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Brookline Board of Appeals

May 15, 2019

1 JOHANNA SCHNEIDER: We are calling to
2 order this hearing of the Brookline Board of
3 Appeals on a comprehensive permit modification
4 for 1180 Boylston Street. My name is Johanna
5 Schneider. I will be chairing these hearings.
6 To my right is Randolph Meiklejohn. To my left
7 is Mark Zuroff, and to my far left is Lark
8 Palermo. We will be the board for these
9 proceedings.

10 So, tonight it's my understanding, some
11 technical wrinkles. Typically, the proceedings
12 of this Board are recorded or are transcribed by
13 a court reporter. We don't have that available
14 this evening, but we are being videoed. So,
15 please be mindful of that as you make your
16 presentations. And a transcript, as I understand
17 it, will be prepared based on the video, although
18 we do not have anyone live doing that here this
19 evening.

20 What we are going to hear tonight is
21 the applicant's description of its proposed
22 changes to the (indiscernible) to the project,
23 was approved in March 2017. And at some point,
24 this Board determined that this was a significant
25 modification to the existing permit, so we are

1 going through this modification process. The
2 hearing for this was opened on April 25, 2019,
3 but this is the first substantive hearing, the
4 first one at which testimony will be heard by the
5 Board.

6 And I guess, with that, I guess just a
7 couple of other housekeeping things. So, tonight
8 our focus is going to be on hearing from the
9 applicant's team regarding what has changed, or
10 what is proposed to be changed from the 2017
11 project. We will also be taking public testimony
12 tonight. For people who are here and do wish to
13 speak, please keep in mind that this is not a
14 reopening of the original project, but we will be
15 taking testimony and will be quite interested in
16 hearing comments as they relate to the
17 modifications. And I would give the applicant
18 and its team the same advice. Yes, it would be
19 nice to have a refresher, but what we're really
20 here to hear about is the proposed modification.

21 The next -- and I will repeat this at
22 the end of tonight's hearing -- the next hearing
23 on this will be on June 19. And at that time, we
24 will be taking up architecture, traffic and
25 parking. And so, anything else, Maria?

1 MARIA MORELLI: Just some really brief
2 notes.

3 JOHANNA SCHNEIDER: Please go right
4 ahead.

5 MARIA MORELLI: Senior Planner of the
6 Planning Department. We do have reports,
7 everything that pertains to this case is on the
8 website. So, if the Planning Department can look
9 at 40-B projects, and you'll see 1184 Boylston
10 Street, modified comprehensive permit; all the
11 plans, transcripts, any key dates; waiver
12 comparison has been submitted. We've also had
13 submitted from the applicant an updated traffic
14 study, parking demand narrative, a geotech memo,
15 as well as a status on the remediation. This is
16 a remediation site. And the former owner,
17 Cumberland Farms, is responsible for the
18 remediation, which is still ongoing. And we will
19 get a brief update from the applicant as to that.
20 And there's also a storm water report. All of
21 that has been posted online. So, that's all I
22 wanted to mention.

23 One more thing, we will have peer
24 review on all of those functional areas as well.

25 JOHANNA SCHNEIDER: Great. Thank you,

1 Maria. We will hear from you?

2 RANDOLPH MEIKLEJOHN: Do you want me to
3 --?

4 JOHANNA SCHNEIDER: Yes, please go
5 right ahead.

6 RANDOLPH MEIKLEJOHN: Again, my name is
7 Randolph Meiklejohn. For the record, I am making
8 a disclosure of my financial interest in matters
9 involving the consultants engaged by the
10 applicants of the project. As a non-elected
11 municipal employee, as required by Massachusetts
12 General Laws, chapter 268A, Section 19, niche
13 engineering and GEI are civil and geotechnical
14 consultant engaged by the applicant. Niche is
15 providing, and [GHPI ?] has recently provided
16 professional services under contract, including
17 Clancy and Associates, Incorporated, the firm
18 where I am employed. Currently, I am the
19 Principal and the Director of Operations, also a
20 Director and Secretary of the Corporation. Prior
21 to this May 15, 2019 hearing, I had made this
22 disclosure in writing to the Office of Town
23 Council, and stated my belief that I will be able
24 to impartially exercise my duties as a member of
25 the zoning board, despite this business interest

1 with the applicant's consultants.

2 JOHANNA SCHNEIDER: Any other
3 administrative or housekeeping matters before we
4 get started? Okay. I'll hear from the applicant
5 now.

