

**108 CENTRE STREET
WAIVER LIST BROOKLINE BY-LAWS
Zoning District M-2.0**

Zoning By-Law Waivers - December 10, 2021

Bylaw Section	Requirement	Requested Waiver(s) M-2.0	Details of Proposal Requiring Waiver	Waiver Number
§3.01	Coolidge Corner Design Overlay District	Waiver from provisions of the Coolidge Corner Design Overlay District	The Development is a multi-family housing development under M.G.L. c. 40B	A
§4.07	Use Table	Waiver from the special permit requirement for use 6A. Life care facilities, incorporating independent apartment living units for elders combined with supportive medical, nursing or other shared facilities.	The Development is a multi-family housing development under M.G.L. c. 40B	B
§4.08	Affordable Housing Requirements	Use property for multi-family housing without a special permit and without complying with specific requirements.	The Development is a multi-family housing development under M.G.L. c. 40B and all affordable housing requirements are governed by the Comprehensive Permit.	C
§5.09	Design Review	Waiver requested from special permit required under 5.09.2 a and d, waiver requested from 5.09.3 to waive the requirements outlined in section for process of review for special permit relief.	Comprehensive Permit, as may be granted by Zoning Board of Appeals shall provide all local permits per M.G.L. c. 40B § 20- 23	D
§5.20 & Table §5.01	Maximum Floor Area	Waiver from maximum ratio of gross floor area of 2.0	The Development has a proposed FAR of 4.624.55 <u>[55,056 sf / 12,090 sf]</u>	E

<p>§5.30 & Table §5.01</p>	<p>Maximum Height of Buildings</p>	<p>The maximum allowed height is 50', as measured from the record grade of the street opposite the midpoint of the street, with a record grade of 62'2-5/8" 62.22 feet. (Sec. 5.30.1.a)</p>	<p>The height of the Development will exceed the 50-foot height limit, as the building will be <u>80.7880'9-1/2" at the roof line. feet</u></p>	<p>F</p>
<p>§5.31</p>	<p>Exceptions to Maximum Height Regulations</p>	<p>Substantial rooftop structures such as observation towers, elevator penthouses and mechanical equipment shall not exceed the height limit by more than 10 feet unless a special permit is granted by the Board of Appeals. Maximum height for structure would be 60' Maximum height approved by ZBA for this Comp Permit is 80'9-1/2" at the roof line.</p>	<p><u>Waiver for rooftop structures that exceed the height limit of 80'9-1/2" (at the roof line) by 10 feet or more granted to the limits indicated below consistent with the Comp Permit plans under Item 8 under Procedural History :Proposed height of structures that fall under Section 5.31:</u> Elevator penthouses: <u>6' high maximum 80.78' + 6' = 86.78' (16.78' waiver)</u> Stair 2: <u>10'7" high maximum 80.78' + 10.58' = 91.36' (waiver of 21.36')</u> Stair 1: <u>Does not exceed building height of 80'9-1/2" at roof line 80.78 + 0 = 80.78' (waiver of 10.78')</u> Acoustic Screening: <u>8' high maximum 79' + 8' = 87' (waiver of 17')</u></p>	<p>G</p>
<p>§5.60 & Table §5.01</p>	<p>Minimum Side Yard</p>	<p>Waiver from 23' minimum side yard requirement: $(H+L)/6$</p>	<p>East side lot line: 8'10" West side lot line: 5'4"</p>	<p>H</p>
<p>§ 5.61</p>	<p>Projections (Bays) into Side Yard Requirements</p>	<p>Bays in no case shall project within three feet of any side lot line</p>	<p>East side lot line: 6'6" West side lot line: 0' setback provided</p>	<p>I</p>
<p>§5.70 & Table §5.01</p>	<p>Minimum Rear Yard</p>	<p>$(H+L)/6 = 34.28'$, however, no less than 30', therefore 34.28' standard applicable</p>	<p>The Development will have a minimum rear yard setback of 4'-6"</p>	<p>J</p>

§5.71	Projections into Rear Yards	Projections in no case shall be within 10 feet of a rear lot line	Rear setback projection setback: 2'-0"	K
§5.90 & Table §5.01	Minimum Landscaped Open Space	Waiver from 10% landscaped open space requirement	Provide 750 square feet, or 1.3% of GFA	L
§5.91 & Table §5.01	Minimum Usable Open Space	Waiver from the 10% usable open space requirement	Provide 0 square feet of usable open space, per definition of usable open space provided in Section 5.91 of the Zoning By-law, that required such space be a minimum of 15' in every dimension	M
§6.02.2.f	Required parking spaces for use by visitors and tradespeople.	Waiver from the required ten percent (8 spaces) of all required parking spaces shall be designed and marked for use by visitors and tradespeople	The Development will have a total of 0 parking spaces for use by visitors and tradespeople	N
§6.02.2.h	Off-Street Parking Space Regulations	<p>Parking Requirements in the Transit Parking Overlay District: 1.4 spaces per one-bedroom unit</p> <p>Number of spaces required = 76 spaces</p> <p>(This project is for "congregate elderly housing" and the bylaw allows for 20% of the required spaces by special permit which would be $76 \times 20\% = 15$ <u>spaces</u>)</p>	Waiver to allow 0 parking spaces on site	O

§6.03.1.a	Location of Required Off-Street Parking Facilities	Parking facilities shall be provided on the same lot or premises with the principal use served	Allow two accessible parking spaces off-site at 100 Centre Street	P
§6.04.5.b	Design of All Off-Street Parking Facilities	The surfaced area of a parking lot and all entrance and exit drives shall be setback a minimum of 10 feet from all street lot lines and 5 feet from all other lot lines except where an access driveway crosses the street lot line.	Drop-off zone setbacks: Front Set back: 2'0" East Set back: 7'10" West Set back: 6'10"	Q
§6.04.15	Electric Vehicles	Waiver from the requirement to provide 15% electrical vehicle ready parking spaces	The Development will have a total of 0 EV ready parking spaces	R
§9.13	Fossil Fuel Free Requirements	Waived requested from the provisions of Section 9.13* This By-law has not been approved by the Attorney General	Waiver requested to allow the Development as proposed	S
General By-Law Waivers				
Demolition Delay Bylaw	Demolition Delay	Waiver from Preservation Commission review to protect and preserve Significant Buildings.	The existing structure will be demolished with this proposal. Comprehensive Permit, as may be granted by Zoning Board of Appeals, shall provide all local permits per M.G.L. c. 40B § 20-23.	T

Zoning Board of Appeals Rules and Regulations

Application Fee	Filing Fee	Waiver requested from the 40B filing fee with the town	The Development will be for 100% affordable housing	U
Building Permit Fee	Building Permit Fee	Waiver requested from the Building Department fees	The Development will be for 100% affordable housing	V