



# Town of Brookline Massachusetts

11/7/19

## **PLANNING BOARD**

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

Steve Heikin, Chair  
Robert Cook, Clerk  
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Mathew Oudens  
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To: Planning Board  
From: Planning Department  
Date: November 14, 2019  
Subject: Construct new two-family dwelling  
Location: 761 Washington Street

<b>Atlas Sheet:</b>	21	<b>Case #:</b>	2018-0093
<b>Block:</b>	92	<b>Zoning:</b>	T-5
<b>Lot:</b>	15	<b>Lot Area:</b>	7,824 SF

**Board of Appeals Hearing: December 19, 2019 at 7:00 pm or later**

## **11/7/19 STAFF UPDATE**

At the September 26, 2019 meeting, the Planning Board expressed continued concern with the increase in floor area and wanted further revisions to the look of the house from Washington Street to make it more in line with the rest of the neighborhood. The applicant has revised their plans to slightly increase the setback from Washington Street by 3' and reduce the floor area slightly (110sf less of finished space and 315sf less of unfinished space). The two unenclosed parking spaces on Bartlett have also been shifted so that they are now in front of the garage area, and the deck covering them has been removed. Besides those changes, the proposal remains substantially the same as the plans presented at the September 26<sup>th</sup> meeting.

## **SEPTEMBER 18, 2019 PLANNING DEPARTMENT REPORT:**

### **DEMOLITION/PRESERVATION**

**August 2018** - The Preservation Commission upheld the initial determination of significance on this house and placed a 12-month stay of demolition on this property. The 12-month expired on August 21, 2019.

### **SITE AND NEIGHBORHOOD**

761 Washington Street is a two and a half story, two-family house located near the intersection of Bartlett Street. The property abuts a private way - Bartlett Crescent - and Driscoll School at the rear. A detached garage is accessed from this private way. The neighborhood consists mostly of two-family homes and small multi-unit buildings and is close to Washington Square and the Boston city line.

## **APPLICANT'S PROPOSAL**

The applicants, Robert and Lee Shin, propose to demolish the existing two-family dwelling and two-car garage and construct a new two-family dwelling. The new structure will contain 7,819 square feet of finished area. Each unit will have three levels of finished space and an unfinished basement.

## **FINDINGS**

### **Section 4.07 - Table of Use Regulations Use #5**

A special permit is required for an attached dwelling provided that no row of such units shall consist of more than two units.

**Sections 5.09.2.a and n - Design Review:** Any exterior addition for which a special permit is requested pursuant to Section 5.09.2.n as well as any property on Washington Street requires a special permit subject to the design review standards listed under Section 5.09.4(a-l).

### **Section 5.09.2.n**

n. any construction of newly created space, whether or not habitable, finished or built out, where such space substantially satisfies the requirements for habitability under the State Building Code or could with the addition of windows or doors and without other significant alterations to the exterior of the building be modified to substantially meet such habitability requirements, and which space if finished or built out or converted to habitable space would result in the total Gross Floor Area of the structure being greater than the permitted Gross Floor Area in Table 5.01. In granting any such special permit, the Board of Appeals, in addition to the requirements of §5.09 and §§9.03 to 9.05, shall be required to find that the massing, scale, footprint, and height of the building are not substantially greater than, and that the setbacks of the building are not substantially less than, those of abutting structures and of other structures conforming to the zoning by-law on similarly sized lots in the neighborhood. **In granting a special permit for construction of such non-habitable space, the Board of Appeals shall set forth as a condition of the special permit the extent to which such space may or may not be converted to habitable space in the future pursuant to Section 5.22 or otherwise, with the allowed future conversion to habitable space no greater than the applicant's representation of the intended amount of future conversion.**

<b>Floor Area</b>	<b>Allowed</b>	<b>Proposed</b>	<b>Finding</b>
<b>Floor Area Ratio (% of allowed)</b>	1.0 / 100%	Without unfinished space: .99 (99%) With unfinished space: 1.23 (123%)	Special Permit
<b>Floor Area (s.f.)</b>	7,824	Without unfinished space: 7,819 With unfinished space: 9,586	

**Section 5.34 - Exception to Yard and Setback Regulation**

**Section 5.50 - Front Yard Requirements** - Based on existing alignment of buildings on surrounding properties.

**Section 6.04.5.C.1 - Design of All Off-Street Parking Facilities**

Dimensional Requirements	Required	Existing	Proposed	Relief Required
Front Yard Setback (Bartlett Crescent)	23.11'	n/a	15 feet	Special Permit*
Front Yard Setback (Washington Street)	27.43'	n/a	27.7'	None
Parking Setback from Bartlett Crescent	23.11'	n/a	2-3'	Special Permit*

\* Under **Section 5.43**, the Board of Appeals may waive by special permit yard and/or setback requirements, if a counterbalancing amenity is provided.

**Section 6.04.14.b - Design of All Off-Street Parking Facilities**

	Required	Proposed	Finding
Garage Width	<40% total façade	90%	Special Permit*
Garage Entrance Setback	20 feet	15 feet	Special Permit*

\* Under **Section 6.04.14.c**, the Board of Appeals may waive by special permit the provisions of Section 6.04.14.

**Section 6.04.4.C - Design of All Off-Street Parking Facilities** - Entrance and exit drives may not exceed 20 feet at the street lot line. This project proposes a 45.72 curb cut, which may be permitted by Special Permit if the Zoning Board of Appeals receives reports from the Commissioner of Public Works and Director of Transportation that the increased width would facilitate traffic and safety.

**PLANNING STAFF ANALYSIS - 9/18/19**

At their meeting on May 9, 2019, the Planning Board expressed concerns with zoning issues related to the layout of the units (potentially creating 3 units) and with some of the design aspects. Board members recommended that the applicant consider a mix of materials for the exterior facades. Some members also had concerns with the bulk and design being too “boxy”. The applicant has made some revisions to the plans to address the Planning Board’s concerns. The Planning staff would still prefer to see the original

house maintained and this project envisioned as a renovation and addition. The neighborhood has an established architectural style and it would be preferable to see new construction remain consistent with that style. Nonetheless, the area is in close proximity to a commercial area and a school and could reasonably accommodate additional density. The staff would like the Board to weigh in on the aesthetic changes to the roof pitch and the porches, decks and materials.

**Should the Board move to recommend approval of the site plan and architectural plans prepared by Merge Architects, dated 9/12/19, staff recommends 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. The extent to which any non-habitable space may be converted to habitable space in the future, in addition to other relevant By-law sections regulating FAR, must comply with §5.22 of the Zoning By-law.
3. Prior to the issuance of a building permit, the applicant shall submit a final landscaping plan subject to the review and approval of the Assistant Director of Regulatory Planning.
4. 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.

