



Planning Department

**CITY of BOSTON**

MEMORANDUM

TO: Sherry Dong  
Chairwoman, City of Boston Board of Appeal

FROM: Joanne Marques  
Planning Department

DATE: July 23, 2026

RE: Planning Department Recommendations

---

Please find attached, for your information, Planning Department recommendations for the July 28, 2026 Board of Appeals Hearing.

Also Included:

320 Summer ST Boston 02210

If you have any questions please feel free to contact me.



|                                          |                                                                                                                                                                          |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1850866                                                                                                                                                               |
| <b>ZBA Submitted Date</b>                | 2026-05-18                                                                                                                                                               |
| <b>ZBA Hearing Date</b>                  | 2026-07-23                                                                                                                                                               |
| <b>Address</b>                           | 85 Everett ST East Boston 02128                                                                                                                                          |
| <b>Parcel ID</b>                         | 0104966000                                                                                                                                                               |
| <b>Zoning District &amp; Subdistrict</b> | East Boston Neighborhood<br>EBR-3                                                                                                                                        |
| <b>Zoning Article</b>                    | 53                                                                                                                                                                       |
| <b>Project Description</b>               | The proposed project seeks to add a roof deck to an existing three-unit residential building. The scope includes new interior stairs to provide access to the roof deck. |
| <b>Relief Type</b>                       | Conditional use                                                                                                                                                          |
| <b>Violations</b>                        | Roof Structure Restrictions                                                                                                                                              |

#### **Planning Context:**

The proposed project at 85 Everett Street adds a roof deck to an existing three-story, three-unit residential building. The scope includes constructing interior stairs to provide the uppermost unit with private access to the roof deck.

The area surrounding the site is predominantly residential in character. One-, two-, and three-unit buildings make up the largest residential typologies. Larger multifamily buildings, including four- to six-unit and seven-or-more-unit properties, are present within the surrounding neighborhood context.

Lots in the vicinity are generally narrow and elongated. Along Everett Street, the prevailing pattern is a single building per lot, typically rising three to four stories in height, with building footprints occupying a substantial portion of the front lot area. The property is located within the East Boston Neighborhood Restricted Roof Area, where additional scrutiny applies to roof decks and other roof structures.

#### **Zoning Analysis:**

The proposal received one zoning citation concerning roof-structure restrictions. The property lies within the East Boston Neighborhood Restricted Roof Area, where roof structures are governed by Article 53, Section 53-25.



Section 53-25.2 permits open roof decks subject to standards governing location, height, access, and appurtenant structures. The proposal includes a 337-square-foot open roof deck on the main roof of the existing three-unit residential building, with interior access and cable guardrails. Dimensional relief is required because portions of the deck and guardrail do not maintain the required five-foot setback from the rear and east roof edges.

The deck's configuration responds to the roof's narrow dimensions and existing physical conditions. It is set back 2 feet 4 inches from the rear edge and extends to the east roof edge at the rear corner. Within this constrained area, the design preserves a clear 36-inch path from the roof hatch while accommodating the existing skylight. Providing the full five-foot setbacks would require a substantial reduction and reconfiguration of the deck, limiting its usability.

The requested relief is therefore confined to the rear and east roof-edge setbacks. Positioned toward the rear and contained within the existing roof area, the deck does not alter the street-facing facade and is not prominently visible from Everett Street, minimizing its effect on the streetscape.

The plans reviewed are titled "85 EVERETT ST #3 - ROOF DECK", prepared by Flow Design Architects and issued for review on March 10, 2026.

**Recommendation:**

In reference to BOA1850866, The Planning Department recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                                                                                                                                                                                      |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1819861                                                                                                                                                                                                                                           |
| <b>ZBA Submitted Date</b>                | 2026-02-10                                                                                                                                                                                                                                           |
| <b>ZBA Hearing Date</b>                  | 2026-07-23                                                                                                                                                                                                                                           |
| <b>Address</b>                           | 203 Falcon ST East Boston 02128                                                                                                                                                                                                                      |
| <b>Parcel ID</b>                         | 0103280000                                                                                                                                                                                                                                           |
| <b>Zoning District &amp; Subdistrict</b> | East Boston Neighborhood<br>EBR-3                                                                                                                                                                                                                    |
| <b>Zoning Article</b>                    | 53                                                                                                                                                                                                                                                   |
| <b>Project Description</b>               | The proposal seeks to renovate and vertically expand the existing two-story residential building. The scope includes a full interior renovation, construction of a new third story, and improvements to the building's facade and exterior envelope. |
| <b>Relief Type</b>                       | Conditional Use                                                                                                                                                                                                                                      |
| <b>Violations</b>                        | Roof Structure Restrictions                                                                                                                                                                                                                          |

#### **Planning Context:**

The proposed project at 203 Falcon Street adds a third story to an existing two-story, one-unit residential building. It renovates all interior levels and includes improvements to the exterior facade and building envelope. The surrounding area is predominantly residential, with two-, three-, and four- to six-unit buildings representing the principal typologies.

Nearby lots are generally narrow and elongated. Along Falcon Street, the prevailing pattern is one building per lot, typically two to three stories tall, with footprints occupying much of the front lot area.

The property is within the East Boston Neighborhood Restricted Roof Area, where additional zoning limitations apply to roof structures and upper-level improvements.

Because the work is within 100 feet of the American Legion Playground, a Boston public park, it is subject to Boston Municipal Code Section 7-4.11.

#### **Zoning Analysis:**



The proposal received one citation for roof-structure restrictions. The property lies within the East Boston Neighborhood Restricted Roof Area.

Article 53, Section 53-25.1 requires conditional use approval under Sections 6-2, 6-3, and 6-4 for a roofed addition that alters an existing residential roof. The Board must consider potential damage to the uniformity of height or architectural character of the immediate vicinity. The proposal raises no Section 6-3 concerns regarding residential use, vehicle or pedestrian safety, or nuisance. Its neighborhood impact relates to the addition's design and placement.

203 Falcon Street is a two-story residential building in the middle of a contiguous row of brick rowhouses. The buildings share a consistent set of architectural features including an ornate cornice, stone window surrounds, and a raised arched entrance with masonry steps. The addition is approximately 9 feet 10 inches high, with its front wall at the front roof edge. From Falcon Street, it reads as a full story above the cornice and reduces visual separation between the existing building and new construction. Its full-story massing and limited setback make it appear oversized in relation to the existing building. Because this would be the first vertical addition in the adjoining row of houses along Falcon Street, the proposal may influence future rooftop additions. Similar additions at the front roof edge could alter the row's visible roofline and architectural character.

Section 6-4 allows the Board to condition approval through changes to the structure's size and exterior appearance. The proposal would benefit from closer attention to the addition's height, setback from the front roof edge, and relationship to the existing building. Refining these elements would reduce the addition's prominence when viewed from Falcon Street, improve its visual separation from the existing structure, and establish a more contextually appropriate precedent for similar additions along the row. Urban Design review is recommended.

The plans reviewed are titled "203 Falcon Street, East Boston, MA", prepared by Design Build Architects and issued for review on February 6, 2026.

### **Recommendation:**

In reference to BOA1819861, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Planning Department for design review with attention to the height of the addition and other design features to reduce the prominence of the addition when viewed from Falcon Street and visual separation from the existing structure.



Planning Department

**CITY of BOSTON**

Reviewed,

A handwritten signature in black ink, reading "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                                                                                          |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1839249                                                                                                                                               |
| <b>ZBA Submitted Date</b>                | 2026-04-14                                                                                                                                               |
| <b>ZBA Hearing Date</b>                  | 2026-07-23                                                                                                                                               |
| <b>Address</b>                           | 59H to 59 Washington ST Charlestown 02129                                                                                                                |
| <b>Parcel ID</b>                         | 0203895000                                                                                                                                               |
| <b>Zoning District &amp; Subdistrict</b> | Charlestown Neighborhood<br>3F-2000                                                                                                                      |
| <b>Zoning Article</b>                    | 62                                                                                                                                                       |
| <b>Project Description</b>               | Renovate an existing two-and-a-half-story, two-family home and construct a new rear dormer and rear addition above the existing two-story rear addition. |
| <b>Relief Type</b>                       | Variance, Conditional Use                                                                                                                                |
| <b>Violations</b>                        | Rear Yard Insufficient<br>Roof Structure Restrictions                                                                                                    |

**Planning Context:**

Located in a dense, residential portion of Charlestown, 59H-59 Washington Street is a two-and-a-half-story, two-unit dwelling with a pitched roof and an existing two-story rear addition supporting a deck. The existing structure is built with a zero-lot-line condition along the rear property line, separated from the buildings to the rear by a narrow passageway. The surrounding neighborhood features traditional Charlestown blocks of row houses accommodating one- to three-family dwellings that typically stand two to three stories tall with pitched roofs and single- or two-story rear additions spanning the depth of the long, narrow lots. While nearby rear yard conditions vary between paved parking areas and grass lawns, the subject lot deviates from the standard pattern by being approximately twice as wide as surrounding parcels, accommodating a sizable side yard and driveway.

The proposed project involves a vertical expansion of the existing two-story rear addition to create a full third story. This scope includes a large, new, rear dormer, and additional deck, and new third-story living space. Nearby properties at 35 and 37 Washington Street establish context for this addition, as they feature similar large rear dormers that expand livable space into a full third story rather than restricting it under a traditional pitched roof.

Finally, the lot is located within both the Charlestown Neighborhood Design Overlay District (NDOD) and the Restricted Roof Structure District: Charlestown Neighborhood, requiring the issuance of a Conditional Use Permit for the proposed rooftop structures.



**Zoning Analysis:**

The proposed project requires a variance for an Insufficient Rear Yard and a Conditional Use Permit pursuant to Article 62-25.

The existing building at 59H-59 Washington Street features a zero-lot-line condition along the rear property line, creating a zero-foot setback where the 3F-2000 subdistrict requires a 20-foot rear yard. Although the project involves a rear addition, it does not alter how the existing structure aligns with the rear lot line, leaving the current setback violation unchanged. The proposed construction is concentrated immediately to the rear of the main two-and-a-half story structure and does not extend across the full length of the existing rear addition. Because this zero-lot-line condition is a product of the pre-existing structure that does not directly impact adjacent privately owned lots, and since the rear portion of the structure sharing a lot line falls outside the scope of work, relief is appropriate for the dimensional violation.

A significant proportion of the proposed rear addition consists of a dormer on the rear of the roof, triggering the requirement for a Conditional Use Permit under Article 62-25. The proposed dormer design is contextually consistent with other dormers found on properties fronting Washington Street. Additionally, the dormer will not alter the building's overall height or the slope of the existing roof, and will not be visible from Washington Street. Because the design complies with the requirements of Article 62-25, the Conditional Use Permit should be granted.

Finally, while the scope and scale of the proposed addition technically meet criteria for Planning Department Design Review under the Charlestown NDOD, no part of the addition will be visible from a public way. The addition is designed at a lower height than the primary residential structure, blocking it from view along Washington Street, while adjacent properties provide more than adequate screening from Union Street. As such, formal Planning Department Design Review is not recommended for this project.

Plans reviewed are titled "Washington St. Residences 59 Washington Street Charlestown, MA 02129" prepared by Studio47 Architects, Inc. and dated 03/10/2026.

**Recommendation:**

In reference to BOA1839249, The Planning Department recommends APPROVAL.



Planning Department

**CITY of BOSTON**

Reviewed,

A handwritten signature in black ink, reading "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                         |
|------------------------------------------|-------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1860034                                                              |
| <b>ZBA Submitted Date</b>                | 2026-06-10                                                              |
| <b>ZBA Hearing Date</b>                  | 2026-07-23                                                              |
| <b>Address</b>                           | 478 to 484 W Broadway South Boston 02127                                |
| <b>Parcel ID</b>                         | 0601889000                                                              |
| <b>Zoning District &amp; Subdistrict</b> | South Boston Neighborhood<br>Multifamily Residential/ Local Services    |
| <b>Zoning Article</b>                    | 68                                                                      |
| <b>Project Description</b>               | Adding external signs to new restaurant.<br>Associated with BOA1860029. |
| <b>Relief Type</b>                       | Variance                                                                |
| <b>Violations</b>                        | On-Premise Signs in Non-Residential Districts                           |

#### **Planning Context:**

478 to 484 W Broadway sits at the heart of the mixed use area of South Boston. The building is on the corner of W Broadway and Dorchester Street, two main commercial corridors in the neighborhood. There are many similar uses in this area, including restaurants with takeout. The project is intending to add three types of signs to the exterior of the building, an illuminated window sign, a window mural exceeding thirty percent of the total glass area of the window, and a blade sign located away from the entrance.

#### **Zoning Analysis:**

The project is proposing an illuminated sign where one is not allowed, a violation of Article 11-2(c), and a wall mural that covers more than thirty percent of the total glass window area (11-2(c)). Additionally, the project intends to have more than one sign for the entrance of the establishment, a violation of 11-2(d)(i). All three signs require a variance. It should be noted that recent sign code modernizations have been passed with significant updates to Article 11. Under the new zoning, a wall mural is now considered an exempt sign, and would be allowed as-of-right, so long as it does not advertise the establishment. Furthermore, the blade sign and the illuminated signs are both allowed signs under new zoning. The signage for this project is contextually appropriate for this area given its location at a major commercial intersection along a major commercial corridor. The Planning Department recommends that the window sign be non illuminated and that all signs be on a dimmer. Additionally, there is no clearance height



labeled for the blade sign. It needs to be 10' minimum height if it's projecting into the public right of way and only 8' if it's over private property.

Plans reviewed are titled "Just Salad Stamped Set for ZBA" and were reviewed on 05/08/26.

**Recommendation:**

In reference to BOA1860034, The Planning Department recommends APPROVAL WITH PROVISIO/S: that the window sign be non-illuminated; that all signs be on a dimmer; that the blade sign have a 10' minimum clearance height over any projections into the publicly right of way and 8' minimum clearance height over any projections over private property.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                                              |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1860029                                                                                                   |
| <b>ZBA Submitted Date</b>                | 2026-06-10                                                                                                   |
| <b>ZBA Hearing Date</b>                  | 2026-07-23                                                                                                   |
| <b>Address</b>                           | 478 to 484 W Broadway South Boston 02127                                                                     |
| <b>Parcel ID</b>                         | 0601889000                                                                                                   |
| <b>Zoning District &amp; Subdistrict</b> | South Boston Neighborhood<br>MFR/LS                                                                          |
| <b>Zoning Article</b>                    | 68                                                                                                           |
| <b>Project Description</b>               | The project intends to change its use from commercial space to commercial space and restaurant with takeout. |
| <b>Relief Type</b>                       | Conditional Use                                                                                              |
| <b>Violations</b>                        | Conditional use permit required                                                                              |

**Planning Context:**

478 to 484 W Broadway sits at the heart of the mixed use area of South Boston. The building is on the corner of W Broadway and Dorchester Street, two main commercial corridors in the neighborhood. There are many similar uses in this area, including restaurants with takeout. The project is proposing a change of use to add a restaurant with takeout on the first floor of the building, with no exterior renovations. The entrance to the restaurant will face the W Broadway and Dorchester Street intersection. The building has approximately 13 foot sidewalks that line either side and crosswalks at each street with street trees.

**Zoning Analysis:**

The project requires a conditional use permit to add a restaurant with takeout. This project is contextually appropriate given its location along a commercial corridor and adjacent to other takeout restaurants in the same subdistrict. The area, in general, is a highly-walkable, pedestrian-accessible area that is well suited for a takeout restaurant. Additionally, the change in use requires no construction or displacement, and thus no disruption to the surrounding area. The project meets the conditions of Article 6-3. A conditional use permit is recommended.

Plans reviewed are titled "Just Salad 160 480 West Broadway Unit 1 Boston, MA 02127" and were reviewed on 05/01/26.

**Recommendation:**



In reference to BOA1860029, The Planning Department recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                                         |
|------------------------------------------|---------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1857382                                                                                              |
| <b>ZBA Submitted Date</b>                | 2026-06-03                                                                                              |
| <b>ZBA Hearing Date</b>                  | 2026-07-23                                                                                              |
| <b>Address</b>                           | 392 to 394 Geneva AV Dorchester 02122                                                                   |
| <b>Parcel ID</b>                         | 1501036000                                                                                              |
| <b>Zoning District &amp; Subdistrict</b> | Dorchester Neighborhood<br>LC                                                                           |
| <b>Zoning Article</b>                    | 65                                                                                                      |
| <b>Project Description</b>               | Remove the proviso to allow restaurant take out service which was granted to a previous petitioner only |
| <b>Relief Type</b>                       | Conditional Use                                                                                         |
| <b>Violations</b>                        | Remove Conditional Use Proviso                                                                          |

**Planning Context:**

The project site is located in a residential neighborhood on a mixed use corridor consisting of retail and service amenities. The take out operation within the existing restaurant required a conditional use and was granted in 2004. The project needs to go before the Zoning Board of Appeal in order to change the restriction that limits the take out operations to the previous owner. There are no structural alterations proposed, and the proposed use is staying consistent with the previous use.

**Zoning Analysis:**

The previously granted conditional use, including the take out proviso was granted only to the petitioner, the previous owner of the establishment. The only proposed change for this site is the ownership of the restaurant. The use remains consistent with existing neighborhood context. It is recommended that the conditional use continue under the new ownership and that the petitioner-specific proviso be removed.

**Recommendation:**

In reference to BOA1857382, The Planning Department recommends APPROVAL.



Planning Department

**CITY of BOSTON**

Reviewed,

A handwritten signature in black ink, reading "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                      |
|------------------------------------------|----------------------------------------------------------------------|
| <b>Case</b>                              | BOA1715115                                                           |
| <b>ZBA Submitted Date</b>                | 2025-04-28                                                           |
| <b>ZBA Hearing Date</b>                  | 2026-07-23                                                           |
| <b>Address</b>                           | 655 William T Morrissey BL Dorchester 02122                          |
| <b>Parcel ID</b>                         | 1600220000                                                           |
| <b>Zoning District &amp; Subdistrict</b> | Dorchester Neighborhood Community Commercial                         |
| <b>Zoning Article</b>                    | 65                                                                   |
| <b>Project Description</b>               | Add the sale of used cars to the existing commercial uses on the lot |
| <b>Relief Type</b>                       | Variance                                                             |
| <b>Violations</b>                        | Forbidden Use                                                        |

### **Planning Context:**

The location of the proposed project is in the Neponset area of Dorchester, directly south of Savin Hill and almost a mile east of Fields Corner. In this area, major thoroughfares run parallel to each other: Morrissey Boulevard and I-93. Auto-related uses and transportation are common in this area. The proposed project is to allow an additional commercial use to an existing gas station and garage. The proposed commercial use is used car sales. Various commercial uses, including but not limited to new and used car sales, gas stations, and auto repair shops are commonly found along this corridor. It is also common for multiple of these uses to exist on the same lot. Notably, the site abuts a single-family residential district along the rear lot line.

### **Zoning Analysis:**

The proposed project to add a commercial use to the existing commercial lot violated one use standard of the zoning code. The outdoor sale of new or used cars is a forbidden use in the Community Commercial District. According to Article 65-14, the Community Commercial District is meant to, "provid[e] a diversified commercial environment serving larger markets. All three types of Neighborhood Business Subdistricts encourage the development of neighborhood businesses that provide essential goods and services to, as well as jobs and entrepreneurial opportunities for, the Dorchester community."



The intended use will not cause a dangerous increase in intensity provided that the current parking (7 spaces) and site layout remains the same as indicated in the plans and that the site is properly screened with fencing along the rear lot line. Therefore, the forbidden use violation is recommended for approval of a variance.

