

**CHESTNUT HILL REALTY
PROPOSED WAIVER LIST**

THE RESIDENCES OF BROOKLINE VILLAGE – REQUESTED WAIVERS¹						
Brookline Zoning Bylaws						
Bylaw Section	Requirement	Applicable District(s)	Lot(s) Affected	Requested Waiver(s)	Details of Proposal Requiring Waiver	Waiver No.
§4.04	Limitation of Area of Accessory Uses	S-7; M-0.5	W, E2, E3	Waiver to allow accessory uses (parking) within front and side setback areas.	The Development will include parking within required setback areas.	A
§4.07(6) – <i>Table of Use Regulations</i> and §4.08	Multifamily Uses	S-7	W, E1, E2, E3	Waiver to allow multifamily uses within the S-7 zoning district. Special permit and local affordability requirements inapplicable.	The Development is a multifamily housing development containing 12 buildings and 161 dwelling units, of which 10 “infill” buildings and 52 dwelling units will be located in the S-7 zoning district. ² The Comprehensive Permit, as may be granted by Zoning Board of Appeals, shall provide all local permits per M.G.L. c. 40B.	B
§4.07(22) and (55) – <i>Table of Use Regulations</i>	Residential Parking Areas	S-7; M-0.5	W, E1, E2, E3	Waivers to allow residential parking garages or parking areas with more than three spaces as a secondary use for storage of vehicles of residents on other lots in excess of 1,400’ distant.	The Development’s parking spaces will be available to all of its residents, regardless of whether such residents live on the same lot, and regardless of the distance between the relevant parking space and lot.	C
§5.03	Spacing of Residential Uses on the Same Lot	S-7	E3	Waiver to allow construction of two or more main residential buildings without providing front, side, and rear yards between each building.	As shown on the Waiver Plan, in one location on the Site, Building 9 will be located approximately 28’ from Building 10, within the required front yard of Building 10.	D
§5.04(1)	Residential Building on Rear of a Lot	S-7	E3	Waiver to allow residential buildings located on the rear of the lots to have less than an 80’ rear yard.	As shown on the Waiver Plan, in one location on the Site, Building 9 will be located approximately 28’ from Building 10, within the required rear yard of Building 9.	E

¹ This Waiver List should be read together with: (i) those certain plans entitled “Waiver Plan West” and “Waiver Plan East” prepared by Stantec dated November 20, 2014, showing, for informational purposes only, the approximate locations of the Development’s Lots (designated as Lots W, E1, E2, and E3), buildings (#1-12), and features requiring waivers; and (ii) “Waiver Calculations” prepared by Stantec dated November 20, 2014. In addition to the specific requests for waivers listed in this table, the Applicant requests a waiver from all other local requirements, codes, bylaws, and regulations not specifically listed herein to the extent necessary to construct the Development in accordance with the plans submitted in connection with the Application. The Applicant reserves the right to supplement this list of requested waivers based on modifications of the plans submitted with the Application.

² Building 3 will technically be located within the portion of Lot W located within the M-0.5; however, for purposes of evaluating zoning compliance, the more restrictive use and dimensional regulations applicable in the S-7 have been applied to Building 3.

