

Hancock Village

Brief Summary of CHR Development Proposals
July 2017

Please see www.preservebrookline.com, Proposed
Development, for detailed information.



**Current
530 Brookline Units
~1000 parking**

Timeline

- 2009 — CHR proposes HV expansion and claims they could do it “as of right”.
- BOS form HV Planning Committee to explore options at HV.



466 units
855 parking

Timeline

- 2009** — CHR proposes HV expansion and claims they could do it “as of right”.
- BOS form HV Planning Committee to explore options at HV.
- 2010** — Fiscal impact analysis performed independently by Town and CHR. Both concluded that the proposed development would cost the Town \$0.5-1M per year (on top of the current \$2M/yr loss).
- CHR proposes 480 units including 260 units senior housing and no 3 or 4 BR.
 - Major issues with enforceability of senior restrictions also made this a likely money loser.

2010 – 260/480 units of senior housing (55+)



| PROPOSED DEVELOPMENT | | UNIT MIX | |
|---------------------------|-----|----------|------|
| | | 1 BR | 2 BR |
| BROOKLINE EAST | | | |
| NEW UNITS | 98 | 98 | 0 |
| PARKING SPACES | 146 | | |
| BROOKLINE WEST | | | |
| NEW UNITS | 122 | 74 | 48 |
| PARKING SPACES | 250 | | |
| SENIOR DEVELOPMENT | | | |
| NEW UNITS | 260 | 104 | 156 |
| PARKING SPACES | 364 | | |
| TOTALS | | | |
| NEW UNITS | 480 | 276 | 204 |
| PARKING SPACES | 760 | | |

48 UNITS
148 2 BED
20 GARAGE PARKING SPACES

90 UNITS
100 1 BED
90 PARKING SPACES

44 UNITS
1 BED UNITS
140 PARKING SPACES

60 UNITS
1 BED UNITS
90 PARKING SPACES

38 UNITS
200 1 BED
54 PARKING SPACES

250 UNIT SENIOR DEVELOPMENT
602 (204) 2 BED
632 (204) 1 BED
384 GARAGE PARKING SPACES



Timeline

2011 — HV Planning Committee report unanimously approved:

— Concerns:

1. School population impact on already overcrowded schools and other negative fiscal impacts to the Town;
2. Preservation of open space, particularly immediately to the west of Beverly and Russett Roads;
3. Exacerbation of drainage problems west of Beverly and ongoing water quality issues from outflow into the Hoar Sanctuary;
4. Increased traffic along Grove-Independence-West Roxbury Parkway and Newton Streets.

— Noted CHR had not modified plans that constructively addressed feedback/concerns and that little could be done by right or likely even by special permit.

— CHR withdrew from further participation in the process.

2011 "Cluster Housing"



Timeline

2011 — CHR proposes a “special permit” development based on cluster housing part of the zoning by-laws. Many problems with questionable interpretation of zoning.

- November Town Meeting, Brookline adopted legislation to permit formation of **Neighborhood Conservation Districts** (NCDs).
 - over 85% supported NCDs in Town Meeting vote
 - first NCD formed at Hancock Village. Changes to external appearance or that alter the design as set out in the original agreement that formed HV would need NCD approval.

