

22 understanding is that the requirements -- or

23 that the need for accessible spaces arises from

24 the operators or the passengers in the vehicles

 1 who might have a disability. But you said at

 2 one point, one of the required spaces appears to

 3 be proposed at the street level, and the others

 4 could be scattered or run down to the stack

 5 level. And my question is what's the point of

 6 having accessible spaces when the driver and the

 7 passengers have already gotten out of the car

 8 and the valet has taken it?

 9   MR. STADIG: Yeah, if the valet could

10 take the vehicle. For the most part, 99 and

11 44.100 percent of the time, the vehicle is fine.

12 The valet can take it, as long as there's an

13 accessible drop-off, pickup location per Mass.

14 accessibility regs, it's got the appropriate

15 clear aisle widths, flatness, etcetera, that

16 would all be designed. No big deal with that,

17 but that would be what you would need to allow

18 accessibility either into the residential and/or

19 into the retail.

20   Every once in a while, you have a

21 vehicle that is being driven by a paraplegic,

22 and it's a special operations vehicle that can

23 only be operated by a paraplegic that knows how

24 to operate that, so the van -- or the valet

 1 operators would not know how to operate that.

 2 So in that case, you would have to have one spot

 3 up on grade that would act as that location for

 4 that vehicle that the vehicle operators can't

 5 operate. Does that make sense?

 6   MR. MEIKLEJOHN: Sure. You know, I

 7 guess what it's making me think is that -- well,

 8 I'll get to my third question in a minute where

 9 this issue comes up again, but let me just say

10 about the dimensional requirements for drop-off

11 space relative -- and we've talked about this

12 with any kind of arriving vehicles, but

13 especially for people with disabilities -- I

14 guess I'm not sure that we're seeing on the

15 drawings yet enough specific locational

16 dimensional information about that --

17   MR. STADIG: Yeah, I would agree with

18 that. What I would say is this space here, it

19 looks like a normal accessible parking space,

20 not a van accessible space. It's a regular

21 space. So one out of six or one out of eight,

22 depending upon on which regulation of all

23 spaces, and at least one needs to be a van

24 accessible space, typically.

1   What that requires is a wider

2   accessible area next to it for wheelchair lifts,

3   etcetera. So what I would say is that space

4   there should, by rights or by meeting

5   requirements, be a van accessible space, meet

6   the dimensional requirements of that. Whether

7   or not it's acceptable to have that as both the

8   accessible drop-off location there or in this

9   porte-cochere area right here could be an

10   accessible drop-off location, I could see one or

11   both or, you know, being probably what could be

12   designed in there.

13   MR. MEIKLEJOHN: I mean, just at first

14   glance, I had a lot of questions about that

15   being that van space. You know, any path on a

16   walking area, you're basically walking through

17   three door swings to get to the entrance. So I

18   think there's much more information needed.

19   MR. STADIG: One other minor point.

20   This area here, I believe, is open to blue sky.

21   It's also open to white snow. So there's just a

22   little bit of complication there in season, as

23   we all know. This area will just have to be

24   maintained, and it's just one other little thing

 1 that's going to make things more complicated

 2 from time to time.

 3   MR. MEIKLEJOHN: Right. My last

 4 question, and this is part of the comment on

 5 your remarks, and it's partly also for us, but

 6 it goes back to your recommendations that the

 7 applicant submit some additional operational

 8 analysis. And my understanding is this question

 9 is arising because of the limited site area

10 devoted to drop-off arrival pedestrians, Uber

11 and Lyft, retail entrance, trash, accessible

12 parking, valet activities, that sort of thing.

13   And I guess what I'm getting out of

14 your presentation is that whether or not this is

15 such a situation, there is such a thing as a

16 design where the combination of small area and

17 valets and entrances and uses yields a result

18 that backs traffic up into the public way in a

19 manner that's unacceptable and doesn't deserve

20 approval.

21   So my question for us procedurally is

22 at what point is it appropriate to request, for

23 example, show us the design where there are

24 ramps, not valets, since the valet machines are

 1 clearly at the bottleneck; show us a design

 2 where there was free passage and drive yourself

 3 down to the lower levels in order to look at

 4 different outcomes in the public way.

 5   MR. GELLER: Let me first make sure I

 6 have your question correct. In particular -- I

 7 sort of want to change your question. You'll

 8 have to forgive me.

