



Town of Brookline

Massachusetts

PLANNING BOARD

Town Hall, 3rd Floor
333 Washington Street
Brookline, MA 02445-6899
(617) 730-2130 Fax (617) 730-2442

Steven Heikin, Chairman
Robert Cook, Clerk
James Carr
Linda K. Hamlin
Blair Hines
Mathew Oudens
Mark J. Zarrillo

To: Brookline Board of Appeals
From: Brookline Planning Board
Date: March 22, 2018
Subject: Modification of prior ZBA case to allow two front yard parking spaces
Location: **195 Winthrop Road**

Atlas Sheet: 43
Block: 217
Lot: 28

Case #: 2018-0004 and 0005
Zoning: M-1.5
Lot Area (s.f.): 6,048

Board of Appeals Hearing: **April 19, 2018 at 7:10 pm**

BACKGROUND

2017 – ZBA Case #2017-005: The Board of Appeals granted relief for the owners of 191 and 195 Winthrop to share a common driveway and create a shared parking area for 10 cars at the rear of the property.

2010 – ZBA Case #2015-0030: The applicant applied to construct a parking area and retaining walls at the rear of this property. The Planning Board requested additional materials in order to make their recommendation but ultimately felt it still lacked enough information. The case was continued. The applicant is now returning with this application.

1991 – Building Commissioner cited then building owner Miriam Parness for parking two cars in the front yard. Record of appeals is not readily available.

Current applicant George Vasios was denied an appeal to construct a third parking space in the front yard because of an existing street tree, which the Town did not want to remove (date not confirmed). Record of Board of Appeals case is not readily available.

SITE AND NEIGHBORHOOD

195 Winthrop Road is a three-story three-unit dwelling in the middle of the row houses on the south side of Winthrop Road, near Washington Square. The applicant, George Vasios, owns Unit 1. There is a 16-foot deep driveway in the front yard at 191 Winthrop Road on which the owners of Units 2 and 3 each park a car. The rear of the property slopes downward at about 30%. In 2017, the applicant received zoning relief to construct a shared ten-car parking area at the rear for use with 191 Winthrop Road. The neighborhood is primarily multi-family buildings and is located close to Washington Square.

APPLICANT’S PROPOSAL

The applicant, George Vasios, is proposing to modify the Board of Appeals decision from 2017. This previous decision, which approved ten parking spaces at the rear of the properties, required the removal of two existing parking spaces in the front yard of 191 Winthrop Road where two unit owners parked their vehicles. The applicant has now decided that he would like the front yard spaces and curb cuts to remain and would like to modify the previous decision accordingly. The approved shared parking area at the rear of the buildings has not yet been constructed.

FINDINGS

Section 5.50 – Front Yard Requirements

	Required	Proposed	Finding
Front Setback	15 feet	0 feet	Special Permit*

The Board of Appeals may waive dimensional requirements under **Section 5.43 if a counterbalancing amenity is provided.*

Section 6.04.5.b – Design of All Off-Street Parking Facilities

	Required	Proposed	Finding
Parking Area	10 feet	0 feet	Special Permit*

The Board of Appeals may also waive dimensional requirements under **Section 5.43 if a counterbalancing amenity is provided.*

Modification of ZBA Cases #2017-0004 and #2017-0005:

Modification of approved plans showing removal of two front yard parking spaces from front of 191 Winthrop Road.

STAFF ANALYSIS

The Planning staff does not support the applicant’s proposal to keep two front-yard parking spaces. Although the staff recognizes that this parking arrangement was a long-standing pre-

existing condition, the applicant recently received zoning relief to create parking at the rear of the property in order to reduce the congestion of parked cars along Winthrop Road. The Planning Board supported the applicant's proposal to create the rear parking area in order to improve the aesthetics of the street and to reduce the amount of impervious paving in the front yard. The staff is concerned that now there would be an overall increase in the amount of parking on the properties and in the amount of total paved area rather than a reduction which was the original intent of the shared parking proposal. Parking in the front yard setback is a condition that the staff does not want to see expanded throughout the Town due to aesthetics as well as traffic safety.

