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Massachusetts Housing Finance Agency
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November 15, 2016

VIA CERTIFIED MAIL

Neil Wishinsky, Chairman
Brookline Board of Selectmen
333 Washington Street
Brookline, MA 02445

Re: Proposed 40B – Babcock Place
Brookline, MA
MH ID No. 893

Dear Mr. Wishinsky:

MassHousing is currently reviewing an application for Site Approval submitted by Babcock Place, LLC (“The Applicant”). The proposed development will consist of 62 rental apartment units on a 21,486 sf site at 134 and 138 Babcock Street in Brookline. Of the 62 units, 16 will be made available to low to moderate-income residents.

The site approval process is offered to project sponsors who intend to apply for a comprehensive permit under Chapter 40B. MassHousing’s review involves an evaluation of the site, the design concept, the financial feasibility of the proposal, and the appropriateness of the proposal in relation to local housing needs and strategies. As part of our review, we are soliciting comments from the local community and we would appreciate your input. You also may wish to include in your response, issues or concerns raised by other town boards, officials or other interested parties. Pursuant to the Massachusetts General Laws Chapter 40B regulations (760 CMR 56.00) your comments may include information regarding municipal actions previously taken to meet affordable housing needs such as inclusionary zoning, multifamily districts adopted under G.L. c.40A and overlay districts adopted under G.L. c.40R. Your comments will be considered as part of our review.

We have been informed by Babcock Place, LLC that the Town has received a copy of the Site Approval Application and plans for Babcock Place. Please inform us of any issues that have been raised or are anticipated in the Town’s review of this application. We request that you submit your comments to this office within 30 days so we may process this application in a timely manner.

During the course of its review, MassHousing will conduct a site visit, which Local Boards, as defined in 760 CMR 56.02, may attend. The site visit for Babcock Place has been scheduled for Monday, November 21st at 10:30 a.m. Please notify me promptly if any representatives of your office or if other Local Boards plan to attend the scheduled site visit.

Please note that if and when an application is submitted for a comprehensive permit, assistance is available to Brookline Zoning Board of Appeals (ZBA) to review the permit application. The Massachusetts Housing Partnership's (MHP) *Ch. 40B Technical Assistance Program* administers grants to municipalities for up to \$15,000 to engage qualified third-party consultants to work with the town's ZBA in reviewing the Chapter 40B proposal. For more information about MHP's technical assistance grant visit MHP's web site, www.mhp.net/40B or e-mail MHP at pcrean@mhp.net.

If you have any questions, please do not hesitate to telephone me at (617) 854-1098.

Thank you for your assistance.

Sincerely,



Katy Lacy
Comprehensive Permit Program

cc: Jesse Geller, Chairman, Zoning Board of Appeals
Alison Steinfeld, Director, Department of Planning and Community Development

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Stephanie Orsini

From: Alison Steinfeld
Sent: Friday, January 06, 2017 9:22 AM
To: Stephanie Orsini
Subject: FW: Brookline- Babcock Place PEL

Stephanie--

Here is the State's extension for submission of BOS comments on Babcock Place.

From: Katherine Lacy [<mailto:KLacy@masshousing.com>]
Sent: Friday, December 09, 2016 2:49 PM
To: Alison Steinfeld
Subject: RE: Brookline- Babcock Place PEL

Alison I apologize for the delay on responding. I have been waiting for Greg to get back to me, because anything more than 30 days requires me to go to a higher level .

We would like to get comments by the 20th of January.

Thanks, Katy

From: Alison Steinfeld [<mailto:asteinfeld@brooklinema.gov>]
Sent: Tuesday, November 22, 2016 1:34 PM
To: Katherine Lacy
Subject: RE: Brookline- Babcock Place PEL

Hi, Katherine-

Thank you for offering additional time. In light of the holidays, could we have an extension to January 27th? Thanks.

Have a good Thanksgiving.

Alison

From: Katherine Lacy [<mailto:KLacy@masshousing.com>]
Sent: Wednesday, November 16, 2016 3:49 PM
To: Alison Steinfeld
Subject: RE: Brookline- Babcock Place PEL

Here you go. But please do not hesitate to ask for additional time to comment.

