



Town of Brookline

Massachusetts

BOARD OF APPEALS
Jesse Geller, Chairman
Christopher Hussey
Mark Zurroff

Town Hall, 1st Floor
333 Washington Street
Brookline, MA 02445-6899
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Patrick J. Ward, Clerk

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TOWN CLERK

2019 FEB -6 P 3:16

TOWN OF BROOKLINE
BOARD OF APPEALS
DOVER CLUB OF MIT INC,
C/O CHEN MICHAEL
CASE NO. 2017-0036
58 MANCHESTER ROAD

Petitioner, Zeta Beta Tau Fraternity, applied to the Board of Appeals, requesting an extension of zoning relief rendered by the Board of Appeals in 2011-0055, which previously was modified in 1999 in Case #1988-G. In particular, the Petitioner is requesting a four year extension of the time limitation in Case #1988-G on the ZBT Fraternity's special permits from January 11, 2018 through January 10, 2022.

The Board administratively determined that the property affected was that shown on a schedule certified by the Board of Assessors of the Town of Brookline and established January 11, 2018 at 7:20 p.m., in the Select Board's Hearing Room as the date, time and place of a hearing for the appeal. Notice of the hearing was mailed to the Petitioner, to their attorney (if any) of record, to the owners of the properties deemed by the Board to be affected as they appeared on the most recent local tax list, to the Planning Board and to all others required by law. Notice of the hearing was published on December 28, 2017 & January 4, 2018 in the Brookline Tab, a newspaper published in Brookline. A copy of said notice is as follows:

Notice of Hearing

Pursuant to M.G.L., C. 40A, the Board of Appeals will conduct a public hearing at Town Hall, 333 Washington Street, Brookline, on a proposal at:

58 Manchester, BROOKLINE, MA - Request for time extension on previous granted zoning relief for a lodging house in on 01/11/2018 at 7:20PM in the 6th Floor Selectmen's Hearing Room (Petitioner/Owner: Zeta Beta Tau Fraternity) Precinct 8

The Board of Appeals will consider variances and/or special permits from the following sections of the Zoning By-Law, and any additional zoning relief the Board deems necessary:

Any relief the Board may find necessary.

Hearings may be continued by the Chair to a date/time certain, with no further notice to abutters or in the TAB. Questions about hearing schedules may be directed to the Planning and Community Development Department at 617-730-2130, or by checking the Town meeting calendar at: www.brooklinema.gov.

The Town of Brookline does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services or activities. Individuals who need auxiliary aids for effective communication in programs and services of the Town of Brookline are invited to make their needs known to Lloyd Gellineau, Town of Brookline, 11 Pierce Street, Brookline, MA 02445. Telephone (617) 730-2328; TDD (617) 730-2327; or e-mail at llgellineau@brooklinema.gov

*Jesse Geller, Chair
Christopher Hussey
Mark Zuroff*

Publish: 12/28/2017 & 01/04/2018

At the time and place specified in the notice, the Zoning Board of Appeals held a public hearing. Present at the hearing was Chairman Jesse Geller and Board Members Christopher Hussey and Mark Zuroff. Planner and Zoning Coordinator Ashley Clark was also present. The case was presented by the President of the ZBT chapter, Steven Homberg.

Mr. Homberg stated that the ZBT Fraternity is seeking an extension of previously granted special permit relief. Mr. Homberg described the building as home to 42 of the ZBT members who are students at MIT. Mr. Homberg noted that the fraternity conforms with all regulations, including landscaping abutting the parking lot on the side of the property to provide screening to

the abutters. Mr. Homberg referred to a petition that was submitted to the Board with signatures in support of granting the requested relief from 59 abutters.

Ms. Clark stated that in addition to the petition, the Planning Department received a comment from an abutter in support of granting the extension.

Ms. Clark stated that the Building Department had no objection to this requested extension.

The Board deliberated on the merits of the relief as requested. Board Members Hussey and Zuroff were in support of granting the request. Mr. Zuroff praised the fraternity for the support they received from the neighborhood. Board Chairman Geller stated that he was in favor of granting the extension.

Accordingly, the Board voted unanimously to grant a four year extension of the time limitation set out in Case 1988-G on the ZBT Fraternity's special permit; extending the existing special permit from January 11, 2017 through January 10, 2022, subject to the following conditions:

1. All rooms in the fraternity house shall be rented only to members of the MIT Chapter of the ZBT Fraternity. A memo to this effect shall be sent to all fraternity brothers, posted in a public place in the fraternity, and submitted to the Brookline Planning Department for its file.
2. The property shall be properly maintained and the area picked up at least weekly and more often if necessary.
3. The names and phone numbers of the fraternity's trustees and the designated fraternity community liaison shall be filed with the Building Commissioner and sent to the abutting property owners.
4. As part of the effort to insure continuity within the fraternity to improve communication with its neighbors, the fraternity shall post a permanent set of instructions in the fraternity president's office, including telephone numbers and who shall be available in an emergency.

5. Replacement screening on the outer edges of the parking area to protect abutting properties from headlight glare, as well as a new tree in front with protective posts, shall be installed according to the site plan dated 9/1/95.
6. Fraternity representatives shall meet periodically with neighborhood representatives to resolve any differences regarding the operation and maintenance of the fraternity house and the conduct of its members.

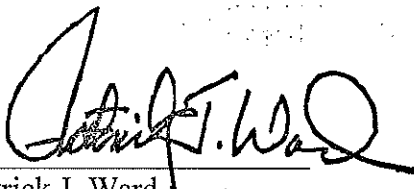
By Unanimous Decision of
The Board of Appeals,

Unanimous Decision of
The Board of Appeals


Jesse Geller, Chairman

Filing Date: 2-6-18

A True Copy
ATTEST:


Patrick J. Ward
Clerk, Board of Appeals