



# TOWN of BROOKLINE

## *Massachusetts*

### BOARD OF SELECTMEN

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Jessica L. Malcolm, 40B Specialist  
Comprehensive Permit Program  
Massachusetts Housing Finance Agency  
One Beacon Street  
Boston, MA 02108

February 10, 2016

RE: 1180 Boylston Street, Brookline (ELEVEN80)  
Brookline Response to Notice of Application for C. 40B Site Eligibility Letter

Dear Ms. Malcolm:

Thank you for the opportunity to provide comments on the application for Site Approval submitted by Chestnut Hill Investment, LLC to develop a mixed-use project of residential and retail uses under GL Chapter 40B at 1180 Boylston Street, Brookline. The Applicant is proposing to replace the prior gas and service station with a six-story building, which will include 45 age-restricted (55+) one and two-bedroom residential units (9 affordable and 36 market-rate) and one level of underground parking.

The Board of Selectmen requested comments from municipal departments, boards and commissions and also held a public hearing on February 2<sup>nd</sup> to solicit input from interested parties throughout the town. Clearly, there was not sufficient time to conduct a comprehensive review and, as expanded upon below, full and consistent information has not been provided. Accordingly, each department, board and commission looks forward to conducting a more intensive review during the Comprehensive Permit process, if MassHousing issues a Project Eligibility Letter (PEL) and the Applicant submits a Comprehensive Permit application.

I am pleased to convey the following comments on behalf of the Board of Selectmen:

- The Town of Brookline supports the provision of age-restricted affordable housing and has a long standing commitment to provide and maintain various forms of affordable housing. Attached is a summary of recent efforts by the Town of Brookline to retain, improve and expand the availability of affordable housing.

- The Town supports the tenets of SMART growth and transit-oriented development—both of which are promoted by the location of the proposed mixed-use development.
- This area of Route 9 warrants revitalization. A mixed-use structure consisting of active ground floor retail, age-restricted housing and parking presents significant potential to benefit the surrounding area and contribute vibrancy to the area.
- This location on Route 9 amid existing commercial and residential uses and near several means of public transit is an ideal location for age-restricted housing.

However, the Board of Selectmen has the following concerns:

- The Applicant should identify, examine and seek to mitigate any and all negative impacts to the general area including the property directly to the east of the site containing six affordable condominiums for low and moderate income people (1164 Boylston Street) created through the Town's inclusionary zoning by-law, and the mixed use buildings immediately to the west and south of the site. The Board understands that the Planning Department, which provides staff support to the ZBA, will recommend to the Board of Appeals that it request the Applicant to provide an analysis of the impacts on the surrounding buildings including but not limited to shadows, lighting, air quality and excavation. The Town will require a construction management plan.
- The proposed structure overwhelms the site. It is significantly taller than surrounding buildings as well as those in the area as a whole. Therefore, the Applicant should reduce the footprint of the building to increase setbacks particularly from contiguous private property, and reduce the number of stories. Obviously, a reduction in density will allow for a commensurate reduction in parking.
- The Town hopes that the Applicant will incorporate architectural details and design modifications to minimize both the actual and perceived massing, keep the building more in scale with the surrounding neighborhood, ease the transition to adjoining sites, and limit encroachment onto abutting properties. The Town is anxious to work with the Applicant to refine the design and respectfully requests that MassHousing formally encourage the Applicant to participate in discussions relative to design modifications.
- The proposed parking scheme is particularly concerning.
  1. Insufficient and contradictory information has been provided relative to the number, nature, dimensions, and allocation of parking spaces. The Board expects that if the Applicant applies for a Comprehensive Permit from the Brookline ZBA, it will provide clear explanations as to the nature and placement of parking and expressly designate and clearly identify spaces for retail and residential uses (including visitors).
  2. The Board of Selectmen also expects the Applicant to address the impact that retail uses will have on the availability of existing on-street short-term parking in the immediate area.