§5.09	Design Review	S-7; M-0.5	W, E1, E2, E3	Design Review requirements not applicable under M.G.L. c. 40B.	Comprehensive Permit, as may be granted by Zoning Board of Appeals, shall provide all local permits per M.G.L. c. 40B.	F
§5.10, §5.12, and Table 5.01	Minimum Lot Size, Minimum Lot Area Per Dwelling Unit	M-0.5	E2	Waiver from minimum lot size of 3,000 sf for first dwelling unit and 2,000 sf for each additional dwelling unit.	On Lot E2, the Development will have a lot size of approximately 89,266 sf within the M-0.5 District, allowing 44 total units under the bylaw requirements. The Development will include approximately 109 units within the M-0.5 District on Lot E2. The entire development will have a lot size of approximately 379,933 sf, allowing a total of 189 units (161 units are proposed).	G
§5.20 and Table 5.01	Maximum FAR	S-7 M-0.5	E1 E2	Waiver from maximum ratios of gross floor area to lot area (0.5 in M-0.5 district and 0.35 in the S-7 District).	On Lot E-1 the development will have a FAR of approximately 0.51. With respect to the portion of Lot E-2 within the M-0.5 District, the apartment building will have a gross floor area of approximately 128,019 sf and a lot size of approximately 89,266 sf, resulting in an FAR of approximately 1.44. The entire Development will have an FAR of approximately 0.57.	H
§5.30-5.32 and Table 5.01	Maximum Height of Buildings	M-0.5	E2	Waiver from maximum building height limitations, as calculated pursuant to Sections 5.30-5.32.	Building 12 will have a height of approximately 237.4', measured in accordance with Sections 5.30-5.32. This is approximately 21.1' over the allowed height of approximately 216.3' ³	I
§5.50 and Table 5.01	Minimum Front Yard ⁴	S-7; M-0.5	W, E1, E2, E3	Waiver from 30' minimum front yard requirement.	Minimum 19'6" setback provided for Building 4. Minimum 22' setback provided for Building 5. Minimum 8' setback provided for Building 12. Minimum 3' setback provided for Building 9.	J
§5.55	Front Yard for Rear Lot	S-7	W	Waiver to allow less than required front yard depth for building located on rear lot.	Building 3 will be set back approximately 1' from lot line parallel to Independence Drive	K

³ See separate "Building Height Calculation Plan" prepared by Stantec dated November 20, 2014.

⁴ Section 5.40 of the Zoning Bylaw allows for a less restrictive interpretation of minimum yard requirements where a structure is not parallel to the lot line; for the sake of clarity, all minimum yard requirements have been applied as if the buildings were parallel to lot lines.

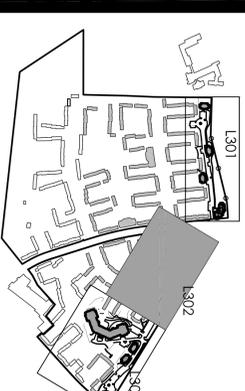
§5.60, §5.62 and Table 5.01	Minimum Side Yard ³	M-0.5	E2	Waiver from minimum side yard requirement of $10 + L/10$ (where "L" is the dimension of that portion of the wall required to be set back from the side lot line).	Minimum 10' setback provided for Building 12.	L
		S-7	W, E1, E2, E3	Waiver from minimum side yard requirement of 20' and to allow retaining walls in excess of 7' in height within required side setback areas.	Minimum 2'4" setback provided for Building 1. Minimum 1' setback provided for Building 3. Minimum 4' provided for Building 7. Minimum 5' provided for Building 8. Minimum 6' setback provided for Building 9. Minimum 7'3" setback provided for Building 10. Minimum 10' setback provided for Building 11. Retaining walls within side yards of Buildings 9 and 12 may exceed 7' in height.	M
§5.70 and Table 5.01	Minimum Rear Yard ³	M-0.5	E2	Waiver from 30' minimum rear yard requirement.	Minimum 19' setback provided for Building 12.	N
		S-7	E1, E2, E3, W	Waiver from 40' minimum rear yard requirement.	Minimum 1' setback provided for Building 3. Minimum 1' provided for Building 7. Minimum 1' provided for Building 8. Minimum 14' setback provided for Building 11.	O
§5.91 and Table 5.01	Minimum Usable Open Space	M-0.5	E2	Waiver from the requirement that at least 30% of the gross floor area on each lot will be usable open space.	On Lot E2 within the M-0.5 District, 14,361 sf of Usable Open Space will be provided, which is approximately 11% of the gross floor area of the structure on Lot E2 in the M-0.5 District.	P

§6.02, Paragraph 1, Table of Off-Street Parking Requirements	Number of Parking Spaces per Dwelling Unit	M-0.5	E2	Waiver from the requirement to provide 2.0 spaces per 1 and 2 bedroom unit and 2.3 per 3-bedroom units.	On Lot E2 in the M-0.5 District, the Development will provide 1.34 parking spaces per 1 or 2-bedroom dwelling unit. Site-wide, 2 parking spaces per 1 or 2-bedroom dwelling unit and 2.3 parking spaces per 3-bedroom unit will be provided.	Q
§6.04.5.c.4	Parking area setback	S-7	W, E1, E2, E3	Waiver from the requirement to setback parking spaces from the front lot line a distance equal to the greater of the required building setback (30') or the average of the setbacks of buildings on adjacent lots on either side.	On all lots within the S-7, parking areas will contain more than six spaces, but will be set back less than 30' from front, side, and rear lot lines.	R

