



Town of Brookline

Massachusetts

PLANNING BOARD

Town Hall, 3rd Floor
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Steven Heikin, Clerk
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Mark J. Zarrillo

To: Brookline Board of Appeals
From: Brookline Planning Board
Date: April 14, 2016
Subject: Construct a ten-foot tall privacy wall in the rear and side yards
Location: 90 Ivy Street

Atlas Sheet:	1	Case #:	2016-0017
Block:	001	Zoning:	S-7
Lot:	22	Lot Area (s.f.):	±14,418

Board of Appeals Hearing: April 28, 2016, at 7:15 p.m.

BACKGROUND

February 9, 2016 – The Brookline Preservation Commission unanimously approved the proposed privacy wall to be constructed of brick with bluestone pier caps at 90 Ivy Street, which is located within the Cottage Farm Local Historic District.

SITE AND NEIGHBORHOOD

90 Ivy Street is located within the Cottage Farm Local Historic district and fronts on Ivy Street with pedestrian access to St. Mary's Court at the rear. The Mansard style single-family dwelling was constructed around 1853 and is situated at the eastern most edge of the local historic district. The subject property is bound on two sides (east and south) by apartment house zoning districts and is located approximately ½ of a block to the north of the local business district along Beacon Street.

APPLICANT'S PROPOSAL

The Applicant, Peter Ames, is proposing to remove a wood stockade fence located along portions of the east and south lot lines and construct a brick privacy wall ranging in height from 9' to 10'. The wall will include a wood pedestrian gate and bluestone capped piers. New brick

steps will also be installed at the interior of the pedestrian gate. The brick wall is intended to screen the subject property from more intense uses/activity along St. Marys Court and will also retain earth as the property slopes down toward the rear lot line.

FINDINGS

Section 5.43 – Exceptions to Yard and Setback Regulations

Section 5.60 – Side Yard Requirements

Section 5.70 – Rear Yard Requirements

Section 5.62 – Fences and Terraces in the Side Yard

Section 5.74 – Fences and Terraces in the Rear Yard

Privacy Wall	Required	Existing	Proposed	Relief
Side-Yard Setback	15 Feet	N/A	0 Feet	Not needed*
Rear-Yard Setback	30 Feet	N/A	0 Feet	Not needed*
Maximum Wall Height (side & rear yards)	8 Feet	10 Feet	10 feet	Variance/ Special Permit**

** If the height is waived by special permit then no relief is needed for side or rear yard setbacks.*

***Under Section 5.62 and 5.74, the Board of Appeals may waive fence/wall height requirements by special permit where it is warranted to mitigate noise or other detrimental impacts.*

PLANNING BOARD COMMENTS

The Planning Board does not object to the proposed 10-foot brick privacy wall. This rear portion of the property directly abuts St. Mary's Court, which is largely used for off-street parking, trash pick-up, and delivery for commercial uses along Beacon Street. This activity is particularly intense because the residential building at 85-87 St. Marys Street is associated with Boston University and commercial uses from 1004-1032 Beacon Street include a supermarket, hardware store, liquor store, Dunkin Donuts, and several restaurants.

The layout of the privacy wall aligns exactly with the border between this single-family district and the abutting apartment house district to the south. The Preservation Commission found the height and design of the brick wall to be appropriate and more aesthetically appealing than the existing stockade fence in this area, which is in disrepair.

Therefore, the Planning Board recommends approval of the site plan by Elliott Paturzo, dated 1/13/15, and privacy wall elevations by Timothy Burke, dated 12/28/15, subject to the following conditions:

- 1. Prior to the issuance of a building permit, the applicant shall submit a final site plan, and privacy wall plans, 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 landscaping plan including 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 land surveyor, 2) final floor plans and elevations, stamped and signed by a registered.**

