



# 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 June 23, 2022 – 7:30 p.m.

**Board Present:** Steve Heikin, Mark Zarrillo, Linda Hamlin, Andrea Brue, Blair Hines, Shelly Chipimo

**Staff Present:** Victor Panak

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:

**101 Monmouth Street** – (Continued from 12-16-21) - Modification of Variance #893 (9/5/1958) to reduce 190 required parking spaces for a residential building to 75 spaces. (7/21) Pct. 1

Victor Panak introduced the case, reviewed comments made by the Board at the previous meeting on this case, and briefly discussed new materials submitted by the applicant.

Jeffrey Allen (attorney) discussed progress on the case since the last meeting, specifically focusing on negotiations with neighborhood representatives. Mr. Allen also noted that the zoning requirements have changed as they relate to parking requirements. Mr. Allen also reviewed some of the proposed conditions for the project.

Ben Wan (architect) provided the Board with a presentation of the preliminary plans for the building at 142-146 St. Mary's Street.

Mr. Heikin discussed his past experiences working with the Boston Redevelopment Authority.

Mr. Hines asked about the Planning staff's recommended conditions. Mr. Panak explained that the staff report lists the proposed conditions if the Planning Board feels that the request should be approved.

Ms. Hamlin asked why the condition limits the building to 69 feet. Mr. Allen said it was a number arrived at in negotiations with the neighborhood. Ms. Hamlin asked whether the condition requiring Planning Board review of the St. Mary's project has any teeth. Mr. Allen said that it will encourage cooperation between Brookline and Boston but it does not provide the Planning Board with absolute authority over the project.

Ms. Brue said she isn't necessarily opposed to the reduction in the parking requirements but is concerned with what that might allow in terms of new development. She confirmed that the conditions in the staff report are aimed at mitigating the potential development.

Ms. Chipimo said she is generally supportive of the proposal but concerned with the final design of the building on St. Mary's Street.

Mr. Zarrillo expressed some confusion about how the conditions would operate in enforcing parameters on the building in Boston. He said he is not opposed to reducing the parking requirement. Mr. Allen explained how the conditions would come into effect.

Mr. Heikin summarized the benefits that the Town would receive by allowing the reduction in the parking requirements. He suggested a change to the conditions to limit the height to the applicable Boston zoning requirements, or in no case higher than 69 feet.

#### Public Comments

Paul Warren, 71 Carlton Street, reviewed the nature of the negotiations between himself and the applicant. He emphasized that the 190 spaces at 101 Monmouth Street is an asset to the Town. He also said he believes the proposed conditions are a vast improvement and provide good benefits for the Town. Mr. Heikin asked about the chances that surplus parking would be available to residents of the neighborhood. Mr. Wan explained that visitor and service parking is baked into the 0.5 parking ratio.

Cathleen Cavell, 27 Monmouth Court, expressed gratitude for the negotiations between the Mr. Warren and Mr. Allen. Nonetheless, she expressed opposition to the scale of the proposed building in 142-146 St. Mary's Street. She also expressed concern with the lack of parking in the neighborhood.

Sean Lynn-Jones, 53 Monmouth Street, also thanked Jeffrey Allen and Paul Warren on the negotiation work leading to the proposed conditions. He asked if the Planning Board would have any authority to review the design of the new building on St. Mary's Street. He noted that the impression of the 1958 Variance was that the building at 101 Monmouth Street would be limited to a parking garage. He also discussed parking for the neighborhood and asked that a number of spaces for the neighborhood be codified in the conditions.

Dolores Boogdianian, 452 Park Drive, said she feels that the height of 69 feet is too much and that she supports the edit proposed by Mr. Heikin. She also expressed concerns about the loss of parking. She asked that the neighborhood meetings required by the conditions include Boston residents as well.

Marc Zimman, 77 Monmouth Street, covered previous discussions about the use of the existing parking garage and the rental of surplus spaces to residents of the neighborhood. He opposed the proposal on the grounds that people in the neighborhood are relying on the parking garage.

Marilyn Koblan, 71 Monmouth Street, also expressed opposition to the proposal on the grounds that it will eliminate much needed parking for the surrounding neighborhood. She also expressed doubt that surplus parking would be available once the St. Mary's Street development moves forward.

