



# *Town of Brookline*

## *Massachusetts*

### **PLANNING BOARD**

Town Hall, 3<sup>rd</sup> Floor  
333 Washington Street  
Brookline, MA 02445-6899  
(617) 730-2130 Fax (617) 730-2442  
TTY (617) 730-2327

Mark J. Zarrillo, Chairman  
Linda K. Hamlin, Clerk  
Ashling Fingleton  
Steven A. Heikin  
Jerome I. Kampler  
Steven Kanas  
Jonathon Simpaon

October 14, 2011

Marc Levin  
Chestnut Hill Realty  
300 Independence Drive  
Chestnut Hill, MA 02447

Dear Mr. Levin:

The proposed development at Hancock Village East for 31 detached single family homes on Lot 1, under Sec. 5.11, Designed Groups of Single Family Dwellings, and 162 units in a multi-family building on Lot 2 are major impact projects. In accordance with the procedures of §5.09.3.b of the Zoning By-Law, the Planning Board having heard the preliminary presentation at its meeting on September 15<sup>th</sup>, is sending you this initial report. Concerns or issues highlighted in this report, and during the design review process by the Design Advisory Team, should be addressed in the formal submission to the Building Commissioner.

### Planning Board Design and Planning Issues

Design and site planning issues will be explored further during the Design Advisory Team (DAT) meetings. However, before a DAT is convened by the Planning Board, the applicant should provide much more detailed elevations and site plans. Dimensions, setbacks, space between buildings, open space areas, garage parking etc. should be provided on the plans. Also, the applicant should consider significant revisions to the design of the proposal for both Lots One and Two to decrease potential negative impacts to the surrounding homes and neighborhood and to meet the criteria for special permits under Section 5.09, Design Review, Section 5.11, Designed Groups of Single Family Homes, and Section 9.05, Conditions for a Special Permit.

The following excerpted sections of the By-Law apply to this proposal and the applicant should demonstrate how the required criteria for the special permits are met. Planning Board comments are in italics.

## Sec. 5.09, Design Review

Preservation of Trees and Landscape – Trees and other landscape features shall be preserved in a natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

*The applicant should consider reconfiguring, attaching and/or reducing in number the designed single family homes, in order to preserve many more landscape features on the site. Reducing the number of drives to the multi-family should also be considered to preserve more open space.*

Relation of Buildings to Environment - Proposed development shall be related harmoniously to the terrain, trees, landscape, and natural features. The Board of Appeals may require a modification in massing so as to reduce the effect of shadows on abutting property or on public open space and public streets.

*The applicant should provide shadow studies of the single family homes to demonstrate any shadow impacts to the homes on Russet Road. For the multi-family, a balloon test should be conducted and photos submitted to demonstrate the visibility of the multi-family from several different vantage points.*

Relation of Buildings to the Form of the Streetscape and Neighborhood - Proposed development shall be consistent with the use, scale, yard setbacks and architecture of existing buildings and the overall streetscape of the surrounding area. The Board of Appeals may require a modification in massing or design so as to make the proposed building more consistent with the form of the existing streetscape, and may rely upon data gathered that documents the character of the existing streetscape in making such a determination.

*The single family homes and the multi-family are neither consistent with the surrounding single family residences, nor the townhouses in the existing Hancock Village development.*

Open Space—All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing the site or overlooking it from nearby properties.

*In this proposal, the green space now visible from Independence Drive will be lost due to the location of the single family structures.*

Heritage—With respect to Brookline's heritage, removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.

*The proposed single family homes and multi-family residence are not consistent with the style of this postwar garden apartment complex built to provide housing for returning veterans.*

Sec. 5.11.m – Designed Groups of Single Family Dwellings

2.b. The Board of Appeals may limit the total number of dwelling units to less than the base density if in its judgment substantially adverse lot conditions, such as soil, topography, shape, significant landscape features or abutting uses, so require.

*Significant landscape features of this Olmsted Associates designed landscaping will be lost with the location of single family homes on this large swath of greensward at the rear of the Russett Road homes, and significant changes will need to be made to the topography and natural landscaping at the location of the multi-family residence.*

2e-j. The entire lot shall be designed to, and shall, remain in one ownership and shall be developed and maintained as a whole, except that:

- 1) individual dwelling units together with the immediately adjacent yard areas designed for the private use of the residents of the individual dwelling units may be individually owned by any method deemed by the Board of Appeals to ensure the unified control and maintenance of the entire lot; and
- 2) the open space created under this Section shall be owned, preserved and protected as provided in §5.11, paragraph 2., subparagraph j.

