



Town of Brookline

Massachusetts

PLANNING BOARD

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To: Brookline Board of Appeals
From: Brookline Planning Board
Date: April 4, 2013
Subject: Demolish single-family dwelling and construct four attached single-family dwellings
Location: 82 Green Street

Atlas Sheet:	9	Case #:	2013-0022
Block:	047	Zoning:	F-1.0
Lot:	13-00	Lot Area (s.f.):	±9,377

Board of Appeals Hearing: April 18, 2013, at 7:15 p.m.

BACKGROUND

October 9, 2012 – In response to an application for demolition of the home at 82 Green Street, the Preservation Commission voted to uphold the Preservation Commission Staff's initial determination of significance. The stay of demolition will expire October 13, 2013.

SITE AND NEIGHBORHOOD

82 Green Street is located at the northwest corner of the Green Street and Dwight Street intersection. On the lot is a large two-and-a-half story single-family dwelling built in the Georgian Colonial style in 1894. The dwelling is currently unoccupied. Surrounding properties include multi-family developments both recent, such as at 74-76 Green Street immediately to the west, and older developments, including the apartment building at 81 Green Street (built 1965) and the condo building at 36 Dwight Street (built in 1926). Other neighboring properties are primarily two-family dwellings, also located in the F-1.0 zoning district.

APPLICANT'S PROPOSAL

The applicant, Alan Berfield, Trustee, would like to demolish the existing single-family dwelling and construct four attached single-family homes. The new building, approximately 38 feet wide by 84 feet long, would be 3 ½ stories tall with a pitched roof and gable dormers. All of the

dwelling would have a two-car garage at the basement level, accessed by a new driveway leading from Green Street. Each three-bedroom dwelling would have its own separate entrance, either off of Green Street or Dwight Street, and some exterior living space, with porches and roof patios. The outer units would each have 2,261 s.f., and the interior units would each have 2,233 s.f.

The exterior would be clad with cedar clapboards and shingles, and windows would vary in size and design, but most would be two over one, some with transoms.

FINDINGS

Section 4.07 – Table of Use Regulations, Use #6: Multiple or attached dwelling of four or more units. *Special permit required.*

Currently, the *Table of Use Regulations* lists Use #6 as allowed in F Districts by special permit. This appears to be a scrivener's error since the inception of the F zone, which is described as a "Three Family" District in *Article III, Establishment of Zoning Districts*, and was to have the same use classifications as the T District but for a few exceptions. Town Counsel has been alerted to this discrepancy, and Staff has proceeded with the current application based on what is printed in the current edition of the Zoning By-law.

Alternatively, the proposal may also fall under Use #5, "Attached dwelling occupied by not more than one family in each unit," which is also allowed in F Districts by special permit. This use does not specify the number of units, unless the property is in a T District.

Sections 5.09.2.b, d & m – Design Review: Any substantially complete demolition of a principal structure in the Coolidge Corner Design Overlay District, with the exception of those located in Local Historic Districts, requires a special permit subject to the design review standards listed under *Section 5.09.4(a-p)*. Additionally, this proposal falls under *Sections 5.09.2.b & d* regarding the construction of or modification to attached dwellings in groups of three or more and multiple dwellings with four or more units. The applicant has submitted a statement reviewing the Community and Environmental Impact and Design Standards under this section, and the most relevant sections of the design review standards are described below:

- a. **Preservation of Trees and Landscape** – This proposal would remove a significant portion of landscaped front yard along Green and Dwight Streets, and install parking at the basement level of the building, likely requiring some excavation.
- b. **Relation of Buildings to Environment** – The site has an existing slope of approximately two feet, although the installation of basement-level parking will require some excavation. The new structure will be taller than the existing building, likely increasing the shadow on Dwight Street, though it is not clear if the new shadows will impact neighboring residences.
- c. **Relation of Buildings to the Form of the Streetscape and Neighborhood** – The proposed building is similar in scale to its immediate neighbors, which are primarily multi-family buildings. Neighboring structures are either masonry multi-families or wood-frame single- and two-families. The proposed design appears to match the scale of the multi-families while trying to incorporate bay and window details similar to the single- and

two-family dwellings.

