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HEARING OF THE ZONING BOARD OF APPEALS  
Thursday, December 19, 2019 at 7:05 p.m.  
500 Harvard Street  
Brookline Town Hall  
333 Washington Street  
Room 103  
Brookline, Massachusetts

Court 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, Senior Planner of the Planning

8 Department

9

10 Alison Steinfeld, Planning Director

11 Charlotte Leis, Planner

12

13 Danny Danesh, Developer, Danesh Group

14 Josh Danesh, Developer, Danesh Group

15 Jennifer Dopazo Gilbert, Attorney for Danesh Group

16 John Harding, Architect

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P R O C E E D I N G S

CHAIRMAN GELLER: Good evening everyone. We are calling to order this application for comprehensive permit. This involves a property located at 500 Harvard Street.

For the record, my name is Jesse Geller. To my left is Randolph Meiklejohn. To my immediate right is Johanna Schneider. Somewhere off in hinterland is Kate Poverman.

This being the first hearing, the goal for this evening will be to go over the process that will occur over the length because this will be broken up into multiple hearings. Those people who have been to these before understand that this is a lengthy process. As lengthy as it may seem to be and actually be, it is actually subject to a statutory time constraint which is 180 days. We cannot, we cannot exceed that period of time absent permission from the applicant, so we need to be mindful of that time frame.

Multiple hearings will occur and the goal will be -- each respective hearing will be dedicated to one or more topics but they will be discrete topics.

1           So for instance, this evening's  
2 hearing is going to focus on the developer's  
3 presentation. We're going to see what the proposal  
4 is and get an overview.

5           We in the future will have separate  
6 hearings for town boards and departments to offer  
7 their information. We will have an opportunity to  
8 hear public commentary and testimony. We will have  
9 an opportunity to hear from peer reviewers. This is  
10 a process in which, just as the applicant has  
11 engaged professionals to indicate to them things  
12 that are of concern, the Town has professionals to  
13 review what is being done by the applicant's  
14 professionals. That's called peer review. We will  
15 have specific hearings that are dedicated to  
16 individualized topics such as traffic, parking. Are  
17 we doing engineering?

18           MS. MORELLI: We have stormwater and  
19 usually that's handled by staff, but there is an  
20 architectural design peer reviewer.

21           CHAIRMAN GELLER: Right, there is  
22 design review. Sometimes we will add peer review  
23 depending on the nature of the project, but those  
24 are primarily what we require for all of the 40B  
25 projects.

1           There will be opportunities -- there  
2 will be more than one opportunity for public  
3 testimony, but let me suggest the following: One,  
4 it is particularly helpful to the Board if people  
5 want to offer testimony do so in written fashion and  
6 they submit it in advance. It gives us an  
7 opportunity to look at it, think about it, and if we  
8 have questions at hearings, it's helpful. It also  
9 makes for a much more efficient hearing process.

10           Two, because we will afford multiple  
11 opportunities for people to offer public testimony,  
12 and it may not be consecutive, it may be over -- you  
13 know, it may be that the third hearing, no.; the  
14 fourth hearing, yes. So I don't want to give the  
15 impression that it's after every hearing because we  
16 would never get through this.

17           It's important that people pay  
18 attention to the topic of the specific hearing and  
19 offer testimony on the information we are getting at  
20 that hearing. It is important that anyone offering  
21 testimony if they hear somebody else stealing your  
22 thunder, somebody else says what you planned to say,  
23 we don't need to hear it again. We do want to hear  
24 you say, And I agree with what that person said.  
25 That's important, but we don't need to hear the same

1 testimony over again.

2 MS. SCHNEIDER: This is for the  
3 members of the public who are here tonight. Under  
4 the procedures that we have to follow, the Town  
5 sends notice to abutters and abutters of abutters.  
6 That's what's required, but it's only one hearing  
7 notice, and that is the notice that this project is  
8 coming before us and that we will be in review  
9 process for this project.

10 There will not be notices for each  
11 hearing that we have. Those notices will be noted  
12 on the Town's website under 40B projects, but that  
13 kind of means that people in the neighborhood who  
14 are interested in the project or concerned about the  
15 project have a little bit of a burden to stay on top  
16 of the Town calendar, our calendar at hearings, and  
17 it also means that if you have neighbors who are  
18 interested in this project but might not have been a  
19 direct abutter or an abutter to an abutter within  
20 300 feet, they may have not gotten the notice.

21 So we would encourage you to spread  
22 the word to your neighbors if you think there are  
23 people interested in attending these hearings  
24 offering their thoughts or learning about the  
25 project so people are aware, because we are

1 operating under statutory limitations; however,  
2 there may be many more people who are interested and  
3 maybe many more hearings and there will be many more  
4 hearings than just this first one.

5 AUDIENCE MEMBER: Is there also a  
6 hearing scheduled for subsequent hearings?

7 MS. SCHNEIDER: No. Typically we  
8 announce the hearing date at the end of whichever  
9 hearing we have.

10 CHAIRMAN GELLER: We will have a date  
11 certain. Typically we have two forms of record for  
12 these hearings, although that's not true this  
13 evening. One form, you see a stenographer.  
14 Transcripts of these hearings will be available on  
15 the Town's website and will be under a listing of  
16 40Bs and then it will have this project  
17 specifically. You will be able to find those  
18 transcripts approximately two weeks after the  
19 hearing date so that you'll be able to see what was  
20 said at the hearing.

21 The second methodology that's not  
22 available tonight, because I'm looking around, is  
23 that it's actually on Brookline Cable. It's an  
24 interesting hearing. Let's hope we don't have to  
25 cancel.

