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May 2, 2019

Brookline Zoning Board of Appeals
Attn: Jessie Geller, Chairman
333 Washington Street
Brookline, MA 02445-6899

Re: 1299 Beacon Street

Dear Mr. Geller:

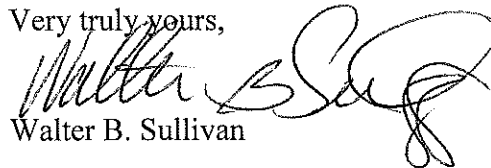
As you know, we represent the owners of 1309 Beacon Street, abutters to the above referenced proposed project. At the May 1 hearing, after the public had an opportunity to comment, Mr. Engler indicated that many of the details that were being discussed by the Zoning Board and Appeals and considered by the Peer Review Consultants were not germane to the 40B process and could be dealt with at the building permit stage. On behalf of my clients, we strongly disagree with this interpretation of the review responsibilities of a ZBA when evaluating a 40B project.

A review of the building permit will not offer my client any opportunity for input with respect to the grave concerns it has relative to health, safety, traffic and likely damage that will be caused to its building by virtue of excavation. Such damage includes, but may not be limited to damage to the foundation of my client's property, and damage to soil and water as a result of the massive excavation that is proposed. My clients also strongly believe that it is imperative that the Peer Review Consultants carefully evaluate the concerns of the town department heads, which include but are not limited to whether the storm drainage basin can handle the additional water run-off from the proposed structure. All of these issues should be fully vetted by the ZBA and the Peer Review Consultants and carefully evaluated by the ZBA to determine whether or not public health and safety is at risk.

Thank you for your continued courtesy and cooperation.

Very truly yours,

Walter B. Sullivan



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