In The Matter Of:

BROOKLINE ZONING BOARD APPEALS HEARING

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PROCEEDINGS - Vol. 1

July 23, 2014

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Volume IX

Pages   1-104

Brookline Zoning Board Appeals Hearing

Case Number 20130094

40B Application by Chestnut Hill Realty

The Residences of South Brookline

July 23, 2014 at 7:00 p.m.

Office of Town Counsel

333 Washington Street, 6th floor

Brookline, Massachusetts 02445

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Reporter: Kristen C. Krakofsky

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 1                    Appearances

 2    Board Members:

 3    Jessie Geller, Chairman

 4    Jonathan Book

 5    Chris Hussey

 6    Mark Zuroff, Associate Member

 7    Avi Liss, Associate Member

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 9    Samuel Nagler, Esquire, Krokidas & Bluestein

10    Edith M. Netter, Esquire,

11    Edith M. Netter & Associates, P.C.

12    Ted Touloukian, Touloukian & Touloukian

13

14    Joseph Geller, Chestnut Hill Realty

15    Steven Schwartz, Esquire, Goulston & Storrs

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17    Members of the Public:

18    Anthony Abner, 265 Russett Road

19    William Pu, 249 Beverly Road

20    William Varrell, 45 Asheville Road

21    Neil Wishinsky

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 1                    PROCEEDINGS

 2                    7:05 p.m.

 3        MR. JESSE GELLER:  Good evening.  Welcome to

 4   our hearing.  This is on the Residences of South

 5   Brookline.  I want to thank CHR for -- two weeks ago, I

 6   think July 10th, we had a site visit and it was

 7   certainly very interesting to be out there and have an

 8   opportunity to see the site in something other than the

 9   dead of winter.

10        My name is Jesse Geller.  Christopher Hussey,

11   Jonathan Book, Mark Zuroff, and Avi Lis are with me.

12   Tonight's hearing will be in the following order:  We

13   will first hear -- or we will first see a video tour of

14   the model by CHR.

15        Joe, you will present that; is that correct?

16        MR. JOE GELLER:  Yes.

17        MR. JESSE GELLER:  Secondly, we will have a

18   presentation by our peer reviewer, Ted Touloukian.

19        The members of the ZBA may in the interim have

20   questions, but I would otherwise ask -- and I think

21   I'll include this for the ZBA -- that you try and

22   withhold questions to the end of each respective

23   presentation so we can hear a coherent presentation.

24   If there is something that you feel is compelling and
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 1   critical that you must ask, ask.

 2   I would ask that the public, who will be given

 3   an opportunity to speak at the end of both of those

 4   presentations, that they hold their questions until the

 5   end and then certainly you are free to ask whatever

 6   questions you would like. You'll have that

 7   opportunity. And I will give the applicant an

 8   opportunity, if the applicant feels like doing so, to

 9   rebut or to respond to questions that have been asked

10   at the end.

11   I would also note that the video tour will be

12   posted on the Town's site, so it will not only be

13   available here tonight, but it will also be available

14   for everyone to take a look at on the Town's site.

15   I have one request which is, would it be

16   possible for you to prepare what I technically am told

17   is called a winter scene tour, that is without leaves?

18   So a presentation of the model without leaves. Is that

19   a possibility?

20   MR. JOE GELLER: Let me just say, this is a

21   monumental effort to create this. It may be possible

22   to do that. We'll see what it takes to do that, and

23   we'll get back to you.

24   MR. JESSE GELLER: Thank you very much.

1   Any other administrative details? Allison?

2 Maria? No? Okay.

3   So Joe?

4   MR. JOE GELLER: Thank you, Mr. Chairman. I'm

5 Joe Geller from Stantec Consulting. And before we

6 start the model, I just wanted to give you a little

7 background on how the models were created.

8   So I know there was some discussion before

9 about using SketchUp models to show what the buildings

10 would look like, but typically today we see SketchUp

11 models used a lot in massing models that you can see

12 what the massing of buildings look like. We actually

13 used SketchUp for some of the building modeling.

14   But the models themselves were done by using

15 AutoCAD bases for the topography of the site, and that

16 was done through the survey, the existing survey, using

17 the Town's GIS data, which I think is one-foot contour

18 intervals, so it's pretty accurate, around the site.

19   And then using that base, we used a 3D

20 modeling tool called 3D Studio MAX to develop the

21 topography. So it's a very accurate model in terms of

22 the topography of the site. Typically SketchUp models

23 are use to -- as I said, to show mapping. They don't

24 necessarily actually create kind of an accurate

1   modeling of the topography, which in this site is a

2   pretty important element and feature of the site. So

3   we wanted to make sure that we were showing you

4   something that was as accurate as we could possibly

5   present it to you.

6   The trees that we're showing on the site are

7   done in a number of different ways. But existing trees

8   on the site we took off the survey, so a lot of the

9   trees are caliper size shown on the survey, and so we

10   took them off the model because they're shown in the 3D

11   model, and then we have the -- of the site in the

12   survey.

13   And then areas that had wooded areas that

14   weren't called out for -- like, if it was too dense

15   wood to actually call out every tree, we showed an edge

16   to the woods on the survey. So we got that edge off

17   the survey.

18   And then we used the aerial photographs to

19   locate trees that we could from the aerial. So we

20   tried to be as accurate as we could with the existing

21   condition information in terms of the vegetation.

22   So there's some things that don't show up like

23   the understory vegetation that you'll see in some

24   places. If you remember walking on the site, there

1   were a lot of areas on the edge of the property where

2   there was some understories. So then we went back to

3   the site and actually did some reconnaissance of the

4   site to try and, again, make this as accurate as

5   possible, just going through and seeing what was there.

6   On the edges of the -- well, the new trees,

7   the new landscaping that's shown on the site is also

8   accurately located based on the planting plans, so all

9   the plants that were shown on the planting plans are

10   indicated on the plan, and they're shown at about a

11   three- to five-year growth period so you can get a

12   pretty good sense. We can talk about that at some

13   point when we show the planting plans because the

14   planting plans have the height of the trees. But as I

15   go through the plan, I'll explain that as well.

16   On the edges of the site -- and we're actually

17   going to do -- the models show views from Beverly Road

18   and Russett Road. And so in those cases, we

19   actually -- we used Google Street View to get a sense

20   from the street of the trees that are on the existing

21   property, so all the homes on the properties.

22   The houses themselves were modeled from the

23   town survey data information as well as photographs

24   that we took of the houses. We tried to model them as

 1   accurately as possible with the height of the

 2   buildings, the shapes of the buildings. So the trees

 3   that you see as we drive down Russett Road or Beverly

 4   Road are actually from the street views or from the

 5   aerial photos, so those are -- again, we tried to be as

 6   accurate as we can in sort of the scale and size of the

 7   trees that we saw in the street views and that includes

 8   trees that showed up in sort of the back of people's

 9   home, sides of people's homes, and then the street

10   trees along the streets themselves.

11   But it was really hard to model that in a

12   way -- looking from the backyards of the houses. If we

13   left the trees in the model, we really wouldn't be able

14   to see into the proposed development. You have to

15   screen through that. So we took the trees out of that

16   part of the model, and I'll explain that as we go

17   through each one of the models. So it gives you sort

18   of the worst-case scenario, if there were no trees in

19   the backyard, what you would see. Because the reality

20   is there are trees in the backyards.

21   So I think the first view that you're going to

22   see shows a better sense of what you see from the

23   street and what you might see between the houses if the

24   trees were there, but there was no way to really show

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 1   that.  And you'll see it when I explain the models, the

 2   view of that background.

 3            So just to orient everybody, Independence

 4   Drive, Beverly Road, Russett Road, the S7 area where

 5   we're showing the infill buildings, the existing

 6   massing of the houses, the sort of single-family

 7   density of the houses on this edge here, the proposed

 8   apartment building, proposed four-unit building along

 9   this edge of the property, existing Hancock Village

10   shopping center here, Broadlawn Apartments, the Baker

11   School.  That just gives you a sense of the overall

12   project and where we're locating the buildings on the

13   site.

14            So we're going to start with a view that goes

15   up Beverly Road looking -- if you were walking up

16   Beverly Road.  And the height of the camera is six

17   feet, so, you know, a six-foot-high person looking --

18   if you're walking that way, looking to your left.  And

19   you'll see as we go through the site.

20            So, again, there's Independence Drive.  Now

21   we're coming down -- and what we did is we put the

22   house numbers on each one of the houses so people can

23   see where their houses are along the way and know where

24   we are.  And you can see in the backyard there there's
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1   a fence, a proposed building behind there, and the

2   fence in these areas. Again, these are the trees that

3   we took off the street views in the models. Coming

4   through here -- and, you know, the road goes up and

5   grades up as we go up Beverly Road and you start to see

6   the grade picking up. You can see in the back the

7   garages in this location. Again, trees in the back.

8   And this is that area where we kept a lot of the big

9   trees along the edge of the property, and there's more

10   trees on the abutting property. And then as we get to

11   the top of the Baker School, you can just see the

12   corner of the building over here and then this is the

13   Baker School here.

14   The next one, I'm going to go -- I'm going to

15   start right at Independence, go to the back of this

16   property here, then it's going to jog a bit, and then

17   we're going to go down in the backyards of all these

18   homes. And this one will be at the second story, 15

19   feet.

20   So coming down Independence, cut in here to

21   the back of the houses there. Again, if you're looking

22   from the second story, this is what you'd see, the top

23   of the proposed trees, the existing building here.

24   Now, again, there's no trees in the backyards

1   here. This is -- abutters' trees not shown, so there

2   would be trees in these areas, but this is sort of what

3   you'd see if there were no trees in the backyards.

4   Again, at the second level, cul-de-sac, turn-

5   around, which was requested by the fire department.

6   Now you see the fence going up the property line and

7   the houses are going up at that location, the last

8   building, and then Baker School walkway going up.

9   This one, the same thing. This would be at

10   the six foot, so if you were to walk through the

11   backyard and go all the way across the backyard, again,

12   no trees in the abutting properties, so you're looking

13   at the fence. And this edge is the proposed trees,

14   again, cutting through the backyards.

15   These are all the trees that we're saving in

16   that location there and you'll see, this is the

17   proposed building on the other side in that courtyard

18   area. Again, the trees that we're saving, the existing

19   trees in these areas here.

20   And then the next building. And this area,

21   again, the grades are coming up. The building is set

22   back down a little bit, existing trees to remain in

23   this area here, the courtyard that you see today, and

24   then existing trees saved there, and then this building

1   is screened in this area here by this fence. So that's

2   from the abutting properties.

3   Now I'm going to show you what it would look

4   like driving into the site itself down the driveway,

5   coming in the driveway, existing building on the left,

6   proposed building on the right, coming down, driveway

7   comes off a little bit, bears off to the right a bit,

8   goes past the existing building here, you see the green

9   space that we've maintained on this side of the site,

10   the trees that are being retained on the edge, the new

11   proposed building here on the left side between those

12   two courtyards, comes back -- again, the grade is

13   coming up here and grades down through the property on

14   that side -- the cul-de-sac in this area up here, and

15   the proposed building at the other end, the walkway

16   along the edge taking you all the way back to the Baker

17   School. The other walkway is taking you into the

18   courtyards.

19   And what we do with the walkways is take them

20   into the front courtyards. I don't think there's any

21   that go into the back courtyards, so they're connecting

22   in the front.

23   Then we're going to come back out the other

24   way. So now we're at the cul-de-sac right here. You

1   can see the fence in the property line here, there's

2   trees that we've maintained in this area here, the

3   proposed building looking into the rear courtyard on

4   that side, the trees, parking along the edge, walkway,

5   walkway down here into that courtyard, proposed

6   building in that space between those two courtyards,

7   and then coming back up towards Independence Drive. So

8   that's the Beverly Road side of the property.

9   Now we're going to show Russett Road, again,

10   starting at Independence Drive. We'll actually see a

11   corner of Beverly Road, the last house on Beverly Road

12   and then start Thornton Road to the VFW.

13   So this is the last house on Beverly Road.

14   You see Independence Drive here. We see the existing

15   first house on Russett Road and, again, the trees --

16   the existing trees. So in this one you're seeing the

17   existing trees as they would be shown in the yards and

18   in our property, so existing trees and proposed trees

19   on our property, and then existing trees in the

20   abutting properties.

21   Garages at the back of the properties, you can

22   see. Here's the proposed building right there.

23   Thornton Road, again, there's no buildings on

24   these corners. You don't see a building again --

1   there's no buildings in that section here, the existing

2   Hancock Village, the back there.

3   At this point you're looking -- there will be

4   parking behind there. Then this is Asheville Road, the

5   view in from Asheville Road, and then, again, looking

6   between these houses and the trees in this backyard.

7   The garage is there. And two new building -- the two

8   four-unit buildings in the back there.

