



# Town of Brookline Massachusetts

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## PLANNING BOARD

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

## BROOKLINE PLANNING BOARD MINUTES By Zoom Event May 25, 2023 – 7:30 p.m.

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

**Materials related to each agenda item can be found at:**  
<https://www.brooklinema.gov/DocumentCenter/Index/4164>

Steve Heikin opened the meeting.

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

No comments were made.

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

**39 Lagrange Street** – Construct rear addition on single-family home (6/15) Pct. 15

Beccah Mapure introduced the case and described the required relief.

Constructor Fabio Oliveira presented the proposal.

Owner Roni and Sumara Lopes were present.

Steve Heikin questioned the inconsistency between the representation of columns on the plans and elevations. Notes on the deck railing did not match the drawings. He wondered if wood columns were structurally appropriate for a brick addition.

Blair Hines said drawings should be complete and clear. He raised concerns about the representation of the different levels of the house and the height of the proposed deck which was too high.

Steve Heikin brought up a neighbor's concern about the damaged roof as there was no indication of any repairs in the drawings.

Fabio Oliveira explained that roof repairs were not within the scope of the contractor.

Andrea Brue pointed out that the roof addition is depicted as completely flat without any mention of a slope.

Mark Zarrillo said the representation of the edge of the addition did not look correct.

**The case was continued. While the Board felt that the zoning relief being sought was reasonable, they suggested reviewing the drawings to include proper identification of levels on elevations, a cross-section, and accurate labeling. It was also suggested to reconsider the materials of the addition to wood or cementitious siding.**

**955 Hammond Street** – Enlarge garage from single to two cars and construct a two-story addition above on the side of single-family home (6/15) Pct. 15

Beccah Mapure introduced the case and described the required relief. She noted that a variance may be required for further increasing FAR beyond the current 120%.

Architect Davood Shahin presented the proposal and said he believed they could get relief under MGL. Chapter 40A Section 6.

Owner Farshad Ghobbeh was present.

Steve Heikin sought clarification from staff about the application of Section 6 considering the previous expansion of the house in 2017.

Beccah Mapure clarified that the house was conforming before the 2017 addition and therefore it could not be considered a pre-existing nonconformity.

Steve Heikin asked if the applicant had support from the abutter to the right.

Davood Shahin replied that several neighbors support the plans, except for the neighbor to the right who remains somewhat hesitant.

Blair Hines sympathized with the architecture but raised concerns about the driveway being too close to the neighbor. He did not see a hardship that would qualify for a variance.

Mark Zarrillo questioned the interpretation of Section 6, arguing that previous cases under similar circumstances were granted relief under a special permit.

Polly Selkoe suggested making a recommendation based on the design, leaving the relief decision to the Board of Appeals.

Linda Hamlin and Andrea Brue also felt the design was good but they could not agree there was a hardship to justify a variance.

**Steve Heikin made a motion to recommend approval if the Board of Appeals determines that relief can be granted under a special permit. Linda Hamlin seconded the motion. Steve, Linda, and Mark voted yes and Andrea and Blair voted no. The motion passed by 3-2.**

**The Planning Board recommends approval of the site plan by New England Land Survey, Inc. dated 3/15/2023, and architectural plans by DSH DESIGN GROUP, RA, dated January 23, 2023, subject to the following conditions:**

1. **Prior to the issuance of a building permit, the applicant shall electronically submit final floor plans and elevations of the garage and house, 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 of the garage 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.**

**21 Regent Circle** - Convert two-family into seven dwelling units (6/22) Pct. 14

Blair Hines recused himself.

Beccah Mapure introduced the case and described the required relief.

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

Architect Lucio Trabucco presented the site and architectural plans.

Landscape Architect Erin Hossani-Fitch presented the landscape plans.

Steve Heikin asked if on-street parking spaces were dedicated to the property and if the building would be fossil fuel-free.

Architect Ariel Kemper confirmed that parking was dedicated to the property and the building would be fossil fuel-free.

Steve Heikin asked about the location of trash and recycling containers.

Lucio Trabucco responded that the containers would be inside the building.

Steve Heikin asked whether trash pickup was done by a private hauler or the Town.

