



# Town of Brookline Massachusetts

Town Hall, Third Floor  
333 Washington Street  
Brookline, MA 02445  
(617) 730-2130  
[www.brooklinema.gov](http://www.brooklinema.gov)

## PLANNING BOARD

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

## **BROOKLINE PLANNING BOARD MEETING MINUTES Room 111, First Floor, Brookline Town Hall June 2, 2016 – 7:30 p.m.**

**Board Present:** Steven Heikin, Robert Cook, Blair Hines, Sergio Modigliani, Matthew Oudens (arrived at 8:00p.m.), and Mark Zarrillo

**Staff Present:** Polly Selkoe, Maria Morelli

Steven Heikin called the meeting to order at 7:40 pm.

### **BOARD OF APPEALS CASES**

**420 Warren Street** – construct a one story addition connecting garage to dwelling requiring relief for side yard setback, FAR and Design Review (6/23) Pct. 15

Polly Selkoe presented the case and described the required relief.

The applicant's representative explained to the board that attaching the garage to the house caused a side yard setback citation but the garage was staying in the same position. The applicant proposed providing additional landscaping to serve as a counterbalancing amenity under Section 5.43. He further argued the addition connecting the garage will have very minimal to no impact on the neighborhood, and felt the design improves the appearance of the garage in relation to the house.

Mr. Heikin asked why the design does not include an inside connection from the house to the garage and had questions about the elevations.

Sofia Gerstberg, the applicant, explained that there is an inside connection and pointed out where that was reflected in the design.

Mr. Heikin asked for public comment.

**No public comment.**

Sergio Modigliani felt the main house was attractive and the design was sympathetic to it except for the roof with its high volume.

Steven Heikin felt the proposed roof line complemented the garage.

The board discussed the elevations of the project and a possible change to the roof line.

*Steven Heikin motioned to recommend approval.*

*Robert Cook seconded the motion.*

**Voted (5-0): 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, with the flexibility to include a covered entry, 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 a final landscape plan indicating all counterbalancing amenities, subject to review and approval by 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 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.

**808 COMMONWEALTH AVENUE/0 DUMMER STREET (Boston University)** - construct a “black box” theatre on a parking lot next to 808 Commonwealth Ave., and a building with production support space on Dummer Street requiring relief for yard setbacks, parking, loading, and design review (6/23) Pct. 1

Polly Selkoe presented the case and described the requested relief.

George Cole, the project manager, presented a PowerPoint version of a report titled “Boston University Theatre Arts Project Planning Board Hearing June 2, 2016” which was distributed to members of the board.

The board discussed the process that the Design Advisory Team (DAT) went through to arrive at the current design.

Mark Zarrillo felt the design evolution through design review was great and appreciated the additional landscaping added to the Dummer Street side of the project. He asked the developer’s design team to consider extending this landscaping down as far as possible. Mr. Zarrillo expressed a concern over cyclists using Dummer Street and challenged the team to find a way to soften the corner or create an alternate and safer route for cyclists.

Mr. Zarrillo inquired about the signage and confirmed that approval of this project does not include approval of the digital marquee or signage.

Steven Heikin confirmed signage would be approved at a later time, and the design team confirmed they are not seeking approval of any signs at the present hearing.

Mark Zarrillo felt this was an excellent piece of architecture and that the DAT and BU had done a great job.

Sergio Modigliani felt the project has really improved. He noted specifically, in regards to the significant shift away from Essex Street, the screen wall drop and the less imposing corner.

The design team stated that the two access points should help disperse the traffic.

There was a discussion about the potential to change traffic patterns during high volume events using police as traffic controllers and closing off cross traffic.

Steven Heikin asked for public comments.

Deborah Raptopoulos, 190 Ivy Street, would like to see more public safety for cyclists and felt Boston University should provide a bicycle lane. Ms. Raptopoulos felt Carlton Street was very busy and not a good solution for redirected bicycle traffic instead of Dummer Street.