9   Come down Russett Road, see the buildings in

10   the back, and when we come down here we get to the last

11   proposed building at the end. Now we're at the VFW

12   Parkway.

13   Okay. Now, this one is a little confusing.

14   We actually took the camera and took it to the back of

15   the building here, so we're in the property behind

16   them, the abutting property, the rear yard. Actually,

17   in this case it's the side yard. That building is

18   facing the cameras. So, again, that driveway that

19   comes in. So it's along the back of the driveway. And

20   you'll see it fades. The camera actually turns this

21   way, goes that way, and then another fade. The camera

22   turns that way and then goes down this in direction.

23   These are 15 feet off the ground, so it's

24   second-floor level. Again, no trees shown in the

 1   abutting yards. So this is along that driveway coming

 2   in, a house about here, and then it turns the corner.

 3   This is what you'd see between the house and the next

 4   building. Turn the corner again, so turn there. Now

 5   we're coming back behind this building. Again,

 6   second-floor level, no trees in the backyard.

 7   Now we're at Thornton Road. Again, we'll come

 8   back up here, no buildings in this area, one of the

 9   garages up next to the property line, another garage.

10   Now the parking picks up at this point.

11   That's the proposed building on the corner here,

12   parking comes off of Asheville here, and then there's a

13   wall that we added to push those buildings back to the

14   property line.

15   This is one of the four-unit buildings, the

16   second four-unit building on the existing Hancock

17   Village development, then the trees that we're saving

18   on this part of the site here. This is all on our

19   site. It doesn't show any of the abutting trees.

20   Again, the trees we're saving at that point, the

21   turn-around and the hammerhead there at the building,

22   and the new building, and the trees existing along the

23   VFW, and the end of VFW.

24   The next one is going to be the same view,

 1   basically, but at six feet, so we're walking through

 2   the backyards. Again, no landscape -- no trees shown

 3   in the abutting properties, so as you're looking -- if

 4   you were to look -- so there is an existing hedge here,

 5   but we didn't show that, so this is just the fence,

 6   landscape behind the proposed trees on that edge,

 7   existing trees are maintained, existing Hancock Village

 8   buildings there, existing trees behind.

 9   Turn the corner again and this is the proposed

10   building at that point. And then from there on you get

11   the existing landscape and the fence, Thornton Road

12   again, existing landscape behind it, the garages,

13   again, the landscape that we're saving, preserving that

14   area there because we pushed the parking away, and then

15   we start to see -- this is at Asheville, the proposed

16   building, and the proposed four-unit building again,

17   six-foot fence. Again, the trees that are being

18   maintained in this area here, parking beyond, the

19   cul-de-sac, the hammerhead at that point, and the

20   proposed building here.

21   The next one would be coming from

22   Independence, down the site drive, and into this area.

23   We'll turn around in the parking for these buildings

24   and then we're going to go across to the landscape

     1   space, green space in there to the parking area here

     2   and across down to the proposed building along the

     3   VFW.

     4   Here we are on Independence driving up the

     5   road, existing Hancock Village building here, proposed

     6   eight-unit building here. This one does show the

     7   landscaping, abutting properties as well as on the

     8   property. These are the trees that are going to be

     9   maintained past that point. The proposed parking, then

    10   the hammerhead, then it comes back out, then the

    11   landscaped space here, Thornton Road, again, connecting

    12   up to the walkway system and it takes us up to the

    13   parking in this area here. Then it's trees being

    14   maintained in this area that's shown on the model.

    15   And the parking is kind of tucked into the

    16   grade here. It goes back down to the existing grade

    17   over here, and then the parking that goes over to the

    18   entrance to the garage at this point and the apartment

    19   building.

    20   Now across to Asheville. And, again, you see

    21   the trees that are existing, the garages, proposed

    22   development here, two four-unit buildings, going down

    23   to the parking towards VFW and that hammerhead at the

    24   end. Again, the trees to be maintained in this area,

1   the trees to be maintained in here, and the view of the

2   entrance to the proposed building.

3   This one is going to go around -- loop around

4   the proposed apartment building, so coming in off of

5   Asheville, down the driveway, and then around the back

6   of the building. And I think on our site walk we

7   walked around back here and I had -- there were a lot

8   of questions about sort of the grades behind the

9   building. I think the model really shows it clearly,

10 so when we go around here I can point that out to you.

11 We'll come in here.

12   One of the things that we did is -- the trees

13 in this area here, in order to get the view of the

14 building, we really had to pull the camera back so you

15 could see the building. So what we did is ghost in the

16 trees in that area, so you'll see sort of ghosted trees

17 so you can see through those trees to the building.

18 But it gives you a sense of how high the trees are and

19 where those trees are -- existing trees are.

20   Here we are coming down existing 45 Asheville

21 Road here, coming down Asheville, maintained this piece

22 of ledge here and planted this corner of the building,

23 come past the entrance of the building, the garage

24 entry over here, and up over that rise. If you

1   remember, we kind of were -- at that point, we said the

2   grade of the building is about at that location right

3   here. That's about where we said.

4   There's a proposed wall here. These are the

5   trees that I'm talking about, so if you step back -- if

6   you're driving on the road, this is what you see

7   basically. The proposed entrance and common space,

8   community space here, and then the road continues to

9   dive down. If you remember when we were out there, we

10   were sloping back down.

11   This is the wall that I talked about, placing

12   of the building and landscaping that will be placed

13   between the building and the road, and then the

14   building kind of goes around.

15   The view from here is really from the abutting

16   Hancock Village property. Then you come around the

17   building this way. That was that parking lot that we

18   walked through, and then we walked sort of right up

19   into this area here. We were about here at the top of

20   the ledge. This piece of ledge -- I think I said it

21   when we were out there, that we tried to maintain that

22   piece of ledge that was there. This is the existing

23   building, that's the piece of ledge, and then you see

24   it spins around.

1   You're going to see how the grade drops down

2   on that edge and that the roof of this building is

3   pretty much at the level of the fourth floor of that

4   building so that they're looking out at that, sort of

5   look at that relationship there. And then that's that

6   grade change that we talked about when we were out at

7   the site.

8   Then coming around back this way, the entrance

9   to the building and the parking. And then we'll come

10   back around this way and you'll see sort of this

11   building, the view from Russet, Asheville first from

12   this building, and then existing trees that we walked

13   through that were ghosted out from that part of the

14   site. This is sort of the back edge of one of the

15   properties on Russett Road.

16   Then the last item we show is really -- we

17   didn't do a model of what you see from VFW because

18   there's really only one place you see. It's at this

19   point in the site here. So we actually did the street

20   view and then we modeled the building in the street

21   view, so we'll show you what that looks like.

22   So here's the existing view of this existing

23   building here. The proposed building goes in this area

24   here. You can see that that's the proposed building.

    1   Without any existing trees shown on the model, this is

    2   what -- one second.

    3   As I was saying, so this is what the building

    4   would look like if all the trees were removed. And

    5   then this is what it looks like basically if the trees

    6   are here, the trees behind are put back into the model,

    7   you'll see -- if you were driving down the VFW, you'd

    8   see the top of the building there and the existing

    9   trees and the woods in this area here.

   10   And that's what we have.

   11   MR. JESSE GELLER: Thank you. Any questions?

   12   MR. BOOK: Just curious -- I noticed it on

   13   Russett Road more so -- the houses, are they really

   14   that close together? As we were looking -- you were

   15   going down Russett and looking between the houses,

   16   they're that close together?

   17   MR. JOE GELLER: Yeah. I mean, that was taken

   18   off of the town's -- we got the house lots located and

   19   the -- I mean, you can see it. Those houses -- these

   20   are the houses, so that's as accurate as we can be with

   21   the model. And that's what I did want to point out in

   22   the beginning. I think that as models go, I think

   23   we've tried very hard to be as accurate as we possibly

   24   can be, not just with the buildings but also with the

 1   landscape and the topography.

 2   MR. JESSE GELLER: I was just going to ask,

 3   the grades, in some sections it seems like it was a

 4   fairly steep grade up. It didn't appear to be the case

 5   in the walk-through.

 6   MR. BOOK: For Beverly?

 7   MR. JESSE GELLER: Yeah.

 8   MR. JOE GELLER: Well, Beverly Road is sloping

 9   up pretty significantly. I forget what the grade

10   change is on Beverly Road from the beginning of Beverly

11   and Independence and by the time you get to the Baker

12   School. And that's -- you remember when we walked back

13   behind the school? We walked down. That's actually

14   that grade change that you're seeing there. And it's

15   always more dramatic when you're looking at it this way

16   than when you're walking on the site, usually. And,

17   again, that's why we tried to be as accurate as we

18   could with the model and the data.

19   MR. JESSE GELLER: And the rolling conditions,

20   you were basically modeling existing conditions but

21   modified as you now plan --

22   MR. JOE GELLER: What you saw was the proposed

23   conditions. So, like, in all other parts of the site

24   except for the existing -- the neighborhood part.

 1   That's existing. We didn't change that.

 2   But on the site itself, so the topography for

 3   where the parking lots and all of that, that's been

 4   modified, the grading that we've shown on our grading

 5   plans that we submitted in the last submission.

 6   MR. JESSE GELLER: Other questions?

 7   MR. ZUROFF: One question. The design of the

 8   buildings that you showed, that's your proposal as

 9   built? That had been not reviewed by anybody yet; is

10   that correct?

11   MR. JOE GELLER: That's what you -- I'm going

12   to hear some tonight, and that's the only review we've

13   had so far.

14   MR. JESSE GELLER: Thank you.

15   Let me just remind people that if you are

16   giving testimony this evening, the hearing is being --

17   is it being tape recorded as well as keeping a

18   transcript?

19   MR. LISS: The red light is on.

20   MR. JESSE GELLER: The red light is on, so we

21   have both means of recording the hearing. So if you

22   want to speak, when your time comes please start by

23   giving us your name, your address, speak loudly and

24   clearly so that we can correctly put that information

 1   down.

 2   MR. TOULOUKIAN: Thank you, Mr. Chairman,

 3   members of the board, residents, and concerned

 4   citizens. My name is Ted Touloukian, an architect and

 5   president of Touloukian and Touloukian, an architecture

 6   and urban design firm. I'm pleased to be back this

 7   evening to provide our presentation for a preliminary

 8   peer review report and to listen to comments from

 9   tonight's hearing.

10   As a peer reviewer, as we noted last session,

11   we are not the design architect for the project but an

12   independent reviewer of the design. The basis of our

13   review will consist of observations and constructive

14   considerations that would not be considered unusual at

15   this stage in the process for a proposed development of

16   this complexity.

17   Our review will incorporate the following

18   components: The placement of the buildings within the

19   applicant's established lot lines relative to the

20   abutting and nearby properties of the single-family

21   neighborhood and the existing Hancock Village townhouse

22   context;

23   Secondly, the relationship of the buildings

24   and parking to the topography and natural resources of

1   the existing natural environment and proposed

2   landscape;

3   Third, the review of variables set forth with

4   the site design as described in the design parameters

5   established in our 19 June presentation to the Zoning

6   Board of Appeals;

7   And fourth, the identification of questions,

8   considerations, and possible adjustments to the site

9   and/or building design that may clarify or improve the

10   overall development and its relationship to the natural

11   and built environment.

12   Based on pending feedback that we may receive,

13   we look forward to the opportunity to further review

14   our comments with the applicant in order to facilitate

15   results that would be more consistent with the design

16   principles.

17   Since the last meeting, we have received from

18   Stantec a revised set of design documents and shadow

19   study on the 11th of July and a final 3D model on the

20   16th of July for the applicant's proposed design.

21   These documents are the basis for our preliminary

22   design review presentation.

23   As with any complex project, there are

24   multiple layers to review that are necessary for

 1   gaining an understanding of the appropriateness of the

 2   project design within the neighborhood context. We

 3   believe that thoughtful design review begins with an

 4   understanding of the existing context and the

 5   neighborhood characteristics.

 6   Our overall impression is that the proposed

 7   site, as noted by the applicant, mediates between the

 8   garden village model of housing with green belt

 9   adjacent to the residential single-family

10   neighborhoods. It is a beautiful, natural topography

11   with mature trees and light-filed canopy intermixed

12   within a residential fabric. The Hancock Village

13   garden village model and its relationship within the

14   neighborhood is evident from this historical design and

15   its clear movement on the site. There is a flow that

16   separates the pedestrians from the automobile traffic

17   by placing the parking at its perimeter, leading people

18   to their residential entries along the forecourts and

19   then directly outwards to an expansive exterior

20   landscape.

21   The garden village model firmly connects all

22   three elements together in a flow that, as noted,

23   begins at the parking and goes into the forecourt and

24   flows out into the exterior landscape. They're

    1   interrelated to each other and also extend,

    2   interestingly, into the neighborhood context with its

    3   diverse respect for the natural and topographical

    4   character that is part of the varying forms and diverse

    5   use of materials unique to the architecture of the

    6   surrounding single-family homes. The overall context

    7   seems to embody a balance between the natural resources

    8   and the built environment, architecture and landscape

    9   that is seen as a whole and not separate from each

   10   other.

