

MEMORANDUM

**BOARD APPROVED**

MARCH 15, 2018

**TO:** **BOSTON REDEVELOPMENT AUTHORITY**  
**D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY (BPDA)\***  
 AND BRIAN P. GOLDEN, DIRECTOR

**FROM:** JONATHAN GREELEY, DIRECTOR OF DEVELOPMENT REVIEW  
 MICHAEL CHRISTOPHER, DEPUTY DIRECTOR FOR DEVELOPMENT  
 REVIEW/GOVERNMENT AFFAIRS  
 MICHAEL CANNIZZO, SENIOR ARCHITECT/URBAN DESIGNER  
 VIKTORIJA ABOLINA, SENIOR PLANNER I  
 PHILLIP HU, PLANNER I  
 LANCE CAMPBELL, SENIOR PROJECT MANAGER  
 MICHAEL SINATRA, PROJECT MANAGER

**SUBJECT:** 81 CHESTNUT HILL AVENUE, BRIGHTON

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**SUMMARY:** This Memorandum requests that the Boston Redevelopment Authority ("BRA") d/b/a the Boston Planning & Development Agency authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 81 Chestnut Hill Avenue in Brighton (the "Proposed Project"), in accordance with Article 80E, Small Project Review, of the Boston Zoning Code (the "Code"); (2) enter into an Affordable Rental Housing Agreement and Restriction in connection with the Proposed Project, and take any other actions and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project; and (3) recommend approval to the City of Boston Zoning Board of Appeal on Petition BOA - 720063 for zoning relief necessary to construct the Proposed Project, and (4) execute a Community Benefits Agreement, and take any other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

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\* Effective on October 20, 2016, the BRA commenced doing business as the BPDA.

## **PROJECT SITE**

The project is located at 81 Chestnut Hill Avenue in Brighton, bordered between William Jackson Avenue to the west, Wallingford Road to the east, Priscilla Road to the north and Ledgemere Road to the south (the "Project Site"). The Project Site consists of one (1) parcel that is approximately 15,881 square feet of land. The Project Site is also located approximately 0.5 miles from the MBTA Green Line branch as well as multiple bus line services.

## **DEVELOPMENT TEAM**

Proponent: Debbie O'Rourke-81 Chestnut Hill Avenue Development, LLC

Legal Counsel: Joseph P. Hanley, Esq. – McDermott, Quilty and Miller LLP  
Dennis Quilty- McDermott, Quilty and Miller LLP

Architect: Arthur Choo – Choo & Company Inc.

Civil Engineer/  
Surveyor: George Collins- Boston Survey

Landscape  
Architect: Marc Mazzarelli- Marc Mazzarelli Associates, LLC

## **DESCRIPTION AND PROGRAM**

The Proposed Project seeks to upgrade and improve a distressed property site, by replacing an existing multi-family structure with a new 4-story, 14-unit residential building of approximately 24,740 gross square feet with three (3) main residential levels above a ground-level parking garage for 17 vehicles. Two (2) of the residential units will be designated as affordable.

Eleven of the fourteen units will be two (2) bedrooms and three will be three (3) bedrooms. The units will vary in size from 1,289 square feet to 1,425 square feet. Laundry will also be included in each unit.

## **ARTICLE 80 REVIEW PROCESS**

On January 19, 2018, the Proponent filed a Small Project Review application with the BPDA for the Proposed Project, pursuant to Article 80E of the Code. The BPDA sponsored public meeting was held on February 12, 2018 at the Community Room located at the 99 Chestnut Hill Avenue (The Greenery) condo building. The meeting was advertised in *The Boston Bulletin* and *The Allston/Brighton TAB* newspapers on February 2, 2018 and was also posted on the BPDA website. The BPDA comment period concluded on February 20, 2018.

## **ZONING**

The Project Site is located within a 1-Family-5000 Subdistrict ("1-F") in the Allston Brighton Neighborhood District, which is governed by Article 51 of the Code. The Proposed Project will require zoning relief from the following: Multi-family dwelling (Forbidden) Floor Area Ratio Excessive, Total Gross Building Area Excessive, Building Height Excessive, Front Yard Insufficient, Side Yard Insufficient and Parking Insufficient. Enforcement as evidenced by the rejection letter issued by ISD attached as Exhibit A.

## **PUBLIC BENEFITS**

The Proponent shall make a Five-Thousand Dollar (\$5,000) contribution to the City of Boston's Parks and Recreation Department Fund for Parks upon the issuance of the building permit for the Proposed Project to be used for landscaping, and maintenance of Theresa Hynes Park in the Allston Brighton neighborhood. The BPDA and Developer shall enter into a Community Benefits Agreement regarding payment of the \$5,000 contribution and the BPDA shall then grant the contribution to the Fund for Parks.

## **INCLUSIONARY DEVELOPMENT COMMITMENT**

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 ("IDP"), and is located within Zone B, as defined by the IDP. The IDP requires that 13% of the total number of units within the development be designated as IDP units. In this case, two (2) units within the Proposed Project will be created as IDP rental units (the "IDP Units"), and made affordable to households earning not more than 70% of the Area Median Income ("AMI") as based upon the United States Department of Housing and Urban Development ("HUD").

<b>Number of Bedrooms</b>	<b>Square Footage</b>	<b>Unit Number and Location</b>	<b>Percentage of Median Income</b>	<b>Rent Price</b>
2	1,425	Unit 105, Fl. 1	70% AMI	\$1,448
2	1,411	Unit 201, Fl. 2	70% AMI	\$1,448

The location of the IDP Units will be finalized in conjunction with BPDA staff and outlined in the Affordable Rental Housing Agreement and Restriction ("ARHAR"), and rental amounts and income limits will be adjusted according to BPDA published maximum rent amount and income limits, as based on HUD AMIs, available at the time of the initial rental of the IDP Units. IDP Units must be comparable in size, design, and quality to the market rate units in the Proposed Project, cannot be stacked or concentrated on the same floors, and must be consistent in bedroom count with the entire Proposed Project.

