



Town of Brookline Massachusetts

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PLANNING BOARD

Steven A. Heikin, Chair
Mark J. Zarrillo, Clerk
Andrea Brue
Shelly Chipimo
Linda K. Hamlin
Abigail Hiller
Blair Hines

BROOKLINE PLANNING BOARD MINUTES By Zoom Event January 5, 2022 – 7:30 p.m.

Board Present: Steve Heikin, Mark Zarrillo, Andrea Brue, Linda Hamlin, Blair Hines
Staff Present: Polly Selkoe, Beccah Mapure

Steve Heikin opened the meeting.

1) PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Steve Heikin informed that the Planning Board and the Preservation Commission would hold a Joint meeting on 1/11/23 to discuss the Harvard Street Study, which focuses on identifying ways to lift barriers to multifamily/mixed-use development in the short-term and comply with MBTA Communities.

2) BOARD OF APPEALS CASE (Tentative Zoning Board of Appeals Hearing Date) and relevant Precinct:

269 Lee Street (cont.) – Demolish single-family and construct single-family dwelling (1/19)
Pct. 14

Polly Selkoe introduced the case and explained that the case had been continued for FAR verification, which the Building Commissioner has now done stating that the architect's assumptions were correct.

Attorney Bob Allen introduced his team, summarized the proposal, and described the required relief.

Mark Zarrillo asked about the FAR.

Bob Allen presented the requested figures.

Architect Chris Russ displayed and presented the plans.

Andrea Brue asked if there were large existing trees to be torn down.

Chris Russ confirmed that four trees were within the footprint of the new house.

Steve Heikin asked if the project would be subject to the updated Tree Protection Plan passed by Fall 2022 Town Meeting.

Bob Allen replied that the project would not be subject to the new requirements of the Tree Preservation By-Law because the By-Law would not be approved in time.

Steve Heikin noted that despite not being subject to the requirements of the Tree Protection By-Law, such a luxury residential project could contribute to replacing major trees.

Steve Heikin urged the architect to consider making the new house fossil fuel free to benefit the clients, the Town, and the environment.

Linda Hamlin noticed that the proposed building would be very close to the southern neighbor and asked what would be placed on the enclosure on that side and what the setback dimension was.

Chris Russ replied that there would be an AC condenser and a generator, but the equipment would be screened by an existing retaining wall and respect the 6 foot setback.

Linda Hamlin noted that the applicant should conform to the noise requirements given the proximity to the neighbor.

Andrea Brue asked if the pool had the same setback requirement.

Polly replied that four feet of dense screening was required for the pool.

Steve Heikin made a motion to recommend approval. The motion was approved unanimously.

The Planning Board recommends approval of the architectural plans by Christopher Russ Architects, dated 8/19/22, and site plan by Everett M. Brooks Co., dated 5/10/22, subject to the following conditions:

- 1. Prior to the issuance of a building permit, the applicant shall electronically submit a final site plan, stamped and signed by a registered engineer or land surveyor, to the Assistant Director for Regulatory Planning for review and approval.**
- 2. Prior to the issuance of a building permit, the applicant shall electronically submit to the Building Commissioner for review and approval a) the site plan displaying the approval stamp of the Assistant Director for Regulatory Planning; and b) evidence that the Board of Appeals decision has been obtained from the Town Clerk's office by the applicant or their representative and recorded at the Registry of Deeds.**

1306 Beacon Street – Add roof deck to existing commercial building (1/19) Pct. 17

Beccah Mapure introduced the case and described the required relief.

Attorney Bob Allen introduced his team and summarized the proposal and the required relief.

The owner was present.

Architect Shane Losi presented the proposal.

Steve Heikin asked about the reason for not extending to the roof immediately adjacent to the existing second-floor dining area.

Shane Losi replied that the choice allowed them to avoid ramping up the new roof deck support because of the height differences between the roofs.

Andrea Brue thought the logos on the wood band seemed unnecessary.

Mark Zarrillo asked if the pergola was open at the top. The architect replied affirmatively.