Plans reviewed are titled "Site Plan of Land Located at 655 Morrissey Boulevard Dorchester, MA", prepared by Boston Survey, Inc., and dated 10/23/2024.

**Recommendation:**

In reference to BOA1715115, The Planning Department recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                   |
|------------------------------------------|-----------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1855992                                                                        |
| <b>ZBA Submitted Date</b>                | 2026-05-29                                                                        |
| <b>ZBA Hearing Date</b>                  | 2026-07-23                                                                        |
| <b>Address</b>                           | 163 Beech ST Roslindale 02131                                                     |
| <b>Parcel ID</b>                         | 2000689000                                                                        |
| <b>Zoning District &amp; Subdistrict</b> | Roslindale Neighborhood<br>1F-6000                                                |
| <b>Zoning Article</b>                    | 67                                                                                |
| <b>Project Description</b>               | This project encloses an existing deck at the rear of a home to create a sunroom. |
| <b>Relief Type</b>                       | Variance                                                                          |
| <b>Violations</b>                        | Side Yard Insufficient<br>Rear Yard Insufficient                                  |

**Planning Context:**

The project at 163 Beech St proposes enclosing an existing deck to create a sunroom. The property is located in a residential area of Roslindale that is made up of primarily one and two-unit homes with low to moderate lot coverage. Rear decks and porches are a common feature of homes in this area.

**Zoning Analysis:**

This proposal has triggered two zoning violations: side yard and rear yard insufficient.

The minimum required side yard setback is 10 feet and the required rear yard setback is 40 feet. The side yard setback is 6.5 feet on one side and 14.8 on the other. The rear yard setback is 32 feet. These are both existing nonconformities as the enclosure wraps around the existing deck and does not worsen the side or rear yard setbacks.

Plans reviewed are titled "Greenaway Residence 163 Beech St Roslindale, MA" prepared by Briar Bayer Architect, and dated May 1, 2026.

**Recommendation:**

In reference to BOA1855992, The Planning Department recommends APPROVAL.



Planning Department

**CITY of BOSTON**

Reviewed,

A handwritten signature in black ink, reading "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                                                                                                                                                                     |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1851194                                                                                                                                                                                                                          |
| <b>ZBA Submitted Date</b>                | 2026-05-19                                                                                                                                                                                                                          |
| <b>ZBA Hearing Date</b>                  | 2026-07-23                                                                                                                                                                                                                          |
| <b>Address</b>                           | 16 High Rock WY Allston 02134                                                                                                                                                                                                       |
| <b>Parcel ID</b>                         | 2101083000                                                                                                                                                                                                                          |
| <b>Zoning District &amp; Subdistrict</b> | Allston/Brighton Neighborhood<br>3F-4000                                                                                                                                                                                            |
| <b>Zoning Article</b>                    | 51                                                                                                                                                                                                                                  |
| <b>Project Description</b>               | Erect a two-story rear addition to an existing single-unit residential building to expand the existing kitchen and primary bathroom and create a game/green room and an office. Renovations also include adding an entry vestibule. |
| <b>Relief Type</b>                       | Variance                                                                                                                                                                                                                            |
| <b>Violations</b>                        | Front Yard Insufficient<br>Side Yard Insufficient<br>Rear Yard Insufficient                                                                                                                                                         |

#### **Planning Context:**

The proposed project seeks to renovate an existing single-unit residential building by erecting a two-story rear addition. This addition would expand the kitchen and primary bathroom and create a game/green room and an office. Renovations also include creating an entry vestibule. The existing building is a 2.5-story, three-bedroom residential building with a rear deck. No changes to the number of bedrooms are proposed. The first floor renovations include expanding the kitchen, converting an enlarged study into a game/green room, and creating an entry vestibule, where none currently exists. The second floor renovations include expanding the primary bedroom to create a walk-in closet and a primary bathroom. The lot directly abuts Ringer Park to its rear. There also appears to be common discrepancies with front, side, and rear yard within this street as many properties do not meet the minimum required yards. This project would further the goals outlined in the Allston-Brighton Needs Assessment (January 2024) as it would allow property owners to enhance their living spaces to meet their needs while preserving the existing structure.

#### **Zoning Analysis:**



The refusal letter states three citations: insufficient front yard, insufficient side yard, and insufficient rear yard.

The minimum required front yard is 20 feet while the project proposes a front yard of 10 feet. Relief is warranted due to the placement of the existing structure. The existing front yard is 15.1 feet. While the main addition is in the rear, the decrease in the front yard is due to the creation of an entry vestibule. The entry vestibule would have the proposed project align with the residential buildings on the street, many of which either have an entry vestibule or a covered porch. Additionally, many of these properties do not conform with the minimum front yard. For example at 10 High Rock Way, the stairs and porch start from the front property line. This is a case for zoning reform to align the dimensional regulations with the current built environment.

The minimum required side yard is 5 feet from a side lot line and 10 feet from an existing structure on an abutting lot with an aggregate no less than 15 feet. The project proposes a west side yard of 6.2 feet and an east side yard of 5 feet. Because the aggregate is 12.6 feet, it does not meet the 15 feet requirement. However, relief is warranted because of the expansion of living space. Because this is an expansion of an existing structure, the west side yard did not change to continue to accommodate the driveway to the existing garage. However, the east side yard decreased to 5 feet to replace the existing deck with a 1-story addition that would expand the kitchen. However, while the aggregate does not meet the 15' requirement, it still meets the 5 feet from the side lot line and 10 feet from a project on an abutting site as it is 17.5 feet from the structure on the abutting lot.

The minimum required rear yard is 30 feet, while the project proposes a rear yard of 27.7 feet. Relief is warranted because of the size and dimensions of the lot. The lot measures approximately 65 feet by 72 feet, and maintaining a 30-foot rear yard would significantly limit the developable area of the lot and the ability to provide living space comparable to the surrounding residential structures along High Rock Way. The requested relief is associated with the proposed rear addition and deck, which would allow for an expansion of living space while maintaining the existing structure.

Because the rear yard of the proposed building directly abuts Ringer Park, it will also undergo Parks Design Review as per Ordinance 7.4-11.



The plans reviewed are titled ZBA REFUSED EPLANS\_16 HIGH ROCK WAY\_ALT1819423 and are dated February 3, 2026. They were prepared by Salib Design.

**Recommendation:**

In reference to BOA1851194, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Department of Parks and Recreation for review.

Reviewed,

A handwritten signature in black ink, reading "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                               |
|------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1856474                                                                                    |
| <b>ZBA Submitted Date</b>                | 2026-06-01                                                                                    |
| <b>ZBA Hearing Date</b>                  | 2026-07-28                                                                                    |
| <b>Address</b>                           | 43 Eastwood CC West Roxbury 02132                                                             |
| <b>Parcel ID</b>                         | 2010677000                                                                                    |
| <b>Zoning District &amp; Subdistrict</b> | West Roxbury Neighborhood<br>1F-6000                                                          |
| <b>Zoning Article</b>                    | 56                                                                                            |
| <b>Project Description</b>               | The project proposes to erect a new single-unit dwelling on a newly subdivided lot.           |
| <b>Relief Type</b>                       | Variance                                                                                      |
| <b>Violations</b>                        | Lot Frontage Insufficient<br>Lot Area Insufficient<br>Lot Width Insufficient<br>FAR Excessive |

#### **Planning Context:**

43 Eastwood CC sits in a low-density residential areas of West Roxbury that is made up of largely 1-unit homes. The surrounding dwelling heights are mostly one- to two and a half-story buildings. The existing structure is a one-story building with an attached back patio, the lot also holds a shed in the rear and a detached garage in the front. The existing structure sits on a 10,925 sqft lot. The proposed project includes subdividing the existing lot, demolishing the existing structure, and creating two single-unit dwellings on the newly subdivided lots. It should be noted that the newly constructed garage in the rear seems to be showing the removal of a mature tree. The Planning Department supports the protection of mature trees and this plan should aim to preserve or replace the existing tree canopy. The new lot for 43 Eastwood CC would become 5,593 sqft. Many of the surrounding lots on Eastwood Circuit are similar in size to the newly subdivided lot. For example, 30 Eastwood CC (4,763 sqft), 34 Eastwood CC (5,102 sqft), 31 Eastwood CC (4,275 sqft) and 35 Eastwood CC (4,275 sqft). This case is a companion case to 45 Eastwood CC which has yet to be publicly notified.

#### **Zoning Analysis:**

The zoning refusal letter states four violations of the Zoning Code: Lot Area Insufficient (Article 56, Section 8), Lot Width Insufficient (Article 56, Section 8), Lot Frontage Insufficient (Article 56, Section 8), and FAR Excessive (Article 56, Section 8).



The project has been cited for insufficient lot area. The zoning code requires a lot of 6,000 sqft, while the new subdivided lot will become 5,593 sqft. This project highlights a disconnect between the zoning code and built reality. The proposed lot is of a similar size to typical lots for the neighborhood. If this regulation were to be strictly followed, many of the existing lots within this area would not be allowed under this regulation.

The project is also cited for insufficient lot width and insufficient lot frontage. In this case they follow the same dimensional requirements, and the frontage and width are the same measurement at the front of the property. The lot width and frontage is 44 feet while the zoning code requires a frontage of 60 feet. There are similar sized lot frontages on Eastwood CC which include 14, 18, 30, and 34 Eastwood CC, which range from 44 feet - 53 feet.

The maximum FAR for this lot is 0.4 and the proposed FAR is 0.495 for the proposed project. There are several examples of homes that exceed the maximum FAR requirement in the immediate vicinity, such as 30 Eastwood CC (0.63), 34 Eastwood CC (0.45), 35 Eastwood CC (0.44). Because the project's FAR would not be out of conformity with surrounding properties and the new building footprint maintains appropriate lot coverage, as additionally evidenced by the fact that there are no violations of required minimum yards.

While the overall plans are appropriate, procedural requirements for both cases indicate the need for deferral.

The plans reviewed are titled Plans for ZBA-43 Eastwood Circuit and were reviewed on 3/23/25. The plans were prepared by People Architects.

**Recommendation:**

In reference to BOA1856474, The Planning Department recommends DEFERRAL: To wait for the companion project on 45 Eastwood CC due to the fact that both cases are on the newly subdivided lots which originated from the same parent parcel.

Reviewed,

Deputy Director of Zoning



*Planning Department*

**CITY of BOSTON**



|                                          |                                                                                                                                                                             |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1859995,BOA1859988 and BOA1859998                                                                                                                                        |
| <b>ZBA Submitted Date</b>                | 2026-06-10                                                                                                                                                                  |
| <b>ZBA Hearing Date</b>                  | 2026-07-28                                                                                                                                                                  |
| <b>Address</b>                           | 101 to 101A Milton ST Dorchester 02124<br>99 to 99A Milton ST Dorchester 02124<br>97 to 97A Milton ST Dorchester 02124                                                      |
| <b>Parcel ID</b>                         | 1605374000                                                                                                                                                                  |
| <b>Zoning District &amp; Subdistrict</b> | Dorchester Neighborhood<br>1F-5000                                                                                                                                          |
| <b>Zoning Article</b>                    | 65                                                                                                                                                                          |
| <b>Project Description</b>               | This project seeks to build three, two-unit dwellings on a lot immediately adjacent to Cedar Grove Cemetery.                                                                |
| <b>Relief Type</b>                       | Variance, Conditional Use                                                                                                                                                   |
| <b>Violations</b>                        | Two or More Dwelling Same Lot<br>Lot Area Insufficient<br>Lot Frontage Insufficient<br>Front Yard Insufficient<br>Rear Yard Insufficient<br>Main Entrance<br>Use: Forbidden |

### Planning Context:

The project at 101 to 101A Milton St shares the same lot with the projects at 97 to 97A Milton St (BOA1859998) and 99 to 99A Milton St (BOA1859988). While this analysis is written for the project at 101 to 101A Milton St, ultimately the three projects will share the same recommendation

This project proposes a two unit dwelling (on the same lot as two other two unit dwellings at 97-97A and 99-99A Milton St) on a vacant lot immediately adjacent to the Cedar Grove Cemetery. Each unit will have two bedrooms and the overall dwelling will be 2.5 stories in height.

Directly outside of the cemetery, there is a residential area in addition to a few instances of commercial establishments integrated within the residential buildings. This area features a mix of one-, two-, and the occasional three-unit buildings. Lots in this area tend to have higher lot coverage and tight front and side yard setbacks.

Homes and lots along this street display a range of sizes and characteristics relative to the proposed project, from single-unit detached dwellings to triple deckers and small multifamily



buildings. Building heights range from 1.5 to three stories, with both sloped and flat roof forms present.

### **Zoning Analysis:**

In 2024, this address underwent a zoning reassignment from OS-CM to 1F-5000. This project was flagged for seven zoning violations: lot area insufficient, two or more dwellings on one lot, use, lot frontage insufficient, front and rear yard insufficient, and location of main entrance.

A minimum lot area of 30,000 sq ft is required for this project (5,000 sq ft for each unit), but the lot size is 15,876 sq ft. Homes in the area show similar levels of lot density. Across the street, there is a three-unit dwelling on 3,600 sq ft at 94-96 Granite Ave as well as a three-unit dwelling on 98-100 Granite Ave. There is yet another three-unit dwelling at 114-116 Granite Ave on a 3,700 sq ft lot. Additionally, most lots do not meet the minimum as most lots in the area are below 5,000 square feet. Because lot density for this project does not violate what is already established in the area, relief is recommended.

Two or more dwellings on the same lot and six units in a 1F-5000 zoning subdistrict is forbidden, but relief is recommended for reasons similar to the lot size, where the lot density patterns follow what is already established in the area. There are several examples of a similar density observed in a 1-2 block radius of this project.

A minimum of 50 feet for lot frontage is required, and the actual lot frontage measures 147 feet. This is an incorrectly cited violation and relief is not required.

A front yard setback of 15 feet and rear yard depth of 40 feet are required for this lot, and this project presents a front yard setback of 10 feet and rear yard depth of 10 feet. Although the proposal does not fully meet the required dimension, yard violations are prevalent among homes in the immediate vicinity because yard setback requirements are not scaled to the size of the lots in this area. Several more similar patterns of nonconformity are established on this street, such as front yard violations on nearly every property across the street and rear yard violations at 96 Milton St, 102 Milton St, and 71 Granite Ave.

Location of the main entrance is cited as a violation for one of the three units. Article 65 Section 9.2 states that "within the Residential Subdistricts, the main entrance of a Dwelling shall face the Front Lot Line." The unit at 101 to 101A Milton St were cited for its main entrance not facing the front lot line, which presents an issue to the fire department. The Planning Department



recommends Design Review to work with the proponent on enhancing the walkway, lighting, and adding signage that clearly indicates where the main entrance to the three units is located. Relief is recommended once appropriate entryway visibility is met.

Design review is further recommended to review the off-street parking layout and reduce the number of parking spaces from twelve to eight.

Plans reviewed are titled "Proposed Two Family Home 101 Milton St, Dorchester, MA 02124" and is dated March 31, 2025.

**Recommendation:**

In reference to BOA1859995, The Planning Department recommends APPROVAL WITH PROVISIO/S: that the number of off-street parking spaces be reduced to no more than eight and and that plans be submitted to the Planning Department for design review to review the off-street parking design and permeability of the lot.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                                                                           |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1827377                                                                                                                                |
| <b>ZBA Submitted Date</b>                | 2026-03-11                                                                                                                                |
| <b>ZBA Hearing Date</b>                  | 2026-07-28                                                                                                                                |
| <b>Address</b>                           | 516 Harvard ST Mattapan 02126                                                                                                             |
| <b>Parcel ID</b>                         | 1404636000                                                                                                                                |
| <b>Zoning District &amp; Subdistrict</b> | Greater Mattapan Neighborhood<br>R2                                                                                                       |
| <b>Zoning Article</b>                    | 60                                                                                                                                        |
| <b>Project Description</b>               | Change the use of an existing building from three units to four units.                                                                    |
| <b>Relief Type</b>                       | Variance                                                                                                                                  |
| <b>Violations</b>                        | Use - Basement Forbidden<br>Use - 3 dwelling units max allowed<br>Location of main entrance to basement unit is not facing front lot line |

**Planning Context:**

The proponent seeks to change the use of a pre-existing three-unit, 3-story dwelling to four units by renovating the basement and converting it to a full floor and a separate unit. With this proposal, the pre-existing second and third floor will remain intact, while the addition of the basement unit will reconstruct the means of egress and staircase for the basement on the first floor from the rear. It is clear from the drawings that the expansion of the basement unit into a liveable unit will be dignified through the renovations taking place. Such changes to ensure the unit will be livable include, removing existing walls to expand the living room, hardwiring new smoke and carbon monoxide detectors, airseal all penetrations between first floor and basement unit at the subfloor level, provide new ventilation and fan for bathroom, widening egress windows for all bedrooms, and insulate exposed foundation. With its residential surroundings, the lot is within walking distance to the Mass Audubon's Boston Nature Center and Wildlife Sanctuary and Harambee Park. Adjacent properties range from 3 stories multi-residential units with basement entrances to the rear of the house to 2.5 stories with basement entrances to the rear of the house. The property is assessed as a three family dwelling, but the refusal letter states that the occupancy will change to a four family dwelling. However, the renovation of the basement



uses an internal ADU approach with its extended living space. Creating extra spaces within an existing structure is in line with PLAN: Mattapan's residential fabric recommendation.

**Zoning Analysis:**

According to Article 60.2, "The (R2) Subdistricts are established to preserve, maintain, and promote low density two-family neighborhoods, to preserve existing structures, to provide for new infill construction appropriate to the existing fabric, and to allow minor changes as of right". Moreover, "the maximum number of Dwelling Units allowed in a single Building is two (2)", but in the case of the current property, it is already a 3 dwelling unit, an existing non conformity, seeking to expand to 4 dwelling unit with the changes proposed considered an Accessory Dwelling Unit, non detached. The changes proposed will be contextual in design and massing to its surroundings.

Plans reviewed are titled "516 Harvard St, Mattapan, MA 02126" and is dated 12-18-2025.

**Recommendation:**

In reference to BOA1827377, The Planning Department recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                                                                                                                                                                                             |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1855366                                                                                                                                                                                                                                                  |
| <b>ZBA Submitted Date</b>                | 2026-05-28                                                                                                                                                                                                                                                  |
| <b>ZBA Hearing Date</b>                  | 2026-07-28                                                                                                                                                                                                                                                  |
| <b>Address</b>                           | 32 Fisher AV Mission Hill 02120                                                                                                                                                                                                                             |
| <b>Parcel ID</b>                         | 1001328000                                                                                                                                                                                                                                                  |
| <b>Zoning District &amp; Subdistrict</b> | Mission Hill Neighborhood<br>3F-2000                                                                                                                                                                                                                        |
| <b>Zoning Article</b>                    | 59                                                                                                                                                                                                                                                          |
| <b>Project Description</b>               | The proposed project will add a new residential unit to the attic of the existing structure which will increase the legal unit count from three to four units. The project will also remove an existing, unpermitted unit in the basement of the structure. |
| <b>Relief Type</b>                       | Variance                                                                                                                                                                                                                                                    |
| <b>Violations</b>                        | FAR Excessive<br>Usable Open Space Insufficient<br>Additional Lot Area Insufficient<br>Parking or Loading Insufficient<br>Use: Forbidden                                                                                                                    |

**Planning Context:**

The proposed project is located on the through lot on Fisher Avenue in Mission Hill. Fisher Avenue is on the back of Mission Hill and the built environment there is defined by the steep grade and the web of streets that navigate that grade. Structures on Fisher Avenue are generally three to four stories and sit very close to the street with little to no yards around them. The subject property is an example with a rear yard that is supported by a retaining wall above Wensley Street to the south. Fisher Avenue is across the street from McLaughlin Playground to the north which provides ample open space for the surrounding neighborhood.

