



Town of Brookline

Massachusetts

PLANNING BOARD

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To: Brookline Zoning Board of Appeals
From: Brookline Planning Board
Date: October 24, 2019
Subject: Construct new single-family home on vacant lot.
Location: 80 Heath Street / 495 Warren Street

Atlas Sheet:	85	Case #:	2019-0051
Block:	337	Zoning:	S-40
Lot:	18-19*	Lot Area:	48,008 SF*

**The lot number is the lot number currently assigned to the property. The applicants intend to divide the property into two lots. The proposed new house would be located on one of the two lots, having an area of 48,008 SF.*

Board of Appeals Hearing: November 7, 2019 at 7:00 pm or later

DEMOLITION/PRESERVATION

On April 13, 2010, the Preservation Commission imposed a 12-month delay on demolition of the structure. The applicant waited the full 12 months before demolishing the structure sometime in 2012. The property is now a vacant lot.

SITE AND NEIGHBORHOOD

The property is located in a neighborhood south of Route 9 between Single Tree Hill and the Brookline Reservoir. The neighborhood consists predominantly of large single-family dwellings on large lots. The neighborhood features a variety of architectural styles.

APPLICANT'S PROPOSAL

The owners, Isabelle and Ian Loring, are proposing to construct a new house on a portion of this vacant lot. The property is currently composed of two parcels; "Lot 1" contains 40,449 SF and "Lot 2", which is to be subdivided, contains 88,011 SF. The proposed house would be built on a

lot containing 48,008 SF, which would be created by dividing “Lot 2” into two parcels of land (the exact location of the new lot line is shown on plan sheet “SRV-2 Proposed Subdivision of Land,” prepared by DGT Associates). The new house will have 7,196 SF of floor area, for an FAR of 0.149.

The applicant has removed the pool house from the proposal and has significantly modified their design for the left side of the house, replacing the proposed “recreation room” with a much smaller study. The amount of usable open space is being reduced slightly, but is still far more than the required amount. The amount of landscaped open space is increasing, as are the front and side yard setbacks.

FINDINGS

Section 5.09.2.n: Design Review

The proposed house’s FAR complies with the maximum under the Bylaw, but contains space that could be made habitable through minimal interior changes in the future and the conversion of that space would bring the house’s FAR above the maximum under the Bylaw. The project is therefore subject to Design Review.

Relevant sections of the design review standards are listed below. See also the applicant’s Impact Statement.

- Preservation of Trees and Landscape
- Relation of Buildings to Environment
- Relation of Buildings to the Form of the Streetscape and Neighborhood
- Open Space
- Circulation
- Stormwater Drainage
- Utility Service
- Safety and Security
- Microclimate
- Energy Efficiency

Although there is a very significant amount of tree removal, the applicant has indicated that the majority of removed trees are invasive and/or diseased. Important tree canopy is being preserved in the rear of the property and in the front, and soil removal and regrading is minimized. However, the resulting landscape will be denuded and the applicant’s planting plan should be improved with the planting of additional substantial trees to replace the proposed removal. The scale and design of the proposed house is appropriate for the zoning district and consistent with the neighborhood. Open space and safe circulation are provided and well-designed. All other aspects of design review are satisfied.

Section 6.04.5.c: Design of All Off-Street Parking Facilities

Section 5.43: Exceptions to Yard and Setback Regulations

It seems to be the applicant’s intent to develop the neighboring property at 489 Warren Street as a separate single-family dwelling sometime in the future. Relief would therefore be required for the applicant to site the access driveway on this property closer to the property line than required under §6.04.5.c. Relief from this can be granted by Special Permit under §5.43 provided that the applicant offer a counterbalancing amenity. ~~Furthermore, the plan shows a driveway~~

~~on the neighboring property at 489 Warren Street for which an easement would be required. A Special Permit from the ZBA must be granted to establish a common driveway, as per §6.04.5.e.~~

Since the last meeting, the applicant has revised the plans so that the driveway is no longer shared in common between 495 and 489 Warren Street, and so no relief is required from §6.04.5.e.

PLANNING DEPARTMENT COMMENTS

The Planning Department is supportive of this proposal, provided that the landscape plan is improved and a counterbalancing amenity is provided. Tree removal is extensive and should be appropriately replaced with comparable trees. Otherwise, the design of the house is acceptable and appropriate for the neighborhood and will have a minor impact on abutters. The Planning Department feels that the standards and criteria for Design Review are met.

PLANNING BOARD RECOMMENDATION

The Planning Board expressed some concerns about the inclusion of mechanical space above the garage and would have preferred if the applicants had designed a by-right project given the ample land area available to the applicants, but were ultimately supportive of the project. They considered the need for a counterbalancing amenity and believed that preservation and relocation of the historic entry piers located at the right-side property line would satisfy that requirement.

The Planning Board recommends approval of the site plan by DGT Associates, dated October 9, 2019 and architectural plans by Shope Reno Wharton, dated October 9, 2019, subject to the following conditions:

- 1. Prior to the issuance of a building permit, the applicant shall electronically submit final floor plans and elevations, stamped and signed by a registered architect or engineer and a final site plan, stamped and signed by a registered engineer or land surveyor, to the Assistant Director of Regulatory Planning for review and approval.**
- 2. Prior to the issuance of a building permit, the applicant shall submit a final landscaping plan showing the preservation and relocation of the entry piers located near the right-side property line 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 1) electronically submit the site plan, floor plans, and elevations displaying the approval stamp of the Assistant Director of Regulatory Planning and noting that the mechanical space located above the garage must perpetually remain as mechanical space; and 2) evidence that the Board of Appeals decision has been obtained from the Town Clerk's office by the applicant or their representative and recorded at the Registry of Deeds.**
- 4. The extent to which any non-habitable space may be converted to habitable space in the future, in addition to other relevant By-law sections regulating FAR, must comply with §5.22 of the Zoning By-law.**

