



PLANNING BOARD

Linda K. Hamlin, Chairman
Steven A. Heikin, Clerk
Robert Cook
Blair Hines
Sergio Modigliani
Matthew Oudens
Mark J. Zarrillo

Town of Brookline Massachusetts

DRAFT

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**BROOKLINE PLANNING BOARD MEETING MINUTES
Room 111, First Floor, Brookline Town Hall
January 21, 2016 – 7:30 p.m.**

Board Present: Linda Hamlin, Steven Heikin, Robert Cook, Blair Hines, and Mark Zarrillo

Staff Present: Polly Selkoe, Maria Morelli

Chair Linda Hamlin called the meeting to order at 7:30 pm.

BOARD OF APPEALS CASES

16 Eliot Crescent – Construct dormers requiring side yard setback relief (1/21) Pct. 14

Polly Selkoe described the relief requested: The Planning Board had previously approved the design of the attic and dormer and basement window; however, after the Board meeting, it was discovered that the architect's site plan incorrectly included the area within the easement as part of the setback. The corrected drawing shows that the front yard setback is not compliant.

Linda Hamlin and Steven Heikin asked about the projection of the Juliet balcony to ensure that it does not extend more than three feet. The architect confirmed that the depth of the projection is compliant and provided a corrected drawing to the Board.

There was no public comment.

Linda Hamlin motioned to recommend approval.

Robert Cook seconded the motion.

Voted (5-0): The Planning Board recommends approval of the special permit relief per the plans by Phil Hresko, dated 1/7/2016, subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit three copies of the final site plan, elevations and floor plans, subject to the review of the Assistant Director for Regulatory Planning or designee.

2. Prior to the issuance of a building permit, the applicant shall submit to the Building Commissioner for review and approval for conformance to the Board of Appeals decision:
1) a final site plan stamped and signed by a registered engineer or land surveyor; 2) final building elevations and floor plans stamped and signed by a registered engineer or architect; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

850 Commonwealth Avenue – Convert gas station from full-serve to partially self-serve (1/14) Pct. 1

Polly Selkoe described the relief requested. Because the property is on Commonwealth Avenue, design review under Section 5.09 was triggered. Nonetheless, no exterior modifications are proposed. In addition, the bylaw requires a special permit for partial-service use.

Steven Heikin questioned a label on one of the drawings that reads “leaded gas.” Mr. Audy, brother-in-law of the applicant, confirmed that leaded gas is not sold anymore.

Robert Cooks noted that the corner of Commonwealth Avenue and Amory Street is very busy; he asked if there is a history of accidents at the site. Mr. Audy responded that configuration of the site and driveways has not presented problems to drivers.

There was no public comment.

*Linda Hamlin motioned to recommend approval.
Robert Cook seconded the motion.*

Voted (5-0): The Planning Board recommends approval of the site plan submitted by engineer Edward M. Sabbagh, dated 10/31/88, subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit to the Building Commissioner for review and approval for conformance to the Board of Appeals decision:
1) a final site plan stamped and signed by a registered engineer or land surveyor; and 2) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

25 Alton Court – Renovate three-family dwelling, relocate basement living space, and construct a roof deck, requiring floor area ratio and usable open space relief (1/14) Pct. 7

Polly Selkoe described the relief requested. Although the former living area and storage space would be switched in the new plan, living area cannot be decommissioned. Therefore, the area of the proposed storage must be counted toward FAR.

On behalf of his client, attorney Jacob Walters added that because the yard exceeds a slope of 8%, it does not meet one of the criteria for usable open space. The 400 sf roof deck was designed to

better meet, though it does not satisfy, the open-space requirement. Only 50% of the deck's floor area can be counted in the open space calculation.

Steven Heikin asked if the units would be condominiums or rental. He questioned how storage space would be distributed among the units. The applicant responded that units would be sold. Currently the building is vacant and undergoing renovations; the proposed configuration does not show the storage space that is being planned for each of the units.

Robert Cooks asked if the creation of the roof deck is intentional or merely an attempt to meet the open space requirement. Attorney Walters responded that it was primarily designed to better meet the open-space goal; however, it falls short of the minimum space required.

