



Town of Brookline

Massachusetts

PLANNING BOARD

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TO: Brookline Board of Appeals
FROM: Brookline Planning Board
DATE: June 21, 2018
SUBJECT: Home occupation for tutoring in single-family home
Location: **268 Walnut Street**

Atlas Sheet: 71C
Block: 307
Lot: 18

Case #: 2018-000037
Zoning: T-5
Lot Area (s.f.): 7,475

Board of Appeals Hearing: **July 19th, 2018 at 7:15 pm**

SITE AND NEIGHBORHOOD

268 Walnut Street is a single-family house located between Cypress Street and Oakland Road, built in 1890. The home has 5 bedrooms, a partially finished basement and a rear detached garage. The property is located near Route 9 and businesses on Cypress Street. The neighborhood consists of single- and two-family homes on small lots.

APPLICANT'S PROPOSAL

The applicant, Hiroko Aspi, proposes to use the first floor of her home for tutoring a group of eight students in grades 4 through 6, from 3 pm to 6:15 pm after school during the 2018-2019 school year. The room proposed for the tutoring is 13 feet by 13 feet. The living room will be used as a waiting area for caregivers during pick-up times. The homeowner will be the only instructor and there will be no visits by outside vendors. The applicant has provided floor plans of the home as well as photos documenting parking options which include the driveway and on-street parking on Walnut Street and Oakland Road.

FINDINGS

Section 4.07 - Table of Use Regulations, Use #60

A special permit for customary home occupation for gain is required if customers or pupils come to the house for business or instruction.

STAFF ANALYSIS

Staff has no opposition to this request for a home occupation special permit. The proposed tutoring area will occupy less than 25% of the floor area of the home, as shown on the provided floor plans, which is a requirement for accessory uses. The applicant has also provided photos showing the opportunities for parking for visitors which appear to be ample. Many of the students may walk since this property is only a few blocks from the Lincoln Elementary School. The applicant has also spoken with and received approval from direct abutters. The staff does not believe the tutoring home occupation will be a detriment to neighbors nor have any serious negative impacts.

PLANNING BOARD RECOMMENDATION

The Planning Board was supportive of the owner's request to hold tutoring sessions in her home and did not believe there would be any negative impact stemming from this use. The Board discussed what type of condition should be placed regarding the permitted length of time for the occupation. Ultimately, the Board agreed to add a length of two years, after which the applicant will need to re-apply to extend the use.

Therefore, the Planning Board recommends approval subject to the following conditions:

1. Hours for tutoring shall be restricted to Monday through Friday from 3:00 p.m. to 6:15 p.m.
2. No more than a group of eight students shall be allowed at any one time.
3. The relief granted herein shall terminate in two years unless the Board of Appeals, after further public hearing, votes to extend the same.
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: a) evidence that the Board of Appeals decision has been recorded at the registry of Deeds.

