To: Brookline Board of Appeals  
From: Brookline Planning Board  
Date: January 11, 2018  
Subject: Construct a single family house  
Location: 8 Lyon Road

<table>
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<tr>
<th>Atlas Sheet:</th>
<th>Case #:</th>
<th>Block:</th>
<th>Zoning:</th>
<th>Lot Area (s.f.):</th>
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<td>121</td>
<td>2017-0034</td>
<td>423</td>
<td>S-7</td>
<td>7,520</td>
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Board of Appeals Hearing: January 25, 2018 at 7:15 pm

BACKGROUND
May 2016 – The Preservation Commission found the existing house at 2 Lyon Road (which later became 8 Lyon Road) to be architecturally non-significant.

SITE AND NEIGHBORHOOD
8 Lyon Road was a single-story ranch house built in 1960 and located at the corner of Arlington Road and Lyon Road. Lyon Road is a short cul-de-sac with seven homes that backs up to Craftsland Road. The neighborhood is near Hammond Pond Parkway and the Boston border.

APPLICANT’S PROPOSAL
The applicant, J Foster Homes, proposes to demolish the existing ranch house and construct a two-story home. The new home will have four bedrooms and a two car garage that faces the street. The new house will comply with all dimensional requirements of the Zoning By-Law. The applicant will not be finishing the basement at this time, but the proposal triggers Section
5.09.2.n because the basement space would be over the allowable FAR if it were to be finished in the future. Façade materials will include shiplap at the first floor and siding at the second floor.

**FINDINGS**

*Section 5.09.4 – Design Standards* The most relevant sections of the design review standards are described below:

**a. Preservation of Trees and Landscape** - During the construction of this home only two trees will need to be removed allowing more light and air to circulate around the remaining trees to promote better growth. Numerous trees and plantings will be added to the landscape upon completion of the home construction.

**b. Relation of Buildings to Environment** - The proposed structure has been designed in a way that it will sit in the middle of the lot allowing trees and plantings to be placed on the property to create a landscape that will help the structure blend into the lot and neighborhood. The natural features of the existing lot will not only be maintained but also be improved.

**c. Relation of Buildings to the Form of the Streetscape and Neighborhood** - The proposed structure has been designed to meet all site setbacks and FAR requirements for the neighborhood (excluding the proposed basement that will have no effect on the appearance of the structure). We have submitted an overview of the surrounding structures; the proposed structure is similar in both size and form to many of the existing structures in this neighborhood.

**d. Open Space** - The proposed home is on a corner lot and will be further from the abutting neighbors on Lyon Rd. than the existing structure allowing more open space between the two buildings as well as allowing for more landscape and plantings to be placed between the structures.

**e. Circulation** - While the location of the driveway and walkways will change the number of curb cuts and entrances to the roadway will not change. In addition the driveway will be placed further from the abutters driveways and walkways than the exiting driveway.

**f. Stormwater Drainage** - The impervious area of the proposed structure will not be substantially different and may be less than the existing structure depending on the landscape surfaces chosen by the owner.

**g. Utility Service** - All gas, sewage and utilities will be placed underground as to improve the visual impact of the proposed structure.

**h. Advertising Features** - N/A
i. **Special Features** - There will be no special features on the proposed structure.

j. **Safety and Security** - The proposed structure will be built to meet and exceed all code requirements for egress. The structure will be accessible from three sides by the current Brookline Fire Ladder apparatus and will be accessible on four sides by applicable ground ladders. The structure will in no way impede on potential surveillance of the neighborhood.

k. **Heritage** - The structure to be removed has not only been categorized as non-significant but had also become blight on the neighborhood as the previous owners had let it slip into disrepair.

l. **Microclimate** - If anything this structure will be increasing the number of plantings and will create a positive effect on the environment.

m. **Energy Efficiency** - The proposed structure will be utilizing energy star appliances, closed cell insulation and energy star windows and doors creating a building that will increase efficiency and decrease the energy consumption in comparison to the existing structure.

**Section 5.09.2.n**

n. any construction of newly created space, whether or not habitable, finished or built out, where such space substantially satisfies the requirements for habitability under the State Building Code or could with the addition of windows or doors and without other significant alterations to the exterior of the building be modified to substantially meet such habitability requirements, and which space if finished or built out or converted to habitable space would result in the total Gross Floor Area of the structure being greater than the permitted Gross Floor Area in Table 5.01. In granting any such special permit, the Board of Appeals, in addition to the requirements of §5.09 and §§9.03 to 9.05, shall be required to find that the massing, scale, footprint, and height of the building are not substantially greater than, and that the setbacks of the building are not substantially less than, those of abutting structures and of other structures conforming to the zoning by-law on similarly sized lots in the neighborhood. In granting a special permit for construction of such non-habitable space, the Board of Appeals shall set forth as a condition of the special permit the extent to which such space may or may not be converted to habitable space in the future pursuant to Section 5.22 or otherwise, with the allowed future conversion to habitable space no greater than the applicant’s representation of the intended amount of future conversion.
Section 5.22 – Floor Area Ratio

<table>
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<tr>
<th>Floor Area Ratio (% of allowed)</th>
<th>Allowed</th>
<th>Proposed</th>
<th>Allowed by Special Permit in 10 years</th>
<th>Finding</th>
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<tr>
<td>Without finished basement:</td>
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<td>.35</td>
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<td>With finished basement:</td>
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<td>.49</td>
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<tr>
<th>Floor Area (s.f.)</th>
<th>2,632</th>
<th>3,459</th>
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PLANNING BOARD COMMENTS
The Planning Board is supportive of this proposal for a new house. The Board finds the proposed structure to be reasonably sized for the neighborhood (as shown by an analysis provided by the applicant) and attractively designed. The FAR, not including the unfinished basement and attic space, is below what is allowed. The Board would like to make the applicant aware that if they were to finish the basement in ten years under a special permit, they would not be able to finish the entire space and they must remain under 130% of the allowable FAR (or whatever FAR is allowable at that time). Other homes of similar massing and scaling exist nearby. The Board would like to see some refinements to the design, including the garage doors and the living room windows and a landscaping plan that indicates that the existing curb cut will be closed.

Therefore, the Planning Board recommends approval of the site plan by Christian Albert Farland, dated 11/2/17, and the architectural plans by Dennis Colwell Architects dated 9/22/17, subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit final site plans, floor
plans and elevations including basement mechanical space, subject to the review and approval of the Assistant Director of Regulatory Planning.

2. Prior to the issuance of a building permit, the applicant shall submit a final landscaping plan subject to the review and approval of the Assistant Director of Regulatory Planning.

3. The extent to which any non-habitable space may be converted to habitable space in the future, in addition to other relevant By-law sections, must comply with §5.22 of the Zoning By-law.

4. Prior to the issuance of a building permit, the applicant shall submit to the Building Commissioner for review and approval for conformance to the Board of Appeals decision: 1) a final site plan stamped and signed by a registered engineer or land surveyor; 2) final floor plans and elevations stamped and signed by a registered architect or engineer; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

Knm