

# Boston Redevelopment Authority

Boston's Planning & Economic  
Development Office

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January 29, 2013

Mr. David Zussman  
Boston Development Group  
93 Union Street, Suite 315  
Newton Centre, MA 02459

Dear Mr. Zussman:

Re: Scoping Determination  
**375-399 Chestnut Hill Avenue, Brighton**

Please find enclosed the Scoping Determination issued by the Boston Redevelopment Authority (the "Authority" or "BRA") pursuant to Section 80B-5.3 of the Boston Zoning Code (the "Code") in response to the Expanded Project Notification Form ("PNF") filed for the 375-399 Chestnut Hill Avenue proposal (AKA: Cleveland Circle Cinema Redevelopment), located in the Brighton neighborhood of Boston.

The 375-399 Chestnut Hill Avenue project is located on an approximately 2.56 acre parcel of land adjacent to Cleveland Circle. The site contains the former Cleveland Circle Cinema and associated parking ("Site One") and the existing Applebee's restaurant and associated parking ("Site Two"). Site One has two addresses, 375 Chestnut Hill Avenue in Boston and 399 Chestnut Hill Avenue in Brookline. The address of Site Two is 381 Chestnut Hill Avenue and is located entirely in Boston. Sites One and Two are bound by Cassidy Playground to the north, Chestnut Hill Avenue and the Green Line MBTA Reservoir Station to the east, the MBTA right-of-way and residential homes on Clinton Road in Brookline to the south and the Waterworks Condominiums to the west. A total of 2.14 acres are located in the City of Boston and 0.42 acres are located in the Town of Brookline (collectively the "Project Site").

If you have any questions regarding the Scoping Determination, please contact me at (617) 918-4429.

Sincerely,

Erico Lopez  
Senior Project Manager

Cc. James M. Tierney  
Heather Campisano

**BOSTON REDEVELOPMENT AUTHORITY  
SCOPING DETERMINATION**

**FOR**

**375-399 CHESTNUT HILL AVENUE, BRIGHTON  
EXPANDED PROJECT NOTIFICATION FORM**

**PREAMBLE**

Boston Development Group (the "Developer", "Proponent" or "Development Team") submitted to the Boston Redevelopment Authority ("BRA") an Expanded Project Notification Form (the "PNF") under Article 80 of the Boston Zoning Code (the "Code") on August 16, 2012 and noticed in the *Boston Herald* on the same day. The PNF proposes the Developer's plan to construct an approximately 236,500 square foot ("sf") mixed-use building. The Proponent seeks to raze the existing buildings on the Project Site and replace them with a new building that will be organized into a roughly Y-shaped footprint. The proposed development includes an approximately 181 key hotel, 82 residential units, 19,000 sf of medical office space, and 14,200 sf of ground floor retail/restaurant space. Both the hotel and residential portions are five stories, while the medical office portion is three stories over a single story of retail/restaurant space. The ground floor includes the retail space, the residential entry and lobby, the hotel entry and lobby, hotel support spaces, and a fitness and pool area to be shared by the hotel and residential components. The proposed development also includes 228 parking spaces of which approximately 141 of those spaces will be located in an underground parking garage supports in addition to mechanical and storage spaces. The balance of the parking (87 spaces) will be provided at grade (the "Proposed Project").

Written comments constitute an integral part of the Scoping Determination and should be responded to in the Draft Project Impact Report (the "DPIR").

## SUBMISSION REQUIREMENTS

### FOR

#### 375-399 CHESTNUT HILL AVENUE, BRIGHTON DRAFT PROJECT IMPACT REPORT

The Boston Redevelopment Authority ("BRA") is issuing this Scoping Determination ("Scope") pursuant to Section 80B-5 of the Boston Zoning Code (the "Code"), in response to a Expanded Project Notification Form (the "PNF") which Boston Development Group (the "Developer", "Proponent" or "Development Team") submitted on August 16, 2012. The Proponent seeks to raze the existing buildings on the Project Site and replace them with a new building that will be organized into a roughly Y-shaped footprint. The proposed development includes an approximately 181 key hotel, 82 residential units, 19,000 sf of medical office space, and 14,200 sf of ground floor retail/restaurant space. Both the hotel and residential portions are five stories, while the medical office portion is three stories over a single story of retail/restaurant space. The ground floor includes the retail space, the residential entry and lobby, the hotel entry and lobby, hotel support spaces, and a fitness and pool area to be shared by the hotel and residential components. The proposed development also includes 228 parking spaces of which approximately 141 of those spaces will be located in an underground parking garage supports in addition to mechanical and storage spaces. The balance of the parking (87 spaces) will be provided at grade (the "Proposed Project"). Notice of the receipt by the BRA of the PNF was published in the *Boston Herald* on August 16, 2012 initiating the public comment period that ended on October 1, 2012, extended to October 8, 2012 at the request of the Proponent. Pursuant to Section 80A-2 of the Code, the Notice and the PNF were sent to all public agencies of the City and other interested individuals and parties. Written comments in response to the Notice and the PNF that were received by the BRA prior to the end of the public comment period are included in the Appendices of this Scope. The Scope requests information that the BRA requires for its review of the Proposed Project in connection with the following:

- (a) Certification of Compliance of the Proposed Project pursuant to Article 80, Section 80B-6 of the Code; and
- (b) Preliminary Adequacy Determination pursuant to Article 80, Section 80B-5.4(c) of the Code; and

The BRA is reviewing the Proposed Project pursuant to Article 80, Section 80B, Large Project Review, which sets out comprehensive procedures for project review and requires the BRA to examine the urban design, transportation, environmental, and other impacts of proposed projects. The Developer is required to prepare and submit to the BRA a Draft Project Impact Report ("DPIR") that meets the requirements of the Scope by detailing the Proposed Project's expected impacts and proposing measures to mitigate,

limit, or minimize such impacts. The DPIR shall contain the information necessary to meet the specifications of Section 80B-3 (Scope of Review; Content of Reports) and Section 80B-4 (Standards for Large Project Review Approval) as required by the Scope.

Subsequent to the end of the forty-five (45) day public comment period for the DPIR, the BRA will issue a Preliminary Adequacy Determination ("PAD") that indicates the additional steps necessary for the Proponent to complete in order to satisfy the requirements of the Scope and all applicable sections of Article 80 of the Code. If the BRA finds that the PNF/DPIR adequately describe the Proposed Project's impacts and, if appropriate, proposes satisfactory measures to mitigate, limit or minimize such impacts, the PAD will announce such a determination and waive the requirements for the filing and review of a Final Project Impact Report, are waived pursuant to Section 80B-5.4(c)(iv) of the Code. Section 80B-6 requires the Director of the BRA to issue a Certification of Compliance before the Commissioner of Inspectional Services can issue any building permit for the Proposed Project.

## **I. PROPOSED PROJECT DESCRIPTION**

The proposed 375-399 Chestnut Hill Avenue project is located on an approximately 2.56 acre parcel of land on the south side of Chestnut Hill Avenue adjacent to Cleveland Circle. The Circle Cinema parcel has two addresses: 375 Chestnut Hill Avenue in Boston and 399 Chestnut Hill Avenue in Brookline. The address of the Applebee's parcel is 381 Chestnut Hill Avenue in Boston. The Project Site is divided by the Boston/Brookline line such that the northeast portion of the Project Site is in Brookline. Of the approximately 2.56 acre total site area, approximately 2.14 acres are within Boston (the "Project Site").

The Project Site is occupied by the former Circle Cinema, an Applebee's restaurant, and surface parking. Cassidy Playground is north of the Project Site; the MBTA's Green Line Reservoir Station is opposite the Project Site on the east side of Chestnut Hill Avenue; an MBTA right-of-way and the rear of residences along Clinton Road are south of the Project Site; and the Waterworks Condominiums are to the west, or rear, of the Project Site.

Boston Development Group seeks to raze the existing buildings on the Project Site and replace them with a new building that will be organized into a roughly Y-shaped footprint. The proposed development includes an approximately 181 key hotel, 82 residential units, 19,000 sf of medical office space, and 14,200 sf of ground floor retail/restaurant space. Both the hotel and residential portions are five stories, while the medical office portion is three stories over a single story of retail/restaurant space. The ground floor includes the retail space, the residential entry and lobby, the hotel entry and lobby, hotel support spaces, and a fitness and pool area to be shared by the hotel and residential components. The proposed development also includes 228 parking spaces of which approximately 141 of those spaces will be located in an

underground parking garage supports in addition to mechanical and storage spaces. The balance of the parking (87 spaces) will be provided at grade (the "Proposed Project").

## II. DEVELOPMENT REVIEW REQUIREMENTS - ARTICLE 80

### SUBMISSION REQUIREMENTS

In addition to full-size scale drawings, sixty-five (65) copies of a bound report and one (1) digital PDF copy containing all submission materials reduced to size 8-1/2" x 11", except where otherwise specified, are required. The report should be printed on both sides of the page. A copy of this Scope should be included in the report submitted for review.

#### A. GENERAL INFORMATION

1. Applicant Information
  - a. Development Team
    - (1) Names
      - (a) Developer (including description of development entity and type of corporation)
      - (b) Attorney
      - (c) Project consultants and architect
    - (2) Business address and telephone number for each
    - (3) Designated contact for each
  - b. Legal Information
    - (1) Legal judgments or actions pending concerning the Proposed Project
    - (2) History of tax arrears on property owned in Boston by the Applicant
    - (3) Evidence of site control over the project area, including current ownership and purchase options of all parcels in the Proposed Project, all restrictive covenants and contractual restrictions affecting the proponent's right or ability to accomplish the Proposed Project, and the nature of the agreements for securing parcels not owned by the Applicant.
    - (4) Nature and extent of any and all public easements into, through, or surrounding the site.
2. Design Development Information (See **Appendix 5** for required design development and contract document submissions).
3. Project Area
  - a. An area map identifying the location of the Proposed Project

- b. Description of metes and bounds of project area or certified survey of project area

4. Public Benefits

- a. Anticipated employment levels including the following:
  - (1) Estimated number of construction jobs
  - (2) Estimated number of permanent jobsThe Proponent is expected to provide a workforce development plan and needs assessment for the Proposed Project. The Proponent should describe the efforts it will undertake to ensure that an appropriate share of new jobs and construction jobs will be filled by Boston residents.
- b. Current activities and programs which benefit adjacent neighborhoods of Boston and the city at large, such as: child care programs, scholarships, internships, elderly services, education and job training programs, etc.
- c. Other public benefits, if any, to be provided.

5. Regulatory Controls and Permits

- a. Existing zoning requirements, zoning computation forms, and any anticipated requests for zoning relief should be explained.
- b. Anticipated permits required from other local, state, and federal entities with a proposed application schedule should be noted.
- c. A statement on the applicability of the Massachusetts Environmental Policy Act (MEPA) should be provided. If the Proposed Project is subject to MEPA, all required documentation should be provided to the BRA, including, but not limited to, copies of the Environmental Notification Form, decisions of the Secretary of Environmental Affairs, and the proposed schedule for coordination with BRA procedure.

6. Community Groups

- a. Names and addresses of project area owners, abutters, and any community or business groups which, in the opinion of the applicant, may be substantially interested in or affected by the Proposed Project.
- b. A list of meetings held and proposed with interested parties, including public agencies, abutters, and community and business groups.

B. PROJECT DESCRIPTION AND ALTERNATIVES

1. Project Description

The DPIR shall contain a full description of the Proposed Project and its components, including its size, physical characteristics, development schedule, costs, and proposed uses. This section of the DPIR also shall present analysis of the development context of the Proposed Project. Appropriate site and building plans to illustrate clearly the Proposed Project shall be required.

2. Project Alternatives

A description of alternatives to the Proposed Project that were considered shall be presented and the primary differences among the alternatives, particularly as they may affect environmental conditions, shall be discussed.

C. TRANSPORTATION COMPONENT

Please refer the comments and information requested by the Boston Transportation Department ("BTD") included in **Appendix 1**.

D. ENVIRONMENTAL PROTECTION COMPONENT

Please refer to the comments and information requested by the Boston Environment Department ("BED") included in **Appendix 1**. In addition, the Proponent is requested to provide information on the following:

E. URBAN DESIGN COMPONENT

Please refer to the comments and information requested by the Boston Redevelopment Authority's Urban Design Department included in **Appendix 1**. In addition, the Proponent is requested to provide information on the following:

Procedures:

1. Written description of program elements and space allocation for each element
2. Plan for the surrounding area and district and sections at an appropriate scale (1" = 40' or larger) showing relationships of the Proposed Project to the surrounding area and district:

- a. massing
- b. building height
- c. scaling elements
- d. open space
- e. major topographical features
- f. pedestrian and vehicular circulation
- g. land use

3. Black and white or color 8"x10" photographs of the site and neighborhood
4. Eye-level perspective (reproducible line drawings) showing the proposal (including main entries and public passages/ areas) in the context of the surrounding area. Views from the area streets are required, showing the surrounding context, with particular emphasis on important viewing areas. Long-ranged (distanced) views of the proposed project should also be studied to assess the impact on the skyline or other view lines. Photomontages are encouraged as a technique to fully understand the contextual setting. Context and the massing of other BRA-approved projects should be included. At least one bird's-eye perspective should also be included. All perspectives should show (in separate comparative sketches) both the build and no-build conditions. The view locations should be approved by the BRA before analysis is begun. View studies should be cognizant of light and shadow, massing and bulk.
5. Site sections at 1" = 20' or larger showing relationships to adjacent buildings and spaces.
6. Site plan at an appropriate scale (1" = 20' or larger) showing:
  - a. General relationships of proposed and existing adjacent buildings and open space
  - b. Open spaces defined by buildings on adjacent parcels and across streets
  - c. General location of pedestrian ways, driveways, parking, service areas, streets, and major landscape features
  - d. Pedestrian, handicapped, vehicular and service access and flow through the parcel and to adjacent areas
  - e. Survey information, such as extending elevations, benchmarks, and utilities
  - f. Construction limits
7. Study building/site model at 1" = 16' or 1" = 20' showing preliminary concept of setbacks, cornice lines, fenestration (window treatment), facade composition, etc.
8. Massing model at 1" = 40' in basswood suitable for placement in the area model at the BRA (if applicable).



9. Drawings at an appropriate scales (e.g., 1" =8', 1"-16', or 1"-20') to describe the facade design and proposed materials including:
  - a. Building and site improvement plans
  - b. Elevations in the context of the surrounding area
  - c. Sections showing organization of functions and spaces
  - d. Preliminary building plans showing ground floor and typical upper floors
  - e. Phasing of the proposed project
10. A written and/or graphic description of the building materials and its texture, color, and general fenestration patterns is required for the proposed development.
11. Proposed schedule for submittal of all design or development related materials.
12. Proposed LEED certification plans and point rating goal assessment.
13. Electronic model of the Proposed Project in format suitable for use in the BRA's digital 3-D model of Boston. Format should be approved by Urban Design's Technology manager

The Boston Civic Design Commission (BCDC) to review the Proposed Project upon the submission of the DPIR. The Proponent should expect to produce a presentation if scheduled to appear in the future. When sufficient material has been developed, the Proponent should contact David Carlson, Executive Director of the BCDC. The BRA Urban Design reviewer will also assist in determining the Proponent's readiness for presentation. Monthly meetings of the BCDC are scheduled on the first Tuesday of each month. Attached is a memorandum, which briefly describes requirements (which should be considered prerequisites) for this scheduling.

#### INFORMATION REQUIREMENTS FOR BCDC PRESENTATION

BCDC Review is established by Article 28 of the Code and is a part of the Article 80 Project and Plan review processes. BCDC review is advisory to the BRA and should occur before the BRA Board takes action pursuant to the Article 80 process. In special cases, where this threshold is not applicable, BCDC review should occur during the schematic phase of project design or plan evolution so as to maximize the potential benefit of BCDC comments.

The Proponents should have available for presentation to the BCDC the full schematic design submission requirements as set forth in the BRA Development Review Procedures booklet. BRA Urban Design Staff shall have reviewed the Proponent's submission materials to assess their level of completeness before a

Project is submitted for BCDC review. BCDC Project Summary Booklets (15) shall be prepared and delivered to the Executive Director at least one week before the first scheduled hearing before the Commission. Summary booklets need not repeat full PNF/ENF, NPC, Master Plan, or DPIR information, but should contain a brief narrative and fact sheet explaining the Project or Plan as well as sufficient photographs, drawings and sketches to fully understand the Project as proposed in its design and neighborhood context.

In general, the following must be included:

- Site Plan with context (one or more city blocks, depending on Project size);
- Elevations, Sections, and eye-level perspectives with context (adjacent buildings and more, depending on site) showing comparative heights and relationships to buildings, structures, or topography across the street(s) or to the rear. Models are encouraged;
- Fact Sheet with underlying zoning background (including design guidelines, district criteria, status of other public reviews, etc.) as well as proposed height(s), FAR, setbacks, and all other data directly or indirectly affecting the Public Realm (parking supplied vs. required, i.e.); and
- Other Materials deemed necessary by BRA or BCDC staff.

Unless advised otherwise, presentations will be limited to a MAXIMUM of 15 minutes. Please bring easels or other equipment necessary for your presentation. BRA staff working on a Project should be present to answer questions raised by Commissioners. The major reviewing community group(s) should be informed of the presentation beforehand and ask to be represented at the meeting. Proponents should be prepared to submit presentation material to the BRA the morning of the day before a hearing, for BRA urban design staff review. David Carlson can be reached at 617-918-4284. Fax is 617-918-4329. Email is [david.carlson.bra@cityofboston.gov](mailto:david.carlson.bra@cityofboston.gov)

#### F. HISTORIC RESOURCES COMPONENT

The Development Team should include in the DPIR if the Proposed Project is adjacent to historic properties listed in the National and State Registers of Historic Places. The DPIR shall identify, map, and describe these historic resources and any other historic properties in the vicinity of the Proposed Project's site and shall evaluate the anticipated effects of the Proposed Project on these resources. Particular attention shall be given to the design, scale, height, massing, materials, and other architectural elements of the proposed buildings as these relate to the significant architectural and historic resources in the proposed project's vicinity. The DPIR must also include an assessment of the potential presence of archaeological resources that may be disturbed by the Proposed Project. The Proponents should also respond to the comments of the Boston Environment Department outlined in **Appendix 1**.

## H. INFRASTRUCTURE SYSTEMS COMPONENT

The standard scope for infrastructure analysis is given below:

1. Utility Systems and Water Quality
  - a. Estimated water consumption and sewage generation from the Proposed Project and the basis for each estimate. Include separate calculations for air conditioning system make-up water;
  - b. Description of the capacity and adequacy of water, storm drain and sewer systems and an evaluation of the impacts of the Proposed Project on those systems;
  - c. Identification of measures to conserve resources, including any provisions for recycling;
  - d. Description of the Proposed Project's impacts on the water quality of other water bodies that could be affected by the project, if applicable;
  - e. Description of mitigation measures to reduce or eliminate impacts on water quality;
  - f. Description of impact of on-site storm drainage on water quality;
  - g. Detail methods of protection proposed for infrastructure conduits and other artifacts, including BSWC sewer lines and water mains, during construction; and
  - h. Detail the energy source of the interior space heating; how obtained, and, if applicable, plans for reuse of condensate.

Thorough consultation with the planners and engineers of the utilities will be required, and should be referenced in the Infrastructure Component section.

2. Energy Systems
  - a. Description of energy requirements of the Proposed Project and evaluation of the Proposed Project's impacts on resources and supply; and
  - b. Description of measures to conserve energy usage and consideration of the feasibility of including solar energy provisions or other on-site energy provisions.

Additional constraints or information required are described below. Any other system (emergency systems, gas, steam, optic fiber, cable, etc.) impacted by this development should also be described in brief.

- The location of transformer and other vaults required for electrical distribution or ventilation must be chosen to minimize disruption to pedestrian paths and public improvements both when operating normally and when being serviced, and must be described.
- Sewer systems and storm water systems must be separated if possible; utilization of combined systems should be avoided. Thorough analysis and continuing discussions with BWSC are required.
- Water supply systems adjacent to the Proposed Project and servicing the Proposed Project should be looped so as to minimize public hazard or inconvenience in the event of a main break.

In addition, the Proponent should respond to the comments by the Boston Water and Sewer Commission found in **Appendix 1**.

I. PUBLIC NOTICE

The Proponent will be responsible for preparing and publishing in one or more newspapers of general circulation in the city of Boston a Public Notice of the submission of the Draft Project Impact Report (DPIR) to the BRA as required by Section 80A-2. This Notice shall be published within five (5) days after the receipt of the DPIR by the BRA. Public comments shall be transmitted to the BRA within forty-five (45) days of the publication of this Notice.

Sample forms of the Public Notices are attached as **Appendix 4**.

Following publication of the Public Notice, the Proponent shall submit to the BRA a copy of the published Notice together with the date of publication.

**APPENDIX 1**  
**COMMENTS FROM CITY PUBLIC AGENCIES**

## MEMORANDUM

TO: Erico Lopez  
FROM: David Carlson  
DATE: December 3, 2012  
SUBJECT: 375-399 Chestnut Hill Avenue (Cleveland Circle Mixed-Use Project)  
Scoping Comments

The Proposed Project consists of approximately 82 residential units, 181 hotel rooms, 19,000 SF of medical office, and about 14,000 SF of restaurant/retail in a massing and height configuration that, by dint of this scoping, presumptively is in the process of being modified in response to comments. Therefore the comments made below should be applied or understood in their general, and not necessarily specific, sense. The Project overall contains some 237,000 SF; of this, 192,000 SF is located in the City of Boston (the rest is in Brookline). Height proposed is up to about 64'; FAR, depending upon one's calculus, is a little over 2.0.

### URBAN DESIGN COMPONENT

The BCDC voted to review the Proposed Project on September 4, 2012 and saw a preliminary presentation. The Project was referred to Design Committee. When sufficient progress in preparation of a Preferred Alternative in the DPIR in response to the Scoping Document has been made on the design pursuant to preliminary BCDC, Brookline DAT, and BRA staff comments, BCDC Design Committee meetings should be scheduled by contacting David Carlson, Executive Director of the BCDC. The meeting, as communicated in meetings both at the BRA and before the BDAT, will include an invitation to members of the latter. Minutes from the Cleveland Circle portion of the September BCDC meeting are attached.

The Proposed Project creates two intertwined buildings containing three major use program elements as well as retail/restaurant uses along Chestnut Hill Avenue. The existing Circle Cinema and Appleby's buildings will be demolished; the odd-shaped and tapered site which rises between the MBTA's 'D' line and the Park will have its edges defined by the proposed 5-story structures. Parking and loading are accessed via an internal circulation system with ingress/egress from Chestnut Hill Avenue and limited egress onto Beacon Street. The massing will be the back-yard view across MBTA tracks for a number of Brookline residents and will also form the backdrop of the Park as seen from Beacon. The corner of the parcel touches the partial roadway circle which gives Cleveland Circle its name.

The following urban design objectives should be addressed in the DPIR submission.

- 1) Cleveland Circle is defined, for better or worse, largely by its roadways. The Project should contrive to *improve or at worst to make no worse* the traffic performance of these defining roadways. The BRA believes that the chosen entry point in the middle of the conjoined parcel, near the existing stop light, is the most reasonable location.

- 2) In addition, the size and configuration of the interior courtyard must allow for a managed and reasonably-performing array of necessary valet parking, drop-offs, service and loading, and residential self-parking without creating chaotic congestion that affects Chestnut Hill Avenue itself. Maximizing the courtyard for this purpose as well as increasing its access to daylight is recommended. The courtyard must be attractive and a green and pleasant environment as well for pedestrians and bicyclists, as well as those residents and hotel guests for whom it provides views.
- 3) Standard alternatives for study include no-build, and an 'as-of-right' build-out, somewhat complicated by the two-town presence. The BRA staff is supportive of the FAR density proposed, as well as most of the proposed uses. Different program configurations have been studied as well, giving the hotel more immediate presence along Chestnut Hill Avenue. We feel that the residential use should maximize its views toward the park - and that local 'eyes on the park' will improve park safety as well. We ask that the Proponent team study ways of visibly acknowledging the hotel use from the Avenue and, more importantly, ways of reinforcing the prominence of the Project on Cleveland Circle itself.
- 4) The Proposed Project should contrive to augment its presence at the corner facing Cleveland Circle - and to make more recessive its presence as a Park edge, by a combination of strategies that break up the sense of mass in interesting ways but also truly reduce the mass - lowering the structure, so that the height decreases by, say, a floor as one goes deeper into the park. Extending the length of the building and possibly the residential program (on a floor, say, or by introducing dual single-loaded corridor hotel and residential uses along the narrow portion of the site) can balance any loss of residential units resulting from this change.
- 5) Modify the primary building facade expression visible from Cleveland Circle so that it becomes a strong contemporary neighbor to those buildings closest to it in massing: the residential buildings on the adjacent Waterworks site and at the opposite corner of Cleveland Circle.
- 6) Work with the Parks Department to improve the adjacent edge of the Park. Consistent with the existing strategy used by Appleby's (and legally required), provide a direct path on Project property to any entries fronting onto the Park, while also considering secondary path connections directly from the more public areas of the Project to Park pathways.
- 7) Reduce the absolute number of parking spaces. There is no need for a multi-use Project to provide the required number of parking spaces for each component use when these uses have overlapping peak time requirements and when the Project as a whole is a model for lower T.O.D. parking ratios, sitting nearly on top of two Green Line branches (and bus connection) and a block and a half from a third. Underground spaces should be retained; surface parking should be reduced so that mitigating green buffers may be provided on

both edges of the property. Cars should not be visible from the Park; the green buffer toward the Riverside Line may act as a sonic buffer as well as a visual one from Brookline.

Among others, the refined design included in the DPIR must satisfactorily address all the above parameters. An accurate sense of scale of the building in its context must be achieved; we note that this seems highly variable within the material as currently presented in the PNF. Focus on key distanced views, as well as key intermediate/user viewpoints, to guide the design composition of the Proposed Project. Reinforce all pedestrian pathways; develop a plan which shows the building program and how it supports such activity within the future pedestrian/public access network. Active programming that will engage the public and ideally spill seasonally into the public realm at the ground floor should remain (and should be maximized). Take note of the fundamental contextual strengths of the site, including its connections to the Green Line trolleys, the immediate Park and Reservoir, and nearby attractions - the Waterworks Museum, Cleveland Circle.

We reserve the right to add additional concerns during the course of the process of combined BRA staff, BDAT, and BCDC review which may affect the responses detailed in the DPIR.

The following urban design materials for the Proposed Project's schematic design must be submitted for the DPIR.

1. Written description of program elements and space allocation (in square feet) for each element, as well as Project totals.
2. Neighborhood plan, elevations and sections at an appropriate scale (1"=100' or larger as determined by the BRA) showing relationships of the proposed project to the neighborhood context:
  - a. massing
  - b. building height
  - c. scaling elements
  - d. open space
  - e. major topographic features
  - f. pedestrian and vehicular circulation
  - g. land use
3. Color, or Black and white 8"x10" photographs of the site and neighborhood.
4. Sketches and diagrams to clarify design issues and massing options.
5. Eye-level perspective (reproducible line or other approved drawings) showing the proposal (including main entries and public areas) in the context of the surrounding area. Views should display a particular emphasis on important viewing areas such as key intersections, pathways, or public parks/attractions. Long-ranged (distanced) views of the proposed project must also be studied to assess the impact on the skyline or other view lines. At least one bird's-eye perspective should also be included. All perspectives should show (in separate comparative sketches) at least both the build and no-build conditions; any alternatives proposed should be compared as well. The BRA should



approve the view locations before analysis is begun. View studies should be cognizant of light and shadow, massing and bulk.

6. Additional aerial or skyline views of the project, if and as requested.
7. Site sections at 1"=20' or larger (or other scale approved by the BRA) showing relationships to adjacent buildings and spaces.
8. Site plan(s) at an appropriate scale (1"=20' or larger, or as approved by the BRA) showing:
  - a. general relationships of proposed and existing adjacent buildings and open spaces
  - b. open spaces defined by buildings on adjacent parcels and across streets
  - c. general location of pedestrian ways, driveways, parking, service areas, streets, and major landscape features
  - d. pedestrian, handicapped, vehicular and service access and flow through the parcel and to adjacent areas
  - e. survey information, such as existing elevations, benchmarks, and utilities
  - f. phasing possibilities
  - g. construction limits
9. Massing study context model with topography for help in understanding the relationship of the Project to its surroundings
10. Study model at 1" = 16' or 1" = 20' showing preliminary concept of setbacks, cornice lines, fenestration, facade composition, etc., as deemed appropriate
11. Drawings at an appropriate scale (e.g., 1":16'0", or as determined by BRA) describing architectural massing, facade design and proposed materials including:
  - a. building and site improvement plans
  - b. neighborhood elevations, sections, and/or plans showing the development in the context of the surrounding area
  - c. sections showing organization of functions and spaces, and relationships to adjacent spaces and structures
  - d. preliminary building plans showing ground floor and typical upper floor(s).
  - e. phasing, if any, of the Proposed Project
12. A written and/or graphic description of the building materials and its texture, color, and general fenestration patterns is required for the proposed development.
13. Electronic files describing the site and Proposed Project at Representation Levels one and two ("Streetscape" and "Massing") as described in the document *Boston "Smart Model": CAD & 3D Model Standard Guidelines*.
14. Full responses, which may be in the formats listed above, to any urban design-related issues raised in preliminary reviews or specifically included in the BRA scoping determination, preliminary adequacy determination, or other document requesting additional information leading up to BRA Board action, inclusive of material required for Boston Civic Design Commission review.
15. Proposed schedule for submission of all design or development-related materials.
16. Diagrammatic sections through the neighborhood (to the extent not covered in item #2 above) cutting north-south and east-west at the scale and distance indicated above.
17. True-scale three-dimensional graphic representations of the area indicated above either as aerial perspective or isometric views showing all buildings, streets, parks, and natural features.

## DAYLIGHT COMPONENT

The daylight analysis included in the expanded PNF should be expanded to include at least one view from the Park for both build and no-build conditions. A comparable for this value is also nearby.

## SHADOW AND WIND COMMENTS

Revised shadow information should be provided for any significant modifications in the Project massing made pursuant to comments and design responses.

### Excerpted from the minutes of the BCDC meeting of September 4, 2012:

The next item was a presentation of the **Cleveland Circle Mixed-Use (375-399 Chestnut Hill Avenue) Project**. Steve Cheung (SC) of ADD Inc. introduced the team and then went over the Project program, a site overview, and the context, using aerials and photos. He then showed a site diagram, noting the complications of being in two communities. SC: It's a pretty gritty place (notes particularly the catenaries and other transportation infrastructure, including train tracks and the bridge; shows a series of photos of the area and of Cassidy Park). LE asked about where the parking shown was. SC: On the Cinema site, above the retaining wall. (Shows the program diagram, the circulation scheme, parking access, retail, and residential, hotel, and office lobbies. Shows upper floors.) 40 hotel rooms are within the Brookline borders; most parking is below grade. LW asked about the parking access. SC pointed it out. Daniel St. Clair (DS) asked about the parking ratio. John Meunier (JM) of the Boston Development Group gave the ratio(s), noting the total was about 228 spaces and broken down in the Commission's handout.

SC noted the axonometric diagram, and then the site plan. Bob Uhlig (BU) of The Halvorson Group: The existing trees in the park will be maintained; we will maintain and meet the slope where they are. We have a secondary egress here, and provide eyes on the park. There will be a green buffer along the surface parking. MD: Who uses the furthest spaces? JM: The hotel. MD: Do they still have access to Beacon Street? JM: Yes. BU: The idea is transparency at the base, a sense of activity, and the park coming through. The courtyard is defined, green; the entry overall is set, and the interior entries are defined within the court. (Shows a series of precedent photos.)

SC then turned to building precedent images. SC: Two of these are important. Alvar Aalto folded his MIT dorm so that the views differ, all slightly diagonal. Another Aalto is where trees and the architecture work in tandem. A London courtyard. And Boston - Wilkes Passage, the MacAllen, materials palettes that also give shadows. SC then related these to the plan, with a folded edge. SC: We are shaping the architecture so that it is sympathetic to the landscape. The corner is a special place (shows perspectives, also noting the folded planes). Light and shadow help to animate the facade. There is an active ground plane along the park and a

restaurant at the corner. (Shows a closer view.) The corner entry also helps to activate this edge. SC then showed the park elevation, then the view from Chestnut Hill Ave looking into the entry court. SC: The materials are different, but work together. (Shows a courtyard view.) The courtyard is well lit with sunlight; we are getting a sense of that. (Shows a view looking out, then another view obliquely down Chestnut Hill.) Looking back toward the Circle, there is a sense of folding, an invitation in. The material is limestone colored. (Shows an elevation with the Waterworks building ghosted in; shows a view from across Cassidy Park, then of the corner from Cleveland Circle again.)

DC: What is the relationship to the Applebee's site? SC pointed it out in the view. LE: I was curious - is there any recreation trail around the Park? I would love to see that more permeable; one could leave, walk through the Park, and go to the reservoir. SC: Interesting. We had talked to the Parks Department. There are now a series of unconnected paths; they seem less interested. LW: There is less of a relationship between the courtyard and the Park. There should be some kind of public access between the courtyard and the Park; you have to go *through* things now. DS: Like a breezeway? LW: Yes. If I'm a hotel guest, I have to go all the way around. (Discussion of this idea ensues.) LG: The Parks Department, because of the hours of the Park, discouraged the use of the Park for entry or access. DH: But the active use of public access would make it safer. MD: One of the great injustices as it is now, is it doesn't engage the Park at all. SC: The Parks Department discouraged that. MD: I understand why access is not allowed, but I can't understand how that access isn't beneficial. DS: I live near the area, and heard some scuttlebutt. But I am impressed by the scale of all this. The comments will make it better. All these uses are a huge benefit to the neighborhood. Work on the courtyard. I thought I was going to see worse - this is much better, but the courtyard has to be better; maybe a contrast between the spaces. Right now it's too car-oriented. The office is less successful than the other elevation pieces, but I think the Project is great.

DH: Can we go to the last view (corner)? I appreciate your breaking it down, enhancing the views. Here, there is a very strong horizontal line that separates the ground from the above - the building floats. It should meet the ground more; at the corner, perhaps. SC defended the design strategy, noting that the building does come down further in, and in the courtyard. DH: We can talk about that. The corner, perhaps. I wonder if it doesn't feel disconnected - the point that faces the Circle. Also, there is not a lot of white metal panel in this area. SC: That's curious; the existing building is white, and the owner wanted something light. MD: Is this the stick-built construction type? SC: Yes.

Bill Rawn (WR): Would you show the view across the park? (Done.) Would you see cars across that? I don't understand how visible they are. If you saw them from this view, would that be good? We need to understand more. Also, that elevation is perhaps not broken up enough; it should be studied more. MD: It looks perhaps sanatorium-like. KS: I was trying to understand the entry procession, not just into the courtyard, but looking through into the park at one point. That might help give some relief, to Bill's point. Can you go back to the Cleveland Circle view? There is an opportunity here, how to treat the gray and white - a gateway at the edge. Address the Circle, then the Park, and the long view. Where you have a break, a knuckle

- there's no reason to connect the building there (where you see in). LW: Maybe you could draw the Park around...it's a real opportunity. MD: We will send this to Design Committee. WR: We'll need a better model for that. MD: Members of the community?

Eva Webster (EW) introduced herself. EW: It was hard for me to listen passively to this presentation and its inaccuracies. Some members of the Commission seem to think they are creating a nice courtyard, but there are many things that need to go on here: deliveries, moving vans, taxis, parking, etc. There are so many problems with the project if you are not just looking at prettified pictures. Like the view shown of the hotel entry, which would be filled with trash trucks, loading, etc. I know what happens on moving days - a mess - this has conflicts between users. They should redesign to eliminate those conflicts. This is a once-in-a-lifetime opportunity to have a building facing Cleveland Circle; the hotel should face that. The housing can be in back. There is a lot to be done. Come to Committee, don't panic. Roger of Brookline: I'm one of the members of the Brookline Council that approved the prior version of this project. This particular slide (entry view from Chestnut Hill Ave) struck me as being particularly misleading. Jersey barriers exist; the longer view is very misleading. The 18 sponsors of the zoning article submitted a letter with three key concerns. 1) The courtyard is the essence of the project; we need to be sure it's simply large enough. 2) There is a unanimous desire that the alignment of the roadway not bifurcate the site, but be aligned instead along the T tracks to the south. This affects traffic in the Circle as well, and provides for continuity of the streetwall. 3) There is a concern about the orientation of the courtyard to the Park and Cleveland Circle. The Park is not a single entity, a strip of land comes out. The residential lobby access point could be public access - these are close to the points the BCDC was raising. Design-wise, hotel rooms facing the tracks should not look down into bedrooms and back yards. The housing, which is mostly 1 bedroom, should instead be a mix which promotes stability, not transients.

DH asked how/whether the Brookline review had been coordinated with the BRA, and if it could be with the BCDC. DAC: It's been an interesting process. Brookline has been invited to and attends some BRA meetings; the BCDC is an open meeting, and all are welcome - we can invite them as well. MD: To recap, we support the Project generally. But concerns include the relationship of the building to the site, the long elevation, and the 'knuckle'....Cleveland Circle, and Chestnut Hill Avenue and its functionality. How the Project relates to these is important, and we have not heard so much on the courtyard. Those are big categories. With that, the Cleveland Circle Mixed-Use Project was sent to Design Committee.



BOSTON  
TRANSPORTATION  
DEPARTMENT

ONE CITY HALL SQUARE • ROOM 721  
BOSTON, MASSACHUSETTS 02201  
617-635-4680 • FAX 617-635-4295

November 19, 2012

Erico Lopez, Senior Project Manager  
Boston Redevelopment Authority  
Boston City Hall, 9<sup>th</sup> Floor  
Boston, MA 02201

RE: Comment letter submitted for 375-379 Chestnut Hill Avenue, Expanded project Notification Form ("EPNF") on November 9, 2012

Dear Erico:

In my comment letter addressed to you on November 9, 2012 I asked that; " the proponent should consider a right in and right out from/to Chestnut Hill Ave. and vehicles, delivery trucks, etc, wanting to go north (toward Cleveland Circle) use, as mentioned in the report, the Waterworks egress onto Beacon Street."

After conversations with Commissioner Thomas J. Tinlin, and a site visit to the Waterworks Site with Councilor Mark Ciommo, BTD feels that delivery trucks should be restricted from using the Waterworks egress onto Beacon Street. This is due to the width, line of site and curvature of the roadway.

As always if you have any questions please feel free to contact me.

Sincerely,

William H. Conroy IV,  
Senior Transportation Planner

- Cc: Vineet Gupta, Director of Policy and Planning
- John DeBenedictis, Director of Engineering

THOMAS M. MENINO, Mayor  
Thomas J. Tinlin, Commissioner



BOSTON  
TRANSPORTATION  
DEPARTMENT

ONE CITY HALL SQUARE • ROOM 721  
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November 9, 2012

Erico Lopez, Senior Project Manager  
Boston Redevelopment Authority  
Boston City Hall, 9<sup>th</sup> Floor  
Boston, MA 02201

RE: 375-379 Chestnut Hill Avenue, Expanded project Notification Form ("EPNF")

Dear Erico:

Thank you for the opportunity to comment on the 375-379 Chestnut Hill Avenue, Expanded project Notification Form ("EPNF") dated August 16, 2012. The Expanded Project Notification Form is initiating a review of the following proposed Project:

The 375-379 Chestnut Hill Avenue Project is located on Chestnut Hill Avenue in Brighton on the site which was formally the Cleveland Circle Cinema and Applebee's Restaurant. The current proposal includes the demolition of the existing structures and the construction of approximately 236,500 Square feet of new 181-room hotel, 19,000 sf of medical office space, 14,200 sf of restaurant/retail space and 228 parking spaces.

The Boston Transportation Department (BTD) has reviewed the EPNF and BTD has identified some concerns in the EPNF below which BTD looks forward in working with the proponent to resolve.

### **Section 2.3.2.1 Site Access and Circulation**

#### **A. Chestnut Hill Avenue Access/Egress**

The proposed modification to the existing traffic signal to add an extra phase for the site drive is not acceptable for the following reasons:

1. Level-of-service for the 2017 build condition for the Chestnut Hill Ave southbound movement at the site drive is a LOS "F" during the AM and PM peaks.  
**(This will back up into Cleveland Circle in addition, the existing southbound movement is continuous and operates with LOS "A" for both peaks)**

THOMAS M. MENINO, Mayor  
Thomas J. Tinlin, Commissioner

2. The consultant analyzed the site drive as a separate intersection when it should be run as part of the Cleveland Circle intersection.

**(This is due in part with how the trolley and pedestrian phases operate today)**

3. It is not clear if the existing analyses for Cleveland Circle included the trolley. **(The Synchro analyses shown in the report appendix does not clearly show the information needed due to the complexity of the existing phasing)**

The proponent should consider a right in and right out from/to Chestnut Hill Ave. and vehicles, delivery trucks, etc, wanting to go north (toward Cleveland Circle) use, as mentioned in the report, the Waterworks egress onto Beacon Street.

