

HANCOCK VILLAGE EAST LOT 1 AND 2

BROOKLINE, MASSACHUSETTS

MAJOR PROJECT REVIEW SUBMISSION

DATE: AUGUST 1, 2011



Chestnut Hill Realty



Stantec

Hancock Village East

Brookline, Massachusetts

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Hancock Village East

Brookline, Massachusetts

SECTION ONE

Letter to Building Commissioner, Project Description and Zoning Review





August 1, 2011

Mr. Michael Shepard
Building Commissioner Town of Brookline
Town Hall
333 Washington Street
Brookline, MA 02445

Dear Commissioner Shepard:

Reference: Hancock Village East Major Project Review Submission

We have analyzed the provisions of the Town of Brookline Zoning By-Law (the "By-Law") applicable to the proposed project (the "Project"), illustrated by the attached plans entitled "Hancock Village East- Development Plans", dated August 1, 2011, prepared by Stantec Planning and Landscape Architecture (the "Plans"), at Hancock Village in Brookline, Massachusetts (the "Property"). We have determined that the Project will require the following special permits under the By-Law: (1) a special permit for a designed group of single family dwellings pursuant to §§ 4.07 and 5.11; (2) a special permit for common driveways pursuant to § 6.04(5)(e); (3) a special permit for affordable housing pursuant to § 4.08(4); and (4) a special permit for Design Review pursuant to §§ 5.09 and 5.11(2)(l). Per § 5.09.3.a.b.2, the Project will also require Major Project review. The process for Major Project review outlined in the by-law requires that the applicant provide a Program Statement, Zoning By-law Review, Schematic Site Plans, Massing Model, photos of the Model, and Perspective massing studies for preliminary review. The required plans and perspective massing studies are enclosed with this letter. The Project Program and Zoning Analysis are as follows:

I. Project Program

The Hancock Village property consists of approximately 70 total acres, of which 50 acres are located along Independence Drive in South Brookline. The property is comprised of two lots: one on the east and one on the west side of Independence Drive. Currently there are 530 townhome apartments located on the Brookline portion of the site. Built in 1948 by the John Hancock Insurance company for returning World War II veterans and their families, Hancock Village is one of the largest multi-family developments in the Town. The original design of the townhomes organizes them around landscaped courtyards and two private parking streets. The additional land located in Boston includes 259 town homes and a small strip retail development known as The Hancock Village at Chestnut Hill Shopping Center. The majority of the property is zoned M-0.5 and is the only property in Town with that zoning designation. In addition there is a strip of property along the rear of the Russet and Beverly Road abutters that is zoned S-7. The current zoning allows for approximately 435 additional housing units to be developed on both lots. The breakdown of the allowed development on each side of the site is 246 new units not exceeding 253,259 SF of new GFA on the west lot and 189 new units not exceeding 249,448 SF of new GFA on the east lot. In addition, the S-7 district allows for the development of a "designed group of single family dwellings". The east lot with bonuses will accommodate 31 units and the west lot will accommodate 20.

The Property has been the subject of a public process under the auspices of the Hancock Village Committee to discuss the future development of the Hancock Village site. The committee was established by the Board of Selectmen and was comprised of representatives from various Boards and Commissions in Town as well as abutter and neighborhood representatives. Chestnut Hill Realty presented a number of planning options to the Committee and the community and identified a number of zoning changes that would be required to address its preferred development plans. Chestnut Hill Realty presented a plan in July of 2009 which would have required changes to the zoning by-law at Town Meeting to shift density from the east side of the site to the west and to reduce the parking required for each residential unit. After receiving suggestions from neighbors and the Town, Chestnut Hill Realty revised its development proposal. The new proposal – which would have been developed in phases over a ten year period – incorporated a significant senior housing component, as well as a limitation on the number of residents per unit. The project would have incorporated sustainable design elements using the LEED ND design principles, environmental upgrades and improved pedestrian connectivity, while providing new housing opportunities for underserved populations of Brookline residents.

