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HEARING OF ZONING BOARD OF APPEALS  
1299 BEACON STREET  
Wednesday, April 24, 2019 at 7:00 p.m.  
Brookline Town Hall  
333 Washington Street  
Sixth Floor  
Brookline, Massachusetts 02445

Reporter: Jennifer A. Doherty, CSR

1 APPEARANCES:

2 Jesse Geller, Chairman

3 Johanna Schneider, Board Member

4 Kate Poverman, Board Member

5 Randolph Meiklejohn, Board Member

6

7 Maria Morelli, Planner

8 Judi Barette

9

10 Cliff Boehmer, peer reviewer

11 Haril Pandya, CBT Architect

12 Peter Habib, CBT Architect

13 Geoff Engler, 40(b) consultant

14

15 Raj Dhanda, applicant

16 Stefan Vogelmann, CBT

17 Rachna Balakrishna

18 James Fitzgerald, Environmental Partners

19 Dan LaFrance, Fuss & O'Neil

20 John Chambers, Fuss & O'Neil

21 Brandon Schrenker, Walker Consultants

22 Darian Medeiros, Simon Design

23 Arthur Stadig, Walker Consultants

24 Peter Ditto

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P R O C E E D I N G S

CHAIRMAN GELLER: Good evening, everyone. We are reconvening our comprehensive permit hearing. This involves property at 1299 Beacon Street. Again for the record, my name is Jesse Geller. To my immediate left is Johanna Schneider, to Ms. Schneider's left is Kate Poverman, to Ms. Poverman's left is Randolph Meikeljohn.

Our last hearing was on February -- no, just feels like it -- April 24th, and if people will recall, we started hearing from peer reviewers. We made it all the way up to Geotech. We had some clarifications on the proposal from the applicant. I understand there has -- based upon some discussions there has been fine tuning going on in the interim period. I'm glad that that's happening.

So I would like to call upon Maria Morelli to give us any updates.

MS. MORELLI: Maria Morelli, senior planner, Planning Department. Just some administrative details. The applicant did grant an extension to close the hearing until January 31st --

CHAIRMAN GELLER: July.

MS. MORELLI: It's been a long time.

1 MR. GELLER: January 31st of 2020.

2 MS. MORELLI: July 31st, 2019, and on  
3 the ZBA instructions for this agenda we're to begin  
4 with the geotech presentation on behalf of the  
5 applicant. The ZBA has a geotech peer reviewer, Dan  
6 LaFrance of Fuss and O'Neill. And available for  
7 consultation is the building commissioner, the  
8 director of engineering -- the building commissioner  
9 Daniel Bennette, director of engineering and  
10 transportation Peter Ditto, architecture peer  
11 reviewer Cliff Boehmer, and parking peer reviewer  
12 Art Stadig.

13 The reason why we assembled, these  
14 professionals is the geotech. Obviously it concerns  
15 the three-level subgrade garage. And the building  
16 commissioner has been asking for a while about  
17 foundation needs, and methods, protection of  
18 abutting properties above a below grade during  
19 construction.

20 And Cliff Boehmer, who has also  
21 pointed out that any of the waterproofing methods  
22 might not be square footage of the garage area,  
23 which is why we have to have Mr. Stadig. So it's  
24 all related to the garage.

25

1                   ZBA also wanted the applicant to  
2 provide a coherent presentation on how all  
3 project-related functions will be integrated and  
4 coordinated on the site, how they will impact the  
5 public way, and of course relevant hours of  
6 operation.

7                   There will be public comments as we  
8 did not have time for that at the last hearing. One  
9 of the things that did come up was regarding the  
10 three-foot setback at the fourth floor on the Soule  
11 facade. And the reason for that is that the ZBA  
12 peer reviewer strongly recommended a strong -- four  
13 volume -- four-story volume. It would relate better  
14 to the multi-families in the district. And that  
15 three-foot setback as the peer reviewer noted,  
16 gratuitous, to use his word, ZBA wanted further  
17 study on that.

18                   I had a staff meeting with department  
19 heads, Ms. Steinfeld, and the project team this week  
20 to go over mainly the site coordination, all of the  
21 relevant details, and that would relate to trash  
22 pickup, loading, really everything from the trash  
23 storage room capacity and the choreography, any  
24 backing up into the street, visitor drop-off,  
25

1 deliveries of different size trucks, pedestrians  
2 approaching, how they would access safely.

3 So we're not saying that we resolved  
4 all these issues, but the project team did spend a  
5 lot of time going through them. And you have in  
6 front of you different diagrams that relate to  
7 trash, pedestrian access, and so forth.

8 MS. POVERMAN: No, we don't.

9 MS. MORELLI: I'm sorry, you don't?  
10 It was e-mailed to you and it will be presented this  
11 evening. I can circulate this if you want to look  
12 at it. Not to worry, but it will be presented this  
13 evening. Ms. Balakrishna will be presenting that.

14 As we're going to start off with  
15 geotech there are a few relevant details I wanted to  
16 mention. The reason why we are having geotech, a  
17 study and a geotech peer reviewer, this was  
18 initially two levels of parking below grade, then it  
19 went to four, and now it is at three. This does  
20 hit -- this is going to be built into the water  
21 table.

22 We did compare three and four levels  
23 of parking to see if three will be measurably better  
24 and parking -- excuse me -- Mr. LaFrance will note  
25

1 that the two different levels don't make much of a  
2 difference in terms of the things that have to be  
3 reviewed for safety and health, part of that due  
4 diligence.

5           What I've asked for in this hearing  
6 is to have Mr. LaFrance separate information that is  
7 really required for this public hearing and not  
8 merely relegated to conditions. And another list of  
9 things that should be in the conditions is part of  
10 review and approval. So there is a lot of  
11 information that's still outstanding to assess  
12 feasibility.

13           Another aspect of feasibility, as I  
14 mentioned earlier, is the waterproofing techniques  
15 may have been a setback and therefore the area  
16 available for parking and therefore the number of  
17 spaces. So the question will be is there a  
18 realistic parking ratio, how does that affect the  
19 program.

20           In our staff meeting the applicant  
21 did say that they were looking at different  
22 scenarios and were changing the commercial program.  
23 Instead of 5,000 square feet of retail or 5,000  
24 square feet of restaurant use, they were going to  
25

1 have two tenants split 2,500 square feet  
2 approximately each and there would be no food use  
3 on-site.

4 I did ask Mr. Fitzgerald, who is our  
5 traffic peer reviewer at the time I thought it might  
6 be 2,500 square feet restaurant, 2,500 square feet  
7 another retail type, if that change would measurable  
8 affect traffic counts. And on the third page I  
9 think I give you his memo and basically said it  
10 won't make much difference.

11 So I think that's pretty much it  
12 unless you have further questions. I think at the  
13 last hearing you did mention ZBA would be giving  
14 some direction to the applicant.

15 CHAIRMAN GELLER: The applicant  
16 deserves it.

17 MS. MORELLI: Yes.

18 CHAIRMAN GELLER: Okay, thank you.  
19 Questions for Maria? No? No. Okay.

20 Does the applicant want to run  
21 through any of the -- we have a few changes. Do you  
22 want to run through them or do you feel confident  
23 that we can understand them from materials that have  
24 been circulated?

25

1 MS. POVERMAN: I actually haven't  
2 seen them.

3 MR. ENGLER: For the record, Geoff  
4 Engler from SEB representing the applicant. I think  
5 it would be more effective just to go into  
6 geotechnical at this time. Some of the other things  
7 were a bit more irrative and relating to things that  
8 are still in flux. If I understand operational  
9 changes, is that what you're talking about?

10 CHAIRMAN GELLER: Yes.

11 MR. ENGLER: I think we would like to  
12 do the geotechnical stuff first before we discuss  
13 that.

14 CHAIRMAN GELLER: Okay, but...

15 MR. ENGLER: Maybe I'm  
16 misunderstanding your question.

17 CHAIRMAN GELLER: No. Well, what I  
18 looked at from Maria's prompts was I looked at a  
19 plan indicating the flow, ebb and flow of  
20 pedestrians. I looked at the ebb and flow of  
21 traffic. There was a change in that drive aisles  
22 into the property. It looks like there has now been  
23 included a dedicated short-term parking area, if I'm  
24 reading the plans correctly. I think those are all

25

1 important, whatever geotechnical says.

2 MR. ENGLER: I'm not saying they're  
3 not important. I'm saying we will cover them, but  
4 it's kind of a smorgasbord of things and we have a  
5 very nice discrete geotechnical presentation and my  
6 recommendation was that we start with that, but if  
7 you want to talk about that, Rachna can get up and  
8 walk you through that.

9 CHAIRMAN GELLER: I just think in  
10 terms of the natural flow of what we went over  
11 before sort of answers some of those questions.

12 MS. BALAKRISHNA: So I'll go  
13 through --

14 CHAIRMAN GELLER: Tell us who you  
15 are.

16 MS. BALAKRISHNA: First of all,  
17 Rachna Balakrishna, attorney and representative of  
18 the developer. What I'll do is basically go through  
19 the site logistics. We have a few diagrams that  
20 were done by our architectural team. Unfortunately  
21 they have put on a number of things that were  
22 requested and discussed last week in terms of  
23 dimensions. There were other things that I have a  
24 couple extra hard copies that I can give you. So  
25

1 we'll go through this. And then we also made some  
2 tweaks to our trash and recycling plan.

3 Mentioned --

4 As Maria mentioned we had a very  
5 productive staff meeting on Monday. We went through  
6 a number of these things and reviewed these diagrams  
7 as well as the narratives and got some feedback.  
8 And the other thing that we discussed and have  
9 included in the narrative is the fact that we have  
10 decided not to have a restaurant used in the first  
11 floor retail space. It will be entirely retail. So  
12 I just want to mention that as one change from the  
13 prior program.

14 CHAIRMAN GELLER: No restaurant or no  
15 food service?

16 MS. BALAKRISHNA: No food service or  
17 restaurant. No food use of any kind. So I'll just  
18 go through the diagrams. There's a few different  
19 scenarios. First one is basically just showing how  
20 the building will be approached by pedestrians.  
21 These diagrams are also showing the back part of the  
22 building, for the most part. Some of the front on  
23 the Beacon Street side is cut off, but as you can  
24 see from the blue dots it shows the residential

25

1 entry hall that basically goes all the way through  
2 the building.

3 So someone walking in from Soule or  
4 from Beacon can enter as a resident and would come  
5 in the building and, you know, would have an access  
6 card once they get into the main lobby, then they  
7 would go up to where they live, if they're walking  
8 in.

9 We did, as was discussed, we did talk  
10 about and our architects did implement the increased  
11 width in the drop-off area. So this diagram shows  
12 the -- what you call the drop-off area on Soule. It  
13 is now 23 feet all the way from the start of where  
14 the landscaping is closer to the sidewalk to the  
15 edge of the building.

16 So this diagram shows how it would  
17 look if a car was coming down Soule Ave. from  
18 Longwood and let's say if it's, you know, either  
19 someone, whether it's an Uber, taxi, somebody  
20 getting dropped off for, you know, with a friend or  
21 relative, somebody coming to the building for any  
22 reason whatsoever, they could get dropped off there  
23 and will drive out, now wide enough so that on the  
24 right side there is room for a couple of cars to  
25

1 wait, if someone needs to wait. And on the left  
2 side there is room for a car to get by and exit on  
3 the second curb cut.

4 MS. SCHNEIDER: Did that additional  
5 width come from pulling the building back further or  
6 reducing the width of landscaping?

7 MS. BALAKRISHNA: We changed the  
8 landscaping so that it would allow for the wider  
9 drive aisle.

10 This is basically showing what it  
11 would look like if there are cars exiting or  
12 entering the garage, which would happen on the  
13 second curb cut. There will be, as we mentioned  
14 last week, for cars at that are exiting the garage,  
15 there would be some flashing lights, warning of some  
16 kind, when there are cars approaching the garage  
17 door to indicate that there is a car exiting. And  
18 so the cars coming in and out of the garage would  
19 only use the second curb cut and that's -- basically  
20 that's what it would look like.

21 In terms of service vehicles, anybody  
22 coming in to do work in the building, like a  
23 plumber, electrician, anything like that, those  
24 vehicles can fit in the garage, so they would enter  
25

1 in the garage entry and come down that way. What  
2 this also shows in terms of deliveries, which would  
3 occur on the loading area which is next to the first  
4 curb cut, that basically there is room for a small  
5 truck to fit. Actually, if a large truck goes --  
6 which is shown in the diagram -- is all the way in  
7 the loading area, then a small truck can fit behind  
8 that and at the same time another vehicle could get  
9 by it to go through the drop-off area.

10 MS. POVERMAN: Where are they going  
11 to park those trucks going down -- the trade vans?

12 MS. BALAKRISHNA: The trade vans will  
13 be -- I mean, they would be, you know, like a pickup  
14 truck or a minivan so they would be parked in any of  
15 the -- in the shared spots, basically in the --  
16 whoever is managing the garage will put the -- the  
17 first level of the garage will be allocated towards  
18 the retail customers and employees for the most part  
19 and visitors and so they would get access and be in  
20 a designated spot on that first level. They would  
21 have to come in as a vehicle that would fit in the  
22 garage if they're doing work for the building.

23 And we would also -- what we -- in  
24 the narrative that I updated and that we reviewed on  
25

1 Monday, basically we would -- I should also add that  
2 visitors that are coming, such as caregivers for any  
3 health reasons or anything in that regard would be  
4 given priority over any other visitors.

5           The building manager -- there will be  
6 a building manager on-site all day as well as a  
7 maintenance person and they will be managing the  
8 flow of parking. Residents will have an access card  
9 and will be able to get in and out of the garage and  
10 visitors will be given a designated spot while  
11 they're at the building.

12           The other thing that we discussed at  
13 the meeting on Monday is that with the off-peak --  
14 the peak traffic hours being 7:00 to 9:00 in the  
15 morning and 4:00 to 6 p.m. that deliveries would  
16 only be allowed to occur on weekdays between 10 a.m.  
17 to 3 p.m. When I say deliveries, I mean any truck  
18 larger than a small van. So obviously the typical  
19 small UPS or FedEx can use the -- that's 18 feet or  
20 smaller can drive into the loading zone and then  
21 drive out after stopping there, but a larger truck,  
22 which is 20 feet or larger, would only be allowed to  
23 come during the designated delivery hours and those  
24 would be all in off-peak traffic hours, so 10 a.m.

25

1 to 3 p.m.

2 That was discussed at the meeting on  
3 Monday. And we would limit that as well as  
4 moving -- and typically other than garbage trucks,  
5 we would generally not allow any trucks bigger than  
6 20 feet to come -- to use the -- to come on-site  
7 basically.

8 MS. SCHNEIDER: Have you given any  
9 thought to how you would enforce that restriction?

10 MS. BALAKRISHNA: We would have -- I  
11 mean, our maintenance person -- the retail tenants  
12 will be directed to inform their delivery people.  
13 We will have our maintenance person manage and  
14 communicate with anybody who is making deliveries in  
15 a larger size truck. Residents who are moving in  
16 and out will be told they have to schedule a moving  
17 time, which is typical for a building like this. So  
18 that is the plan for how it would be managed.

19 The other thing that I mentioned in  
20 the narrative is that the ramp and all the outdoor  
21 areas in the back, the ramp, the loading area, and  
22 the drop-off area will all have the snow melting  
23 system that's basically upgraded thermostatically if  
24 there is any snow. And any snow that is not melted  
25

1 by that system will be taken off-site for that area.

2 Also we're convenient to the post  
3 office too. Mail deliveries can happen on foot.  
4 And then trash collection, we discussed this on  
5 Monday as well. Got some helpful feedback from the  
6 health department. Obviously the fact that there  
7 won't be a food user will significantly reduce the  
8 retail trash. So there is -- this shows the first  
9 floor. So there's a retail trash room on the first  
10 floor. The yellow coating basically shows what  
11 would be designated as garage bins, the blue coating  
12 shows recycle bins. And next to the retail trash --  
13 next to the loading zone is the loading dock area,  
14 which is closed ordinarily unless there is a garbage  
15 pickup or something like that happening.

16 And the bins and the other things  
17 which are stored in the residential trash room in  
18 the first level of the garage will be stored in that  
19 loading dock.

20 What we discussed on Monday is that,  
21 again, we'll be doing a garbage pickup during  
22 off-peak hours. So the plan is that on Monday and  
23 Friday between 9:00 and 11:00 the trash and  
24 recycling pickup will occur. I did speak to the  
25

1 waste management company that does some of our other  
2 properties and they basically said that they would  
3 send one truck for the garbage pickup and that could  
4 handle all the retail and residential trash and then  
5 send another one for the recycling and that would be  
6 scheduled to occur on Monday and Friday between 9:00  
7 and 11:00. And the building maintenance person will  
8 meet the garbage truck to help with the loading of  
9 the bins and whatever they're picking up. So the  
10 trash collection will be scheduled. It will also be  
11 done in the time when deliveries are not allowed at  
12 the building.

13 CHAIRMAN GELLER: You were very  
14 careful about deliveries for scheduling it off-peak,  
15 which you define as 10, but trash is being picked up  
16 at 9:00. Do you have concerns that it will be  
17 impactful of the traffic period?

18 MS. BALAKRISHNA: I don't think -- I  
19 mean, trash will be scheduled between 9:00 and  
20 11:00, one truck coming two different pickups. We  
21 can -- the building maintenance person will be  
22 communicating with the garbage person so I think  
23 it's fairly typical around there to see trucks at  
24 that time. And the truck will basically need to  
25

1 back in and then will be on the site and be out of  
2 the street after it comes into the loading zone and  
3 then it will exit in turn onto Soule Avenue.

4 CHAIRMAN GELLER: I only ask it  
5 because it's going to be making that maneuver, which  
6 although the maneuver may be an easy one for the  
7 driver, is going to be doing it, let's say, at nine  
8 o'clock in the morning when we like to think  
9 everybody is at work already, but they're not. We  
10 still get rush hour traffic at that time.

11 So I would just respectfully suggest  
12 that if your analysis is that off-peak hours start  
13 at 10 for deliveries, maybe you should think the  
14 same way about trash simply because of what the  
15 maneuver at this -- and it's only one truck, but it  
16 does, on a very busy narrow street have to back  
17 in.

18 MS. BALAKRISHNA: We can certainly  
19 look at that. Todd Korraine mentioned that we  
20 should do it after 9:00, but we can certainly look  
21 at the -- at doing that at a later time and the  
22 garbage truck is really the largest truck that would  
23 be coming on the site. And generally speaking the  
24 other trucks that are coming are smaller than that.

25

1 MS. POVERMAN: I still have a problem  
2 with dragging the trash out the driveway. Other  
3 people do so easily showing what a 12 percent  
4 incline is because it was compared to Summit Avenue,  
5 which is very steep and that's not necessarily  
6 representative of that.

7 Can any of our more technical people  
8 do that? No? All right. Why would it be so  
9 difficult to have an elevator that stops in the  
10 basement or parking garage and opened up in the back  
11 so the garbage could come in -- on either end and  
12 then go out on the first floor. I just don't see  
13 why that's so difficult. It would avoid the safety  
14 issues caused by the little tugboat.

15 MS. BALAKRISHNA: That's a question  
16 for our design team to look at. They unfortunately  
17 had a conflict tonight so I will mention it to them.  
18 And that's something that they in terms of designing  
19 the core of the building and determining where, you  
20 know, say, the freight elevator could be located  
21 they would know best.

22 MS. POVERMAN: Is doesn't necessarily  
23 have to be a freight. I know sometimes that these  
24 pads are put up on passenger elevators to protect  
25

1     them.  If that has to be put up, you know, once or  
2     twice a week, but I really do have a problem with  
3     the tugboat method.  I just think it's not safe.

4                   MS. BALAKRISHNA:  Okay.  Well, this  
5     is -- it's something we can certainly look at.  I  
6     will mention it to them.

7                   MR. ENGLER:  Ask her why it's not  
8     safe.

9                   MS. BALAKRISHNA:  If it's done at  
10    really quiet time, is there --

11                   MS. POVERMAN:  I just think it's a  
12    danger to the person going up.  So it is not just  
13    the traffic.  It just makes me very uncomfortable.

14                   MS. MORELLI:  Ms. Poverman, in our  
15    staff meeting we did have Commissioner Bennette and  
16    we did ask if there was anything related to building  
17    code that would make this unsafe and I think he  
18    mentioned that textured surfaces can be used, but I  
19    don't think anything has occurred to him regarding  
20    building code that would preclude that kind of  
21    activity.

22                   MS. POVERMAN:  Yeah, I understand  
23    that and building codes, there could be  
24    considerations taken into account as, you know,  
25

1 other than just whether or not it's contrary to a  
2 building code. I just see it as a problem that's  
3 really not that difficult to solve by having an  
4 elevator with two doors. So that's what I would  
5 need explained to me.

6 MR. MEIKLEJOHN: Do you have a  
7 concern about the safety of the public or are you  
8 thinking of safety in the general sense?

9 MS. POVERMAN: Well, the public  
10 safety comes in where a car comes tooling down and  
11 isn't expecting there is trash going up. And I also  
12 think it's unsafe for the tugboat driver. I just --  
13 and I really need to know --

14 CHAIRMAN GELLER: Can I ask you a  
15 question?

16 MS. POVERMAN: I also want to know  
17 what exactly the incline is.

18 CHAIRMAN GELLER: Is this a practice  
19 that's a reasonable commonality undertaken and built  
20 in similar buildings in the metropolitan area?

21 MS. BALAKRISHNA: From my  
22 understanding it's being used more commonly in the  
23 metro area.

24 CHAIRMAN GELLER: So you're aware of  
25

1 other buildings in which this is the method by which  
2 they removed these bins?

3 MS. BALAKRISHNA: Yes.

4 MR. ENGLER: We can provide you with  
5 some examples.

6 CHAIRMAN GELLER: If this is what  
7 goes on -- I hear what you're saying, but if this is  
8 what goes on, this is --

9 MS. POVERMAN: I would like to know  
10 the slopes of those building and the slope of this  
11 one and have a diagram. I mean, I know it's 12.5,  
12 what, degrees or grade, but I want to know exactly  
13 what that looks like. I hear what you're saying,  
14 Jesse.

15 CHAIRMAN GELLER: All right.

16 MS. BALAKRISHNA: This diagram shows  
17 the residential trash room on the first level of the  
18 garage. Again, the yellow -- the health department  
19 recommended that we use compactors to compact the  
20 trash and reduce the amount of trash. There is room  
21 for a number of recycle bins, which are shown in the  
22 blue and then the yellow is the two cubic-yard  
23 containers that will be -- one wall will be  
24 connected to the compactor or both will be

25

1 connected. One may be taken up. We're also  
2 including a cardboard compactor in that room to  
3 reduce the amount of cardboard. And again, we  
4 reviewed all of this and got some very helpful  
5 feedback from the health department on this.

6 And the first level of the garage, as  
7 mentioned at the last few meetings, every floor  
8 where there are residents there will be a trash room  
9 where there is a chute and the trash will go  
10 directly, trash and small recycling will go directly  
11 from that chute into the trash room and will get  
12 managed from there by the maintenance person in the  
13 building. That's what the tug looks like and either  
14 of the bins or compactor.

15 CHAIRMAN GELLER: Just go back to  
16 that tug. How many trips would it make?

17 MS. BALAKRISHNA: Well, there would  
18 typically be for the residential -- the retail trash  
19 is going to be right on the first floor so that can  
20 just be pulled right out to the loading area. The  
21 residential it will probably be one -- it would  
22 generally be one trip for the garbage and one for  
23 the recycling.