### **B. Beacon Street/ Waterworks Driveway Exit**

The proponent should analyze the intersection at Beacon Street and the Waterworks driveway exit to see if it meets the warrant for a signal based on the recommendation above.

### **C. Traffic Circulation**

The proponent should include a detailed site plan depicting but not limited to the following:

- A detailed TDM as to how the Courtyard will be managed
- Dimensions depicting the size of the Courtyard (including setbacks) and curbside use.

BTD would like to work with the proponent in developing a more efficient traffic circulation plan than the one that is currently being proposed.

### **Section 2.3.2.6 Project Trip Generation/Trip**

The proponent should provide a detailed traffic analysis using BTD mode share for Area 10. We feel that Table 2-10 represents a significant amount of traffic that will be introduced into a very fragile system that is there today. This analysis should also include a signal and phasing plan (MBTA trolley included) depicting how traffic will be generated and managed at the following intersections:

- a) Chestnut Hill Avenue/Site Driveway (signalized\*)
- b) Chestnut Hill Avenue/Clinton Road (unsignalized)
- c) Chestnut Hill Avenue/Boylston Street
- d) Chestnut Hill Avenue/Commonwealth Avenue
- e) Chestnut Hill Avenue/Beacon Street
- f) Chestnut Hill Avenue/Dean Street
- g) Beacon Street /Englewood Avenue
- h) Beacon Street/Washington Street
- i) Beacon Street/Waterworks Driveway (unsignalized)
- j) Beacon Street/Waterworks Exit Only Driveway (unsignalized \*)

**\*Proponent should run Chestnut Hill Avenue/Site Driveway unsignalized and Beacon Street/Waterworks Exit Only Driveway signalized based on our recommendation above.**

### **Section 2.3.2.11 Pedestrian and Bicycle Access**

#### **Bicycles**

The proponent should describe the existing accommodations for bicycles (including the location and number of bikes racks and bike cages) and any proposed improvements to the accommodations. The site plan should include secure covered bike parking spaces for residents and employees, and covered or open outdoor bike parking spaces for patrons and visitors. The Proponent should also consider provision of spaces for bike share facilities, and potential bike share locations. All spaces must be conveniently located near building entrances. I have attached a link of our Bicycle Facilities Policy that addresses the minimum number of spaces required. <http://www.bostoncompletestreets.org/pdf/COBBikeGuideline.pdf>

#### **Pedestrians**

BTD would like to work with the proponent in creating a plan that would establish a safe and user friendly sidewalk from Beacon Street along the Waterworks Easement into their site.

### **Section 2.3.2.12 Future Loading and Service Activity**

The proponent should provide BTD with a detailed site plan showing truck turns and radii. The proponent should also submit a proposed and existing site plan depicting existing and proposed loading facilities for BTD review.

The site plan needs to depict the following for each loading facility (on-street and off-street):

- Length, width and height.

- Trash compactor(s).

- Access/egress route in Autoturn.

- Loading zones and service routes specifically designated for the pick-up and drop-off of hazardous waste.

Off-Street Loading Guidelines – The proponent needs to adhere to BTD’s ‘Off-Street Loading Guidelines’ which can be accessed from the City of Boston website at [http://www.cityofboston.gov/transportation/off\\_street.asp](http://www.cityofboston.gov/transportation/off_street.asp). Adherence to the ‘Off-Street Loading Guidelines’ will ensure safe and efficient loading access, minimize adverse impacts on traffic-flow and pedestrian safety, and provide consistent guidelines. The developer should also provide a detail site plan showing the proposed traffic regulations as they relate to drop off pick up on their site.



## **Section 2.4 Transportation Mitigation**

Although the proponent states that traffic impacts associated with this Project will be minimal, we feel that the proponent has not adequately shown how this minimal amount of traffic is going to be managed both on City Streets as well as through the proposed site.

BTD looks forward in working with the proponent in reviewing and analyzing the proposals set forth in this section as well as the recommendation we have called for in this letter.

## **Section 2.5 Transportation Demand Management**

BTD encourages the proponent to take transportation demand management a step further by implementing a "cash out" program for employees that receive parking as part of their compensation packages. Employees that accept the parking cash-out would agree to commute by methods that don't require parking and would receive a cash allowance equal to the employer paid parking subsidy. This would reduce the demand on existing parking and would also reduce congestion on City streets.

### **Spaces for CAR Share and Low Emission Vehicles**

The Proponent should explore the opportunity to provide for a car-sharing service to encourage a reduction in personal automobile use, the proponent should provide spaces for car-share services as well as, carpool, vanpool, shuttle service parking.

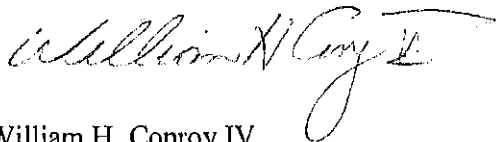
Current trends indicate that electric hybrids will soon be significant percentage of all vehicles on the road. BTD is aggressively promoting the installation of a supporting infrastructure for these vehicles. We request a commitment to dedicate 5% of the total parking capacity for low-emitting and fuel efficient vehicles, and a commitment to provide dedicated electric vehicle charging stations

### **TAPA**

The Proponent will also be responsible in the preparation of a Transportation Access Plan Agreement (TAPA). The TAPA is a formal legal agreement between the project proponent and the BTD. The TAPA formalizes the findings of the Transportation Access Plan, mitigation commitments, elements of access and physical design, and any other responsibilities that agreed to by both the proponent and the BTD. Since the TAPA must incorporate the results of the technical analysis, physical design, and assessment of mitigation requirements, it must be executed after these processes have been completed. However, the TAPA must be executed prior to approval of the project's design through the City of Boston's Public Improvements Commission (PIC). An electronic copy of the basic TAPA form is available from the BTD. It is the proponent's responsibility to complete the TAPA so that it reflects the specific findings and commitments for the project, and to get BTD review and approval of the document.

BTD looks forward in working with the proponent's from the 375-399 Chestnut Hill Avenue Redevelopment and the BRA in developing a plan that will help minimize traffic impacts and improve transportation conditions in the area.

Sincerely,



William H. Conroy IV,  
Senior Transportation Planner

- Cc: Vineet Gupta, Director of Policy and Planning
- John DeBenedictis, Director of Engineering

# Boston

Erico Lopez  
Senior Project Manager  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201-1007

August 21, 2012

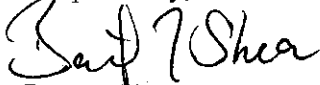
Dear Mr. Lopez:

Regarding the Project Notification Form for 375-399 Chestnut Hill Ave. project submitted to the BRA on August 16, 2012 the Boston Fire Department requires the following issues addressed by a qualified individual.

1. Emergency vehicle site access to the new buildings as well as existing buildings that might be affected.
2. Impact on availability and accessibility of hydrant locations for new buildings as well as for any existing buildings that might be impacted.
3. Impact on availability and accessibility to siamese connection locations for new buildings as well as for any existing buildings that might be impacted.
4. Impact that a transformer vault fire or explosion will have on the fire safety of the building. Particularly as it relates to the location of the vault.
5. Need for Boston Fire Department permit requirements as outlined in the Boston Fire Prevention Code, the Massachusetts Fire Prevention Regulations (527 CMR), and the Massachusetts Fire Prevention Laws (MGL CH148).
6. For projects involving air-supported structures, it is critical that the impact of the design has on fire safety relative to the interaction of the area underneath the structure to the structure as well as to the interaction of the structure to the area underneath the structure.

These items should be analyzed for all phases of the construction as well as the final design stage. This project will need permits from the Boston Fire Department as well as the Inspectional Services Department.

Respectfully,



Bart J. Shea  
Fire Marshal

Cc: Paul Donga, FPE, Plans Unit, BFD



**Thomas M. Menino, Mayor/FIRE DEPARTMENT/115 Southamton Street 02118**

**Boston Water and  
Sewer Commission**

980 Harrison Avenue  
Boston, MA 02119  
617-989-7000  
Fax: 617-989-7718



October 1, 2012

Erico Lopez, Senior Project Manager  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201-1007

Re: 375-399 Chestnut Hill Avenue - Project Notification Form

Dear Mr. Rourke:

The Boston Water and Sewer Commission (Commission) has reviewed the 375-399 Chestnut Hill Avenue, Expanded Project Notification Form (EPNF). The project site is occupied with a cinema, no longer in use, and a restaurant. The former cinema parcel has two addresses 379 Chestnut Hill Avenue in Boston and 399 Chestnut Hill Avenue in Brookline. An Applebee's Restaurant is also located in the project site at 381 Chestnut Hill Avenue in Boston. The existing buildings will be demolished and replaced with a mixed-use development which includes a hotel along with medical-office, residential and retail space.

The Commission is interested in reducing the amount of stormwater being discharged into the storm drainage system; sites being redeveloped like this site provide such an opportunity. Less stormwater from this site means less wet weather flows in the Village Brook Drain which discharges into the Muddy River. Reducing these discharges can be achieved by directing stormwater into pervious surfaces, using porous surfaces or constructing infiltration structures.

After reviewing the EPNF, pervious surfaces to route stormwater into appear to be non-existent on the proposed site drawings; the building roofs, access ways and parking areas are usually impervious.

In a previous comment letter, the Commission suggested that the proponent construct an infiltration structure large enough to control 1-inch of runoff from this site. The EPNF mentions an infiltration structure without noting the level of control. The Commission

believes that the proponent should control 1-inch of runoff. The proponent is also encouraged to look at using porous surfaces in the access ways and parking areas as a way to reduce runoff. The proponent must include details on the infiltration system when submitting the site plans. The proponent should coordinate this submission with the Commission's Engineering Customer Services Department.

The proponent plans to demolish the buildings on the project site and build new buildings. In contrast to the previous proposal; the proposed buildings will be larger. The proponent plans to locate a corner of the 5-story building on top of the Commission's 78" x 84" storm drain/24" sanitary sewer. The Commission has a 15' wide easement over these pipes, intended to protect these structures from activities that would compromise their structural integrity. The EPNF mentions that measures can be taken to protect these structures. The Commission will review these measures. However, the proponent is advised that it may be necessary to relocate these pipes and obtain appropriate easements for the new pipes. *The proponent must submit a plan showing the protective measures for the Commission's facilities to Mr. Phil Larocque at the Commission as soon as possible.*

The proponent estimates that both phases will generate 37,750 gallons per day (gpd) of wastewater. On subsequent documents, the proponent should supply the estimated water use for air conditioning.

The proponent should be aware that drainage collected within an underground garage must be controlled separately. The project will need to route stormwater collected within enclosed parking levels to an oil-water separator before being discharged to the sanitary sewer. The size and location of the oil-water separators will also be required on the site plan submitted to the Commission.

The proponent is reminded that the Massachusetts Department of Environmental Protection (DEP) routinely requires proponents of similar projects to assist the agency in its program to reduce infiltration and inflow (I/I). In cooperation with this effort, the Massachusetts Water Resources Authority (MWRA) and its member communities are implementing a coordinated approach to control extraneous flows such as I/I into the wastewater system. In this regard, the DEP has routinely required projects that add a significant amount of new wastewater flows to offset the increase with a reduction in I/I. Typically, the DEP uses a minimum ratio of 4 to 1; 4 gallons of I/I removed for each gallon of proposed wastewater. As a member community, the Commission supports the DEP and the MWRA, and will require the proponent to develop an I/I reduction plan that is consistent with their policy.

The following general comments restate our comments submitted on the previous submittal for the 375-399 Chestnut Hill Avenue site:

#### General Comments

1. If any new water mains, sewers and storm drains are required, they must be designed and constructed at the proponent's expense. Also, 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. The site plan should include the locations of new, relocated and existing water mains, sewers and drains which serve the site, proposed service connections as well as water meter locations

2. Prior to construction any existing water or sewer connections that are not reused must be cut and capped according to the Commission's standards. The proponent must complete a Termination Verification Approval Form for the Demolition Permit and submit a completed form to the City of Boston's Inspectional Services Department before the Demolition Permit will be issued.
3. The proponent is advised that the discharge of any dewatering drainage to the Commission's drainage system, whether it is temporary or on a permanent basis, requires a Drainage Discharge Permit issued by the Commission. *An NPDES Permit issued by the EPA and/or DEP does not relieve the proponent of the responsibility to obtain authorization from the Commission.* Failure to obtain a Drainage Discharge Permit from the Commission for any dewatering discharge may result in a fine of up to \$ 1,000 per day per violation.
4. The proponent must submit a General Service Application and site plan to the Commission for review and approval. The site plan should show the location of all existing and proposed water lines, sewers and storm drains that serve the site. Separate service connections for sanitary flow and storm water will be required. To assure compliance with the Commission's requirements, site plans and General Service Applications should be submitted to the Commission for review when project design is 50 percent complete.
5. With the site plan, the proponent must provide detailed and updated estimates for water demand, sanitary sewer flows and stormwater runoff generation for the proposed project. The amount of potable water required for landscape irrigation must be quantified. The proponent must also provide an analysis of the impacts of the proposed project on the Commission's water, sewer and storm drainage systems.
6. For any proposed masonry repair and cleaning, the proponent will be required to obtain from the Boston Air Pollution Control Commission a permit for Abrasive Blasting or Chemical Cleaning. In accordance with this permit, the proponent will be required to provide a detailed description as to how chemical mist and run-off will be contained and treated before being discharged to the sewer/drainage system or disposed of off-site. A copy of the description and any related site plans must be provided to the Commission's Engineering Customer Service Department for review before masonry repair and cleaning commences. The proponent is advised that the Commission may impose additional conditions and requirements before permitting the discharge of the treated wash water into the sewer/drainage system.

#### Water

7. The proponent is required to obtain a Hydrant Permit for use of any hydrant during the construction phase of this project. The water used from the hydrant must be metered.

The proponent should contact the Commission's Operations Division for information on and to obtain a Hydrant Permit.

8. 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 outdoor landscaping which requires minimal water. 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.
9. The Commission utilizes a Fixed Radio Meter Reading System to obtain water meter readings. If a new water meter is needed for the proposed project, 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.

#### Wastewater and Stormwater

10. The site plan must show in detail how drainage from building roofs 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 (MassDEP). 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 is requiring developers in the Lower Charles River watershed to infiltrate stormwater discharging from impervious areas in compliance with MassDEP. The proponent will be required to submit with the site plan a phosphorus reduction plan for the proposed development. The proponent must fully investigate methods for retaining stormwater on-site before the Commission will consider a request to discharge stormwater to the Commission's system. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer. The proponent must submit to the Commission's Engineering Customer Service Department a detailed stormwater management plan which:
  - Identifies best management practices for controlling erosion and for preventing the discharge of sediment and contaminated groundwater or stormwater runoff to the Commission's drainage system when the construction is underway.
  - Includes 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 the construction.

- Provides a stormwater management plan in compliance with the DEP standards mentioned above. The plan should include a description of the measures to control pollutants in stormwater after construction is completed.
12. The project proponent will be required to obtain coverage under the EPA's NPDES General Permit for Construction. A copy of the Notice of Intent and the pollution prevention plan prepared pursuant to the Permit should be provided to the Commission, prior to the commencement of construction.

If one acre of land or more is disturbed, then the proponent will be required to obtain an NPDES General Permit for Construction from the Environmental Protection Agency and the Massachusetts Department of Environmental Protection. The proponent is responsible for determining if such a permit is required and for obtaining the permit.

If such a permit is required, then a copy of the permit and any pollution prevention plan prepared pursuant to that permit should be provided to the Commission's Engineering Customer Services Department, prior to the commencement of construction. The pollution prevention plan submitted pursuant to a NPDES Permit may be submitted in place of the pollution prevention plan required by the Commission provided the Plan addresses the same components identified in Item 11 above.

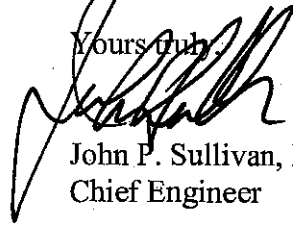
13. The Commission requires oil traps on drains within an enclosed parking garage. Discharges from oil traps must be directed to the sanitary sewer and not to a storm drain. The requirements for oil traps are provided in the Commission's Requirements for Site Plans.
14. In accordance with the Commission's Sewer Use Regulations, grease traps will be required in any restaurant or commercial kitchen. The proponent is advised to consult with the Commission's Operations Department, prior to preparing plans for a restaurant or commercial kitchen.
15. The Commission requests that the proponent install a permanent "Don't Dump, Drains to the Charles River" castings next to any new or modified catch basin installed as part of this project.
16. If the proponent seeks to discharge dewatering drainage to the Commission's collection system, they will be required to obtain a Drainage Discharge Permit from the Commission's Engineering Customer Service Department prior to discharge
17. The proponent should be aware that the US Environmental Protection Agency issued a draft Remediation General Permit (RGP) for Groundwater Remediation, Contaminated Construction Dewatering, and Miscellaneous Surface Water Discharges. If groundwater contaminated with petroleum products, for example, is encountered, the proponent will be required to apply for a RGP to cover these discharges.



18. The Commission requires that existing stormwater and sanitary sewer service connections, which are to be re-used by the proposed project, be dye tested to confirm they are connected to the appropriate system.

Thank you for the opportunity to comment on this project.

Yours truly,



John P. Sullivan, P.E.  
Chief Engineer

JPS/pwk

C

John Meunier – Boston Development Group  
M. Zlody, Boston Environment Department  
Katie Pedersen, BRA  
P. Laroque, BWSC

September 20, 2012

Erico Lopez  
Senior Project Manager  
Boston's Redevelopment Authority  
One City Hall Plaza  
Boston, MA 02201

**RE: 375-399 Chestnut Hill Avenue Development Project**

Dear Mr. Lopez:

I would like to thank you for the opportunity of being involved at the 375-399 Chestnut Hill Avenue Development during the scoping session. As Boston Police District 14 Commander, I am responsible for police services in the Brighton and Allston neighborhoods. I would like to call your attention to a few issues from a policing standpoint that concern me with the proposed construction.

**Traffic and Parking**

The Cleveland Circle area is already very congested with pedestrian and vehicular traffic. It didn't seem to me that there would be nearly enough parking spaces created to satisfy the new residential owners, hotel guests, office guest, and restaurant visitors. I also think that the design of the front entrance will create real problems with traffic entering and exiting.

**Apartment Units**

We have concerns that these single bedroom units will be rented out every year to student population. It could easily get away and become a big dormitory. As soon as a few students get into the one bedroom apartments, the non-student owners would start marching out, subletting to other students.

**Emergency Calls for Service**

As the vast majority of this construction site would be within the City of Boston, parts of it would be in Brookline. It creates jurisdictional issues. I would recommend that a joint emergency planning committee should be formed to include both Brookline and Boston emergency service departments so that all these issues can be discussed and remedied prior to final approval.

**The Restaurant**

What Cleveland Circle does not need is another drinking spot for college students. Good businesses make a neighborhood strong, but I think that if we added anything less than an upscale restaurant in Cleveland Circle, it would just create more problems. Also, I would request that any restaurant be given a no later than 12am license.

The Boston Police Department looks upon development in the community as an opportunity to prevent crime as well as eliminate blighted areas. The development process, when used properly to discuss issues openly safeguards the neighborhood. Using proper environmental design has shown to have a positive impact throughout the country. It is my hope that you will consider the issues I have brought up and we will all be proud of this phoenix rising in Cleveland Circle.

Thank you.

Respectfully,



Captain Wayne Lanchester  
Commander District 14

cc William Evans, Superintendent, B.F.S., Bureau Chief  
Bernard O'Rourke, Deputy Superintendent, B.F.S., Assistant Chief

WL/maa

# BOSTON

Thomas M. Menino, Mayor

August 28, 2012

Mr. Brian P. Golden  
Executive Director / Secretary  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201

**RE: 375 – 399 Chestnut Hill Avenue  
Expanded Project Notification Form (PNF)**

Dear Mr. Golden:

The Boston Parks and Recreation Department has begun to review the Expanded PNF for the mixed-use project proposed for 375 – 399 Chestnut Hill Avenue, adjacent to Cassidy Playground in Cleveland Circle. The plans indicate that the residential lobby opens directly onto park land, utilizing park property for access to and egress from the building. This configuration cannot be approved as it results in a private use of public land and sets up a conflict with park hours of operation. Article 97 provides protections against the privatization of open space. Within this context, all building access and walkways, including the proper buffers to delineate private space from public space, should be located within the property line of the project.

Because entrance location and access can have a ripple effect in the overall design, we wanted to provide this response ahead of the scheduled Scoping Session. We will continue to review the submission and provide further comment as needed.

Please contact this Department with any questions.

Sincerely,



Liza Meyer, ASLA  
Chief Landscape Architect  
Boston Parks and Recreation

Copy: Brian McLaughlin, Executive Secretary Boston Parks Commission  
Erico Lopez, BRA



**Boston Parks and Recreation Department**

Antonia M. Pollak, Commissioner

1010 Massachusetts Avenue, Boston MA 02118/ 617.635.4505

# BOSTON

Thomas M. Menino, Mayor

September 27, 2012

Mr. Brian P. Golden  
Executive Director / Secretary  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201

**RE: 375 – 399 Chestnut Hill Avenue, Cleveland Circle  
Expanded Project Notification Form (PNF)**

Dear Mr. Golden:

The Boston Parks and Recreation Department has reviewed the Expanded PNF for the mixed-use project proposed for 375 – 399 Chestnut Hill Avenue (the Project), adjacent to Cassidy Playground in Cleveland Circle and offers the following comments.

As noted in the letter issued by this Department on August 28<sup>th</sup>, 2012, the plans indicate that the residential lobby opens directly onto park land, utilizing park property for access to and egress from the building. This configuration cannot be approved as it results in a private use of public land and sets up a conflict with park hours of operation. Article 97 provides protections against the privatization of open space. Within this context, all building access and walkways should be located within the property line of the project. This Department is interested seeing a modified plan that meets the criteria above, while still making the most of the opportunities for a dynamic interface between the building and the park.

The proposed building heights of the Project will introduce new shadows to the eastern section of Cassidy Playground throughout the morning hours for most of the year. This is a substantive increase in shadow in the one passive area of the park with mature shade trees. The new shadows will impact the existing trees and lawns, as well as reduce the ability of the public to use and enjoy this part of the park. These impacts require further analysis and mitigation.

The functionality of vehicular and pedestrian circulation within the Project is dependent on the successful design of the multi-functional courtyard space. The courtyard dimensions and its overlapping uses will be studied in detail by transportation consultants and the Boston Transportation Department. It is paramount that the courtyard circulation functions properly. The public parking lot adjacent to Cassidy Playground provides essential vehicular parking for park recreation uses and should not be viewed as a resource for the Project.

This Department will continue to review proposed materials, grades, setbacks, plantings and any other features proposed for the Project / park interface. We will pay particular attention to the potential impacts of construction on trees, impacts or improvements to park drainage, protection or improvement of the shared stone retaining wall including the proposed fence, and other park features. We hope that the Project can bring meaningful improvements to Cassidy Playground that will enhance the quality of the park for all users.



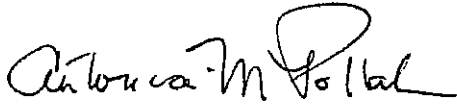
**Boston Parks and Recreation Department**

Antonia M. Follak, Commissioner

1010 Massachusetts Ave., Boston, MA 02118 / Tel.: (617) 635-4505 / Fax: 635-3173

Please contact this Department with any questions.

Sincerely,

A handwritten signature in black ink that reads "Antonia M. Pollak". The signature is written in a cursive style with a large, looped initial "A".

Antonia M. Pollak  
Commissioner  
Boston Parks and Recreation

Copy: Brian McLaughlin, Executive Secretary Boston Parks Commission  
Erico Lopez, BRA

# BOSTON

Thomas M. Menino, Mayor

December 14, 2012

Mr. Brian P. Golden  
Executive Director / Secretary  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201

**RE: 375 – 399 Chestnut Hill Avenue, Cleveland Circle  
Cassidy Playground Mitigation**

Dear Mr. Golden:

The Boston Parks and Recreation Department has continued to review the proposed plans for the mixed-use development at 375 – 399 Chestnut Hill Avenue (the Project), adjacent to Cassidy Playground in Cleveland Circle. While the Project will bring new eyes to the park and vitality along an important park boundary, the development will also introduce long periods of new shadows over the parkland and bring increased pressure to limited park facilities and resources. We believe that it is important to balance the positive and negative impacts with specific mitigation measures within the park. To further this dialog, we have outlined below what we see at the most appropriate and necessary improvements to the park which will help mitigate the construction impacts.

The existing park "Field House" storage building is immediately adjacent to the Project site, less than 20' away from the hotel restaurant. The Field House provides crucial storage space for park maintenance and athletic team equipment; however, the building is in poor condition. Rather than invest in an expensive renovation of the existing structure in place, this Department believes that a new storage building could be sited elsewhere in the park that would meet the storage needs for the site, while also removing the declining structure from a prominent location immediately adjacent to the Project.

Second to the Field House, is the need to address the drainage issues in the baseball outfield along the southeastern side of the park. To correct this condition, regrading of the primary field will be necessary, with the likely addition of an underdrain system to provide an outlet for water that is otherwise trapped due to the adjacent site constraints.

We believe that the improvements identified above will make Cassidy Playground a more attractive amenity to the Project, while also increasing the functionality of the park. The latter is a critical accommodation with the introduction of so many new potential park users as immediate neighbors.

We look forward to continuing to work with you to see this project move forward and bring new activity into this important crossroads in Cleveland Circle.

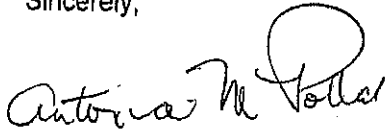


**Boston Parks and Recreation Department**

Antonia M. Pollak, Commissioner

1010 Massachusetts Ave., Boston, MA 02118 / Tel.: (617) 635-4505 / Fax: 635-3173

Sincerely,

A handwritten signature in black ink, reading "Antonia M. Pollak". The signature is written in a cursive style with a large, prominent initial "A".

Antonia M. Pollak  
Commissioner  
Boston Parks and Recreation

Copy: Liza Meyer, Chief Landscape Architect, Boston Parks  
Erico Lopez, Senior Project Manager, Boston Redevelopment Authority



## BRA MEMORANDUM

TO: Erico Lopez

FROM: Katie Pedersen

DATE: October 1, 2012

RE: 375-399 Chestnut Hill Avenue  
Comments on the Expanded Project Notification Form

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I have reviewed the Expanded Project Notification Form (PNF) dated August 16, 2012 and submit the following comments for the Environmental Protection Component. The Boston Development Group (the "Proponent") proposes to redevelop an approximately 2.56-acre site located at 375-399 Chestnut Hill Avenue, a site that is adjacent to Cleveland Circle (the "Proposed Project"). The Proposed Project site comprises land in Boston and Brookline, which includes the former Circle Cinema and an Applebee's restaurant. The existing buildings will be demolished and replaced with a mixed-use development, consisting of approximately 236,500 square feet (sf) of hotel, medical office, residential and retail space in Brookline and Boston (a merged site).

### Wind

The Proponent shall be required to conduct a qualitative analysis of the pedestrian winds for existing (no-build) and build conditions. The analysis shall determine potential pedestrian level winds adjacent to and in the vicinity of the Proposed Project site and shall identify any areas where wind velocities are expected to exceed acceptable levels, including the Boston Redevelopment Authority's guideline of an effective gust velocity of 31 miles per hour (mph) not be exceeded more than 1% of the time.

Particular attention shall be given to building entrances, entrances to public transportation stations, crosswalks and public sidewalks, public plazas and gathering areas, parks (in particular the Cassidy Park) and green spaces.

### Shadow

The shadow analysis indicates that the anticipated net new shadows will fall primarily on the sidewalks and roadways surrounding the Proposed Project site. However, the net new shadow is anticipated to be cast onto a segment of the Cassidy Playground during each of the four seasons studied; however this is the extent to which the anticipated shadow, created by the Proposed Project will adversely impact the Proposed Project site and surrounding area. No further study is required.

### Daylight

(Please refer to Urban Design comments)

## Solar Glare

The Proponent has stated that the Proposed Project design will not incorporate the use of reflective building material. Consequently, the Proponent does not anticipate the creation of either an adverse solar glare impact or a solar heat buildup in nearby buildings. However, should the design change and incorporate substantial glass-facades, a solar glare analysis shall be required

## Air Quality

A future air quality (carbon monoxide) analysis (the build year 2017) examined the intersections where the level of service (LOS) is expected to deteriorate to D and the Proposed Project causes a 10 percent increase in traffic or where the level of service is E or F and the Proposed Project contributes to a reduction in LOS.

The Proponent has stated that four intersections:

- Commonwealth Avenue and Chestnut Avenue
- Beacon Street and Chestnut Hill Avenue
- Dean Road and Chestnut Hill Avenue
- Boylston Street and Chestnut Hill Avenue

The analysis studied the existing conditions, future No-Build and future Build conditions (the build year 2017). The methodology and parameters of the air quality analysis comply with all Boston Redevelopment Authority (BRA) and the Massachusetts Department of Environmental Protection (MassDEP) requirements. Results indicate that the CO concentrations at the nearest receptors, for impacts from the intersections, in addition to monitored background values are under and thus in compliance with the CO NAAQS thresholds for all cases.

A description of the Proposed Project's heating and mechanical systems including location of buildings/garage intake and exhaust vents and specifications, and an analysis of the impact on pedestrian level air quality and on any sensitive receptors from operation of the heating, mechanical and exhaust systems, including the building's emergency generator have been included in the expanded PNF, all of which are in compliance with the MassDEP's requirements.

## Solid and Hazardous Waste

A Phase I Environmental Site Assessment (ESA) was conducted in November of 2011. The ESA revealed the presence of the historical coal company was previously located on the Proposed Project site. The Proponent shall be required to provide copies of all environmental studies that were conducted. In addition, the Proponent shall be required to demonstrate that all investigations, to be performed at the Proposed Project site (and within the existing buildings) are done in compliance with appropriate City of Boston, MassDEP and EPA rules and regulations. The Proponent shall further be required to

provide a list of any known or potential contaminants on the Proposed Project site, and if applicable, a description of remediation measures to ensure their safe removal and disposal, pursuant to the M.G.L., Chapter 21E and the Massachusetts Contingency Plan.

Any potential hazardous wastes to be generated by the Proposed Project site must be identified. In addition, potential waste generation must be estimated and plans for disposal indicated and measures to promote reduction of waste generation and to promote recycling in compliance with the City of Boston's recycling program described.

### Noise

The Proponent has provided the results of the noise analysis that was conducted to establish the existing noise levels, evaluate future noise levels associated with the Proposed Project as well as a comparison to the City of Boston's Noise Ordinance criteria.

The sound levels from all potential significant Proposed Project noise sources have been described and analyzed. The Proponent has established the existing noise levels at the Proposed Project site and as well as calculated future noise levels after the Proposed Project completion, thus demonstrating compliance with the Interior Design Noise Levels established by U.S. Department of Housing and Urban Development, as well as applicable City, State and Federal noise criteria.

The Proponent has stated that the details of the mechanical equipment have not yet been determined, but feel confident that the operational noise caused by the Proposed Project will primarily involve a minimal amount of mechanical equipment, including a cooling tower and several rooftop exhaust fans. In addition emergency generators will operate only during infrequent interruptions of the electrical grid. The Proponent has stated that efforts will be made, if deemed necessary, to minimize noise impacts from any rooftop equipment. Due to the Proposed Project's proximity to an adjacent residential neighbors the Proponent shall be required to demonstrate that the mechanical equipment, once selected, will be in compliance with the Regulations for Control of Noise in the City of Boston and the Commonwealth of Massachusetts.

### Sustainable Design/Green Buildings

The purpose of Article 37 of the Boston Zoning Code is to ensure that major buildings projects are planned, designed, constructed and managed to minimize adverse environmental impacts; to conserve natural resources; to promote sustainable development; and to enhance the quality of life in the City of Boston. Proposed projects which are subject to Section 80B of the Boston Zoning Code, Large Project Review, shall also be subject to the requirements of Article 37. Proposed projects subject to the provisions of Article 37 shall be required to demonstrate that a LEED "Certifiable" rating (per the requirements of the U.S. Green Buildings Council for a certified project) has been achieved under the most appropriate LEED rating system. Proponents are encouraged to integrate sustainable building practices beginning at the pre-design phase.

The Proponent has demonstrated that the Proposed Project will meet the requirements of Article 37. The Proponent has submitted a LEED 2009 for New Construction and Major Renovations indicating that the Proposed Project is committed to achieving a LEED “certifiable” rating. The Proponent has indicated that the Proposed Project is striving to achieve 45 points and due to the fact that this score is just above the minimum required (40 points), the Proposed Project could be “at risk” of not meeting the requirements of Article 37. As a result, the Proponent shall be required to continue to work with the Proposed Project team and research additional sustainable and energy-efficient measures to be incorporated into the Proposed Project design and as the building design develops, strive to achieve a higher level of LEED certification. The Proponent has stated that the Proposed Project will comply with the “stretch code” requirements for new commercial buildings, indicating that the Proposed Project will achieve an approximately 24.5% better energy efficiency than is required by the state’s base energy code. However, the Proponent shall be required to continue to explore ways to achieve an even greater percentage better than the state’s base energy code.

The Proponent should strive to incorporate as many of the credits indicated as “maybes” into the Proposed Project design, as there is a tendency during construction for points to be dropped.

The Proponent shall be required to revise and update the LEED checklist as the Proposed Project design advances. Prior to the Article 80B process completion the Proponent shall be required to submit a Final Article 37 Submission Package. This package shall include the most current and accurate LEED Checklists, together with a comprehensive narrative, detailing how each of the points will be achieved. Please refer to the USGBC guidelines as to what is deemed necessary to demonstrate that the point has been achieved (or will be).



**MARK CIOMMO  
BOSTON CITY COUNCIL  
DISTRICT 9**

October 12, 2012

Erico Lopez  
Senior Project Manager  
Boston Redevelopment Authority  
One City Hall Square, 9<sup>th</sup> Floor  
Boston, MA 02201

Re: 375-399 Chestnut Hill Avenue Expanded Project Notification Form

Dear Mr. Lopez,

As the delegation of local elected officials representing Allston-Brighton, we wish to provide our comments regarding the proposed 375-399 Chestnut Hill Avenue Expanded Project Notification Form (the "PNF"). These, and past comments submitted to the Boston Redevelopment Authority ("the BRA") are important measures for the BRA to have a thorough understanding of how the Cleveland Circle area will be impacted by the proposed development.

On August 16<sup>th</sup> 2012, Boston Development Group (the "Proponent") submitted an expanded PNF outlining a mixed-use development comprising approximately 236,500 square feet of hotel, medical office, retail and residential space located in Boston and Brookline. The proposed project will replace the former Circle Cinema and existing Applebee's restaurant. Pursuant to the Article 80 Large Project Review process a BRA sponsored community meeting was held on September 20<sup>th</sup>. Additional meetings occurred between various city agencies, the Impact Advisory Group, civic groups and other interested parties. It is our intention to reflect the comments and concerns raised by the community and ensure the Proponent addresses them with the guidance of the BRA and appropriate city agencies.

#### **Residential Component**

Allston-Brighton is in need of high quality housing that will help attract long term residents. The current program reflects 82 residential units comprising approximately 40% of the project. Although amenities such as assigned underground parking, access to a fitness facility, pool and concierge services will help attract stable residents. Location, unit size and views are equally important. Additionally, building condo-quality units will allow for their conversion to ownership when the real estate market reflects demand. We fully support and encourage homeownership as opposed to rentals if financing allows.

**BOSTON CITY HALL, ONE CITY HALL SQUARE, BOSTON, MASSACHUSETTS, 02201  
617-635-3113 FAX: 617-635-4203 Mark.Ciommo@cityofboston.gov**

### **Cassidy Park Impacts**

The proposed development is located in close proximity to Cassidy Park. As a direct abutter to the park, proper measures should be put in place to ensure the development does not encroach or negatively impact the park. Existing pedestrian pathways should be improved and new pathways should be created to facilitate pedestrian traffic and enliven the park edge. Adding a transitional element and/or buffer will help delineate the project site from the park edge. Tree conditions should be studied by a qualified arborist to ensure existing trees are maintained and not damaged during construction. Year round shadow impacts should also be studied to ensure existing trees and plantings are not negatively affected.

### **Design**

The proposed development offers a unique opportunity to create a "landmark structure" fronting Cleveland Circle. Questions have been raised regarding the types of materials being proposed in the PNF. The introduction of materials and design more reflective of the bordering Aberdeen Architectural Conservation District will help establish the building as a prominent centerpiece in Cleveland Circle. The Proponent should continue to work closely with the Boston Civic Design Commission to achieve this goal.

As currently proposed, the main entrance to the hotel is situated inside the courtyard. A 6,600 square foot restaurant occupies the corner of the premises on Chestnut Hill Avenue and Cleveland Circle. This corner is an ideal location for patrons to access the hotel lobby. Creating a pedestrian connection from this focal point will help create a more prominent hotel presence in Cleveland Circle. Additionally, this location will be a more pedestrian friendly access for patrons travelling on foot.

### **Density**

The project proposes 236,500 square feet of hotel, residential, medical office, and retail space situated on approximately 2.5 acres of land. Community comments and concerns reflect the desire for a project that is less dense. A reduction in the overall density would have many potential benefits as outlined below:

- Increased setbacks to accommodate street trees and green space will create a more pedestrian friendly street edge
- Reduction in residential unit count
- Create larger units, as well as, additional 2 bedroom units
- Increased courtyard dimensions will allow better traffic circulation
- Reduction in the number of vehicular trips traveling through Cleveland Circle to the site
- A parking supply more in line with the demands needed to accommodate a less dense proposal

### **Traffic**

Much emphasis has been placed on the proposed Y shaped footprint of the program, its impact on traffic circulation within the courtyard and its potential impacts on Chestnut Hill Ave. Currently, there is

a single 25-foot main entrance/exit to the site and a proposed secondary egress through the rear of the site for hotel patrons. The Proponent must continue to collaborate with the Boston Transportation Department (BTD), Town of Brookline and MBTA to examine the feasibility of the recommendations below:

- Addition of a second egress to allow right hand turns onto Chestnut Hill Avenue
- Installation of traffic calming and safety measures that need to be implemented along the Waterworks easement road
- Specific recommendations and solutions for mitigating MBTA impacts
- Further study of the proposed addition of left turn storage bays in Cleveland Circle

The proposed 375-399 Chestnut Hill Avenue development offers an opportunity to establish new life and vibrancy to Cleveland Circle. While we acknowledge that positive changes have been made since the original PNF was filed, more work needs to be done to ensure the best possible project is realized. We urge the BRA and appropriate city agencies to have the Proponent address the comments and concerns raised by the community in a comprehensive way.

Thank you for your attention to this matter and the opportunity to comment on the proposal. If you have any questions, please feel free to contact us.

Sincerely,



Kevin Honan  
State Representative  
17<sup>th</sup> Suffolk District



Michael Moran  
State Representative  
18<sup>th</sup> Suffolk District



Mark Ciommo  
Boston City Councilor  
District 9



October 9, 2012

Town of Brookline  
Engineering & Transportation Division  
Municipal Service Center  
870 Hammond Street  
Chestnut Hill, Massachusetts 02467

Attn.: Mr. Peter M. Ditto  
Director

Re: **Brookline/Boston, Massachusetts**  
375-399 Chestnut Hill Avenue Transportation Study

Dear Mr. Ditto:

As a follow up to our preliminary review memo dated September 27, 2012, BETA Group, Inc. (BETA) has completed our review of the *Transportation Study* prepared for the redevelopment project located within the City of Boston and Town of Brookline at 375-399 Chestnut Hill Avenue. The study was completed by Howard/Stein-Hudson Associates, Inc. (HSH), dated August 7, 2012 and submitted to the Town of Brookline by the Boston Development Group. Subsequently, BETA had received the electronic Synchro analysis from the proponent for reference. This review focused on the seven (7) intersections impacting the Town of Brookline and is based on the information provided to BETA as of September 17, 2012.

**1.0 INTRODUCTION**

The project site is located in both the Town of Brookline and the City of Boston on Chestnut Hill Avenue just south of its intersection with Beacon Street. All of the study area intersections within the Town of Brookline were reviewed along with one intersection within the City of Boston. The intersections included in BETA’s study area are as follows:

**STUDY AREA**

The study area included within this review encompasses the following intersections:

**SIGNALIZED INTERSECTIONS**

- Chestnut Hill Avenue/ Beacon Street (City of Boston)
- Chestnut Hill Avenue/Dean Road
- Chestnut Hill Avenue/Boylston Street (Route 9)
- Beacon Street/Englewood Avenue
- Beacon Street/Washington Street





UNSIGNALIZED INTERSECTIONS

Chestnut Hill Avenue/Site Driveways

Chestnut Hill Avenue/Clinton Road

We want to note that the signalized intersection of Beacon Street/Dean Road was not included in this report. It is unclear why this intersection was not analyzed considering it is located in between two study area signalized intersections.

