



Board of Appeals
Jesse Geller, Chair

Town of Brookline

Massachusetts

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Board of Appeals Virtual Public Hearing Minutes

Thursday, July 8, 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 Schneider, Lark Palermo, and Paul Bell

Staff Present: Karen Chavez (*Zoning Coordinator/Planner - Regulatory Planning*) and Paul R. Campbell (*Deputy Building Commissioner*)

Chair Johanna Schneider opened the meeting.

2021-0029 184 Clark Road – Proposed addition to rear of house consisting of a potting area, greenhouse, and covered porch

The Petitioner's Attorney, Cameron S. Merrill, waived the reading of the public hearing notice and provided an overview of the project. The project architect, Steven Elmets, provided an overview of the design.

Attorney Merrill explained the proposal to install a greenhouse, and that the existing home is in excess of the allowable FAR and is therefore a preexisting nonconforming structure.

Mr. Elmets explained that the total square footage increase to the existing home would be approximately 111 square feet, mainly comprised of the all glass and support greenhouse. There is a small potting room being created where the overhanging porch is today.

Mr. Merrill explained that the only relief required was for FAR pursuant to Section 5.20 and Section 8.02.2. However, the Board may grant a special permit pursuant to MGL Chapter 40A, Section 6, for the extension of a non-conformity if the Board finds the proposed structure will not be more substantially detrimental to the neighborhood than the existing structure.

Board Member Paul Bell inquired what the material of the proposed greenhouse is.

Mr. Elmets confirmed the greenhouse material would be glass.

Chair Schneider inquired whether the greenhouse was an accessory structure or an addition to the main structure.

Mr. Merrill and Mr. Elmets confirmed it was an addition since the proposal is attached to the existing house.

Chair Schneider called for public comments in support of and in opposition to the application. No comments were submitted.

Karen Chavez, Planner & Zoning Coordinator, provided the Planning Board Report. The Planning Board is supportive of the proposal.

Paul Campbell, Deputy Building Commissioner, stated that the Building Department had no objections, and would work with the Petitioner to ensure compliance.

Board Member Lark Palermo noted that the proposal is a very modest improvement to the property, and supports granting the relief.

Board Member Paul Bell agreed with Board Member Palermo, and supports granting the relief subject to conditions.

Chair Schneider agreed with Board Member Palermo and Board Member Bell, and further added that the proposed scope of work meets the requirements under MGL Chapter 40A, Section 6.

The Board unanimously granted the request for special permit.

2021-0031 96 Verndale Street – Proposed new roof structure, new porch and deck in the rear, and addition to front of house

The Petitioner's Attorney, Robert Allen, waived the reading of the public hearing notice and provided an overview of the project. The project architect, Ralph Kilfoyle, provided an overview of the design.

Mr. Allen stated that the proposal is a full renovation of the existing building, and the proposed FAR is below the maximum allowed FAR by 923 square feet. He added that the applicant is seeking relief for increase in existing nonconformities including height, front yard setbacks, and side yard setbacks. Mr. Allen added that the site has two front yards since the project site fronts two streets – Columbia Road and Verndale Street.

Mr. Kilfoyle reviewed the existing and proposed site plans and floor plans, and noted that the proposal would enhance the existing house.

Chair Schneider inquired if there were proposed changes to the parking configuration.

Mr. Allen stated that currently the parking area is only asphalt, where up to six vehicles would park and the proposed scope of work includes landscaping along the parking area to delineate four parking spaces.

Board Member Palermo asked what the proposed material was for the clapboards, and Mr. Kilfoyle confirmed that the proposed material is James Hardy cement board.

Board Member Bell for confirmation on the proposed front yard setback, and Mr. Kilfoyle identified the proposed setbacks.

Mr. Allen stated that the relief is being requested pursuant to MGL Chapter 40A, Section 6, if the Board finds that there is no substantial detriment nor new nonconformities being created. He further added that the most impacted abutter has provided a letter in support of the project. Mr. Allen concluded that the project meets the findings under Section 9.05 of the Zoning By-Law.

Chair Schneider called for public comments in support of and in opposition to the application. No comments were submitted.

Karen Chavez, Planner & Zoning Coordinator, provided the Planning Board Report. The Planning Board is supportive of the proposal.

Paul Campbell, Deputy Building Commissioner, stated that the Building Department will require compliance with remote locations for the means of egress and that the Department had no objections, and would work with the Petitioner to ensure compliance.

Board Member Paul Bell opined that the extensions of the existing nonconformities are not substantial, along with the letters of support, meet the findings for MGL Chapter 40A, Section 6. He added there was lack of confirmation on the number on proposed parking spaces.

Chair Schneider agreed with Board Member Bell, and noted that it can be assumed that the applicant will be required to comply with the parking requirements of the Zoning By-Law, and called upon Mr. Campbell for confirmation.

Mr. Campbell suggested that the Board add a condition requiring a parking plan when applying for a Building Permit.

Mr. Allen stated that the applicant would be okay with the proposed new condition.

Board Member Lark Palermo agreed, and voted in support of the relief.

Chair Schneider agreed with Board Member Palermo and Bell, opined that the proposal met the findings under MGL Chapter 40A, Section 6, and supported the requested relief.

The Board unanimously granted the request for special permit.

Minutes

The Board unanimously approved the Minutes for 06/17/21 and 06/24/21.

The meeting was adjourned.