Brookline General Bylaws					
Bylaw Section	Requirement	Lot(s) Affected	Requested Waiver or Waiver	Details of Proposal Requiring Waiver	Waiver No.
§5.10.3.d	Neighborhood Conservation District	W, E1, E2, E3	Waiver from conservation district permit requirements and applicable design standards and restrictions.	Comprehensive Permit as may be granted by Zoning Board of Appeals shall provide all local permits per MGL c. 40B.	S

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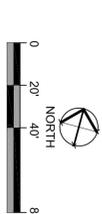


KEY	CATEGORY	PROPOSED
[Hatched Box]	SQ. FT. LOT SIZE	48,350 SQ.FT.
[Hatched Box]	G.S.F BUILDINGS	24,638 SQ.FT.
[Hatched Box]	UNITS	16
[Hatched Box]	LANDSCAPED OPEN SPACE	17,453 SQ. FT.
[Hatched Box]	PARKING SPACES	43
[Hatched Box]	F.A.R	0.51

*LANDSCAPED OPEN SPACE DEFINITION AND REQUIREMENTS TAKEN FROM TOWN OF BROOKLINE, MASSACHUSETTS ZONING BY-LAW, SECTION 5.91

EAST 1 LOT

EAST 2 LOT



Client/Project
CHESTNUT HILL REALTY
THE RESIDENCES OF
SOUTH BROOKLINE
BROOKLINE, MA

Title
WAIVER CALCULATION
PLAN NORTHEAST

Project No. 210810271
Scale AS NOTED

Drawing No. L105

VARIOUS EDITS	DATE	BY	APPD.
VARIOUS EDITS	11.26.14	TRK	
VARIOUS EDITS	08.22.14	CEL	
VARIOUS EDITS	07.11.14	JM/CL	
VARIOUS EDITS	07.03.14	NBB	
VARIOUS EDITS	06.22.14	NBB	
VARIOUS EDITS	04.08.13	TRK	
VARIOUS EDITS	11.26.13	JPM	
COMPREHENSIVE PERMIT APPLICATION			MMDDYY

DATE	BY	APPD.
11.26.14	JM/CL	MMDDYY
08.22.14	CEL	MMDDYY
07.11.14	JM/CL	MMDDYY
07.03.14	NBB	MMDDYY
06.22.14	NBB	MMDDYY
04.08.13	TRK	MMDDYY
11.26.13	JPM	MMDDYY



EAST 2 LOT

KEY	CATEGORY	PROPOSED
	SQ. FT. LOT SIZE	138,148 SQ.FT.
	G.S.F BUILDINGS	135,421 SQ.FT.
	UNITS	113
▣	LANDSCAPED OPEN SPACE (S.T)	26,263 SQ. FT.
▣	LANDSCAPED OPEN SPACE (M.5)	43,254 SQ. FT.
▣	USABLE OPEN SPACE (M.5)	14,361 SQ. FT.
	PARKING SPACES	151
	F.A.R	0.98

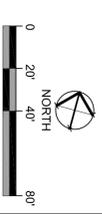
*LANDSCAPED AND USABLE OPEN SPACE DEFINITION AND REQUIREMENTS TAKEN FROM TOWN OF BROOKLINE, MASSACHUSETTS ZONING BY-LAW, SECTION 5.91



EAST 3 LOT

KEY	CATEGORY	PROPOSED
	SQ. FT. LOT SIZE	66,738 SQ.FT.
	G.S.F BUILDINGS	21,744 SQ.FT.
	UNITS	12
▣	LANDSCAPED OPEN SPACE	27,345 SQ. FT.
	PARKING SPACES	58
	F.A.R	0.33

*LANDSCAPED OPEN SPACE DEFINITION AND REQUIREMENTS TAKEN FROM TOWN OF BROOKLINE, MASSACHUSETTS ZONING BY-LAW, SECTION 5.91



