



PLANNING BOARD

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

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**BROOKLINE PLANNING BOARD MEETING MINUTES
Room 111, First Floor, Brookline Town Hall
May 19, 2016 – 7:30 p.m.**

Board Present: Linda Hamlin, Steven Heikin, Robert Cook, Sergio Modigliani, and Matthew Oudens

Staff Present: Polly Selkoe, Maria Morelli

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

BOARD OF APPEALS CASES

79 Williston Road – construct a single-story rear addition (66 s.f.) requiring FAR and design review relief (6/2) Pct. 13

Polly Selkoe presented the case.

Linda Hamlin was pleased with the design and thinks it now has a better rear elevation.

Ms. Hamlin asked for public comment.

There was no public comment.

Linda Hamlin motioned to recommend approval.

Robert Cook seconded the motion.

Voted (6-0): the Planning Board recommends approval of the site plan submitted by Heidi Helf, dated 4/11/2016, and floor plans and elevations submitted by Heidi Helf, dated 4/11/2016, subject to the following conditions:

1. Prior to the issuance of a building permit, the Applicant shall submit a final site plan, floor plans, and elevations, 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 stamped and signed by a registered engineer or architect; 2) final floor plans and building elevations stamped and signed by a registered architect; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

27 Beaconsfield Road – construct a detached garage and a 128 square foot addition requiring setback, FAR, and design review relief [previously approved lapsed 2014 case] (6/2) Pct. 12

Polly Selkoe presented the case.

Charles Churchill, the applicant, explained to the board that he has not moved forward on construction due to difficulties in finding a contractor.

Linda Hamlin confirmed with the applicant the plans are exactly the same as the ones previously approved.

There was a brief discussion initiated by Sergio Modigliani regarding whether the front entry depicted in the plans is included in the presented FAR calculation. After confirming it was included, Ms. Hamlin asked for public comment.

There was no public comment.

Mr. Churchill informed the Board he has a contractor to move forward on this project.

*Linda Hamlin motioned to recommend approval.
Steven Heikin seconded the motion.*

Voted (6-0): the Planning Board recommends approval of the plan by Joseph Porter, dated 5/1/14, and plans by Peter Sachs Architect, last dated 7/14/14, subject to the following conditions:

1. Prior to issuance of a building permit, the applicant shall submit final elevations, including the missing rear elevation, indicating all proposed materials for the garage, subject to the review and approval of the Assistant Director for Regulatory Planning.
2. Prior to the issuance of a building permit, the applicant shall submit a final site plan and a final landscaping plan including all counterbalancing amenities, subject to the review and approval of the Assistant Director for 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 floor plans and building elevations stamped and signed by a registered architect; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

315 Lee Street – construct a detached four-car garage, in addition to existing three spaces in an attached garage on a single family house requiring relief for more than four parking spaces (6/2) Pct. 15

Maria Morelli presented the case. Although FAR was not cited in the denial letter, because the entire project is very close to the maximum allowed, she reviewed the FAR calculations certified by the architect, and the exemptions that are allowed under the zoning bylaw. Because two parking spaces are required in this zoning district, the bylaw permits 360 sf per parking space to be exempt from FAR calculations. Parking areas above the 720 sf must be counted toward FAR. Under Section 2.07e, up to 150 sf of an accessory structure used as a tool or garden shed can be exempted from the FAR calculations. She stated that the Deputy Building Commissioner approved the construction of a wall separating this 150 sf area within the attached garage with walls.

Robert Allen, attorney for the case, Steve Sousa, the project's architect, and the owner were present.

Mr. Allen described the purpose of the proposal, and distributed updated plans, showing a change in the location of the 150 sf area reserved for garden equipment storage. The architect moved this area from the attached garage to the detached garage. Mr. Allen acknowledged that the Building Department does have a policy permitting such areas within an attached garage; however, because he had never seen this policy applied, he advised his client to be conservative and locate the 150 sf area with the detached garage. Mr. Allen confirmed that the 150 square foot area may be excluded from FAR calculations in an accessory structure as long as it is separated by a wall which the plans indicated.

Mr. Sousa presented the designs and explained that existing landscaping was overzealously cleared.

He described the design of the carriage house as compatible with the architectural style of the new home being designed.

He also noted that the location of the carriage house now meets or exceeds the minimum side and rear yard setback requirements for principal structures, which are more generous than the minimum setback requirements for accessory structure.

Linda Hamlin asked for public comment.

Earl Smith at 259 Lee Street was concerned whether the setback was appropriate in relation to where the water main sits on the property. Mr. Smith commented that some of the trees removed were over 100 years old.