6 HARIL PANDYA: My name is Haril Pandya,
7 Principal at CBT. And we have been part of the
8 design process and the application process since
9 its inception. Part of the overall changes that
10 are part of why we're here today, is really a
11 representation of a few things. One is an
12 acquisition of an adjacent property, and two,
13 addressing some of the opportunities as a result
14 of the acquisition over some of the improvements
15 as a result of the acquisition. So, when we had
16 first come in and been approved, you know, it was
17 a unique-shaped property which actually really
18 pushed us towards a parking mechanism and
19 foundation mechanism that was, as a result of
20 existing site conditions, really, we were given
21 (indiscernible). And so, we had an elevator lift
22 situation for the cars, we had a valet system for
23 the parking, and we had, you know, some concerns
24 overall about queueing and what not from parking.
25 But as a result of the acquisition of the

1 abutting property, the site has actually
2 regularized from an L-shaped site to,
3 essentially, a square or a more regular shaped
4 site which, actually, allows us to create
5 improvements overall, and parking actually has
6 allowed us to go to a more self-park situation.
7 I'll dive into that as we go. But that's,
8 essentially, the overall analysis of the 3,000-
9 plus-or-minus square footage pickup that we got
10 from the lot area from the abutting properties,
11 has allowed that to happen, and created overall
12 efficiencies in governance overall from an
13 economic perspective, for us to keep moving
14 forward. But, obviously, as a result of the
15 changes, is why we're here today.

16 So, just a quick understanding of the
17 overall site. This is at the intersection of
18 Route 9 and Hammond Street. In the beginnings --
19 and this goes back a couple of years -- this was
20 always, from our perspective, an opportunity to
21 create a gateway project as we're moving east
22 towards the city. And you know, to really take
23 a, what we felt is sort of an odd, blighted site
24 -- there was just a gas station with an FAR of
25 one, and wasn't really doing much from a

1 community or neighborhood perspective, and create
2 an opportunity for residential, retail, and
3 complete a corner, urbanistically, that will be
4 helpful from, you know, the town's perspective
5 and be able to create a nice walking opportunity
6 from a sidewalk, and extend communities and
7 neighborhoods with retail. So, you know, to
8 complete the corner, complete the block and
9 create a gateway project that really is, you
10 know, within a mile or so, really getting more
11 closer to the city, this site was actually an
12 important project from that perspective. And we
13 wanted to make sure that whatever we put, from a
14 building or architecture perspective, had that
15 sort of, you know, iconic opportunity and was
16 representative of something wonderful that was
17 part of the entryway.

18 So, here's the site again from ... so
19 here's the site over here, again, that one-story
20 gas station. And then, sort of looking back the
21 other way, looking west, here is the site again.
22 Easier to see on my screen, more difficult to see
23 on the projection screen, but the one-story
24 building that's here, again, just views of the
25 site as it is today. This is from Hammond,

1 looking at that corner. Again, this is what the
2 site would be, that corner. This is again, a
3 little bit further back on Hammond, looking at
4 the corner behind this tree would be that site.
5 There's a lot of great retail along that site, as
6 it is, on the right-hand side, between the
7 breakfast place, and there's a nail salon.
8 There's a few other sort of service-based
9 amenities that are there that, you know, part of
10 completing the corner would be a good idea from
11 an urbanistic perspective. And that's sort of
12 looking across to see from the opposite side
13 looking back at the site of this, would be the
14 site over here. And then further down looking
15 east, the site would be over here. And then,
16 just from a site plan perspective, this is where
17 we were before with the -- I guess we were just
18 referring to it as the sushi building, but
19 obviously, had other tenants in there.

20 But this was how the site configuration
21 was before, as I mentioned, was more of an L-
22 shaped site. And so, as a result, we were
23 originally entering off of Route 9 underneath the
24 building here, going into a pair of garage
25 elevators and going down. And it was really

1 challenging; we had done many studies to
2 understand if we could get a ramp and make it
3 self-park and sort of ease the queueing, but as a
4 result of the site configuration, we weren't able
5 to achieve that. So, this is where it was
6 before, previously approved. So, we were coming
7 in. You see here, these were the two garage
8 elevator bays; they would take you in, valet
9 would take you down. And, you know, from all the
10 parking consultants and the valet consultants we
11 had talked to, this was something that we felt
12 that we could achieve from a timing perspective,
13 queuing perspective. Everything felt like it was
14 able to achieve the timings that we wanted to do.

15 The red dash line represents what we
16 are now considering taking over as we've acquired
17 the site. And as a result of doing that, we have
18 now had, like I said, that plus or minus 3,000
19 square feet. But as you can see, also as a
20 result, we are no longer creating the lift
21 system. We're actually going down with a ramp,
22 because you can see, look at the clearances that
23 we need for turning radiuses and what not,
24 underneath that retail. So, it makes it a lot
25 easier for many reasons, not only from a queuing

1 perspective and what not, but it makes it much
2 easier from an operations perspective as well.

3 So, we have 70 spots below in the
4 garage, self-park, and we have two spots here, I
5 guess call it on grade for lack of better
6 definition, but two spots here. And then
7 building management can obviously oversee however
8 else the driveway and the approach needs to be
9 used. We've talked about the loading lay-by,
10 that's always been here, since the beginning, so
11 that remains, but in a shared loading lay-by, as
12 we always talked about as well. But as you can
13 see, now, with the retail and self-park
14 situation, it's sort of eased that piece.

