



# Town of Brookline

## Massachusetts

**PLANNING BOARD**  
Steve Heikin, Chairman  
Robert Cook, Clerk  
James Carr  
Linda K. Hamlin  
Blair Hines  
Matthew Oudens  
Mark J. Zarrillo

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### **BROOKLINE PLANNING BOARD MINUTES** **Room 111, Brookline Town Hall** **February 7, 2019 – 7:30 p.m.**

**Board Present:** Steve Heikin, Linda Hamlin, Bob Cook, James Carr, Blair Hines

**Staff Present:** Karen Martin

Mr. Heikin called the meeting to order at 7:30 pm.

#### **BOARD OF APPEALS CASES**

**95 Welland Road** (continued) – construct rear addition requiring relief for FAR and rear yard setback (2/14) Pct. 6

Karen Martin described the proposal and the zoning relief required.

Architect Dartagnan Brown of Embarc Studios presented the revised plans.

Mr. Heikin asked about raising the level of the patio.

Katya Podsiadlo of Verdant Landscape Architecture presented the landscaping plan and discussed the removal of failing trees at the corner of the property.

Ms. Hamlin asked about tree removal and if the applicant is working with the neighbor on this. The neighbors replied that they would like to work together to hire an arborist.

Mr. Cook suggested an active plan to manage the trees and any growth along the shared property line.

Mr. Heikin asked the Levins (direct abutters) about their letter to the Board. Carol Levin stated that she supports the new design and will work with the applicant regarding the landscaping.

Ms. Hamlin asked about fencing.

Mr. Heikin stated that he is very pleased to see the evolution of this project and that it is significantly improved and is now a very coherent, scaled and sensitive proposal.

***Mr. Heikin motioned to recommend approval.***

***Ms. Hamlin seconded the motion.***

**Voted (4-0): Therefore, the Planning Board recommends approval of the site plan by Kevin Kiernan dated 2/6/2019 and the floor plans and elevations by Embarc Studios dated 2/7/2019 subject to the following conditions:**

1. Prior to the issuance of a building permit, the applicant shall submit a final site plan, floor plans and elevations 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 landscaping plan, subject to the review and approval of the Assistant Director of 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: a) a final site plan stamped and signed by a registered engineer or land surveyor; b) final floor plans and elevations stamped and signed by a registered architect or engineer; and c) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

(Mr. Hines recused himself from this case).

**201 Summit Avenue** – construct second story and rear addition requiring relief for FAR (2/21) Pct. 11

Karen Martin described the required zoning relief and the proposal.

Attorney Bob Allen gave an overview of this proposal, which is a re-application for zoning relief that was previously approved in 2016.

**Karen and Pamela Pappas (195 Summit Ave)** expressed concerns about the impact of this proposal on their property, the construction plan and the change to the three identical houses in a row.

The Board discussed that the project had previously been approved and that they felt that a second story addition to a modest ranch home was not an unreasonable proposal even if it would make this home look different than the other two in this grouping.

***Mr. Heikin motioned to recommend approval.***

***Mr. Cook seconded the motion.***

**Voted (3-0-1): Therefore, the Planning Board recommends approval of the site plan submitted by Brice Bradford, dated 5/12/14, and the architectural plans by Linda Hamlin, dated 1/27/2016, subject to the following conditions:**

1. Prior to the issuance of a building permit, the applicant shall submit a final site plan, floor plans and elevations 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 to the Building Commissioner for review and approval for conformance to the Board of Appeals decision: a) a final site plan stamped and signed by a registered engineer or land surveyor; b) final floor plans and elevations stamped and signed by a registered architect or engineer; and c) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

Mr. Carr abstained from voting, due to the fact that abutters present at the meeting, stated that they had been unable to be present to present their objective at the prior review .

Ms. Hamlin recused herself from this case.

**199 – 201 Boylston Street** – (revision) – construct six new townhouses requiring relief for lot size, height, FAR, setbacks and parking (2/28) Pct. 4

Karen Martin described the proposal and the zoning relief required.

Attorney Bob Allen gave an overview of the changes to this proposal. Architect Ted Taloukian presented the revised architectural plans.

Mr. Hines asked about fire access and whether the area next to the townhomes will be paved. Mr. Heikin also asked whether this area will be used for vehicle access and if there can be pervious pavers. The applicant indicated that cars will not drive over this section except for the Leverett Street neighbors who will use it to access their parking spaces. They stated they will consider pervious materials. Mr. Cook stated that this space looks like a great landscaping opportunity.

Mr. Taloukian reviewed the height and the proposed materials.

Mr. Heikin noted the change to masonry panels.