24 MS. SCHNEIDER: And I'm assuming that  
25

1 you have figured out that with the new widened front  
2 driveway there would be enough space for whoever is  
3 hauling the tug cross the front of the building and  
4 vehicle traffic?

5 MS. BALAKRISHNA: Yes, there would  
6 be, correct.

7 CHAIRMAN GELLER: The only concern  
8 would be the --

9 MS. BALAKRISHNA: The plans, as I  
10 mentioned last week, that this would be done at an  
11 hour when the garage was very quiet, probably, you  
12 know, 6:00 in morning the day that it's being picked  
13 up and brought upstairs. Again, just for the  
14 residential trash. And the retail trash and  
15 recycling will be brought forward when the -- right  
16 before the pickup occurs.

17 That's the first level of the garage.  
18 That's what I have and have a couple hard copies of  
19 the diagrams and hopefully you all got narratives  
20 that I sent as well.

21 CHAIRMAN GELLER: Thank you.  
22 Questions? Let me just make sure. Questions?  
23 Okay.

24 MS. POVERMAN: I do like the change  
25

1 especially to the driveway, so thank you for doing  
2 that.

3 MR. DHANDA: Raj Dhanda, developer.  
4 Quick addition to what Rachna described and the  
5 concern of safety on the ramp, the trash being  
6 clogged up.

7 The kind of mechanism it has is that  
8 if the person bringing it up stops, it automatically  
9 breaks, automatically comes into effect so it cannot  
10 go back down. That might be a concern that you  
11 have, I think.

12 MS. BALAKRISHNA: I should add one  
13 other item, which I mentioned earlier, that the cars  
14 coming in and out of the driveway -- or the cars  
15 coming out of the driveway, that the flashing lights  
16 would be triggered. The same would happen if  
17 somebody is walking up the driveway on the exit side  
18 of the where the tug, like this, before the garage  
19 door.

20 CHAIRMAN GELLER: Where does the  
21 trash tug get stored, down in the --

22 MS. BALAKRISHNA: It would probably  
23 get stored in the loading dock or in the trash room,  
24 either one.

25

1                   CHAIRMAN GELLER: And it fits in  
2 those?

3                   MS. BALAKRISHNA: It should. I mean,  
4 yeah, it would. Especially, I mean, we have the  
5 trash room down in the garage is large so it would  
6 fit in there.

7                   MS. POVERMAN: I just want to ask a  
8 question again. Last week when I asked whether or  
9 not the entry on Summit or the face on Summit --

10                  MS. MORELLI: Soule.

11                  MS. POVERMAN: Soule, thank you.  
12 Could be pulled back, one of the answers I got is  
13 that that wasn't feasible given the requirements of  
14 the driveway. And again, I mean why not? I mean,  
15 I'm talking about --

16                  CHAIRMAN GELLER: You are saying  
17 pulling it back so that that second short-term pull  
18 in --

19                  MS. POVERMAN: No, so that the  
20 building -- I mean --

21                  CHAIRMAN GELLER: I mean, so that  
22 they don't have to eat into the landscape.

23                  MS. POVERMAN: No, I'm talking about  
24 stylistically how I think it would be nice to --

25

1 that would be a good place to reduce the size of the  
2 building.

3 CHAIRMAN GELLER: We'll have a  
4 discussion about that at the end. I think it's  
5 premature now.

6 MS. MORELLI: I just wanted to point  
7 out, there was an auto turn analysis that was  
8 updated to show the pedestrian improvement. You  
9 might recall that the transportation board had been  
10 planning pedestrian improvements at Soule and  
11 Longwood. Those would be pulled up to make the area  
12 where pedestrians are crossing shorter. And so the  
13 auto turn analysis was updated to show those. I'm  
14 not sure if you have that. We had our post online,  
15 which is there in case anyone wants to see that.

16 MS. BALAKRISHNA: Right. Yeah, I  
17 don't think we -- I didn't plan to show them, but  
18 obviously you have them.

19 MS. MORELLI: Just to point out that  
20 was updated for your reference.

21 CHAIRMAN GELLER: I'm glad they're  
22 utilizing -- it looks like it actually happens.  
23 Makes better sense. Okay.

24 No other questions, correct? Okay.  
25

1 People will forgive me, since I'm the chairman I get  
2 to do this. I want to call Art Stadig just briefly  
3 for sort of flow charts that we've seen, if he has a  
4 comment on it. I know you gave us your peer review  
5 report, but this sort of plays into it and I think  
6 it sort of responds to some of the issues that the  
7 board was concerned -- expressed concern.

8 MR. STADIG: Art Stadig, Walker  
9 Consultants, parking reviewer for Brookline.  
10 Generally everything seems acceptable with the way  
11 they are showing the turns and the flow pattern into  
12 this drop-off/pickup area.

13 There was discussion I believe last  
14 week where, could it be better to reverse the  
15 traffic flow, in other words, come in at the point  
16 of where the parking entry/exit is and reverse the  
17 flow. While that has a few minor advantages with  
18 respect to probably just the door location where the  
19 passenger would be, this shows many advantages.  
20 Primarily the biggest ones that we see would be most  
21 of the vehicles that would be in position to drop  
22 off or pick up would be where the two vehicles that  
23 are in the diagram that are shown are.

24 If other vehicles trying to pull in  
25

1 behind are pulling in, this gives some room to queue  
2 vehicles back up so that they are likely, depending  
3 on the queue, not even in the street or the sidewalk  
4 blocking anything.

5 Alternatively, if you reverse the  
6 flow, there's a good chance that those would block  
7 the entry/exit to the parking. So from that  
8 standpoint we feel this makes sense, works well. It  
9 does look wide enough to get lay-by space, the one  
10 on the right shown and allow other vehicles to pass.

11 The one comment I would make that I  
12 think can be accommodated, but it just needs to be  
13 thought through and shown would be how accessible  
14 drop-off and pickup is managed. Those with  
15 accessibility needs would need nominally on a  
16 five-foot-wide drop/pick location where they can get  
17 in and out of their vehicle, et cetera. So -- but I  
18 do believe that can be accommodated with this. It  
19 just needs to be shown in the final design to how  
20 that would work. But yeah, we believe that it is  
21 working pretty well the way it is.

22 Any questions, I guess, with respect  
23 to that?

24 CHAIRMAN GELLER: Thank you.

25

1 MS. MORELLI: Could I just ask one  
2 question? The trash location layout, when there  
3 is -- not just the trash, that's the layout, but if  
4 you had like a 30-foot, say, truck, you would still  
5 be able to access -- another car would be able to  
6 access the drive if there were a truck not parked?

7 MS. BALAKRISHNA: This would be the  
8 garbage truck. Yes, there would be room for another  
9 car to get in, go into the drop off area.

10 CHAIRMAN GELLER: I had a question,  
11 but for the life of me I have no idea what it is.

12 MS. STADIG: I'll be here.

13 CHAIRMAN GELLER: Yeah, but it scares  
14 me when I can't remember stuff. I know what my  
15 question is.

16 Art, this may be slightly beyond your  
17 field, but since it goes on in the garage, do you  
18 have any comment to Kate's concerns about the tug  
19 and the trash? Have you experienced that process in  
20 other buildings? Do you have any thoughts on it?

21 MR. STADIG: Yeah, I've been involved  
22 with a lot of below grade parking and the question  
23 of how to manage trash, recycles, et cetera, comes  
24 up from time to time. The trash and recyclables are  
25

1 down in the parking facility, so one of two ways.  
2 Some of the facilities I've had basically drive a  
3 smaller vehicle down into the garage, load the  
4 smaller vehicle, and then drive out, pickup truck  
5 size.

6 It has been managed also by freight  
7 elevator. And I've not personally seen or discussed  
8 in most of the consulting that I've done where  
9 they're literally taking it up with this tow loader  
10 that is shown. I don't see any major issues with  
11 that other than just while they're doing it, if they  
12 can have some sort of flagging or some way to show  
13 people that they are on the ramp and to take care or  
14 not use the ramp at that point in time. I think  
15 that will probably be the only practical suggestion  
16 I would have.

17 CHAIRMAN GELLER: And one more  
18 question occurs to me is: So one of the pieces of  
19 information presented this evening is that trade  
20 vehicles will go into the garage, which makes sense  
21 to me. One of your comments in your report is with  
22 respect to the higher percentage of compact spaces,  
23 the interplay between trade vehicles in the garage,  
24 compact space, puts a lot of pressure. Do you see  
25

1 any conflict there, issues there?

2 MR. STADIG: First, trade vehicles  
3 wouldn't park in compact spaces. They just  
4 physically can't make it.

5 CHAIRMAN GELLER: So they're eating  
6 into the non-compacts.

7 MR. STADIG: They're eating into the  
8 non-compact. Other than that, probably the biggest  
9 issue I've seen with trade vehicles is quite a  
10 number of them, especially if they're mechanical or  
11 electrical, mechanics, if you will, will usually  
12 have vans with racks and just needs to be something  
13 that needs to be thought through with the  
14 eight-foot-two required van accessible head room  
15 that they will have down on the first P1 level, they  
16 should be able to accommodate those trucks, those  
17 vehicles in those spaces on that level.

18 So what -- really the question comes  
19 up is the allocation of parking during these times,  
20 which just have to be managed and thought through as  
21 to how those trade vehicles would park on the P1  
22 level typically. But, yeah, it would be able to be  
23 accommodated, just have to be thought through as to  
24 how the compact spaces are utilized and by whom.

25

1                   CHAIRMAN GELLER:   Okay.   Great.

2   Thank you.

3                   MS. SCHNEIDER:   Can I ask a follow-up  
4   question that the applicant -- in light of Art's  
5   comments.   I understand that the intent is to have  
6   the trash brought up by tug during quieter times,  
7   which make sense to me.   Do you have any idea of how  
8   long that process would take of getting the trash  
9   pulled up the ramp and into the loading area?

10                  I'm asking this because something  
11   that Art said sort of it occurs to me that if the  
12   ramp is closed during that time or it has limited  
13   access or using a flag or you're not having, you  
14   know, you're not allowing residents or retail users  
15   down the ramp at that time, then that does create a  
16   potential for backup of people who would like to be  
17   pulling in or out of the garage?   I guess I'm  
18   worried about the people pulling into the garage and  
19   that creating potential for queuing.

20                  Do you have any idea how long the  
21   process would take such that use of the ramp into  
22   the garage would be limited or restricted?

23                  MS. BALAKRISHNA:   I'm not sure about  
24   the time.   We did measure the distance.   I mean,

25

1 obviously it's coming up one level from the first  
2 level of the garage and the trash room. It's  
3 certainly something that we can look at.

4 We looked at the distance from the  
5 top of the garage to the loading area and that's a  
6 little over 63 feet, which was a question from last  
7 week.

8 In terms of the time, I can't imagine  
9 it would take more than a few minutes, but it's  
10 something we can certainly look at and obviously  
11 it's being done on a regular basis so we'll  
12 certainly look at how to do it better as time goes  
13 on.

14 CHAIRMAN GELLER: You're not  
15 suggesting that the tug going up is going to block  
16 cars going into the garage?

17 MS. SCHNEIDER: I don't know how wide  
18 the tug is or what the impact on the ramp is going  
19 to be -- that cars can safely travel down the  
20 ramp.

21 MS. BALAKRISHNA: I mean, the person  
22 pulling it will, you know, be wearing a neon vest  
23 and, you know, as they approach before they get to  
24 the garage door there will be warning lights going  
25

1 off.

2 But there is no reason why a car  
3 could not come into the garage at that time the same  
4 way one car can come in and one can come out at the  
5 same time.

6 MS. POVERMAN: What about a car -- I  
7 mean, after the tug starts going up would there be  
8 any warning so that it would know this is a 12 mile  
9 an hour vehicle and make sure you're not speeding up  
10 and --

11 MS. BALAKRISHNA: I think --  
12 actually, I think what Art mentioned would be very  
13 helpful in that case, in this case maybe for that  
14 few minutes it's a two-person job and one person is  
15 pulling and the other one is basically managing the  
16 traffic and behind or, you know, in the garage, to  
17 assist with that. So I think what Art commented  
18 regarding that would be a helpful one.

19 MS. POVERMAN: I have a question  
20 about parking. As I understand what you said early  
21 on is that it would be parking level two and three  
22 that would be for residents and the first level  
23 that's about 40 spaces, right, for 74 apartments?

24 MS. BALAKRISHNA: The first level is  
25

1 approximately 30 spaces.

2 MS. POVERMAN: And what about the  
3 second and third?

4 MS. BALAKRISHNA: They're each  
5 approximately 30 spaces.

6 MS. POVERMAN: So you'd be talking 60  
7 spaces for 74 apartments?

8 MS. BALAKRISHNA: The large -- the P1  
9 retail parking will be located on P1. If there is  
10 any parking that's available on P1 that's not being  
11 used by retail, then that could be used by  
12 residents, but the other -- the P2 and P3 will  
13 entirely be used by residents.

14 So people coming into the building  
15 just for the day, whether they work at the retail or  
16 whether they're coming there or it's a trade person  
17 or visitor, those would all go to P1.

18 MS. POVERMAN: Why should you give  
19 priority to somebody working in retail over the  
20 residents?

21 MS. BALAKRISHNA: I'm sorry?

22 MS. POVERMAN: Why should we give  
23 priority to somebody who works for the retail,  
24 drives in and wants to park, why should they have  
25

1 precedence over the needs of the residents?

2 MR. DHANDA: They don't.

3 MS. BALAKRISHNA: We are striving --  
4 our parking plan as we commented last week, we're  
5 planning to fulfill the town zoning requirements.  
6 For this amount of retail space it's 14 cars. If  
7 the retail space doesn't need all those 14, which  
8 may well be the case, then those will be available  
9 for residents of the building.

10 MS. POVERMAN: No, no. I'm talking  
11 about there are zoning requirements, which are  
12 already being asked about how many parking spaces  
13 there should be per unit. And they just lowered  
14 that amount from the last time we met. So it used  
15 to be if you had all three it would be 90 spaces per  
16 each and now they're going down to 60.

17 MS. BALAKRISHNA: No, we're not. No.  
18 What I'm saying is that the retail parking and  
19 short-term visitors will be directed to the first  
20 level of the garage. There will be some spaces on  
21 the first level that will be available for  
22 residents.

23 The second and third level will be  
24 entirely for residents. So we are not limiting the  
25

1 first level of the garage to non-residents.

2 MS. POVERMAN: So some, say, ten  
3 would be dedicated parking for the residents, not  
4 just --

5 MS. BALAKRISHNA: Approximately, yes,  
6 I mean, it will -- it's actually likely I think  
7 because so many people come to Coolidge Corner on  
8 foot and on the T and for doing a number of things  
9 that the retail spaces will be less -- that are  
10 needed will be less than what is required. So I  
11 would think at least ten, probably more would be  
12 available on that first level for residents. We  
13 would certainly make that available if it's  
14 needed.

15 MS. POVERMAN: Thanks.

16 MR. DHANDA: I want to comment on a  
17 couple of questions a few moments back as far as  
18 making the turn. Typically there is a big mirror,  
19 convex mirror, you generally see that. So that  
20 should help with the safety part.

21 Onto the trade folks. We would  
22 require every trade person coming to -- we would  
23 know ahead of time and there would be assigned time  
24 and perhaps even a parking spot. And they would  
25

1 have to come to the manager's office or for the  
2 manager or maintenance person meets them, they would  
3 be given a card to put in so we know who it is, how  
4 long they're going to be. And so we intend to  
5 manage that tightly.

6 Random trade person would not come  
7 in. They have -- we have to know that so and so is  
8 coming for such and such apartment for X amount of  
9 time and that's how we intend to manage it.

10 MR. ENGLER: It's a secured garage.

11 MR. DHANDA: Yes. And the other  
12 point for tugging it up, I have actually sometimes  
13 thought we might buy a small Bobcat, an outside big  
14 piece of equipment. Some of them are not more than  
15 three-to three-and-a-half-feet wide. And they could  
16 tug any of these things very comfortably. And so my  
17 focus is perhaps snow or whatever.

18 CHAIRMAN GELLER: I want to make sure  
19 I get it. Art, this is also for your ears. There  
20 are 14 spaces for the commercial space, which now  
21 comprises two 2,500 square foot roughly areas not  
22 dedicated to food service. That is a bylaw.

23 MS. BALAKRISHNA: Correct, that's  
24 what the town zoning requirements are.

25

1 CHAIRMAN GELLER: Correct?

2 MR. STADIG: Correct.

3 CHAIRMAN GELLER: The rest of the  
4 spaces are for trade persons. I'm sorry, I take  
5 that back. For the residential units.

6 MS. BALAKRISHNA: Yes.

7 MS. POVERMAN: How about the  
8 healthcare workers?

9 CHAIRMAN GELLER: And as a ratio  
10 that's roughly -- do the math.

11 MS. BALAKRISHNA: 87 spaces minus 14  
12 so...

13 MR. ENGLER: Almost one to one, 74  
14 units to 73.

15 MR. STADIG: It would be pretty close  
16 to 1.0 for the residents.

17 CHAIRMAN GELLER: Of course, that  
18 raises the question of that's without taking into  
19 account people there to assist whoever they may be.  
20 You're shaking your head because in your report --

21 MR. STADIG: What our recommendation  
22 is for all of the requirements that are going on and  
23 all of the characteristics, the number of units, the  
24 type of units, the number of two bedroom, one  
25

1 bedroom, the location, the senior facility or age  
2 restricted facility, all this combined. What our  
3 recommendation is to have for residents themselves  
4 .8. We typically will see between .7 and .9, but we  
5 think .8 is appropriate.

6 But in addition, .1 for trades  
7 people, which would include healthcare, et cetera.  
8 So .8 plus .1 would be .9 total that would be  
9 required is what our recommendation is.

10 CHAIRMAN GELLER: So this comes  
11 through your recommendation?

12 MR. STADIG: Yes. If you do have  
13 three levels of parking and 5,000 square feet is  
14 retail, nonfood, the parking requirement of 14  
15 spaces would be pretty reasonable for that and then  
16 what was left over would be roughly a ratio of about  
17 1.0 plus or minus, which would be slightly higher  
18 than what I'm recommending, which would be quite  
19 comfortable.

20 CHAIRMAN GELLER: Great. Thank you  
21 very much. Okay. It only took us an hour to get to  
22 geotech.

23 AUDIENCE MEMBER: Could I just say  
24 something on safety?

25

1 CHAIRMAN GELLER: No. You'll have an  
2 opportunity at the end to offer testimony.

3 AUDIENCE MEMBER: What is the end?  
4 What time are you talking about?

5 CHAIRMAN GELLER: I hope it's early  
6 as can be.

7 AUDIENCE MEMBER: Not very  
8 definite.

9 CHAIRMAN GELLER: No, because I don't  
10 know the answer.

11 MR. FLYNN: Good evening. For the  
12 record, Michael Flynn, GEI Consultants, geotechnical  
13 environmental, the consultants for the applicant.

14 Before I start I'll just mention I  
15 was here last week with Doug Aghjayan, the project  
16 lead, the project manager for this, and we came  
17 and with the intent of hearing some peer review and  
18 hopefully offering some clarification or rebuttal if  
19 needed. It became pretty clear pretty quickly that  
20 you guys were looking to hear a lot more about the  
21 geotechnical aspects of the project. So it's to our  
22 benefit that we got to hold this week. We went  
23 back, we prepared some documents, we kind of take a  
24 step back and take you through what we've done so  
25

1 far, you know, what this project is going to look  
2 like and really kind of help you understand the  
3 geotechnical aspects. Hopefully that will provide  
4 some clarification.

5 I'm glad that that's the case.  
6 Usually it's not the case. People don't like to  
7 talk about geotechnical stuff too often. I won't  
8 hold it against you that you already pushed me back  
9 a bit. That's okay.

10 But just to start you can probably  
11 tell I'm the person on the bottom there, Michael  
12 Flynn, the project manager for this and who you have  
13 seen on the letters is Doug Aghjayan. Doug is  
14 conveniently in California on vacation, but he's  
15 been the lead so far in managing the explorations,  
16 the geotechnical report so that's the name you're  
17 probably familiar with seeing on the documents. I  
18 just want to make sure that you knew why he wasn't  
19 here.

20 And in addition, Kathy Johnson is our  
21 LSP. We haven't done necessarily environmental  
22 sampling or testing to date, but any time you go  
23 underground, anything you're working in an area like  
24 this there is going to be environmental

25

1 consideration and so she's been engaged as part of  
2 the project and has some background.

3           And of course there's me. Why am I  
4 here? Why am I involved? My specialty is called  
5 geosteuctural engineering. Basically what that  
6 means is my specialty is getting below the ground,  
7 building structures below the grade particularly in  
8 densely populated areas like this with adjacent  
9 buildings.

10           But we'll get into all that. What I  
11 want to start with is what we've done so far. So  
12 back in December 2018 we performed five explorations  
13 at the site. There were borings you can see in this  
14 area. The parking lot area is here. They were  
15 drilled to 51 feet below the ground surface from the  
16 parking lot except for one boring, B5, which is in  
17 the middle, just was just to 31 feet. Within that  
18 boring we also installed a monitoring well to get an  
19 idea of what elevation the groundwater is at. You  
20 can get groundwater data as you're drilling, but it  
21 is not as accurate as putting in a well and  
22 monitoring after the drilling has occurred.

23           In addition, I don't have it on here,  
24 but we did some reconnaissance on neighboring  
25

1 buildings. The building here, Beacon Street and  
2 12th, so 1309 and 1317 to -- 1295, 1297 to get an  
3 idea of what the basements look like. It's an  
4 important aspect, when you're going down, to  
5 understand what the adjacent foundation structures  
6 look like. Both those buildings are one level  
7 basements. From our standpoint, what we know about  
8 the site, that leads us to believe it's probably on  
9 shallow foundations in the sand, probably about 10  
10 feet deep. It will be important later, but it's  
11 something we did as part of our exploration that  
12 wasn't up there.

13           So what do we do with those borings?  
14 These are rough sketches that I had put together way  
15 back when I first got involved in this project. And  
16 you'll notice there's a line on here, please ignore  
17 that. That's the 40-foot deep basement. That's not  
18 necessarily where it's at. And what's there is not  
19 necessarily as important as what I'm going to  
20 describe up above.

21           What we encountered at this site is  
22 typical for a site exterior. We see about 20 -- 12  
23 to 20 feet of urban fill. What that is is back in  
24 the day the original grades were about 12 to 22 feet  
25

1 lower. They just came in and they dumped leftover  
2 material from digging down, whatever the case may  
3 be. It's very common in the Boston area.

4 Boston was originally a shoal  
5 peninsula. You know, it's expanded much since then.  
6 Almost every site in the Boston area, metro area, is  
7 going to have some fill associated with it.

8 Below that fill we found what we're  
9 calling an upper sand layer. It's generally about  
10 nine to 25 feet thick. That sand is your typical  
11 what you think about like a beach sand. It's very,  
12 we call it clean, which means it has very few finds,  
13 which means water flows through it very easily.