Jr



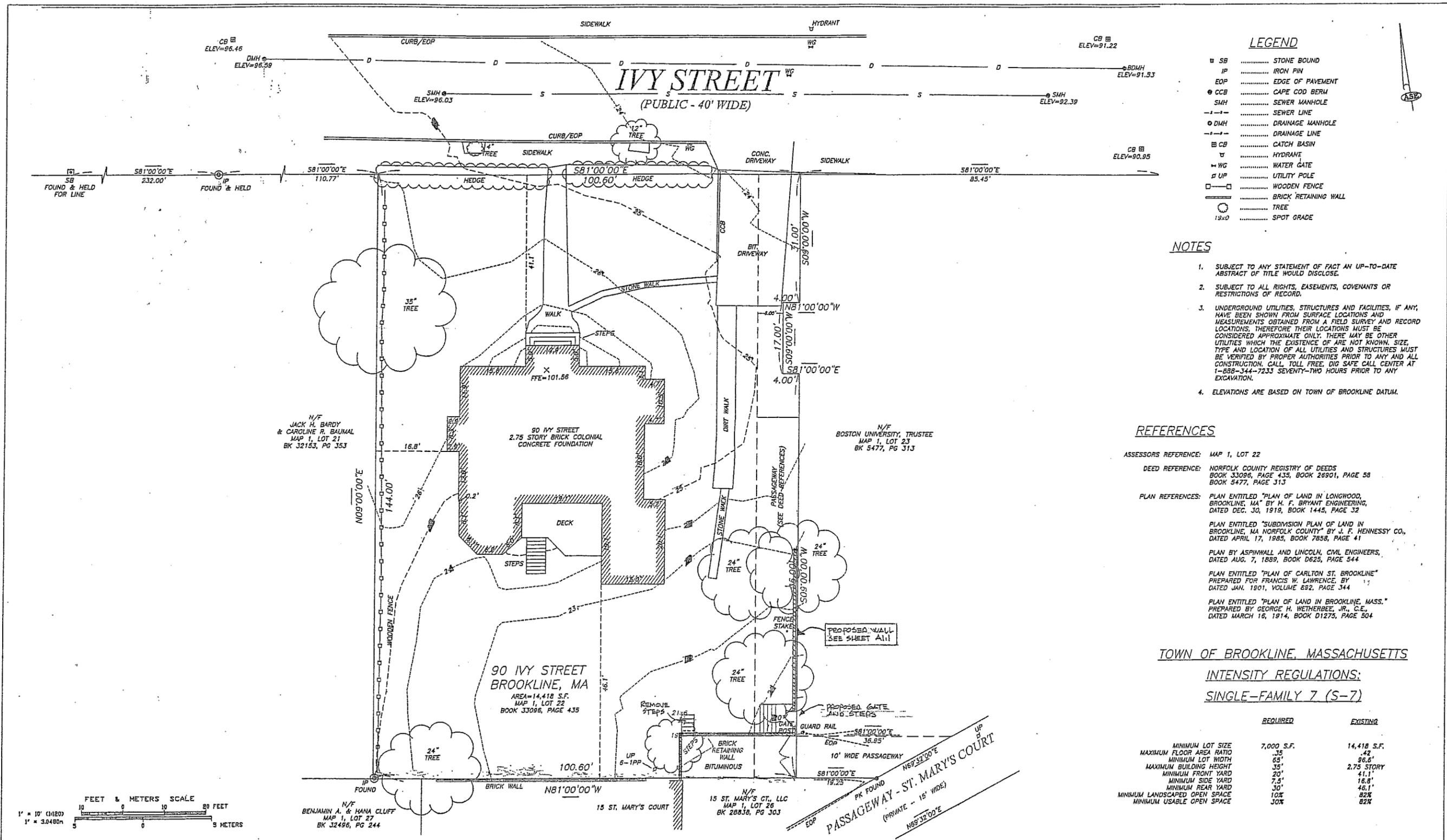
Existing Stockade fence from St. Marys Court



