

Linda M. Finucane

From: jske514@aol.com
Sent: Tuesday, March 31, 2015 3:45 PM
To: Marc C. Laredo
Cc: Alexandra Ananth; Linda M. Finucane; Daniel Sexton; jske514@aol.com
Subject: RE: Petition #2-15, 300 Boylston Street (Atrium Center)

TO: Marc Laredo, Chair, Board of Aldermen Land Use Committee

FROM: Janice Kahn, Chestnut Hill Village Alliance (an association of Newton and Brookline residents of Chestnut Hill)

DATE: March 31, 2015

As a founding member and spokesperson for the Chestnut Hill Village Alliance, I am submitting the following comments for consideration by the Land Use Committee at tonight's continued hearing.

Specific community issues not addressed in materials referenced below. In looking at the trip generation document from Vanesse and Associates dated January 28, 2015, there is information on the % of each use that will occupy the 260,000 s.f., and the number of trips generated by use, which finds that this proposed reuse of the Atrium site will not create more car trips than the previous, fully retail site had generated - and may in fact produce slightly fewer trips. What is not addressed by this traffic analysis, and what is of even greater concern to the neighborhood is the way traffic (cars and delivery trucks) will move in and out of the site.

The neighborhood has had some experience with this potential problem. When the Atrium first opened in 1984 the community negotiated with the developer not to allow cars to exit through the back onto Florence Street. This unwritten agreement, which may or may not have been conveyed to subsequent owners, was violated to the point where there was signage within the garage directing cars to exit onto Florence Street.

The question, therefore, is how will traffic be directed to and from the site? Will cars be directed out the back of the Atrium Center? Will cars be encouraged to use the Route 9 exit? Our experience is that some drivers will find the Florence Street exit and we understand that. The issue is signage for directing the path that cars will normally take as they exit the site. And **we would hope that a Florence Street exit is not used as a preferred, signed, exit.** Delivery truck routing is discussed further down in this document.

Regarding the Memo from Linda Walsh, Chair of the Newton Biosafety Committee, addressing the issue of ongoing oversight. I am pleased to see the recommendation for establishing an Institutional Biosafety Committee which includes members from the community (appointed by the Mayor and the BOA) and representatives from the Health and Human Services Department, to inspect the facility annually and review and approve all work requiring biosafety regulation.

The Town of Brookline evaluated a proposal for a BL1 and BL2 in Brookline Village some years back. The Director of Public Health and Human Services in the Town identified three points of oversight should the project proceed:

1. At the outset, an independent consultant with a strong background in architecture laboratory construction and safety would be retained by the Town to oversee specification and design work on the project. (The developer agreed to finance this.)
2. For the construction phase, an independent clerk of the works with experience in building laboratories would be retained by the Town to ensure that all specs and designs are adhered to in construction. (The developer agreed to finance this.)
3. As a tenant is identified, we would retain a person with a strong background in bio-safety to oversee the tenant's IBC (Institutional Bio-safety Committee), to do periodic inspections and reports, and to generally ensure adherences to all NIH guidelines. (This would be financed via a permit fee on the firm (s) occupying the building.)

The other safety issue of course is related to safety in labs, fires and chemical spills, etc., which involve the Fire Department's requirements to prepare to handle any eventuality. Mutual aid agreements could require responding to lab accidents in Newton and Brookline, and other municipalities who might be called upon. The Town required information in advance on any chemicals used in the lab, as well as where in the building these chemicals would be stored and used, and I note that Newton intends to do this as well.

The Town of Brookline also wrote zoning for this new use (BL1 and BL2 were approved uses):

[From the use table in the zoning]

Research laboratory for scientific or medical research, with a Biosafety Level of Level 1 or Level 2 as defined by the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, and National Institutes of Health, provided the use is located on a lot with no less than 50,000 square feet and no more than 65,000 square feet in area and is operated in compliance with all town, state and federal health and safety regulations, and that thirty days prior to a Board of Appeals hearing on the use, and annually, a report detailing hazardous materials operations, processes, disposal and storage shall be reviewed and approved in writing by an independent recognized expert, the Fire Chief and Director of Public Health and Human Services.

Biosafety Levels 3 and 4 are prohibited in the Town of Brookline, as they are proposed to be prohibited at the Atrium Center site, which is essential to the safety and well-being local residents.

Regarding Board Order (draft) Appendix D, dated April 6, 2015: Conditions 2, 7e, and 12

Condition 2: All laboratory tenants planning to conduct rDNA research or use rDNA technology shall be limited to Biosafety Levels 1 and 2, and the development of a laboratory conducting rDNA research or using rDNA technology at a Biosafety Level 3 or above shall be prohibited.

After considerable review of a similar proposal in Brookline, Biosafety Levels 3 and 4 are also prohibited in the Town of Brookline. Biosafety Levels 1 and 2 were found to be appropriate, given proper oversight by both the Health and Fire departments.

Condition 7.e. Proposed truck route(s) that minimize travel on local streets.

It should be noted that trucks are prohibited from traveling on Hammond Pond Parkway, and therefore trucks must approach the site from Route 9 to minimize travel on local streets.

This condition relates to the construction of the site, but it should also be a condition of general approval for this project that delivery trucks need to travel in from Route 9 and not Hammond Pond Parkway or through narrow Heath Street which is nearly all residential.

Condition 12: That the final design, color, and illumination of the proposed signs shall be reviewed and approved by the Director of Planning and Development for consistency with the submitted sign package. **We hope that illuminated signs will largely be directed toward the commercial area on Route 9 and not into the residential neighborhood.**

I hope this information is useful in your discussions.

Sincerely,

Janice Kahn
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