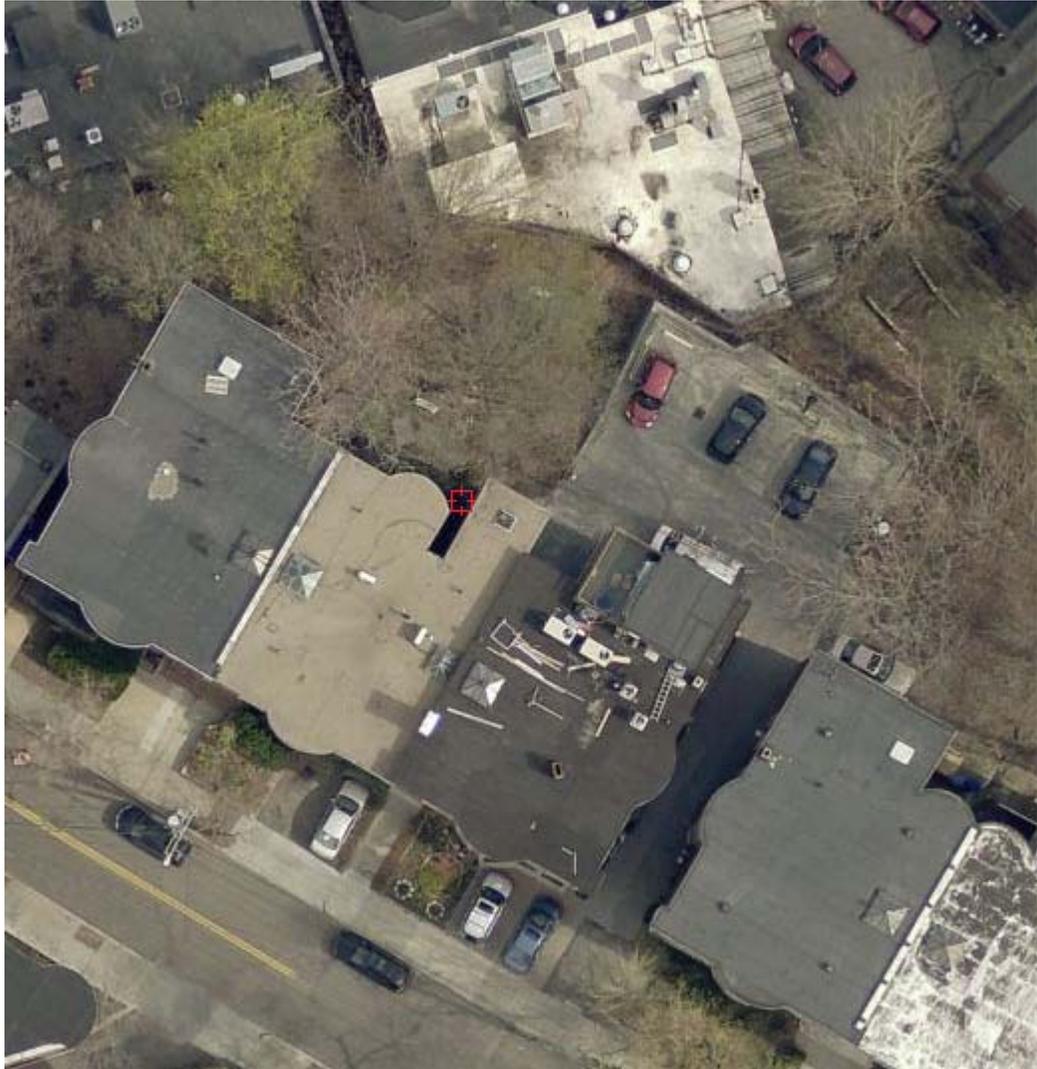
PLANNING BOARD RECOMMENDATION

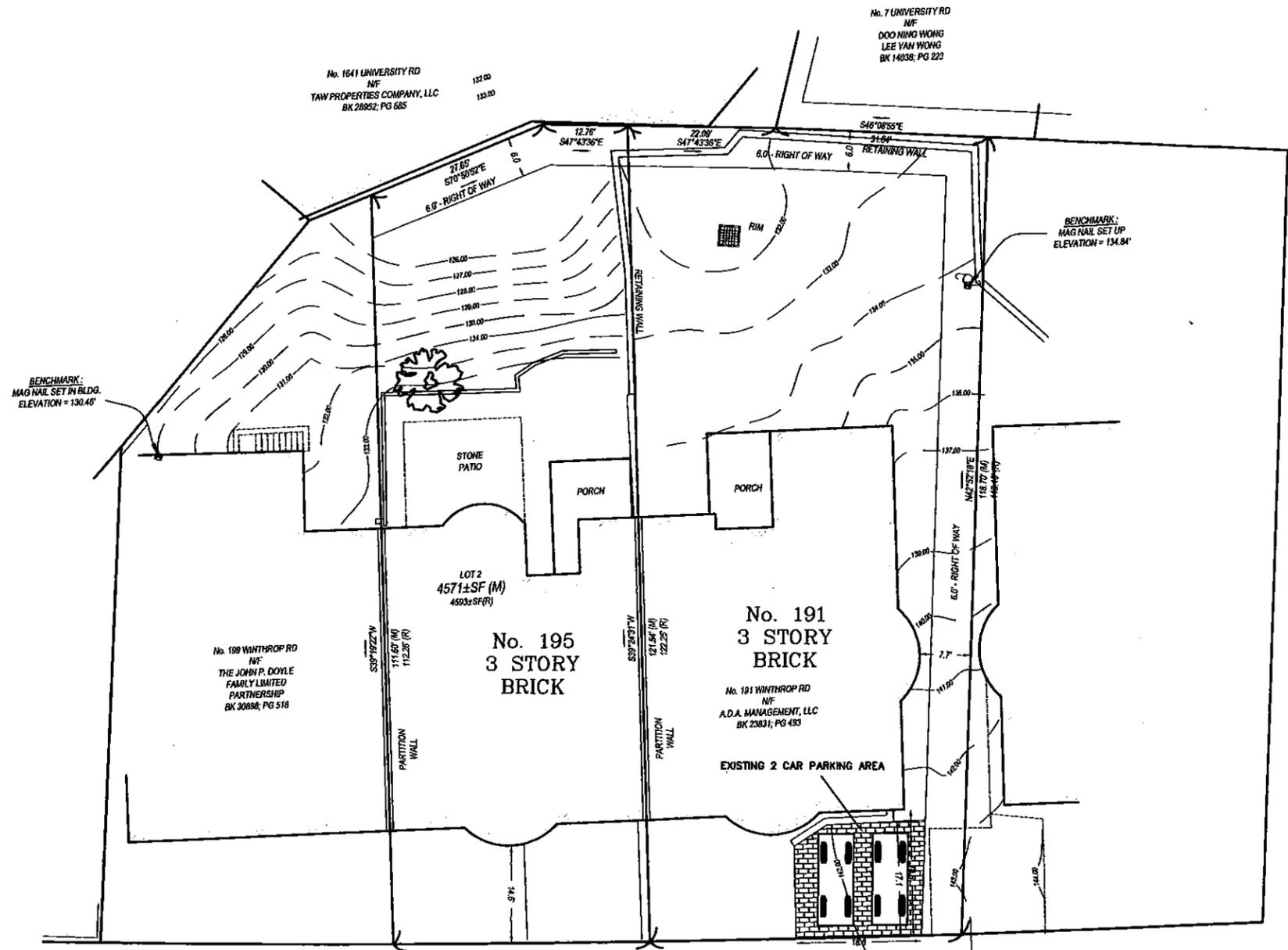
The Planning Board recommended approval of this proposal. Attorneys Jeffrey Allen and Bob Allen clarified that the Planning Board had never opined on the two parking spaces in front of 191 Winthrop Road and had not asked for their removal as a condition of approval. This condition was added subsequently by the Board of Appeals. Additionally, the applicant clarified that the owner of 191 Winthrop will only grant the easement to create the shared parking lot at the rear if the two parking spaces remain. Because the Planning Board would like to see the shared parking proposal move forward and because the front parking spaces already existed, the Board supports this modification.