Bob Allen mentioned that it was a private service.

Mark Zarrillo inquired about the situation on the other half of the structure and the number of units.

Lucio Trabucco replied that the back of the attached structure was paved. Abutters used the chat to confirm it had 3 units.

Steve Heikin liked the project but was concerned about limited light in some of the living spaces.

Public Comments

Chat: abutters shared concerns about the property becoming an Airbnb.

Bob Allen stated that Airbnbs weren't allowed by right in the town and a recent by-law requires them to be registered.

Carol Axelrod, 19 Regent Circle, said the owners association was largely supportive of the expansion except for the number of units that would attract a transient population and traffic.

Hank Shafran, 30 Dean Road, said more residents would increase issues of lack of cooperation to cover repair costs for the private ways.

Wanda Shelton, 19 Regent Circle, noted the need for improvements to the exterior of the building, particularly roofs, chimneys, and gutters. Seven units were too much and would require too many trash cans and parking spaces.

Ariel Kemper noted that trash would be collectively managed.

Board Discussion

Andrea Brue asked if an elevator was required. She also agreed some rooms lacked windows and wondered if the stairs could be flipped with the living room on the second floor.

Lucio Trabucco replied that the building was three stories and only four stories and more require an elevator. The stair placement had been considered but there were code issues.

Andrea suggested adding a condition about trash storage inside the building.

**Steve Heikin made a motion to recommend approval with an additional condition to require indoor trash storage. Blair Hines seconded the motion. The motion was approved unanimously.**

**The Planning Board recommends approval of the architectural plans prepared by TRABUCCO ARCHITECTS, RA, dated September 22, 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 of the garage, 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. Final plans shall adequate interior storage for trash and recycling facilities.**
- 2. Prior to the issuance of a building permit, the applicant shall electronically submit a landscape plan subject to approval by the Assistant Director for Regulatory Planning or designee. The counterbalancing amenities must be executed in accordance with the approved plan.**
- 3. 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.**

**Prior to the issuance of a Certificate of Occupancy, per Section 4.08 of the Zoning By-law and "Cash Payments in Lieu of Affordable Units" guidelines approved by the Planning**

**Board on January 7, 2021, the applicant shall make a cash payment to the Town of Brookline to be deposited in the Brookline Housing Trust Fund: a sum equal to 3.6% 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**

**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”**

- 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 of the garage 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.**

**111 Bellingham Road** - Construct second-story addition on single-family (6/15) Pct. 16

Polly Selkoe introduced the case and described the required relief.

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

Architect Nick Landry presented the plans.

Andrea Brue said the roof looked out of the neighborhood context. She suggested angling or changing the roof to better match the surrounding architecture.

Owners Omri Kashani and his wife said they liked the modern look of the flat roof.

Steve Heikin mentioned that the house across the street had a gable roof with a low slope, which could be an option to consider. But ultimately the Board would not impose any design type.

Linda Hamlin agreed with Andrea’s comments about the roof but noted that the sloping roof might not be visible from certain angles.

Mark Zarrillo expressed his support for the homeowners despite his preference for a different design.

**Steve Heikin made a motion to recommend approval. Linda Hamlin seconded the motion. The motion was approved unanimously.**

**The Planning Board votes to recommend approval of the site plan by Nolan Surveying, dated 1/4/23 and architectural plans by Design Resource, Inc., dated 2/22/23, 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 final landscape plan to the Assistant Director for Regulatory Planning for review and approval.**
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.**

**880 Commonwealth Avenue** - Convert auto repair garage to a climbing gym (6/22) Pct. 2

Polly Selkoe introduced the case and described the required relief.

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

Architect Jarrod Saraiva and owner Lary Norin were present.

**Steve Heikin made a motion to recommend approval. Andrea Brue seconded the motion. The motion was approved unanimously.**

**The Planning Board recommends approval of the architectural plans by KITE ARCHITECTS INC, RA, dated April 3, 2023, the Planning Department recommends the following conditions:**

1. **Prior to the issuance of a building permit, the applicant shall electronically submit final floor plans, stamped and signed by a registered architect 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) floor plans, 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.**