**2.0 EXISTING TRANSPORTATION CONDITIONS**

***EXISTING TRAFFIC CONDITIONS***

The manual turning movement counts (TMC) were conducted on multiple days between December 2010 and February 2011 for the weekday morning (7 to 9 AM) and evening (4 to 6 PM) peak commuting periods. The peak commuting hours in this area were determined to be 7:45-8:45 AM and 5:00-6:00 PM. Automatic Traffic Recorder (ATR) data was not collected for this study. ATR's collect valuable data including vehicle speeds, vehicle classification and the daily traffic volumes along the project area roadways.

When compared to the TMC data, an additional 50-200 thru vehicles along Chestnut Hill Avenue, south of the site were added to the volumes shown in Figures 3 and 4. We request the proponent validate why these thru volumes are significantly higher than the TMC at these locations.

According to the study, seasonal factors were used to adjust the traffic count volumes but no detail as to what seasonal factors were used was provided in the study. Please provide this information.

It was noted that the use of a growth factor for the 2010 and 2011 count data was determined by comparing counts performed at the intersection of Beacon Street/Chestnut Street in 2008 to 2011 volumes. A growth factor was not applied to the 2010-2011 TMC counts as a result of the comparison which showed that the 2011 volumes were 5-7% less than the 2008. We want to note that the Beacon Street/Chestnut Street TMC was performed in December of 2010, not 2011. Also, please verify the month in 2008 that the Beacon Street/Chestnut Street TMC was performed for reference purposes.

***CRASH DATA***

Crash data was not provided for any of the study intersections. This information is standard for a transportation study and should be summarized with calculated crash rates for each study area intersection.

***EXISTING TRAFFIC OPERATIONS***

Existing LOS and delay data for the existing driveways of 375-399 Chestnut Hill Avenue was not included in this report but should be provided. This information is important to understand the delay experienced exiting and entering the existing site.



Peak hour factors (PHF) were entered specific to individual turning movements and not by approach in the Synchro analysis. It is standard MassDOT practice and industry standard to use the approach PHF when performing existing analysis. We request that the proponent explain why the PHF per approach was not used in the analysis.

All of the LOS tables were compiled using Synchro methodology. It is standard MassDOT practice to compile LOS data based on the Synchro *Highway Capacity Manual* (HCM) methodology output. Although this is not a MassDOT project, we request that the proponent explain the reason for using the Synchro methodology output.

It is unclear in the analysis when the MBTA Green Line is able to access and egress the MBTA driveway across from the site. We request the proponent to verify that this was included in the analysis.

The data found in *Table 4 – Existing PM* is the same as in *Table 3 – Existing AM*. Please provide the correct Table 4.

#### **CAR SHARING LOCATIONS**

The report states that 11 vehicles are within ¼ mile of the site. Two vehicles are shown within the ¼ mile radius in *Figure 7 – Zipcar Locations*. To encompass 11 vehicles, the radius would have to be about ½ mile. Figure 7 also notes an extra 6 vehicles within a half mile. The distance to these vehicles is closer to 1 mile. We request that Figure 7 and the associated Table 6 be revised accordingly.

### **3.0 EVALUATION OF LONG-TERM IMPACTS**

#### **NO-BUILD CONDITIONS**

Two proposed residential developments were identified by the Town of Brookline to be considered in background growth volumes. The new vehicle trips from these developments were not added to the traffic volume network but included as part of the 0.5% percent per year background growth that used for the analysis. The proposed developments would generate an estimated 40 and 45 trips per peak period. Considering the 2010-2011 traffic volumes were not increased for the year 2012, we suggest that the proposed trips associated with these developments be included in the analysis to account for these trips.

As with the existing conditions, the No-Build LOS and delay data for the existing driveways of 375-399 Chestnut Hill Avenue was not included in this report but should be provided.

#### **BUILD CONDITIONS**

For ease of review, we request that a larger site access plan with a scale be provided for review. The exact location of the proposed driveway is not clear on the site plan provided in the report. The

location of the proposed crosswalk across Chestnut Hill Avenue at the site driveway should also be shown on the site plan.

The study did not include a sight distance analysis for the proposed site driveway location. This analysis is standard when analyzing an unsignalized intersection and should have been provided for reference purposes.

The installation of a traffic signal at the site driveway was proposed as mitigation. Traffic signal warrant analysis should be provided to justify the installation of this traffic signal. This intersection should also be analyzed without a proposed signal.

***TRIP GENERATION***

HSH estimated trip generation based on the Institute of Transportation Engineers (ITE) data for Business Hotel, Residential Apartment, Medical-Dental Office Building, Retail/Shopping and Quality Restaurant which BETA finds satisfactory. These are reasonable land uses for this project.

***MODE SPLIT***

The Boston Transportation Department's (BTD) data for Area 10 and the 2009 National Household Travel Survey were used to determine the vehicle, transit and walking mode splits and vehicle occupancy rates for this project. BETA finds this approach reasonable but requests this back-up data be provided for review purposes.

***TRIP DISTRIBUTION***

Site generated trips were distributed onto the study area network based on the BTD origin-destination characteristics for Area 10 and existing travel patterns. The Area 10 BTD origin-destination back-up should be provided for our review. According to *Table 10 – Project Trips by Land Use and Travel Mode*, approximately 64% percent of the vehicle trips originate from or are destined to the north, east and west of the site while only 36% originate from or are destined to the south (Route 9). Please verify if consideration was given for a larger percentage of vehicles to/from Route 9 due to its highway nature.

The "p.m. peak hour" vehicle trips in "out" direction shown in Table 10 add up to 99 instead of the 89 noted in the table. Please revise.

***BUILD CONDITION TRAFFIC OPERATIONS***

The background growth and project-generated trips were added to the No-Build Condition volumes to obtain the 2017 Build Condition volumes. The Build analysis assumed a signalized site driveway. Although the installation of a traffic signal at the driveway was specifically outlined in the *Town of Brookline Zoning By-Laws* for this project, we request the driveway be analyzed as an unsignalized intersection under the Build condition in order to understand how the intersection would operate without a traffic signal. In addition, the MBTA driveway across from the proposed site driveway should be incorporated into the traffic signal.

We ask the proponent verify that internal traffic circulation operations will be managed properly by the proponent to ensure that vehicles entering the site will be smoothly facilitated on site and vehicles will not be queued back onto Chestnut Hill Avenue.

**PROPOSED PARKING**

The proponent is proposing a total of 228 parking spaces which exceeds both the *BTD* and *Town of Brookline By-Laws* recommended parking requirements (198-202). A shared use parking program should be considered for the site to reduce the pavement and overall impervious runoff and create more green space to compliment the adjacent parkland.

**FUTURE PEDESTRIAN AND BICYCLE CONDITIONS**

We recommend that the proponent ensure that there are a sufficient number of bicycle cages in the garage for office/hotel employees and residents as well as an adequate number of onsite bike racks for visitors.

We are agreeable to the relocation of the pedestrian crosswalk across Chestnut Hill Avenue to the site driveway. The proposed crosswalk will be reviewed once a larger site access plan is provided by the proponent.

**LOADING AND SERVICE ACTIVITY**

The proponent will provide two service areas which is consistent with the *Brookline Zoning By-Law*. The AutoTurn provided by the proponent shows a charter bus encroaching parking spaces while entering and exiting the loading area. It is unclear how a charter bus will safely enter and exit the loading area.

**4.0 TRANSPORTATION MITIGATION**

**RECOMMENDATIONS**

In addition to the design of the signalized site access driveway and Chestnut Hill Avenue intersection, analyses were performed to integrate the following off-site mitigation (Build Condition with Mitigation) proposed by the proponent:

- *Beacon Street/Chestnut Hill Avenue* - The removal of a median on the eastbound approach to the Beacon Street/Chestnut Hill Avenue intersection, the addition of turning lanes, various lane designation changes and signal timing adjustments.
- *Signalized intersections* – Retiming of traffic signals

Based on the 95<sup>th</sup> percentile queuing information presented in *Table 16 – Build Conditions (2017) With Mitigation*, the Chestnut Hill Avenue northbound queue at the proposed site will back up 600 feet which is approximately 100 feet past the unsignalized intersection of Clinton Road and



Chestnut Hill Avenue. The existing conditions analysis for this intersection has not been provided for comparison purposes but this queue problem needs to be mitigated.

According to the analysis, the Chestnut Hill Avenue and site driveway intersection degrades overall from a LOS E during the Build Condition to a LOS F during the Build Condition with Mitigation and the Chestnut Hill Avenue northbound approach degrades from a LOS D to a LOS F. The mitigation signal re-timings should not result in longer queues and delay along Chestnut Hill Avenue. We request that the traffic signal re-timing be revised to ensure an improved LOS, delay, and queue along Chestnut Hill Avenue.

A concept plan indicating the desired geometric configuration under signalized conditions of the intersection of Chestnut Hill Avenue and the site driveway should be provided for review in addition to a detailed conceptual design plan of the proposed modifications at the intersection of Beacon Street and Chestnut Hill Avenue.

#### **APPENDIX**

We request that the proponent provide the following clarifications and data which were missing from the Appendix:

- *Cleveland Circle Synchro*: Explain how the "EBL2, etc" movements and volumes were determined. These movements were not included in the TMC's.
- *Chestnut Hill Ave / Clinton Rd*: Provide a combined TMC data sheet showing "Cars – Trucks," currently two separate sheets are included (one for cars, one for trucks).
- *Chestnut Hill Ave / Site Driveway*: Synchro data sheets should be provided for the intersection of the proposed site driveway. These were not included in the Appendix.

#### **SUMMARY OF FINDINGS**

1. It is unclear why this intersection was not analyzed considering it is located in between two study area signalized intersections.
2. Automatic Traffic Recorder (ATR) data was not collected for this study.
3. Validate why an additional 50-200 thru vehicles along Chestnut Hill Avenue, south of the site were added to the volumes shown in Figures 3 and 4.
4. According to the study, seasonal factors were used to adjust the traffic count volumes but no detail as to what seasonal factors were used was provided in the study. Please provide this information.
5. Verify the month in 2008 that the Beacon Street/Chestnut Street TMC was performed for reference purposes.

6. Crash data was not provided for any of the study intersections. This information is standard for a transportation study and should be summarized with calculated crash rates for each study area intersection.
7. Existing LOS and delay data for the existing driveways of 375-399 Chestnut Hill Avenue was not included in this report but should be provided.
8. Explain why the PHF per approach was not used in the analysis.
9. Explain the reason for using the Synchro methodology output instead of HCM output.
10. Provide the correct Table 4.
11. It is unclear in the analysis when the MBTA Green Line is able to access and egress the MBTA driveway across from the site. We request the proponent to verify that this was included in the analysis.
12. Figure 7 and the associated Table 6 should be revised accordingly.
13. The proposed trips associated with these developments should be included in the analysis to account for these trips.
14. No-Build LOS and delay data for the existing driveways of 375-399 Chestnut Hill Avenue was not included in this report but should be provided.
15. A larger site access plan with a scale should be provided for review.
16. Sight distance analysis is standard when analyzing an unsignalized intersection and should have been provided for reference purposes.
17. Traffic signal warrant analysis should be provided to justify the installation of this traffic signal. This intersection should also be analyzed without a proposed signal.
18. Mode split back-up data should be provided for review.
19. Verify if consideration was given for a larger percentage of vehicles to/from Route 9 due to its highway nature.
20. The "p.m. peak hour" vehicle trips in "out" direction shown in Table 10 add up to 99 instead of the 89 noted in the table. Please revise.
21. The driveway should be analyzed as an unsignalized intersection under the Build condition in order to understand how the intersection would operate without a traffic signal. In

addition, the MBTA driveway across from the proposed site driveway should be incorporated into the traffic signal.

22. We ask the proponent verify that internal traffic circulation operations will be managed properly by the proponent to ensure that vehicles entering the site will be smoothly facilitated on site and vehicles will not be queued back onto Chestnut Hill Avenue.
23. A shared use parking program should be considered for the site.
24. It is unclear how a charter bus will safely enter and exit the loading area.
25. The Build mitigation traffic signal re-timing be revised to ensure an improved LOS, delay, and queue along Chestnut Hill Avenue.
26. A concept plan indicating the desired geometric configuration under signalized conditions of the intersection of Chestnut Hill Avenue and the site driveway should be provided for review in addition to a detailed conceptual design plan of the proposed modifications at the intersection of Beacon Street and Chestnut Hill Avenue.
27. The following data must be collected and analysis performed in order to justify the necessity for a traffic signal at the proposed driveway: Gap Analysis, Site Distance Analysis, Crash Data for the latest 3 years, and a Traffic Signal Warrant Analysis. We will review this data once it is provided.

If we can be of any further assistance regarding this matter, please contact us at our office.

Very truly yours,  
BETA Group, Inc.



Kien Ho, P.E., PTCE  
Senior Associate

cc: Jaklyn Centracchio, BETA Group, Inc.

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**APPENDIX 2**  
**COMMENTS IAG**



E Lopez

October 12, 2012

Peter Meade, Director  
Brian P. Golden, Executive Secretary  
Kairos Shen, Director of Planning  
Erico Lopez, Senior Project Manager  
Boston Redevelopment Authority  
One City Hall Plaza  
Boston, MA 02201

B.R.A.

2012 OCT 12 P 1:14

**RE: Impact Advisory Group Comments on the 375-399 Chestnut Hill Avenue EPNF and Project Plan**

Dear Messrs. Meade, Golden, Shen and Lopez:


As members of the Impact Advisory Group (IAG) for the above referenced project (EPNF dated August 16, 2012) we are providing comments, both in this letter and in separate IAG member reports, for your consideration.

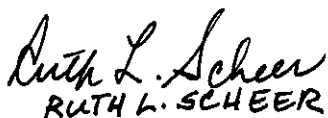
The undersigned IAG members agree that Cleveland Circle would benefit from thoughtful, high-quality development. We also acknowledge Boston Development Group's project changes that were made in response to the critique of last year's plan, in particular the addition of a residential component.

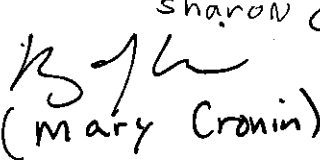
In making changes, however, BDG has added over 60,000 square feet and additional vehicles trips to the project. As proposed, the plan for redevelopment of 375-399 Chestnut Hill Avenue is too dense. The overall FAR was increased from 1.55 to 2.13. The proposal includes high-traffic components such as medical offices and large restaurants. Implementation of the project in its current form will have significant negative impacts and will overburden the Cleveland Circle neighborhood.

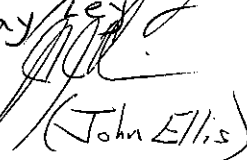
These considerations and related project issues that are discussed in more detail in separate IAG member comment documents have led us to conclude that BDG should not be allowed to proceed with the project as proposed in the current EPNF. We recommend that the BRA require reductions in project density. We also recommend that the BRA require BDG to substantively address the project issues that have been raised repeatedly in community meetings and public comment letters and that are reflected in the attached IAG comments.


Sincerely,


  
 Sharon Cayley  
 SHARON CAYLEY

  
 Ruth L. Scheer  
 RUTH L. SCHEER

  
 (Mary Cronin)

  
 (John Ellis)

  
 Anabela Gomes

  
 Eva M. Webster  
 EVA WEBSTER

**Attached:** Comments from IAG Members on the 375-399 Chestnut Hill Avenue EPNF  
(The attached document represents the opinions of the individual members who have signed it. Because of the complexity of the proposal and the technical nature of many of the issues, the IAG did not attempt to produce a lengthy, unanimous report.)

**CC:** Will Brownsberger, Mark Ciommo, Angela Holm, Kevin Honan, Michael Moran

## **Comments from IAG Members on the 375-399 Chestnut Hill Avenue EPNF**

These comments and recommendations are submitted by IAG members Sharon Cayley, Mary Cronin, John Ellis and Ruth Scheer. We have focused on several issues with BDG's current EPNF that are of great concern to the Brighton/Allston community and to project abutters. There are many other issues of concern that require BRA review and significant changes in the project plan. These include but are not limited to site design and location of project components, architectural style, building heights, feasibility of underground parking, safety issues, nature and quality of housing being proposed. Some of these issues are addressed in separate comments by our fellow IAG members.

### **PROJECT DENSITY**

The proposed project is too dense for the site and will overburden Cleveland Circle. Comparison of the PNF filed on April 19, 2011 and EPNF filed on August 16, 2012 reveals that BDG (the developer) added a net of 60,000 square feet to the project, resulting in a significant increase in vehicle trips. The overall FAR went up from 1.55 to 2.13.

There is overwhelming community demand for downsizing this project as evidenced by comments made at the September 20, 2012 BRA community meeting and comment letters submitted to the BRA.

### **RECOMMENDATIONS:**

Require BDG to scale back the project to reduce density to a level similar to its 2011 proposal. Consider the following specific reductions:

- Eliminate the 19,000 square feet of medical office space, as was requested on page 6 of the IAG comments submitted on June 15, 2011.
- Reduce the overall size of the residential component. Redesign to create a smaller number of units with more square footage per unit. These larger units will more closely meet the criteria for BDG's stated plan to build luxury housing suitable for eventual condo conversion. This change would also meet community goals for attracting long-term Cleveland Circle residents and reduce the demand for parking.
- Reduce the size of the 6,700 square foot independent restaurant or eliminate this component entirely. As explained in the comment letter submitted on behalf of the real estate firm and project abutter, Hamilton Cleveland, the proposed restaurant *"would likely contain 250-300 seats plus staff. That seat count would require 38-45 spaces under the underlying zoning. We also note that restaurant vehicles come in the evening hours, the same time as hotel guests and the same time as apartment tenants. The existence of one entrance and the small number of parking spaces could overwhelm the Circle and surrounding area with cars at night."*

### **SITE PLAN AND COURTYARD TRAFFIC MANAGEMENT ISSUES**

The use of a Y shaped footprint to organize the program components and the funneling of all vehicular traffic into a single internal courtyard create a fundamental problem for site traffic management and for pedestrian access to the hotel's main entrance. The courtyard's constrained size and limited vehicle stacking, parking, and truck-turning capacity raise serious questions about the potential for gridlock at times of peak use. Comment letters have pointed out serious miscalculations and undercounting the number of truck deliveries and vehicles trips to the medical offices. The absence of detailed provisions for emergency vehicle access to all portions of the project is unacceptable especially if courtyard gridlock becomes the norm.

As a result of prior agreements between BDG and the Town of Brookline, the developer has proposed a single 25-foot main access/egress road located on Chestnut Hill Avenue, directly across from the MBTA turning tracks and entrance/exit to the MBTA Reservoir train yard. Brookline has also stipulated that there be no right turn on red at this exit, further restricting the flow of traffic out of the project. As pointed out in numerous comment letters, these restrictions will tax the limited capacity of the internal courtyard as cars, trucks, cabs and service vehicles all stack up in a single lane waiting to exit. When vehicles waiting to exit the project's internal courtyard are blocked from doing so by MBTA trains turning into the yard, traffic circulation inside the courtyard will be blocked and vehicles stacked on Chestnut Hill Avenue waiting to enter the project will not be able to proceed to make a turn into the courtyard. The developer's own traffic

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engineer, Howard/Stein-Hudson, acknowledges this primary access/egress intersection for the development will be sufficiently congested to immediately be rated "F" when it starts operating. (See Tables 2-12 and 2-13 in the EPNF)

### **RECOMMENDATIONS**

Require additional independent traffic study of the proposed courtyard configuration, internal traffic circulation, and the location of the main project entrance/exit road. This study should subject BDG's projections for truck deliveries, the numbers of vehicles that will be entering the courtyard, and the probability of internal congestion to further review.

Consider the following changes:

- Add a second exit onto Chestnut Hill Avenue at the south border of the project site to allow vehicles to make a right hand only exit to reduce congestion inside the courtyard and provide direct project access by emergency vehicles as needed
- Eliminate the restriction of turning right on red from the main entrance/exit
- Revise the BDG/Brookline agreement to give Boston and Brookline shared control of the main entrance/exit via an easement arrangement as proposed by Kairos Shen in fall 2011
- Relocate hotel lobby and pedestrian entrance to the northeast corner of the site. Consider covered vehicular drop-off, pick up and guest registration area with hotel rooms above. Hotels using this model are plentiful in downtown Boston

### **TRAFFIC STUDY/TRAFFIC MITIGATION PROPOSALS**

There are numerous problems with BDG's current traffic study and mitigation proposals. As noted in the Hamilton Cleveland comment letter and in meetings with the IAG, the traffic study data provided in the EPNF is outdated (traffic counts were taken in 2010 and early 2011 and include a growth factor based on one location in 2008 and 2011.) The intersection vehicle counts were conducted on non-representative mid-winter dates, thereby understating overall vehicle traffic and pedestrian traffic and ignoring significant seasonal bicycle traffic at these intersections. Despite the city's goal of encouraging bicycle use, the EPNF omits any reference to bicycle lanes and provides no information regarding the number of bicyclists at the impacted intersections. There are errors in observation regarding where there is and isn't on street parking in the project vicinity. For example, the EPNF states incorrectly that there is on-street parking on Chestnut Hill Avenue south of Beacon Street and that there is no on street parking on Beacon Street west of Chestnut Hill Avenue.

The software that is used to measure LOS at nearby intersections is unable to measure further deterioration of service due to project traffic at the Cleveland Circle intersections that start out at "F" thus distorting the actual impact of the traffic volume this project will generate. As a result of errors in observation and flawed methodology, traffic mitigation proposals cannot be taken seriously. For example, take the case of proposals for the eastbound Beacon Street approach to Chestnut Hill Avenue. On pages 2-51,52 the developer recommends "a 200-foot exclusive left storage bay be designated on this approach. This lane use will require...removal of the existing median in the eastbound approach." Since on street parking and bike lanes have not been taken into account, how can we judge if a left storage bay is even feasible? In addition, an important function of the existing median is pedestrian safety. Many pedestrians need extra time to cross and wait on the median for the light to change again. There is no mention of how that need will be addressed if the median is removed.

As pointed out in numerous public comment letters and the letter from Hamilton Cleveland Circle, LLC, while the required parking ratios have been met, there is a parking deficit for the medical offices and stand alone restaurant components based on observation of actual parking demand and use patterns at comparable locations.

### **RECOMMENDATIONS**

Require BDG to conduct an updated traffic study that provides accurate vehicle counts and includes bicyclists and the number of MBTA trains that use Chestnut Hill Avenue that is based on detail-oriented observation of impacted intersections. Traffic analysis should include methodology to capture and model the probable increased deterioration in service at intersections currently rated "F." Review actual conditions and provide measurements relevant to the

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mitigation proposals and discuss potential negative impacts of measures such as removing medians, parking spaces and relocation of MBTA bus stops as well as further analysis of the proposed left hand storage lanes. Bicycle counts should be done immediately before the onset of winter.

### **MBTA ISSUES**

Trains and MBTA service vehicles and employee vehicles frequently enter and exit the Reservoir train yard immediately across from the proposed main entrance/exit. MBTA trains making a turn into the yard regularly block traffic on Chestnut Hill Ave and on Beacon Street. This juxtaposition of the new project intersection with the MBTA turning tracks creates a likelihood of massive traffic tie-ups on Chestnut Hill Avenue and nearby intersections.

These issues are not adequately addressed in the EPNF which does not provide any information about the number and frequency of MBTA trains using the tracks across from the proposed entrance. For example, there is no mention or documentation of the B-line trains that travel on Chestnut Hill Avenue from Commonwealth Avenue, across Beacon Street and turn left to go into the railroad yard, reversing this path to return to Commonwealth Avenue.

Anecdotal reports by BDG at public meetings regarding agreements with the MBTA about changing its train patterns are not a substitute for hourly counts of existing MBTA yard conditions (including hourly and total daily counts of trains, service trucks and employee vehicles) together with documented analysis of the current conditions and future build conditions in the context of current and projected MBTA activity.

### **RECOMMENDATIONS**

- Require an updated traffic study to report on the number and frequency of trains and MBTA service and employee vehicles under existing and future build conditions, documenting the impact of this traffic blocking the proposed new intersection and/or through traffic on Chestnut Hill Avenue and Beacon Street.
- Require BDG to undertake a formal joint study of alternative Cleveland Circle train turning and routing options in collaboration with the MBTA that provides specific recommendations and cost estimates for mitigating overall MBTA traffic issues in Cleveland Circle and on Chestnut Hill Ave to reduce the negative impacts of the proposed development.

### **ENVIRONMENTAL IMPACTS**

The EPNF reports on the emissions at selected intersections in the project vicinity, but provides no estimates of the emissions on the project site itself. The courtyard design creates an emissions "hot spot" that will impact pedestrians, residents and hotel guests. Patients visiting the medical office will be particularly sensitive receptors exposed to courtyard emissions. The site emissions impacts must be studied in detail.

Funneling large numbers of vehicles into an enclosed courtyard including busses, trucks and service vehicles can be expected to cause high concentrations of vehicle emissions inside and around this courtyard. Many vehicles waiting to pick up or drop off will keep their engines idling and will be out of sign of hotel staff. BDG's proposal to post signage prohibiting idling is an inadequate emissions control plan.

The EPNF incorrectly states that the proposed building adjacent to Cassidy Playground is "similar in height to the existing buildings on the Site" (3-1) concluding that "wind conditions are anticipated to be similar." In fact, the existing Applebee's building is only one story high and 4,480 sq feet with large setbacks in front and in the rear, compared to the proposed five-story construction filling the entire parcel.

### **RECOMMENDATIONS**

Require a detailed study of emissions inside the courtyard area and at the intersection of the courtyard with Chestnut Hill Avenue. Require that BDG use updated, corrected projections for truck deliveries and vehicle trips, with realistic modeling of the number of vehicles that will be standing and idling inside the courtyard (zero not to be accepted as a realistic model). In particular,

- Require a study of the environmental impact on the western border of Cassidy Playground and the Watermark residential building in the scenario of 20 or more vehicles having to queue on the Waterworks roadway while waiting to exit onto Beacon Street
- Require a study of expected wind conditions based on a corrected model of the building mass on the north-east portion of the site on the wind conditions in Cassidy Playground and the new street-edge buildings along Chestnut Hill Avenue.

### **PROJECT ABUTTER IMPACTS**

The project as proposed has significant negative impacts on all the direct abutters. The direct abutters have repeatedly expressed multiple concerns about the project at public meetings and have documented serious project issues in their public comment letters. It is notable that BDG did not address the abutter concerns that were raised during the 2011 project review period. Instead the developer has returned with a project proposal that exacerbates the negative impacts for abutters.

- Many public comment letters highlight the concerns of the abutters at the Waterworks Park condominiums regarding the use of the Waterworks private roadway as an exit for the 181 room hotel. These concerns included safety issues, overburdening, and impact of the new development traffic on the narrow roadway which borders the Waterworks Park and Cassidy Playground. As noted in the 2011 IAG comments, *"The PNF does not address the numerous safety and congestion issues and negative impacts that will be caused by use of the Waterworks Driveway by the proposed project."* In July 2012, BDG verbally proposed to the BRA an alternative plan for site development that did not use the Waterworks roadway, stating that eliminating this secondary exit road would not make a significant impact on Cleveland Circle traffic.
- A public comment letter from the owners of the office building at 398 Chestnut Hill Avenue (Hamilton Cleveland Circle, LLC) details 5 pages of concerns about the project that will cause negative impacts for the building owners and their tenants including density, traffic and parking. This letter details and documents problems with the current traffic study and inaccurate trip projections, the constraints of the single site entrance/exit, courtyard traffic circulation and inadequate project parking based on experience with managing comparable uses such as medical offices and a large restaurant.
- Brookline residents on Clinton Road, the other direct project abutters have raised also written comment letters expressing numerous concerns about the negative impact of the project on their privacy and quality of life. Hotel windows and transient hotel guests will have direct visibility into the homes and backyards of these abutters. The current design of the project courtyard, loading docks and trash pickup requires all trucks to back up in order to re-enter the courtyard and exit. Therefore, Clinton Road abutters will be subject to the constant noise of large trucks backing up from the loading dock directly behind their homes.
- The Parks and Recreation Department voiced concerns at the BRA Scoping Session on Sept 5 about the lack of an adequate buffer between the active edge of Cassidy Playground and the development. Parks has also noted that the adjacent mature trees may be damaged during project construction. There is also potential for long-term negative impacts because of project shadows on Cassidy Playground.

### **RECOMMENDATIONS**

Require BDG to revise its proposal as necessary to address and mitigate the negative impacts of the project on the direct abutters and on Cassidy Playground.

## **CONCLUSION**

While we strongly support redevelopment of this pivotal site, the project that is being proposed is totally inappropriate and will cause the rapid deterioration of what could be an exemplary Boston neighborhood. We have offered suggestions and recommended changes to help the developer improve this project. This is the second time in 15 months that IAG members have engaged in this activity and it has been done in good faith. However, the project as proposed has so many flaws that it would be appropriate for the BRA to reject the EPNF ask BDG either to go back to the drawing board and begin with a blank slate or to withdraw to make way for another developer who might have the vision and appropriate resources to bring to life the unique qualities of the Cleveland Circle site.

As one comment letter writer put it, development of the Applebee's/Cinema site presents "the rarest of opportunities to positively transform Cleveland Circle." It is up to the BRA to do whatever it takes to ensure that what is ultimately built on this site is reflective of its unique location abutting a magnificent recreational green space and reservoir, adjacent to the Aberdeen Architectural Preservation District and several National Historic Districts, and convenient to public transportation.

Respectfully submitted:

*Sharon Cayley*

*Mary Cronin*

*John Ellis*

*Ruth Scheer*

October 12, 2012

Erico Z

Eva M. Webster

B.R.A.

2012 OCT 17 A 10: 3  
October 12, 2012

Mr. Peter Meade, Director  
Mr. Brian P. Golden, Executive Secretary  
Mr. Kairos Shen, Director of Planning  
Mr. James M. Tierney, Chief of Staff  
Mr. Erico J. Lopez, Senior Project Manager  
Boston Redevelopment Authority  
One City Hall Plaza  
Boston, MA 02201

Re: **Impact Advisory Group comment letter**  
**375-399 Chestnut Hill Avenue EPNF and Project Plan**

Dear Messrs. Meade, Golden, Shen, Tierney and Lopez:

This comment letter is meant to be a part of the Cleveland Circle IAG's submission that was delivered to you separately. My IAG colleagues and I had very demanding and conflicting schedules this past week, and in the end just didn't have enough time to meet to produce one collective IAG report. We agreed to divide tasks among ourselves, and my letter will mostly focus on issues that were not covered, primarily due to lack of time I assume, in the materials submitted by others.

NOTE: This letter has a multi-page attachment -- a document that discusses a range of very important, specific recommendations that representatives of the Cleveland Circle neighborhood (from Aberdeen-Brighton, the Waterworks, and the adjacent part of Brookline) submitted to BDG last Spring. BDG's subsequent response, justifying the current plan, is included -- followed by additional arguments from the community. The content of the attachment is perhaps more important than this letter. If you happen to be short on time, I urge you to go directly to the attachment.

I and the local neighborhood group I represent (Aberdeen-Brighton Residents Association) would welcome with open arms a high quality mixed-use development (hotel/retail/housing) on the combined Circle Cinema and Applebee's parcel. Nevertheless, I am in full agreement with my fellow IAG members that the current plan by Boston Development Group (BDG) has many significant flaws that would result in irreversible negative impacts on the Cleveland Circle intersection and the entire neighborhood.

In a nutshell, the project suffers from the developer's apparent inability to see what this particular parcel is all about:

- What amount, kind, and mix of development is appropriate (given traffic constraints and the overall context of the site);
- What is the best way to distribute uses across the site to make the project work well for its future users, as well as the neighborhood;

- What features are needed for this project to become a catalyst for positive change in Cleveland Circle;
- How to create not only immediate, but also long-lasting value.

The project suffers from an excess of ambition in some ways, and from not being ambitious enough in other ways. High density (the very maximum that can be built on the site by using wood-frame construction) on an overwhelmingly large footprint, and an unwelcome enmeshment of uses that are not very compatible -- seem to be the developer's primary goals.

At the same time, the high potential for desirable, upscale housing that this unique location offers (right on the Brookline border, next to a park, the elegant Waterworks development, and the Reservoir) is completely ignored.

Those and other issues have been repeatedly discussed in many community and IAG meetings with the developer, and reasonable, constructive requests for reconfiguring the plan to better address the needs of the neighborhood have been made -- but have simply fallen on BDG's deaf ears.

Consequently, the plan that has been filed by BDG is unsuccessful in effectively enhancing Cleveland Circle as a gateway location, it flat-out fails to create the kind of housing that the neighborhood truly needs, and additionally it sets the stage for a whole host of conflicts between different users, while also being hard on the abutters.

NOTE: At the BRA's request, we assume, BDG did produce the so-called Alternative Plan that is much more neighborhood-friendly and could be further refined. But doing so appeared to be a perfunctory gesture on BDG's part, because even though the IAG stated its strong preference for the Alternative Plan last July, BDG made no effort to discuss it in detail, and decided not to adopt it -- even though, by BDG's own admission, implementing that plan would not lead to any loss of square footage. (A separate discussion to compare the two plans, with community concerns in mind, is in order. However, doing it as part of this letter would make it longer than it already is -- therefore I think it needs to be deferred to another time.)

### Assessing Density

At first glance, the FAR of 2.13 seems to be perfectly reasonable -- until you realize that the Cinema parcel includes a large and narrow area (the neighborhood people call it "the tail") that only lends itself to surface parking and nothing else. It is located at the far end of the parcel, and its presence is not perceptible from Chestnut Hill Ave. or Cleveland Circle.

Granted, this is an unusually shaped parcel -- but that is why a normal FAR calculation should not apply. To count the tail area toward the FAR is like counting the underground parking area toward the FAR -- one could try to do it, but it would give a distorted FAR reading.



To get a full sense of the effective FAR, in my opinion, one ought to subtract "the tail" from the buildable part of the site. Because of the irregular, tapered shape of the tail area, it is hard to determine its exact size, but I estimate that the space that BDG devotes to surface parking there, with roadway in the middle, is about 30,000 SF - which effectively reduces the buildable land on the combined Cinema/Applebee's parcel from 111,029 SF to 81,029 SF. Therefore, with 236,500 SF of proposed development, the effective FAR is 2.99 (almost 3).

If the development site had other points of vehicular access/egress -- besides Chestnut Hill Ave. and the one-way, very limited, not to mention controversial, Waterworks easement -- an FAR of 3 might work (especially with narrower, more slender buildings, which would enable better traffic circulation on the site). But the reality is that this site is hemmed in by Cassidy Park, the D Line corridor, and the Waterworks development. Chestnut Hill Avenue and Cleveland Circle as a whole are pretty much at capacity, and their traffic flow cannot afford the negative impact of the frequent comings and goings from the Cinema/Applebee's parcel.

### **Project Economics**

The IAG, and a great number of neighborhood people who have been following this project, think that this development is just too dense and needs to be reduced in size -- so it can function better for all of its users down the road, and also have a lower impact on Chestnut Hill Avenue/Cleveland Circle traffic.

The arguments that BDG may bring up against reducing density is that all the square footage it wants to build (including 82 units of transient housing, and a very large restaurant) is necessary because:

- BDG has agreed to pay an X amount of dollars for the land;
- construction of underground parking is expensive;
- use of unionized labor also factors into construction costs.

The last issue is a political matter that is beyond the scope of this letter (but I personally have no problem with making developers pay fair middle-class wages to the people who build their projects).

Regarding purchase price, it is possible that BDG has agreed to pay National Amusements for the Cinema site more than they should for such an awkwardly shaped parcel that is hemmed in by the MBAT Right of Way and the City of Boston parkland; spans two municipalities, and has access only from a very busy road.

However, having agreed to possibly overpay for land cannot be an excuse for a project that is too dense and doesn't work for the neighborhood. The purchase price may have to be adjusted accordingly.

The argument about the high cost of constructing underground parking is a little more complex, and needs to be carefully and objectively analyzed. Before anyone concludes that the large number of housing units is justified by the cost of creating underground parking, lets consider the following:

BDG's decision to put all that parking underground has not resulted in a decent amount of useable open space on the site:

- no easy to navigate driveways or sidewalks for interior traffic circulation;
- no true oasis-like courtyard park like the Coolidge Corner Marriott has;
- no proper setbacks from Cassidy Park;
- no green buffer of trees for Clinton Road abutters;
- no generous restaurant patio (the current outdoor eating area is just a row of tables on what needs to be a straight unobstructed sidewalk -- and those tables are too close to the often very intense Cleveland Circle traffic — it is not really a restaurant overlooking the park, as the community, and I believe the BRA too, requested).

So what is the benefit of putting parking underground? Just so we can have a denser project, causing more congestion, on a site that has severe vehicular access/egress limitations?

But if the developer keeps saying that the underground parking is a necessity, or a “benefit” — so the project needs to be as dense as it is — what can anyone say to that?

The Commonwealth Hotel in Kenmore Square (5 stories) is an example of a hotel that has surface parking behind the building (much cheaper to build, that's for sure), and the whole parcel (hotel + parking) appears to be on 42,000 SF of land (according to the City of Boston Assessing website).

The Courtyard Marriott Hotel in Coolidge Corner was built, together with its underground garage, plus a long, very wide side driveway, AND a very nice little park (REAL green courtyard), on just 33,600 SF of land (for comparison, the Applebee's parcel is 33,009 SF, and the Cinema parcel is 78,020 SF).

The truth is that the combined Cinema/Applebee's parcel is large enough (111,029 SF = 2.55 acres; that's a lot of land in an urban area) that the developer could build a sizeable hotel, plus a significant residential building with larger units (possibly on stilts to accommodate parking underneath; there is a way to do it tastefully, as was done on Brainerd Rd. in Allston), and still have enough room left on the ground level for an adequate amount of surface parking for the hotel -- especially if BDG eliminates the medical office component (which constitutes only 8% of the project, but is a big traffic generator).

The long “tail” area of the Cinema site can provide surface parking for 50-60 units of housing. That would still leave the rest of the site (nearly 2 acres) for a residential building oriented toward the Reservoir, AND a hotel fronting Cleveland Circle. And the vehicular and pedestrian traffic circulation would not be any worse than in BDG's current plan, and in fact could be much better.

As stated on previous occasions, the IAG believes that the medical space component should be removed from the program -- because we think that this site, due to traffic problems on Chestnut Hill Ave., is not appropriate for medical office use. A nice boutique hotel of perhaps 160 rooms, about 15,000 SF of neighborhood retail (including just one large restaurant that is a part of the hotel), plus 50-60 units of high-end housing in a separate building, would be more than enough development in this location.

Any purchase price for the land should be calculated based on such a reduced, but still very reasonable program. The argument that BDG must build 82 units of housing because it costs a lot to build underground parking simply does not hold water. The underground garage is being proposed because the developer's plan is overdeveloping the site (given the site's circumstances) — that is the real reason.

If the developer wishes to provide underground parking for the hotel, as it certainly can, that has nothing to do with the number of housing units. The housing component is a part of the project that can stand completely on its own, with its own surface parking in the tail area, and preferably as a separate, well-designed residential building (not looking like a hotel or office) -- so it can be a nice place to live, and have a chance to become a truly independent (from the hotel) condo association down the road.

**Nature and quality of housing**  
**(transient vis-à-vis long-term/owner-occupied)**

The development parcel abuts a busy commercial center (Cleveland Circle), but it is large enough, and much of it is sufficiently isolated from the hustle and bustle of the Circle, that one can only wonder why BDG doesn't seem to grasp that this development should be ideally divided into two connected but separate segments: hotel/commercial uses on the Circle, and buffered, park-oriented residential use in the area that is closer to the Waterworks and the Reservoir.

The Cleveland Circle neighborhood in Brighton has a very low owner-occupancy rate -- about 10% (while Allston-Brighton as a whole has a rate of 22%, and Boston 37%). Much good work has been done in the last 10 years or so to improve the neighborhood (e.g., designation of the Aberdeen Architectural Conservation District; the Chestnut Hill Waterworks adaptive redevelopment; opening of the Reservoir to the public; establishment of the Waterworks Museum; Boston College Master Plan that commits to house 100% of BC undergraduate students).

Still, the troubling low homeownership rate in this part of Brighton persists – even though the immediate proximity to Brookline and downtown Boston makes it a very convenient location. The reason is a great shortage of spacious, truly high-quality units that appeal to middle-class/higher-income residents looking for a permanent home in this area.

Last year, when the IAG asked BDG to incorporate a housing component into their plan, we asked for the type of housing that our area truly needs – compatible with the Waterworks, comfortable and suitable for long-term residency by people who wish to grow roots in the area. Instead:

- BDG is proposing run-of-the-mill rental housing, even though the project's unique location abutting a large park, Reservoir water views that can be achieved with the proper design, the immediate proximity of the Waterworks and Brookline abutters, plus

Brighton neighborhood's need for more balanced housing stock, all call for higher-end condos.

