



Town of Brookline

Massachusetts

PLANNING BOARD

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To: Brookline Board of Appeals
From: Brookline Planning Board
Date: November 14, 2013
Subject: Finish basement area and add interior elevator
Location: 281 Mason Terrace

Atlas Sheet:	18	Case #:	2013-0080
Block:	085	Zoning:	S-7
Lot:	89	Lot Area (s.f.):	8,220

Board of Appeals Hearing: December 5, 2013 at 7:00 pm

SITE AND NEIGHBORHOOD

281 Mason Terrace is assessed as a two-family dwelling that was built in 1920. The property is located in a single-family district north of Beacon Street, off of Summit Avenue, and southeast of Brighton. There is a two-car garage located to the rear of the property. Each of the units is designated one parking space within the garage. Surrounding uses are residential and the property is north of Corey Hill Park.

APPLICANT'S PROPOSAL

The applicant, Dan Simkovitz & Juliette Landesman, are proposing to finish the basement and construct an interior elevator. The proposal will increase the total floor area of the building by 1,335 square feet in the basement by finishing existing space.

FINDINGS

Section 5.20 – Floor Area Ratio

Floor Area	Allowed	Existing	Proposed	Finding
Floor Area Ratio (% of allowed)	.35 (100%)	.62 (177%)	.78 (222%)	Variance
Floor Area (s.f.)	2,877	5,107 s.f.	6,442 s.f.	

Section 8.02.2 – Alteration or Extension

A special permit is required to alter this non-conforming structure.

PLANNING BOARD COMMENTS

The Planning Board is mostly supportive of the proposal to increase the floor area in the existing two-family dwelling. The majority of the Planning Board was sympathetic to the proposal because it would not be largely visible from the exterior of the dwelling. Their support was also contingent on whether or not they could make a valid variance argument to the Board of Appeals.

The minority of the Planning Board felt that to further increase to the floor area in the dwelling would be detrimental to the neighborhood and would not conform to any section of Brookline's Zoning By-Law. The dwelling is already nonconforming because it exceeds the allowed floor area well beyond what would be allowed by a special permit. The existing dwelling is currently one of the larger structures on Mason Terrace. Furthermore, the proposal does not appear to meet any of the requirements for a variance.

Therefore, the Planning Board recommends approval (3-2) of the plans by Innovative Collaborations, Inc., dated 7/10/13, however, should the Board of Appeals find that the proposal meets the statutory requirement for a variance, the Planning Board recommends the following conditions:

1. Prior to the issuance of a building permit, a final site plan and final floor plan shall be submitted subject to the review and approval of the Assistant Director of Regulatory Planning.
2. The site plan should reflect the side yard setback relief that is required for the construction of the window well.
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 stamped and signed by a registered architect; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

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