REVISION	DATE	BY	CHKD.	APPD.
VARIOUS EDITS	JM/AL	TRK		11.26.14
VARIOUS EDITS	CEL	TRK		08.22.14
VARIOUS EDITS	JM/CL	TRK		07.11.14
VARIOUS EDITS	NBB	TRK		07.03.14
VARIOUS EDITS	NBB	TRK		06.22.14
VARIOUS EDITS	NBB	TRK		04.08.13
COMPREHENSIVE PERMIT APPLICATION	JPM	TRK		11.26.13
Issued				MM/DD/YY

PERMIT/SEAL	DATE	BY	CHKD.	APPD.

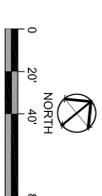
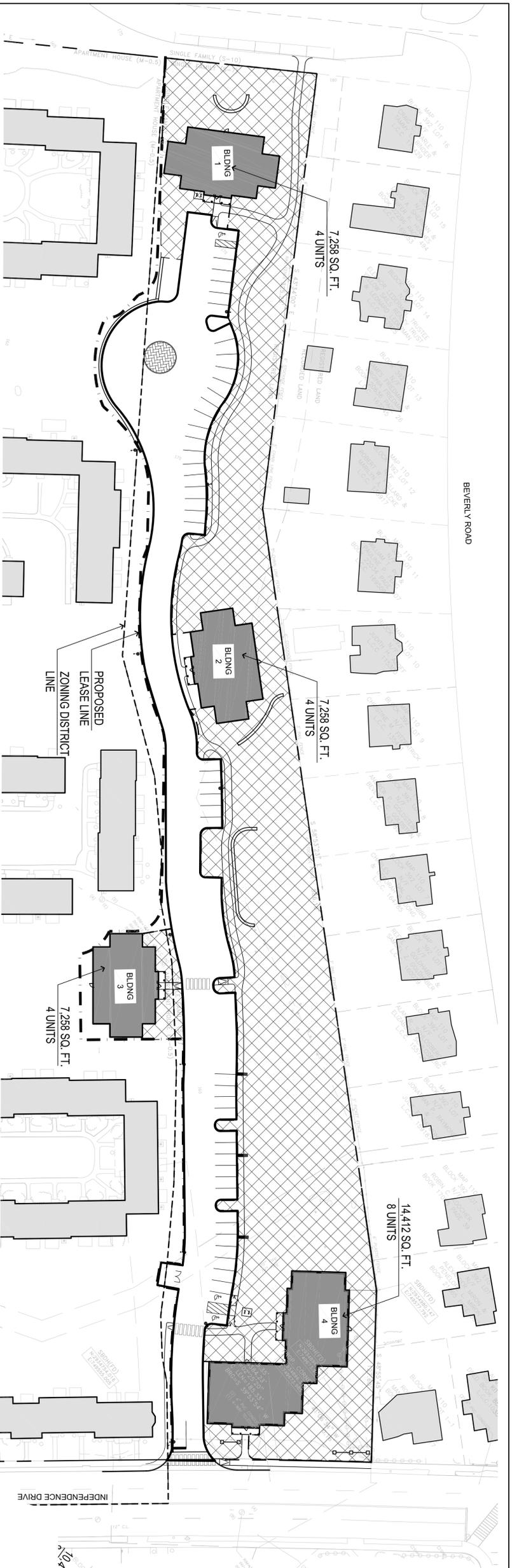
Client/Project
 CHESTNUT HILL REALTY
 THE RESIDENCES OF SOUTH BROOKLINE
 BROOKLINE, MA

WAIVER CALCULATION
 PLAN SOUTHEAST

Project No. 210810271
 Scale AS NOTED
 Drawing No. L106

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KEY	CATEGORY	PROPOSED
	SQ. FT. LOT SIZE	126,697 SQ.FT.
	G.S.F BUILDINGS	36,186 SQ.FT.
	UNITS	20
	LANDSCAPED OPEN SPACE	68,951 SQ. FT.
	PARKING SPACES	71
	F.A.R	0.29