Tom Kerner, at 130 Clyde Street, did not have a problem with the proposal he has seen; however he expressed concern and doubt that the owner will be held to the proposed landscape. He cited the

landscaping that had been removed from the property and felt after he consulted with Peter Ditto, Director of Engineering, that the landscape removal was in violation of Section 8.26, the stormwater management bylaw. Mr. Allen responded that he too consulted with Mr. Ditto and that DPW has a standard process for reviewing plans for compliance with Section 8.26 prior to the issuance of a building permit.

Polly Selkoe explained the final landscaping plan will need to be submitted and that she must approve it before an occupancy certificate is issued. As an extra step, she recommended that her review be conducted in conjunction with a landscape architect on staff and a member of the Planning Board who is a landscape architect. She stated that the applicant should obtain support from neighbors regarding the landscaping plan prior to its submission to the Planning Department for approval. She also explained that the Planning Board can make a condition that the landscaping effectively screen the property.

Steven Heikin felt the rendering was not a suitable substitute for a standard landscaping plan, drawn to scale with landscaping materials and plantings specified in detail. He recommended that the applicant meet with the neighbors to discuss the plan for landscaping the edges of the property and obtain support from abutters.

Mr. Allen stated there will be substantial changes to the plan in consultation with abutters.

After further discussion regarding the trees on the property and how to move forward, Linda Hamlin stated conditions for approval that will include landscaping specifications. Polly Selkoe further added, before a building permit is issued, there must be an acceptable landscaping plan and part of the conditions could include the future preservation of landscaping.

Linda Hamlin motioned to recommend approval.

Robert Cook seconded the motion.

Voted (5-0): the Planning Board recommends approval of the plan by professional land surveyor Peter Nolan and Associates LLC dated 3/9/2016, and the architectural plans by registered architect Stephen Sousa, dated 3/9/2016 and 4/28/2016, subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit final site plan, floor plans and elevations subject to the review and approval of the Assistant Director of Regulatory Planning.
2. Prior to the issuance of a building permit, the applicant shall submit a final landscape plan stamped by registered landscape architect subject to the review and approval of the Assistant Director of Regulatory Planning in conjunction with a staff landscape architect, Planning Board member who is a landscape architect, and in consultation with abutters.
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 floor

plans and building elevations stamped and signed by a registered architect; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

111 Marion Street- (continued) – demolish building and revise plan to construct a building with three residential units and parking below requiring design review, FAR, front, side and rear yard setback, and usable open space relief (NA) Pct. 10.

Nicole White, Scott Gladstone and Kent Duckham were present for the hearing.

Nicole White, the applicant, provided updates to the project since the Planning Board meeting on 5/12/2016. The changes made included lowering the height of the building and four parking spaces instead of six. The project is further setback from the property line; the roof deck is now inset to the fourth floor.

The board discussed the changes made since last week. The FAR of the project, not including parking, is now 2.85. There was consensus among the board that this version of the project fits more in line with the neighborhood and streetscape, though it does require zoning relief.

Linda Hamlin asked for public comment.

Peggy Loretta, at 90 Park Street, had a concern over cars entering and exiting the parking lot under the building. She asked if that was something the board considers, and referenced the day care next door.

Ms. White replied to Ms. Loretta's question by explaining they had removed one garage and moved the other garage door further from the street and the existing use of the property is an open parking lot right off the street.

Ms. Hamlin felt this was an improved project, especially in regards to pulling the building back from the street and eliminating a garage door.

Mr. Modigliani was in support of the pursuit of variances for the two elements in the project that needed them. He felt that zoning was forcing an inferior design and the proposed plan was a better solution than previously brought to the board. It is important to note that this case presents some peculiarities such as the shape of the lot and this could create grounds for a variance.

Linda Hamlin motioned to recommend approval.

Robert Cook seconded the motion.

Voted (5-0): the Planning Board recommends approval of the site plan dated 5/19/2016 and the architectural plans by registered architect Kent Duckham, dated 5/17/2016 subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit final site plan, floor plans and elevations subject to the review and approval of the Assistant Director of Regulatory Planning. Any conflict in the plans with the state building code may be revised.

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 floor plans and building elevations stamped and signed by a registered architect; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

54 AUBURN STREET – PRELIMINARY PRESENTATION OF A MAJOR IMPACT PROJECT to construct 29 studio and one bedroom residential units, including three affordable units, in a five-story building with parking at ground level and three levels of parking underneath the building Pct. 7

Polly Selkoe introduced the project, stating that the Planning Department has not received a formal application to date. The purpose of this evening's meeting was to discuss issues and concerns for the developer to consider in their formal proposal. The project proposes 23 units and three affordable units in a four-story building with ground level parking.

Mr. Allen and the development team were present to give the Planning Board and public a presentation of their project proposal.

Mr. Allen informed the board that they went through a neighborhood process and through that process decided to bring down the unit count.

Peter Bartash from Cube3 Studio presented the site and gave context for the project. After discussion with their team they decided to scale the project back to be in compliance with the FAR; they are no longer seeking FAR relief. They are seeking setback relief and proposing two parking spaces per unit.