Therefore, the Planning Board recommends approval of the parking plan prepared by RAV & Associates with revisions dated 10/11/2017:

- 1) Prior to the issuance of a building permit, the applicant shall submit stamped and surveyed parking plan 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.
- 3) Prior to 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; and 2) evidence that a decision has been recorded at the Registry of Deeds.

knm





WINTHROP ROAD

DATE	REVISION
10/11/17	EXISTING PARKING ADDED AT #191

All legal rights including, but not limited to, copyright and design patent rights, in the designs, arrangements and plans shown on this document are the property of RAV&Assoc., Inc. They may not be used or reused in whole or in part, except in connection with this project, without the prior written consent of RAV&Assoc., Inc. Written dimensions on these drawings shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on this project, and RAV&Assoc., Inc. must be notified of any variation from the dimensions and conditions shown by these drawings.

**REAR LOT
EXISTING CONDITION**

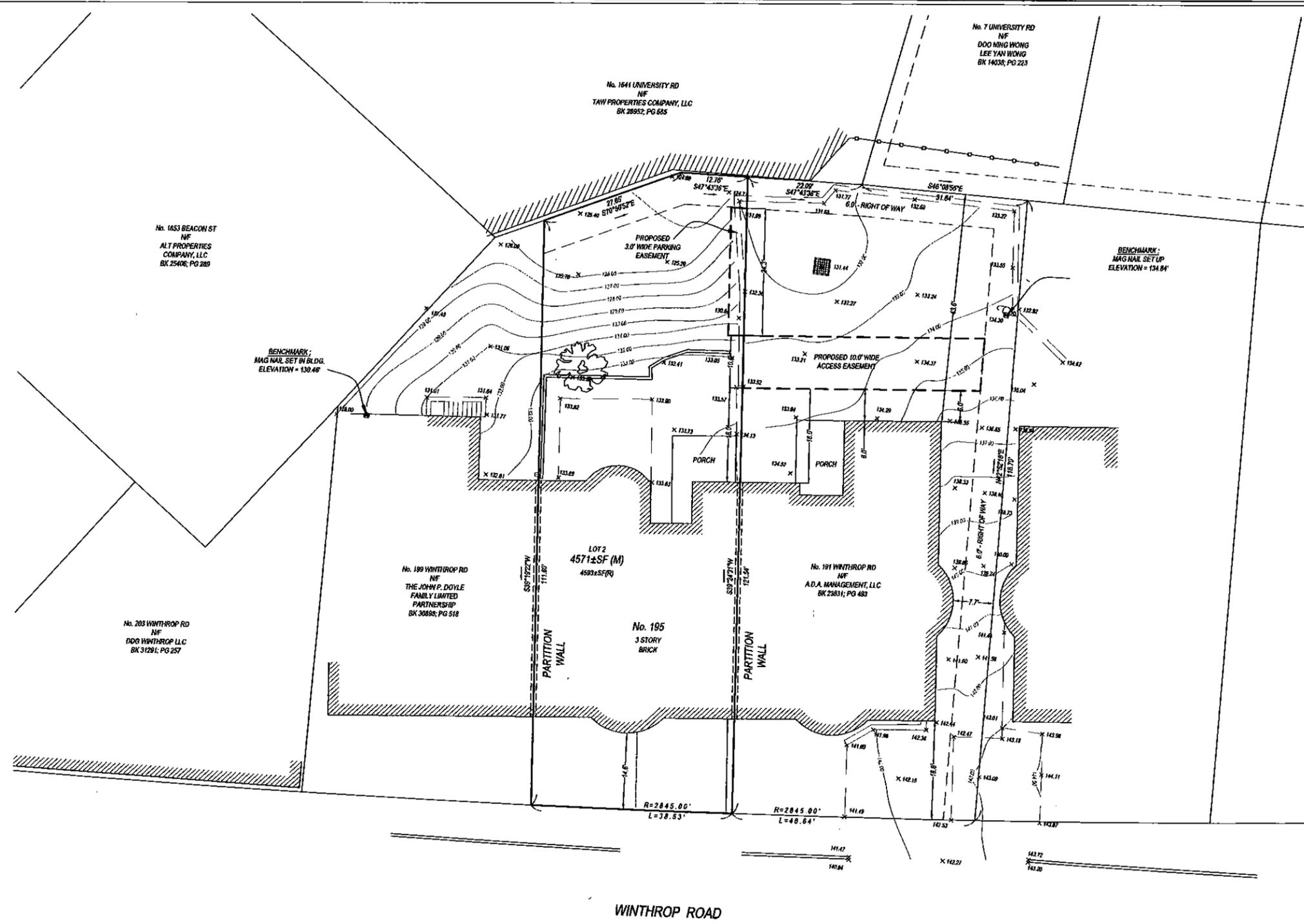
**195 WINTHROP ROAD,
BROOKLINE, MASSACHUSETTS**

RAV & Assoc., Inc.
21 HIGHLAND AVENUE
NEEDHAM, MASSACHUSETTS 02494
TELEPHONE: (781) 449-8200 FAX: (781) 449-8205

SCALE: 1"=10'

APPROVED: R.A.V.	DESIGNED BY: I.M.	DRAWING No.
DATE: 5/15/2017	DRAWN BY: I.M.	1 OF 1
	CHECKED BY: R.A.V.	





NOTES:

I CERTIFY THAT THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND ON THE DATE OF JULY 16, 2015 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