On March 3, 2011 a meeting of the Committee was held to discuss the new proposal and to consider having the Town engage a Development Consultant to assist in the facilitation of a productive dialogue between the Committee, the neighborhood and Chestnut Hill Realty. At that meeting the Committee members who attended voted not to engage a consultant. The general sense of the meeting by the members of the Committee was that they did not want to consider the rezoning to accommodate Chestnut Hill Realty's preferred plan. This was reaffirmed in the Committee report that was voted on at a meeting on June 23, 2011. Therefore, Chestnut Hill Realty is planning to submit development plans which can be accommodated by Special Permits without a variance or change in zoning and this submission is being made to initiate that process.

The Project being proposed at this time involves the East lot only. The project on the East lot will involve the division of the lot into two (2) lots. The new lot lines will roughly, but not exactly, follow the district boundary between the S-7 and M-0.5 Zoning Districts. Multi-family development is proposed for the M-0.5 district and a "designed group of single family dwellings" is proposed for the S-7 portion of the East lot. The "designed group of single family dwellings" portion of the project will be constructed only on Lot 1 which will be located entirely within the S-7 District. The division of lots will not result in the requirement for a formal subdivision filing as each of the newly created lots will have adequate frontage on a public way: Lot 1 will have approximately 163 feet of frontage on Independence Drive, a public way. Lot 2 will have approximately 855 feet of frontage on Independence Drive. The By-Law requires twenty-five (25) feet of frontage in the S-7 District, and twenty (20) feet of frontage in the M-0.5 District. Therefore, the creation of the new lots is not a subdivision and instead qualifies for an Approval Not Required Endorsement pursuant to G.L. c. 41, § 81P.

As shown on the Plan, thirty-one (31) new detached single family dwelling units will be constructed in the S-7 District on Lot 1. The units will be three bedroom homes with dens and private driveways leading to two (2) concealed parking spaces within each unit. The Project will involve the elimination of twelve (12) existing parking spaces from Lot 1; these spaces for non-commercial motor vehicles currently serve existing dwelling units on the same lot in the M-0.5 District, and will be relocated to Lot 2 when that lot is created and are indicated on the attached drawings. On Lot 2, in addition to the relocation of the twelve (12) surface parking spaces, a 162 unit 5-6 story multifamily structure will be created with a mix of one and two bedroom units. Parking will be provided for these units in a parking garage below the building. Access will be provided from the existing driveway off of Ashville Road. There will be no other changes made to the existing structures in the M-0.5 District.

We intend to submit the Designed Group of Single Family Dwellings portion of the development as one project and the Multi-family development in the M-0.5 as a separate project for permitting purposes although we request that you engage in the Major Project review process for both of these projects at the same time. We believe that approach will provide an easier process for everyone to schedule and attend the various meetings and to facilitate a simpler review process for Town staff.

II. Analysis of Applicable Zoning

A. Designed Group of Single Family Dwellings Project - Lot 1

1. Use Regulations

Pursuant to § 4.07 of the By-Law, designed groups of single family dwellings and cluster subdivisions are allowed by special permit in the S-7 District, in accordance with § 5.11 of the By-Law. Accessory parking is allowed in the S-7 District as of right, with a limitation of no more than three (3) spaces per dwelling unit on that lot. See Table 4.07.

The primary use for the Project on Lot 1 will be a designed group of single family dwellings. This use requires a special permit pursuant to §§ 4.07 and 5.11 and must comply with § 4.08, the affordable housing section of the by-law. The only parking in this portion of the Project will be accessory to the dwelling units on the lot, and there will be fewer than three (3) spaces per unit. Therefore, all of the parking is an accessory use allowed as of right.

2. Parking Requirements

The By-Law requires 2 parking spaces for each dwelling unit in the S-7 District. The required parking must be located on the same lot or premises as the principal use served. The Project will provide two 2 accessory parking spaces per unit for the designed group of single family dwellings in compliance with the By-Law. The 12 spaces dislocated by the construction of the units on Lot 1 will be added as surface parking on Lot 2 as indicated on the plans

Lot 1 will contain common driveways which will serve uses on both Lot 1 and Lot 2. This will require a special permit pursuant to Section 6.04(5)(e).

