



# *Town of Brookline*

## *Massachusetts*

### **Planning Board**

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To: Brookline Board of Appeals  
From: Brookline Planning Board  
Date: May 9, 2019  
Subject: **Change use from general office to dental office**  
Location: 33 Pond Avenue (Brook House) #NR-04

Atlas Sheet:	68	Case #:	2019-0033
Block:	287	Zoning:	M – 2.0
Lot:	10	Lot Area (s.f.):	±361,020

Board of Appeals Hearing: **May 30, 2019 at 7:15 p.m.**

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### **BACKGROUND**

October 15, 1965, BOA #1375 – Original approval of relief for construction of Brook House complex with 762 units, retail space, and 18,500 s.f. of medical office space.

March 2, 1967, BOA #1375A – Board of Appeals grants height relief for buildings at 44 Washington Street and 33 and 77 Pond Avenue.

January 23, 1976, BOA #2021 – Board of Appeals grants relief to extend nonconforming medical uses by 25%.

January 21, 1980, BOA #2357 – Board of Appeals grants relief for the commercial building extension at 55 Washington Street.

July 16, 1984, BOA #2658 – Board of Appeals grants relief for construction of a new gatehouse, modifications to the waterfall structure, erection of fences on the property, expansion of pool terrace area, and conversion of the storage area at 99 Pond Avenue to a function room.

March 4, 1986, BOA #2759 - Board of Appeals grants relief to convert function room at 33 Pond Avenue into an additional dwelling unit, for a total of 763 units on site.

March 4, 1986, BOA #2760 - Board of Appeals grants relief for dual use parking to allow old health club facility at 77 Pond Avenue to be converted to medical offices; 31 new parking spaces were added for a total of 869 spaces. The Board of Appeals also modifies Cases #1375, 2021, and 2357 to allow new parking spaces along the service drive and to permit commercial tenants to park in reserved outdoor spaces in addition to those in the garage.

February 4, 1988, BOA #2880/2881 – Board of Appeals grants relief to convert two units from medical or dental to general office space, two units from retail to medical or dental, general office or consumer/business service for occupants of the apartments, and one unit from general office space to medical or dental, but limited to three doctors.

January 15, 1991, BOA #3055 – Board of Appeals grants relief to convert one unit from general office space to medical or dental, but limited to three doctors.

August 31, 2004, BOA# 040023 – Board of Appeals grants relief to construct additions, make interior renovations, and add 9 new parking spaces.

**SITE AND NEIGHBORHOOD**

The Brook House site is located at the corner of Washington Street and Pond Avenue and extends along Pond Avenue to Allerton Street. The site borders on a single family district and an M – 2.0 zone to the west which includes the public housing on High Street and the cooperative housing on Juniper Street.

The complex consists of five separate buildings that contain 763 residential condominium units, some retail stores, medical offices and general offices. There are a total of 869 parking spaces for the complex, 67 of which are designated for short-term visitor parking in the covered surface lot. And 45 spaces, 14 of which are in the garage, are dual use and reserved for daytime commercial uses. The residents have access to amenities including a health club, a swimming pool and terrace, tennis courts and landscaped courtyards.

**APPLICANT’S PROPOSAL**

The applicant, Ed Zuker, Trustee for Pond View Realty Trust is proposing to change the use of Unit-33-NR-04 from general office to medical dental office.

**FINDINGS**

**Section 6.02 – Table of Off-Street Parking Regulations**

	<b><u>Required/Allowed</u></b>	<b><u>Existing</u></b>	<b><u>Proposed</u></b>	<b><u>Finding</u></b>
Parking Spaces	6*	6	6	<u>Complies</u>

\*Applicant states that there will only be two dentists on-site at one time. Each dentist requires 3 parking spaces, ie 6 spaces; that is the same amount that was designated y management for the previous general office space.

**Section 8.02.1 – Alteration or Extension**

A special permit is required to alter or enlarge any pre-existing non-conforming use or structure.

**Modification of Board of Appeals Decisions - Cases #1375 (9/65), #1375A (6/67), #2021 (1/76), #2357 (1/80), #2759 (1/86), #2760 (3/86), #2880/2881 (3/88), and #3055 (1/91), #040023(8/04).**

**PLANNING STAFF ANALYSIS**

The Planning Staff has no objection to the conversion of the general office space to dental office space. No exterior changes are being made, and parking for the dentists and visitors is being provided by Brook House.

**PLANNING BOARD COMMENTS**

The Board had no concerns with this proposal for new dental office space.

**Therefore, the Planning Board recommends approval of the plans, by Henry Stein and dated 3/20/19, subject to the following conditions:**

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

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