1           The other things that I want people  
2 to be aware of is that the Town also in addition to  
3 those peer reviewers that I spoke of, the Town  
4 engages a 40B consultant, Judi Barrette, who is not  
5 here this evening but she will periodically attend  
6 the hearings and she will certainly at some point in  
7 this process not only speak up but she will lay out  
8 what 40B allows you to do and doesn't allow you to  
9 do, because there are some very rigid requirements  
10 involved with 40B that are not typically applicable  
11 to regular zoning projects.

12           The key to it is that all local,  
13 local, Town of Brookline, all Town of Brookline  
14 regulatory scheme, zoning, Conservation Commission,  
15 if it happens to apply, all local regulatory scheme  
16 is given to a single body, the ZBA. So there is no  
17 other department that is directly involved, though  
18 as I said before, all town departments are notified  
19 and are afforded the opportunity, and typically do  
20 take that opportunity to provide testimony. So this  
21 is the only location. It is a telescope process.

22           The ZBA has three options based on  
23 the standards that exist, which are fairly  
24 constrained.

25           AUDIENCE MEMBER: Fairly what?



1                   CHAIRMAN GELLER: Constrained. The  
2 ZBA can deny a comprehensive permit application, it  
3 can approve a comprehensive permit application, or  
4 it can approve a comprehensive permit application  
5 with conditions.

6                   I will tell you that I am unaware of  
7 a comprehensive permit application in Brookline that  
8 has been denied. I am unaware of a comprehensive  
9 permit application in Brookline that has been  
10 approved without condition.

11                   There is no such thing as precedent  
12 here, so I'm not suggesting that is the case, but  
13 I'm simply laying the groundwork of what I've  
14 experienced in the past.

15                   The test that goes on here is there  
16 is a test between the need for affordable housing,  
17 and that's the State, versus things of local  
18 concern. Things of local concern, forgetting what  
19 the regulations say, focus on health and safety.  
20 Are there issues that pertain to health and safety?  
21 There are lots of other things that the regulations  
22 provide for, but at the end of the day what we  
23 really focus on are health and safety. That's not  
24 to say we don't want to hear testimony about other  
25 things that are mentioned within the regulatory

1 scheme but those are priorities.

2 What did I miss?

3 MS. MORELLI: That's pretty  
4 comprehensive. I just want to, for the record, the  
5 applicant --

6 CHAIRMAN GELLER: Who are you?

7 MS. MORELLI: Sorry, that's right.  
8 Maria Morelli, senior planner of the Planning  
9 Department. And I just wanted to go through some  
10 administrative details that we have, for the record.

11 The applicant has kindly agreed to  
12 pay the cost for the transcription service. We will  
13 have independent peer review and typically the  
14 applicant pays for that. What we do is we get the  
15 scope of work, we send those to the different  
16 professionals, and then we get an estimate of their  
17 services. We send that the applicant who has an  
18 opportunity to question some of those costs. But in  
19 general we just would like to have for the record  
20 that the applicant is willing to pay for peer review  
21 services subject to the actual --

22 CHAIRMAN GELLER: That applicant  
23 agrees to that?

24 MS. DOPAZO GILBERT: Yes, we would  
25 like to review the scope as well and not just the

1 cost.

2 MS. MORELLI: Absolutely. There is  
3 just a few things -- you don't have to do this right  
4 now, but I want you to be aware in addition to  
5 scheduling the next hearing, but there does need to  
6 be a ZBA site visit. It's typically scheduled  
7 during the day. It's a public meeting. The public  
8 is invited to attend, but it is not a hearing, so  
9 the ZBA will not be able to take testimony, but we  
10 certainly invite the public to attend. It will be  
11 noticed. It will be posted on our website, and that  
12 is just something that we have to schedule at some  
13 point, preferably before the next hearing.

14 Just to skip over the topic for the  
15 next hearing so people will have the framework.  
16 Usually hearing number two is we will have some  
17 initial reports or letters to the ZBA from various  
18 departments. Not all department have enough  
19 information, so I don't want to hold everybody to  
20 it. Usually there will be an initial letter sent  
21 from the police department, the fire department,  
22 Engineering, Building Department.

23 What I usually do is I will present  
24 to the ZBA just areas of concern. Sometimes there  
25 is a design analysis. I also provide a framework so

1 that everyone understands what the applicant's and  
2 the public, what the expectations are, how thorough  
3 this process is in regard to looking at stormwater,  
4 how this project fits in or could better fit in with  
5 the surrounding context of the site circulation. We  
6 want to make sure there are impacts on, even if  
7 they're not health and safety but if there are  
8 influences on the community, that they are  
9 mitigated. That's where approval with conditions  
10 comes in.

11 So it is an iterative process and the  
12 next hearing we will provide that framework.  
13 Because we normally have an entire evening devoted  
14 to a 40B project, we have to do things a little  
15 differently tonight. We have some 40A projects that  
16 will follow this, so unless you mention that,  
17 Mr. Geller, public comment I think is going to be  
18 scheduled for the next hearing, but we do invite you  
19 to submit your comments in writing and send them to  
20 me. Yes, Ms. Steinfeld?

21 MS. STEINFELD: Louder.

22 MS. MORELLI: I apologize.

23 AUDIENCE MEMBER: I'm sorry, what is  
24 your e-mail address?

25 MS. MORELLI: It's MM.

1 AUDIENCE MEMBER: Marie Morelli?

2 MS. MORELLI: Yes. You can always  
3 stop by later or even on the website. If you go to  
4 the Planning Department website, we have all the  
5 projects listed. There's a web page for 500 Harvard  
6 and there is my contact information in all of the  
7 documents. This project will be posted there.

8 There is one actually important  
9 detail, and this is in accordance with the State's  
10 regulations under 760CMR 5605, Paragraph 2A through  
11 H, and we also have Brookline ZBA regulations where  
12 we have to look at the application for completeness.  
13 I have reviewed this application. It is complete.

