Town Testimony

Departments

Town’s Testimony Objectives

Legal Issues

Rebuttal: Town’s Achievements in Affordable Housing

Design Is Inappropriate for the Site

Fundamental flaws in the site design create negative conditions:

- Unmitigated visual impact
- Adverse traffic conditions
- Compromised emergency access
- Compromised pedestrian safety
- Increased health and environmental risks
- Increased risk of damage to abutting properties

Betsy DeWitt, Chair, Board of Selectmen

overview

Project Eligibility Letter (PEL)

760 CMR 56.04(4)(c)

(c) that the conceptual project design is generally appropriate for the site on which it is located, taking into consideration factors that may include proposed use, conceptual site plan and building massing, topography, environmental resources, and integration into existing development patterns (such finding, with supporting reasoning, to be set forth in reasonable detail);

legal issues

Project Eligibility Letter (PEL)

Excerpt from MassDevelopment's 2012 Project Eligibility Determination

"MassDevelopment has determined that the conceptual site plan is not generally appropriate for the site due to the Project's complete elimination of the existing greenbelt buffer between the current Hancock Village residences and the abutting single-family neighborhood homes; the Project's inadequate setbacks; and the massing of the Project's proposed five-story building which is generally inappropriate for the site and not well-mitigated by topography or other means. As a result, the proposed design of the Project does not integrate well into the surrounding development pattern and therefore is not generally appropriate for the site."

legal issues

Project Eligibility Letter (PEL)

Excerpt from MassDevelopment's 2013 Project Eligibility Determination

"The conceptual project design is generally appropriate for the Site….The foregoing finding is made hereunder."

legal issues

SITE ELIGIBILITY FINDINGS

Design Requirements in 760 CMR 56.04(4)(c)	2012 Finding	Differences Between 2012 and 2013 Applications	2013 Finding
Conceptual Site Plan	"Complete elimination of existing greenbelt buffer between the current Hancock Village residences and abutting neighborhood homes."	Similar building placement. Parking areas eliminate more of the visual buffer closet to single-family homes	Not addressed.
Building Massing	"inadequate setbacks; and the massing of [apartment] building which is generally not appropriate for site and not well-mitigated by topography or other means."	Articulation, placement, and footprint of the apartment building remains the same.	Not addressed.
Topography		No change in elimination of topographic features.	Not addressed.
Integration	"proposed design of the Project does not integrate well into surrounding development pattern and therefore is not generally appropriate for the site.	Similar placement of buildings. Number of buildings in perimeter visual buffers increases from 11 to 19.	Not addressed.
Conclusion	"Reasons for denial…complete elimination of existing greenbelt buffer…inadequate setbacks …massing of [apartment] building…design does not integrate well into surrounding development pattern"	No change. Within the proposed building setbacks are walls, steep slopes, patios. Only seven trees near three buildings would be saved.	Not addressed.

Town's Achievements

Town of Brookline has a proven record of promoting and developing affordable housing:

Inclusionary Zoning

Town requires developers to allocate 15% of units to households with incomes under 100% of Area Median Income.

Affordable Housing Trust Fund

- Since 1987, Trust Fund has received $11M in revenues.
- Town deposited $555,000 in FY14.
- Town's free cash policy is to contribute funds whenever Fund balance falls below $5M.

Federal Community Development Block Grant and HOME Funds

Town directs a significant portion of annual federal allocations to expand affordable housing and to fund a Housing Office in the Planning Department.

Successful Partnerships with Private Developers

- Olmstead Hill Project created 24 affordable units.
- St. Aidan's Church Project created 36 affordable units.
- Dummer Street Project will create 32 low-income units and rehab existing complex.

affordable housing

Design Principles

"1. Height, bulk, and placement of the proposed Project;