- BDG promises that the rental building will be “condo quality” -- for possible future conversion -- but the reality of the plan/design, which is very clearly unfriendly to long-term owner-occupants, does not support that. (Sure, any units that BDG builds can be sold as condos at some point, but whether they would be purchased as investor units, or to be lived in is an issue here – it all depends on the design and quality of the development.)
- BDG has selected the least suitable part of the development parcel — exposed to constant/frequent sources of noise, or deprived of views -- to locate the housing component. Why? The neighborhood has every reason to assume and worry that this amounts to transient housing – not what we asked for.
- The proposal includes a preponderance of mostly small 1BR units – 54 out of 82 total (66%); only 28 units are 2BR. The profile of buyers or renters of small 1BR units at this location will tend to be transient (and mostly non-owner-occupied even if condos). The stable, over-35 market, including professionals and empty nesters will not be attracted by 1BR units, even if they are 1-2 person households. Condo buyers who want to live in their condo will want an extra bedroom to meet their lifestyle needs, including guests, accumulated possessions, work at home, hobbies, etc.
- The developer claims it will be building “luxury units” -- and yet many of those units are to be located directly over a very large and active restaurant (potential for a night club-like environment) with outdoor tables on one side, and deliveries, as well as intense traffic, on the other side. (Where are there truly comparable upscale apartments or condos situated just above an active restaurant with outdoor tables?)

BDG's promise that it intends to convert the apartments it will build to condos when the time is right would be much more credible if the proposed apartments were not right in Cleveland Circle, and with nearly half of them lacking views. When you build condos for sale (right away or later), that is not how you design your units — especially if you have the ability to orient them toward the Reservoir and buffer them from the noise of the Circle.

Personally, I perplexes me why BDG is fixated on putting housing (which they call “luxury”) right IN Cleveland Circle — when the project site runs deep toward the Waterworks, and offers a great opportunity to have truly more desirable housing. Rentals serving the transient population can be located over a large restaurant right in Cleveland Circle -- but long-term, quiet, quality housing needs to relate to the Waterworks.

NOTE: Just FYI, in a design review meeting in Brookline last week (Oct. 10), a member of the BDG team stated in front of a room full of people that the housing that BDG is going to build will not need to be serviced by moving trucks (after it was pointed out that the site plan had no room for them). This presumably means that BDG expects the renters who will live in those apartments to own nothing except personal belongings that fit in a few suitcases. Needless to say, the IAG and the community are adamantly opposed to that kind of housing on this very unique and beautiful site.

\* \* \*

## SUMMARY

The bottom line: It is up to BDG to figure out if it wants and can afford to build a hotel which, like the Coolidge Corner Marriott, has underground parking — or whether it wants to save money on construction costs and build a slightly smaller hotel like The Commonwealth in Kenmore Square with surface parking hidden from public view behind the hotel building.

Either way, the housing component can have its own surface parking in the “tail” area of the Cinema site — thus eliminating the possibility that hotel/commercial traffic (cars driven by possibly reckless strangers) would ever be able to use the Waterworks easement – as this happens to be a concern that many Waterworks residents have stated.

The positioning of the residential buildings toward the Reservoir could further reinforce its role as a structure that permanently buffers the Waterworks development from hotel & commercial uses in Cleveland Circle.

Whether the Waterworks easement ends up being used/shared by the new development or not (I don't wish to speculate on that, as it is a matter between two private entities), it still makes a lot of sense to ask BDG to build housing that is pushed away from Cleveland Circle and fully oriented toward the Reservoir – to take advantage of the natural beauty of the area.

Doing so would ensure the building's quiet enjoyment and water views, thus making it highly desirable and appealing to long-term residents. Also, according to BDG's architect, the residential building will have higher ceilings than the hotel, and some balconies. A nice-looking residential building would be a more harmonious use vis-à-vis the Waterworks than a commercial hotel with mostly repetitious fenestration (though we certainly hope that overall the hotel will have an attractive design as well).

Lastly, BDG's desire to have the lowest construction costs possible should not preclude having a prominent, vertical hotel structure (or a vertical architectural feature on top of the hotel building) on the corner facing Cleveland Circle. Many people think that it is necessary to enhance the Circle's gateway location.

Sincerely,



Eva M. Webster  
Cleveland Circle Impact Advisory Group  
Board Member of Aberdeen-Brighton Residents Association  
Member of Brighton-Allston Improvement Association

CC: Mr. Jay Walsh, Mayor's Office of Neighborhood Services  
Councilor Mark Ciommo

Attachment

## Critical Design Features for the Redevelopment of the Circle Cinema-Applebee's Site

### Community Recommendations

#### Background:

- A group comprised of community-minded residents from Aberdeen-Brighton, Waterworks Park, and Brookline neighborhoods that surround Cleveland Circle meets on 2/8/12; residents agree to form Cleveland Circle Community Alliance (CCCA), and subsequently meet multiple times to discuss issues concerning anticipated BDG development;
- The list of CCCA Neighborhood Recommendations (in bold and numbered below) is submitted to BDG on 4/27/12;
- BDG provides a written answer on 8/7/12, and includes it in the EPNF dated 8/16/12;
- Community generates a follow-up response on 10/8/12 (see below) that is reviewed and approved by the CCCA Steering Committee (names available upon request) including Cleveland Circle IAG members John Ellis and Eva Webster.

1. **Re-orient the main body of hotel building (including lobby) from the rear of Cinema site to Applebee's site, with hotel frontage overlooking and visible from Cleveland Circle -- while retaining approximately 40 hotel rooms on the Brookline portion of the Cinema site.**

**BDG Response:** If the hotel were relocated as advised, the hotel's public areas and service areas will fill the first floor space. This would eliminate the majority of the space for "active uses" and minimize the connection to Cassidy Park. This arrangement would also minimize the queuing area for hotel arrival.

**Community Response:** It is to be expected that a hotel needs to have public areas -- most essential of them, of course, a public lobby, which we consider a top "active use" that naturally belongs on a public street/square (in this case, the Circle).

Locating the hotel lobby in the back of a congested courtyard that is not visible from Cleveland Circle is an unacceptable alternative that undermines the positive effect a hotel can have on this important gateway location.

To have the hotel located in Cleveland Circle is an important goal, and the community must be offered an option to accept certain trade-offs that may be necessary to accomplish that goal. However, BDG is not offering the community any choice in that regard, and no constructive conversation on this subject has been encouraged.

None of the "active uses" that BDG prefers over a hotel lobby in Cleveland Circle (specifically, a large restaurant, in addition to a separate hotel restaurant that the plan also includes) is as desirable from the neighborhood's perspective as a properly oriented hotel building that could provide, via its lobby, "the eyes" on the Circle, especially at night.

In fact, having a large restaurant/bar (that is not a part of the hotel) facing Cleveland Circle on the most prominent corner of the development is a very problematic choice from the neighborhood perspective. Such a restaurant is extremely likely to become a center of local student nightlife. Given the close proximity of many homes and Cassidy Park, the community and the neighbors strongly favor a quiet hotel restaurant that overlooks the park, not one that would become a focal point of Cleveland Circle's nightlife scene.

The amount of ground floor space that can be developed on the combined Cinema/Applebee's parcel is significant. The Prototype Hotel Lobby Floor included in the EPNF is just a prototype applicable to suburban locations; it can be tweaked or changed considerably in urban locations where space is limited. For example, certain rooms/functions can be located on the second floor if they cannot all be made to fit on the ground floor.

We disagree with the suggestion that locating the hotel on the Circle would minimize the queuing area for hotel arrivals. In fact, it's BDG's current courtyard design that minimizes the queuing area for hotel arrivals, while also creating conflicts between hotel guest arrivals and motorists who are residents or visitors to the complex.

With the hotel building facing Cleveland Circle, the amount of curbside space available to hotel arrivals accessing the rear entrance to the lobby (where check-ins must occur away from Chestnut Hill Ave.) would remain unchanged from the current plan. However, the ease of access for hotel guest arrivals would markedly improve due to being separated from short-term parking for the residential component.

Additionally, if the developer wishes to have an even longer queuing area for hotel arrivals, it can be accomplished by adopting a different site plan (the so-called Alternative Plan).

**2. Design a visually significant "landmark" structure facing Cleveland Circle, to emphasize and enhance Cleveland Circle's gateway location.**

**BDG Response:** The exterior design does include a focal point and the tallest part of the structure at this location. The Project's Design team is currently studying multiple floor plans in an attempt to make a pedestrian connection from this focal point to the hotel lobby. This design revision will be a key point of discussion with the BRA Design Team, the IAG, and the Brookline DAT.

**Community Response:** The effort to accentuate the gateway location with a landmark design has been entirely inadequate and unsuccessful. Creating a pedestrian connection to the courtyard is not going to result in a "landmark" structure overlooking Cleveland Circle. A hotel building with a prominent vertical corner feature would be far more effective at emphasizing the area's gateway

character. Our goal is for the hotel entrance to be the focal point on the ground level rather than the restaurant entrance (whose name can change every few years) in the current proposal.

**3. Ensure a high quality hotel brand, with all essential hotel amenities, including meeting/conference rooms -- but no function rooms for larger social events.**

**BDG Response:** Recommendation Implemented - Hotel Brand has been upgraded to Hilton Garden Inn.

**Community Response:** We have heard the promise to that effect, but have not seen anything that substantiates a commitment of any kind from Hilton, or even that a conversation has taken place. It is essential that the BRA ask BDG to provide credible and verifiable documentation supporting that claim.

**4. Situate residential units on the portion of development site overlooking Cassidy Park and the Reservoir, away from the traffic and commercial activity of Cleveland Circle and Chestnut Hill Avenue.**

**BDG Response:** The Developer's Plan does maximize the Cassidy Park and Reservoir views, but does place the buildings edge at the front of the site. This location allows the residential units to be shielded from the MBTA R.O.W., while also being positioned directly over the underground parking facility for convenient ingress/egress. This placement also allows for the hotel to have the maximum queuing capacity for hotel arrivals.

**Community Response:** In the BDG plan submitted as part of the EPNF, most proposed housing units' desirability is seriously compromised. 31 units (nearly 40%) have no views (they are looking directly into hotel windows across the courtyard), while additional 24 units (30%) are too close to the road noise and disturbance-causing commercial uses to be able to provide quiet enjoyment and a good quality of life for long-term residents. This amounts to 70% of units being suboptimal, if not substandard.

We question BDG's rationale for creating housing (and hotel rooms) with no views. Both Clinton Rd. homes and many Waterworks condos are located directly along the D Line tracks with practically no adverse effects on their quality of life. It is safe to say that none of them would trade nice open views from their windows for no views at all, in exchange for being shielded from the trolley corridor by a wall of hotel windows.

It is also safe to say that no residents with homes adjacent to the D Line would prefer their homes to be right in the midst of Cleveland Circle (where many housing units would be located under BDG's current plan).

Providing views to all housing units and increasing their desirability by buffering them from Cleveland Circle's traffic and commercial uses is easily achievable with a



different site plan design.

Moving the housing component farther away from Cleveland Circle would not preclude residents' access to the underground garage (since there are two sets of stairs and elevators in the garage, their allocation to the residential and hotel use could be switched). However, residents access to the garage might not be even necessary because surface parking spaces in the "tail" area of the Cinema parcel could be allocated to the housing component.

Lastly, it is not true that the current plan offers the maximum queuing capacity for hotel arrivals. With housing moved farther away from Cleveland Circle (toward the Waterworks), the hotel use would have the project's interior curb that is roughly parallel to Beacon Street entirely to itself.

Additionally, it is possible to further expand the queuing capacity for hotel arrivals by simply moving the access/egress roadway to the southern boundary of the Cinema parcel. Doing so would create a long curb, parallel to Chestnut Hill Ave., on the interior side of the development, making it possible for hotel arrivals to stop there briefly when necessary.

**5. Ensure that residential units are spacious and upscale in character, "condo-quality", with unit-dedicated parking and amenities designed for long-term occupancy.**

**BDG Response:** Recommendation Implemented - The project scope was revised to eliminate 30,000 SF of office space, which was replaced with 90,000 SF of residential space. The traffic generation of these two components is nearly identical. The residential use was sized to allow elimination of the shared parking credit and to support the addition of structured, non-surface parking. The residential units will have upscale characteristics to allow a future conversion to condominiums. There will be unit dedicated parking in the underground garage, access to hotel pool and fitness center, and park and water views. Units will be sized for sale in the \$500k to \$750k price range.

**Community Response:** The community did not ask for a volume of housing whose traffic impacts would be equal/identical to those of the previously proposed 30,000 SF office use. Instead, the community asked for a residential building not much bigger than the previously proposed office building, in order to lower traffic impacts.

The proposed housing is not condo quality, except perhaps as investment condos to be used for rentals in perpetuity. This is unacceptable. The neighborhood needs owner-occupied housing. Most units are just 1-bedroom, none have access to storage, too many (almost 65%) have no views or are located over noisy locations/uses. There is no visitor parking. The courtyard design guarantees frequent and aggravating conflicts between users. There are 20 apartments per floor, which will result in overuse of common areas, and is simply not suitable for up-scale condos that BDG promised in community meetings, and again in its EPNF.

Access to the hotel's fitness room and small pool is an equivalent of perhaps a \$100 per month gym membership, and is not going to compensate for the above-mentioned deficiencies. Therefore, the \$500k - \$750 price range for this type of housing (directly in the commercial/high-traffic sphere of Cleveland Circle, instead of being closer to the Waterworks and Reservoir) appears abjectly unrealistic.

6. **Create the maximum amount of pedestrian-friendly street-edge retail on building facades facing Chestnut Hill Avenue and Cleveland Circle. Restaurant space should be oriented toward the park and have an outdoor seating area.**

**BDG Response:** The current plan utilizes the entire Chestnut Hill Avenue and Cassidy Park edge for active uses. The design renderings detail the floor to ceiling glass facades at all retail, restaurant and hotel edges. The restaurant is at the focal corner of the site and has an outdoor dining terrace. The Hotel's pool and fitness center have park views and the hotel dining area has an outdoor dining terrace. The proposed driveway location does bisect the Chestnut Hill elevation, for reasons that are detailed below in Response #9.

**Community Response:** The Chestnut Hill Ave. side of the development cannot be considered pedestrian-friendly with the busy access/egress roadway bisecting that block in the middle, and impeding pedestrian access from Cleveland Circle to the proposed retail space.

On the Cassidy Park side, the restaurants' outdoor tables/terraces are in the way of what should be an unobstructed sidewalk leading to the back of the site, to provide pedestrian connection to the rest of the development, and perhaps through the Park, to the Waterworks development.

The proposed building design, which encloses the courtyard on the D Line side, puts a spatial "squeeze" on the project (due to the need to retain adequate courtyard space), so it does not leave enough room for a proper sidewalk and a properly sized permanent restaurant patio(s) on the Cassidy Park side.

(Note: BDG stated in recent meetings that at the request of the Parks Department it had widened the sidewalk on the Cassidy Playground side by 5 feet. A question then arises, which part of the project became smaller by 5 feet as a result? Perhaps sidewalks inside the courtyard, which were narrow to begin with?)

The proposed large restaurant is located directly in Cleveland Circle, and its outdoor tables are too close to heavy vehicular traffic; plus they overlook, primarily, an adjacent parking area. This is not what the community had in mind when we asked for a restaurant with park views.

The developer has reserved better park views for the hotel restaurant, which may or may not be a full-service public restaurant. In fact, the current layout suggests that it might only serve breakfast and afternoon snacks for hotel guests.

The new complex needs, and can realistically accommodate, just one large full-service restaurant. The neighborhood wants this restaurant to be an integral part of the hotel (connected to the lobby). It should be located where the hotel fitness area and residential lobby are in the current plan (and roughly where the Applebee's terrace is right now) – because that part of the site offers the best ground-level views toward the Park.

(Suggestion: the fitness room and pool would be best located in the vicinity of the Cassidy Park field house, and for that reason have at least partially frosted glass windows. This location would make the fitness facility directly accessible to the relocated residential component.)

**7. Provide ample/sufficient dedicated parking for each designated use.**

**BDG Response:** Recommendation Implemented -The parking that is provided meets or exceeds BTM standards for each use and in total without any shared parking credits. The Developer changed the project scope to add 142 underground parking facility.

**Community Response:** This response is most baffling since the proposal does not provide adequate parking for the medical office use component, or the large restaurant, or the visitors to the residential building, or adequate short-term parking that will be needed for deliveries and other service vehicles.

Therefore, the recommendation has not been implemented. The project is far from being self-sufficient in terms of satisfying its parking needs. (By some estimates, 100 additional parking spaces would be needed to make this project comply with zoning.)

**8. Create properly sized vehicle turnaround/drop-off area inside the project site for all vehicles providing services/deliveries to all uses within the site. This area needs to be capable of servicing concurrently all site uses and all anticipated vehicle sizes and types, including delivery vans/trucks, moving trucks, tourist buses, and emergency vehicles.**

**BDG Response:** Recommendation Implemented: The Project will provide two service areas. All delivery vehicles will enter and exit via the Chestnut Hill Avenue driveway and all service and loading will take place off street. Adequate roadway width and clearances will be provided for truck access, egress, and circulation within the site. The associated truck movement paths are shown in Appendix A and were developed using AutoTURN, an engineering software program that analyzes and evaluates vehicle maneuvers.

**Community Response:** Recommendation has not been implemented. Given the multiple uses that will all converge in the courtyard, and the constrictions to traffic in the courtyard design, we believe there will be serious problems with traffic circulation on site. It is also evident that delivery trucks for the proposed large

restaurant on the corner, moving trucks, tourist buses, and emergency (fire) vehicles still cannot be properly and safely accommodated on site.

The AutoTURN software calculates the room that is needed for vehicles to maneuver, but cannot indicate, or do anything about, the congestion (and the potential for frequent fender-benders or even more serious collisions) that will occur when too many vehicles are present in the courtyard, reversing or trying to exit from the underground garage.

The idea, as stated by BDG, that a hotel employee will be available to do double duty to direct traffic in the courtyard (not exclusively hotel-related traffic) is a testimony in itself that problems with traffic circulations are expected to occur. The courtyard will be a source of constant aggravation and cause conflicts among various users. (For example, why would a resident unloading furniture in the courtyard, or a service person coming to the office building, be subject to a hotel employee telling them where and for how long they can occupy room in the courtyard?)

Additionally, the current plan creates a very bad “bottleneck” area conducive to serious vehicular conflicts near the loading area for the hotel. Each time large hotel delivery trucks and vans have to make a sharp 90-degree turn in reverse (either because they need to position themselves backwards in the loading dock, or need to back out of the dock to return to the courtyard and exit the site), they will be encountering vehicles heading for, or exiting the surface parking area in the rear of the site. As a result, congestion and difficult to untangle gridlock is likely to happen at times in that area too (not just in the courtyard).

9. **Provide vehicular access/egress road to/from the development on Chestnut Hill Avenue next to the southern boundary of the Cinema site (location of the current Cinema access roadway). Provide privacy fencing and landscaping buffer to screen the view of access road from homes on Clinton Road. Create permanent traffic circulation pattern on site that prevents any cut-through traffic, or service vehicles, from exiting via the Waterworks easement road.**

**BDG Response:** The Development team has studied three possible locations for the project’s entry drive. The northern edge conflicts with Green Line Trolley movements. The Southern edge requires the current stop line to be moved 135 feet to the south. This placement will increase traffic clearance time to Cleveland Circle, thus less “Green” time from all intersection approaches. An additional negative factor is that with this placement, the traffic queue length will extend past the Clinton Road/Chestnut Hill Ave. intersection.

Privacy screening and or fencing will be installed to mitigate traffic views. The current conditions at the site has a significant portion of the building along the R.O.W.; however, there is and will be significant separation from the existing and proposed buildings from the nearest rear yard shed building: 120 feet.

Traffic signage and control devices will be placed to create a permanent traffic control pattern that will prevent cut-through and service vehicle traffic on the egress roadway.

**Community Response:** BDG has too quickly dismissed the possibility of locating the access/egress roadway at the southern boundary of the Cinema site (where the main Cinema roadway is) by saying that it would contribute to traffic back-ups on Chestnut Hill Ave. in Brookline.

According to Brookline neighbors, the Chestnut Hill Ave./Clinton Rd. intersection can be protected from back-up problems by installing "Do Not Obstruct the Box" intersection markings. Since traffic often backs up across this intersection today at peak periods, any extra traffic that this project will generate will lead to back-ups regardless of where the access/egress roadway is located.

The congestion in the courtyard and its potential to cause vehicle back-ups on Chestnut Hill Ave. (incl. Cleveland Circle) has been completely ignored by BDG and its traffic consultant. (Note: the assumptions regarding curb use activity inside the courtyard are not credible because the traffic consultant has severely underestimated the number of deliveries, service vehicles, and other pick-ups and drop-offs pertaining to all of the different uses that the proposed courtyard would have to accommodate.)

The clear advantage of locating the access/egress roadway at the southern boundary of the Cinema site is that the volume of traffic in the courtyard would be significantly reduced due to the presence of a direct vehicular passage to the underground garage, as well as the rear parking area. (That roadway could also provide straight direct, access to a drop-off/pick-up area for the residential use that the community would like to see moved to that part of the site).

Another very significant advantage of locating the access/egress roadway near the southern boundary of the Cinema property is that a new south-bound "shoulder lane" that BDG proposes to create on Chestnut Hill Ave. (for vehicles coming from Cleveland Circle and intending to turn right onto the project site) would more than double in length. So at times when the interior of the complex happens to be congested (e.g., multiple hotel arrivals coinciding with multiple deliveries or moves), a longer shoulder lane on Chestnut Hill Ave. would be able to store development-bound vehicles, preventing them from getting stranded at the edge, or in the middle of Cleveland Circle.

The increased clearance time for north-bound traffic through Cleveland Circle needs to be studied by traffic engineers to see if they can improve these intersections and their flow. Even if they are unable to, it still seems that the many advantages of locating the access/egress roadway near the southern boundary of the Cinema property outweigh the single disadvantage of presumably very slightly longer clearance time.

Historically, what we refer to as the Cinema roadway dates back to at least 1875. The site used to be owned by a coal company, and the road provided connection between Chestnut Hill Ave. and the rear of the Waterworks Pumping Stations where coal shipments were brought by rail. So it is a long-standing vehicular route, albeit a nameless one – but it is nevertheless the natural access/egress to the Cinema site, and the current project should respect that.

- 10. Utilize the existing crescent roadway/parking area in Cleveland Circle (adjacent to Cassidy Playground) to provide for some quick, ancillary vehicle/taxicab pick-up and drop-off options at the hotel entrance facing the intersection of Beacon Street and Chestnut Hill Avenue.**

**BDG Response:** This area is public property and this request should be deferred at this time.

**Community Response:** Agreed.

- 11. Provide ample sidewalk setback from Chestnut Hill Avenue that can comfortably accommodate street trees.**

**BDG Response:** Recommendation Implemented - Sidewalk width averages 15' along the property frontage, which is sufficient to include trees.

**Community Response:** From what point is the 15' sidewalk measured? If it's from the current curb of Chestnut Hill Ave., that width might be insufficient (for comparison, the treeless sidewalk in front of the commercial block on Beacon Street in Cleveland Circle is 10 feet wide and entirely inadequate). Chestnut Hill Ave. traffic can be very intense – there is a need for a buffer. But BDG is also planning to create a right-turn only shoulder lane – how does the 15' sidewalk factor into that? The EPNF plans have no measurements, and it is not possible to verify this and other claims.

## **WATERMARK RESIDENT GROUP**

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2400 BEACON STREET

CHESTNUT HILL/BRIGHTON

MA 02467

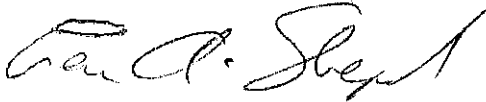
September 12, 2012

Dear Mayor Menino

I am writing on behalf of the Watermark Resident Group to request the immediate BRA approval of a peer review traffic study for the proposed Cleveland Circle Cinema Redevelopment. At a Waterworks resident meeting with the developer on September 11, residents pointed out multiple omissions and issues in BDG's proposed traffic management plans. John Meunier of BDG was asked if BDG would pay for a Boston-facing independent traffic study in parallel to the study the BDG is funding on behalf of Brookline. Meunier responded that he is willing to provide funding and he is just waiting for the BRA to approve the study.

Given the scope, density and extensive community impact of the proposed project, and the existing traffic conditions in our neighborhood, Boston abutters should have the benefit same level of independent, 3<sup>rd</sup> party review of the BDG traffic projections as the residents of Brookline are receiving.

Sincerely,



Lewis Shepard  
2400 Beacon Street  
Watermark Resident Group

**CC via e-mail:**

Mark Ciommo, City Councilor  
Peter Meade, Director  
Erico Lopez, Senior Project Manager  
Michael Kineavy, Chief of Policy and Planning  
Angela Holm, Mayor's Office of Neighborhood Services  
Senator Will Brownsberger  
Representative Kevin Honan  
Representative Mike Moran

## WATERMARK RESIDENT GROUP

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<i>Amy Burdick</i>	<i>Watermark 101</i>	<i>Amy Bernstein</i>	<i>Watermark 315</i>
<i>Aaron Kleiner</i>	<i>Watermark 103</i>	<i>Vitality Gassel</i>	<i>Watermark 401</i>
<i>Samuel Kleiner</i>	<i>Watermark 103</i>	<i>Zina Gassel</i>	<i>Watermark 401</i>
<i>Marty Laughrey</i>	<i>Watermark 107</i>	<i>Mark Lewis</i>	<i>Watermark 403</i>
<i>Tony Laughrey</i>	<i>Watermark 107</i>	<i>Tim Lamoriello</i>	<i>Watermark 404</i>
<i>Chrisanthi Bethanis</i>	<i>Watermark 108</i>	<i>T Lamoriello</i>	<i>Watermark 404</i>
<i>Panas Bethanis</i>	<i>Watermark 108</i>	<i>Robert Capalbo</i>	<i>Watermark 407</i>
<i>Diane Rosenbaum</i>	<i>Watermark 109</i>	<i>Howard Glaser</i>	<i>Watermark 408</i>
<i>Neal Solomon</i>	<i>Watermark 110</i>	<i>Karen L. Glaser</i>	<i>Watermark 408</i>
<i>Ilene Solomon</i>	<i>Watermark 110</i>	<i>Edna Pressler</i>	<i>Watermark 409</i>
<i>Brian Clougherty</i>	<i>Watermark 111</i>	<i>Leslee Winston</i>	<i>Watermark 410</i>
<i>Megan Moylan Clougherty</i>	<i>Watermark 111</i>	<i>David A. Kazis</i>	<i>Watermark 411</i>
<i>Mildred Rein</i>	<i>Watermark 112</i>	<i>Jordan Fish</i>	<i>Watermark 412</i>
<i>Faye Ruopp</i>	<i>Watermark 201</i>	<i>Cynthia Taft</i>	<i>Watermark 501</i>
<i>Charles Ruopp</i>	<i>Watermark 201</i>	<i>Dick Egdahl</i>	<i>Watermark 501</i>
<i>Beth Kemler</i>	<i>Watermark 203</i>	<i>Kurt Bloch</i>	<i>Watermark 502</i>
<i>James P. Lemonias</i>	<i>Watermark 204</i>	<i>Margot Bloch</i>	<i>Watermark 502</i>
<i>Anna G. Lemonias</i>	<i>Watermark 204</i>	<i>Chris Murphy</i>	<i>Watermark 503</i>
<i>Alicia Lawless</i>	<i>Watermark 206</i>	<i>Esther Silverstone</i>	<i>Watermark 504</i>
<i>Scott B. Guthery</i>	<i>Watermark 208</i>	<i>Dr. Leslie Silverstone</i>	<i>Watermark 504</i>
<i>Mary Cronin</i>	<i>Watermark 208</i>	<i>Kumme Cho</i>	<i>Watermark 505</i>
<i>Vesna Besarabic</i>	<i>Watermark 213</i>	<i>Kookheen Char</i>	<i>Watermark 505</i>
<i>Howard Goldsweig</i>	<i>Watermark 213</i>	<i>Sheryl D. Eisenberg</i>	<i>Watermark 506</i>
<i>Jerry Quinn</i>	<i>Watermark 215</i>	<i>Charlotte Knox</i>	<i>Watermark 507</i>
<i>Ellen R. Berezin</i>	<i>Watermark 301</i>	<i>Ken Stein</i>	<i>Watermark 507</i>
<i>Lewis A. Shepard</i>	<i>Watermark 301</i>	<i>Pamela Manolakis</i>	<i>Watermark 508</i>
<i>Alex Poulos</i>	<i>Watermark 302</i>	<i>Arlene J. Wolk</i>	<i>Watermark 509</i>
<i>Betty Poulos</i>	<i>Watermark 302</i>	<i>Lauri Mitchell</i>	<i>Watermark 510</i>
<i>Ken O. Bloch</i>	<i>Watermark 303</i>	<i>Jeansue Lee</i>	<i>Watermark 512</i>
<i>Lissa R. Kapust</i>	<i>Watermark 304</i>	<i>Tim Connell</i>	<i>Watermark 604</i>
<i>Jeanine Wong</i>	<i>Watermark 305</i>	<i>Neil S. Hyman</i>	<i>Watermark 608</i>
<i>Manuela Alves</i>	<i>Watermark 306</i>	<i>Albert L. Hyman, MD</i>	<i>Watermark 608</i>
<i>Tony Andrade</i>	<i>Watermark 306</i>	<i>Elsa Ramin</i>	<i>Watermark 609</i>
<i>Louis Shuster</i>	<i>Watermark 307</i>	<i>Gerald Ramin</i>	<i>Watermark 609</i>
<i>Sheryl Gipstein</i>	<i>Watermark 312</i>		
<i>Nanette Bisher</i>	<i>Watermark 315</i>		



## **WATERMARK RESIDENT GROUP**

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2400 BEACON STREET

CHESTNUT HILL/BRIGHTON

MA 02467

September 5, 2012

**To:** Thomas M. Menino, Mayor of Boston  
Mark Ciommo, Felix G. Arroyo, John R. Connolly, Stephen J. Murphy, Ayanna Pressley, Boston City Council  
Representative Michael Moran  
Representative Kevin Honan  
Senator Will Brownsberger  
Peter Meade, Director, BRA  
Michael Kineavy, Director, Mayor's Office of Neighborhood Services

**From:** The Watermark Resident Group

We are condominium owners and residents at the Watermark, 2400 Beacon Street, directly adjacent to Cleveland Circle. We are, as a consequence, immediate abutters to the proposed mixed use development at 375-399 Chestnut Hill Avenue for which the Boston Development Group (BDG) filed a Project Notification Form on August 16, 2012.

We support a thoughtful and high quality development of this Chestnut Hill Avenue parcel. We are, however, concerned that certain aspects of BDG's current proposal will have a negative impact on the Cleveland Circle neighborhood and on our homes.

It is essential for any new development to respect the open space and recreational uses of Cassidy Playground and Park as well as the Waterworks Park. As abutters and community members, we will actively participate in the upcoming Article 80 Large Project review process. We will also ask to meet directly with our elected representatives and City of Boston agencies to discuss our specific concerns with the BDG proposal.

Our goal is to ensure that any Cleveland Circle development improves the viability of this historic Boston neighborhood without detracting from the quality of life of property owners and residents.

Our group appreciates your support for this goal.

Sincerely,

***Watermark Resident Group***

(70 Watermark owners and residents have signed this letter; names are attached)

CC: Erico Lopez, BRA, Angela Holm, Office of Neighborhood Services

## **WATERMARK RESIDENT GROUP MEMBERS**

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### **Signatures to the September 5 letter:**

<b>Amy Burdick</b>	<b>Watermark 101</b>	<b>Cynthia Taft</b>	<b>Watermark 501</b>
<b>Aaron Kleiner</b>	<b>Watermark 103</b>	<b>Dick Egdahl</b>	<b>Watermark 501</b>
<b>Samuel Kleiner</b>	<b>Watermark 103</b>	<b>Kurt Bloch</b>	<b>Watermark 502</b>
<b>Marty Laughrey</b>	<b>Watermark 107</b>	<b>Margot Bloch</b>	<b>Watermark 502</b>
<b>Tony Laughrey</b>	<b>Watermark 107</b>	<b>Chris Murphy</b>	<b>Watermark 503</b>
<b>Chrisanthi Bethanis</b>	<b>Watermark 108</b>	<b>Esther Silverstone</b>	<b>Watermark 504</b>
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<b>Diane Rosenbaum</b>	<b>Watermark 109</b>	<b>Kumme Cho</b>	<b>Watermark 505</b>
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<b>Leslee Winston</b>	<b>Watermark 410</b>		
<b>David A. Kazis</b>	<b>Watermark 411</b>		
<b>Jordan Fish</b>	<b>Watermark 412</b>		

**Charlotte Knox & Kenneth Stein  
2400 Beacon Street #507  
Chestnut Hill, MA 02467**

September 16, 2012

Mr. Erico Lopez  
Boston Redevelopment Authority  
One City Hall Square 9th Floor  
Boston, MA 02201

Re: 375-399 Chestnut Hill Avenue (Cleveland Circle Cinema Redevelopment)

Dear Mr. Lopez,

We are owner / residents of Unit 507 in the Watermark condominium building, part of the Waterworks Project, direct abutters of the "Cinema" property. Our living room "patio type" doors directly overlook what we refer to in this letter as a critical "blind spot" the driveway that Boston Development Group proposed to use as a major exit roadway for its proposed project.

During the 2011 review of this project, we spoke out forcefully in opposition to the project plan that was submitted. Fortunately for all parties, that plan was withdrawn.

We are in favor of a development plan whose principal characteristic is "respect".

- Respect for the gateway nature of Cleveland Circle
- Respect for the opportunity to make positive impact on the future of Cleveland Circle
- Respect for the architectural characteristics of the nearby neighborhoods
- Respect for the people who must pass through Cleveland Circle by motor vehicle
- Respect for nearby businesses who rely on an already inadequate supply of street parking
- Respect for the 112 homeowners of the Waterworks Condominium complex, who have invested over \$100 million in their Waterworks condominium homes.

Unfortunately, the current Project proposal is a failure in all these respects.

- The design, or architectural face presented is a not appropriate for this location, and an insult to the nearby neighborhoods. The artist renderings presented would be more appropriate for a strip mall on Route 9 in Framingham than a gateway location adjacent to Olmstead designed landscapes.
- The provision for 228 parking spaces for 181 hotel rooms, 82 apartments, 19,000 square feet of office space, and 14,000 square feet of retail and restaurant space is totally inadequate, and will damage the Cleveland Circle businesses who already recognize how difficult it is to find parking now.
- The traffic study presented in the PNF is totally inadequate, and full of many serious errors. BDG's traffic engineers seem to have concluded that since major parts of the Cleveland Circle intersection already have the worst congestion rating, that adding more traffic is OK, since the rating is already the worst, and cannot get a more negative rating. The engineers have proposed adding a series of left turn lanes thought the intersection. We feel this is at the least misleading, if not physically impossible.
- The interior courtyard is a major flaw in the project design. 100% of the customer, support, and service traffic entering into this limited area? Nowhere in the plan is there a mention of the effects of vehicle exhaust fumes on all of the people whose hotel rooms, apartments, medical offices restaurants, etc., that will be adjacent to this area. What will happen when a delivery truck, bus, etc, etc. blocks the entrance. Where will all these vehicles needing entrance to the project queue up?
- The Waterworks project took many years of dedicated community efforts, design work, and many millions of dollars of investments by the developers, and the unit buyers. All this work is endangered by a poorly planned, poorly designed, overly ambitious project, whose developers want to hold the Waterworks unit owners hostage to their plans. The town of Brookline is very concerned about their residents. In order to protect their adjacent neighborhood and property owners, they will require a significant portion of the project exiting traffic to use a narrow, dangerous driveway.

### **Waterworks Driveway Issues**

Regardless of the existence of any "easement or licensing rights", it seems obvious that the Waterworks roadways and traffic plan were designed and built to accommodate an upscale residential community of 112 condominium units and their vehicles. The most sensitive part of the roadway plan is the narrow, one-way roadway that provides both access and exit to Whitehall and Watermark garages.

A. Segment 1 of the roadway starts at the northeast corner of Whitehall, (Point 1) and runs approx. 140 ft. to Point 2, between Whitehall and the "hatch" garden. It is narrow (no potential for passing a stopped vehicle), one way, and ends with a stop sign, and a partially visually blocked 90 degree left turn. Vehicles exiting from Whitehall garage make a blind exit onto the driveway at this point.

B. Segment 2 of the roadway runs from the stop sign at the Whitehall garage to the southeast corner of Watermark. It is approx. 400 ft in length, also one way, and except for two MWRA reserved parking spaces, offers no possibility for a vehicle u-turn. It is bordered on the right by a masonry wall along the MBTA right of way, and by curbed and landscaped areas of the Watermark building. The end of this segment is particularly hazardous, as it has a blind, greater than 90 degree turn. Vehicles exiting from Whitehall have to make that blind turn to continue the exit route. Vehicles exiting from the Watermark garage have to execute an almost 180 degree turn. Vehicles exiting from the Cinema property, being "casual" users from the hotel, would intersect at this hazardous point. Any attempt by a "casual" user trying to bypass a traffic blockage on the Watermark driveway (between points 3 and 4) has the potential of producing a dangerous crash.

C. Segment 3 of the driveway runs between the Watermark building and Cassidy Park. (points 3, 4 and 5) It is approx 400 feet in length, with the following characteristics:

1. Limited sight distance around "blind spot" (Point 4) (approx 60 ft), along with minimum stopping distance estimates for motor vehicles, creates safety hazards.
2. Existing lighting on roadway, especially near blind spot, increases risk of personal, vehicular, and motor vehicle accidents in hours of darkness. Adding additional lighting would be expensive and likely result in negative market value effects to adjacent unit owners.
3. Vehicular breakdowns on the driveway could cause significant problems for all parties. Breakdowns between the blind spot and Beacon Street are not visible from the entrance to the driveway. Possible outcomes of such an occurrence could be chain reaction crashes, and traffic backups filling the driveway. The length, narrow width, and curves of the driveway make u-turns impossible, and backups dangerous.
4. This segment of the roadway borders a busy City park. Directly abutting the driveway is a heavily used baseball field with bleachers, and two public tennis courts. During the summer there is a tennis camp for children, who are dropped off and picked up along the driveway. Considering the blind spot, limited lighting, and unfamiliarity of hotel guests with this roadway, the potential for serious accidents is very real.

5. Any blockage of Segment 3 could lead to serious traffic and safety issues throughout the Waterworks complex and the "Cinema" development. Once on this segment, there is no way out (except backing out).

**Summary comments regarding the Roadway:**

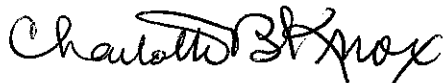
The 900 ft roadway has three blind turns, (Points 2, 3, and 4), is one-way the entire distance, is single vehicle width, with one exception, has no place for vehicle turn around. If this traffic roadway had been designed to accommodate commercial traffic from a redeveloped Cinema parcel, the driveway width would have provided passing space, blind spots would have been eliminated, lighting would have been appropriate, and barriers between Cassidy Park and the driveway would have been built. The use of this driveway as the principal exit for an 80 room hotel is inappropriate and dangerous.

The PNF we have seen has no provision for dealing with blockage of the Watermark Driveway. How will hotel guests exit the property if there is a spin out, crash, breakdown, or property maintenance that is causing the driveway to be blocked. Having strangers exit by going the wrong way out of a one way driveway (going from Point 3, to 2 to 1 is dangerous and unacceptable.

There also is no mention of other project traffic being allowed to use our driveway due to unforeseen occurrences on the Cinema project.

Bottom Line: It is our opinion that the current project plan is an insult to the City of Boston, the Cleveland Circle neighborhoods, and the Waterworks Community, and physically dangerous to Waterworks residents and users of Cassidy Park. We strongly urge that it be rejected.

Respectfully submitted



Charlotte Knox and Kenneth Stein



## Watermark Whitehall Driveway Description



Vehicles entering the Watermark or Whitehall garages enter the driveway at Point 1, between the Whitehall building and the "Hatch" Garden. The distance between Point 1 and Point 2 is 130 feet, with a width of 14 feet. There is a stop sign at Point 3. Point 2 is a blind spot for vehicles entering or exiting the Whitehall garage, and a blind, 90 degree left turn for vehicles going to the Watermark Garage.

The distance from Point 2 to Point 3 is 370 feet, with a typical width of 16 feet. A narrow width of 14 feet is at the Utility enclosure, near the entrance to the Watermark Garage. A portion of the driveway just prior to the utility enclosure is frequently used for parking delivery and service vehicles, which are not permitted to use the front entrance to Watermark. The entrance to the Watermark garage is a blind, 90 degree left turn.

Vehicles exiting from Whitehall travel from Point 2 to Point 3, where they make a blind 90 degree left turn.