d. Open Space – The proposal meets usable and landscaped open space requirements, with most landscaped and usable open space located in the front yards of each dwelling. Some usable open space will be provided on roof patios.

e. Circulation – The site’s two curb cuts on Dwight Street will be removed, and a new two-way curb cut on Green Street will be installed to provide vehicular access. Each dwelling will have a two-car garage at the basement level, and one exterior parking space will be located at the end of the new driveway.

f. Stormwater Drainage – The applicant has indicated that all stormwater drainage will comply with the Town’s standards and regulations.

g. Utility Service – All wiring will be underground, and each unit will have individual trash storage in their enclosed garage.

i. Special Features – The applicant has indicated that all air conditioning compressors will be fully screened from the public and abutters, and there will be no accessory structures, utility or storage buildings.

k. Heritage – The existing house, which has been designated significant by the Brookline Preservation Commission, would be removed with this proposal.

l. Microclimate – This proposal would create a new larger structure, as well as a new paved driveway and parking area extending the length of the property. The applicant has indicated that landscape plantings, which will be native species, will be designed to provide adequate shade cover and reduce the heat island effect. The applicant has not yet submitted a landscape plan.

m. Energy Efficiency – The new building is required to meet the Stretch Building Code, and all heating and air conditioning equipment will be high-efficiency devices.

The applicant was not cited as needing any dimensional relief. Proposed FAR, setback and open space numbers are shown in the following table for informative purposes.

Floor Area	Allowed	Proposed	Finding
Floor Area Ratio (% of allowed)	1.0 (100%)	.96 (96%)	Complies
Floor Area (s.f.)	9,337 s.f.	8,988 s.f.	

Dimensional Requirements	Required	Proposed	Finding
Front Yard Setback	15'	15'	Complies
Side Yard Setback	10+L/10 (13.8')	14.5'	Complies
Rear Yard Setback	30'	30'	Complies

Dimensional Requirements	Required	Proposed	Finding
Landscaped Open Space	10% (899 s.f.) +2.2% (198 s.f.) for usable open space located above ground level	2,452 s.f.	Complies
Usable Open Space	30% (2,696 s.f.)	1,647 s.f. (ground level) 1,210 s.f. (roof patios) 2,857 s.f. total	Complies
Parking Spaces	9	9	Complies

PLANNING BOARD COMMENTS

The Planning Board would have preferred that the applicant retain and renovate the existing building. However, if it is demolished, the Board would support its replacement only with three new attached townhouses, **not four**. The Board believes that the SP (special permit) in the F (three family) column under Use 6, Multiple or Attached Dwelling Of Four Or More Units, was a scrivener's error in the Zoning By-law and that the intent of the creation of the new "F" or three family use was to not allow construction of multi-families (four or more units) in an F zoning district.

The Planning Board would support a three family use (but not a four family use) and requests that the Board of Appeals clarify whether or not relief may be granted through a special permit or variance for the four family use. After this determination, the applicant should return to the Planning Board for design review, as required, prior to a formal approval from the Board of Appeals. The Planning Board's recommendation will include comments on the massing and design details of the building and on landscaping and site plan issues. The new driveway may require some grading and excavation, and the Planning Board would request a grading and site plan before its continued review, so that it could evaluate any new fencing, walls or other site improvements that might be required. The Board would also like the plan to indicate the location of HVAC units and transformers to ensure they are properly screened and do not detract from the streetscape.

Therefore, the Planning Board recommends that the Board of Appeals clarify the relief needed and remand this case back to the Planning Board for design review, as agreed to by the applicant. Absent the remand, the Planning Board recommends denial of the proposed four attached single-family building per the plans by TBA Architects Inc., dated 3/25/2013, and the site plan by Peter Nolan & Associates and dated 3/1/2013.

Lkch/pss



82 Green Street as seen from Green Street





82 Green Street as seen from Dwight Street