2. Physical characteristics of the proposed Project;

3. Height, bulk, and placement of surrounding structures and improvements;

4. Physical characteristics of the surrounding land;

5. Adequacy of parking arrangements;

6. Adequacy of open areas, including outdoor recreational areas, proposed within the project site."

760 CMR 56.07(3)(e)

site design

Poor Building Massing

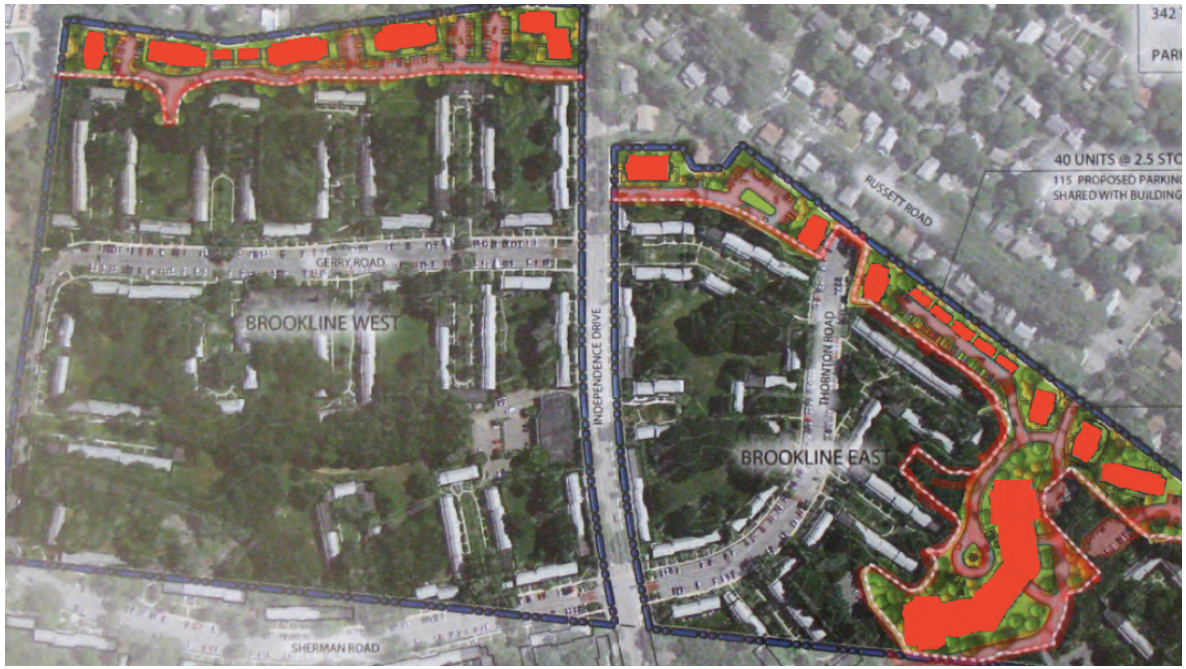
Largely developed conditions of the existing site mean that out-scale of buildings are forced into inadequate space.

Contrived building massing is overbearing and not integrated to minimize impact of bulk, lights, noise, traffic.

The dimensions of the 2-1/2 story buildings are out-of-scale with abutting homes; some are over 100 feet wide atop raised berms, blocking view-sheds.

Rear setback in an S-7 single-family zoning district is 30 feet. Here, setbacks are 20 feet, exacerbating the visual impact of the out-of-scale buildings.

The linear arrangement of single-family homes parallel to Russett Road are buffered with rows of trees; yet, not even similar buffering is provided among the flats, despite their being out-of-scale.



Apartment building ranges from 400 to 530 feet in length atop the highest elevation for miles around and up to 74 feet in height at the lowest grade.

The largest building on the site connects to Asheville, an insufficient 18-foot wide access way, which is an ill-conceived design that creates adverse traffic conditions in the surrounding neighborhood.

