



# *Town of Brookline*

## *Massachusetts*

### **PLANNING BOARD**

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Matthew Oudens  
Mark J. Zarrillo

To: Brookline Board of Appeals  
From: Brookline Planning Board  
Date: October 20, 2016  
Subject: Renovate existing space for a 55 seat café (Previously ISIS Holistic Clinic and Spa/next to Santander Bank)

Location: **1 Harvard Street**

Atlas Sheet: 30  
Block: 140A  
Lot: 04

Case #: 2016-0069  
Zoning: G-2.0  
Lot Area (s.f.): 2,011

Board of Appeals Hearing: November 17, 2016 at 7:00 pm

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### **BACKGROUND**

February 4, 1993, Board of Appeals Case #3157: The BOA granted a special permit to install a satellite antenna on the roof.

May 10, 1990, Board of Appeals Case #3031: The BOA granted a variance and special permit to allow for the conversion of 6,300 square feet of existing basement storage space into general office space.

### **SITE AND NEIGHBORHOOD**

1 Harvard Street is a three-story brick building with retail on the first floor and office space above located in Brookline Village at the corner of Harvard Street and Kent Street. The building has two storefront spaces – one currently occupied by Santander Bank and one that is vacant. The vacant space was previously occupied by ISIS Holistic Clinic and Spa. The site is located near other stores and restaurants in the Brookline Village Business District and near the Brookline Village MBTA stop.

### **APPLICANT'S PROPOSAL**

The applicant, Caffe Nero Americas, LLC, is proposing a café/restaurant with 55 seats. Their proposal includes plans for a kitchen, service counter, restrooms and multiple seating areas.

The applicant is not proposing any parking on-site. The applicant believes that the site’s location near public transit and the nearby availability of metered parking will be sufficient for patrons of the cafe and is seeking relief from any off-street parking requirements.

**FINDINGS**

**Section 6.02, Paragraph 1 – Table of Off- Street Parking Requirements**

*\* Under **Section 6.02.1.b - Off-Street Parking Regulations** When a change or expansion of a non-residential use in a business district is proposed primarily or entirely within an existing building, the Board of Appeals by special permit may waive up to 10 spaces, or up to 50%, of any increased requirement, whichever is greater.*

	Required	Existing	Allowed by Special Permit	Finding
<b>Parking</b>	5*	0	1	<u>Special Permit</u>

\*The required number of parking spaces based on the number of seats is 11 spaces. However, there is a theoretical parking credit of six parking spaces for the previous retail use resulting in 5 required parking spaces.

**Section 7.06, Paragraph 3 – Regulated Façade Alterations**

All regulated façade alterations shall be subject to design review process of Section 7.03, paragraph 2.

**Modification of BOA Case #3031 and #3157:**

Modification is not necessary.

**PLANNING BOARD COMMENTS**

The Planning Board supports the conversion of the retail space into a cafe as it will improve this currently vacant storefront at a prominent location in Brookline Village. The Board believes there would be adequate on-street parking for this café. Public transportation is also available via the Harvard Street bus and the Brookline Village MBTA rapid transit stop is nearby.

Therefore, the Planning Board recommends approval of the site plan and floor plans labelled “Caffe Nero” by KHArchitecture, dated 8/1/16, subject to the following conditions:

- 1. Prior to the issuance of a building permit, the applicant shall submit a final floor plan indicating the total number of seats proposed subject to the review and approval of the Assistant Director of Regulatory Planning.**
- 2. The restaurant’s management shall implement an employee T-pass program, where management subsidizes at least 50 percent of the cost of monthly subway and bus T-passes for all of the restaurant’s employees.**
- 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 stamped and signed by a registered architect or engineer and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.**

*knm*



## Project Directory

<b>GENERAL</b>	
Client (Tenant):	Caffe Nero Americas 374 Congress Street Boston, MA 02210 Tel: 617-245-8902 Contact: Bruce Kidder
Architect:	KHArchitecture 250 Summer Street 2nd floor Boston, MA 02210 Tel: 978-886-8883 Contact: Kenneth Hyszcak AIA RA
MEFPF Engineer:	AVID Engineers 344 Boylston Street 3rd floor Boston, MA 02116 Tel: 978-693-5580 Contact: Corey Carreiro
Kitchen Equipment:	Tri-Mark United East 505 Collins Street South Attleboro, MA 02703 Tel: 508-399-2334 Contact: Matt Lindia