Mr. Taloukian also reviewed the improvements to the Boylston Park entry.

Mr. Heikin asked about the cementitious panels at the rear, the location of the shower windows and the inset balcony angles.

Ms. Hamlin asked about the small wing walls at the basement level.

Mr. Heikin suggested pulling back the deck on the existing two-family house. He also commented that he thinks the stepping down of the townhouses should be even more obvious.

**Antonia Bellalta** asked if the lower –level windows on the park side will have wells. The applicant replied that they will not but that there could be fritted glass added for privacy.

**Mr. Heikin motioned to recommend approval.**

**Mr. Cook seconded the motion.**

**Voted (5-0): Therefore, the Planning Board recommends approval of the site plan by David Crispin dated 1/30/2019 and architectural plans prepared by Touloukian Touloukian Inc., dated 1/31/19, subject to the following conditions:**

- 1) Prior to the issuance of a building permit, the applicant shall submit a final site plan, floor plans and elevations, with materials indicated, subject to the review and approval of the Planning Board and the Parks Commission.
- 2) Prior to the issuance of a building permit, the applicant shall submit a pedestrian access plan subject to the review and approval of the Assistant Director of Regulatory Planning and other any Town designees that she deems appropriate.
- 3) Prior to issuance of a building permit, a final landscape and maintenance plan for the planted border between the subject property and the Boylston Street Playground shall be submitted for the review and approval of the Director of Parks and Open Space and the Assistant Director of Regulatory Planning. The plan shall indicate all existing and proposed plantings, including plant type and size, proposed fencing (if any), and include a maintenance schedule, which shall continue in perpetuity, unless otherwise modified with the approval of the Director of Parks and Open Space.
- 4) The planted border between the subject property and the Boylston Street Playground shall be used for landscaping only, and remain free of any outdoor furniture, grills, additional fencing, trash and/or recycling receptacles, or similar items, unless otherwise approved by the Director of Parks and Open Space.
- 5) In accordance with Section 4.08 of the Zoning By-law and guidelines regarding “Cash Payments in Lieu of Affordable Units,” approved October 30, 2014, and with the choice of the applicant to make a cash payment in lieu of providing affordable units, the owner of the property shall make the following payment to the Brookline Housing Trust and provide the following documentation upon the sale of each unit:

A sum equal to 9.00% of the adjusted sales price of the unit (actual sales price, including the cost of all parking, less an exemption deduction of \$125,000) shall be deducted from the net proceeds due the seller for each of the units at XXXXXX, and provided to the Town in the form of a bank check, certified check or a check drawn on an Attorney Client’s Fund Account, payable to the Brookline Housing Trust.

The check shall be mailed, accompanied by a copy of the HUD settlement statement, signed by the seller and buyer, and a copy of unit deed, by first class mail or hand delivery to:

Director of Planning & Community Development  
333 Washington Street – 3rd floor  
Brookline, MA 02445

If any condominium unit(s) is/are rented by the owner instead of sold, the cash payments relative to the units being rented shall be immediately due and payable, unless, upon a request by the owner due to a significant change in market conditions, the Director of Planning and Community Development approves a different schedule of payments.

Prior to issuance of a building permit, the owner shall execute a mortgage, escrow agreement, letter of credit or other documentation approved by the Director of Planning and Community Development to secure the cash payments required by this condition.

- 6) Prior to the issuance of a building permit, the applicant shall submit a construction management plan, subject to the review and approval of the Building Commissioner, with a copy to the Planning Department.
- 7) Prior to 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 floor plans stamped and signed by a registered architect; and 3) evidence the decision and necessary easements have been recorded at the Registry of Deeds.

**20 Harrison Street** – change rear roof from hip to gable requiring relief for rear setback (2/21) Pct. 3

Karen Martin described the proposal and the zoning relief required.

Attorney Jennifer Dopazo Gilbert gave an overview of the case.

Architect Fred Guitierrez presented the architectural plans.

Mr. Heikin asked about the partial hip that is remaining. The Board discussed whether the shape of the roof could be slightly altered. Ms. Gilbert replied that this design has already been approved by the Preservation Commission so it cannot be changed without going back to the Commission. The Planning Board expressed frustrations with the Preservation process.