The ARHAR must be executed along with, or prior to, the issuance of the Certification of Approval for the Proposed Project. The Proponent must also submit an Affirmative Marketing Plan (the "Plan") to the Boston Fair Housing Commission and the BPDA. Preference will be given to applicants who meet the following criteria, weighted in the order below:

- (1) Boston resident; and
- (2) Household size (a minimum of one (1) person per bedroom).

Where a unit is built out for a specific disability (e.g., mobility or sensory), a preference will also be available to households with a person whose need matches the build out of the unit. The City of Boston Disabilities Commission may assist the BPDA in determining eligibility for such a preference.

The IDP Units will not be marketed prior to the submission and approval of the Plan. A deed restriction will be placed on the IDP Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with a BPDA option to extend for an additional period of twenty (20) years). The household income of any subsequent renter of the IDP Units during this fifty (50) year period must fall within the applicable income limit for each IDP Unit. The BPDA or its assigns or successors will monitor the ongoing affordability of the IDP Units.



This contribution of two (2) designated IDP Units fully satisfies the IDP requirements pursuant to the December 10, 2015 IDP.

### **RECOMMENDATIONS**

The Proposed Project complies with the requirements set forth in Section 80E of the Code for Small Project Review. Therefore, BPDA staff recommends that the Director be authorized to: (1) issue a Certification of Approval for the Proposed Project; (2) enter into an ARHAR, (3) recommend approval to the Boston Zoning Board of Appeal on Petition BOA - 720063 for zoning relief necessary to construct the Proposed Project with the proviso that the plans be submitted to the BPDA, and (4) Execute a Community Benefits Agreement, and take any other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

Appropriate votes follow:

**VOTED:** That the Director be, and hereby is, authorized to issue a Certification of Approval pursuant to Section 80E-6 of the Boston Zoning Code (the "Code"), approving the 81 Chestnut Hill Avenue Development, LLC development consisting of a four-story residential building containing 14 rental units and 17 parking spaces at 81 Chestnut Hill Avenue in Brighton (the "Proposed Project") in accordance with the requirements of Small Project Review, Article 80E, of the Code, subject to continuing design review; and

### **FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to execute an Affordable Rental Housing Agreement and Restriction for the creation of two (2) on-site Inclusionary Development Policy Units and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project; and

### **FURTHER**

**VOTED:** That the Director be, and hereby is authorized to issue the following recommendation to the City of Boston Board of Appeal on Petition BOA - 720063 for zoning relief necessary in connection with the Proposed Project; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to execute, a Community Benefits Agreement and deliver any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project, all upon terms and conditions determined to be in the best interests of the Boston Redevelopment Authority.

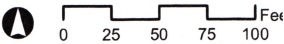


# 81 Chestnut Hill Avenue, Brighton





# 81 Chestnut Hill Avenue, Brighton







Michael Sinatra <michael.a.sinatra@boston.gov>

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**81 Chestnut Hill Avenue, Brighton**

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**Ben Bressel**

Wed, Feb 14, 2018 at 11:49 AM

To: Bill Sack [REDACTED]

Cc: Michael Sinatra <michael.a.sinatra@boston.gov>, SIMON miara [REDACTED], Michael Greene [REDACTED], [REDACTED]

Michael

I am in agreement with Bill on this.

Ben Bressel  
50 Chestnut Hill Ave  
Brighton

[Quoted text hidden]



Michael Sinatra <michael.a.sinatra@boston.gov>

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**(no subject)**

1 message

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**liam byrne** [REDACTED]  
To: michael.a.sinatra@boston.gov

Thu, Feb 15, 2018 at 5:28 PM

Hi mike just letting you know I was very impressed with the development plans for 81 chestnut hill , I think it will enhance the neighborhood greatly , and will surely set a tone and standard in which future projects will be judged by , I appreciate the fact that the applicant did not apply for more units and were very thoughtful with green area in back and land scraping all round . This project has my support , best regards liam byrne  
Sent from my iPhone



Michael Sinatra &lt;michael.a.sinatra@boston.gov&gt;

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**81 Chestnut Hill Ave Development**

1 message

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**Raymond P Grealish** [REDACTED]  
To: michael.a.sinatra@boston.gov

Tue, Feb 13, 2018 at 9:34 PM

Dear Michael A Sinatra

Good evening Sir,

I am writing this email as a proud Brighton resident to show my support for the development of a proposed four-story building at [81 Chestnut Hill Ave](#) which features 15 apartment residences.

The proposed building would replace a vacant and distressed multi-family apartment building, and is going to be a mixed-use development including two affordable units which is so desperately needed in this current inflated housing market. As a resident of Brighton I feel this type of development should be an example of how urban renewal can be implemented while catering to the visual enhancement of the greater Brighton area.

I wish you continued support in the excellent job you are doing for our community and it's very much appreciated by all.

*Kind regards,**Raymond P Grealish*

[7 Anselm Terrace](#)  
[Brighton, MA,](#)  
[02135](#)





Michael Sinatra <michael.a.sinatra@boston.gov>

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## 81 Chestnut Hill Avenue, Brighton

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Michael Greene [REDACTED]

Wed, Feb 14, 2018 at 12:32 PM

To: Michael Sinatra <michael.a.sinatra@boston.gov>

Cc: Bill Sack [REDACTED], Ben Bressel [REDACTED], SIMON miara [REDACTED], [REDACTED]

Michael,

I am in agreement with Bill and Ben on this as well.

Thank you,  
Michael Greene  
[26 William Jackson Ave.](#)  
Brighton

On Wed, Feb 14, 2018 at 11:49 AM, Ben Bressel [REDACTED] wrote:

[Quoted text hidden]

9 Hatherly Road,  
Brighton

Ma. 02135

February 15, 2018

Mr. Michael Sinatra  
Boston Planning & Development Agency,

Dear Mr. Sinatra,

I am writing in support of the  
Proposed development at 81 Chestnut Hill  
Avenue in Brighton,

The design of the building  
is modest in size and fits it with  
the immediate neighborhood.

The planned landscaping will  
also enhance the appearance of the area.

Two units of affordable housing  
is important to a community like ours.

I own a home and have lived  
in this immediate neighborhood for fifty years.