   11   Our objective within the existing context is

   12   to simply understand the quality and experience of this

   13   place so we can make responsible and informed opinions

   14   regarding the appropriateness of the proposed project.

   15   When considering the impact of the applicant's

   16   design on the abutting single-family homes and the

   17   Hancock Village context, the proposed 40B lot lines

   18   establish the limit of the proposed design scope of

   19   work as shown here.

   20   The proposed project, including the building,

   21   the parking, the landscape must stay, to our

   22   understanding, within these 40B lot limits. These

   23   parameters create a project site self contained from

   24   the rest of Hancock Village or the remaining 40A site.

1   This distinction that we're bringing forward is

2   relevant really for an understanding about how the

3   design is proposed relative to its context and how it's

4   going to be evaluated within our peer review process.

5   We understand that the applicant has brought

6   forth the proposed project as designed by four lot

7   lines. There are a total of nine residential low-rise

8   structures that contain 44 units and 276 surface

9   parking spaces and one apartment building with 140

10   units and 144 structured parking spaces.

11   Our preliminary peer review presentation will

12   evaluate each lot line area and its respective design

13   and will begin focusing on evaluation on the Beverly

14   lot first. It's important to note that in the interest

15   of time that the opinion that is expressed in this

16   location is fairly consistent with the remaining lots.

17   Our questions, consideration, possible adjustments

18   identified here should be applied generally throughout

19   the proposed project.

20   The proposed site plan along the Beverly lot

21   contains 102 parking spaces with access along

22   Independence Drive and, as noted, four buildings with

23   20 residential units. This diagram shows the lighter

24   green trees representing the existing trees which are

1   here in the lighter green. And the darker green trees

2   are representing new tree information.

3   It's important to note, with all of these

4   drawings that we are presenting this evening, this is

5   data and drawings that were given to us on the 11th of

6   July. And what we're showing you, just for the context

7   of discussion, is Stantec's title block and just our

8   notes are only with rendered color, or as you will see

9   in other locations, additional notes in red. And we've

10   overlaid the two together so as to make sure that we're

11   representing the information that was provide to us in

12   the most effective manner.

13   There is a -- along this conversation there's

14   a continuous fence that we saw in the video abutting

15   the property along Beverly Road and a bioretention

16   basin generally located, which is an existing drainage

17   area.

18   The building placement, one of our preliminary

19   design review components, is basically generally

20   situated between large groupings of existing mature

21   trees with some minor mature tree loss shown in red.

22   So in this diagram, what you're seeing -- and I don't

23   know if dimming the lights some would help everyone see

24   the information a little bit more clearly, if that's

 1   acceptable to everybody.

 2   (The lights were dimmed.)

 3   So just to head back to that -- so what you're

 4   looking at, you can see, again, the darker green trees

 5   and the lighter green trees. This is the distinction

 6   between the existing and the new that are to remain.

 7   You're looking at the parking area in gray, the darker

 8   gray are the buildings themselves, and you'll see as

 9   well a darker grey line which is a continuous path that

 10   runs through. These colors tend to be the colors that

 11   we use throughout the rest of the diagrams. I just

 12   want to convey that up front for everyone's clarity.

 13   And as noted -- I think this is a little bit

 14   more clear now -- you'll see the red circles are

 15   actually the locations of trees where they've been

 16   removed from the site plan. And just to note along

 17   those lines, the rest of the colors are consistent with

 18   those.

 19   So in this conversation, questions do arise

 20   throughout the site as well about the size and canopy

 21   of the existing trees that remain and what qualifies

 22   them for being on the site plan. The trees are

 23   actually represented in a very similar size by being a

 24   deciduous or an evergreen tree or what have you. They

1   range in terms of their height and their breadth, but

2   they're represented this way as we have perceived

3   them.

4   A couple points to bring to attention that the

5   applicant should consider in this review: minimizing

6   the loss of existing trees throughout through increased

7   attention to the building placement and footprint size

8   of each respective building. So what we're looking at

9   is those buildings here, and back to this slide here

10   you're seeing the demolition of some trees. So some

11   slight adjustment could assist in saving some of those

12   trees and we'll point out some other considerations

13   along those lines.

14   In general, this is a diagram that conveys the

15   building placement, which is outlined in pink relative

16   to other buildings. It's fairly respectful to the

17   single-family residential neighborhood and the Hancock

18   Village. They are spaced in a manner that has a fairly

19   decent setback from each other from the perimeter of

20   the lot lines, and they've been situated in a way that

21   creates a somewhat nice relationship to the existing

22   spaces. So those are some good components that we'd

23   like to point out.

24   The corner building as well, some other things

1   that could be considered: a site line through the

2   buildings that could be opened up between by breaking

3   the buildings and not one continuous corner mass. Also

4   possible alignment, like I noted earlier, with the

5   trees themselves, saving some of those trees but also

6   creating stronger relationships back to the existing

7   context. These are minor adjustments in general.

8   We did see a video earlier, so I'll just --

9   this was a slide taken from a model that was presented

10   to us from Stantec but as you saw, the visual impact of

11   the buildings from Beverly Road as shown in the 3D

12   model is minimal mostly due to the narrow site lines

13   available between the existing single-family homes.

14   And I think the video did that well.

15   The visual impact of the buildings and parking

16   from Independence Drive as shown in this 3D model view

17   will be -- this is a photograph above, which is what we

18   consider somewhat recent -- existing. And I think when

19   you consider the differences, that it will be

20   significantly different from its existing conditions.

21   And this is mostly due to the large percentage of

22   impervious materials from the asphalt drive access

23   relative to the landscape necessary for the proposed

24   number of parking spaces.

 1   The proposed parking spaces and access drive

 2   across the green belt area that we've noticed here --

 3   one foil to the earlier conversation that we were

 4   having about the garden village model and how that flow

 5   is a part of that historic component, we wanted to

 6   raise some possible considerations that could assist.

 7   In general, I think the applicant should consider some

 8   additional walkways or transitional materials that can

 9   help people flow to the green area across, and this

10   would just help make better connections across a larger

11   asphalt area as well as keeping the ones that exist in

12   their current locations.

13   The visual impact from Independence Drive and

14   the larger areas of parking fields could also be

15   minimized with additional tree islands, and they could

16   be positioned with some of the existing trees and where

17   they are when you overlay the two site lines.

18   And then also when we were at the site we did

19   notice that there were some trash enclosures that were

20   located next to the parking areas that were not

21   actually included in the site plan, and they may want

22   it relocated and effectively screened. An access wants

23   to be brought to them, much the way they are here, and

24   it just wants to be a part of the day-to-day experience

1   that we recognize associated with trash removal.

2   When considering the three dimensions of the

3   site design, the applicant may want to examine more

4   closely the existing grading and the level changes

5   between the existing site and the adjacent grades of

6   the single-family residential context.

7   And so what we're looking at here is that

8   these lines here, the topo lines, they actually

9   represent one foot at every increment and the flow is

10   fairly consistent. It's a little steeper along the

11   Baker School area. It starts to drop, about 175 to

12   170, and then it's fairly flat, comes down to about 161

13   and then back up to 165.

14   But what you're seeing are lines of grading

15   that run, as shown in this diagram, really just to the

16   edge of the property. But knowing the site, they

17   extend through the single-family homes, so what you're

18   looking at is from one side of the property to the

19   other, a fairly consistent roll that moves across the

20   site which is fairly natural and consistent with the

21   sense of place.

22   And what we see in that is a photograph taken

23   from the middle of the lot that really gives you an

24   understanding about how the site is fairly even in flow

1   and has a nice continuity that gently slides across the

2   site itself. There's a sense of a seamless flow

3   between the Hancock Village and the grades of rear

4   yards of the abutting single-family homes.

5   Based on the proposed site plan, there appears

6   to be significant fill in the green belt area that has

7   raised the grade of the parking slope above the natural

8   topography. So what I want to do is describe in this

9   diagram -- these grade heights were taken from the

10   applicant's drawing and basically what you're seeing is

11   the difference in grade between the proposed parking

12   areas at 168 and 160, 172 to 168, 166 and 161, so we're

13   about looking anywhere between four and six-plus feet.

14   And that is established, essentially, by the parking

15   slope that has been designed from Independence Drive

16   all the way up to the Baker School.

17   We're referring to these as raised berms that

18   have been designed at the edges of the lot lines. And

19   as noted, there's significant changes in grading and

20   there's also a line of berm that runs around the

21   perimeter here and then also around here which is

22   essential for the drainage plan which we are not

23   reviewing. We're just noting the architectural

24   landscape components in the field.

 1   So essentially, some of the drainage is coming

 2   into a bioretention basin which will exist at this

 3   portion of the site. We bring that up because we just

 4   have a question that maybe the applicant may want to

 5   get back to us on. It's how much standing water could

 6   be in this bioretention basin on average? And just

 7   generally, why is there a raised berm along the parking

 8   edge and can we look at -- have them look at parking

 9   that can be more seamlessly connected to the

10   landscaping and not raised at the grade that we're

11   seeing?

12   And so this is a photograph taken from across

13   the lot, and you're looking at a six-foot-high fence

14   and the distance at this line here. And so the

15   approximate berm height, as I noted, is anywhere

16   between four, six, seven, feet and this dash line is a

17   very -- just an approximate understanding of where that

18   could be, but we just wanted to raise that because

19   these are some of the more important three-dimensional

20   aspects of the site that are really difficult to

21   understand at first glance.

22   So what are the impacts of some of these

23   raised grades and the level of the parking access and

24   parking cars above the natural grades? One is that

 1   they may increase the visibility of vehicular

 2   headlights shining into the abutting single-family home

 3   yards. Although new landscaped trees do help filter

 4   vehicular light coming into rear yards, our questions

 5   are arising as to the size of the landscape screens.

 6   When first planted, Joe did point out that the model

 7   may be representing three- to five-year trajectories.

 8   From the data that we had received on the landscape

 9   drawings -- which you can't read quite well there --

10   but these trees that are in red are the size of an

11   eight- to ten-foot evergreen tree and we believe that

12   they may grow possibly a foot every year. But we just

13   wanted to represent that graphically.

14   With the light shining into these areas, the

15   distance from the parked cars to the property lines are

16   anywhere, from what we've seen from the drawings,

17   between 30 feet as well as -- as much as 60 generally

18   on average or 70 feet. So what we're talking about is

19   30 feet, which is roughly here. If you count the

20   ceiling tiles, you're looking at a 30-foot distance. A

21   parked car is approximately here. The shortest

22   distance to a fence, as much as 70 to 80 feet. So

23   there is a proximity consideration that wants to be

24   evaluated, and I think the vehicular car lights may

1   want to be considered.

2   The proposed fence built along the lot

3   lines -- this is what we were given in the documents,

4   which is an opening that is a little bit more of a

5   lattice effect from the four- to six-foot level. This

6   diagram just basically shows the elevation from inside

7   the single -- the abutting single-family home context.

8   What you're looking at is the site line of about three,

9   four feet and the effect of cars at that height and

10   possibly when it's at six-feet and what the effect of

11   cars could be at that level.

12   So a couple considerations within that site

13   design could be reversing the orientation of the parked

14   cars, changing the design of the fencing, looking at

15   additional landscape buffering, possibly more mature

16   landscape buffering when they're first planted, and

17   many other sort of considerations that we can talk

18   about.

19   In contrast to the potential for vehicular

20   lighting affecting the abutting single-family homes,

21   the site lighting appears to have respectful light

22   levels. Fixtures presented appear shielded to not

23   allow lighting above 90 degrees as well as the lighting

24   plan conveys 0.0 illuminants and foot candles at the

1   lot line and the contrast ratios at the parking area

2   appear to be within the industry standards.

3   So what you're looking at here is a drawing

4   that's been provided to us -- and if we were able to

5   blow this up -- these are data points taken from the

6   light sources that would be out -- and when we refer to

7   "contrast ratio," we're talking about the amount of

8   light and the gaps between the lights. So there may be

9   two-foot candles in certain areas down to a half-foot

10   candle. And this contrast ratio is very good and

11   effective because it allows someone to actually not

12   feel like the parking lot is over lit. And I do

13   believe that they did a very good job in the way the

14   lighting reduces to a zero level along the fence line.

15   A couple things that still may want to be

16   considered that we did not see on the drawings were

17   that at the entry points on either side of the

18   building, which are circled in blue, there weren't any

19   lighting. And I'm assuming that's something that may

20   happen in the process as they continue to develop the

21   project, but those may have an effect on the lighting.

22   But in general, it's a very respectful lighting

23   approach.

24   The raised berms may also have an impact on

 1   certain existing mature trees. Some retaining walls --

 2   as noted here, right at that area here, this location.

 3   There are others -- some other locations, I believe --

 4   have significant changes in the grade along the walkway

 5   paths which may cause some unsafe and noncode complaint

 6   conditions.

