



# TOWN of BROOKLINE

## *Massachusetts*

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April 30, 2021

Michael Busby, Relationship Manager  
Massachusetts Housing Finance Agency  
One Beacon Street  
Boston, Massachusetts 02108

RE: Proposed 40B—45 Bartlett  
Brookline, MA

Dear Mr. Busby:

Thank you for the opportunity to provide comments on the application for Site Approval submitted by 686 Lewis Hill, LLC to construct 24 homeownership units at 45 Bartlett Crescent in Brookline.

The Select Board conducted a public hearing on April 20<sup>th</sup> to solicit input from interested parties. I am attaching written comments submitted to the Select Board relative to this application.

The following are preliminary comments from members of the Select Board and the public from our April 20<sup>th</sup> public hearing:

- Having reviewed eighteen Site Approval Applications during the past eight years--all of which proposed rental units, the Select Board welcomes the fact that this project proposes homeownership, thereby further diversifying our affordable housing inventory. The Board also acknowledges and appreciates the developer's commitment to incorporating fossil fuel free infrastructure and energy efficiency standards into the development, as conveyed during our public hearing.
- The setbacks are too small particularly relative to the height, leaving little room for landscaping or open space. Virtually the entire site is devoted to a structure. The developer should provide for more open space.
- We are concerned that there are considerable discrepancies between the market and affordable units. Specifically, the two-bedroom market rate condominiums are 24% larger than the affordable condominiums; the difference between market and affordable three-bedrooms is less

dramatic, but still noteworthy at 7%. Furthermore, given the Board's interest in providing equitable living arrangements for all of the homeowners, the following excerpt from the PEL application is problematic:

*The market units will likely have a walnut hardwood floor; the affordable units will have LVT Flooring. The market units may have a wolf or sub-zero appliance packages, whereas the affordable will likely have something more consistent with a GE profile appliance package. The market units will have quartz countertops whereas affordable units will have a different solid surface single color surface. The market unit bathrooms will likely be tiled whereas the affordable units may have more panels or shower installation kits.*

The Select Board maintains that the affordable and market rate units should be substantially indistinguishable from each other and suggests that the proposed differences are inconsistent with the objectives of Chapter 40B. They definitely fail to meet the Town's standards as set forth in its Zoning By-law including: "Affordable units shall have the same finishes and appliances as the market rate units" [unless pre-approved by the Planning Director]...and, if applied to this project, "The affordable units shall contain square footage which is no less than...the average size of market rates units containing the same number of bedrooms..."

Further, based on prior 40B decisions, the Select Board believes that the Zoning Board of Appeals has consistently supported that the end users of affordable units not be treated differently than those of market rate units. The Select Board urges MassHousing to address these discrepancies prior to issuance of a Project Eligibility Letter.

The Select Board requests that the following additional comments be addressed in your evaluation of the PEL application:

- Usable open space, which is essentially non-existent, should be provided for the benefit of the residents. The open space could be used for trees and landscaping, which are climate mitigation measures.
- The Board defers to the Zoning Board of Appeals (ZBA), staff, and peer reviewers to insure that the site design accommodates safe vehicular, bicycle and pedestrian circulation.
- The Board is relying on our ZBA to insure that operational plans and site circulation relating to trash, recycling, moving and deliveries are designed to function smoothly, safely and with minimal impact on the neighborhood.
- Naturally, the Town will require that viable accommodations are made for handicap parking including access to the garage by vans and by people with mobility impairments.
- Owners of affordable units should have the same access to parking as the owners of market rate units; the cost of a parking should be capitalized into the sales price of the unit.
- The developer must work with the Fire, Building and Public Works Departments to ensure that all relevant codes including but not limited to fire apparatus access requirements are met.

The Select Board is confident that the Zoning Board of Appeals will require the developer to prepare a comprehensive Construction Management Plan in order to insure that the neighborhood is protected from the impacts of construction to the maximum extent possible.

We also suggest that if the applicant secures a PEL and applies for a Comprehensive Permit, the applicant should submit the following information prior to or as part of an application to the Town's ZBA:

- An actual or virtual 3D model of the proposed project accurately showing all abutting and nearby properties
- An atlas map with an overlay of the proposed site plan showing abutting buildings with setbacks of the proposed building from its property lines
- A comprehensive set of site sections through the building
- A noise study
- A comprehensive plan to insure that the site generates no runoff
- A comprehensive shadow study prepared for four distinct times during the day and at equinoxes and solstices from all perspectives
- A traffic and parking circulation study to show how site activities (deliveries, two-way traffic, etc.) will be integrated on the site as well as a parking demand study to identify potential impacts on the availability of existing on-street parking in the general area. It is recommended that the applicant meet with the Engineering and Transportation Division of DPW to discuss the scope of said studies prior to undertaking same.
- A Zoning Analysis
- A waiver list in tabular form

The Select Board appreciates the fact that the recently passed Housing Bill allows for subsidizing agencies to take into account municipal actions taken to meet affordable housing needs. The Board is therefore attaching a summary of the efforts taken by the Town of Brookline to expand our housing supply and preserve and increase the number, diversity and quality of affordable housing.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Bernard Greene", with a long horizontal flourish extending to the right.

Bernard Greene, Chair  
Brookline Select Board

Attachments