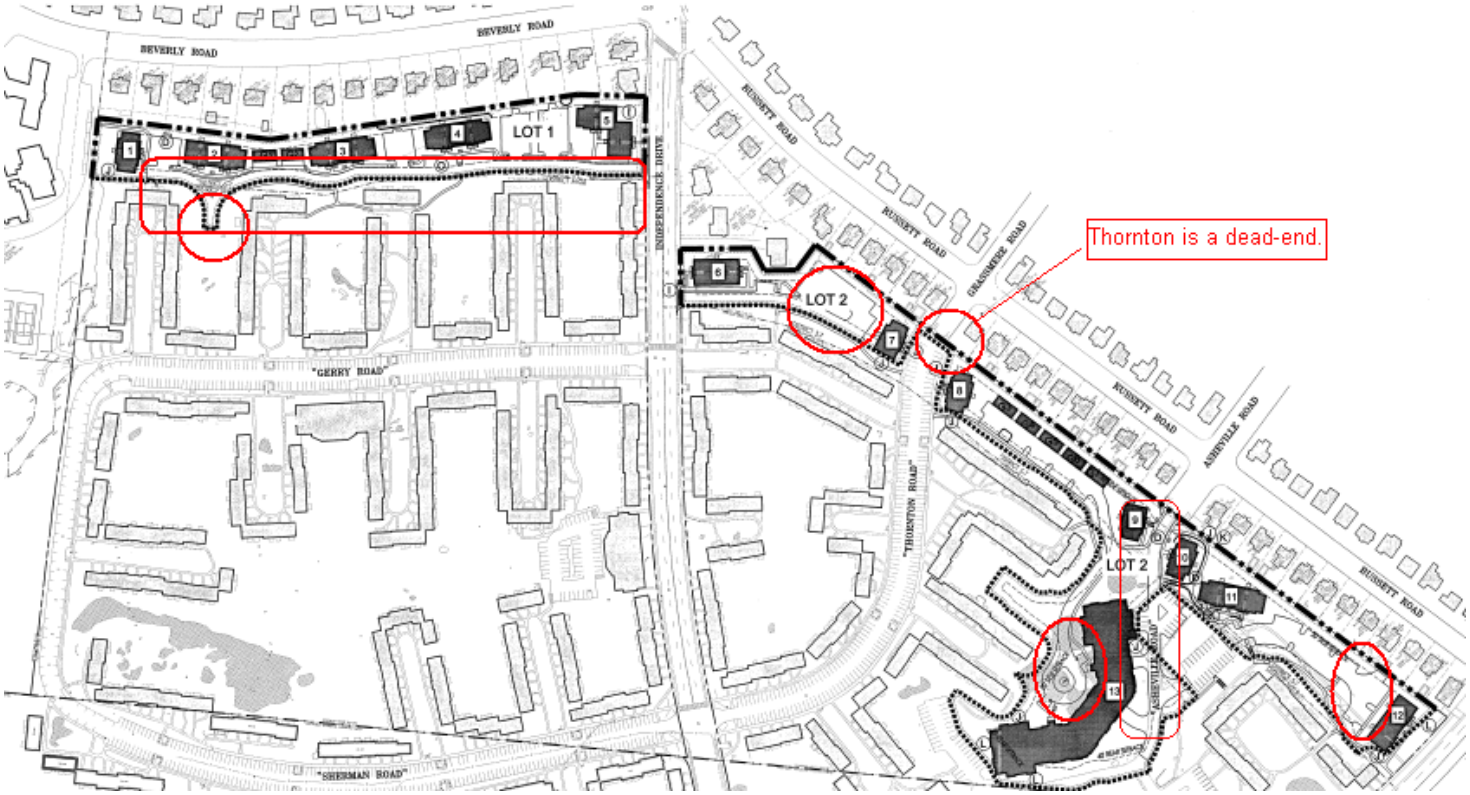
site design

Flawed Vehicular Circulation

Contrived building massing not only appears shoehorned; it contributes to an arrangement of dead-ends and hammerheads that impede on-site emergency access.

The design forces 2.7 times more traffic to flow onto Asheville, treating a minor roadway as the major access way, and doubling the traffic volume that must enter Russett from Hancock Village.

Site design introduces a roadway in one of the most congested areas of the site—between the proposed 2-1/2 story buildings and the existing townhomes and abutting the Baker Elementary School—especially dangerous to pedestrians who are children.



site design

Eliminated Topographic Features

Comparison of development patterns shows incongruity of the design.

Contrasting development patterns raise concern of the impact of eliminated topographic features and highlight the lack of planned open areas. In fact, no usable open space areas are proposed.

Mature trees and puddingstone outcroppings are not only effective visual buffers; their elimination will impact stormwater levels.

50 percent of the 9-acre site will be impervious and not widely tested pervious surfaces, which adversely affects drainage.

Berms designed along buildings mitigate very little; in fact, they worsen the visual impact and introduce runoff damage and standing water risks.

Impervious Areas

Semi-private Open Space

Semi-public Open Space

Non-usable Open Space (used only for screening, 2:1 graded slopes, etc.)

site design

Safety, Environmental Risks

"Adequacy of fire protection"

"Adequacy of sewage arrangements
"Adequacy of water drainage arrangements"

"Adequacy of the Applicant's proposed arrangements for dealing with the traffic circulation within the site, and feasibility of arrangements … by the municipality for dealing with traffic generated by the Project on adjacent streets"