ADJUTERS' NAMES REFER TO CURRENT CITY OF BROOKLINE ASSESSOR'S RECORDS

THE ELEVATIONS SHOWN ON THIS PLAN ARE RELATIVE TO THE CITY OF BROOKLINE VERTICAL DATUM AND WERE DETERMINED FROM A GPS OBSERVATION MADE ON JULY 16, 2015 AND CONVERTED TO BROOKLINE CITY BASE.

BENCHMARK:
 1) MAG NAIL SET IN UTILITY POLE; ELEVATION = 134.84'
 2) MAG NAIL SET IN BUILDING; ELEVATION = 130.45'

UNDERGROUND UTILITIES ARE BASED UPON AN ACTUAL FIELD SURVEY AND INFORMATION OF RECORD. IT IS NOT WARRANTED THAT THEY ARE EXACTLY LOCATED, NOR THAT ALL UNDERGROUND CONDUITS OR OTHER STRUCTURES ARE SHOWN ON THIS PLAN. THE DIG-SAFE CALL CENTER SHALL BE CONTACTED PRIOR TO ANY EXCAVATION.

ALL LAND SHOWN LIES WITHIN ZONE "X" UNSHADED, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS INDICATED ON PANEL 03E OF THE FLOOD INSURANCE RATE MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF BROOKLINE, COMMUNITY No. 25021C, HAVING AN EFFECTIVE DATE OF JULY 17, 2012.

THE LOT LINES SHOWN HEREON WERE DETERMINED FROM PLANS OF RECORD FILED AT THE NORFOLK COUNTY REGISTRY OF DEEDS, AND OR THE RECORDS SECTION OF THE CITY OF BROOKLINE DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION.

DRAFTSMAN: JJH	REVIEWED BY: GCC
TOPOGRAPHIC SURVEY	07/17/15
SCALE: 1 INCH = 10 FEET	

REFERENCES:

DEED: BK 8313; PG 413	PLAN: BK 2376; PG 558
PLAN: BK 55; PG 2602	PLAN: BK 4524; PG 93
PLAN: BK 1121; PG 238	PLAN: PL BK 518; PL 34
PLAN: BK 1425; PG 278	PLAN: PL BK 439; PL 329
PLAN: BK 1511; PG 132	LCC # 18390-A
PLAN: BK 1856; PG 507	
PLAN: PL BK 55; PL 2803	

