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From the Desk of Jennifer Dopazo Gilbert
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July 22, 2022

By Email to Maria Morelli mmorelli@brooklinema.gov

Jesse Geller, Chairman
Zoning Board of Appeals
c/o Maria Morelli
Town of Brookline
333 Washington Street
Brookline, MA 02445

Re: Babcock Place, LLC
Comprehensive Permit, ZBA Case No. 2017-0020

REQUEST FOR ADMINISTRATIVE APPROVAL
TO ADD THREE ADDITIONAL AUTOMATED PARKING SPACES WITHIN THE
ORIGINAL FOOTPRINT AND MODIFY
Waiver List Item "L" to reflect a total of 39 spaces

Dear Chairman Geller:

Reference is made to the Comprehensive Permit issued to Babcock Place, LLC dated April 5, 2018 allowing development of 45 units of rental housing and 36 garage parking spaces (34 automated spaces and 2 separate ADA spaces) at 134 Babcock Street in Brookline (the "Comprehensive Permit"). Construction of the building is underway.

The original design for the parking at Babcock Place was to include thirty-four (34) automated stalls with a lift system and two (2) separate handicapped accessible stalls for a total of thirty-six parking spaces (See Waiver List Item L and Condition #1). The automated parking system was to be provided by the vendor CityLift LLC. Around the third quarter of 2021 the owner was informed that CityLift LLC had filed for bankruptcy and would be unable to fulfill their contract. An alternate vendor was engaged, Harding Steel, who provided an updated design for the project which allowed for an additional three automated parking stalls, for a total of thirty-seven automated and no change to the two ADA stalls all within the same footprint of the original design. This brings the total amount of parking stalls up to thirty-nine from the original thirty-six.

As noted in the architect's letter dated July 21, 2022 (copy enclosed), the new design does not reduce any drive aisle widths and achieves this improvement through tighter engineering methods for the new Harding Steel automated lift system. The original ADA spaces and all sightlines remain unaltered. The new Harding Steel parking plan is included along with the original parking plan.

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. 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.

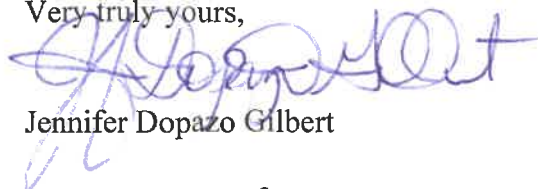
(d) The following matters generally will not be substantial changes:

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.”

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 this is an insubstantial change, 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 if this matter will be scheduled for discussion. Thank you.

Very truly yours,



Jennifer Dopazo Gilbert

Encs.

Copies by Email to:

Dan Bennett, Building Commissioner

Todd Kirrane, Transportation Director

Kara Brewton, Director of Planning and Community Development

Polly Selkoe, Assistant Director for Regulatory Planning

Virginia Bullock, Housing Project Planner