

**40 CENTRE STREET  
PROPOSED WAIVER LIST  
M1.0 Zoning District  
Revised December 19, 2016 to reflect  
Board Discussion on 12/13/2016**

<b>Brookline Zoning By-Laws</b>				
<b>Bylaw Section</b>	<b>Requirement</b>	<b>Requested Waiver(s)</b>	<b>Details of Proposal Requiring Waiver</b>	<b>Waiver Number</b>
<b>§4.07 – Table of Use Regulations</b>	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
<b>§5.09</b>	Design Review Waivers requested EXCEPT for the following sections: 5.09.3.c.2 existing conditions plan 5.09.3.c.3 drawing of proposal 5.09.4.f Stormwater drainage 5.09.4.g Utility service 5.09.4.h Advertising features 5.09.4.j safety and security 5.09.4.m energy efficiency	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
<b>Table §5.01 Section 5.20 Section 5.22</b>	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 6,099 sf of garage space for a total of 39,383 sf . The lot size 10,889 sf . The FAR is 39,383/10,889. FAR 3.62	D

<p><b>Table §5.01</b></p> <p><b>Section 5.30</b></p> <p><b>Section 5.31</b></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><b>Table 5.01</b></p> <p><b>Section 5.60</b></p>	<p>Minimum Side Yard</p>	<p>Waiver from 10'+L/10' (24' )</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><b>Table 5.01</b></p> <p><b>Section 5.50</b></p> <p><b>Section 5.51</b></p>	<p>Minimum Front Yard</p>	<p>Waiver 15'</p>	<p>The proposed front yard 5'</p>	<p>H</p>
<p><b>Table 5.01</b></p> <p><b>Section 5.70</b></p>	<p>Minimum Rear Yard</p>	<p>Waiver from 30'</p>	<p>The proposed rear yard is 5.2'</p>	<p>I</p>
<p><b>Table 5.01</b></p>	<p>Maximum Building Stories</p>	<p>Waiver from 4 stories</p>	<p>6 stories are proposed</p>	<p>J</p>
<p><b>Section 5.54 (2)</b></p>	<p>Exceptions for Alignment</p>	<p>20'</p>	<p>5' front setback</p>	<p>K</p>
<p><b>Table 5.01</b></p> <p><b>Section 5.90</b></p>	<p>Minimum Open Space (landscaped)</p>	<p>Waiver from 10%</p>	<p>2,154sf/ 39,383sf= 5.5%</p>	<p>L</p>
<p><b>Table 5.01</b></p> <p><b>Section 5.91</b></p>	<p>Minimum Open Space (usable)</p>	<p>Waiver from 20%</p>	<p>0%</p>	<p>M</p>
<p><b>Table 6.02</b></p> <p><b>Continued below</b></p>	<p>Parking Spaces</p>	<p>A - Waiver from 2.0/2.3 spaces/unit Totaling 82 spaces</p>	<p>Total 25 spaces (includes stackable units)</p>	<p>N</p> <p><i>[JG+CH support; KP does not support]</i></p>

		B - Waiver from Article 19 Totaling 33 cars Ratio 0.825	Total 25 spaces including up to 8 stackers  Ratio 0.625	
<b>Section 6.02</b>	required parking be designated and marked for use by visitors and trades people	Waiver from 10% percent	0%.	O
<b>Section 6.04(4c)</b>	Maximum driveway curb cut 20'	Wavier to 21'	21' curb cut	P

Note: Any jumps in Waiver numbers means request was withdrawn or denied.