15 This is what was there before. As you
16 could see here, these are the two lifts that came
17 down. We had a lot of coordination. These were
18 the construction drawings, so you have a better
19 sense of what it was like with the multiple
20 stacking. But now, as you see here, this is
21 where we are today. Coming down, you'd
22 essentially be able to sell parts, both for
23 retail and for residential. We have 40 spot,
24 plus or minus four residential, 30 spots plus or
25 minus four retail, and two surface spots for a

1 total of 72 spots for the full site. This is the
2 other layer, other level rather, of parking. So,
3 a mixture of compact spaces and regular spaces.
4 This is where we were before. As you can see
5 here, this is the building that we were trying to
6 negotiate with as a site plan. And now, as you
7 saw in previous plans, this is how it is now, as
8 a re-proposed ground plan.

9 We'll talk about trash and a couple of
10 other things in a minute, but again, we're just
11 kind of giving you the sense of the before and
12 after, before and after, before and after, but a
13 typical -- the unit plan level, two through four,
14 with the existing building in place. And then,
15 you can see much more regularized floor plan as a
16 result of acquiring the building next door, 11
17 units times four ... nine units on level five,
18 because of the setbacks. Other things, the
19 negotiated (indiscernible). Overall, outside of
20 acquiring the actual site, the setbacks, the
21 masking, all the things that we had talked about
22 and felt were appropriate in the previous round
23 remain; nothing else has changed other than the
24 fact that we simply added the (indiscernible)
25 piece of the mass, of the site that we've

1 acquired. Frankly, outside of that and the
2 parking, we are where we are; level six with the
3 setbacks. And then the roof plan, which as you
4 can imagine, has its complexities with stair
5 overruns, mechanical (indiscernible). And a more
6 regularized roof plan as a result of the site
7 acquisition.

8 So, this is a elevation comparison.
9 And you'll see, obviously, the top elevation
10 represents where we were last when the project
11 was approved, to where we are today. And you can
12 kind of see from top to bottom there is really no
13 change because there was nothing impacted from
14 the Boylston Street elevation of the
15 (indiscernible) site. And then tis is what the
16 street elevation will look like. This is where
17 the cars would come in, right here underneath the
18 building, and it's a straight wrap around the
19 building, if you will, go down the parking ramp
20 and into the garage. Same thing.

21 Here you can start seeing the
22 differential on the Hammond Street side. So,
23 this is where we were before with the
24 aforementioned sushi building. And then, upon
25 acquiring it we pick up five extra units added

1 retail here, so we're sort of completing our
2 continuum, if you will, of the retail experience
3 along the way of the street, so it's, you know,
4 you're not experiencing the gap. But you can see
5 here, essentially, the mass essentially just
6 completes itself as a result of pushing over the
7 sushi building; a more close-up of where we were,
8 where we are.

9 And on the south side, you can kind of
10 see here before, because of how we were indenting
11 and understanding that the sushi building was
12 there and the amount of fenestration we could
13 have, given the abutter; we have acquired the
14 site. There's more windows, there's more
15 fenestration, so it kind of adds a little bit
16 more familiarity and perforation of the façade,
17 which is more of a blank façade before, even
18 though the materiality was very analogous because
19 some of Cliff's notes and other comments before
20 was making sure that there really is no back,
21 that the materials continue all the way around,
22 which we're still doing so. The only difference,
23 again, as we said, is as we're adding the five
24 units, you'll see more windows (indiscernible)
25 actually helps this elevation quite

1 substantially. So, I think that's a helpful
2 (indiscernible).

3 Okay, a more closeup view, if you like.
4 That's where we were, here's where we are; small
5 windows in the units. So, lights on, people
6 home, I think it's a little bit more
7 (indiscernible).

8 On the east elevation, you know, not
9 much of a pickup here, as you can see because,
10 again, we're not affecting the side, but again,
11 just for the sake of showing it (indiscernible)
12 are around the front portion.

13 From a section perspective, again,
14 we're still two levels below, and that really
15 doesn't change. Again, the only part that really
16 changes is when we are in that sushi building
17 acquisition, looking at the five units. That's
18 really the big differential, if at all.

19 These are sort of helpful vignettes
20 because they talk about -- this is, you know,
21 here's the sushi building as it is today and how
22 the site was elevated, if you will. You can see
23 here, and then when you complete it, it's the in-
24 fill, essentially, of the plan, that piece. And
25 rather than having more solidity, we get a little

1 bit more transparency as a result of more
2 windows, and it's helpful to the context of the
3 elevation of the overall building, on approach on
4 Hammond.

5 And then, from a masking perspective
6 overall, again, here we are L'ed, or notched out
7 from the building. And then here we are built
8 in, with the windows and, again, the completion
9 of retail all the way around the site, which is
10 nice. It's actually pulled forward, which is
11 more in line with the retail that's adjacent to
12 it, so it's not set back, so it feels, as if you
13 were a pedestrian, you were creating a better
14 sense of connectivity in the neighborhood by
15 continuing the façade and the level at which the
16 retail currently is today.