Vehicles exiting from Watermark garage make a blind 90 degree left turn out of the garage (aided by a large mirror), and then immediately execute another 90 degree blind left turn to continue on the driveway exit pattern. This portion of the driveway, between Points 4, 4, and 5, is 14 feet in width. Vehicles travelling this portion of the driveway approach another blind point, approx. 186 feet from Point 3. To the right of the roadway is Cassidy Park baseball field and bleachers, and the two tennis courts. People using these facilities frequently walk on the driveway, creating a safety hazard. Aside from a moderate earth berm (which also obscures drivers vision), there is no barrier between the recreation uses and the driveway. Past Point 4, the driveway continues another 220 feet. During morning hours, drivers are often blinded by solar glare on these roadway segments. Drivers exiting Whitehall and Watermark garages have frequently encountered cars driving the wrong way from point 5 to point 3.



**Charlotte B. Knox**  
**2400 Beacon Street, Unit 507**  
**Chestnut Hill, MA 02467**  
**Tel. 617 – 505 – 6660**

Mr. Erico Lopez  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201-1007.

Wednesday, September 12, 2012

Hi Mr. Lopez or Erico\*,

Since I have not met you yet, I feel uncomfortable calling you by your first name. I guess I am not a full American.

**Please, please protect our neighborhood. I care about the footprint of this ever growing super dense project.**

I am worried about BDG's plans for the cinema property in Cleveland Circle. I fear BDG's plans will harm and not help our neighborhood.

My husband and I moved to the Waterworks in Chestnut Hill, Brighton 5+ years ago. I was concerned that moving to Boston would mean we would be living in a big city without an ability to express ourselves. I have become interested and involved with our neighborhood and realized my concerns were unfounded. Our politicians do listen! We love living in Brighton. We care and want to continue to work with our community.

I have been thanking the neighborhood and our local politicians for our lovely new home. I am proud to be living at Waterworks. The community made a difference and turned a run down area into a thing of beauty.

I am writing you, because I have 5 serious concerns about the plans for our neighborhood. Here are my concerns:

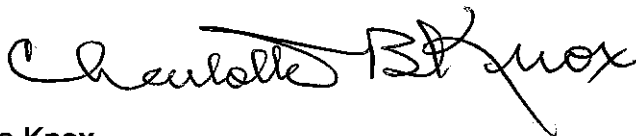
1. Boston Development Group doesn't seem to be concerned about the Brighton /Alston community and the community's concerns. Brookline seems to be their only interest.
2. I feel BDG is concerned in placating Brookline's issues (Less than 20% of the cinema property & Applebee property is in Brookline) How can Brookline put demands on Boston? Why does Boston need to follow Brookline's demands? I don't understand.

3. There has been no mention as to BDG's development impact to Cleveland Circle and the immediate neighborhood. There will be the additional traffic and heavy duty density issues. This could seriously harm our Cleveland Circle. BDG plans keep getting denser every time they present their updated designs! If the traffic through Cleveland Circle is dense, how can BDG say the traffic from there project will not impact the traffic? The traffic added traffic will cause harm seriously dense or dangerously dense?

4. What about the Waterworks' access road? Brookline demanded that BDG use Waterworks/Watermark access road. The residents are going to be seriously impacted with additional traffic. There will be more cars traveling through our tiny narrow driveway than they are inhabitants in the entire Waterworks property! Now our property has 3 exit roads to accommodate our residential traffic. After the BDG development is completed our property will suffer serious gridlock problems and the driveway will be DANGEROUS. I fear cars and other vehicles will dash through our property all times of the day and night when leaving the hotel or returning to the hotel. More vehicles move through our driveway because of the heavy traffic issues in Cleveland Circle. In addition the residents in Waterworks/ Watermark will be negatively impacted by the poor air quality due to the additional traffic. **Please come and see our tiny access driveway that BDG plans on using.** The road is way too narrow and small for major usage. **BOTTOMLINE – the pedestrians, Cassidy Park users and in particular the children will be in serious danger of being maimed, hurt or killed, because of the blind spots on our driveway.** It feels oh so wrong. After multiple public meetings, I get the impression that the people at BDG smile and say that our traffic problem is not their concern. **PLEASE HELP**

5. Mr. Fish helped the community with a million dollar community improvement contribution. The community has given accolades to Mr. Fish for his gift to our neighborhood. BDG hasn't mentioned anything with regard to improving our neighborhood. They feel their hotel, housing project and offices is all they need to improve the neighborhood. Again this feels wrong.

***Please help me and my neighbors. What would you suggest I do?***

A handwritten signature in black ink that reads "Charlotte Knox". The signature is written in a cursive, flowing style.

Charlotte Knox  
617 505 8660

***\*I emailed you copy of this letter.***

## Lopez, Erico

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**From:** bgpeace [bgpeace1968@gmail.com]  
**Sent:** Monday, October 08, 2012 2:58 PM  
**To:** Lopez, Erico  
**Cc:** cleveland-circle-community@googlegroups.com  
**Subject:** BDG proposal for Cleveland Circle Cinema project

Mr. Erico Lopez  
Project Manager, Cinema Circle Project  
Boston Redevelopment Authority

Dear Mr. Lopez:

For the following reasons (among others), long-term, quality of life and business value are not sustainable in the second design proposal presented to the community involved in the Cleveland Circle neighborhoods and their surrounding area:

- 1) The proposed, congested design challenges its designated location, spatially, logistically and administratively undermining the area's potential.
- 2) The appointed building materials are incompatible with the surrounding architecture and the natural environment of the region.
- 3) Complex, changing traffic patterns endanger the precious space and safety of drivers, pedestrians, residences and businesses.
- 4) The needs of a hotel, medical offices, small apartment residences, restaurants, and businesses are necessarily incompatible, particularly when carelessly designated.
- 5) The conflicts inherent in the proposal discourage cooperative urban life. Repeat, interested business will become random at best and at its worst will encourage the failure of the enterprise.

The ambitions of the architects can best be realized by finding a more suitable location for their project.

Please do not allow this proposal to be fulfilled in its present form.

Sincerely, Betsey Glaser

Condo resident/owner, 22 Orkney Road, 1986-present

## Lopez, Erico

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**From:** jkibrick@comcast.net  
**Sent:** Monday, October 08, 2012 11:14 AM  
**To:** Lopez, Erico  
**Cc:** jkibrick@comcast.net  
**Subject:** Cleveland Circle  
**Attachments:** October 7 2012. BRA Letter

October 7, 2012

Mr Enrico Lopez  
Project manager, Cleveland Circle Project  
Boston Redevelopment Authority

Dear Mr. Lopez

I am writing to you and the BRA to help paint a clear picture of this areas needs and concerns.

There are a number of serious unenforced issues in this area and a project of this size and magnitude will only exacerbate the problems in this area not fix them.

Three Major underestimated concerns that are not being clearly looked at are:

- 1 The Size and Scope of this project ( Far to big for this area to handle on )
- 2 The Traffic and Public Safety issues have not been independently or correctly looked at.
- 3 Addressing area resident concerns.

Please see attachment for more detailed explanation.

As a resident of this community for over fifty years, I can speak from experience that the project under proposal is flawed and unacceptable on numerous other levels well.

I have put out reasonable requests to the powers at be to no avail.

I have written letters.

Addressed Brookline town meeting,

Attended a litany of design reviews, planning boards and meetings designed to address the issues of concern to people who can make decisions, only to leave all of these sessions with a feeling of forgone conclusion that whatever anyone said in opposition, did not matter.

It feels like the powers in charge have little regard for residents concerns and I was under the impression that they should be advocates for us.

I am seeking a little consideration to this wonderful area.

If done correctly every-ones needs will be met.

I agree with the area residents who are opposed to this project.

I also agree that the area is ripe for a make over.

Please extend our voice in the decision making process and advocate for what is right.

Sincerely,

Concerned property owner in Brookline, Clinton Rd.  
and Brighton, Kilsyth Terr.

John D. Kibrick

## Lopez, Erico

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**From:** cleveland-circle-community@googlegroups.com on behalf of Susan Heideman [sheidema@smith.edu]  
**Sent:** Monday, October 08, 2012 1:03 PM  
**To:** cleveland-circle-community@googlegroups.com  
**Subject:** {SPAM: 40} :Re: [Cleveland-Circle] BDG proposal for Cleveland Circle Cinema project

Mr. Erico Lopez  
Project Manager  
Boston Redevelopment Authority

Dear Mr. Lopez,

I am a resident of Brighton, and attended the 9/20/12 meeting at the Hamilton school. Like many of the meeting attendees who expressed their views, I am opposed to the project as currently planned. I live on Chestnut Hill Ave., halfway between Cleveland Circle and Brighton Center, and frequently ride the C and D Green Line T's, so I walk through Cleveland Circle on a regular basis. I also shop there, walk my dogs in and around the area on a regular basis, and frequently walk through the "Circle" to destinations in Brookline. As someone who spends a great deal of time in and around this geographical locus, I am eager to see it anchored by a successful development project that ensures a livelier street life, greater urban vitality, increased homesteading stability, and resounding civic health for this important "entrance" to Brighton. I greatly fear that the current plan will satisfy none of these goals.

Although I do not presume expertise in traffic engineering, I cannot ignore the fact that the traffic engineer at last month's meeting indicated that because this location already has a designation of "red" for its failed traffic flow, a "little more" traffic congestion would not be noticeable (to paraphrase her words). Whatever metrics the experts used in reaching this conclusion, that assertion seemed both disingenuous and crassly insensitive to those of us who spend so much time walking and driving through this location day and evening. While I have no statistical basis for my intuition that the hotel courtyard as currently planned will significantly worsen the traffic situation, I would urge the BRA to examine with great attention this aspect of the plan with a second set of engineers. It is certainly not "ok" that the traffic get even a little worse as a result of poor planning, and many of us feel that the traffic will indeed get a great deal worse without a different sort of circulation plan for drivers headed to or in the vicinity of this multi-faceted development.

Of even graver concern to me, however, are the two issues I shall address in the remainder of this message:

- a) hotel siting
- b) the uniformly small size of the residential units in the housing component of this project.

1. As to the hotel siting, it would seem vitally important both to the success of the hotel and to its salutary impact on Cleveland Circle that it face the Circle and thus become the Circle's public face. Resituating the hotel so that it faces Cleveland Circle would offer the following critical advantages:

- a) better views and more natural light for the hotel rooms
- b) better vehicular approach opportunities
- c) a hotel restaurant that would be visible and attractive from CC, alerting pedestrians and drivers to an attractive restaurant possibility
- e) a locus of day and evening activity that would add vitality and safety to CC with its very public facade and 24 hr. presence of lobby personnel
- f) an attractive and visible "gateway" feature to a unique Boston/Brookline/Brighton crossroad
- g) attractive, obvious, and accessible multi-directional pedestrian pathways for hotel guests, leading to CC, Cassidy Park, or the Reservoir area

All of these features would be of mutual benefit to hotel guests and local residents, creating a synergy desperately needed for a better CC.

2. As for the uniformly small size of the planned residential units in the housing component of this project, I urge the BRA to consider the desirability of VARYING the sizes of the units. Having lived for many years in the South End, I watched from my home on Dwight St. the incredibly positive effect the Tremont St. development of Atelier 505, with its variety of unit sizes ranging from studio apartments to three bedroom residences, had on the surrounding neighborhood. (I lived directly across the street from this development for 10 years before the project was built, and for six years after.) While the location of the project was obviously key to its success, its rapid occupancy was also clearly an effect of its ability (based on varied unit size) to attract many different kinds of prospective residents of all ages, from single adults who travel often and were interested in elegant,

easy-to-maintain small studio apartments, to professional couples, to empty-nesters who wanted enough bedrooms for visiting adult children, to families with as many as three to four children who wanted a spacious home.

Those of us committed to Brighton yearn for an influx of stake-holding long-term residents of all kinds, families, singles, and couples, to counter the transient student population that has come to dominate our community. This housing component of the project definitely needs redesigning to include many more apartments that are larger than those the current plan offers, but also some apartments that are smaller. In short, a range of sizes with the largest being three to four bedrooms would net the largest number and variety of people who want to live here long-term. Reducing the size of some units and increasing the size of others would also greatly increase the odds of BDG's project reaching 100% occupancy much sooner than would be the case if it restricts itself to designing exclusively for an empty-nester demographic that may not materialize. (I would also discourage against marketing to a single age group such as "empty-nester." Age diversity is vital in achieving a healthy urban heterogeneity.)

Just as it was the mix of unit sizes in Atelier 505 that helped make it so successful in the South End, I have experience here with the success such a mix can attract in my own Brighton condominium. Less than half a mile from Cleveland Circle and even lacking the immediate proximity to the Reservoir and Cassidy Park that a CC location would offer, 163-165 Chestnut Hill Ave. Condominium (known as Chestnut Hill Garden) has been a resounding success in its attractiveness to a variety of family sizes and ages. The condominium is comprised of two buildings separated by a driveway: an old factory that was renovated into 12 loft-townhouse condominium units, and a four-story new building of 24 units built on the other side of a driveway dividing the two buildings. These 36 units sold quickly when they reached the market in 2003-04, offering further evidence that long-term residents of all kinds are attracted to high quality residences of varying sizes. Between the varied loft sizes (depending on the internal configurations loft owners have fashioned), and the variety of apartment sizes that were designed in the new four story building, our 36 unit condo has attracted residents ranging from one-person to five-person households. In fact it is now clear that the one planning flaw in this development was the developer's failure to create more large apartments (three to four bedrooms) in the four story building. We have had a number of growing families in the four story building who have moved out of the condominium for lack of larger units.

Even without the parkside amenities of a Cleveland Circle location, my condo neighbors appreciate this section of Brighton for its convenience to Greater Boston by car or T, its walking proximity to the Reservoir, its convenient walkable location between Brighton Center and Cleveland Circle, and its lower real estate prices than downtown Boston. Like Atelier 505 we have single professionals who travel internationally for work and want only a small footprint, and families who want three or more bedrooms.

My condo neighbors are cosmopolitan and diverse. Surely a mix of unit sizes in a prime Cleveland Circle housing development that much closer to the Reservoir and park would attract a similar population. What we don't want in Cleveland Circle is the current BDG plan for yet more uniformly small one-to-two bedroom apartments. We already have a glut of these in Brighton, and they do not attract long-term residents.

Finally, it's important to bear in mind that varied unit sizes alone will not ensure high occupancy rates. The housing units must be elegantly designed and sited, with attractive finishes and plenty of natural light. This means the location of this housing component MUST be rethought.

I urge the BRA to take these issues seriously. We already know what works and doesn't work in Brighton, and what Cleveland Circle needs. Please pay attention to these lessons and help us improve Brighton with a well thought-out CC development that could transform our neighborhood.

Thank you for your attention.

Sincerely,  
Susan Heideman  
165 Chestnut Hill Ave. #7  
617-782-3175

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You received this message because you are subscribed to the Google Groups "Cleveland Circle Community" group.

To post to this group, send email to [cleveland-circle-community@googlegroups.com](mailto:cleveland-circle-community@googlegroups.com).

To unsubscribe from this group, send email to [cleveland-circle-community+unsubscribe@googlegroups.com](mailto:cleveland-circle-community+unsubscribe@googlegroups.com).

For more options, visit this group at <http://groups.google.com/group/cleveland-circle-community?hl=en>.





October 8, 2012

Mr. Erico Lopez, Project Manager  
Boston Redevelopment Authority  
One City Hall Plaza – 9<sup>th</sup> Floor  
Boston, MA 02201

Re: Cinema site redevelopment: Required use of exit roadway to benefit the Waterworks Museum

Dear Mr. Lopez:

As you know, Boston's Waterworks Museum, under a financial structure authorized by the Commonwealth, anticipates a critical revenue stream from future use of the Cinema exit roadway to begin when redevelopment of the Circle Cinema site is completed. To this end, an executed, formal Memorandum of Agreement, expanded upon below, has been entered into with the developer.

Unfortunately, we are observing some continuing efforts to prevent any reactivation of the exit roadway. Accordingly, we want the BRA to be very clear on two facts that have been challenged, but which are irrefutable:

1. The Waterworks Preservation Trust (WPT) has the legal right to assign usage rights to the roadway easement to the Cinema site developer for the financial benefit of the Waterworks Museum; and
2. From the Museum's inception, all parties involved have understood that the easement would be an important source of its ongoing revenue. The Museum currently operates with only three paid employees and several dozen unpaid volunteers. Without revenue from the easement, the Museum's missions—to maintain this historic building and to educate the public, including Boston public school children, about the importance of a clean public water supply—are likely to be seriously compromised.

As the BRA reviews and possibly modifies the developer's current plan, we ask that you include in your final approval the required use of the exit roadway. Notwithstanding the Museum's direct interests in such an outcome, we believe that you have already identified direct traffic flow benefits from future use of this exit roadway easement.

The Waterworks Museum takes no position, for or against, any non- easement-related features of the proposed redevelopment. The balance of this letter expands on our concerns regarding this roadway easement; the attachments provide further documentation in support of this request.

Mandated use of the exit roadway to relieve traffic congestion on Chestnut Hill Avenue at Cleveland Circle is a longstanding arrangement going back to the 1980's. The Cinema's right to conduct its business was conditional on the use of the easement. Although the roadway usage license had a fixed term, it was always extended to meet the foregoing condition. .

When the Commonwealth disposed of the Metropolitan Waterworks property, its Land Disposition Agreement (LDA) with the developer-purchaser required continued use of the exit roadway—and payment for same—by the current and any future owner of the Cinema site. The Cinema exit roadway was still in active use when unit owners were moving into their new Waterworks Park condominium homes; its ongoing future use is referenced in the recorded project and condominium documents.

On June 30, 2012 the Waterworks Park developer, EA Fish Inc., fulfilled its obligation to the Commonwealth when it delivered to the Waterworks Preservation Trust (WPT) for the benefit of the Waterworks Museum a formal assignment of its roadway rights to the WPT. (A copy of the EA Fish-WPT assignment as formally approved by the Commonwealth is attached hereto.)

As part of its due diligence and preparation for filing its PNF with the BRA, Boston Development Group (BDG) approached the Museum, first to help understand the exit roadway history and rights and then to negotiate the aforementioned formal Memorandum of Agreement with the Museum (WPT) authorizing future long-term use of the exit roadway, including financial terms for same. Under this agreement, BDG obligated itself to pursue only a plan that included some use of the exit roadway. (A copy of the agreement is attached hereto.) This agreement is expected to be expressed in contract form with detailed terms and conditions. BDG must also negotiate exit roadway maintenance and mitigation terms with the Waterworks Park Condominium Trust. We have and will continue to encourage both parties to be reasonable in their negotiation involving maintenance sharing, insurance and indemnification, and mitigation. As part of its due diligence and negotiation, BDG commissioned its own legal research into the history and current status of the exit roadway and its use rights.

In their recent comment letter to the BRA, the Waterworks Park Condominium Trustees, on behalf of the residents, expressed safety and overburdening concerns relating to future incremental use of the exit roadway to be generated from a redeveloped Cinema site.

The Waterworks residential community and the onsite Waterworks Museum have enjoyed a productive, mutually supportive relationship to date. The Museum shares the roadway-related concerns expressed to the BRA by the Waterworks Park Condominium Trust. Over the past year, the Museum has actively engaged with the condominium trustees in exploring how best to collaborate in achieving a mutually beneficial outcome from the Cinema site redevelopment. Specifically, this means that:

1. The Museum receives a future revenue stream from reactivation use of the roadway easement; and
2. Consistent with the above, the Museum will work proactively to help assure that any authorized future use of the exit roadway will be reasonably safe and that predictable additional vehicle usage from the Cinema site redevelopment will not overburden the roadway to the detriment of current Waterworks Park residents.

This second provision is important to note, because it is the WPT on behalf of the Museum that is authorized by the Commonwealth to assign the exit roadway rights to the developer and, by implication, to condition such a final assignment upon a determination that the terms of usage are both reasonably safe and do not impose an excessive traffic burden on the existing resident users of that roadway.

For example, Waterworks residents have expressed safety concerns regarding the likely efforts by pedestrians to use this vehicle roadway which has no sidewalks (e.g., going to and from BC and the Reservoir T stop). We agree that any commingling of pedestrians with vehicles on this exit roadway could present a safety hazard that should be avoided—even while the BRA has expressed a desire for there to be pedestrian access to Beacon Street from/through any new project. We would hope that this positive objective could be achieved in coordination with the Boston Parks Department to permit, as a public benefit, extending a pedestrian sidewalk to Beacon Street along the perimeter of Cassidy Park.

Since our Opening in March of last year, the Waterworks Museum has rapidly begun to fulfill its mission and promise to join Boston's other notable cultural, historic and educational institutions. Unlike most other such institutions, the Commonwealth has mandated that our Museum be open to the public, admission free, in perpetuity. Among the forward-looking revenue-producing mechanisms which the Commonwealth put in place was the ability of the Museum to receive the license revenue stream from this exit roadway that was previously received by the Commonwealth, and then by the Waterworks developer.

We hope that, in guiding this important project to its point of approval, the BRA will recognize the fortunate confluence between what works best traffic-wise and what will help secure the longer term financial and operating stability of the Waterworks Museum.

Sincerely,

For the Metropolitan Waterworks Museum, Inc. Executive Committee



*Roger Blood, Secretary*

Cc: Kairos Shen, Director of Planning  
Peter Meade, Director  
John Meunier, COO, Boston Development Group  
Steven Dreier, Chairman, Waterworks Park Condominium Trust

Attachments:

--Assignment of exit roadway easement rights to Waterworks Preservation Trust by EA Fish, Inc., 7.5.12  
--Memorandum of Agreement between Waterworks Preservation Trust and Boston Development Group (BDG) on financial terms for use of exit roadway and commitment by BDG to seek approval only for a plan that includes exit roadway use and revenues

**Cleveland Circle Development  
Memorandum of Agreement**

RE: Negotiation for Easement Payments with David Zussman, John Meunier, Jim Curtin representing Boston Development Group (BDG) and Roger Blood and Ed Berger representing Waterworks Preservation Trust (WPT) on July 11, 2012

Lease Term: 99 Years

Lease Commencement Date:

Rent Commencement Date:

It is agreed that annual payments will be made in the amounts of \$36,150 at the lease commencement date, which is at the issuance of the certificate of occupancy for the hotel development of the proposed development, over a 99 year period.

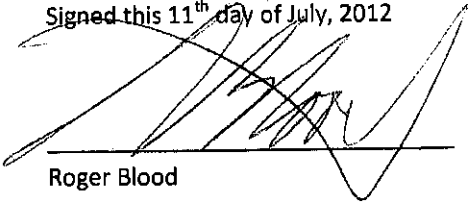
The initial deposit of \$72,300 shall be paid upon the developers obtaining financing and obtaining the necessary building permits and shall represent payments for the first two years of the lease. Commencing on the third year and annually thereafter, on or before the first day of the then lease year, BDG shall make annual payments to WPT in the amount of \$36,150 for the remainder of the lease term.

These agreed upon financial terms underpin BDG's, or its affiliated assignee, commitment to file and diligently pursue a PNF that includes long-term required use of the Cinema exit roadway easement. These financial terms will be followed by a fully documented agreement between BDG and WPT.

The museum agrees to communicate by letter to all parties that received the letter sent by the WPT dated July 2, 2012 regarding these negotiations, that there has been a mutually satisfactory agreement reached and that all parties have acted honorably and in good faith in reaching this agreement and, in particular, that BDG has worked with WPT in an honorable fashion through all negotiations.

These were the terms explicitly and specifically agreed to by the participants. Mr. Blood and Mr. Berger will be recommending approval by the WPT Board on July 11, 2012 and will communicate approval to BDG by 5pm July 11, 2012.

Signed this 11<sup>th</sup> day of July, 2012

  
Roger Blood  
Secretary, WPT

  
David Zussman  
CEO and Chairman, BDG

TRANSFER OF EASEMENT AGREEMENT

This ~~Transfer~~ of Easement Agreement (this "Agreement") is made this <sup>5<sup>th</sup></sup> day of ~~July~~, 2011, by WATERWORKS PARK, LLC, a Massachusetts limited liability company with an address of 536 Granite Street, Braintree, Massachusetts 02184 (the "Transferor"), and the WATERWORKS PRESERVATION TRUST, LLC a Massachusetts not-for-profit corporation with an address of 2450 Beacon Street, Boston, Massachusetts 02467 (the "Transferee").

WHEREAS, the Transferor is as the former owner of that certain parcel of land with the improvements thereto situated at 2436 Beacon Street, Chestnut Hill, Massachusetts (the "Park Condominium Property") by virtue of that certain Deed with Conservation and Preservation Restrictions by and among the Commonwealth of Massachusetts, et al., as Grantor, and Transferor, as Grantee, dated August 5, 2005 and recorded with the Suffolk County Registry of Deeds (the "Registry") in Book 37860, Page 176, as amended by a First Amendment to Deed with Conservation and Preservation Restrictions dated as of August 22, 2006 and recorded with the Registry in Book 40589, Page 98; and

WHEREAS, the Park Condominium Property is subject to the terms and conditions of that certain Amended and Restated Land Disposition Agreement by and among the Commonwealth of Massachusetts acting by and through its Division of Capital Asset Management and Maintenance (the "Commonwealth"), the Massachusetts Water Resources Authority (the "MWRA") and the Transferor, dated as of August 5, 2005, and recorded with the Registry in Book 37860, Page 1, (the "Original LDA"), as amended by that certain First Amendment to Amended and Restated Land Disposition Agreement by and among the Commonwealth, the MWRA, and the Transferor, dated as of June 29, 2009 and recorded with the Registry in Book 45160, Page 161 (the "LDA Amendment") (the Original LDA, as amended by the LDA Amendment, the "LDA"); and

WHEREAS, as the prior owner of the Park Condominium Property, the Transferor entered into that certain Cross Easement and Use Agreement, dated as of September 18, 2006, and recorded with the Registry in Book 20589, Page 218 (the "Original Easement Agreement"), which agreement granted reciprocal easements for the benefit of four condominiums subsequently created by the Transferor on the Park Condominium Property known as the Waterford Condominium, the Watermark Condominium, the Whitehall Condominium, and the Waterworks Museum Condominium (collectively, the "Park Condominiums"); and

WHEREAS, the Transferor; Guy Corricelli, Dorren Bushasia and Caterine A. Hult, as Trustees of the Waterford Condominium Trust under a Declaration of Trust dated September 18,

2008 and recorded with the Registry in Book 40589, Page 172 (the "Waterford Trustees"); and Guy Corricelli, Dorren Bushasia and Caterine A. Hult, as Trustees of the Waterworks at Chestnut Hill Trust under a Declaration of Trust dated September 18, 2008 and recorded with the Registry in Book 40589, Page 108 (the "Park Board") entered into that certain First Amendment to Cross Easement and Use Agreement, dated as of December 13, 2006 (the "Easement Amendment");

WHEREAS, the Easement Amendment, *inter alia*, reserved to the Transferor, its successors and assigns, the perpetual, nonexclusive right and easement in gross to use the Roadway Easement Area (as defined in the Original Easement Agreement) for the purpose of pedestrian and motor vehicle passage, access, ingress to and from the NAI Parcels (as defined in the Easement Amendment), together with the right to grant similar rights to others; and

WHEREAS, Section 7(c) of the LDA Amendment requires the Transferor to assign its entire right, title and interest in and to the Easement Amendment to the Transferee (as the Preservation Entity under the LDA Amendment) upon the earlier to occur of (i) the sale by the Transferor of the 112<sup>th</sup> condominium unit in the Park Condominium Property or (ii) June 30, 2012, and Transferor seeks to perform this obligation in compliance with the LDA;

NOW THEREFORE, in consideration of the sum of one dollar (\$1.00) and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

1. Transfer and Assignment. Transferor hereby grants, conveys, transfers and assigns to Transferee, as of the date hereof, all of Transferor's right, title and interest in and to the Easement Amendment, including but not limited to the perpetual, nonexclusive right and easement in gross to use the Roadway Easement Area for the purpose of pedestrian and motor vehicle passage, access, ingress to and from the NAI Parcels, together with the right to grant similar rights to others, as well as the right to receive any income from the grant of such rights. Transferor shall remain liable for and indemnify and hold Transferee harmless from the performance of all obligations and liabilities of Transferor accruing or arising under the Easement Amendment prior to the date of this Agreement.

3. Assumption. Transferee hereby accepts such transfer and assignment and agrees to assume and indemnify and hold Transferor harmless from all of the obligations and liabilities of Transferor accruing or arising under the Easement Amendment on or after the date of this Agreement.

4. Authority. Transferor is duly authorized to enter into this Agreement, and any and all consents required under Transferor's organizational documents or by law will have been obtained. Any and all necessary third party consents and approvals to this assignment have been obtained.

6. Successors. This Agreement shall be binding upon and shall inure to the benefit of Transferor and Transferee and their respective successors and assigns.

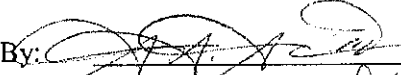
7. Counterparts. This Agreement may be executed in one or more counterparts each of which shall constitute an original but all of which, taken together, shall constitute one instrument.

*[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]*

IN WITNESS WHEREOF, Transferor and Transferee have caused this Assignment to be duly executed and delivered under seal as of the day and year first above written.

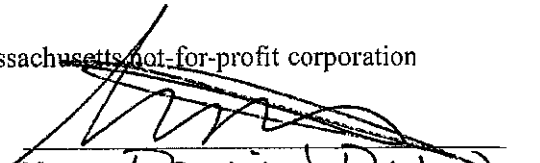
TRANSFEROR:

WATERWORKS PARK, LLC  
a Massachusetts limited liability company

By:   
Name: JAMES I SULLIVAN III  
Title: AS President of the transferor


TRANSFEEE:

WATERWORKS PRESERVATION TRUST,  
INC.,  
a Massachusetts not-for-profit corporation

By:   
Name: DENNIS J DEWINE  
By: TREASURER WPT

ACKNOWLEDGED AND AGREED TO:

THE COMMONWEALTH OF MASSACHUSETTS,  
acting by and through its  
Division of Capital Asset Management and Maintenance

By:   
Name: Carole J. Cornalison  
Title: Commissioner



COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this 7<sup>th</sup> day of June, 2012, before me, the undersigned notary public, personally appeared provided to me through satisfactory evidence of identification which were to be the person whose name is signed on the preceding or attached document and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose as President for Waterworks Park, LLC of the Manager

Joan E. Martin  
(official signature and seal of notary)  
My commission expires: 12/2/16



JOAN E. MARTIN  
Notary Public  
Commonwealth of Massachusetts  
My Commission expires on December 2, 2016

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss.

On this 5<sup>th</sup> day of July, 2012, before me, the undersigned notary public, personally appeared provided to me through satisfactory evidence of identification which were to be the person whose name is signed on the preceding or attached document and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose as TREASURER for WATERWORKS PARK LLC

Saimir Lopci  
(official signature and seal of notary)  
My commission expires: 11/04/2016



Saimir Lopci  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
November 4, 2016

## Lopez, Erico

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**From:** Amy Burdick [amy@amyburdick.com]  
**Sent:** Tuesday, October 09, 2012 10:48 AM  
**To:** Lopez, Erico  
**Cc:** Campisano, Heather; Meade, Peter; Ciommo, Mark  
**Subject:** Opposed to Circle Cinema Development as Currently Designed

Erico Lopez  
Boston Development Authority  
One City Hall Square, 9<sup>th</sup> Floor  
Boston, MA 02201

Dear Mr. Lopez:

I am writing to you to express my strong opposition to the 375-399 Chestnut Hill Avenue Project that is proposed by the Boston Development Group.

To be clear, I am not opposed to development on the Circle Cinema site. In fact, this site urgently needs development. I am opposed, however, to the project proposed by BDG for many reasons including the following:

1. The BDG project is far too massive for the size of the site.
2. The design/architecture does not fit with the look-and-feel of the community.
3. The overcrowded, low-class nature of the project will depress the property values of the neighboring homeowners.
4. The microscopic size residential units will attract a transient population who will not contribute to the enhancement of the community.

I live at the Waterworks, where I have been a homeowner since it was a hole in the ground 6 years ago. I have been following this project closely for the past year, and have attended numerous community meetings about the project. What has been most remarkable to me is how little attention the developer has paid to the interests of the community.

I bought a condominium at the Waterworks in part because of its great location, but also because of the beautiful architecture, the lovely landscaping and the charm of the neighborhood. Clearly Cleveland Circle needs to be upgraded, and with the closing of the Circle Cinema, we have a once-in-a-lifetime opportunity to make Cleveland Circle into a thriving, cosmopolitan community that can become a locus for music, film, boutique shops, parks, sidewalk cafes and restaurants.

The BDG plan will destroy this opportunity. The massive project is totally out of character with the look-and-feel of the Cleveland Circle community. If I wanted to live next door to a sterile, massive glass and steel building, I would have chosen a condominium overlooking Rt. 128 at Winter Street in Waltham. What market research has BDG done with the residents of Cleveland Circle community? Clearly, none, or they would not be proposing a monstrosity of a building whose only purpose is to squeeze as much income from every inch of land on the site. The fact that BDG has turned a deaf ear to traffic and congestion concerns, and is proposing matchbox size apartments, and has allotted minimal space for landscaping, is a clear indication that the developer has no interest in improving the community.

Further, the use of the Waterworks driveway is a direct disregard to the interests of the 200+ Waterworks homeowners whose quality of life will be negatively impacted by DBG proposal. What's more, property values will most certainly suffer as a result of the reduced quality of life brought on by this project.

Mr. Lopez, I urge you to **STOP THIS PROJECT FROM GOING FORWARD as currently planned.**

The Cleveland Circle neighborhood is very special. This is a unique opportunity to enhance the area and make it the envy of all of Boston. Please, Mr. Lopez, consider the interests of the residents of Cleveland Circle who have chosen Cleveland Circle as their home, not the developers who will leave as soon as it is built.

Thank you very much for your thoughtful consideration.

Sincerely,

Amy Burdick  
2400 Beacon Street, #101  
Chestnut Hill, MA 02467  
(617) 505-5315  
(617) 877-0549  
[amy@amyburdick.com](mailto:amy@amyburdick.com)

## Lopez, Erico

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**From:** A C [ac9a@hotmail.com]  
**Sent:** Tuesday, October 09, 2012 10:37 AM  
**To:** Lopez, Erico  
**Subject:** FW: [Cleveland-Circle] BDG Proposal for Cleveland Circle Cinema Site

Dear Mr Lopez,

We are neighbors of the Climos whose letter I've forwarded below.

We agree with their concerns as outlined, and feel that the current BDG proposal is unsuitable for the neighborhood. It is much too large and will very much negatively affect the adjacent residential neighborhood and Cleveland Circle. Traffic on Chestnut Hill Avenue is already excessive, adding this structure as proposed will only augment the traffic and drive people away from Cleveland Circle, not draw people there. A mixed space building with medical offices, small retail stores, and a hotel seems unlikely to appeal to many and will only detract from each (who has a high end hotel next to medical offices?). I think there should be one direct focus for the site (such as a nice, smaller high end or boutique hotel with a reasonably sized restaurant appropriate to the hotel) which can capitalize on the abutting green space and Reservoir to attract people to Cleveland Circle and energize the area. The current plan as proposed will not do so, and will only add to the congestion and disarray in Cleveland Circle and destroy the quiet, peaceful feel of our neighborhood. Please, we ask you to reject the current BDG plan.

Sincerely,

Andrea & Geoff Young  
Brookline, MA

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**From:** [aclimo@hotmail.com](mailto:aclimo@hotmail.com)  
**To:** [erico.lopez.bra@cityofboston.gov](mailto:erico.lopez.bra@cityofboston.gov)  
**CC:** [cleveland-circle-community@googlegroups.com](mailto:cleveland-circle-community@googlegroups.com)  
**Subject:** [Cleveland-Circle] BDG Proposal for Cleveland Circle Cinema Site  
**Date:** Mon, 8 Oct 2012 18:04:42 -0700

Mr. Erico Lopez  
Project Manager  
Boston Redevelopment Authority

Dear Mr. Lopez,

We, the undersigned, as residents of Clinton Road in Brookline, strongly object to the proposed BDG plan currently under review for Cleveland Circle.

Our homes directly face the existing cinema structure and are therefore directly impacted by its design. Many of our fellow community members, both in Brookline and Brighton, have already articulated concerns and objections to the site being over-developed with insufficient parking, contributing to (not relieving) an already strained traffic problem, jarring use of finish materials that entirely ignore the historical nature of this particular neighborhood and a design program with intentionally vague parameters that seems to be driven only by short-term profit and not long-term stability in the community.

But as homeowners with high risk of loss, we need to bring to your attention the concerns that are specific to those of us living on Clinton Road. With hotel guests and office workers looking down at us day and night, we will lose our privacy. With the trucks sounding their alarm as they back up to make their daily and early am deliveries, we will lose our sense of quiet and peace. With 24-hour security lights as well as lights from inside hotel rooms and offices, we will be forced to suffer light pollution EVERY NIGHT. With the structure maxed out to the property line we suffer the consequence of not having a buffer of much needed trees planted, to reduce the noise pollution from the train echoing against the building, trucks and cars entering and idling and music and voices that will inevitably travel down from any window that the hotel guests and office workers might open. With added stories we lose the residential scale for the neighborhood and sense of immediacy to the open green park space beyond. Based on the current design, we lose everything we came to this neighborhood for in the first place.

Given Boston's wealth of talented architects and well-loved architectural history, we know we can do better. BDG's plan is driven by profit at the expense of the community. The plan is too massive. It taxes an already burdened traffic problem. It ignores the scale and aesthetic that attracts so many home and business owners to invest here. It diminishes the quality of life for so many people already living here.

We urge you to please reject this plan.

Sincerely,  
Amy Climo & Mark Gerber, 405 Clinton Road  
Elisa Lefer & Len Barlow, 401 Clinton Road  
John Kibrick, 381 Clinton Road

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You received this message because you are subscribed to the Google Groups "Cleveland Circle Community" group.  
To post to this group, send email to [cleveland-circle-community@googlegroups.com](mailto:cleveland-circle-community@googlegroups.com).  
To unsubscribe from this group, send email to [cleveland-circle-community+unsubscribe@googlegroups.com](mailto:cleveland-circle-community+unsubscribe@googlegroups.com).  
For more options, visit this group at <http://groups.google.com/group/cleveland-circle-community?hl=en>.

## Lopez, Erico

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**From:** a climo [aclimo@hotmail.com]  
**Sent:** Tuesday, October 09, 2012 7:28 AM  
**To:** Lopez, Erico  
**Subject:** BDG Proposal for Cleveland Circle Cinema Site

Mr. Erico Lopez

Project Manager

Boston Redevelopment Authority

Dear Mr. Lopez,

We, the undersigned, as residents of Clinton Road in Brookline, strongly object to the proposed BDG plan currently under review for Cleveland Circle.

Our homes directly face the existing cinema structure and are therefore directly impacted by its design. Many of our fellow community members, both in Brookline and Brighton, have already articulated concerns and objections to the site being over-developed with insufficient parking, contributing to (not relieving) an already strained traffic problem, jarring use of finish materials that entirely ignore the historical nature of this particular neighborhood and a design program with intentionally vague parameters that seems to be driven only by short-term profit and not long-term stability in the community.

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We urge you to please reject this plan.

Sincerely,

Amy Climo & Mark Gerber, 405 Clinton Road

Elisa Lefer & Len Barlow, 401 Clinton Road

John Kibrick, 381 Clinton Road

Alan & Jane Lucas, 404 Clinton Road

Amy Catherine Climo  
Interior Architecture & Design  
857-222-9900

## Lopez, Erico

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**From:** Christine Corcoran Cox [cmccox@mindspring.com]  
**Sent:** Tuesday, October 09, 2012 9:15 AM  
**To:** Lopez, Erico  
**Cc:** Ciommo, Mark  
**Subject:** Comment Letter re. 375-399 Chestnut Hill Avenue Proposal (Cleveland Circle)

Dear Mr. Lopez,

As a resident of Brighton for nearly 20 years, I was excited to hear that there was a development proposal for the old Circle Cinema site. My husband and I live in Brighton, near the Reservoir area, because we enjoy its proximity to downtown yet feeling of more open space and less congestion. Therefore, when we saw BDG's proposal for developing the site we were disappointed, disheartened, and somewhat angry.

We would be very pleased for the site to include a well-designed hotel that faces Cleveland Circle and improves its commercial area. We would also be happy to see a good-quality restaurant attractive to all different kinds of people, not just college students, with an outdoor eating area facing Cassidy park, and some appealing retail establishments.

We also support a residential component to this development, as long as it is designed to be true neighborhood housing that can attract permanent residents and improve the stability of the Cleveland Circle neighborhood.

However, overall the project is much too large for the site and provides woefully inadequate parking facilities and traffic management in an already busy area for vehicle traffic. If you have ever tried to get from Cleveland Circle to Brighton Center via Chestnut Hill Avenue (or gone in the reverse direction) at rush hour (or, frankly, at many other times of day), you understand residents' concerns about adding to the already heavy traffic without devising proper ways to manage it.

If the BRA approves the project as is, it will be too dense and create severe negative effects on traffic and parking, and it will not be an improvement to Allston-Brighton.

I urge you to please take residents' concerns into account over the developer's interest in profit-making at any cost.

Thank you for your consideration of these comments.