Sincerely,

Theresa Hynes



Michael Sinatra &lt;michael.a.sinatra@boston.gov&gt;

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**Re: 81 Chestnut Hill Ave - Project Meeting Request at Greenery Condo Building (99 CHA)**

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Yari Korchnoy [REDACTED]  
To: Michael Sinatra <michael.a.sinatra@boston.gov>  
Cc: Lance Campbell <lance.campbell@boston.gov>

Fri, Feb 16, 2018 at 3 06 PM

Hi Michael,

I just wanted to thank you for organizing an engaging meeting. It was great to see the community involvement. As a trustee of neighboring building, I would be thrilled to see this project come to fruition. It will only enrich the community and should make most people happy. Please let me know if I may be of any further help in the future.

Thank you,

Yari

Yari Korchnoy  
Managing Partner | Broker  
[REDACTED]  
[REDACTED] fax  
[www.NewEnglandPremier.com](http://www.NewEnglandPremier.com)

**From:** Lance Campbell [mailto:[lance.campbell@boston.gov](mailto:lance.campbell@boston.gov)]**Sent:** Wednesday, January 24, 2018 3:34 PM**To:** Dennis Quilty [REDACTED]**Cc:** Lauren Parrish [REDACTED]

Yari Korchnoy [REDACTED]

Joseph Hanley [REDACTED]

Warren O'Reilly <[warren.oreilly@boston.gov](mailto:warren.oreilly@boston.gov)>; Ed Hofeller [REDACTED]

Sean Stenson [REDACTED]

Larry Manning [REDACTED]

Michael Sinatra

<[michael.a.sinatra@boston.gov](mailto:michael.a.sinatra@boston.gov)>

[Quoted text hidden]

[Quoted text hidden]



Michael Sinatra <michael.a.sinatra@boston.gov>

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**(no subject)**

1 message

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**Samantha Marrocchio** [REDACTED]

Wed, Feb 14, 2018 at 12:42 PM

To: "michael.a.sinatra@boston.gov" <michael.a.sinatra@boston.gov>

Hello Mr Sinatra

The purpose of this email to inform you that I am aware of the [81 Chestnut Hill , Brighton](#) Development and do not have any opposition

Sincerely

Samantha Marrocchio  
[15 Shepard Street](#)  
[Brighton, MA 02135](#)

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-Samantha Marrocchio



Michael Sinatra <michael.a.sinatra@boston.gov>

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## 81 Chesnutt Hill Ave Brighton

1 message

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**Rita Marrocchio** [REDACTED]  
To: michael.a.sinatra@boston.gov

Wed, Feb 14, 2018 at 11:33 AM

Hello Mr Sinatra

This purpose of this email to inform you that we are aware of the [81 Chestnut Hill , Brighton](#) Development and do not have any opposition

Sincerely

Rita and Tony Marrocchio  
[16 Shepard Street](#)  
[Brighton, MA 02135](#)



Michael Sinatra &lt;michael.a.sinatra@boston.gov&gt;

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**I was unable to get into the comment period on line**

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**BARBARA MOSS**

Mon, Feb 5, 2018 at 11:27 AM

To: Michael.A.Sinatra@boston.gov

Your site is not working well at all. It kept blipping me out. Couldn't put my comments in for the public to view. Think you should fix this.

So I am putting my comment in here and perhaps you can guide me as to how it can go on line publicly.

I did not see more than one tree on the drawing. Oh Yes,, there is one. Any green space?????

The building drawing appears built very close to the street. Not much greenery.  
Not much walking space.

Also, there is no indication of whether this is ownership or rental. How come? Perhaps I missed that is going to be condos.

Just "Residential". So what does that mean. Other than it isn't commerical.

There is a big difference between rental and ownner occupancy.  
What provisions for limiting how many occupy a unit?

Also, what is meant by affordable? For two units? How is that controlled? Not sure it's clear.

Are there other facilities and amenities in the building. Where will guests park their cars when visiting?  
In front of side street homes?

I realize this is preliminary but wondering what the purpose is other than another architecturally inexpensive box?  
Perhaps you can be clearer.

Cheers,  
Barbara Moss





Michael Sinatra &lt;michael.a.sinatra@boston.gov&gt;

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**I was unable to get into the comment period on line**

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**BARBARA MOSS** [REDACTED]

Mon, Feb 5, 2018 at 12:11 PM

To: Michael.A.Sinatra@boston.gov

Hi Michael:

First, let me say how much I appreciate you getting back to me in such a timely manner.

Putting rentals in is becoming the norm in this neck of the woods, and I was wondering how come they wouldn't be sold for home ownership since ownership units were torn down originally.

What prevents selling as condos? Forgive me if I appear naive to the question, but I am having grave concerns to the massive rental projects going up in the area and with a glut of rentals, it might eventually become unprofitable leaving buildings vacant in the future.

Good for renters to have it be cheaper but not sure it is a long term future goal. Certainly not great as an investment when it's a glut in the long run,,,, So again, I am wondering how come not ownership?????

Ownership puts a stake in the community, people remain here longer and it might be a better investment overall so I am wondering why it's just rental.

When you say the "design is very basic". How come? Does it mean cheap construction? Lack of architecture? What are the guidelines for short term rental units? Is there amenities for seniors who want to rent? How about 18 year old freshman and their housemates?????How many can you pack into a 3 bedroom unit? Or a two? Sounds like a good basic plan for a dorm.

These are questions that are just popping into my head as I write this. Will all this be addressed at the meeting? Just wondering.

Not sure if I can make it as there are a lot of meetings coming up but would like to have this addressed.

Please let me know your thoughts on this and you are always welcome to call on me for feedback as I am a dedicated advocate for healthy community in Brighton.

And thank you for your time.

Best

Barbara Moss

Begin forwarded message:

**From:** Michael Sinatra <michael.a.sinatra@boston.gov>

**Subject:** Re: I was unable to get into the comment period on line

**Date:** February 5, 2018 at 11:41:52 AM EST

**To:** BARBARA MOSS [REDACTED]

[Quoted text hidden]





Michael Sinatra &lt;michael.a.sinatra@boston.gov&gt;

**81 Chestnut Hill Avenue, Brighton**

1 me age

**Bill Sack**

Tue, Feb 13, 2018 at 12:54 PM

To: "michael.a.sinatra@boston.gov" &lt;michael.a.sinatra@boston.gov&gt;

Cc: [redacted] Ben Bre el

Thank you for organizing and running last night's meeting.