17 Here is a shot sort of looking, I
18 guess, diagonally across on Route 9, if you will,
19 looking at the corner. And here's where we were.
20 And you can kind of see the sushi building here,
21 but you know, as a result, again, of filling it
22 I, the façade, essentially, extends and
23 continues. That's a sense of it.

24 Now, we really like the idea of the
25 corner being very present architecturally because

1 it is such a prominent corner. Things that we
2 have talked about in the past, and have come to
3 some relative sense of consensus. It's a
4 important site. It's an important corner. And
5 we want to create that sense of completeness at
6 that corner.

7 This is more of an aerial from the back
8 side of the building, not really an everyday
9 viewpoint for many, unless you were in a drone,
10 but the sense here is, just to give you a sense
11 of that's the building that was there, and then
12 sort of, again, completing the square site with
13 the acquisition of a building.

14 And left to right, and then from a
15 shadow study perspective. It's really not much
16 of a change because that infill mass doesn't
17 impact the shadow given the solar angle coming
18 from behind. It's really just, it's the same as
19 it was before.

20 And then traffic, I don't know if we
21 want to -- (indiscernible), do you want to jump
22 in here or just talk about this piece, the
23 loading. It's still the same.

24 JOHANNA SCHNEIDER: I just wanted to
25 ask you a question about the retail. So, you

1 added retail space and I just wanted to know if
2 there are any changes in retail uses? So, the
3 previous project, there were no food services?

4 HARIL PANDYA: No food services. So,
5 the intensity is the same as far as requirements
6 around the space. The loading remains the same,
7 as you can see by this diagram. We're still
8 using the lay-by and it works as it did before,
9 no change to that component on this part of the
10 project goes.

11 So, that's where we are overall. Like
12 I said, plus or minus 3,000-square-foot change in
13 overall site area. We have about plus or minus
14 8,000-square-foot change in living area. We've
15 added about 1,700 square feet in retail as a
16 result of ground floor retail that wasn't there
17 before. We went from 45 units to 50 units. And
18 then we went, again, from parking spaces at 66 to
19 72. And we went from a valet stacker situation
20 to a ramped, self-park status.

21 As far as the overall day in the life
22 of the building, we are still planning, from a
23 trash perspective, to have trash rooms on every
24 floor, that it gets picked up by building
25 management, brought to a trash room in the garage

1 level. Each retail space has its own temporary
2 trash storage, which building maintenance will
3 take from that and bring down to the trash room;
4 twice a week pickup, and it will be on the Route
5 9 side, essentially right here. And by Casella
6 Waste, we've coordinated with them as well, and
7 they'll be -- again, it's the same trash pickup
8 that we had before.

9 So, we have temporary storage per
10 floor, temporary storage by retail, picked up by
11 building management, brought to that twice a
12 week, and pickup by the service. And then from
13 the trash room in the basement, very similar, we
14 had the electric tug system that brings the
15 canisters to up and brought to the curbside on
16 the pickup basis, on the Boylston Street side,
17 just like we had, essentially, before.

18 And as I mentioned, from the parking
19 perspective we've added a few more parking spots
20 as a result and we have some temporary space. We
21 have the accessible van spot, a swing, temporary
22 spot, grade level, adding to a total of seven new
23 spaces. So that's how the trash works, that's
24 how parking works. And hopefully, that
25 diminishes a need for queuing or anything else

1 that we might have had a previous concern for, in
2 the previous iteration. Actually, it becomes a
3 little bit smoother.

4 JOHANNA SCHNEIDER: Anything else
5 before we start asking questions?

6 HARIL PANDYA: Ask away.

7 JOHANNA SCHNEIDER: Who wants to go
8 first?

9 MARK ZUROFF: What appears to me is
10 that by expanding the retail -- you just had it
11 up, it was fine -- that there's another street
12 parking space that's going to be affected because
13 the retail is in front of the sushi building
14 there -- at least one space, maybe two. And the
15 street tree, which is right there, which we had
16 discussed in detail, that has to stay, I believe.
17 But are we losing more street parking?

18 MS. KRISHNA: (indiscernible) Krishna.
19 We did, after the end of the previous
20 comprehensive permit process, receive permission
21 from the town arborist to remove that street tree
22 on Hammond Street. So, that was taken care of at
23 that, you know, immediately after the previous
24 process.

25 JOHANNA SCHNEIDER: Can you respond to

1 the question about whether or not there will be
2 additional street spaces lost because of the
3 additional retail?

4 MS. KRISHNA: There will be one metered
5 parking spot that will be removed, on Hammond
6 Street.

7 JOHANNA SCHNEIDER: Can you clarify,
8 that's a result of the loading zone, or is this
9 related to the modification, the proposed
10 modification?