Sincerely,  
Christine Corcoran Cox  
9 South Street, Brighton  
Brighton resident since 1992 and Brighton property owner-occupant since 1996



## Lopez, Erico

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**From:** John Doggett [john@jdoggett.net]  
**Sent:** Monday, October 08, 2012 10:55 AM  
**To:** Lopez, Erico  
**Subject:** 375-399 Chestnut Hill Avenue Redevelopment

Mr. Erico Lopez, Snr. Project Manager  
Boston Redevelopment  
Authority  
10/8/2012

Dear Mr. Lopez,

### **375-399 Chestnut Hill Avenue (Cleveland Circle Cinema Redevelopment)**

I am a Brookline Town Meeting Member for Precinct 13 and a longtime resident of Penniman Road in Brookline (just 200 yards from the proposed redevelopment). I have attended most of the design presentation meetings in both Brookline and Boston and talked with many Brookline residents, particularly abutters, and Boston neighbors.

I am in favor of the redevelopment of the Cinema and Applebees' sites, however I am not in favor of the current project as designed. My major concerns are:

- The proposal is too dense for the site
- The medical office, retail and restaurant parking spaces are inadequate for those functions
- The central Courtyard design:
  - Is a single point of failure
  - Is not designed to handle the varied types of traffic for the 5 different uses and 2 cab stands
  - Has too many constriction points for efficient traffic circulation
- The two restaurant design is an unnecessary duplication of function
- The fitness center and pool areas occupy the best location for a restaurant overlooking the park
- The independent restaurant dominates the project corner which should have a more public use
- The design is not "friendly" to Cleveland Circle in its access design
- There is a lack of mitigation for noise, light and privacy concerns of Clinton Road abutters
- The overall architectural design lacks harmony with Cleveland Circle's architecture

Since much detail has been provided to you on these points, I do not propose to reiterate those details, but do support those with these concerns.

I suggest that the BRA considers the following changes to the current design, by asking BDG to:

- Evaluate seriously the BDG Upper Entry Alternative which appears to eliminate the courtyard as a single point of failure as well as reducing its traffic load
- Orientate the hotel so that it uses the Chestnut Hill Avenue corner, or at least provide public access at this corner
- Eliminate the medical office function which will significantly reduce traffic loads
- Combine the two restaurants into a single, full-service hotel restaurant
- Design and implement effective noise and light mitigation features for Clinton Road abutters
- Design a signature look which is in harmony with Cleveland Circle architecture

Sincerely,

John Doggett  
Brookline Town Meeting Member - Precinct 13

8 Penniman Road, Brookline MA 02445

## Lopez, Erico

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**From:** reservoirview3@gmail.com  
**Sent:** Tuesday, October 09, 2012 6:59 AM  
**To:** Lopez, Erico  
**Subject:** Circle Cinema / Applebee's re-Development

Mr. Lopez,

I live at Reservoir Towers on Commonwealth Ave. in Brighton, and attended the recent public meeting at The Hamilton School.

For the last three years since moving to Brighton, I walk frequently around the Reservoir for exercise on my way to work downtown via the D Riverside Green Line at Reservoir Station. I often repeat the walk on my way home. Since I pass through Cleveland Circle at least 10 times a week, I am well aware of the rush hour traffic issues on lower Chestnut Hill Ave. At the public meeting, I was taken aback by the personal hostility many in Brighton have toward this developer, especially those living at the Watermark building. Their claims that the exit roadway going by that building will become so crowded that a traffic light at that point on Beacon St. may become necessary seems preposterous. Presently on my rush hour walks I seldom see a car exiting at that point, never mind the queue suggested. The use of that easement should be required by the BRA to mitigate Chestnut Hill Ave. exiting traffic.

Many seem to be asserting that the project is too large, and that there is insufficient parking. While I agree that the design shown at the Hamilton School did not adequately break-up the mass, with better architecture I feel that this can be addressed. The Watermark building, mentioned as almost 200,000 sq. ft., is not much smaller than what has been proposed. The BRA should work with the developer on a better final façade design, perhaps taking some cues from that well done large building. Those that want more parking also seem to be those concerned with Chestnut Hill Ave. congestion. While landing on the right balance is challenging, the immediate transit rich area and opportunities for workable shared parking should be considered. Despite criticism of the underground parking, I for one am glad that parking will not generally be visible from public streets. The functionality of the courtyard for pedestrians and vehicles should be confirmed as a condition to your approving this project.

I urge that rather than requiring that the location of the hotel and residential uses be flipped that you cause the developer to have an inviting pedestrian friendly entrance for this mixed use project facing Cleveland Circle. I also ask you to require a pedestrian connection from the site directly to Beacon St. I observed prior to the gating off of the Cinema site a significant number of fellow T-commuters on foot, many from the Watermark building. Such a pathway would improve the safety of the exit roadway and is a reasonable public benefit that should be imposed.

Sincerely,

John Ryan

## Lopez, Erico

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**From:** Ludwik Gorzanski [ludwikgorzanski@gmail.com]  
**Sent:** Tuesday, October 09, 2012 12:11 AM  
**To:** Lopez, Erico  
**Cc:** cleveland-circle-community@googlegroups.com  
**Subject:** Cleveland Circle comment letter

Mr. Erico Lopez  
Project Manager,  
Boston Redevelopment Authority  
One City Hall Square, 9th Floor  
Boston, MA 02201-1007

Re: Opposition to current plan for redevelopment of 375-399 Chestnut Hill Avenue

Dear Mr. Lopez:

I am a long-term resident in the Aberdeen neighborhood in Brighton who frequents Cleveland Circle practically every day.

I am deeply disappointed by the plan that has been submitted. It completely misses the mark. It makes me think that the developers and whoever may have been guiding their design and planning decisions simply don't understand this area and don't care.

Every new major development in Boston should aspire to improve the area where it is going to be built, but this project will worsen Cleveland Circle's problems, instead of helping to solve them. It is a dismal attempt to maximize profits on the back of the neighborhood.

It is not the various uses themselves that I object to, but rather the way they have been crammed on the site.

The problems that I see are as follows:

- very long wall of a building along Cassidy Park (I can only imagine how Clinton Road people feel about the other "wall" that faces them);
- the hotel, which should be Cleveland Circle's centerpiece, will not be even seen from the Circle;
- sidewalk along Chestnut Hill Avenue will be split by a busy access road (why not put it farther up the street to where the cinema roadway is);
- housing is too close to the Cleveland Circle intersection (housing should be located farther away and benefit from views of the reservoir);

- housing units are small and many don't have views;
- the restaurant is too big and outdoor tables are too close to the street (there should be an actual patio overlooking the park, like Applebee's has);
- the courtyard will be a nightmare to use, causing many conflicts among so many different users.

Lastly, I am dismayed by the inadequate amount of parking for such a dense project. I can assure you that residents in my neighborhood cannot afford to subsidize this development with our on-street parking spaces.

In conclusion, I think that the project needs to be substantially scaled down and completely redesigned to remedy all the problems I have listed above.

Sincerely,

Ludwik Gorzanski  
Orkney Road

## Lopez, Erico

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**From:** Roger Blood [bloods@rcn.com]  
**Sent:** Monday, October 08, 2012 11:22 PM  
**To:** Lopez, Erico  
**Cc:** Shen, Kairos; Meade, Peter; Kara Brewton  
**Subject:** Cinema-Applebee's site redevelopment: Comment letter from 15 Brookline Elected Town Meeting Members  
**Attachments:** 120401BDGLetterFinal.doc; 121008TMM\_BRAletterFinal.doc

Hello Erico,

Please see the attached letter from fifteen Brookline Town Meeting Members representing the residential neighborhoods situated closest to the subject redevelopment site--most of whom were also sponsors of last year's upzoning overlay article applicable to the Cinema site.

For context, we've also attached a prior comment letter that a comparable group of neighborhood Town Meeting members sent to BDG, the BRA and Brookline planning officials in April of this year, prior the filing of the PNF.

Best regards,

Roger Blood  
617-734-3529

307 Reservoir Road  
Brookline, MA 02467  
October 8, 2012

Mr. Erico Lopez, Project Manager  
Boston Redevelopment Authority  
One City Hall Plaza – 9<sup>th</sup> Floor  
Boston MA 02201

Dear Mr. Lopez,

We the undersigned are all elected Town Meeting Members who reside in the Brookline neighborhood nearest to the Circle Cinema/Applebee's proposed development site. Most of us also served as sponsors of the up-zoning overlay warrant article applicable to this site that was adopted by the Brookline Town Meeting in May, 2011.

In April of this year, those of us who sponsored last year's zoning overlay article submitted a letter to the Boston Development Group (BDG), with copies to both the BRA and Brookline Planning officials (please see copy attached hereto). In this letter—which was composed prior to BDG submission of its Project Notification Form (PNF) to the BRA—we identified three priority site design concerns (two of which have significant traffic-related implications) as follows:

1. The hotel/orientation of the development;
2. Traffic flow into, around, and out of the redevelopment site; and
3. Positioning of new access/egress roadway from Chestnut Hill Avenue.

While BDG responded that it gave serious attention to each of the above three points, its PDF as submitted shows no tangible alteration of the plan so as to address any of these three priority concerns.

Without repeating the detail from the attached letter, we would just add the following brief points:

Regarding hotel/orientation of the development: Both the Boston Civic Design Committee (BCDC) and Brookline's Design Advisory Team (DAT) recently expressed—and expanded upon—our concerns and wishes for the hotel lobby and other activities within the development to be directly accessible from Cleveland Circle as stated in our April letter.

Regarding traffic flow into, around and out of the redevelopment site concerns we have raised have now been expressed by both of the above-noted committees. Unlike some other large, mixed used projects with interior circular roadways, the Cinema-Applebee's site perimeter (parkland and T tracks) does not permit commercial vehicle access (e.g., loading docks, cab stands, etc.). The subject site's interior vehicle turnaround area must accommodate all vehicles entering, servicing and leaving the site, other than those exiting via the exit roadway (discussed below).

We are concerned that the current design appears to have significant congestion points: the taxi cab stands; the egress from the underground garage ramp; the lack of defined delivery area for the proposed restaurant; reversing of delivery vehicles for the retail space, as well as the fact that every vehicle entering the project must pass through the courtyard, including large delivery vehicles for the hotel, which will be required to reverse in order to exit.

Regarding re-alignment of the new entry/egress roadway along the D-Line right-of-way, rather than bisecting the site's Chestnut Hill Avenue frontage/streetscape (as in the current design): This re-alignment could alleviate problems with the courtyard as a potentially congested bottleneck. Instead of routing all entering and exiting traffic around the courtyard, a roadway along the D-Line right-of-way, with a courtyard off to one side, would provide direct access for much of the project's traffic to the rear parking and the hotel delivery area and also provide more direct ingress and egress to the underground garage ramp.

We have heard BDG's technical reasons for its preferred central entry design which is predicated on the assertion that it will increase transit times for traffic in the Cleveland Circle intersection. We are not qualified to judge the validity of the technical traffic arguments. However, the claimed negative impact of the re-alignment design needs to be compared with any negative impact of traffic backup/spill-over at the site/Chestnut Hill Avenue intersection.

Accordingly, we ask that both the upper entry re-alignment and the central entry design alternatives be subject to a new rigorous technical review, including by any independent traffic engineer, to assess the impact of both designs on both the Cleveland Circle intersection and on circulation through our neighborhood streets.

We believe there is also a neighborhood consensus on the following two points which we recommend:

1. Traffic congestion: The Cleveland Circle intersection is already "F-rated" (basically dysfunctional). Therefore, the approved plan should seek to minimize adverse effects of added project-related traffic at this "choke point". A critical and historically used means of alleviating this problem is to require that the approved plan take advantage of the site's exit roadway to Beacon Street—while also assuring that use intensity of that exit roadway does not unfairly burden the existing Waterworks Park residential community; and
2. New housing: We ask that your approved design and scale of the proposed (rental) housing component seek an occupancy profile that adds stability to the combined Aberdeen-Brighton-Waterworks-Brookline neighborhood. The current plan includes many rental units with less than 800 sq. ft. of living area and some other features that may attract more transient occupants, whereas we, and we are sure our Boston neighbors, would hope to see the project attracting long term, community-invested residents.

We appreciate the BRA's consideration of these expressed neighborhood concerns.

Sincerely,

Precincts 13 and 14 Elected Town Meeting Members:

Carla Benka	Roger Blood	John Doggett	Linda Carlisle
Jonathan Fine	Gill Fishman	John Freeman	Werner Lohe
Michael Merrill	Chou Chou Merrill	Shaari Mittel	Paul Saner
Lee Selwyn	Barbara Senecal	John VanScoyoc	

Attachment

cc: Kairos Shen, BRA Director of Planning

Kara Brewton, Acting Director of Planning & Community Development, Town of Brookline



April 4, 2012

Mr. David Zussman, CEO and Chairman  
Mr. John Meunier, COO and VP of Project Management and Development  
Boston Development Group  
93 Union Street #315  
Newton, MA 02459

Re: Revised PNF for Circle Cinema/Applebee's site

Dear Messrs. Meunier and Zussman,

We the undersigned elected Town Meeting Members are neighborhood sponsors of the up-zoning overlay for the Circle Cinema site which was approved last May by the Brookline Town Meeting. Prior to that approval, Boston Development Group (BDG) submitted a Project Notification Form (PNF) with the Boston Redevelopment Authority (BRA), which was subsequently withdrawn. It is our understanding that BDG is now preparing to file a new PNF. We are pleased that the new proposal will include an integrated plan for the combined Cinema and Applebee's parcels.

We are taking this early opportunity to communicate to you our preferences on several important aspects of the project's orientation and design that we believe could improve upon what was previously submitted, and to ask that you meet with us prior to your filing a new PNF in order to share our respective visions for this major impact project. Of course, there will be many additional traffic mitigation, parking and design matters relating to Brookline's up-zoning overlay that will be considered after the PNF is submitted.

**The hotel / Orientation of the development:** Cleveland Circle is a key mixed-use center on the Beacon Street axis. The character of the Circle impacts its many residents as well as the adjacent Brookline neighborhood. It is therefore important to us that the proposed development leads to a much-needed positive transformation of Cleveland Circle. The type of quality hotel franchise that we all hope will sustain itself in a competitive environment we believe may be best achieved through the hotel's visibility and connectedness to the public realm and the retail amenities of Cleveland Circle.

We believe that an architecturally appealing mixed-use project fronting on the Circle can enhance and enliven the location. In this regard, we believe that Cleveland Circle can benefit by having the hotel lobby and other activities within the development directly accessible from Cleveland Circle for pedestrians, for those arriving and departing by public transportation and, if possible, by taxicab.

**Traffic flow into, around, and out of the redeveloped site:** One new roadway will connect this mixed-use development to an already-congested Chestnut Hill Avenue. All vehicles entering the site and those vehicles exiting the site via Chestnut Hill Avenue will be required to navigate an inner circular roadway/courtyard. This will include private autos, taxicabs, all types of service trucks and vehicles, and buses—both transient and those seeking parking. Accordingly, we would hope to see an onsite roadway design and configuration that amply accommodates the simultaneous multiple vehicle circulation and service needs of this complex development.

**Positioning of new access/egress roadway from Chestnut Hill Avenue:**

The prior plan had the new access/egress roadway bisecting the commercial ground-level frontage on Chestnut Hill Avenue. The new buildings were to be massed along the D-Line T tracks. We would prefer that the new plan place the access roadway into the site alongside the D-Line T tracks, just as the current Cinema roadway does, thereby affording a space buffer between Clinton Road and the massing of the new buildings, and providing continuity and greater pedestrian safety for the new urban streetscape along Chestnut Hill Avenue. We recognize that our preference for the new access/egress roadway to run along the T tracks will be subject to technical considerations.

We would appreciate your arranging a meeting with us through Selectman Goldstein as soon as possible.

Sincerely,

John VanScoyoc  
Barbara Senecal  
John Freeman  
Michael Merrill  
Jonathan Fine  
Gill Fishman

Carla Benka  
Roger Blood  
Lee Selwyn  
Pamela Lodish  
Linda Carlisle  
Chris Chanyasulkit

Paul Saner  
Werner Lohe  
Andrew Fischer  
Chou Chou Merrill  
Shaari Mittel

Cc: Selectman Ken Goldstein, Town of Brookline

Brookline Department of Planning & Community Development  
Jeff Levine, Director  
Kara Brewton, Economic Development Director

Boston Redevelopment Authority  
Kairos Shen, Director of Planning  
Erico Lopez, Project Manager

Leland C. Webster, Ph.D.  
15 Orkney Rd.  
Brighton, MA 02135  
October 8, 2012

Mr. Erico Lopez  
Project Manager, Boston Redevelopment Authority  
One City Hall Square, 9<sup>th</sup> Floor  
Boston, MA 02201-1007

Re: Proposal to redevelop 375-399 Chestnut Hill Avenue

Dear Mr. Lopez:

I write in strong opposition to the re-development project for 375-399 Chestnut Hill Avenue proposed by the Boston Development Group. While the current proposal has the benefit (relative to the 2011 proposal) of incorporating both the former Circle Cinema parcel and the Applebee's parcel into a single-site project, the developer has utterly failed to put forth a proposal that even comes close to maximizing the potential of this gem of a site. Indeed, BDG's proposal is so fundamentally flawed that the BRA must not approve it without significant adjustments.

I, like everyone else I know who is aware of the proposed redevelopment, wants to see this location get redeveloped. Not only is the former Circle Cinema parcel an eyesore, but the right project will positively transform this well-known Brighton intersection and create much needed construction jobs. Unfortunately, the project as proposed will be an absolute detriment to the neighborhood.

Why do I care? As a nearby long-term resident and homeowner, I visit or pass through Cleveland Circle, my neighborhood's "town center", on a daily basis. Cleveland Circle's unattractive appearance (relative to, say, Washington Square or Coolidge Corner just a short distance down Beacon Street) and dysfunctional traffic situation have a direct and negative impact on my quality of life. In addition, Cleveland Circle is very important in terms of how Brighton as a whole is perceived. The area also reflects on Boston College and affects our Brookline and Newton neighbors. People often refer to Cleveland Circle as being a gateway to Brighton and the city. New development in Cleveland Circle must not be permitted to further diminish either the quality of life for nearby residents or the general perception of our neighborhood, all for the sake of letting a developer make a killing on a poorly conceived project. I ask that the BRA do everything in its power to make sure that the Cinema/Applebee's is developed with the overarching objective of improving the functionality and attractiveness of this location.

**Major problems with the proposed project:**

- **Overwhelming density.** A 181-room hotel, an 82-unit apartment building, along with 19,000 square feet of office space and 14,000 square feet of retail and restaurant space is clearly too much to pack into the site to function well, at least as currently configured and at the currently proposed building height.
- **Exacerbation of vehicular traffic problems.** With the project's high density, and only 228 parking spaces, along with a courtyard that is totally inadequate in size, traffic in Cleveland Circle's often failing intersection will further deteriorate, particularly during morning and evening rush hours, as cars trying to gain access to the site wait for space to open up. BDG's traffic study is not credible in its conclusion that traffic will not be significantly impacted.
- **Exacerbation of parking problems in the area.** In addition to the traffic mess the project will create, the inadequate level of parking will put users of the site out into the adjoining neighborhoods in search of on-street parking. Nearby streets in Brighton are already a challenge for residents in terms of finding parking, and the lack of adequate parking on the site will only further exacerbate this daily hassle. Cruising for street parking will also further add to traffic congestion.
- **Poor siting of programmatic uses.** The building that faces the intersection of Beacon Street and Chestnut Hill Avenue will have a major impact on the attractiveness and appeal of Cleveland Circle, not only in terms of architectural style, but also in terms of its function. A properly designed hotel at that location on the site could be a major landmark and present a lively and inviting face to Cleveland Circle, but the proposal currently calls for apartments there. A hotel would be much more compatible with the presence of a large restaurant, retail shops and a bustling intersection. In the current proposal, instead of a landmark structure that could transform Cleveland Circle, having a hotel hidden away on the back side of this development will result in a pedestrian building that will attract a mediocre quality hotel chain. Furthermore, moving the residential program to the part of the site that overlooks Cassidy Park would be much attractive to those apartment dwellers and therefore of higher value. I will add that the residential component should include more apartments of 2 bedrooms and above at the expense of many of the proposed 1-bedroom units, which will not attract long-term residents.
- **Uninspired architectural design.** The four-story structure, which seeks to maximize the usable interior space by having a massive footprint, is visually unattractive. It looks like a chunk of the Pentagon dropped out of the sky and landed in the neighborhood. No amount of playing with textures of the façade can compensate for this massive wall of monolithic mediocrity.

Given the magnitude of the above cited problems, BDG should go back to the drawing board and conceive of a project of a density that the area can support, with:

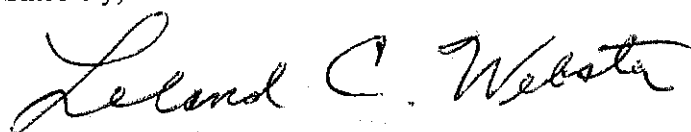
- Parking sufficient to address 100% of its needs and improved design for traffic circulation on the site;
- A truly minimal impact on the extant traffic problems;
- Improved siting of the programmatic uses (e.g., landmark hotel at the northeast corner of the site, overlooking Cleveland Circle; residential building overlooking Cassidy Park and the Chestnut Hill Reservoir); and
- Attractive architectural designs.

Finally, an independent traffic study is called for so that we can all have realistic data on which to base design and density decisions.

The community has consistently given BDG feedback over the last couple of years that it desires a quality project. BDG has resisted this feedback at every turn. Given the unusually large size of the site for our area and its prominent location, I ask for your help in demanding of BDG a high-quality project that is appropriate for this rarest of opportunities to positively transform Cleveland Circle.

Thank you for your consideration of my comments.

Sincerely,

A handwritten signature in cursive script that reads "Leland C. Webster". The signature is written in black ink and is positioned below the word "Sincerely,".

## Lopez, Erico

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**From:** Lauren Mattison [lauren269@yahoo.com]  
**Sent:** Monday, October 08, 2012 8:24 PM  
**To:** Lopez, Erico  
**Subject:** Comments on proposed Cleveland Circle development

Dear Mr. Lopez,

I am writing to share my concerns and suggestions for the proposed development at 375-399 Chestnut Hill Ave.

I agree with the many other Brighton residents who have requested an independent traffic study. Independent evaluation is important to determine if the proposed building density, mix of uses, and traffic management and parking plans are appropriate for the site.

I would also like to emphasize the importance of designing this development to reduce vehicle trips and encourage use of alternate forms of transportation. As noted in the PNF, the new buildings should provide easy and welcoming pedestrian access from the neighborhood and the T, as well as easily accessible covered bike racks for visitors and secure bike storage for residents. While the PNF mentions that there are several Zipcar spaces within a half mile, I suggest that the developer bring Zipcar and Hubway directly to the site to provide cars and bikes for occasional use, as an alternative to car ownership for residents and car rental for hotel guests.

I look forward to the demolition of the abandoned movie theater and redevelopment of this site, and I hope that these points will be taken into account to ensure that the new development has a positive impact on the Cleveland Circle neighborhood and the surrounding communities.

Sincerely,  
Lauren Mattison  
2430 Beacon Street

## **Lopez, Erico**

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**From:** Philip Tackel [ptboston@gis.net]  
**Sent:** Monday, October 08, 2012 7:02 PM  
**To:** Lopez, Erico  
**Subject:** Cleveland Circle Theatre development

Dear Mr. Lopez

The current plans for the BDG Development are too aggressive and dense for this site.

The site should contain a hotel of sufficient standing to act as a signature building for Cleveland Circle that residents of the neighborhood and Brighton can be proud of. The building materials of the entire complex should compliment the neighborhood and the Aberdeen Historic District, rather than denigrate it.

It is obvious the developer is trying to 'pack' too much development into such a small, unusual envelope of land. It's either greed or his desperate attempt to retrieve monies he's overpaid for the parcel(s).

I have lived in Aberdeen/Cleveland Circle for 35 years. I've commuted by "T" for 27 years to go downtown for work. I also use it from Reservoir in the morning to go outbound to medical providers in Newton. The trains are crowded in both directions at the Reservoir Station. Of course, Beacon Street is the terminus for the "C" line; however, when I enter the "C" train from either Englewood or Dean Road, sometimes there is standing room only (inbound) already!!

The traffic studies the developer submitted are flawed. Cleveland Circle at rush hour (heading north from Chestnut Hill Avenue in Brookline into Brighton at Cleveland Circle) is already a mess. Their consultants admit this intersection is a problem. Perhaps they should have invented a new color other than red to use to indicate just how worse the situation will become.

I am a professional Industrial Engineer by education and Operations and Systems Analyst consultant by profession. The only advantage this proposal, if built as submitted, has is to line the pockets of the investors. Having worked as an internal consultant for major institutions, it's never been so obvious that the Client (BDG) hired a consultant who set out to prove the results that would favor BDG's proposal.

We do not need more medical offices here. We need large, residential apartments with terraces facing the Reservoir. Preferably condominiums that will draw stakeholders to the neighborhood. Not tiny apartments owned by individual condominium investors who could care less about the quality of life for the long term residents of Cleveland Circle and its environs. A hotel with much architectural interest and built of quality materials is also a necessity - not some afterthought that is pushed way back into a courtyard. High end retail? These customers are going to come to this site using the Green Line? Or will they have to compete for parking spaces on Beacon Street with the customers of the fast food establishments?

I speak for 46 homeowners at 4-8-12 Kilsyth Terrace, Aberdeen, Brighton.

Philip Tackel, BSIE, MBA  
President, Kilsyth Terrace Condominium Association.

## Lopez, Erico

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**From:** Carl Richardson [carl@carl-richardson.com]  
**Sent:** Monday, October 08, 2012 5:23 PM  
**To:** Lopez, Erico  
**Subject:** Cleveland Circle Development

October 8, 2012

Mr. Errico Lopez  
Project Manager  
Boston Redevelopment Authority

Dear Mr. Lopez,

This is to express my general support for this development. By way of background, I have been a resident and taxpayer in Brighton since 1998. The majority of my time in Brighton has been as a resident of the Aberdeen neighborhood. As a movie fanatic, I frequented the Circle Cinema for years, and am personally aware of traffic issues along lower Chestnut Hill Avenue near Cleveland Circle.

I was saddened when the Cinema closed four years ago, since its shuttering has furthered the somewhat blighted feel of the Cleveland Circle area. I am aware of the City's recent challenges in moving forward with development on difficult sites like this, and am pleased that an experienced developer continues to risk substantial pre-development funds to improve Cleveland Circle. I do hope that the BRA makes certain that the façade facing the Circle be of high quality and inviting to pedestrians, as well as require a pathway through the site connecting to Beacon Street.

I believe that the proposal's focus on traffic mitigation is spot on. Cleveland Circle cannot bear all of the development's traffic exiting uncontrollably onto Chestnut Hill Ave. The BRA, as Brookline apparently has, should require as a condition to re-development both a new traffic light single curb cut as well as a reasonable amount of vehicles required to exit directly onto Beacon St. via the rear easement used by me and others for years while the Cinema was open.

Please approve a timely re-development of the Cinema site.

Sincerely,

Carl O. Richardson, III  
110 Foster Terrace  
Brighton, MA 02135



## Lopez, Erico

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**From:** Beverly Ross [beverly.ross@verizon.net]  
**Sent:** Monday, October 08, 2012 4:57 PM  
**To:** Lopez, Erico  
**Subject:** BDG Proposal for Cleveland Circle Cinema Project

Mr. Erico Lopez  
Project Manager  
Boston Redevelopment Authority

Dear Mr. Lopez:

I am opposed to the current plans for the development of the Cleveland Circle Cinema Project. The plan is too dense and architecturally unattractive. The building should complement the Waterworks' complex and the overall neighborhood. I am concerned about traffic safety issues on the public roadways and do not think any additional traffic should be funneled through the alleyway next to the Waterworks building.

Beverly Ross  
1990 Commonwealth Ave. Apt 6  
Brighton, MA 02135  
617 254-6507

## Lopez, Erico

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**From:** Rich Hoss [richie\_hoss@yahoo.com]  
**Sent:** Monday, October 08, 2012 4:38 PM  
**To:** Lopez, Erico  
**Subject:** Cleveland Circle Cinema and the tranquility of Eva Webster

Dear Mr. Lopez,

I am a Brighton resident and property owner on Chestnut Hill Ave and I have attended a few of the meetings regarding the Circle Cinema/Applebees project. I have found them to be highly entertaining.

I usually don't get involved in community matters but I did want to express myself to you about this project. If there is one reason that I think you need to go back and redo this plan, it is to ensure the safety of the community by allowing Eva Webster to keep her sanity. I am seriously fearful over what that woman may be capable of. I am particularly worried that she may be exposed to people that - as she so eloquently put it at a recent BRA meeting - might be the kinds of people that go to Mary Ann's. I for one cannot idly stand by any more and just watch as Eva Webster may be forced to have the kinds of neighbors that bowl or clean their own houses or drive Hondas (without leather, no less!) or don't know what foie gras is.

So as you continue on the project, I hope you can keep this in mind. Eva's comfort and isolation from poor/middle class people (or the thought that they might even exist) should be of utmost importance. This is for the good of the community because that woman scares the crap out of me.

By the way, good one on changing the flag of the proposed hotel from the totally unacceptable Hampton Inn to the widely cheered Hilton Garden. I guess these people don't travel around much and don't realize that they are pretty much the same thing. Solid work.

Thank you and Best Regards,  
Rich

## Lopez, Erico

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**From:** barbarabrilliant [barbarabrilliant@gmail.com]  
**Sent:** Monday, October 08, 2012 8:07 AM  
**To:** Lopez, Erico  
**Subject:** Chestnut Hill Avenue Project BDG

Dear Mr. Lopez,

As a resident of Waterworks in Cleveland Circle, it has always been my wish to both improve the circle while maintaining the integrity of the neighborhood for both the residents and merchants. The proposed development does neither and in fact, would be detrimental to both.

I know that you will do the right thing.

Barbara Brilliant

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*Barbara Brilliant*  
*B'WAY FILMS, LLC*

## Lopez, Erico

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**From:** jonascox@mindspring.com  
**Sent:** Sunday, October 07, 2012 9:56 PM  
**To:** Lopez, Erico  
**Cc:** cleveland-circle-community@googlegroups.com; Eva Webster; jmeunier@bdg1.com  
**Subject:** BDG proposal for Cleveland Circle Cinema project

October 7, 2012

Mr. Erico Lopez  
Project Manager, Cinema Circle Project  
Boston Redevelopment Authority

Hi Mr. Lopez,

The week I moved into 9 South St. #3 Brighton, I noticed what I took to be landscapers working on the front yard of a house across the street. Excitedly (actually, naively, in hindsight), I approached them and asked if they were planting trees and shrubs, etc. They replied, "We're paving the yard." It has served as illegal rental parking all these last 14 years, despite the "No Parking" sign that they disingenuously put up just next to the spaces.

Recently the owner, seeking a zoning variance, painted over the lines demarcating the spaces, put in a picnic table, and sent around a representative with a clipboard seeking support for the variance.

The hearing has been held, I'm guessing, as the picnic table is gone and the parked cars are back.

Your project, as presently proposed, takes this kind of disregard for the neighborhood to a new level. It's too big, it doesn't account for the traffic impact, and the most compelling vista is afforded not to the neighborhood it's supposed to serve, but to the hotel guests in its interior courtyard.

Please show some conscience and revise this project according to the overwhelming feedback you've gotten from the community.

Sincerely,  
Jonas Cox

resident of 9 South St. #3 from 1998 to present

and of 374 Chestnut Hill Ave #24 from 1996 to 1998

## Lopez, Erico

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**From:** Cynthia Taft [ctaft@charlesgateart.com]  
**Sent:** Sunday, October 07, 2012 8:29 PM  
**To:** Lopez, Erico  
**Subject:** Opposition to Cleveland Circle Cinema Project

Copy of letter to Peter Meade, BRA

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**From:** Cynthia Taft [mailto:ctaft@charlesgateart.com]  
**Sent:** Sunday, October 07, 2012 3:44 PM  
**To:** 'peter.meade.bra@cityofboston.gov'  
**Cc:** 'heather.campisano.bra@cityofboston.gov'; 'mark.ciommo@cityofboston.gov'  
**Subject:** Opposition to Cleveland Circle Cinema Project

October 7, 2012

**TO:** Peter Meade, BRA

**FROM:** Cynthia Taft Egdahl  
Watermark #501 at The Waterworks

**CC:** Mark Ciommo, Boston City Council  
Heather Campisano, BRA

**SUBJ:** **Opposition to the Proposed Cleveland Circle Cinema Project**

I am writing to voice my strong opposition to the proposed Cleveland Circle Cinema Project. I believe it should be rejected by the BRA for the following reasons:

1. Safety and congestion Issues at Cleveland Circle are a city responsibility and have been poorly addressed by the proposal. This affects not only people living and working in the Cleveland Circle area but ALSO all other citizens who drive through our area.
2. Totally inadequate plan for parking in the area. The number of spaces for the new project itself are ridiculously low in relation to its uses and this compounds the problem that businesses and citizens in Cleveland Circle already face.
3. The Waterworks Driveway is too small to be used safely for the use proposed by this project. The danger to children and other users of Cassidy Park is a serious concern.
4. The project is too dense for the area and will have a major negative effect on the neighborhood in terms of traffic, on future development of Cleveland Circle, and on a broad range of neighborhoods bordering the project.

I am very disappointed in the process that led to this particular project, because I have been a supporter of this type of development and the kind of positive impact it COULD and SHOULD have on Cleveland Circle. I have also been very pleased in the past with most projects in Boston that the BRA has supported. This is a very flawed project and one that would, if approved, have a serious detrimental effect on our city.

**Please reject this proposal or work with this developer or a new developer to come up with a project that we can all be proud of.**

## Lopez, Erico

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**From:** Lauri Mitchell [lauri.mitchell@gmail.com]  
**Sent:** Sunday, October 07, 2012 7:15 PM  
**To:** Lopez, Erico  
**Subject:** Cleveland Circle Development Project

Lauri Mitchell  
2400 Beacon St. - Unit 510  
Chestnut Hill, MA 02467

Dear Mr. Lopez,

I am a resident and property owner in the Watermark building, part of the Waterworks development. I am writing to express my serious concerns about the current plan to develop the cinema/Applebees property. My concerns are:

1. Traffic exiting using the Watermark access road will create serious safety hazards
2. Design for development grossly underestimates the need for parking and for traffic control
3. The design itself is not suitable for the neighborhood

I ask you to send the developers back to the drawing board. I am all in favor of a development that will benefit this important neighborhood. Clearly, the plan currently proposed is not that.

Respectfully yours,

Lauri Mitchell

## Lopez, Erico

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**From:** bethkemler@aol.com  
**Sent:** Sunday, October 07, 2012 6:06 PM  
**To:** Lopez, Erico  
**Subject:** Circle Cinema Development

Erico Lopez, Senior Project Manager  
Boston Redevelopment Authority  
Once City Hall Square  
Boston, MA 02201

Re: Circle Cinema Development, 375-399 Chestnut Hill Avenue

Dear Mr. Lopez:

I am writing as a resident at the Waterworks Condominium complex, which is an immediate abutter of the proposed development site. There are two major areas of concern that I see with the Development project as it now stands.

The first is its size and density- it feels out of scale to the rest of Cleveland Circle. Cleveland Circle is already a complex intersection, filled with numerous walkers, many of whom are students walking around in groups, bicyclists, motorists coming from every which direction, and the intersection of three different MBTA trolley lines. Not only is it highly congested, it is also a dangerous intersection, with probably a higher than usual accident rate. It is inconceivable to me that the Project, in its current form with it's proposed hotel, apartments, doctor's offices and retail spots, wont have a significant and deleterious impact on everyone's safety and comfort level.

My second major concern has to do with the use of the Waterworks driveway as an egress for hotel guests. This proposed use raises significant safety issues for the Waterwork residents and for the users of Cassidy Playground.

As a resident of Waterworks, I welcome the development of a multi-use complex on the site of the current dilapidated cinema, but only one that enhances the site for all its neighbors and which doesn't add to the safety problems. Therefore, I URGE YOU TO NOT SUPPORT THIS PROJECT IN ITS CURRENT STATE.

Thank you for your attention,

Beth Kemler  
203 Watermark

2400 Beacon Street

Unit 304

Chestnut Hill, MA 02467

October 7, 2012

Dear Mr. Lopez,

I am one of the first residents who moved into the Waterworks in 2006. I care deeply about the Development and served on the Board of Trustees for several years. I know you have received a great deal of letters regarding the use of the Circle Cinema/Applebees properties, raising great concerns about the nature of the proposed project. I share those concerns. Such care was taken in the Development of Waterworks; precious parkland was respected in every aspect of where we live.

I want to address the issue of traffic as businesses in the new project will utilize our driveway to exit onto Beacon Street. In my professional capacity at Beth Israel Deaconess Medical Center, where I have worked for 35 years, I have developed a program called "DriveWise". This is a nationally recognized driving safety program. With this focus, I believe that with the proposed plan, the added traffic on our small driveway put drivers and pedestrians at great risk. Let me emphasize that what we have is a narrow, winding driveway with obscured views of what is ahead. Remember, this was built as a driveway, not a road. We have a large number of older drivers in the Waterworks who already have difficulty negotiating the treacherous turns of the driveway. Add to that the danger once a driver gets to Beacon Street and has to negotiate traffic for turns. A left turn is especially dangerous; again with the problem of obscured views of Beacon Street due to tightly packed cars and a road that has curves. Also, the backup to make that turn will be a real problem. During rush hour currently, this is already an issue. I can't imagine how the added burden of additional cars will be feasible. In terms of pedestrians, there are many children using the tennis courts, the park as well as Waterworks dog owners who are walking or running in that area. I don't like to sound like an alarmist, but I go on record, stating that this driveway represents a fatality waiting to happen. It could be one of the hotel guests not familiar with the difficult driveway, someone driving too fast on a slippery surface and loses control of their car. Or, it may be a child, chasing a ball, who neglects to notice a car.

I know you have heard from many of my friends and neighbors. I hope you will deeply consider the questions raised about this project. Cleveland Circle has a major opportunity now. We can get it right, or continue the problems of the Circle that have plagued this area for decades.

Sincerely,

Lissa R. Kapust



Mr. Erico Lopez

Boston Redevelopment Authority

One City Hall Square

Boston Ma. 0221-1007

Sir,

I reside at 2400 Beacon St. in Chestnut Hill, abutting Cassidy Park and the newly proposed Cinema Project of BDG. While I would be delighted to see the blighted Circle Cinema demolished immediately and replaced by a new, well formulated project to take its place I strongly feel that the project as presented is unsuitable, ill conceived and inconsiderate to the neighborhood that is until now one of the very best in the city.

There are several issues that seem to be overlooked and not thought out.

The very thought of utilizing the driveway to our building for hotel guests or indeed for any additional use other than emergency access is ludicrous. I trust that you have driven on our driveway by now. If you have you cannot help but notice that it is no road by any stretch of the imagination, not capable of the kind of traffic that is proposed, is indeed quite narrow and contains several sharp and dangerous curves that someone inexperienced on the pavement can easily misnavigate resulting in an accident with the many children, families, and teams that enjoy Cassidy Park.

It seems the town of Brookline is dictating the rules on this project of which they really should only control about 20%. Why not stand up to them and demand that all traffic except for emergency vehicles exit on Chestnut Hill Ave.

Secondly the intersection at our driveway and Beacon St. is terribly dangerous as it is especially if you are trying to make a right hand turn onto Beacon. Additional use by additional cars will make it horrible.

Has there been an independent traffic study of this intersection? Has there been an independent traffic study of that intersection in the middle of a real winter when the snow is piled up so high that if you are taking a right hand turn your visibility is greatly affected and you go with a wing and a prayer? Has there been an independent traffic study of this intersection both before and after a BC home football game? Has there been an independent traffic study at all?

Sir I have the highest respect for the BRA. I know you all work very hard and make difficult decisions daily taking into account any number of different points of view. As an abutter and a neighbor I only hope you will do due diligence on this proposal and block BDG from using our small driveway.

Yours

Neal Solomon



Mr. Erico Lopez, Senior Project Manager

Boston Redevelopment Authority

One City Hall Square, 9<sup>th</sup> floor

Boston, Ma. 02201

Re. Circle Cinema Development, 375-399 Chestnut Hill Avenue

Dear Mr. Lopez

I live in the Waterworks project at 2400 Beacon Street, Chestnut Hill.

I am an abutter to the proposed project on Chestnut Hill Ave and I want you to know that I **strongly oppose** the project as it has been represented by BDG for a number of reasons.

I think its size and scope greatly diminishes the advantages we all have in living in one of Boston's most suburban, urban neighborhoods, where residents and visitors currently take advantage of Cassidy Park (one of Boston's best, that we should all be proud of) the M.D.C. swimming pool and hockey rink, the reservoir with walking trails, the municipal tennis courts to name a few. This project in scope will **greatly diminish** the beauty of our natural assets and the sense of neighborhood that we all enjoy.

The traffic plan as proposed by BDG is **beyond comprehension**. Do you really believe that the additional cars brought in by this large a project will have little or no effect on the current overburdened traffic and parking situation as BDG tells us it will. I don't by a long shot.