14 There are three items I typically ask  
15 for and in addition to what was provided is one if  
16 you could put up the site plan in context with an  
17 atlas. You can get the atlas map from the tax  
18 assessors. It's not just so we can have dimensions  
19 between structures and 3D model, if that is  
20 available, it's really helpful to the architectural  
21 peer reviewer. It's also helpful to get it to the  
22 public. And the other thing will be is site  
23 sections. We like to see site sections across the  
24 project through the abutting parcels across Kenwood  
25 and behind Kenwood to the right. I think I sent the

1 letter. I will also send you a letter as well.

2 MS. DOPAZO GILBERT: I have it. Just  
3 include me on any future mailings. We are reviewing  
4 the letter that we received today and we'll get back  
5 to you as soon as we can.

6 MS. MORELLI: Thank you.

7 CHAIRMAN GELLER: Thanks, Maria. We  
8 have no other administrative details. I know we  
9 have to set up the next hearing.

10 MS. MORELLI: Scheduling the next  
11 hearing around the site visit.

12 CHAIRMAN GELLER: I know that at the  
13 first hearing we typically set up the site visit.  
14 And having sat on enough of these, at this point I  
15 think I'm wondering whether that's a logical point  
16 at which to do it.

17 MS. MORELLI: We can discuss it. We  
18 certainly --

19 CHAIRMAN GELLER: The Board can have  
20 a conversation about that because, you know, these  
21 projects morph, and I think it's important to have a  
22 sense when you're at least a little further along.

23 MS. MORELLI: Good.

24 CHAIRMAN GELLER: Okay. So there not  
25 being any other administrative details, are there

1 any questions by Board members? No? Okay. Any  
2 just general questions about the process?

3 AUDIENCE MEMBER: When does the 180  
4 days begin? Tonight?

5 MS. MORELLI: Yes.

6 CHAIRMAN GELLER: Tonight.

7 AUDIENCE MEMBER: Day one?

8 CHAIRMAN GELLER: Right. Okay. So  
9 who is speaking for the applicant? Jennifer?

10 MS. DOPAZO GILBERT: I'm going to  
11 give a brief introduction of who is here and turn it  
12 over to the owner and right to the architectural  
13 presentation.

14 My name is Jennifer Dopazo Gilbert,  
15 and I represent the owner applicant here, the Danesh  
16 Group. And with me this evening is Danny Danesh and  
17 his brother, Josh Danesh. I feel very privileged to  
18 be representing this team. I represented them on  
19 their 40B that's on Harvard Street at 455. It's  
20 close to completion. It was a very successful  
21 project.

22 Certainly affordable housing is still  
23 needed. The Town hasn't hit their ten percent, so  
24 that's why we are here. I'm going to have Danny  
25 speak a little bit about the process and where we

1 are with this project. Also here with me tonight is  
2 the architect John Harding from Cube3 as well as  
3 Julie Barry, our 40B consultant.

4 So without further adieu, I know you  
5 have a lot on your agenda, I'm going to let  
6 Mr. Danesh make a few opening statements.

7 MR. MEIKLEJOHN: Just one quick thing  
8 in case this happens while you're speaking. I  
9 wonder if we could get the lights on the screen  
10 turned off. It's going to make it easier for  
11 everyone to see when we get to that presentation.  
12 Thank you.

13 MR. DANESH: Do we speak sitting  
14 down?

15 CHAIRMAN GELLER: Start by giving us  
16 your name and speak loudly.

17 MR. DANESH: My name is Danny Danesh  
18 and I am with the ownership team. We have been  
19 doing different types of developments and real  
20 estate in general in the Town for about 30 years. I  
21 personally went to Driscoll and have been working in  
22 Boston my entire professional life. I went to  
23 Northeastern University and achieved my Master's  
24 degree at Columbia University, real estate  
25 development program.



1           We have worked closely with the Town  
2 over that period of time. As Jennifer mentioned,  
3 we --

4           AUDIENCE MEMBER: Could you speak up  
5 a little bit?

6           MR. MEIKLEJOHN: Maybe stand so we  
7 will hear you.

8           MR. DANESH: I'll stand over here.  
9 So as I was saying, we worked with the Town on 45  
10 Merriam Street back in 2016, and we are very close  
11 to completion at 455 Harvard Street in Brookline.

12           Together those two projects have  
13 added almost 20 units of affordable housing in just  
14 four years. And I'll give you a little bit of  
15 history about the site. We purchased the property  
16 in 2016, and we were livelong customers of Rubin's  
17 Deli and the owner approached us because he knew we  
18 were interested in -- we would be interested in  
19 continuing it as a Kosher restaurant. Our company  
20 reached out to over a hundred different Kosher  
21 restaurant operators in the country, local guys,  
22 people all the way in Los Angeles, but unfortunately  
23 nobody wanted to operate a Kosher restaurant in  
24 Brookline because they said the demand wasn't there.

25           So we believe this property works as

1 a mixed use because it's conveniently located near  
2 amenities on Harvard Street, Comm. Avenue and just  
3 the whole Coolidge Corner corridor.

4 It's very walkable to Mass Transit.  
5 It is on the 66 bus which goes to Cambridge and  
6 Longwood Medical, which we know a lot of the  
7 residents, future residents will be working in.  
8 Blue Bike Stations are nearby and of course the MBTA  
9 green line is just right there.

10 So due to this transit-rich location,  
11 most of the units will be studios and one bedrooms,  
12 so we're expecting to have a lot of young  
13 professionals.

14 The site is also located in an  
15 opportunity node and an opportunity corridor of  
16 Brookline's 2016 housing production plan. So the  
17 housing production plan pictures several different  
18 corridors and criterias and this site fits into  
19 that.