*As required under Sec. 5.11, the applicant should delineate on a plan the areas of the adjacent yards for each single family home; the common open space and how it will be owned, preserved, and protected; existing landscaping that will be removed, and the proposed landscaping.*

2.m. In granting a special permit for a designed group of single-family dwellings under this Section, in addition to the findings required under **§5.09** and **§9.05**, the Board of Appeals shall find that:

- 1) the location, topography, vicinity or natural features of the site make it particularly suitable for such development, and
- 2) the design of the development is such as to be in harmony with the prevailing character of the neighborhood.

*The Planning Board is not convinced that this site is the appropriate location for a designed group of detached single family homes and requests that you provide a plan that shows a typical single family development divided into 7,000 square foot lots for comparison and one with groups of attached single family homes.*

Section 9.05, Conditions for Approval of Special Permit

1. b. The use as developed will not adversely affect the neighborhood.

*In addition to above concerns expressed about negative impacts to the surrounding neighborhood, the Planning Board looks forward to receiving a traffic impact report in order to evaluate the traffic and parking impact to the area.*

2. In approving a special permit, the Board of Appeals may attach such conditions and safeguards as are deemed necessary to protect the neighborhood, such as but not limited to the following:
  - a. Requirement of front, side or rear yards greater than the minimum required by this By-law.

*The setback of the single family homes to the lot line shared with the Russett Road homes should be at least 30 feet, which is the requirement for rear yards in this district.*

The Planning and Community Development Department staff is happy to meet with you to review the requested additional information and to work with you throughout the approval process.

Very truly yours,

Mark J. Zarrillo, Chairman

Attachments: Memos on the Hancock Village East preliminary plan submission from Building, Preservation, Traffic and Engineering, Housing Advisory Board, and Conservation Commission

cc: Joe Geller, Stantec, 141 Portland St., Boston, MA 02114  
Michael Shepard, Building Commissioner



# TOWN of BROOKLINE

*Massachusetts*

## BUILDING DEPARTMENT

Michael W. Shepard  
Building Commissioner

### INTEROFFICE MEMORANDUM

---

Date: 29 August 2011

To: Polly Selkoe  
Assistant Director for Regulatory Planning

From: Michael Shepard  
Building Commissioner

Subj: **Hancock Village East – Lot 1 and Lot 2 Major Project Review Submission**

In a memorandum dated 5 August, 2011 you requested comments, concerns or questions regarding the subject proposal.

I shall address my comments regarding Lot 1 and Lot 2 separately with comments regarding both at the end.

#### **Lot 1**

1. This proposal is designed group of single family dwellings. The Legislative Intent should be thoroughly investigated to ascertain whether a project such as the one proposed was what Town Meeting had in mind when this particular aspect of zoning was passed.

2. It appears at first blush that all the relief necessary could be granted by Special Permit. The Board of Appeals must find that in its judgment that certain conditions are satisfied, **Section 9.05.1**. Also, the Board is empowered to attach conditions and safeguards that may be deemed necessary to protect the neighborhood, **Section 9.05.2**. Also, the Board must find that the requirements of **Section 5.11.2.f** are satisfied. “1) the location, topography, vicinity or natural features of the site make it particularly suitable for such development, and 2) the design of the development is such as to be in harmony with the prevailing character of the neighborhood”.

3. The proposed driveway appears to be a minimum of 20’ wide. This width is required for two-way use. The applicant is applying for relief for a common driveway since this will be used by both lots 1 and 2. Serious thought should be given whether the base density should

be determined upon the land area remaining after construction of the driveway. See definition of “lot area” **Section 2.12.6.a**. Also, it should be noted that the Board of Appeals could limit the total number of units to less than the base density if it finds that “substantially adverse soil conditions, such as soil, topography, shape, significant landscape features or abutting uses so require”.

4. The Zoning By-Law in **Section 2.19.4** defines street as “A public or private way, ally, lane, court, or sidewalk which is open or dedicated to public use ...”. The applicant has assumed that lot 1 is a through lot, “where the two side lot lines are not street lot lines and the other two lot lines are both street lot lines, no lot line is considered a rear lot line”. The result is the 7.5’ setback from the properties along Russett Road. One should look at whether the driveway is actually a “street” as defined above. If this were the case, the applicant may have actually created a “corner lot” and **Section 2.12.9.a** would apply. The line abutting the Russett Road properties would then be a rear lot line with the requisite 30’ setback requirement.

5. The applicant should provide detailed calculations to show that the minimum land area occupied by each detached single family dwelling together with immediately adjacent yard areas is satisfied, **Section 5.11.2.f**.