11 MS. KRISHNA: That was actually related
12 to the loading zone.

13 JOHANNA SCHNEIDER: So, there are no
14 new ...?

15 MS. KRISHNA: There are no new spaces
16 that would be lost. That's correct.

17 MARK ZUROFF: That was part of the
18 previous ... so, there's no additional loss.

19 MS. KRISHNA: Something that came up
20 previously and we got permission for the tree to
21 be removed. We will be replacing it and then
22 there'll be one parking spot removed, but that
23 was related to the loading zone, which was also
24 reviewed by the Transportation Board and the
25 (indiscernible).

1 MARK ZUROFF: Will there be additional
2 landscaping because of the additional frontage?

3 HARIL PANDYA: As far as the site plan
4 comes to improvement as a result of construction
5 to make sure sidewalks and the adjacent
6 landscaping as it relates to paving or anything
7 else directly in front of the building, will be
8 in keeping with everything else that we've
9 planned previously along the street scape, so
10 we'll just extend that down, that extra few feet
11 that the sushi building was on. So, right now,
12 the existing ... So, anything that -- you know,
13 you can see here this comes pretty much very
14 close up to the lot line. So, the indents that
15 we're creating for doors and what not, that will
16 be very similar to whatever we're doing for
17 improvements within the property line here. So,
18 it'll be beautified and improved and restored as
19 a result of the construction work.

20 JOHANNA SCHNEIDER: But there is no
21 additional green space or open space, even though
22 the building is expanding.

23 HARIL PANDYA: It's within the same or
24 similar footprint that the previous building was
25 there before it.

1 JOHANNA SCHNEIDER: And no resident
2 roof deck or anything like that? I'm asking
3 because I think one of the critiques of this
4 project received in the first go-around was that
5 there was not any usable open space for residents
6 of the building. So, I've wondered if, given
7 that you've got a little more space to play with,
8 if you had considered putting in a roof deck or
9 some other private open space for the residents.

10 HARIL PANDYA: There have been setbacks
11 and relief at multiple levels on five and six
12 that hold back anyway. So, if there are
13 balconies and opportunities to just create that
14 open space, it's there. The building does not go
15 straight to the lot line as it is. So, there is
16 relief from the overall lot line as it is, so if
17 the residents want to come out and occupy any of
18 that portion, that's fine. So, I think that's,
19 again, we're not a zero-lot-line scenario as far
20 as going directly to the edge of the lot line, as
21 it was from the previous go around. We're trying
22 to hold back from the lot line edge as it is,
23 just to create wider sidewalks; it's a more safe
24 pedestrian experience.

25 MARK ZUROFF: As far as adding the

1 additional retail space, which is a decent size
2 to the store, and I now we talked about no food
3 services, but is it possible that you could have
4 professional offices in there and divide that
5 space into smaller spaces?

6 HARIL PANDYA: I would defer to
7 ownership on possible (indiscernible).

8 JOHANNA SCHNEIDER: Would you please
9 give your name for the record?

10 RAJ DHANDA: Raj Dhandra, the developer.
11 It's possible there could be professional
12 offices, very much so. We haven't explored all
13 the different possible tenancies at this point.
14 But for sure, they all -- any of them could be
15 retail or ...

16 MARK ZUROFF: So, reconfiguration is
17 possible?

18 RAJ DHANDA: Yeah, of course.

19 JOHANNA SCHNEIDER: Now, I think that
20 you said that there are 30 retail parking spaces
21 in this proposal. Does that include employee
22 parking for the retail spaces or that's all --?

23 HARIL PANDYA: Yes.

24 JOHANNA SCHNEIDER: Another question I
25 had, so it looks like -- and I am very pleased to

1 see the change in the parking, the access, the
2 circulation. When we approved this project, I
3 had great concerns that what you had proposed was
4 workable, and I think that this is much more
5 feasible than the prior proposal.

6 You will remember that I had numerous
7 concerns, and other members of the Board had
8 concerns about the loading pull off on Hammond
9 Street. And I wondered if there's any
10 opportunity now that you've got some more
11 breathing room in the below grade garage, to
12 switch that loading into something that's
13 actually on the site as opposed to on Hammond
14 Street.

15 HARIL PANDYA: We come back to the
16 notion of we had enough (indiscernible) room on
17 the ramp for certain vehicles to get below grade,
18 but loading trucks would require a longer ramp
19 length for the slope required, to get down there,
20 for which we still don't have that piece. So, I
21 still think having the lay by loading, which is
22 helpful -- I think, again, this was
23 (indiscernible) of the building, because this was
24 a shared loading dock -- not dock, but load-in
25 area component. So, I think that was a portion

1 that we were hoping -- but I think not just us,
2 but others.