20 The existing site also has two  
21 different curbcuts, one on Kenwood Street and one on  
22 Harvard Street. The proposal calls to close the one  
23 on Harvard Street, which is, you know, beneficial to  
24 everyone so you don't have cars entering and exiting  
25 on a busy pedestrian street right by a bus station.

1           The plan overall is for 30 units, and  
2   1,700 square feet of retail space, and it has six  
3   affordable units which are all distributed evenly  
4   throughout the building.

5           I'll let John get into the  
6   architectural aspect. Thank you.

7           CHAIRMAN GELLER: Thank you.

8           MS. DOPAZO GILBERT: Just to add one  
9   interesting point to the project that's just  
10  completed that has four affordable units. There  
11  were a thousand applications for those four units.

12          MR. MEIKLEJOHN: At 455?

13          MS. DOPAZO GILBERT: Yes, a thousand  
14  applications.

15          MR. HARDING: I'm John Harding from  
16  Cube3. We are the architects for the project. I'm  
17  here to give conceptual presentation where the  
18  project is today and what we're proposing. Danny  
19  kind of hit on some of the highlights, so I'll just  
20  kind of try to give you some graphics to go on some  
21  of those.

22                 The data here, you can see that we  
23  have a mix of ten percent studios, 57 percent one  
24  bedrooms, 23 percent twos and ten percent three  
25  bedrooms. Thirty units in total, six affordable so

1 it's 20 percent.

2 The project has six parking spaces.  
3 It's six to all 1,700 square feet. You can see the  
4 location in relation to Commonwealth Avenue,  
5 Brainerd Street, Verndale, Kenwood, and along  
6 Harvard Street.

7 As Danny mentioned, this area was  
8 identified by the Town in 2016 in their housing  
9 production plan. There was a series of meetings  
10 held to identify different areas throughout the town  
11 that would be ideal for housing development and  
12 adding to the town, or adding to the housing stock.

13 This is an excerpt from the map.  
14 Obviously Brookline is much bigger than that. You  
15 can see if you look at the full map, there is a  
16 focus on the northern region of Brookline and  
17 specifically along a couple of major vehicular  
18 roads, Harvard Street being one of them. So we  
19 think that this site not only is a good location for  
20 housing from our perspective, but we think it fits  
21 in with some of the goals and discussions of that  
22 public process to establish those corridors.

23 So just kind of highlighting the  
24 Harvard Street corridor, I'm starting to look at it  
25 in three dimensions. Obviously right now one of the

1 takeaways that I got from the housing production  
2 plan was that this area is underdeveloped. There's  
3 a lot of one-story and two-story commercial spaces.  
4 It's in an area where you have the Mass. Transit,  
5 and it's an area where you could develop further to  
6 increase a little bit of density, increase some  
7 vibrancy, some pedestrian-friendly walkways.

8 And so you can see over the past, so  
9 just the blue is highlighting what's existing over  
10 the past couple of years or the last year recently,  
11 you have a few projects that are going up and some  
12 that have been approved in planning. You can see  
13 that there has definitely been some moves to go in  
14 that direction along this corridor. Our proposal is  
15 to continue that trend and to continue the vision  
16 that was established a couple of years ago.

17 So just looking at some of the buildings  
18 nearby, obviously we're very close to the property  
19 line of Boston or Allston. In the bottom corner you  
20 can see that we are listing a number of projects  
21 that have been approved recently in Brookline for --  
22 I don't know how many units that is -- but a series  
23 of buildings that are anywhere from four to six  
24 stories typically. Really only 455 is four stories.  
25 We felt that was, as we went through the process

1 there, we felt it was really in a neighborhood and  
2 was one of the first projects to come on-line. We  
3 didn't want to push the envelope too much there. It  
4 didn't feel like it was the right fit there.

5 As we're getting closer to Comm.  
6 Avenue and the Green Line stop, we feel that this  
7 location is better suited for a little bit more  
8 density and a little more height.

9 Across the street from us is the T.J.  
10 Maxx, the parking there. Looking at the  
11 transportation, I know it says the D Line. That's a  
12 mistake. We understand the Green Line up on Comm.  
13 Avenue is a three minute walk from the D stop to  
14 this location. The 66 bus runs right in front of  
15 the site with a T stop or with a bus stop right  
16 there.

17 The Blue Bike Stations, there is two  
18 directly north of us and there's one further down on  
19 where Thorndike Street is. We're really trying to  
20 promote a resident that is going to be car  
21 independent rather than car dependent. I know there  
22 is -- reading through some of the comments that come  
23 from the folks so far, there's a concentration of  
24 comments about congestion and traffic. We're  
25 looking for people who are going to be using this

1 mode of transportation, public transportation.  
2 People who want to live here are not going to want  
3 to have a car because there is not going to be an  
4 opportunity for that really. We're not trying to  
5 add to the traffic problem; we're trying to help get  
6 density in this area in a way that is not bringing  
7 more cars onto the street.

8           We do understand though that there's  
9 parking, people are going to have guests. We've  
10 highlighted there the public meter spots. They're  
11 daytime. We know there is no overnight parking, so  
12 the residents are going to I guess come by public  
13 transit and that's something that the owners are  
14 going to be promoting when they are trying to find  
15 the right tenants for this building.

16           Moving on, as Danesh said, there is  
17 two curbcuts on this site currently. It's a one way  
18 in and one way out. One of the things we're  
19 proposing to do is curbcut on Harvard Street. That  
20 is going to be removed. A nice thing that it does  
21 is it takes cars exiting out of there off of the  
22 sidewalk. It promotes a longer more  
23 pedestrian-friendly sidewalk with a connection.