3. Affordable Housing Requirements

Section 4.08(3) provides that any project that results in, inter alia, the creation of six (6) or more dwelling units is subject to the affordable housing requirements of § 4.08. Any such project requires a special permit. See § 4.08(4). For projects resulting in the creation of more than fifteen (15) units, 15% of the units must be affordable. Because Brookline has not met the “consistent with local needs” requirements of G.L. ch. 40B (“Chapter 40B”), not less than 2/3 of the required affordable units must be qualified as low or moderate income units under Chapter 40B. The required affordable units must contain 15% of the bedrooms in the project as a whole. Therefore, five (5) of the new units proposed on Lot 1 will be affordable, and four (4) must be low or moderate income units. The affordable units will also need to meet the standards under § 4.08(6).

4. Dimensional Regulations

a. Lot Size

Within the S-7 District, the minimum lot size is 7,000 square feet for all uses. See Table 5.01. However, the Project will seek a special permit for designed groups of single family dwellings pursuant to Section 5.11; therefore, the minimum lot size will be governed by that section. In the S-7 District, a lot used for designed groups of single family dwellings must be at least two (2) acres. See § 5.11(2)(a). Lot 1 is 2.7 acres, in compliance with the By-Law.

The total number of dwelling units (the “base density”) may not exceed the number that would result if the lot were divided by the minimum lot size in the district for detached single family dwellings, unless a density bonus is available. See § 5.11(2)(b). On Lot 1, the base density is twenty-six (26) units.

The Project is eligible for a density bonus for concealed parking pursuant to § 5.11(2)(d)(2). The Project may take a 1% bonus for every 5% of required parking concealed within a residential structure. Because 100% of the parking in the Project is so concealed, the Project is entitled to a 20% bonus, or five (5) units on Lot 1. Thus, including the bonus units the Project may contain up to thirty-one (31) units on Lot 1. The Project will contain thirty one (31) units on Lot 1, in conformance with the By-Law.

The minimum lot width in the S-7 District is 65 feet. See Table 5.01. The minimum width of Lot 1 is approximately 78 feet, in conformance with the By-Law.

b. Setbacks

In the S-7 district, the following setback requirements apply:

	Single Family Detached Dwelling	Nonresidential Structure or Principal Use
Front	20 feet	30 feet
Side	7.5 feet	20 feet
Rear	30 feet	40 feet

Section 5.11(2)(k) prohibits the location of any building, parking area, swimming pool or active recreation area nearer to any side or rear lot line than the minimum rear yard setback, except that no detached single-family dwelling need be farther from any lot line than required by the yard regulations for the district. Therefore, the required setbacks for the units themselves are as noted above, but the driveways may be required to be at least thirty (30) feet from the side and rear lot lines. As shown on the Plan, the Project complies with the setback requirements in Section 5.11(2)(k).

As shown on the Plan, the Project will satisfy the setback requirements in Table 5.01.¹ However, if existing buildings on lots on either or both sides of a lot fronting the same street has a greater setback, then the average of the existing setbacks for all buildings within 150 feet of the lot shall be the required front yard, provided that the front yard requirement is limited to no more than twice the requirement provided in Table 5.01. See § 5.54. According to the Plan, the existing setbacks for the buildings on the lots on either side of Lot 1 are

¹ Note that Lot 1 has two front yards and no rear yard.

smaller than the proposed setbacks for the Project, so the Project complies with this section.

c. Frontage

In the S districts, lots must have a minimum frontage of not less than twenty-five (25) upon a street not less than forty (40) feet wide. As discussed above, the Project meets the frontage.

d. Floor Area Ratio

The maximum FAR in the S-7 District is 0.35 for all. See Table 5.01. According to the Plan, the Project will have an FAR of .32 on Lot 1 in conformance with the By-Law.

