



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 May 12, 2022 – 7:30 p.m.

Board Present: Steve Heikin, Mark Zarrillo, Linda Hamlin, Andrea Brue, and Blair Hines
Staff Present: Victor Panak, Polly Selkoe

Steve Heikin 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:

41 Dwight Street – Install car port requiring zoning relief for setbacks. (6/23) Pct. 8

Polly Selkoe described the proposal and the relief needed.

The applicant, Neal Gordon was present. Photos of the parking area were shown. He explained that an easement that ran across the area was extinguished by the Court. He showed the versatube carport and the height of the apex is 10.875' and the sides at the lowest point are seven feet.

Steve Heikin suggested a slightly wider structure and also lowering the height.

Mark Zarrillo is supportive of the proposal.

Linda Hamlin is fine but prefers a shed roof, which would be less obtrusive.

Blair Hines suggested having a garage but could support this.

Andrea Brue asked if abutter was shown the plan.

Neal Gordon said yes.

Steve Heikin suggested having some support letters from neighbors for the ZBA.

Staff should have final design review.

Steven Heikin moved to recommend approval.

Mark Zarrillo seconded.

The Planning Board unanimously recommends approval of the site plan by Rober Survey, dated 12/21/21, subject to the following conditions:

- 1. Prior to the issuance of a building permit, the applicant shall electronically submit a final site and structure 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, subject to review and approval by the Assistant Director of Regulatory Planning.**
- 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 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.**

260 Lee Street – Demolish existing building and construct new single-family dwelling requiring zoning relief for design review. (6/23) Pct. 14

Victor Panak described the proposal and the relief needed.

Preservation Commission found the dwelling not historically significant.

Attorney Jennifer Gilbert introduced the owners and stated that all dimensional requirements are met.

Architect Tim Burke gave a power point presentation showing the plans and elevations. They are looking at geothermal or split heat pumps.

Blair Hines noted there is a lot of pavement. The rest of the Board agreed.

Tim Burke said he would look into modifying that.

Steve Heikin made a motion to recommend approval.

Andrea Brue seconded.

The Planning Board voted unanimously to recommend approval of the site plan by Peter Nolan and Associates dated 4/29/22, and architectural plans by Timothy Burke Architecture, dated 5/2/22, 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. If the applicant chooses to convert the basement to habitable space, no more than 1,945 square feet (all of the proposed unfinished basement space) may be converted to habitable space pursuant to Section 5.22 of the Zoning By-Law. Should Section 5.22 of the Zoning By-Law be amended in the future, the applicant may convert more or less habitable space according to the amended requirements of Section 5.22.
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.

1906 Beacon Street – Convert existing three-family dwelling to 7 units requiring zoning relief for floor area ratio, open space, parking, and affordable housing requirements. (6/23) Pct. 13

Victor Panak described the proposal and the relief needed.

Attorney Jennifer Gilbert introduced the development team. She explained the conversion from a three-family to seven units; there will be no exterior changes.

Architect Devon Riley Marine showed the plans.

Attorney Jennifer Gilbert believes smaller units will disincentivize cramming a lot of students into the units.

Mark Zarrillo believes handicap accessibility is triggered. The applicant did not agree.

Attorney Jennifer Gilbert emphasized that Building Department makes a determination about accessibility.

Andrea Brue pointed out that the number of bedrooms is being decreased.

Eva Webster, near abutter in Brighton, urge Planning Board to deny request. She is against chopping up the classic floor plans in these historic buildings.

Andrew Trovato, 1904 Beacon Street is also opposed. This sets a precedent for other buildings in the area.

Marjorie Trovato stated this discourages families and will attract transients.

Steve Heikin is in favor of conversion. The units will be smaller but better. There will be a cash payment to the affordable housing trust and more housing units will be provided.

Linda Hamlin is in favor of smaller and more units, which will be more affordable.

Steve Heikin moved to recommended in favor of the proposal. He added a condition requiring a construction management plan, subject to review and approval of the Building Commissioner.

Steve Heikin asked about the windows which are in poor condition. He asked for elevations and recommended landscaping.

Steve Heikin made a motion to recommend approval.

Andrea Brue seconded.

The Planning Board voted **4-1 (Mark Zarrillo voting no)** to recommend approval of the site plan by DeCelle-Burke-Sala & Associates, Inc. dated 11/23/21, and architectural plans by Choo & Company, Inc., dated 3/7/22, 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 construction management plan to the Building Commissioner 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. A sum equal to 1.5% 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 - 3rd floor

Brookline, MA 02445

- b. 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 "
 - c. 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) SUBDIVISIONS

Preliminary Subdivision Plan for lots comprising 8-10 Waldo Street, 10-18 Pleasant Street and 16 John Street – Continued to August 18, 2022

APPROVAL OF MINUTES

Steve Heikin moved to approve the minutes of 4/20, 4/27am, 4 /27pm, and 4/28 /2022 with revisions .

Blair Hines seconded.

The Planning Board voted to approve unanimously.

The meeting was adjourned.