

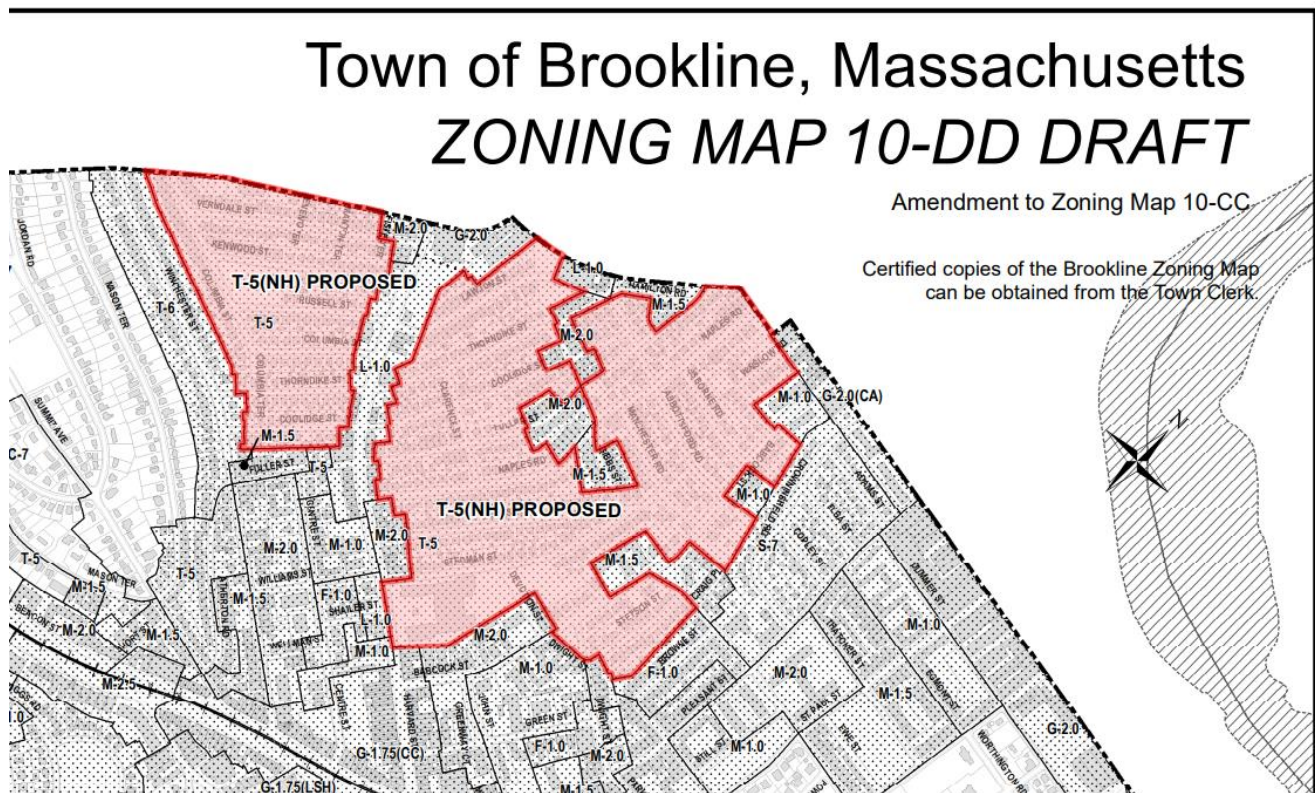
Zoning Warrant Article – Modification to T-5 District Surrounding Harvard Street north of Beacon Street

Petitioner – Department of Planning & Community Development

Article XX

To see if the Town will amend the Zoning By-Law as follows:

1. Amend the Zoning Map to change the lots below from M-T-5 to T-5(NH)
[Addresses and Block and Lots are listed in Exhibit A]