All of the residents on William Jackson Avenue that I know are opposed to the scale of this Project. Two are cc'd above. The third lives a short distance away on Chestnut Hill Avenue. It's a nice Project proposed by nice people but in the **wrong location**. Most properties within a 300 foot radius of this property are single and two family homes.

The intersection of William Jackson, Wallingford and Chestnut Hill Avenue is currently **very dangerous** for pedestrians and motor vehicles alike. There are also bus stops at this location on either side of the road together with **high motor vehicle speed** on Chestnut Hill Avenue as they come up from Market Street, with **poor visibility** around the curve.

Please do the right thing for the residents who chose to stay in Brighton and raise their families there, unlike the Applicant who once lived in Brighton and now lives in Newton. The Project should be scaled back to no more than 10 units. That's a fair compromise by the immediate abutters. The zoning ordinance was crafted with great care and consideration, and variances should be approved very sparingly. **We don't oppose** the grant of variances needed to construct 10 units on this site, double the amount allowed by law.

Thank you for your consideration.

William D. Sack, Esquire

Jepsky &amp; Sack

500 Franklin Village Drive

Suite 104

Franklin, MA 02038

phone: [redacted]

fax: [redacted]

Email: [redacted]

2/13/2018

City of Boston Mail - 81 Chestnut Hill Avenue, Brighton

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Michael Sinatra &lt;michael.a.sinatra@boston.gov&gt;

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**81 Chestnut Hill Avenue, Brighton**

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Bill Sack [REDACTED]

Wed, Feb 14, 2018 at 11:46 AM

To: Michael Sinatra &lt;michael.a.sinatra@boston.gov&gt;

Cc: [REDACTED] Ben Bressel [REDACTED]

Michael, yesterday, Applicant and I exchanged a number of emails about the project. I would support the Application that incorporates the following changes:

A. 14 total units - one unit would be eliminated by causing the height of the back portion of the building, going all the way across, to be reduced from 30 feet by approximately one story—the height of the top-floor unit stretching across the whole back of the building in the current plan. That way the building would step down as it goes up the hill, to help blend into the single family houses uphill from it.

B. Eliminating balconies, which will effectively take care of the concern of noise from the unit occupants.

With these two changes, the project will have my support.

I still would hope the City can require something to ameliorate the traffic and safety issues at that intersection which will inevitably be exacerbated by this project.

Thank you.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Michael Sinatra <michael.a.sinatra@boston.gov>

Date: 2/13/18 1:58 PM (GMT-05:00)

To: Bill Sack [REDACTED]

Cc: [REDACTED], Ben Bressel [REDACTED]

Subject: Re: 81 Chestnut Hill Avenue, Brighton

Hi William,

Thank you very much for sending in your comments. I appreciate it very much. It was a pleasure meeting you last night

On Tue, Feb 13, 2018 at 12:54 PM, Bill Sack [REDACTED] wrote:

Thank you for organizing and running last night's meeting.

All of the residents on William Jackson Avenue that I know are opposed to the scale of this Project. Two are cc'd above. The third lives a short distance away on Chestnut Hill Avenue. It's a nice Project proposed by nice people but in the **wrong location**. Most properties within a 300 foot radius of this property are single and two family homes.

The intersection of William Jackson, Wallingford and Chestnut Hill Avenue is currently **very dangerous** for pedestrians and motor vehicles alike. There are also bus stops at this location on either side of the road together with **high motor vehicle speed** on Chestnut Hill Avenue as they come up from Market Street, with **poor visibility** around the curve.



Please do the right thing for the residents who chose to stay in Brighton and raise their families there, unlike the Applicant who once lived in Brighton and now lives in Newton. The Project should be scaled back to no more than 10 units. That's a fair compromise by the immediate abutters. The zoning ordinance was crafted with great care and consideration, and variances should be approved very sparingly. **We don't oppose** the grant of variances needed to construct 10 units on this site, double the amount allowed by law.

Thank you for your consideration.

William D. Sack, Esquire  
Jepsky & Sack  
500 Franklin Village Drive  
Suite 104  
Franklin, MA 02038

phone: [REDACTED]

fax: [REDACTED]

Email: [REDACTED]

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**Michael Sinatra, MPA**

*Project Manager*

617-918-4280

[michael.a.sinatra@boston.gov](mailto:michael.a.sinatra@boston.gov)

**Boston Planning & Development Agency (BPDA)**

One City Hall Square, 9th Floor | Boston, MA 02201

[bostonplans.org](http://bostonplans.org)



Emily Wieja <emily.wieja@boston.gov>

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## Fwd: Comment re. 81 Chestnut Hill Avenue

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Emily Wieja <emily.wieja@boston.gov>

Fri, Feb 23, 2018 at 4:13 PM

To: Boston Planning & Development Agency <BPDAwebcontent@boston.gov>

From: Eva Webster [REDACTED]

Date: Fri, Feb 23, 2018 at 4:15 AM

Subject: Comment re. 81 Chestnut Hill Avenue

To: Michael.A.Sinatra@boston.gov

Dear Mr. Sinatra:

As a long-time resident and community activist in Brighton, I am writing to express my support for the proposed 14-unit development project at 81 Chestnut Hill Ave.

This is a very reasonable proposal that will result in a structure that fits well on Chestnut Hill Ave., without being overwhelming (4 stories in the front, 3 in the back) in comparison with other structures.

I appreciate that the proposal provides parking for 17 vehicles (more than 1:1 parking ratio), leaves a very large setback in the back that benefits abutters, and almost all units (twelve, to be precise) are 2-bedrooms, with two being 3-bedroom. Additionally, this developer has local roots and track record of not renting to students.

I do have three concerns/suggestions:

1) Please ensure a green setback in the front that is generous enough to accommodate "real" trees.