Blair Hines stated that the plans do not include a certified site plan. The mortgage plot plan is not a certified plan; furthermore, it was difficult to read. Mr. Heikin and Mr. Zarrillo agreed. Mr. Zarrillo added that if the Board is being asked to make a recommendation about the dimensional relief required, an accurate site plan with topographical information is imperative. Board members wanted to confirm that the slope is 8% or less, a criterion for usable open space. Mr. Hines asked if a certified site plan is a required component of the Building application. Ms. Selkoe responded that it is up to the Building Department.

Linda Hamlin asked if mechanicals were going to be added to the plans. The architect confirmed that they would be. The headhouse is existing.

Steven Heikin noted that no rear elevations were provided.

Mr. Hines asked why usable open space amenities were not provided for the basement unit. Both he and Mr. Heikin felt that the architect missed an opportunity to build a patio or reasonable amenity in this area.

Public Comment:

Barbara DeVries lives in a separate building within the same condominium complex and was concerned that a patio could be impactful. She requested an opportunity to look at the proposed amenity with other condo owners.

The Board generally agreed that the comments section of the Planning Board report should include the following concerns for the record:

- The plan needs to be perfected with the inclusion of a certified site plan that features a topographical survey and rear elevations.
- If approved by the condo association, a patio for the basement unit could help the applicant meet the landscaped open space requirement.

Linda Hamlin motioned to recommend approval.

Mark Zarrillo seconded the motion.

Voted (4-0): If the Board of Appeals finds that the statutory criteria for granting a variance are met, the Planning Board recommends approval of plans submitted by Guy N. Grassi, dated 3/6/2015, and the site plan submitted by Guy N. Grassi, dated 11/30/2014, subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit final floor plans including gross floor area calculations and roof deck dimensions, and a surveyed final site plan including lot topography, subject to review and approval by the Assistant Director for Regulatory Planning.
2. Prior to the issuance of a building permit, the applicant shall submit to the Building Commissioner for review and approval for conformance to the Board of Appeals decision:
 - 1) a final site plan including lot topography stamped and signed by a registered engineer or land surveyor; 2) final floor plans stamped and signed by a registered architect; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

Mr. Hines abstained.

39 Columbia Street – Construct garage in the rear yard, requiring rear yard setback and usable open space relief (1/28) Pct. 9

Maria Morelli described the relief required. Attorney Robert Allen and architect D' Artagnan Brown presented the proposal on behalf of client Belinda Hunzinger.

Mr. Brown stated the he proposes to set the garage roof deck back five feet from the rear and left side of the garage to meet abutters concerns.

Blair Hines noted that relocating the garage would more open space at the ground level. Also, by eliminating the deck and installing a ground-level patio area, the usable open space calculation would improve: 100 percent of the ground level patio could be factored into usable open space versus only 50 percent of the garage deck area.

Steven Heikin added that he did not consider the proposed deck setback an effective compromise. In addition, he recommended making the stairs between the house and the garage narrow to allow for increased walking area on the landing.

Public Comment:

Charles Morgan and Cathy Loula, left side abutters, stated that removing the deck does not resolve their concerns. They consider the proposed two car-garage itself to be most impactful.

Jon Danzinger, the right side abutter, felt that the lot is too tight for a two-car garage and interrupts what he perceives as the uninterrupted sightlines across the rear yards on this block. Because he and the applicant share a driveway, he was concerned about snow clearing and storage that might hinder driveway access.

Linda Hamlin asked if an easement exists for the common driveway. Attorney Allen responded that, although there is no easement, the respective deeds specify the rights to use the common driveway.

Mr. Hines asked if the proposed garage's massing and setbacks were consistent with the surrounding neighborhood. Attorney Allen responded that eleven garages exist on this block and that not all were represented on the atlas maps.

Robert Cook asked if any Russell Street neighbors were present to comment. None were; however, the Columbia Street abutters noted that garages with decks were atypical.

Ms. Hamlin was concerned about the amount of asphalt paving that would need to be installed to allow access to the garage. She also thought that all the stairs made the proposal unattractive. She was not in favor of the proposal because she was concerned about setting a negative precedent, especially if usable open space requirements are not being met.