Katy

From: Alison Steinfeld [<mailto:asteinfeld@brooklinema.gov>]
Sent: Wednesday, November 16, 2016 3:43 PM
To: Katherine Lacy
Subject: Brookline- Babcock Place PEL

Hi, Katy-

The last thing I want to do is rush you, but I'm just checking to see if you have sent a formal letter to the Town requesting comments on the PEL application. If so, could you resend it? If not, PLEASE take your time!

Alison

DRAFT—January 6, 2017

Katherine Lacy, AICP
Comprehensive Permit Program
Massachusetts Housing Finance Agency
One Beacon Street
Boston, MA 02108

RE: 134-138 Babcock Street
Brookline Response to Notice of Application for C. 40B Site Eligibility Letter

Dear Ms. Lacy:

Thank you for providing an opportunity to the Town of Brookline to submit comments on the application for Site Approval submitted by Babcock Place LLC to develop a residential project under M. G. L. Chapter 40B at 134-138 Babcock Street, Brookline. We also appreciate your willingness to grant the Town an extension in order to provide the Board of Selectman time to engage Brookline residents and business owners. As you are certainly well aware, the Town is simultaneously reviewing several 40B Comprehensive Permit applications at various stages of the process, the majority of which are in close proximity to the Babcock Street proposal.

In regards to the Babcock Place PEL Submission, the applicant is proposing to demolish two structures, including a total of six residential units, to construct a five -story building containing 62 apartments. The Applicant has proposed 31 parking spaces on the ground floor and residential units on floors two through five.

The Board of Selectmen has requested comments from municipal departments, boards and commissions and held a public hearing on January 10, 2017 to solicit input from interested parties in the town. Since there was insufficient time for a comprehensive review and additional information is still needed before the review can be completed, a more intensive evaluation will be conducted during the Comprehensive Permit process if a Project Eligibility Letter (PEL) is issued and the applicant submits a Comprehensive Permit application.

While the Board fully anticipates that municipal departments, boards and commissions may identify other issues following a detailed review of the additional information, and the Board of Appeals may seek peer review on some of these issues, the Board of Selectmen is submitting the following preliminary general comments on the proposal and its location.

The Town of Brookline supports the provision of affordable housing and has focused significant resources to expand housing opportunities for vulnerable populations. Attached is a summary of recent efforts by the Town to retain, improve and expand the availability of affordable housing. Also attached is a memorandum from Brookline's Housing Advisory Board.

The location of this project, approximately half a mile from the heart of Coolidge Corner, meets most of the tenets of SMART growth. The site is proximate to rapid transit on Beacon Street to the south and Commonwealth Avenue to the north. However, the proposal requires the razing of buildings which are currently sited on two separate lots. The lot at 134 Babcock is a high style attractive *circa* 1899 Colonial Revival containing four apartments and the lot at 138 Babcock is a two-family Colonial Revival built *circa* 1900. The loss and displacement of the residents of these six residential units and demolition of these historically significant structures is antithetical to the overriding sustainable development principle of "concentrate[ing] development and mixed uses" by "encourag[ing] remediation and reuse of existing sites, structures, and infrastructure..."¹

The lot at 134 Babcock Street is zoned in an M-1.5 Apartment House Zoning District, and thus on those grounds, the Town supports a more intense residential use at this site than currently exists. If an as-of-right proposal on this lot with more than six units was developed, it would be required under the Town's inclusionary housing by-law to provide 15% affordable units.

The Board of Selectman urges the Applicant to identify, examine and seek to mitigate any and all negative impacts to the general area including properties on both Babcock and Stedman Streets. Some of the Board's specific recommendations are as follows:

The Applicant should take advantage of their opportunity to develop a transition property on Babcock Street. The property line at the north side (right) of 134 Babcock Street marks the border between the M-1.5 (Apartment House) Zoning District to a T-5 (Two-Family and Attached Single Family) Zoning District. The existing two-family home is successful at delineating between these two zoning districts due to setbacks. The existing house is set back further from the street than the larger apartment building to the left. This creates the opportunity for 140 Babcock Street to be relatively closer to the street and therefore more pronounced.

Transition to adjoining sites is important to the Town, as well as to the State:

Generally, a Project is developed in the context of single family dwellings and introduces a different form of housing into the neighborhood...it is important to mitigate the height and scale of the buildings to adjoining site... **it is particularly important to consider the predominate building types, setbacks and roof lines of the existing context.**²

¹ "Smart Growth / Smart Energy Toolkit - Introduction to Smart Growth / Smart Energy." Smart Growth / Smart Energy Toolkit - Introduction to Smart Growth / Smart Energy. Accessed November 30, 2016. http://www.mass.gov/envir/smart_growth_toolkit/pages/intro-to-SG.html.