Ms. Raptopoulos also had a concern over the location of the transformers near the sidewalk which the design team and board explained is a standard practice for the utility company.

There was a discussion among the board and design team over exploring with the Town the possibility of adding a bicycle lane down Dummer Street. Blair Hines noted four feet is needed for a bike lane. The board discussed the trade-off between green landscaped space and a bike lane.

Carol Edelman, of 19 Winchester Street, asked what the signage for the project would be. The design team said that those plans have not yet been submitted and will go through a separate review process.

Ellen Franco would like the project to maintain as much green space as possible and would like to see the landscaping continue down Dummer Street as far as possible.

***Steven Heikin motioned to recommend approval.***

***Mark Zarrillo seconded the motion.***

**Voted (6-0): the Planning Board recommends approval of the site plan and architectural plans by Elkus/Manfredi, dated April 8, 2016 subject to the following conditions:**

1. Prior to the issuance of a building permit, the applicant shall submit a final site plan, including the parking lay-out and location of all utilities, 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 final floor plans and elevations, including rooftop structures and screening, 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 a final landscaping and fencing plan, subject to the review and approval of the Assistant Director of Regulatory Planning. The applicant shall also submit a plan for replacement of street trees on Dummer Street, as well as the consideration of the extension of landscaping to Amory Street towards Essex Street, subject to the review and approval of the Tree Warden.
4. Prior to the issuance of a building permit, the applicant shall submit a final Construction Management Plan, including access and parking of construction vehicles, a dust and rodent control plan, waste disposal, and details regarding demolition, subject to the review and approval of the Building Commissioner and Director of Transportation and Engineering, with a copy to the Planning and Building Departments.
5. Prior to the issuance of a building permit, the applicant shall submit a final Transportation Demand Management Plan, subject to the review and approval of the Director of Transportation and Engineering, with a copy to the Planning and Building Departments.
6. Prior to the issuance of a building permit, the applicant shall submit a plan for a bike path or track on Essex and Dummer Street, if feasible, subject to the review and approval of the Director of Transportation and Engineering.
7. Prior to the issuance of a building permit, the applicant shall submit a final Drainage and Storm Water Plan, subject to the review and approval of the Director of Transportation and Engineering.
8. Prior to the issuance of a building permit, the applicant as an amenity to the Town, shall submit a plan outlining a set of proposed community partnership initiatives for Brookline community and local artists groups to be able to use the theatre and support facility when it is available, subject to the approval of the Assistant Director of Planning.
9. 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 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.

**APPOINTMENT OF DESIGN ADVISORY TEAM FOR 54 AUBURN STREET**

Polly Selkoe said that the following would be willing to serve on a DAT for 54 Auburn Street, if appointed: Steven Heikin, Blair Hines, Jim Collins, Nick Elton, Arthur Pinkham, Jessica Stokes and Sara Egan.

*Steven Heikin moved to approve the suggested names.  
Blair Hines seconded.*

**Voted (6-0): the Planning Board recommends approval of the suggested list above.**

The first meeting is scheduled for June 14<sup>th</sup> at 7:30.

**DISCUSSION AND POSSIBLE VOTE ON COMMENTS TO ZBA ON 40B PROPOSAL FOR 40 CENTRE STREET** to demolish a two-story brick building, with two medical offices on ground floor and one apartment on second floor, and replace it with a six-story building of 45 residential units, including nine affordable units, and 17 parking spaces on the building's ground floor (6/20) Pct. 9

Maria Morelli updated the board on a draft letter to the ZBA regarding the 40B proposal for 40 Centre Street. Ms. Morelli shared the outline of the draft letter and the concerns it seeks to address.

Steven Heikin felt the site is appropriate for mixed income housing. The main issues with this proposal are height and the limited setbacks. Mr. Heikin had a major concern with the lack of respect this proposal has for fundamental zoning priorities such as providing light, sun and air to abutters. Mr. Heikin felt, that if the town rejected the project, the responsibility to demonstrate why the project was rejected falls to the town and would go to Housing Appeals which generally sides with the developer. However, if the town approves the project with conditions, the responsibility lies with the developer to demonstrate why they cannot meet the conditions.

