

**Babcock Place  
134 Babcock Street  
PROPOSED WAIVER LIST  
M-1.5 and T-5 Zoning Districts  
March 14, 2018**

**BROOKLINE ZONING BY-LAW**

Bylaw Section	Requirement	Requested Waiver(s)		Details of Proposal Requiring Waiver	Waiver Number
		M-1.5	T-5		
<b>§4.07 – Table of Use Regulations</b>	Multi-Family Uses USE 6	Waiver to allow the property to be used as a multi-family dwelling with accessory parking.		The Development is a multi-family housing development containing 45 rental units on a 21,291± sq. ft. lot. 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>Sec. 4.08</b>	Affordable Housing Requirements	Use property for multi-family housing without a special permit and without complying with specific requirements.		The Development is a multi-family housing development under M.G.L. c. 40B and all affordable housing requirements are governed by the Comprehensive Permit.	A.1
<b>Sec. 5.20 Table §5.01</b>	Maximum Floor Area	The 13,582 s.f. portion of the lot has an allowed FAR of 1.5, for 20,373 gross s.f.	The 7,709 s.f. portion of the lot has an allowed FAR of 1.0, for 7,709 gross s.f.	With a total lot area of 21,291 sq ft, the Development will have a floor area ratio of approximately 2.60 (55,310± s.f.), including the podium area.	B

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		The total aggregate gross floor area allowed on the combined lot is 28,082 s.f.		<i>Podium (parking, mechanical space &amp; lobby): 12,438 s.f.</i> <i>Level 2 (residential): 12,423 sf</i> <i>Level 3 (residential): 12,423 sf</i> <i>Level 4 (residential): 11,708 sf</i> <i>Level 5 (residential): 6,318 sf</i>	
<b>Sec. 5.30 Table §5.01</b>	Maximum Height of Buildings	The maximum allowed height is 45', as measured from the mean natural grade elevation of 55'-8". (Sec. 5.30.2.d.2)	The maximum allowed height is 35'. In accordance with Sec. 5.30.1.c, height shall be measured from an elevation of 54.65'.	The maximum height of the Development will be 55'-8" ± when measured from an elevation of 54.65'.	C
<b>Sec. 5.60 Table 5.01</b>	Minimum Side Yard	(H+L)/6  Left side requirement (120 Babcock St.) = 34.9'	20'	Provide the following side yard setbacks: <ul style="list-style-type: none"> <li>• 9'± at side yard south next to 120 Babcock St.;</li> <li>• 11.8'± at side yard setback North 'A' next to 16 Manchester Rd.; and</li> <li>• 9.2± at side yard setback North 'B' next to 140 Babcock St.</li> </ul>	D
<b>Sec. 5.70 Table 5.01</b>	Minimum Rear Yard	(H+L)/6 or at least 30'. The 30' requirement applies.	In the T-5 District, the rear yard requirement is 40 feet.	Provide a 15.8'± rear yard setback.	E

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<b>Sec. 5.50 Table 5.01</b>	Minimum Front Yard	In the M-1.5 District, the front yard requirement is $15+(H/10)$ feet = 20.6'	In the T-5 District, the front yard requirement is 25 feet.	Provide a 13.5'± front yard setback.	F
<b>Sec. 5.55 Table 5.01</b>	Front Yard for Rear Lot	Rear yard requirement for portion of lot considered a "rear lot." Requirement is at least 30'.	40'	Provide 5.1'± rear lot front setback for portion of lot considered a "rear lot."	G
<b>Sec. 5.90 Table 5.01</b>	Minimum Open Space (Landscaped)	10% of gross floor area (5,531 s.f.)	30% of gross floor area (16,593 s.f.)	The project will provide 7,360± s.f. in landscaped open space.	H
<b>Sec. 5.91 Table 5.01</b>	Usable Open Space	In M-1.5, requirement is 15% of GFA (8,297 s.f.)	0 s.f.	The project will provide 0 s.f. of usable open space.	I
<b>Sec. 5.52</b>	Fences and Terraces in Front Yards	Fences, hedges or walls not over six feet high above the natural grade are not subject to front yard setback requirements of Sec. 5.50.		At 20.6' from the front lot line, the retaining wall for the driveway will have a height of 2.87', with a 3.5' fence on top of the wall, for a total height of 6.37'.	J.1
<b>Sec. 5.62</b>	Fences and Terraces in Side Yards	Fences, hedges or walls not over seven feet high above the natural grade are not subject to side yard setback requirements of Sec. 5.60.		The retaining wall for the driveway will have a height of 5.5', with a 3.5' fence on top of the wall, for a total height of 9'.	J

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Sec. 5.09	Design Review	Design Review requirements not applicable under M.G.L. c. 40B, excluding landscaping, stormwater and utility, which shall comply.		Comprehensive Permit, as may be granted by Zoning Board of Appeals shall provide all local permits per M.G.L. c. 40B § 20-23.	K
Section 6.02	Off-Street Parking Space Regulations	Parking Requirements in the Transit Parking Overlay District: 1 space per studio unit, 1.4 spaces per one-bedroom unit, and 2 spaces per every two-and three-bedroom unit  Number of spaces required = 62		Waiver to allow 0.8 space/unit (36 spaces total).	L
Section 6.04.2.a	Design of All Off-Street Parking Facilities	Waiver from the standard stall width requirement of 8.5 feet.		Parking spaces will be 8'3¼"± wide.	M
Section 6.04.2.c	Design of All Off-Street Parking Facilities	Waiver from the minimum parking aisle width requirement of 23 feet.		The minimum aisle width for the parking spaces furthest to the rear will be 22'± wide.	N
Section 6.04.4.b	Design of All Off-Street Parking Facilities	Waiver from the minimum entrance and exit drive width requirement of 20 feet for two-way use.		Entrance and exit drive will be 21'± wide at the street lot line; garage entrance will be 19.75'± wide.	O

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Section 6.04.4.c	Design of All Off-Street Parking Facilities	Waiver from the maximum entrance and exit drive width requirement in residential districts of 20 feet.		Entrance and exit drive will be 21'± at the street lot line.	P
Section 6.04.5.b	Design of All Off-Street Parking Facilities	The surfaced area of all entrance and exit drives shall be set back a minimum of 10 feet from street lot lines and 5 feet from all other lot lines.	Not applicable; there will be no driveway in the T-5 District.	The entrance and exit drive will have a 0' setback from the side lot line next to 120 Babcock Street.	Q

**BROOKLINE GENERAL BY-LAWS**

Bylaw Section	Requirement	Requested Waiver(s)	Details of Proposal Requiring Waiver	Waiver Number
Sec. 5.3	Demolition Delay By-law	Waiver from the Preservation Commission requirements to demolish buildings in Brookline.	Comprehensive Permit, as may be granted by Zoning Board of Appeals, shall provide all local permits per M.G.L. c. 40B § 20-23.	R

**In addition, the Applicant seeks 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.**

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