90 Ivy Street – Rear Yard



90 Ivy Street



LEGEND

- SB STONE BOUND
- IP IRON PIN
- EOP EDGE OF PAVEMENT
- CCB CAPE COD BERM
- SMH SEWER MANHOLE
- - - - - SEWER LINE
- DMH DRAINAGE MANHOLE
- - - - - DRAINAGE LINE
- CB CATCH BASIN
- HYDRANT
- WG WATER GATE
- UP UTILITY POLE
- WOODEN FENCE
- BRICK RETAINING WALL
- TREE
- 18x0 SPOT GRADE

NOTES

1. SUBJECT TO ANY STATEMENT OF FACT AN UP-TO-DATE ABSTRACT OF TITLE WOULD DISCLOSE.
2. SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD.
3. UNDERGROUND UTILITIES, STRUCTURES AND FACILITIES, IF ANY, HAVE BEEN SHOWN FROM SURFACE LOCATIONS AND MEASUREMENTS OBTAINED FROM A FIELD SURVEY AND RECORD LOCATIONS, THEREFORE THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHER UTILITIES WHICH THE EXISTENCE OF ARE NOT KNOWN. SIZE, TYPE AND LOCATION OF ALL UTILITIES AND STRUCTURES MUST BE VERIFIED BY PROPER AUTHORITIES PRIOR TO ANY AND ALL CONSTRUCTION, CALL TOLL FREE, DIG SAFE CALL CENTER AT 1-888-344-7233 SEVENTY-TWO HOURS PRIOR TO ANY EXCAVATION.
4. ELEVATIONS ARE BASED ON TOWN OF BROOKLINE DATUM.

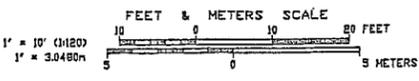
REFERENCES

- ASSESSORS REFERENCE: MAP 1, LOT 22
- DEED REFERENCE: NORFOLK COUNTY REGISTRY OF DEEDS
BOOK 33096, PAGE 435, BOOK 28901, PAGE 58
BOOK 5477, PAGE 313
- PLAN REFERENCES: PLAN ENTITLED "PLAN OF LAND IN LONGWOOD, BROOKLINE, MA" BY H. F. BRYANT ENGINEERING, DATED DEC. 30, 1918, BOOK 1445, PAGE 32
- PLAN ENTITLED "SUBDIVISION PLAN OF LAND IN BROOKLINE, MA NORFOLK COUNTY" BY J. F. HENNESSY CO., DATED APRIL 17, 1985, BOOK 7858, PAGE 41
- PLAN BY ASPINWALL AND LINCOLN, CIVIL ENGINEERS, DATED AUG. 7, 1889, BOOK D625, PAGE 544
- PLAN ENTITLED "PLAN OF CARLTON ST. BROOKLINE" PREPARED FOR FRANCIS W. LAWRENCE, BY 13 DATED JAN. 1901, VOLUME 692, PAGE 344
- PLAN ENTITLED "PLAN OF LAND IN BROOKLINE, MASS." PREPARED BY GEORGE H. WETHERBEE, JR., C.E., DATED MARCH 16, 1914, BOOK D1273, PAGE 504

TOWN OF BROOKLINE, MASSACHUSETTS

**INTENSITY REGULATIONS:
SINGLE-FAMILY 7 (S-7)**

	REQUIRED	EXISTING
MINIMUM LOT SIZE	7,000 S.F.	14,418 S.F.
MAXIMUM FLOOR AREA RATIO	.35	.42
MINIMUM LOT WIDTH	35'	36.6'
MAXIMUM BUILDING HEIGHT	35'	2.75 STORY
MINIMUM FRONT YARD	20'	41.1'
MINIMUM SIDE YARD	7.5'	18.8'
MINIMUM REAR YARD	30'	46.1'
MINIMUM LANDSCAPED OPEN SPACE	10%	82%
MINIMUM USABLE OPEN SPACE	30%	82%



ZONING DESIGNATION:
TOWN OF BROOKLINE
ZONING DISTRICT SINGLE-FAMILY 7 (S-7)

ASSESSORS REFERENCE:
MAP 1, LOT 22

I CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY PERFORMED ON THE GROUND ON AND JANUARY 4, 2016, AND THE LATEST PLANS AND DEEDS OF RECORD.