TOPOGRAPHIC PLAN

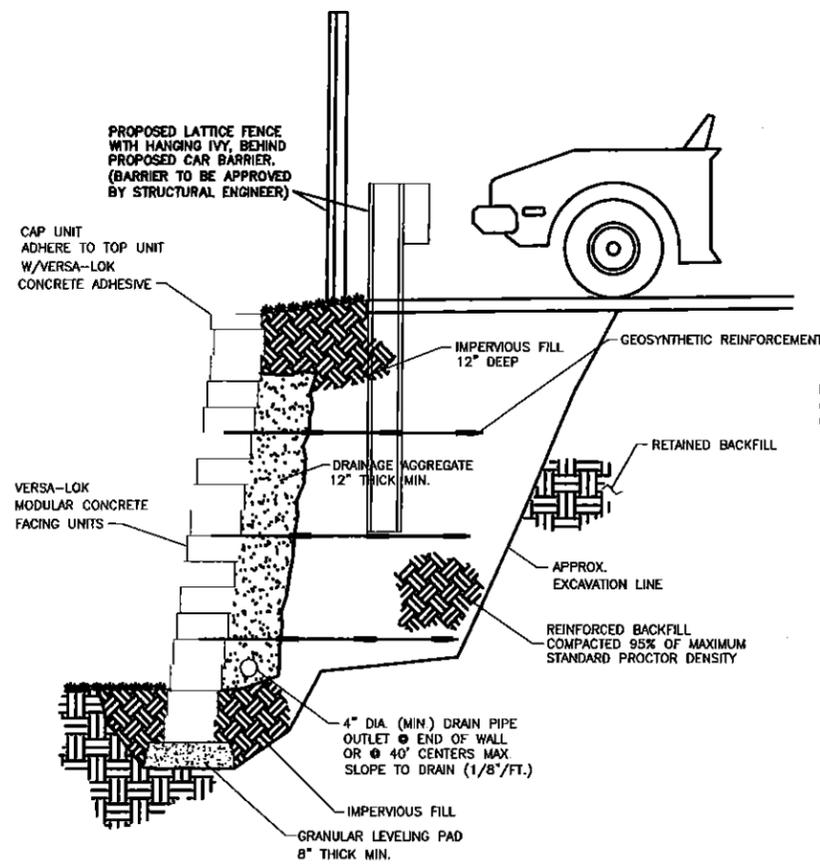
LOCATED AT
 195 WINTHROP ROAD
 BROOKLINE, MA

PREPARED FOR:
 GEORGE VASIOS
 195 WINTHROP RD.
 BROOKLINE, MA 02445

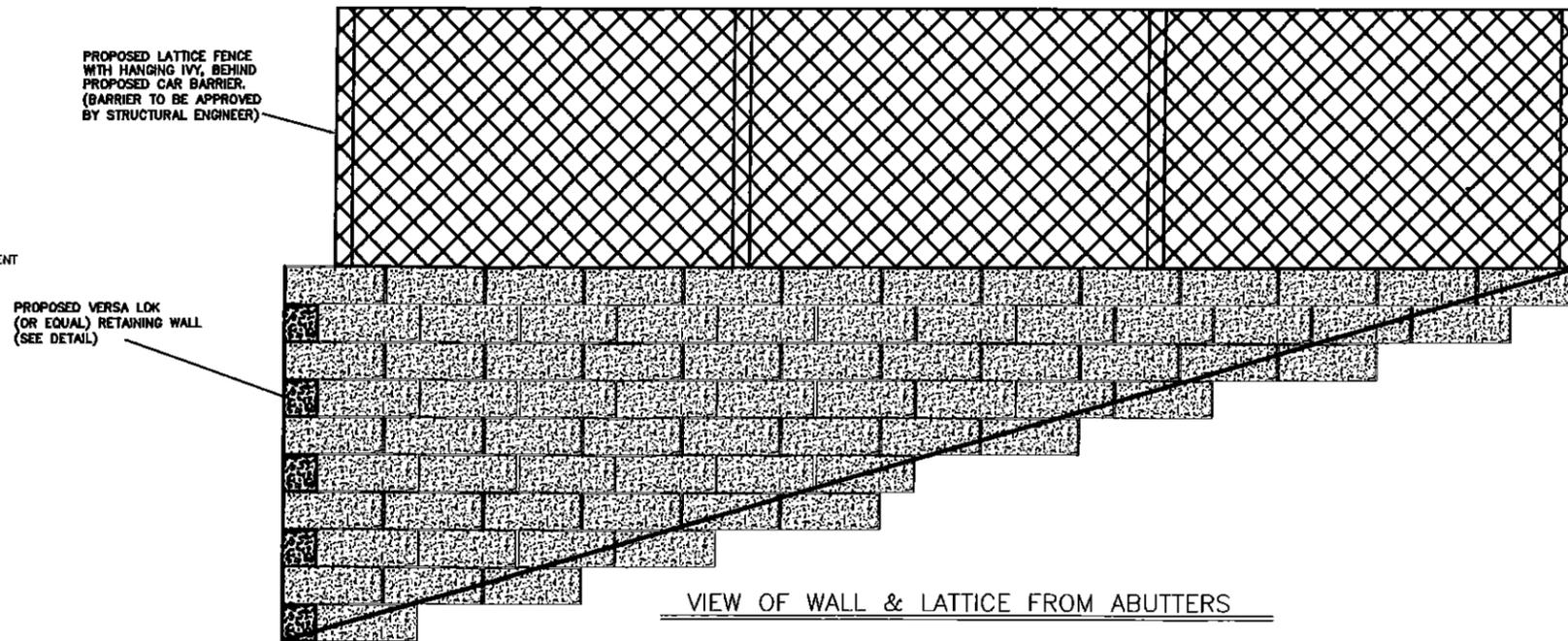
BOSTON SURVEY, INC.