e. Height

The maximum height in the S-7 and M-0.5 Districts is thirty-five (35) feet for all uses. See Table 5.01. As shown on the plans entitled "Hancock Village - S-7 Designed Group of Single Family Dwellings", Detached Single Family Units per Section 5.11 Height Calculations, dated August 1, 2011, prepared by Stantec Planning and Landscape Architecture, the proposed dwellings will conform to the height requirements of the By-Law.

f. Open Space

In the S-7 District, a lot must have landscaped open space in the amount of 10% of the gross floor area and useable open space in the amount of 30% of the gross floor area. See Table 5.01. Based on the FAR of the Project, 5,989 square feet of landscaped open space and 17,968 of useable open space are required on Lot 1. The Project will provide open space in excess of the amount required: 97,586 square feet of landscaped open space and 70,168 square feet of useable open space on Lot 1.

Section 5.11(2)(j) requires that open space within a designed group of single family dwellings must be for the use and enjoyment of all residents in common, must be restricted by deed or covenant to be used primarily for recreational, park, conservation or other open space uses, and must be conveyed to the Town, a non-profit organization, or a trust owned by the owners of the dwelling units. The Project will meet this requirement through the use of a covenant and the transfer of the open space to a trust owned by the unit owners.

g. 5.09 Design Review and Major Project Review

The project will require a special permit for design review and as indicated above will be considered a major project subject to the requirements of the by-law. The applicant has complied with section 5.09.3.2 the pre application section of the by-law and through this letter requests that you designate the project a major project so that we can continue the process required for that designation.

B. Multi-Family Development Project - Lot 2

1. *Use Regulations*

Pursuant to § 4.07 of the By-Law, use number 6, Multiple or Attached Dwelling of four or more units are allowed by right in the M-0.5 District. Accessory parking is allowed in the M-0.5 District as of right, with a limitation of no more than three (3) spaces per dwelling unit on that lot. See Table 4.07.

The primary use for the Project on Lot 2 will be use number 6 Multiple or Attached Dwelling of four or more units. This use is allowed pursuant to § 4.07 but must comply with section 4.08, the affordable housing section of the by-law. The only parking in this portion of the Project will be accessory to the dwelling units on the lot, and there will be fewer than three (3) spaces per unit. Therefore, all of the parking is an allowed as of right accessory use.

2. *Parking Requirements*

The By-Law requires 2 spaces per dwelling unit in the M-0.5 district for units with 2 bedrooms or less See § 6.02. The required parking must be located on the same lot or premises as the principal use served. The Project will provide two (2) accessory parking spaces per new dwelling unit for the Multiple or attached dwellings of four or more units being proposed in the M-0.5 district in compliance with the By-Law. The 12 spaces dislocated by the construction of the units on Lot 1 will be added as surface parking on Lot 2 as indicated on the plans.

3. *Affordable Housing Requirements*

Section 4.08(3) provides that any project that results in, inter alia, the creation of six (6) or more dwelling units is subject to the affordable housing requirements of § 4.08. Any such project requires a special permit. See § 4.08(4). For projects resulting in the creation of more than fifteen (15) units, 15% of the units must be affordable. Because Brookline has not met the "consistent with local needs" requirements of G.L. ch. 40B ("Chapter 40B"), not less than 2/3 of the required affordable units must be qualified as low or moderate income units under Chapter 40B. The required affordable units must contain 15% of the bedrooms in the project as a whole. Therefore, on Lot 2 where 162 units are being proposed twenty five (25) of the units will need to be affordable and seventeen (17) must be low or moderate income units. The affordable units will also need to meet the standards under § 4.08(6).

4. *Dimensional Regulations*

a. Lot Size

Within the M-0.5 District, the minimum lot size is 3,000 square feet for the first dwelling unit of multiple dwelling units and 2,000 square feet for every additional unit. See Table 5.01. Lot 2 is comprised of a total lot area of 705,695 square feet. Calculating the number of units allowed using the formula above results in a total of 354 allowable units. There are 192 units currently developed on Lot 2, therefore 162 new units are allowed.