The "Greenery" building/property up the street is an excellent example of what a green front setback should be like. The public sidewalk on Chestnut Hill Ave. is too narrow to accommodate trees — which is why the proposed building needs to have a well-planted green buffer (with vertical greenery that trees provide), for the sake of ensuring a nice pedestrian environment and a better quality of life for residents whose windows will be overlooking Chestnut Hill Ave.

2) The street-level opening to the parking garage on Chestnut Hill Ave. needs to be very carefully designed to minimize its visual impact on the pedestrian environment. The sides of the opening should be in brick (not showing stark, unattractive concrete walls), and the lighting close to the street should not be too harsh/bright, because harshly-lit large garage openings look very unattractive in residential areas when it's dark.

3) I think it would be good if the project created some additional parking spaces in the back — to be excavated in such a way that they would be on the same level as the parking garage, and be accessible from within the garage.

Thank you for considering these comments.

Eva Webster  
Brighton

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**boston planning &  
development agency**

**Boston Water and  
Sewer Commission**



980 Harrison Avenue  
Boston, MA 02119-2540  
617-989-7000

February 20, 2018

Mr. Michael Sinatra  
Boston Planning & Development Agency  
One City Hall Square  
Boston, MA 02201

Re: 81 Chestnut Hill Avenue, Small Project Review

Dear Mr. Sinatra:

The Boston Water and Sewer Commission (the "Commission" or "BWSC") has reviewed the Small Project Review Application ("SPRA") for the proposed 81 Chestnut Hill Avenue Project (the "Project"). The Project site is located at 81 Chestnut Hill Avenue in Boston's Brighton neighborhood. The Project consists of the construction of a 4-story, 15-unit residential building with three (3) levels above a ground-level parking garage for 17 vehicles. The Project replaces a vacant multi-family apartment building.

Water, sewer, and storm drain service for the site is provided by the Boston Water and Sewer Commission. For water service the Project is served by an existing 12-inch water main on Chestnut Hill Avenue and an 8-inch water main on William Jackson Avenue. No estimate of water demand for the Project is provided in the SPRA.

For sanitary sewer service the Project site is served by an existing 12-inch sanitary sewer on Chestnut Hill Avenue and an 8-inch sanitary sewer on William Jackson Avenue. No estimated of wastewater flow is provided in the SPRA. For drainage the Project site is served by an existing 24-inch drain on Chestnut Hill Avenue and a 10-inch drain on William Jackson Avenue.

The Commission has the following comments regarding the proposed Project:

**General**

1. The Proponent must submit a site plan and General Service Application to the Commission for the proposed Project. The site plan must show the location of the water mains, sewers and drains serving the Project site, as well as the locations of existing and proposed service connections. To assure compliance with the Commission's requirements, the Proponent should submit the site plan and General Service Application to the Commission's Engineering Customer Service Department for review when the design for the Project is at 50 percent complete.
2. Any new or relocated water mains, sewers and storm drains must be designed and constructed at the Proponent's expense. They must be designed and constructed in conformance with the Commission's design standards, Water Distribution System and Sewer Use Regulations, and Requirements for Site Plans.



3. With the site plan the Proponent must provide detailed estimates for water demand (including water required for landscaping), wastewater generation, and stormwater runoff for the Project.
4. It is the Proponent's responsibility to evaluate the capacity of the water and sewer system serving the Project site to determine if the systems are adequate to meet future Project demands. With the site plan, the Proponent must include a detailed capacity analysis for the water and sewer systems serving the Project site, as well as an analysis of the impact the Project will have on the Commission's systems and the MWRA's systems overall. The analysis should identify specific measures that will be implemented to offset the impacts of the anticipated flows on the Commission and MWRA sewer systems.
5. Developers of projects involving disturbances of land of one acre or more are required to obtain an NPDES General Permit for Construction from the Environmental Protection Agency. The Proponent is responsible for determining if such a permit is required and for obtaining the permit. If such a permit is required for the proposed Project, a copy of the Notice of Intent and any pollution prevention plan submitted to EPA pursuant to the permit must be provided to the Commission's Engineering Services Department prior to the commencement of construction.
6. Before the Proponent demolishes the existing structure existing water and drain connections that won't be re-used must be cut and capped in accordance with Commission standards. The Proponent must complete a Termination Verification Approval Form for a Demolition Permit, available from the Commission. The completed form must be submitted to the City of Boston's Inspectional Services Department before a Demolition Permit will be issued.

#### **Sewage/Drainage**

7. Oil traps are required on drainage systems discharging from enclosed parking garages. Discharges from the oil traps must be directed to a building sewer and must not be mixed with roof or other surface runoff. The requirements for oil traps are provided in the Commission's Requirements for Site Plans.
8. The Department of Environmental Protection (DEP), in cooperation with the Massachusetts Water Resources Authority (MWRA) and its member communities are implementing a coordinated approach to flow control in the MWRA regional wastewater system, particularly the removal of extraneous clean water (e.g., infiltration/ inflow ("I/I")) in the system. Pursuant to the policy new developments with design flow exceeding 15,000 gpd of wastewater are subject to the Department of Environmental Protection's regulation 314 CMR 12.00, section 12.04(2)(d). This regulation requires all new sewer connections with design flows exceeding 15,000 gpd to mitigate the impacts of the development by removing four gallons of infiltration and inflow (I/I) for each new gallon of wastewater flow added. The Commission will require the Proponent to develop an inflow reduction plan consistent with the regulation. The 4:1 reduction should be addressed at least 90 days prior to activation of water service, and will be based on the estimated sewage generation provided with the Project site plan.