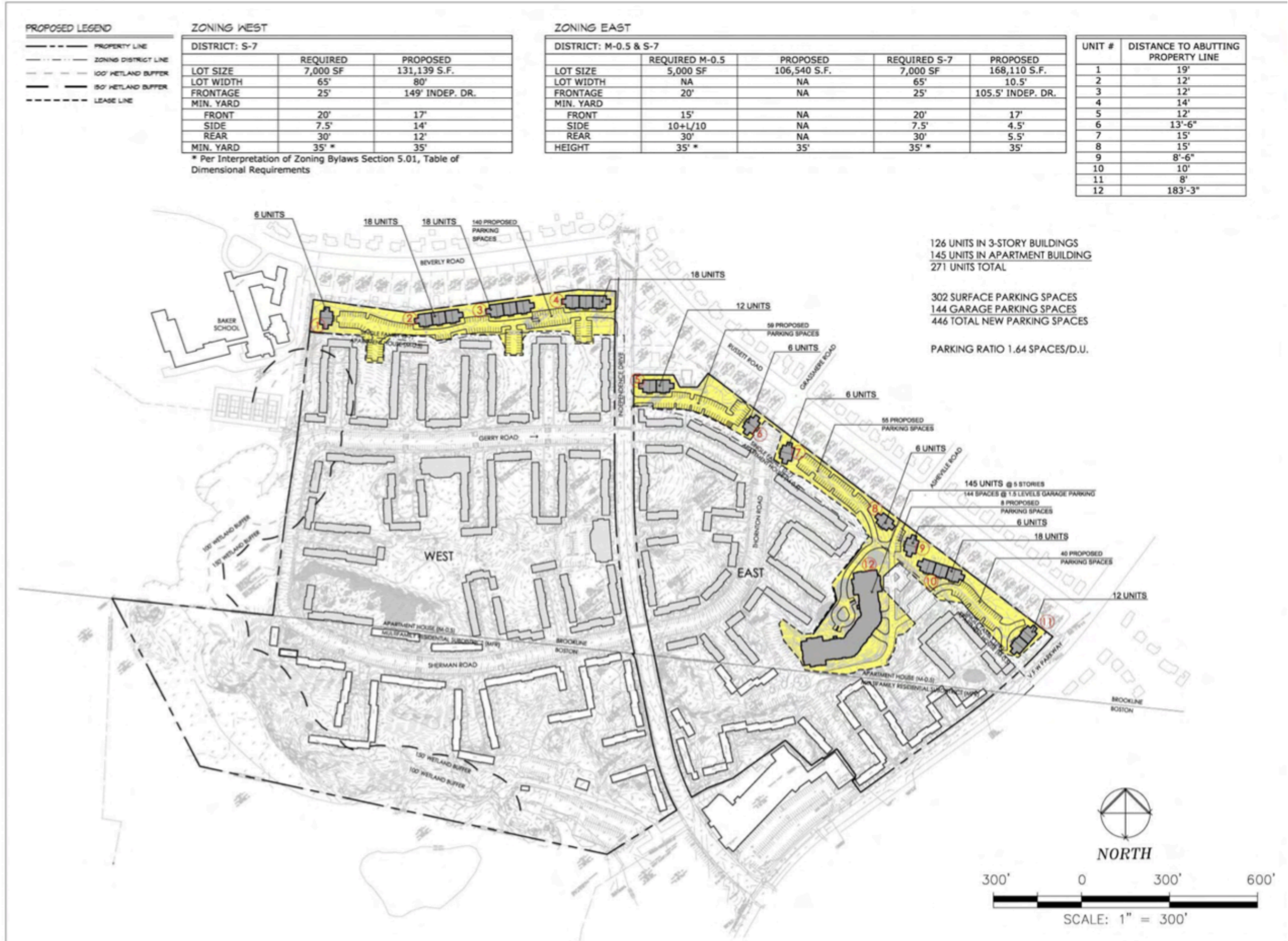
Timeline

2012 — CHR submits 40B application to MassDevelopment

40B is a Mass law designed to promote construction of affordable housing. Each town has a subsidized housing inventory (SHI). If SHI is below 10% of the town's housing (which Brookline is), then developer's can circumvent local zoning if they propose projects with at least 20-25% affordable units. The project is still reviewed by the town's zoning board, but its powers to limit projects is constrained, and decisions can be appealed to a state committee that is pro-development.

Timeline

2012 – CHR submits 40B application to MassDevelopment



Timeline

- 2013** — Feb.: CHR withdraws its 40B application
- Through FOIA requests we later learned that MassDevelopment had voted to reject the application but had not yet mailed it to CHR. MassDevelopment notified CHR of its decision, giving CHR time to withdraw the app.
 - June: CHR proposes revised 40B, Residences at S. Brookline.
 - Revised proposal only had minor changes — among these was inclusion of several 3-4 BR units.
 - Oct: MassDevelopment issues Project Eligibility Letter (PEL) without comment on the prior 40B denial.
- 2014** — many contentious ZBA meetings.
- 2015** — Jan: ZBA approves plan with minor modifications and conditions.

**2013 40B – Modified
Plan after ZBA (June 2014)**



Timeline

2015 — Jan: ZBA approves plan with minor modifications and conditions.

— Town sues CHR and ZBA and asks neighbors to join in. Case was dismissed in Superior Court and this was upheld in Mass Court of Appeals. Lawsuit then brought to land court and motion for dismissal was denied.