760 CMR 56.07 (3)(d)

health, safety, environment

Risk and Response Times

Hancock Village - Project Statistics

- **New Buildings**
  (12) 2-1/2 story buildings
  (7) Four-car structured garages
  (1) Four-story apartment building with
  144 underground parking spaces
- **192 Additional Units**
- **402 Additional Bedrooms**
- **Projected number of residents**
  – Average number of persons per bedroom: 1.5
  – Rough estimate of additional residents: 600

emergency access

Risk and Response Times

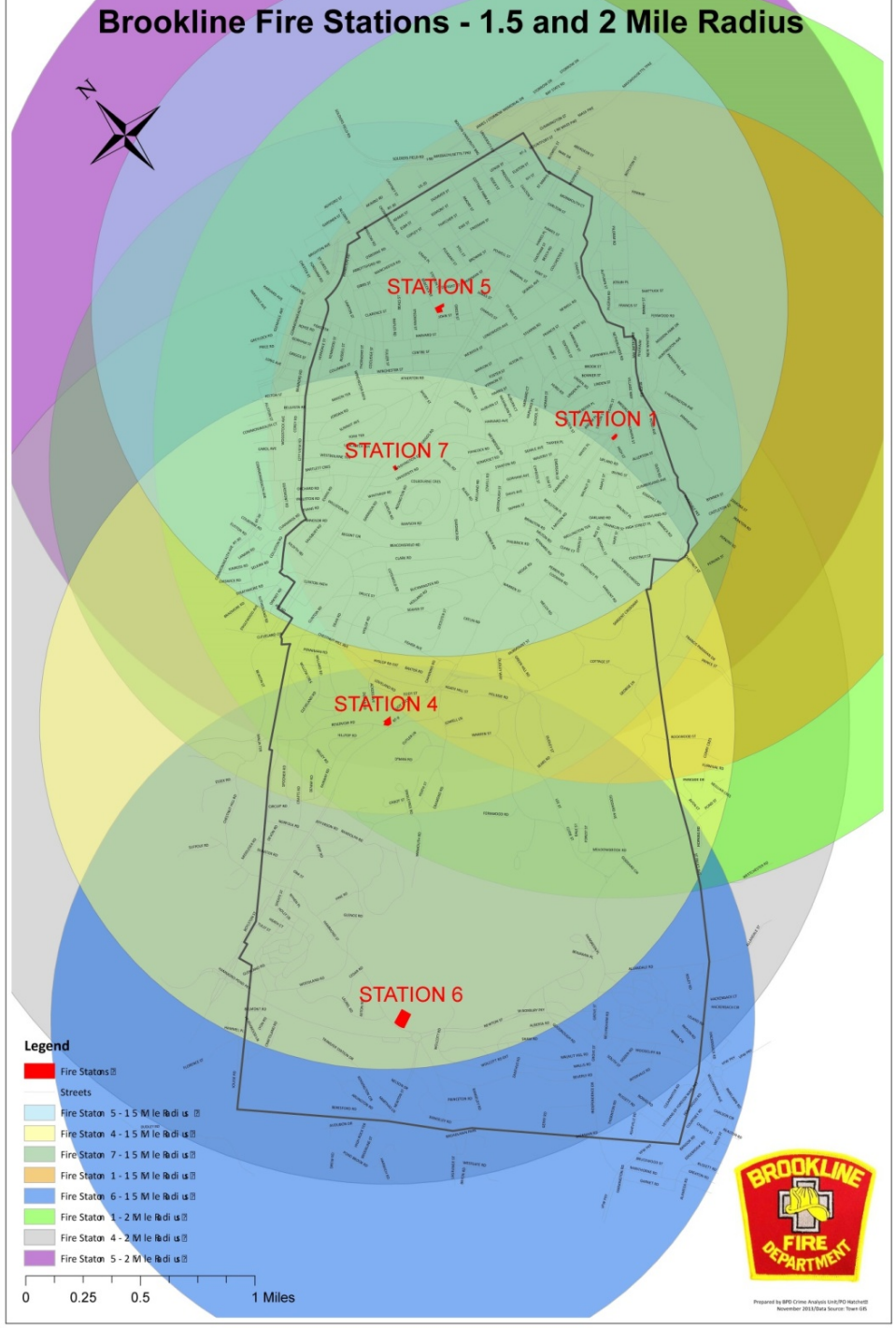
Life Safety and Exposure Problems

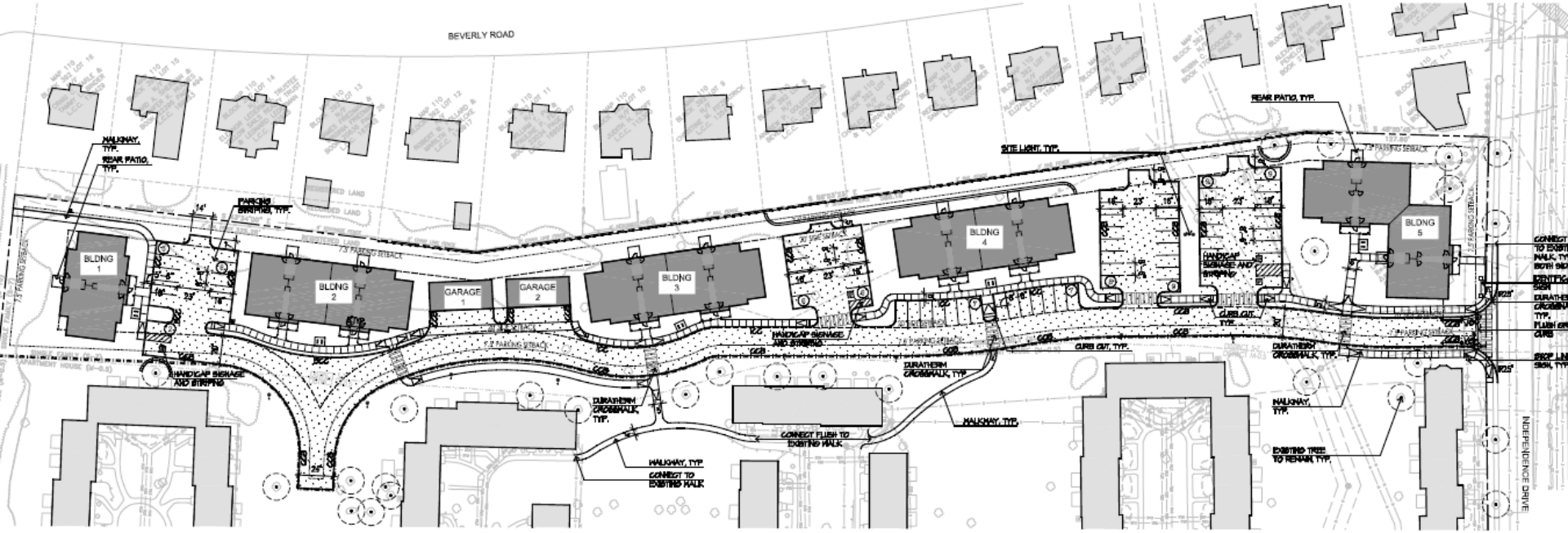
National Fire Protection Association NFPA 1710

- 4 men in 4 minutes
- Full First alarm assignment in 8 minutes
  - 1st Ladder Company, 3rd Engine Company – 3.87 miles and 10 minutes
  - 2nd Ladder Company - 4.25 miles and 12 minutes
- **ISO (Insurance Service Office)**
  - 1.5- and 2.0-mile radius
- **"….the applicant understands that the Town has a number of options for ladder locations."**