 7   So what we're looking at is the section right

 8   here which I think could be evaluated more closely

 9   where you have a walkway path right here up against a

10   depression, which is really in a good way trying to

11   save and preserve more trees and I think it's just a

12   matter of making some modifications and adjustments

13   that could assist with that.

14   There were a couple of trees that just were

15   buried in a couple of locations and I don't know if the

16   applicant is planning on some covers over the trees so

17   they can keep the root base or if they're looking to

18   raise the trees. And so we just have some questions on

19   how that can be further detailed.

20   The raised berms also may have a potential

21   decrease in privacy between the rear yards of the

22   single-family homes and the applicant's proposed

23   project. So this is a section that is actually taken

24   from their drawing, and you're looking at the area in

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 1   green and all of these sections, which is fill.  And

 2   the applicant can be looking at what -- how we would

 3   normally consider a fence and the feasibility on either

 4   side of the fence.

 5            The raised berms do have a greater opportunity

 6   for viewing private space not typically recommended in

 7   single-family neighborhoods.  They should consider

 8   lowering the proposed grades, the implementation of a

 9   different fence design, and providing additional taller

10   and more dense landscape buffering.

11            So as you can see, there are some impacts

12   presented by the parking access drive, the number of

13   parking spaces, and the resulting proposed raise of

14   grades of berm above the existing topography.  Some

15   considerations should be of lowering these proposed

16   grades by reevaluating the design of the parking slopes

17   and the distribution of parking spaces in proportion to

18   the number of units.

19            And this is, respectfully, a very challenging

20   condition because you have grades that are moving up

21   and down, you have drainage that will be designed in

22   this space, you have some degree of accessibility that

23   needs to be coordinated.

24            But when you consider, I think -- when you're
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 1   looking at the parking, there may be opportunities to

 2   break the parking groups into smaller as opposed to a

 3   larger sheet or parking field which has parking

 4   consistently going up along the lines. By breaking

 5   that, that may allow the grade to drop down and have a

 6   steeper run between parked areas. And so I think those

 7   things could be further evaluated.

 8   Another consideration -- we're going to talk a

 9   little bit about the buildings themselves -- is the

10   design of the entry and egress points around each

11   proposed low-rise residential building. Currently, the

12   proposed grades are set level around each building, and

13   what that means is that the floor plan -- let's take

14   the first floor plan -- when you have a very sloping

15   grade, you go in on one side and if the grade is to

16   slope around the perimeter of the site or slope up

17   around the perimeter of the site, naturally it may want

18   to flow into the back of the building. In this

19   condition, as represented in the dashed lines here,

20   you're looking at those berm locations and those

21   elevation changes and you're seeing -- the blue lines

22   on either side of the buildings are those entry and

23   exit points.

24   So possible layout adjustments should be

1   considered in order to allow for a slope grading to

2   meet the building more naturally around its perimeter.

3   Upon further review of the typical floor

4   plans, some questions do arise. We're not evaluating

5   the interiors or the layouts of the interiors -- I just

6   want to note -- but we're just bringing up a few things

7   as they relate to code and also to how the layout

8   around the building could be considered.

9   But we did note that some questions do arise

10   around the design, the compliance of the rear egress,

11   which you're seeing here. This is the front, which is

12   along the parking area. What we noticed is that egress

13   in the building code -- they're sort of egress to

14   adjoining spaces and adjoining spaces are defined in

15   the bedroom. And so what you're looking at is if

16   you're inside this living space going into a bedroom.

17   And basically, describing that as if there was an

18   emergency situation, a bedroom door could be locked and

19   that's why the building code doesn't allow for that --

20   one reason it doesn't allow for it. So there's a door

21   and these are defined as bedrooms, which means that you

22   cannot egress through that.

23   So what we did is, we did look briefly at it,

24   and you may want to look at the second floor. There's

1   also what we refer in the building code as "travel

2   distances," and it's possible that some of those travel

3   distances may be greater than allowed by code. And I

4   believe that the applicant's design team would probably

5   refine those interior layouts. But it may have an

6   effect on the overall footprint size that may want to

7   be considered.

8   And another element is that at this rear

9   component, if the doors are locked in these bedrooms,

10   some questions are arising as to why these bedrooms

11   could conceivably have separate access at every level

12   through a separate door. And we just have that

13   question in general.

14   Considering the grade relationships to the

15   proposed low-rise residential buildings, some lessons

16   can be understood from the admirable elements of the

17   existing Hancock Village design. The building entries

18   and subsequent building forms fit naturally with the

19   topography to create a more seamless connection with

20   the landscape. This is a photograph just showing

21   how -- the way the buildings step and move throughout

22   the site themselves.

23   When considering the design of the proposed

24   building, this diagram is basically trying to show it

 1   relative to the existing topography. If the grades

 2   were flat along these lines and weren't dropping and

 3   buildings were taller, you'd see that there may be a

 4   significant difference in the way the buildings are

 5   perceived as well as the landscape. And the reason why

 6   we brought this diagram to your attention here is just

 7   that there are some lessons. It think it's very

 8   beautifully done in the existing Hancock Village. That

 9   could be applied to the relationships of the grading

10   around the building.

11   In general, there's a pretty diverse pattern

12   of architecture and landscape that coexists between the

13   varying architectural styles of the single-family

14   residences, the fabric itself, and the step housing

15   module of the Hancock Village that should be further

16   evaluated in the proposed design.

17   We've basically covered these to give a sense

18   not just of the, I think, fairly decent placement of

19   the buildings between the model but also some of the

20   lessons that are occurring at the building.

21   The Hancock Village model, as pointed out

22   earlier, when repeated at different grade elevations,

23   the roof lines, the base conditions are symbiotically

24   connected to the flow of the landscape with a beauty

 1   and a respect for the natural environment to each

 2   building and also to the abutting properties.

 3   And in consideration with the single-family

 4   residential neighborhood, there's a diversity of form,

 5   materials, details, and roof lines that create a unique

 6   set of relationships that also could be further

 7   considered in the building design.

 8   The design proposed for the low-rise

 9   residential buildings are modular and repetitive yet

10   consist with each other in their forms, materials,

11   details, and roof lines. Essentially, if you look at

12   the 3D video and even looking at the drawings, they're

13   essentially all the same and I think it removes some of

14   the quality of the -- that we've learned from the

15   single-family residential context in its diversity of

16   forms, its materials, and its details.

17   Interestingly enough, against the foil of the

18   Hancock Village model, which is a module, although a

19   module, and some were repetitive in its shape and form,

20   steps with the landscape. And when you consider the

21   stepping of the landscape and how the berms and the

22   parking and the site lines and all of those pieces that

23   we brought up and you consider how that step and the

24   resulting beauty that comes out of the way it meets the

 1   landscape, I think these two ideas could be potentially

 2   considered into the design at a higher level of

 3   refinement as the project continues to move forward.

 4   And really it's just going back to the diverse

 5   architectural quality that we pointed out in the

 6   single-family residential neighborhood.

 7   So initially along those lines, the proposed

 8   buildings I think also have an interesting perception

 9   of a single-family residence. There's a single point

10   of entry, they share many of the same window scales and

11   entry points that we pointed out, and materials.

12   But I think that the -- when you compare

13   them -- this is an example of these two houses here

14   relative to the building -- that there's a potential

15   larger building that may be initially perceived.

16   They're basically two and a half single-family homes,

17   and the applicant may want to consider different

18   techniques of changing the roof line or stepping the

19   massing.

20   But on a positive note, I do think there's

21   already a good start with some of the roof lines and

22   the dormers, the sizes of the windows seem well scaled,

23   the different mix of materials between the brick base

24   and the clapboard tops. We're not clear yet what the

1   roofing material is but potentially looking at

2   architectural asphalt which has a great level of

3   texture. There are muntin bars in the windows. There

4   is certainly a nice level of scale that's being

5   developed with the details.

6   I think it really just comes back to looking

7   at the quality of the materials, which I'm sure they

8   will consider over time, and varying the architectural

9   details not so that they're completely distinct from

10   each other, but almost like cousins for some -- the way

11   they can be perceived so that there's a -- it picks up

12   on some of the diverse architectural quality of the

13   single-family residences.

14   So in the interest of time, I'm just going to

15   kind of give you a really brief overview of the other

16   lots and then we'll spend just a little bit of time on

17   the apartment building.

18   This is the view from Thornton Road, and this

19   is the same set of diagrams and colors. And there's

20   two views here that we want to show that you probably

21   saw. And I think one of the successes of this lot is

22   that much of the green space here on either side

23   remains intact. What we're looking at, again, is the

24   existing trees and proposed trees overlaid. This is a

1   photograph taken from each side of the street and it

2   successfully implements, I think, a lot of that.

3   There's also the parking itself. It doesn't come out

4   to the edges of Thornton Road.

5   This is a view along Independence Drive, and

6   you saw this in the video. This is a photograph taken

7   at this location looking down. And very similar to the

8   Beverly lot, you've got long expanses of, you know,

9   asphalt and parking. Maybe the way that the road -- if

10   you consider the way the road bends, it could allow for

11   additional tree islands that could help screen, you

12   know, the parked cars. In all these examples, we don't

13   have any cars in them. So I think that some ways that

14   could help are the tree islands and bending the road,

15   and adjusting the parking should help further connect

16   the parking back to the landscape.

17   The buildings are fairly well positioned to

18   each other and to Hancock Village, but when you

19   overlay -- these are red -- taken from the survey that

20   is shown to be removed -- maybe there's a possible

21   opportunity to pick up on saving more mature trees by

22   slightly relocating some of the existing buildings into

23   some new locations as shown here. These are some

24   existing trees along the parking, possibly implementing

1   where those tree islands can occur. Is there a

2   possibility for saving more as well on both sides of

3   the lot?

4   This diagram does show, again, some of the

5   berming locations that come along the backside. Here

6   you're very close to the property line. I think it's

7   about 20 feet. And you're looking at, you know, as

8   much as five feet along the backside. And here we have

9   the flow of cars that are coming in and the potential

10   again for the vehicular lights, so screening, fencing,

11   more mature trees, that can really help with the

12   privacy as it's affected.

13   In all of these analyses, I think our point of

14   view on this is really not what happens beyond the

15   property line but at the property line and that's

16   really, I think, the responsible position to take.

17   When you're looking at the impact of the project

18   relative to the perimeters, where is it -- you know,

19   the site lines of the vehicles and cars, what does it

20   do once it hits that point? And then after that, it's

21   a little different.

22   So this is a photograph and you can see how

23   the slope or the grade is coming down and just, you

24   know, the potential of where the approximate berm could

 1   be located.

 2   This is a view from VFW Parkway. This is a

 3   very beautiful part of the site. It's very heavily

 4   wooded, very beautiful mature trees. There's a magical

 5   and extensive canopy when you move through. There's a

 6   sense of place. There's a pathway that comes off the

 7   sidewalk.

 8   And what I think are some positive moments is

 9   that they -- in their implementation of the new

10   building, they did slide the path down and provided a

11   continuous pathway that moves along the edges. There

12   is currently along the VFW Parkway certainly a single-

13   family home, residential context that has a certain

14   scale of architecture that is being picked up along

15   this edge here.

16   What we're looking at again is what happens

17   when you overlay the red or the trees that are being

18   removed with the buildings. And you're seeing a few

19   trees that are potentially being eliminated and what

20   would happen when you just refine the plan, move some

21   of the buildings, maybe change the proportions of the

22   buildings themselves, what happens with tree islands,

23   and trying to continue to save these.

24   These do have an effect potentially -- all

 1   these things do have a potential effect on the number

 2   of parking spaces and that should also be further

 3   understood. Again, we're looking at these edges over

 4   here. Maybe the depth of the parking lot wants to be

 5   looked at. And there's a fairly mature tree in the

 6   middle here but there's currently an existing drain

 7   basin in that location that may want to be evaluated.

 8   Again, another diagram at this location in the

 9   lighter magenta color, some of the berm locations and

10   the potential for cars and the vehicular lights and the

11   privacy issues that we had brought up earlier.

12   But generally speaking, I think on a positive

13   side in these lots on both sides of Russett Road is

14   that there is a -- really, if it's done, I think -- let

15   me repeat that properly.

16   The way that this is done, you can see that

17   the parking areas are very seamlessly connected to the

18   landscape. And when the tree growth grows in, there

19   could be quite a nice little oasis that people drive

20   into and I think there needs to be a little more

21   attention to how to make that happen. And I don't want

22   to state that this can't be done well. I do want to

23   point out that it can be done well. It just needs a

24   little bit more attention.

 1   So with respect to the apartment building

 2   itself and the site, this is an existing site plan and

 3   the existing topography along Asheville Road is -- as

 4   we know, is very diverse, heavily wooded, with an

 5   abundance of rock outcroppings, mature trees, other

 6   natural resources, potentially wildlife to some

 7   extent. And there's the sloping grade. And what we've

 8   done is put a dashed line over this site plan. Again,

 9   these lines here are what we call topos, which are

10   about one foot increments. These brownish dots are

11   actually locations on the site plan that show the rock

12   outcroppings. And it's quite a very interesting site.