The proposed project will add a new residential unit to the attic of an existing three and a half story structure. It will also remove an existing, unpermitted residential unit in the basement of the structure. This will change the unit count of the structure from three units with one unpermitted unit to four legal units. The only exterior changes proposed are a narrow, slightly raised shed dormer to raise the ceiling height over the interior stairwell and a small deck for the new unit on the south side of the structure.



The property is within 100 feet of a park and would therefore normally be subject to Parks Design Review under Ordinance 7.4-11. The proposed 4.5 foot wide shed dormer is a very minor change, and the proposed deck will not be visible from the park because it is on the south side of the structure. Therefore, its unclear that Parks Design Review will apply.

### **Zoning Analysis:**

The project is cited for five violations including excessive floor area ratio (FAR), insufficient lot area per dwelling unit, insufficient usable open space, insufficient off-street parking, and forbidden use. Besides the last violation, the small lot sizes and significant grade in the area contribute to a non-conforming condition which is common in the neighborhood.

The maximum FAR in the district is 1.0 whereas the project proposes an FAR of 1.47. This is an example of when FAR is an unnecessarily restrictive regulation because the proposed changes to the property are almost entirely inside the existing structure. There are also examples of properties with similar FAR on Fisher Avenue.

The subdistrict requires 4,000 square feet of lot area for a four-unit residential structure whereas the subject lot is only 3,101 square feet. Four off-street parking spaces are required when there are no existing off-street parking spaces, and none are proposed. The subdistrict also requires 400 square feet of usable open space per dwelling unit. It is unclear exactly how much usable open space is on the lot but the small rear yard suggests that this is an existing non-conformity that will be worsened by the additional unit. All three of these violations are due to the small size of the lot when no significant changes are being made to the exterior of the structure. The proposed deck for the new unit will increase the livability that the usable open space provision promotes. The lot's proximity to McLaughlin Playground means that prospective tenants will have access to high-quality open space.

The project is also cited for a forbidden use because it proposes a four-unit residential structure when only three-unit buildings are allowed. There are examples of structures in the surrounding area within the 3F-2000 subdistrict that have more than three residential units. Plans reviewed "Proposed Conversion" prepared by "MDJ INC" dated 11/09/2020.

### **Recommendation:**

In reference to BOA1855366, The Planning Department recommends APPROVAL.



Planning Department

**CITY of BOSTON**

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                     |
|------------------------------------------|-------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1834698                                                                          |
| <b>ZBA Submitted Date</b>                | 2026-03-31                                                                          |
| <b>ZBA Hearing Date</b>                  | 2026-07-28                                                                          |
| <b>Address</b>                           | 47 to 49 Gray ST Boston 02116                                                       |
| <b>Parcel ID</b>                         | 0500882000                                                                          |
| <b>Zoning District &amp; Subdistrict</b> | South End Neighborhood<br>MFR                                                       |
| <b>Zoning Article</b>                    | 25, 32, 64                                                                          |
| <b>Project Description</b>               | The project proposes to add a raised rear deck to an existing residential dwelling. |
| <b>Relief Type</b>                       | Conditional Use, Variance                                                           |
| <b>Violations</b>                        | Rear Yard Insufficient<br>GCOD Applicability<br>Flood Hazard District               |

#### **Planning Context:**

47 to 49 Gray Street is in an area of the South End with a consistent building typology of Italianate rowhouse buildings backing up to private alleys with rear patios and balconies. The proposed work includes replacing the existing rear grade level deck and concrete patio with a deck to be accessed via the first floor level (above grade).

This parcel is located in both the Coastal Flooding Resilience (CFROD) and the Groundwater Conservation (GCOD) overlay districts, as well as Restricted Parking and Restricted Roof districts. The project does not propose to create new livable floorspace, and is not subject to CFROD review. Additionally, the work will not be subject to review by the South End Landmark District Commission (SELDC) as none of the proposed work will be visible from a public street. The project will be subject to review by the Boston Water and Sewer Commission (BWSC) because of the location within the GCOD.

#### **Zoning Analysis:**

The project was cited in violation of Article 64 Section 9 for insufficient rear yard depth. In the MFR Subdistrict, the minimum rear yard depth is 20 feet. The subject property rear yard is currently under 13.8 feet deep. Presently, shallow, Juliet-style balconies extend slightly into the rear yard from the second and third floors and grade level deck and concrete patio extend from the lower level, approximately seven feet into the rear yard. The proposed work will replace



these two rear gathering spaces with an elevated deck at the first floor level. The proposed deck will extend 8.5' feet into the 13.8 foot-deep existing rear yard and open space. The deck maintains usable open space on the site and hardly decreases yard area from the existing condition today. Staff recommends approval of the requested variance.

The project was also cited for Article 25 regarding presence in a Flood Hazard District and in need of conditional use approval pursuant to Article 32 regarding presence the Groundwater Conservation Overlay District. While the project was incorrectly cited for presence in the Flood Hazard District, the site does lie within the Coastal Flood Resilience Overlay District (CFROD) governed by Article 25A. However, the project does not meet applicability requirements for CFROD review. The project does meet applicability requirements for Boston Water and Sewer Commission (BWSC) review, governed by Article 32, due to the increase of lot coverage. Plans have been approved by BWSC; therefore, Staff recommends granting approval.

The plan set reviewed is titled "South End Condo Combination," dated November 2025, by Joe the Architect LLC. More specifically, sheet "Proposed Conditions Plan," dated February 2026 was used for this review.

**Recommendation:**

In reference to BOA1834698, The Planning Department recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                                                                                                                                                                                                                                    |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1814627                                                                                                                                                                                                                                                                                         |
| <b>ZBA Submitted Date</b>                | 2026-01-27                                                                                                                                                                                                                                                                                         |
| <b>ZBA Hearing Date</b>                  | 2026-07-28                                                                                                                                                                                                                                                                                         |
| <b>Address</b>                           | 97 Salem ST Boston 02113                                                                                                                                                                                                                                                                           |
| <b>Parcel ID</b>                         | 0302410000                                                                                                                                                                                                                                                                                         |
| <b>Zoning District &amp; Subdistrict</b> | North End Neighborhood<br>NS                                                                                                                                                                                                                                                                       |
| <b>Zoning Article</b>                    | 54                                                                                                                                                                                                                                                                                                 |
| <b>Project Description</b>               | Reconfigure existing single-story building to add residential egress on the ground floor and to support a vertical, five-story residential addition. The five-story addition will include five residential units, two roof decks, two staircase headhouses, and an elevator headhouse on the roof. |
| <b>Relief Type</b>                       | Conditional Use, Variance                                                                                                                                                                                                                                                                          |
| <b>Violations</b>                        | Height Excessive (ft)<br>Usable Open Space Insufficient<br>Parking or Loading Insufficient<br>FAR Excessive<br>Roof Structure Restrictions                                                                                                                                                         |

**Planning Context:**

Currently occupied by a single-story retail storefront, 97 Salem Street is situated along one of the North End's most prominent corridors and a primary gateway into the neighborhood. This active streetscape is characterized by a variety of ground-floor uses, including restaurants, bakeries, and local boutiques that are typically paired with upper-story residential units. While Salem Street maintains a cohesive architectural character and consistent brick materiality, building heights along the corridor vary, blending shorter commercial structures with four- to six-story mixed-use buildings. Situated at the end of a low-rise commercial stretch and directly adjacent to two four-story buildings to the north, 97 Salem Street currently represents a stark transition in scale along the streetscape.

The proposed project involves reconfiguring the ground-floor retail space to introduce a residential egress supporting a new five-story residential addition. This expansion will introduce five new housing units, with two roof decks, two stairwell headhouses, and an elevator headhouse on the roof. Additionally, the project proposes a change of use for the ground-floor



storefront to allow for a bakery instead of strictly retail, preserving the active, food-oriented nature of the corridor and aligning with the Neighborhood Shopping (NS) subdistrict's goals. While the proposed red-brick facade and large rectangular windows align with the neighborhood's traditional character, the design introduces a prominent, approximately 3' in depth, bump-out that will contain livable square footage on the upper floors of the project, overhanging Salem Street's sidewalk. The introduction of this design element will require the proponent to file for a discontinuance through the Public Improvement Commission (PIC). The project is well-positioned for transit-oriented, car-free living, located just 0.2 miles (a five-minute walk) from the MBTA's Haymarket station and 0.3 miles (a seven-minute walk) from North Station, providing access to the Orange and Green Lines, commuter rail, and numerous bus routes. The lot additionally falls within the Restricted Parking Overlay District (RPOD) and the Boston Proper Parking Freeze Zone, further supporting the transit-oriented nature of the lot. Additionally, the lot is regulated by the Restricted Roof Structure District: North End Neighborhood, requiring a Conditional Use Permit for the proposed roof decks and headhouses.

### **Zoning Analysis:**

The project's lack of off-street parking and insufficient usable open space are largely driven by the existing density of the North End. While Article 54, Table E requires one off-street parking space per residential unit, totaling five parking spaces, introducing vehicular access on this highly constrained lot would severely impact the project's ability to maintain an active ground-floor storefront and residential lobby. Given the site's exceptional transit access, and inclusion in the Restricted and Limited Parking District (RPOD), providing zero parking spaces is appropriate. Similarly, the project provides 200 square feet of usable open space across two roof decks, falling just short of the required 250 square feet (50 square feet per unit). Because Salem Street lots are exceptionally tight and many surrounding properties provide no open space at all, this 200-square-foot provision represents an improvement over typical conditions seen on surrounding buildings, making relief for both violations appropriate.

While the proposed Floor Area Ratio (FAR) of approximately 5.2 exceeds the subdistrict limit of 3.0, this density is highly contextual with the surrounding streetscape. Several nearby mixed-use properties, including 98, 92, and 84 Salem Street, already feature FARs that approach or exceed 5.0 while successfully maintaining a compatible visual scale. The new building's proposed massing and scale aligns with the density along Salem Street, while allowing for



housing growth without disrupting the corridor's character, making relief appropriate for the FAR violation.

Under the provisions of Article 54-18, the proposed project's total height calculation must include the three rooftop headhouses, bringing the building to an overall height of 67'-6" where the NS subdistrict limits building height to 55'. However, 77-81 Salem Street, located just south of the project site, stands as a six-story, 75' building with a significantly wider profile. The proposed 67'-6" height is highly aligned with the taller building heights commonly found along Salem Street, especially when compared to the standout height of 77-81 Salem Street. Moreover, the proposed building's roofline, exclusive of the rooftop headhouses, sits exactly at 55', maintaining strict compliance with the baseline dimensional requirements of Article 54, Table D.

The setbacks of the proposed rooftop structures, including the two roof decks and three headhouses, comply with the standards of Article 54-18. The roof decks feature generous setbacks from all roof edges, including an increased front setback along Salem Street to protect the pedestrian experience along this busy corridor. However, the current design of the elevator headhouse and stairwell headhouses features three large and highly visible structures along the northern and southern roof edges, with prominent rooftop profiles that conflict with the design guidance of Article 54-17. Furthermore, the cumulative footprint of the rooftop structures exceeds the 330 sq ft threshold outlined in Article 54-18, triggering their inclusion in the overall building height and impacting the total amount of usable square footage that could be dedicated to the roofdecks rather than these structures. Due to the excessive nature of the proposed rooftop structures, the proponent should consider a configuration for the rooftop that removes any of these headhouses that are not required for compliance with Massachusetts State Building Code and maximizes the usable space on the rooftop for each of the provided roofdecks. While the Planning Department supports the requested variances and Conditional Use Permit for 97 Salem Street, this project must undergo Planning Department Design Review with a focus on optimizing the overall arrangement and quantity of the proposed rooftop headhouses and roof decks.

Plans reviewed are titled "97 Salem Street" prepared by Luciano Architecture and dated February 25, 2026.

**Recommendation:**



In reference to BOA1814627, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with specific focus on the overall layout of the rooftop headhouses and roof decks.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                                                                                                                                                                                                                           |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1826508                                                                                                                                                                                                                                                                                |
| <b>ZBA Submitted Date</b>                | 2026-03-10                                                                                                                                                                                                                                                                                |
| <b>ZBA Hearing Date</b>                  | 2026-07-28                                                                                                                                                                                                                                                                                |
| <b>Address</b>                           | 401A to 401 Chelsea ST East Boston 02128                                                                                                                                                                                                                                                  |
| <b>Parcel ID</b>                         | 0100471000                                                                                                                                                                                                                                                                                |
| <b>Zoning District &amp; Subdistrict</b> | East Boston Neighborhood<br>MU-5                                                                                                                                                                                                                                                          |
| <b>Zoning Article</b>                    | 53                                                                                                                                                                                                                                                                                        |
| <b>Project Description</b>               | The proposal seeks to renovate and expand the existing three-story mixed-use building, which contains ground-floor retail and two dwelling units, into a five-story mixed-use building containing ground-floor retail and nine dwelling units.                                            |
| <b>Relief Type</b>                       | Variance, Conditional Use                                                                                                                                                                                                                                                                 |
| <b>Violations</b>                        | Building Lot Coverage Excessive<br>Permeable Area of Lot Insufficient<br>Front Yard Insufficient<br>Side Yard Insufficient<br>Rear Yard Insufficient<br>Blank Wall Excessive<br>Ground Floor Ceiling Height Insufficient<br>Roof Structure Restrictions<br>Off Street Parking Regulations |

**Planning Context:**

The project at 401A–401 Chelsea Street proposes to expand the existing three-story mixed-use building, which contains ground-floor retail space and two dwelling units, into a five-story mixed-use building containing ground-floor retail space and nine dwelling units.

The property is located in Day Square, a mixed-use area characterized by ground-floor commercial uses with residences above. The site is well served by public transit: bus routes 112, 120, and 121 stop immediately adjacent to the property, and Wood Island MBTA station is approximately 0.3 miles away.

The surrounding area consists primarily of three-unit residential and mixed-use buildings. One- and two-unit homes, four- to six-unit buildings, and larger multifamily properties are also present, though less common near the site.



Lots are generally narrow and deep. Along Chelsea Street, the prevailing development pattern consists of one building per lot, typically three stories in height, with building footprints occupying a substantial portion of the lot.

The property also lies within the East Boston Neighborhood Restricted Roof Area, which imposes additional zoning limitations on roof structures and upper-level improvements.

### **Zoning Analysis:**

The proposal received nine zoning citations concerning building lot coverage, permeable lot area, front-, side-, and rear-yard setbacks, blank-wall length, ground-floor ceiling height, roof-structure restrictions, and off-street parking.

Although the citation letter does not identify the applicable zoning subdistrict, the property is located in the MU-5 subdistrict. The proposal would add two stories above the existing three-story building along Chelsea Street and construct a new five-story addition at the Bennington Street end of the lot. Together, these additions would create a five-story building extending across the site between Chelsea and Bennington Streets.

Article 53, Section 53-7.2, and Table G establish the applicable requirements for building lot coverage, permeable lot area, and front-, side-, and rear-yard setbacks.

For the building lot coverage and permeable lot area citations, Table G permits maximum building lot coverage of 70 percent and requires at least 15 percent of the lot to remain permeable. The plans show proposed building lot coverage of 89 percent and permeable area of only 3 percent. The proposal therefore exceeds the maximum building lot coverage and does not satisfy the minimum permeable lot area requirement.

For the front-yard setback citation, Table G requires a 2-foot front-yard setback, increased to 4 feet under Footnote (3) because the proposal includes residential uses. Section 53-29.1, however, provides that where two or more buildings in the same block front on the same side of the same street, the required front-yard depth must conform to the existing building alignment of the block. At least two other buildings on the same side of Chelsea Street within the block are aligned at or near the street lot line. Because the proposal retains the existing Chelsea Street



wall at that established alignment, the front-yard condition conforms to Section 53-29.1, and the citation does not appear to apply.

For the side-yard setback citations, Table G requires 15-foot setbacks along the east and west lot lines because the property abuts residential uses on both sides. Along the approximately 82-foot east lot line, the existing building contains a lot-line wall. The proposed rear addition would continue that wall toward Bennington Street, extending the existing east side-yard setback nonconformity. Along the approximately 75-foot west lot line, the proposed addition would provide a setback of only 3 feet, creating a new west side-yard setback nonconformity.

For the rear-yard setback citation, Table G ordinarily requires a 15-foot rear-yard setback. Section 53-29.9, however, provides that where the rear yard of a through lot also abuts a street at least 20 feet wide, the front-yard requirements apply instead of the rear-yard requirements. Because Bennington Street is at least 20 feet wide, the front-yard requirements apply along that street line. Although Table G requires a 2-foot front-yard setback, increased to 4 feet under Footnote (3) because the proposal includes residential uses, Section 53-29.1 requires the setback to conform to the existing building alignment of the block where two or more buildings front on the same side of the same street. Existing conditions along this side of Bennington Street establish an alignment at or near the street lot line. Because the proposed addition would provide a 3-foot setback that conforms to that alignment and provides a greater setback than the adjacent buildings, the Bennington Street condition complies with Sections 53-29.9 and 53-29.1, and the rear-yard setback citation does not appear to apply.

For the blank-wall citation, the cited standard does not appear to apply. Article 2 limits the standard to the ground-floor facade along the Primary Lot Frontage. The drawings identify Chelsea Street as the front elevation, and the ground-floor facade along Chelsea Street includes windows and pedestrian entrances. No uninterrupted blank-wall segment appears to exceed the maximum permitted length of 15 feet.

For the ground-floor ceiling-height citation, Table G requires a minimum ground-floor ceiling height of 14 feet in the MU-5 subdistrict, while the plans show an existing height of 10 feet along Chelsea Street. Although the proposal includes a substantial building expansion and new residential space at the rear ground floor, it does not alter the Chelsea Street ceiling height. The existing four-foot ceiling-height nonconformity would therefore remain. The plans also retain two stepped commercial entrances and do not identify a wheelchair-accessible entrance.



For the roof-structure citation, the property lies within the East Boston Neighborhood Restricted Roof Area. Under Article 53, Section 53-25.1, the proposed two-story vertical addition above the existing main roof requires conditional use approval under Sections 6-2, 6-3, and 6-4. The proposed mixed-use program appears appropriate for the MU-5 subdistrict and generally consistent with the mixed-use character of the surrounding area.

The proposed vertical addition would introduce two-story massing with no setback from the front roof edge, causing it to appear oversized in relation to the existing building. Because it would be the first vertical addition of this scale in the immediate context of Chelsea and Bennington Streets, the proposal may also influence the design of future rooftop additions in the area. Similar additions positioned near the front roof edge could cumulatively alter the visible roofline and architectural character of both streets.

Section 6-4 allows the Board to condition approval by requiring changes to a structure's size and exterior appearance. Accordingly, the addition warrants closer attention to its height, setback from the front roof edge, and relationship to the existing building. Refining these elements would reduce its prominence when viewed from Chelsea and Bennington Streets, create clearer visual separation between the addition and the existing structure, and establish a more contextually appropriate precedent for similar additions.

For the off-street parking citation, Table L requires one parking space for each of the nine dwelling units, as well as an additional 0.4 space per 1,000 square feet of retail gross floor area. The plans identify no parking spaces for either use. The proposal therefore does not satisfy the applicable off-street parking requirements.

The submitted materials also warrant clarification regarding tree canopy at the rear of the lot along Bennington Street. Google Earth imagery dated June 2025 appears to show canopy that is not identified on the site plan. The applicant should confirm whether it remains and, if so, show its location and proposed treatment on an updated plan.