## Code Summary

<b>GENERAL</b>	
Authority:	Town of Brookline Building Department Brookline Town Hall 333 Washington Street Brookline, MA 02445 Tel: 617-730-2100
Applicable Building Codes:	CMR 780 State Building Code 8th Edition with Amendments International Building Code 2009 International Fuel Gas Code 2009 International Mechanical Code 2009 CMR 248 Massachusetts Plumbing Code International Existing Building Code 2009 International Energy Conservation Code 2012 528 CMR Architectural Access Board NFPA 1
<b>PROJECT DESCRIPTION</b>	
The project consists of the renovation of an existing 1st floor Tenant Space (formerly ISIS Holistic Clinic) into a Caffe Nero restaurant. Scope includes interior renovation & exterior signage. The current use of the space/building is B-Business. The project includes a partial change of use of the Tenant Space to A2-Assembly (Restaurant).	
<b>BUILDING REQUIREMENTS</b>	
Construction Classification:	Type III Construction (existing to remain)
Use:	B-Business (existing) A2 - Assembly (partial change of use)
The building will be reclassified as a separated Mixed Use. Each individual use complies with allowable height and area requirements and 1 hour separation is required (IBC Section 508.3).	
<b>PROJECT REQUIREMENTS (IBC 2009)</b>	
Project Area:	2,011 of Total Project Area
Proposed Use:	A2-Assembly (Restaurant)
Occupant Load:	55
Number of Exits:	2 required / 2 provided
Travel Distance:	250 ft (75ft common path) / 98' max provided (40' common path provided)
Separation:	70" / 3 = 23" - 4" (min) / 58' provided
Egress Width:	.2 x 55 people = 11" required / 72" provided
Fire Rating:	1 hour
Demising Walls:	1 hour separation
Accessways:	Existing (base building)
Stairways:	N/A
<b>PROJECT REQUIREMENTS (IEBC 2009)</b>	
CLASS. OF WORK:	Partial Change of Occupancy (Section 912)
CHAPTER 6 REQ:	no alteration to be done such that the building is less safe
section 601:	interior finishes to comply with IBC
section 602:	level of fire protection to be maintained
section 603:	level of egress to be maintained
section 604:	alterations to comply with IBC/MAB
section 605:	NA
section 606:	no changes to energy conservation required
section 607:	
CHAPTER 7 REQ:	new construction to comply with IBC
section 701:	NA
section 702:	NA
section 703:	automatic fire sprinklers to be provided in Tenant Space
section 704:	means of egress to comply with IBC in work area and beyond
section 705:	altered elements to be accessible
section 706:	NA
section 707:	Electrical work including existing to comply with code
section 708:	All reconfigured spaces to comply with Mechanical Code
section 709:	NA
section 710:	no changes to energy conservation required
section 711:	
CHAPTER 8 REQ:	comply with provisions of Chapters 6 & 7
section 801:	NA
section 802:	NA
section 803:	automatic fire sprinklers to be provided in Tenant Space
section 804:	Egress lighting and exit signs to be provided from highest work area to exit discharge
section 805:	altered elements to be accessible
section 806:	NA
section 807:	altered elements to comply with IECC
section 808:	
CHAPTER 9 REQ:	partial change of use to comply with section 912
section 901:	change of occupancy with separation - that portion only to comply with chapter 8
section 912.1:	automatic fire sprinklers to be provided in Tenant Space
section 912.2:	interior wall and ceiling finish to comply with IBC
section 912.3:	Egress to comply with IBC
section 912.4:	Height and area to comply with IBC
section 912.5:	Exterior wall rating to be maintained (no change in relative hazard)
section 912.6:	NA
section 912.7:	NA
section 912.8:	New occupancy to be accessible

