



# *Town of Brookline*

## *Massachusetts*

### **PLANNING BOARD**

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**To:** Brookline Board of Appeals  
**From:** Brookline Planning Board  
**Date:** January 23, 2014  
**Subject:** **Convert basement into two additional units, one in each building, for a total of seven units in each building**  
**Location:** **10-12 Greenway Court**

Atlas Sheet: 9	Case #: 2013-0001 and 2013-0004
Block: 47A	Zoning: M-2.0
Lot: 12	Lot Area (s.f.): 12,429

Board of Appeals Hearing: February 6, 2014 at 7:15 p.m.

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### **BACKGROUND**

On March 21, 2013 the applicant presented the Planning Board with a proposal for a total of four units, with two in the basement of each building. The Board was not comfortable with the number of units in the building and asked the applicant to revise their plans with fewer units and to have them face the courtyard, rather than parked cars.

### **SITE AND NEIGHBORHOOD**

10-12 Greenway Court is part of a larger courtyard apartment complex and contains six dwelling units in each building. The property is located in a neighborhood which primarily consists of apartment buildings. Abutting the rear of the site is the Babcock Street public parking area, and across the street is the John Street public parking area. The site is located one block from Harvard Street.

The property was constructed in 1924 in a Georgian Revival style and is part of a larger group of five connected residential structures located around a central courtyard that fronts onto Green Street. The main entrance to the building is via the courtyard although a secondary entrance is located at the rear of the building facing John Street.

**APPLICANT'S PROPOSAL**

The applicant, Mark Pearlstein, is proposing to convert the basement of the existing multi-family dwelling into additional garden level/ basement living units. The proposal will add one unit to 10 Greenway Court, and one unit to 12 Greenway Court. The units will face the courtyard, and there will be storage areas facing the side and rear of the property. Window wells will be added to allow for emergency egress from the new bedrooms.

**FINDINGS****Section 5.05 – Conversions****Section 5.43 – Exceptions to Yard and Setback Regulations****Section 5.50 – Front Yard Requirements****Section 5.70 – Rear Yard Requirements**

<b>Dimensional Requirements</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
<b>Front Yard Setback</b>	30'	0'	0'	Special Permit*
<b>Rear Yard Setback</b>	30'	13.16'	13.16'	Special Permit*

\* Under Section 5.43, the Board of Appeals may by special permit waive yard and setback requirements if the applicant provides counterbalancing amenities. The Board of Appeals could also waive the setback requirements by special permit under Section 5.05 for conversions, provided that the nonconformity is not increased.

**Section 5.90 – Minimum Landscaped Open Space****Section 5.91 – Minimum Usable Open Space**

The proposed basement units will increase total floor area therefore the landscaped and usable open space on the property has to be 10 percent of the proposed total floor area in the building. The calculations for open space include the entire courtyard on Lot 3.

<b>Open Space Requirements</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
<b>Landscaped Open Space</b>	2,035 s.f.	1,101 s.f.	1,101 s.f.	Variance
<b>Usable Open Space</b>	2,035 s.f.	1,009 s.f.	1,009 s.f.	Variance

**Section 6.01.2.a – General Regulations Applying to Off-Street Parking Facilities****Section 6.02 – Paragraph 1; Table of Off-Street Parking Space Requirements**

<b>Design of Parking Requirements</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
<b>Total Parking Spaces</b>	28	16	16	Special Permit*

\*Under Section 6.01.2.a the Board of Appeals may waive up to half of the parking requirements by special permit.

**Section 8.02.2 – Alteration or Extension:** A special permit is required to alter and/or extend this non-conforming structure.

### **PLANNING BOARD COMMENTS**

The Planning Board supports this request to convert the basement into two additional living units, with one in each building. The increase of one unit in each building requires two additional spaces per building, which brings the total requirement to 14 spaces for 10 Greenway Court, and 14 spaces for 12 Greenway Court, which are 28 total spaces. The Board of Appeals may waive up to half of the parking requirement in an M-2.0 district under special permit, which would reduce the parking required to 14 spaces. The property is very close to Coolidge Corner, and the Planning Board believes an allowed reduction to parking would be appropriate for this site.

The applicant currently shares a right-of-way with the properties that have frontage along Harvard Street. This right-of-way is used by the businesses to access rear entrances, and for the applicant to drive to the rear of their property. The applicant claims that the area along the building is an approved or pre-existing parking area. The applicant has shown four parking spaces in the right-of-way on the site plan submitted by the applicant.

Should the Board of Appeals approve this proposal, the Planning Board recommends that the applicant install landscaping, required as a counterbalancing amenity for a special permit to waive yard and setback requirements.

**Therefore, should the Board of Appeals find that the statutory requirements for a variance for minimum usable and landscaped open space are met, the Planning Board recommends approval of the plans by Sousa Design Architects, dated 8/13/13, subject to the following conditions.**

1. Prior to the issuance of a building permit, the applicant shall submit a final site plan showing the parking spaces, final plans and elevations 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 landscape plan indicating all 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 floor plans and building 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.

*tcr*



10-12 Greenway Court



Area of proposed window wells



Right-of-way used for parking looking towards Green Street



Right-of-way used for parking looking towards rear of property.