The plan to route traffic from and to Chestnut Hill Avenue into a horseshoe that will accommodate cars for a hotel, office building, and restaurants as well as buses, taxis, delivery trucks, garbage trucks and more, all within the traffic safety codes that protect out physical well being is beyond absurd.

The routing of hotel guests off the property by the use of the Watermark driveway is equally absurd. This is a **driveway** not a highway. It was not built nor ever before considered to be safe for the number of vehicles that would be using it every day under BDG's plan.

With the present number of users who are familiar with the driveway, its width and its crazy turns it is close to being maxed out.

Add the numbers of vehicles in the proposal and you have a very dangerous situation, an accident waiting to happen with children and adults using the access to the playing fields, tennis courts and grandstands at the much used Cassidy Park. I would hate to feel responsible for an accident under these conditions and I am sure you would too.

This is only one of the many very important reasons why the project as currently proposed **should be denied** and a different project on a smaller scale that is more neighborhoods friendly, safer, more visually attractive should be encouraged.

We all understand that the blight of the Circle Cinema as it presently stands is an affront to our safety in the neighborhood and should be torn down. We hope when the BRA considers all the alternatives they will settle on a project that enhances the entire neighborhood and not just the big pockets of the BDG.

I thank you for your time.

Yours truly

Neal Solomon

2400 Beacon St.

Chestnut Hill 02467

October 8, 2012

Mr. Erico Lopez, Senior Project Director  
Boston Redevelopment Authority  
One City Hall Plaza  
Boston, MA 02201

**Re: 375-399 Chestnut Hill Avenue – concerns regarding road location**

Dear Mr. Lopez:

I am a member of the Cleveland Circle business community, and my office is located at 2001 Beacon Street (corner of Chestnut Hill Ave.), a professional building that is across the street from the proposed development.

My associates and I look forward to seeing major improvement and beautification in this area, and would welcome an attractive hotel facing Cleveland Circle and inviting retail establishments.

However, because of an already very difficult traffic situation in front of our building, I am concerned that the entire proposed mixed-use complex may be too dense for this location and needs to be somewhat scaled down.

At the very least I would like to see the access/egress roadway to the proposed complex moved farther away from our building, and closer to the MBTA tracks, possibly closer to the upper existing curb cut for the theatre. This would help prevent traffic back-ups in front of our building and in Cleveland Circle and would create a continuous pedestrian-friendly sidewalk and retail block along Chestnut Hill Avenue.

Thank you for your consideration.

Sincerely,

Name Lloyd Mahler, D.M.D.

Company Lloyd Mahler, D.M.D.

Address: 2001 Beacon St. #301

Brighton, MA 02135

**Aaron and Suzanne Kleiner**

2400 Beacon Street, Unit# 103  
Chestnut Hill, Ma 02467

October 5, 2012

Mr. Erico Lopez  
Boston Redevelopment Authority  
One City Hall Square 9<sup>th</sup> Floor  
Boston, MA 02201

Re: 375-399 Chestnut Hill Avenue Redevelopment (Cleveland Circle Cinema Redevelopment)

Dear Mr. Lopez:

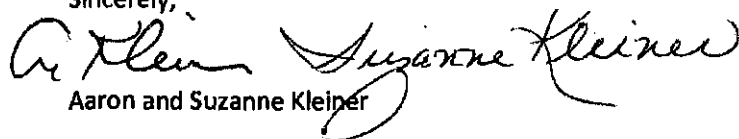
We are owners and residents of unit 103 in the Watermark condominium building, part of the Waterworks Project and direct abutters of the "Cinema" property. We are attaching a letter written to you by Ken Stein and Charlotte Knox our neighbors and friends. They carefully researched and clearly articulated the problems with the proposed development and we agree and stand by everything they have written. Let us add that while we do not oppose any development, we oppose the proposed development because it overburdens our driveway (please note we say "driveway" not "roadway") and it is far too large a project for the site generating far too much traffic for the Cleveland Circle area to bear.

As we said our driveway which the developer proposed to use as a means of egress from the development has been characterized as a roadway when, in fact, it is a narrow winding and potentially dangerous driveway. We are concerned about the safety of our residents as well as the safety of park goers and safety of the proposed development's guests who would use our driveway.

The traffic studies presented at the various public meetings we attended clearly indicated that the Cleveland Circle intersection is currently creating unacceptable traffic congestion. Beyond any doubt adding close to 300 units of hotel and residential development and tens of thousands of square feet of office, retail and restaurant space, will create an even more problematic situation in the future.

We are in favor of rational development that does not endanger us and our neighbors.  
Thank you for your consideration in this matter.

Sincerely,

  
Aaron and Suzanne Kleiner

**APPENDIX 3**  
**COMMENTS FROM THE PUBLIC**

## Lopez, Erico

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**From:** mrein35942@cs.com  
**Sent:** Friday, September 21, 2012 9:41 AM  
**To:** Lopez, Erico  
**Subject:** CINEMA PROJECT

Having been at the meeting yesterday, I can sum up the feeling of everyone there, having listened to all the comments; The community is not opposed to development of the site. However, THE COMMUNITY IS OPPOSED TO THIS PROJECT for the following reasons:

1- Cleveland Circle already has severe congestion traffic problems. To add such a HUGE population resulting from such a HUGE project- obviously will create a horrific traffic problem.

2- Cleveland Circle is now shoddy and rundown. What is needed is a project that will IMPROVE Cleveland Circle. This project will only make Cleveland Circle worse than it is- because it is UGLY and has NO CHARM.

To sum up- this is an OVERSIZE TOO BIG project that is UGLY - THIS IS THE CONSENSUS OF THE COMMUNITY.

On another note- the developer has everything to gain from this big ugly intrusive project- while many interested parties and the community as a whole- has everything to LOSE. It is the role of local government to represent THE NEEDS OF THE COMMUNITY and not to seek an expansion of the tax base at the expense of the community. WE HOPE YOU WILL FULFILL THIS ROLE and expect you to do so.

Mildred Rein  
Watermark



## Lopez, Erico

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**From:** Marla Scheer [mlbschee@yahoo.com]  
**Sent:** Sunday, October 07, 2012 4:03 PM  
**To:** Lopez, Erico  
**Cc:** cleveland-circle-community@googlegroups.com  
**Subject:** CINEMA CIRCLE PROJECT COMMENT LETTER

October 7, 2012

Mr. Erico Lopez  
Project Manager, Cinema Circle Project  
Boston Redevelopment Authority

Dear Mr. Lopez,

I am writing my comment letter regarding the Circle Cinema Project following the meeting held for concerned citizens on September 20, although I wonder how much good it will do, as I, as well as many Cleveland Circle residents, have said it all before.

With the last hearings held, I made the initial objection to the completion of the project in two phases, and the entire project is now supposed to be completed in one phase.

My two other main objections to the project should be adopted as well; namely, that the hotel should be the centerpiece of the project and that it should front Cleveland Circle, preferably with a circular driveway. A circular driveway would not only present an attractive entry to the hotel but would also probably relieve some of the traffic problems, which the magnitude of this project will most certainly create. The hotel should be the focal point, not a box-like structure tucked in the back behind the office buildings, as it is now planned.

The traffic study presented at the meeting on September 20th, stating that there would be a negligible increase in traffic from 2012 to 2017 with the project as presented is laughable, and I shall reiterate what I stated at that meeting - that is, only if there is a mass exodus from the Cleveland Circle area because of this project.

And finally, as I boisterously stated at that meeting, this project is simply TOO MASSIVE FOR THE SITE. In his effort to squeeze the maximum profit out of every square inch of the site, the developer is totally disregarding the congestion to the area as well as the face of the neighborhood. He is disregarding the needs of the community, and the steadfast opposition of the community. The only people in favor of the project as it now stands are the developer, the design team, and the union workers who will build it, and they are not residents of the Cleveland Circle community.

Thank you for your time.

Respectfully yours,

Marla Scheer  
Englewood Avenue

## Lopez, Erico

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**From:** Pamela Manolakis [pamlakis@gmail.com]  
**Sent:** Sunday, October 07, 2012 5:00 PM  
**To:** Lopez, Erico  
**Subject:** 375-399 Chestnut Hill Avenue, Circle Cinema Site

October 7, 2012

Mr. Erico Lopez

Boston Redevelopment Authority

One City Hall Square, 9th Floor

Boston, MA 02201

Via email: [erico.lopez.bra@cityofboston.gov](mailto:erico.lopez.bra@cityofboston.gov)

Dear Mr. Lopez:

As an owner of a condominium at the Waterworks complex in Cleveland Circle, I am writing to express my concern about the Boston Development Group (BDG) plans for 375-399 Chestnut Hill Avenue, Circle Cinema site.

Having attended public meetings last year and this, regarding this development, it is unfortunate that the current plans of BDG chose to not address the concerns of the Allston, Brighton, Cleveland Circle, and Waterworks neighborhood groups.

BDG's proposal for the Circle Cinema site needs significant changes:

- The projected hotel and residential units, medical offices and restaurant, are too big and dense for the area; the proposal needs to be scaled down
- Because of the density of the project, the traffic volumes and parking requirements are seriously underestimated (this based on when the studies were carried out); parking for

residents, medical office visitors, restaurant patrons, visitors, delivery and maintenance vehicles, taxis, etc., needs to be reevaluated and accommodated; the ensuing traffic uptick needs to be revisited

- BDG's plans will increase the traffic and significantly impact the exit driveway planned through the Waterworks site for hotel guests. This exit driveway is not designed (blind spots) to handle the amount of traffic that would be generated by a high-density project.

Strong consideration must be given to the safety of using the narrow driveway between the Waterworks Park and Cassidy Playground as children play during the summer months, and schools and sports leagues use the park on a daily basis. It is also not uncommon to have people walking in the driveway, and to having lawn care personnel working along the driveway. The increased volume of traffic exiting would present the potential for accidents; as well as long delays when merging onto Beacon Street heading in either direction.

- The architectural design of the project is inappropriate for the surrounding area; the materials used should complement the Cleveland Circle area, not detract from it

I am very much in favor of a development project that would revitalize the Circle Cinema site, just not the current Boston Development Group's proposal. I choose to live at the Waterworks because of its being part of Boston, access to the Chestnut Hill reservoir, access to a major university, Cassidy Park and its resources, and of course Cleveland Circle businesses.

I therefore, respectfully request, that you reject the current Project Notification Form for 375-399 Chestnut Hill Avenue.

Sincerely,

Pamela A. Manolakis

2400 Beacon Street

Watermark 508

Chestnut Hill, MA 02467

October 7, 2012

Mr. Lopez:

I write in response to your request for comments regarding the Boston Redevelopment (BRA) project entitled:

375-399 Chestnut Hill Ave-Cleveland Circle Cinema

I am opposed to this project as described in the project's Extended Project Notification Form (EPNF) dated August 16, 2012, for the following reasons:

**INSUFFICIENT TRAFFIC MANAGEMENT RESOURCES:** There is a large disparity between the vehicular access requirements of the project components (hotel, restaurant, retail, residential, medical office) and vehicular access resources (including traffic lanes, short-term waiting areas, loading docks, and allocated parking spaces) provided by the project.

*Improvement:* The requirements of the Brookline zoning overlay have forced constraints and complexities on the project with no tangible benefit to project owners, employees, customers, guests, residents, or abutters. An exit-only/right-turn only lane from the project onto Chestnut Hill Avenue would allow transient, pass-through traffic such as deliveries to and pick-ups from all project components to flow cleanly through the inner courtyard rather than coming in conflict with vehicles coming to rest in the project complex.

**INSUFFICIENT ATTENTION TO AIR QUALITY CONSIDERATIONS:** The developer's EPNF includes air quality analysis at four locations between 150 yards (Cleveland Circle) and 1250 yards (Route 9) away from the project. The EPNF pays no attention whatsoever to the location that is most important; viz. the project itself. Air quality within the project and, in particular, in the project's inner courtyard will greatly affect the hundreds of people that will be flowing through the project every day. There will be at least 500 vehicles arriving at, waiting within, exiting from, and driving through the inner courtyard every day. The exhaust fumes from these vehicles will be trapped in the closed cylinder created by the buildings surrounding the small (~20,000 sq ft), highly-trafficked inner courtyard.

*Improvement:* Require the developer to perform an air quality analysis of the project's inner courtyard to the same level of detail as is provided in four locations that were studied.

Thanking you for your attention I remain

Cordially yours,

Scott Guthery

2400 Beacon Street #208  
Boston, MA 02467

## Lopez, Erico

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**From:** Meghan McGee [meghanamcgee@gmail.com]  
**Sent:** Sunday, October 07, 2012 12:32 PM  
**To:** Lopez, Erico  
**Subject:** BRA Comment: Support of 375-399 Chestnut Hill Ave Proposal

October 7, 2012

Mr. Erico Lopez,  
Boston Redevelopment Authority

Dear Mr. Lopez,

I am pleased to write of my conditional support of this development. Four generations of my family have lived at 340 Faneuil St. in Brighton, where I currently reside. I lived for more than a decade on Chestnut Hill Avenue within 500 feet of the old Circle Cinema. I am keenly aware of Cleveland Circle's traffic issues

We are fortunate in these challenging economic times that a developer has stepped forward willing to risk significant pre-development capital, given the challenges of the assembled sites. Cleveland Circle has long been in need of private investment. The Cinema building has greatly decayed since being closed in 2008. This development will improve the appearance of this visible site, and a limited service hotel will add economic vitality to the existing Cleveland Circle businesses, as will the office component. I also believe that a quality restaurant will be well used by neighbors from the diverse surrounding neighborhoods.

My only qualification in the Bra's approval relates to traffic. I believe the proposal will improve upon existing traffic conditions if a portion of the exiting vehicles are required to use the rear driveway that Cinema patrons for years were required to use. I also hope the housing could be made more family oriented.

On behalf of the many long-standing working Brighton families, I urge your approval of the Cinema's timely re-development.

Sincerely,

Meghan McGee  
340 Faneuil Street, Apt 2  
Brighton, MA 02135

## Lopez, Erico

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**From:** Druckman, Eleanor [druckman@bu.edu]  
**Sent:** Friday, September 21, 2012 9:05 AM  
**To:** Lopez, Erico  
**Subject:** 375 - 399 Chestnut Hill Avenue - COMMENT

Dear Erico:

I wanted to follow up the comment I made last night at the BRA Public Meeting. Cleveland Circle becomes very congested (with cars, bicycles and pedestrians) as a result of Boston College athletic events (football games), as well as public events such as the Boston Marathon and the Jimmy Fund Walk.

I believe there are 10 "home games" during the Boston College football season. These games take place on Saturdays. During these Saturday events, Cleveland Circle is saturated with people and cars. There is complete gridlock. The local police direct traffic at Cleveland Circle. The State Police close off Chestnut Hill Driveway. (It's a mess).

The same is true for the Marathon and other charity events that use Commonwealth Avenue and Beacon Street for walks and runs.

I have been a property owner/resident since 1998. My condo abuts the Chestnut Hill Reservoir. I can tell you from personal experience that the "invasion" or "congestion" on these days is very intense. Please take this into consideration as you review the proposal for development of 375 – 399 Chestnut Hill Avenue.

Thank you.

Eleanor Druckman  
1990 Commonwealth Avenue  
Brighton, MA 02135

## Lopez, Erico

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**From:** Eleanor Druckman [eleanor.druckman@gmail.com]  
**Sent:** Sunday, September 23, 2012 9:59 AM  
**To:** Lopez, Erico; jmeunier@bdg1.com  
**Cc:** Eva Webster  
**Subject:** Additional traffic considerations

Dear Erico and John:

I wanted to reiterate my concerns about "special event" traffic gridlock in Cleveland Circle. Currently, the gridlock occurs on Saturdays when Boston College hosts "home" football games. On these Saturdays, local police direct traffic at Cleveland Circle and the State Police close off Chestnut Hill Driveway. It's a mess and a headache for residents.

Also, please don't forget the Boston Marathon and other charity events that use Cleveland Circle for walks, runs, etc.

Finally, have you considered how the proposed BDG project will impact the proposed development of the gas station on Chestnut Hill Avenue (between Commonwealth Avenue and Beacon Street): When considered together, these two projects will have significant traffic implications for Chestnut Hill Ave, Cleveland Circle and the surrounding area.

Thank you.

Eleanor Druckman  
1990 Commonwealth Ave  
Brighton, MA 02135

**Lopez, Erico**

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**From:** Eleanor Druckman [eleanor.druckman@gmail.com]  
**Sent:** Sunday, October 07, 2012 11:29 AM  
**To:** Lopez, Erico  
**Cc:** cleveland-circle-community@googlegroups.com; Eva Webster; jmeunier@bdg1.com  
**Subject:** BDG Proposed Plan for Cleveland Circle

Mr. Erico Lopez  
Project Manager  
Boston Redevelopment Authority

Dear Mr. Lopez:

I have lived at 1990 Commonwealth Avenue since 1998. I use public transportation to commute to my job. I am involved in the community and have attended most of the public meetings at which BDG presented plans for developing the Circle Cinema/Applebees properties.

I strongly object to BDG's proposed plan. It is too dense for the site. It will make traffic unacceptable and unsafe for vehicles and pedestrians. It does not take into consideration the proximity to Boston College and the traffic produced by collegiate athletic events. It will strain the already overcrowded MBTA Green Line. It will negatively impact the Waterworks Condominiums by misusing (and overusing) the access driveway that runs close to their building. It fails to provide housing that will attract and retain families. There is not enough parking for all of the uses planned, including people who will drive to the restaurant. The traffic report that was presented is not credible, as it is based on data from low-traffic days, and does not realistically assess the current traffic patterns or the impact of the proposed project. I join John Spritzler in concluding that BDG has lost trust and credibility in offering an inadequate traffic assessment.

There is no need for medical office space in Cleveland Circle. The BDG proposal should focus on a quality hotel, well-appointed residences and amenities such as restaurants, small retail shops, a health club, possibly a day care center. It should be a place that will attract current residents of the greater Cleveland Circle area who may choose to walk, bike or take the MBTA to an attractive destination for shopping, eating, browsing and recreation. It should enhance the neighborhood, not overburden it.

I believe that the residents of Boston, Brookline and Newton have given numerous suggestions for what would make a successful "win-win" project for the developer as well as the residents. It is up to the BRA to refine the approval process so that the residents' views are given more consideration and weight.

Thank you.

Sincerely,

Eleanor Druckman  
1990 Commonwealth Ave  
Brighton, MA 02135



Mr. Erico Lopez, Snr. Project Manager  
Boston Redevelopment Authority

10/7/2012

Dear Mr. Lopez,

**Re: 375-399 Chestnut Hill Avenue (Cleveland Circle Cinema Redevelopment)**

I am a pediatrician, a longtime resident in Brookline, and live on the corner of Clinton and Penniman Road. I am concerned about the proposed design for the Cleveland Circle Cinema site as I think that, as currently designed, it will have a negative impact on those who live and work in the vicinity. I have attended many design presentation meetings in both Brookline and Boston, reviewed the BDG presentation material and their PNF, and talked with many Brookline and Boston neighbors.

I am not in favor of the current project design. My key concerns focus on the overall density of the proposal, the design of the central courtyard and the proposed allocation of space uses. Finally, I would like to suggest some improvements that could go a long way in mitigating these concerns.

**Density of the Proposal**

The proposed 181 room hotel, 81 apartment residence block, 19,000 sq ft medical office block, 6,700 sq ft restaurant and 7,500 sq ft retail space totaling 236,500 square feet, is a disproportionately large complex for its location on busy Chestnut Hill Avenue and adjacent to crowded Cleveland Circle. The project has 5 separate and distinct uses, each of which generates and adds its own unique demands to the site. The traffic and activity that this complex will generate is significant, and and has been, I believe, underestimated in BDG's submission. I am concerned that it will negatively impact the surrounding neighborhoods both in Brookline and Boston. The detailed analysis of the traffic assumptions made in the PNF and critique of the plan provided by [www.clevelandcircle.org](http://www.clevelandcircle.org) (post for Sept 20th, "Why the Delivery Estimates Don't Add Up") are compelling and worrisome. Even if not submitted by a traffic engineer, the discussion clearly calls into question the assumptions on which the current PNF is justified.

**Central Courtyard Design**

The central courtyard design is the "heart" of this project. It circulates and regulates the traffic both into and out of the project. My concern is that the project heart will suffer "congestive cardiac failure".

I cannot see how the courtyard, as designed, can perform its vital function of keeping the traffic circulating. There are too many competing demands, and too many constrictions in the design which will frequently lead to blockages. These will have a "knock-on" impact on the junction of the site and Chestnut Hill Avenue, negatively impacting traffic within the site, on Chestnut Hill Avenue and in the surrounding Brookline neighborhood.

Likely impediments to good traffic circulation in the current design:

- Competing demands from Hotel, Residences, Restaurant, Medical Office and Retail stores for delivery truck and pedestrian/vehicular access will clog the courtyard
- A single stacking lane along the residence frontage for 4 or so vehicles will prove totally inadequate for a Boston cab stand, Hotel pick-up/drop off, residential deliveries and restaurant deliveries.

- The Brookline cab stand (not marked on the plan, but has to be on Brookline land) will add to the constrictions of the circle.
- The egress of a vehicle from the underground garage will obstruct the flow of traffic around the courtyard circle.
- Delivery trucks to both retail and Hotel when reversing in or out will cause disruptions to the flow
- Pedestrians criss-crossing the courtyard across the roadways going to their respective destinations will halt traffic

### Allocation of Functional Space

The current tuning-fork design footprint - with the retail and offices located in a block south of the center entrance way, the Hotel lobby located far from the street at the back of the courtyard facing Chestnut Hill Avenue, and the restaurant and residence entrances located in a block north of the entrance way – does not augment Cleveland Circle. In fact, this is not so much a Cleveland Circle development project, as a Chestnut Hill Avenue development project.

This allocation of functions has major visual flaws and is pedestrian unfriendly. Currently a large restaurant occupies the corner of the project on Chestnut Hill Avenue and Cleveland Circle. This corner is the prime location for pedestrian traffic to access the Hotel, either directly into the Lobby if this could be relocated here, or if not, through a pedestrian friendly archway into the courtyard (think Rowes Wharf). Currently, a swimming pool and fitness center, available only to Hotel guests and residences, occupies the best outlook over Cassidy Park. This is the prime location for a public restaurant with the potential for outdoor dining and easy access from Cleveland Circle.

The consequences of the current design are to isolate the project from Cleveland Circle and create poor utilization of the surrounding assets of the park for both project denizens and the public.

### Mitigation of Design Flaws

I am in favor of development of the Cinema and Applebee's sites and, in that spirit, I would like to offer some alternatives for your consideration:

#### 1) Removal of Medical Offices

I suggest removing one of the functional aspects entirely rather than an arbitrary across the board reduction. I propose the medical office be removed entirely from the project. It adds significant traffic to the project through the coming and going of patients, not to mention the increased delivery load of multiple doctor's offices. Without the removal of the medical offices the number of parking spaces will be totally inadequate, since BDG has allocated only 19 spaces. This is probably not even sufficient for all the office staff, let alone the daily patient flow. There appears to be plenty of medical and/or office space in the surrounding area, so this function is not vital to the project's existence.

#### 2) Integration of Restaurant into Hotel

I suggest that the large free standing restaurant be integrated into the Hotel. Many of the new Hilton Garden Inns have a large restaurant serving breakfast lunch and dinner in the hotel. If this was placed where the pool and fitness center are currently located, it would serve as a resource to Hotel guests, residence dwellers and the surrounding neighborhood. It would also free up the corner facing Cleveland Circle for the above-mentioned lobby or arch entry way.

#### 3) Adoption of Upper Entry Alternative

I suggest locating the vehicular entrance way on the southern boundary, by and parallel with the T-tracks, and locating the courtyard on the north side of this entrance way. In this configuration, the courtyard becomes an adjunct to circulation rather than a single bottle-neck jammed with cars and trucks. With this design (shown by BDG as the "Upper Entry Alternative" in their documentation), both the parking and delivery bays for Hotel use are a "straight shot" from Chestnut Hill Avenue and there is a direct line into the underground garage for much of the traffic. In this way the courtyard traffic is reduced to only those users who are in drop/off pick-up mode and deliveries to retail and residences. All project parking and Hotel delivery trucks would be taken out of the courtyard, greatly relieving congestion and reducing the potential for backup and spillover at the site/Chestnut Hill Avenue intersection.

This alternative should not be dismissed out of hand, as BDG has done, by saying longer transit times through Cleveland Circle makes it a "no go", especially as a central entrance design with a dysfunctional courtyard (see above) may cause just as much, or more, traffic disruption.

As a close neighbor to the site I am also concerned about the light and sound pollution from the development as a whole and hope that BDG will make every attempt to minimize the intrusion of noise from traffic on the site, of glare from both exterior and interior lighting, and will make every effort to screen the direct abutments on Clinton Road from the visual impact of such a large building.

Sincerely  
Jennifer Lewis M.D

8 Penniman Road  
Brookline MA 02445

(Letter attached as MS Word document)

## Lopez, Erico

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**From:** Brad Walmsley [bradproformance@gmail.com]  
**Sent:** Saturday, October 06, 2012 1:33 PM  
**To:** Lopez, Erico  
**Subject:** Comment on Cleveland Circle PNF

October 6th, 2012

Mr. Erico Lopez,

My family are Brighton residents who enjoy the Chestnut Hill Reservoir and travel through Cleveland Circle frequently. I co-own a small general contracting business that has over the last several years done considerable work on Chestnut Hill Ave. near the Applebe's/ old cinema site.

Development of the blighted cinema site will help make Cleveland Circle more vibrant, and provide much needed construction jobs for the City. My only concern is traffic congestion. I often walk our dog around the Reservoir, and since I had read of concerns by Waterworks residents concern over traffic backing up, I have tried to observe if that may be the case. Seldom is there a car, never mind a queue, trying to exit onto Beacon St. I do think it would be a good idea to eliminate a few east bound on-street parking spaces to improve sight lines at that point.

Thanks for considering my comments.

Brad Walmsley  
340 Faneuil Street.

## Lopez, Erico

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**From:** Michelle Lapidés [mmlapides@gmail.com]  
**Sent:** Friday, September 28, 2012 8:02 PM  
**To:** Lopez, Erico  
**Subject:** Cleveland Circle Project

I am sending along my feedback related to the development project at Cleveland Circle. I attended the public meeting held on September 20. I am a resident of Brookline.

First and foremost, this project is far too dense for the 2 1/2 acre property it will be situated on. And not only is it too large, it is surrounded by a neighborhood with single family homes, other residential dwellings and a park. Yet NOTHING about its design respects or collaborates with this unique setting. It is beyond belief that a building that is better suited for an office park on 495 was submitted.

The glass and concrete exterior is hideous. The architect should look to the Waterworks building for inspiration on an exterior that will blend in appropriately. The grounds surrounding the building should include more trees. How about a row of evergreens along the T tracks to provide a natural screen?? Light pollution from the project needs to be addressed. Whatever the regs may allow, this project abuts a quiet residential neighborhood that should not be bathed in light at night. How will exhaust from the underground garage be handled?

The size of the project needs to be scaled back. For starters, there is absolutely no need for a medical office building when the Atrium Mall is now leasing as medical space. Cleveland Circle cannot support the parking requirements for a medical office building. The traffic generated from a medical office building will be detrimental. It seems that the developer went with the kitchen sink approach; let's throw in the medical office building and see what happens.

The size of the project will generate traffic that simply cannot be accommodated in Cleveland Circle, both in terms of cars using the intersection and parking. I felt the traffic impact was glossed over at the meeting. It was stated that this intersection is known for heavy congestion. Let's do easy math: 80 hotel rooms + 180 residences + retail + restaurant easily adds up 1,000 trips by cars in and out in any given day. (People leave once and come back once each day so that is 2 trips a day times the 260 hotel rooms and residences = 520 trips alone daily not counting retail and deliveries, and employees who work there.) That will increase the number of cars going through the intersection by probably 30% if not more. The project needs to clearly detail the number of car trips estimated daily by each type of establishment in the project (hotel, residence, retail, deliveries). I am not even going to mention the medical office building because that is a ridiculous item to include in this project.

Where will all the cars park? it cannot end up on the residential streets of Brookline.

And speaking of deliveries, the question was asked about how many delivery trucks would come through in a day, and the answer given was one. That response is so far from reality as to be negligent and insulting.

Adding a second left turn lane on Beacon Street outbound at Chestnut Hill Avenue does not alleviate anything, because cars already form an informal second lane today when traffic is heavy. Plus that traffic will still get congested at the bridge over the T line.

In fact, a picture speaks a thousand words. The photo that was up during most of the meeting showed a large concrete block plunked down on a park. The comment was made that it looked

like the Pentagon was there, and I couldn't agree more. The project team seems not to have given any consideration to the neighborhood where this will be built. And it is a neighborhood in every sense of the word.

How can the BRA ever deem a project of this size on 2 1/2 acres of land at one of the worst traffic intersections as acceptable?

Sincerely,  
Michelle Lapidés

[erico.lopez.bra@cityofboston.gov](mailto:erico.lopez.bra@cityofboston.gov)  
[peter.meade.BRA@cityofboston.gov](mailto:peter.meade.BRA@cityofboston.gov)  
[kairos.shen.bra@cityofboston.gov](mailto:kairos.shen.bra@cityofboston.gov)

**VIA EMAIL DELIVERY**

September 27, 2012

Mr. Erico Lopez, Senior Project Manager  
Boston Redevelopment Authority  
One City Hall Square, 9<sup>th</sup> Floor  
Boston, MA 02201

RE: Circle Cinema Development, 375-399 Chestnut Hill Avenue

Dear Mr. Lopez,

I am writing as the Chair of the Board of Trustees of the Waterworks at Chestnut Hill Trust. The Waterworks Park is an immediate abutter of the proposed development site and is possibly the entity most impacted by the BRA's decisions in this matter. While Waterworks Trustees support quality and neighborhood-friendly development in Cleveland Circle, there are a number of serious concerns shared by our membership regarding the current Boston Development Group (BDG) proposal.

These concerns with BDG's current plan include the following: the project is too large and too dense for the site; the project plan for traffic to exit via the Waterworks roadway raises serious safety issues for Waterworks residents and users of Cassidy Playground. We believe the proposal requires significant modifications before it is approved.

We expect that there may be additional matters that require mitigation as the project continues to evolve, and, at that time, we would expect the specific mitigation required for the roadway easement, based on the revised plan, to be incorporated into any final approval. We appreciate the opportunity to register our concerns, and look forward to working with the City towards the approval of a revised and improved proposal for redevelopment of the Cleveland Circle site that will address the safety, traffic and overburdening concerns of our residents.

Respectfully submitted,



Stephen Dreier, Chair  
The Waterworks at Chestnut Hill Trust

CC: Mr. Peter Meade, Director, BRA

Mr. Kairos Shen, BRA Director of Planning

## Lopez, Erico

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**From:** celine sellam [celinesellam@gmail.com]  
**Sent:** Thursday, September 27, 2012 11:48 AM  
**To:** Lopez, Erico  
**Subject:** 375-399 Chestnut Hill Avenue BDG project comment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Erico,

I am writing to you today to share my thoughts on the proposed project.

As a direct abutter (I live at 385 Clinton Rd) and a property owner in Brighton as well.

- We believe that the project is way **too dense** for the area, in term of impact on traffic, which is already a serious problem for the area with nothing at the former cleveland circle site. The traffic study is not accurate when it states that the proposed project will only add about 107 cars per day. I go through this intersection every day for the past 6 years and can tell you the having medical offices alone(where patients come and go every 15 minutes or so) will produce more traffic than that. If you add the hotel rooms, residences and restaurants, this intersection will simply be impossible to cross under 20 minutes.
- The **size of the proposed housing units** (mostly one bedrooms) is a problem as well because it will be perfect for undergrads from Boston College to use it for housing, which would create more noise nuisance for the area with frequent parties. There is a tremendous need for housing for young families who are having a hard time finding 3 bedrooms units without lead paint issues and if this project would offer such housing it would provide the area with more long term residents and less nuisance.
- The **architecture** of the project is a serious problem: I understand that Boston wants to make a statement but because this is right next to a residential area, you might want to consider a style that blends more with the style of the area (should follow the lead of the Waterworks) , like the Courtyard Marriot in Coolidge Corner in Brookline does. It is barely noticeable, really blends into the neighborhood, with its curved brick facade and I drive there every day and never had an issue with the traffic it creates in the intersection. There are very few windows overlooking the residential building next door. To quote on the comments at last week's meeting, it feels like the Pentagon was dropped in the middle of Cleveland Circle, this building is simply too massive for the site and the design is way to contemporary for an area where brick and stone dominates.
- The fact that the developer came back with a project 50 % more dense that its last one is very concerning, it needs to be scaled down to fit the **unique** qualities of the site and its many challenges(residential area next to it, egress issue with the Waterworks, high traffic congestion, lack of parking etc)
- To summarize, we want the site to be developed in a sensible manner, taking into account:
  1. impact on traffic
  2. vicinity to residential area (architecture and visual impact, noise pollution, height of the building, impact on property values and privacy)
  3. the architectural style of Cleveland Circle
  4. need for green space on the site itself
  5. need for adequate parking spaces as the lack of parking is already a serious concern for Cleveland Circle
  6. safety of pedestrians



7. this project needs to enhance Cleveland Circle, not make it an impractical eyesore that allows a developer to make huge profits to the detriment of the Brighton and Brookline neighbors and commuters.

Thank you in advance for taking our comments into consideration,

--

Celine Sellam and Rony Sellam 385 Clinton Rd Brookline, owner of residential property in Brighton as well.

## Lopez, Erico

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**From:** e.ramin@comcast.net  
**Sent:** Saturday, September 15, 2012 11:17 AM  
**To:** Lopez, Erico  
**Subject:** proposed Cleveland Circle project

**Follow Up Flag:** FollowUp  
**Flag Status:** Flagged

Dear Mr. Lopez

As abbutters of this project we have the following concerns about the use of the so-called easement road:

1. Safety - this narrow, winding driveway is approximately one to one and one half feet from the Watermark building at 2400 Beacon. It is of especial danger to children who play and picnic on its embankment.
2. Fumes - exhaust fumes from cars waiting to exit are a danger to the aforementioned children, as well to residents of the building.
3. The exit at Beacon St., already difficult because of oncoming traffic and lack of visibility, will become more dangerous and backed up. Presently it is a problem to take a left turn. Hotel guests and residents will all be impacted.

Why use this road? There are already two entrances to the proposed project - one at Aplebee's and one at the theater.

We would like to affirm that we are not against development of this site, only against this dense development which impacts adversely on its neighbors.

We hope you will take these thoughts into consideration.

Thanks you.

Gerald and Elsa Ramin

Watermark 609

## Lopez, Erico

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**From:** attypeng@gmail.com  
**Sent:** Friday, September 14, 2012 2:12 PM  
**To:** Lopez, Erico  
**Subject:** Hilton proposal at Cleveland Circle

Hi Erico,

I own a building in the Cleveland Circle area and have been following the Hilton proposal. I and my fellow owners are very much in favor of this proposal. It will help revitalize the area and put the now-wasted cinema land to a good use. In addition, from my observations of the area, I strongly feel that there should be no more problems with logistics issues (traffic/parking) after completion than there are now.

Thank you,  
Elliot Peng

## Lopez, Erico

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**From:** Bloch, Kurt J.,M.D. [KBLOCH@PARTNERS.ORG]  
**Sent:** Wednesday, September 12, 2012 11:08 PM  
**To:** Lopez, Erico  
**Subject:** Cleveland Circle Cinema Project

Dear Mr. Lopez

We are abutters of the proposed Cleveland Circle Cinema Redevelopment. While we strongly support the redevelopment of this site, we are strongly opposed to the plans of the Boston Development Group for many reasons:

1. Their hyper-dense, massive project creates unsolvable traffic problems for the entire neighborhood and especially for the residents of the nearby Watermark condominiums. The proposal imposes 480 vehicle trips/day (if it were strictly restricted to hotel guests only) on top of the 200 vehicle trips/day generated by the condominium on to a narrow (17 foot wide) twisting roadway exiting on Beacon Street. The BDG proposal constitutes misuse and overuse of the roadway, disturbing the peace of mind, comfort and enjoyment of the abutters and unreasonably diminishing the value of their property.

2. Overuse of land - The BDG proposal calls for a building housing 19,000 square feet of medical offices. BDG does not specify the number of physician/dentist offices to be built. Assuming a generous 1250 square feet per office results in space for 15 physician/dentists each of whom will require support of at least one nurse and receptionist. For all these individuals, the BDG plan calls for 19 parking spaces. Although employees of these offices, as well as other employees of the hotel, residential, retail and restaurants are expected to travel to work via MBTA, a large number of employees will not come by MBTA, either because they want to come by car or because they do not have easy access to the MBTA. As hospitals in the Boston area can attest, their employees travel to work by car and require parking spaces often at remote sites (Brigham and Womens employees park on Hammond Pond Parkway in Newton and are transported to the hospital by shuttle bus). If medical support personnel is not offered parking space, they will obtain positions elsewhere.

With respect to the number of patients involved in the above building, consideration must be given to the number being actively seen by the physician as well as those waiting to be seen. In the case of primary care physicians who are expected to see one patient every 10-15 minutes, it is easy to see the numbers seeking a place to park multiply rapidly. Where are the patients for these 15 offices supposed to park? -by competing with retail space owners, their employees and their patrons for the 60 unassigned underground parking spaces or by competing with restaurant owners, their employees and their patrons as well as hotel employees for these same 60 spaces - or in the 30 underground spaces shared with hotel guests? Finding no place to park, patients may clamor for access to the 60 outdoor parking spaces assigned to the hotel and from there also exit via the Watermark roadway to Beacon Street? Or do they park on nearby streets?

3. The fiction of the "courtyard" as "oasis"- The inner aspect of the hotel (on 2 sides) and the residential building form a courtyard entered on a two-lane roadway from Chestnut Hill Avenue. This space is touted as an "oasis" of calm and verdant planting. It is not an oasis. It is a very congested site where cars, bearing patients, diners, employees owners of businesses enter and circulate looking for parking spaces. Cars queue for guests to register at the hotel. Other cars bring renters or visitors to the residential building, taxicabs, trucks bearing supplies, garbage trucks removing waste from the hotel, residential building, medical offices, restaurants enter and exit via this courtyard. Buses bringing guests

traverse this site. The narrow opening assures that exhaust and other fumes will be trapped at this site and will enter any open windows in the residential building and elsewhere.

BDG claims that the apartments in the residential building will be of high quality eventually suitable for sale as condominiums. Who will wish to live in condominiums facing the courtyard with its lack of view, constant motor vehicle traffic and fumes? It may be anticipated that these will become dormitory housing, 4-6 students per apartment, that no one else wants. If so, the more desirable apartments facing the park will also be turned over to students because long-term tenant/owners will not put up with the constant noise of partying. And will the park turn into their playground?

4. Esthetics - The low, extremely long building (height in Brookline 56 feet, in Boston 62 feet) extending from Chestnut Hill Avenue to the end of the current rear wall of the Cinema building (Fig 4.1 and 4.3) resembles a factory or prison when viewed from Beacon Street or Clinton Road. It is an eyesore before it is even built and it will degrade the Cleveland Circle area rather than enhance it.

In summary - The project proposed by BDG should not be permitted to proceed. The major goal of the proposal is to enhance BDG's profits and Brookline's tax revenues. The project further degrades the Cleveland Circle area rather than enhance it. Please vote NO on this proposal.

Thank you for your attention.

Sincerely,

Kurt J. Bloch, M.D.

Professor of Medicine, emeritus

Harvard Medical School

Senior Physician, MGH

The information in this e-mail is intended only for the person to whom it is addressed. If you believe this e-mail was sent to you in error and the e-mail contains patient information, please contact the Partners Compliance HelpLine at <http://www.partners.org/complianceline> . If the e-mail was sent to you in error but does not contain patient information, please contact the sender and properly dispose of the e-mail.

**Lopez, Erico**

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**From:** p.berman@comcast.net  
**Sent:** Friday, September 28, 2012 2:33 PM  
**To:** Lopez, Erico  
**Subject:** feedback for cleveland circle development

Dear Mr. Lopez.

As a resident and home owner at 105 willard rd. in brookline I am most concerned about the proposed development plans for the Cleveland Circle. My concerns include the impact to the neighborhood as a result of the increase traffic demands, the ambient light the structures will give off and the fact that the design itself does not integrate in at all with the surrounding area.

I am hoping that you can take these concerns to the proper authorities.

Sincerely,  
Paula Berman  
105 Willard Rd.  
Brookline, MA 02445

**Lopez, Erico**

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**From:** Crittendon, Rollin [rwag@rwag.net]  
**Sent:** Friday, September 28, 2012 1:08 PM  
**To:** Lopez, Erico  
**Subject:** Comments on Cleveland Circle project

Hi Mr. Lopez,

It was great to get a chance to see the initial drawings at last Thursday's meeting.

In my initial opinion I think the "folding" of the building facade is clever. However I think the structure is too monolithic/massive in relation to the overall Cleveland Circle area. I wonder if they made a village-type structure, broken up into smaller buildings, if that might be more palatable.

