

**40 CENTRE STREET
PROPOSED WAIVER LIST
M1.0 Zoning District
NOVEMBER 10, 2016**

Received November 21, 2016

Planning Department

Brookline Zoning By-Laws				
Bylaw Section	Requirement	Requested Waiver(s)	Details of Proposal Requiring Waiver	Waiver Number
§4.07 – <i>Table of Use Regulations</i>	Multi-Family Uses	Waiver to allow the property to be used as a multi-family dwelling, not requiring a special permit	The Development is a multi-family housing development containing 40 units. The Comprehensive Permit, as may be granted by Zoning Board of Appeals shall provide all local permits per M.G.L. c. 40B § 20-23.	A
§4.08	Affordable Housing Requirements	Waiver to allow affordable housing requirements under Chapter 40B, rather than under 4.08.	The Development is a multi-family housing development under c.40B, so the affordable housing requirements are governed by the comprehensive permit.	B
§5.09	Design Review	Design Review requirements not applicable under M.G.L. c. 40B.	Comprehensive Permit, as may be granted by Zoning Board of Appeals shall provide all local permits per M.G.L. c. 40B § 20-23.	C
Table §5.01 Section 5.20 Section 5.22	Maximum Floor Area Exceptions to Maximum Floor Area Ratio (FAR) Regulations For Residential Units	Waiver from maximum ratio of gross floor area to lot area (1.0 in M-1.0 District)	The Building is 45,482 sf minus 6099 sf of garage space for a total of 39,383 sf . The lot size 10889 sf . The FAR is 39383/10889. FAR 3.62	D

<p>Table §5.01</p> <p>Section 5.30</p> <p>Section 5.31</p>	<p>Maximum Height of Buildings</p>	<p>Waiver from maximum building height limitations (40' in M-1.0District)</p>	<p>Using Method 5.30A. The midpoint of the street frontage is 67.52 Base level of the Building 68.52 Actual building height of the will be 67'4" feet at its maximum measured by midpoint of street frontage.</p>	<p>E</p>
<p>Section 5.43</p>	<p>Special permit or variance to allow yard and setback dimensions as shown on the Plan</p>			<p>F</p>
<p>Table 5.01</p> <p>Section 5.60</p>	<p>Minimum Side Yard</p>	<p>Waiver from 10'+L/10'</p>	<p>The proposed side yard is 5.1' on the east side and 6.1' on the west side</p>	<p>G</p>
<p>Table 5.01</p> <p>Section 5.50</p> <p>Section 5.51</p>	<p>Minimum Front Yard</p>	<p>Waiver 15'</p>	<p>The proposed front yard 5'</p>	<p>H</p>
<p>Table 5.01</p> <p>Section 5.70</p>	<p>Minimum Rear Yard</p>	<p>Waiver from 30'</p>	<p>The proposed rear yard is 5.2'</p>	<p>I</p>
<p>Table 5.01</p>	<p>Maximum Building Stories</p>	<p>Waiver from 4 stories</p>	<p>6 stories are proposed</p>	<p>J</p>
<p>Table 5.01</p> <p>Section 5.20</p>	<p>Maximum Lot Coverage</p>	<p>Waiver from 80%</p>	<p>87.5% proposed lot coverage</p>	<p>K</p>
<p>Table 5.01</p> <p>Section 5.90</p>	<p>Minimum Open Space (landscaped)</p>	<p>Waiver from 10%</p>	<p>2,154sf/ 39383sf= 5.5%</p>	<p>L</p>
<p>Table 5.01</p> <p>Section 5.91</p>	<p>Minimum Open Space (usable)</p>	<p>Waiver from 20%</p>	<p>0%</p>	<p>M</p>
<p>Table 6.02</p>	<p>Parking Spaces</p>	<p>Waiver from 2.0/2.3 spaces/unit Totaling 82 spaces</p>	<p>Total 17 spaces and up to 8 stackers</p>	<p>N</p>

Table 6.02	Parking	Waiver from Article 19 Totaling 33 cars Ratio .825	Total 17 spaces and up to 8 stackers Ratio .625	
Section 6.02	required parking be designated and marked for use by visitors and trades people	Waiver from 10% percent	0%.	O
Section 6.04	Maximum driveway curb cut 20'	Wavier to 21'		P
Section 7.03	Variance or waiver from the Design Review provisions of Section 7.03 Paragraph 2 to permit signs as shown on the plans submitted			Q
Section 9.00	Variance or waiver requirements of Section 9.00 Paragraphs 1, 2 and 3a-d to the extent the administrative process of the by-law are inconsistent with or impose restrictions, approvals or requirements in excess of the relief granted in the Comprehensive permit.			R

<p>Section 9.00</p>	<p>Variance or waiver to permit required reviews under Section 9.00 Paragraph 5 to allow the opinion of the Planning Board to be exercised by the Zoning Board of Appeals</p>			<p>S</p>
<p>Section 9.05</p>	<p>Variance or waiver of the procedures and conditions for the granting of special permits to the extent such procedures and conditions are in addition or in excess of the procedures and conditions of the Comprehensive Permit.</p>			<p>T</p>
<p>§3.17</p>	<p>Department of Public Works</p>	<p>Waiver from the Department of Public Works site plan approval process, curb</p>	<p>Comprehensive Permit, as may be granted by Zoning Board of Appeals shall provide all local permits per M.G.L. c. 40B § 20-23.</p>	<p>U</p>

		cut procedure, tree removal, and construction and maintenance related parking permits.		
Town By-Laws Section 5.3	Waiver of the requirements of Town By-Laws Section 5.3 as to demolition of Building			V
Town By-Law 7.3.2	Street construction permit under Town By-Law Section 7.3.3 for the purpose of installation of utilities, access and improvements in accordance with the submitted plans			W
Town By-Laws 8.25	Waiver of procedures under Town By-Laws Article 8.25 Stormwater Management, and approval of the Applicant's stormwater management plan in lieu thereof.			X

The Applicate seeks in addition such additional relief as may be necessary to conform the relief sought to the plans filed with this Application as amended from time to time. Included within the relief sought are all ancillary, subsidiary, usual, customary or necessary permits in lieu of which the Board of Appeals may grant a Comprehensive Permit to the extent necessary to conform the relief granted to the plans submitted herewith, as amended.