



BOARD OF APPEALS  
Jesse Geller, Chairman  
Mark Zuroff  
Johanna Schneider

# Town of Brookline Massachusetts

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TOWN OF BROOKLINE  
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2020 FEB 25 P 4: 45

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Brookline, MA 02445-6899  
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Patrick J. Ward, Clerk

TOWN OF BROOKLINE  
BOARD OF APPEALS  
CASE NO. 2018-0018, 2018-0019, 2015-0034  
21 SEARS ROAD (Lot 18) & 37 SEARS ROAD (Lot 20),  
BROOKLINE, MA

Robert L. Allen, Jr., Attorney for the Petitioners, submitted an application for a minor modification of prior relief which requires the installation of residential sprinklers in single family homes accessed by a common driveway from 21-39 Sears Road.

The Board administratively determined that the properties affected were those shown on a schedule certified by the Board of Assessors of the Town of Brookline and fixed January 23, 2020 at 7:00 PM., in the Select Board's Hearing Room as the date, time and place of a hearing for the modification. Notice of the hearing was mailed to the Petitioners, 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 January 9, 2020 and January 16, 2020 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:

**21 & 37 SEARS ROAD, BROOKLINE, MA 02445 – MODIFICATION OF A CONDITION OF PRIOR DECISIONS (Case #s 2018-0018 and 2018-0019) THAT REQUIRED SPRINKLER SYSTEMS IN TWO SINGLE FAMILY**

*common driveway, in accordance with N.F.P.A.13 standards for the installation of sprinklers.*” Attorney Allen stated that the Petitioners this evening we are requesting modification of the 2015 decision by removing the requirement for sprinklers. Attorney Allen noted that he spoke with the Building Department and the Fire Chief at length. The Fire Chief, John Sullivan, wrote a memo addressed to the Board in support of so modifying the decision. Chief Sullivan’s notes he that the original proposal for five dwellings was scaled back to three and the access road and water supply would be adequate to provide fire protection to the reduced number of dwellings.

Chair Geller then asked whether anyone was present to speak in favor of the proposal. No one spoke in favor of the proposal.

Chair Geller then asked whether anyone was present to speak in opposition to the proposal. No one spoke in opposition to the proposal.

Chair Geller then called upon Joe Braga to deliver the comments of the Building Department. Mr. Braga stated the Building Department has no opposition to this request and, should relief be granted, the Building Department will work with the Petitioner to ensure compliance with the Building Code.

Chair Geller commented that he was in support of the requested modification in reliance on the Fire Chief’s recommendation. Board Members Zuroff and Meikeljohn agreed.

The Board then voted unanimously to grant the requested modification to remove condition 5(i) from Decision No. 2015-0034, subject to the following condition:

1. The applicant shall electronically submit to the Building Commissioner evidence that the Board of Appeals decision modification has been recorded at the Registry of Deeds.

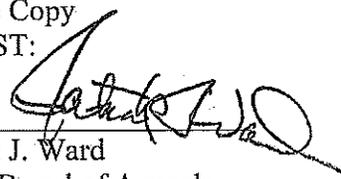
Unanimous Decision of

The Board of Appeals

Filing Date: Feb 25, 2020

  
Jesse Geller, Chair

A True Copy  
ATTEST:

  
Patrick J. Ward  
Clerk, Board of Appeals