## Project Responsibilities

	GC		Owner		LL		Painting
	furnish	install	furnish	install	furnish	install	
<b>00 Contract Requirements</b>							
1. General Conditions	X						
2. Payment Bond	X						
3. Security Deposit	X						
4. Performance Bond (if required)	X						
5. Insurance Certificate	X						
<b>01 General Requirements</b>							
1. Permits, Fees & Inspections (Permit by Owner)	X	X					
2. Temporary Utilities	X	X					
3. Temporary Facilities	X	X					
4. Storage Facilities	X	X					
5. Temporary Toilets	X	X					
6. Security	X	X					
7. Dumpsters	X						
8. Final Cleaning	X						
9. Unload/Uncrew of Owner	X	X					
<b>02 Site Work</b>							
1. Land Clearing							X
2. Cut & Fill							X
3. Materials							X
4. Site Improvements							X
Concrete Curb							X
Asphalt Paving & Berms							X
Pavement Markings							X
Car Stops							X
Landscaping							X
Dumpster Enclosure							X
5. Site Utilities							X
6. Sidewalk Powerwashing & Cleaning	X						
<b>03 Concrete</b>							
1. Foundation, Slab & Rebar							X
2. Sidewalks/Stairs/Ramps							X
<b>04 Masonry</b>							
1. Face Brick Cleaning & Sealing	X						
<b>05 Metals</b>							
1. Awning System			X	X			
2. Structural Steel							X
3. Handrails	X	X					
<b>06 Wood &amp; Plastics</b>							
1. Rough Carpentry (Fire Retardant)	X	X					
2. Finish Carpentry	X	X					
3. Nibs, Fasteners	X	X					
4. Plywood (Fire Retardant)	X	X					
5. Wood Blocking (Fire Retardant)	X	X					
<b>07 Thermal &amp; Moisture Protection</b>							
1. Roofing System							X
2. Flashing & Coping							X
3. Rigid Insulation							X
4. Batt Insulation							X
5. Vapor Barrier							X
6. Sound Attenuation Batts	X	X					
<b>08 Doors &amp; Windows</b>							
1. Swing Doors, Frames & Hardware (Front of House)			X	X			
2. Windows			X	X			X
<b>09 Finishes</b>							
1. Gypsum Wallboard System & Accessories	X	X					
2. Ceramic/Quarry Tile	X	X					
3. Acoustic Ceiling System	X	X					
4. Wall Covering	X	X					
5. Carpet & Transition Strips	X	X					
6. FRP	X	X					
7. Painting	X	X					
8. Fabrics/Draperies			X	X			
<b>10 Specialties</b>							
1. Building Signage			X	X			
2. Toilet Accessories	X	X					
3. Fire Extinguishers & Cabinets	X	X					
4. Interior Signage	X	X					
5. Toilet Room Accessories	X	X	X				
<b>11 Equipment</b>							
1. Safe			X	X			
2. Ovens			X	X			
3. Kitchen Equipment			X	X			
4. Cooler/Freezers			X	X			
5. Plumbing Fixtures	X	X					
<b>12 Furnishings</b>							
1. Millwork			X	X			
2. Counter/Countertops			X	X			
3. Booths			X	X			
4. Chairs/Tables			X	X			
<b>13 Special Construction</b>							
<b>14 Conveying Systems</b>							
<b>15 Mechanical</b>							
1. Plumbing	X	X					
2. Fire Protection	X	X					
3. HVAC Equipment	X	X					
4. HVAC Distribution	X	X					
5. Hoods	X	X					
6. Exhaust Fans	X	X					
<b>16 Electrical</b>							
1. Electrical Service			X	X			
2. Lighting			X	X			
2a. Specialty Lighting			X	X			
3. Signal Connections			X	X			
4. Millwork Wiring Devices	X	X					
5. Telephone Systems			X	X			
6. Telephone Service	X	X					
7. Timeclocks	X	X					
8. Emergency/Night Lighting	X	X					
9. Security Systems			X	X			
10. Exterior Site Lighting			X	X			
11. Voice/Data Wiring	X	X					
12. Fire Alarm	X	X					
13. Sound System & Satellite			X	X			
14. Switchgear Controls	X	X					
15. All Conduit to Equipment w/Pullwire	X	X					

### General Notes:

- All Front of House doors will be supplied by Owner's Millwork Contractor (set in wood frame with loose trim hinged with locks).
- All plumbing fixtures provided by GC.
- GC to install millwork counter tops for booths.
- Needham Electric to supply all lighting and gear package. Caffe Nero to supply all specialty lighting.



1 Harvard Street Brookline, MA

## Key Plan



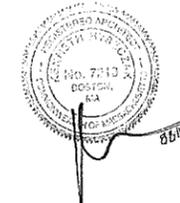
## List of Drawings

Sheet Number	Sheet Name	Current Revision	Current Revision Date
A000a	Title Sheet	A	8-8-16
A000b	Egress & Occupancy Plans	A	8-8-16
A001	Demolition Plans	A	8-8-16
A101	Construction Floor Plan	A	8-8-16
A102	Wall Types, Notes & Schedules	A	8-8-16
A103	Finish Plans	A	8-8-16
A201	Reflected Ceiling Plan	A	8-8-16
A401	Elevations	A	8-8-16
A501	Enl. Toilet Rm Plan, Elev, Dtls & Sched.	A	8-8-16
E001	Electric Legend	A	8-8-16
E002	Electrical Existing Conditions Plan	A	8-8-16
E100	Electrical New Work Lighting Plans	A	8-8-16
E101	Electrical New Work Power & Fire Alarm Plan	A	8-8-16
E300	Electrical Schedule Sheet	A	8-8-16
E400	Electrical Detail Sheet	A	8-8-16
FP001	Fire Protection Legend	A	8-8-16
FP100	Fire Protection New Work Plan	A	8-8-16
M001	Mechanical Legend	A	8-8-16
M100	Mechanical Existing Conditions Plan	A	8-8-16
M200	Mechanical New Work Plan	A	8-8-16
M300	Mechanical Details	A	8-8-16
M301	Mechanical Details 2	A	8-8-16
M400	Mechanical Specifications	A	8-8-16
P001	Plumbing Legend	A	8-8-16
P100	Plumbing Existing Conditions Plans	A	8-8-16
P200	Plumbing New Work Waste & Vent	A	8-8-16
P300	Plumbing New Work Domestic Water	A	8-8-16
P400	Plumbing Details	A	8-8-16
QF100	Equipment Layout		
QF101	Equipment Schedule		



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Caffe Nero

1 Harvard Street Brookline, MA

Title Sheet

Project number kha16-010

Date 8-1-16

Drawn by kch

Checked by kh

A000a

Scale 1/2" = 1'-0"