 9   MR. MEIKLEJOHN: I'll listen to that.

10   MR. GELLER: Outside of extraordinary

11 circumstances, there's no scenario in which

12 backup queuing into the public way is

13 acceptable. So the question really is about at

14 what point does the ZBA make a determination

15 based upon peer review that the circulation or

16 the methodology, the mechanics for the parking

17 as shown are insufficient, and therefore, an

18 alternative methodology needs to be looked at.

19 At what point does that ask get made? Is that

20 what your question is?

21   MR. MEIKLEJOHN: Um-hmm.

22   MR. GELLER: So in my view of it, I

23 think that there certainly is a fair amount of

24 data that we received tonight, and I want to

 1   thank Jim for assisting us with this. I think

 2   there's a fair amount of data that would suggest

 3   that we clearly can say to the applicant, as we

 4   typically do to try and refine the project, to

 5   try and direct -- give direction to the

 6   applicant, you've got some issues, and I think

 7   you know what those issues are. You've heard

 8   peer review. I think you need to start looking

 9   at those issues.

10   It seems to me that it's clear from

11   peer review there are questions about

12   circulation, there are questions about safety,

13   and I can't be anymore direct than that. There

14   are questions about adequacy of your drive

15   widths. There's missing data that doesn't allow

16   us to consider some of these aspects. All of

17   that I think you need to seriously start to

18   think about.

19   The issue about when the ZBA gives an

20   official charge, I think, unfortunately, in

21   fairness to the applicant -- because I don't

22   want them running around redesigning a project

23   until we've had full peer review. Most

24   importantly, we have at our next hearing design

1 peer review, and that's fairly important. You

2 know, I would think at the end of that hearing,

3 it would be appropriate for us to start to give

4 our charge to the applicant, but I think they

5 could figure out what's going on here.

6   MR. ENGLER: For the record, Geoff

7 Engler from SEB, representing the applicant.

8 I'll address the question even more globally

9 than the parking, and I hope the board would

10 agree. Typically, the board here and others --

11 it's not the board's responsibility to say do

12 this design or put in a ramp or change this

13 facade. It's we have issues that your peer

14 reviewers have identified, that the neighbors

15 have identified.

16   You are the designers, how are you

17 going to address it. And maybe it satisfies the

18 board, maybe it doesn't, but it's incumbent on

19 us to interpret everything that we've heard and

20 try to find solutions to some of the issues that

21 are real and relevant. Hopefully, we can find

22 solutions to all of them, probably unlikely, but

23 I would say there's a hierarchy of things that

24 are important, and we better solve the ones that

 1 are identified by the board as really important,

 2 one of which is does it work and stuff like

 3 that.

 4   So we recognize your issue, a lot of

 5 the things that we've heard tonight, and we

 6 certainly -- you know, it's getting to a point

 7 in the program where we now need to kind of roll

 8 up our sleeves and start looking at some

 9 changes. In that note, I'd like to ask one

10 question or request of the board and of Maria.

11 Maria gave a thorough presentation tonight,

12 which I thought was very helpful, but by her own

13 admission, she's not an architect, and she had a

14 lot of design related recommendations or

15 observations.

16   We've worked with Mr. Boehmer many

17 times and respect his judgment, and he's had the

18 benefit of these plans for a while. And I

19 recognize he's presenting on September 5, but I

20 would hope it's not unrealistic for him to

21 provide us with some written comments in the

22 next week or two, because it would be a waste of

23 our time and energy if we took some of Maria's

24 design related comments, made changes, and Cliff

 1 was like yeah, I don't like that or I don't

 2 agree with Maria, because then it's just a waste

 3 of time.

 4   So if we can get Cliff's comments.

 5 The stuff going on below ground or parking, I

 6 mean, you know, I'd defer more to Jim and Art in

 7 that regard, but the stuff above is really

 8 Cliff. So we can certainly start going, and

 9 we've already started to think about a lot of

10 these things, to be quite candid, but if we can

11 somehow get Cliff's comments, even if it's not

12 his formal total thing, but say, you know, these

13 are kind of my bullets or whatnot. That would

14 give our architects and our whole team

15 everybody's comments, which we can synthesize

16 and start to make some changes.

17   MR. GELLER: Well, I'll let Maria

18 speak to whether Cliff can provide those in

19 advance of the hearing. What you won't have is

20 you won't have the ZBA's comments at a hearing.