3 JOHANNA SCHNEIDER: Who else is it
4 going to benefit now that you've taken the
5 buildings next door?

6 MS. KRISHNA: It could conceivably
7 benefit any of the other businesses on Hammond
8 Street or Route 9 in the immediate area. It
9 could even be, if there's residents or other
10 people in that immediate area, that are receiving
11 anything; there is no other loading zone in that
12 immediate area that's available. We've
13 definitely seen trucks of various types coming
14 onto the lot while it's empty, so I think, you
15 know, there does seem to be some need for it.
16 And that would be, the loading zone, would
17 generally be used on off-peak hours, between ten
18 and three, which was discussed previously.

19 JOHANNA SCHNEIDER: I have two more
20 questions, but do you have something.

21 LARK PALERMO: I'm new to this panel.
22 I was particularly curious about this loading bay
23 and I believe that the buildings that are located
24 on Hammond Street do have access from the back of
25 the buildings. There's parking lots behind --

1 there's a parking lot behind them, so, they
2 aren't without loading area currently. Is that
3 correct?

4 HARIL PANDYA: Yes, that is correct.

5 LARK PALERMO: So, this would not be
6 serving, or need to serve those buildings?

7 RAJ DHANDA: This would perhaps be more
8 convenient for some of them. So, would expect
9 that it would serve, perhaps not for everybody,
10 but all deliveries and all pickups. But being
11 that it be easier to get in and out of, as
12 opposed to going behind the building and going
13 in, backing out or backing in, all that kind of
14 stuff, this would be far easier and we think that
15 (indiscernible) all of the businesses there.

16 MARIA MORELLI: I just want to ask yo
17 to go to the podium when you need to speak and
18 also, Mark, you might need to share the
19 microphone with Lark. Sorry about that -- just
20 to make sure that the cable picks up your voice.

21 LARK PALERMO: I can understand a
22 little bit better. Do you have a plan that
23 depicts the buildings that are on Hammond Street
24 as well and the parking behind them, just so I
25 can -- do you have a context?

1 MARK ZUROFF: Do you have an overhead
2 photograph?

3 LARK PALERMO: Yes, there it is.
4 That's what I ... and the building they're
5 acquiring is that there.

6 HARIL PANDYA: This building was always
7 used.

8 LARK PALERMO: So, the other retail
9 uses all have access from the back. And has
10 there been discussion with the owners of these
11 businesses about sharing loading areas?

12 RAJ DHANDA: No, we have not had
13 conversation with the owner of that property
14 regarding the loading dock situation, no.

15 LARK PALERMO: And that's one owner
16 that owns that building?

17 RAJ DHANDA: Correct, yes.

18 LARK PALERMO: And there is leasing
19 space to the retail users that are there now.

20 RAJ DHANDA: We've had general
21 conversations.

22 LARK PALERMO: Thank you.

23 JOHANNA SCHNEIDER: Relating to the
24 parking, and I know this is a discussion for a
25 little further down the road, but given that you

1 are adding 1,700 square feet of retail, are you
2 going to be looking for additional parking
3 levers?

4 MS. KRISHNA: Actually, our parking
5 consultant is here. We have updated the waivers
6 and I'll just ask Alan Simo who prepared an
7 updated the parking review to comment on that.

8 ALAN SIMON: Alan Simon, Simon Design
9 Engineering. The waiver is for the residential
10 component to take it down to ratios that we've
11 agreed to with a peer reviewer. The peer
12 reviewer suggested ratios for age-restricted
13 housing. And the retail is accommodated within
14 the 30 spaces, 32-odd spaces that are above the
15 demand for the residential.

16 JOHANNA SCHNEIDER: So, zoning only
17 requires you to have 32 spaces for the total
18 amount of retail --

19 ALAN SIMON: Five per thousand.

20 JOHANNA SCHNEIDER: And my last
21 question has to do with the south elevation. Mr.
22 Pandya, you want to come back up? And again, I
23 think this is a big improvement and addresses a
24 lot of the concerns that the earlier board had
25 regarding the rear of the building kind of

1 looking less interesting than the other sides of
2 it. I do wonder why there seems to be a sort of
3 hard stop to the windows of the new section.

4 HARIL PANDYA: Part of it is what's
5 being planned from a floor plan perspective. So,
6 obviously, we want windows in bedrooms and living
7 spaces. But bathrooms and other core spaces
8 typically don't have that. So, while we know
9 that on Hammond Street, part of the south
10 elevation actually have windows; to be able to
11 have the bathrooms and the kitchens
12 (indiscernible). So, as it is right now, in
13 layout, we will go deeper as the project
14 continues. There are opportunities for addition
15 of windows, but we haven't laid out every single
16 unit yet as a result of the new acquisition of
17 the piece, but understanding that that's in
18 development. I think we too would like to see a
19 little bit more fenestration on that side. So,
20 we'll explore that (indiscernible).

21 RANDOLPH MEIKLEJOHN: I'm looking at
22 the plans for the fifth floor. I mean, I know
23 this is an early incentive, but there do actually
24 appear to be windows in some places in the plan,
25 in that corner that (indiscernible) that aren't

1 in the elevation.