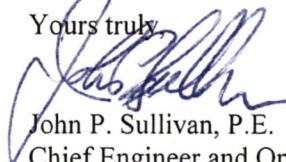
9. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission and the MWRA. The discharge of any dewatering drainage to the storm drainage system requires a Drainage Discharge Permit from the Commission. If the dewatering drainage is contaminated with petroleum products for example, the Proponent will be required to obtain a Remediation General Permit from the EPA for the discharge.
10. The site plan must show in detail how drainage from the building's roof top and from other impervious areas will be managed. Roof runoff and other stormwater runoff must be conveyed separately from sanitary waste at all times.
11. A Total Maximum Daily Load (TMDL) for Nutrients has been established for the Lower Charles River Watershed by the Massachusetts Department of Environmental Protection (DEP). In order to achieve the reductions in phosphorus loadings required by the TMDL phosphorus concentrations in stormwater discharges to the lower Charles River from Boston must be reduced by 64%. To accomplish the necessary reductions in phosphorus the Commission requires developers of projects in the lower Charles River watershed to infiltrate stormwater discharging from impervious areas in accordance with DEP requirements. The Proponent must submit with the site plan a phosphorus reduction plan for the Project.
12. The Massachusetts Department of Environmental Protection (MassDEP) has established Performance Standards for Stormwater Management. The Standards address stormwater quality, quantity and recharge. In addition to Commission standards, the proposed Project will be required to meet MassDEP's Stormwater Management Standards.
13. In conjunction with the site plan and General Service Application the Proponent will be required to submit a Stormwater Pollution Prevention Plan. The plan must:
  - Specifically identify how the Project will comply with the Department of Environmental Protection's Performance Standards for Stormwater Management both during construction and after construction is complete.
  - Identify specific best management measures for controlling erosion and preventing the discharge of sediment, contaminated stormwater or construction debris to the Commission's drainage system when construction is underway.
  - Include a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control or treatment structures to be utilized during construction.
14. The Commission requests that the Proponent install a permanent casting stating: "Don't Dump: Drains to Charles River" next to any new catch basin installed as part of the Project. The Proponent may contact the Commission's Operations Division for information regarding the purchase of the castings.
15. The Commission encourages the Proponent to explore additional opportunities for protecting stormwater quality by minimizing sanding and the use of deicing chemicals, pesticides and fertilizers.

**Water**

16. The Proponent is required to obtain a Hydrant Permit for use of any hydrant during construction of the Project. The water used from the hydrant must be metered. The Proponent should contact the Commission's Operations Department for information on obtaining a Hydrant Permit.
17. The Commission utilizes a Fixed Radio Meter Reading System to obtain water meter readings. Where a new water meter is needed, the Commission will provide a Meter Transmitter Unit (MTU) and connect the device to the meter. For information regarding the installation of MTUs, the Proponent should contact the Commission's Meter Installation Department.
18. The Proponent should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular the Proponent should consider indoor and outdoor landscaping which requires minimal use of water to maintain. If the Proponent plans to install in-ground sprinkler systems, the Commission recommends that timers, soil moisture indicators and rainfall sensors be installed. The use of sensor-operated faucets and toilets in common areas of buildings should also be considered.

Thank you for the opportunity to comment on this Project.

Yours truly,



John P. Sullivan, P.E.  
Chief Engineer and Operations Officer

JPS/as

cc:

Maura Zlody, Boston Environment Department  
Phil Larocque, Boston Water and Sewer Commission

Date	First Name	Last Name	Organization	Opinion	Comments
1/22/2018	William	Sack		Oppose	This Project should not be approved for many and various reasons: 1. None of the criteria for obtaining a Variance are met: A. There is nothing unique about the shape, topography or soil conditions of the parcel; B. There is absolutely no hardship to Applicant - Applicant can build a 5 unit building as of right in full compliance with all zoning requirements; C. There will be considerable detriment to the public good by approving a Project of this scale and scope in this location; and D. The intent and purpose of the Ordinance will be nullified. 2. This Project is far too ambitious for this location and will completely and forever alter the residential character of the neighborhood, especially on William Jackson Avenue. 3. Applicant has been told time and time again at various public meetings to reduce the scope of the proposed Project to 10 or fewer units on two floors, and that would be supported by the neighbors. Instead, Applicant has stubbornly moved forward with her proposal for 15 units on three floors that will be totally out of character with the surrounding single family homes. Applicant resides in Newton and when asked at a meeting how she would feel if a Project like hers would be proposed 75 feet away from her home, she had nothing to say. Applicant has the right to build five units as of right which will be profitable, but Applicant seeks to maximize profits at the expense of the neighborhood. 4. Applicant's argument that more apartments in Brighton are needed is specious in light of the recent approvals of over 1,000 apartments on Washington Street. 5. The intersection of Chestnut Hill Avenue, Wallingford Road and William Jackson Avenue is already extremely dangerous for pedestrian and automobile traffic alike. A traffic signal should be there now. Automobiles turning into the proposed Project from Chestnut Hill Avenue will only exacerbate the current dangerous condition. 6. Abutters simply don't want this Project here. Let Applicant rebuild her five unit apartment building. 7. There is little question that an approval of this Project will have a domino effect, and we will soon see similar proposals from owners of parcels on Chestnut Hill Avenue close to Applicant. For all of these reasons, this Project must not be approved.
1/23/2018	Kate	Palitsch		Oppose	Hi, This project is too large for this location. This will alter the traffic and parking situation in the neighborhood, which is already crowded and congested. Part of this neighborhood's charm is that it is composed of family homes, not large apartment complexes. This is also an incredibly dangerous intersection, I personally have been the first person to about 5 major accidents over the past 5 years. We need a traffic light before a new development, without question.
1/23/2018	Jeffrey	Czaplinski		Oppose	To Whom it May Concern, The proposed project is far too large for the location in question. The intersection of Chestnut Hill Ave, Wallingford Rd, and William Jackson Ave is already an incredibly dangerous intersection for both vehicles and pedestrians, owing to the high rate of speed common to motorists on Chestnut Hill Ave, a blind corner at the top of a hill, and two cross walks across Chestnut Hill Ave. The addition of such a massive complex will alter the traffic to dangerous levels, and adversely affect parking in a neighborhood, already suffering from crowding. In addition, part of this neighborhood's charm is that it is composed of family homes, not large apartment complexes, and the addition of such a complex will not only deteriorate the aesthetic of the neighborhood, but will set precedent encouraging further unnecessary and dangerous developments. Of greatest concern should be the number of children and families who frequent the area surrounding this intersection and the danger an increased number of vehicles disrupting traffic poses to them.

