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TOWN OF BROOKLINE

Massachusetts

Hancock Village
Neighborhood Conservation
District Commission
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September 30, 2014

Jesse Geller, Chair
Brookline Zoning Board of Appeals
Brookline Town Hall
Brookline, MA 02445

Dear Mr. Geller and the Zoning Board of Appeals,

This letter is being presented to the Zoning Board of Appeals (the Board) on behalf of the entire Neighborhood Conservation District Commission (the Commission) based on a unanimous vote of its members present at a scheduled meeting.

Both the Neighborhood Conservation District Commission and the Preservation Commission have previously commented extensively on the substance of the Hancock Village 40B proposal. It remains materially unchanged by recent minor adjustments to the totally inappropriate misuse of the Greenbelt, and it has essentially reverted to the original five-story apartment block that Mass Development came within hours of formally rejecting as unsuitable.

The Commission therefore urges you to extend your review of the current proposal beyond the scope of the review authority normally available to you through the Town's 40A zoning power. We urge you to avail yourself of the more comprehensive perspective you are granted by the 40B approval process, which authorizes you to take into consideration the extensive comments we have made on the project in the past.

40B's "Comprehensive" Process

The Board is reviewing this project under the "Comprehensive" 40B process because it does not comply with, and would not be permitted as of right by the underlying zoning. As such the Board's jurisdiction is not restricted to reviewing the merits of the design based solely on the zoning requirements and zoning review process.

Rather, 40B imposes on the Board the more extensive responsibilities of reflecting both community standards and the roles of other relevant Town boards and commissions, including the remits of this Commission and the Preservation Commission. In addition, 40B provides the Board with the opportunity to impose conditions on the developer reflecting these standards and remits.

We therefore respectfully request that: (a) the Board take into full account those important historic and design aspects of Hancock Village, as it has stood and successfully functioned for the last 60 years, as we have previously conveyed to you; and (b) the Board encourage the developer to work with the Commission to revise its proposal to reflect these issues;

(c) the Board establish conditions of approval which fully take into account appropriate community values and the opinions of relevant boards and commissions.

Achieving the intended aim of 40B

In making these recommendations, the Commission wishes to make it clear that it is in no manner opposed to the creation of affordable housing in Hancock Village, especially considering that its genesis was the creation of affordable housing, that the financing of Hancock Village was Federally subsidized to make it affordable to returning Veterans, and that it long existed under rent control. In fact, the Commission believes that a far preferable outcome to the Board's consideration of the present proposal would be for the Board and the Town's other bodies to work with the developer to create a new project containing a number of affordable units equal to the 20% of the present version being proposed located on alternative, less historically and environmentally sensitive areas of Hancock Village than the Greenbelt or the stone outcropping. The proposed pre-40B apartment block site on the west side of Independence Drive and the two parking garages immediately suggest themselves as possible alternative locations.

We therefore strongly urge the Board to encourage the proponent to respond to the Town's offer to help it create an alternative to the 40B proposal by working with the Town, including this Commission.

Conditions of Approval

Should the proponent continue on its present course, however, the Commission, in recognition of its responsibilities to inform the 40B comprehensive process, would like to suggest conditions for the Board's consideration. While some may prove unacceptable to the state Housing Committee or may raise questions of allowable scope, we believe it is important to put the historic and cultural significance of Hancock Village squarely on record as the process moves ahead, so that the Board of Selectmen, as the elected representatives and appointing body of the Town, may pursue whatever actions it deems appropriate, in whatever venue is available to it. We hope you will agree that it is in the best interest of the Town not to preclude its ability to obtain relief that might subsequently be found in a more equitable venue.

In this spirit, we recommend that the Board consider the following conditions:

- That there should be no Greenbelt development, as it is an unmitigated adverse impact to the Historic character of Hancock Village.
- That the apartment block, being totally out of scale, should, if retained in that location, be significantly reduced in height. Preferentially, the apartment block housing should be relocated to the site on the west side of Independence Drive where the proponent previously (pre-40B) proposed an apartment tower, and/or to the site of the two garage buildings.
- That no subsequent 40B be proposed or allowed in Hancock Village.
- That the Massachusetts Historical Commission be formally notified of this project, which impacts a National Register eligible Historic Resource, and there be an adverse impact review. Previous 40B proposals indicate this is not an action that can otherwise be taken as a given.

Thank you for your consideration of these views. We look forward to the results of your deliberations with great interest.

Sincerely,



Paul Bell, Chair, Neighborhood Conservation District Commission
for the Commission

cc: Mel Kleckner, Brookline Town Administrator
Alison Steinfeld, Director of Department of Planning and Community Development