In summary, the front-yard, rear-yard, and blank-wall citations do not appear to apply. The proposal would require relief for building lot coverage, permeable lot area, side-yard setbacks, ground-floor ceiling height, and off-street parking, as well as conditional use approval for the roof addition. Particular attention should be given to any future addition's massing and placement and to confirming and documenting the tree canopy.



The plans reviewed, titled "401 Chelsea St., East Boston, MA," were prepared by David Choi Architect and dated October 5, 2025.

**Recommendation:**

In reference to BOA1826508, The Planning Department recommends DENIAL WITHOUT PREJUDICE. The proponent should consider a project that reduces the scale of the addition to better match the dimensional requirements of updated zoning, including for permeable area of the lot.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                                                                                                                                                                                                                                                                                                                                                 |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1844018                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>ZBA Submitted Date</b>                | 2026-04-29                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>ZBA Hearing Date</b>                  | 2026-07-28                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Address</b>                           | 7 to 9 Murray CT East Boston 02128                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Parcel ID</b>                         | 0104842000                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Zoning District &amp; Subdistrict</b> | East Boston Neighborhood<br>EBR-3                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Zoning Article</b>                    | 53                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Project Description</b>               | The proposal seeks to construct a one-story vertical addition above the existing three-story, three-unit dwelling, resulting in a four-story, four-unit residential building. The existing exterior deck and stair system would be extended to serve the new unit and provide private access to a roof deck. The associated interior work is limited to the existing third floor and the proposed fourth story. |
| <b>Relief Type</b>                       | Variance, Conditional Use                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Violations</b>                        | Extension of Non Conforming Use<br>Height Excessive (Stories)<br>Height Excessive (Feet)<br>Front Yard Excessive<br>Side Yard Insufficient<br>Rear Yard Insufficient<br>Roof Structure Restrictions                                                                                                                                                                                                             |

**Planning Context:**

The project at 7–9 Murray Court proposes a one-story vertical addition to the existing three-story, three-unit dwelling, resulting in a four-story, four-unit residential building. The existing exterior stair and deck system would be extended to serve the new unit and provide private access to a roof deck.

The surrounding area is predominantly residential and consists primarily of three-unit buildings. One- and two-unit residences, larger multifamily buildings, and mixed-use properties are also present, though less common. Lots in the immediate vicinity are generally narrow, deep, and closely developed. Buildings typically occupy most of the lot width, are positioned at or near the front and side lot lines, and extend substantially into the lot, resulting in limited side-yard separation and relatively small or irregular rear yards.



The property is located within the Coastal Flood Resilience Overlay District. *PLAN: East Boston* identifies climate-related flooding as a significant risk to housing in low-lying areas, including Paris Flats, Maverick Central, and Harbor View. Development within the overlay is reviewed for building access, ground-floor elevation, and the placement of mechanical systems. New or expanded living space must be located above the applicable Sea Level Rise–Design Flood Elevation.

The property also lies within the Groundwater Conservation Overlay District, which is intended to protect wood-pile-supported structures from groundwater depletion, preserve structural integrity, and reduce surface-water runoff and pollution.

The property is also located within the East Boston Neighborhood Restricted Roof Area, which imposes additional limitations on roof structures and upper-level improvements.

### **Zoning Analysis:**

The proposal received seven zoning citations concerning use, building height in stories and feet, front-, side-, and rear-yard setbacks, and roof-structure restrictions. The property is located in the EBR-3 subdistrict. Article 53, Section 53-5.1, Table A, and Table F establish the applicable use and dimensional requirements.

For the use citation, Table A allows “Household Living, 3–6 Dwelling Units” in the EBR-3 Mid-Block Lot subdistrict, subject to Footnote (2). Footnote (2) permits up to six dwelling units on lots with more than 55 feet of frontage but limits lots with 55 feet or less to three dwelling units. Because the subject lot has 29.5 feet of frontage, no more than three dwelling units are allowed as of right. The proposed increase from three to four dwelling units therefore exceeds the frontage-based limit.

For the building-height citations, Table F permits a maximum height of three stories and 35 feet in the EBR-3 subdistrict. The plans show a proposed height of four stories and approximately 41 feet 1 inch. The proposal therefore exceeds both the maximum number of stories and the maximum height in feet.

For the front-yard setback citation, Table F requires a setback of between 3 and 5 feet. The plans show an existing and proposed setback of zero feet along Murray Court. Because the



addition retains the existing front wall in its current location, the existing front-yard nonconformity would remain.

For the side-yard setback citation, Table F requires a minimum setback of 3 feet. The plans show an existing and proposed setback of zero feet. Because the addition follows the existing building footprint and side walls, the existing side-yard nonconformity would remain.

For the rear-yard setback citation, Table F requires a rear yard equal to one-third of the lot depth. Lot depths of approximately 47 feet along the east lot line and 49.5 feet along the west lot line require setbacks of approximately 15.7 feet and 16.5 feet, respectively. The plans show a setback of 14.1 feet along the east lot line and 16.6 feet along the west lot line. The rear yard is therefore deficient along the east lot line and appears to comply along the west lot line.

For the roof-structure citation, the property lies within the East Boston Neighborhood Restricted Roof Area. Under Article 53, Section 53-25.1, the proposed vertical addition above the existing main roof requires conditional use approval under Sections 6-2, 6-3, and 6-4. The proposed residential use is appropriate for the EBR-3 subdistrict and generally consistent with the surrounding residential context. The proposed fourth dwelling unit, however, exceeds the three-unit limit applicable to the lot based on its frontage.

The proposed vertical addition would introduce one-story massing with no setback from the front roof edge, causing it to appear oversized in relation to the existing building. Because it would be the first vertical addition of this scale along Murray Court, the proposal may also influence the design of future rooftop additions in the area. Similar additions positioned at or near the front roof edge could cumulatively alter the visible roofline and architectural character of the street.

Section 6-4 allows the Board to condition approval by requiring changes to a structure's size and exterior appearance. Accordingly, the addition warrants closer attention to its height, setback from the front roof edge, and relationship to the existing building. Refining these elements would reduce its prominence when viewed from Murray Court, create clearer visual separation between the addition and the existing structure, and establish a more contextually appropriate precedent for similar additions.

The plans also appear to retain habitable first-floor space below the applicable Sea Level Rise—Design Flood Elevation of 19.5 feet. The submitted materials do not indicate how the proposal would address this existing condition, satisfy applicable Coastal Flood Resilience Overlay



District requirements, or improve the building's overall flood resilience. These matters should be clarified in any revised submission.

In summary, the proposal would add a fourth dwelling unit on a lot limited to three units as of right, exceed the permitted building height in both stories and feet, retain existing front- and side-yard nonconformities, and maintain a rear-yard deficiency along the east lot line. The roof addition would place a full fourth story at the front roof edge without sufficient visual separation from the existing building. The submitted materials also do not adequately address the apparent first-floor flood-elevation condition.

The reviewed plans are titled "7-9 Murray Court, East Boston, MA 02128." They were prepared by 686 Architects and stamped for review on January 13, 2026.

**Recommendation:**

In reference to BOA1809938, The Planning Department recommends DENIAL WITHOUT PREJUDICE: The proponent should consider a revised proposal that more closely aligns with the updated East Boston zoning requirements and better addresses the height, massing, placement, and contextual relationship of the roof addition.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                                                                                                                                                                                            |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1749423                                                                                                                                                                                                                                                 |
| <b>ZBA Submitted Date</b>                | 2025-07-17                                                                                                                                                                                                                                                 |
| <b>ZBA Hearing Date</b>                  | 2026-07-28                                                                                                                                                                                                                                                 |
| <b>Address</b>                           | 26 Burt ST Dorchester 02124                                                                                                                                                                                                                                |
| <b>Parcel ID</b>                         | 1704564000                                                                                                                                                                                                                                                 |
| <b>Zoning District &amp; Subdistrict</b> | Dorchester Neighborhood<br>1F-7000                                                                                                                                                                                                                         |
| <b>Zoning Article</b>                    | 65                                                                                                                                                                                                                                                         |
| <b>Project Description</b>               | Combine two neighboring lots into one larger lot and build an 8-unit multifamily building.                                                                                                                                                                 |
| <b>Relief Type</b>                       | Variance                                                                                                                                                                                                                                                   |
| <b>Violations</b>                        | FAR Excessive<br>Height Excessive (stories)<br>Rear Yard Insufficient<br>Side Yard Insufficient<br>Front Yard Insufficient<br>Parking or Loading Insufficient<br>Parking design and maneuverability<br>Lot Area Insufficient<br>Forbidden Use: Multifamily |

**Planning Context:**

This project was reviewed for the June 16, 2026, ZBA Hearing and deferred. There have been no changes made to the plans since the deferral.

The proposed project would construct a new 8-unit multifamily building on two currently separate lots that will be combined into one lot. This area of Dorchester is defined by its residential character. Residential buildings ranging from single-family to large 5+ unit buildings are common in this area. The predominant design form of these buildings is the traditional tripledecker, and this building attempts to match the scale provided by triple-deckers with a more modern design.

The proposed project is located in an area of Dorchester that is well-connected to transit. The project is less than a tenth of a mile from the Ashmont MBTA stop, and under half a mile from the active bus routes along Dorchester Ave and Washington St.



### **Zoning Analysis:**

This project is proposing a forbidden use: multifamily residential. The area is zoned for one family, while the proposed project would have a total of eight units. However, multifamily residential is common in this area, with many larger multifamily buildings nearby. Nearby is both Peabody Square and Washington Street, two large nexuses for both business and residents. 4-8 unit multifamily is the most common multifamily use for the area and the proposed project is of a similar scale and density to nearby existing projects. The building manages to fit a unit above the maximum without creating a building that stands out from neighborhood character. The appropriate sizing of the building, with the added neighborhood multifamily context, points to the appropriate fit of multifamily residential.

In a similar vein, the project has also been cited for insufficient lot area. The zoning code requires a lot of 7000 square feet, while the proposed project is located on a lot that is around 6,918 Square feet. This again highlights a disconnect between the zoning code and built reality. The proposed lot is of a similar size to typical lots for the neighborhood. If this regulation were to be strictly followed, none of the existing neighborhood would be allowed under this regulation. This project is of a similar scale to nearby buildings, on a lot that is similar in scale to nearby lots, highlighting its appropriate fit in the area.

The next violation is in regards to the front yard setback. The zoning requires a setback of 15 feet, while the proposed project would have a setback ranging from 15 feet on the northern edge of the property, to a 5 foot setback on the southern end. This is due to the slanted nature of the front yard line, making it difficult for any project to adhere to this requirement. In addition, this area of Burt Street is defined by a modal street wall. The proposed project is meeting this modal street wall and helps contribute to the character of the neighborhood. This violation should not be considered as the modal street wall takes precedence over the front yard setback.

The next violation is regarding the side yard setback. The proposed project has a side setback of five feet four inches, while the zoning requires a side setback of twelve feet. This is again not reflective of the built reality of the neighborhood. Small side yards are common in this area, especially with the neighboring rows of triple deckers to the north and the east which have almost no side yards. Almost none of the nearby buildings meet this requirement, and it reflects a disconnect between the code and built reality. If the project were to adhere to these provisions, it would create a project in discontinuity with its neighbors.

The next violation regards off street parking. The zoning requires a parking ratio of 1.25 spaces per unit, or 8 spaces where the proposed project is providing 7. While it technically does not meet the requirements for parking under the zoning code, little to no on parcel parking is common in this area of Dorchester. Street parking is the predominant form of parking, and this project is located within proximity of public transportation options. While this is a violation, BTD parking guidelines have highlighted this as an area that contextually makes sense for a required parking ratio of as little as 0 spaces per unit. This project is providing 7 spaces well above that 0 space ratio, and so a variance is recommended.



The next violation is in regards to off-street parking and maneuverability. This is triggered by the single lane driveway proposed for the project. While this style of rear parking technically does not have the turning dimensions required under the zoning code, it is extremely common throughout the city, and in this area in particular. This feature is in line with neighborhood standards.

The rear yard has a required depth of 40 feet, where the proposed project is leaving a setback of 31 feet. As with the side yard setbacks, this again highlights the disconnect between zoning code and built reality. The proposed project is being built to a similar scale as its neighbors, on a similar lot size to its neighbors. If this requirement were to be strictly followed, the character of the neighborhood would change drastically. The proposed setbacks are in line with neighboring properties and fits well within established neighborhood design.

The next violation is due to the excessive height of the proposed structure. The neighborhood is zoned for two and a half stories, while the project proposes a full three stories. This is not reflective of the larger built environment. Where two and a half stories is predominant, full threestory buildings are also present within the area. A full third floor through the use of dormers to match neighborhood character is common. Even though it is half a story above the maximum height in stories, the project is only proposing a building height of 33 —below the maximum of 35 feet—again highlighting the appropriate dimensions of the project. This requirement is not at all reflective of the larger development patterns in the area and highlights the need for potential zoning reform.

The proposed project would have an FAR of 0.54. The zoning code requires a maximum FAR of 0.4. This again reflects a disconnect between the zoning code and the built reality of the area. Triple-deckers are extremely common, and while many have rear yards, the height of the building creates a situation where FARs are commonly between 0.75 and 1.25 for the area. The proposed project is in line with its neighborhood design characteristics and is an appropriate fit for the development pattern in the area.

This project is subject to the City's Inclusionary Zoning, which requires that market-rate housing developments with seven or more units support the creation of income restricted housing. While it is unclear from the plans how many of the proposed eight units will be dedicated as income restricted, the applicant will need to execute an agreement with the Mayor's Office of Housing to comply with the zoning.

Plans reviewed were titled "26 Burt Street" created by HiARCHi Design Collaborative and dated 12/23/24.

### **Recommendation:**

In reference to BOA1749423, The Planning Department recommends APPROVAL WITH PROVISIO/S: that a housing agreement be issued with the Mayor's Office of Housing.

BOA1749423  
2026-07-28  
3 Planning Department



Planning Department

**CITY of BOSTON**

Reviewed,

A handwritten signature in black ink, reading "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                                                                                                                                                                     |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1794725                                                                                                                                                                                                                          |
| <b>ZBA Submitted Date</b>                | 2025-10-31                                                                                                                                                                                                                          |
| <b>ZBA Hearing Date</b>                  | 2026-07-28                                                                                                                                                                                                                          |
| <b>Address</b>                           | 34 Spring Garden ST Dorchester 02125                                                                                                                                                                                                |
| <b>Parcel ID</b>                         | 1303175000                                                                                                                                                                                                                          |
| <b>Zoning District &amp; Subdistrict</b> | Dorchester Neighborhood<br>2F-5000                                                                                                                                                                                                  |
| <b>Zoning Article</b>                    | 65                                                                                                                                                                                                                                  |
| <b>Project Description</b>               | Proposed change of use from one unit to three units, with two off-street parking spaces. Alterations include a rear addition and the replacement of an existing pitched roof with a full story vertical addition.                   |
| <b>Relief Type</b>                       | Variance                                                                                                                                                                                                                            |
| <b>Violations</b>                        | FAR Excessive<br>Height Excessive (stories)<br>Front Yard Insufficient<br>Rear Yard Insufficient<br>Off Street Parking Regulations<br>Lot Area Insufficient<br>Lot Width Insufficient<br>Lot Frontage Insufficient<br>Forbidden Use |

**Planning Context:**

The surrounding area consists primarily of one- and two-family dwellings, with some multifamily buildings. Properties are generally closely spaced with limited off-street parking, reflecting an established residential pattern. The proposal seeks to convert an existing single-family dwelling into three units.

**Zoning Analysis:**

The first violation concerns the use. The Boston Zoning Code allows one and two-family residential uses in the 2F-5000 subdistrict. The proposal introduces a three-family residential dwelling, which is not a permitted use, resulting in a forbidden use violation. While not permitted, three-family dwellings exist in the neighborhood, including on Sydney Street to the rear of the site, indicating a presence of similar housing types.



The second violation relates to floor area ratio (FAR). The zoning code permits a maximum FAR of 0.5, while the proposal increases the FAR to 1.0, exceeding the allowable limit. While this represents an increase in density, similar building scales and massing are present in the surrounding area, particularly among nearby multi-family structures; therefore, the request for FAR relief may be considered appropriate.

The third violation concerns building height in stories. The code permits a maximum of 2.5 stories, while the proposal introduces a full third story, as shown in the elevations, resulting in a violation. Similarly scaled three-story residential buildings are present on Sydney Street to the rear of the site; therefore, the proposed height is consistent with the neighborhood character, and the request for height relief is appropriate.

The fourth violation concerns the front yard setback. A minimum front yard of 15 feet is required pursuant to Article 9, Section 9-1 of the Boston Zoning Code, while the proposal provides approximately 10 feet 8 inches, resulting in an insufficient front yard. The proposal is generally consistent with the existing building line along the street; therefore, the request for front yard relief is appropriate.

The fifth violation relates to the rear yard setback. The zoning code requires a minimum rear yard of 20 feet, while the proposal provides approximately 4 feet 2 inches due to the rear addition, resulting in a significant reduction as shown on the submitted existing and proposed site and elevation plans. The plans indicate that the reduction is driven by the rear expansion of the building footprint, which substantially extends the massing toward the rear property line out of line with surrounding properties. The proposal results in a largely paved site with limited opportunities for meaningful landscaping, reduces open space quality, and is out of character with the surrounding properties.

The final violation concerns off-street parking. The proposal provides two off-street parking spaces for three units, which is insufficient under Article 65, Section 41. Given the site's location within a Restricted Parking District and access to alternative transportation options, reducing off-street parking demand is consistent with Boston Transportation Department (BTD) guidelines supporting reduced parking in areas with on-street parking controls and multimodal access; therefore, the request for parking is appropriate.



This analysis is based on plans prepared by 686 Architects, Inc. titled "34 SPRING GARDEN STREET, BOSTON, MA 02125 REV" dated April 13th, 2026.

**Recommendation:**

In reference to BOA1794725, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with attention to screening of parking.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                                                                                                      |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1814618                                                                                                                                                           |
| <b>ZBA Submitted Date</b>                | 2026-01-27                                                                                                                                                           |
| <b>ZBA Hearing Date</b>                  | 2026-07-28                                                                                                                                                           |
| <b>Address</b>                           | 163 to 165 Hillside ST Mission Hill 02120                                                                                                                            |
| <b>Parcel ID</b>                         | 1000954000                                                                                                                                                           |
| <b>Zoning District &amp; Subdistrict</b> | Mission Hill Neighborhood<br>2F-3000                                                                                                                                 |
| <b>Zoning Article</b>                    | 59                                                                                                                                                                   |
| <b>Project Description</b>               | The proposed project will renovate the existing 2.5-story, 2-unit residential building into a 3-story, 3-unit residential building.                                  |
| <b>Relief Type</b>                       | Variance                                                                                                                                                             |
| <b>Violations</b>                        | Height Excessive (ft)<br>Height Excessive (stories)<br>Rear Yard Insufficient<br>Usable Open Space Insufficient<br>Parking or Loading Insufficient<br>Use: Forbidden |

**Planning Context:**

The proposed project is located on Hillside Street in Mission Hill which is a primarily residential area in the neighborhood. The property currently has a 2-unit, 2.5 story residential structure with a small front yard and a rear yard. The rear yard includes an alley that runs parallel to Hillside Street. Residential structures in the area are generally 2.5 to 3.5 stories tall with very small yards and limited off-street parking. The property is located less than one quarter mile from the MBTA Green Line Mission Park stop.

The project will add two dormers to the structure to expand one of the units while increasing the height to three stories. It will also finish the basement and garage on the lower level to create a new residential unit. The property has significant grade sloping south to north which means the entrance to the lower level unit will be at grade with the alley.