21 So I want to be clear. Look, I'm fine. If you

22 want to take Cliff's preliminary findings and

23 start thinking about issues, great, I'm all in

24 favor of it. But at the end of the day, it's

1   the ZBA that gives the charge.

2   MR. ENGLER: Of course. I certainly

3   understand that, but between -- what's tonight

4   -- the 11th and the 5th, that's almost two

5   months, so that's a lot of time. You know, it's

6   a lot of time for us to do some good work, but

7   it's certainly a lot of time for us to get

8   Cliff's comments, introduce some changes through

9   Maria and feel out, as we've done on other

10 projects, are we going in the right direction,

11 does this work, does it not, get Cliff's input.

12 That's really kind of what we're hoping to

13 achieve before the 5th, because that is a lot of

14 time.

15   MR. GELLER: I agree.

16   MS. MORELLI: First of all, it would

17 be productive for them to have Mr. Boehmer's

18 comments, understanding that you don't have to

19 agree with any peer reviewer's advice. You

20 might need to push Cliff further, or you might

21 think that he's gone too far. So I just want to

22 set the expectations that you give the charge,

23 and you don't necessarily have to agree with the

24 peer reviewer.

 1   I will need a check from the project

 2   team -- from the applicant for Cliff Boehmer

 3   for him to begin work, so he won't begin work

 4   unless --

 5   MR. ENGLER: Oh, I wasn't aware of

 6   that.

 7   MS. MORELLO: I know when it's coming.

 8   It's just I haven't received it yet.

 9   MR. ENGLER: All right. Put it in an

10   email. Thank you.

11   MS. MORELLI: I think that was pretty

12   much it.

13   MR. GELLER: So just to be clear, if

14   that is possible, I agree with Geoff that that

15   would be a good idea. It is a long period of

16   time, so anything that we can do to get them

17   started on the process is obviously helpful.

18   MS. MORELLI: Okay.

19   MR. GELLER: Thank you.

20   MS. SCHNEIDER: Can I ask Art one last

21   question?

22   MR. GELLER: Sure. You can even ask

23   Art two questions.

24   MS. SCHNEIDER: And I might.

 1   MR. STADIG: That's why I sat here.

 2   MS. SCHNEIDER: Thank you for not

 3 going very far. Some of the accessibility

 4 issues that you raised are under either state or

 5 federal statute, right?

 6   MR. STADIG: Correct.

 7   MS. SCHNEIDER: So those are not

 8 things -- and I say this for us. Those are not

 9 things that we have any jurisdiction over, and

10 we cannot grant a waiver from those provisions.

11 But can you give us some sense of how common it

12 is for a project proponent to seek and receive

13 either state or federal waivers from these

14 requirements?

15   MR. STADIG: It would be very

16 uncommon. I don't know that too many people

17 seek state accessibility variance, and, in fact,

18 you can't really seek an ADA variance because

19 it's civil rights legislation. There is ADAG --

20 the guidelines of the ADAG regulations or

21 guidelines, the code, so to speak, but the way

22 this gets sorted out is in the court. People

23 sue, and it goes from there. So there really is

24 no way to really request a variance. You're

 1   just getting challenged later on by law.

 2   MS. SCHNEIDER: Thank you.

 3   MR. GELLER: Good question. Thank

 4   you. Anything else? Anything else

 5   administratively? Are there any technical

 6   questions? I'm not forestalling anyone from

 7   raising additional technical questions. Are

 8   there technical questions that anyone may have

 9   for peer reviewers? If you can't think of them

10   at this moment, send the question in by email,

11   and we will forward those along to the peer

12   reviewer. Ma'am, you have a technical question?

13   MS. SYDNEY: Good evening. Roberta

14   Sydney. I represent 1309 Beacon Street and 1319

15   Beacon Street. My technical question would be

16   about the emergency vehicles. I didn't really

17   hear a lot about that tonight and specifically

18   would ask that there be some consideration if

19   there was an ambulance in that drive area or a

20   fire truck in that drive area, what happens then

21   in terms of the queuing, the accessible, the

22   person with the stroller and so forth? So

23   that's my question.

24   MR. GELLER: Sure. Thank you.

 1 Anybody else? Sir, in the back?

 2   MR. ROSENCRANZ: My name is Robert

 3 Rosencranz. I'm a trustee at 11 Longwood

 4 Avenue. These are really just clarifications,

 5 points of clarifications that I have for the

 6 peer reviewers, and part of it is because it's

 7 kind of technical.