The minimum lot width in the M-0.5 District is none per the by-law. See Table 5.01.

b. Setbacks

In the M-0.5 district, the following setback requirements apply (See Table 5.01):

	Multiple Unit Dwellings
Front	15 feet
Side	10 + L/10
Rear	30 feet

As shown on the Plan, the Project will satisfy the setback requirements in Table 5.01. However, if existing buildings on lots on either or both sides of a lot fronting the same street has a greater setback, then the average of the existing setbacks for all buildings within 150 feet of the lot shall be the required front yard, provided that the front yard requirement is limited to no more than twice the requirement provided in Table 5.01. See § 5.54. According to the Plan, the existing setbacks for the buildings on the lots on either side of Lots 2 are smaller than the proposed setbacks for the Project, so the Project complies with this section.

c. Frontage

In the M-0.5 districts a minimum frontage of twenty (20) feet upon a street not less than forty (40) feet wide is required. As discussed above, the Project meets the frontage requirements for Lot 2.

d. Floor Area Ratio

The maximum FAR in the M-0.5 district is 0.5. See Table 5.01. According to the Plan, the Project will have an FAR of 0.5 on Lot 2, in conformance with the By-Law.

e. Height

The maximum height in the M-0.5 District is thirty-five (35) feet for all uses. See Table 5.01. As shown on the plans entitled "Hancock Village – M-0.5 District Lot 2 Height Calculations", dated August 1, 2011, prepared by Stantec Planning and Landscape Architecture, the proposed dwellings will conform to the height requirements of the By-Law.

f. Open Space

In the M-0.5 District, a lot must have landscaped area in the amount of 10% of the gross floor area and useable open space in the amount of 30% of the gross floor area. See Table 5.01. Lot 2 will have open space in the amount of 229% of gross floor area in full compliance with the By-Law,

g. 5.09 Design Review and Major Project Review

The project will require a special permit for design review and as indicated above will be considered a major project subject to the requirements of the by-law. The applicant has complied with section 5.09.3.2 the pre application section of the by-law and through this letter requests that you designate the project a major project so that we can continue with the process required of that designation.

III. Conclusion

As explained above, accompanying this letter are the applicable site plans, and 3-dimensional renderings of the building required in the Major Project Review section of the by-law. We have provided a digital physical model of the site that can be downloaded allowing the user to move through the site to view the development. We have provided you with the file on a memory stick so you can upload it to the Town's website and provide it to anyone who would like to use it.

We understand that the process going forward for Major Project Review will entail the scheduling of a preliminary meeting with the Planning Board. The submittal will also be forwarded to the Building, Engineering/Transportation, Fire, Police, Public Works, Conservation Commission, Tree Planting Committee

and the Housing Advisory Board. The Planning Board will review the materials and any reports from the Boards and Departments listed above, then prepare an initial report and forward that to us within three weeks of the preliminary Planning Board meeting. As required by the By-law that report will address the basic environmental aspects of the project as well as the affordable housing component.

We understand that the next step in the process after that will be the appointment of a Design Advisory Team and then the scheduling of Design Review meetings ultimately leading to a report to the Planning Board. Once we are in receipt of the report we will be ready to proceed with a formal submission to you for a building permit understanding that you will provide us with a denial letter that we can then use in the formal Special Permit application process.

Thank you for your attention to this matter. Please contact me directly should you have any questions.



LANDSCAPE ARCHITECTURE P.C.