emergency access

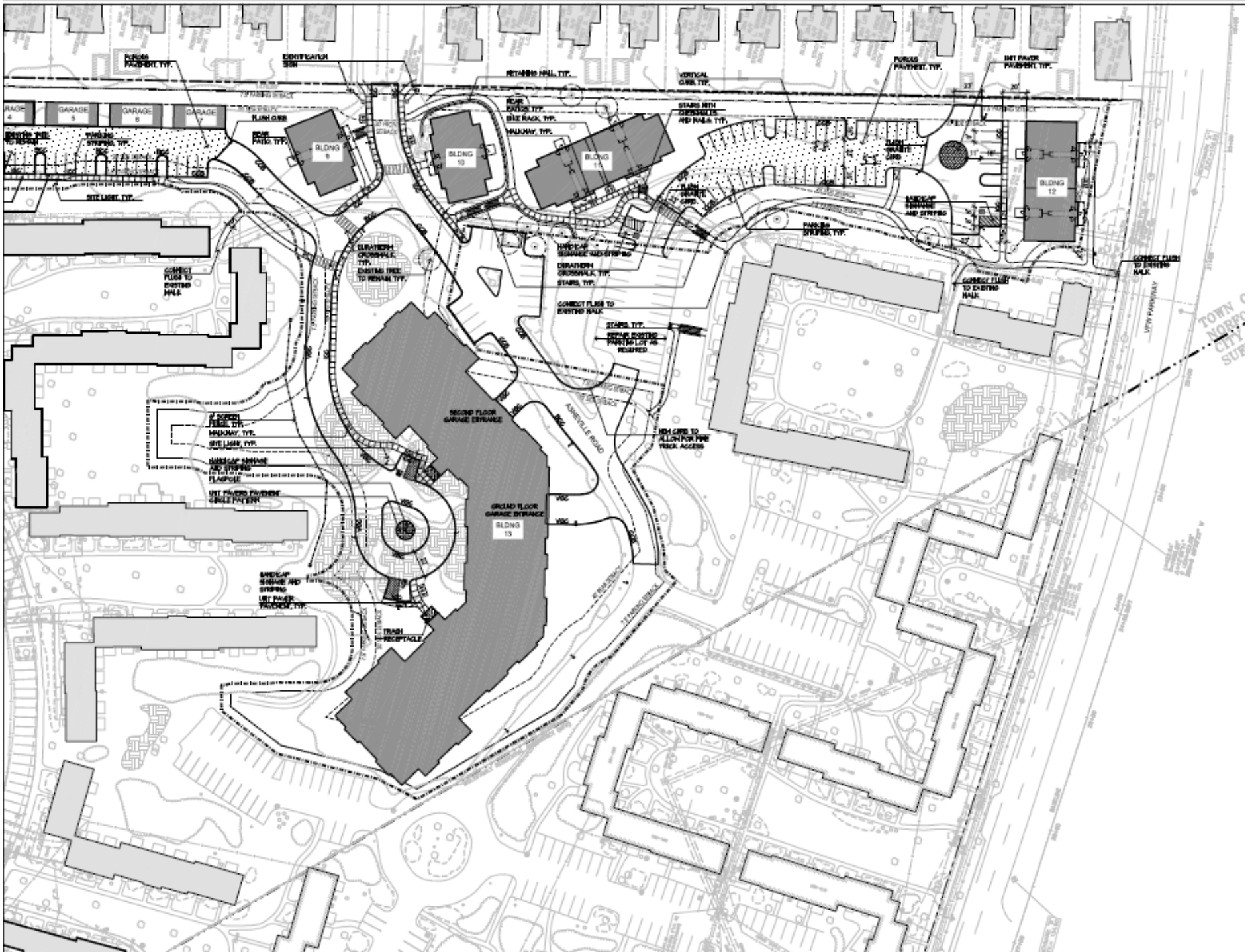
Brookline Fire Stations - 1.5 and 2 Mile Radius





- Stacking up apparatus
- Backing up apparatus
  - “that’s the way we’ve done it in the past”
- Releasing Companies

- Stacking up apparatus
- Backing up apparatus
- Releasing Companies


POROUS PAVEMENT, TYP.
IDENTIFICATION SIGN
RETAINING WALL, TYP.
VERTICAL CURB, TYP.
POROUS PAVEMENT, TYP.
UNIT PAVER PAVEMENT, TYP.
GARAGE 5
GARAGE 6
GARAGE 7
GARAGE 8
FLUSH CURB
REAR PATIO, TYP.
BLDNG 9
BLDNG 10
BLDNG 11
BLDNG 12
BLDNG 13
SITE LIGHT, TYP.
CONNECT FLUSH TO EXISTING WALK
DURATHERM CROSSWALK, TYP.
EXISTING TREE TO REMAIN, TYP.
HANDICAP SIGNAGE AND STRIPING
STAIRS, TYP.
PARKING STRIPING, TYP.
SECOND FLOOR GARAGE ENTRANCE
GRADE FLOOR GARAGE ENTRANCE
ASHEVILLE ROAD
VFW PARKWAY
FLAGPOLE
UNIT PAVERS PAVEMENT
TRASH RECEPTACLE

Insufficient Infrastructure

Increase in pedestrian and vehicular traffic will impact Independence Drive.

Additional traffic signals on Independence Drive might be required—a traffic impact study is underway.

Traffic calming measures required to manage increased traffic and current speeding conditions.

public safety

Impact on Surrounding Neighborhood

- History of accidents on Independence and potential for more
- Two- to three-times increased traffic volumes on Asheville, Russett
- Traffic calming measures required to ensure pedestrian and traffic safety
- Required Transportation Demand Management with Monitoring

traffic

Drainage and Stormwater Run-Off

Compliance with Town By-Law Article 8.26 "Stormwater Management"

- Discharges to the Municipal Drainage System
- Erosion and Sediment Control
- Post Construction Stormwater Management

Compliance with MASSDEP "Stormwater Management Standards"

1. No New Untreated Discharges
2. Peak Rate Attenuation
3. Recharge
4. Water Quality
5. Land Use with Higher Potential Pollution Loads
6. Critical Areas
7. Redevelopment
8. Construction Period Pollution Prevention and Erosion and Sedimentation Control
9. Operation and Maintenance Plan
10. Prohibition of Illicit Discharges

stormwater

Increased Mosquito Populations

Project's design might contribute to increased stormwater levels in the nearby wetlands.