13   It just rolls off the corner down the site. There's a

14   hill there.

15   We did note that, you know, this piece, which

16   is probably the most heavily wooded area, did not have

17   a survey with the existing trees and I think

18   potentially looking forward to how the applicant could

19   design or refine the design in that area, knowledge of

20   where existing trees are located could be very

21   effective for further understanding the site and

22   architectural relationships in that area.

23   The approach from this area is residential in

24   its character. It's quite beautiful, and it maintains

1   a strong balance with the mature trees and the other

2   natural resources. It's consistent -- the residential

3   scale is consistent, and the site lines to the

4   adjoining lots are a backdrop to really the residential

5   fabric. The natural resources, as noted, are really

6   most abundant. The topography is beautifully varied,

7   and the tree canopy provides a real sense of privacy

8   between Hancock Village and the Asheville Road abutting

9   residences.

10   So the applicant here is proposing 140 units

11   and 144 structured parking spaces in this location. In

12   order to achieve this, within -- I'm going to show you

13   with the dashed line. If you could follow this blue

14   dashed line that runs around the perimeter of the

15   site.

16   This is basically the limits -- what we

17   understand the limits, I should say, of the excavation

18   required for this building. So almost all of the trees

19   will need to be removed and a majority of the rock

20   outcropping will need to be blasted. So there's a

21   tremendous amount of cut created that will need to be

22   either shipped off site or into a new location on

23   site. So consider that in our analysis of the other

24   locations for the amount of fill.

 1   And so questions are just arising for us as to

 2   whether all the fill material created from this

 3   blasting is really necessary for efficiently grading

 4   the surface parking lots in the other lot locations as

 5   noted, or is it being relocated to these locations

 6   to -- in order to understandably assist in the

 7   economics of the project.

 8   In this diagram, you're seeing a couple of

 9   things. There's the fire truck access, we understand,

10   around the rear -- the back of the site; there's two

11   structured parking entrances, one along Asheville,

12   another along this back area here.

13   And questions arise just generally minimal --

14   just minor questions as to whether there are safe site

15   lines and really which is the site entry and exit. So

16   this is a very steep corner and curve and just -- I

17   don't -- I think that it just -- I'd be nice to have a

18   little backup from some more -- from the traffic person

19   who's doing the peer review, I believe, that could just

20   explain that condition, because it is a slight curve at

21   this area.

22   The proposed apartment building, as we saw in

23   the model, is five floors above two levels of

24   structured parking. The total height represented to us

1   was a little unclear from the drawings, but it appears

2   that the top of the roof of the building is at the

3   elevation height of 252. So what that means is that

4   you're looking at grades here of 176, 187, 75, 70, down

5   to 165. So those are the elevations along Asheville

6   Road.

7   And what -- the difference in height along the

8   road varies approximately between 76 to 87 feet above

9   Asheville Road. So the height of the proposed building

10   also is approximately 47 feet above the top of the

11   hill. So if you took the highest elevation mark, which

12   I understand around here is the limit of the site at

13   205, length of 252, you're looking at a 47-foot

14   difference. And then we're not actually including

15   any -- for a building of this size or scale --

16   mechanical systems that would be designed above the

17   roof line.

18   So I just want to clarify that; that that 252

19   height is the top of the roof of the residence. And

20   additional mechanical systems could be -- we don't

21   know. We're asking these questions. Where will they

22   be located if they were located on top of the

23   buildings? Where would they be situated relative to

24   the roof edges, and how tall could they be? And that's

1   important because it does continue to present, you

2   know, perceptions about how tall the building truly

3   is.

4   So in general, I think the applicant should

5   consider lowering the height, the scale of the proposed

6   apartment building, and increasing the landscaped

7   screening and buffering needed to help or assist with

8   the neighborhood site lines.

9   Due to its height, a couple things we noticed

10   is that the building is very close to the street edge,

11   as much as a few feet. Actually, I want to say 10 to

12   15. I don't know exactly those numbers.

13   And what we saw in the 3D video were retaining

14   walls that actually become -- they are landscape walls,

15   but they're vast, large high walls that increase the

16   perception of the building as -- the building's mass.

17   And what we're showing here in this dashed line is the

18   possibility for what could be to help with this

19   condition as if they set back the building from the

20   street edge. Could it minimize the perception of a

21   wall-like effect along the road and also assist in

22   saving mature trees at the street edges? And that's

23   what that line is. Possibly getting it back could be

24   of some order of magnitude that could really help the

 1   screening.

 2   I think what we're looking at, we're looking

 3   at all of these conditions, new trees, eight feet, ten

 4   feet, we're looking at mature trees that are 50, 70

 5   feet tall, 50 year-old trees. And so we've heard the

 6   message. Let's do our best to save these trees. But

 7   it couldn't be more paramount than in this location

 8   because, as we've see the visual impact of the building

 9   not only to its abutters but really along the road

10   edges.

11   Another potential consideration could be

12   removing or minimizing the smaller surface lots to the

13   north of the apartment building. This could conceal

14   the approach. So what we're looking at here is the

15   dashed green line. And imagine if you were standing

16   here, as you saw in some of the photographs, this

17   triangular space here in the existing condition.

18   I'm going to go back to that photograph for a

19   quick second. There's a certain amount of mature trees

20   in this area. So this is the approach along

21   Asheville. And that's that approach that we were

22   looking at coming up into the parking area. And by

23   pulling this back to its edges, there's a possibility

24   for saving some of the existing mature trees and also

1   improving its approach relationship to and visibility

2   back to the neighborhood.

3   As per our earlier examples, there are also

4   just some minimally -- similarly additional tree

5   islands that should be considered where you see some of

6   the red, and looking at other ways to make connections

7   as pointed out earlier.

8   So these are the sections, and they show you,

9   again, the amount of excavation that is occurring. And

10   when you're doing a building of this scale, there are

11   foundations that are potentially deeper than the bottom

12   of the parking level itself, so there could be a

13   significant amount of rock excavation.

14   And I want to point out, when you're doing the

15   rock excavation, it's not a shovel. It's potentially

16   blasting. And that in process, questions do arise like

17   how long would that process be? How would the sound or

18   the disruption of dust be mitigated in the

19   neighborhood? And then what considerations would need

20   to be done for the hours of that because the impact

21   could move into the neighborhood to some extent?

22   The building itself, this, interestingly, is

23   actually an elevation provided by the applicant, which

24   is -- this is the fold, actually the crease of the

1   building, and it's just stretched out. And in some

2   ways it ironically represented the building itself more

3   effectively. It's just a very long building that has a

4   lot of repetition and has, certainly, some changes in

5   materials.

6   Interestingly, the materials used -- we do

7   have some questions about why the material choice

8   represented in these documents were the same for this

9   building as opposed to the low-rise single-family

10   houses -- low-rise apartment buildings. And they may

11   want to consider using different materials for this

12   building from the residential low-rise.

13   This drawing -- actually, we looked at where

14   the road grade is and we believe -- we just threw that

15   in there -- that's where it may be, so we want to have

16   an effect of what is that base. When you're dealing

17   with parking, are there openings? How the exhaust

18   systems for this parking system is working? Is there

19   natural ventilation that's going to be implemented into

20   the design of the apartment building over time?

21   When you have a building of this scale and

22   this magnitude, some other considerations may want to

23   be breaking up the length of the building potentially

24   into smaller elements. There were some techniques that

1   were used by the team where they went to a mansard roof

2   level. I mean, mansard roofs are typically on single-

3   family homes or smaller low-rise apartment buildings.

4   Maybe not the scale of this building.

5   The widows are highly repetitive. They appear

6   to be all the same size and that increases the visual

7   speed of the building or the visual impact of the

8   building by repeating the same size over and over

9   again, so maybe they want to look at different windows

10   sizes or grouping some of these windows together in a

11   manner that would help the perception of the building

12   not being as tall as it is.

13   They also just want to look at, you know,

14   really the footprint as we pointed out earlier.

15   So just as we're concluding here, I just want

16   to point out, this is a photograph that we took along

17   the back here. I want to bring that back into the

18   conversation. You know, the level of mature trees in

19   this area, and is there a way that the design team can

20   look at the building that doesn't take out all of the

21   trees and all of that material in that 70, 50, 80 100

22   years of growth and natural resources that I would hope

23   to think would not have be to removed in its entirety

24   from the site from our understanding. And so this

1   photograph is actually in this general location. We

2   just point out that there is somewhat of a significant

3   difference.

4   There is a proximity -- you know, there's a

5   visibility question not just about the approaches but

6   it should be considered at the VFW Parkway. So this is

7   a photograph from that location. These are deciduous

8   trees. These trees lose their leaves in the fall and

9   the winter. And what is the impact of the building

10   from a longer range? And how does it change the

11   character of the neighborhood and how does it affect

12   people's, you know, visibility of that building? And I

13   think those want to be considered too in terms of the

14   wall itself and the mass.

15   And then as we're concluding here, I think

16   there's really just this image and some of the --

17   unlike the other lots where I'd say the low-rise

18   residential buildings find their way to somewhat

19   nestle, I think there's some tweaking in obviously the

20   grades that need to be looked at.

21   But this one has a particular challenge. It

22   really has a challenge where we're not just adjusting

23   some of the qualities to some extent. I mean, it needs

24   to be pointed out, this is a considerable difference in

 1   a very beautiful and strong residential neighborhood.

 2   The building component is one aspect, but really it's

 3   the screening and buffering. And you want to look at,

 4   you know, again, what ways those trees could be used to

 5   the applicant's advantage in the way that it's designed

 6   so that they can further look at them.

 7   Another element in this -- and it's not a

 8   question of their program. It's not what we're here to

 9   review. "Program" being the number of units,

10   et cetera. But the question arises, what happens when

11   you step the building, when you step it back to the

12   landscape? Go back to the clues that we saw from the

13   Hancock Village and the way they hugged the hill and

14   they followed the landscape.

15   So in conclusion, I think that there is a

16   two-dimensional discussion that occurs at a planning

17   level. That's building placement, spaces between

18   properties. But we learned a lot when we received

19   these documents. I know the team is working very hard

20   to get things together, changes are being made. I

21   think everyone is really trying to put a good foot

22   forward.

23   There's a really, really important

24   three-dimensional component that is difficult to

 1   understand until you really dig into the grades and you

 2   dig into these components. And we really just wanted

 3   to put those out there not just as objects in the

 4   buildings and the way they're designed and not just

 5   objects with the trees and saving the trees, but it's

 6   the set of interrelationships where, you know, all

 7   these things -- we're a neighborhood. We're a fabric

 8   that have to coexist.

 9   And we look forward to being available, as we

10   pointed out earlier, for the team, for the Town, or

11   whoever needs us to discuss these at greater length

12   when necessarily. Thank you very much.

13   MR. JESSE GELLER: Thank you very much. That

14   was particularly helpful.

15   Do we have questions at this point? I know

16   it's a lot of data, and we'll need to digest it.

17   MR. LISS: I guess my -- it's a lot to

18   swallow. Maybe you can help me, Jesse. What

19   exactly -- should we wait -- is there a response that

20   may be able to --

21   MR. JESSE GELLER: Well, let's start with the

22   first question or topic that was raised by peer review,

23   which I think is overarching throughout both sides as

24   well as with respect to the larger apartment, which is

1   the response of the structures to the rolling nature

2   and the landscape that exists and the degree to which

3   there are -- if you'll forgive the use of the word --

4   unnatural grade changes, berms, which result in

5   increasing the height and giving the appearance that

6   structures sort of pop out rather than are a part and

7   parcel of the landscape.

8   So I guess there's a technical question there,

9   and there are two pieces to it. One is, I assume

10   there's a reason you're putting these berms, and I

11   assume there's a reason that there is grading going on,

12   and I suspect that your answer is going to somehow wind

13   its way down to economics. But I'm interested -- I'm

14   curious about that. I'm curious whether this notion of

15   following the grade as it changes throughout, whether

16   that's something that is -- is it possible?

17   MR. JOE GELLER: Well, first of all -- where

18   do I start? We just received this this afternoon,

19   so -- I actually just flew here this morning, so I'm

20   not really sure I've have a chance to review it in any

21   kind of depth.

22   First I -- the term "berm" is really, I think,

23   poorly used here. Berm is generally something that

24   creates a screen, so it's a grade that comes up and

1   goes back down again.

2   I think the grades that we're showing here are

3   not berms. They're actually slopes that are adjusting

4   and meshing and then blending into the existing

5   grades. There's a whole lot of factors associated with

6   why the grades were there. Some of it has to do with

7   the parking and accessibility. We can only grade the

8   parking at 5 percent, so you have to go from one end to

9   the other.

10   And there's a whole lot of things that we need

11   to look at in response to the questions that were

12   asked, so I think we want to reserve the comments on

13   that. But there's a lot of interrelationships on the

14   grading.