 8   One was that there were some flaws

 9 pointed out to the original traffic study in

10 terms of timing, that it was done during Martin

11 Luther King, which might have been a slow week,

12 and I wasn't quite sure if you said that you

13 would do another traffic review, or you just

14 adjusted that. I wasn't sure what the answer to

15 that was.

16   MR. FITZGERALD: What we were

17 suggesting is that some sort of justification be

18 provided for those traffic counts, so either the

19 applicant do additional counts or show some sort

20 of rationale that those previously done counts

21 are accurate enough. So we're asking the

22 applicant to provide us with more traffic data.

23   MR. ROSENCRANZ: So you are not going

24 to do a traffic study?

 1   MR. FITZGERALD: Correct.

 2   MR. ROSENCRANZ: You're asking more

 3   information from the applicant?

 4   MR. FITZGERALD: That can be provided

 5   to us for our review.

 6   MS. MORELLI: Sir, may I just

 7   interrupt? Mr. Chairman, I have a question

 8   about when that would be done, since this is the

 9   summer vacation period. So if Mr. Fitzgerald

10   has some advice about if these traffic counts

11   were to be redone, the optimal time. What would

12   satisfy you?

13   MS. POVERMAN: Let me interrupt for

14   one minute. We need to take into account,

15   especially at that area, when Hebrew school is

16   in session because that's going to have -- a lot

17   of kids go, you know, it's Tuesday afternoons,

18   and it would not be possible to adequately

19   determine what safety risks there might be

20   without taking that into account, even though it

21   wouldn't be evening rush hour or morning rush

22   hour.

23   MS. MORELLI: Thank you.

24   MR. FITZGERALD: I think to look at

 1 available account data in the immediate area

 2 would be very helpful. There might be other

 3 traffic studies done for other developments or

 4 for other purposes that may have counted these

 5 intersections a year, two years ago. That would

 6 be ideal if we could get that information, if

 7 that information was collected during a better

 8 month.

 9   MS. MORELLI: So just to be specific,

10 if this were done in July or August, that

11 wouldn't be helpful, correct? You wouldn't

12 really be satisfied?

13   MR FITZGERALD: Correct. You would

14 not get the schools in session. I think on a

15 weekend -- you know, keep in mind, this is also

16 being -- these counts were taking place on the

17 weekend. The counts that we're talking about

18 was in January of 2018. The traffic volumes,

19 between it being a very low traffic volume

20 month, there being not much activity and the

21 schools being out of session, the combination

22 probably made the volumes very low. I guess

23 what I would like to know is what available

24 information is out there.

 1   Even if we have a nearby intersection

 2   that we could use as a comparison and create

 3   some sort of a ratio so that we could carry --

 4   really, ideally, we would conduct traffic counts

 5   when school is in session in September, but I'm

 6   just trying to work around it to come up with

 7   some sort of a better estimate on traffic

 8   volumes. Traffic volumes fluctuate from day to

 9   day. It's not an exact science. But certainly,

10   to try to get the volumes to a more accurate

11   depiction of a typical Saturday would be

12   beneficial.

13   MR. ROSENCRANZ: The question was on

14   the parking, Art said that there were -- the

15   formula calls for 189 spaces, parking spaces,

16   given the residential population, and I wasn't

17   quite sure if you were saying that that would be

18   made up by sharing spaces with the space

19   allocated for commercial. I wasn't quite sure

20   what was said.

21   MR. STADIG: Basically, the zoning

22   requires 189 spaces. Of that, 148 would be

23   residential, and 41 would be for the retail

24   component of the project. Those two added

 1 together is the required number of 189 spaces.

 2 What I was saying was that based on experience

 3 in this area and looking at a lot of things in

 4 this particular type of use, etcetera, the

 5 residential demand is less than that, in my

 6 opinion, and in the range of approximately .9

 7 for the residents themselves would be adequate,

 8 and adding on top visitors would get you up to

 9 about 1 to 1.1, we would believe per unit would

10 be a reasonable supply provided.

11   The point is that the overall number

12 of spaces provided is 99. If you divide that by

13 74 units, taking retail aside for a moment, that

14 would provide a ratio of 1.34. So what I'm

15 saying is taking into the account the idea of

16 shared use, there are times when the retail is

17 down and residential is up and vice versa, that

18 you get a little bit more of a relaxation or a

19 little bit of help from that use of sharing the

20 spaces and that idea.

