To: Mel Kleckner, Town Administrator

Cc: Patty Parks
Kara Brewton, Director of Economic Development
Maria Morelli, Interim Regulatory Planner

From: Deborah Dong, Brookline resident (267 Beverly Rd)

Date: August 21, 2013

Re: Chestnut Hill Realty (CHR) 40B application
Water and grading concerns about Hancock Village greenbelt

This memo was prepared with input from several of my neighbors who live near Hancock Village, and lists some of the concerns that we have about Chestnut Hill Realty's revised 40B proposal, and specifically about wet conditions, and water and grading issues along the Beverly and Russett Road greenbelts. Many of these issues were discussed at the recent Board of Selectmen meeting held on August 13, but we wanted to consolidate our thoughts in this memo. We also ask that you forward this information to the Town's outside counsel for their consideration.

There are many ways in which the new 40B proposal by Chestnut Hill Realty (CHR) is worse than the previous proposal. Two ways are how the "infill" apartment buildings are sited on the greenbelt and the re-grading of the greenbelt terrain.

The topography of the greenbelt is rolling and undulating – with enough of a grade in the area approaching the Baker School that kids go sledding on the greenbelt in the winter, and that long-time residents remember in their childhoods walking "up the 9th hole" on the golf course that once stood on that site as they walked to the Baker School.

Long-time residents of South Brookline have also stated that there was a stream on the greenbelt that flowed into the Hoar Sanctuary and that was either intentionally buried or became overgrown some years ago. We understand that there are some Town records of the stream, in particular a topographical map from 1912 located in the Engineering Department on the fourth floor of Town Hall that shows an above-ground stream flowing to the Hoar (see photo of map section below). We believe that water from this now underground stream still flows this way. After rainy weather there is standing water in the low-lying areas of the greenbelt, with the land being wet enough that a U Haul truck was stuck in the mud there for several days in 2010 (see photo below). There are many mature (decades old) trees that now line the areas of the greenbelt along the boundary lines of the abutting properties, and the trees absorb much of the water.

Since last winter, approximately the time since CHR's last 40B proposal was withdrawn last February, equipment was seen on the greenbelt, consisting of large vehicles with boring equipment – the type usually used to test for water issues. Surveyers were also seen this spring measuring the terrain of the greenbelt and Russett and Beverly Roads from the VFW Parkway to the Baker School.

