



# 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 21, 2019 – 7:30 p.m.**

**Board Present:** Steve Heikin, Bob Cook, Blair Hines, Matt Oudens

**Staff Present:** Karen Martin

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

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

**761 Washington Street** – construct new two-family dwelling with four-car garage requiring relief for use, front and side yard setback, parking and design review (3/14) Pct. 11

Karen Martin described the proposal and the zoning relief required.

Attorney Shayna Duff introduced the applicants and gave an overview of the project.

Beth Whitaker of Merge Architects presented the plans.

Mr. Cook asked why the applicant hasn't considered adding an addition to the existing house. He stated that tearing the entire house down and rebuilding seems like a huge effort. The architect replied that the current house is a lot smaller than what is allowed and additions need to be made to three of the four sides.

Mr. Hines replied that he doesn't find that argument very convincing. He also asked about the allowable height.

Mr. Oudens stated that the garage is the non-conforming aspect of the proposal. He stated that the Board typically feels that new construction should comply with all zoning and he thinks this is so far off that it couldn't work. He encouraged the applicant to make this a conforming proposal.

Mr. Heikin suggested that, due to the grade change, why not pull the garage into the basement at the rear and he reiterated that the Board doesn't offer leniency on zoning requirements for new construction.

Mr. Hines also discussed the basement space and agreed with the suggestion to pull the basement into the garage. He stated that this would free up some of the lot that is currently almost entirely covered by this project.

Mr. Heikin stated that the architect put a lot of thought into the design but feels extremely voluminous and he has a natural dislike for low-sloped roofs.

**Dan Epstein (779 Washington Street)** stated that the new construction should conform with zoning; but he likes the design although all of surrounding homes are a classical style.

**Jennifer Kritz (XXXXX Washington Street)** is a direct abutter and stated that she is opposed to the unnecessary demolition and the design doesn't fit in. She stated that it should conform and that she has concerns about the upkeep of the building materials and her privacy.

Mr. Hines stated that the elevations need refinement and that it looks like a box.

Mr. Cook stated that he would love to see a modern addition to the existing home. He added that the verticals contribute to the boxiness but he is not opposed to modern construction.

Mr. Heikin stated that, because the architect wrapped the setbacks in more screening, the house has no articulation. He wants to see more details on the wood strips because the articulation is on the inside instead of the outside. He also pointed out a lot of space that is not well utilized and believes it needs to look more residential.

Mr. Hines stated that the front roof garden doesn't have to be blocked by a 12 foot high wall with bar-like fencing and that the applicant should utilize the solar exposure to the southwest.

Mr. Oudens stated that he is appreciative of the modern design but he isn't sure about the context. He stated that the house is very large and goes up to the front setback. He doesn't like the low slope and believes that, if the volume matched the neighbors', it would make it more accessible. He also added that the garage should conform and has issues with the shape.

Mr. Heikin suggested differentiation on the roofscape, finding ways to create 3<sup>rd</sup> floor space with dormers and putting the garage underneath the building.

Mr. Oudens added that if you put the garage under the house, the applicant could push the house back on the site.

The case was continued to a future date.

**47 Waverly Street** – convert single-family dwelling to two-family and add third story requiring relief for conversion, front, side, and rear setbacks (3/7) Pct. 6

Karen Martin described the required zoning relief and the proposal.

Attorney Shayna Duff gave an overview of the proposal.

Architect George Warner presented the plans.

Mr. Heikin asked if the 2<sup>nd</sup> floor is being enlarged. The architect replied that no, the 2<sup>nd</sup> floor is level to match up with the rest of the home.

Mr. Heikin also stated that this design is a much better effort than the current home. He pointed out that he would like to see the chainlink fences removed.

**Don Teish (53 Waverly Street)** stated that the new 3<sup>rd</sup> floor will greatly impact his privacy.

Mr. Cook stated that these homes on this street are in very close proximity and that he has no problem with this plan.

Mr. Heikin stated that this has been a very poorly treated house. This proposal puts back many original details and that the Mansard roof is a good idea.

Mr. Hines agreed that this is not an unreasonable request.

**Toni Oberhilzer (XXX Waverly Street)** stated that she has a lot of concerns regarding the new doors near her house, the asphalt driveway, doubling the size of the home, the windows and her privacy.

Mr. Hines suggested the driveway be made of pervious pavers.

Mr. Oudens stated that this is a sensitive project that will restore this home and it is a reasonable proposal. He suggested the applicant pay attention to the 3<sup>rd</sup> floor window placement for privacy concerns.