Steve Heikin asked if the applicant planned to have any shading for sun protection during summer and what seasonal use was expected.

Shane Losi replied that the intent was to use the pergola itself for shading.

Bob Allen added that operating season would be consistent with that allowed by the Select Board.

Steve Heikin made a motion to recommend approval. The motion was approved unanimously.

The Planning Board recommends approval of the site plan by Boston Survey Inc, PLS, dated September 16, 2022 and architectural plans by Choo & Company Inc, dated September 15, 2022, the Planning Department staff recommends the following conditions:

- 1. Prior to the issuance of a building permit, the applicant shall electronically submit final floor plans and elevations, stamped and signed by a registered architect, and a final site plan, stamped and signed by a registered engineer or land surveyor, to the Assistant Director for Regulatory Planning or designee for review and approval.**
- 2. The applicant shall maintain substantial plantings and other screening materials in the roof deck planters in good condition.**
- 3. Prior to the issuance of a building permit, the applicant shall electronically submit to the Building Commissioner for review and approval a) the site plan, floor plans, and elevations displaying the approval stamp of the Assistant Director for Regulatory Planning or designee; and b) evidence that the Board of Appeals**

decision has been obtained from the Town Clerk’s office by the applicant or their representative and recorded at the Registry of Deeds.

85 Naples Road (cont.) – Demolish two-family and construct two-family dwelling (1/19)
Pct. 8

Polly Selkoe introduced the case and described the required relief.

Attorney Bob Allen introduced his team and summarized the changes made since last hearing.

The property owner was present.

Architect Monty French presented the previous and revised plans.

Landscape architect Michael Rettenmier presented the updated landscape plans.

Polly Selkoe asked if drainage could be discussed.

Monte French replied that vegetation was added to help along with the retaining wall, but they still had to integrate additional drainage measures.

Polly noted that plans would be submitted to the Engineering Department before a building permit was issued.

Bob Allen noted that the Stormwater By-law was strict and that they would comply.

Mark Zarrillo asked if it was possible to add larger trees at the front of the house as a backdrop to the view. The Landscape architect replied positively. Zarrillo also asked if a single peaked roof was explored, similar to the neighboring units.

Monte French replied that a single peaked roof would conflict with the height requirement and would have to be very shallow.

Public Comments

Alisa Plazonja, 152 Naples Road, shared concerns about the massing of the building, which was not consistent with the streetscape as required by Section 5.09.4.c of the Zoning By-law.

Rebecca Arnoldi, 89 Naples Road, noted that the renderings erased their house and trees, giving a sense that there was more space in between than there actually was. The new building would reduce sunlight exposure to their home and yard, and the many windows would impact their privacy. The demolition and excavation could also destabilize their foundation. At the neighborhood level, concerns included the loss of affordable housing, trees, and wildlife needed for health, well-being, and climate resiliency.

John Harris, TMM Pct. 8, expressed that the current design impinged on the adjacent trees, putting them in danger. The expanded footprint would also reduce permeable land and increase flood risk, impacting the new house and neighbors without adding to the needed housing stock.

Harriet Korim said that demolitions posed health risks to workers and neighbors, a threat not worthy for a luxurious condo that did not respond to affordable housing needs and would not add to the neighborhood.

Mitchel Heineman, abutter to the rear at 92 Beals Street, said that increasing the footprint of the building would increase runoff and exacerbate flooding problems during storms, as the existing drainage system was already undersized. Heineman noted that his property already had flooding issues due to its location at a low point within the drainage system. Therefore, the footprint size was critical. Heineman also disapproved of the 6 feet fence, which would disrupt community interactions.

Jonathan Hulbert, 60 Naples Road, echoed concerns about trees and asked that existing mature trees either on that property or very close to the property line were not harmed if the project moved forward. He agreed the building felt massive and out of character with the neighborhood. Hulbert noted that similar projects were happening in the area and were gradually changing the neighborhood's character.