There was a discussion of how deep the parking garage would go. There was consensus that the parking ramp and necessary clearance added significantly to the size of the project. The board expressed a concern over the depth and engineering necessary to go 30-35 feet down into the ground, especially as the water table is approximately 10 feet down.

Linda Hamlin asked for public comments.

Will Provost, at 1 Washburn Place, said he approved of what was presented but has an overall question about what the final scale of the project would be and was concerned about foot traffic, street traffic, and noise impact. He also posed a question to the board to reflect on while considering granting relief for this project: What public benefit or public good does this project bring to the community to warrant the relief requested?

Annie Stearn, at 41 Park Condominiums, shared with the board that she has spoken with the majority of her residents who are all disheartened by this project. Specifically, she cited concerns over the setbacks at their property and the balconies that extend almost to their property line. She also had a concern over fumes and exhaust from the parking garage. Further, Ms. Stearn was wary of the shadows which would diminish property values, as well as the proposal to remove ten trees.

Jessica Stokes, at 9 Auburn Place, is an abutter behind the proposed building and a member of her neighborhood organization. Ms. Stokes expressed concerns as a private homeowner. She informed the board that they had collected a survey from 68 homes and would like to submit it for public record. Their main concerns are around the setbacks of the project, its size and density. She asked the board if family character was considered because the owners are invested in the neighborhood and concerned about the type of population who would rent the units.

Arthur Pinkham, at 79 Harvard Street, felt the applicant is requesting a lot of relief. He felt that zoning laws are to protect the overuse of a piece of land and would like to see a building envelope that fits the current setback requirements.

Murray Dewart from Precinct 3 feels this project is too big and violates a core piece of the street's character.

John Hebert, at 21 Auburn Street, felt the developer did not accurately portray the neighborhood, specifically, that it is an established neighborhood with families who have been around for 30-50 years. This project is not in keeping with the neighborhood in terms of neighborhood, height, setbacks, number of units, and parking spaces. Mr. Herbert also had a concern over seismic activity due to the proposed underground construction.

Carol Mcbain, from Washburn Terrace, commented that this is a highly pedestrian area and is concerned over the safety of the garage entrance.

Ernie Frey, from Precinct 7, had a concern about water drainage on Auburn Place. Mr. Frey also pointed to an uneasiness regarding the one-way traffic on Auburn Place and how this will be impacted during and after construction.

Susan Carlman, at Littell Road, was concerned about the potential rodent problem due to construction and recalled a previous project where they had to deal with mice everywhere.

Reisa Sperling, at 10 Auburn Place, also had a concern over water drainage issues and agreed with the other issues that had been mentioned. She said the standing water on the street after a rainstorm is sometimes 6"-8" deep. Dr. Sperling also commented on how the vast majority in the neighborhood were families; studios and one-bedroom apartments would change the character of the neighborhood.

The board discussed the parking requirements as written in the zoning code.

Matthew Oudens felt the design of the project is being driven by the parking. Mr. Oudens felt this would be a great opportunity to seek relief for parking.

Sergio Modigliani felt this proposal is over scale, and that they are asking for more than double the allowed square footage. He further informed the design team that, moving forward, he would like to see a diagram showing the distance from the lot line to the abutting properties. He stated in regards to the underground parking garage, it is not a minor engineering problem and has concerns regarding where the discharge fumes would go.

Steven Heikin agreed with his colleagues. Mr. Heikin further felt the proposed building was too close to the street and he did not see the rationale for requesting the amount of relief.

Linda Hamlin liked that this project proposes one-bedroom units and studios. Ms. Hamlin feels there is a need to diversify the housing stock in Brookline and that there is a way to incorporate them into the neighborhood. She agreed with the other comments from the board members and felt the proposed setbacks are unrealistic. She further felt that the first floor looks like a concrete block and going down three stories is unrealistic.

Robert Cook also felt the project is too big and is interested in what the building envelope would look like without needing relief.

There was a discussion about placing a member from the neighborhood on the design advisory team to help modify the project and give their insight to the neighborhood. Ms. Hamlin commented that the Design Advisory Team meetings are open and anyone can come to look at the design.

DISCUSSION AND POSSIBLE VOTE ON COMMENTS TO ZBA ON 40B PROPOSAL FOR PUDDINGSTONE AT CHESTNUT HILL (265-299 Gerry Rd.)

Robert Cook would like to see renderings of the project and would like to know how many tons of rock would be removed.

The board discussed the drafted letter and who would be on the design working group.

Linda Hamlin motioned to recommend approval.

Robert Cook seconded the motion.

Voted (6-0): the Planning Board approved the letter to the ZBA on the 40B proposal for Puddingstone at Chestnut Hill.

The meeting was adjourned at 10:15.

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