



**MERRILL &
MCGEARY**
ATTORNEYS AT LAW

Michael W. Merrill, Esq.
mmerrill@merrillmcgeary.com
Phone: (617) 523-1760
Fax: (617) 523-4893

May 8, 2024

Board of Trustees
The 108-118 St. Paul Street Condominium
c/o Corinne Getchell
Cyrus Holding Corporation
1089 Commonwealth Ave. #368
Boston, MA 02215

via email: cgetchell@cyrusboston.com

Re: Water Drainage
Onto 100 St. Paul Street Condominium
Brookline, Massachusetts

Dear Corinne:

I represent the Board of Trustees of 100 St. Paul Street Condominium ("100 St. Paul"). The Trustees requested I write to you as the managing agent for 108-118 St. Paul Street Condominium ("118 St. Paul").

100 St. Paul has been experiencing a significant amount of runoff water from 118 St. Paul's paved parking lot which flows under the fence at the corner of the property where 100 St. Paul meets 118 St. Paul. The water runoff has eroded the backyard landscaping and deteriorated the existing 3-foot-tall retaining wall and wood posts at 100 St. Paul. The runoff is such that no new landscaping can be planted, and the rear yard cannot be improved.

100 St. Paul retained Farzam Maleki, PE to inspect 100 St. Paul and he provided the Trustees with the enclosed report.

The Trustees at 100 St. Paul are asking the Trustees at 118 St. Paul to take measures on 118 St. Paul's property to drain the surface water runoff before it gets to 100 St. Paul, most likely by installing a drainage system in the parking area.

Please review my letter and the engineer's report with the Trustees and get back to me.
Thank you.

Very truly yours,


Michael W. Merrill

MWM/dmd
Enclosure

Structural Investigation Report

Property Address:

100 St. Paul Street, Brookline MA, 02446

Prepared For:

The Hofeller Company



Prepared by
**SurfZone Engineering
Consultants LLC**
February 10, 2024



Farzam S. Maleki, PhD, PE

INTRODUCTION

The subject structure was visited on February 1, 2024. The issue is in the backyard of the rowhouse condominium built in 2006.

