



Town of Brookline

Massachusetts

PLANNING BOARD

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9/27/19

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To: Brookline Zoning Board of Appeals
From: Brookline Planning Board
Date: 10/3/19 Zoning Board of Appeals Meeting
Subject: Construct attached garage at front left side of house.
Location: **107 Payson Road**

Atlas Sheet:	103	Case #:	2019-0054
Block:	365	Zoning:	S-7
Lot:	37	Lot Area:	7,245

Board of Appeals Hearing: **October 3, 2019 at 7:00 pm or later**

DEMOLITION/PRESERVATION

On July 8, 2019, Preservation Staff determined that the house is not significant and can be partially demolished.

SITE AND NEIGHBORHOOD

The building at 107 Payson Road is a two-story, single-family structure located near the Westbrook Village area, near the Walnut Hills cemetery. There is a driveway used for parking on the right side of the house, within the side yard setback.

APPLICANT'S PROPOSAL

The owners, Julian and Francine Hyman, are proposing to add an attached two-car garage at the front left corner of the house, as well as a new driveway leading up to the garage. The new driveway will require a new 20' curb cut. The existing driveway on the right side of the house will be replaced with landscaping.

FINDINGS

ZONING: S-7	Required/ Allowed	Existing	Proposed	Relief
Use		Single Family	Single Family	None
Lot Size	7,000sf	7,245sf	7,245sf	None
Floor Area Ratio	0.35 / 100% 2,535sf	0.29 / 85% 2,165sf	0.29 / 85% 2,165sf	None*
Lot Width	65'	67'	67'	None
Setbacks: F/S/R	20 7.5 30	34.6 13.7 22.8	22.1 6.3 No Change	Special Permit, §5.43¹
Parking Spaces	2	2	2	None

* The garage is adding 570sf, but is exempted from the FAR based on §2.07.1 (Definition of Gross Floor Area).

¹ **Section 5.43: Exceptions to Yard and Setback Regulations** – The Zoning Board of Appeals may waive any setback requirement in the Bylaw if appropriate counterbalancing amenities are provided.

Other Zoning Requirements**Section 8.02: Alteration or Extension**

A Special Permit is required to alter and/or extend this non-conforming structure.

PLANNING DEPARTMENT COMMENTS

The Planning Department is generally supportive of the proposal. Besides a small portion of the garage which extends 1.2' into the required left side yard, the proposed structure complies with all setback requirements. The proposed structure is not substantially more detrimental than the existing conditions: currently, the applicant is parking in a driveway within the right side yard setback; the zoning relief requested is to allow the applicant to park in a garage that extends into the left side yard setback. Additionally, as of September 19, 2019, ten neighbors have said they are in support of the proposal, including the direct abutters on the right and left sides of the property.

PLANNING BOARD COMMENTS

The Planning Board is supportive of the proposal but has minor concerns with the design of the left-side elevation of the new garage addition and the width of the new curb-cut. The Planning Board would like to see the addition of at least one window on the left elevation of the garage and the reduction of the curb-cut to a maximum of 16 feet. The Board also recognizes the applicant's proposal to infill the existing driveway and replace it with landscaping, which qualifies as a counterbalancing amenity.

The Planning Board recommends approval of the site plan by Thomas P. Bernardi, dated 8/6/19, and architectural plans by MJ Tavares Architects, dated 9/26/19, subject to the following conditions:

- 1. Prior to the issuance of a building permit, the applicant shall submit a final site plan showing a curb-cut width of no more than 16 feet and elevations showing the addition of at least one window to the left elevation of the proposed garage addition 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 showing proposed counterbalancing amenities 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: 1) a final site plan stamped and signed by a registered engineer or land surveyor, 2) final elevations stamped and signed by a registered architect, and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.**

Subject Site



Aerial Photograph - Neighborhood Context