1/24/2018	Bruce	Kline	Radnor Neighborhood Association, BAIA	Oppose	This development is not in tune with the surrounding neighborhood. It is too dense and will add more traffic to an already congested street(Chestnut Hill Ave.). The height is not in conformance with the residential zoning in this area and it would appear that the FAR is excessive.
1/24/2018	Bruce	Kline	Radnor Neighborhood Association, BAIA	Oppose	This development is not in tune with the surrounding neighborhood. It is too dense and will add more traffic to an already congested street(Chestnut Hill Ave.). The height is not in conformance with the residential zoning in this area and it would appear that the FAR is excessive.
1/25/2018	Ce	Shen		Oppose	1. None of the criteria for obtaining a Variance are met: A. There is nothing unique about the shape, topography or soil conditions of the parcel; B. There is absolutely no hardship to Applicant - Applicant can build a 5 unit building as of right in full compliance with all zoning requirements; C. There will be considerable detriment to the public good by approving a Project of this scale and scope in this location; and D. The intent and purpose of the Ordinance will be nullified. 2. This Project is far too ambitious for this location and will completely and forever alter the residential character of the neighborhood, especially on William Jackson Avenue. 3. Applicant has been told time and time again at various public meetings to reduce the scope of the proposed Project to 10 or fewer units on two floors, and that would be supported by the neighbors. Instead, Applicant has stubbornly moved forward with her proposal for 15 units on three floors that will be totally out of character with the surrounding single family homes. Applicant resides in Newton and when asked at a meeting how she would feel if a Project like hers would be proposed 75 feet away from her home, she had nothing to say. Applicant has the right to build five units as of right which will be profitable, but Applicant seeks to maximize profits at the expense of the neighborhood. 4. Applicant's argument that more apartments in Brighton are needed is specious in light of the recent approvals of over 1,000 apartments on Washington Street. 5. The intersection of Chestnut Hill Avenue, Wallingford Road and William Jackson Avenue is already extremely dangerous for pedestrian and automobile traffic alike. A traffic signal should be there now. Automobiles turning into the proposed Project from Chestnut Hill Avenue will only exacerbate the current dangerous condition. 6. Abutters simply don't want this Project here. Let Applicant rebuild her five unit apartment building. 7. There is little question that an approval of this Project will have a domino effect, and we will soon see similar proposals from owners of parcels on Chestnut Hill Avenue close to Applicant. For all of these reasons, this Project must not be approved.
1/26/2018	Gerhard	Mullican	neighborhood resident	Support	Looks good!

1/30/2018	Ben	Bressel		Oppose	<p>This Project should not be approved for many and various reasons: 1. None of the criteria for obtaining a Variance are met: A. There is nothing unique about the shape, topography or soil conditions of the parcel; B. There is absolutely no hardship to Applicant - Applicant can build a 5 unit building as of right in full compliance with all zoning requirements; C. There will be considerable detriment to the public good by approving a Project of this scale and scope in this location; and D. The intent and purpose of the Ordinance will be nullified. 2. This Project is far too ambitious for this location and will completely and forever alter the residential character of the neighborhood, especially on William Jackson Avenue. 3. Applicant has been told time and time again at various public meetings to reduce the scope of the proposed Project to 10 or fewer units on two floors, and that would be supported by the neighbors. Instead, Applicant has stubbornly moved forward with her proposal for 15 units on three floors that will be totally out of character with the surrounding single family homes. Applicant resides in Newton and when asked at a meeting how she would feel if a Project like hers would be proposed 75 feet away from her home, she had nothing to say. Applicant has the right to build five units as of right which will be profitable, but Applicant seeks to maximize profits at the expense of the neighborhood. 4. Applicant's argument that more apartments in Brighton are needed is specious in light of the recent approvals of over 1,000 apartments on Washington Street. Not to mention Tremont St condos, 2 new luxury buildings on comm Ave, completed, with another being built at the corner of Cummings and Comm. 5. The intersection of Chestnut Hill Avenue, Wallingford Road and William Jackson Avenue is already extremely dangerous for pedestrian and automobile traffic alike. A traffic signal should be there now. Automobiles turning into the proposed Project from Chestnut Hill Avenue will only exacerbate the current dangerous condition. 6. Abutters simply don't want this Project here. Let Applicant rebuild her five unit apartment building. 7. There is little question that an approval of this Project will have a domino effect, and we will soon see similar proposals from owners of parcels on Chestnut Hill Avenue close to Applicant. 8. There is not enough parking in the neighborhood as it is. the city zoning calls for 1.75 per unit. 17 proposed spaces wouldn't be enough for the project were it 10 units, let alone 15. Please don't add more parking to an already overcrowded parking area. For all of these reasons, this Project must not be approved. Please keep me informed of any and all public or private hearing related to this proposal. Thanks! Ben</p>
1/30/2018	Daniel	Aldrich	Northeastern University	Oppose	<p>This project is too large and will alter the residential character of the neighborhood and further decrease parking capacity while increasing traffic. There is no need for these apartments given the 1000+ units of housing coming through the St Gabriel's project. Why does the applicant insist on 15 units per floor rather than reducing the number as requested by neighbors? We want housing units that enhance the neighbor not detract from it. The applicant should reduce the size of the planned development and also ensure that there are sufficient parking spaces so as to not further burden the neighborhood. This project is not enhancing the neighborhood.</p>