Tess Cunard, 26 Medfield Street, requested that the Planning Board deny the proposal. She expressed concerns with the scale of the potential building to be built in Boston.

Ms. Brue asked about the consequences of keeping a higher quantity of parking. Mr. Allen stated that it would likely preclude the applicant's ability to build the building in Boston.

Mr. Heikin expressed support for the proposal. He said he feels that the new building constitutes reasonable development and reductions in parking. He added that he did not feel that the original Variance contemplated that some of the parking would be provided to the neighborhood and should therefore not be a condition expected to continue in perpetuity.

Mr. Zarrillo said that the number should be increased from 75 to 90.

Ms. Hamlin said she would have liked if there was an independent study of the parking needs and use at the building. She said she likes the conditions but is skeptical of the numbers provided to support the proposals.

The Board continued to discuss parking demand from residents of the building and residents of the neighborhood.

Mr. Hines said he feels that the Board should make a decision or decide that more information is needed. He said he feels that the conditions are reasonable but is sensitive to the concerns of the neighbors about parking availability.

The Board discussed the detailed language of the conditions.

**Mr. Heikin moved to recommend approval of the modification of the prior Board of Appeals decision for reducing the parking allocated to 101 Monmouth Street to 75 parking spaces, subject to the following conditions.**

- 1. Modification of the parking requirements for 101 Monmouth Street and its garage shall not take effect until such time as the City of Boston issues a building permit for the construction of a residential building at 142-146 St. Mary's Street. For the modification of the parking requirements to take effect, the building to be built at 142-146 St. Mary's St. must meet the following requirements:**
  - a. Have a height no greater than the limit provided by the Boston zoning ordinance, but in no case greater than 69 feet.**
  - b. Have a minimum of 75 indoor parking spaces dedicated to 101 Monmouth St. at 142-146 St. Mary's Street.**
  - c. For the 75 spaces dedicated to 101 Monmouth St., a minimum of 20 spaces must be EVSE-Installed (Electric Vehicle Supply Equipment) and 55 spaces must be EV-Ready for future installation.**
  - d. Have the parking spaces and aisle widths conform to the dimensional requirements of either Boston or Brookline, whichever is more stringent;**
  - e. Conform to the State building code for the required number of handicap parking spaces;**

- f. **Provide at least two car sharing spaces;**
        - g. **Meet the then-current requirements for the number of secure bicycle parking spaces for Boston or Brookline, whichever is more stringent;**
        - h. **All neighborhood residents who were parking in the garage or on the site on 1/1/22 must be entitled to parking, including temporary parking during construction, until such a time as the new garage in in 142-146 St. Mary’s St. is open for use. Thereafter any parking spaces not rented to the tenants of 142-146 St. Mary’s St. or 101 Monmouth St. must be offered to the residents of the neighborhood with preference given to individuals who were renting a space on 1/1/22. At all times residents of the neighborhood parking in the garage/site or participating in the temporary parking program during construction, shall be charged the same rental fee as charged to the tenants of the buildings. All rights granted to neighborhood residents parking in the garage/site on 1/1/22 shall be personal to that individual and shall not be transferrable.**
        - i. **No natural gas connection and the building must be fossil fuel free.**
        - j. **All affordable units provided pursuant to Boston’s inclusionary zoning requirements must be located on site at 142-146 St Mary’s.**
2. **Before submitting a proposed design to the City of Boston, the applicant shall hold a neighborhood meeting within the Town of Brookline, with notice to 101 Monmouth St residents, Town meeting members of precinct 1, and Brookline abutters, to provide in advance the plans for the proposed building and invite and listen to input on the proposal.**
3. **Notice to the Brookline Planning and Community Development Director shall be given for all public meetings/hearings with the City of Boston on any project at 142-146 St. Mary’s Street.**
4. **Within three months before the project is nearing final approval from the City of Boston, the applicant shall appear before the Brookline Planning Board to seek their input on the final design.**
5. **The applicant shall electronically submit a landscape plan that includes the north and east side of the 101 Monmouth St. property for review and approval by the Assistant Director of Regulatory Planning.**
6. **The applicant shall electronically submit a copy of the storm and ground water management plan filed with the City of Boston to the Director of Engineering for the Town of Brookline.**
7. **The applicant shall electronically submit an interim, off-site parking plan for all users of the garage to be reviewed and approved by the Assistant Director of Regulatory Planning.**
8. **Prior to building permit, the applicant shall electronically submit a parking plan for construction worker vehicles, approved by the Building Commissioner and Director of Traffic and Engineering, so that those vehicles are prohibited from parking on Brookline streets. Brookline parking permits will not be issued to construction**