## **Lot 2**

1. This proposal is a multi-family development project. In this case again one must determine whether the roadway infrastructure related to this portion of the site should be subtracted from the land area when determining the number of potential units.

2. In determining the overall height of the multi-unit building it appears that the applicant utilized **Section 5.30.1.c** of the Zoning By-Law. This section provides for a height increase when the “mean grade of the natural ground contiguous to the building is higher than both the record grade of the street and the mean natural grade of any abutting lot at the lot line, height shall be measured from a level not exceeding the mean grade of the lowest of any lot by more than one-fourth of the distance between the building and the said abutting lot line. It appears that the applicant has prepared a thorough analysis of the relative heights.

3. **Section 5.31** provides in situations where the interpretation of the requirements of **Section 5.30** is not clear as a result of non-typical lot shape, topography, building alignment or configuration, or other characteristic, the Board of Appeals under a special permit after a hearing may establish maximum heights for a building or buildings or for different parts of a building which it deems will best approximate the requirements of **Section 5.30** and will assure the same standard of amenity to nearby properties as would have been provided by the application of said requirements to the site in question in the absence of non-typical characteristics”. Again, one should investigate the legislative intent of this provision of the By-Law. **Section 5.30.1.c** is often used within Brookline. However, the lots are much smaller than the lot in question and it has quite irregular topography as well. The proximity of a multi-story building to the existing one and two story buildings is a concern also.

4. The height of the proposed building will stir significant neighborhood controversy. To answer this question the applicant should be required to install balloons at elevations equal to the overall height of the building in multiple locations so neighbors as well as Board Members can see that which may or may not be visible.
  
5. There will be significant impact on the budget of this Department if the proposal materializes. Depending upon the timing of the project, existing inspectional services personnel will be stretched thin to the detriment of other projects within Brookline.

MEMO FROM PETER DITTO  
Sept. 1, 2011

- Polly - I have reviewed the Hancock Village East Lot1 and 2 - Major Project Review Submission dated August 1, 2011 and, at this time, off the following general comments:
  - 
  - Wastewater - The proponent should investigate deficiencies within the municipal wastewater system, particularly during high groundwater season and peak flows. Efforts should be made to reduce the water consumption , hence, reduce wastewater generation. The proponent should be prepared to identify and mitigate infiltration and inflow, the quantity of which will depend on DEP review of the ENF, and the possibility of having to file for an sewer system extension permit.
  - 
  - Stormwater - The proponent should present drainage calculations and detailed plans for the management of stormwater from the proposed project in compliance with the Town's Stormwater Management By-law and applicable State and Federal regulations.
  - 
  - Transportation - The proponent's traffic engineer should meet with the staff of the Transportation Division to develop a Scope of Work for preparation of the Transportation Access Plan.
  - 
  - I look forward to the review of more definitive plans and studies.



# Town of Brookline

## Massachusetts

### HOUSING ADVISORY BOARD

Roger F. Blood, Chair  
Steven A. Heikin  
Michael H. Jacobs  
Karen J. Kepler  
Rita K. McNally  
Rufus Phillips  
Kathy A. Spiegelman

333 Washington Street  
Brookline, MA 02445  
(617) 730-2130  
FAX (617) 730-2442

Date: August 25, 2011  
To: Planning Board  
From: Roger Blood, Chair, Housing Advisory Board  
RE: Hancock Village:  
Affordable Housing Obligations and Goals

---

The submission dated August 1, 2011 by the Hancock Village development team outlines obligations for affordable housing under Section 4.08 of the Zoning By-law as follows:

- Lot 1: For 31 new single family homes, 5 affordable homes of which 4 would be Chapter 40B eligible
- Lot 2: For 162 apartments, 25 affordable apartments of which 17 would be Chapter 40B eligible

The HAB was represented on the Hancock Village Committee that met during the past two years; it had the opportunity to meet directly with the project team in 2009. While the HAB will not be meeting again until after Labor Day, I believe that its goals for the site have been quite consistent:

- To maximize the affordable housing on the overall site, and
- To target affordable rental units to households with incomes under 80 percent of median income.

As you know, while the Town's Comprehensive Plan sought to increase affordable housing in all areas of Brookline, it identified Hancock Village as a site where significant redevelopment was likely, and which should present an especially attractive opportunity for additional affordable units.