24           We're going to have retail fronting  
25 that all along that sidewalk there. We can see the

1 main entrance lobby for the residential in the  
2 northern corner of the site. The retail along the  
3 whole rest of that block turning the corner really  
4 trying to create a focus for the residential --  
5 sorry, for the pedestrian environment there.

6 MR. MEIKELJOHN: Is Kenwood Street  
7 one way or two way.

8 MR. HARDING: One way. In this  
9 diagram Harvard Street runs north south and Kenwood  
10 Street runs east to west. So the road itself is one  
11 way. The two ways are entrances in the parking  
12 garage.

13 In that parking garage we have a  
14 series of stackers that will have five parking spots  
15 in the stackers and one handicapped spot outside of  
16 that. Some trash maintenance, water rooms, you  
17 know, utility rooms in the back. The elevator off  
18 of the main lobby and a main stair.

19 One of the things that we also really  
20 like about the site is it really has a lot more  
21 length along Harvard Street than it does going down  
22 Kenwood. We think that's a real benefit that this  
23 piece of property is really more about being part of  
24 Harvard Street than it is about the neighbors  
25 behind.



1                   We know there's some comments and  
2 pushback about the height and density against the  
3 neighborhood. We do know that the owners have  
4 talked to the direct abutting neighbor and he is not  
5 close to the project and I think he thinks it's  
6 going to be a good addition to the area and it's  
7 going to help boost the value of his property. So  
8 we think that this block, being a little bit taller,  
9 being a little bit denser, it's going to be really  
10 about extending the Harvard Street corridor.

11                   Moving up through the building, a  
12 series -- it's all residential above the first  
13 floor. Studios, one bedrooms, two bedrooms, three  
14 bedrooms on floors two, three, and four. The switch  
15 is a slightly different mix as you get to the top  
16 three floors.

17                   The roof plan with the condensers,  
18 there will be condensers for every unit. These are  
19 small three-by-three units that sit in the middle of  
20 the roof, so hidden from the street view. Right now  
21 on the one-story, a restaurant building that exists.  
22 You can see the mechanical equipment on top of the  
23 building because it's much longer and not screened.  
24 These are very small and being up high people won't  
25 see them.

1                   One site section that we had done  
2 previously, this is cut through as if you're  
3 standing on Kenwood, and the house to the left there  
4 is the neighbor that I was just speaking about  
5 earlier. You can see that the garage and retail are  
6 on the first floor. The units above, those are  
7 separated by a three-hour -- basically a three-hour  
8 horizontal firewall, is the idea. Coming down  
9 podium construction and then the units above are  
10 wood framed, so very similar to other developments  
11 you see going on in the area.

12                   MR. MEIKLEJOHN: No basement?

13                   MR. HARDING: No basement. Looking  
14 at some of the projects that have been going on in  
15 the area, some images we use to get to the  
16 architectural style that we have today. This is  
17 obviously a project that I'm sure many of you are  
18 familiar with and this is an in-progress  
19 construction photo of 455 Harvard, a project that  
20 the Danesh family are the owners of and Cube3 is the  
21 architect for.

22                   A few other projects in the area, 370  
23 Harvard Street, 62 units and six stories. 420  
24 Harvard Street right across the street with the five  
25 stories, 56 feet.

1                   Looking at some of the other, on the  
2 left here you have neighboring properties, 1284  
3 Beacon Street and 524 Harvard Street. Trying to  
4 look at some of the materials, some of the  
5 proportions, some of the detailing and just try to  
6 pull some colors and things that we can relate to  
7 there. And the images on the right are more of a  
8 glassier -- looking at that red brick.

9                   I'm trying to do something a little  
10 bit more structured, looking a little bit more  
11 contemporary that's going to help reinforce the  
12 vibrancy of the Harvard Street corridor, something  
13 that we think is going in the direction that is a  
14 more common architecture for today rather than the  
15 kind of very historic, very heavy feel that you see  
16 directly next door.

17                   Going into our project, this is the  
18 elevation along Harvard Street. You can see that  
19 kind of strong rhythm of vertical brick pillars, I  
20 guess, that you would have a facade there with this  
21 kind of like the gray panel coming down from behind,  
22 larger windows and using other wall panels to create  
23 those openings to look even bigger than they are,  
24 something that's very engaging, kind of a little bit  
25 of a mill aesthetic to it.

1                   Stepping from the four stories to the  
2 six stories, keeping the four stories at the brick,  
3 it helps create a cornice line that's a better  
4 visual for the pedestrian experience. It helps  
5 bring the scaling of building down.

6                   As you turn the corner on Kenwood,  
7 there's a step in the massing of the masonry and a  
8 color change as it shifts towards the more  
9 residential street scape. That's where the two  
10 garage doors are and there is the units above.

11                   Working around the back, trying to  
12 transition to a palate of more residential  
13 materials. We know that this facade definitely  
14 needs some work, and as you can tell we worked  
15 probably from one side to the other. This is an  
16 area that we anticipate developing further as we go,  
17 but the idea was to try to create a better palate  
18 that was responsive or responding to the residential  
19 use for the site.

20                   As you go around further back, most  
21 of this facade is hidden by the adjacent building,  
22 so this is a little bit harder to see where we're  
23 really close to the property line with the  
24 right-hand side of this, and the existing building  
25 you'll see in the second hides most of the blank

1 facade. So that's that facade from Harvard Street  
2 looking back towards the building.

3 So the windows that are on the corner  
4 and as you transition right behind those trees,  
5 those are intentionally put there so that you have a  
6 little bit more engagement from this approach, but  
7 most of that facade is directly next to it and  
8 adjacent to this building.

9 MS. MORELLI: Mr. Harding, what is  
10 the depth of the step-back when you go from the  
11 brick shingles or maybe the third or fourth story.