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Attachment: Plans

Hancock Village East

Brookline, Massachusetts

SECTION TWO

Proposed Development Plan Renderings and Perspectives



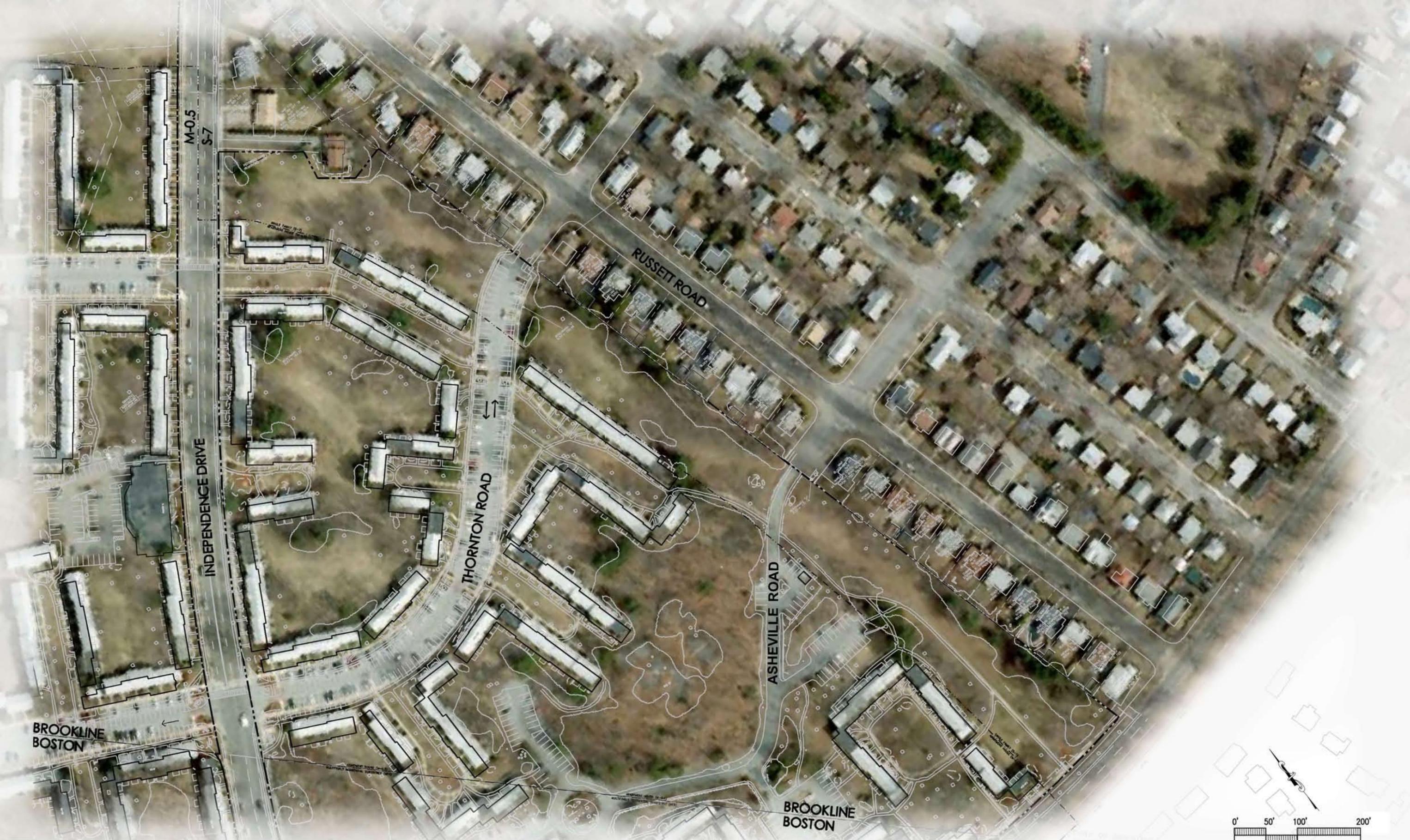


HANCOCK VILLAGE EAST - PROPOSED DEVELOPMENT PLAN

BROOKLINE, MA



AUGUST 01, 2011



HANCOCK VILLAGE EAST - EXISTING CONDITIONS PLAN BROOKLINE EAST

BROOKLINE, MA



AUGUST 01, 2011



