



Town of Brookline

Massachusetts

PLANNING BOARD

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To: Brookline Board of Appeals
From: Brookline Planning Board
Date: May 1, 2014
Subject: Construct uncovered deck, requiring rear yard setback relief
Location: **45 School Street**

Atlas Sheet:	35	Case #:	2014-0017
Block:	171	Zoning:	M-1.0
Lot:	44	Lot Area (s.f.):	±998

Board of Appeals Hearing: May 15, 2014 at 7:00 p.m.

SITE AND NEIGHBORHOOD

45 School Street is one dwelling in a row of four attached single-family dwellings on separate lots, with 45 School Street the furthest to the rear. The structures were built between the 1870s and 1880s. The Pierce School is located on the opposite side of School Street, and the Pierce Street Playground is located on the same block as 45 School Street. The neighborhood consists of a mix of single and multi-family dwellings and is located in Brookline Village.

APPLICANT'S PROPOSAL

The applicant, Chi Lam, is proposing to construct a 6' by 19' uncovered deck on the south side of the dwelling, similar to the deck on the abutting dwelling. The porch materials will be constructed with materials to match the neighbor's porch. The applicant had a building permit to renovate the entire building, which is why doors for the deck have been constructed. He subsequently requested a building permit for the deck and was informed that it would need Board of Appeals relief for the rear yard setback, since the building is last in the row of townhouses.

FINDINGS

Section 5.43 – Exceptions to Yard and Setback Regulations

Section 5.60 – Rear Yard Setback

Dimensional Requirements	Required	Existing	Proposed	Relief
Rear Yard Setback	30'	5'-8'	5'	Special Permit*

* Under **Section 5.43**, the Board of Appeals may waive yard and setback requirements if a counterbalancing amenity is provided. The Planning Board suggests that the applicant install additional landscaping as a counterbalancing amenity.

PLANNING BOARD COMMENTS

The Planning Board is supportive of this proposal to construct a deck on the south side of the dwelling above the entry. The addition will allow the applicant to have outdoor space and will match the abutting deck. The porch is also consistent with the style of the dwelling and is not expected to detract from the neighborhood. The Planning Board recommends that the applicant install additional landscaping as a counterbalancing amenity, required for the special permit.

Therefore, the Planning Board recommends approval of the elevation dated 4/24/14 and site plan by Antonino Land Surveyors, Inc., dated 10/25/13, subject to the following conditions:

1. Prior to the issuance of a building permit, final plans of the deck and railing details shall be submitted to the Assistant Director of Regulatory Planning for review and approval.
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; 2) final plans showing the deck and railing details and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

Tcr/pss



View of existing porch area



Existing area on second floor for porch