14 Below that sand -- I'm going to skip  
15 a line for a second -- is a clay layer. Clay, for  
16 those of you that don't know or have kids, think  
17 Play-Doh, right? It's almost impermeable. Water  
18 can't flow through it, it's malleable, it rolls.  
19 That clay layer was seen about 27 to 42 feet deep.  
20 We didn't actually get through it in every single  
21 one of the borings. And then finally there's  
22 this --

23 Before I go on to that, there was a  
24 layer which is pretty common up here, it's a  
25

1 geological thing, is a stratified sanding clay  
2 basically you go through when you see lenses of sand  
3 in the clay layer. We noticed that in one of the  
4 borings, which is, you know, not particularly, you  
5 know, a concern or anything that we got in here, but  
6 it's just something that we indicated in the report  
7 and it's worth calling out.

8           And below the clay is this lower sand  
9 layer. Again, like I said, we didn't encounter it  
10 in every single one of the borings. We didn't get  
11 through the clay in every single one, but what we  
12 can anticipate from here is that that sand layer  
13 turns into, at some depth, a glacier till, which is  
14 a really really dense material and then turns into  
15 bedrock below that.

16           And then from our wells we're able to  
17 determine that the groundwater is about 25 feet  
18 below the ground surface, which corresponds to about  
19 an elevation of 30 or 32.

20           MS. POVERMAN: When you say the clay  
21 is not penetrated in all borings, does that mean  
22 that the borings didn't go deep enough to get to the  
23 clay or there was no clay in those borings at 51  
24 feet?

25

1 MR. FLYNN: Good question. So that  
2 means that we get into the clay layer, but we didn't  
3 get through into the lower sand. We encountered the  
4 clay, we didn't find the lower sand.

5 MS. POVERMAN: Okay. Fair enough.

6 MR. FLYNN: So with those subsurface  
7 explorations we prepared a geotechnical  
8 recommendation. And the big geotechnical  
9 recommendations we're looking at generally with  
10 foundations are that there is two foundations when  
11 you're going below grade that you have concern  
12 about. First is the interior foundation and the  
13 second is the exterior foundation.

14 So the exterior foundations are going  
15 to take the lateral loads from the soil around it.  
16 They also can take vertical loads in some cases from  
17 the structure above. The interior foundation,  
18 that's your general spot where you're going to take  
19 the vertical loads from the building.

20 What we recommended is either a mat  
21 foundation or a spread-footing foundation with a  
22 structural bottom slab. Now, both of those, what we  
23 recommended, is that they are waterproof. What that  
24 means, between these two foundation types that  
25

1 they're very, very similar from a technical  
2 standpoint.

3           Basically what happens is whether  
4 it's three stories down or four stories down, the  
5 soil weighs about 120 pounds per cubic foot above  
6 the water and about 60 pounds per cubic below the  
7 water. A floor of a building is about 120 pounds  
8 per square foot. So a foot of soil -- and this is,  
9 I don't want you to take this as a -- but a foot of  
10 soil and a story of a building are very similar,  
11 particularly when it's above the ground water table.

12           So the reason we can make this  
13 recommendation is the structural mat, the load that  
14 the soil will see is no greater than the soil that's  
15 already on it right now. We'll dig all of that out.  
16 We're taking away huge amounts of weight and then  
17 putting the building weight on it. That mat or  
18 those footings are now going to spread that load  
19 back into that soil.

20           So it's a balancing act. It depends  
21 on where you are, how deep you're going, how tall  
22 the building is, obviously. But it's -- there is  
23 not a lot of changes to this building that are going  
24 to really change those recommendations.

25

1                   An important piece of this is  
2 waterproofing. If it's below the water table,  
3 you're going to get uplift pressure. And those  
4 slabs or buildings need to be able to resist uplift  
5 pressures. In addition, when you're building it,  
6 you can't stop denaturing until you got enough  
7 weight to resist the load. Sometimes that comes  
8 just by pouring the mat slab, sometimes you need to  
9 build the structure up a few floors before that  
10 occurs.

11                   The other difference, and this is a  
12 material game versus constructibility game, spread  
13 footings is less concrete. You're not -- the mat  
14 foundation is just concrete spread all over. I've  
15 got a picture of it at the bottom left here of a mat  
16 foundation that's being poured. It's just a big  
17 concrete slab. The thickness of it is going to be  
18 balanced to match the buoyancy versus the load that  
19 it needs to be spread it and actually span. But --  
20 so there is a lot of concrete that's poured to do  
21 that.

22                   When you're doing spread footing, a  
23 spread footing is just a square that's poured and  
24 then they'll put a structural slab that spans  
25

1 between that that can take the load from the bottom  
2 floor. It's less concrete, however, the  
3 waterproofing detailing is a lot more difficult  
4 because if you think about it, you got to get around  
5 the square and then underneath the slab.

6 We haven't recommended one or the  
7 other at this point because it's really with --  
8 without knowing loads, it's -- there is not a  
9 benefit to one or the other. But ultimately from a  
10 technical standpoint it's not going change how deep  
11 you have to go or how this project gets built,  
12 whether it goes to the mat foundation or the spread  
13 footing.

14 In addition, for the exterior  
15 foundation walls we recommended either a diaphragm  
16 wall -- a diaphragm wall installed with slurry  
17 techniques, so that's commonly just known as a  
18 slurry wall. People hear that as a slurry wall, or  
19 a secant pile wall. I'm going to talk about what  
20 each of those are, but what I can tell you is we are  
21 leaning toward C camp pile wall and you'll see why.  
22 So a diaphragm wall or a slurry wall is what's  
23 pictured on the top right here.

24 Basically what they do is they dig  
25

1 down. And it's tough to see with the picture here,  
2 but they dig down in a trench and they excavate the  
3 material with what they call a clamshell bucket.  
4 And the trench goes down and they continue to dig  
5 until they hit the depth that they need and they  
6 keep the trench open by putting slurry and this  
7 thick mud material that keeps the walls of the  
8 excavation open.

9                   Generally the minimum length of --  
10 the thickness of the panel, so the thickness of the  
11 wall can vary anywhere between 24 and 48 inches.  
12 They can do all of them, but the length, the minimum  
13 length of the panel is nine foot, two inches.  
14 That's a pretty standard number because that's what  
15 the clamshell width is. That's what -- if you're  
16 excavating rock, that's the width that that machine  
17 is. Sometimes they like to go longer than the nine  
18 foot, two, but essentially that's what the length of  
19 the panel that they're digging. So that's this  
20 length here.

21                   What they do once they get to the  
22 bottom, they pick up a reinforced cage and they drop  
23 it into the hole. That cage has a what's called a  
24 truncheon pipe that goes down to the bottom. Once  
25

1 it is set in the right location, they bring concrete  
2 in and they pump concrete into that truncheon pipe.  
3 That concrete goes out of the bottom and it pushes  
4 all the slurry out of a hole and you got a panel.  
5 And you continue building those panels all the way  
6 around the excavation.

7 A secant pile wall is very similar.  
8 This is what's on the left side, except if you're  
9 doing it with smaller diameters, you're doing it  
10 with a essentially what we call a drill shaft type  
11 structure. It's a circular structure that's drilled  
12 one at a time. What you do is you go around and you  
13 drill what's called a primary pile. So you got a  
14 primary pile, you come and drill the primary pile  
15 and then drill the primary pile.

16 Before you -- before the concrete  
17 cures you come back and you drill what's called a  
18 secondary pile. This secondary pile for foundation  
19 walls has the reinforcing in it. This is where the  
20 strength of the wall comes in. You can put rebar  
21 cages in it. What's common in this area is steel  
22 beams. And so what you end up with is a steel beam  
23 in this secondary pile, a steel beam here, a steel  
24 beam here, a steel beam here.

25

1                   And what happens is as you're  
2 building those secondary piles you're cutting into  
3 this primary pile and creating this overlap with the  
4 other primary pile. This is tough to see here. I  
5 apologize, but this is a picture of a secant pile  
6 wall that was built in Boston about two years ago.  
7 You can see maybe kind of the curvature of the  
8 concrete. And this particular one, the reason I  
9 included this one is the beam happens to -- this  
10 doesn't usually happen, but the beam happens to  
11 stick up above the wall at this point, but you can  
12 see that this is a secondary pile, secondary pile,  
13 and there's a primary pile in between those.

14                   So as I mentioned, we are going  
15 with -- the approach we are taking is to go with  
16 this type of wall and there's a lot of reasons to do  
17 that, but the primary one is protection of the  
18 building. So with slurry walls, both -- I'll say  
19 I'm hired by contractors all the time to make either  
20 one of those work. And I don't want to tell you  
21 that a slurry wall can't work. You can find ways to  
22 make it work. There would be additional protections  
23 that we would take to the other buildings. It would  
24 probably be unreasonable for this site considering  
25

1 the size, considering the location. There's  
2 schedule constraints associated with slurry walls.

3 So a secant pile wall is the right  
4 solution for this job as it stands right now. And  
5 the reason is you drill one pile at a time. So in  
6 this slurry wall mechanism what you have is an open  
7 trench, held open by slurry for -- basically they  
8 can get about one panel a day. There is no casing  
9 around it. There is nothing -- the type of slurry  
10 there is nothing to protect the wall of the  
11 excavation from collapsing in on itself.

12 The slurry is designed so that it  
13 doesn't collapse, but it's not that it doesn't  
14 happen. When we say collapse, it doesn't mean a  
15 huge major collapse, but it can cause -- if there is  
16 some loss of soil, it can cause settling and that  
17 can happen in loose sand material.

18 The other aspect of slurry walls is  
19 when you're near existing foundation walls, there is  
20 a pressure from that slurry. That slurry is all at  
21 the ground surfaces. There is water, essentially  
22 similar water pressure pushing against another  
23 exterior foundation wall.

24 With the secant pile wall what we  
25

1 would require is that they actually case the hole  
2 all the way down to the clay. And so what happens  
3 is that sand can't collapse in on itself because  
4 it's protected by that casing. You're also doing  
5 it -- normal diameter is about three feet. That can  
6 vary, but normal diameter is about three feet, so  
7 you're doing much smaller segments at a time. So  
8 what it allows you to do is do a pile, move to  
9 another location, do a pile, so you don't have  
10 anything that's open for a significant open  
11 excavation for a long amount of time. It's a lot  
12 more protective to adjacent structures.

13           The depth of the secant pile is going  
14 to be decided on two things. So when we go with an  
15 approach like this, the -- what we do is we use this  
16 wall, not just as a permanent foundation wall, but  
17 we use it as a support of excavation. Now, there's  
18 benefit to that from -- what was talked about a  
19 little bit at the last meeting, which is a system  
20 like sheet -- steel sheet piles, or soldier piles,  
21 those are temporary systems you take down and then  
22 you build a cast-in-place wall inside of it.

23           The benefit of using a wall like  
24 this, is it's much stiffer so it's less susceptible  
25

1 to movement. The other benefit with this is that  
2 particularly sheet pile walls, the method of  
3 installation, so a soldier pile wall is very similar  
4 to a secant pile wall except you get rid of the  
5 concrete in between. A sheet pile wall are steel  
6 sheets that go in and vibrated into place. Those  
7 vibrations, if it's in dense material, can cause  
8 significant vibrations to the existing structures.  
9 So that's part of why we recommended these secant  
10 pile walls. We think it's the right solution for  
11 this site.

12 MS. POVERMAN: Did you finish your  
13 thought about the depth that secant piles depend  
14 on.

15 MR. FLYNN: Oh, sorry. Thank you.  
16 So the depth of those secant piles, because we're  
17 using it as the support of excavation the depth of  
18 those secant piles are dependent on two things.  
19 First we want to create down water cutoff. You put  
20 it below the excavation to create a path for the  
21 water to flow that's long enough so it reduces  
22 dewatering in construction.

23 It's waterproof in permanent  
24 conditions and we don't have to worry about it then,  
25

1 but during construction we want to reduce the amount  
2 of water coming up through the bottom. In addition,  
3 you need to support it so that the toe doesn't kick  
4 in within the support of excavation.

5 MS. POVERMAN: What doesn't kick in?

6 MR. FLYNN: So what we call -- so the  
7 way these walls are built you build it from the  
8 ground surface and then you excavate down two feet  
9 below, say, eight feet or so and we're going to  
10 install a brace. What that brace is is a steel beam  
11 and pipes that hold up the wall. You dig down  
12 another 15 feet or so and you install another level  
13 of bracing until you make your way down to the  
14 bottom.

15 The thing that holds this wall up is  
16 those steel beams and the soil below. The soil  
17 below and the wall that goes into the soil below we  
18 all call a toe.

19 I wish I could have a cross-section  
20 for you that -- it's essentially we would be  
21 putting -- well, so the easiest way to say it, you  
22 would be putting secant pile about 15 feet below the  
23 bottom of the excavation. That 15 feet is  
24 generating a resistance in the soil so that it

25

1 doesn't -- the wall doesn't move. That's the toe.

2 MS. POVERMAN: Thanks.

3 MR. FLYNN: So just to -- before I --  
4 the piece of this secant pile wall on your diaphragm  
5 wall is work I know has been brought up a couple  
6 times is waterproofing. Those walls are essentially  
7 waterproof. The water is not supposed to seep  
8 through those. There are times during construction  
9 where you can get walls that have leaks in it. You  
10 would put within the contract documents the time the  
11 contractor is required to prevent those leaks. So a  
12 way that they can do that -- places that you can get  
13 leaks is at this -- the interface between the two  
14 joints there. And sometimes what they will do is  
15 they will put a seal right in between the joint to  
16 prevent the leak. That's just if they're trying to  
17 repair. The other thing they'll do occasionally is  
18 they'll drill a hole behind and grout behind the  
19 pressure and grout seal leaks. Those are  
20 remediation measures. That's not necessarily a  
21 method that's required to waterproof.

22 MS. POVERMAN: What did you say you  
23 require the contractor to do?

24 MR. FLYNN: So we would require if --  
25

1 if there is leaks on the wall, so as you're going  
2 down you're going to see what's on the wall. If  
3 there are leaks on the wall we would require  
4 remediation of that.

5 At the bottom of the wall what you  
6 would do is you would interface the waterproofing  
7 from either the slab, from the structural slab or  
8 the mat slab, and lap it together at the secant pile  
9 wall so the two overlap and you've now attained your  
10 waterproof structure.

11 MS. MORELLI: I don't want to  
12 interrupt. I thought it might be relevant. I think  
13 one of the questions that came up at the last  
14 hearing from the architecture peer review had to do  
15 with the square footage of the garage. And I was  
16 wondering if you might very briefly be able to --  
17 this is a particular method that you're  
18 recommending? How does that affect --

19 MR. FLYNN: So really what the most  
20 common thing that was -- so a lot of people don't  
21 like the way this looks when you're done with it.  
22 You got these rounded surfaces. So what's happened  
23 often is they want a liner wall. A liner wall is a  
24 flat surface that makes it look like it is always  
25

1 meant to be flat, there is no secant pile behind it.

2                   What you do when you build those  
3 liner walls is, despite the fact these are  
4 waterproofed they can get moisture built up behind  
5 it and you don't want that liner wall to separate  
6 from the concrete. Oftentimes what they put is  
7 drainage boards along the backside of that wall and  
8 then they'll design those liner walls to take  
9 hydrostatic pressure, the water pressure. That  
10 liner wall is not something that's required here.  
11 But if it was, it generally ends up being somewhere  
12 between four to six inches thick.

13                   MS. POVERMAN: So you said it's not  
14 required here, but that could happen such that it  
15 would be required?

16                   MR. FLYNN: It's an architectural  
17 feature because somebody doesn't like the way the  
18 base of the wall looks.

19                   MS. MORELLI: Just a follow-up  
20 question. You've seen the plans for the garage.  
21 You don't see any feasibility issues regarding the  
22 number of parking spaces or drive aisle width or the  
23 size, the depth of the parking spaces?

24                   MR. FLYNN: I don't.

25

1 MS. MORELLI: I just want to make  
2 sure these areas are in sync.

3 MR. FLYNN: Yeah, I don't. Currently  
4 I'm showing in the architectural plan the wall is  
5 three foot thick, which is what we would expect a  
6 wall like this. So we were talking about the fact  
7 that it's deeper, three foot thick means that the  
8 architect has accounted for how big these secant  
9 piles can be and really can make it. There is  
10 potential for a smaller size if needed.

11 I've also seen in the past areas that  
12 haven't -- it's not something that's planned here,  
13 but something people have done in the past is they  
14 have actually just cut off. So it's not the end of  
15 the world if you have to have something like that.  
16 They soft cut the face so you get a nice flat  
17 surface.

18 So there are many options to create a  
19 situation where you have some sort of liner wall.  
20 We can still fit within what the architectural  
21 drawings are showing. The architectural drawings  
22 have accounted for the thickness of the foundation  
23 wall we're looking at right now.

24 MS. MORELLI: I just want to ask  
25

1 another question. There are some below grade  
2 structures in the abutting parcel. On one side  
3 there is a grocery store with one level below grade  
4 parking, on the other side, I think it's a post  
5 office, there is a retaining wall and I was just  
6 wondering if you've taken those into account and if  
7 that affects some of your setbacks.

8 MR. FLYNN: So the key to setback in  
9 a project like this is really construction space,  
10 how much they need for the rig to get installed.  
11 Those have been accounted for and part of where the  
12 location of the wall currently is. The way they  
13 build these is they start with -- to make sure  
14 that -- it's very important that the circles overlap  
15 in the right area. If the circles don't overlap,  
16 that's where you get leakage, that's where you get  
17 issues.

18 They'll put in a -- these need room  
19 for a guide wall and that's the main clearance  
20 issue. The drawing that we have been provided  
21 account for that to avoid the clearance. Same with  
22 the retaining wall that comes around, a retaining  
23 wall is around the back parking lot area.

24 MS. POVERMAN: The eyeballing you did  
25

1 of the garage, does that take the place of or  
2 eliminate the need for the as-built plans that have  
3 been referred to as ideally being gotten for the  
4 adjoining structure?

5 MR. FLYNN: So it's always great to  
6 have as-built plans. It's very uncommon that we  
7 actually get them. If -- so I mentioned before that  
8 we went in, we saw it's likely foundation is on  
9 shallow sand. That's the most conservative  
10 foundation assumption anyway. That's what we most  
11 likely have to protect against and the most  
12 susceptible. So the measures we're taking are  
13 assuming that this is the most acceptable type of  
14 building.

15 MS. POVERMAN: Thanks.

16 MR. MEIKLEJOHN: I have a question  
17 and it's similar to what Maria was asking about a  
18 minute ago, but let me just ask it a little  
19 differently.

20 This is about protection of adjacent  
21 existing structures. And you talk about your  
22 exploration of the basement. You talk about the  
23 lateral distance away from them. You mention the  
24 advantage of the secant wall system over a slurry  
25

1 wall, not a continuous slab, you drill one of them  
2 at a time.

3           Could you just summarize, are there  
4 risks inherent, that you consider inherent to  
5 building at the distance that you're proposing to  
6 build from these existing structures or unknowns and  
7 how are you providing for them in the design?

8           MR. FLYNN: So it's a great segue  
9 into the slide. It's a great question. So when you  
10 have shallow foundations and you're going below them  
11 up, there is three main items that generally impact  
12 and damage structure. Vibration -- so there is  
13 construction vibrations, movement of the foundation  
14 wall, movement of that exterior wall, secant pile  
15 wall.

16           So if you recall, I was saying this  
17 is a stiffer wall system than a sheet pile wall.  
18 That reduces that lateral movement of the wall,  
19 which reduces the chance of that settling of the  
20 adjacent foundations. And then the third is  
21 lowering of the groundwater table. If the  
22 groundwater table lowers significantly -- it's lower  
23 than it's significantly been in the past, you can  
24 cause settlement of the adjacent buildings as well.

25

1           So those are three things that we  
2 really want to protect against and monitor. This  
3 type of building is geared toward protecting against  
4 those. This type of foundation systems are geared  
5 toward protecting against those, but we do things to  
6 monitor as well.

7           So the first thing that we would do  
8 separate from implementation is we preload the  
9 bracing. And basically what we do is there is a  
10 picture on the bottom right here. So this is a  
11 picture of a pipe that holds up the wall. This  
12 prevents the wall from moving in. And what we do is  
13 we put a jack on it and we push against it to, we  
14 say, 50 percent of our design loads. And what that  
15 does is that helps limit any movements that occur as  
16 the building goes down. That's an active measure of  
17 preventing movement.

18           The other thing that we do is  
19 monitor. So what we recommend to do, vibration  
20 monitoring at existing structures. So vibration  
21 monitoring, it's come a long way just in the last  
22 five, ten years. What used to happen, you have a  
23 seismograph, you correct the data, and somebody at  
24 the end of the day picks up the seismograph, looks  
25

1 at the data and says, oh, there was a big vibration  
2 at this point, that wasn't great.

3 There is much more automated systems  
4 that where -- this is a seismograph that is posted  
5 on a foundation wall and it goes to a computer  
6 read-out box. That read-out box automatically sends  
7 you a notification if a vibration has gone over one  
8 of your limitations. That will help you monitor  
9 vibrations during construction.

10 Additionally, there is a pretty  
11 standard item -- is one of my colleagues is going to  
12 kill me -- put them in this, but these are survey  
13 monitoring points and it came out really dark in  
14 this picture, but basically the points that were put  
15 on the wall and the buildings to monitor how it  
16 moves. Those survey monitors, it's a prism. That  
17 survey prism that gets screwed to the wall. You  
18 come out and you can monitor those daily to see the  
19 progress of the wall, make sure if there is any  
20 movement in accordance with what you anticipated.  
21 This is a -- he was mounting this one in the Central  
22 Artery Tunnel.

23 And then the last thing that we can  
24 do to understand how to add to how the wall shape  
25

1 and how it moved is we'll put what we call  
2 inclinometers. Basically it's a vertical survey rod  
3 that you put into the secant pile. Either in the  
4 secant pile or we put it behind it because of the  
5 drill. We put it in and it will show us the shape  
6 of the secant pile as the excavation progresses.  
7 All those things will help us understand what  
8 movement, how movement is occurring, what's  
9 occurring, and making sure that it's less than we  
10 anticipated.

11 MR. MEIKLEJOHN: Will you propose to  
12 place these monitoring devices only on this  
13 development's new construction or would you seek to  
14 place them on, say, the inside -- based on the wall  
15 of the structures adjacent to you?

16 MR. FLYNN: So we would seek to put  
17 them on the exterior -- on the outside of the  
18 exposed wall.

19 MR. MEIKLEJOHN: The foundation wall?

20 MR. FLYNN: Not the foundation wall,  
21 but the above grade wall.

22 MR. MEIKLEJOHN: The super --

23 MR. FLYNN: The super structure of  
24 the adjacent building.

25

1 MR. MEIKLEJOHN: Each one?

2 MR. FLYNN: Yes. I think that comes  
3 with, you know, getting permission from the adjacent  
4 property owners, but it's a method of protection.

5 MS. POVERMAN: So what do you do if  
6 you find that the groundwater table is, in fact,  
7 being lowered and especially if it's affecting next  
8 door? So that's a two-part question.

9 MR. FLYNN: Yeah. And the last one I  
10 didn't mention here so with the groundwater we would  
11 have wells outside the excavation to monitor  
12 groundwater. What we would do is, if that was  
13 lowering it, we would stop dewatering and understand  
14 why water -- you know, we would require the  
15 contractor to stop dewatering and understand what's  
16 occurring that's causing the draw-down outside the  
17 excavation.

18 Now, if you recall, I was saying we  
19 don't anticipate -- this is -- because this, the  
20 secant pile will go into the clay we're essentially  
21 creating a bathtub. Water didn't want to come up  
22 into the excavation that's outside of the structure.