15   And I think the other thing is that you can

16   take a line and put it across the entire area and say

17   an average grade, but when you look at the actual

18   grading on the site, there is a lot of disparity in the

19   grades that go back and forth. And there's a lot of

20   depth between the edge of the property and, say, the

21   edge of the parking area. And some of the stuff we

22   graded so that we could preserve the trees that we were

23   asked to do in some of the discussions we've had with

24   the town. So I think there's a whole lot of

1   conversation that we need to have internally and come

2   back and give you responses.

3   MR. JESSE GELLER: Okay. From a technical --

4   well, I'll let you come back with a response. That's

5   fair enough.

6   MR. LISS: That was basically what -- that's

7   why I wanted to see if there was a response. My

8   question was primarily about the raising of the berms.

9   I felt like --

10   UNIDENTIFIED: Don't call them berms.

11   MR. LISS: Not berms. What did you call

12   them?

13   MR. JOE GELLER: Just grade changes.

14   MR. LISS: Either way, you know, if we're

15   blasting or removing, yet we're still making a higher

16   grade, it seems counterintuitive. But there's

17   obviously a reason and the 5 percent grade in parking

18   would be explanatory to a lot of that, I presume, so I

19   guess we'll wait to hear from you.

20   And the headlights issue, is it as simple as

21   just making them diagonal parking so the angles of the

22   headlights kind of cast off into a distance, or is that

23   not -- I know you probably lose some spaces, or you may

24   even gain. I don't know.

 1   MR. JOE GELLER: Again, I heard a lot of

 2   comments today and some good ideas. The headlights is

 3   something that we can -- it's actually interesting

 4   because if you look at headlights and you look at --

 5   you take a section, you cut a section, you're going to

 6   see something very different than if you look at it in

 7   the model.

 8   We've actually modeled headlights -- looks

 9   something like that. But I think you're going to see

10   when we actually take a harder look at it that yes,

11   there's going to be places where it may be -- some of

12   the suggestions in terms of, you know, larger trees or

13   the fences or something like that, those are the things

14   that we will look at and be able to comment on.

15   MR. ZUROFF: I'm simply looking forward to the

16   response.

17   MR. BOOK: Just for clarification from

18   Mr. Touloukian, as you're making suggestions for

19   consideration, and in particular, focus on the

20   apartment building, setting it back farther from the

21   street or stepping it down or reducing the height, did

22   you -- did any of that -- do you take into

23   consideration what that would do in terms of reducing

24   the number of units in particular or increasing the

1   cost of development? I'm just curious if that's part

2   of the things that you consider as you're reviewing

3   this, because I'm sure that those factors are going to

4   be important to the applicant.

5   MR. TOULOUKIAN: There are layers to that

6   question. So the first layer is: I can evaluate what

7   I can see, and that's generally how the public

8   evaluates things. So there's an aspect to all of this

9   which is, if you stay up all night and work all night,

10   nobody cares. It's what you produce. If you build

11   something and it cost X or it took ten years or two

12   years or one year, at the end of the day that's all

13   we're going to see. So the first, I think, layer of

14   responsibility is just really what is the product.

15   Right?

16   The aspect of how, right, questions,

17   consideration, observations are brought to the

18   attention and need to be evaluated or designed or

19   redesigned to that component that potentially, you

20   know, help mitigate some of these things, I think,

21   initially, is not something that the peer reviewer is

22   here for. We do think about these things, as the

23   applicant has pointed out, and we need to evaluate it

24   and come back.

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 1              The question of how do these questions,

 2    considerations, et cetera have a role on the program --

 3    it's called "program," the number of parking spaces,

 4    the number of units, the height of the buildings,

 5    number of buildings, all that.  I think that, again,

 6    probably needs to be evaluated at a design level

 7    amongst the team and they need to come back with a --

 8    potentially a response and then we can begin the

 9    discussion or have a follow-up review.

10              MR. BOOK:  So I don't want to put words in

11    your mouth, or if this is a question you can answer.

12    In reviewing it, is it -- by making those -- offering

13    those items for consideration, you think that the

14    building is too big?

15              MR. TOULOUKIAN:  Well, I pointed that out in

16    the conversation.  And just looking at the information

17    that we have and looking at the views, it's a tall

18    building.  Right?  These are not -- these are questions

19    that are qualitative and quantitative.  I don't

20    remember the exact numbers off the top of my head, but

21    165 to 252 and 87 feet tall, that's a tall building.

22    When you're looking at the grade at the back, it's 47

23    feet tall.  That's taller than even Hancock Village,

24    the top of that building.
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 1   Questions are, how can the team respond to the

 2   question of height? Right? And there are probably a

 3   lot of -- you know, a couple solutions there. One of

 4   them is, well, you know, we pointed out that the road

 5   that comes behind that area, which is here, the back

 6   side, right, where we showed this dashed line, what

 7   would happen, right, if you eliminated just a few

 8   parking spots and you brought the road back to those

 9   edges right here? This is just a way to answer that

10   question. That has a minimal -- that area creates a

11   large area here where, potentially, some trees could be

12   saved. Those trees are fairly mature. Those trees

13   could help shield or buffer or screen the view of the

14   buildings from Asheville. That's one element that has

15   a minimal program response.

16   Another program response could be, in lieu of

17   that, lowering the building. Another response could be

18   the materiality and the colors.

19   So I think these are the questions that we

20   raised, and these are questions that I think the design

21   team needs to think about and say what is best for them

22   in terms of how they want to respond to those

23   questions, be it with a larger programmatic change, a

24   smaller programmatic change, a material change,

1   adjustment to the landscape. So in some ways there's

2   multiple answers to that. I think these guys are

3   pretty clever and smart enough to think about that and

4   bring it back with a different solution, or the same.

5   That could give us a different response.

6   MR. BOOK: Thank you.

7   MR. JESSE GELLER: Mr. Hussey?

8   MR. HUSSEY: Overall, I think there are a lot

9   of ideas -- good ideas and good suggestions here, and

10 it has been indicated the applicant needs to look them

11 over, see what they can do, and then come back and have

12 some back and forth.

13   Some specific questions that I've got, one of

14 them showed up in your digital viewing note and that is

15 the west, southwest corner of the apartment building.

16 You seem to have a very high plank, concrete. These

17 are architectural treatments.

18   Mr. Touloukian, I had a question on sheet

19 number 7. You had a lot of dotted arrows indicating

20 things, and I couldn't quite figure out -- there's no

21 key on the plan which we've got. It's sheet number 7,

22 I think.

23   MR. LISS: Page 7.

24   MR. Touloukian: Page 7.

 1   MR. HUSSEY: What do those arrows mean,

 2   again?

 3   MR. TOULOUKIAN: We were kind of moving

 4   through it quickly, but this is the Beverly lot.

 5   Right? What we're talking about is the flow. Right?

 6   MR. HUSSEY: Well, I'm talking about what

 7   those arrows mean.

 8   MR. LISS: The walkway.

 9   MR. TOULOUKIAN: So that's the flow. These

10   arrows are representing that flow from the parking into

11   the interior court where the entires to the apartments

12   exist, then the flow that goes -- it's part of the

13   historic village -- garden village model where the flow

14   then moves to the landscape and there's a sense of

15   community, there's a sense of shared open space.

16   And what this diagram is showing with these

17   dashed lines is the idea of movement and how people use

18   those spaces and the sequence that's presented. The

19   way the historic model is designed repeats that, so

20   separating the vehicles from the outdoor space.

21   On the other side of that is really -- part of

22   that sequence is -- and you saw in the photographs it

23   really extends -- that sequence extends into the

24   single-family neighborhood. And there's mature trees

1   in the rear yards, site lines, so we have this

2   coexisting sense that exists. That's really what the

3   diagram is trying to show.

4   MR. HUSSEY: Okay. Thank you. And the

5   separation of the form of the building, building

6   number 4, I'm not sure that the view you're going to

7   get through the two separate buildings is going to be

8   worth the loss of additional grass and what have you,

9   so I would caution on that.

10   Your comment on the amount of asphalt, which

11   is certainly true -- and are you suggesting a reduction

12   of the parking?

13   MR. TOULOUKIAN: I think this is a complex

14   question. The observation is that when you stand on

15   these streets or roads, there's a vast sheet of

16   parking. Trees islands, right, could help buffer,

17   screen site lines, the way the roads bend.

18   Also, instead of having a larger sheet of

19   parking where everything's at a 5-percent slope or

20   flattened 5 percent, what would happen -- question:

21   What would happen if you broke it into smaller areas?

22   And smaller areas meaning that there's a smaller

23   rectangular -- some limited, you know, parking, and

24   then next down to the steepest slope between -- to

 1   another one where the sheeting is, you know, in

 2   different directions.

 3   Because this site is complex. You know, I'm

 4   very sympathetic here. It's a very complex site. I

 5   think with the layout you need to dig a little deeper

 6   and start to think about it, and undoubtedly it could

 7   affect the program and the amount of parking spaces.

 8   And that's really where the design team has to look at

 9   that design and see how they can make it work.

10   MR. HUSSEY: Another possibility, of course,

11   is to place some of the parking within the building,

12   which the -- of course, the trade off is you end up

13   getting a slightly higher building, but that's a

14   another way to reduce some of the asphalt.

15   The changes in the grade, I think that issue

16   is well taken up and it will require some more looking

17   at it and adjustment with the design, what have you, to

18   reduce the problems of headlights and so forth. I

19   think that's worth hearing.

20   You indicated reversing the orientation of and

21   parking cars at the northwest turn-around. I'm not

22   quite sure what you meant.

23   MR. TOULOUKIAN: So generally speaking, that

24   can sort of -- when you think about the situation

 1   potentially where headlights could be shining in one

 2   direction, it's just an observation that -- not

 3   necessarily in this location, but multiple locations --

 4   just looking at reversing it. You know, what -- it

 5   could potentially eliminate, you know, vehicular lights

 6   shining towards abutting properties.

 7   MR. HUSSEY: You mean by somehow making

 8   them --

 9   MR. TOULOUKIAN: Looking at the parking.

10   Instead of, you know, coming in and parking to the

11   right, coming in and parking to the left.

12   And that's just a design question. It's not

13   as simple as just moving the cars from one side to the

14   other. It means that it has to just get evaluated. So

15   the question -- it's another consideration.

16   MR. HUSSEY: Okay. And I thought your idea of

17   stepping the units to follow the existing grades makes

18   sense, and it should be looked at more carefully.

19   And I've also been concerned about the styles,

20   which are monolithic throughout this design, and I'm

21   sort of assuming that was waiting to get to the next

22   stage. But I think they need to vary the architectural

23   styles, the materials, the configurations a bit to

24   break up the monotony of the elevation through the

 1   project.

 2   MR. TOULOUKIAN: I want to add more

 3   particularly, as well, the material pallet or choice of

 4   material is not just between the lower rise residential

 5   building, but also the apartment building.

 6   MR. HUSSEY: Right.

 7   MR. TOULOUKIAN: What is the reason, the

 8   choice for -- it appears to be the same materials.

 9   They were rendered the same.

10   MR. HUSSEY: And you talked about massing the

11   buildings, you know, one, two, five, and six to nearly

12   replicate the scale of the single-family adjacent

13   homes. But, again, I think the tradeoff -- I'm not

14   sure the tradeoff is worth it because, again, you'd

15   have to probably break that up into more buildings and

16   have narrow spaces between the buildings and I'm not

17   sure --

18   MR. TOULOUKIAN: We're not suggesting breaking

19   the buildings. We're just overlaying the scale -- the

20   size of those.

21   MR. HUSSEY: Right.

22   MR. TOULOUKIAN: When you look at the building

23   without people or a scale next to it, it's hard to tell

24   the size of them. And I think you see a single door

1   and you see dormers, you see roof lines, you see a

2   two-and-a-half-story building, you just think it's

3   scaled to what you're normally seeing for a single-

4   family home.

5   The point of that diagram is really to show

6   that it's not the scale of single-family homes. It's

7   overlaid not to show you to break it -- that's a choice

8   that they have to look at -- it's more just the scale,

9   the sense of scale.

10   MR. HUSSEY: Okay. I'm glad we touched on

11   that.

12   And the apartment building elevations, I

13   agree, again, breaking that up, having different

14   materials. Of course, one thing I think you didn't

15   point out is that the way this building is bent --

16   actually, you don't quite see it as an elongated

17   elevation. On almost all points, you're seeing a

18   piece, a third, maybe two-thirds for most of the

19   particular buildings.

20   But I thought the idea of stepping the floors

21   would help, especially if you reduce the floors on the

22   northeast side facing the single-family homes. And

23   maybe you would have to add some floors on the

24   southwest side, but that's further back, that's away

1   from the single-family adjacent homes, so I think it

2   could stand to have some -- you know, another floor or

3   so on that back side of the apartment building to

4   reduce the height on the other end that you see coming

5   down Asheville Road.

