



Town of Brookline

Massachusetts

PLANNING BOARD

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9/13/19

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To: Brookline Zoning Board of Appeals
From: Brookline Planning Board
Date: 9/19/19 Zoning Board of Appeals Meeting
Subject: Second story addition to right side of single-family dwelling.
Location: **95 Clark Road**

Atlas Sheet: 48
Block: 229
Lot: 01

Case #: 2019-0050
Zoning: S-10
Lot Area (s.f.): ± 10,270

BACKGROUND

Preservation Staff made an initial determination of significance, and the Commission is scheduled to hear this case on September 10th.

SITE AND NEIGHBORHOOD

95 Clark Road is a two and a half story single family dwelling built in 1922. There is an existing one story addition with a flat rubber roof on the right side of the building. It sits on a 10,270 s.f. triangular lot at the intersection of Clark and Sumner Roads. The rear of the property abuts the MBTA D line tracks. The property is located near the Aspinwall Hill neighborhood. The neighborhood consists mostly of 2 and 2.5 story buildings of similar sizes.

APPLICANT'S PROPOSAL

The applicant, Miriam Spear, is proposing to add a second floor to the existing one story addition on the right side of the house. This addition will add 550 s.f. and allow for a new master bedroom suite. The new addition will have a pitched roof similar to the existing portion of the house, and will have architectural shingles rather than a rubber roof.

FINDINGS

Section 5.20 – Floor Area Ratio

Section 5.22 – Exceptions to FAR Regulations for Residential Units

Floor Area	Allowed	Existing	Proposed	Finding
Floor Area Ratio (% of allowed)	.30 (100%)	.33 (110%)	.38 (127%)	Special Permit*
Floor Area (s.f.)	3,081	3,403	3,925	

Under **Deadrick, the Board of Appeals may allow an extension of an existing non-conformity if it finds there is no substantial detriment to the neighborhood.*

Sections 5.09.2.j – Design Review: Any exterior addition for which a special permit is requested pursuant to *Section 5.22 (Exceptions to Maximum Floor Area Ratio Regulations)* requires a special permit subject to the design review standards listed under *Section 5.09.4(a-l)*. The most relevant sections of the design review standards are described below:

- a. Preservation of Trees and Landscape – The project preserves all existing trees and landscape. New landscape screening is to be planted so as to be seen by persons passing the site or overlooking it from the T overpass.
- b. Relation of Buildings to Environment – The proposed development does not alter existing terrain, trees, landscape, and natural features. The house is situated on a corner lot, so the proposed 2nd story addition will not cause adverse effects of shadows on abutting property or on public open space and public streets.
- c. Relation of Buildings to the Form of the Streetscape and Neighborhood – The design is consistent with the architecture of the existing building and with the surrounding neighborhood.

Section 5.40 – Walls Not Parallel to Lot Lines

Section 5.43 – Exceptions to Yard and Setback

The plans also claim that their property has a 15.9' average right yard setback, but due to the configuration of the property there is no right side lot line; the line that the "right side setback" is being measured from is actually the rear lot line.

Setback	Required	Existing	Proposed	Finding
Rear Yard	30'	Avg: 11.1' Min: 2.3'	Avg: 11.1' Min: 2.3'	Special Permit*

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Section 8.02.2 – Alteration or Extension

A special permit is required to alter this non-conforming structure.

PLANNING DEPARTMENT ANALYSIS

The Planning Department is supportive of this project. The addition is compatible with the existing architectural style of the building and with the scale and massing of the property and the neighborhood. While the addition is within the rear yard setback, it is directly next to an MBTA right-of-way and therefore will have little to no impact on abutters. Staff believes that the criteria for Design Review have been met and that the project will not be substantially more detrimental to the neighborhood than the existing structure.

PLANNING BOARD RECOMMENDATION

The Planning Board is supportive of the proposal. Board members felt that the addition is a reasonable expansion of the building. They noted that the property has 3 curb-cuts and suggested that the applicant consider removing one of the curb-cuts as a counterbalancing amenity but did not feel strongly enough about the curb-cut removal to require it as a condition.

The Planning Board recommends approval of the site plan by Frank Iebba, dated 6/8/19, and the floor plans and elevations by Miriam Spear, dated 6/11/2019, subject to the following conditions:

- 1. Prior to the issuance of a building permit, the applicant shall submit a final site plan, floor plans and elevations subject to the review and approval of the Assistant Director of Regulatory Planning.**
- 2. Prior to the issuance of a building permit, the applicant shall submit a final landscaping plan showing all counterbalancing amenities subject to the review and approval of the Assistant Director of Regulatory Planning.**
- 3. Prior to the issuance of a building permit, the applicant shall submit to the Building Commissioner for review and approval for conformance to the Board of Appeals decision: 1) a final site plan stamped and signed by a registered engineer or land surveyor; 2) final floor plans and elevations stamped and signed by a registered architect or engineer; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.**

Subject Dwelling



Aerial Photograph - Neighborhood Context