23 We don't anticipate significant  
24 draw-down outside of our structure. What we got is

25

1 essentially a tub full of water. Dewatering, you --  
2 essentially all of the water that's in the  
3 excavation. There will be some infiltration, but  
4 infiltration is very slow.

5 MS. POVERMAN: Okay. So worse case  
6 scenario you don't expect it to go outside.

7 MR. FLYNN: So we monitor if it's  
8 occurring, if it gets lower. I don't think we set a  
9 number for the site, but we generally set if the  
10 draw-down is -- we generally set two limits, a  
11 threshold limit if it's -- work doesn't necessarily  
12 need to stop before we all need to talk approaching  
13 a number that we didn't expect. And we want to make  
14 sure we understand why that's occurring so there's a  
15 threshold limit.

16 And then an action limit where work  
17 would stop and we wouldn't allow any more dewatering  
18 until we figure out what's going on, what's causing  
19 it to actually lower the groundwater table outside  
20 of the excavation.

21 MR. MEIKLEJOHN: From your monitoring  
22 well observations on the B1 through 5, just  
23 generally what do you know about what is the range  
24 of the horizon of the water level relative to the  
25

1 varying soils that are supporting the other two  
2 structures?

3 MR. FLYNN: So you mean like seasonal  
4 fluctuations?

5 MR. MEIKLEJOHN: Yes. You know, does  
6 it rise above the footings, is it 10 or 12 feet  
7 below?

8 MR. FLYNN: No. So rise above the  
9 footings of the adjacent building, it doesn't rise  
10 above the footings of the adjacent building. So we  
11 only really have monitoring for one season.

12 MR. MEIKLEJOHN: And how many wells?

13 MR. FLYNN: There's one well. So  
14 there is the one well in the center of the site.

15 MR. MEIKLEJOHN: Do you think that's  
16 enough?

17 MR. FLYNN: I do. For a site this  
18 size, I do.

19 MR. MEIKLEJOHN: Okay.

20 CHAIRMAN GELLER: Questions thus far?  
21 Anything further? No? Okay.

22 MR. FLYNN: And we've talked about  
23 this a little bit, but we want to use the secant  
24 pile to limit the groundwater infiltration, to cut  
25

1 off flow, send them to depth to prevent flow from  
2 coming up. The bathtub, the inside of the  
3 excavation, the dewater wells, well points sumps in  
4 the excavation as it proceeds.

5 You require that the water level  
6 stays two foot below whatever the excavation  
7 subgrade is. That allows a workable area and it  
8 basically has the contractor stay ahead of  
9 groundwater as they're making their way down.

10 Discharge would -- from what would be  
11 in the storm drain system, you're not allowed to  
12 assume that any water you discharge is just clean.  
13 You need to meet requirements of EPA permits. This  
14 site would likely be what they call a DGP, which is  
15 a dewatering groundwater permit. Dewatering general  
16 permit, I'm sorry. It has requirements associated  
17 with chemical testing and pretreatment if needed to  
18 dispose in the system.

19 For soil disposal, this is obviously  
20 a site that is tight. There is not room to  
21 stockpile on-site. We have got someone who has been  
22 looking at the actual procedure that we'll be taking  
23 for this, but the reason I want to include this in  
24 here is when you can't stockpile, you're direct  
25

1 loading onto trucks. And so what that means is you  
2 don't have a chance to characterize the soil that's  
3 being disposed of.

4 This soil will likely go to a  
5 landfill and those landfills have permit  
6 requirements that say for every 500 cubic yards --  
7 and different places have different requirements to  
8 meet their permits, but for every 500 cubic yards I  
9 need you to test for these materials and show that's  
10 below a certain amount.

11 So what we would do is we would go  
12 out to the site beforehand and precharacterize that  
13 material. We would do it in cells that correspond  
14 to that 500 yards, or whatever the quantity may be  
15 for the specific disposable facility, and test so  
16 that as you're excavating you're getting  
17 representative samples of what's going to that  
18 facility.

19 We don't recommend performing this.  
20 I know this is something that came up. We don't  
21 recommend performing this at this time. The reason  
22 is the data can go stale. Every facility is a  
23 little bit different. Generally if it's over a year  
24 they do not accept the environmental data. Some  
25

1 places I've seen are six months. After six months  
2 they don't accept it.

3 That's all I have. I'll accept  
4 additional questions obviously.

5 CHAIRMAN GELLER: Questions?

6 MS. POVERMAN: I'm going to save it  
7 until I hear from the peer reviewer.

8 CHAIRMAN GELLER: Thank you very  
9 much.

10 MR. FLYNN: No problem.

11 MR. LAFRANCE: Good evening. Dan  
12 LaFrance, Fuss and O'Neill, geotechnical reviewer.  
13 And before I start I would just like to thank Mike  
14 for the detailed presentation and say a lot of my  
15 comments I prepared before I got to see what his  
16 slides were going to simulate so there's some quite  
17 a bit of overlap between -- I have a comment on  
18 something, he's already answered that so I will  
19 probably revisit a few of his points as we go.

20 So just as a matter of procedure, so  
21 we originally reviewed the four-story iteration. We  
22 reviewed it in late winter, early spring. We were  
23 then presented with a three-level foundation. We  
24 issued a comment letter in early April. GEI

25

1 responded to that. And, you know, GEI responded in  
2 detail. Basically I'm going to go over the, kind  
3 of, five major headings that we brought up in our  
4 peer review and kind of talked to those -- some of  
5 the specifics that will kind of come as I kind of go  
6 through and revisit other comments.

7           The five major points for the benefit  
8 of the board and everyone here were, first of all,  
9 dewatering groundwater management; second, regarding  
10 foundation waterproofing, and with that the  
11 dimensions and questions related to the dimensions  
12 of the building. Third is questions related to the  
13 building load, the design and things of that nature.  
14 Fourth being the abutting property impact and  
15 general questions about how that would be managed.  
16 And fifth being soil management.

17           To the extent you guys addressed each  
18 of those comments in detail tonight so like I said,  
19 unfortunately some of my comments are going to be  
20 reiterating some things that have already been  
21 traveled, but --

22           So just to start with dewatering  
23 groundwater management I do want to flip back to the  
24 issue real briefly of soil profile. That was in  
25

1 here. So just one that I want to mention, you know,  
2 GEI talked about the secant pile wall being cut off  
3 for groundwater flow and limiting groundwater  
4 infiltration creating a bathtub.

5 The notion of an impervious box is  
6 that that is successful, is a great way to manage  
7 the amount of groundwater coming into the hole, the  
8 amount of groundwater that you have to manage. I do  
9 want to note, as sort of a quick aside, the GEI's  
10 presentation, but the town owns the drain in Soule  
11 Avenue. The discharge point will be into the  
12 municipal drains is the apparent discharge location  
13 and so the question that comes up is, you know, how  
14 do you minimize the groundwater flow, how do you  
15 minimize groundwater management in a way it prevents  
16 discharges to the municipal storm sewer that is  
17 really meant for storm flows. You don't want to  
18 conflict with that and cause localized flooding or  
19 anything like that. To date we have not seen an  
20 analysis of capacity in that system and how that  
21 relates to groundwater flow. Obviously if the  
22 dewatering discharge is minimal, there should not be  
23 really much of an issue.

24 But the one thing that I do want to  
25

1 bring up on this slide is that some of the deeper  
2 portions of the profile, they did penetrate out the  
3 bottom clay and encountered sands below that. In  
4 terms of groundwater yield and groundwater flow, you  
5 get much higher flow through sand than you do from  
6 clay. Clay is basically impervious. Sand can be,  
7 you know, tens of thousands of times more conductive  
8 and eventually get significant water flow.

9 If you have, you know, drinking water  
10 well system you would typically try to site that for  
11 sand and gravel and those kinds of materials because  
12 you will get water coming through without a whole  
13 lot of effort to pump it out.

14 So unfortunately if you're talking  
15 about, you know, you're trying to excavate, you're  
16 trying to hold water down, that works kind of  
17 against you. And so one of the things that we had  
18 raised in our review letter and GEI kind of  
19 responded with was the notion that these secant  
20 piles will tie into some sort of impervious horizon.  
21 They go deeper than -- it will go deep enough to  
22 basically reach some sort of clay or till or  
23 bedrock, you know, some sort of material that's  
24 basically going to not yield any water or yield  
25

1 minimal water. And I think it's a great approach, a  
2 great concept, problem being that the borings thus  
3 far to roughly 50 feet have not necessarily  
4 documented that horizon is continuous across the  
5 site.

6 So there is a little bit of an open  
7 question there of how deep does it have to go to  
8 accomplish that objective. The other option would  
9 be that you can go to some lesser depth, but still  
10 deep enough that it creates a very long pathway  
11 along the wall for water to travel. Mike kind of  
12 made reference to that. The longer that path  
13 travels the less water it's going to yield as well  
14 kind of regardless of material that passes through.

15 So there are, you know, a few  
16 different options there. Basically one of our kind  
17 of long-term recommendations is that before they can  
18 go for a building permit they have to document on  
19 the record what the conditions are, what the water  
20 yields are going to be, which of those kind of  
21 proposed methods is really going to be the water  
22 control method until -- to document the impact to  
23 the NS4 as part of the dewatering approach which all  
24 kind of ties into there is a permit process. They

25

1 do have to follow it one way or another. So that's  
2 something we can revisit at a later point. That's  
3 not a problem.

4 Another thing that I want to flip  
5 back to real quick, in terms of the limitations of  
6 the existing program we have got a north, a south  
7 section through here which documents the soil  
8 conditions, but if you look at the locations of all  
9 the exploration, there's a building in the way, no  
10 fault to anyone that they couldn't, you know, drill  
11 through an existing building, of course.

12 But, you know, there is sort of the  
13 open question of where the soil is there and is it  
14 anything significantly different and does that have  
15 a significant impact on, you know, potential  
16 dewatering issues and things like that that could  
17 come up. So doing some additional exploration after  
18 the building is down usually as, you know, as one  
19 last check before you start installing secant piles,  
20 you should probably do that anyway. It's, again,  
21 something that can wait until the end of the  
22 program.

23 So the question that the foundation  
24 waterproofing, flipping back to the configuration of  
25

1 the foundation, the question we raised was, you  
2 know, there are no dimensions shown on here, how  
3 exactly does the exterior foundation wall as shown  
4 line up with the potential for a three foot diameter  
5 secant pile wall with some sort of interior liner  
6 system installed.

7           It would be nice to actually see  
8 dimensions on this and kind of some sort of  
9 conceptual rendering about how that all comes  
10 together, but as long as the ultimate finding is  
11 that this drawing was based on the notion that that  
12 secant pile wall will be constructed with, you know,  
13 all the constraints in place as far as how to  
14 conceptually put it together and see there is the  
15 narrow edge around the outside of the site. And,  
16 you know, they refer to the -- need to have the  
17 guide wall as they put those in.

18           So it appears that they have, in  
19 fact, accounted for those kind of conditions and we  
20 don't have to worry about it. My question and my  
21 concern was kind of based on the idea that if that  
22 wall is going to have to then add several feet, it  
23 can take several feet off of the interior of the  
24 space, what does that do to the parking lines,  
25

1 configurations, et cetera. But it appears that this  
2 does account for those kinds of conditions as long  
3 as that design doesn't particularly change, and that  
4 design incorporates those elements. There is really  
5 no problem there.

6 To our third point about building  
7 loads and design parameters, first I want to say  
8 this is a level that we in the engineering world  
9 refer to as schematic designs. These are not formal  
10 plans as far as there isn't a full structural workup  
11 on this. The building massing I think has changed  
12 three or four times in the last four months. You  
13 know, in terms of what the building actually is, how  
14 deep the foundation is, all these things, there are  
15 some open questions that, you know, you the board  
16 have to weigh in on before a building that is a  
17 concept that can be realized here.

18 So some more questions related to GEI  
19 made several recommendations about bearing capacity  
20 or mat foundation basically relating to how heavy is  
21 the soil on top of it now. If you take away a  
22 store, you now take away a thousand pounds of weight  
23 on each of those square feet of soil. That soil is  
24 not necessarily preloaded the same way. We would  
25

1 recommend that somewhere down the line there  
2 actually be a formal bearing capacity analysis based  
3 on whatever the final design of the building is once  
4 the loads are established and the building massing  
5 is finalized and all those conditions have kind of  
6 worked their way through it.

7           One particular issue that I do want  
8 to bring to light, and again, this relates to  
9 flipping back to that same soil profile where, if  
10 you were talking about being in one of these  
11 horizons that bears roughly on one of these clay  
12 horizons, GEI indicated that one foot of soil weighs  
13 about as much as one story of building. And so an  
14 11-story building or a 10-story building above grade  
15 is roughly the equivalent of, you know, 10 or 11  
16 feet of soil.

17           And so one thing I would note is that  
18 under 30 feet of soil right now, that soil is kind  
19 of preloaded to the better part of 4,000 pounds per  
20 square foot if the building loads end up being  
21 significantly less. You're dealing with clay and  
22 some of it is in the saturated zone. Clay has some  
23 interesting properties structurally that when you  
24 overload it, unload it, especially when it's wet, it  
25

1 can actually deform in different ways. So it's  
2 another thing to revisit that assumption later and  
3 just confirm that usually this solution to that is  
4 if a mat foundation or something along those lines  
5 that can carry those loads, or if it is sand  
6 underneath, you know, there's ways that you can kind  
7 of reconfigure things to work.

8 So that is a design consideration  
9 that comes up later.

10 MS. POVERMAN: What is underloading?

11 MR. LAFRANCE: Basically you got clay  
12 that's currently under 5,000 pounds of pressure.  
13 You take most of that pressure off and you get water  
14 pressure on the other side of the slab. The clay  
15 can relax and you just have these differential  
16 movements that can occur with a clay foundation. It  
17 gets a little bit strange, so you know, it's not  
18 necessarily something you need to have all the  
19 answers, but just something you need to keep in mind  
20 for later.

21 MR. FLYNN: So they call this heave  
22 and so you unload it and the clay wants to somewhat  
23 rise and then all of a sudden you load it again and  
24 it drops back down. It's a little balance. Part of  
25

1 that is very much associated with coordination with  
2 the structural engineer when you have the load, when  
3 you understand what the loads will be and how the  
4 construction occurs. He's right that it's something  
5 down the line we want to make sure we're considering  
6 and addressing, and part of that is associated with  
7 understanding where those settlements will occur,  
8 how much settlement the construction can take. But  
9 you're right, it's something that needs to be  
10 considered once you have an understanding of the  
11 load.

12 MR. LAFRANCE: So that's all I have  
13 on that particular topic unless there are questions  
14 there or I can move on. Okay.

15 So in terms of the abutting  
16 properties' impact, the GEI has given a very well  
17 thought-out review of sort of how they would  
18 monitor, what some of the impacts would be. One  
19 thing I do want to note, say for example going back  
20 to the groundwater and some of the questions that  
21 came up about dewatering and unloading under the  
22 adjacent buildings, the potential impacts there,  
23 what I would note is that there are seasonal  
24 fluctuations in groundwater. Groundwater elevations  
25

1 change over the course of the year by somewhere  
2 between inches and feet. It really depends on the  
3 different geological conditions.

4           It's probably worth monitoring this  
5 site over the course of the next few months or a  
6 while to get a sense of what that kind of variation  
7 is in benchmarking any of those action levels the  
8 GEI spoke about that they normally established, that  
9 they haven't established at this time, relate those  
10 to -- you know, if you're depressing the water table  
11 deeper than -- a level fluctuation is typical of  
12 seasonal. For example, if you got normally 25 feet  
13 plus or minus a foot is your depth of the water, if  
14 go deeper than 26 feet, you're getting into  
15 conditions that aren't normally there and it's  
16 something potentially to consider action levels  
17 being set, benchmark to kind of seasonal conditions  
18 and not kind of exceeding sort of the normal course  
19 of the year.

20           And as to the -- first of all as to  
21 the notion that over the course of, you know, when  
22 you exceed one of the action levels, you stop, there  
23 should be adequate groundwater available in the area  
24 that those levels will recover over time. It's not  
25

1 any kind of permanent impact as long as you stop  
2 doing it early enough.

3 But one thing I want to bring up is,  
4 this plan doesn't really quite show it, but if go to  
5 the two ends of the block -- and this is something  
6 that we raised in our letter a little bit.

7 MS. POVERMAN: If you go to where?

8 MR. LAFRANCE: To the end of the  
9 block. So over in what would be here --

10 MS. POVERMAN: The street block. Got  
11 it.

12 MR. LAFRANCE: City block, what would  
13 be here and here, kind of just off the two ends of  
14 the site plan are two now inactive 21E disposal  
15 sites. These are two past gas stations and there  
16 are several others in the area that were all close  
17 under the same general premise, that premise being  
18 that there was gasoline that was released or oil was  
19 released from those sites at the location where they  
20 had been. They didn't pose a risk to building  
21 occupants.

22 What they mean typically is that for  
23 gasoline compounds, they can't migrate all that far,  
24 but if they're in groundwater, they can affect  
25

1 overlying air spaces. If you have enough separation  
2 from that to the occupied building, it can be  
3 presumed to be no significant risk and you can close  
4 the site out.

5                   What that doesn't account for  
6 necessarily that is a site-specific determination  
7 that where it was under what is considered current  
8 foreseeable future use, it does not pose a  
9 significant risk. The current foreseeable use does  
10 not account for major dewatering efforts going to  
11 last over a long period of time, how that may end up  
12 moving contaminants around.

13                   So again, getting back to -- if they  
14 go with the watertight box, they keep the secant  
15 pile into the clay horizon or till horizon or  
16 bedrock, you're going to limit groundwater flow to  
17 basically the extent of a box. If they're relying  
18 on something that ends up leaking through and you  
19 start having these off-site groundwater level  
20 changes, it's something to be aware of that you may  
21 start moving contaminants around further away from  
22 the site. And in terms of exactly how far that  
23 would go, it's a real complex hydrogeological issue  
24 and not something I speculate on beyond to say it  
25

1 would not be unheard of in the most severe pumping  
2 conditions to have a couple hundred feet away start  
3 having those impacts, that might be enough to start  
4 moving those contaminants around.

5 MS. POVERMAN: What are the  
6 ramifications of that? Let's say the contaminants  
7 started to be moving around, what does one do?

8 MR. LAFRANCE: The first thing one  
9 does is stop pumping. The second thing is to  
10 evaluate whether there is an actual risk posed to  
11 any of the other properties. And in terms of who  
12 gets held responsible for costs of it, that becomes  
13 a question for the attorneys in the room, but  
14 ultimately somebody is responsible for the cleanup  
15 and any impacts.

16 So if, for example, we talk about  
17 gasoline and the risks to indoor air, there is  
18 actually no air exposure, something you have to take  
19 on the requirements to installing engineering  
20 controls, or you know, I know in some cases I've  
21 heard of people vacating buildings, not for gasoline  
22 but for certain other kinds of contaminants that are  
23 more toxic. It is something that turns into, now  
24 there is environmental cleanup that would be

25

1 necessary that could be a consideration. So it's  
2 just something to be very careful with the  
3 groundwater management and dewatering to make sure  
4 that there is minimal off-site impact.

5 Part of the reason why I mention the  
6 seasonal groundwater changes is that in order to  
7 close one of those sites out they would have to  
8 evaluate over of the course of the year seasonal  
9 impacts, whether or not they are conditions that  
10 could be conducive to migration during those very  
11 seasons. If it's already been evaluated under that  
12 case and someone concluded there is no risk, it  
13 probably wouldn't be a big deal, only if you're  
14 talking about having to draw the water down  
15 substantially both on-site and off-site that you may  
16 start channeling groundwater towards the site.

17 MS. SCHNEIDER: What kind of  
18 monitoring can be done during the dewatering process  
19 so that there would be immediate detection of this  
20 kind of impact that you're talking about?

21 MR. LAFRANCE: One of the first  
22 things GEI proposed is installing monitoring wells  
23 to properties, and monitor those wells with some  
24 frequency and just being able to see whether there  
25

1 was sudden change in groundwater levels. Generally  
2 those groundwater changes move as a front so  
3 you'll -- you may from one week to the next see a  
4 very sudden drastic drop in groundwater levels,  
5 drastic being a couple of feet, but you notice that  
6 there is -- you know, groundwater is a lot deeper  
7 here than it was a week ago. Maybe that's something  
8 to keep track of.

9                   Normally when you're doing these  
10 dewatering general permits and things like that, one  
11 of the things you have to track is flow. So it's a  
12 relatively similar equation to turn around and say  
13 if you pull X amount of water out of your dewatering  
14 pit, you know, you can simulate what impact that may  
15 have on groundwater levels in certain distances  
16 away. If you're doing both of those things at the  
17 same time, you correlate those and find out did, you  
18 know, groundwater levels change because of weather  
19 or did they change because you had to pull  
20 significantly more water out in the last week than  
21 you thought you would.

22                   CHAIRMAN GELLER: But they're  
23 triggering an adverse impact with existing hazardous  
24 substances even though they're under existing orders  
25

1 whenever those sites were -- whatever was done,  
2 whether well or whatever happened, it triggers state  
3 regulatory requirements.

4 MR. LAFRANCE: Yes.

5 CHAIRMAN GELLER: Okay. So --

6 MR. LAFRANCE: Well, so, it triggers  
7 it if you have a significant change in the disposal  
8 site characteristics, and this is where it gets a  
9 little bit difficult is that unfortunately there  
10 isn't really necessarily the greatest definition of  
11 exactly what that means. It's one of those that you  
12 sort of know when you see it.

13 If you start pulling contaminants off  
14 a site that you previously closed within the  
15 boundaries of that site and now you're pulling  
16 contaminants away from it, then that is exacerbating  
17 an existing condition whether or not that existing  
18 condition is closed under the state cleanup program.  
19 There is no such thing as fully closed. That can be  
20 suitable for a site I closed out many years ago that  
21 nobody thought twice about. You know, somebody  
22 finds out there was something inaccurate with one of  
23 my reports, I'm putting my insurance on notice.

24 So a lot of these things, whether  
25

1 it's sort of an in-place, no-risk determination, as  
2 long as that material is still there, somebody is  
3 still liable for cleanup.

4 CHAIRMAN GELLER: It's all LSP  
5 certification anyway, right?

6 MR. LAFRANCE: Correct.

7 CHAIRMAN GELLER: The state isn't  
8 saying you're done. They never say that.

9 MR. LAFRANCE: They never say that  
10 you're done. It terrifies me every day.

11 CHAIRMAN GELLER: The point is that  
12 if should this occur, and we all hope it wouldn't  
13 and I'm sure they would address if it did occur  
14 because they have to, they're going to be subject to  
15 state regulatory requirements in any event?

16 MR. LAFRANCE: Yes, but kind of all  
17 the way around what that, you know, general issue  
18 speaks to is the need to develop a good approach to  
19 keeping water where it is. And the approach that  
20 GEI has laid out is if we're going to install the  
21 secant piles it's going to be impervious and we're  
22 going to create a watertight space and there is  
23 going to be water in a watertight space as long as  
24 they can adequately document, that will actually  
25

1 work. I believe that's a best approach of the  
2 various options that are out there. Anything else  
3 would require some additional verification that  
4 they're not going to cause any of these off-site  
5 undue impacts.

6 CHAIRMAN GELLER: You don't  
7 question -- I guess this is an overarching question.  
8 None of which you're seeing from a geotech  
9 standpoint -- you're not questioning the ability to  
10 ameliorate all of these things, the science exists,  
11 correct?