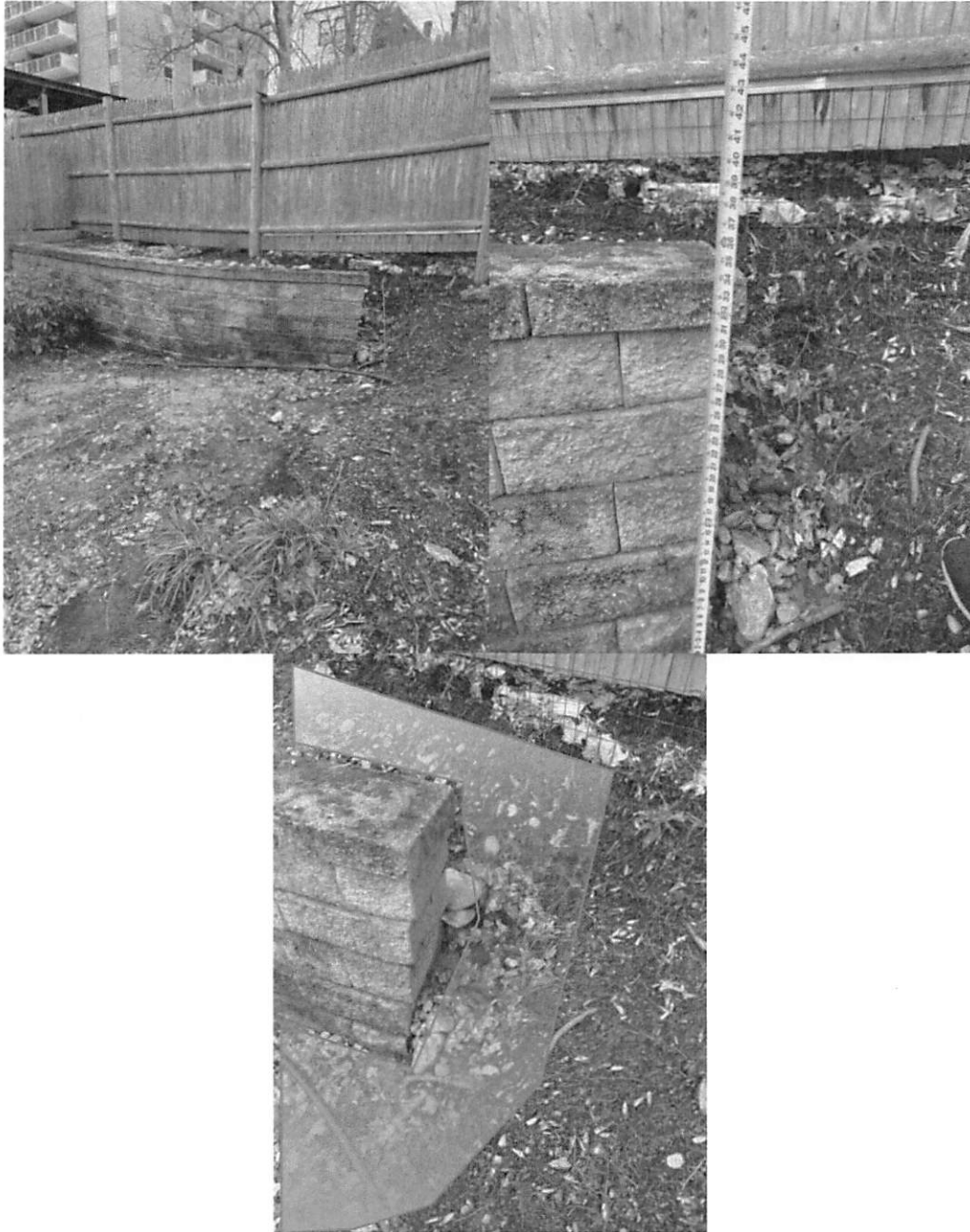


PURPOSE, LIMITATIONS, AND SCOPE OF INVESTIGATION

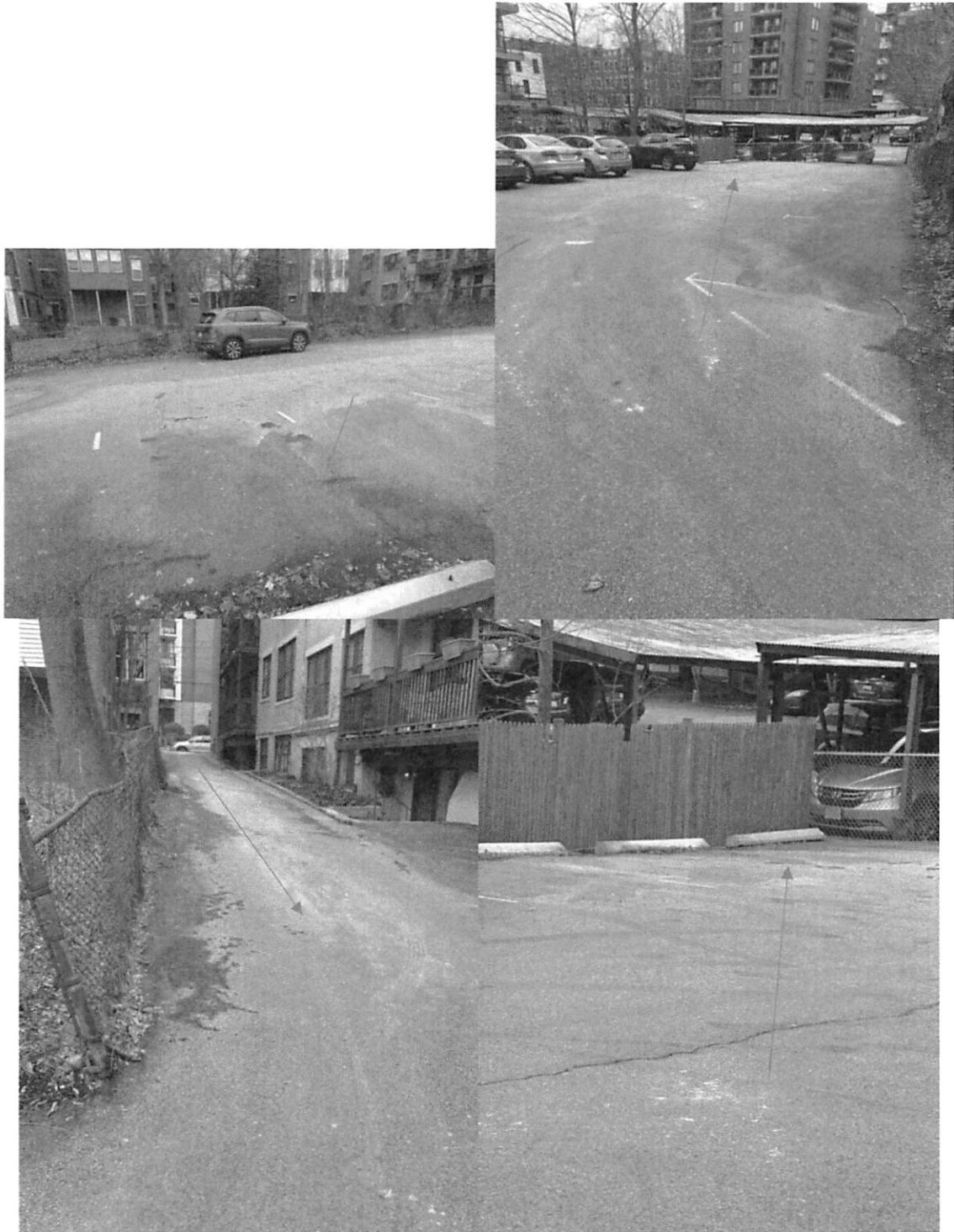
- This inspection assessed the backyard's overall condition regarding the water runoff from the neighbor's parking lot and the resulting soil erosion issue.
- The scope of this inspection included visual observation of structural components and highlighting the areas of concern.
- No special testing was performed to determine the quality of the material used in the structure.
- This report only covers the safely accessible and exposed areas related to the scope of our visit, as discussed during the walkthrough. While the utmost efforts for a thorough and comprehensive inspection have been made, there would be no warranty or guarantee regarding the inspected structure due to the level of uncertainties. This report has been prepared to the best of our engineering judgment.

FIELD INVESTIGATION FINDINGS AND RECOMMENDATIONS

The right neighbor at 108, 114, and 118 St. Paul St. condominium residential buildings has over 8,500 sqft of paved parking lot without a drainage system. The pavement sloped toward the 100 St. Paul St. backyard. A significant amount of runoff water flowing under the fence at the corner of the property lot has eroded the backyard landscaping and deteriorated the existing 3-foot-tall retaining wall and wooden posts.



Considering the impervious area of the right neighbor, complete stormwater calculations design and runoff analysis of the impervious surface are required to comply with the Town of Brookline Stormwater management requirements.



In 2020, a landscaping project was completed at 100 Saint—Paul St. address. The project consisted of an underground drywall installation in the backyard to collect the rainwater from the downspouts. Due to the size of the backyard and lack of access to heavy excavation equipment, there is no further capacity to accept overflow runoff water from the adjacent parking lot.



The damaged and polluted backyard area by runoff water and the suspended solids discharged from the neighbor's property was observed during the site visit. Proper media filters need to be installed on neighbor's side to collect and remove the TSS.



This inspection and attached report only cover the safe and accessible areas of concern, which have been discussed during the walkthrough.