In general:

The increased stormwater levels and standing water in catchbasins increase mosquito populations.

Increased mosquito populations create disease risks; namely, EEE and West Nile Virus.

Mitigation measures are required to control disease threats.

Addition health concerns: Rubbish management

health

Conclusion

Design Is Inappropriate for the Site

Fundamental flaws in the site design create negative conditions:

- Unmitigated visual impact
- Adverse traffic conditions
- Compromised emergency access
- Compromised pedestrian safety
- Increased health and environmental risks
- Increased risk of damage to abutting properties

Proposal is inconsistent with State's Sustainable Development Principles.

Existing site is eligible for National Register designation.

Planning Department is committed to working on a design that reconciles Town's priorities with Applicant's priorities.

planning

Betsy DeWitt, Chair

Board of Selectmen

Board of Selectmen

Unsuitable Site Design

Board of Selectmen

Conditions for Future Development in Hancock Village

If the ZBA considers approving the proposed development, it should do so only with conditions. Accordingly, the Board of Selectmen urges the Board of Appeals to provide additional affordable housing, and to protect the character of Hancock Village by preserving community open space and protecting natural resources both within and adjacent to the complex by adopting the following priorities for any future development:

1. The greenbelt must be retained as open space and mature shade trees must be protected. A conservation easement should be established that would eliminate the concern that the land is assessed and taxed for single-family homes.

2. New development must protect, rather than destroy, the historic, architectural and natural qualities of Hancock Village including, but in no way limited, to the puddingstone outcroppings.

3. Any new buildings must be well-designed and harmonious with the neighboring architecture in scale and detailing. Any multi-story building must be sited and articulated to mitigate and minimize visual impact on the existing neighborhood.

4. Any and all potential negative traffic, circulation, public safety, stormwater and drainage impacts on both Hancock Village residents and abutting and nearby properties and roadways must be identified and mitigated completely by the Applicant.

5. Finally, following the goals of 40B and consistent with local needs, at least 53 Federal Sec. 8 housing vouchers, either site-based or mobile, should be required to be distributed among the existing 530 units at Hancock Village to add affordable units equal to10% for the whole complex and to promote diversity.

The Board of Selectmen stands ready to work with the Board of Appeals and the Applicant, to assign municipal officials, staff and resources to efforts to improve the overall design of the project. If, in the worst case, the Applicant refuses to engage in constructive discussions, the Board will vigorously oppose a Comprehensive Permit.

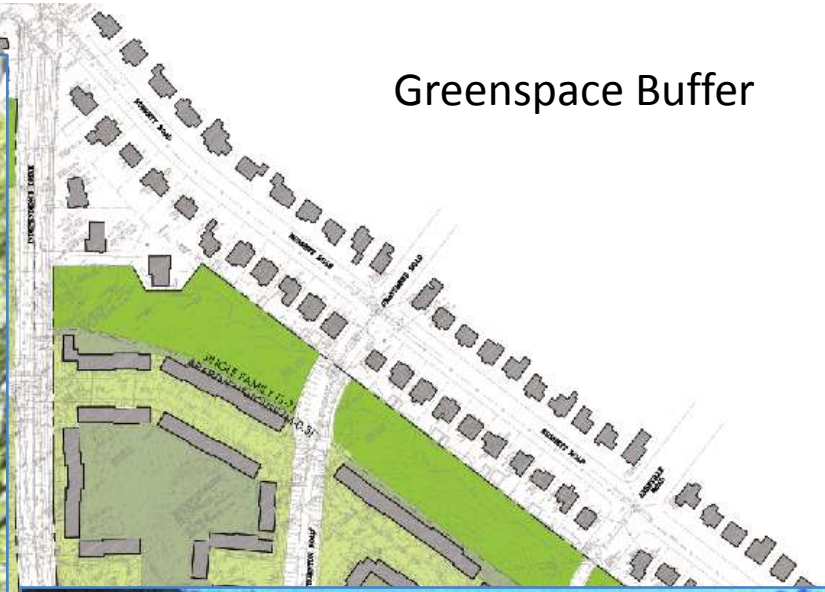
Town Testimony

Boards and Commissions

Existing Conditions

FIGURE 2 **Illustrative Site Map** *Source:* Chestnut Hill Realty c.40B Proposal, June 10, 2013