12 MR. LAFRANCE: The science exists.

13 CHAIRMAN GELLER: There is nothing  
14 that prevents them from addressing in a safe manner  
15 each one of these issues?

16 MR. LAFRANCE: That is correct. The  
17 thing that stands in the way of that is cost. I  
18 mean, if for example, you're talking about putting a  
19 secant pile wall to bedrock, how deep is bedrock,  
20 what does that mean in terms of the installation.

21 CHAIRMAN GELLER: He's writing the  
22 check. I'm okay with that.

23 MR. LAFRANCE: Right. But that does  
24 speak to if you want to develop a more  
25

1 cost-efficient approach, you're going to have to  
2 demonstrate that that cost-efficient approach is  
3 going to be safe for the public welfare.

4 CHAIRMAN GELLER: I agree.

5 MR. MEIKLEJOHN: I have a question.  
6 I appreciate it's early in design in many ways, but  
7 knowing what you know about just the physical, the  
8 depth of the excavation, the area of the city block,  
9 the adjacency of the former 21E sites, are there  
10 some reasonable precautions that might be built into  
11 the work of the project on which you and Mr. Flynn  
12 might agree that could either establish baseline  
13 conditions or monitor conditions during construction  
14 or both that would be appropriate, for example,  
15 monitoring either more groundwater monitoring now or  
16 committing to monitoring of groundwater levels on  
17 adjacent sites during construction? Is it too early  
18 to hear that or things that you think would be good  
19 practice?

20 I mean because I'm thinking about,  
21 you know, are they either questions for the design  
22 team or are they possible conditions, but I guess  
23 I'm asking about what -- if the two of you could  
24 look further down the road, what might be good  
25

1 practice for this project in response to the  
2 foundation and 21E adjacencies.

3 MR. LAFRANCE: I'm certain there are  
4 ways we can come with reasonable conditions that can  
5 be incorporated into the future work of the project  
6 that would be protective of those conditions. In  
7 terms of exactly what it would require, it would be  
8 mostly -- they are already talking about putting  
9 some off-site groundwater wells in.

10 The question is where that falls in  
11 the work sequence and getting baseline conditions,  
12 evaluating how -- what the water levels are under  
13 kind of static conditions before they start  
14 disturbing things as opposed to a week before they  
15 break ground they're installing walls on the  
16 neighboring properties to evaluate exactly what the  
17 impact is from day one of construction onward.

18 There are ways to evaluate those  
19 conditions as they stand before the project gets  
20 into construction because once you get into  
21 construction, you start changing things and it  
22 becomes sort of an open question, what was there  
23 before? What changed? How did things change? But  
24 I'm certain there are ways we can come up with some  
25

1 reasonable approaches to mitigate those risks.

2 CHAIRMAN GELLER: Other questions?

3 MR. MEIKLEJOHN: I kind of just  
4 before we get too far along. At the very beginning  
5 when you were talking about dewatering and the storm  
6 drain on Soule Avenue, I wasn't quite following at  
7 that point. Can you go back to that? What's the  
8 concern or what's the possible unintended event  
9 there?

10 MR. LAFRANCE: First of all, what the  
11 drain is, somewhere right around here there's a  
12 manhole that connects to the municipal storm sewer  
13 system. What that system is designed and intended  
14 to do is to collect and convey stormwater from the  
15 area during high flow events, during rain storms.  
16 During those same rain storms if you have an open  
17 excavation pit that's going to be collecting water,  
18 but during general construction dewatering if the  
19 idea is you're going to pump into that, that is  
20 going to represent a certain portion of the flow  
21 that that line is capable of handling. And to take  
22 it to an extreme case, if they are continuously  
23 dewatering and it starts to rain and then you start  
24 to get significant amounts of storm runoff going

25

1 into that drain, there could be a conflict between  
2 the water that the construction project is applying  
3 into that drain and the water that is preventing  
4 street flooding at the same time. And so that's the  
5 conflict that I want to raise that.

6 If that's going to be the discharge  
7 location, there should be some evaluation of what  
8 the flows are going to be. As I said it remains to  
9 be a design question, how much water that really is  
10 going to generate, but then how does that compare to  
11 what the system is actually sized for and capable of  
12 taking. There are other parts of town to look at.

13 We've raised the same question on  
14 other 40(b) projects and gotten the answer of it's a  
15 six-foot diameter culvert and it's never full, so  
16 that's not really a concern. Sometimes there are  
17 eight-or nine-inch pipes that are undersized already  
18 that can't take the storm flows as it is, and what  
19 happens if there is more water coming off as a  
20 result of the dewatering project.

21 And then to add just one more point,  
22 assuming the absolute worst case scenario now you're  
23 sucking gasoline into your dewatering area. There  
24 are discharge limitations under those remediation --  
25

1 through remediation general permit action specifies  
2 levels that are protective of making sure that you  
3 don't have gasoline in your storm drain either  
4 releasing out into a river and causing an  
5 environmental problem or having vapors come up  
6 through storm drainage systems. There is a protocol  
7 in place for that.

8 CHAIRMAN GELLER: I see Peter Ditto  
9 in the back bench. I suspect he may be able to add  
10 to your question.

11 MR. LAFRANCE: I will defer the rest  
12 of that to Peter's knowledge.

13 So the fifth and kind of final point  
14 that we are bringing up is the issue of construction  
15 soil management. And just for rough math, 18,000  
16 square-foot property, thirty feet deep, the  
17 excavation will generate somewhere in the range of  
18 about 20,000 cubic yards of soil. At some point  
19 during the course of construction, you were talking  
20 about having a pit thirty feet deep basically along  
21 the roadside. That's a condition that you can't fit  
22 in construction trucks necessarily over the site  
23 into the site in a way that would allow you to real  
24 easily load a truck on the property. So you're

25

1 talking about probably loading some of those trucks  
2 and not the majority of them with those trucks still  
3 left in the street.

4 I understand the applicant has  
5 someone here to speak to constructibility issues and  
6 these questions. But basically my first reaction to  
7 this is that if you're going to be lifting soil over  
8 the road or over the sidewalk over a truck that's on  
9 the shoulder of the road, there is a public safety  
10 consideration that needs to come up, particularly  
11 after last week. Mr. Fitzgerald spoke about the  
12 presence of crash cluster in the area, incidents  
13 with pedestrian and bicycle crashes at a higher rate  
14 than other areas in the Commonwealth. And so if  
15 you're going to be having trucks, construction  
16 trucks in the street and loading, you know,  
17 potentially over the street, there may be some  
18 considerations in terms of having to close  
19 sidewalks, having to, you know, enact certain  
20 traffic controls during the course of the work.

21 There was also some discussion about  
22 sort of the peak hour traffic at 7:00 to 9:00 in the  
23 morning. Most construction work starts early in the  
24 morning as well. What are those trucks going to do,  
25

1 where can they queue. Honestly having driven around  
2 this area many times, I have no idea where you can  
3 have half a dozen tractor trailer trucks queue and  
4 not be causing nightmares for somebody at seven  
5 o'clock in the morning, so there are some public  
6 safety considerations that need to be worked out on  
7 that.

8                   And then in terms of the condition of  
9 soil management, GI laid out a proposed program.  
10 That part -- I don't disagree that testing a lot of  
11 the disposal facilities have, you know -- they take  
12 issue with old data regardless of whether the soil  
13 quality is actually changed or not, so testing at  
14 this point may be -- I don't disagree that there  
15 could be a problem with that.

16                   What I do want to just bring up is  
17 that the soil types here, they refer to it as urban  
18 fill and then clay. Urban fill very often contains  
19 contaminants that require landfilling. Some of the  
20 clay in this area has arsenic that requires land  
21 filling. There can be some long-week coordination  
22 that goes into that. There is also certainly a cost  
23 impact that goes into that. There can be some  
24 issues with finding that out at the eleventh hour  
25

1 that suddenly the cost of that, that whether or not  
2 it is a true 21E issue, you're not necessarily  
3 required to clean up something that a glacier left  
4 there, like clay or something that is background  
5 material in the urban setting, but it can throw a  
6 wrench into the project if it's not planned, you  
7 know, well before breaking ground.

8 MS. POVERMAN: So if dirt is being  
9 taken out to trucks that are on the public way or on  
10 town land, how do you determine -- this is heavy  
11 stuff. How do you determine whether or not those  
12 areas are sufficiently strong to handle those loads?  
13 I mean, do you understand what I'm asking?

14 MR. LAFRANCE: I do understand.

15 MS. POVERMAN: You don't want a  
16 sidewalk collapsing or anything like that.

17 MR. LAFRANCE: Right. And generally  
18 speaking, you're talking about fully-loaded tractor  
19 trailers but in short term duration loads they're  
20 not going to sink as long as, again, you've got --  
21 you're going to have some sort of excavation support  
22 along the side of the roadway right here that I  
23 assume that would be designed for the surcharge load  
24 associated with construction vehicles, heavy

25

1 equipment there, and that does become a construction  
2 consideration that the wall designer will have to  
3 consider.

4 I believe actually flipping through  
5 somewhere in here -- yes, there was a mention of  
6 traffic and other surcharges against the outside of  
7 the foundation wall so that -- that just becomes one  
8 more line item into the structural design.

9 CHAIRMAN GELLER: Anything else?  
10 Okay. Don't go anywhere.

11 MS. POVERMAN: I need to look at my  
12 notes to see if I have any more questions. If I can  
13 have a couple of minutes.

14 CHAIRMAN GELLER: Peter, you're in  
15 the on-deck circle.

16 MS. POVERMAN: One of the comments  
17 made is that the proposed methods of excavation and  
18 loading soil should be given to the ZBA. Are you  
19 satisfied that we have now have that information?

20 MR. LAFRANCE: I would still like a  
21 little more information, more in terms of the  
22 proposed mitigation measures for traffic, public  
23 safety. You know, one of the questions that I have  
24 that, you know -- when you go to excavate the last  
25

1 of this material, thirty feet is about the maximum  
2 reach of certain types of excavation equipment.  
3 Could you do it from ground surface? Potentially  
4 you could.

5 Is the intent then -- to do that, is  
6 the intent to use equipment inside of the  
7 foundation, which I would assume with the bracing  
8 they would probably have to have some sort  
9 potentially crane-based system that would be working  
10 within the foundation, but if they're going to have  
11 something outside the foundation lifting soil to put  
12 it in trucks, that is obviously a bigger impact to  
13 the street and the public roadway and safety  
14 considerations become a little more paramount at  
15 this point.

16 So if they can speak to some of the  
17 those kind of -- what's their expected procedure for  
18 getting that material out, particularly from those  
19 deeper depths. Shallow materials you can get  
20 regular earth moving equipment. You're kind of  
21 pushing limits at 35 feet.

22 MS. POVERMAN: This may have already  
23 been done but one of the comments is that prior to  
24 the start of dewatering, the contractor will be  
25

1 required to prepare and submit for review a  
2 dewatering plan. Is it your view that that should  
3 be done before the project is approved, that we need  
4 more information about that, or have we been given  
5 that information?

6 MR. LAFRANCE: I think at this point  
7 there is as much information as can really  
8 reasonably be given now, but what I will say is that  
9 going back to the dewatering general permit, if in  
10 fact there is an impact to the municipal system, the  
11 city would -- or the town would have the opportunity  
12 to review that at a later stage, and I recommended  
13 there will be a more detailed evaluation at that  
14 point that would also allow for some of the  
15 additional exploration to find that impervious  
16 horizon, and in fact, that would be the planned  
17 approach for creating the watertight system that  
18 would eliminate a lot of the dewatering challenges.

19 MS. POVERMAN: What problems, if any,  
20 exist for you drawing conclusions without knowing  
21 what the building loads are going to be?

22 MR. LAFRANCE: I think GI spoke in  
23 general terms about what they expect the building  
24 ought to be and how those specific point loads  
25

1 change, how changing the building massing by a story  
2 here or there is not going to be, you know, a major  
3 change to the overall design and approach.

4           You know, it will be better to  
5 truth-check it at the end, make sure the assumptions  
6 remain valid, but I think there's as much  
7 information on the record that there needs to be in  
8 schematic design to say we're not talking about  
9 something that has such extraordinarily high loads  
10 that they would need to do a formal settlement  
11 evaluation at this point to determine if this is a  
12 feasible approach. The mat foundation -- it's a  
13 feasible approach. The design is going to be  
14 refined as the designs do.

15           MS. POVERMAN: Do you think that the  
16 steps they have proposed are sufficient to protect  
17 abutters' property. I understand one of the  
18 abutters said they would like a five-foot distance  
19 between the foundation and their building. So I go  
20 back to my question: Do you think they have done  
21 enough to understand the risk and mitigate it?

22           MR. LAFRANCE: Buildings like this  
23 are constructed on a fairly regular basis in this  
24 corridor. There's definitely something that the  
25

1 risks can be mitigated and I think GI demonstrated  
2 the good understanding of what those risks are and  
3 how to monitor for it, what to do with it.

4           The conceptual activities that they  
5 have thrown out there as being the monitoring  
6 activities that they have, I think those are the  
7 right techniques in terms of setting what the  
8 boundaries are, how they implement that, maybe a  
9 place for conditions, but in terms of being able to  
10 construct between two occupied buildings, it does  
11 happen and it can be done safely as long as they  
12 follow through on those measures. So I think  
13 conditions, enforcing those measures be used during  
14 construction and giving teeth to ensure that  
15 actually works, yeah, I think it can be managed.

16           MS. POVERMAN: What do you mean by  
17 ensure that actually works?

18           MR. LAFRANCE: Ensuring -- so a lot  
19 of times there are conditions that are put in  
20 permits and things like that that don't necessarily  
21 get followed when a construction contractor gets on  
22 the site. Very often the engineer is one of the  
23 last people to know when work is going to start, so  
24 ensuring that some of those things are planned and  
25

1 executed per any conditions that are issued, and I  
2 think that's a matter for code enforcement building  
3 officials, somebody in the town that has the  
4 authority to make sure that happens.

5 MS. POVERMAN: Thank you.

6 CHAIRMAN GELLER: Thank you. Peter?

7 MR. DITTO: Good evening.

8 CHAIRMAN GELLER: Tell us who you  
9 are.

10 MR. DITTO: Peter Ditto, director of  
11 engineering and transportation.

12 CHAIRMAN GELLER: Thank you.  
13 Randolph, do you want to ask your questions?

14 MR. MEIKLEJOHN: Sure. Hi, Peter.  
15 So this was back to the discussion about  
16 construction period dewatering, the existing storm  
17 drain on Soule Avenue. Now that you're here, can  
18 you talk about how we regulate, for example, or  
19 negotiate or some combination of those things  
20 dewatering discharges into municipal storm drains  
21 for a project like this?

22 MR. DITTO: Yeah. So as the previous  
23 speaker stated, there is a dewatering permit that is  
24 required if the underground water discharges. So  
25

1 that's been my concern all along, stole most of my  
2 thunder, but my concerns are capacity of the  
3 existing utility to handle both groundwater and  
4 stormwater. And we typically design our systems on  
5 what's called 25-year storm, and that's basically a  
6 storm that has a frequency of once in 25 years. And  
7 it amounts to, I think it's around five inches of  
8 rain over a 24-hour period. So my concern is that  
9 this capacity in this existing system could handle  
10 that.

11 MR. MEIKLEJOHN: Is there any point  
12 at this stage talking about extraordinary storms,  
13 what would be a fallback measure, or you know, is  
14 there ever on-site storage of surplus water and  
15 things like that?

16 MR. DITTO: In my mind it is never  
17 too soon to start looking at these issues. So  
18 getting the data that we have that you probably will  
19 need at some point in time, that being the size of  
20 the existing storm drain and its slope and its  
21 capacity, so to answer your question, it's never too  
22 soon, if that's what you're asking.

23 CHAIRMAN GELLER: But excessive flow  
24 which is the concern that's being raised is the  
25

1 municipal system, can it be addressed should it  
2 occur? Can it be addressed during the time frame  
3 necessary? Has it been -- this can't be a new  
4 issue. There has been construction of this  
5 magnitude elsewhere within the urban core.

6 MR. DITTO: Yes. I'll give you an  
7 example of Avalon up in Newton. Their wastewater  
8 and stormwater comes through the Town of Brookline  
9 and before they will issue a permit, I had requested  
10 that they give me the proof that the existing system  
11 can handle both those utilities.

12 MS. SCHNEIDER: What is the  
13 resolution or the solution or the mitigation if it  
14 turns out that they can't?

15 MR. DITTO: I learned a little bit  
16 here tonight in that, you know, they can regulate  
17 that to some degree, the rate of the discharge. So  
18 you know, the alternative is to dig up and replace  
19 the storm drain and if in fact it doesn't have the  
20 capacity to handle it, wouldn't want to see that  
21 done, but that's an option.

22 CHAIRMAN GELLER: Okay.

23 MR. MEIKLEJOHN: In the category of  
24 things we wouldn't want to see, I wouldn't want to  
25

1 encourage more trucks in this area, but we just  
2 heard a lot about this is such a tight construction  
3 site. There will be a series of trucks removing  
4 earth materials. Is it out of the question there  
5 could be tractor trucks removing surplus groundwater  
6 under very unusual flow conditions if there was no  
7 changes to the street utility?

8 MR. DITTO: I wouldn't want to see  
9 that.

10 MR. MEIKLEJOHN: But that would be  
11 unusual to you?

12 MR. DITTO: Yes.

13 CHAIRMAN GELLER: Anything else?  
14 Thank you. And before we move on, I see the  
15 building commissioner also back benching back there.  
16 I feel like I want to ask you to sort of just very  
17 briefly touch on the notion of a construction  
18 management plan.

19 MR. BENNETTE: Dan Bennette, the  
20 building commissioner. So typically in an instance  
21 like this the board condition approval, whether it's  
22 a 40(b) a 40(a) project, that they have a  
23 construction management plan be submitted prior to  
24 issuance of a building permit, and it would address  
25

1 any number of concerns that had been raised today.

2           Possibly in this instance it might be  
3 in the best interest of the town to do it prior to  
4 the decision or as part of the decision. This would  
5 get the applicant and the town together earlier in  
6 the process and maybe raise some issues that they're  
7 not aware of or they can raise some issues that  
8 we're not aware of and work on it together and  
9 possibly have Fuss and O'Neill be a consultant and  
10 assist in that as well.

11           CHAIRMAN GELLER: This would include  
12 the hauling away of excavation material in a manner  
13 that addresses concerns about city streets and  
14 queuing of trucks on Soule and a myriad of issues.

15           MR. BENNETTE: It shouldn't stop  
16 there. When they start constructing, we're going to  
17 have concrete trucks lining the streets. We're  
18 going to have some pumping equipment that's going to  
19 be pumping for the slabs as they get out of the  
20 ground. We're going to have steel deliveries.

21           CHAIRMAN GELLER: These are things  
22 that would commonly be expected to be addressed  
23 within both a decision as well as we deal with any  
24 construction project of this size in Brookline?

25

1 MR. BENNETTE: Correct. The only  
2 difference is we maybe try to do it earlier.

3 MS. POVERMAN: Do you see any option  
4 other than closing the street for this to be done  
5 and how it is an inconvenience to the whole town but  
6 also to the residents minimized and the post office,  
7 they'll be happy.

8 MR. BENNETTE: One of the other  
9 things that I would recommend and I've been asking  
10 for, I did do a code analysis, a code review with  
11 respect to the building code.

12 I was looking for some sort of means  
13 and methods of how they plan to construct the  
14 building and starting from demolition to completion  
15 and part of that would show what they planned to do  
16 and how it would almost meld with the management  
17 plan or there could be some overlap, but this  
18 would -- again, they would produce a document  
19 identifying when they demolish this building, are  
20 they looking to demolish it from Beacon Street back  
21 towards Soule or from Soule to Beacon when they  
22 construct it and how they plan to do that, and how  
23 these issues would be raised and discussed.

24 We have the construction project  
25

1 right at 700 Brookline Avenue, the hotel, and they  
2 do have a portion of the public way shut down, but  
3 it's a rarely used public way.

4 MS. POVERMAN: I use it and I was  
5 upset to see it was closed.

6 MR. BENNETTE: In my seven years  
7 that's the only time I've seen a public way closed.  
8 I'm not sure if Peter could speak to anything else  
9 that would come in there, but as part of, again, the  
10 means and methods, they have to find a spot on-site  
11 as they construct to use for 90 percent of the  
12 project or 80 percent and then move out to the  
13 street for the last month or during a certain period  
14 of time to close it down instead of through the  
15 whole project, but they do need approval I believe  
16 from DPW to do that and that's something we  
17 discussed in staff meetings.

18 CHAIRMAN GELLER: Anything else?

19 MS. POVERMAN: No.

20 CHAIRMAN GELLER: Great. Thank you.

21 MS. MORELLI: Mr. Chairman, I want to  
22 point out that the health commissioner is also  
23 present this evening, Doctor Jett.

24 CHAIRMAN GELLER: I think Doctor Jett  
25

1 was here last week, and are there any new questions?

2 MS. POVERMAN: This may not be a  
3 health department issue, but the concern that our  
4 expert raised about pedestrians' safety, is that a  
5 health issue?

6 CHAIRMAN GELLER: Not a board of  
7 health issue.

8 MS. POVERMAN: Sorry, Doctor Jett.

9 CHAIRMAN GELLER: You can thank her  
10 later. Okay. Do we have any other experts? No? I  
11 know the answer.

12 MS. MORELLI: I want to point out  
13 that Mr. Boehmer is also here.

14 CHAIRMAN GELLER: I don't think  
15 anything new was raised. I don't want to cut you  
16 out, Cliff, but I don't think anything new was  
17 raised that requires you to comment.

18 MS. POVERMAN: I have a question.  
19 One of the things that Mr. Boehmer raised at the  
20 last session was something along the lines of  
21 basically the project succeeds or fails based on --  
22 was it the geotech analysis, Cliff? I can't  
23 remember what it was you said, but I want to make  
24 sure that any of his concerns have been -- let me  
25

1 ask you: Do you still have concerns, Mr. Boehmer?

2 MR. BOEHMER: I do.

3 CHAIRMAN GELLER: Who are you?

4 MR. BOEHMER: Jesse, I'm stumbling  
5 for words for a second and trying to think if there  
6 is anything new.

7 CHAIRMAN GELLER: Who are you?

8 MR. BOEHMER: I'm sorry, Cliff  
9 Boehmer, the architectural reviewer whose found this  
10 geotechnical stuff really fascinating.

11 I do have a couple questions, and I  
12 think -- I mean I'm with Dan 100 percent on the  
13 cooperative, ongoing -- I'm not exactly sure when or  
14 how it shows up as a condition, but I think you all  
15 do understand that the garage and the excavation  
16 goes all the way out. There's a notion of where you  
17 could park a crane or frack tank or a piece of  
18 equipment suitably large to reach down into the  
19 excavation.

20 These are very real questions because  
21 there is a big hole where the entire site used to  
22 be, so it's getting your mind around that it's  
23 different from a lot of projects where you have a  
24 small space available. This has a very, very small  
25

1 space.

2 The question I have on the  
3 geotechnical and has to do with -- I think maybe  
4 I've missed a document, but I don't understand why  
5 there hasn't been any characterization of the  
6 groundwater, any contaminants in the groundwater.

