

**1299 BEACON STREET
PROPOSED WAIVER LIST
G - 1.75 Zoning District
July 12, 2018**

Version 1: NOT REVIEWED BY STAFF

Corresponding Plans: June 3, 2019 Hearing materials

Brookline Zoning By-Laws				
Bylaw Section	Requirement	Requested Waiver(s)	Details of Proposal Requiring Waiver	Waiver Number
§§ 3.00(3) & 4.07 (Table of Use Regulations)	Multi-Family Uses USE 6	Use property as a multi-family dwelling without a special permit.*	The Development is a multi-family housing development containing 55 age restricted units. Approval of a Comprehensive Permit by Zoning Board of Appeals under M.G.L. c. 40B, § 20-23, allows proposed use.*	A
§4.08	Affordable Housing Requirements	Use property for affordable housing without complying with specific requirements.	The Development is a multi-family housing development under c.40B and all affordable housing requirements are governed by the Comprehensive Permit.	B
§5.06(b)(1,2,4)	Special District Regulations for the G-1.75 District	Project design and other approvals and dimensional requirements not under §5.06.	Design and other approvals granted by and dimensional requirements determined by Zoning Board of Appeals per M.G.L. c. 40B, § 20-23.	C
§5.09	Design Review	Project design approval without Design Review under §5.09.	Design elements included in Comprehensive Permit plans to be reviewed by the Zoning Board of Appeals per M.G.L. c. 40B, § 20-23.	D

Table §5.01	Maximum Floor Area Ratio	Waiver from maximum ratio of gross floor area to lot area of 1.75.	<p>The Development includes 55 units in 8&9 stories on a 18,632.3 SF lot and will have a floor area ratio of approximately 5.38 which excludes the gross floor area for underground parking per § 5.06(b)(3).</p> <p><i>Ground Level 12,801 SF</i> <i>Level 2 12,837 SF</i> <i>Level 3 11,460 SF</i> <i>Level 4 11,181 SF</i> <i>Level 5 11,181 SF</i> <i>Level 6 11,181 SF</i> <i>Level 7 11,181 SF</i> <i>Level 8 11,181 SF</i> <i>Level 9 7,203 SF</i> <i>TOTAL = 100,206 SF</i></p>	E
Table §5.01	Maximum Height of Buildings	Waiver from maximum building height of 45 FT.	The proposed building height is 109'-11" top of structure.	F
Table § 5.01 Footnote 1	Setback Entrance to Garage 20 FT	.Waiver from 20 FT Garage Entrance Setback requirement.	The proposed garage entrance setback varies between 13 FT and 23 ½ FT.	G
Table § 5.01, Footnote 2	Wall Length and Side Yard	Waiver from 70 FT side wall length and 10+L/10 side yard.	From Beacon Street, north and south wall lengths of 97 FT and 120 ½ FT. From Sewall Avenue, north and south wall lengths of, respectively, 90 FT and 90 FT. Side yard of 0 FT for first and second floors only.	H
Table § 5.01, § 5.41 and § 5.07	Minimum Side Yard	Waiver from H + L/6 or 65.5 FT. (see M-2.0)	The proposed side yard is 0 FT for the first and second floors only.	I

Table 5.44.1	Accessory Underground Structures	Waiver from not within 10 Not feet of any lot line	Setback minimum of 0'-1" from lot line.	J
Table §6.02	Off-Street Parking Space Requirements	Waiver from 2 spaces/dwelling unit	0.7 spaces/dwelling unit sought. There are 57 total garage spaces, 39 spaces are for the Multi-family Use, 6 spaces for Visitor use and 12 for Retail Employee/Customer Use.	K
§6.02.2	Off-Street Parking Space Requirements TPOD	Waiver from Residential Parking Ratios of 0.8 and 1.1 spaces per one-bedroom and two-bedroom units, respectfully.	0.7 spaces/dwelling unit sought.	K
§6.04.3	Design of All Off-Street Parking Facilities	Waiver from design prohibiting movement of parked vehicle to obtain access to another.	Tandem parking sought.	L
General Bylaw Sec. 5.3.5-5.3.10 5.33.11a 5.3.12	Demolition Delay Bylaw	Waiver from Demolition Delay (Preservation Commission review) to protect and preserve Significant Buildings. <u>NOT exempt from Building department's procedures for issuance of Demolition Permit</u>	Pertains to demolition of <u>only</u> the existing <u>structures</u> on the Site to allow construction of the Project.	M
General Bylaw §3.17	Department of Public Works (DPW)	Waiver from DPW site plan approval process, curb cut procedure, tree removal, and construction and maintenance related parking permits.	Comprehensive Permit, as may be granted by Zoning Board of Appeals shall provide all local permits per M.G.L. c. 40B § 20-23.	N

*The first and second floors also include “Retail and Consumer Services Uses” which are allowed by Special Permit.

In addition to the waivers listed, the Applicant seeks such additional relief as may be necessary to confirm 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 Zoning Board of Appeals may grant a Comprehensive Permit to the extent necessary to confirm the relief granted to the plans submitted herewith, as amended.