The Accessory Dwelling Unit Guidebook approved in November, 2024 seeks to provide residents with guidance on how to utilize excess space within their current structures or lot to add an additional dwelling unit. The proposed residential unit is consistent with the “Internal ADU” described in the Guidebook and appears to comply with the floor to floor ceiling height and egress requirements required by the Building Code.



**Zoning Analysis:**

The project is cited for three violations due to the increase in unit count from two to three residential units. They include forbidden use, insufficient open space per unit, and insufficient off-street parking. Three-unit residential structures are a forbidden use in the subdistrict. While there are not many examples of three-unit structures in the subdistrict, there are many examples of residential structures with four or more units in the area directly surrounding the property. The project is located three blocks from the MBTA Green Line, an appropriate place for additional housing. The project is required to provide 600 square feet of usable open space per unit and is providing 537 square feet per unit, below the requirement. It is also required to provide three parking spaces and will only provide two. The small lot sizes in this part of Mission Hill make it very challenging for a two- or three-unit residential structure to meet these requirements.

The project is also cited for three additional dimensional violations including insufficient rear yard, maximum building height (floors), and maximum building height (feet). The proposed rear yard is 16.2 feet, below the existing 17.5 feet and the minimum of 20 feet. The small reduction in rear yard depth will not impact the alley or neighboring properties. The project is also cited for the proposed height of 3 stories or 35 feet with the maximum for the district of 2.5 stories or 35 feet. Structures in the surrounding area are generally 2.5 to 3.5 stories which means that the proposed height is not inconsistent with the surrounding neighborhood. Plans reviewed "163 Hillside St." prepared by "context a collaborative design workshop" dated 5/4/2026.

**Recommendation:**

In reference to BOA1814618, The Planning Department recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, appearing to read "Katherine Onuf".

Deputy Director of Zoning



|                                          |                                                                                                                                                                                                                                                                                                                                            |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1575425                                                                                                                                                                                                                                                                                                                                 |
| <b>ZBA Submitted Date</b>                | 2024-02-28                                                                                                                                                                                                                                                                                                                                 |
| <b>ZBA Hearing Date</b>                  | 2026-07-28                                                                                                                                                                                                                                                                                                                                 |
| <b>Address</b>                           | 62 L ST South Boston 02127                                                                                                                                                                                                                                                                                                                 |
| <b>Parcel ID</b>                         | 0603571000                                                                                                                                                                                                                                                                                                                                 |
| <b>Zoning District &amp; Subdistrict</b> | South Boston Neighborhood<br>MFR                                                                                                                                                                                                                                                                                                           |
| <b>Zoning Article</b>                    | 68                                                                                                                                                                                                                                                                                                                                         |
| <b>Project Description</b>               | Replace the existing exterior stair system and construct a new roof deck atop the main roof of the existing structure. The new roof deck will be accessed via a spiral staircase and will include guardrails in accordance with applicable building codes. No expansion of the building footprint or enclosed habitable space is proposed. |
| <b>Relief Type</b>                       | Variance, Conditional Use                                                                                                                                                                                                                                                                                                                  |
| <b>Violations</b>                        | Roof Structure Restrictions<br>Side Yard Insufficient<br>Rear Yard Insufficient                                                                                                                                                                                                                                                            |

### Planning Context:

This case was originally scheduled for the August 12, 2025 ZBA hearing and was deferred; the Planning Department's recommendation remains unchanged.

The subject property is located in the South Boston Neighborhood District, within a multifamily residential (MFR) context characterized by medium-density residential uses, including triple-deckers and rowhouses. The surrounding neighborhood exhibits a range of rooftop improvements, including multiple examples of roof decks accessed via spiral staircases. These precedents indicate a pattern of evolving rooftop usage that is consistent with the proposal, which seeks to provide functional outdoor space without altering the overall building envelope. The proposed deck is in keeping with other approved structures in the area and does not introduce new massing inconsistent with the neighborhood character.

### Zoning Analysis:

The proposed replacement of existing exterior stairs and construction of a new roof deck requires zoning relief for the following reasons:



Article 68, Section 29, Roof Structure Restrictions: Access to the roof deck is proposed via a spiral stair and platform assembly, rather than a roof hatch. Under zoning, access to roof decks must be provided by a hatch or a bulkhead no more than 30 inches tall. The proposed stair configuration exceeds this allowance and introduces new vertical structures on the roof, necessitating conditional use relief.

Article 68, Section 8, Side Yard Insufficient: The MFR subdistrict requires a minimum side yard setback of 3 feet. According to the site plan, the proposed metal stair and platform will be constructed within the footprint of the existing house and do not project further into the side yard than the current structure. The northern side yard measures only 2.7 feet at its narrowest point, resulting in a deficiency. This shortfall is due to the lot's existing constrained width rather than any new encroachment. Therefore, dimensional relief is required for insufficient side yard on the southern lot line.

Article 68, Section 8, Rear Yard Insufficient: The required rear yard setback is 20 feet. Based on the site plan, the proposed spiral staircase is located approximately 4 feet from the rear property line, resulting in a 16-foot shortfall and a violation of the rear yard dimensional standard. The new spiral staircase will replace an existing deck and stairs; while it maintains a similar location, it will extend approximately 10 inches further into the rear yard than the current condition.

The plans, entitled 62 L Street – Roof Deck Renovation Project and prepared by Tucker Architecture on November 12, 2022, propose the construction of a new roof deck with access via a spiral stair and exterior platform, replacing an existing stair and deck system. Given the scope of the project and its alignment with other roof deck approvals in the neighborhood, this project presents a reasonable case for zoning relief. It also illustrates the need for dimensional standards that better reflect the built conditions and lifestyle expectations in South Boston's dense multifamily districts.

**Recommendation:**

In reference to BOA1575425, The Planning Department recommends APPROVAL.

Reviewed,

Deputy Director of Zoning



*Planning Department*

**CITY of BOSTON**



|                                          |                                                                                                                                                                                                                     |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1741777                                                                                                                                                                                                          |
| <b>ZBA Submitted Date</b>                | 2025-06-25                                                                                                                                                                                                          |
| <b>ZBA Hearing Date</b>                  | 2026-07-28                                                                                                                                                                                                          |
| <b>Address</b>                           | 183 Saint Botolph ST Boston 02115                                                                                                                                                                                   |
| <b>Parcel ID</b>                         | 0402332000                                                                                                                                                                                                          |
| <b>Zoning District &amp; Subdistrict</b> | Huntington Avenue/Prudential Center<br>St. Botolph Protection Area                                                                                                                                                  |
| <b>Zoning Article</b>                    | 41                                                                                                                                                                                                                  |
| <b>Project Description</b>               | The project proposes the addition of a fourth floor with setbacks, and a new rear stair that provides separate access to each of the floors. The project seeks a change of use from four residential units to five. |
| <b>Relief Type</b>                       | Variance                                                                                                                                                                                                            |
| <b>Violations</b>                        | Rear Yard Insufficient<br>Roof Structure Restrictions<br>FAR Excessive<br>Parking or Loading Insufficient<br>GCOD Applicability                                                                                     |

**Planning Context:**

This project was deferred by the Zoning Board of Appeal on February 24, 2026 and by the proponent team on May 5, 2026; no new plans have since been submitted.

The proposed project at 183 St. Botolph St. sits within the Huntington Avenue/Prudential Center zoning district and within the Saint Botolph Street Protection Area. The St. Botolph Street Protection Area grants an as-of-right building height of forty-five (45) feet and an as-of-right FAR of two (2). The parcel being in the St. Botolph Area Architectural Conservation District means that all proposed exterior work, including work at rooftops, that is, or will be, visible from any public way is subject to review by the Landmarks Commission. The parcel is also within Restricted Parking, Restricted Roof, and Groundwater Conservation Overlay Districts. 183 St. Botolph Street is a part of the historic Charles J. Lord Building, constructed in 1895. The building consists of 20 separate rowhouses conjoined by a brick facade. The lots are small and long; approximately 20 feet by 100 feet each, with the buildings occupying the majority of the lot area.



The proposed project is less than 0.1 mile, or a 3 minute walk from the Symphony Hall MBTA Green Line Station, and is in close proximity to notable landmarks such as the Reflecting Pool at the Christian Science Plaza and Horticulture Hall. The proposal is also just a few minutes walk away from Southwest Corridor Park and its network of interlinked open spaces.

### **Zoning Analysis:**

The proposed project is cited for a total of four (4) zoning violations: Rear Yard Insufficient, Off Street Parking Insufficient, an FAR violation within a Protection Area, and Rooftop Additions in Protection Area. The proposal is also referred to the ZBA for GCOD Applicability, pursuant to Section 32-4 due to the erection of a new rear staircase and the addition of a fourth story.

The rear yard for the proposed project currently has space for two off-street parking spots. The rear alley, Public Alley 404, connects the back of the properties to Public Alley 405 and Cumberland Street, leading out to Huntington Ave.

Submitted site plans indicate that the proposed addition for an additional egress stair at the rear of the building would extend 7'4" into the rear, bringing the total building length on its longest side to 76'7", and eliminating the two existing parking spaces at the site. The Rear Yard Requirements for this subdistrict are 25'0", and so the envelope extension would be a new non-conformity. Neighboring properties within the row have similar egress stairs at the rear that are also dimensional violations, making zoning relief with regards to the Rear Yard Insufficient violation appropriate and contextual with an emergent neighborhood character.

As mentioned, 183 St. Botolph Street currently has space for two parking spaces at the rear. The off-street parking requirements are stated as applicable to a specific floor area ratio set forth in Table B of Section 13-1 of the zoning code. The maximum FAR within the St. Botolph Street Protection area is 2.0, and thus the zoning calls for 0.7 parking spaces for each dwelling unit. A total of five dwelling units then calls for 3.5 (read: four) parking spaces. The rear stair addition and the extension of the building envelope into the rear yard, would make it so that there is no parking on-site; however the proposed trade-off involves forgoing parking to gain an additional housing unit in an area where additional residential density is greatly needed. Zoning relief is appropriate.



The FAR requirement in the St. Botolph Street Protection Area is 2.0. The existing building already has a dimensional nonconformity with an FAR of 2.14. The proposed project would increase the overall building height to 44.83 feet and the FAR to 2.74. This 28% increase is inconsistent with the established neighborhood character and the typical design of rowhouses within the St. Botolph Area Architectural Conservation District.

Furthermore, the proposed project is within a Restricted Roof District. Per Section 3-1 of the zoning code, a Restricted Roof Structure District is one that is characterized by groups of buildings with identical or similar heights. The refusal letter cites Article 41-6 wherein the maximum height is set at 45-feet. Section 16-8 of the zoning code mandates that the Board of Appeal must evaluate whether any proposed roof structure maintains architectural consistency with the distinctive historical and architectural character of the protection area. Erecting a fourth floor, which results in a height that contrasts with the row of otherwise identical adjacent rowhouses warrants further design review.

The proponent should consider a proposal that more closely aligns with the design guidelines set forth for the St. Botolph Area Architectural Conservation District. The guidelines state that additions and new construction should not disrupt the essential form and integrity of an individual building or of the district. The size, scale, color, material and character of this work should be compatible with the character of the existing buildings and their environment and the original form and slope of the roof must be retained.

Finally, the proposed project is referred for GCOD Applicability pursuant to Section 32-4 due to the substantive additions of the rear stair and fourth floor. CGOD compliance is ultimately determined and confirmed by the Boston Water and Sewer Commission.

Plans were prepared by Choo & Company and are dated February 26, 2025.

**Recommendation:**

In reference to BOA1741777, The Planning Department recommends DENIAL WITHOUT PREJUDICE. The proponent should consider a proposal that more closely aligns with the design guidelines set forth in the St. Botolph Area Architectural Conservation District.



Planning Department

**CITY of BOSTON**

Reviewed,

A handwritten signature in black ink, reading "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                                                                                                                                                                                                                                                           |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1817120                                                                                                                                                                                                                                                                                                                |
| <b>ZBA Submitted Date</b>                | 2026-01-28                                                                                                                                                                                                                                                                                                                |
| <b>ZBA Hearing Date</b>                  | 2026-07-28                                                                                                                                                                                                                                                                                                                |
| <b>Address</b>                           | 78 Bunker Hill ST Charlestown 02129                                                                                                                                                                                                                                                                                       |
| <b>Parcel ID</b>                         | 0202907000                                                                                                                                                                                                                                                                                                                |
| <b>Zoning District &amp; Subdistrict</b> | Charlestown Neighborhood<br>RH-1500                                                                                                                                                                                                                                                                                       |
| <b>Zoning Article</b>                    | 62                                                                                                                                                                                                                                                                                                                        |
| <b>Project Description</b>               | Renovation of a town home to support change of use from one unit to two units, including expansion of livable area into the existing basement, a new front dormer, and creation of a three-story rear addition that includes two decks and a spiral staircase. Updated scope of work removes the addition of a roof deck. |
| <b>Relief Type</b>                       | Variance                                                                                                                                                                                                                                                                                                                  |
| <b>Violations</b>                        | FAR Excessive<br>Rear Yard Insufficient<br>Additional Lot Area Insufficient<br>Usable Open Space Insufficient<br>Use: Forbidden (two-family dwelling)                                                                                                                                                                     |

**Planning Context:**

This project was deferred from the June 16, 2026 Zoning Board of Appeal hearing to the July 28, 2026 hearing date. Since this deferral, the proponent has received ISD's stamp on their updated plan set and has received an updated Refusal Letter based on these plans. This recommendation is based on the updated plan set for 78 Bunker Hill Street.

Bunker Hill Street serves as one of Charlestown's primary corridors, supporting a diverse mix of residential and commercial properties. The property at 78 Bunker Hill Street is located along a predominantly residential stretch of the street, surrounded by three-family and multi-family subdistricts. Distinctly located within a small Row House (RH) Residential Subdistrict, the property features the area's characteristic urban form of long, narrow lots where the building footprint occupies a majority of the parcel's depth and is connected through party walls on either side to adjacent row houses. While there are ample single-family row houses in this subdistrict, there are also a considerable number of row houses supporting three-family dwellings that are more highly aligned with the surrounding multi-family fabric of Charlestown. No matter the unit



count, these row houses maintain a relatively uniform character, scale, and lot size along Bunker Hill Street.

78 Bunker Hill Street differs from the standard row house form seen by its immediate neighbors, standing 2 stories with a pitched roof featuring a small, centrally located front and rear dormer. In contrast, the adjacent row houses generally stand a full 3 stories tall with flat roofs that commonly support various rooftop utilities or decks.

The lot sits directly across from the Boston Housing Authority's Bunker Hill Public Housing Development, which is currently undergoing a major mixed-income redevelopment to introduce new civic, retail, and public open spaces. The incoming neighborhood amenities help further contextualize small-scale density improvements at the individual parcel level, such as the residential conversion proposed at 78 Bunker Hill Street, by providing the public amenities needed to support minor growth in a historically constrained residential area.

The site is subject to both the Charlestown Neighborhood Design Overlay District (NDOD) and the Roof Structure Restriction Overlay District. While the NDOD ensures that any alterations remain compatible with Charlestown's historic scale and character, the roof structure overlay requires a Conditional Use Permit under Article 62-25 for the creation or expansion of any rooftop structures. Given that Bunker Hill Street is a prominent public corridor, compliance with these requirements is essential to ensure additions do not negatively impact the pedestrian experience along this public way. Finally, while the boundary of the Coastal Flood Resilience Overlay District (CFROD) encompasses several nearby parcels, 78 Bunker Hill Street itself sits entirely outside of the overlay district boundary.

### **Zoning Analysis:**

The proposed project is cited for four dimensional violations and requires relief for a forbidden use. Under Article 62, Table A, the proposed conversion of 78 Bunker Hill Street from a single-family to a two-family residence constitutes a forbidden use within the Row House (RH) Residential Subdistrict. However, the surrounding residential context heavily supports this transition. Numerous existing row houses within this exact subdistrict already operate as three-family dwellings while preserving their architectural form, and the lot is further boarded by three-family and multi-family residential subdistricts. Because the design maintains the key elements of the existing row house character and accommodates the minor increase in density within the basement and a rear addition on a highly similar footprint to the existing structure, the Planning Department supports relief for this violation.



In accordance with Article 62, Table C, a residential land use of up to two units only requires a 1,500 sq ft lot area. While the property's existing 1,080 sq ft lot area represents a pre-existing nonconformity with the baseline lot requirement, the size is much more contextually aligned with the 1,500 sq ft baseline for two units rather than the 2,250 sq ft requirement mandated for uses exceeding two units. As such, relief is appropriate related to the Insufficient Additional Lot Area violation.

Insufficient usable open space and excessive FAR are directly related to the lot's undersized existing condition. The 285 sq ft of open space provided falls just short of the 300 sq ft minimum requirement, but represents a significant improvement to the existing condition of 120 sq ft of usable open space. Similarly, the project adds approximately 1,000 sq ft of GFA to this property, creating a new GFA of 2,826 sq ft and a new FAR of 2.61. The RH-1500 Subdistrict limits FAR to 2.0, which restricts the potential GFA for this property due to the undersized lot. The building's overall massing remains highly contextual with adjacent and surrounding row houses, and the introduction of livable space in the basement does not conflict with the CFROD's guidance, making relief appropriate.

Currently, the rear porch's staircase exceeds the legal lot line and encroaches into an adjacent City-owned parcel. The new rear configuration features a spiral staircase that provides a 5.5' rear setback, resolving the property line encroachment. While this configuration is still noncompliant with the subdistrict's 15' requirement, the substantial improvement of the overall condition warrants relief.

The proposed front dormer introduces a non-contextual design element that is highly visible from Bunker Hill Street. Furthermore, the overall scope of work significantly increases the building's height and adds well over 300 sq ft of GFA. By exceeding two of the established thresholds under the Charlestown NDOD, the project triggers formal Planning Department Design Review in accordance with Article 28-5

The plans reviewed are titled "Proposed Renovations 78 Bunker Hill Street Charlestown, MA Rev'd ZBA Set 3-19-26", prepared by Timothy Sheehan Architect, and dated March 19, 2026. ISD officially stamped this set of updated plans on June 24, 2026.

**Recommendation:**



In reference to BOA1817120, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with specific focus on the size, scale, and contextual nature of the design of the proposed front dormer.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                                                                                                                                                                                                                                           |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1837592                                                                                                                                                                                                                                                                                                |
| <b>ZBA Submitted Date</b>                | 2026-04-08                                                                                                                                                                                                                                                                                                |
| <b>ZBA Hearing Date</b>                  | 2026-07-28                                                                                                                                                                                                                                                                                                |
| <b>Address</b>                           | 3 Moore ST East Boston 02128                                                                                                                                                                                                                                                                              |
| <b>Parcel ID</b>                         | 0100705000                                                                                                                                                                                                                                                                                                |
| <b>Zoning District &amp; Subdistrict</b> | East Boston Neighborhood<br>EBR-3                                                                                                                                                                                                                                                                         |
| <b>Zoning Article</b>                    | 53                                                                                                                                                                                                                                                                                                        |
| <b>Project Description</b>               | The proposal seeks to demolish the existing single-family dwelling, detached one-story block garage, and above-ground pool and deck area at 3 Moore Street and replace them with a new three-story, six-unit multifamily residential building with two exclusive-use roof decks and three parking spaces. |
| <b>Relief Type</b>                       | Conditional Use,Variance                                                                                                                                                                                                                                                                                  |
| <b>Violations</b>                        | Lot Frontage Insufficient<br>Parking or Loading Insufficient                                                                                                                                                                                                                                              |

#### **Planning Context:**

The project was deferred from June 6, 2026 hearing of the ZBA. No revised plans have been submitted or reviewed, and the analysis remains unchanged. The proposed project at 3 Moore Street replaces an existing single-family dwelling, detached one-story block garage, and above-ground pool and deck area with a new three-story, six-unit multifamily residential building. The new building includes two exclusive-use roof decks.

