



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

DRAFT

BROOKLINE PLANNING BOARD MINUTES By Zoom Event April 14, 2022 – 7:30 p.m.

Board Present: Mark Zarrillo, Andrea Brue, Linda Hamlin, Shelly Chipimo, Abigail Hiller and Blair Hines [Not present: Steve Heikin]
Staff Present: Polly Selkoe and Victor Panak

Mark Zarrillo serving as Chair opened the meeting.

1) **PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA**

There were no public comments on matters not on the agenda.

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

4 Greenway Court – Construct an addition at the top of the building and duplex two units (no change to number of units) and other alterations requiring zoning relief for setbacks, parking design, and design review. (4/28) Pct. 17

The applicant requested a postponement, and the Planning Board granted the request.

30 Naples Road – Convert single-family dwelling to two-family dwelling and make several additions requiring zoning relief for floor area ratio, setbacks, and open space. (4/28) Pct. 8

Polly Selkoe described the proposal and the required relief needed.

Owner Scott Shuster and architect Evan Stillman were present.

Attorney Goldstein presented the plans and described the proposed changes. Architect Stillman described the architectural style and materials and explained that a second floor front balcony will also be added.

Linda Hamlin asked about the setback of the front porch and if demolishing the house was considered.

Scott Shuster said the setback of the front porch is similar to other houses nearby.

Andrea Brue lives at 47 Naples Road, and she noted a car in the front yard is rarely there. She is not supportive of the front porch.

Blair Hines said the space is being maxed out, and he doesn't support the front yard parking space.

Mark Zarrillo asked about the curb cut. He supports retaining the existing structure. The front yard parking spaces should be eliminated. He supports the front porch without the balcony above and retaining the Palladian window on the 3rd floor gable.

Andrea Brue suggested that a site plan with context of surrounding houses be submitted. She also doesn't like balcony on front porch. She would like the swooping eave above the enclosed porch retained.

Shelly Chipimo stated the additions are eating up the house but wants house preserved.

Scott Shuster felt the front porch was consistent with the other houses on the street. A neighbor suggested it and the balcony above. He put the addition on the back so it wouldn't show from the street.

Mark Zarrillo would like to see the following: porch without balcony; retention of Palladian window, ridge above dormer pulled down; roofing of open stair, elimination of front yard parking space and chalet finish, i.e. board and batten.

Blair Hines suggested a continuation.

Attorney Goldstein agreed to a continuance.

63 Payson Road – Divide lot and create 2 additional parking spaces on new lot requiring zoning relief for setbacks and parking design. (4/28) Pct. 16

(Blair Hines recused himself.)

Polly Selkoe described the proposal and the relief needed.

Attorney Dopazo introduced the owners and the architect. She emphasized that this is an oversized lot. If the ledge were blasted out, three lots could be developed. Several neighbors are in support.

Katya Podsiadlo, landscape architect, showed the landscape plan and photos.

Linda Hamlin wondered about the grade between the parking and new house.

Attorney Dopazo said that the access to the existing house lot is not illusory because it can be accessed from the adjacent lot.

Polly Selkoe said she spoke with Captain Cantor from the Fire Department about fire safety for these two lots with so much ledge. He hasn't gotten back to her yet.

Mark Zarrillo asked for a plan or detail illustrating reasonable pedestrian access to the existing house front door without using the new lot, to be indicated on the plans.

Linda Hamlin could support it.

John Hosken, 69 Payson, is in favor and is pleased that trees will be replanted to screen the lot from his house.

The Planning Board voted unanimously (with Blair Hines recusing himself) to recommend approval of the site plan by Curtis Johnson, Express Surveying, dated 1/21/22, with the following conditions:

1. Prior to the issuance of a building permit for a new dwelling, 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 for a new dwelling, 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 for a dwelling on the new lot, an ANR plan must be submitted and endorsed by the Planning Board.
4. Prior to the issuance of a building permit for a dwelling on the new lot, pedestrian access to the lot with the existing dwelling at 63 Payson Road shall be shown on a plan, subject to approval by the Assistant Director for Regulatory Planning.
5. Prior to the issuance of a building permit for a dwelling on the new lot, an easement must be granted to the lot with the existing house at 63 Payson Road for two parking spaces and pedestrian access to the lot at 63 Payson Road.
6. Prior to the issuance of a building permit for a new dwelling, 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; b) an easement granting the existing dwelling rights to two parking spaces and pedestrian access; c) a Planning Board endorsed ANR plan; and d) 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.

40 Strathmore Road – Convert three-family dwelling to four-family dwelling requiring zoning relief for floor area ratio, setbacks, open space, parking, and affordable housing requirements. (4/28) Pct. 13

Polly Selkoe described the proposal and described the relief needed.

The architect Bernie Ber, also a neighbor at 23 Strathmore Road, explained that the owners, the Freedmans, were present. He showed the plans with a window well created in the front yard.

Blair Hines made comments about the basement layout.

Mark Zarrillo, made a recommendation to approve. **The Planning Board voted unanimously (6-0) to recommend approval of the plans for 40 Strathmore Road, Brookline Massachusetts” prepared by Benyamin Ber of Neh Koo Dah and dated 2/18/2022, the Planning Department 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 final landscaping plan to the Assistant Director for Regulatory Planning for review and approval.**
- 3. In accordance with Section 4.08 of the Zoning By-law and guidelines regarding “Cash Payments in Lieu of Affordable Units”, 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 before the Town’s issuance of a Certificate of Occupancy for the project:**

A sum equal to .5% of the Market Value of the property (as determined by the Assessor’s Department of the Town per the Town’s guidelines for “Cash Payment in lieu of Affordable Units”) provided to the Town of Brookline 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 should be mailed by first class mail or hand delivery to:

**Director of Planning & Community Development
333 Washington Street – 2nd floor
Brookline, MA 02445**

Should the property be subsequently converted and sold as condominiums, the developer or subsequent owner shall make an additional trust payment as a condition

of a transfer of each condominium, calculated per the Town’s guidelines for “Cash Payment in lieu of Affordable units”

Prior to the 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.

- 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.**

3) OTHER BUSINESS

9:30 PM PUBLIC HEARING: Discuss and Possibly Adopt Design Guidelines for the Boylston Street Corridor

This item was postponed until a future hearing after discussion of the zoning amendment related to the Boylston Street Corridor.

APPROVAL OF MINUTES

Mark Zarrillo moved to approve the minutes of Minutes of 3/17 (4-0), 3/23 (4-0) and 3/31/22 (5-0), and they were approved as submitted.

The meeting was adjourned.