2. Add to Sec. 3.01 – Classification of Districts, under
 - 1 - Residence Districts
 - c - Two-Family and Attached Single-Family (T)
 - 3) T-5(NH) –Abutting Harvard Street North
3. Add to Table 5.01- Table of Dimensional Requirements:
Add T-5(NH)²¹ to T-5 row 1 column 1
Add footnote to Table 5.01:
21. Also see Section 5.93 – Massing Requirements for T-5(NH)

Table 5.01 – Table of Dimensional Requirements		LOT SIZE MINIMUM (sq. ft.)	FLOOR AREA RATIO MAXIMUM	LOT WIDTH MINIMUM (feet)	HEIGHT ⁹ MAXIMUM (feet)	MINIMUM YARD ^{3, 10} (feet)			OPEN SPACE (% of gross floor area)	
DISTRICT	USE					Front ^{1,6}	Side ²	Rear	Landsc.	Usable
T-5 T-5(NH) ²¹	1-family detached dwelling	4,000	1.0	40	35	15	7.5	30	10%	30%
	2-family dwelling	5,000	1.0	45	35	15	10	30	10%	30%
	1-family attached dwelling	2,500	1.0	20	35	15	none ²	30	10%	30%
	Any other structure or principal use	5,000	1.0	50	35	25	20	40	30%	none

4. Modify the last sentence of Section 5.43 as underscored below:

“...provided, however, that under this section the Board of Appeals shall not:

1. reduce the depth of a required front yard below 15 feet in M Districts; nor
2. increase the maximum Building Depth, as defined in Sec. 5.93, in T-5(NH) Districts.”

5. Add a new Section 5.93 to follow Section 5.92 in Article V as indicated below:

Section 5.93 – Massing Requirements for T-5(NH)

The following specifications are required for Principal Structures in the T-5(NH) Zoning District:

Massing Requirements	
Building Depth (max)	50% of Lot Depth Sec. 5.43 shall not apply.
Story Height (min max)	10 ft 12 ft
Number of Stories (max)	2.5
Roof Types	Allowed: Gable, Hip Prohibited: Flat, Mansard, Gambrel
Dormer Specifications	See below.

DEFINITIONS

The Lot Depth shall be measured as the horizontal distance from the midpoint of the Front Lot line of the Primary Street to the midpoint of the Rear Lot Line. Primary Street is defined as the street onto which the Façade of the Principal Structure is oriented. Façade means the exterior wall of a Principal Structure that is the front face of the building. Principal Structure is the structure in which the principle use is conducted.

The Building Depth shall be measured perpendicularly from the Façade as the maximum length to the furthest exterior wall of a Principal Structure.

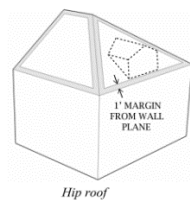
Half Story	A story having a maximum floor area of 40% of the area of the floor below
Story	The portion of a building located between the surface of a habitable floor and the surface of the habitable floor or roof next above
Ridge	The horizontal line on the roof where two planes intersect to create a peak or highest point on the roof
Wall Plane	The plane that extends from the ground to the top of the wall of a Structure
Roof, Flat	A roof with a slope that is less than 10 degrees
Roof, Gable	A roof sloped on two sides from a central ridge with an exterior wall enclosing each end
Roof, Gambrel	A compound, gabled roof with two slopes on each of its sides, where the lower has a steeper slope than the upper
Roof, Hip	A roof with four evenly sloping sides
Roof, Mansard	A roof having a double slope on all four sides, with the lower slope being much steeper
Roof, Shed	A roof with one slope

DORMER SPECIFICATIONS

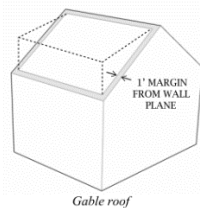
Standards

1. The face wall of a gable dormer shall not project beyond the exterior wall of the building and may not interrupt the eaves of the roof.
2. The cumulative width of a single, multiple, or attached combinations of dormers shall not exceed 50% of the eave length of the roof.
3. Dormers shall be centered and multiple dormers shall be equally spaced and centered.
4. Flat roofs are prohibited.