The area surrounding the site is predominantly residential in character. One-, two-, and three-unit buildings make up the largest residential typologies. Larger multifamily buildings, including four- to six-unit and seven-or-more-unit properties, are present within the surrounding neighborhood context.

The subject lot contains 50 feet of frontage and a depth of 100 feet, consistent with the 50-foot-wide lot configurations west of the site. Narrower 25-foot-wide lots are located to the east within the block.

#### **Zoning Analysis:**

The proposal received citations for insufficient lot frontage and insufficient off-street parking.



The property is located within the EBR-3 subdistrict. Under Article 53, Section 53-5.1 and Table A of the East Boston Neighborhood District zoning, “Household Living, 3-6 Dwelling Units” is an allowed use in the EBR-3 Mid-Block Lot subdistrict, subject to footnote (2). Footnote (2) limits the number of dwelling units based on lot frontage: lots with more than 55 feet of frontage may contain up to six dwelling units, while lots with 55 feet of frontage or less are limited to three dwelling units.

The subject lot has 50 feet of frontage and a depth of 100 feet. It therefore falls five feet short of the frontage threshold required to accommodate six dwelling units as of right. Although the use category is generally permitted in the subdistrict, the proposed six-unit program exceeds the number of units allowed on a lot with this frontage.

That dimensional deficiency should be considered in relation to the proposed building layout. The building is designed as a three-story, six-unit multifamily residence with two dwelling units per floor. The ground floor is organized around a central common lobby and stair core, while the upper floors repeat the same two-unit arrangement with a central stair landing providing access to each unit. This configuration creates six stacked flats served by one shared internal circulation core.

On a 50-foot-wide lot, this layout has significant site-planning consequences. Placing two full dwelling units across each floor and extending the building substantially through the depth of the parcel occupies a large portion of the available lot area. As a result, less open yard area remains available for parking, tree retention, circulation, and other site functions.

The existing site plan shows multiple trees distributed throughout the parcel, including in the rear yard, the central portion of the lot, and the right-side/front area near the existing garage. By contrast, the proposed plans show the building footprint and related site improvements occupying much of the area where existing trees are currently located. The proposal therefore replaces a site condition with trees distributed throughout the parcel with a more limited landscape condition concentrated primarily along the frontage and toward the rear.

The parking citation reflects the same spatial constraint. Article 53, Section 53-28 provides that the applicable off-street parking requirement is governed by Article 53, Table L. For household living developments with four or more dwelling units, Table L requires one off-street parking



space per dwelling unit. Because the proposal includes six dwelling units, six off-street parking spaces are required. The submitted parking table identifies zero parking spaces provided. The proposal therefore does not meet the applicable parking requirement.

In summary, the proposal is five feet short of the frontage threshold required for six units, provides no off-street parking, reduces available open yard area, and limits the retention of existing trees. The project proponent should revise the proposal to align with the dimensional, use, and site-planning requirements of Article 53 for the East Boston Neighborhood District and the applicable EBR-3 zoning standards, or come with a project that modifies them in order to preserve existing trees on site.

The plans reviewed are titled “3 Moore Street East Boston, MA”, prepared by 686 Architects and issued for review on November 17, 2025.

**Recommendation:**

In reference to BOA1837592, The Planning Department recommends: DENIAL WITHOUT PREJUDICE. The proponent should consider a design that, if it is not to comply with updated zoning, better retains existing tree canopy in one consolidated building.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning



|                                          |                                                                                                                                                                                                                          |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case</b>                              | BOA1482368                                                                                                                                                                                                               |
| <b>ZBA Submitted Date</b>                | 2023-06-06                                                                                                                                                                                                               |
| <b>ZBA Hearing Date</b>                  | 2026-07-28                                                                                                                                                                                                               |
| <b>Address</b>                           | 87 Morris ST East Boston 02128                                                                                                                                                                                           |
| <b>Parcel ID</b>                         | 0106841000                                                                                                                                                                                                               |
| <b>Zoning District &amp; Subdistrict</b> | East Boston Neighborhood<br>3F-2000                                                                                                                                                                                      |
| <b>Zoning Article</b>                    | 53                                                                                                                                                                                                                       |
| <b>Project Description</b>               | Change the use of an existing building from two units to three units by remodeling the basement into a new unit.                                                                                                         |
| <b>Relief Type</b>                       | Variance, Conditional Use                                                                                                                                                                                                |
| <b>Violations</b>                        | FAR Excessive<br>Usable Open Space Insufficient<br>Parking or Loading Insufficient<br>GCOD Applicability<br>IPOD Applicability<br>Lot Area Insufficient<br>Additional Lot Area Insufficient<br>Location of Main Entrance |

**Planning Context:**

This case has been previously reviewed and deferred by the ZBA on 6/16/26, 4/28/26, 1/27/26, 4/23/25, 6/24/25, 7/30/25, 9/25/25, and again on 11/25/25 . The contents of this review will remain the same.

87 Morris Street is located in the East Boston neighborhood district. PLAN: East Boston, which was adopted by the BPDA Board on March 14, 2024, encourages the development of Additional Dwelling Units as they offer a sustainable and efficient way to expand housing options and “contribute to more inclusive and adaptable communities”. Further, the PLAN states that, “Homeowners who want to make small changes to their houses—such as adding a dormer, creating an in-law suite in a basement, or building a new deck—will require fewer variances, making it easier for people to stay in their homes as their needs change.”

87 Morris Street is within a 5 minute walking radius of the MBTA Blue Line Airport Station further aligning it with city wide goals for increasing transit oriented development in order to address the ongoing housing crisis. The proponent seeks to change the occupancy of the



existing residence from a 2-family to a 3-family. This would involve the remodeling of the basement into a new apartment.

Morris Street contains mostly 3-family residences, including the two residences immediately to the east and west of the plot lines. Majority of the homes along Morris Street are built up to the existing lot lines with little to no side yard allotments. Parking along Morris Street appears to be very congested, with the majority of residences not providing any additional parking within their parcel.

This project is located in the Coastal Flood Resilience Overlay District (CFROD). PLAN: East Boston states that "Climate change threatens existing housing in low-lying areas. Large portions of the Paris Flats, Maverick Central, and Harbor View are at particular risk of flooding—although nearly every part of East Boston has at least some portion located within the Coastal Flood Resilience Overlay District (CFROD). The CFROD plays an important role in shaping new development. Proposed projects within the CFROD are subject to resilience review, which looks at the siting of mechanical systems, access, and ground floor elevation. For proposed projects in the CFROD, new or extended living space must be located above the Sea Level Rise - Design Flood Elevation." The plans do not show the lot's grade in relation to the Sea Level Rise-Design Flood Elevation, so it is not clear whether the proposed extension of living space would be under the SLR-DFE.

It is also not clear whether the project complies with the PLAN: East Boston recommended zoning required for permeable area of lot (30%) because a landscaping plan is not provided. It is especially crucial that this project has adequate permeable area because of its location in the Coastal Flood Resiliency Overlay District and Groundwater Protection Overlay District. PLAN: East Boston states that "permeable areas are needed to support groundwater recharge and limit stormwater runoff that contributes to neighborhood flooding and worsens water quality" and that infill development in Neighborhood Residential areas should preserve privately-owned open space and increase permeable areas.

### **Zoning Analysis:**

New zoning for this area to codify the recommendations of PLAN: East Boston was adopted on April 24, 2024. The notice for this new zoning was advertised on April 1, 2024, therefore projects that applied before this date were reviewed under the zoning in effect at the time. This project applied on May 30, 2023, and therefore the old zoning applies; however the updated



zoning provides important planning context. The project is currently undergoing eight zoning violations.

The project does not comply with new Article 53 zoning for off-street parking, as one new parking space would be required for the new 3rd unit. However, due to the narrow shape of the lot, there is no room for a driveway, and therefore a variance would be appropriate.

Any Proposed Project within the East Boston IPOD Study Area seeking to, in this case, enlarge or extend a building or structure so as to increase the gross floor area by more than one thousand (1,000) square feet will be subject to receiving an IPOD permit. However, those interim planning and zoning standards are no longer in effect.

New zoning does not restrict FAR, lot area, or usable open space, and instead regulates building width and depth, building lot coverage, building floor plate, and permeable area of lot. The project seems to comply with all of these dimensional requirements except for the permeable area of lot, which is not shown clearly in the plans. As noted in the planning context of this recommendation, an adequate permeable area is vital for mitigating flooding in this area. Also, due to the additional unit, the project does not comply with the requirements for usable open space, parking, and additional lot area.

The project is located in the Groundwater Conservation Overlay District (GCOD). The purpose of the GCOD is to protect wood pile foundations of buildings from being damaged by lowered groundwater levels. Projects that fall within GCOD and involve the erection or extension of any structure designed or used for human occupancy or access, mechanical equipment, or laundry or storage facilities, including garage space, if such construction involves the excavation below grade to a depth equal to or below eight (8) feet above Boston City Base, are required to obtain a conditional use permit.

The project is also flagged for Article 25 (flood hazard district). It appears the project is not in a flood hazard district but is in the Coastal Flood Resiliency Overlay District (Article 25A), which means that the addition or extension of Residential Uses below the Sea Level Rise-Design Flood Elevation (SLR-DFE) (21.5 ft in this case) would be prohibited under new East Boston zoning. The plans do not show the lot's grade in relation to the Sea Level Rise-Design Flood



Elevation, so it is not clear whether the proposed extension of living space would be under the SLR-DFE.

Plans submitted by Demorla Design and build on February 2, 2025, and last reviewed by the City of Boston Inspectional Services Department on June 11, 2026.

**Recommendation:**

In reference to BOA1482368, The Planning Department recommends DENIAL.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning

**MEMORANDUM****MAY 14, 2026**

**TO:** **BOSTON REDEVELOPMENT AUTHORITY**  
**D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY (BPDA)**  
AND KAIROS SHEN, DIRECTOR

**FROM:** NUPOOR MONANI, SENIOR DEPUTY DIRECTOR OF DEVELOPMENT  
REVIEW  
CASEY A HINES, SENIOR DEPUTY DIRECTOR OF DEVELOPMENT REVIEW  
DYLAN NORRIS, PROJECT MANAGER

**SUBJECT:** 320 SUMMER STREET, SOUTH BOSTON WATERFRONT

---

**SUMMARY:**

This Memorandum requests that the Boston Redevelopment Authority ("BRA") d/b/a Boston Planning & Development Agency ("BPDA") authorize the Director of the BPDA (the "Director") to: (1) authorize the Director to issue a Scoping Determination waiving further review pursuant to Section 80A-2 and Section 80B-5.3(d) of the City of Boston Zoning Code (the "Code") for the 320 Summer Street project as further described below, (the "Proposed Project"); (2) issue a Certification of Compliance for the Proposed Project pursuant to Section 80B-6 of the Code, upon successful completion of the Article 80 Large Project Review process; (3) authorize the Director to take any and all actions and execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing, including, without limitation, executing and delivering a Cooperation Agreement, Transportation Access Plan Agreement, and any and all other documents and agreements as the Director deems appropriate and necessary in connection with the Proposed Project; (4) authorize the Director to accept a Quitclaim Deed for a certain temporary and limited property interest in the Proposed Project's Project Site; and (5) authorize the Director to enter into a contract for payment in lieu of taxes ("Pilot Agreement") among the City of Boston, the BRA, and the

HC 320 Summer Street LLC (the “Proponent”) in connection with the Proposed Project.

**PROJECT SITE**

The site includes approximately 18,820 square feet of land located at 320 Summer Street in the City’s Fort Point Channel neighborhood at the intersection of Summer Street and A Street, with secondary frontage along Sleeper Street to the north, with a change of grade down to the intersection of A Street and bordered by Boston Wharf Road (the “Project Site”). The Project Site includes an existing approximately 122,100 square foot (sf), brick-and-beam building comprised of two originally distinct warehouse structures that were combined over the building's life. The building most recently operated as office use and underwent a significant renovation and systems update in recent years.

**DEVELOPMENT TEAM**

|                                                |                                                                                                                                                                               |
|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Proponent:                                     | HC 320 Summer Street LLC<br>352 Hammond Street<br>Newton, MA 02467<br>Fan Du and Willie Guo                                                                                   |
| Legal Counsel:                                 | McDermott Quilty Miller & Hanley LLP<br>28 State Street, Suite 802<br>Boston, MA 02109<br>617-946-4600<br>Joseph P. Hanley, Esq –Partner<br>Nicholas J. Zozula, Esq – Partner |
| Architect<br>and Sustainability<br>Consultant: | Stantec<br>40 Water Street, Third Floor<br>Boston, MA 02109<br>Aeron Hodges; Mark Soltysiak; Mark Whiteside                                                                   |
| Permitting Consultant:                         | Epsilon Associates, Inc.                                                                                                                                                      |

3 Mill & Main Place, Suite 250  
Maynard, MA 01754  
Talya Moked

Transportation                      Howard Stein Hudson  
Consultant and                      11 Beacon Street, Suite 1010  
Civil Engineer:                      Boston, MA 02108  
Brian J. Beisel; Michael White  
James Downing; Sarah Kasanovich

Mechanical Engineer:              R.W. Sullivan Engineering  
The Schrafft's City Center  
529 Main St. Suite 203  
Boston, MA 02129  
Dorian Alba; Brendan White

### **DESCRIPTION AND PROGRAM**

The Proponent proposes to renovate, convert, and expand interior space within the long-existing and combined brick and beam buildings at the Site, by changing its legal use from commercial office to residential multifamily housing, with ground floor retail and the construction of a partial mezzanine level to accommodate loft-style residential units (again, the "Proposed Project"). The Proposed Project will create up to 145 residential dwelling units in approximately 130,100 square feet of GFA, including ground floor retail of up to 7,500 square feet on A Street, approximately 2,398 square feet of amenity space on its main level along Summer Street, and ample on-site bicycle storage, and an existing roof deck of approximately 425 square feet will be improved with accessibility accommodations for residential usage.

The unit mix will be comprised of forty-six (46) studio apartments, seventy-six (76) one-bedroom apartments, and twenty-three (23) two-bedroom apartments.

The Proposed Project will preserve the existing building envelope, structural system, and primary façade openings. The Proposed Project's scope is limited to

interior work within the combined buildings at the Site, with no expansion to its existing footprint or façade. The Proposed Project represents a continuation of the Fort Point neighborhood's ongoing evolution from industrial and commercial use toward a vibrant, mixed-use residential district, while honoring the architectural legacy that defines its identity.

### **PLANNING CONTEXT**

Launched in October 2023, the Downtown Residential Conversion Incentive Pilot Program “Downtown Conversion Program” aims to support owners and developers of older commercial office building space in converting to residential units. The Pilot Program was informed by the City of Boston’s October 2022 Downtown Revitalization Report, which analyzed and made recommendations for downtown economic revitalization. In order to encourage new use of underutilized office space, the Downtown Conversion Program offers a tax abatement and a streamlined approval process to applicants who meet affordability and sustainability requirements.

### **ZONING**

The Project Site is located within and regulated by the M-4 Restricted Manufacturing Subdistrict of the South Boston Zoning District, and the Coastal Flood Resiliency Overlay and Groundwater Conservation Overlay Districts (the “CFROD” and “GCOD”), which allow its proposed Multifamily Residential (“MFR”) Use by Conditional Use Permit and requires review and approval for both CFROD and GCOD compliance. The Proposed Project will require additional relief from the Code due to the combined building’s long-existing non-conformities as associated with the change to an MFR use, and for the partial mezzanine level to create loft-style units. As the Proposed Project exceeds 50,000 square-feet of new construction, it is subject to the BPDA’s Large Project Review requirements, pursuant to Article 80B of the Code, and its parking and loading programming will be reviewed pursuant to Article 80.

As a result of the above, the Proponent anticipates that the Proposed Project will require relief from the Code for the following, due to the fact that it proposes a

Dwelling in an M Subdistrict, which shall conform to the lot area, lot width, usable open space, and yard requirements of the nearest R or H district (*see Section 13-4 of the Code*):

1. Article 8, Section 3: Multifamily Residential Use Conditional
2. Article 15, Section 1: Floor Area Ratio Excessive
3. Article 17, Section 1: Usable Open Space Insufficient
4. Article 32, Section 4: GCOD Substantial Rehabilitation

### **ARTICLE 80 REVIEW PROCESS**

On April 3, 2026, the Proponent filed a Letter of Intent (“LOI”) with the BPDA pursuant to Article 80B of the Code. Based on the LOI submitted on April 3<sup>rd</sup> 2026, Planning Department Staff recommended that the Director issue a Letter of Waiver. The Proposed Project does not include major external construction as it is the adaptive reuse of the current underutilized commercial space, is an applicant to the Pilot Program, complies with the requirements of the Executive Order, and thus, the Impact Advisory Group (the “IAG”) requirement should be waived. If, at any point during Article 80 Large Project Review, Staff determines the Proposed Project does not comply with the Letter of Waiver issued to the Proponent or the Executive Order, an IAG will be established immediately.

A Project Notification Form (“PNF”) was filed with the BPDA on April 7, 2026, the submission of which initiated the Large Project Review process for the Proposed Project and a public comment period, which concluded on May 7, 2026

The BPDA hosted a Public Meeting on April 29, 2026. The public meeting was posted to the BPDA’s calendar, and email notification was sent to all subscribers of the BPDA’s South Boston Waterfront neighborhood updates.

### **MITIGATION AND COMMUNITY BENEFITS**

The Proposed Project will include the following mitigation measures and community benefits to the South Boston Fort Point neighborhood and the City of Boston (the “City”):

- Revitalizing the Fort Point neighborhood by converting underutilized office space to on-site housing, bringing foot traffic back to the neighborhood, generating a new customer base for restaurants and shops, and creating a more vibrant urban core, as well as including new local retail space.
- Creating twenty-nine (29) on-site income-restricted units, including twenty-five (25) IZ Units at 60% of AMI, and four (4) IZ Units reserved for households with housing vouchers.
- Meeting, where applicable, C.O.B Green Energy “Stretch Goals”; as required by the BPDA office-to-residential conversion program.
- Reusing a vast majority of existing building components in order to minimize demolition waste and promote construction sustainability. This adaptive reuse of an existing office building to residential use, retaining the existing structure and façade and thereby reducing the embodied impacts associated with full demolition and new construction.
- Incorporating a design approach aligned with LEED Gold certification goals and long-term reductions in environmental impact
- Conserving, reusing, and retrofitting this historic building can help address the urgent need to reduce CO2 emissions from the building sector. Reusing this existing building rather than replacing it avoids the carbon emissions that occur during new construction.
- Introducing new neighborhood residents who will provide support to the local community and utilize local businesses.
- Introducing a development with a scope and scale that is intended to further the residential policy goals of Boston’s 2030 Housing Plan.
- Temporarily creating approximately 180 new jobs in the construction and building trades industries;
- Creation of several new jobs in the management of the building.
- In a good faith effort to respond to the important need for expanded Artist Live-Work accommodations in Fort Point, the Proponent and the BPDA will engage with the Mayor’s Office of Arts and Culture (“MOAC”) and Office of Neighborhood Services to study opportunities for the future marketing of the Proposed Project’s income-restricted units for Artist Live-Work space and overall programming with local organizations, proximate artistic resources, social services and amenities within walking/carrying distance, as provided for in the MOAC Guidelines and in accordance with Boston’s Fair Housing policies.

- Proponent will continue to evaluate off-street parking demand and transit-oriented strategies for the Proposed Project. If necessary and effective to mitigate potential impacts, it will consider the building residents not being eligible for the Boston Transportation Department's Resident Permit Parking program.

The project is subject to continuing design review by the Planning Dept's Urban Design staff.

