



# *Town of Brookline*

## *Massachusetts*

### **PLANNING BOARD**

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9/27/19

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To: Brookline Zoning Board of Appeals  
From: Brookline Planning Board  
Date: 10/10/19 Zoning Board of Appeals Meeting  
Subject: Connect existing garage at rear of house to main structure.  
Location: **22 Dunster Road**

Atlas Sheet:	67	Case #:	2019-0056
Block:	284	Zoning:	S-10
Lot:	21	Lot Area:	6,380 sf

Board of Appeals Hearing: **October 10, 2019 at 7:00 pm or later**

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### **DEMOLITION/PRESERVATION**

22 Dunster Road is located within the Chestnut Hill LHD. They applied to the Preservation Commission to get approval for the rear addition, among other things. Since the rear addition will not be visible from the public way, the Preservation Commission voted to grant a Certificate of Non-Applicability at their August 13, 2019 hearing. Not all of the applicant's requested changes were approved, and the applicant will need approval from the Preservation Commission for all exterior changes.

### **SITE AND NEIGHBORHOOD**

The house at 22 Dunster Road is a 2.5 story, one-family dwelling that was built in 1896. It is a Shingle style house with many characteristic elements of Shingle style design. The two car garage at the rear of the house was built in 1929. The property is in the Chestnut Hill neighborhood, and sits on the border between Newton and Brookline; all but a small portion of the structure is on the Brookline side of the border. The property is near Pine Manor College and across the street from the Longwood Cricket Club.

**APPLICANT'S PROPOSAL**

The owner, Leo Power III, is proposing to expand the existing garage at the rear of the property and connect it to the house, making the accessory structure a part of the primary structure. A new mudroom will connect the garage and the house and add 64 SF to the existing GFA; the garage will be extended 6' towards the left side of the property (adding 264 SF), and remains under the 740 SF parking area exception to the GFA. In addition to connecting the garage to the house, the proposal includes replacing the existing foundation and all windows, adding a dormer to the front façade, and other changes to the facades; many of these requests require approval from the Preservation Commission but do not require zoning relief.

**FINDINGS**

ZONING: S-10	Required/ Allowed	Existing	Proposed	Relief
Use		Single Family	Single Family	None
Lot Size	10,000sf	6,380sf	6,380sf	None
Floor Area Ratio	0.30 / 100% 1,914sf	0.52 / 172% 3,288sf	0.53 / 175% 3,352	Special Permit <sup>1</sup>
Lot Width	85'	75'	75'	None
Height	35'	33'	33'	None
Setbacks: F/S/R	20 10 30	54.3' 4.7' 20.7'	54.3' 4.7' 0.5'	Special Permit <sup>1</sup> , §5.43 <sup>2</sup>
Parking Spaces	2	2	2	None

<sup>1</sup> **M.G.L. c.40A, §6 finding (aka *Deadrick*)** – Because the subject lot and building are nonconforming, any alteration or substantial reconstruction that increases the nonconforming nature of the structure can only be approved provided that the Zoning Board of Appeals make a finding that the altered structure is not substantially more detrimental to the neighborhood than the existing structure.

<sup>2</sup> **Section 5.43: Exceptions to Yard and Setback Regulations** – The Zoning Board of Appeals may waive any setback requirement in the Bylaw if appropriate counterbalancing amenities are provided.

**Other Zoning Requirements****Section 3.02.5: Boundaries of the District**

When a lot in one ownership is situated partly in the Town of Brookline and partly in an adjacent city or town, the regulations or restrictions of this By-law shall be applied to that portion of such lot as lies in the Town of Brookline in the same manner as if the entire lot were situated therein.

**Section 5.72: Accessory Buildings or Structures in Rear Yard**

The existing detached garage does not comply with the required rear yard setbacks for accessory structures.

**Section 8.02: Alteration or Extension**

A Special Permit is required to alter and/or extend this non-conforming structure.

**PLANNING DEPARTMENT COMMENTS**

The Planning Department is supportive of this project. While attaching the garage to the main structure technically reduces the rear setback of the house, the perception of the setback does not change since the garage already exists; connecting the garage to the house will not make the new structure substantially more detrimental to the neighborhood than the existing structure. The minor expansion of the garage to allow larger cars to park in it and to provide more storage space is a reasonable request, as is the small (64sf) new mudroom. This project satisfies the design review requirements, and due to the location of the property in a LHD, the applicant will need to continue working with Preservation Staff to ensure that the historic character of the house is preserved.

**PLANNING BOARD COMMENTS**

The Planning Board is puzzled by some of the design and architectural choices made by the applicant, including the preservation of the garage and the elimination of most of the fenestration on the rear of the structure but felt that these are personal choices that the owner is free to make. The Planning Board offered a few suggestions for improvement, but was otherwise supportive of the proposal as proposed.

**The Planning Board recommends approval of the site plan by Peter J. Nolan, dated 5/29/19, and the architectural plans by BAC Architectural Design, dated 8/22/19, subject to the following conditions:**

- 1. Prior to the issuance of a building permit, the applicant shall submit a final site plan 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 proposed 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 elevations stamped and signed by a registered architect, and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.**

**Subject Site**



**Aerial Photograph - Neighborhood Context**