**workers, companies or contractors involved in the demolition and development of the 142-146 St. Mary’s Street site.**

- 9. The applicant shall electronically submit documentation, approved by the Assistant Director of Regulatory Planning, demonstrating payment of a \$150,000 grant to the Brookline Greenspace Alliance for the purpose of enhancing and maintaining Monmouth Park. Said payment shall be made in two equal installments of \$75,000. The first installment shall be due within thirty days of the City of Boston issuing a building permit for the property at 142-146 St. Mary’s St. The second payment shall be due within ten days of the City of Boston issuing a Certificate of Occupancy for the property at 142-146 St. Mary’s St.**
- 10. The applicant shall electronically submit to the Building Commissioner 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.**

**Mr. Hines seconded the motion. The Board voted 3-2-1 to approve the motion.**

**85 Naples Road** – Demolish existing single-family dwelling and construct new two-family dwelling requiring zoning relief for design review. (7/21) Pct. 8

Victor Panak described the proposal, summarized the required zoning relief, and indicated that the Planning Department is supportive.

Jennifer Dopazo Gilbert (attorney) introduced the project team and reviewed the proposal and zoning relief.

Alex Yoon (architect) provided the Board with a presentation of the proposed plans.

Michael Rettenmeier (landscape architect) presented the proposed landscape treatments for the site to the Planning Board.

Mr. Hines asked some clarifying questions about tree protection.

Mr. Heikin noted that the proposed building maxes out on every dimensional requirement of the By-law. He said he is uncomfortable with such proposals and that he does not think much of the proposed design.

Ms. Brue asked how the decision was made to demolish the existing house. Mr. Yoon explained the decision-making in terms of achieving a certain FAR and programmatic requirements. She also said that she disagrees with the Planning Department report and feels that the proposed building is out of scale with the surrounding neighborhood. She questioned whether the significant trees on the right side of the property could be preserved.

Ms. Hamlin questioned whether the garage entrance height will be functional. She also noted that the garage doors are just under the 40% zoning requirement. She expressed other concerns with the design of the building.

Ms. Gilbert said the applicant would be prepared to agree to a continuance.

Mr. Hines said he thinks the building is completely out of scale with surrounding properties. He asked that the applicant seriously consider preserving the existing building and constructing an addition to the rear.

**The case was continued.**

**128 Clinton Road** – Construct additions on rear of existing building requiring zoning relief for floor area ratio. (7/21) Pct. 12

Victor Panak described the proposal, summarized the required zoning relief, and indicated that the Planning Department is supportive.

Jennifer Dopazo Gilbert (attorney) introduced the project team, reviewed the proposal, and discussed the required zoning relief.

Timothy Burke (architect) provided the Board with a presentation of the proposed plans.

Board members did not raise any concerns with the proposal.

Public Comments

There were no public comments.

**Mr. Heikin moved to recommend approval of the site plan by C&G Survey Company, dated 3/2/22 and architectural plans by Timothy Burke Architecture, dated 12/23/21, 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 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.**

**Mr. Zarrillo seconded the motion. The Board voted 6-0 to approve the motion.**

**3) APPROVAL OF MINUTES**

**Mr. Heikin moved to approve the minutes from 5/25/22. Mr. Zarrillo seconded the motion. The Board voted 5-0-1 to approve the motion.**

**Mr. Heikin moved to approve the minutes from 5/26/22. Ms. Chipimo seconded the motion. The Board voted 5-0-1 to approve the motion.**

**The meeting was adjourned.**