



# *Town of Brookline*

## *Massachusetts*

### **PLANNING BOARD**

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To: Brookline Board of Appeals  
From: Brookline Planning Board  
Date: March 6, 2014  
Subject: Construct a second-story addition (193 square feet)  
Location: **19 Hart Street**

Atlas Sheet:	71C	Case #:	BOA 2013-0046
Block:	304	Zoning:	M-1.0
Lot:	13	Lot Area (s.f.):	±1,430

Board of Appeals Hearing: March 20, 2014, at 7:00 p.m.

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### **BACKGROUND**

On June 27, 2013 the Planning Board heard the case for 19 Hart Street to construct a second story addition. The Planning Board recommended approval of the proposal. On July 25, 2013, the case was heard by the Board of Appeals. There were many neighbors in opposition to the proposal, and the Board of Appeals asked that the applicant work with their neighbors to come to more of an agreement regarding the plans, and the case was continued. The Board of Appeals heard the case again on January 9, 2014; however, the applicant had not submitted revised plans to the Planning Board prior to returning to the Board of Appeals. The Board of Appeals felt that the applicant should return to the Planning Board for a revised report.

### **SITE AND NEIGHBORHOOD**

19 Hart Street is a two-story single-family dwelling that was built in 1900. Hart Street is located off of Cypress Street. The structure is similar in height to other structures in the neighborhood. Hart Street is comprised of primarily single-family dwellings that are similar in shape and overall bulk.

### **APPLICANT'S PROPOSAL**

The applicants, Ana Ginter and Thomas Craig are proposing to construct a second-story addition that will allow the applicant to increase the size of the master bedroom and install a new

bathroom on the second floor. The addition will increase the total floor area by 193 square feet and the height of the structure from 20.67' to 23.41'.

### **FINDINGS**

**Section 5.43 – Exceptions to Yard and Setback Regulations**

**Section 5.60 – Side Yard Setback**

**Section 5.70 – Rear Yard Setback**

<b>Dimensional Requirements</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
<b>Rear Yard Setback</b>	30 feet	22.8 feet	22.8 feet	Special Permit*
<b>Side Yard Setback (east)</b>	7.5 feet	.07 -1.2 feet	.07-1.2 feet	Special Permit*
<b>Side Yard Setback (west)</b>	7.5 feet	6.2 feet	6.2 feet	Special Permit*

\*Under Section 5.43, the Board of Appeals may waive yard and setback requirements if counterbalancing amenities are provided.

**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 is supportive of the proposal to construct a second-story addition and increase the overall height of the structure. The addition is simple and modest and will retain a similar look to the existing and surrounding dwellings. The proposal will be in the side and rear yard setback, but will not expand beyond the existing footprint of the dwelling. The applicant has revised the height of the proposal from 25.17' to 23.41' to accommodate the desires of the neighbors, and has shown willingness to work with the neighborhood. The Board would like to see the applicant install additional landscaping to serve as a counterbalancing amenity.

**Therefore, the Planning Board recommends approval of the plans by Jonathan Raisz, dated 12/2/2013, and the site plan by Boston Survey Inc., dated 3/27/13, subject to the following conditions:**

1. Prior to the issuance of a building permit, revised final floor plans, elevations, showing a soffit that does not extend over the property line, and a landscaping plan shall be submitted 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 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 that indicates the lot size and floor area of the building; 2) final 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*



19 Hart Street Front Façade



View of addition location from the street