6   MR. TOULOUKIAN: I do think the decision --

7   these buildings, you know, they do follow the street

8   edge, which is a fairly good initial model.

9   MR. HUSSEY: All right.

10   MR. TOULOUKIAN: I do think that the

11   presentation of that sort of -- you know, it really

12   says when you bend a building you're looking at this

13   amount of it. But you also have VFW Parkway and with

14   that, as we pointed out in the 3D model, that could

15   have a perception.

16   But I think, also, considerations could be

17   parking and entries and how parking grades could -- you

18   can park not always -- you don't have to park flat.

19   You know, you can park on a slope. So does the parking

20   grades come in and does the garage start to slope down

21   at the required accessibility heights? That could pick

22   up a lot of feed over the length. And then what

23   happens is that inside there's multiple elevator cores

24   that exist. It's possible that the building could be

 1   segmented in some manner that could then start to

 2   follow the shape of the topography.

 3   Overall it's taking the discussion from two

 4   dimensions to three dimensions and elevating that into

 5   the design.

 6   MR. HUSSEY: Okay. Thank you.

 7   MR. JESSE GELLER: Thank you, Mr. Hussey.

 8   Those were good comments.

 9   And I want to thank you, Mr. Touloukian,

10   because I actually have to say that I thought that many

11   of your suggestions -- although we'll see whether

12   they're technically feasible, and we'll get the

13   applicant's response -- I thought, in general, they

14   were excellent suggestions. And particularly helpful

15   to me in sort of thinking through the details.

16   I think it -- and Mr. Hussey, I think you sort

17   of led us into this. You know, I think we need to

18   start in terms of morphing from the question phase to

19   sort of directing a conversation to participate in the

20   design aspects. And although I think it's pretty

21   early, given the fact that you've just seen this, I

22   would hope that your comments, which really were not

23   just questions but were also sort of guiding

24   principles, I think, I would reiterate those. Those

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 1    are things that I certainly thought about and I thought

 2    were relevant comments that were made and would hope

 3    that the applicant would consider seriously many of

 4    these thoughts because I think they're good

 5    considerations.

 6              But I would hope that the next time we convene

 7    that we would be able to provide -- maybe guidance is

 8    too strong a term, but we would be able to have a -- if

 9    it's possible, coherent discussion about where we

10    perceive design elements going and which things that

11    are important particularly to us.  Because I think at

12    the end of the day, that would be particularly helpful

13    in terms of working sessions, it would be helpful to

14    the applicant, and I think it would be helpful to our

15    peer reviewer.

16              MR. HUSSEY:  I think that's a nice thought,

17    and it gets to the question that I have in the back of

18    my mind.  So far the presentation has been pretty

19    static, but I think as we get nearer the end, hopefully

20    there will be give and take, there will be more in the

21    nature of design workshop.  I don't know if this is

22    done in other zoning applications in other towns, but

23    how do you get the compromised solutions?

24              Do you know what I mean the design workshop?
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 1   MS. NETTER: Well, first of all, the coverage

 2   and the depth of the level of scrutiny that our peer

 3   reviewer has done is quite expansive. But typically,

 4   the conversation happens in the work -- a lot of the

 5   conversation happens in the work sessions but also, as

 6   Mr. Geller was saying, the framework and the key

 7   points, to the extent they can be indicated by the

 8   board members, is extremely helpful. That's typical.

 9   I mean, there are many projects that don't discuss

10   design at all. The boards don't care about them. The

11   sites are not as complex. But, again, when it does

12   happen, a lot of it usually happens in the work

13   sessions. But certainly there are many different ways

14   for it to occur.

15   MR. HUSSEY: And who attends these work

16   sessions?

17   MS. NETTER: Well, the work sessions that

18   we've been doing have been staff and applicant.

19   MR. HUSSEY: "Staff," meaning Planning Board

20   staff, Building Department?

21   MS. NETTER: Yes. The Planning Board staff.

22   MS. SELKOE: Planning Department.

23   MS. NETTER: Planning Department, excuse me,

24   Building Department.

1   MS. SELKOE: Town counsel.

2   MR. JESSE GELLER: Let me also add one more

3   thing, and obviously it's important, which is -- we're

4   about to take testimony from the public and I think

5   that the public feedback is also important in terms of

6   the questions we ask, how we ask them, and also things,

7   frankly, that we haven't thought about. And that's a

8   continuing item.

9   You know, we obviously have taken a

10   significant amount of testimony over the course of the

11   hearings we've had before, but we're going to have some

12   testimony hopefully tonight that will be responsive to

13   both the peer reviewer's but also to the presentation

14   of the 3D presentation. I think that gets filtered

15   into considerations not just by us in our discussion as

16   we continue to talk about this, but also, I would hope

17   it would be a consideration, among many, for the

18   applicant and be in the mind of the peer reviewer when

19   he's reviewing the project. So I just wanted to make

20   that -- so come prepared to discuss at the next hearing

21   hopefully.

22   Okay. No other questions?

23   (No response.)

24   Okay. At this point, then, what I'd like to

1   do -- just, again, general show of hands. How many

2   people from the public would like to speak, offer

3   testimony at tonight's hearing?

4   Okay. So why don't we work our way back,

5   forward. Actually, it's not that many people. Why

6   don't you line up to the side. It would probably be

7   easier. And, again, start by giving us names and

8   addresses.

9   MR. PU: I'm Bill Pu. I'm an abutter at

10   249 Beverly Road. I'm also a Town Meeting member.

11   I would first like to thank Mr. Touloukian for

12   his careful review and suggestions that might improve

13   the details of this project. However, I want to point

14   out that they were mostly details. And even though

15   they were important details, they were details.

16   I'll tell you that I'm a scientist, and a lot

17   of my work involves peer review, and in this capacity I

18   will also train a lot of people in doing peer review.

19   And one of the first things I train people to do is not

20   to look at the details first but to look at the big

21   questions.

22   So one of the mistakes that less experienced

23   peer reviewers make is to jump into the details rather

24   than ask the big questions. So something that I might

1   do -- you might ask, is the right question being

2   asked? Is the way the question is being asked

3   appropriate? If I start talking about, is a gram or a

4   gram and a half of something being used, that's a

5   detail. That nothing for a reviewer to ask, as I've

6   said, because they're all secondary. They might be

7   important, but they're secondary.

8   In every peer review we've seen so far, it's

9   just been about the details. The peer reviewers have

10   not asked the big questions. And I would say that the

11   problem with this, it is not just -- as a result of not

12   asking the big questions, the peer reviewers become

13   trapped in the mind-set of the applicant. They can't

14   get outside of the design they've already set up

15   because they're not asking any questions other than the

16   details of this design.

17   So the problem with that is not just that

18   we're not asking the questions, but we're veiling the

19   design that we're reviewing under the veil of

20   legitimacy. We're saying that after peer review, it's

21   legitimate, but we haven't asked the right questions

22   about design to really say it's legitimate.

23   So the reviewer has offered many suggestions

24   that will make the design marginally better, I hope,

1   but he hasn't really reevaluated the whole design.

2   He's making tweaks rather than rethinking. We've only

3   considered incremental changes or changes like, for

4   example -- I'll just give you an example.

5   I'd like to know if this design fits the 40B

6   guidelines. That's something a peer reviewer should

7   answer. What is the scope of a project that could

8   reasonably be accommodated within this project size?

9   Do we have to assume that it's this scope of project,

10   or can we ask if a smaller scope of project is really

11   what's required to fit legitimately within these

12   boundaries?

13   He's pointed out very nicely in that picture

14   that I think Mr. Hussey asked about that there's a

15   natural flow from the automobiles to the private space

16   to the public. That's clearly destroyed by this

17   design, but we never got back to that in his review.

18   So how would you -- instead of making little tweaks,

19   adding a sidewalk here or there, how would you really

20   address the destruction of that essential part of this

21   design -- of the original design?

22   I would like to know if an independent

23   architect would build a road that long to service 20

24   units. That just seems like something that -- no sane

 1   person would do that. Why would you build 100 parking

 2   lots to service 20 units?

 3   Would an independent architect design a

 4   building of that size to be put on the highest point in

 5   the property? Those are some big questions. I mean,

 6   we can try to make an illusion of the building being

 7   smaller, but it's still a huge building.

 8   I just have some more specific questions, so

 9   now I'm going to get into a little -- just a few

10   details that I thought of. When it's indicated that

11   the light impacts are okay, I want to know if all the

12   calculations and all the studies were independently

13   evaluated or if it was just a look at what was

14   presented to him.

15   Again, I want to ask about all this parking.

16   Why is all this parking needed? How can a ratio of

17   five parking spaces per unit be -- I don't understand

18   where that comes from. Are people really expected to

19   walk from the Russett side across Independence Drive to

20   park their car? I don't think that's going to happen.

21   I just would also like to know about more

22   underground parking, as Mr. Hussey asked.

23   So those are some details. But my main point

24   is that you've got to ask the big questions, not these

 1   little details. Thank you.

 2   MR. HUSSEY: I'm sorry. Could I get a

 3   clarification? You indicated there are five parking

 4   spaces for each unit?

 5   MR. PU: In rounds numbers, there's

 6   approximately 20 units or cars I know on the Beverly

 7   side and 103 parking spots.

 8   MR. HUSSEY: Oh, I see. It's just on that

 9   side.

10   MR. PU: Now, I don't think you can reasonably

11   expect people on the Russett side to use the Beverly

12   side. I don't think that's really going to happen.

13   MR. HUSSEY: No, I understand. I

14   misunderstood what you said. I thought you were

15   talking about over the entire project there were five

16   parking spaces for each unit.

17   Thank you.

18   MR. JESSE GELLER: Thank you.

19   MR. VARRELL: Hello. My name is William

20   Varrell. I'm an abutter at 45 Asheville Road. I'm

21   also a professional engineer in Massachusetts.

22   I'd like to start off my comments -- and for

23   those of you -- this is a spoiler alert, why the berm

24   is necessary. They said they have to go back and

1   study, but I can tell you right now. The reason all

2   those berms are there is because they have a huge

3   problem with drainage on this project. They're taking

4   all those trees and grass areas and covering them 80

5   percent with paving and other impervious surfaces.

6   Now, when they do that -- if they left the

7   grading, as the architects proposed, flowing naturally

8   into the property next it to, all that water would run

9   into those properties and their drainage study would

10   fail. So what they're doing is they're adding berms,

11   using tricks and contouring to take that water and flow

12   it around the site so their retention times get low

13   enough and they can then dump it into our yards. So

14   that's a spoiler alert. They may not come back with

15   that in two weeks, but that's exactly what's going on

16   there.

17   Regarding the berms, originally when they were

18   doing this project they had a lot of walls there and

19   one of my comments was that you can't build a wall

20   without having weep holes which allows water to drain

21   out through the weep holes. Those would be considered

22   discharge points in a water study. So I think they put

23   the berms in to basically wall without the concrete or

24   wood or whatever the walls are made out of. So now

1   they don't have to consider the water flowing out of

2   the sides of those fill areas into our properties.

3   They just assume it all runs on the top and then

4   through their little convoluted, you know, drainage

5   system and then eventually comes into our yard.

6   One thing I want to talk about, you know, they

7   made a big point to say how much time they spent

8   detailing the model. And one of the things that I

9   didn't see on the model is this biodetention basin.

10   You know, it's their design. Was it part of the

11   model? Did I miss it? Or was it just not on the

12   model? I don't know if they can answer that now or

13   later.

14   But this is going to be a pond that's going to

15   be various stages -- maybe sometimes after big storm

16   events in the fall it's going to have water,

17   low-standing water, bugs. We know there's EEE, there's

18   all sorts of diseases already known in Brookline.

19   What's that do to the neighborhood? Are we going to

20   have a huge swamp between our houses now? I think that

21   needs to be addressed.

22   The parking. The parking is huge, and I think

23   Bill and everyone pointed it out. But what I'd like to

24   see is -- every single parking spot should be tied to a

 1   unit. And how far is the person who's using that spot

 2   going to walk to that unit? You compare that to the

 3   parking that's in the original Hancock Village, I don't

 4   think anyone at Hancock Village walks more than 15 feet

 5   from the parking space to their front door. And are

 6   they walking hundreds?

 7   I mean, if you're putting parking -- these are

 8   engineering plans. Someone said, we need parking

 9   here. That parking is servicing something. They're

10   not just drawing lines on the plans. They're saying,

11   this parking services this need. And we should be able

12   to tie it together with a simple table.

13   And if people are walking 300, 400 yards -- I

14   mean, who walks with groceries 3- or 400 yards. It

15   doesn't make sense. Are they going to be dropping

16   off? Is there going to be standing parking? And that

17   all has to be tied to safety. I mean, are people going

18   to be double parking?

19   And I can prove it. You know, I have pictures

20   I can show you. Double parking happens all over

21   Hancock Village on dangerous roads like the VFW Parkway

22   where there's one maybe 20-foot bump-out that the

23   Dominos guy is always in. But they double park on the

24   parkway, they double park on Asheville Road, they

 1   double park everywhere to unload their stuff. Is this

 2   going to be a huge problem in future years, you know,

 3   with all these roads? It's got to be addressed.