² Ibid.
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The existing setback conditions along Babcock Street help to create a harmonious cadence along the streetscape and their relationships signal a transition between the denser apartment buildings and less dense residential neighborhood. **With new development, these relationships are important to maintain to help integrate the new more intensive use into the existing neighborhood.**

In regards to the proposed setbacks of the building, the shallow front yard setback is not appropriate. It is inconsistent with the existing streetscape and setback of the properties on this block. In addition, the setback will not sufficiently accommodate landscaping that could help to buffer the visual impact of this more intensive land use.

The rear property line (towards Stedman Street) acts as a divider between the multi-family neighborhood and single and two-family neighborhood. The developer should work to create a better transition from the adjacent apartment building, single and two family homes surrounding the property.



The loss of southern exposure to the abutting properties as a result of the proposed building is of particular concern. For example, as proposed, the project will wrap around an existing two-family house at 140 Babcock Street (see image 2). Although a shadow study on what impact the proposal will have on the property at 140 Babcock has yet to be submitted, the rendering clearly supports the conclusion that light will be effectively cut off to the side and rear of the adjacent home. Not only will the project overshadow this house, it will virtually envelope it.

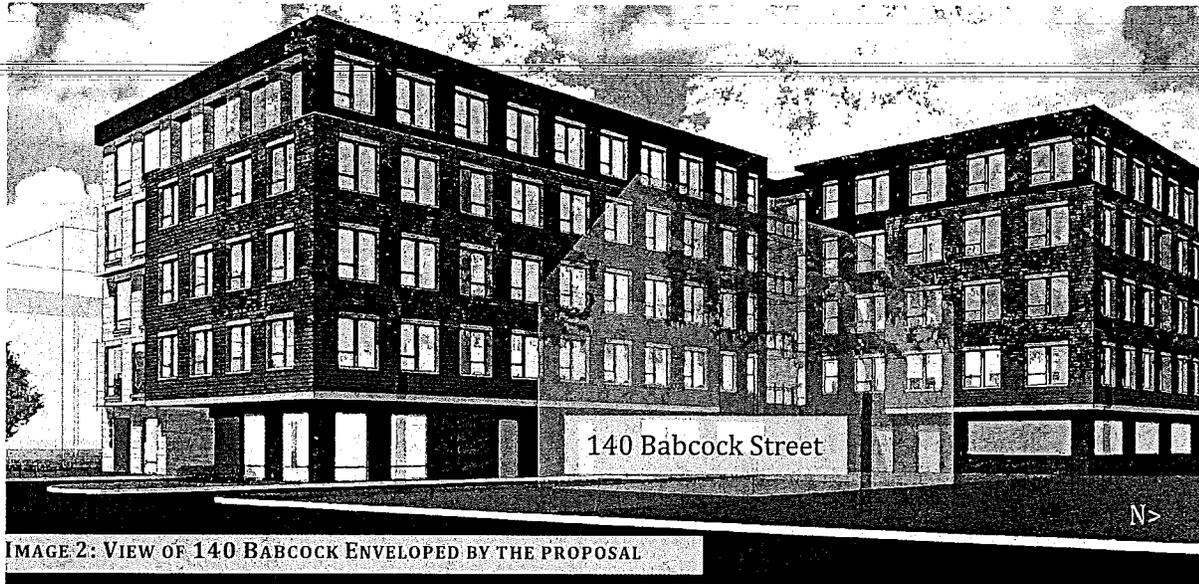


IMAGE 2: VIEW OF 140 BABCOCK ENVELOPED BY THE PROPOSAL

Additionally, the renderings and plans submitted omit any information discussing the significant grade change between the proposal and 2 ½ single and two-family homes that directly abut the proposal on Stedman Street (see image 3). This grade change magnifies how the proposed height will be experienced for these homes, in particular the amount of sun exposure that will be lost. There are also outstanding questions regarding the grade at the front and sides of the property.