UNIT C-4 SHIPWAYS PLACE
 CHARLESTOWN, MA 02129
 (617) 242-1313
 www.bostonsurveyinc.com

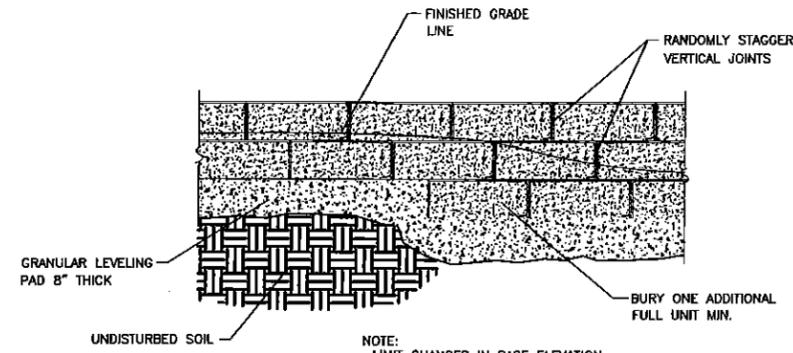




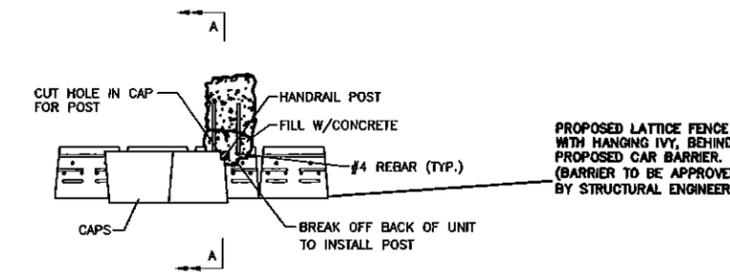
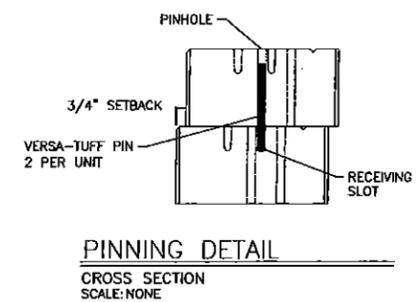
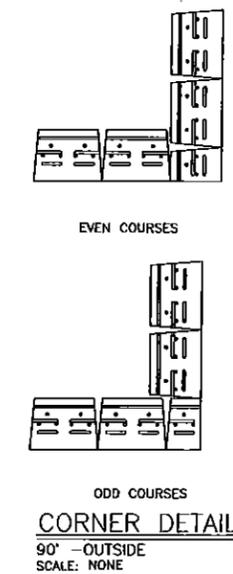
TYPICAL SECTION--REINFORCED RETAINING WALL
MODULAR CONCRETE UNIT
SCALE: NONE