Substance of lawsuit:

1. Development of the property was restricted by a public contract made between the original developer and the Town in 1946.
2. The Project Eligibility Letter was not determined in a manner that was consistent with MassDevelopment/40B rules
3. MassDevelopment is chartered to develop blighted properties and therefore has no mandate to sponsor development of this property
4. The ZBA process was flawed.

2016 — CHR submits another 40B proposal, Puddingstone at Chestnut Hill

2016 Puddingstone 40B + 2014 RSB 40B (after ZBA)



**2016 Puddingstone 40B +
2014 RSB 40B (after ZBA)
VS
2009**



Timeline

2016 — Town, neighbor plaintiffs, and CHR enter into discussions to attempt to achieve a better solution at HV. The lawsuit and the second 40B are suspended in November in a signed Memorandum (MOA) that outlines the parameters for a comprehensive development plan.

2016-7 MOA Agreement Conceptual Plan

| | | | | | | |
|------------------|----|----|-----|----|-----|----|
| Total Units | 36 | 27 | 112 | 28 | 148 | 55 |
| Total # Bedrooms | 71 | 44 | 140 | 35 | 211 | 79 |

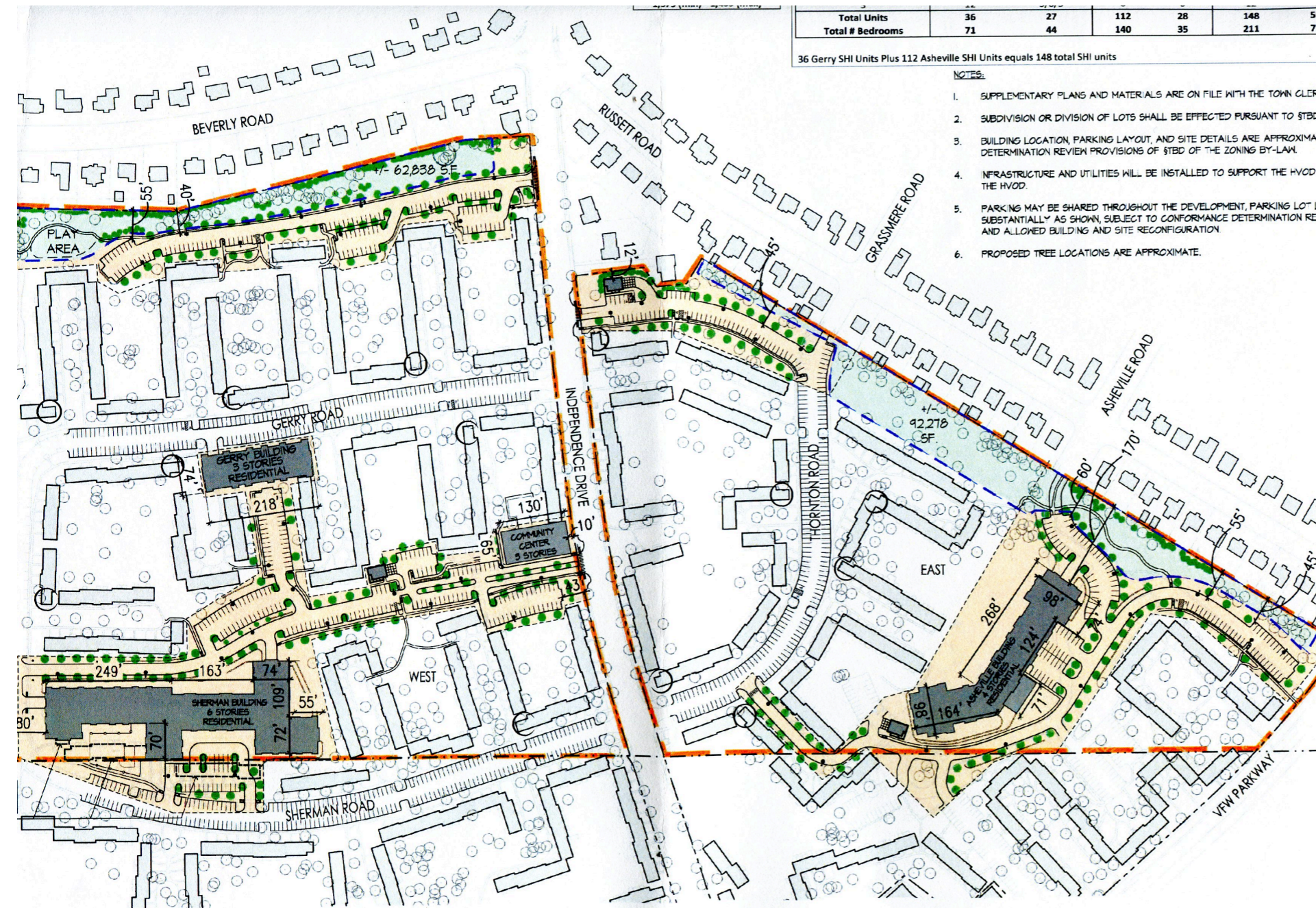
36 Gerry SHI Units Plus 112 Asheville SHI Units equals 148 total SHI units