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

***Mr. Oudens seconded the motion.***

**Voted (4-0):** Therefore, the Planning Board recommends approval of the site plan dated 11/12/2018 by Douglas L. Johnston and the floor plans and elevations by Warner + Cunningham, Inc. dated 11/17/2018, subject to the following conditions:

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

**51 Salisbury Road** – widen existing driveway requiring relief for setback (3/14) Pct. 13

Karen Martin described the proposal and the zoning relief required.

Attorney Shayna Duff gave an overview of the project.

Mr. Cook asked why the driveway needs to be widened. The applicant replied that they need to be able to turn into the new garage.

Mr. Heikin suggested a hammerhead at the back of the driveway or widening the driveway only at the rear portion.

Mr. Hines also suggested that the garage could be set back 5 feet and stated that the green buffer between the neighbors is important.

Mr. Heikin stated that a better solution is to extend the driveway back past the garage or extend the driveway to the property line only for the length of the garage.

Mr. Oudens also suggested moving the staircase in order to make more room.

The Board agreed to approve the project based on a condition that the site plan must be revised.

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

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

**Voted (4-0): Therefore, the staff recommends approval of the site plan prepared by Peter Nolan, dated 5/18/2018, subject to the following conditions:**

- 1) Prior to the issuance of a building permit, the applicant shall submit a revised stamped and surveyed site plan showing the maintained land saped buffer to the edge of the garage 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 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; and b) evidence the decision has been recorded at the Registry of Deeds.

**45 Leicester Road** – construct addition and attached garage requiring relief for FAR, front yard setback and design review (3/21) Pct. 14

Karen Martin described the proposal and the zoning relief required.

Attorney Shayna Duff gave an overview of the project.

Mr. Heikin stated that this is a nice project. He mentioned that the Board does not usually like big front garages but this looks nice and commended the architect for improving the interior layout of the home as well.

The Board had no additional comments.

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

***Mr. Oudens seconded the motion.***

**Voted (4-0): Therefore, the Planning Board recommends approval of the site plan by Bruce Bradford dated 1/21/2019 and the floor plans and elevations by Christopher Russ Architects dated 12/18/2018, 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: 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 architect or engineer; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

**635 Chestnut Hill Avenue (continued)** – construct two attached single-family dwellings requiring relief for use, lot width and side yard setback (3/7) Pct. 14

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

The applicant, Armia Azadian, explained that they have reduced the size of the building in order to comply with the usable open space requirement.

Mr. Heikin asked how much smaller was the building. Mr. Azadian stated that they removed about one foot at the rear.

**Xixi Chen (633 Chestnut Hill Avenue)** raised issues about safety and health and the 8 or 9 car total that will now use the driveway. She also raised concern about snow removal and severe negative impacts on her property.

**Chris Sheldrike (Loveland Road)** also raised concerns about the small lot and more asphalt being added.

Mr. Hines discussed the setback and noted that it is because of the particularly narrow lot and the non-conforming lot width that the Board is willing to grant the setback relief.

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

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

**Voted ( 4-0): Therefore, the Board recommends approval of the site plan dated 2/7/2019 by Robert Staples and the floor plans and elevations dated 2/4/2019 by Nordesign & Build, 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 with all materials noted, 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 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: 1) a final site plan stamped and signed by a registered engineer or land surveyor; 2) final floor plans and building elevations stamped and signed by a registered architect; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

**39 Verndale Street** – construct rear deck requiring relief for side and rear setback (3/7) Pct. 9

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

The applicant, John Degnan, described the proposal.

Mr. Heikin stated that he didn't mind the rear deck but doesn't like the 3-story size. He stated that he doesn't believe the 2<sup>nd</sup> unit needs two floors of deck.

Mr. Cook stated that he would support a small Juliet balcony.

Mr. Heikin added that he does not want to see any columns supporting the third story deck – he would support a Juliet balcony if it were cantilevered or hung from the façade.

**Michael Gross (45 Verndale)** stated that he has no negative comments, gives the project his approval and stated that the project will not be any closer to the rear lot line than his home is.

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

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

**Voted ( 4-0): The Planning staff recommends approval of the site plan by James Richard Keenan, dated 1/14/2019, and the floor plans and elevations by RDK Architects dated 1/14/2019, subject to the following conditions:**

1. Prior to the issuance of a building permit, the applicant shall submit a revised site plan, floor plans and elevations subject to the review and approval of the Assistant Director of Regulatory Planning showing a reduction or elimination of the 3<sup>rd</sup> floor deck with no column support.
2. Prior to the issuance of a building permit, the applicant shall submit a final landscaping plan indicating all counterbalancing amenities, subject to review and approval by 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 building elevations stamped and signed by a registered architect; and c) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

## **OTHER BUSINESS**

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

**The meeting was adjourned.**