I CERTIFY THAT THE LOT SHOWN LIES WITHIN FLOOD ZONE "X" AS SHOWN ON PANEL 51 OF 430, MAP NUMBER 250210005TE, HAVING AN EFFECTIVE DATE OF JULY 17, 2012.

REVISIONS

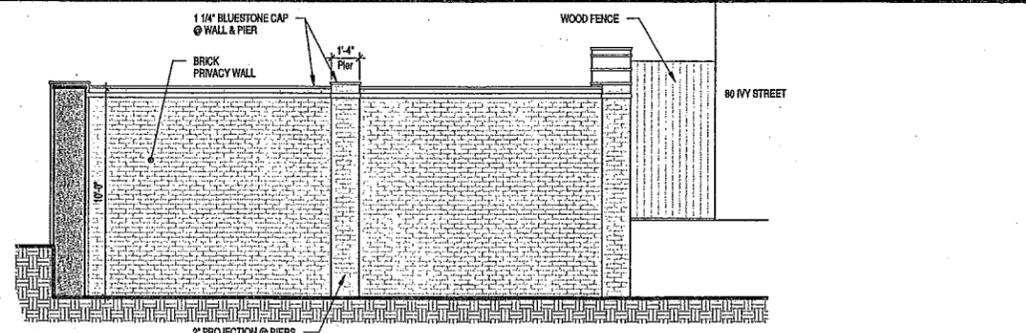
DATE	DESCRIPTION

FIELD: MB/MI/BD
CALCS: EJP/SMI
DRAWN BY: SMI
FIELD EDIT: N/A
CHECKED: EJP
APPROVED:
JOB #: 151388

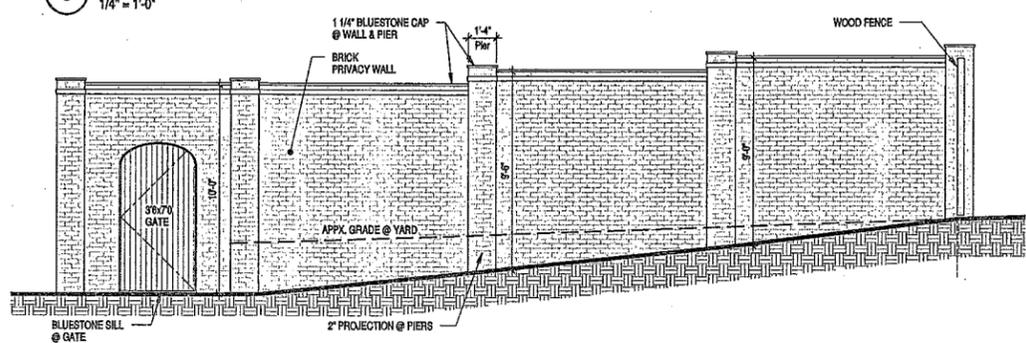
PROFESSIONAL LAND SURVEYOR
DATE: 1/13/15

A.S. Elliott & Associates
Professional Land Surveyors
P.O. BOX 85 ~ HOPEDALE, MA 01747
(508) 634-0256

