



Town of Brookline Massachusetts

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PLANNING BOARD

Steve Heikin, Chair
James Carr
Linda K. Hamlin
Blair Hines
Matthew Oudens
Mark J. Zarrillo

BROOKLINE PLANNING BOARD MINUTES By Zoom Event July 8, 2021 – 7:30 p.m.

Board Present: Steve Heikin, Mark Zarrillo, Blair Hines, James Carr, 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:

462 Chestnut Hill Avenue – Construct additions to existing building requiring zoning relief for floor area ratio and setbacks. (7/15) Pct. 13

Victor Panak briefly summarized the project and indicated that the Planning Department is supportive.

Jennifer Dopazo Gilbert (attorney) introduced the applicant and design team, discussed the purpose of the alterations to the building, and the necessary zoning relief.

Kecia Lifton (architect) provided the Board with a presentation of the proposed plans.

Board members and the applicant discussed whether the proposed spiral stair is visible from a public way and whether it is necessary or desirable. It was agreed that the stair is not required by code and is not visible from a public way.

Mr. Carr and Mr. Heikin expressed support for the proposal.

There were no public comments.

Mr. Heikin moved to recommend approval of the site plan by Verne T. Porter Jr., dated 3/22/21, and architectural plans by Finespaces Architecture, LLC, dated 4/23/21, 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 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 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 5-0 to approve the motion.

131 Carlton Street – Construct accessory garage requiring zoning relief for setbacks. (7/15)
Pct. 1

Victor Panak briefly summarized the project and indicated that the Planning Department is supportive.

Jennifer Dopazo Gilbert introduced the applicant, the members of the design team, and the requested zoning relief.

Evan Lieberman (applicant) discussed the motivation behind the proposed changes to the property. He also reviewed objections made by his neighbor and how he feels that his proposal addresses those concerns.

Sheldon Baker (architect) provided the Board with a presentation of the plans.

Mr. Heikin asked about some material choices and minor design choices. He said that the project seems reasonable. Mr. Hines agreed.

Public Comments

Jeffrey Allen (representing Tony Schemmer, 33 Euston Street): Mr. Allen asked the architect how they intended to construct the garage without entering his client’s property. Ms. Dopazo Gilbert responded that the garage will be constructable without entering the

abutter's property. Mr. Allen continued to argue that the zoning relief is significant due to the complete elimination of the required setback. Mr. Allen also objected on the grounds that the proposal would endanger the health of trees on his client's property and that the garage would produce a myriad of other negative impacts on his client's property. Mr. Allen also suggested that the applicant is not providing an adequate counterbalancing amenity.

Mr. Zarrillo pointed out that the abutter at 33 Euston Street also has a fence all around his property. Mr. Zarrillo also stated that the garage should be easy to construct without entering the neighbor's property. Mr. Zarrillo stated he is supportive of the proposal.

Mr. Hines felt that the garage should probably be moved away from the property line. He stated that he is generally supportive of the proposal.

Mr. Carr felt that the proposed garage is unnecessary in such a historic neighborhood. He expressed opposition to the proposal on the grounds that setbacks are important and that it should be denied in response to the abutter's concerns.

Ms. Chipimo felt that the applicant had done a good-faith effort to respond to abutter's concerns and that the Preservation Commission's requirements mean that the applicant had little other options.

Mr. Heikin felt that the proposed garage is minor, and that the applicant had made adequate concessions to respond to the abutter.

Mr. Heikin moved to recommend approval of the site plan by Fieldstone Survey Services, dated 4/1/21, and architectural plans by Hisel Flynn Architects, dated 4/26/21, 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. Final plans must comply with all of the conditions and requirements of the Certificate of Appropriateness issued by the Brookline Preservation Commission dated 6/14/2021.**
- 3. 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.**
- 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.

Mr. Zarrillo seconded the motion. The Board voted 4-1 to approve the motion.

150 Tappan Street – Construct addition requiring zoning relief for lot frontage. (7/15) Pct. 12

Victor Panak briefly summarized the project and indicated that the Planning Department is supportive.

