



Town of Brookline

Massachusetts

PLANNING BOARD

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To: Brookline Board of Appeals
From: Brookline Planning Board
Date: December 6, 2013
Subject: Legalize construction of a driveway requiring design of parking within the front yard setback
Location: **800 Newton Street**

Atlas Sheet: 116 Case #: 2013-0089
Block: 410 Zoning: S-15
Lot: 18-19 Lot Area (s.f.): 29,982

Board of Appeals Hearing: December 19, 2013 at 7:15 pm

SITE AND NEIGHBORHOOD

800 Newton Street is a single family dwelling that was built in 1951. The driveway connects to a sub-level garage, and an existing stairway leads to the front entry on the first level above the driveway. The property is located in South Brookline along Newton Street, which is a divided road with primarily single-family dwellings.

APPLICANT'S PROPOSAL

The applicants, James Cunningham, is proposing to legalize the existing parking area expansion that allow for an area to turnaround within the driveway, instead of having to back directly onto Newton Street.

FINDINGS

Section 5.43 – Exceptions to Yard and Setback Regulations

* Under *Section 5.43*, the Board of Appeals may waive yard and setback requirements if a counterbalancing amenity is provided.

Section 6.04.5.c.1 – Design of All off Street Parking (front yard)

Dimensional Requirements	Required	Existing	Proposed	Relief
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Parking Area Setback	25'	N/A	22'	Special Permit*
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*The driveway expansion could be used for parking and therefore requires relief, which can be granted through a special permit if a counterbalancing amenity is provided.

PLANNING BOARD COMMENTS

The Planning Board supports the requested relief to allow the applicant to retain the existing driveway as it is currently constructed. The applicant states that the addition parking area allows for a turnaround area for the dwelling, and the inhabitants of the dwelling do not have to back onto Newton Street. The Planning Board feels that this request is minimal and will not negatively impact the neighborhood. The Board recommends that the applicant install additional landscaping as a counterbalancing amenity.

Therefore, the Planning Board recommends approval of the site plan by VTP Associates, Inc., dated 8/29/13, subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit a final site plan 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 indicating all counterbalancing amenities, subject to the review and approval of the Assistant Director of Regulatory Planning.
3. There shall be no permanent parking within the front yard setback.
4. 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; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

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800 Newton Street Existing Driveway