 4   And one of the points the architect made was

 5   that he thought all the parking was at least 30 feet

 6   away from a structure. I believe, and I'll have to

 7   go -- if I could get the plans, I could scale it off --

 8   but the parking lot that is right outside my fence

 9   line, it's not 30 feet away from my structure. It's

10   three feet away from my house. It's at my fence line.

11   So I'd just like to clarify, you know, what is the

12   minimum parking distance from structures in the report

13   rather than just having kind of a vague statement.

14   One of the other things, we talked about light

15   pollution. There was no talk at all about noise

16   pollution. Now, all these cars -- so you're, in my

17   case, 10 feet away from my house, my bedroom windows.

18   You know, there's a parking lot out there now, doors

19   slamming, people coming and going and everything.

20   Isn't a noise study something that should be looked at?

21   Another point that I think he did make that I

22   don't know if everyone picked up on, but as he drove us

23   through these models, there were no cars. You know,

24   what does that site look like with 500 cars or whatever

 1   it's going to be in there? You know, I think that's

 2   something they can easily add to the model, and I think

 3   that's going to change the perspective of that.

 4   Another thing is there was no ledge in the

 5   model. Now, I know walking across the site now there's

 6   lots of ledge there. Why can't they show the ledge in

 7   relationship to everything else? Are they planning on

 8   blasting out all this ledge below ground and paving

 9   over it? Are they going to leave any of this ledge

10   exposed? Is the reason that, you know, there's only a

11   biodetention basin on the Beverly side because the

12   ledge is so high on the Russett side that there's no

13   room for a basin? Does that mean -- they know that

14   there's ledge there, and their assumptions in their

15   drainage report are not valid.

16   So first of all, on the detention side, I'd

17   like to see the boring log and whatever that proved

18   that there's room to put a basin in there, there's room

19   to drain it out. And then the question is, if they can

20   put a basin on one side, why can't they put a basin on

21   the other side as well?

22   There are some walls on there, and I hope that

23   when they do model these walls they are understanding

24   that all walls need a weep hole, and those are

 1   discharge points. If you have a wall at a property

 2   edge, there's going to be a hole for water to weep

 3   through and that is going to be discharging on the

 4   property and that has to be modified.

 5   And that's about it for now. Thank you.

 6   MR. JESSE GELLER: Thank you.

 7   MR. ABNER: Thank you. My name is Anthony

 8   Abner. I live on Russett Road. I'm an abutter.

 9   So there are a few things that puzzle me, and

10   I wonder if we can get some clarifications of these

11   perhaps. I will try to avoid any repetition of

12   previous speakers.

13   So I do want to talk a little bit about the

14   building height. I don't think we've gone into that in

15   any great detail.

16   Who asked for the changes that were mentioned

17   in the June 5th presentation? I do want to look at a

18   couple of the basic zoning laws of Brookline and the

19   comments that Mr. Geller made in the June 5th

20   presentation that there was only going to be one

21   retaining wall. I think we're seeing now that that has

22   changed. And why did the changes happen?

23   So how many stories are there in this

24   building? We've heard it referred to as a five-story

 1   apartment building. It's not. It's seven stories. By

 2   Brookline zoning laws, you measure from the road. And

 3   my 15-year-old son was looking at these plans saying,

 4   well, if this is below ground here, then why do you

 5   have windows? I mean, this is clearly a seven-story

 6   tower from Asheville Road. And, again, I will point

 7   out that this is zoned for 35 feet in the N0.5 area.

 8   One of the comments that was made -- I believe

 9   this was Mr. Levin's presentation and this is in a

10   transcript -- but the Town of Brookline asked us to

11   make the following changes: Move units from the S7 to

12   the M5 district. And it isn't in the transcript, but

13   the planning staff has made a number of suggestions to

14   make modifications to the original plans. They asked

15   that we eliminate the larger-sized unit and move units

16   from S7 to M5.

17   Who asked for that? Which one of my elected

18   or appointed representatives has asked to make this

19   apartment complex seven stories high? Is there anybody

20   who would like to take credit for that?

21   (No response.)

22   No? Okay.

23   Allison Steinfeld's letter said specifically

24   that the four-story apartment building -- actually, six

1   stories -- was placed in the highest location, thereby

2   contributing to the inordinate presence relative to the

3   surrounding townhomes. So did somebody come by and

4   say, okay, let's make it taller?

5   I want to point out very quickly that the

6   bylaws specify that no building or parking area --

7   these have to follow the minimum rear-yard

8   specifications, and the rear-yard specification for S7

9   is 40, not 20 feet.

10   Similarly, we will see that there are

11   buildings that are spaced closer than are allowed. It

12   says that if there are attached single-family

13   dwellings -- not less than two times the minimum side

14   yard specified. Again, I'm sorry. I don't have my

15   pointer. These two buildings violate that, building 7

16   and building 8. And if you look at the parking area,

17   the yellow -- and this is from Stantec's diagram --

18   shows the 20-foot line. And as you can see at the

19   hammerhead, even the 20-foot separation is being

20   violated by building 9.

21   At the June 5th presentation, we saw the

22   amenity building. It's missing on the June 17th

23   update. These are, again, the June 17th plans. It's

24   now back on the July 15th plan. And then we have this

 1   frontal elevation that we've already seen.

 2   Mr. Levin did say that this is clearly not the

 3   final design, but please note that this is not visible

 4   from the abutters. Well, I find that hard to believe,

 5   unless the trees mature very quickly, that you're not

 6   going to be able to see that from the backyard of

 7   Russett Road. They're direct lines of sight to that

 8   building, and the elevations match.

 9   Let's see, Mr. Geller said at the June 5th

10   meeting that there's only one retaining wall left on

11   the site now. Well -- and this is what was circled

12   from the presentations -- there's actually -- in the

13   tabulation chart presented on July 11th, it says

14   "retaining wall, linear feet," and you can see it's now

15   a total of 608 feet of retaining walls. That is

16   including the retaining wall along the apartment

17   building. I assume that's -- again, this is going to

18   change. So this is not in the diagram. At least I

19   don't see that retaining wall in this diagram, but it

20   is clearly shown on the plans here circled in red.

21   So let me just say, as I was looking at these

22   plans, I was wondering, why come back with another --

23   with a seven-story tower, as I looked as these plans.

24   And I think the answer was up in the top right corner.

 1   Look at the date there, January 25, 2012. This is the

 2   date of the plans that were officially submitted on

 3   July 11th which were available on July 15th to us.

 4   January 25, 2012, these are the plans that were

 5   submitted to MassDevelopment, I believe, and they were

 6   already turned down. These were rejected. I don't

 7   understand why they are being resubmitted at this time

 8   when they've already been turned down. I would really

 9   like to hear some clarification on that.

10   I think that this is a bargaining position,

11   but I'm kind of confused as to why you would start off

12   bargaining from a position that has already been

13   rejected. Thank you very much.

14   MR. JESSE GELLER: Thank you.

15   MR. WISHINSKY: I'm Neil Wishinsky, 20 Henry

16   Street. I'm not an abutter, but I am a selectman.

17   Others have said the points I'd like to make,

18   but I just want to state one of them a little bit

19   differently. One of the things that hit me with the 3D

20   videos was just the amount of asphalt going through

21   this site and then, of course, the massing of the

22   apartment building. And others have commented on the

23   massing of the apartment building in a more articulate

24   way than I can.

 1   But I'd like to kind of highlight a point two

 2   speakers have made in front of me on the location of

 3   the parking spaces, especially on the Beverly Road side

 4   in relation to the units they're supposed to be

 5   servicing. And I would ask that you consider that in

 6   your conditions, and I think there are opportunities to

 7   reduce the amount of parking and reduce the amount of

 8   asphalt in the plans. That's my main point. Thank

 9   you.

10   MR. JESSE GELLER: Thank you.

11   Anybody else?

12   (No response.)

13   Mr. Schwartz, in addition to your previously

14   planned rebuttal, if you had one, could you respond to

15   the questions that were asked to the extent that you

16   are able to do so?

17   MR. SCHWARTZ: I wasn't planning on it. If

18   there's something specific that the Board would like me

19   to respond to, I'm happy to do that to the best of my

20   ability, but I wasn't planning on responding to any

21   specific comment.

22   Are you referring to the comments that were

23   made by the abutters?

24   MR. JESSE GELLER: Yes.

 1   MR. SCHWARTZ: No. I don't really have

 2   anything to respond at this point.

 3   MR. JESSE GELLER: Let me focus on one

 4   particular question which is the -- what is driving the

 5   program on the number of parking spaces, and is it

 6   possible to put a table together?

 7   MR. SCHWARTZ. Yes.

 8   MR. JESSE GELLER: So I think that will go a

 9   long way to hopefully answering that.

10   Does your team have anything else to say at

11   this point?

12   MR. SCHWARTZ: No, sir.

13   MR. ZUROFF: Jesse, I just have one question.

14   And maybe this has come out already, or maybe it's

15   about to come, but do we have a clarification on

16   exactly what relief is being requested under this new

17   design? What parts of the code are being requested to

18   be under special permit?

19   MR. JESSE GELLER: Well, unless I'm aware, you

20   haven't handed us an amended --

21   MR. SCHWARTZ: Right. In the working sessions

22   the sort of -- "protocol" may be too strong a word --

23   but the procedure that we've discussed with the

24   building commissioner was that once there was, more or

1   less, some kind of meeting of the minds in terms of the

2   plan, then we revisit the waiver list, go over it with

3   the building commissioner and make sure we're on the

4   same page, and then submit the revised waiver list from

5   the original plan and that that would be subject to the

6   Board's discussion and consideration.

7   So that's sort of where we are now. I don't

8   think we're quite there yet, but we're hoping to have

9   it happen as soon as possible.

10   MR. JESSE GELLER: Let me say that I would

11   hope that wherever the design discussion goes will

12   drive the waiver request rather than, for instance, a

13   wholesale waiver request.

14   MR. SCHWARTZ: Let me just speak to that for a

15   second. I think that you just put your finger on it

16   very accurately. I'm in full agreement with that. I

17   think the 40B -- and Ms. Netter can speak to this as

18   well. In 40B you come up with a plan that is

19   acceptable, and then the waiver list is derived from

20   the plan, and that's different from 40A. That's one of

21   the aspects of 40B that's different. And that's really

22   why we're, at this point, waiting to come up with the

23   revised waiver list, because it seems that it would be

24   a waste of time and resources to spend a lot of time

1   coming up with a revised waiver list before we have a

2   plan that everybody's comfortable with.

3   MR. JESSE GELLER: I agree.

4   Any other questions, comments?

5   MR. SCHWARTZ: Nothing.

6   MR. JESSE GELLER: Okay. A few additional

7   details. The next scheduled hearing, the date to

8   which we will continue these hearings is August 13th,

9   and on that date, we will continue peer review. And

10   just to remind everyone, peer review consists of --

11   we have a peer reviewer for design, we have peer

12   review for traffic, and we have peer review for

13   stormwater drainage.

14   We are not sure, given how things are in

15   flux, which of those topics we will specifically

16   address at the next hearing, so we are leaving it

17   open for peer review. I would note that the --

18   whatever we don't get to -- so in other words, if we

19   happen to be ready to take on final peer review for

20   design, then we would simply roll to the next hearing

21   for the remaining peer review, that is traffic and

22   stormwater.

23   I would ask, particularly given what I view

24   as a very constructive hearing tonight and some

 1   constructive suggestions, that the working sessions

 2   continue and the conversations continue.

 3   MR. HUSSEY: I just wanted to clarify.

 4   I think the architectural scheme needs to be really

 5   nailed down before the peer reviewer on drainage and

 6   traffic finish their -- the next time should be

 7   having the applicant respond with his architectural

 8   peer review, some back and forth, and then the other

 9   peer reviews to follow subsequent.

10   Ms. Netter is nodding her head.

11   MS. NETTER: Yes. That's the preferred

12   procedure.

13   MR. JESSE GELLER: There being nothing

14   else, this hearing is adjourned. I want to thank

15   everyone.

16   (Proceedings suspended at 9:22 p.m.)

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 1              I, Kristen C. Krakofsky, Court Reporter and

 2    Notary Public in and for the Commonwealth of

 3    Massachusetts, certify:

 4              That the foregoing proceedings were taken

 5    before me at the time and place therein set forth and

 6    that the foregoing is a true and correct transcript

 7    of my shorthand notes so taken.

 8              I further certify that I am not a relative

 9    or employee of any attorney of the parties, nor

10    financially interested in the action.

11              I declare under penalty of perjury that the

12    foregoing is true and correct.

13              Dated this 4th day of August, 2014.

14    _____

15    Kristen Krakofsky, Notary Public

16    My commission expires November 3, 2017.

17

18

19

20

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22

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24
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