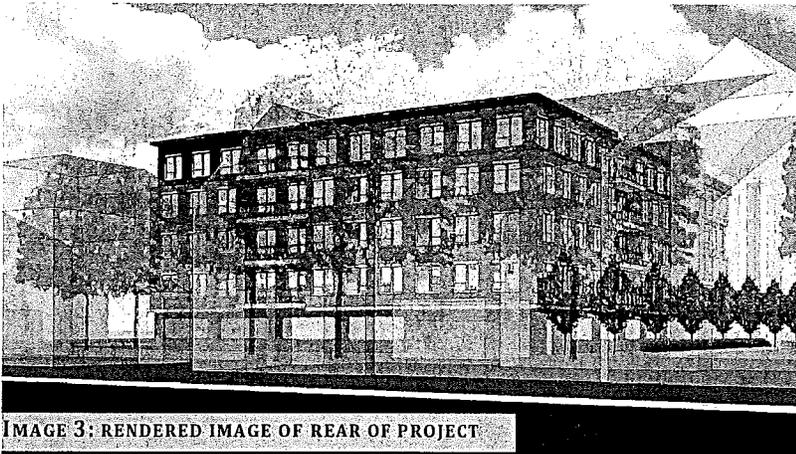


IMAGE 3: RENDERED IMAGE OF REAR OF PROJECT

The Applicant needs to identify ways to minimize the massing and height of the proposed building to relate better to the immediate neighboring properties as well as the area as a whole. **“Massing should take into account the pattern of the existing street frontage.”**³ Reducing the size of the building—including both the height and footprint—would help mitigate the impact to the

abutting properties access to light and air. These considerations would also help shape the project to better meet the 40B subsidizing agencies’ stated commitment “to ensure that affordable housing developments adhere to high standards of site and building design that enhance the quality of life of residents and the communities in which they reside.”

³ The Cecil Group, Inc. (2011, January), *Handbook: Approach to Chapter 40B Design Reviews*. Retrieved from mass.gov: <http://www.mass.gov/hed/docs/dhcd/cd/handbook-ch40b/handbook-approachtoch40b-designreview.pdf>. Pg. 4

As currently proposed, the project does not provide for any usable open space for residents. At an absolute minimum, a rooftop landscaped courtyard should be considered. A preferable approach from the perspective of the Board of Selectmen and undoubtedly the tenants is to reduce the size of the building footprint to allow for at-grade usable open space.

The Board of Selectmen strongly recommends that, in order to facilitate and expedite the Town's review of a Comprehensive Permit application, the applicant address the above issues and submit the following information prior to or as part of an application to the Town's Board of Appeals:

- a 3D model showing the proposed and abutting buildings, including proposed materials
- a site plan showing abutting buildings with setbacks of the proposed building to its property lines and to abutting buildings
- renderings depicting accurate proportions and grade changes (those submitted are not accurate and do not reflect the existing grade change or retaining wall at the rear)
- site sections showing proposed building and abutting buildings
- a traffic and parking circulation study, including the impact that this project will have on the availability of existing on-street parking in the immediate area. The study should also expressly address the potential safety concerns associated with the proximity of the garage entrance and exit to the Babcock Street sidewalk.
- topographical maps of the site with two-foot contour lines of the site
- a staking on the lot of the building's footprint to illustrate its size and setbacks
- a shadow study, showing the impact on all abutting structures including 140 Babcock Street and the rear abutters on Stedman Street
- a storm water and drainage report
- a waiver list in tabular form

All materials provided, including those identified above, should reflect accurate representations of the existing and proposed grade.

The Board also recommends that the applicant meet with the Fire Chief as soon as possible in order to identify and address any fire safety issues.

Finally, the Board of Selectmen respectfully requests that MassHousing encourage the developer to work with the Town to achieve an improved project – one that has a much higher ratio of parking to number of bedrooms and one that does not overwhelm the adjacent lower building to its right or the abutting properties on all sides of the proposed building. The Board of Selectmen would also encourage MassHousing to challenge the developer to find creative design solutions that respect the surrounding neighborhood. Anything less would be a loss of an important opportunity to harmoniously integrate diverse housing opportunities into the streetscape and Town. Hopefully, MassHousing will condition site eligibility approval, if any, on the applicant's cooperative engagement with the Town.

If a PEL is issued, the Town looks forward to working with the developer and its architectural team to refine the proposal during the review. Town staff is available to meet with the applicant prior to any formal process in order to answer any questions or expand on the comments above.

Thank you for your consideration.

Sincerely,

Neil A. Wishinsky, Chairman

Enclosures