Greenspace Buffer



Semi-public
Usable Open Space
Front-entry sequence

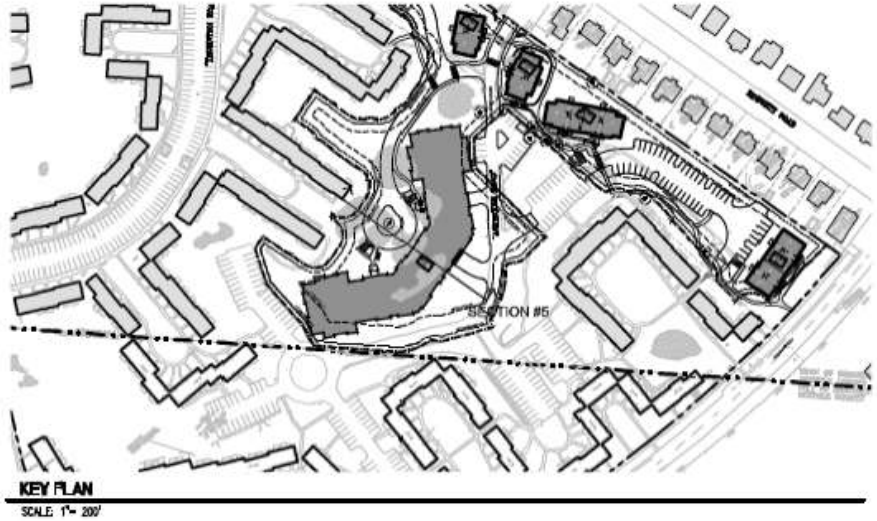
Semi-private
Usable Open Space

Sample Development Type	Pervious Areas		
	Semi-private Open Space	Semi-public Open Space	Non-usable Open Space
Existing Townhome Area	32.9%	22.5%	0.0%
Proposed Buffer Apartment Area	2.0%	31.7%	18.9%

Legend

- Roads, Sidewalks, Patios
- Semi-private Open Space
- Semi-public Open Space
- Non-usable Open Space (2:1 graded slopes, walls, etc.)

Figure 3
Development Pattern Comparison



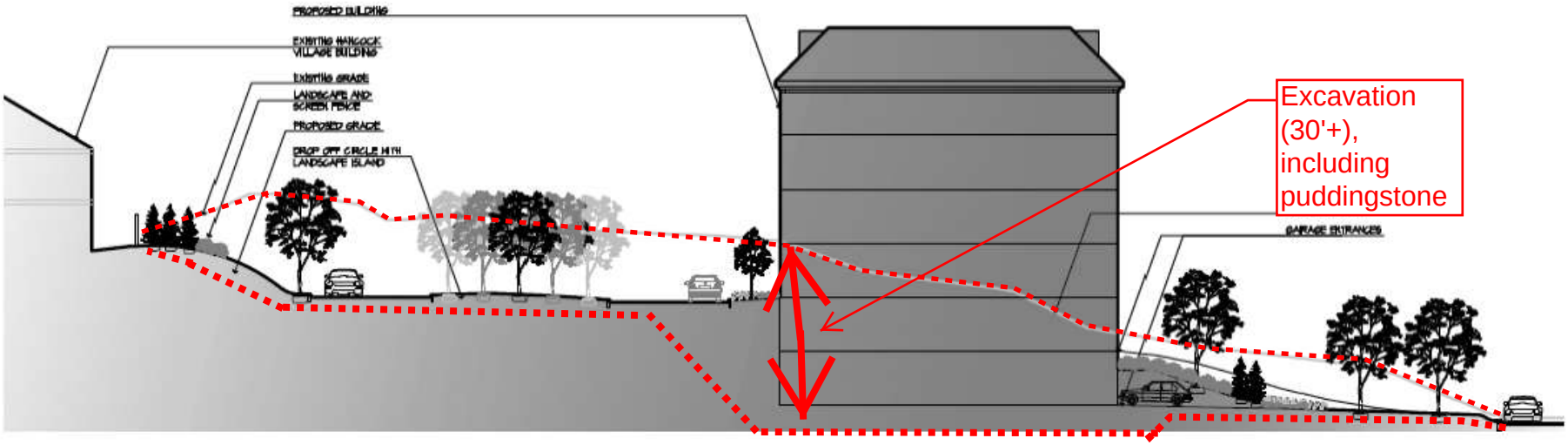


FIGURE 11 **Site Section #5 Apartment Building** *Source:* Chestnut Hill Realty c.40B Proposal, June 10, 2013

Illustrative Site Map *Source:* Chestnut Hill Realty c.40B Proposal, June 10, 2013