***Mr. Heikin motioned to recommend approval.***

***Mr. Cook seconded the motion.***

**Voted (5-0): Therefore, the staff recommends approval of the site plan by Lewis Holzman dated 11/30/1991 and the floor plans and elevations by Shephard PMC dated 12/1/2018 subject to the following conditions:**

1. Prior to the issuance of a building permit, the applicant shall submit a final site plan, floor plans and elevations 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 landscaping plan, subject to the review and approval of the Assistant Director of 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: a) a final site plan stamped and signed by a registered engineer or land surveyor; b) final floor plans and elevations stamped and signed by a registered architect or engineer; and c) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

**217 Wolcott Road** (continued) – construct new single-family dwelling requiring relief for lot width and design review (2/28) Pct. 15

Karen Martin presented the case and described the zoning relief required.

Attorney Adam Barnosky was present. The architect from Rockwood Design presented the revised plans.

The Board discussed the revised plot plan.

Mr. Hines asked about the basement space. Ms. Hamlin stated that everyone has a basement and that the proposal doesn't bother her.

Mr. Heikin suggested trying to align the deck railing with the structural posts. Otherwise, he stated, this is an improvement. He asked about the face of the retaining walls. The applicant replied that they will be natural stone faced.

Mr. Cook agreed that this is a big improvement.

Ms. Hamlin pointed out that the garage width is unusable at only 16.6 feet wide. The Board discussed the design of the garage and whether it can really fit two cars reasonably. Ms. Hamlin stated that the garage door looks tiny and also recommended removing the cupola.

Mr. Heikin suggested adding a foot to the garage by taking a foot out of the interior space.

Mr. Hines asked about concrete versus framing for the basement wall.

***Mr. Heikin motioned to recommend approval.***

***Mr. Cook seconded the motion.***

**Voted (5-0): Therefore, the Planning Board recommends approval of the site plan by Peter Nolan dated 2/27/18 and floor plans and elevations by Rockwood Design, Inc. dated 1/17/2019 subject to the following conditions:**

1. Prior to the issuance of a building permit, the applicant shall submit final site plans, floor plans and elevations showing an enlarged garage, subject to the review and approval of the Assistant Director of Regulatory Planning.
2. The extent to which any non-habitable space may be converted to habitable space in the future, in addition to other relevant By-law sections regulating FAR, must comply with §5.22 of the Zoning By-law.
3. Prior to the issuance of a building permit, the applicant shall submit a final landscaping plan

showing retaining walls and materials, subject to the review and approval of the Assistant Director of Regulatory Planning.

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: a) a final site plan stamped and signed by a registered engineer or land surveyor; b) final floor plans and elevations stamped and signed by a registered architect or engineer; and c) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

**34 Jamaica Road** (continued) – construct rear addition requiring relief for rear and side setback (3/7) Pct. 5

Karen Martin presented the case and described the zoning relief required.

Attorney Jake Walters described the history of the project and the outcome of the Tree Planting Committee vote and Select Board appeal which ultimately resulted in the owner not being allowed to remove the street tree.

Mr. Heikin stated that he is not crazy about the proposed spiral staircase outside and also doesn't think that building code allows an outdoor spiral staircase for egress from a three-family dwelling. The staff said that they would confirm this with the Building Commissioner.

The Board agreed that they would approve the project with a condition that the stairs be fixed and redesigned if necessary.

***Mr. Heikin motioned to recommend approval.***

***Mr. Cook seconded the motion.***

**voted (5-0): Therefore, the Planning Board recommends approval of the site plan by Stephen Desroche dated 1/21/2019 and the floor plans and elevations by Chongzi Chen Architect dated 12/23/18 subject to the following conditions:**

1. Prior to the issuance of a building permit, the applicant shall submit a final site plan, floor plans and elevations, showing a revised egress stair, subject to review and approval by the Assistant Director of Regulatory Planning.
2. Prior to the issuance of a building permit, the applicant shall submit a final landscaping plan, indicating counter balancing amenities, subject to review and approval of the Assistant Director of 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) final floor plans and elevations stamped and signed by a registered architect; 2) a final site plan, stamped and signed by a registered engineer or land surveyor; and 3) evidence that the final decision has been recorded at the Registry of Deeds.

**HEARING: APPROVAL OF DESIGN GUIDELINES FOR PUBLIC BENEFITS FOR MAJOR IMPACT PROJECTS**

The Board discussed revisions to the Design Guidelines.

Mr. Hines felt that some of the revisions had removed part of the intensions of the guidelines.

The Board suggested changing “amenities” to “improvements”. They also discussed changing some of the language to “will” and “may” to indicate those guidelines that are required versus optional but then considered that as guidelines, participation in any of the items is optional.

The Board agreed that Mr. Hines would continue to make edits to the guidelines and bring them back to the Board.

**OTHER BUSINESS**

**Materials Reviewed During Meeting:** Staff Reports, Zoning Texts, Site Plans, Elevations

**The meeting was adjourned.**