

**Town of Brookline
Massachusetts**

**Zoning Board of Appeals
Minutes of the January 6, 2022 (7:00 PM)
Virtual Public Hearing via Zoom**

Board Members Present

Jesse Geller (Chair), Mark Zuroff, Johanna Schneider

Staff Present

Paul R. Campbell, Deputy Building Commissioner;
Monique Baldwin, Zoning Coordinator / Planner

[Link to Hearing Recording](#)

[Link to ZBA Decisions](#)

CASES

965 Hammond Street (ZBA CASE 2021-0062)

Jacob Walters, attorney for the Applicant, asked if the Board to continue the case to March 24, 2022 as the applicant is still waiting for Planning Board approval.

VOTED: The Board voted unanimously to grant the request to continue the application to March 24, 2022.

17 Hart Street (ZBA CASE 2021-00021)

Robert Allen, attorney for the applicant, waived the reading of the public hearing and provided an overview of the project; proposing two parking spaces in the front yard and a curb cut. It was noted that the Planning Board recommended that the Zoning Board of Appeals deny the application. Mr. Allen noted that the changes were made to the proposal increased pedestrian safety, and improves the public stairs on the right side. Mr. Allen also noted the parking spaces would help increase accessibility to the house of one of owners. Finally, it was noted that front yard parking is prevalent on much of University Road.

Garry Hendren, project architect presented the plans.

Chair Zuroff asked if the cars would overhang onto the sidewalk. Mr. Hendren stated that there would be ample space.

Board member Lark Palermo confirmed that the building is taller than most of the others on the street. She also noted that the other sites on University Road with parking have structures that are situated further from the street.

Board member Paul Bell inquired regarding which unit would receive which spaces.

The Chair opened the public comment portion.

Anne Lusk
Yanping Li
Meighan Rock
Sarah Price

Monique Baldwin, Zoning Coordinator / Planner provided the Planning Board report. The Planning Board unanimously voted to approve the project, and the Planning Department noted the improvements that were made by the applicant.

Paul Campbell, Deputy Building Commissioner, supported the application.

The Board deliberated on the merits of the application. Board Member Zuroff stated they supported the project adds that front yard parking in these conditions. Applicant provided reasonable solution to a complicated issue. Board Member Lark Palermo stated she could not support the project due to the Planning Boards recommendation for denial and the site is not an appropriate location.

Mr. Allen requested that the Board withdraw the application without prejudice.

VOTED: The Board voted unanimously to grant the request to approve the application with conditions

50-52 & 54 Davis Avenue (ZBA CASES 2021-00065 & 2021-00066)

Robert Allen, attorney for the Applicant, asked if the Board would withdraw the request for special permit, for the legalization of 16 parking stackers at Audi, without prejudice. The removal of the lifts shall be complete before February.

VOTED: The Board voted unanimously to grant the request to withdraw the application with prejudice.

107 University Road (ZBA CASE 2018-000046)

Robert Allen, attorney for the applicant, waived the reading of the public hearing and provided an overview of the project; proposing two parking spaces in the front yard and a curb cut. It was noted that the Planning Board recommended that the Zoning Board of Appeals deny the application. Mr. Allen noted that the changes were made to the proposal increased pedestrian safety, and improves the public stairs on the right side. Mr. Allen also noted the parking spaces would help increase accessibility to the house of one of owners. Finally, it was noted that front yard parking is prevalent on much of University Road.

Garry Hendren, project architect presented the plans.

Chair Zuroff asked if the cars would overhang onto the sidewalk. Mr. Hendren stated that there would be ample space.

Board member Lark Palermo confirmed that the building is taller than most of the others on the street. She also noted that the other sites on University Road with parking have structures that are situated further from the street.

Board member Paul Bell inquired regarding which unit would receive which spaces.

The Chair opened the public comment portion. No member of the public wished to speak.

Monique Baldwin, Zoning Coordinator / Planner provided the Planning Board report. The Planning Board voted to deny the project, and the Planning Department remained neutral.

Chair Zuroff inquired whether how many fines would need to be given before the applicant needs to appear before the ZBA again. The Staff didn't know. The Chair suggested the conditions be amended to include that up to and including revocation of the special permit.

Paul Campbell, Deputy Building Commissioner, supported the application.

The Board deliberated on the merits of the application. Chair Zuroff and Board Member Paul Bell stated they supported the project adds that front yard parking in these conditions. Applicant provided reasonable solution to a complicated issue. Board Member Lark Palermo stated she could not support the project due to the Planning Boards recommendation for denial and the site is not an appropriate location.

Mr. Allen requested that the Board withdraw the application without prejudice.

VOTED: The Board voted unanimously to grant the request to withdraw the application with prejudice.

99 Shaw Road (ZBA CASE 2021-000057)

Timothy Burke, representative of the applicant and project architect, waived the reading of the public hearing and provided an overview of the project; constructing an addition in the rear. Mr. Burke presented the plans and noted that they are seeking relief for floor area ratio through M.G.L Ch. 40A Section 6. He also noted numerous letters of support had been submitted.

Board member Paul Bell inquired regarding the calculation of open space and the basement, and the relief sought.

The Chair opened the public comment portion. No member of the public wished to speak.

Monique Baldwin, Zoning Coordinator / Planner provided the Planning Board report. The Planning Board is supportive of the project.

Paul Campbell, Deputy Building Commissioner, supported the application.

The Board deliberated on the merits of the application. Each board member indicated that the project was modest and was worthy of the relief sought.

VOTED: The Board voted unanimously to approve the request for special permit with conditions

57 Chatham Street (ZBA CASE 202-000061)

Jennifer Dopazo-Gilbert attorney for the applicant, waived the reading of the public hearing and provided an overview of the project; constructing a second-story addition. It was noted that the applicant wanted to lift the stay and that both the Preservation Commission and the Planning Board supported the proposal. Ms. Gilbert stated that all relief can be sought through M.G.L Ch. 40A Section 6.

Gary Hendren, the project architect, presented the plans.

Board member Paul Bell inquired regarding the proportions of the rendering.

The Chair opened the public comment portion. No member of the public wished to speak.

Monique Baldwin, Zoning Coordinator / Planner provided the Planning Board report. The Planning Department supported the application.

Paul Campbell, Deputy Building Commissioner, supported the application.

The Board deliberated on the merits of the application. Each member indicated that the project is well-designed and is worthy of the relief sought.

VOTED: The Board voted unanimously to approve the request for special permit with conditions

The minutes approved were October 21, 2021 and October 22, 2021.

The hearing was adjourned.