### **ARTICLE 37 AND SMART UTILITIES**

For Article 37, the Proposed Project at 320 Summer Street is an adaptive re-use of an existing office building to residential use, retaining the existing structure and façade and thereby reducing the embodied impacts associated with full demolition and new construction. Consistent with the goals of Article 37, the project advances building sustainability through targeted performance improvements within the constraints of the existing building fabric, including reuse of major building components, continued use and upgrade of existing mechanical infrastructure where feasible, and a design approach aligned with LEED Gold certification goals and long-term reductions in environmental impact.

For Smart Utilities, the Proposed Project is designed to work within the constraints of existing shafts, the landmark envelope, and the retained building systems while maintaining existing electrical service and utilizing the building's existing mechanical system and boiler infrastructure. Although the project is not all-electric, the utility and building systems strategy emphasizes efficient reuse of existing infrastructure, coordinated utility planning, and operational reliability appropriate to an urban adaptive re-use project, while preserving flexibility for future system modernization as building and utility conditions evolve.

### **AFFIRMATIVELY FURTHERING FAIR HOUSING**

This project completed the AFFH Zoning review process and received BIFDC approval. The project's initial AFFH Zoning Self-Assessment is available as part of the Project Notification Form. The BIFDC's comment letter, detailing the requests

and recommendations made, is available on the project's Planning Department website under public comments, dated 5/7/2026. The final agreed upon AFFH Zoning interventions are below:

#### Article 80 Interventions

- Provide all IDP units on-site
- Provide a higher number of accessible units than required

#### Marketing and Housing Access Interventions

- Agree to follow progressive practices related to the use of CORI, eviction, and credit records in the tenant screening and selection process, and in marketing of units,
- Allow last month's rent to be paid in the last month, rather than requiring payment upfront (applies to all IZ units)

### **INCLUSIONARY ZONING**

The Proposed Project is subject to Zoning Code Article 79 – Inclusionary Zoning, dated October 1, 2024 (the "IZ") and is located within Zone A, as defined by the IZ. The IZ requires that 20% of the total number of units or residential rentable square footage within Article 80B Large Project Developments are designated as income-restricted units. Of the 20% of the total units or square footage, 17% must be made available to the households earn no more than 60% of the Area Median Income ("AMI"), and 3% of units must be reserved for households who qualify with mobile housing vouchers (the "Voucher Units"). In this case, twenty-five (25) units, or approximately 17.15% of residential leasable square footage within the project, will be made affordable to households with incomes of not more than 60% of AMI, as based upon data from HUD the United States Department of Housing and Urban Development ("HUD") and published by MOH as annual income and rent limits, and four (4) Voucher Units, or approximately 3.05% of residential leasable square footage within the project, will be made available to households with mobile housing vouchers and rented at no higher than the Small Area Fair Market Rent ("SAFMR") for zip code 02210.

The proposed locations, sizes, income restrictions, and rents for the IZ Units and Voucher Units are as follows:

| Unit Number | Number of Bedrooms | Unit size (Sq Ft) | Compact | Percent of AMI | Rent    | Group-2  |
|-------------|--------------------|-------------------|---------|----------------|---------|----------|
| 5           | One-Bedroom + Den  | 1,175.79          |         | 60%            | \$1,484 | Group-2A |
| 9           | One-Bedroom        | 581.70            | Y       | 60%            | \$1,335 |          |
| 11          | Studio             | 459.77            |         | 60%            | \$1,266 |          |
| 18          | One-Bedroom Loft   | 677.52            |         | 60%            | \$1,484 |          |
| 102         | Studio Barn        | 490.64            |         | 60%            | \$1,266 |          |
| 104         | One-Bedroom        | 557.66            | Y       | 60%            | \$1,335 |          |
| 110         | Studio             | 416.40            | Y       | 60%            | \$1,138 |          |
| 116         | One-Bedroom        | 496.67            | Y       | 60%            | \$1,335 |          |
| 120         | One-Bedroom        | 524.92            | Y       | 60%            | \$1,335 | Group-2A |
| 200         | Studio             | 488.66            |         | 60%            | \$1,266 |          |
| 205         | Two-Bedroom        | 851.04            |         | 60%            | \$1,680 |          |
| 207         | Two-Bedroom        | 813.40            | Y       | 60%            | \$1,512 | Sensory  |
| 219         | One-Bedroom        | 507.43            | Y       | 60%            | \$1,335 |          |
| 221         | One-Bedroom + Den  | 603.41            | Y       | Voucher        | \$3,600 |          |
| 304         | One-Bedroom        | 557.19            | Y       | 60%            | \$1,335 |          |
| 314         | Studio             | 509.82            |         | 60%            | \$1,266 | Group-2A |
| 316         | Studio             | 357.37            | Y       | 60%            | \$1,138 |          |
| 318         | One-Bedroom        | 496.48            | Y       | 60%            | \$1,335 |          |
| 322         | One-Bedroom        | 524.92            | Y       | 60%            | \$1,335 |          |
| 401         | One-Bedroom + Den  | 541.66            | Y       | 60%            | \$1,335 |          |
| 405         | Two-Bedroom        | 851.43            |         | Voucher        | \$4,260 |          |
| 415         | Two-Bedroom        | 710.29            | Y       | 60%            | \$1,512 | Group-2A |
| 419         | One-Bedroom        | 507.43            | Y       | 60%            | \$1,335 | Sensory  |
| 421         | One-Bedroom + Den  | 603.41            | Y       | Voucher        | \$3,600 |          |
| 503         | Studio Barn        | 491.42            |         | Voucher        | \$3,400 |          |
| 513         | One-Bedroom        | 621.91            | Y       | 60%            | \$1,335 | Group-2A |
| 516         | Studio             | 357.85            | Y       | 60%            | \$1,138 |          |
| 614         | Two-Bedroom        | 711.55            | Y       | 60%            | \$1,512 |          |

|     |        |        |   |     |         |         |
|-----|--------|--------|---|-----|---------|---------|
| 616 | Studio | 383.89 | Y | 60% | \$1,138 | Sensory |
|-----|--------|--------|---|-----|---------|---------|

The location of the IZ Units and Voucher Units will be finalized in conjunction with BPDA and Mayor's Office of Housing ("MOH") staff and outlined in the Affordable Rental Housing Agreement and Restriction ("ARHAR"), and rents and income limits for the IZ Units will be adjusted according to MOH published maximum rents and income limits, as based on HUD AMIs, available at the time of the initial rental of the IZ Units, and the rents for the Voucher Units will be adjusted according to the MOH published SAFMR limits available at the time of rental of the Voucher Units. IZ Units and Voucher Units must be comparable in size, design, and quality to the market-rate units in the Proposed Project, cannot be stacked or concentrated on the same floors, and must be consistent in bedroom count with the entire Proposed Project.

The ARHAR must be executed along with, or prior to, the issuance of the Certification of Compliance for the Proposed Project. The Proponent must also register the Proposed Project with the Boston Fair Housing Commission ("BFHC") upon issuance of the building permit. The IZ Units and Voucher Units will not be marketed prior to the submission and approval of an Affirmative Marketing Plan to the BFHC and the BPDA. Preference will be given to applicants who meet the following criteria, weighted in the order below:

- (1) Boston resident;
- (1) Household size (a minimum of one (1) person per bedroom); and
- (2) Households who are directly displaced or severely rent-burdened (to be marketed for seven (7) income-restricted units).

Where a unit is built out for a specific disability (e.g., mobility or sensory), a preference will also be available to households with a person whose need matches the build out of the unit. The City of Boston Disabilities Commission may assist the BPDA in determining eligibility for such a preference.

An affordability covenant will be placed on the IZ Units and Voucher Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with an MOH option to extend for an additional period of twenty (20) years). The household income of the renter and rent of any subsequent rental of the IZ Units and Voucher Units during this fifty (50) year period must fall within the

applicable income and rent limits for each IZ Unit or Voucher Unit. IZ Units and Voucher Units may not be rented out by the developer prior to rental to an income eligible household, and MOH or its assigns or successors will monitor the ongoing affordability of the IZ Units and Voucher Units.

**TERMS OF PILOT AGREEMENT**

Based on staff review under Article 80 and review under the Pilot Program, the Proponent has been selected to receive a Pilot Agreement, based on the Pilot Program criteria. The Proponent will, upon approval by the BPDA Board, enter into a Pilot Agreement among the City of Boston (the "City"), the BPDA, and the Proponent. If approved today, the City and the BPDA will provide the Proposed Project an average tax abatement of up-to seventy-five percent (75%) of the assessed residential value for a term of twenty-nine (29) years, terms which are consistent with the Program authorizing votes.

**DEED CONVEYANCE**

In order to comply with the rules and regulations under Massachusetts General Law Chapter 121B, Section 16, the BPDA must take an interest in the Project Site. To effectuate that, the BPDA and the Owner of 320 Summer Street will enter into a Deed agreement which conveys limited rights in the 320 Summer Street property. Additionally, the Owner and the BPDA will enter into an indemnification agreement to ensure the BPDA does not have liability on the property. The BPDA, in their prior board approvals related to the Downtown Conversion Program established a Demonstration Project Plan Area; the Project Site located in the City's Fort Point Channel neighborhood is included in that Demonstration Project Plan Area. The prior board approvals explain the need to help facilitate the renovation of underutilized office space into much-needed residential housing units.

**RECOMMENDATIONS**

Staff recommends that Board authorize the Director to: (1) authorize the Director to issue a Scoping Determination waiving further review pursuant to Section 80A-2 and Section 80B-5.3(d) of the City of Boston Zoning Code (the "Code") for the 320 Summer Street project; (2) issue a Certification of Compliance for the Proposed Project pursuant to Section 80B-6 of the Code, upon successful completion of the

Article 80 Large Project Review process; (3) authorize the Director to take any and all actions and execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing, including, without limitation, executing and delivering a Cooperation Agreement, Transportation Access Plan Agreement ("TAPA"), and any and all other documents and agreements as the Director deems appropriate and necessary in connection with the Proposed Project; (4) authorize the Director to accept a Quitclaim Deed for a certain temporary and limited property interest in the Proposed Project's Project Site; and (5) authorize the Director to enter into a contract for payment in lieu of taxes ("Pilot Agreement") among the City of Boston, the BRA, and the Proponent in connection with the Proposed Project:

Appropriate votes follow:

**VOTED:** That the Director be, and hereby is, authorized to issue a Scoping Determination waiving further review pursuant to Section 80A-2 and Section 80B-5.3(d) of the Code for the 320 Summer Street project as further described below, the "Proposed Project"); and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to issue a Certification of Compliance for the Proposed Project pursuant to Section 80B-6 of the Code, upon successful completion of the Article 80 Large Project Review process; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to take any and all actions and execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing, including, without limitation, executing and delivering a Cooperation Agreement, Transportation Access Plan Agreement ("TAPA"), and any and all other documents and agreements as the Director deems appropriate and necessary in connection with the Proposed Project; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to accept a Quitclaim Deed for a certain temporary and limited property interest in the Proposed Project's Project Site; and

**FURTHER**

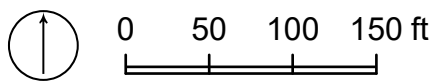
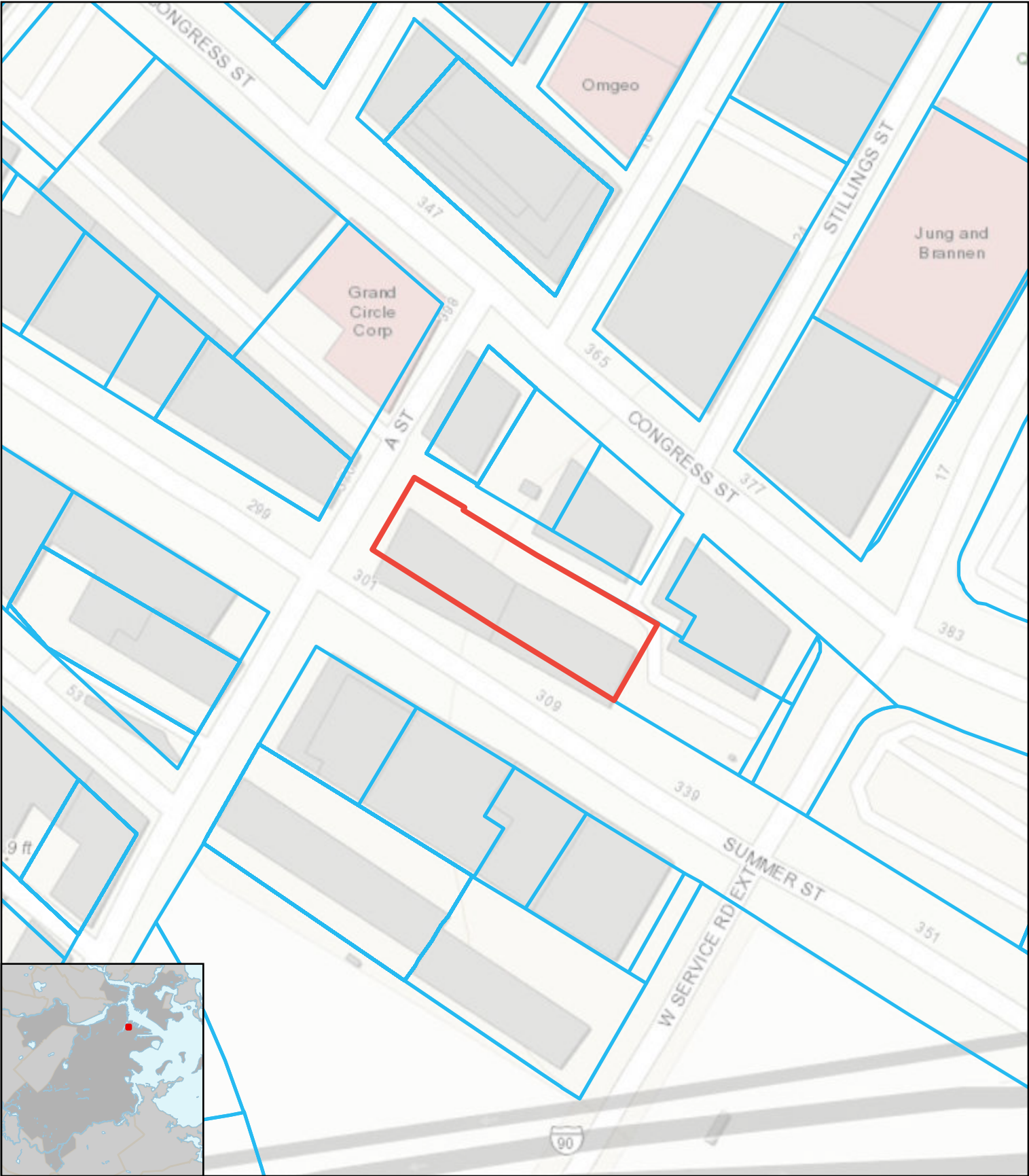
**VOTED:** That the Director be, and hereby is, authorized to enter into a contract for payment in lieu of taxes ("Pilot Agreement") among the City of Boston, the BRA, and the Proponent in connection with the Proposed Project.

## APPENDIX A

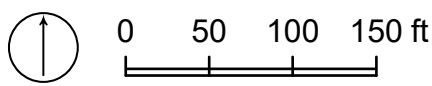
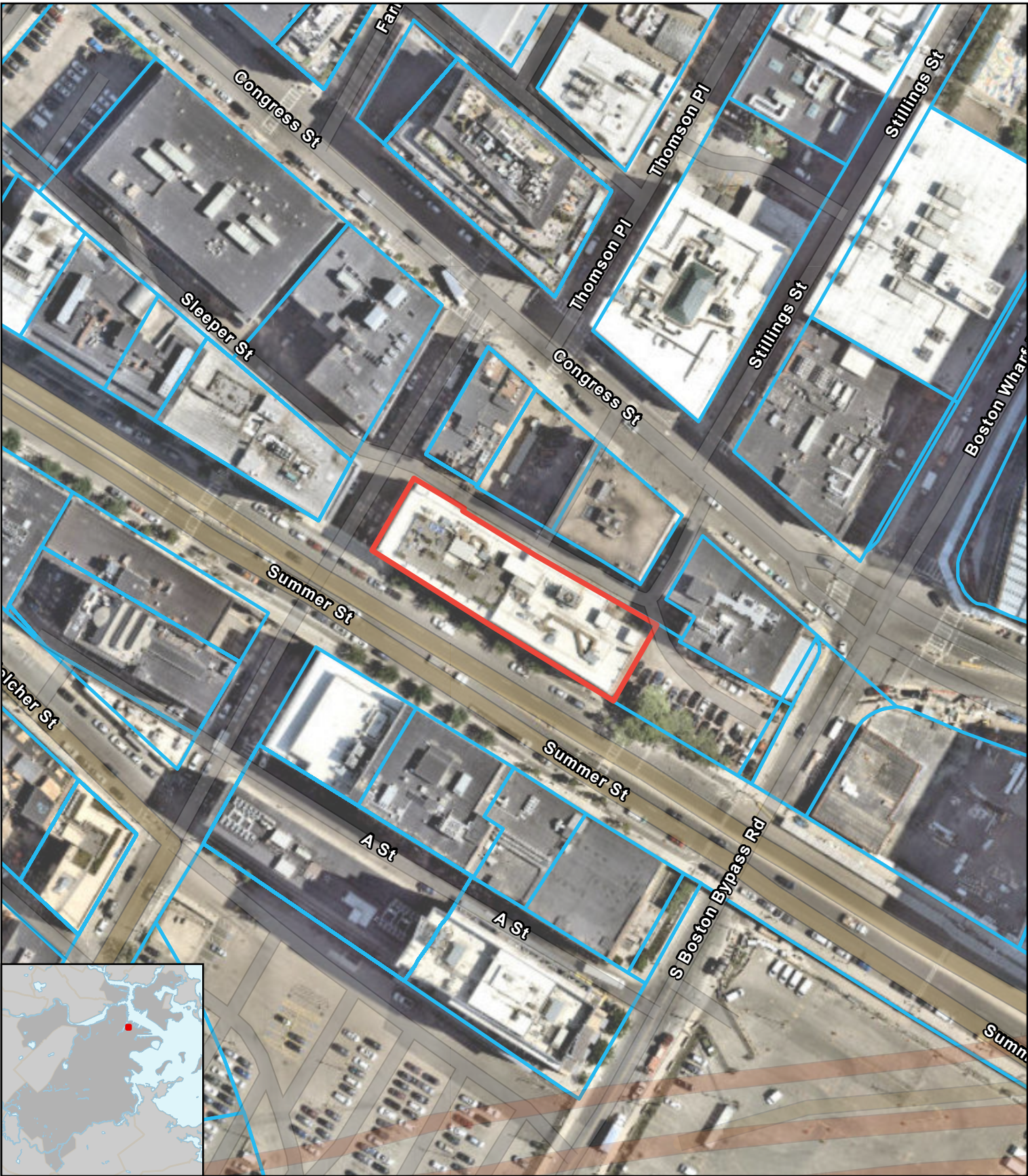
Exhibit A "PROJECT METRIC TABLE"

| <b><u>Estimated Project Metrics</u></b> | <b>Proposed Plan</b>          |
|-----------------------------------------|-------------------------------|
| <b>Gross Square Footage</b>             | 130,100                       |
| <b>Gross Floor Area</b>                 | 130,100                       |
| <i>Residential</i>                      | 122,600                       |
| <i>Office</i>                           | 0                             |
| <i>Retail</i>                           | 7,500                         |
| <i>Lab</i>                              | 0                             |
| <i>Medical Clinical</i>                 | 0                             |
| <i>Education</i>                        | 0                             |
| <i>Hotel</i>                            | 0                             |
| <i>Industrial</i>                       | 0                             |
| <i>Recreational</i>                     | 0                             |
| <i>Cultural</i>                         | 0                             |
| <i>Parking</i>                          | 0                             |
| <b>Development Cost Estimate</b>        | \$73,300,000                  |
| <b>Residential Units</b>                | 145                           |
| <i>Rental Units</i>                     | 145                           |
| <i>Ownership Units</i>                  | 0                             |
| <i>IDP/Affordable Units</i>             | 29                            |
| <b>Maximum Parking spaces</b>           | 0                             |
| <i>Long-term Bicycle Parking</i>        | 145                           |
| <i>Short-term Bicycle Parking</i>       | 0                             |
| <i>Location of Bike Room</i>            | <i>First floor "A Street"</i> |
| <i>Loading Bays</i>                     | 0                             |

# 320 Summer Street Topographic Board Map



# 320 Summer Street Aerial Board Map





**Boston City Council**  
**ED FLYNN**  
Councilor - District 2

Boston Planning & Development Agency Board  
One City Hall Square, Room 900  
Boston, MA 02201

May 14, 2026

Dear Members of the BPDA Board,

I'm writing with regard to the proposed development at 320 Summer Street in the South Boston Waterfront, an office to residential project which seeks to create up to 145 residential dwelling units, on-site affordable housing units, ground floor retail on A Street, as well 2,398 square feet of amenity space on its main level along Summer Street. While I am in support of the project, outstanding concerns remain in the community as it relates to housing preferences for both artists and veterans. Moreover, while the Boston Planning Department has included language to encourage restriction of new resident participation in the City of Boston's Residential Parking Permit (RPP) program, enforcement will need to be undertaken by the Boston Transportation Department (BTD) and included on a list maintained by the Office of the Parking Clerk.