## 81 Chestnut Hill Avenue Public Comments via website form 2018-02-21

1/30/2018	Roman	Shimanovich		Oppose	As a long-time resident of this neighborhood, I am strongly opposed to this development for several reasons: 1. None of the criteria for obtaining a Variance are met. There is nothing unique about the shape, topography or soil conditions of the parcel. There is absolutely no hardship to Applicant - Applicant can build a 5 unit building as of right in full compliance with all zoning requirements. There will be considerable detriment to the public good by approving a Project of this scale and scope in this location. The intent and purpose of the Ordinance will be nullified. 2.The intersection of Chestnut Hill Avenue, Wallingford Road and William Jackson Avenue is already extremely dangerous for pedestrian and automobile traffic alike. A traffic signal should be there now. Automobiles turning into the proposed Project from Chestnut Hill Avenue will only exacerbate the current dangerous condition. 3. Applicant has been told time and time again at various public meetings to reduce the scope of the proposed Project to 10 or fewer units on two floors, and that would be supported by the neighbors. Instead, Applicant has stubbornly moved forward with her proposal for 15 units on three floors that will be totally out of character with the surrounding single family homes. Applicant resides in Newton and when asked at a meeting how she would feel if a Project like hers would be proposed 75 feet away from her home, she had nothing to say. 4. Applicant's argument that more apartments in Brighton are needed is specious in light of the recent approvals of over 1,000 apartments on Washington Street. Not to mention Tremont St condos, 2 new luxury buildings on Comm Ave, completed, with another being built at the corner of Cummings and Comm Ave Applicant has the right to build five units as of right now which will be profitable, but the Applicant seeks to maximize profits at the expense of the neighborhood. For all of these reasons, this Project should not be approved.
1/30/2018	Greg	Silverman		Oppose	I am concerned that granting a variance for no discernible, credible reason(s) will generate a cascade of similar requests on the Chestnut Hill corridor. The anticipated new traffic (on top of that which will accompany the new Washington Street development) makes me shudder.
1/30/2018	Michael	Weisskoff		Oppose	I live nearby and walk through this neighborhood frequently. This proposed structure is out-of-place here, across from our historic courthouse, library, memorial park, conservation land, elder center, funeral home, synagogue, and many gracious and modest homes and apartments. This proposal's architecture and size completely change the sense of that area. It needs to be smaller, setback, and designed to fit in better with the beauty of this corner of Brighton Center. Therefore, I oppose this plan.
1/31/2018	Yisroel	Markov	y	Support	Opponents charge that this project will "irreversibly change the nature of the neighborhood". Of course it will, but that is not at all a bad thing. We need housing, and every little but helps, especially a modest apartment building on a major road in close proximity to 4 bus lines and the train. And it will go nicely with the Greenery next door.
1/31/2018	Rivka	Halpern		Oppose	Can it be made smaller! There will be considerable detriment to the public good by approving a Project of this scale and scope in this location.
1/31/2018	Aron	Rosenberg	1975	Oppose	I strongly oppose this project. As a close neighbor there has been too much development along Chestnut hill avenue, this proposal is far too large and dissimilar from surrounding buildings.



1/31/2018	Rabbi Baruch	goldman		Oppose	I have live in Brighton for over 25 years. this project is way too big for our residential community. This intersection is over used with so many cars accessing Wallingford Rd.. Parking is also already at or over capacity on all the adjacent streets.The underground parking planned is way below the actual number of new vehicles that will be filling up the neighborhood, with several cars per unit. We don't want our neighborhood to look like a downtown high rise area, with this project breaking the ice for other money hungry developers to move in an get rich, without regard to the quality of life of those of us who actually live here! Please stop this plan and force them to downsize. Thank you very much for respecting the views of the residents themselves.
2/1/2018	Sholom	Fine		Oppose	This project is absolutely ridiculous and there is NO REASON why it should be allowed. The absentee owner is motivated by GREED and could not care less about our neighborhood. The owner can build 5 units as of right and that's exactly what she should do. There is already too much congestion in the area and this will make it considerably worse. If this is approved then you can bet that many others will be applying for similar variances in the near future. We have laws for a reason - why ignore them to satisfy the greed of a money-hungry absentee landlord? The absentee owner claims that she's doing this to help our neighborhood because more apartments are needed in Brighton. That's very altruistic of her, and we appreciate the offer of "help" but we have a sneaking suspicion that all she really wants is lots of money. PLEASE DO NOT APPROVE THIS PROJECT! There is no reason to grant a variance other than enriching an absentee owner at our neighborhood's expense.
2/9/2018	Johanna	O'Connor	Brighton resident/homeowner	Support	I am writing in support of the proposed development at 81 Chestnut Hill Avenue. Currently, there is an ugly five unit building on the lot and what this developer is proposing will not only beautify the area, but also increase the home values in the neighborhood. I like that this developer is not proposing a much larger project for that space as most developers are doing today in Brighton. This developer has ties to our community. She grew up in Brighton and owns other properties where she has put rents at below market value. This developer has also need rented to tenants. I feel this development will have a long lasting positive impact on our community. As a longtime homeowner in Brighton and raising three children in our community I strongly support this development.
2/9/2018	Johanna	O'Connor	Brighton resident/homeowner	Support	I am writing in support of the proposed development at 81 Chestnut Hill Avenue. Currently, there is an ugly five unit building on the lot and what this developer is proposing will not only beautify the area, but also increase the home values in the neighborhood. I like that this developer is not proposing a much larger project for that space as most developers are doing today in Brighton. This developer has ties to our community. She grew up in Brighton and owns other properties where she has put rents at below market value. This developer has also need rented to tenants. I feel this development will have a long lasting positive impact on our community. As a longtime homeowner in Brighton and raising three children in our community I strongly support this development.
2/12/2018	Michael & Marya	Carr		Support	we are in support of this project. This looks to a beautiful building and a nice addition to the area. As longtime residents we appreciate, in particular, the provision for parking.



81 Chestnut Hill Avenue Public Comments via website form 2018-02-21

2/12/2018	Rachel	Rumely		Support	To Whom It May Concern: I am writing in support of the building at 81 Chestnut Hill Ave. This area has seen tremendous growth and a lack of housing options. Fifteen more units would help this area greatly. New buildings and developments are positive for Brighton, especially when replacing old abandoned buildings. Being so close to Boston College many of the housing options are taken over by students, but I see this property as an opportunity for young professionals to live in a nice apartment, close to public transportation and other small businesses. The abandoned house is currently an eyesore. I look forward to this new development and the positive effect it will have on Brighton. Thank you, Rachel Rumely
2/12/2018	Eileen	McLaughlin		Support	This is a beautiful building - I appreciate that it accounts for the parking needs of its residents.
2/17/2018	Klara	Portnaya	Resident, homeowner	Oppose	Three times exceeds zoning requirements. Over density and shortage of parking spaces. 17 parking spaces not enough for 12 of two bedrooms and 3 of three bedrooms apartments. We are strongly opposed.