



## Chestnut Hill Realty

October 17, 2014

**Attention: Mr. Jesse Geller**  
Chairman Brookline Board of Appeals  
Town Hall  
333 Washington Street  
Brookline, MA 02445

Dear Mr. Chairman,

**Reference: Selectmen Response to the Brookline ZBA regarding the proposed Residences at South Brookline Development project**

We have reviewed the comment letter from the Brookline Board of Selectmen (the "Board") for the above referenced project. We believe there are a number of inaccuracies and misunderstandings in the Board's response and we felt it was important to provide this response to you and your Board to clarify issues and to provide our response to the suggestions made.

First, the suggestion in the second paragraph of the letter that the Development "remains materially unchanged since the Board's comment letter of January 27, 2014" is demonstrably untrue. The fact that the Board is unwilling to acknowledge such changes as a reduction in bedrooms of over 25% (402 to 321), reduction of infill buildings in the S-7 from 12 to 9, increases of useable open space of over 3 acres; and preservation of approximately an additional 150 trees as being material changes, demonstrates the inherent bias of the Board.

The letter states that our attorney made the statement that this project is good for the Town, and we stand by that statement. Affordable housing has been a primary planning goal of the Town of Brookline for many years and was the top priority of the Town's Comprehensive Plan. Year after year Town Meeting was shown a map showing the disparity between North and South Brookline with regard to the distribution of affordable units. This project is a big step towards responding to that inequity. In addition the project will create more diversity in housing options for residents of South Brookline and leaves unchanged the majority of the "historic Garden Village plan" in the Hancock Village site as a whole. The Developer has already committed to making significant safety and roadway improvements to Independence Drive and the Town's own peer review consultant has agreed that the traffic impacts from the project are negligible. All of these things are good for the Town.

With regard to the specific conditions the Board suggests you impose on the project we have the following response:

**617-323-8800**

**Executive Offices**

Box 67377, Chestnut Hill, MA 02467-0004

FAX 617-323-8801

chestnuthillrealty.com

Reducing the massing of the five story building:

We have been diligently working on the height massing of the apartment building and expect to be able to address the ZBA's concerns on this matter.

Protect the "greenspace":

The S-7 district (referred to in the letter as the "Greenspace" an area that is zoned for residential development and taxed as such, is an appropriate area for the scale of development currently being proposed. We have demonstrated to the Board the visual impacts of the project on the abutting properties and believe the project meets the guidelines for a 40B project.

Reduce the massing of buildings and parking in the greenspace:

The proposed buildings have been scaled to address both the existing Hancock Village structures as well as the abutting homes in the neighborhood. The height of the proposed buildings are consistent with those of the abutters and dormers are a common element of those buildings as well. We are at a loss as to why the Board believes there is a relationship between dormers, lofts and parking, as removing a dormer or loft would not result in a reduction in parking required. We believe the dormers do provide an attractive element to the proposed buildings. Parking is being provided at a ratio consistent with the Town's Zoning and appropriate for our development. Town meeting has repeatedly defeated by-law proposals that reduce required parking below that required by zoning and we did not feel a waiver from this section of the by-law was warranted.

Reduce traffic impacts:

The concerns regarding the traffic impacts on the neighborhood have been adequately addressed by CHR and have been reviewed by your own Consultant. CHR has been very clear about our intention that once a Comprehensive Permit is issued they will work with the Town to attempt to secure access to the VFW Parkway. CHR certainly takes exception to any building or occupancy permit being withheld before access is secured given the uncertain nature of that approval process as well as the fact that we have demonstrated that the traffic impacts on the neighborhood will not be significant. In any event, such a condition would be illegal, insofar as it would mandate an action that is outside the Applicant's control. We are proposing a safe complete streets approach to Independence Drive which was reviewed by your consultant and addresses the safety concerns the Board is concerned with.

Thank you for your consideration.

Very truly yours,



Marc Levin  
Director of Development