7 CHAIRMAN GELLER: I think they did  
8 speak to that.

9 MR. BOEHMER: Has it happened?

10 MS. POVERMAN: No, it hasn't been  
11 tested yet.

12 CHAIRMAN GELLER: It hasn't been  
13 tested.

14 MR. BOEHMER: And connecting that to  
15 the potential -- one question I had for both of the  
16 geotechnical, I guess properly your geotechnical  
17 consultant is the groundwater flows.

18 We've been talking about dewatering  
19 and throw away water, but groundwater generally is  
20 moving and there is a flow to that and building a  
21 big dam underground affects that flow. It's not  
22 just a matter of pulling -- if there were  
23 contaminants -- I'm by no means saying there are --  
24 it just isn't a matter of pulling contaminants into  
25

1 the water that you're disposing of because you could  
2 check that water, you can test waters. You do it  
3 and dispose of it properly. But you're also  
4 potentially changing where that water is flowing.  
5 And I don't know if the assumption is all that  
6 happens down below in the neighbors' basements.

7 I just haven't heard that addressed  
8 at all, which way the groundwater is moving, is it  
9 moving from those contaminated sites or towards this  
10 site. I don't know.

11 And I think the only thing I would  
12 add on to Dan's concerns is about physical  
13 manipulation of equipment, and the degree of  
14 analysis that you did just for moving trash up and  
15 out, imagine way bigger pieces of equipment with  
16 much larger challenges and thinking about the kind  
17 of flow that has to happen to make that work I think  
18 is really important.

19 And I think the one comment that was  
20 made by GEI is about the recommendation of waiting  
21 on the characterization of soil and groundwater. I  
22 think the logic can do that. It generally has to do  
23 with refreshing information at the disposal site.  
24 That's what you meant when you say it went stale.

25

1 That's all true, but where it doesn't get stale is  
2 understanding that the cost impact, because if there  
3 were a circumstance, you know, upfront understanding  
4 that the real cost of whether you're disposing of  
5 urban fill or contaminated soil or having to dispose  
6 of water as opposed to pumping it into a municipal  
7 system, it's big, big swings in cost, and I think  
8 that was the thing I brought up last time. I just  
9 reiterate. I think it does dovetail with Dan's  
10 concern about a construction management plan, is  
11 just getting a really good grip of how much it's  
12 going to cost to get out of the ground.

13 CHAIRMAN GELLER: Thank you. Okay.  
14 We're going to move on now. Forgive me for  
15 repeating myself. I think we probably have a fair  
16 number of people who have tolerated two hearings on  
17 these technical topics. Do you have a question?

18 MR. FLYNN: There is a couple of  
19 items I can add some information to.

20 CHAIRMAN GELLER: We're going to let  
21 you rebut after we hear all the testimony. So,  
22 again, sort of guidelines. Listen to what people  
23 who speak before you have to say. If you agree with  
24 them, we want to know that, but we don't need to  
25

1 hear the same information again. Just say I agree  
2 with what that person said. We want to hear new  
3 information. We certainly want your testimony.  
4 Start by giving us your name, your address, and  
5 we're going to work from the back of the room  
6 forward. I don't know how many people want to  
7 speak. So if you want to speak starting with that  
8 second row back there, please come forward.

9 MR. DASANI: Good evening. My name  
10 is Ramesh Shiv Dasani. You've read my letters  
11 several times, and I've been here more than once. I  
12 am one of the residents that's going to be most  
13 extremely impacted by this development, and the  
14 thought of this street being closed for any length  
15 of time is simply hard to fathom, how would I come  
16 and go and how an ambulance will get to my home if  
17 that's necessary. That's one of the many safety  
18 issues.

19 I think the bottom line after having  
20 considered and listened to the testimony from many  
21 individuals is the simple premise that this site  
22 simply isn't sized to accommodate a structure of  
23 this capacity and to do it safely. We heard today  
24 about the construction. This is a point that I and  
25

1 others have made in our letters going back over a  
2 year. How can all of this happen with what is  
3 probably the busiest post office in the Commonwealth  
4 abutting it. We've seen many diagrams of auto  
5 radius cars streaming in and out of there. All  
6 pictures of the street that seems to be some kind of  
7 suburban paradise. The reality is, and I've sent  
8 you pictures before, I have made more on my phone if  
9 you would like to see them, and I'm sure others do  
10 as well.

11 Just this morning there were three  
12 trucks parked on the sidewalk between Soule and my  
13 driveway. This is a routine occurrence. How a  
14 truck is going to back into this and how the  
15 developer can say they are going to have the trash  
16 moved between nine and eleven a.m. is unfathomable.  
17 That's when the postal guys are double and triple  
18 parked. Right there. They know this. They watch  
19 this. Surely it can be accounted for. So I don't  
20 want to keep going on and on about this, but I have  
21 one important point that I would like to bring up.

22 Generally when one is constructing a  
23 home or whatever, one considers the size of the  
24 property and what reasonably it can accommodate, and  
25

1 obviously the developer has an interest in getting  
2 as much profit out of this as possible. And that's  
3 fine. The person made a savvy real estate decision,  
4 but I did some research on FAR ratios, and what  
5 40(b) projects and regular housing have accommodated  
6 in the past, and I think it's worth noting that even  
7 in areas where the FAR, the zone FAR, is the order  
8 of one to 1.5, a typical 40(b) accommodation is on  
9 the order of about one and a half times to one and  
10 three-quarters times that over and above the zoning  
11 limit.

12           The request here starting with the  
13 zone that's 1.75 FAR is for 5.87. That's a 235  
14 percent increase over the zoning limit. It's hard  
15 for me to imagine that to provide 20 percent of  
16 affordable housing it's necessary to incur that  
17 level of profit. How are the other people doing it?  
18 This is happening all across town.

19           The Puddingstone facility, for  
20 example, which has a FAR of 0.5 was approved with a  
21 FAR 1.31 which is 162 percent increase. I'm sure  
22 the developer, Puddingstone, is not incurring a loss  
23 in this process.

24           In fact the one at Hampton Court,  
25

1 which has a 1.75 FAR, it's the same zone, has been  
2 improved at an increase of 155 percent and they have  
3 25 percent affordable housing. So it seems to me  
4 that this can be achieved by simply scaling the  
5 project down to a size where the majority of the  
6 construction and the day-to-day choreography can be  
7 accomplished on the site that the developer owns,  
8 not on the public way that many of us live on or  
9 require to conduct day-to-day business.

10 So I invite the board to think about  
11 what is the point at which an affordable housing  
12 project adds the value that justifies that level of  
13 waiver of zoning limits. Thank you.

14 CHAIRMAN GELLER: Thank you.

15 MS. DOYLE: I'm Nancy Doyle from 11  
16 Longwood Avenue. I have several questions and  
17 comments. Number one is, What is going to happen if  
18 the loading dock already has a garbage truck there  
19 or another delivery truck and another one shows up?  
20 I don't see any room on the plans for backup of  
21 trucks, much less cars.

22 Also in the building where I am there  
23 are nine units. There are 18 parking spaces. Five  
24 of them are underneath the building on the ground  
25

1 level, and there are 13 outside the perimeter of the  
2 building. But in order to get to 11 of those 13,  
3 you need to drive underneath, quote, unquote, our  
4 building, and when delivery trucks or let's say a  
5 plumber or an electrician -- someone mentioned the  
6 racks, there's no way they can get under our  
7 building. So there are only two spaces that those  
8 service people can access with higher vehicles. So  
9 I don't know anything about the height of the  
10 ceiling here, but I think that's something to  
11 consider.

12 Also, I believe it was said before  
13 that the parking spaces will be leased to the  
14 residents. They don't come with their monthly  
15 rental. If that is true, I assume they will be  
16 assigned a spot, a number, or whatever. So what  
17 happens when those 14 spots are available and  
18 someone just goes and parks there? Well, I think my  
19 neighbor would be a little angry that I'm paying for  
20 a spot but she just got to go park wherever she  
21 wanted to if it was available.

22 Also, as far as recycling bins, I can  
23 just tell you that Trader Joe's has five to six  
24 every Wednesday morning and it takes them about 20  
25

1 minutes just to empty those five or six bins. So  
2 it's a much longer process than I think has been  
3 discussed here before.

4 Also, snow removal I know is an issue  
5 because I've looked at Trader Joe's for 17 years,  
6 and what they do is pile it up in the corner of the  
7 parking lot, and there's a lot of parking spaces,  
8 and like in the middle of the night, like three  
9 weeks later, they bring in the dump trucks and  
10 Bobcats to unload. So I know there's a snow removal  
11 heating system or something right by the parking  
12 garage, but I don't know where you can pile the rest  
13 of that snow while you're waiting three days or  
14 whatever for a truck to come. Thank you very much  
15 for all your consideration.

16 CHAIRMAN GELLER: Thank you very  
17 much.

18 MR. SPELLMAN: Hello. Kyle Spellman,  
19 co-owner of Trader Joe's property. We don't have  
20 any special recipe for the snow. We're lucky. We  
21 own a few shopping centers, so we actually truck it  
22 to a different shopping center that we own. If that  
23 wasn't the case, we would be not in a good place.

24 So a couple things. I appreciate  
25

1 everything that has been done so far. I don't think  
2 it's enough. I think the scope of the project is  
3 still way too big. I think a lot more needs to be  
4 done.

5 I still have a huge concern about the  
6 structural integrity of our building and how it  
7 relates to theirs and how far down they're going.  
8 We're very, very concerned. It's so close to our  
9 property. I think there should be at least a five  
10 foot setback, and I think there's a lot more work  
11 that needs to be done looking into that to make sure  
12 that a disaster is avoided.

13 Also, I have just a huge general  
14 concern about my existing tenants. We have one of  
15 the top performing Trader Joe's in the entire  
16 country. It's month to month top three Trader Joe's  
17 in the country. I'm not hearing good things based  
18 on what's going to happen. We all know how it's  
19 going to go if this physical construction goes on,  
20 how the trucks are going to be piled up, lanes are  
21 going to be blocked. It's going to be an absolute  
22 disaster and we all know how it's going to affect  
23 the businesses immediately affected. So we are  
24 very, very concerned, and I just want the board to  
25

1 know that.

2 I think finally I would say -- I  
3 think there should be further analysis done on the  
4 impact to abutting properties, structurally with the  
5 soil, water, as well the economic impact to the  
6 abutters, as I mentioned. I think it needs to be  
7 looked into further. I would appreciate if that was  
8 considered. And that's it. Thank you.

9 CHAIRMAN GELLER: Thank you.

10 MS. POVERMAN: Actually, I have a  
11 question. Have you guys done an analysis of what  
12 the effect of removing the satellite parking will  
13 be? The things that are now --

14 MR. SPELLMAN: We haven't done a  
15 specific analysis. I know it is going to be  
16 significant though. You mean those twenty spots?

17 MS. POVERMAN: If that's how many  
18 there are, yes.

19 MR. SPELLMAN: Yes. Thank you.

20 CHAIRMAN GELLER: Next?

21 MS. DARISH: My name is Joy Darish of  
22 30 Longwood. I love Brookline. I love my  
23 neighborhood, and I love the fact that Brookline is  
24 encouraging more affordable housing; however, it  
25

1 needs to be accomplished with a realistic size  
2 building that will be safe for cars and especially  
3 safe for pedestrians on our narrow, one-way portion  
4 of Soule Avenue which is directly across the street  
5 from my building.

6 Two of our pedestrian doors and our  
7 garage entrance are across the street from the  
8 proposed new building. Between Trader Joe's, the  
9 post office, and Temple Sinai there are times during  
10 the day when the street is impassable, and in  
11 addition to the traffic, there are double parked  
12 cars, post office, UPS, Fed Ex, and Amazon trucks  
13 waiting in line, parked on a sidewalk, blocking  
14 pedestrians.

15 Two young women in our building at 30  
16 Longwood are in wheelchairs and cannot always safely  
17 maneuver Soule Avenue now. I shutter to think about  
18 the danger an additional 75 plus vehicles exiting  
19 the proposed building would cause.

20 A month ago I witnessed an elderly  
21 pedestrian with a cane struck in the crosswalk at  
22 Harvard and Longwood by a driver trying to  
23 manipulate around the traffic. I was nearly hit in  
24 the crosswalk recently at the intersection of  
25

1 Longwood and Soule by a driver turning. The only  
2 thing that saved me from injury was that he hit my  
3 Trader Joe's shopping bag instead. And everybody  
4 knows about the bicyclist killed in front of our  
5 building. There are frequent fender-benders, cars  
6 exiting Soule the wrong way, and as the airlines  
7 say, Many near misses.

8 Our building has been hit twice, once  
9 destroying a tree on our property. Please  
10 understand we welcome a 40(b) project whose size is  
11 safe and appropriate. Thank you.

12 MS. POVERMAN: How is your building  
13 hit twice? What exactly happened there? By a car?

14 MS. DARISH: Cars went into our  
15 building making turns.

16 MS. POVERMAN: Or failing to make the  
17 turns.

18 MS. RADON: Marge Radon, 150 St.  
19 Paul. I'm also a Temple Sinai member. I basically  
20 was going to say exactly what she just said, and my  
21 concern is I have an 85-year-old husband and walking  
22 on the streets is not safe, and that's the  
23 construction and the blockage of the street at this  
24 time when we are always walking there and going to  
25

1 the senior center creates a lot of issues. Thank  
2 you.

3 CHAIRMAN GELLER: Thank you.

4 MS. MANDELL: Hi. My name is Felice  
5 Mandell. I've been a member of Temple Sinai for  
6 almost 13 years. For many of those years I was  
7 co-chair at Tzedek Sinai which is our temple's  
8 social justice. I also work professionally in  
9 affordable housing for more than 25 years, including  
10 as an executive director of affordable housing  
11 nonprofit. Most of all, I'm a member of Temple  
12 Sinai because of its commitment to social justice.  
13 A few of us are here tonight from Temple Sinai to  
14 talk about the different issues, but I'm going to  
15 mostly focus on the Temple's commitment to social  
16 and economic justice, racial equity and affordable  
17 housing and why we are not opposing this project for  
18 any of those reasons.

19 Social justice is one of the four  
20 strategic pillars of Temple Sinai and many of our  
21 members have worked hard with other faith-based  
22 institutions on a number of important equity issues,  
23 most recently criminal justice reform, immigration,  
24 food and security, and affordable housing.

25

1           Our temple is a very active member of  
2 GBIO which is the greater Boson interfaith  
3 organization and our rabbi is a committed leader in  
4 this work. We are very much in favor of more  
5 affordable housing especially in Brookline.  
6 However, the currently designed proposal for 1299  
7 Beacon Street is overbuilt and will create dangerous  
8 conditions for public safety on Soule Avenue, which  
9 as you've heard is already too congested, especially  
10 for the number of children who use it, and as we've  
11 heard all of this is exacerbated during  
12 construction.

13           Since the building almost entirely  
14 covers the site, its design does not allow for  
15 proper management of vehicle, pedestrian, goods  
16 delivery, trash pickup and construction equipment,  
17 leaving the street to accommodate the overflow and  
18 resulting congestion. I believe that the footprint  
19 of this project must be cut back for the sake of  
20 public safety.

21           Temple Sinai's social justice  
22 organizing leadership team just resolved a couple of  
23 weeks ago that Temple Tzedek Sinai is committed to  
24 ensuring more affordable housing be built in  
25

1 Brookline and it would be in favor of an affordable  
2 housing project at the 1299 Beacon Street site  
3 should Temple Sinai's significant concerns about  
4 safety be satisfactorily addressed. Thank you.

5 CHAIRMAN GELLER: Thank you.

6 MR. GILBERT: My name is Yuval  
7 Gilbert, Y-U-V-A-L. I'm the Temple Sinai treasurer  
8 and a member of the Temple Sinai executive committee  
9 and the board of the trustees. I'm also a 34-year  
10 resident of Brookline. I want you to know over the  
11 past two years Temple Sinai send four letters to the  
12 select board of the ZBA detailing our concerns about  
13 this project. Our strong and primary concerns for  
14 the safety of our children. We are committed  
15 advocates of affordable housing, and this project in  
16 its current form is unattenable.

17 We provided some statistics about the  
18 children who frequent Temple Sinai religious school  
19 in the school building on Soule Avenue. 162  
20 children attend Temple Sinai religious school two  
21 days per week during the school year. During the  
22 school year there's a drama program for children  
23 three days per week which holds 150 kids. Also  
24 during the year the Israeli complementary school  
25

1 teaches approximately 60 children in our space one  
2 day per week. During the summer the Asian school  
3 has 110 children will be utilizing our space five  
4 days a week. This coming June a new mother and  
5 newborn group will be starting.

6           Between all these groups 382  
7 individual children are in a school at 50 Soule  
8 Avenue year round. On any given week during the  
9 school year 272 children are in our building and  
10 throughout the summer 110 children are in the  
11 building Monday through Fridays.

12           Our concerns with the 1299 Beacon  
13 Street project are the following. The site  
14 overbuilding mentioned by our previous commenter is  
15 too large, very little space especially with  
16 construction trucks that came up today. Temple  
17 Sinai with its needs for access along Soule Avenue  
18 will be severely impacted by the dangerous traffic  
19 locations of the design and many different hours.

20           We also feel what the site covers  
21 should be reduced or pulled back significantly to  
22 allow for adequate space to handle the surfaces,  
23 trucks, the drop-offs, et cetera.

24           The second issue is safety for  
25

1 children, family, and elderly. Temple Sinai and the  
2 adjacent public streets are used at many different  
3 times of the day a week by people of all ages and  
4 specifically on Soule Avenue by a large number of  
5 children and families. The town should rightfully  
6 be more concerned about the safety of children more  
7 than anyone else.

8 Temple Sinai's objective for this  
9 project is not because of affordable housing shown  
10 by social justice, but instead is an overlarge  
11 project that severely impacts public safety.

12 To reiterate, we do not support this  
13 project in its current configuration. We would like  
14 to support a project that includes affordable  
15 housing if and only if the safety concern raised by  
16 us and our neighbors and nearby businesses are  
17 addressed.

18 We would ask that you take these  
19 considerations into account in your deliberations on  
20 this project. Thank you.

21 CHAIRMAN GELLER: Thank you.

22 MR. COOPER: Good evening. My name  
23 is Mark Cooper. I'm a member of Temple Sinai and  
24 have been for many years. I was also, not  
25

1 currently, a resident of Brookline, but I own a  
2 property in Brookline, and I have lived in Brookline  
3 for 27 years and not many people can say this, but I  
4 was born in Brookline. For real.

5 I'm here to talk about some  
6 negotiations that were done for 1285 Beacon Street  
7 which I was heavily involved with. 1285 is the  
8 building that replaced the gas station at the  
9 corner, right behind Temple Sinai, right in front of  
10 Temple Sinai on Beacon Street.

11 This board and the planning board  
12 understood the problem that we would have with  
13 safety of our children and our members agreed to  
14 take part of Charles Street, which is that little  
15 street that goes between Soule and Beacon and turn  
16 part of that into two ways so that people could  
17 enter the garage for that building from Beacon  
18 Street and exit back to Beacon Street thereby  
19 avoiding completely going on Soule Avenue, crowding  
20 up Soule Avenue and causing safety issues for kids  
21 and members.

22 So I don't know if anything like that  
23 can happen for this building, but I want to say that  
24 this board was very generous to us and understood  
25

1 our safety issues at that time for that building and  
2 would like to see the same consideration.

3 CHAIRMAN GELLER: Thank you.

4 MS. ABRAHAMER: Hi, good evening. My  
5 name is Nora Abrahamer. I'm the president of Temple  
6 Sinai. I would like to add a little something more  
7 about Temple Sinai's community. Yuval Gilbert, our  
8 treasurer talked about children and the numbers, and  
9 I would like to speak about the residents of the  
10 community.

11 In addition to the almost 400  
12 children who are at Temple Sinai throughout the year  
13 we are a vibrant congregation of approximately 815  
14 members, that's 351 member units or households.  
15 About 60 percent of our members are Brookline  
16 residents. Attendance during our fall high holiday  
17 services is about 400 people per service, and if  
18 this project goes through and construction happens,  
19 we would be extremely in need of not having  
20 construction happen during those days and having  
21 things coordinate with us to avoid that.

22 But again, just to emphasize, the  
23 numbers of people who are coming to Temple Sinai to  
24 take part in our programs, events, religious

25

1 services is large.

2 On many Saturdays when we have bar  
3 and bat mitzvahs, as many as 150 children and adults  
4 are in attendance. We have regular Friday night,  
5 Saturday morning, and holiday services during the  
6 year with typical attendance of 50 to 80 people.  
7 Throughout the year we have classes, programs,  
8 meetings, and events for the members of our  
9 community as well as for non-members ranging in age  
10 from one year old to 90 years old.

11 I'd also like to read -- I'll try to  
12 be quick, a statement from our religious school  
13 director.

14 "Pickup and drop off is an ongoing  
15 safety concern at Temple Sinai's religious school.  
16 We have school on Sunday mornings from 9:30 a.m.  
17 until 12:30 p.m. and on Tuesday afternoons from 3:45  
18 until 5:30. On each of these days parents and  
19 caregivers drive their children to school and  
20 attempt to find parking. Some of them drop their  
21 children off directly in front of our school  
22 building on Soule Ave. and then the children come  
23 inside.

24 "Soule Avenue is a narrow street, as  
25

1 we all know, and the fact that we are located next  
2 door to the post office adds further congestion.  
3 It's not unusual to see multiple postal trucks in  
4 the area.

5 "Religious school is of particular  
6 concern. At any given time 60-plus children will be  
7 waiting outside for their parents and caregivers to  
8 pick them up. It is the job of the teachers to make  
9 sure they get safely into their cars.

10 "Oftentimes people double park on  
11 Soule Ave. and during rush hour it can be  
12 particularly worrisome, especially during the winter  
13 months when it gets dark early. When there's snow  
14 there is even less room to maneuver.

15 "Traffic slows down during religious  
16 school pickup time and the idea of adding more cars  
17 to an already chaotic scene seems very risky.

18 "Moreover, will emergency vehicles  
19 such as fire trucks and ambulances be able to pass  
20 through the street if more cars are added to the  
21 mix? Let us not make an already precarious  
22 situation even more dangerous for our precious  
23 children. Thank you so much for your  
24 consideration."  
25

1                   CHAIRMAN GELLER: Thank you.

2                   MR. ROSENCRANTZ: Good evening. My  
3 name is Robert Rosencrantz and I'm a resident at 11  
4 Longwood Avenue right near the project.

5                   First, I want to support all the  
6 speakers who spoke eloquently before and in  
7 particular about the size and scope of the project  
8 given the size of the site itself. I think it's way  
9 too big. I don't know how possibly they could do  
10 the construction without closing the street given  
11 the size of that project, which would be just a  
12 terrible disruption for everyone concerned.

13                  And also I want to point out that the  
14 tradesmen and service workers will routinely park in  
15 the street despite the possible availability of  
16 spaces in the building. I know because that happens  
17 at our place. And I'm not sure they can get into  
18 the parking garage because you're going to have  
19 cards for access unless you give those out ahead of  
20 time.

21                  And finally I want to thank the board  
22 for their patience. I think you ask excellent  
23 questions. You've done a great job. Your committal  
24 to Brookline is appreciated. Thank you.

25

1                   CHAIRMAN GELLER: Thank you. Anybody  
2 else?

3                   MR. HOMER: Good evening. My name is  
4 Charlie Homer. I'm a resident of 76 Green Street in  
5 Brookline. I've been a resident for almost three  
6 decades. I'm also a member of Temple Sinai and I'm  
7 on the board of directors.