12 MR. HARDING: From the fourth to  
13 fifth story? That's a good question. I'll try to  
14 answer that for the next one.

15 MS. SCHNEIDER: Can you also show us  
16 where the open space for the project is.

17 MR. HARDING: There is no open space  
18 for the project.

19 MS. SCHNEIDER: Okay.

20 AUDIENCE MEMBER: Could you repeat  
21 that question?

22 MS. SCHNEIDER: I asked him if he  
23 could show us where were the open spaces for the  
24 project and he responded there is none.

25 MR. HARDING: Looking from the other

1 side on Harvard Street, looking rounding the corner,  
2 the retail on the ground floor and residential door.  
3 You can see the garage door. You can see how the  
4 thinness and the shallowness of the site makes this  
5 building feel much longer and narrow building along  
6 Harvard.

7 Then from Kenwood Street looking back  
8 up you can see the white color masonry on the ground  
9 floor and then the house that's next door is right  
10 here to the left of this image looking back out to  
11 Harvard Street.

12 AUDIENCE MEMBER: Can you go back to  
13 that one again? What view is that supposed to be  
14 of? On Kenwood Street? From my house --

15 MR. HARDING: This is on Kenwood  
16 Street looking back up onto Harvard Street.

17 AUDIENCE MEMBER: What is on right?  
18 That's not there.

19 AUDIENCE MEMBER: None of that looks  
20 familiar, but that's okay. I wanted to understand  
21 what you're trying to say.

22 AUDIENCE MEMBER: That's supposed to  
23 be a house on the right there?

24 AUDIENCE MEMBER: It's a Victorian  
25 house.

1 MR. HARDING: The context is not  
2 modeled a hundred percent for --

3 AUDIENCE MEMBER: Why is it so white?

4 CHAIRMAN GELLER: Okay. Okay.

5 MR. HARDING: The last two slides  
6 here is just the shadow study of existing shadows  
7 and the shadows once the proposed building is  
8 constructed. Here you're looking at the winter  
9 solstice on the left. The equinoxes, summer and  
10 autumn in the middle and summer on the right. You  
11 have 8 a.m. at the top, noon in the middle, and 4  
12 p.m. at the bottom. So you can see as we shift back  
13 and forth there is slightly -- in the wintertime  
14 there is slightly more shadows on Harvard Street but  
15 otherwise in the morning and the evening it's  
16 relatively dark in the winter, so there is not a lot  
17 of change there. In the equinoxes there are  
18 slightly more shadows in the backyards in the  
19 morning. It moves away when you get to noon, and  
20 more shadows onto Harvard Street and T.J. Maxx  
21 parking lot later in the day. In summertime  
22 slightly more shadows in the backyards directly to  
23 the neighbors to the west

24 AUDIENCE MEMBER: I can't hear you.

25 MR. HARDING: There are slightly more

1 shadows in the summertime in the morning and the  
2 equinox in the spring, summer, and fall, in the  
3 mornings there will be slightly more shadows to the  
4 backyards to the direct abutters on Kenwood.

5 And then as you get to noon, the  
6 building shadow is no longer in those rear yards.  
7 And then as you get to the afternoon, it's starting  
8 to shade into Harvard Street and then into the  
9 parking lot only in the equinoxes.

10 The benefit there is it helps  
11 create -- especially in the summer -- a little more  
12 cool walkways. The shade I think will be something  
13 that's nice right now. You don't get a lot of shade  
14 along there because of the lower buildings.

15 AUDIENCE MEMBER: We like the sun.

16 MR. HARDING: There is no public  
17 comment or questioning. So I'll put it back up to  
18 the Board.

19 AUDIENCE MEMBER: Did I hear you say  
20 there is no public questioning?

21 CHAIRMAN GELLER: There is no  
22 questioning.

23 AUDIENCE MEMBER: Then why are we  
24 here?

25 CHAIRMAN GELLER: To hear



1 testimony.

2 AUDIENCE MEMBER: Why is there no  
3 interaction?

4 CHAIRMAN GELLER: Because that's not  
5 the way these hearings proceed.

6 AUDIENCE MEMBER: It sounds like this  
7 is the Senate.

8 CHAIRMAN GELLER: Not having been in  
9 the Senate I can't speak to that.

10 MS. SCHNEIDER: At the beginning of  
11 the hearing we did go through the ground rules for  
12 this hearing, and at the subsequent hearings there  
13 will be an opportunity for public comment.

14 AUDIENCE MEMBER: There will be  
15 subsequent hearings that we will able to speak?

16 MS. SCHNEIDER: Absolutely. For  
17 those of you who were not here at the outset at 7  
18 p.m. when we started this hearing, I want to be very  
19 clear that this is a process that will take several  
20 months. We will have several hearings. This is the  
21 initial hearing. We have additional hearings on  
22 other projects that are going to come after this,  
23 which is why this is somewhat shorter than a normal  
24 hearing this evening, but we are required by statute  
25 to start this process this evening.

1           This is a presentation to orient the  
2 Board and members of the public as to what is coming  
3 and we will, over the next several months, have a  
4 number of hearings where we delve into every aspect  
5 of this project.

6           AUDIENCE MEMBER: Can I ask one  
7 question? I didn't understand what he described as  
8 Kenwood being two ways?

9           MS. SCHNEIDER: If I understood and  
10 we are really trying not to take comments or  
11 questions this evening and I apologize for that. I  
12 know it's frustrating. I think that two arrows he  
13 was pointing to, and perhaps he can articulate, but  
14 those arrows were the in and out of the project  
15 garage. They were not indicating that Kenwood is  
16 two ways. It's just still the one way.