I also think the large white facade should be something more subdued, perhaps at least a masonry appearance of some sort.

Overall the two sides might be closer than it seemed with a tweak here-and-there I think/hope.

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=====  
Rollin Crittendon

## Lopez, Erico

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**From:** Faye Ruopp [faye.ruopp@gmail.com]  
**Sent:** Thursday, September 27, 2012 4:35 PM  
**To:** Lopez, Erico  
**Subject:** Cleveland Circle Project

Dear Mr. Lopez,

My husband and I are writing to you to express our serious opposition to the proposed BDG plan for Cleveland Circle. We have recently moved from Auburndale, MA to the Waterworks. In Auburndale, we were facing the over-development of the Riverside complex off of Grove St. Our community fought for several years to have the proposal for Riverside be more in keeping with the neighboring facilities. The community was supported by its aldermen, and eventually the initial proposal was down-sized and reflected more of the concerns for open space and parking.

You can imagine how dismayed we were to think that we moved to an area that is facing the same kind of over-development. Chestnut Hill Ave. and Beacon St. are already over-crowded and difficult to navigate, even under the best of circumstances. Using the Waterworks driveway for the Hotel guests is a ridiculous idea, one that is dangerous and most probably impossible to enforce. It has taken us 2 months to get used to navigating that roadway, and given that hotel guests will not know this area, we will be facing tremendous obstacles in exiting our own garage. At the moment, without this development, it is very, very difficult to make a left turn out of the exit driveway onto Beacon St.

We ask that you support our neighborhood and demand that the developers scale this project down. Wouldn't it be wonderful to expand the open space of the park so that more people could use it? One small boutique hotel is plenty for that property. Let's try to find ways to support our community rather than destroy it.

Where are the Brighton city advocates in this process?

Thanks so much for your consideration.

Sincerely,

Faye and Charlie Ruopp  
2400 Beacon St. Unit 201



## Lopez, Erico

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**From:** Tom Puglia [tpuglia@nercc.org]  
**Sent:** Thursday, September 27, 2012 3:48 PM  
**To:** Lopez, Erico  
**Subject:** 375-399 Chestnut Hill Avenue

Erico Lopez  
Senior Project Manager  
Boston Redevelopment Authority

Mr. Lopez,

The Boston Development Group , has been working with the community to resolve any issues they have and will continue to do so

The Boston Development Group committed to use union labor and hire local craftspeople

The more opportunities for work and apprenticeship for residents , minorities and women the better

The Boston Development Groups commitment to hire local people shows us that they are a good neighbor

And are being responsible to the community where they hope to derive a profit.

We as a local feel this project is the highest and best use for this parcel of land

On behalf of the residents I represent, we urge the Boston Redevelopment Authority to approve this project

Tom Puglia  
Business Representative  
Boston District Council of Carpenters

Stan Kugell  
831 Beacon Street, Suite 120  
Newton, Massachusetts 02459 USA

September 24, 2012

Mr. Erico Lopez  
Boston Redevelopment Authority  
erico.lopez.bra@cityofboston.gov

RE: Public Meeting of September 20, 2012 re  
375-399 Chestnut Hill Ave-Cleveland Circle Cinema

Dear Mr. Lopez,

I reside near the proposed Circle Cinema project, and was actively involved in the abutting Waterworks project from beginning to end. Please accept these comments following the September 20 public meeting.

The current proposal is a major improvement over the first round. Thanks to all who contributed to that outcome. There are several items that still need work, as follows:

- (1) The parking ratio is inadequate. The project needs either less floor space or more parking. The proposed uses are sure to generate high demand on parking, especially medical office use. The nearby medical office at 850 Boylston provides a practical lesson. At 850, the circulation and parking problems are so severe that the project now maintains a full-time staff to provide free valet parking, and it's not enough. Surely we don't want to repeat that mistake in Cleveland Circle.
- (2) The metal clad design should be rejected. Metal clad buildings elsewhere in the area have not aged well.
- (3) Both designs submitted by the developer suffer from a "flat box" appearance. We need a more decorative, detailed façade, with real relief, not just color variation of flat elements. Perhaps there's a cost, but the neighboring Waterworks project shows it can be done.
- (4) The "Frank Gehry" style wobbly-panel design should be revised. It is perhaps a well-intentioned approach to

## Stan Kugell

creating visual interest out of a flat box, but we've had enough around town, and these buildings just look cluttered rather than pretty only a few years after they go up. The Pompidou Center didn't age well, and I don't hold out much hope for the faux-Gehry design fad, either. I'm sure the architect can come up with another way of making it pretty. I'd ask the architect to make reference to the decorative elements of the classic buildings of the area in a clean modern interpretation. Waterworks' new building did a good job of that.

- (5) The location needs a restaurant with plenty of outdoor seating overlooking the park. I believe the developer said the current design anticipates ten feet and four tables of outdoor seating. That's inadequate. A three-season terrace, with light and provision for outdoor heating or opening doors, should be considered. Outdoor and semi-outdoor table space could be a very nice neighborhood amenity.
- (6) The hotel flag was not discussed at the public meeting. The flag should be locked-in at the outset. We don't want a low-end flag, as originally proposed by the developer. The community should have third party assurances that the hotel design fully meets the requirements of at least two different flags at the Marriott Courtyard level or better. We don't want to learn down the road that we will be stuck with a Hampton Inn.
- (7) Please create better pedestrian connections to Cleveland Circle and the C and D Green Line stations. The existing and proposed connections seem awkward. Can't something be done to make more pedestrian-friendly connections?
- (8) The design relies on an interior courtyard for all motor vehicle traffic. The area could be too small to support all the different uses and their associated utility vehicles. With no on-street parking or standing space adjacent to the building, this courtyard must support everything - delivery, service calls, moving vans, self-move trucks, taxi, shuttle bus, valet, check-in, pickup, drop-off, trash, cleaning, plumbers, electrical, contractors, etc. The BRA should consider if there is enough room for the variety of uses and amount of floor space. Should the floor space be reduced, or should the access road and courtyard area be increased, or repositioned, or could

Stan Kugell

additional subsurface or rear utility parking  
alleviate courtyard congestion?

- (9) Residents of the Waterworks objected to any use of the exit road easement to Beacon Street. This appears to be a private legal dispute over rights to a private road. That dispute should not hijack a public process. All neighbors do have legitimate concerns regarding traffic, including the Beacon Street exit at Waterworks, and the Chestnut Hill Avenue exit. However the BRA should give equal weight to the traffic concerns of all neighbors, without preference for or against Waterworks property owners.
- (10) The residential units should meet the requirements of today's higher-end residential market - size, number of bedrooms and baths, kitchen design, terrace space, large windows, water views, level of finish. I'm told the developer's design has small units that may attract high turnover student rentals, with all the problems dense student population can bring. We should aim higher. Waterworks shows that the neighborhood can support higher end housing that elevates the community.

Aim high - that's the ultimate message. We want a project, and we want one that will elevate Cleveland Circle. Based on their prior projects, this particular developer may need strong oversight and encouragement towards quality over quantity, and lasting results over expediency.

Best Regards,

  
Stan Kugell

cc: John Meunier, Boston Development Group

## Lopez, Erico

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**From:** Matthew Danish [matthew.r.danish@gmail.com]  
**Sent:** Sunday, September 23, 2012 6:01 PM  
**To:** Lopez, Erico  
**Subject:** Comment for 375-399 Chestnut Hill Avenue

Hi Erico,

As I mentioned at the meeting, I want to reiterate the importance of having BDG fully realize the potential of walking and MBTA access to the site. The amount of activity that they envision cannot be served by automobile alone, as it is geometrically impossible to squeeze that many cars into the site, and onto the roads around it. Building additional parking will only cause additional problems with traffic congestion. Instead, the only way this is going to work is if BDG commits to enhancing and promoting non-car access to the site.

Cleveland Circle is a unique part of Brighton and Boston in that it is the confluence of three branches of the Green Line, which only come back together at Kenmore Square. The neighborhood originally developed in the late 19th century when the electric streetcar began operating on Beacon Street. It became extremely popular and many large apartment buildings were erected there. Development along nearby Commonwealth Avenue did not begin until after the electric streetcar began operating along there as well, after 1909. Finally, the Highland branch of the Boston & Albany railroad operated adjacent to what is now the BDG site from 1884 until 1958, and became what is now known as the "D" branch of the Green Line in 1959.

Cleveland Circle directly hosts two stations of the Green Line: the terminus of the "C" branch, and the Reservoir station of the "D" branch, which abuts the site. The "B" branch station Chestnut Hill is two blocks north. Across from the site is Reservoir Yard, a storage and maintenance facility for the Green Line, which sees frequent moves throughout the day in order to meet schedules and balance trains across the three branches.

According to MBTA statistics, Reservoir station sees 3,395 boardings per weekday, making it one of the busier surface stations on the Green Line. Cleveland Circle station has 1,557 boardings per weekday, and Chestnut Hill station has 861 boardings per weekday. If Cleveland Circle was considered a single super-station, then its combined ridership would be greater than Haymarket station downtown. In addition, according to CTPS surveys, the majority of the ridership on the outer "D" branch is to/from the Longwood Medical Area, which is 4 stops away from Reservoir station. At Reservoir station, about 25.8% of those passengers surveyed were going to Longwood Medical Area, compared to the next higher number of 8.0% going to the downtown Financial district.

Other developers seem to be noticing these facts: witness the development being planned at Riverside station in Newton. I think BDG is also interested in tapping into this market, which is why they have chosen this site. That's good: having land adjacent to MBTA stations go vacant is a tremendously irresponsible waste of the city's resources. Transit-accessible land is scarce, but too much of it has been left empty over the years, here and in other parts of Boston.

The scale of the development only makes sense in the context of the MBTA stations available at this site. Without the transit access, the local residents' fears of traffic congestion may come to fruition.

That is why I am requesting a more solid sign of commitment from BDG that they will work towards strong walking, bicycling and transit usage among the users of their site. To that end I have several suggestions, and I am always open to other ideas:

\* Fix the transportation study. There is some clear evidence of cut-n-paste going on in there. I have read the same paragraph about "0.5% increase in traffic" in several such studies, even though MassDOT's data doesn't show any sign of such an exponentially increasing trend. In fact, MassDOT's data on Chestnut Hill Avenue shows a fairly flat traffic level for the past ten years.

\* In addition, the use of colors is even worse than the use of letter grades to describe intersections. Making serious predictions about the activities of thousands of individuals in 2017 is not something that can be done with certainty. But I don't see a single probability distribution in the study. There is far too much certainty in the study. This kind of intellectual dishonesty leads people to disbelieve anything that traffic engineers say. No decent scientist would make such bold and specific claims about the future.

\* Commit to non-car mode share targets among tenant employees on-site, and also do so as far as reasonably possible among residents and hotel guests. Study how it was done in Kendall Square.

\* Hire an expert in transit accessibility to study whether and how the plans make it easier for people to access the Reservoir and Cleveland Circle stations by foot, as well as to provide guidance in promoting and reaching mode share targets.

\* Reduce the number of parking spaces on-site and ensure that the remaining ones are market priced. Every parking space that is used becomes the origin or destination of an automobile trip that clogs up the roads around the site. It is impossible to provide both abundant parking and lowered traffic congestion. It's going to be either one or the other.

\* Study the existing stock in Cleveland Circle and understand how development was able to succeed in the days before minimum parking requirements. Cleveland Circle was a successful neighborhood long before the spread of the personal automobile. BDG would do well to learn from the past.

In conclusion, I think this development is a great opportunity to grow the community in a sustainable way without impacting traffic congestion too greatly. I hope that BDG chooses to take advantage of the incredible public transportation resources that the cities of Boston and Brookline have made available to this site.

-Matthew Danish

**Lopez, Erico**

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**From:** Susan Martin [susanchiswick@comcast.net]  
**Sent:** Saturday, September 22, 2012 4:27 PM  
**To:** Lopez, Erico  
**Subject:** Cleveland Circle Redevelopment Proposal

Sir:

I attended the Cleveland Circle Redevelopment Proposal on Friday 9/21/12 and concur with the objections to the project as raised. One of the project's more egregious mistakes is the building's placement and appearance. It does not take into account its unique visibility as a Cleveland Circle landmark, and from a purely aesthetic viewpoint the building's facade is extremely ugly. I hope these and all other objections will be on the agenda of future presentations and meetings.

Susan W. Martin

## Lopez, Erico

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**From:** Mike Rosloff [mlrosloff@hotmail.com]  
**Sent:** Friday, September 21, 2012 4:31 PM  
**To:** Lopez, Erico  
**Subject:** Cleveland Circle redevelopment project

**Follow Up Flag:** FollowUp  
**Flag Status:** Completed

Dear Mr. Lopez:

I would like to submit my comments regarding the Cleveland Circle redevelopment project (375-399 Chestnut Hill Ave. in Brighton). I attended last night's community meeting on this issue and as a Cleveland Circle resident, I believe this project will have a significant impact on the surrounding neighborhood.

I believe I agree with many of my neighbors that redeveloping the site is necessary. It is my opinion that something needs to go into that vacant and frankly, ugly Cleveland Circle Cinema building. A well-designed hotel would be a huge asset to the community at large, and it seems like it would be economically viable given the neighborhood, and I'm always happy to see good restaurants and retail moving into the area.

However, based on the developer's presentation last night, I am unhappy with the proposal as currently presented. I believe the proposed office/medical space is unnecessary and this is the piece of the development I agree with the least. This would make the site too dense and although I am no commercial real estate expert, I seriously question the need for more office or medical space in this area. Especially given the recent expansion of nearby St. Elizabeth's Hospital in Brighton Center, where my doctor's office is located, I can't imagine there is a need for more medical space in the area. I would imagine most people utilizing the medical offices at the new site in Cleveland Circle would be driving; both staff and patients. And also considering the other world-class medical facilities within a short distance, it does not seem necessary to expand further.

My other major concern is traffic flow in the area as well as overall aesthetics of the building. I do appreciate the developer's apparent concern for planting trees and other landscaping and hope that they continue to design an aesthetically nice site. Although it's already a dense neighborhood with less than ideal traffic flow, I believe the site can be redeveloped without having a significant impact on parking as well as traffic flow. I would encourage further study of how the new site with hotel and restaurant use as well as new residential development would impact parking and traffic flow. I'm close enough to Cleveland Circle that I can walk there as quickly as driving, but parking is difficult enough even given the existing retail that is there.

I had been a renter in Brighton for several years before buying a condo within walking distance of Cleveland Circle three years ago. The reason I decided to stay in this area is because I love Cleveland Circle. It has almost every kind of business I regularly need/want within a short distance, great public transportation access, green space around the Chestnut Hill Reservoir, and overall, very attractive architecture. So I clearly love this neighborhood, and would really hate to see a large-scale project be built that does not fit in with the surrounding area. After all, I chose not to live in Framingham for a reason.

Thank you again for all your hard work. I understand it is not an easy task to plan this type of project given all of the constraints, but I believe this area will benefit ONLY IF the development is designed at an appropriate scale for the neighborhood, and with serious consideration given for traffic, parking, and aesthetics and landscaping.



Respectfully,

Mike Rosloff  
110 Lanark Rd. #5  
Brighton, MA 02135

## Lopez, Erico

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**From:** Bostonmimster@aol.com  
**Sent:** Friday, September 21, 2012 3:01 PM  
**To:** Lopez, Erico  
**Subject:** 375-399 Chestnut Hill Ave.

**Follow Up Flag:** FollowUp  
**Flag Status:** Completed

Dear Mr. Lopez,

We were pleased to attend the meeting at the Hamilton School September 20. My husband and I were sitting towards the back and did not speak, but I'd like to express my views on traffic at Cleveland Circle:

- 1) During commuter rush, which seems to be getting longer and longer, it may take 3 or 4 traffic light cycles on either side of Chestnut Hill Ave. to get through the Circle.
- 2) Originating from the Reservoir station on Chestnut Hill Ave. are 2 MBTA bus routes as well as a Boston College bus. Their activity alone causes traffic jams in the area.
- 3) The MBTA transfers Green Line cars among the B, C, and D lines, often completely blocking traffic in and around the Circle.
- 4) Last night someone mentioned the traffic generated from BC athletic events. This is not only because of football. It continues through the hockey and basketball seasons. Also, I have seen school teams practicing at Cassidy Park as well as many pick up soccer games. These people drive here, most do not take the T.
- 5) I fear the medical offices and huge restaurant with regard to increased traffic. Doctors schedule a minimum of 4 patients an hour, sometimes more. Multiply 4 times the number of medical offices proposed. Even at a low number like 10, that would be an additional 40 patients per hour, most of whom will drive or be driven. As for the restaurant, if it seats 400 and only 1/3 of the patrons drive, parking will be impossible. We love the T and use it regularly, but people coming from the burbs west of the Circle will drive.

In conclusion, I believe the project is far to large for the area. You heard that again and again last night. I thank you for your attention and hope to see you at the next meeting.

Sincerely,  
Mimi Iantosca Costa  
1933 Commonwealth Ave.  
Brighton

## Lopez, Erico

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**From:** Lewis Shepard [lewshel@mac.com]  
**Sent:** Friday, September 21, 2012 2:38 PM  
**To:** Lopez, Erico; Holm, Angela; Mary Cronin  
**Subject:** Last night's meeting

**Follow Up Flag:** FollowUp  
**Flag Status:** Completed

Dear Mr. Lopez,

I thought you did an excellent job at last night's meeting in keeping the flow of comments and the developer's response in balance.

I would like to repeat my suggestion last night that the project is overly ambitious for the size of the site, having been grossly inflated from last year's design. It is as if the developer was deaf to the careful articulated neighborhood attitudes.

As I said at the meeting, I don't believe that there is any need for medical offices at that spot. According to my brief research there are 270 physicians and 70 dentists in Brookline. There are more than 25 available office spaces for lease in Brookline and Chestnut Hill and 1 mile away, the Atrium Mall on Rt. 9 (300,000. square feet) is being converted medical offices.

Mr. Meunier said that his study said that there was a demand for medical space. I would like to see that assertion supported by a report.

I was not joking when I said that by eliminating 19,000 square feet he could save millions of dollars and put less stress on the traffic congestion.

I also question the need for two more taxi stands on the hotel property.

There is one already at the Reservoir MBTA stop (where there are always taxi's and buses staying with running motors>) As a resident at 2400 Beacon Street I would welcome a carefully planned hotel but I think all other parts of this project are unnecessary. There are and have been vacant storefronts on Beacon Street at Cleveland Circle. The recent addition of Starbucks has encouraged student traffic in the neighborhood.

Thank you for your efforts.

Lewis Shepard  
2400 Beacon Street  
#301  
Chestnut Hill, MA 02467  
617-232-1130

## Lopez, Erico

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**From:** cleveland-circle-community@googlegroups.com on behalf of Lewis Shepard [lewshel@mac.com]  
**Sent:** Thursday, October 04, 2012 1:14 PM  
**To:** cleveland-circle-community@googlegroups.com  
**Subject:** {SPAM: 40} :[Cleveland-Circle] This is a letter I sent to Mr. Lopez this week-If I didn't have bronchitis I would be at your meeting.

Dear Mr. Lopez,

I just like to add a further comment on my earlier email about the proposed development at the Circle Cinema site.

This past weekend I was in Evanston, Illinois staying with my son. From his apartment window I was able to look

down on the nearby Hilton Garden Inn, which contains 178 rooms according to the Internet. I'm also appending a photo from their own website. As you can see it is a massive structure, adjacent to two line of interurban Chicago transit systems.

Evanston, if you have not been there, is not unlike Brighton/Chestnut Hill/Brookline, with apartment and single family homes and a large student population from Northwestern University. I suppose that is why they used brick on the first level of the building to blend in with much of the neighborhood's surface texture.

It's not a bad looking building but it is very large. The upper stories would look more at home next to WGBH or the New Balance Building.

I bring this up because the proposed scale of the BDG building does not fit at Cleveland Circle. BDG is stuffing medical offices and retail stores and apartments

in a space best suited just for an hotel. Chestnut Hill Avenue's traffic designation is red and would be getting redder, if there was a way to show it.

I want hotel rooms in the neighborhood, and if there is a restaurant integral to that structure it would be welcome. Anything more would be

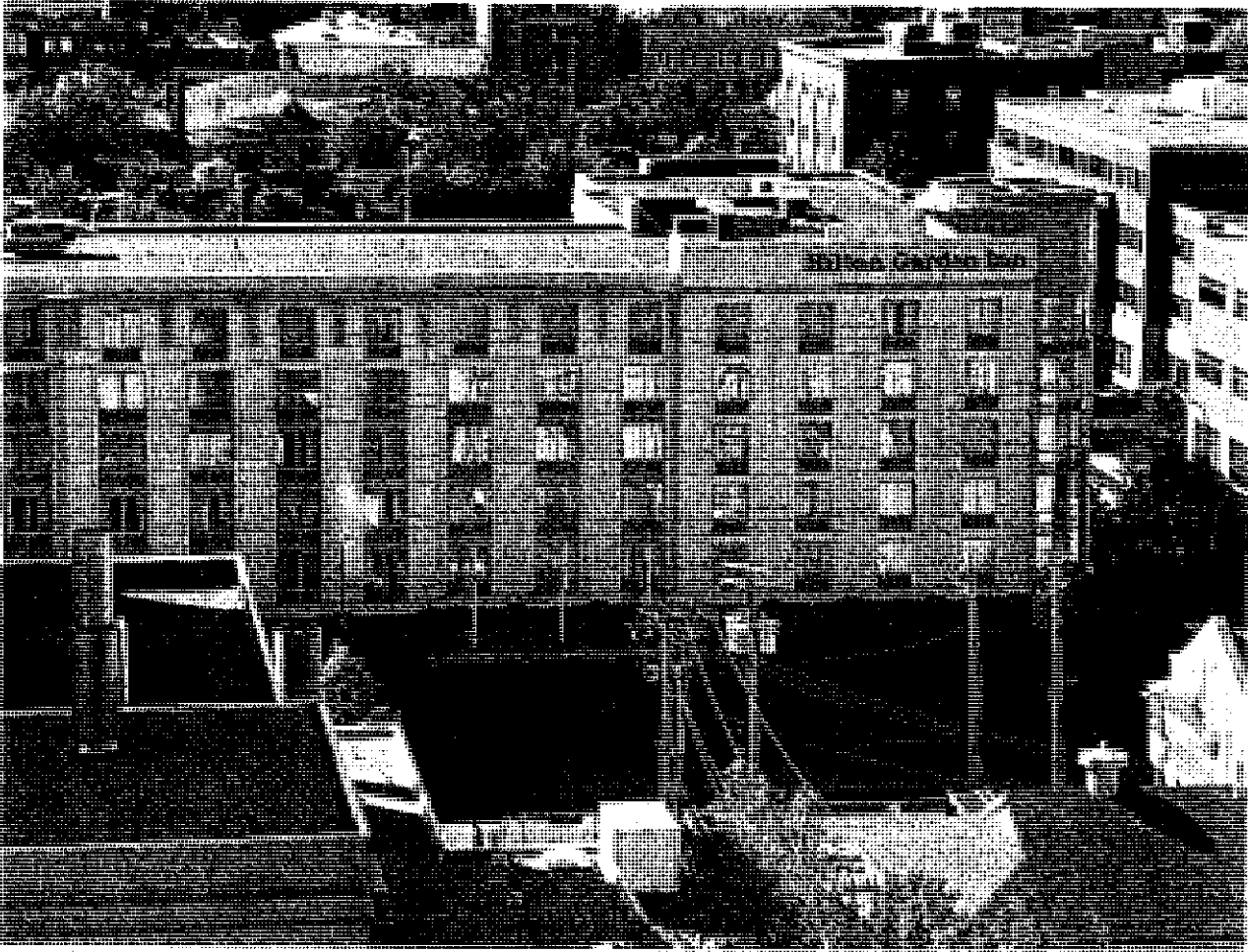
a huge blight on Cleveland Circle. Let BDG orient their hotel towards the Circle, building only on Boston land and ignore the town of Brookline's strictures.

Thank You

Lewis Shepard

2400 Beacon Street

Chestnut Hill, MA



My photo

Hiltner's rendering



## Lopez, Erico

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**From:** Edna Pressler [Edna.Pressler@umb.edu]  
**Sent:** Thursday, September 20, 2012 6:40 PM  
**To:** Lopez, Erico  
**Subject:** 375-399 Chestnut Hill Avenue Project

**Importance:** High

Edna Pressler  
2400 Beacon St.  
Chestnut Hill, MA 02467

September 20, 2012

Erico Lopez  
Boston Development Authority  
One City Hall Square, 9<sup>th</sup> Floor  
Boston, MA 02201

Dear Mr. Lopez,

I write to you out of grave concern over the **375-399 Chestnut Hill Avenue Project** that is proposed by BDG. Approval of this project would be in direct violation of the BRA's values of respect and balance. Rather than respecting the individuals, neighborhoods, and communities of that area who would be left to live with the consequences, approval of this project would respect the developers who would leave the area as soon as the project was complete. Rather than balance the concerns of individuals, neighborhoods, and communities of the area with those of the developers, approval of this project would tip the scale toward those who can pay the highest price for lawyers, publicists, etc. In order to remain true to the values of the BRA, **I URGE YOU TO STOP THIS PROJECT FROM GOING FORWARD.**

As we all know, the Cleveland Circle area is very special. It's unusual to have so many opportunities, so close to the city, for people to enjoy free (or nearly free) access to tennis courts, a swimming pool/ice rink, playing fields, walking/jogging path around a reservoir, and free on-street parking. **Everything must be done to protect Cleveland Circle against development that would jeopardize the safety, health, and well-being of the men, women, and children (not to mention the dogs, geese, rabbits, etc) who currently enjoy its use.** Unfortunately, the BDG proposal virtually guarantees conversion of this area into a danger zone for three reasons: traffic congestion on the main roads; inappropriate use of the Waterworks driveway; and, air/sound/light pollution.

### **Traffic congestion on the main roads:**

In the presentation of their proposal, the BDG shows the intersection of Chestnut Hill Avenue and Beacon Street at a time when there is no traffic at all. This is almost never the case, except at an early hour of the morning. It is not the case the rest of the day and night. In fact, the results of the traffic study that the BDG also presented showed **this is actually already a heavily congested area**, even when there are no snow banks narrowing the lanes (which we know is not uncommon during the winter months). The traffic congestion on the main roads is not only a major annoyance to people traveling through the area, but it is also a **major threat** to people using the recreation areas and living in abutting areas. The reason? Because in heavy traffic, **many drivers get impatient and even angry and they end up ignoring traffic rules that are there to ensure safety.** Multiple times a day even now, drivers enter the Waterworks property via the driveway that says "DO NOT ENTER," they park past the sign that says, "No Parking Beyond this Point," and they neglect to stop when pedestrians are standing in the crosswalk. **Significantly increasing the traffic in this area (which is what the BDG proposal would do) will also significantly increase the number of people who endanger others by ignoring traffic rules, ultimately resulting in disaster.**

### **Inappropriate use of the Waterworks driveway:**

As you know, BDG plans to use the Waterworks driveway as the exit for hotel guests (for a fee). The justification they give is that Brookline "refuses" to allow them to route traffic on to the section of Chestnut Hill Avenue that is in their jurisdiction. If the increase in traffic will be negligible--as BDG implies--there would not be any reason for Brookline to object (especially given the tax revenue they will gain by requiring as many hotel rooms in their part of the project as possible)...yet they do. Obviously, they recognize that this **traffic will have a significant negative impact on even a main road** and on the surrounding neighborhoods. **It really is unconscionable for the alternative to be routing cars and trucks through a driveway that was never meant to be a thoroughfare for such heavy traffic and that runs so close to both the Park and the Watermark.** Anyone who has spent any time in the area knows that it is quite common for balls to end up going out of the Park and into the lawn around the Watermark. **Cars going out the driveway could easily end up hitting a person chasing the ball or could run into the building in an attempt to avoid hitting a person.**

In addition, the driveway barely meets the current needs of residents. It is very narrow and blocked several times a week by moving trucks, MWRA vehicles, and/or condominium maintenance vehicles (e.g., trash collectors, lifts for window-washers, etc.). Similar to the situation on the main roads, a significant increase in the traffic through the driveway will cause major back-ups which will also significantly increase the number of people who endanger others by ignoring traffic rules, ultimately resulting in disaster. **The fact that the Museum Board is willing to sell use of the driveway to BDG does not make it right or safe!**

### **Air, sound, and light pollution:**

While the danger posed by traffic on the main roads and on the Waterworks driveway could result in immediate injuries and fatalities, **the health and well-being of people who currently enjoy use of Cleveland Circle is likely to be compromised over time by the air, sound, and light pollution produced by this project.** Right now, Cassidy Park and the Chestnut Hill Reservoir offer a kind of city oasis, with (relatively) fresh air, the sound of fans cheering a baseball player around the bases, and beautiful views of the sunset. If the BDG project is completed, people in and around Cassidy Park and the Reservoir will breathe in exhaust fumes from all the traffic going into and out of the hotel/apartments/retail and medical offices; they will hear frequent honking and cursing of drivers frustrated by delays; and, they will see the glare of artificial lights. **What makes Cleveland Circle special, namely, that it is a place where people can go to play sports, exercise, relax, and be out in nature for free, will end.**

I realize that as a resident of the abutting property, my grave concern about the 375-399 Chestnut Hill Avenue Project may not be taken seriously or may even be dismissed as arising out of self-interest. While I fully expect my property value to go down if the BDG project is completed, I know that it will be easier for me to sell my condo and move back to Brookline (where I lived before and where the town fights for its citizens) than it will be for the parents of a child who is killed to bring their child back to life or for a driver who is paralyzed to regain use of his/her limbs. While raising the specter of such terrible events might sound like a scare tactic, it is not. **It is a realistic appraisal of the risk, based on having seen what happens day-in and day-out in the area under consideration for this kind of redevelopment.**

Please, Mr. Lopez, **do the right thing for the health, safety, and well-being of the men, women, and children who currently enjoy use of Cleveland Circle.** Do not let the 375-399 Chestnut Hill Avenue Project go forward. Uphold the BRA values of respect and balance.

Thank you very much for your consideration.

Sincerely,

Edna Pressler

PS Please know that I was not able to attend the meeting tonight due to work obligations. My absence at the meeting should not be taken as a sign of indifference by any means!



## Lopez, Erico

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**From:** Sandra Rothenberg [artsgirl50@hotmail.com]  
**Sent:** Thursday, September 20, 2012 2:32 PM  
**To:** Lopez, Erico  
**Cc:** Sandra Rothenberg  
**Subject:** {SPAM: 40} :Development for Cleveland Circle

Dear Mr. Lopez,

I am unable to attend the meeting tonight for the hearing of the real estate development site of the former movie theater in Cleveland Circle, Brighton. However, I have looked at the plans, and believe it to be extremely detrimental for the neighborhood. I have lived and owned my condo in this neighborhood for over 10 years, and see that there are already problems with traffic and parking in the Cleveland Circle area. The current real estate proposal, not only does not accommodate extra traffic or extra cars well, but makes an already bad situation much worse. The development is way to real estate dense for this site or this neighborhood.

I also think it is wrong for Brookline to support this proposal. First of all, Brighton is not their town, and secondly, I believe it will have negative effects on the Brookline neighborhoods that border Cleveland Circle and on the traffic on Beacon Street in Brookline.

Thank you for your time and consideration.

Sincerely,

Sandra Rothenberg  
9 Braemore Road, #4  
Brighton, MA 02135

## Lopez, Erico

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**From:** Hwglaser [hwglaser@aol.com]  
**Sent:** Thursday, September 20, 2012 2:23 PM  
**To:** Lopez, Erico  
**Cc:** Klgaser@aol.com  
**Subject:** BDG Cinema Development Project at Cleveland Circle

Dear Mr. Lopez:

My wife Karen and I live at 2400 Beacon Street in the Watermark Condominium Building located within the Waterworks Park. We along with the majority of Residents living at the Waterworks Park are looking forward to the completion of improvements expected to be made to the adjacent Cinema property. It goes without saying that we are very concerned that any BRA approvals should not be unduly influenced by the Town of Brookline's effort to unfairly interfere with the enjoyment of our property or for that matter the overall proper enhancement of the Cleveland Circle Area by both restricting the use of the property and by causing the Driveway Easement running by our Unit to become Overloaded. Therefore, we want to bring the following specific matters to the attention of the BRA for consideration before the current Development Proposal is approved:

1. The Project is too large and the inner Courtyard designed to accept all incoming traffic is too small likely to cause serious backups onto Chestnut Hill Avenue; and
2. There is inadequate parking planned for the employees, tenants, patients and hotel guests; and
3. Unlike Waterworks Park no landscaped Green Space consistent with adjacent properties has been planned; and
4. Little, if any, consideration has been given to mitigating the impact on the Roadway Easement running by our Unit to wit:

a. Unfamiliar Hotel Guest will be using the Roadway Easement when it would be far better for the Apartment Tenants to use it because they would become more familiar with its shared use with Waterworks Park Unit Owners, Persons using the Tennis Courts, Children crossing the Easement to play at the Park and the Roadways curves and narrowness; and

b. The Developer has not offered any solution to the backups occurring at Beacon Street especially when making a left turn out of the Roadway Easement, nor has it considered the ability of the users to use other Waterworks Park Roadways wherein they do not have easement rights; and

c. The Developer's Traffic Engineering Studies leave a lot to be desired for their failure to take into consideration the fact that there continues to be a lack of control of the number of vehicles allowed to use the Roadway, that the original Roadway Easement was wider and straighter then the current Roadway, and that the Cinema Lease was to expire in 2015.

The Developer withdrew its original Plan and resubmitted the current Plan without addressing the many Community Concerns that were brought to its attention more than one year ago. We are hoping that the BRA will not rush to judgment and is now prepared to address the Community's concerns and help cause the Project to better serve the interest of the entire Cleveland Circle Area.

Please allow me to thank you and the BRA in advance for your anticipated consideration and kind attention to our situation.

Very truly yours, Howard and Karen Glaser, Unit 408, 2400 Beacon Street, Chestnut Hill, MA 02467

## Lopez, Erico

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**From:** vesna besarabic [vesna@orinoco.bz]  
**Sent:** Wednesday, September 19, 2012 3:14 PM  
**To:** Lopez, Erico  
**Subject:** Cinema Project Chestnut Hill Avenue

Dear Mr. Lopez,

I am pleased that this project is proceeding and look forward to days when I will no longer look out my living room window to see a filthy parking lot, grafitti and occasionally a human corpse.

I have, however, two concerns about this development.

One, Boston Development Group is getting a lot and not giving anything in return. I would like to see improvements to the currently truly pathetic Cleveland Circle. Logic would dictate that Cleveland Circle should be converted back to a circle to eliminate traffic bottlenecks, fumes from idling cars, dangerous left turns and the ongoing menacing of pedestrians and bicyclists by careless car drivers. I ask you to think of Columbus Circle in New York, which a few years ago was converted from a dreadful place with auto lanes criss-crossing it to a far safer circle with a lovely park and fountain in the middle of it. I think BDG should be responsible for making this improvement.

The second item I am concerned about is that Brookline is dictating what traffic is allowed to exit from the Cinema property onto Chestnut Hill Avenue. I cannot understand why this municipality is dictating traffic patterns to the City of Boston.

Thank you for considering my suggestions.

Sincerely,

Vesna Besarabic  
2400 Beacon Street, Unit 213  
Chestnut Hill, MA 02467

## Lopez, Erico

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**From:** Alexander Poulos [alex@launchpad.co]  
**Sent:** Wednesday, September 19, 2012 12:36 PM  
**To:** Lopez, Erico  
**Subject:** Redevelopment of Circle Cinema Site

**Follow Up Flag:** FollowUp  
**Flag Status:** Completed

To: Mr. Erico Lopez, BRA

One City Hall Square, Boston MA 02201

From: Alexander Poulos

2400 Beacon Street, unit 302

Boston, MA 02467

Re: Redevelopment of former Circle Cinema site

Mr. Lopez, hello.

My wife and I have been happy residence of the Watermark building (2400 Beacon Street) for about four years now. Since moving in, we often wondered – what’s going to become of that dilapidated building next to us - known as the former Circle Cinema.

When we first learned of the redevelopment plan – both for the Circle Cinema building and the current Applebee’s, we were in fact quite excited. A “higher-end” restaurant and “boutique hotel” were rumored to be moving in. Those rumors were fueled by tantalizing leaks from the developers as to their plans to “greatly improve the site”.

But our excitement has quelled some, as we've learned that the "plan" is for a much bigger and more intrusive undertaking - some 40% bigger than first proposed - and one that may fall well short of "improving the site" and perhaps negatively impacting our community as a whole.

I’d like to express three concerns as I see them:

- Traffic Congestion is a major concern to those who live and work in the Cleveland Circle area. Driving into the already congested and often confusing Cleveland Circle intersection can be a real challenge – particularly during the winter months when road access and lanes are restricted by snow fall and snow mounds. Frankly, and without any "official" knowledge, I dare say Cleveland Circle is one of the *worst intersections in Boston*. There is a near miss - be it driving, walking, or biking - daily. Those of us who live there, have all seen and/or experienced this.

· Related to the traffic concerns - I understand that Brookline has mandated that a large portion of site traffic needs to exit the property using the access road to Beacon Street. Beyond maps and measurements – has anyone actually looked at the road? It is narrow, winds along the Watermark building, and was clearly not meant for heavy traffic. I have personally seen mishaps by other drivers in navigating the road during snow and ice conditions, and just last year our own landscaper in a 3/4 ton truck smacked into railroad beams used as supports for the road. Increased traffic through that confined space – could very possibly result in increased incidents. Which leads me to a valid concern – who would be responsible if an incident occurs? Or say we have work going on which blocks the road – window washing, landscaping, roof repair, people moving into the build, etc., all quickly come to mind. And in my four years living at Waterworks – I have seen each of these cases “block” the road.

· Last – and this is more of a personal comment – my wife and I decided to moved to the area, as we knew it to be a revitalized and “up and coming” part of town. We both work in the area – I in Newton and my wife at BC. We dine in the area. We enjoy the parks, the reservoir paths, and the close proximity to shops and restaurants. We don't want to see the community as a whole take a big step backward - be it for us, for our neighbors in the Watermark building, and for the entire community around Cleveland Circle.

Mr. Lopez, please know that my wife and I are not opposed to redevelopment just for the sake of slowing down progress or preventing any development from happening. We are very much in favor of a well planned, well understood, attractive, and community improving project that will uplift the neighborhoods around Cleveland Circle - and not take away from Cassidy Park and the Reservoir. I simply ask that the overall scale of the project be and the use of the access road be reconsidered. Compromise is part of any project. Frankly its a part of life...there are always trade-offs. So perhaps an amicable compromise can be made, regarding building size and usage, working with the developer?

The reality is - we ( the developer, the BRA, residents of the Cleveland Circle community) all have *the same goal* - a successful redevelopment of the site. With just a little common consideration - that goal can be achieved for all of us.

Thank you for your overall efforts with this matter - and for your time and consideration in reading this note.

Sincerely,

Alex Poulos

Watermark 302

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## **Lopez, Erico**

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**From:** Leslee Winston [lesleekw@me.com]  
**Sent:** Wednesday, September 19, 2012 8:25 AM  
**To:** Lopez, Erico  
**Cc:** Leslee Karol Winston  
**Subject:** Chestnut Hill Proposed Project

Dear Mr. Lopez,

I am a resident of the Waterworks, and I am very disheartened and rather shocked with the proposed plan with use of our driveway.

It's a sorry state of affairs when money is put before safety. Sadly, we see this happening over and over. But we are going to do our best to deter you from allowing this horrendous situation to occur.

The Boston Development Group seems only concerned about making money. Their project at Cleveland Circle will create havoc on Chestnut Hill Ave and all surrounding roads. We already are dealing with a major bottleneck at Cleveland Circle. What they are proposing makes no sense, and should never be allowed.

When we, the owners of Waterworks purchased our units, we were only dealing with a cinema. The traffic was minimal, at best.

The game has changes, the players have changed, and new rules need to be applied. First and foremost, there is no way that this new project can have access to Watermark driveway, The safety hazard it will create would be disastrous. If the proposed project were to have access, eventually our driveway would become as busy as any public road, and I can assure you that was not the intention when this complex was built. That is precisely why the driveway is winding and curvy ~ so no one can speed around. Those of us who live here go slow and take caution. Before they put the fence up, we have all seen random people who have discovered they can cut through from Chestnut Hill Ave speed around our driveway, where children, adults and pets cross.

To allow access to our driveway would be asking for disaster, and setting the scene for tragedies. There is no question that this is not an option. Our driveway was not built to handle heavy traffic, and that's exactly what this project will produce.

The project proposed is much too large to facilitate the parking that would be needed. It's simply not there. Access to our driveway is a major safety hazard, and should never even be considered as part of this plan.

Please consider what I have said, and I know others here have said. We need to preserve the integrity and safety of our complex. What you are proposing would destroy that, and we cannot allow this to happen.

Sincerely,

Leslee Winston  
Unit 410  
Watermark