



# Town of Brookline

## Massachusetts

12/5/19

### PLANNING BOARD

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To: Zoning Board of Appeals  
From: Planning Board  
Date: December 12, 2019 ZBA Meeting  
Subject: Expand existing parking area.  
Location: 39 Sheafe St

**Atlas Sheet:** 122B                      **Case #:** 2019-0066  
**Block:** 427                              **Zoning:** M-1.0  
**Lot:** 16                                    **Lot Area:** ± 4,253 SF

**Board of Appeals Hearing: December 12, 2019 at 7:00 pm or later**

### SITE AND NEIGHBORHOOD

The property is located in the Chestnut Hill neighborhood between Route 9 and the Holyhood Cemetery. It sits at the intersection of Sheafe Street and Holly Lane, with a curb cut on Sheafe Street for accessing the parking area.

### APPLICANT'S PROPOSAL

The owner, Holly Sheafe LLC, is proposing to expand the width of the existing parking area by 3', bringing the total width of the driveway to 18'. The proposed driveway is wide enough for two cars parked side-by-side, which increases the number of parking spaces on the lot from 2 to 4. Expanding the driveway reduces the parking setback on Holly Lane from 5' to 2' but does not change the setback from Sheafe Street. The size of the curb cut onto Sheafe Street will not change.

### FINDINGS

ZONING: M-1.0	Required/ Allowed	Existing	Proposed	Relief
Use		Two-Family	Two-Family	None
Lot Size	5,000sf	4,253sf	4,253sf	None

<b>Lot Width (Sheafe/Holly)</b>	45'	53'/78'	53'/78'	<b>None</b>
<b>Parking Setbacks: Sheafe (Front) Holly (Front)</b>	10' 10'	16' 5'	16' 2'	<b>Special Permit<sup>1, 2</sup>, §5.43<sup>3</sup></b>
<b>Parking Spaces</b>	4	2	4	<b>None</b>

<sup>1</sup> **M.G.L. c.40A, §6 finding (aka *Deadrick*)** – Because the structure is nonconforming, any alteration or substantial reconstruction that increases the nonconforming nature of the property 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 8.02: Alteration or Extension** – A Special Permit is required to alter and/or extend this non-conforming structure.

<sup>3</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. This project needs relief from **§6.04.5.A** which requires that parking stalls have a minimum setback of 5' from all street lot lines and from **§6.04.5.B** which requires that all portions of parking areas in M Districts be setback a minimum of 10' from all street lot lines.

#### **PLANNING DEPARTMENT COMMENTS**

The Planning Department is supportive of this proposal. The most impactful part of this project is the curb cut directly next to a corner, but the curb cut already exists – increasing the number of spaces associated with the curb cut from 2 to 4 will not be substantially more detrimental to the neighborhood than the existing conditions. Similarly, the parking setback from Holly Lane is already non-conforming at 5', and reducing that setback to 2' will not be substantially more detrimental to the neighborhood than the current setback and will allow two full sized cars to park side-by-side. Staff believes that this project satisfies the criteria laid out in §9.05.

#### **PLANNING BOARD RECOMMENDATION**

The Planning Board is supportive of this proposal. The Board briefly discussed screening options, and suggested that screening should be composed of shrubs (lilac, privet hedge) roughly 3 to 5 feet high.

**The Planning Board recommends approval of the site plan by J.K. Holmgren Engineering, dated October 24, 2019, subject to the following conditions:**

- 1. Prior to the issuance of a building permit, the applicant shall electronically submit a final site plan, stamped and signed by a registered engineer or land surveyor, to the Assistant Director of Regulatory Planning for review and approval.**
- 2. Prior to the issuance of a building permit, the applicant shall electronically submit a landscaping plan indicating all counterbalancing amenities to the Assistant Director of Regulatory Planning for review and approval.**

- 3. Prior to the issuance of a building permit, the applicant shall 1) electronically submit the site plan and landscaping plan displaying the approval stamp of the Assistant Director of Regulatory Planning; and 2) evidence that the Board of Appeals decision has been obtained from the Town Clerk's office by the applicant or their representative and recorded at the Registry of Deeds.**

*cjl*

**Subject Site**



**Aerial Photograph - Neighborhood Context**