Mr. Heikin supported a proposal that would increase open space by relocating the garage closer to the common driveway, even if the applicant must obtain an easement for backing vehicles onto the abutter's portion of the shared driveway. He felt that the garage deck was an effective use of that surface area. He recommended landscaping along those edges of the garage.

Mr. Hines supported moving the garage closer to the common driveway and said he would be in favor of a smaller deck.

Mark Zarrillo was not supportive of the garage roof deck.

Because the Board generally would support the proposal with design modifications, it recommended continuing the case. Attorney Allen and his client agreed to continue the case.

Ms. Selkoe reminded the project team that the ZBA date would need to be postponed.

CASE CONTINUED.

118 York Terrace – Construct a second-story addition above sunroom, requiring FAR, front-yard setback, and design review relief (1/28) Pct. 11

Maria Morelli described the relief requested. The architect presented plans on behalf of applicant Gerry Dwyer. Attorney Allen clarified that the addition is proposed off the second floor and above the existing sunroom. The sunroom will not be demolished but will be rebuilt.

Michael Yanovitch was present to comment and supported allowing the addition.

No members of the public commented on the project at the meeting; however, letters of support were submitted.

Steven Heikin noted inconsistencies in the elevations; namely, the alignment of the fascia of the second-floor addition with the existing eave line. Linda Hamlin commented on the proportions of the window lights; she felt that the drawings were not done accurately and needed to be refined to convey what is intended. She felt that the design was very heaving and tall; the sizes of the windows on the addition should be in proportion to the existing windows.

The Board generally supportive of the proposal but requested that drawings be corrected as noted.

Linda Hamlin motioned to recommend approval.

Robert Cook seconded the motion.

Voted (5-0): The Planning Board recommends approval of the plans by Sousa Design, dated 11/03/2015 and 11/16/2015, subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit final plans and corrected elevations subject to the review and approval of the Planning Board.
2. Prior to the issuance of a building permit, the applicant shall submit a final landscape plan indicating all counterbalancing amenities subject to the review and approval of the Assistant Director of Regulatory Planning.
3. Prior to the issuance of a building permit, the applicant shall submit to the Building Commissioner for review and approval for conformance to the Board of Appeals decision: 1) a final site plan stamped and signed by a registered engineer or land surveyor; 2) final building elevations and floor plans stamped and signed by a registered architect; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

PUBLIC COMMENT ON AN APPLICATION FOR A DISTRIBUTED ANTENNA SYSTEM (DAS)

Polly Selkoe described the application and noted that a recommendation would need to be submitted to the Board of Selectmen, not to the Board of Appeals.

ExteNet Systems, Inc. is proposing to upgrade and expand its 28 node DAS network on Town-owned property by installing 13 new DAS nodes, consisting of 7 replacement poles and 5 new utility poles, and 1 existing pole where equipment will be exchanged. New conduits, fiber optic cables and equipment will be installed on each pole.

Ric Sousa is the attorney from law firm Prince Lobel representing ExteNet. Paul Thurston is the ExteNet project manager.

Robert Cook asked if the antenna poles would be wood. Attorney Sousa responded that existing wood poles would be replaced with new wood poles and therefore cannot accommodate wiring inside the poles. Five new metal poles are proposed that can contain the wiring.

Linda Hamlin recommended that the Board comment on each proposed pole location.

The Board has requested changes for the following nodes:

201: move closer to curb line

202: ok if it is located in the tree lawn (plan unclear)

211: move the pole across from the existing street light so as not to overwhelm the streetscape.

214: asked applicant to check out other nearby poles for possible use in place of a new pole.

The Board agreed to review locations of the four poles at issue at a Wednesday morning Planning Board meeting and to review the draft recommendation to the Board of Selectmen then.

December 17, 2015 Minutes

Voted (5-0): Minutes of the December 17, 2015 meeting were approved with correction noted.

Meeting adjourned at 10:40 pm.

Materials Reviewed During Meeting: Staff Reports, Site Plans, and Elevations