*LANDSCAPED OPEN SPACE DEFINITION AND REQUIREMENTS TAKEN FROM TOWN OF BROOKLINE, MASSACHUSETTS ZONING BY-LAW, SECTION 5.91

WEST 1 LOT

VARIOUS EDITS	JM/AL	TRK	11.26.14
VARIOUS EDITS	CEL	TRK	08.22.14
VARIOUS EDITS	JM/CL	TRK	07.11.14
VARIOUS EDITS	NBB	TRK	07.03.14
VARIOUS EDITS	NBB	TRK	06.22.14
VARIOUS EDITS	NBB	TRK	04.08.13
COMPREHENSIVE PERMIT APPLICATION	JPM	TRK	11.26.13
Issued	By	Appd	MM/DD/YY

TRK NUMBER	JM/CL	CHAD	MM/DD/YY
Permit/Seal	DWN	DRGN	MM/DD/YY

Client/Project
 CHESTNUT HILL REALTY
 THE RESIDENCES OF
 SOUTH BROOKLINE
 BROOKLINE, MA

Title
 WAIVER CALCULATION
 PLAN WEST

Project No. 210810271
 Scale AS NOTED

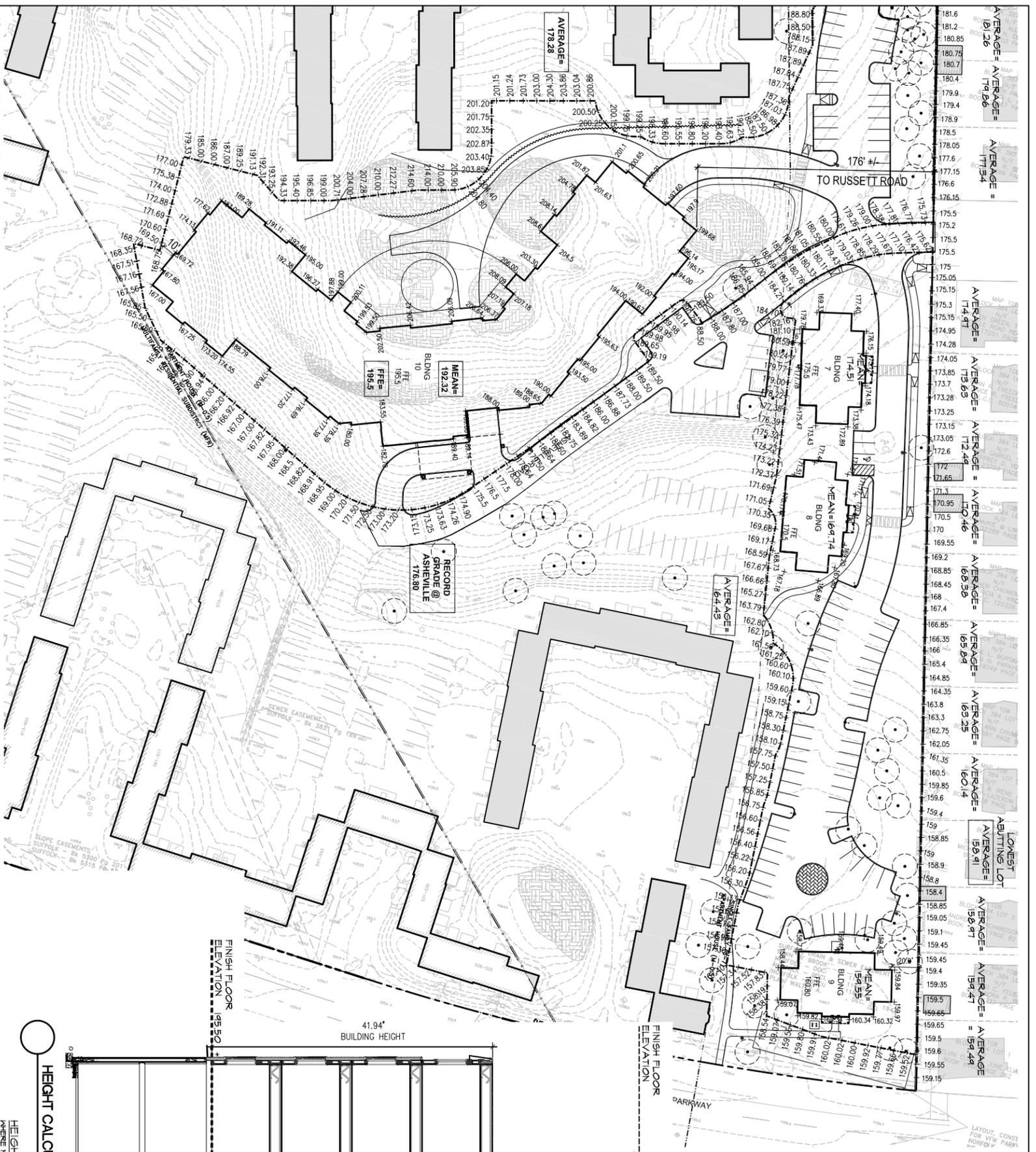
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Overall Site Information	
Measurement	Provided
Lot Area	379,933 sf
Gross Floor Area	235,185
Floor Area Ratio	2.11
Dwelling Units	161
	323
Parking	(2 spaces per 1 or 2-bedroom unit and 2.3 per 3-bedroom unit)