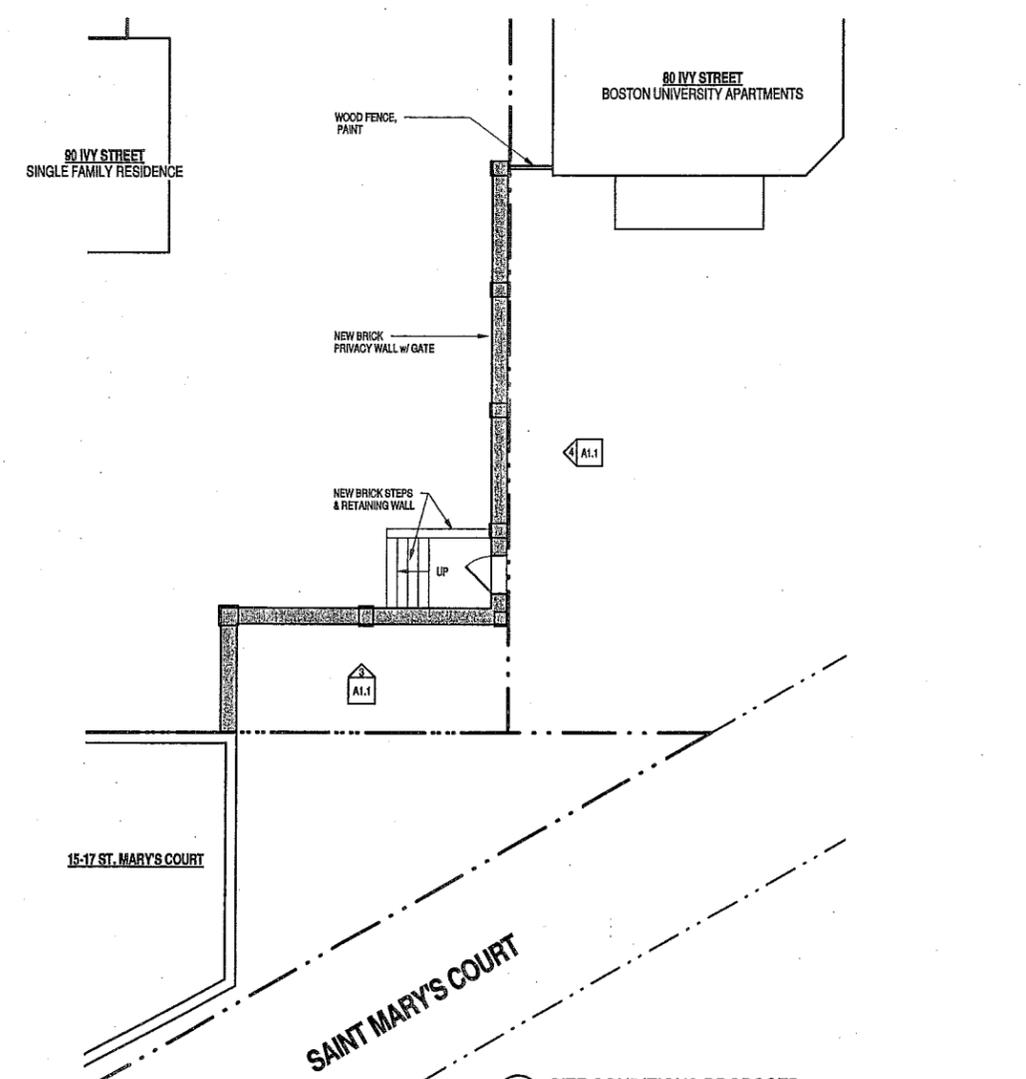
**Existing Conditions
Plan of Land**
90 IVY STREET
BROOKLINE, MASSACHUSETTS
PREPARED FOR: TIMOTHY BURKE, AIA LEED AP
SCALE: 1" = 10' DATE: JANUARY 7, 2016



