



**TOWN of BROOKLINE**  
*Massachusetts*

**BUILDING DEPARTMENT**

Daniel F. Bennett  
Building Commissioner

**INTEROFFICE MEMORANDUM**

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**Date:** November 28, 2016

**To:** Zoning Board of Appeals

**From:** Daniel F. Bennett  
Building Commissioner

**Re:** 40 Center Street Comprehensive Permit

Town staff reviewed the most recent waiver list dated November 10, 2016 received on November 28, 2016. In addition staff reviewed an unstamped Proposed Building Footprint Plan prepared by J. F. Hennessy Co. dated October 31, 2016, unstamped Existing Conditions Plan prepared by J. F. Hennessy Co. dated December 2015 and stamped Architectural Plans (11 pages) prepared by Cube 3 dated November 21, 2016.

Waivers were reviewed for consistency and proper application.

Waiver No.	By-Law Sec	Description	Effect on Project
A	4.07 (6)	Required to allow Use (multi-family)	Req'd to Build
B	4.08	Affordable Housing Requirement's – Inclusionary Zoning	Not Applicable

C	5.09	Design Review – staff recommends w/some exceptions	Req'd to Build w/some exceptions
		5.09.3.c.2 - Existing Conditions Plan	
		5.09.3.c.3 - Drawing of Proposal	
		5.09.4.f - Storm water Drainage	
		5.09.4.g - Utility Service	
		5.09.4.h - Advertising Features	
		5.09.4.j - Safety and Security	
		5.09.4.m - Energy Efficiency	
D	5.20,5.22, Tbl 5.01	Max FAR	Req'd to Build
E	5.30,5.31,Tbl 5.01	Bldg. Height	Req'd to Build
F	5.43	Exceptions to Yard/Setbacks	Req'd to Build
G	5.60, Tbl 5.01	Side Yards	Req'd to Build
H	5.50,5.51, Tbl 5.01	Front Yard	Req'd to Build
I	5.70, Tbl 5.01	Rear Yard	Req'd to Build
J	Tbl 5.01	Max Bldg Stories	Not Applicable
K	5.54.2	Exceptions for Exist Alignment	Req'd to Build
L	5.90, Tbl 5.01	Min Landscaped Open Space 10%	Req'd to Build
M	5.91, Tbl 5.01	Min Usable Open Space 20%	Req'd to Build
N	Tbl 6.02	Table of Off Street Parking Reg's	Req'd to Build
O	6.02.2.f	Residence Use visitor parking	Req'd to Build
P	6.04.4.c	Max driveway width	Req'd to Build
Q	6.04.2.e	Max no. of compact spaces	Not Applicable
R,S	9.00	Enforcement	Do Not Recommend
T	9.05	Condition for Approval Special Permit	Req'd to Build

“Req'd to Build” – This means the waiver is required to construct the project as proposed