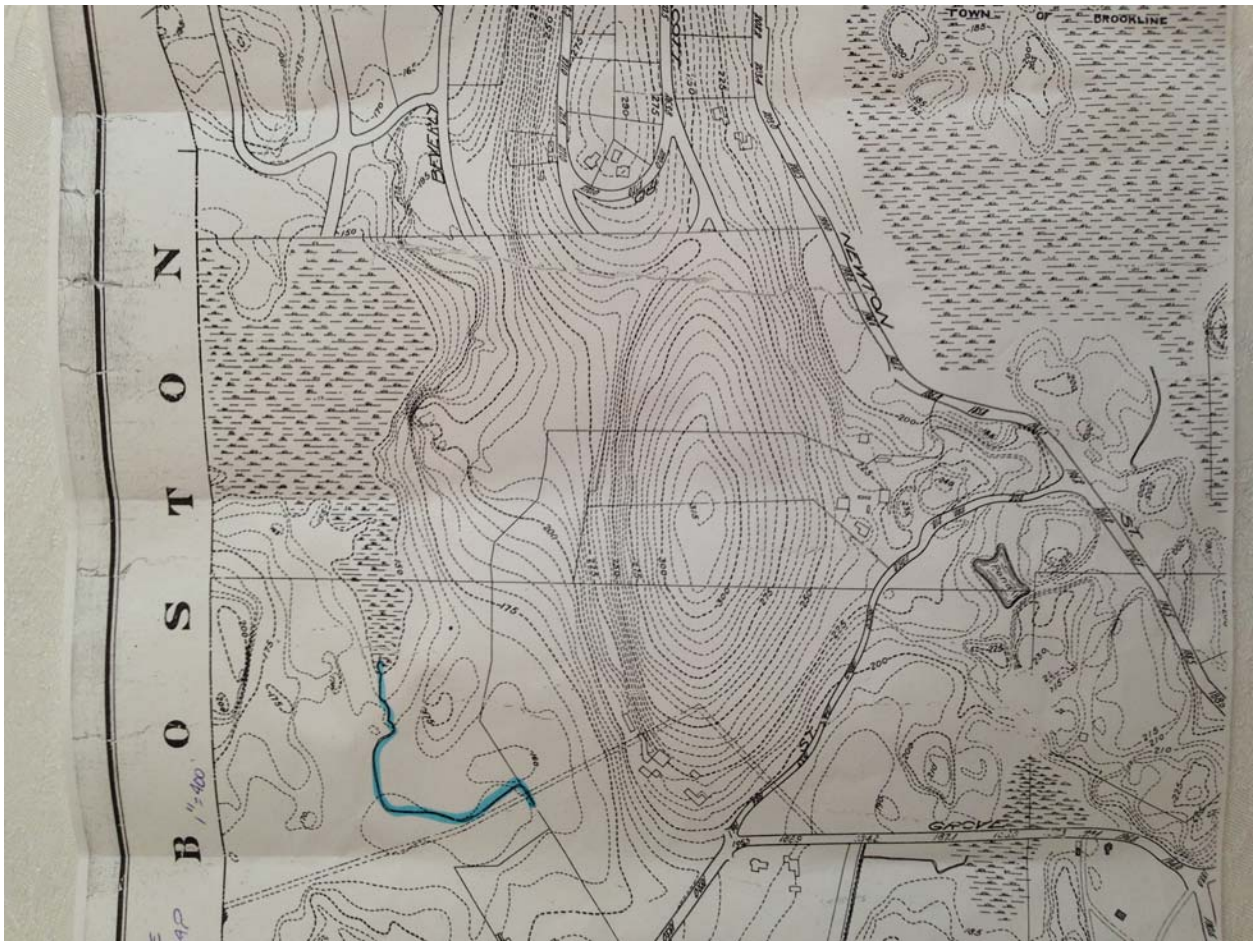
Upon careful review of CHR's new proposal, there are some differences from the previous proposal that strongly suggest they revised the design of the development in the greenbelt as a result of their testing and surveying. Based on some of the graphics included by CHR in its application, the undulating terrain of the greenbelt on the Beverly Road side appears to have been leveled, and raised by several feet in the low-lying areas. A 2.5-story apartment building (the length of 2.5 single-family abutting lots) is shown on a raised grade of several feet (estimated to be around 4 or 5 feet). The building is set back 20 feet from the property lines (an increase in distance from the previous proposal, and an increase which CHR touts as an accommodation in its new proposal), but the setback in this area would include the raised grade for approximately half of it, followed by a drop-off of 4 or 5 feet to the current level (also the level of the abutting lots). There would be a "modular block retaining wall" for the distance of this long apartment building that would directly face the abutting properties. Thus the 2.5-story building will appear even taller compared to the abutting single family homes, and the neighbors will literally face a wall of dirt and construction. These are depicted in graphics used by the NCD Commission at the August 13, 2013, Board of Selectmen meeting.

It therefore seems that the apartment building is planned for the raised terrain in order to avoid water problems in the new buildings. However, since water flows downward, it certainly appears that water would seep down the retaining wall and into the area directly next to the adjoining properties. Based on the current flow of the stormwater in that area, this water would inevitably seep into the adjoining properties and flow towards the Hoar Sanctuary. With the additional surfaces due to the new building and surrounding parking spaces and access road, and with the necessary removal of the mature trees, the amount of stormwater would undoubtedly dramatically increase. Furthermore, because of the cars on the roads and parking spaces, regardless of whether the new surfaces are permeable or impermeable, the quality of the water would be unavoidably more polluted. Thus, it appears CHR is not only shifting the burden of the water problem to the neighboring properties, but making it significantly worse for them.

Furthermore, a drop of several feet, combined with wet conditions, may create an unsafe environment where a resident, and particularly a child, could slip and fall over the wall. The CHR graphics indicate that a screening fence would be in place with some shrubbery in front of it, but a fence combined with the modular block wall would create a large barrier between properties that plantings cannot hide, and instead of a being a transitional area, it would add to the bulking mass of the building.

CHR representatives have said in meetings with the Town that they would find a "workable" solution to the water issues in the greenbelt. If this is the solution they have come up with, it is certainly a terrible one. Part of the 40B criteria includes massing, topography, environmental resources, and integration into existing development patterns. Where topography should be used to mitigate the impact of a development, in this case the flattening and raising of the terrain makes it worse – removing a key aspect of the character of the space, creating unsightly barriers, and exacerbating the massing of the infill buildings. It shifts the water issue to the neighbors and surrounding areas, and may increase pollutants. It is not integrated into the existing development pattern, and not only shoehorns large buildings into a narrow area, but builds up the earth under it. When CHR says "smart growth of creative infill," they apparently mean infill of dirt as well as buildings.

U-Haul truck stuck in Beverly Road greenbelt for several days.



Section of 1912 map – blue line indicates stream.