Dimensions

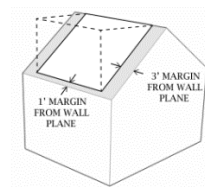


Hip roof



Gable roof

OR



Dormer Dimensions	
Face Width (min)	3.5 feet
Separation from Ridge (min)	1 foot
Separation from Wall Plane (min)	1 foot
Separation from Wall Plane (min), if separation from Ridge is 0	3 feet
Dormer separation (max)	50% of width of the largest dormer

...or act upon anything else thereto.

WARRANT ARTICLE EXPLANATION

The Department of Planning and Community Development proposes a zoning amendment to address the Article 12 resolution, passed at Fall 2022 Town Meeting, which requested that the Planning Department study proposals to reduce the number of demolitions in Brookline. This zoning amendment would be a first step.

The amendment would create a new zoning district, called T-5 (NH), to encourage reuse of buildings and discourage demolitions. The new zoning district would have the same dimensional requirements as the T-5 district, but would prescribe massing standards for the build-out of attic spaces, third floors and additions, and would limit building depth on a lot. The proposed standards would (a) reduce the rapid pace of the demolition of existing housing stock, (b) encourage conversions of attic spaces and additions for greater living space, and (c) reinforce the strong development pattern of the T-5 architecturally coherent neighborhoods for dormers, additions and new dwellings.

Over the past year and a half, there have been five demolition applications for replacement of primary structures with much larger two families, just in the T-5 districts, off of Harvard Street, north of Beacon Street. All of the proposals were for much larger structures that had a full three stories in contrast to the surrounding homes, which were primarily two-and-half stories with sloped roofs.

Staff preliminarily assessed that these demolitions are due to three factors:

- (1) The majority of structures do not exceed a floor-area ratio (FAR) of about 0.70 in a district where the maximum FAR is 1.0,
- (2) Having no massing standards for the attic level encourages build-out of three full floors that are out of scale with the surrounding 2.5-story structures,
- (3) Waiving minimum yard setbacks under Sec. 5.43 results in sidewalls that are out-of-scale with the existing development pattern, where prevailing buildings depths are about half of the lot depths.

To impose conditions during project review, planning boards depend on specific design standards in the zoning by-law to ensure legally enforceable decisions. The Brookline Zoning By-law lacks standards specific to Brookline's varied neighborhood patterns, which may result in projects with unpredictable design outcomes. The unfortunate byproduct of these gaps in the bylaw is that existing dwelling units, many rental, are replaced with out-of-scale structures that do not add additional housing. Moreover, these new units are designed to be luxury units that supplant the relatively lower rents and prices of existing units.

In addition to maintaining the existing maximum height of 35 feet, an FAR of 1.0 and the other dimensional requirements for the T-5 districts in Table 5.01, some new massing standards would be set forth:

- (1) A maximum number of stories at 2.5.
- (2) Half-story defined as no more than 40% floor area of the floor below.
- (3) Roof types are prescribed to reinforce the existing pattern of gable and hip roofs.
- (4) Standards for dormer sizes and placement are consistent with existing roof massing patterns and ensure that habitable space at the attic level is feasible.
- (5) Maximum building depth: no more than 50% of lot depth.

Staff's intention is to encourage conversions of attics to habitable floor space and/or additions to existing houses, while managing the overall scale of renovated structures. Where new dwellings are built the goal is to have them be consistent with the surrounding massing, which in this T-5 district is primarily sloped roofs and usable open space in the rear yards.

This By-Law is submitted in an attempt to stem the number of proposed tear downs in one area of Town, north of Beacon Street, and where there are tear downs ensure that replacement dwellings are consistent with the prominent style of the surrounding neighborhood. If successful, this approach may be used in other areas of Town and in other zoning districts to address not only the dimensions of a building, but the form of the building, so that it is contextual with the character of the neighborhood.