



# Town of Brookline

## Massachusetts

10/29/19

### PLANNING BOARD

Town Hall, 3<sup>rd</sup> Floor  
333 Washington Street  
Brookline, MA 02445-6899  
(617) 730-2130 Fax (617) 730-2442

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To: Planning Board  
From: Planning Department  
Date: November 7, 2019  
Subject: Total renovation  
Location: 161-163 Thorndike Street

<b>Atlas Sheet:</b>	11	<b>Case #:</b>	2019-0058
<b>Block:</b>	60	<b>Zoning:</b>	T-5
<b>Lot:</b>	4	<b>Lot Area:</b>	4,294 SF

**Board of Appeals Hearing:** December 5, 2019 at 7:00 pm or later

### 10/29/19 STAFF UPDATE

The Planning Board first reviewed this project at their meeting on September 26, 2019. The Planning Board had concerns with, or were not supportive of, the roof deck, the exterior stair, the proposed parking area and curb cut, and the reconstructed front entrance. The applicant has submitted revised plans addressing most of the Board's concerns and will be meeting with the neighborhood on Monday, November 4 to discuss their outstanding objections. Below is the staff report issued for the September 26, 2019 meeting:

### SEPTEMBER 26, 2019 PLANNING DEPARTMENT REPORT (Zoning Table updated to reflect new FAR numbers):

#### DEMOLITION/PRESERVATION

The project has not yet been reviewed by Preservation Staff or the Preservation Commission. Based on staff's preliminary discussions with Preservation Staff, it seems that the scope of work would require review under the demolition review bylaw.

#### SITE AND NEIGHBORHOOD

The building at 161-163 Thorndike Street is a two-family dwelling that was originally constructed in 1882. The structure does not have a specific architectural style but it does feature design elements that also appear on other structures in the neighborhood, providing a meager sense of consistency to the streetscape. The property is located in a residential neighborhood located just south of Commonwealth Avenue near the Lawton Playground and Packard's

Corner. This neighborhood consists primarily of apartment buildings, townhouses, and two-family dwellings.

**APPLICANT’S PROPOSAL**

The owner, DND Homes LLC, is proposing to completely renovate the building. The renovation would not expand the envelope of the building but would involve substantial changes to all facades of the building. As part of the project, the owners are also seeking to add two parking spaces and a patio to the backyard (both constructed with pervious pavers). The increase in FAR is driven entirely by the conversion of the basement to habitable space, adding approximately 1,600sf to the floor area, from 4,434sf to 6,090 sf.

**FINDINGS**

ZONING: T-5	Required/ Allowed	Existing	Proposed	Relief
Use		2-family	2-family	None
Lot Size	5,000sf	4,294sf	4,294sf	None
Floor Area Ratio	1.0 / 100% 4,294sf	1.03/ 103% 4,434sf	1.45 / 145% 6,215sf	Special Permit <sup>1</sup>
Lot Width	45’	50.79’	50.79’	None
Height	35’	33’9”	33’9”	None
Setbacks: F/S/R	15/10/30	15.2/7.8/11.3	15.2/7.8/~7	Special Permit <sup>1</sup> , §5.43 <sup>2</sup>
OS: Landscaped/Usable	10%/30%	32.3%/0%	24.3%/0%	None
Parking Spaces	4	2	4	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 – Because the proposed roof extension/overhang on the rear of the structure is more longer than 1/3 the length of the rear wall of the building, it is considered part of the main structure and therefore constitutes an extension of the existing building further into the rear yard setback. Such an extension may be approved by the Zoning Board of Appeals provided that the applicant offers a counterbalancing amenity. This applicant has not yet done so.

### Other Zoning Requirements

#### **Section 6.04.5.c.2: Design of All Off-Street Parking Facilities**

This section prohibits parking lots and entrance and exit drives from being located within the required side yard setback. The required side yard setback is 10 feet and the parking spaces and proposed drive are approximately 2 feet from the property line. The owner may be granted relief from this provision by a special permit under Section 5.43, which states that the Zoning Board of Appeals may waive any yard or setback requirement in the Bylaw provided that the applicant provide a counterbalancing amenity. This applicant has not yet done so.

#### **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 proposal. Although the increase in the FAR seems large, it is only due to the conversion of interior space, and will not have any effect on the envelope of the building. The added floor area does not produce an additional housing unit, and the additional parking spaces bring the property into greater conformance with the requirements of the Bylaw. For these reasons, the altered structure is not substantially more detrimental to the neighborhood than the existing structure and satisfies the standards of §9.05.

**The Planning Department recommends approval of the site plan by Keenan Survey, dated 6/24/19, and architectural plans by RDK Architects, dated 10/3/19, 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 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, and 2) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.**

**Subject Site**



**Aerial Photograph - Neighborhood Context**