2 HARIL PANDYA: And being
3 (indiscernible) as early as we are, before we
4 coordinated, but the sense, the sentiment is that
5 we would like to see as much fenestration as we
6 can get. I mean it's south elevation, so it's a
7 really good opportunity for light and natural
8 light access into the building. I'm clicking
9 faster than the images are changing, so I
10 apologize.

11 JOHANNA SCHNEIDER: Any other questions
12 from the Board.

13 RANDOLPH MEIKLEJOHN: I'm waiting for
14 you to click back to --

15 HARIL PANDYA: Where would you like to
16 go?

17 RANDOLPH MEIKLEJOHN: I want to talk
18 about the way the building joins the other retail
19 buildings. And there was a site plan we were
20 looking at for a little while that was -- that's
21 fine.

22 HARIL PANDYA: This one is okay?

23 RANDOLPH MEIKLEJOHN: Sure. So, in the
24 2017 scheme, when the sushi building was there,
25 the new building was proposed pretty close to it

1 because the sushi building was right at its lot
2 line. Again, it's an early design thing, but now
3 that you've basically extended the retail portion
4 of the frontage of the new building is longer,
5 and then the rest of the building is retail, it
6 seems like a nice long stretch of retail. There
7 seems to be kind of a gap between the buildings.
8 I don't know if you mean for there to be a gap,
9 but it narrows as it goes back. Are you going to
10 look at that? Both in the elevations as they're
11 drawn now in the plans, it looks like there's
12 about this much space between the existing one-
13 story buildings and your building.

14 HARIL PANDYA: You're referring to the
15 push-in space sort of plan south.

16 RANDOLPH MEIKLEJOHN: I think the push-
17 in space is the other building, right?

18 HARIL PANDYA: Is that what you're
19 referring -- I'm sorry.

20 RANDOLPH MEIKLEJOHN: Yes, and I'm
21 sorry, I had my hand over it. In the elevations,
22 it looks like they're not touching. But are they
23 going to touch? Is it going to be continuous
24 finished construction at the street level?

25 HARIL PANDYA: To your first point, I

1 think the sense is that part of understanding
2 that piece is understanding the foundation
3 component, find out where the foot is, we'll line
4 up so that we can -- so, previously what we did
5 with the sushi buildings there, we created a
6 foundation component and cantilevered over their
7 foundation.

8 RANDOLPH MEIKLEJOHN: Right. It says
9 the property line --

10 HARIL PANDYA: That's right. And part
11 of that, understand the expansion between the
12 two. So, I think, right now, in a plan
13 sentiment, if any, where you think you're cutting
14 this plan, we're showing the gap to make sure
15 that it has buildability (indiscernible) you'd
16 want to close the gap between the buildings.
17 When we get there, I think that's the right --
18 it's the right approach, understanding
19 constructability.

20 JOHANNA SCHNEIDER: Anything else from
21 the applicant? You don't have to have anything
22 else.

23 MS. KRISHNA: Our parking and traffic
24 consultants are here and can speak briefly on the
25 update for the zoning board. That's the only

1 other thing we have, unless there's other
2 questions. d

3 MARIA MORELLI: Did you want to speak
4 to current status of the remediation or did you
5 want to just wait for your consultant to be
6 present at the next hearing?

7 MS. KRISHNA: I can't -- I mean they
8 will be at the --

9 MARIA MORELLI: (indiscernible) the
10 status of the permit. We just wanted to know the
11 status of the state permit, if you can just speak
12 to that.

13 MS. KRISHNA: Sure. With regard to the
14 environmental status on the site, it was
15 obviously a former Gulf service station. There's
16 been remediation, extensive remediation going on
17 since 2002 on that site. That was done by
18 Cumberland. That was the former owner. It is
19 continuing. They've done a number of things,
20 including removal of tanks and monitoring the
21 soil and the site; they're filing monitoring
22 reports on a semi-annual basis. And in terms of
23 the environmental status from a couple of years
24 ago, nothing has really changed the monitoring
25 and the remediation is ongoing. Our development

1 will not impeded the groundwater remediation and
2 will not exacerbate the extent or the migration
3 of the groundwater contamination. What we will
4 be doing is improving the site from an
5 environmental perspective, since we'll be
6 removing any remaining contaminated soil and
7 groundwater from the site. We have, for the
8 prior comprehensive permit round, provided
9 environmental reports and will also be doing that
10 as needed in the future meetings, and then will
11 also be what's called ram plan, which is a
12 release that they measure for required -- for
13 construction by DEP. And that's basically any
14 kind of work at a disposal site where the site is
15 getting cleaned up. And so, we'll be filing that
16 with the DEP as part of our construction plan.