	Lot size	GFA	FAR	Units	Lot area required*	Landscaped Open Space			Usable Open Space			Parking	
						Required	Required	Provided	Required	Required	Provided	Required	Provided
Lot W1	126,697	36,186	0.29	20	41,000	30%	10,856	66,951	-	-	-	41	71
Lot E1	48,350	24,638	0.51	16	33,000	30%	7,391	17,453	-	-	-	32	43
Lot E2	138,148	135,421	0.98	113	227,000	10%	13,542	70,036	30%	40,626	46,044	226	151
Lot E3	66,738	21,774	0.33	12	25,000	30%	6,532	27,345	-	-	-	24	58
Total	379,933	218,019	0.57	161	323,000			181,785			46,044	323	323
Lot E2 S-7 district only	48,882	6,946	0.14	4	9,000	30%	2,084	26,263	-	-	-		
Lot E2 M-0.5 district only	89,266	128,475	1.44	109	218,000	10%	12,848	43,254	30%	38,543	14,361		

Assumption Lot W1 is all in S7 district

* Lot area required is 3000 sf for first unit, 2000 sf for every one thereafter



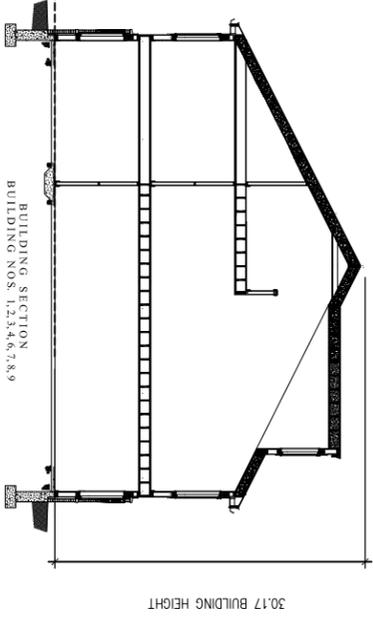
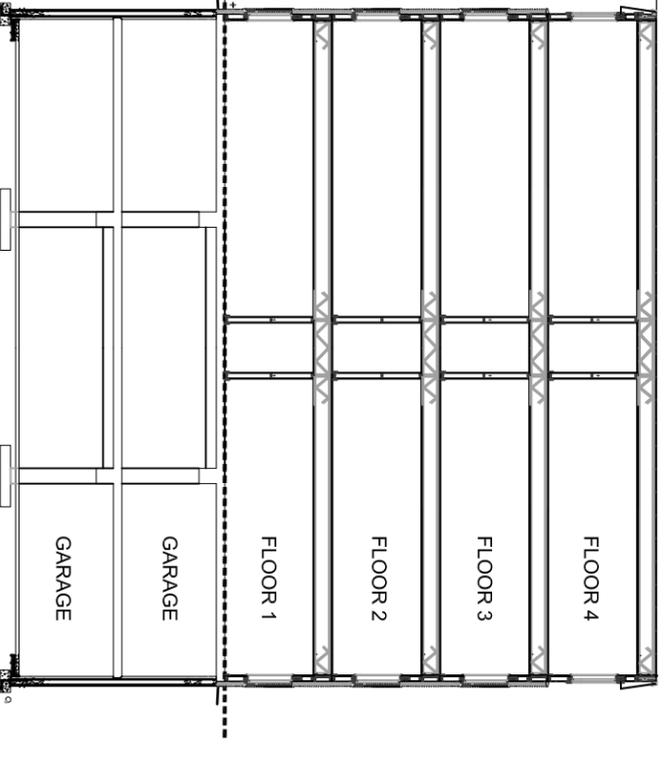
BUILDING HEIGHT CHART SOUTHEAST