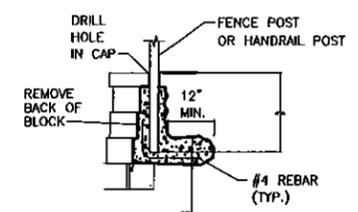
VIEW OF WALL & LATTICE FROM ABUTTERS



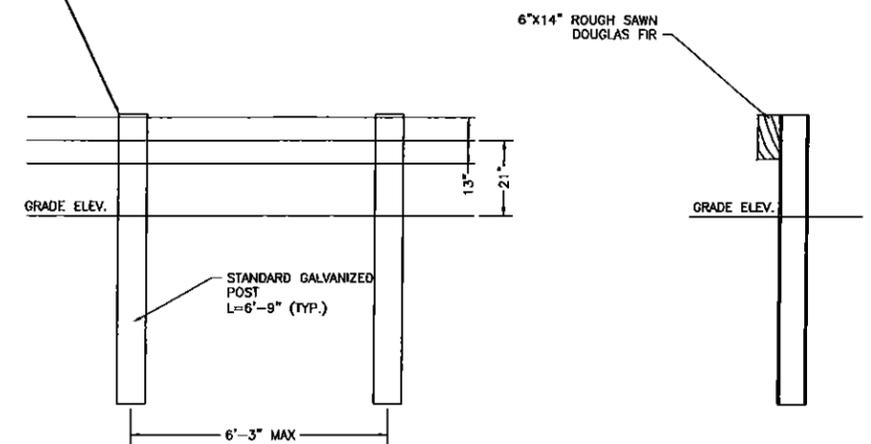
STEPPING BASE DETAIL
SCALE: NONE



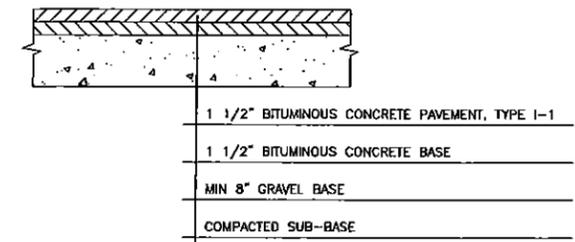
POST DETAIL- PLAN VIEW
TYPICAL HANDRAIL AND/OR FENCE POST
SCALE: NONE



POST DETAIL- SECTION A-A
TYPICAL HANDRAIL AND/OR FENCE POST
SCALE: NONE



BARRIER DETAIL
SCALE: NONE



PAVEMENT DETAIL
SCALE: NONE

DATE	REVISION
<p>All legal rights including, but not limited to, copyright and design patent rights, in the designs, arrangements and plans shown on this document are the property of RAV/Assoc., Inc. They may not be used or reused in whole or in part, except in connection with this project, without the prior written consent of RAV/Assoc., Inc. Written dimensions on these drawings shall have precedence over noted dimensions. Contractors shall verify and be responsible for all dimensions and conditions on this project, and RAV/Assoc., Inc. must be notified of any variation from the dimensions and conditions shown by these drawings.</p>	
<p>REAR PARKING LOT TYPICAL DETAILS 195 WINTHROP ROAD, BROOKLINE, MASSACHUSETTS</p>	
<p>RAV & Assoc., Inc. 21 HIGHLAND AVENUE NEEDHAM, MASSACHUSETTS 02494 TELEPHONE: (781) 449-8200 FAX: (781) 449-8205</p>	
SCALE: 1/4"=1'-0"	
APPROVED: R.A.V.	DESIGNED BY: I.M.
DATE: 03/2/2017	DRAWN BY: I.M.
	CHECKED BY: R.A.V.
	DRAWING No. 3 OF 3