



Board of Appeals
Jesse Geller, Chair

Town of Brookline

Massachusetts

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Board of Appeals Virtual Public Hearing Minutes
Thursday, February 11, 2021
7:00 p.m.
Via ZOOM

ZBA DECISIONS can be found at: <https://www.brooklinema.gov/Archive.aspx?AMID=76>

Board Members Present: Chair Johanna W. Schneider, Kate Poverman, and Randolph Meiklejohn
Staff Present: Joseph Braga (*Deputy Building Commissioner*), and Monique Baldwin (*Zoning Coordinator/Planner - Regulatory Planning*)

Chair Johanna W. Schneider opened the meeting.

2020-0063 5 Mason Terrace – Legalize an existing parking space and install a 15.5' curb cut

Attorney Jennifer Dopazo Gilbert, on behalf of the applicant, provided an overview of the project. She noted that the parking space has existed for over 40 years and it is accessed by driving over the curb.

Attorney Dopazo Gilbert stated that a three-foot setback is provided in lieu of the required five feet. She stated that relief could be granted if a counterbalancing amenity is provided and noted that many letters in support of legalizing the parking space were provided to the Board.

Attorney Dopazo Gilbert noted that the Planning Board was supportive of a fourth car, but had suggested that the Petitioner widen the existing parking area. She stated that the suggestion was uneconomic, would decrease pervious surface, would result in the loss of mature trees, and had opposition from abutters.

Attorney Dopazo Gilbert stated that the Petitioner proposes to provide additional landscaping, preserve the supply of parking to the neighborhood and increase the safety for pedestrians. She also stated that the proposal will meet all of the requirements for a special permit under Section 9.05.

Upon inquiry from Chair Schneider, Attorney Dopazo Gilbert confirmed that the Petitioner currently drives over the curb to access the parking space and stated that the next step would be to apply for a permit with the Department of Public Works (DPW).

The Board expressed general consensus that a narrower driveway was preferable to the proposed 15 feet and noted that the lot had a lot of frontage.

Reviewing photographs of the existing back yard that depicted the elevation change, Board Members concurred that it would be a substantial area to infill and would be an expensive undertaking. Ms. Baldwin noted that the Planning Board was comfortable with the number of cars and added that the Planning Board was not unanimous in the recommendation to expand the existing parking pad.

Upon the request of Board Member Meiklejohn, Mr. Ross provided a measurement of the existing pavement area. Board Member Meiklejohn was satisfied that the pavement was not wide enough to accommodate a second car or could be easily expanded.

Chair Schneider then called for public comments in favor of the proposal. Abutters Tom and Caroline Barnes spoke in support of the zoning relief and testified that the height elevation change is dramatic. Mr. Barnes noted that expanding the existing parking pad would impinge on the Rosses' backyard and would require a substantial volume to be filled in.

Chair Schneider then called for public comments in opposition to the proposal. No one spoke. Chair Schneider noted that the Board was provided with one letter in opposition.

Monique Baldwin, Zoning Coordinator Planner, provided the Planning Board Report. The Planning Board did not oppose the project, but opposes the proposed location and recommends denial of the site plan.

Joseph Braga, Deputy Building Commissioner, stated the Building Department had no objections to the proposals.

Chair Schneider stated that the relief sought for the setback was minimal and a curb cut was an appropriate counterbalancing amenity as it created a safer environment for pedestrians. She noted that the curb cut is across from an area that will not see an added curb cut in the future. Chair Schneider opined that the proposed 15-foot wide driveway was excessive, but she would support a twelve-foot-wide driveway.

Board Member Meiklejohn was supportive of the relief and noted that there was a lot of support from the abutters and felt the change in grade was substantial.

Board Member Poverman concurred and noted that while this would be a third curb cut, it would be located far from the curb cut located down grade and noted that infeasibility of expanding the existing parking pad had been demonstrated.

The Board unanimously granted the request with conditions.

2020-0009 101 Monmouth Street – Modify previously granted variance related to parking, issued in 1958 and 1959 (Case #893)

Attorney Jennifer Dopazo Gilbert, on behalf of the applicant, requested a continuance to March 25, 2021.

Ms. Gilbert stated that there was an issue with the noticing of the abutters on the Boston side.

Chair Johanna Schneider, and Board Members Randolph Meiklejohn and Kate Poverman had no objection.

The Board unanimously granted the request to continue the application to March 25, 2021.

The meeting was adjourned.