



December 6, 2019

Zoning Board of Appeals
Town of Brookline
333 Washington Street
Brookline, MA 02445

c/o Maria Morelli/Senior Planner

Dear Board members:

I am writing on behalf of Chestnut Hill Investments LLC which was granted an amended comprehensive permit on November 22, 2019 to construct 50 units of age-restricted housing at 1180 Boylston Street. This letter references 40B regulations, specifically 760 CMR 56.05(11), when an applicant desires to change the details of the project. The regulations continue to outline the steps which the Board can take to determine if the proposed change is substantial or insubstantial and the time frames involved. In this instance, the applicant is granting that the change being requested is substantial in that it involves a change of tenure from an all age-restricted development to a development with no age restrictions, i.e., open occupancy. Moreover, since this proposed change requires the reconfiguration of the units to accommodate the required 10% 3BR units which were not in the approved plan, unit counts may vary when the revised drawings have been completed, the bedroom mix will be different and the parking ratio may change. For these reasons, it is clear to us that the proposed change falls within the "substantial" category as illustrated under 760 CMR 56.07(4)(b)(3) and we are thereby waiving the need for the Board to make this finding within a 20 days period.

Since we have not submitted the requested change in plan form, we recognize that the 30 day window for holding a public hearing will not commence until said plans are submitted. So this letter should serve as a notice of our intent and we welcome confirmation of our understanding of the process to be undertaken.

Respectfully submitted,

Robert Engler
Consultant to Chestnut Hill Investments LLC

P.s: a notice will be provided the MassHousing relative to 769 CMR 56.04(5)