Mark Zarrillo took issue with the five-foot setbacks proposed in the project as well, and the inadequate number of parking spaces.

Blair Hines felt the lack of setbacks were a larger concern than the overall height of the project and inadequate parking.

There was a discussion over the private parking lot abutting the property to its side its potential to be developed as another housing development.

Sergio Modigliani was in agreement with Mr. Hines, and felt the front yard setback was the number one concern. Mr. Modigliani felt it was too close to the street and sets a bad precedent. He also had concerns regarding the side yard setbacks, and is concerned the building will feel oppressive, especially considering the balconies. Further, Mr. Modigliani felt the project was too high, the architecture emphasizes its verticality, and the design does not do much to minimize the impact of this height.

There was consensus among the board that the proposed project impedes on and does not provide adequate light and air and needs to be setback more.

Mark Zarrillo felt the height issue is made more obvious because of the Centre Street parking lot adjacent to the building. This open space does nothing to block the height or obscure the building from the public view.

Steven Heikin asked for public comment.

Carol Edberg, 19 Winchester Street, felt the shadow study presented by the architect was misleading especially in regards to the south side. She also felt the project posed concerns with regards to fire safety and the accessibility of fire engines. Ms. Edberg also raised a question over where trash receptacles would be stored.

Margery Resnick, of 19 Shailer Street, thanked Maria Morelli for her presentation on the concerns regarding this project. Ms. Resnick felt the parking problem in Brookline is a serious issue which would be further exacerbated by this project. She felt the setbacks were a crucial element of this project and was disappointed by this design as she felt there were more creative solutions to build for new housing that should be explored. Ms. Resnick's final comments were in expressed concern about the increase in service vehicles and traffic and how it would impact the safety of the 200 plus children nearby and the elderly residents, she felt one handicapped space was not enough.

Steven Pendery, 26 Winchester Street, was in support of Ms. Morelli's comments and felt the preservation concerns of this project are disturbing. Mr. Pendery also expressed concern over safety and spoke of a tragedy of a woman who was hit by a dumpster truck nearby.

Beth Kates, 105 Centre Street, thanked Ms. Morelli for her comments. Ms. Kates demonstrated to the board and public on an iPad the limited visibility of exiting a parking lot of similar design as the one proposed for 40 Centre Street.

Marion Freedman, 11 Wellman Street, agreed with Ms. Morelli's comments and expressed a concern over the use of concrete in the project. It would be the first of this kind on Centre Street and thus does not fit the character of the neighborhood. Ms. Freedman was also concerned about safety and submitted pictures to the board of the parking lot abutting the building during a farmer's market event.

Rich Seminolli, a resident, felt the project looked like a fire disaster and was concerned about having appropriate access to the building by fire trucks. Mr. Seminolli felt that the shadow study was inaccurate, citing there is no way shade from the building would miss the pool behind the building. His comments also spoke to a concern regarding the affordability of the units if the low-income residents also need to rent private parking spaces because there are not enough spaces for all the residents.

Blair Hines assured the residents and public that fire safety requirements are very strict and the fire chief will review in great depth the fire access needed.

Steven Heikin stated that many of the issues discussed are addressed in detail in the letter drafted for the ZBA.

*Steven Heikin moved to approve the letter drafted to the ZBA.*

*Blair Hines seconded.*

**Voted (6-0): the Planning Board recommends approval of the letter to the ZBA.**

**APPROVAL NOT REQUIRED SUBDIVISION PLAN (Revised)**

**737 Newton Street – subdivide into two lots**

A motion was made and seconded to endorse the plan as an ANR plan.

**The Planning Board**

**Voted: to endorse the plan as an ANR plan.**

**The minutes dated May 12<sup>th</sup> and May 19<sup>th</sup> were approved as amended.**

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