HANCOCK VILLAGE EAST - PROPOSED DEVELOPMENT PLAN BROOKLINE EAST

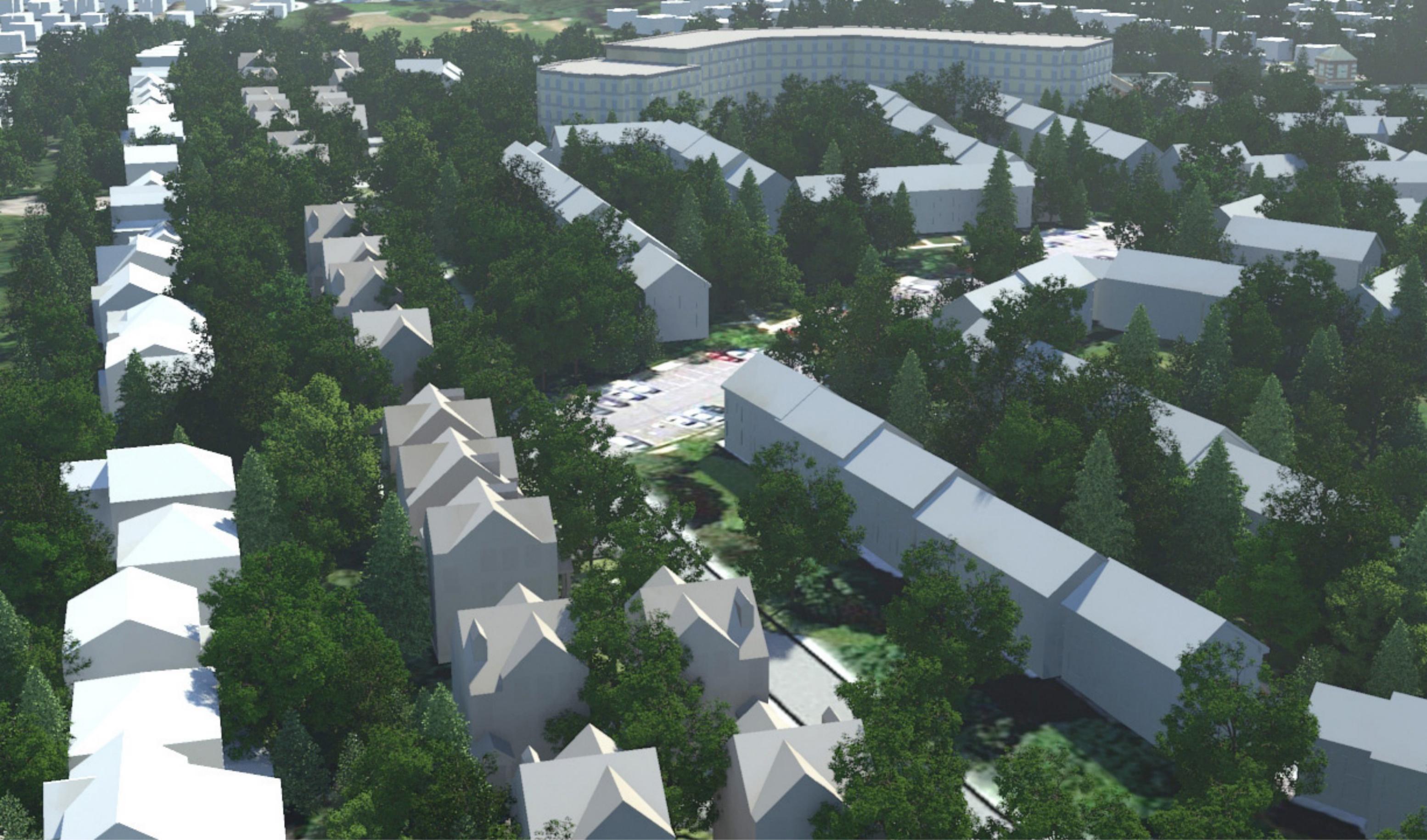
BROOKLINE, MA



AUGUST 01, 2011



VIEW OF MULTIFAMILY BUILDING FROM VFW PARKWAY



VIEW OF DEVELOPMENT LOOKING SOUTH



BIRD'S-EYE VIEW OF PROPOSED DEVELOPMENT



VIEW OF DESIGNED GROUP OF SINGLE FAMILY DWELLINGS FROM INDEPENDENCE DRIVE

Hancock Village East

Brookline, Massachusetts

SECTION THREE

Site Plans