17 JOHANNA SCHNEIDER: Could you just
18 compare the depth from the one level with
19 stackers and the two levels of parking below
20 grade? Do you have like a delta in the -- in
21 terms of the depth of --

22 MS. KRISHNA: Of the garage? The
23 garage is actually from the prior plan because we
24 had to, we would have had to dig pits for the
25 parking system. It's actually, I believe, one

1 foot --

2 HARIL PANDYA: The lowest level, one
3 foot --

4 MS. KRISHNA: -- shorter. We're going
5 down one foot less than we were before. So,
6 it's, even though it's two levels parking, it's
7 an improvement in that regard as well.

8 JOHANNA SCHNEIDER: Thank you.

9 MARK ZUROFF: One last question from
10 me. Because there is an increase in the number
11 of units, what is the comparable increase in
12 affordable units?

13 MS. KRISHNA: It still is the 20
14 percent ratio. So, it's the same ratio that --

15 MARK ZUROFF: In terms of actual number
16 of units?

17 MS. KRISHNA: Right. So, it's 50 units
18 total now, so it's ten.

19 MARK ZUROFF: It will be ten out of all
20 the units. Okay.

21 JOHANNA SCHNEIDER: Thank you. We are
22 going to turn to public comment now. If there
23 are any members of the public who wish to speak
24 I'd ask that you please go to the podium and give
25 us your name and your address. As I said at the

1 beginning, we're interested in hearing comment
2 regarding the modification of the project
3 overall. We're not here to review the project.
4 And just also a reminder, if you are here but
5 don't have any comments tonight, we will be
6 having plenty of other opportunities for public
7 comment as we go through this process. Thank
8 you.

9 JANICE KAHN: Janice Kahn. I am a Town
10 Meeting member from Precinct 15 and have attended
11 many of the previous meetings. So, first, I want
12 to compliment the panel on asking many of the
13 questions I actually had written down. So, thank
14 you very much for that. I do wonder about the
15 pedestrian -- on Hammond Street, I am curious
16 about how that will work. One of the things that
17 the loading bay did was it cut into the sidewalk,
18 which meant that the pedestrians had to sort of
19 jog in and then out again. And I wonder whether
20 that's being rethought. It sounds like it's
21 going to be the same as before. The loading zone
22 is remaining there.

23 The other thing I had was -- first of
24 all, I mean very delighted to see the change in
25 the parking. One of the things that troubled the

1 neighborhood a lot was the fact that there could
2 be cars idling for quite some time right abutting
3 the next house, which is our -- which is six
4 units of permanent affordable housing. And so,
5 it seemed very unfair to that particular house,
6 the people living there. So, I am glad to see
7 that that's changed.

8 The other thing that we were concerned
9 about was about snow removal and all that
10 equipment being pushed back there, and the trash
11 system. So, it sounds like the trash system is
12 staying pretty much the way it was in the prior
13 configuration, yes. But again, we're glad not to
14 be dealing with idling cars, and also the
15 potential backup onto Route 9, which was another
16 considerable issue for the neighborhood. So, on
17 balance, it seems like there have been some
18 improvements to the site and I think I can report
19 back that it seems that we're at least starting
20 on a good path. Thank you.

21 JOHANNA SCHNEIDER: Thank you.

22 DAVID KOVIS: Good evening. I'm David
23 Kovis. I'm a resident of the condominium at 629
24 Hammond Street, which is about a block and a half
25 from the proposed site. In the 2017 approval,

1 there was a building code waiver list and in it,
2 it showed every one of the coding waives that had
3 been made. I thought it was very useful. So, it
4 sort of reflects back to the gap that you
5 mentioned. I'd like to see a redo, an update of
6 that list so we can compare it to what had been
7 approved to see whether things are getting better
8 or worse. Thank you.

9 MARIA MORELLI: Mr. Kovic, we do have
10 that waivers list. It was submitted a few days
11 ago. I'll actually give you a copy this evening
12 and posted it online.

13 DAVID KOVIS: Oh, okay, because I
14 didn't see it on the website.

15 MARIA MORELLI: It is. It might be
16 subtle but it is posted online, but I'll give it
17 to you at the end.

18 JOHANNA SCHNEIDER: Okay. Anybody else
19 here who wishes to speak to night? Okay, Maria,
20 anything else?

21 MARIA MORELLI: Just two administrative
22 details: We had discussed this with the project
23 team, or the applicant. The applicant does agree
24 to pay for the stenographer services as well as
25 the peer review for architecture, parking,

1 traffic and geotechnical?

2 RAJ DHANDA: Yes.

3 MARIA MORELLI: Okay. I will get
4 proposals for you to review and comment on. That
5 was it.

6 JOHANNA SCHNEIDER: Okay. With that we
7 are going to wrap up. The next hearing will be
8 June 19 at 7:00 PM. Thank you everyone for
9 coming.

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C E R T I F I C A T I O N

I, Sonya Ledanski Hyde, certify that the
foregoing transcript is a true and accurate
record of the proceedings.

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Date: June 14, 2019

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