



Town of Brookline

Massachusetts

PLANNING BOARD

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

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Robert Cook, Clerk
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To: Brookline Board of Appeals
From: Brookline Planning Board
Date: May 9, 2019
Subject: Relocate previously-approved driveway
Location: **174 Gardner Road**

Atlas Sheet: 40	Case #: 2019-0022
Block: 204	Zoning: S-7
Lot: 10	Lot Area (s.f.): 9,390

Board of Appeals Hearing: **May 30, 2019 at 7:00 pm**

BACKGROUND

May 2018 – The ZBA granted zoning relief for the applicant to re-locate a garage and construct a new driveway at the side of the property.

SITE AND NEIGHBORHOOD

174 Gardner Road is a two-story, single-family home built in 1930 located between Blake Road and Tappan Street. The home has a basement level garage at the rear with a paved parking area. The neighborhood consists of single-family homes on mid-sized lots and is located near Brookline High School.

APPLICANT'S PROPOSAL

The applicant, Michael Bentley, is proposing to make a slight alteration to a previously-approved plan. The driveway that was approved in 2018 will no longer be feasible in the approved location due to an existing street tree. The applicant has decided to move the location of the front portion of the driveway to be 2.9 feet from the left edge of the property to protect the tree. The previous design was straight and had no curve while the new design

curves to sit further from the tree. The driveway's new design requires setback relief because the portion closest to the curb will be closer than 5 feet to the property line. The applicant has the support of his abutter to the left with whom he shares this property line.

FINDINGS

Section 5.43 – Exceptions to Yard and Setback Regulations

Section 6.04.5.c.2 – Design of Off-Street Parking Facilities

Setback	Allowed	Existing	Proposed	Finding
Side Yard (Driveway)	5 feet	N/A	2.9 feet	Special Permit*

* Under **Section 5.43**, the Board of Appeals may waive by special permit yard and/or setback requirements if a counterbalancing amenity is provided

STAFF ANALYSIS

The staff has no objection to this proposal. Although the driveway will be very close to the property line, the staff believes this will offer protection for the street tree. The neighbor that would be most impacted has submitted a letter of support. The overall concept for the new driveway and garage were already approved in 2018 and had received support from the Planning Board at that time.

PLANNING BOARD COMMENTS

The Planning Board had no issues with moving the portion of the driveway and supported to efforts to protect the street tree.

Therefore, the Planning Board recommends approval of the site plan by Antoni Szerszunowicz dated 3/5/2019 subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit site 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 landscaping plan subject to the review and approval of the Assistant Director of Regulatory Planning.
3. 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) a final site plan stamped and signed by a registered engineer or land surveyor; and b) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