21   MR. ROSENCRANZ: But it would still be

22 outside the parameters?

23   MR. STADIG: It would still be below

24 what's required by zoning. Absolutely.

 1   MR. ROSENCRANZ: I just wanted a

 2   clarification on that. Thank you very much.

 3   MR. GELLER: Thank you.

 4   MS. WOLFMAN: Good evening. Eileen

 5   Wolfman, 30 Longwood Avenue. Given the traffic

 6   reports, I would just request that you not only

 7   take into consideration what might look like off

 8   hours of the Hebrew school, but the seasonality

 9   of shopping. So Trader Joe's generates an

10   enormous amount of traffic. You see it from

11   about 4:00 in the afternoon when Longwood Avenue

12   backs up right down almost halfway to St. Paul

13   Street to be able to get through to Harvard.

14   But I would suggest while it may be

15   nontraditional, actually getting data from

16   Trader Joe's on their cash register receipts per

17   hour, per day, per month could actually be very

18   interesting, because come in from October 15

19   through Christmas, and that street at 4:00,

20   5:00, 6:00 is a nightmare. I do believe that

21   there was a fatal bicycle accident a couple of

22   years ago. But thank you.

23   MR. GELLER: Thank you. Anybody else

24   with a technical question?

 1   MR. ELDER: I am Jack Elder from 45

 2   Longwood. This is a very technical question.

 3   Bear with me as I explain my thought process.

 4   You made a comment that a valet can operate or

 5   park about 12 cars per hour. Is that in a

 6   system like this? The reason I'm asking is that

 7   I can imagine driving into an elevator, closing

 8   a safety gate, transitioning 20 feet or whatever

 9   the drop is, opening a gate, pulling it out, and

10   then going over to a stacker, he has to

11   potentially move a car that's in the stacker to

12   get access to the higher level. It's hard for

13   me to imagine that all that can happen in five

14   minutes.

15   MR. STADIG: Good observation. Very

16   good thinking. You're correct that each one of

17   these steps takes time. In elevator operation,

18   you have to pull in, turn the vehicle off, it

19   has to close, it has to drop, it has to open up,

20   start the vehicle up. But you can staff up so

21   that that person pulls that vehicle off, hands

22   it off to somebody else, runs back upstairs. So

23   there can be ways to staff this that you can get

24   that type of --

1   MR. ELDER: Well, but then you're not

2   talking about five minutes per operator. You're

3   talking about having, you know, three operators

4   handling a car in five-minute increments,

5   perhaps.

6   MR. STADIG: Fair enough. The point

7   I'm saying is the number of, we'll call hikers

8   or runners, that are up there working with the

9   public to get the cars in and out of the system,

10 that's probably not too far off of about five

11 minutes per transaction or 12 per hour. It can

12 still be worked out.

13   It's a very good question, and that's

14 why I'm requesting that this more detailed

15 analysis be performed, because there are many

16 variables and a lot of things which will have to

17 take into account all these technical aspects.

18   MR. ELDER: Thank you.

19   MR. STADIG: Thank you.

20   MR. GELLER: Thank you. Anybody else?

21 Thank you. And again, if people do have

22 additional technical questions for the peer

23 reviewers we had tonight, please send those in.

24 We'll try and get you answers in advance or at

 1   the next hearing.

 2   So we are continuing until September

 3   5, 7:00 p.m. Maria is going to try and get us

 4   the good room. I want to thank everyone for

 5   their participation this evening. We will see

 6   you then.

 7

 8   (Whereupon, the hearing was concluded

 9   at 9:10 p.m.)

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 1   C E R T I F I C A T E

 2   COMMONWEALTH OF MASSACHUSETTS

 3   NORFOLK, ss.

 4

 5   I, ARLENE R. BOYER, a Certified Court

 6   Reporter and Notary Public in and for the

 7   Commonwealth of Massachusetts, do hereby

 8   certify:

 9   That the proceedings herein was recorded by

10   me and transcribed by me; and that such

11   transcript is a true record of the proceedings,

12   to the best of my knowledge, skill and ability.

13   IN WITNESS WHEREOF, I hereunto set my hand

14   and notarial seal this 21st day of July 2018.

15

16

17

18   Arlene R. Boyer, CVR

19   Notary Public

20

21   My Commission Expires

22   December 14, 2018

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