



# *Town of Brookline*

## *Massachusetts*

### **PLANNING BOARD**

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**9/25/2014**

**To:** Brookline Board of Appeals  
**From:** Brookline Planning Board  
**Date:** September 18, 2014  
**Subject:** **Convert basement into one new dwelling unit for a total of 7 units**  
**Location:** **4 Greenway Court**

Atlas Sheet: 9  
Block: 047A  
Lot: 4

Case #: ZBA-2014-0053  
Zoning: M-2.0  
Lot Area (s.f.): 6,289

Board of Appeals Hearing: October 2, 2014 at 7:00 pm

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### **BACKGROUND**

The Planning Board reviewed similar basement apartment proposals for the Greenway Court complex in both 2006 (9 Greenway Court) and 2013 (10-12 Greenway Court). In both of these instances, the board supported counterbalancing efforts as a reasonable condition to grant relief from lot dimension regulations, but cited insufficient parking availability and adverse impacts within the Coolidge Corner Design Overlay district. Additionally, the board encouraged proposals that included fewer basement apartments, and apartment layouts that face the complex's central courtyard as opposed to rear parking areas. The 2006 and 2013 proposals were recommended for denial by the Planning Board, but were ultimately granted zoning variances following Zoning Board of Appeals case hearings.

### **SITE AND NEIGHBORHOOD**

4 Greenway Court was constructed in 1924 in a Georgian Revival style and is part of a larger group of 5 connected residential structures located around a central courtyard that fronts onto Green Street. The property's main entrance opens to the complex courtyard, and a secondary entrance is located at the rear of the building facing the southwest. The property currently consists of 6 residential units (5 contain 3 bedrooms; 1 contains 2 bedrooms).

The property is located in a neighborhood that primarily consists of apartment buildings. The Babcock Street public parking area abuts the rear of the apartment complex and the John Street public parking area is located directly to the northeast. The site, located one block from Harvard Street, is in close proximity to the Coolidge Corner Central Business District and is included in the Coolidge Corner Design Overlay District.

**APPLICANT’S PROPOSAL**

The applicant, 4 Greenway Court LLC, is proposing to convert a significant portion of the basement into one residential unit that contains two bedrooms, and a separate office intended for property management use (total square feet: 1,531). The basement is currently used as storage space for the building and as the utility area. Both the basement apartment and the office will be accessed by an existing interior central stairwell, with secondary access to the apartment via an existing external rear staircase. Four new window wells are proposed for the unit. These will be in the same location as existing windows (3 side facing Greenway CT, 1 front facing Green ST.). These window wells will also serve as secondary emergency escape and rescue points.

Four parking spaces are currently provided for the entire 6 unit structure, with the applicant proposing to reduce this number to three 8.5’x21’ spaces. These parking spaces are located in a side ally that is accessed via Green Street.

**FINDINGS**

**Section 5.05 – Conversions**

**Section 5.09.2.d – Design Review, Multiple Dwellings**

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

**Section 5.50 – Front Yard Requirements**

**Section 5.60 – Side Yard Requirements**

**Section 5.70 – Rear Yard Requirements**

**Section 6.01.2.a – General Regulations Applying to Off-Street Parking Facilities**

**Section 6.02: paragraph 1: – Table of Off Street Parking Requirements**

**Section 6.04.5.b – Design of All-Off Street Parking Facilities**

**Section 6.04.3 – Design of All Off-Street Parking Facilities**

**Section 6.04.7 – Design of All Off-Street Parking Facilities**

<b>M-2.0 District</b>	<b>Required/Allowed</b>	<b>Existing</b>	<b>Proposed</b>	<b>Finding</b>
Front Yard/Setback	15’	10.1’ (Existing Nonconforming)	10.1’ (Existing NonConforming)	<u>S.P.**</u>
Side Yard	10’ + L/10	12.2’ (Existing Nonconforming)	12.2’ (Existing Nonconforming)	<u>S.P.**</u>
Rear Yard	30’	0’ (Existing Nonconforming)	0’ (Existing Nonconforming)	<u>S.P.**</u>
Parking Space	14	4	3	<u>S.P.***/Variance</u>

\*\* Under Section 5.05 the Board of Appeals may waive dimensional requirements provided that existing non-conformity is not increased or under Section 5.43, a special permit of counterbalancing amenities are provided

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

**Section 8.02.1 – Alteration or Extension (Structure)** – A **special permit** is required to alter, extend or enlarge a non-conforming structure.

**Section 8.02.2 – Alteration or Extension** – A **variance** is required to enhance a nonconforming condition (parking)

**PLANNING BOARD COMMENTS**

The Planning Board does not support this request to convert the basement into one residential unit at 4 Greenway Court largely due to insufficient parking availability for existing and new residents. This additional basement unit will generate greater parking needs for the building itself and will contribute to ongoing parking challenges surrounding Coolidge Corner/North Brookline Residential Area. A more detailed off-street parking design proposal could serve to alleviate current Planning Board concerns, but lot size limitations and narrow parking access indicate that the site is not capable of providing sufficient parking for a 7 unit residential structure in the M-2.0 District.

The Planning Board is also concerned with the creation of new window wells, particularly the single well facing Green Street. These new window wells will result in the reduction of courtyard space. The precedent for reducing courtyard greenspace in favor of extended window wells was set in 2006 and 2013, and this proposed basement unit contributes an additional three large courtyard window wells. One of these courtyard window wells is also proposed for the unit’s office space, enhancing the likelihood of this office to be used as a third bedroom within the basement unit.

Landscape plans also do not indicate screening height around these window wells as a counterbalancing measure, and also include annual plantings that demand a higher level of maintenance. Additionally, safety and screening measures around the Green Street facing window well have not been incorporated into site/landscaping plans.

**Therefore, the Planning Board recommends denial of the special permit/variance application to construct a two-bedroom basement unit for 4 Greenway Court.**

However, if the Board of Appeals should find that the statutory requirements for a special permit and/or variance are met, the following conditions are recommended:

1. Prior to issuance of a building permit, a final landscaping plan indicating all counterbalancing amenities, shall be submitted to the Assistant Director for Regulatory Planning for review and approval.
2. Prior to issuance of a building permit, a final site plan showing all approved parking spaces and final building elevation plans shall be submitted to the Assistant Director for Regulatory Planning for review and approval.
3. Prior to issuance of a building permit, the applicant shall submit to the Building Commissioner to ensure conformance to the Board of Appeals decision: 1) a final site plan, stamped and signed by a registered land surveyor or engineer; 2) final building elevations, stamped and signed by a registered architect; 3) a final landscaping plan, stamped and signed by a registered landscape architect; and 4) evidence the Board of Appeals decision has been recorded at the Registry of Deeds.



Image 1: View from Courtyard



Image 2: Existing Rear Parking



Image 3: Proposed Single Window Well Location Facing Green Street