

June 10, 2020

Via Email

Jesse Geller, Esq., Chairman  
Zoning Board of Appeals  
Town of Brookline  
333 Washington Street  
Brookline, MA 02445

Re: 2Life Communities, Inc. formerly Jewish Community Housing for the Elderly III, Inc.  
("2Life") Comprehensive Permit, ZBA Case No. 2016-0079

**NOTICE OF REQUEST TO MAKE 3 INSUBSTANTIAL PROJECT CHANGES:  
REQUEST FOR ADMINISTRATIVE APPROVAL**

Dear Chairman Geller:

Reference is made to the Comprehensive Permit issued to JCHE now known as 2Life dated March 23, 2017 allowing development of 62 units of rental housing at 370 Harvard Street in Brookline (the "Comprehensive Permit"). As you may know, this project is 100% affordable and will provide 62 units for eligible seniors. The Town's Housing Advisory Board has committed over \$3 Million towards the project.

Since the ZBA approved the Comprehensive Permit and associated plans the project has moved forward and construction is nearing completion. There are several minor modifications to the conditions of the Comprehensive Permit that we request the Board take up as an administrative determination at its scheduled meeting on **June 18, 2020**. First, we request to have visual warnings only for the parking entrance/egress and not activate the audible signal. Second, the neighbors to the rear have also requested that a small portion of the fence be increased in height to ten feet for improved screening/privacy. Finally, it is requested to place signage to indicate the loading area on Harvard Street and eliminate the need for striping on the street. The first two requests will further mitigate impacts for the abutter, the Centre-Williams Condominiums. Please see the enclosed memorandum outlining the 3 modifications to the specific conditions with supporting documentation.

760 CMR 56.07(4) (b) provides guidance to a Zoning Boards of Appeal as to what constitutes a substantial or insubstantial change to a comprehensive permit. The following are some examples of what circumstances ordinarily will and will not constitute a substantial change, as described in 760 CMR 56.07(4)(a).

"(c) The following matters generally will be substantial changes:

1. An increase of more than 10% in the height of the building(s);
2. An increase of more than 10% in the number of housing units proposed;
3. A reduction in the size of the site of more than 10% in excess of any decrease in the number of housing units proposed.
4. A change in building type (e.g., garden apartments, townhouses, high-rises);  
or
5. A change from one form of housing tenure to another.

(d) The following matters generally will not be substantial changes:

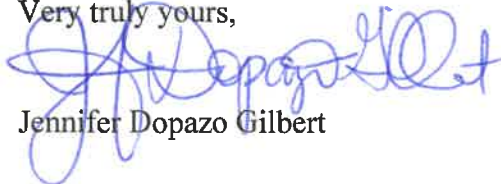
1. A reduction in the number of housing units proposed;
2. A decrease of less than 10% in the floor area of individual units;
3. A change in the number of bedrooms within individual units, if such changes do not alter the overall bedroom count of the proposed housing by more than 10%;
4. A change in the color or style of materials used; or
5. A change in the financing program under which the Applicant plans to receive a Subsidy, if the change affects no other aspect of the proposal.”

As is consistent with the aforementioned language, 2Life respectfully submits that the several modifications outlined in the attached memorandum and documentation are insubstantial under the applicable regulations. This notice is being provided pursuant to 760 CMR 56.05(11)(a). Pursuant to these regulations, the Board shall determine within twenty (20) days whether this request is a substantial or insubstantial change in accordance with 760 CMR 56.05(11)(c) and (d). If it is determined that they are insubstantial changes, or if notice is not provided to the applicant to the contrary within such twenty (20) day period, the Comprehensive Permit shall be deemed changed, as requested. The above process does not require a public hearing. A public hearing would be required only if you determine that the requested changes are substantial changes, and if so, and pursuant to the aforesaid regulations, a public hearing is to be held within thirty (30) days.

Please let me know when this matter will be scheduled for discussion. To the extent that the June 18<sup>th</sup> agenda can be revised to include this administrative request it would be much appreciated.

Thank you in advance for your time and attention to this matter.

Very truly yours,



Jennifer Dopazo Gilbert

Enclosures

Copies via Email to:

Alison Steinfeld, Director of Planning and Community Development  
Polly Selkoe, Assistant Director for Regulatory Planning  
Dan Bennett, Building Commissioner  
Todd Kirrane, Director of Transportation  
Virginia Bullock, Director of Affordable Housing