BUILDING #	MEAN NATURAL GRADE AT BUILDING	RECORD GRADE AT STREET FRONTAGE	MEAN NATURAL GRADE OF LOWEST ADJUTING LOT	DISTANCE TO LOWEST ADJUTING LOT	HEIGHT CALCULATION METHOD	CALCULATION ALLOWED HEIGHT	MAX HEIGHT TO TOP OF BUILDING ALLOWED	PROPOSED FINISH FLOOR ELEVATION	BUILDING HEIGHT TOP OF BUILDING	PROPOSED BUILDING HEIGHT
7	174.51'	179.23'	164.43'	6'	A	174.51+35	209.51'	175.50'	30.17'	205.67'
8	169.74'	179.23'	164.43'	0'	A	174.57+35	209.57'	170.50'	30.17'	200.67'
9	159.55'	179.23'	159.47'	20'	A	159.55+35	194.55'	160.80'	30.17'	190.97'
10	192.32'	176.80'	176.28'	16'	C	177.34 + (16*.25) + 35	216.34'	195.50'	41.94'	237.44'

* GRADE OF NEAREST PROPERTY
ALTERNATE CALCULATION

10	192.32'	176.80'	177.34'	176.00'	C	177.34 + (176*.25) + 35	256.34'	195.50'	41.94'	237.44'
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HEIGHT CALCULATION DIAGRAM

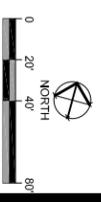


BUILDING SECTION BUILDING NOS. 1,2,3,4,6,7,8,9

HEIGHT CALCULATION METHOD A
WHERE MEAN GRADE IS LOWER THAN THE RECORD GRADE AT THE STREET.
MAX. BUILDING HEIGHT ALLOWANCE = RECORD GRADE AT THE STREET + .95'

HEIGHT CALCULATION METHOD B
WHERE MEAN GRADE IS HIGHER THAN THE RECORD GRADE AT THE STREET AND LOWER THAN THE MEAN NATURAL GRADE OF THE LOWEST ADJUTING LOT AT THE LOT LINE.
MAX. BUILDING HEIGHT ALLOWANCE = MEAN GRADE AT BUILDING + .95'

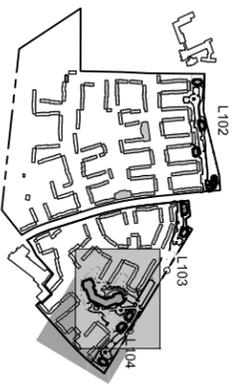
HEIGHT CALCULATION METHOD C
WHERE MEAN GRADE IS HIGHER THAN BOTH THE RECORD GRADE AT THE STREET AND THE MEAN NATURAL GRADE OF THE LOWEST ADJUTING LOT AT THE LOT LINE.
MAX. BUILDING HEIGHT ALLOWANCE = MEAN NATURAL GRADE OF LOWEST ADJUTING LOT + 1/4 OF THE CLOSEST DISTANCE FROM PROPOSED BUILDING TO LOWEST ADJUTING LOT + .95'



stantec

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Client/Project: CHESTNUT HILL REALTY
THE RESIDENCES OF SOUTH BROOKLINE
BROOKLINE, MA

Title: HEIGHT CALCULATION PLAN SOUTHEAST

Project No.: 210810271
Scale: AS NOTED
Drawing No.: []

TO BUILDING DEPARTMENT
Issued: []
By: []
Permit Seal: []