



Board of Appeals
Jesse Geller, Chairman

Town of Brookline

Massachusetts

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Board of Appeals Virtual Public Hearing Minutes

Thursday, August 13, 2020

7:00 p.m.

Via ZOOM

ZBA DECISIONS can be found at: www.brooklinema.gov/1675/Zoning-Applications

Board Members Present: Chair Mark Zuroff, Kate Poverman, and Paul Bell

Staff Present: Joseph Braga (*Deputy Building Commissioner*), and Monique Baldwin (*Zoning Coordinator/Planner - Regulatory Planning*)

2020-0012 199 Clark Road – Construct a third story addition

Attorney Bob Allen waived the requirement to read the legal ad notice and provided a brief overview of the case. The proposal included proposed dormers, increasing the FAR by 635 square feet. At the Planning Board meeting, the Board provided design suggestions to which the applicant agreed. The design changes would not affect the FAR, therefore Mr. Allen noted the applicant would either submit the revised plans for the review and approval to the Director of Planning or go back to the Planning Board for the approval of the design.

Mark Zuroff: This project is not cited for Design Review, correct? The Planning Board only gave architectural design suggestions?

Bob Allen: Correct, the project was not cited for Design Review. The Planning Board provided design suggestions regarding the roof pitch and the way it relates to the back of the house. The project architect, Wyly Brown, plans to incorporate the changes however what we present here tonight is what the Planning Board has seen and any changes as such would not require us to come back here in front of you.

There was no one that spoke in favor or opposition.

Monique Baldwin, Zoning Coordinator / Planner read the Planning Board Report into the record. The Planning Department was supportive of the proposal. The Planning Board was supportive of the proposal however had concerns regarding the design of the dormers.

Joe Braga, representative of the Building Department had no objections to the proposal.

Paul Bell: The height of the roof increases from 28 feet to 33 feet? Does that exceed the zoning requirement for this district?

Joe Braga: The proposed height is within the 35ft height requirement for this zoning district.

Kate Poverman: I have no problems with this proposal. It fits in with the neighborhood and I vote to approve it.

Mark Zuroff: This is exactly the type of case Dedrick addresses. It is a very modest change and although the FAR exceeds the requirement, the lot is extremely small. I do believe the proposal is using the available space in the best way possible; it's entitled to the relief sought.

The Board unanimously granted the request for special permit and variance.

2020-0011 77 Eliot Street – Expand the existing single-story garage located in the front yard

Attorney Bob Allen waived the requirement to read the legal ad notice and provided a brief overview of the case.

Shane Gibbons, project architect from Nomad Design Collaborative, was in attendance.

Mr. Allen noted the counterbalancing amenities included a proposed landscape plan alongside the side yard as well as a planting bed in the front. Additionally, the garage door was included. An elaborate green roof was proposed however a landscape architect on the Planning Board insisted it would not be ideal.

Mark Zuroff: Will there still be adequate access to the sidewalk?

Shane Gibbons: Yes, the sidewalk will not be obstructed with the proposed changes.

Mark Zuroff: Has there been any consideration to the additional impervious surface, more specifically regarding drainage?

Shane Gibbons: We will be waterproofing the garage roof so it will shed the water behind the garage. We will follow up with the Building regarding that.

Joe Braga: That is something we should condition.

Mark Zuroff: It should be understood that there will be no parking on the sidewalk. Will this garage be deep enough to fit a full car?

Shane Gibbons: The interior depth will be 18ft.

Paul Bell and Kate Poverman had no further questions.

No one spoke in favor or opposition to the project.

Monique Baldwin, Zoning Coordinator / Planner, read the Planning Board Report into the record. Both the Planning Department and Planning Board were supportive of the proposal.

Joe Braga, representative of the Building Department had no objections to the proposed project.

Paul Bell: It will keep the cars from parking on the street and the garage door is an improvement. I support it.

Kate Poverman: I agree with Paul. This is an improvement.

Mark Zuroff: I do believe it is entitled to the relief sought.

The Board unanimously granted the request for special permit.

2020-0009 433 Clinton – Construct a second-story addition

Attorney Bob Allen waived the requirement to read the legal ad notice and provided a brief overview of the case. Eileen and Bernardo, owners of 433 Clinton Road, added they were in need of more space and have been residents of Brookline for years. The project architect, Bill, provided a presentation of the project.

The proposal included an FAR of 0.41, exceeding the requirement of the zoning district. Mr. Allen argued the irregularity of the lot shape limited the ability to build anywhere but up. He added that they had received support from neighbors.

Mark Zuroff: There is nothing relating to the soil or topography that prevents the applicant from adding square footage to the home. As there is sufficient space on the lot, why - to this extent - is the applicant requesting an increase of the square footage? The standards for Section 10 are strict; this Board does not lend itself readily to approve variances. I am unconvinced.

Bob Allen: They are not able to increase the size of the house because of the irregularity of the shape of the lot.

Kate Poverman: Asking for 137% FAR isn't justified. The shape of the land does not relate directly the need to increase the FAR by that much. Under Section 5.22, they could get 130% but they are requesting a variance. Why? What does the hardship related to the topography of the land have to do with requiring relief for FAR?

Paul Bell: How does the shape of the lot or topography relate to the square footage issue?

There was further discussion regarding the connection between FAR and the irregularity of the lot shape. Mr. Allen agreed to submit a memo in detail that provided an explanation, and requested a continuance.

No public comment was taken. Additionally, the Planning Board Report and Building Department comments were not spoken into the record.

The Board unanimously granted the request for continue the case to the August 27, 2020 Zoning Board of Appeals hearing.

The meeting was adjourned.