NOTES:

1. SUPPLEMENTARY PLANS AND MATERIALS ARE ON FILE WITH THE TOWN CLERK.
2. SUBDIVISION OR DIVISION OF LOTS SHALL BE EFFECTED PURSUANT TO §2BDC.
3. BUILDING LOCATION, PARKING LAYOUT, AND SITE DETAILS ARE APPROXIMATE DETERMINATION REVIEW PROVISIONS OF §2BD OF THE ZONING BY-LAW.
4. INFRASTRUCTURE AND UTILITIES WILL BE INSTALLED TO SUPPORT THE HVOD OR THE HVOD.
5. PARKING MAY BE SHARED THROUGHOUT THE DEVELOPMENT, PARKING LOT LAYOUT SUBSTANTIALLY AS SHOWN, SUBJECT TO CONFORMANCE DETERMINATION REVIEW AND ALLOWED BUILDING AND SITE RECONFIGURATION.
6. PROPOSED TREE LOCATIONS ARE APPROXIMATE.

Major points:

1. No buildings in buffer and less roads/parking.
2. No regular vehicle egress to Russett.
3. "One and done"
4. Reduction in total # units and # 3-4 BR units vs both 40Bs.



HANCOCK VILLAGE MASTER DEVELOPMENT PLAN

Timeline

2017 — CHR and Brookline representatives met without neighborhood representation to codify the principles and parameters laid out in the MOA. The result is embodied in the current Warrant Articles and Development Agreement.

It is important to note that the current Warrant Articles and the MOA differ in several crucial ways (see next slide). These differences undermine several of the fundamental principles of the MOA. For this reason, the local Town Meeting Members unanimously oppose it, in favor a return to the negotiating table for a better result for the neighborhood and the town.

Differences between MOA and Warrant Articles for Nov 2017 Town Meeting

| Description | MOA 11/2016 (demolished units in parenthesis) | | | Current (as of 11/1/2017) (demolished units in parenthesis) | | |
|--------------------------------|---|-----------|-------------|---|-----------|-------------|
| | Units | BR | BR+loft/den | Units | BR | BR+loft/den |
| <u>New construction</u> | | | | | | |
| 1BR | 166 (-7) | 166 (-7) | 166 (-7) | 179 (-7) | 179 (-7) | 179 (-7) |
| 1BR+loft/den | 52 | 52 | 104 | 51 | 51 | 102 |
| 2BR | 140 (-6) | 280 (-12) | 280 (-12) | 116 (-6) | 232 (-12) | 232 (-12) |
| 2BR+loft/den | 24 | 48 | 72 | 24 | 48 | 72 |
| 3BR | 0 (-1) | -3 | -3 | 12 (-1) | 36 (-3) | 36 (-3) |
| Total (net) | 368 | 524 | 600 | 368 | 524 | 599 |
| Existing Buildings | None | | | 13 laundry rooms to bedrooms 300 6x10 additions (18000 sq ft) 25000 sq ft additional office space. | | |
| TOTAL Potential BR | 600 | | | Potential new BR = 599+312 = 911!!! | | |
| Affordable housing | Not specified | | | 55 affordable (34 1BR/18 2BR/3 3BR) segregated into 2 buildings, zero in Sherman luxury tower. | | |
| Deed restriction | Perpetual restriction on further development | | | Max 20 year limit on further development. | | |
| Trash house | "CHR will explore alternate locations for the recycling center that are mutually acceptable" | | | Was located 10 ft from abutters, now will be moved but the final location has not been described. | | |
| NCD | "The NCD Amendments shall provide that no NCD review shall be required for construction of the Revised Project, and shall contain such other limitations on the application of the NCD to Hancock Village as shall be mutually acceptable to the Town and CHR". | | | NCD was eliminated (WA15) and now remains but is severely limited in its scope (Special Town Meeting WA). | | |