3. The Applicant is proposing a complicated parking system involving stacking, a lift, and a valet. The Building Commissioner has raised concerns regarding the plan labeled "lower level" showing 30 stacker spaces and 20 floor parking spaces. The fact that the parking spaces are 3 to 4 cars deep is particularly disconcerting. The design should be revisited to provide a more traditional parking approach or additional stackers instead of the proposed mix. Using a valet for that amount of tandem parking may result in cars queuing on Rte. 9 while waiting to get into the lot and force others to seek parking on local streets thereby impacting the on-street parking supply for area retail uses. The proposed configuration of the lower level will lead to long term enforcement issues for the Town. Accordingly, the Board of Selectmen is seeking a proven and functional parking plan that will not generate enforcement issues for the Town or exacerbate the existing on-street parking issues.
- The Fire Chief has raised concerns regarding the fire load of the proposed building, particularly as it relates to the underground parking. The Applicant is strongly encouraged to contact the Fire Chief as soon as possible in order to identify and address these concerns.
  - Traffic in this area, particularly at the Hammond Street/Route 9 intersection, is already problematic. The Town will require a comprehensive traffic report prepared by a Civil Engineer. The traffic report should include mitigation recommendations to promote pedestrian safety and good traffic flow at the Hammond/Route 9 intersection, on Route 9, within the site and at the curb cut; and to provide for multi-modal site access. The study should expressly address the proposed location of the access and egress to the property particularly relative to the abutter and the Hammond/Route 9 intersection, site circulation, parking for moving and service trucks within the site, and the parking plan. The Building Commissioner has noted that the proposal provides for access to the garage by a two-way parking drive at the northeast side of the property of approximately 17' 4" wide, which is below the Town by-law's required minimum of 20' and will result in safety concerns for two-way traffic flow. If a delivery truck for the commercial uses or a moving van for the residential tenants is parked in the driveway, this will further exacerbate those safety issues.

We fully anticipate that the ZBA will request peer review of the traffic study and the parking plan, since this is such an important issue. Consistent with Town policy, a Transportation Demand Management Plan will be required and should expressly address incentive programs for public transit use by employees of the commercial space.

- The Geotechnical Report is unacceptable and needs to be redone, because the submitted report is based on several erroneous assumptions. Both the executive summary and project description state the building is four stories (not six) and will have two levels of underground parking (not one) and the lot size is listed as 16,900 square feet while it is listed as 14, 719 square feet on the survey plan.
- As is true of other Town officials, the Fire Chief is cognizant of the fact that the site previously housed a gas station and will require confirmation that gas storage presents no public safety issues. If environmental mitigation is not yet complete, the Town will require binding assurances that it will in fact be completed in a timely manner to the satisfaction of the Town.

- The Parks and Recreation Director has noted the lack of any usable open space for residents and has recommended that the project include, at a minimum, a landscaped rooftop courtyard for sitting and socializing and/or a walking “track” for exercising.
- Any affordable units shall be permanently affordable, and the entire project shall remain on the Subsidized Housing Inventory in perpetuity.
- The Building Commissioner has raised the following issues relative to the requested waivers: 1.) in terms of the zoning information provided in table format under the column label requiring “none generally” is misleading and should be better detailed and 2.) in requesting a waiver for all off-street loading requirements, the Applicant should explain how the commercial portions of the property will receive deliveries if no loading areas are provided.
- It would be very helpful to the Board of Appeals, staff and interested neighbors if the Applicant would provide a massing model of the proposed and abutting buildings and also stake the building’s footprint on the site to illustrate the setbacks from the abutting properties.

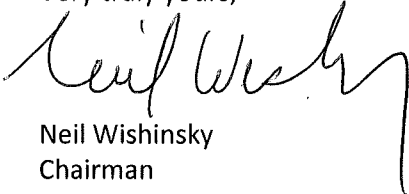
The Board of Selectmen strongly recommends that, in order to facilitate and expedite the Town’s review of a Comprehensive Permit application, the Applicant: 1) address the issues that we have raised to date prior to submitting any application, and 2) incorporate the requested information and studies in its application if it receives a PEL.

If MassHousing issues a PEL to the Applicant, the Town looks forward to working with the developer and its architectural team to refine the proposal during the review process to address the above issues and concerns. Municipal staff is also available to meet with the Applicant prior to any formal process in order to address issues as early as possible; the Planning Department will coordinate these meetings and discussions.

Again, the Board fully anticipates that both the Planning Department and the Zoning Board of Appeals will identify additional issues following a detailed review of further information.

Thank you for your consideration.

Very truly yours,



Neil Wishinsky  
Chairman

Attachment: Affordable Housing in Brookline

cc: Melvin Kleckner, Town Administrator  
Alison Steinfeld, Planning Director