8                   Just another point I want to make  
9 related to traffic there, has been the egress onto  
10 Beacon Street either right at Charles Street or by  
11 way of St. Paul, and simply that with the additional  
12 traffic, I'm concerned there would be additional  
13 backup, particularly at busy times that were  
14 mentioned and that will add further congestion and I  
15 believe would impede both the safety vehicles that  
16 were mentioned as well as pose a threat to the  
17 children and elderly who are trying to walk through  
18 the area. Thank you very much. I appreciate your  
19 consideration.

20                   CHAIRMAN GELLER: Thank you. Anybody  
21 else?

22                   MS. SCHWARTZ: Hi, my name is Jen  
23 Schwartz. I live at 64 Soule Avenue, and I can see  
24 the entire Soule Avenue from my window.

25

1           A couple of things. First of all, I  
2 know that the traffic study is at one of the busy  
3 times of the day when the traffic studies were done.  
4 I can tell you and I have some photographs and time  
5 stamps that there is backup all day long. I wrote a  
6 letter to you and as I was writing the letter, I  
7 looked out my window and there was a nine-car  
8 backup. It was at 1:42 in the afternoon. So it's  
9 not just at those times. I know that deliveries and  
10 so forth.

11           Second point is that we have an  
12 underground parking garage in our building and a  
13 number of times the tradesmen cannot get in because  
14 of the racks, and so they end up parking on the  
15 street.

16           Thirdly, and this is most important,  
17 nobody has ever said they contacted the post office.  
18 Has anybody in this whole process contacted them? I  
19 don't know, but if you're going to close the street  
20 down or make that street more narrow, it seems to me  
21 that somebody has to call the federal government and  
22 ask them what would happen. It's the only post  
23 office in Brookline. Thank you.

24           CHAIRMAN GELLER: Thank you. Anybody  
25

1 else? No? Okay. I'm going to ask now whether the  
2 development team wants to rebut testimony that we  
3 received from peer reviewers, comments that we  
4 received. Now is your chance. Town departments?

5 MR. FLYNN: Thank you. Mike Flynn.  
6 I just want to touch on two minor things which is  
7 the peer review that was brought up. One of the  
8 things -- it's gone. But one of the things that was  
9 mentioned was some additional borings potentially in  
10 the area of the building.

11 What I would like to point out is we  
12 actually agree with the idea of additional borings.  
13 We included that as part of our geotechnical report  
14 and as our response to peer review comments. One  
15 thing I want to make sure we have for the record.  
16 It doesn't necessarily have to be at the building in  
17 our opinion. There's an option to go towards the  
18 Beacon Street side. Now there are permits that are  
19 required to do drilling within the public  
20 right-of-way, but they are obtainable.

21 It's a unique area because there is  
22 more that occurs. There is the marathon route,  
23 which it why in the last few months are not an  
24 option to do that drilling, but I guess I want for  
25

1 the record and want to make sure if that's a  
2 alternative option that if there were conditions set  
3 forth, additional borings, that that is left open as  
4 an option rather than waiting for a building to be  
5 demolished and then performing some additional work.

6 Additionally, just for the record,  
7 just so we understand, the property that's been  
8 discussed associated with the 21E I believe is on  
9 the map as 11 Longwood Avenue, referred to as Mike's  
10 Texaco. That site and I believe a site -- this one  
11 I'm not confident but 30 Longwood, but it just gives  
12 an idea of the gradient of the groundwater. The way  
13 groundwater is flowing is to the southeast towards  
14 the Muddy River. So this site, the 1299 Beacon is  
15 what we consider a cross-gradient of that. It's not  
16 a down gradient of that site. I don't disagree with  
17 some of the conceptual discussion he's talked about  
18 significantly lowering the water table.

19 MS. POVERMAN: What are you basing  
20 that on?

21 MR. FLYNN: They have groundwater  
22 flow within their reports. Part of the  
23 environmental reports is to actually evaluate where  
24 the groundwater is flowing. So that is not data  
25

1 that I've collected. That's data within public  
2 reports. What happens, it gets filed with the Mass.  
3 DEP for these sites. You can look up each property  
4 and actually you can look up the data. One of the  
5 properties actually has groundwater contours.

6 Those were the only two points that I  
7 wanted to make sure that I addressed. Thank you.

8 CHAIRMAN GELLER: Thank you.  
9 Anything else?

10 MS. BALAKRISHNA: Not for this.

11 AUDIENCE MEMBER: Has anybody  
12 addressed my question? Has anybody contacted the  
13 post office?

14 MS. MORELLI: The abutters within a  
15 300-foot radius received notice.

16 AUDIENCE MEMBER: So they didn't say  
17 anything?

18 MS. MORELLI: They are welcome to  
19 come to hearings to participate and ask questions.

20 AUDIENCE MEMBER: They're not going  
21 to come.

22 MS. MORELLI: Part of the  
23 construction management plan would be, I assume, to  
24 work with abutters as well.

25

1                   CHAIRMAN GELLER: Okay. So now, the  
2 last part of the evening and I think we're tired.  
3 The last part of the evening is I think it is the  
4 board's duty to have a discussion and give some  
5 comments and direction to the developer. We have  
6 done it a number of times in the past candidly some  
7 with results; some without results. So I think that  
8 at this point we really need to address specifics  
9 particularly of key issues that have been raised  
10 from my perspective.

11                   I tend to focus on key issues that  
12 are particularly red-flagged by our peer reviewers  
13 and also how that interplays also with testimony  
14 from town departments and boards as well as  
15 testimony we received from the public, but I'm  
16 always looking at the core issues of safety, health,  
17 the things that 40(b) actually allows us to look at  
18 and sort of the litmus test is through peer review.

19                   So others, feel free to comment;  
20 good, bad, indifferent.

21                   MS. POVERMAN: I want to add one  
22 thing. I was just looking at it. Is that the most  
23 commonly cited local concerns are health and safety.  
24 Technically one of the local concerns in the statute  
25

1 is promoting better site building design in relation  
2 to surroundings. That makes me want to take that  
3 into account, and after that I would like to hear  
4 what everybody else says before I comment.

5 MS. SCHNEIDER: I don't have many  
6 comments, but I think most of them go to aspects of  
7 the project that I'm not sure we really focused on  
8 until this evening, and I think it's important that  
9 we get some resolution on these issues.

10 I'm going to start with one that is  
11 not as important but it's a suggestion. One of the  
12 things that we talked about over numerous hearings  
13 is the fact that this project is trying to cram a  
14 lot onto the site, and it is -- I think we are  
15 always requesting for a way for it be more efficient  
16 and used better.

17 One of the things that we were going  
18 through, and I really appreciate the applicant's  
19 explanation of and thought about flow of the ground  
20 floor operations. That is what we were asking for  
21 last week. You know how frustrated I was when we  
22 didn't get that last week and I was very happy to  
23 see a more full discussion about that this week.  
24 But one of the things as we were going through the  
25

1 plan I noticed there's a 630 square foot ground  
2 floor meeting room, and I don't really understand  
3 why that needs to be so big. I'm not sure what that  
4 function is for in a residential building and I'm  
5 wondering if there's been any thought about how that  
6 space would be better used either to pull the  
7 building further back, create more on-site parking  
8 for service vehicles that people are concerned  
9 about.

10           It just seems like that space, that's  
11 not typical for a project of this nature and it  
12 seems like even if the use might be beneficial, 630  
13 feet is bigger than many apartments I lived in. It  
14 seems like a lot of space for that use. I would  
15 like to hear a little bit more about what the  
16 thinking is and what alternatives for that space  
17 might be.

18           Picking up on concerns that we heard  
19 tonight from peer reviewers, members of the public,  
20 and in particular town staff. The first thing I  
21 think we need to understand a little bit more or  
22 that I would like to see the applicant make some  
23 headway on is coordination with the town regarding  
24 the dewatering process, and that municipal storm  
25

1 drain on Soule Avenue that seems like it's -- I'm  
2 sure that every effort will be made to manage the  
3 construction and dewatering appropriately. That  
4 seems like a sensitive resource. We heard Peter  
5 Ditto say to start planning for it and dealing with  
6 it and preparing for it now, particularly with  
7 climate change and whatever else. I think that's a  
8 concern that really needs to be addressed.

9 We also heard Commissioner Bennette  
10 talk about his request for an understanding about  
11 the means and methods of construction here. And I  
12 think that it will be very important for him and  
13 also for the board to understand, particularly in  
14 light of all of the concerns that we have heard  
15 about construction in this location. We are talking  
16 about a site that's very constrained. There is just  
17 going to be a big hole and it's going to take a lot  
18 of time and a lot of work to dig that hole out.

19 And I have some real concerns about  
20 how that is going to be managed and balanced against  
21 the fact that is a very busy road with a number of  
22 residential properties, and it's about the Temple,  
23 it's got a school. It's got a super busy Trader  
24 Joe's. It has got the post office. It's got  
25

1 pedestrian, major pedestrian thoroughfare through  
2 this part of the neighborhood.

3           How is it that this site is going to  
4 manage to have all the necessary construction  
5 equipment that it has to have to go that deep and  
6 for the duration of time. We're not talking about a  
7 road closure for a couple of weeks. We're talking  
8 about months and months and months of this, and I  
9 think that this board needs to understand how that  
10 can be done in a way that is adequately protective  
11 of all of the uses along Soule Avenue and all of the  
12 residents who will be impacted by that. And it  
13 really goes to a basic feasibility of construction  
14 and I think we really do need to understand more of  
15 that, because I think in addition to feasibility it  
16 is a matter of local concern and public safety. And  
17 we need to know more about that.

18           I would also add we did hear  
19 testimony from Jim Fitzgerald last week about this  
20 being a crash cluster that I think has an additional  
21 layer of concern about how construction, staging  
22 construction vehicles are going to be navigating  
23 this site for the duration of time.

24           The last thing that I have on my list  
25

1 is a request that more consideration be given to the  
2 idea of doing precharacterization of the soil and  
3 also groundwater testing. I think we've heard  
4 enough concerns, be it that it's urban fill arsenic  
5 clay, you know, various 21E sites in the vicinity  
6 and so I think that goes both to the public health,  
7 public safety issue but I think it also goes to the  
8 economic feasibility of this project and I think  
9 that given how disruptive even just the demolition  
10 of this building is going to be because of where  
11 it's located and how tight it is, but what we don't  
12 ever want to have happen is we get in there and  
13 start doing stuff and realize that you got an  
14 environmental problem on your hands.

15 So I think I say this for the  
16 applicant's benefit but also for the benefit of the  
17 town. I think it makes sense, even though you may  
18 have to update it in order to have the correct  
19 paperwork to figure out where to send it, I think  
20 you want to know what's under this building and what  
21 you might have to deal with and what the cost of  
22 that is going to be before you start destroying the  
23 site.

24 CHAIRMAN GELLER: Is that it?

25

1 Randolph?

2 MR. MEIKLEJOHN: This was the evening  
3 when we went a little more deeply into the aspects  
4 of implementation of the project in its  
5 construction. We talked about street closure. We  
6 talked about constructibility plan, the dewatering  
7 and in the prior -- and even some tonight but  
8 certainly in the prior meeting we were looking more  
9 for the fundamentals of design and the  
10 post-development conditions that would be created by  
11 the proposed building. And one of the ways I was  
12 trying to look at it is the way in which these two  
13 areas interact and don't.

14 To me, the single biggest area of  
15 common interaction is in the site coverage of the  
16 building. I think the building is occupying so much  
17 of the available site is one of the fundamental  
18 causes of the post-development conditions to  
19 which -- about which some concerns have been raised.  
20 Queuing on street, additional traffic and so on.

21 At the same time I've taken a lot of  
22 notes this evening about the implementation  
23 difficulties posed by the inavailability of late on  
24 area, staging area, soil piling area, truck parking  
25

1 and things like that when the entire site is to be  
2 in excavation or virtually all but for the  
3 three-story basement. And it makes me inclined to  
4 ask for a change to have less site coverage.

5 At the same time I remain very  
6 dissatisfied with the upper building mass. During  
7 last week's hearing I was looking at the plan of the  
8 upper stories and I was asking Mr. Boehmer about  
9 this a week ago. The noting that the Soule end of  
10 the block, it's kind of a pork chop to Soule, the  
11 Soule end of it is thicker than what the elevator  
12 core is and the Beacon end of the block has two  
13 stories and the taller stores are all on the Soule  
14 end. We've never seen a design that tried to locate  
15 more of the high building mass on Beacon Street,  
16 which is the major thoroughfare and I get the  
17 building is narrower there, but in the interest  
18 of -- it seems to me there ought to be an  
19 examination of the design to move some of the  
20 building mass that way because of the many comments  
21 that this board and the public have made about the  
22 building's very tall mass on Soule Avenue which has  
23 not really been mitigated by anything we've seen  
24 since the winter.

25

1                   But just generally on some of the  
2 other things we've seen tonight, I've been pretty  
3 satisfied with both the engineering conversation,  
4 the level of diligence that's applied to --  
5 especially to the soil conditions and foundation and  
6 groundwater. So my focus remains on the building's  
7 mass and its footprint.

8                   MS. POVERMAN: I actually agree 1000  
9 percent with Randolph, which is just the point I was  
10 going to bring up. Putting it in a different way as  
11 has been commented, the intensity of use of the site  
12 is just too much. And one of the ways of addressing  
13 that as well as addressing a lot of the problems and  
14 safety issues that will be created by construction  
15 is, as Randolph says, reducing the footprint of  
16 pulling it, I would say, pulling it back towards  
17 Beacon Street so that construction equipment can be  
18 on-site.

19                   I don't see any reason why this  
20 building needs to be so big that a public nuisance  
21 is created during the construction of it. I think  
22 that does create very real safety problems. In  
23 addition, I think that lowering the intensity,  
24 pushing or pulling of the building back so as to  
25

1 create an additional space, makes use less intense,  
2 does fit with what I just cited as promoting better  
3 site and building design in relation to  
4 surroundings. The neighbors are being impacted very  
5 greatly by this building as it is now.

6 And intensity, I want to point out,  
7 is a factor that the housing appeals committee has  
8 taken into account when modifying or making  
9 decisions relating to 40(b)s. So it's not an  
10 immaterial consideration.

11 In terms of post-construction issues,  
12 if the building stays as it is, I think that, as  
13 raised earlier in the traffic discussions, the  
14 numbers we have been given do not account for the  
15 additional traffic that's going to be caused by the  
16 building being residential; the Fed Ex trucks, the  
17 Amazon trucks, the garage trucks, the health  
18 workers, and that concerns me given not just the  
19 busyness of the site and the intersections but the  
20 fact that backups are going to occur especially in  
21 situations that were brought up such as if there is  
22 more than one truck that needs to get in, and we all  
23 recognize that it's a very dangerous intersection.

24 What I would like to see done  
25

1 regardless of what form the project goes forward is  
2 having a four-way stop sign. I think it's the only  
3 way to make the location safe because right now  
4 everybody is fighting. I actually saw a car rip out  
5 of Longwood and nearly T-bone a racing cop car  
6 because it was trying to get out of Longwood. So  
7 those are my thoughts.

8 CHAIRMAN GELLER: So Mr. Boehmer made  
9 a suggestion last week, and his suggestion was to --  
10 Cliff, correct me if I got this wrong -- the  
11 suggestion was that the height be reduced by one  
12 story respectively on each, for lack of a better  
13 word, people will forgive me, tower. I don't think  
14 these are towers. So I think what they proposed on  
15 July 11 was 8 and 10 stories, what they proposed  
16 February 7 was 8 to 10 stories. Cliff's suggestion  
17 was that it come down, I believe, to 7 and 9. Is  
18 that correct, Cliff?

19 MR. BOEHMER: Yes.

20 CHAIRMAN GELLER: Your suggestion was  
21 further that at the fourth floor level on Soule  
22 Avenue, that the step back, rather than be the three  
23 feet I think that is proposed, it would be something  
24 that is more meaningful. I know you quantified it,  
25

1 but I don't remember what it was.

2 MR. BOEHMER: At that point I said  
3 that minimum six feet, but the purpose of the study  
4 would be to really determine what is relevant.

5 CHAIRMAN GELLER: Would that address  
6 the concerns that both of you are speaking to?

7 AUDIENCE MEMBERS: No.

8 CHAIRMAN GELLER: I'm not asking you.  
9 I was asking them.

10 MS. POVERMAN: No, it doesn't. How  
11 would you address the really big concern having to  
12 do with actual construction, Jesse?

13 CHAIRMAN GELLER: I'm just asking a  
14 question. I'm trying to figure out where you are  
15 going because you haven't said what you expect this  
16 applicant to do.

17 MS. POVERMAN: I think that's what we  
18 need to talk about, because Randolph and I would  
19 like to see intensity cut but pulling the building  
20 back by --

21 CHAIRMAN GELLER: Pulling the  
22 building back.

23 MS. POVERMAN: On Soule closer to  
24 Beacon and not increasing the height necessarily. I  
25

1 realize this is a different design, but I don't see  
2 how we can achieve this safely without that and  
3 address the intensity unless the building comes a  
4 lot lower than two floors.

5 CHAIRMAN GELLER: Cliff's proposal is  
6 reduce it by a floor respectively on each section  
7 segment, whatever you want to call it.

8 MS. POVERMAN: That's six units per  
9 floor?

10 CHAIRMAN GELLER: Then come in six  
11 feet. His rough calculation was six units be  
12 reduced off of it.

13 MS. POVERMAN: That's not enough. I  
14 think it's way too intense use of the land.

15 CHAIRMAN GELLER: Okay. Because the  
16 building takes up too much of land area? Explain  
17 what it is they would do to the project. Give them  
18 direction on what it is they would do for a project  
19 that would meet a lower intensification that's  
20 acceptable to you.

21 MS. POVERMAN: I would see it as  
22 being 45 to 50 units. That would reduce things to a  
23 level where I think that it's more workable, but  
24 frankly I would -- I might trade some of that if  
25

1 we're able to pull the building back to free up the  
2 footprint more, as Randolph was saying.

3 CHAIRMAN GELLER: Pulling the  
4 building in around the entire perimeter with the  
5 exception of Beacon Street?

6 MS. POVERMAN: I was just thinking of  
7 Soule, just Soule.

8 CHAIRMAN GELLER: This is what I'm  
9 trying to figure out because at the end of the day  
10 they need to know what -- they're either going to do  
11 or going to tell us they're not going to do, but we  
12 have to give them some direction at this point.

13 MS. POVERMAN: That's what I would  
14 like to see.

15 CHAIRMAN GELLER: Okay. So your key  
16 focus is Soule Ave. in pulling it in off Soule Ave.  
17 so there's adequate space on Soule Ave. to meet  
18 whatever.

19 MS. POVERMAN: That's definitely a  
20 big focus, but if the size of the project were  
21 reduced to 45, 50 units, I would squawk less about  
22 that.

23 MR. MEIKLEJOHN: We need to think  
24 about this in three dimensions. Let's talk about  
25

1 this pulling the building back from Soule Ave. I  
2 would argue that operates in a certain way. When  
3 you're talking about the subsurface construction,  
4 that operates a certain way at the street level of  
5 the building and the approach spaces, and yet a  
6 third way in the high mass of the building that  
7 rises above the first floor. And I think we've been  
8 talking about those things somewhat separately.

9 I want us to be clear in a charge  
10 about pulling the building back. It's possibly to  
11 design the building that has the same garage down  
12 underground, but the super structure is just 25 feet  
13 farther from Soule Ave. than it's currently  
14 proposed.

15 CHAIRMAN GELLER: Right.

16 MS. POVERMAN: Are you saying,  
17 Randolph, to keep the units the same, just launch  
18 the building higher into the air if you pull it  
19 back, or what is it you're envisioning there?

20 MR. MEIKLEJOHN: I was trying to  
21 start by talking about how many pieces were in play  
22 once we -- even just in the comments we made so far.  
23 We talked about the number of units, the number of  
24 stories, you know, covering how much of the site and  
25

1 because we are talking about construction impacts, I  
2 think that's the hole in the ground as well.

3 MS. POVERMAN: So you mentioned you  
4 would like to see the footprint of the building  
5 reduced, so I'm wondering if you have thoughts in  
6 addition to that about whether that would affect the  
7 height of the building in your view?

8 MR. MEIKLEJOHN: Yeah, I understand  
9 the question. I'm trying not to design the building  
10 with words but to be specific enough in the  
11 direction.

12 MS. POVERMAN: We can't have a  
13 15-story structure.

14 MR. MEIKLEJOHN: Nor is it economic.  
15 Let's not go in that direction.

16 MS. MORELLI: I don't want to insert  
17 myself, but when typically when you provide a  
18 charge, it goes back to the applicant. They might  
19 have a very knee-jerk reaction or they may want to  
20 consider.

21 I want to say staff is going to  
22 facilitate that kind of meeting with the project  
23 team. It is helpful to have some thresholds or  
24 metrics that you're trying to aim for instead of  
25

1 designing the building. So is there some aspect of  
2 intensity of use or something that you're trying to  
3 ameliorate or eliminate about that ground plane or  
4 or about the number of trips. I think it would help  
5 to understand what you mean by too big or too  
6 intense that we can get some progress, if that makes  
7 sense to the Chair.

8 CHAIRMAN GELLER: Totally.

9 MR. MEIKLEJOHN: What I was going to  
10 say to Kate but to all of us, I think for me the  
11 response to intensity, this is counting vehicles,  
12 this is amount of shadow, and it's a little  
13 construction effect. I'm not sure how you can give  
14 direction. I think that direction is in storage  
15 units. Do you agree with that?

16 MS. POVERMAN: I agree. I think it's  
17 fixing on units and then deciding if we want to give  
18 a charge about footprint as well. I mean, if we say  
19 the intensity, the use is too intense above 45 or 50  
20 units, then it doesn't really matter how the  
21 building is structured if they are still going to  
22 keep this intensity of use, i.e. 74 units. But I  
23 really need to see how our colleagues are reacting  
24 to this as well.

25

1                   CHAIRMAN GELLER: I have a sense  
2                   that --

3                   MS. POVERMAN: I said colleagues.

4                   CHAIRMAN GELLER: I understand that.  
5                   Are you jumping to say something that is relevant to  
6                   a discussion or are you jumping -- what is it you  
7                   want to say, Geoff?

8                   MR. ENGLER: I have a couple of  
9                   things to say. I don't know. First of all, for  
10                  40(b) intensity of use has nothing to do with total  
11                  number of units. What is it, is it the number of --  
12                  let me finish. Is it the number of vehicles? Is it  
13                  the shadows? I've done ten-unit developments that  
14                  have real impacts and I have done 400-unit  
15                  developments that don't. There is not a  
16                  correlation.

17                  I understand the concern, but we've  
18                  been for five months heard from Art and Maria  
19                  beating us up about our parking ratio where, if we  
20                  lower the parking ratio, the intensity of use  
21                  regardless of the units would go down because there  
22                  is not enough -- many cars coming. Also the  
23                  setback, whether it's three feet or six feet, I'm  
24                  just being honest here, is going to have no impact  
25

1 on the construction of the site relative to where  
2 trucks are going to park or how that's going to be  
3 effectuated. It's just not that order of magnitude  
4 for this site. To your point, it is going to have  
5 no meaningful impact whatsoever.

6 Thirdly, the means and methods. I  
7 understand this is a very complicated site and the  
8 board has every right to have interest in how we're  
9 going to approach it, but I would say the critical  
10 condition is tied more towards the building permit  
11 because until the general contractor is identified  
12 and until those subs, because this isn't putting a  
13 kitchen in a Brookline house.