Section 4.08 of the Town's Zoning By-law requires that projects of 16 or more units provide a minimum of 15 percent of their units, (in the case of this project, 29 units), including 15 percent of all bedrooms, as affordable to households with incomes under 100 percent of metropolitan Boston median income. At least two-thirds of these units must qualify under the Comprehensive Permit Law (Chapter 40B)—in particular to serve households with incomes under 80 percent of area median income.

The HAB has found that while there is a strong need for affordable homeownership units serving households with incomes up to 100 percent of area median income, affordable rental units that are created to serve this same population usually are priced too close to full market rents to serve a significant unmet need.

Therefore, the HAB believes that, to the extent the owner's intent at Hancock Village is to incorporate the proposed new units -- including the single family homes -- into its overall rental operation, the HAB would be seeking an agreement under which all affordable rental units would serve households with incomes under 80 percent of area median income.



# *Town of Brookline*

## *Massachusetts*

**Department of Planning and  
Community Development**

Town Hall, 3<sup>rd</sup> Floor  
333 Washington Street  
Brookline, MA 02445-6899  
(617) 730-2130 Fax (617) 730-2442

Greer Hardwicke  
Jean Innamorati  
Preservation Planners

TO: Polly Selkoe, Assistant Director for Regulatory Planning  
FROM: Preservation Commission Staff  
DATE: August 29, 2011  
SUBJECT: Hancock Village East- lot 1 and 2

---

The staff of the Preservation Commission would like to offer preliminary comments on the proposed plans submitted for development at Hancock Village. More comments from the Commission and staff will be forthcoming in the future.

Hancock Village's landscape was planned by Olmsted Associates in the late 1940s, with Edward Clark Whiting, Leonard Zach and William B. Marquis of the firm the most involved. The design was based on the garden apartment complex model championed and promulgated by the Federal Housing Authority during the 1930s. These complexes closely followed the Garden City movement principles, which included a separation of pedestrian and vehicular traffic and the use of shallow building plans with staggered setbacks to increase ventilation and light.

This garden apartment complex is thus a representation of the leading model promoted by the Federal Housing administration during the 1930s and 1950s. Paul Clark, the head of Hancock Insurance, brought in Gustave Ring whose Colonial Village (1936) in Arlington, Virginia became the model for FHA developments, as consultant and developer. Ring, in turn, used Washington D.C. architect Louis Justement to design the planned attached townhouses in a restrained Colonial Revival style. The integrity of the original landscape and buildings is completely intact and the village represents an important example of mid-twentieth century garden apartment development, one of the earliest in the Northeast.

The single family houses and roadways proposed to be built along the greenbelt at the edge of Hancock Village will alter the landscape irreparably. It would be preferable to leave this swath of greenspace untouched or, if there must be some development in this section, to reduce the number of houses and keep them away or pulled back from the VFW Parkway and Independence Drive. If single-family houses along the greenbelt are to be built, the massing and rooflines should be less prominent and more harmonious with the design of the original buildings.

The proposed multifamily building is preferable to the single family housing in terms of adverse impact on the original landscape layout. However, the two roads proposed around the multifamily building seem redundant. We would recommend that one of the proposed driveways or some of the entries to the garage be eliminated. Finally, the bird's eye and other views of the proposed development showing mature trees around the proposed buildings seems disingenuous since it would take many years for this amount of tree growth to occur.



# *Town of Brookline*

## *Conservation Commission*

*Kate Bowditch, Chair*  
*Marcus Quigley, Vice Chair*  
*Randolph Meiklejohn, Clerk*  
*Werner Lohé*  
*Roberta Schmoor*  
*Gail Fenton*  
*Matthew Garvey*

**Associates**  
*Marian Lazar*  
*Pamela Harvey*

August 31, 2011

Polly Selkoe  
Assistant Director for Regulatory Planning  
Department of Planning and Community Development  
333 Washington Street  
Brookline, MA 02445

Re: Hancock Village East Lot 1 and 2, Major Project Review Submission

Dear Ms. Selkoe,

On behalf of the Conservation Commission, I am writing to respond to the Hancock Village East Lot 1 and 2, Major Project Review Submission, submitted on August 1, 2011, and your memo concerning this submission. The Conservation Commission appreciates the opportunity to submit comments on this project submission.

The Commission has determined that the proposed project is not located in any wetland resources areas, and is not directly adjacent to any conservation land managed or protected by the Commission. They do not have any specific comments to submit at this time; however the Commission looks forward to the opportunity to comment in the future, particularly during the review of the project under the Brookline Stormwater By-Law. The Commission anticipates submitting detailed comments as the design process evolves in the future, particularly with regard to stormwater management.

Sincerely,

  
Thomas D. Brady  
Conservation Administrator