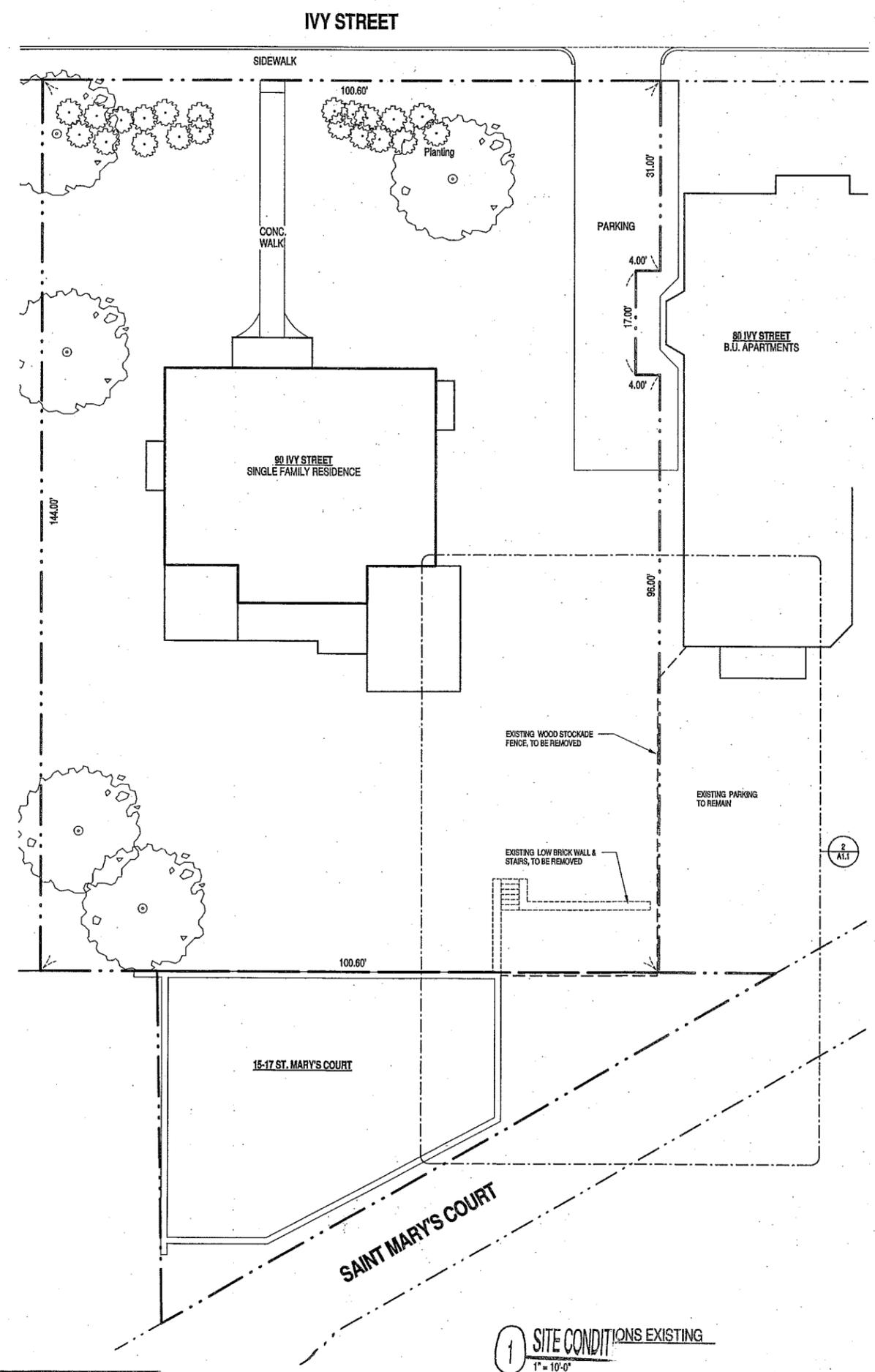
3 Proposed South Elevation
1/4" = 1'-0"



4 Proposed East Elevation
1/4" = 1'-0"



2 SITE CONDITIONS PROPOSED
1/8" = 1'-0"

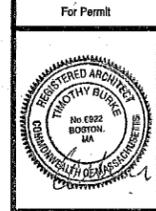


1 SITE CONDITIONS EXISTING
1" = 10'-0"



Timothy Burke
ARCHITECTURE
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REV.	DATE	DESCRIPTION	AUTHOR
1	12/28/2015		



Proposed & Existing Site Plans

90 Ivy Street
Brookline, MA 02446

A1.1