14 There's probably about twelve  
15 contractors in the entire Commonwealth that can do  
16 this, and they're all very sophisticated and they  
17 are all skilled and they are going to have different  
18 strategies understanding what the requirements are,  
19 so to have my client that's not a contractor, we can  
20 put a best foot forward, but the means and methods I  
21 think should be structured in a way -- the town has  
22 the power of the building permit which is very  
23 strong. I understand there are considerations that  
24 need to be addressed prior to that, but a full  
25

1 detail this is exactly how it is going to done,  
2 we're not going to know that in the next two months.  
3 We don't have full structural drawings. We don't  
4 have the full geotech. We don't have CDs. We don't  
5 have any of that which all interrelate to that.

6           So Mr. Chairman, I think we've heard  
7 enough. I'm not trying to cut you off, but I think  
8 we heard enough about what the concerns are. I  
9 think we have a charge to go back and to roll up our  
10 sleeves and do some of these things whether it's six  
11 feet, whether it's four feet. I'm not sure that  
12 matters. We know that some members are not happy  
13 with the proximity and your peer reviewer consultant  
14 on how close we are to Soule. Other people have a  
15 concern with the height. Other concerns have been  
16 raised tonight. We need to look at all of that  
17 collectively because it all ties together. Just  
18 saying chop two feet -- Cliff knows this. Chop two  
19 feet off the building. It's not that simple. It's  
20 a very detailed plan that ties together and things  
21 start to fall apart by making those changes. Am I  
22 saying we can't do it? No, I'm not saying that, but  
23 we need to look at that.

24           CHAIRMAN GELLER: That's a fair  
25

1 comment. Let me sort of give you a broad -- I think  
2 you understand what I'm going to say, but let me  
3 give you a broad summarization. I think you started  
4 down that road.

5 I think generally the comments and  
6 feedback from the board, and for the moment -- you  
7 know what? I'm got going to -- take that off the  
8 table. I think the comments you're hearing from Mr.  
9 Boehmer, the comments you're hearing from the board  
10 members is that the amount of improvement -- that is  
11 a technical term, it's not a statement of quality --  
12 the amount of improvement that's on the site going  
13 from bound line to bound line to bound line to  
14 effective bound line is too massive.

15 Again, these are the comments of the  
16 board members. I think they're consistent with  
17 prior comments. So I agree with you. Breaking it  
18 simply into it's too high, too many units or those  
19 things, I think you're putting too much on this  
20 parcel of land. And that's the conversation that  
21 internally has to take place and for you to then  
22 respond. So I'm agreeing with what you're saying.  
23 I'm just painting it in a broader way.

24 I think it's a dynamic of frankly the  
25

1 tail wagging the front of the dog here because your  
2 front door should by all rights be Beacon Street,  
3 but it can't be Beacon Street because you don't have  
4 the parcel next door that allows you to do it, so  
5 you're putting all the pressure on Soule Ave.

6 I'm not telling you anything you  
7 don't know. The site is the site, right? So you're  
8 sort of forced to place all of this on a much  
9 smaller street that in many ways, even though it  
10 doesn't have all the action of Beacon Street, it's  
11 got a lot of action on it. And I know you've tried  
12 to address a lot of this, and frankly I'll tell you  
13 I'm very thankful that you looked at our suggestion  
14 about creating enough space so that short-term  
15 vehicles have a place to go in the turn-in. That's  
16 very helpful.

17 I'm not frankly concerned about the  
18 tug rolling up of your ramp and your trash. It's a  
19 nice sort of sideline, but I'm not worried about  
20 that. I think you really need to look at the site,  
21 the massing of what you're putting on the site, and  
22 the board's general comment that this is too much.  
23 That's my general comment. And yes, it filters back  
24 into peer reviewers and comments we received from  
25

1 peer reviewers, and I think it is quantifiable.

2 So that's my general take on this. I  
3 appreciate your comment that you look at it. You're  
4 not saying no and you're not saying yes. You're  
5 looking at it. That's the nature of the comment.  
6 It's too much.

7 MR. ENGLER: I understand that. I  
8 guess another way I look at it is we could do a  
9 40-unit building that has the same gross square  
10 footage, and my point would be the intensity of use,  
11 has that changed.

12 MS. POVERMAN: Absolutely.

13 MR. ENGLER: Same height, same  
14 everything?

15 MS. POVERMAN: No, you're talking  
16 about --

17 MR. ENGLER: That is the point I was  
18 just making.

19 MS. POVERMAN: Oh, no.

20 CHAIRMAN GELLER: His comment -- and  
21 I'm not disagreeing with you. You can't take any of  
22 these factors in isolation.

23 MR. ENGLER: Right. That's the point  
24 I'm trying to make.

25

1                   CHAIRMAN GELLER: All of these relate  
2 to each other, so you have to consider all of them  
3 together and how you ameliorate all of them into one  
4 cohesive project that makes sense. You would also  
5 make sense to the neighborhood, the town, and meets  
6 sort of the requirements of 40(b). That's the  
7 charge.

8                   MR. ENGLER: Mr. Chairman, similar to  
9 things that have gone on with that in the past, I  
10 presume an approach strategy would be to kick the  
11 tires, see what we can do, and share it with Maria  
12 and her team and get a preliminary read?

13                   CHAIRMAN GELLER: Yes, yes. And our  
14 commitment, our commitment is we want to get this  
15 done. We want to get to a project that is viable  
16 for you and also is supportable by the town. So  
17 believe me, we don't want to take a long time with  
18 this. We want you to get to the point where you're  
19 ready to go. Our commitment is we'll work as hard  
20 as we can to have the number of hearings we need to  
21 have to get you where you need to be and we agreed  
22 to be.

23                   MS. POVERMAN: I want to make one  
24 more comment. Actually going to what you are  
25

1 saying, Geoff, about if everything were to remain  
2 the same except for the number of units -- I know  
3 you're not serious about that but would that affect  
4 intensity. It may not or may not affect intensity,  
5 but it would sure address my concerns about safety  
6 and the other things that interplay with the  
7 holistic view that we're taking.

8 MR. ENGLER: I understand that. I  
9 would also say this, and listen, this is not the  
10 town's first rodeo, and you guys are sophisticated  
11 and savvy, but there is a big difference between  
12 being severely inconvenienced, which I recognize,  
13 and being unsafe and the legal kind of terminology  
14 on how these things get adjudicated. There's a  
15 difference. Are there going to be inconveniences?  
16 We don't deny that and we'll do our best to mitigate  
17 that and make it over, but is it unsafe? I don't  
18 think I've seen anything by the town peer reviewers  
19 that had said there is an unsafe condition. And  
20 also, Kate, for you I would ask on HADC decisions,  
21 where has the HAC overturned a decision for  
22 intensity of use --

23 MS. POVERMAN: I don't think it's  
24 been overturned. I think it's been modified.

25

1 MS. MORELLI: I really don't want to  
2 interrupt, I want to ask if there is some kind of  
3 threshold?

4 CHAIRMAN GELLER: Looking for  
5 metrics?

6 MS. MORELLI: I am. I think we've  
7 heard this has been extended 210 days over the 180  
8 allotment, and I want to understand. Are you  
9 looking for fewer parking levels, fewer parking  
10 spaces, more restrictions on retail use, no retail?  
11 In terms of intensity of use that's how you back  
12 into the impact on reducing the number of units. So  
13 I just want to be sure you're not disappointed when  
14 you come back and you perceive those changes to be  
15 too modest.

16 MS. POVERMAN: I need more guidance  
17 from our Chair. I think Randolph and I -- and I  
18 wasn't talking about six-foot pull-back.

19 CHAIRMAN GELLER: Randolph's comment  
20 is he's not concerned about substructure. His  
21 comment is -- and you'll correct me if I'm wrong --  
22 your comment is that the bulk of the above ground  
23 building is too massive and needs to be pulled in.  
24 So that's Randolph's comment. Kate's comment is she  
25

1 doesn't like the number of units and she's concerned  
2 that's it's not pulled in far enough on Soule Ave.  
3 Have I gotten your comments correctly?

4 MS. POVERMAN: Yes, but again, six  
5 feet wouldn't do it.

6 MS. MORELLI: Are you talking about  
7 ground level or are you talking about lower story  
8 level?

9 MS. POVERMAN: I would like to see  
10 those cranes be able to get in there.

11 MS. MORELLI: That won't change  
12 because of all the excavation for the garage they  
13 have. So if there were two levels of parking,  
14 perhaps they would have -- the peer reviewer could  
15 speak to it much better than I can -- a different  
16 type of excavation equipment that could be stored on  
17 the site. But if you're going to excavate the  
18 entire lot, you can't.

19 MS. POVERMAN: For the parking but  
20 with the reduced -- if you pull it back, reduce the  
21 number of units, it doesn't need much parking  
22 either. So as you're saying it's sort of going the  
23 other way to what you're saying.

24 CHAIRMAN GELLER: Or are you better  
25

1 able to service the needs.

2 MS. MORELLI: You just want to see  
3 more space on the ground level for circulation and  
4 also to reduce the bulk on that side?

5 MR. MEIKLEJOHN: I'm looking -- I  
6 know this is conceptual design. There's not a lot  
7 of information on the drawing, but we do have  
8 dimension on the parking level plan. It gives us  
9 kind of a unit. It's 27-foot bays measure east to  
10 west. So I'm going to propose a loss of one bay, 27  
11 feet. I think that would be measurable.

12 MR. ENGLER: That's not going to  
13 happen.

14 MR. MEIKLEJOHN: I understand that,  
15 but I'm saying that a unit --

16 CHAIRMAN GELLER: Pull the building  
17 back the equivalent of that dimension. Is that what  
18 you're saying?

19 MR. MEIKLEJOHN: Yes. And the reason  
20 that I'm suggesting that is that it's a relatively  
21 simple -- first of all, it's a number which Maria is  
22 asking. It's a way that can address the chirography  
23 at the street level, mass of the building on Soule,  
24 and --

25

1                   CHAIRMAN GELLER: What has been your  
2 concern about the rest of the bulk?

3                   MR. MEIKLEJOHN: I review that as an  
4 isolated item that at the time top of the  
5 building -- and I know there's not all the units,  
6 not all units are equal units. We talked about  
7 Cliff's proposal eight and ten to be seven and nine  
8 within either of those scenarios.

9                   My question is why couldn't eight and  
10 ten just be nine and lose a story off the building  
11 and have a higher continuing story on Beacon?

12                  CHAIRMAN GELLER: Is that helpful?

13                  MS. MORELLI: I wasn't looking at it  
14 has to be six feet. I want to know what are you  
15 looking for in terms of -- you talked about  
16 intensity of use. I want a reference point. You  
17 can say we want to see more of a four-story  
18 volume -- so now we know we have to study that step  
19 back at the fourth floor.

20                  CHAIRMAN GELLER: I don't disagree  
21 with Cliff's comment about that.

22                  MS. POVERMAN: Jesse, what do you  
23 want to say about number of units?

24                  CHAIRMAN GELLER: I happen to agree  
25

1 with Geoff. I don't think it's about the number of  
2 units.

3 MS. SCHNEIDER: I'm not sure if it's  
4 about number of units either. I mean I think you  
5 know at this point the parking ratio feels right for  
6 what the number of units --

7 CHAIRMAN GELLER: I think they have  
8 achieved that.

9 MS. SCHNEIDER: They have achieved  
10 that. I have this sort of overarching question of  
11 is there some way to maintain that ratio but still  
12 have fewer overall parking spaces, because I know I  
13 raised questions about this last time as well. I'm  
14 not sure that this particular area can handle this  
15 number of vehicle trips. And I know that the ITE  
16 data say one thing and I am still not convinced that  
17 it is adequately capturing the nature of a 55 and  
18 over development. I do not think that this fairly  
19 should be using the senior housing ITE code for trip  
20 generation calculations.

21 MS. POVERMAN: Sorry to interrupt,  
22 but how do you reduce the number of vehicle trips  
23 without reducing the number of units?

24 MS. SCHNEIDER: I'm saying there's a  
25

1 corresponding connection and what I'm saying is I'm  
2 pleased the applicant at this point, given what they  
3 have what I think is a proper parking ratio, I would  
4 like to see that ratio maintained much to have the  
5 number of parking spaces and/or units reduced so  
6 that it is not providing as much stress and creating  
7 the sort of the safety concerns on the roadway  
8 network. I don't have a magic number.

9           As I said earlier in my comments,  
10 what I'm particularly concerned about now and I do  
11 not know enough about -- and hopefully this is  
12 something that in working sessions could be worked  
13 out. I don't know if it's a question of not  
14 excavating as far down or if it is a question of  
15 reducing the footprint of the building in such a way  
16 that the construction impacts of this can be more  
17 contained to the site, because I actually do think  
18 that there is a safety concern here. I think this  
19 goes potentially well beyond mere inconvenience.

20           I think given the nature of the uses  
21 and preexisting traffic conditions and crash cluster  
22 that we're talking about in this immediate area, I  
23 do think that construction impacts bleeding onto the  
24 streets requiring street closures, interfering with  
25

1 sensitive pedestrian populations.

2 Passengers of the streets is a  
3 legitimate local concern and a safety concern well  
4 within the meaning of 40(b). And so I guess my  
5 focus, and I don't have a specific suggestion for  
6 this, but to find a way to design this so that you  
7 do not need to encroach into the public roads for  
8 construction staging. Do it on your site. And if  
9 that means that the footprint of the overall  
10 building shrinks or that you've gotten your own lay  
11 down and staging area, that's one way to do it. If  
12 there is some other means of construction that is  
13 suddenly unlocked because you are only excavating  
14 two levels of parking instead of three, then I would  
15 want to see that.

16 MS. MORELLI: While we have our  
17 geotech peer reviewer, you made a few suggestions  
18 specifically about reducing construction impacts.  
19 We did compare three and four levels. Do you want  
20 to ask the peer reviewer if there's much of a  
21 difference between with two and three levels?

22 MS. SCHNEIDER: Yes.

23 MR. LAFRANCE: The first answer is I  
24 would is have to sit down -- as a consultant my  
25

1 first answer is I would to have to take this back to  
2 the office and sit down and plan to look at it, but  
3 I'm shooting from the hip here.

4 My first thoughts are two level  
5 system would not encounter groundwater, so the first  
6 thing is that a lot of the groundwater related  
7 dewatering impacts, things of that nature, would  
8 kind of fall away; the second being that 20 feet is  
9 within fairly easy reach of most traditional  
10 excavation equipment. So that would potentially  
11 unlock some options there in using smaller equipment  
12 to achieve that end.

13 In terms of the excavation support,  
14 the systems that are kind of proposed out thus far.  
15 There are other options that may be available for  
16 foundation designs, two level garage. The options  
17 that have been presented are still on the table, but  
18 I mean there would be some change, the change with  
19 the dewatering would probably be the most  
20 significant thing right off the top of my head.  
21 There would be some less intensive excavation. If  
22 you're going to be working entirely about the water  
23 table, you don't have to worry much about water site  
24 foundations and some of the water tightness issues

25

1 that are also part of the discussion.

2 In terms of the work on the roadway  
3 and loading trucks and things like that, the volume  
4 and scale and the number of trucks is directly  
5 proportion to cut volumes so less material, fewer  
6 trucks.

7 MS. MORELLI: If you could use an  
8 excavator as opposed to a crane, the excavator could  
9 be on the site or would it still have to be on the  
10 street? You would need a crane on the street but  
11 you need an excavator on the site.

12 Is that the distinction you're trying  
13 to make?

14 MR. LAFRANCE: So if you had a crane,  
15 it would be within the site boundaries to be able to  
16 reach out over the street to be loaded into the  
17 truck. The 20 foot -- I'm trying to -- it's a tough  
18 call with 20 foot excavation to have a machine down  
19 in the hole lifting and trying to reach up over the  
20 side of the street, over the sidewalk, over the side  
21 of the truck to be able to load. It will be a tough  
22 reach but there's probably machines out there that  
23 could do it. The thing is those are machines that  
24 have extremely long arms and then, you know, you're  
25

1 still dealing with site constraints in that you  
2 can't swing those the same way you can.

3 MS. MORELLI: You would still  
4 recommend soil testing because you're removing soil?  
5 It has no difference.

6 MR. LAFRANCE: That material has got  
7 to go somewhere. There has to be some level of  
8 testing, but the groundwater issues would fall away.  
9 And so that part would probably drop off.

10 MS. POVERMAN: That may be a question  
11 more for Cliff, but is it safe to say that a smaller  
12 building generally takes less time to build it and  
13 therefore would result in a construction period in  
14 general?

15 MR. LAFRANCE: To some extent. There  
16 are different -- somewhere around six stories  
17 there's a change to different kinds of materials and  
18 methods and how that affects schedule versus how  
19 that affects material costs. I can't really speak  
20 to it. Cliff may be able to speak to that, but in  
21 general, it's less time to put up steel if there's  
22 less steel to put up.

23 CHAIRMAN GELLER: Maria?

24 MS. MORELLI: Yes.

25

1                   CHAIRMAN GELLER: Do you have enough  
2 information?

3                   MS. MORELLI: So you did -- I think  
4 Ms. Schneider, that she did want to see some  
5 information provided for means and methods. I just  
6 want to be sure. This will help us figure out how  
7 to schedule our next hearing. Is there something  
8 you want to see within a month?

9                   CHAIRMAN GELLER: Well, what I want  
10 to know is how long it would take the developer and  
11 we'll spin off that. I want to move this along.  
12 How long do you believe it will take you to think  
13 about the charge that's been given, some serious  
14 issues that you need to think about and come back?  
15 We want to give you adequate time. On the other  
16 hand, as you know we want to not in perpetuity have  
17 hearings.

18                   MR. DHANDA: Same here.

19                   CHAIRMAN GELLER: I'm sure. You tell  
20 us.

21                   MR. ENGLER: I was going to say a  
22 month.

23                   MS. BALAKRISHNA: In three weeks.

24                   MS. MORELLI: I think in three weeks  
25

1 we have town meetings. I think the first week in  
2 June would probably make sense. It will give you  
3 two weeks. It will give the peer reviewers a week  
4 and it will give the ZBA --

5 MR. ENGLER: An issue I have, I don't  
6 know if I need to get to the mic, but every  
7 iteration we do does not need to be peer reviewed.  
8 To me we're down to negotiation between me and the  
9 board. I know the board trusts its peer reviewer,  
10 but to ask us, to Cliff and Art and Jim, a week  
11 every time we do an iteration is silly. I don't see  
12 it anywhere else. You guys can give a gut reaction  
13 to a plan and say, Yeah, this is going in the right  
14 direction, we like it. Let's ask our peer reviewer  
15 rather than peer review something that the board is  
16 going to reject regardless. So I don't want to go  
17 through that. It's expensive and my client is  
18 writing checks out that wazoo.

19 MS. MORELLI: There's probably some  
20 back and forth. If you're submitting something and  
21 we're giving you two weeks, you're going to be  
22 submitting it for comments and there might be a  
23 staff meeting and then it goes back. That's what I  
24 mean loosely by a week. Giving the ZBA a week to  
25

1 process this I think is fair.

2 MR. ENGLER: So we have a month. It  
3 takes us two weeks or so to do a plan. We come and  
4 see you. Maybe you have a couple tweaks. We take  
5 those and then we give it to the board a week in  
6 advance to give or take. And if the peer reviewer,  
7 somebody wants to look at that at that time, that's  
8 fine, but in the past there's been this real kind  
9 of --

10 MS. MORELLI: I understand. Thank  
11 you.

12 MR. ENGLER: -- linear approach which  
13 has elongated everything. I think we're down to  
14 something that should happen more concurrently.

15 CHAIRMAN GELLER: Has it been  
16 constructed?

17 MR. ENGLER: What?

18 CHAIRMAN GELLER: The having it go  
19 through peer review. I suspect that --

20 MR. ENGLER: Some of it, no. I'll be  
21 honest with you. It hasn't. Some of it, yes, but  
22 it's been excessive in my humble opinion.

23 CHAIRMAN GELLER: We can certainly  
24 telescope the approach but clearly I think the  
25

1 board -- I'm finally getting an initial read from  
2 the board, however I think the board members are  
3 going to look to some form of updated commentary  
4 from peer review even in a shortened form. That's  
5 my gut sense.

6 MR. ENGLER: Mr. Chairman, let me  
7 give you an example of something that's happened in  
8 the past. Let's just say for discussion sake we  
9 took out a floor of parking, we have fewer units and  
10 we have fewer parking spaces. That does not need to  
11 be peer-reviewed by Jim again. Maria has asked us  
12 on several occasions where intensity of use has gone  
13 down to update exhibits for Jim when it's going to  
14 be less, so that's an example.

15 CHAIRMAN GELLER: Wait a minute. In  
16 your example the ratio doesn't change, correct? In  
17 other words, none of the metrics changed from the  
18 perspective of the board.

19 MR. ENGLER: Jim is the traffic guy.  
20 I'm saying --

21 CHAIRMAN GELLER: You're just saying  
22 traffic.

23 MR. ENGLER: Yes.

24 CHAIRMAN GELLER: I agree with that.  
25

1 If you're telling me that all you're doing is  
2 reducing the intensity of use and the traffic flow,  
3 then I agree with that. I don't think we need to  
4 bring Jim Fitzgerald back for that purpose. If  
5 you're saying you don't want to do any of the peer  
6 review --

7 MR. ENGLER: No, I didn't say any  
8 peer review. I also said I think if we took a plan  
9 to you all and you said we hate it, we would save a  
10 lot of time and effort and your peer reviewer's time  
11 of them peer-reviewing something that you guys don't  
12 like. That's the point I'm trying to make. I'll  
13 feel better coming back and say, You know what?  
14 This looks really good. Let's send it to Cliff and  
15 Art and see what they have to say, and then maybe  
16 you change your opinion or maybe you don't.

17 CHAIRMAN GELLER: Let's just look at  
18 ways to streamline the process because we need to  
19 get to the end here. Okay?

20 MS. POVERMAN: May 29 and 30 is a  
21 possibility.

22 MS. MORELLI: I don't know that I'm  
23 going to be around.

24 MS. STEINFELD: May 30 is held up for  
25

1 town meeting.

2 MR. MEIKLEJOHN: And the second week?

3 MS. MORELLI: June 3 or 5?

4 MS. STEINFELD: What did you say?

5 MS. MORELLI: June 3 or 5.

6 MR. MEIKLEJOHN: The third works for  
7 me.

8 CHAIRMAN GELLER: I want to thank  
9 everyone for their participation this evening, the  
10 developer and members of the public, town officials  
11 who already left and peer reviewers. Thank you.  
12 Our next hearing is June 3 at 7 p.m.

13 (Whereupon, the hearing was adjourned  
14 at 11:10 p.m.)

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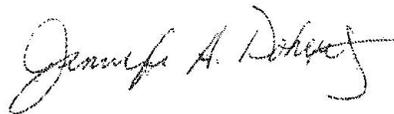
C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

I, Jennifer A. Doherty, Certified  
Shorthand Reporter and Notary in and for the  
Commonwealth of Massachusetts, do hereby certify  
that the foregoing Pages 1 to 186 to be a true,  
complete and accurate transcript of the testimony of  
the aforementioned hearing held at the time and  
place hereinbefore set forth, to the best of my  
knowledge, skill and ability.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY  
HAND AND SEAL THIS 21ST DAY OF MAY, 2019.



Certified Shorthand Reporter  
CSR No. 1398F95

My Commission Expires:  
October 19, 2023

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