17           AUDIENCE MEMBER: Which means -- just  
18 a question to you. It means that when they enter  
19 the garage -- they enter from Harvard to Kenwood and  
20 when they exit the building, they will drive through  
21 Kenwood because it's a one-way street, right?

22           MS. SCHNEIDER: What I can promise  
23 you is we will have one -- at least one hearing  
24 where the exclusive focus will be testimony and  
25 information and comments about traffic and

1 transportation of this project and all of those  
2 things will be covered at an appropriate time.

3 MR. DANESH: My name is Danny Danesh.  
4 I think the confusion was that Kenwood obviously  
5 goes from Harvard -- away from Harvard and the  
6 picture was looking away from the opposite direction  
7 of the traffic.

8 CHAIRMAN GELLER: We will have a  
9 hearing in the future.

10 MS. DANESH: That's a bit  
11 confusing.

12 MR. MEIKELJOHN: We will have a lot  
13 of questions and there will be a lot to follow.

14 MS. POVERMAN: The plans are all  
15 on-line.

16 MR. HARDING: I'm done. So I'll turn  
17 it back over to you guys for questions.

18 CHAIRMAN GELLER: Do Board members  
19 have questions at this point? No? Nothing at this  
20 point. I'm sure we will have many questions in the  
21 future.

22 AUDIENCE MEMBER: What was the ninety  
23 days about? I missed that.

24 CHAIRMAN GELLER: 180 days.

25 AUDIENCE MEMBER: 180 days of what?

1 Hearings?

2 CHAIRMAN GELLER: Until we have to  
3 render a decision. We have 180 days absent  
4 extensions from the developer.

5 MS. DOPAZO GILBERT: Which we've  
6 already provided one.

7 MS. MORELLI: There was an extension  
8 to open the hearing.

9 MS. DOPAZO GILBERT: Correct.

10 MS. SCHNEIDER: That was not the  
11 extension of the 180 days?

12 MS. DOPAZO GILBERT: No, we're  
13 required to open within 30 days.

14 MS. SCHNEIDER: Right, but for the  
15 members of the of public --

16 AUDIENCE MEMBER: We're already in  
17 the 180 days?

18 MS. SCHNEIDER: It starts right  
19 now.

20 CHAIRMAN GELLER: Anything else to  
21 the developer's presentation?

22 MS. DOPAZO GILBERT: No.

23 CHAIRMAN GELLER: Okay. Any general  
24 comments, questions, thoughts from Board members?  
25 No?

1 MS. POVERMAN: There is not enough  
2 parking. You want general comments?

3 CHAIRMAN GELLER: I don't want --

4 MS. POVERMAN: How general do you  
5 want?

6 CHAIRMAN GELLER: No, I want to know  
7 if you have questions about --

8 MS. SCHNEIDER: Do you want questions  
9 or comments? I think we went through we have no  
10 questions.

11 MS. POVERMAN: I don't have any  
12 comments aside from...

13 CHAIRMAN GELLER: If you have global  
14 comments, that's fine, but if there is a hearing  
15 that you know is going to be dedicated to a specific  
16 topic, then let's hold off because more will be  
17 revealed and I'm sure you will have many, many more  
18 comments and questions.

19 MS. POVERMAN: I have nothing  
20 global.

21 CHAIRMAN GELLER: Great. Okay. So  
22 next hearing date?

23 MS. MORELLI: So Ms. Poverman stated  
24 she could meet before January 20, so I'm going to  
25 throw out January 15. It's a Wednesday.

1 MS. SCHNEIDER: I can't make the  
2 15th, I have a hearing.

3 MS. MORELLI: The 13th?

4 MS. SCHNEIDER: I also have a hearing  
5 on the 13th.

6 MS. MORELLI: We do have public  
7 comments. What about the previous week, January  
8 8th?

9 MS. DOPAZO GILBERT: I can't do the  
10 8th.

11 MS. MORELLI: I do need to give some  
12 departments a little more time so I hesitate to  
13 schedule something on the 6th. That might not be  
14 very popular.

15 MS. SCHNEIDER: I can't do the 6th  
16 anyway.

17 MS. MORELLI: We can't do the 6th,  
18 8th, 13th and 15th. We could try to do some  
19 Tuesdays. I don't want to look at the Thursdays  
20 because --

21 MR. MEIKLEJOHN: Are you staying away  
22 from Tuesdays also for now?

23 MS. STEINFELD: We can do Tuesdays  
24 but we can't have the Select Board hearing.

25 MS. MORELLI: Okay. Can I ask for

1 the 14th? That gives staff a little more time. The  
2 14th is no?

3 MS. DOPAZO GILBERT: The 14th is good  
4 for us.

5 MS. MORELLI: If you could do the  
6 14th --

7 MS. SCHNEIDER: Can't do it.

8 MS. MORELLI: I guess we're looking  
9 at the 7th.

10 MR. DANESH: How about the 21st?

11 MS. MORELLI: Kate can't. She's  
12 having surgery.

13 MR. DANESH: We can come to you.

14 MS. POVERMAN: I appreciate that.

15 MS. MORELLI: I'm going to throw out  
16 maybe we can have a panel Thursday that is just  
17 limited. It will be tough to come back for a 40A.  
18 I would say either the 9th or the 16th.

19 CHAIRMAN GELLER: I'm gone the 9th.  
20 The 16th we have a 40A hearing. Tell me about the  
21 40A hearing.

22 MS. LEIS: Potentially we could  
23 reschedule the 40A.

24 CHAIRMAN GELLER: What is your sense  
25 of the Spooner case and how long it's going to be?

1 MS. LEIS: I think if we limit it to  
2 71 Spooner Road, in this case it would not be a  
3 ridiculous long hearing. It will be long but doable  
4 probably.