Board Discussion

Steve Heikin echoed Hulbert's comment about the proliferation of similar projects. He noted that the Planning Board would have townwide Design Review influence over demolition-related projects, due to the approval of Warrant Article by Fall 2022 TM. Still, there was a question about how much the Board could influence results through Design Review.

Polly Selkoe noted that the T Zoning District allowed an FAR of 1 and, therefore, new dwellings could be larger than surrounding buildings. However, Design Review could be used to help minimize the size and shape the building through articulation, architectural details, and style.

Steve Heikin said a viable solution would be to allow three units in a T-5 district instead of reducing FAR. Reducing FAR would create new pre-existing non-conforming houses and allow those to use the State Zoning Code Chapter 40A Section 6A to further increase their dimensions.

Blair Hines said the Board needed to analyze if massing was a design issue or if design was limited to the articulation and detailing of the structure. He believed the Board should have a say about the volume as part of Design Review. He added that the proposed building size would impact tree preservation and stormwater management.

Steve Heikin asked where would stormwater collection be placed.

Michael Rettenmier replied that the structure would ideally be placed at the rear, the lowest part of the lot. It was noted that it would be inside the tree root zone.

Monte French said they would work with an expert civil engineer and the landscape architect to place the stormwater collector in a less impactful location.

Polly Selkoe suggested the Planning Board ask the applicant to show the precise location of the stormwater basin as both landscape and drainage were revealed to be important issues for the project. Steve Heikin agreed.

Andrea Brue wondered if keeping the existing house and proposing a large addition to the back would avoid Design Review.

Polly Selkoe clarified that it would depend on whether or not it would be considered partial demolition.

Andrea Brue appreciated the changes the applicant made to match the neighborhood's architectural style. Still, she could not support its given massing, which was not in keeping with the neighborhood's character. Brue was also concerned that the front half of the building was dedicated to non-occupiable space.

Mark Zarrillo observed that, under Section 5.09.2.n, the Board shall be required to find that the massing, scale, footprint, and height of the building are not substantially greater than those of abutting structures and other structures conforming to the by-law on similarly sized lots in the neighborhood. Zarrillo understood that the referred section meant the Board had the power to influence the massing under Design Review.

Linda Hamlin said developers want to use the maximum FAR allowed, opting for flat roofs even when they do not match other surrounding structures. Hamlin wondered how everything could be coordinated and wished other allowances would enable the building to conform to the street. The Zoning By-law made it difficult to match the street's character.

Shelly Chipimo said there were significant concerns about drainage pointed out by the public, and she wouldn't be ready to vote with such important information missing.

Steve Heikin said the proposed building did not match the old structures on the street. While the building did not feel entirely out of place, it had a different roof form. Heikin felt the applicant had made a reasonable attempt to respond to design concerns. Still, the project could be more compact to better fit in the neighborhood.

Blair Hines suggested continuing the case and giving the applicant more specific comments for improvement.

Bob Allen said he could not see a possibility of consensus, and because the project was compliant with the By-law requirements, they would like the Board to vote.

Steve Heikin asked if there was a way to return to a two-and-a-half-story structure with less footprint.

Monte French was unsure if the suggestions would lead the project to the desired results.

Linda Hamlin could not understand the pro forma. She believed massing could be reduced by having better use of space. While living areas such as kitchens and bedrooms were small, large spaces were allocated to the elevator and roof deck.

Steve Heikin made a motion to recommend the denial of the plans in their current form. The motion was approved unanimously.

The Planning Board recommends denial of the site plan by Monte French Design Studio, dated 10/1/22, and architectural plans by Monte French Design Studio, dated 10/1/22.