Scott Gladstone (attorney) introduced the applicant and members of the design team. Mr. Gladstone reviewed the required zoning relief and briefly summarized the proposed project. Mr. Gladstone noted that the landscaping had already been reviewed by the Department of Public Works. Mr. Gladstone emphasized the extent of support from the neighborhood.

Kent Duckham (architect) provided the Board with a presentation of the proposed plans.

Mr. Heikin asked a question about access to the second floor.

Public Comment

Jennifer Dopazo Gilbert (representing Adrian Bignami, 146 Tappan Street) expressed opposition to the proposal on the grounds that the resulting house would be overly large and have negative impacts on her client. Mr. Gilbert noted several ways in which she believes the project does not conform with the By-law (setback of deck, usable open space, calculation of GFA, location of circular driveway).

Adrian Bignami (146 Tappan Street) expressed concerns with the imposing size of the proposed house and the impacts on stormwater and vegetation. Mr. Bignami also raised concerns with construction activities.

Paul Rabiner (formerly 175 Clark Road) expressed support for the project on the grounds that the proposed house complies with regulations and therefore cannot be called overly large.

Lakshmana Swamy (70 Beaconsfield Road) expressed support for the project on the grounds that the finished project will be an improvement to the neighborhood, despite the temporary inconvenience of construction activity.

Mr. Carr asked whether the zoning relief (especially the FAR) shouldn’t be reviewed by an outside entity.

Mr. Duckham reviewed the vetting related to zoning compliance that had occurred with the Building Department and Planning Department prior to the meeting.

Mr. Carr stated he would be prepared to support the project on the grounds that the proposed addition complies with requirements and is not overly large by Brookline standards.

Mr. Heikin agreed, and noted that the reason the previous 2-family proposal was problematic was the traffic impact on the shared driveway. Mr. Heikin felt that the proposed addition is attractive and, while generous in size, not excessive. Mr. Heikin felt that requiring a construction management plan would be appropriate.

Ms. Chipimo asked the applicant to clarify how stormwater would be managed on-site. Mr. Duckham reviewed the stormwater management strategy.

Mr. Hines emphasized that the lack of any frontage at all creates a unique situation that places an extreme burden on the front abutter (146 Tappan Street). Mr. Hines posed the question as to whether the size of the building would matter on the impacts to the front abutter. Mr. Hines felt that the design of the addition is good but that he is unsure how he would vote.

Mr. Gladstone indicated that the applicant had attempted to negotiate some construction management strategies with the front abutter. Mr. Gladstone argued that the size of the addition does not make a significant difference to the construction impacts.

Mr. Hines felt that the conditions should include something about a construction management plan. Board members, the applicant, and the attorney for 146 Tappan Street continued to discuss the form of the construction management plan.

Mr. Heikin moved to recommend approval of the site plan by Everett M. Brooks Co., dated 3/19/21, and architectural plans by Duckham Architecture and Interiors, dated 5/6/21, 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 a construction management plan to be approved by the Building Department with the further condition that there shall be a full-time site supervisor during construction hours.**
- 3. Prior to the issuance of a building permit, the applicant shall electronically submit a landscape plan that shows proposed tree removal and proposed plantings that shall provide adequate screening of the addition subject to approval by the Assistant Director for Regulatory Planning. Any proposed landscaping must be executed in accordance with the approved plan.**
- 4. (If not subject to Article 8.26.2) Prior to the issuance of a building permit, the applicant shall submit proof to the Assistant Director of Regulatory Planning that**

an erosion and sediment control plan and a stormwater management plan were submitted to, and approved by, the Department of Public Works as being sufficient to reasonably limit any stormwater runoff on surrounding properties and limit any existing or potential risk of erosion.

- 5. 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. Hines seconded the motion. The Board voted 4-0 to approve the motion.

3) APPROVAL OF MINUTES

Mr. Heikin moved to approve the minutes from 7-1-21. Mr. Carr seconded the motion. The Board voted 4-0-1 to approve the motion.

The meeting was adjourned.