5 MS. SCHNEIDER: The 16th?

6 MS. DOPAZO GILBERT: First case out  
7 on the 16th. And what time do you want to call  
8 Spooner?

9 MS. LEIS: What time do you think we  
10 can call Spooner?

11 MS. MORELLI: Do you want to do the  
12 40B first? I would say 7:00 to 9:00 to allow the  
13 public to speak.

14 MS. SCHNEIDER: I'm wondering if we  
15 do Spooner first. I'm guessing it will be shorter  
16 than this. Put that on at 7:00 and then we can have  
17 this on at 7:30. We will notice this for 7:30. I  
18 don't --

19 CHAIRMAN GELLER: Just to be clear,  
20 the expectations is not that that first case will be  
21 completed in a half hour. It's just for notice  
22 purposes that's what we're going to do.

23 MS. MORELLI: Thank you.

24 CHAIRMAN GELLER: One brief  
25 discussion and then I'm going to leave these people



1 for 40A to continue.

2 This site visit, so does anybody have  
3 a feeling one way or the other about that?

4 MS. SCHNEIDER: Spring.

5 CHAIRMAN GELLER: Frankly having  
6 walked Hancock building in literally five degree  
7 weather, I like your spring idea.

8 MS. STEINFELD: We can also, if you  
9 do schedule something within the next month or so,  
10 maybe have a rain date in case it gets too cold with  
11 the snow. Help us out so we're not calling people  
12 at 6:00 in the morning that I once had to do.

13 MR. MEIKLEJOHN: I would rather than  
14 not have too many meetings discussing design without  
15 having been to the site for myself.

16 CHAIRMAN GELLER: You've never been  
17 to Rubin's?

18 MR. MEIKLEJOHN: I have been to  
19 Rubin's. Would you like to know what I ordered?

20 MS. SCHNEIDER: There was no  
21 demand.

22 CHAIRMAN GELLER: High cholesterol is  
23 in demand. Okay. So your next hearing will be  
24 January 16 at approximately eight o'clock, but don't  
25 hold us to that time. I want to thank everyone for

1 their participation this evening. We are adjourned  
2 until that day.

3 (Whereupon, the hearing was adjourned  
4 at 8 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 43 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 30TH DAY OF DECEMBER, 2019.



Jennifer A. Doherty  
Certified Shorthand Reporter  
CSR No. 1398F95

My Commission Expires:  
October 19, 2023

<p><b>1</b></p> <p><b>1</b> 43:7  <b>1,700</b> 19:2 20:3  <b>103</b> 1:13  <b>11353</b> 43:17  <b>1284</b> 27:2  <b>1398f95</b> 43:20  <b>13th</b> 38:3,5,18  <b>14th</b> 39:1,2,3,6  <b>15</b> 37:25  <b>15th</b> 38:2,18  <b>16</b> 41:24  <b>16th</b> 39:18,20 40:5  40:7  <b>180</b> 3:18 15:3  35:24,25 36:3,11  36:17  <b>19</b> 1:9 43:23</p>	<p><b>40b</b> 4:24 6:12 8:4  8:8,10 12:14  15:19 16:3 40:12  <b>40bs</b> 7:16  <b>420</b> 26:23  <b>43</b> 43:7  <b>45</b> 17:9  <b>455</b> 15:19 17:11  19:12 21:24 26:19</p>	<p><b>absent</b> 3:19 36:3  <b>absolutely</b> 11:2  33:16  <b>abutter</b> 6:19,19,19  <b>abutters</b> 6:5,5,5  32:4  <b>abutting</b> 13:24  25:4  <b>accurate</b> 43:8  <b>achieved</b> 16:23  <b>actual</b> 10:21  <b>add</b> 4:22 19:8 23:5  <b>added</b> 17:13  <b>adding</b> 20:12,12  <b>addition</b> 8:2 11:4  13:15 25:6  <b>additional</b> 33:21  <b>address</b> 12:24  <b>adieu</b> 16:4  <b>adjacent</b> 28:21  29:8  <b>adjourned</b> 42:1,3  <b>administrative</b>  10:10 14:8,25  <b>advance</b> 5:6  <b>aesthetic</b> 27:25  <b>afford</b> 5:10  <b>affordable</b> 9:16  15:22 17:13 19:3  19:10,25  <b>afforded</b> 8:19  <b>aforementioned</b>  43:9  <b>afternoon</b> 32:7  <b>agenda</b> 16:5  <b>ago</b> 21:16  <b>agree</b> 5:24  <b>agreed</b> 10:11  <b>agrees</b> 10:23  <b>alison</b> 2:10</p>	<p><b>allow</b> 8:8 40:12  <b>allows</b> 8:8  <b>allston</b> 21:19  <b>amenities</b> 18:2  <b>analysis</b> 11:25  <b>angeles</b> 17:22  <b>announce</b> 7:8  <b>answer</b> 29:14  <b>anticipate</b> 28:16  <b>anybody</b> 41:2  <b>anyway</b> 38:16  <b>apologize</b> 12:22  34:11  <b>appeals</b> 1:8  <b>appearances</b> 2:1  <b>applicable</b> 8:10  <b>applicant</b> 3:20  4:10 10:5,11,14,17  10:20,22 15:9,15  <b>applicant's</b> 4:13  12:1  <b>application</b> 3:4  9:2,3,4,7,9 13:12  13:13  <b>applications</b> 19:11  19:14  <b>apply</b> 8:15  <b>appreciate</b> 39:14  <b>approach</b> 29:6  <b>approached</b> 17:17  <b>appropriate</b> 35:2  <b>approval</b> 12:9  <b>approve</b> 9:3,4  <b>approved</b> 9:10  21:12,21  <b>approximately</b>  7:18 41:24  <b>architect</b> 2:16  16:2 26:21  <b>architects</b> 19:16</p>
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