If the Board of Appeals should approve the proposal , the Planning Board recommends the following conditions:

- 1. Prior to the issuance of a building permit, the applicant shall electronically submit final floor plans and elevations, stamped and signed by a registered architect, and a final site plan, stamped and signed by a registered engineer or land surveyor, to the Assistant Director for Regulatory Planning for review and approval.**
- 2. Prior to the issuance of a building permit, the applicant shall electronically submit a landscape plan and a tree protection plan that shows proposed counterbalancing amenities subject to approval by the Assistant Director for Regulatory Planning.**
- 3. The stormwater management plan should be compatible with the tree protection plan.**
- 4. Prior to the issuance of a building permit, the applicant shall electronically submit to the Building Commissioner for review and approval a) the site plan, floor plans, and elevations displaying the approval stamp of the Assistant Director for Regulatory Planning; and b) evidence that the Board of Appeals decision has been obtained from the Town Clerk’s office by the applicant or their representative and recorded at the Registry of Deeds.**

55 Green Street (cont.) – Demolish two-family and construct three-family dwelling (1/19)
Pct. 17

Steve Heikin recused himself, and Mark Zarrillo chaired the case.

Polly Selkoe introduced the case and described the changes made since the last hearing.

Attorney Bob Allen introduced his team, summarized the changes, and noted that relief other than Design Review was no longer required as the project was now entirely compliant.

Architect Mark Nielsen presented the proposal and highlighted the changes made.

Andrea Brue appreciated the changes made and said the case differed from 85 Naples Road because of the context. In addition, the design changes made it more contextual. 55 Green Street was next to a boxy building with a similar footprint in a three-family district. Brue only had concerns about the size of the deck on the back.

Blair Hines agreed that the context of the building was different and comparable to some neighboring structures. Hines also agreed that the decks were more extensive than needed and could be reduced.

Linda Hamlin agreed that the building looked better and would support the proposal.

Shelly Chipimo appreciated the changes and agreed that the decks could be reduced.

Mark Zarrillo asked if the windows at the dormer were made larger.

Mark Nielsen replied that the dormer was made smaller.

Public Comments:

Susie Roberts, TMM Pct. 17, stated that the demolition of significant structures should be replaced in accordance with design standards and guidelines in the By-law. She noted that there was no context of the proposed house with the other five homes in the street, which gave graciousness to the neighborhood. 55 Green Street was mirroring what happened at 63-65 Green Street, which failed to address abutters' concerns. Despite design improvements, the structure was still oversized compared to other neighborhood houses. Roberts urged the Board to ask the developer to make the house smaller.

Beatka Zakrzewski, 59 Green Street and TMM Pct. 17, said they bought their house because it was part of the five houses deemed significant in the street. Zakrzewski disagreed that the situation was different from 85 Naples Road. The Board did not discuss the size of the building, which had been the biggest concern. The three-story building was higher than the four-story building to the right, putting their property in perpetual shadow during winter, inflicting detrimental economic and well-being impacts on them. It would also take away affordable units and drive housing prices up. She believed the Planning Board had the power to push back on the project and urged the Board to vote against it.

Board Discussion

Mark Zarrillo noted that 9 out of the 14 buildings at that portion of Green Street were completely different and therefore not comparable to 85 Naples Road.

Blair Hines reiterated that the building was not more massive than the building to the left and was only further extended into the rear and was well-articulated.

Mark Zarrillo made a motion to recommend approval. The motion was approved unanimously.

The Planning Board recommends approval of the site plan by Paul Nolan & Associates dated 3/7/2022 and architectural plans by Peter Quinn Architects dated 11/29/2022, subject to the following conditions:

- 1. Prior to the issuance of a building permit, the applicant shall electronically submit final floor plans and elevations, stamped and signed by a registered architect, and a final site plan, stamped and signed by a registered engineer or land surveyor, to the Assistant Director for Regulatory Planning for review and approval.**
- 2. Prior to the issuance of a building permit, the applicant shall electronically submit a landscape plan that shows proposed counterbalancing amenities subject to approval by the Assistant Director for Regulatory Planning. The counterbalancing amenities must be executed in accordance with the approved plan.**
- 3. Prior to the issuance of a building permit, the applicant shall electronically submit to the Building Commissioner for review and approval a) the site plan, floor plans, and elevations displaying the approval stamp of the Assistant Director for Regulatory Planning; and b) evidence that the Board of Appeals decision has been obtained from the Town Clerk's office by the applicant or their representative and recorded at the Registry of Deeds.**

The meeting was adjourned.