Per my conversations with Planning Department staff, we will work together in the coming weeks on legislation and a Home Rule Petition that would now include the City of Boston with other municipalities across the Commonwealth of Massachusetts to provide affordable housing preferences to veterans and military families.

In addition, please note my office and I respectfully requested the proponent and the Planning Department worked together to ensure that this rental development would restrict resident parking permits from the City's RPP program. With the City of Boston's focus on reducing congestion, encouraging public transportation, and South Boston currently lacking resident parking restrictions on Friday, Saturday, and Sunday nights - it is critical that this project also be considered restricted by BTD and the Parking Clerk. This is especially important now with the nearby Congress Street/A Street/Sleeper Street project that will ultimately result in a net loss of 30 street parking spaces.

I respectfully request that the Board please provide every consideration, and that the Planning Department and the City continue to work closely with my office and I on these issues. If you have any questions, please contact me at [ed.flynn@boston.gov](mailto:ed.flynn@boston.gov).

Sincerely,

Ed Flynn  
Boston City Councilor, District 2



Dylan Norris &lt;dylan.norris@boston.gov&gt;

---

## Article 80 Filing: Project Notification Form 320 Summer Street South Boston Waterfront

---

Elena Itämeri <elena.itameri@boston.gov>  
To: Dylan Norris <dylan.norris@boston.gov>  
Cc: "CC@BOSTON.GOV" <cc@boston.gov>

Thu, Apr 9, 2026 at 3:36 PM

Hi Dylan,

Thank you for this email. Unfortunately Conservation Commission Staff are unable to attend the scoping session, but I do want to flag that this project is within the Conservation Commission's jurisdiction and will need to file a Notice of Intent. Details of how to file with the Commission can be found in our [filing guide](#). The project site is within Land Subject to Coastal Storm Flowage (LSCSF) and will need to comply with the performance standards I have listed below.

Please let me know if you have any questions.

Best,  
Elena

### LSCSF Performance Standards

1. When the Commission determines that LSCSF overlays or overlaps with other resource areas protected under the Ordinance, the applicable performance standards for each resource area shall be independently as well as collectively applied, and the project shall be conditioned to protect the Resource Area Values of all resource areas affected by the project and the ability of such other resource areas to protect the Resource Area Values described in Section XVII(A).
2. If LSCSF affected by proposed activity or work is significant to the Resource Area Values described in Section XVII(A), such activity shall not have an adverse impact on the subject site, adjacent properties, properties located in the adjacent Coastal Flood Resilience Zone, or any public or private way by increasing the elevation or velocity of flood or storm waters or by increasing flows due to a change in drainage or flowage characteristics.
3. If LSCSF is significant to flood control or storm damage prevention, the proposed activity or work shall not result in flood damage due to filling, which causes lateral displacement of flood waters that, in the judgment of the Commission, would otherwise be confined within said area. The Commission, in its sole discretion, may permit such activity so long as the activity will not have an adverse impact on said area's ability to provide storm damage prevention and flood control; provided, further, that the activity or work incorporate best management practices to reduce or eliminate damage resulting from SLR and coastal storms.
4. If LSCSF receives and holds coastal flood waters, the proposed activity or work shall not impact the ability of the area to receive, hold, and laterally spread flood waters if it causes unnatural redirection, refraction, diffraction, or reflection of coastal flood waters and waves.
5. If LSCSF receives coastal flood waters that naturally flow across the landform surface without redirecting or channeling the flow, the proposed activity or work shall not cause flood water to become redirected or channeled or increase in velocity, so as to cause erosion, scour, and increased storm damage to the project's locus and adjacent areas.
6. If LSCSF is significant to wildlife and their habitat, proposed activity or work shall not impair the capacity of those portions of LSCSF to provide important wildlife habitat functions.
7. If LSCSF is significant to the prevention of pollution, proposed activity or work shall not have an adverse impact on the characteristic of the LSCSF to remove suspended solids and other contaminants from runoff before entering into other wetland resource areas or a body of water.
8. Proposed work or activity in LSCSF which results in alteration to vegetative cover, interruptions in the beneficial supply of sediment to other wetland resource areas, or changes to the form or volume of a dune or beach, and such result will have an adverse impact on said dune or beach's ability to provide storm damage prevention and flood control, is prohibited.

9. Notwithstanding Sections XVII(E)(1) through (8), the Commission may, in its sole discretion, permit the following activities provided that the applicant demonstrates to the satisfaction of the Commission that best available measures, as defined by the Ordinance, are utilized to minimize or eliminate adverse impacts on the critical characteristics of and Resource Area Values protected by LSCSF described in Section XVII(A) herein, and provided further that all other performance standards for overlapping or overlaying wetland resource areas are met:

- i. Limited projects as specified in the Act at 310 Code Mass. Regs. 10.24(7);
- ii. Beach and bank nourishment and restoration projects, including fencing, native plantings, and other projects designed to increase resource area stabilization and decrease erosion;
- iii. Pedestrian walkways for public shoreline access and nonmotorized use;
- iv. Improvements necessary to maintain or improve the structural integrity or stability of an existing coastal engineering structure, as that term is defined by the Ordinance;
- v. Projects which will protect, restore, rehabilitate, or create a wetland resource area;
- vi. Projects that are approved, in writing, or conducted by the Commonwealth of Massachusetts Division of Marine Fisheries that are specifically intended to increase the productivity of land containing shellfish, including aquaculture, or to maintain or enhance marine fisheries;
- vii. Projects that are approved, in writing, or conducted by the Commonwealth of Massachusetts Division of Fisheries and Wildlife that are specifically intended to enhance or increase wildlife habitat;
- viii. Projects that are designed and intended to reduce the risk of coastal flooding, inland flooding, extreme weather events, SLR, and other adverse impacts of climate change, including, but not limited to, strategies and plans described in Climate Ready Boston or any successor initiative of the City,
- ix. Flood mitigation projects designed and intended to have no significant adverse effect on the ability of LSCSF to protect from storm damage and flood control, and
- x. Projects involving the installation of scientific testing and monitoring equipment provided that it is temporary in nature and will not alter LSCSF.

10. In the interest of storm damage prevention, flood control, and prevention of pollution, should the Commission permit activity or work in LSCSF that is part of new construction or constitutes substantial improvement to an existing structure, the Commission may condition the permitted activity or work so that any critical building systems, infrastructure, or equipment is located two (2) feet above the anticipated BFE expected to occur within the next 50 years based on the best available data and projections of SLR.

- i. In the event that the proposed work or activity is temporary, then any critical building systems, infrastructure, or equipment shall be located two (2) feet above the anticipated BFE at the conclusion of the project's determined duration of the temporary work.
- ii. At a minimum, the anticipated BFE shall be based on the best available and most recent data and projections for SLR made available by the City or any of its agencies, boards, commissions, or quasi-City agencies, including, but not limited to, data and information made available through the Climate Ready Boston initiative or any successor initiative.
- iii. In the event that elevating or relocating critical building systems, infrastructure, or equipment is not practicable, as determined by the Commission, the Commission may require the Applicant to employ other floodproofing strategies such as floodwalls or shields, and the Applicant shall, at a minimum, secure such equipment with anchors or tie-downs to prevent flotation.

11. When any proposed work or activity in LSCSF is located within an ACEC, the proposed work or activity shall have no adverse impact upon the Resource Area Values described in Section XVII(A) and shall fully mitigate any impacts resulting from the proposed work or activity.

12. Section XVII(E)(11) shall supersede the provisions of Section XVII(E)(9)(i) through (viii), but it shall not apply if the presumption set forth in Section XVII(D) is overcome.

13. Notwithstanding the provisions of Section XVII(E)(2) through (X), no project may be permitted which will have any adverse impact on specified habitat sites of rare vertebrate or invertebrate species indicated on the most recent Estimated Habitat Map of State-listed Rare Wetlands Wildlife (if any) published by the Massachusetts NHESP.

#### **Redevelopment Within Previously Developed LSCSF**

1. For purposes of this section, Redevelopment shall mean work or activity within previously developed or degraded areas prior to December 19, 2019. A previously developed or degraded area contains impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds. Redevelopment of these areas of LSCSF should not adversely impact LSCSF. Areas that were once previously developed or degraded that have since been

remediated and/or over time become natural or relatively undisturbed, including through the presence of topsoil and other vegetation, are no longer considered redevelopment.

2. Notwithstanding the provisions of Section XVII(E), the Commission may permit work or activity that constitutes a Redevelopment, provided that the work or activity shall conform to the following criteria:

- i. At a minimum, proposed work or activity shall result in an improvement over existing conditions of the capacity of LSCSF to protect at least one of the Resource Area Values described in Section XVII(A) and adaptations to or mitigation

against the impacts of SLR on the project and the area of the proposed work or activity;

ii. Stormwater management is provided according to the performance standards established in 310 Code Mass. Regs. 10.05(6)(k), as applicable to the proposed work or activity, including such performance standards as are applicable to proposed Redevelopment.

iii. The proposed work or activity shall not inhibit any planned flood resilience, adaptation, or mitigation solutions and shall not inhibit the ability to enact such solutions in a timely and practical manner as referenced by Climate Ready Boston or any successor initiative of the City.

3. Notwithstanding the provisions of Section XVII(E)(12), the provisions of Section XVII(E)(9),(10), (11), and (13) shall apply to proposed Redevelopment.

[Quoted text hidden]

--



**Elena Itämeri**

Executive Director, Boston Conservation Commission

City of Boston Environment Department

617.635.1988 (w) | [Pronouns](#): she, her, hers

Notice: This email is subject to [MGL: Chpt.66, Sec.10](#)

[Public Records Law](#).

To: Fan Du, Manager, HC 320 Summer Street LLC  
Cc: Joseph Hanley, Partner & Director, McDermott, Quilty Miller & Hanley LLP  
Elliot Mortell, Community General Manager, Gables Residential  
Dylan Norris, Project Manager, City of Boston Planning Department  
From: Janna Ramadan, AFFH Zoning Assistant on behalf of the Boston Interagency Fair  
Housing Development Committee  
Date: April 13, 2026  
Re: 320 Summer St. Affirmatively Furthering Fair Housing Comments from the  
Boston Interagency Fair Housing Development Committee

---

Thank you for submitting your Affirmatively Furthering Fair Housing (AFFH) Assessment and for your work to take meaningful actions to address significant disparities both in housing needs and in access to opportunity in the South Boston Waterfront neighborhood and the City of Boston as a whole. The Boston Interagency Fair Housing Development Committee (BIFDC) has reviewed your submission and has comments, suggestions, and/or requests for additional information. Review by the BIFDC is intended to be ongoing and collaborative, throughout the Article 80 review and approval process. Your responses to the requested information will assist the BIFDC in its AFFH review of the Proposed Project.

The BIFDC has comments on and/or requests for additional information regarding:

1. Increase the number of Group 2 units
2. Adopt a voucher preference for an agreed upon percentage of units
3. Allow last month's rent and security deposit be paid in installments

A detailed explanation of the BIFDC's comments and recommendations is included with this letter. If you have any questions, comments, or concerns about this letter or AFFH in general, please contact Janna Ramadan at [janna.ramadan@boston.gov](mailto:janna.ramadan@boston.gov). Please submit any information and/or documents regarding AFFH to your Project Manager.

## Boston Interagency Fair Housing Development Committee Review & Recommendation Form

|                       |                |
|-----------------------|----------------|
| Project Name/Address  | 320 Summer St. |
| BIFDC Review Date(s): | 4/13/2026      |
|                       |                |
|                       |                |
|                       |                |

### AFFH Recommendations

|                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AFFH Assessment is complete.                               | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No - An AFFH Assessment is marked as complete when the BIFDC has concluded its review and is able to make a recommendation regarding the AFFH components of a Proposed Project.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| If no, describe what is needed to complete the Assessment. | <p>Based on the input from BIFDC representatives, the Proponent is requested to respond to the following requests, recommendations, and questions:</p> <ol style="list-style-type: none"> <li><b>1. Increase the number of Group 2 units:</b> The BIFDC recommends the Proponent increase the number of Group 2 units, either market rate or income-restricted, to improve access to housing for households with a member with a disability in this neighborhood. Any increase to Group 2 units above the minimum requirements would also make the project eligible for the Article 80 intervention of offering a greater number of Group 2 units than required.</li> <li><b>2. Adopt a voucher preference for an agreed upon percentage of units:</b> The BIFDC requests that the Proponent include a voucher preference on a subset of the income-restricted units. A voucher preference ranks households with mobile housing vouchers higher in the lottery selection process and creates housing access opportunities. This is a low-cost/no-cost intervention as it simply establishes a weighted lottery for the selected IZ units.</li> <li><b>3. Allow last month's rent and security deposit be paid in installments:</b> In an effort to lower the cost barriers to moving facing income-restricted households, the BIFDC requests that the Proponent adopt an installment payment plan for the tenant's last month's rent and security deposit. This intervention can be applied to a subset of income-restricted and market-rate units. The Proponent can also elect to delay payment of the last month's rent until the</li> </ol> |

|                                                |                                                                                                                                                              |
|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                | tenant's last month, rather than receiving payment in advance. Again, this is a low-cost/no-cost intervention to reduce barriers facing prospective tenants. |
| <b>AFFH Assessment appears to be accurate.</b> | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                                          |
| <b>If no, describe the inaccuracies.</b>       |                                                                                                                                                              |
| <b>AFFH Assessment notes:</b>                  |                                                                                                                                                              |

### Planned Development Area

|                                                                                                                              |                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>This review is for Planned Development Area (PDA) only (each project located within a PDA to be reviewed separately).</b> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No-Intervention Enhancement for PDAs not required |
| <b>This project is located within a PDA.</b>                                                                                 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                |
| <b>Is yes, describe any different or additional AFFH and/or other housing obligations that are required under the PDA:</b>   |                                                                                                                    |
| <b>PDA Notes:</b>                                                                                                            |                                                                                                                    |

### Historical Exclusion

|                                                                                 |                                                                                                                                               |
|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>The proposed project is located in an area of high historical exclusion.</b> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No - Intervention Enhancement for High Historical Exclusion is not required. |
| <b>Historical Exclusion notes:</b>                                              |                                                                                                                                               |

### Actual Residential Displacement

|                                                                               |                                                                     |
|-------------------------------------------------------------------------------|---------------------------------------------------------------------|
| <b>There is actual residential displacement at the proposed project site.</b> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <b>Actual Residential Displacement Risk notes:</b>                            |                                                                     |

### Proportionality

|                                                                                                                                         |                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>The proposed intervention options are proportional to the size, scope, and impact of the proposed project.</b>                       | <input type="checkbox"/> Yes <input type="checkbox"/> No                                                            |
| <b>Discuss the basis for the above determination.</b>                                                                                   | A determination regarding Proportionality cannot be made until the outstanding issues described above are resolved. |
| <b>If no, describe the type and amount of additional intervention options that are necessary to a determination of proportionality.</b> |                                                                                                                     |
| <b>Proportionality notes:</b>                                                                                                           |                                                                                                                     |

### AFFH Strategy

|                                                                                                                                                                                                                                       |                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>The proposed AFFH strategy is appropriate, achievable, and responsive to the AFFH goals detailed in the Boston Zoning Code.</b>                                                                                                    | <input type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                         |
| <b>Describe the basis for the above decision.</b>                                                                                                                                                                                     | A determination that the overall AFFH Strategy is appropriate, achievable, and responsive to AFFH goals will be made once the outstanding issues are addressed by the Proponent. |
| <b>If no, describe what is necessary for the proposed AFFH strategy to become appropriate, achievable, and responsible to AFFH goals, including which specific different or additional intervention options should be considered.</b> |                                                                                                                                                                                  |
| <b>AFFH Strategy Notes:</b>                                                                                                                                                                                                           |                                                                                                                                                                                  |



# CITY of BOSTON

Michelle Wu, Mayor

To: Dylan Norris  
From: Michael Karaolis, PWD  
Date: April 30, 2026  
Subject: 320 Summer St PNF - Boston Public Works Department Comments

---

Included here are Boston Public Works Department comments for the 320 Summer St PNF.

## **Project Coordination:**

The developer shall coordinate with the Public Works Department regarding the Streets Capital Project on Congress St and Sleeper St as loading operations may be impacted.

## **Site Plan:**

The developer must provide an engineer's site plan at an appropriate engineering scale that shows curb functionality on both sides of all streets that abut the property if impacting any items in the public right-of-way.

## **Construction Within The Public vs Private Right-of-Way (ROW):**

Although the general comments below apply specifically to work associated with the project within the public right-of-way, it is preferred and encouraged for construction in the private right-of-way to be consistent with City standards for public ways, as well, to the extent possible. Should these streets ever become public ways, they must conform to the City standards as outlined below.

All proposed design and construction within the Public ROW shall conform to PWD Design Standards (<https://www.boston.gov/departments/public-works/public-works-design-standards>). Any non-standard materials (i.e. pavers, landscaping, bike racks, etc.) proposed within the Public ROW will require approval through the Public Improvement Commission (PIC) process and a fully executed License, Maintenance and Indemnification (LM&I) Agreement with the PIC. Please note that the comments below are specific to proposed work within the Public ROW.

## **Sidewalks:**

The developer is responsible for the reconstruction of the sidewalks abutting the project and, wherever possible, to extend the limits to the nearest intersection to encourage and compliment pedestrian improvements and travel along all sidewalks within the ROW within and beyond the project limits. The reconstruction effort also must meet current Americans with Disabilities Act (ADA)/Massachusetts Architectural Access Board (AAB) guidelines, including the installation of new or reconstruction of existing pedestrian ramps at all corners of all intersections abutting the project site if not already constructed to ADA/AAB compliance per Code of Massachusetts Regulations Title 521, Section 21 (<https://www.mass.gov/regulations/521-CMR-21-curb-cuts>). This includes converting apex ramps to perpendicular ramps at intersection corners and constructing or reconstructing reciprocal pedestrian ramps where applicable. Plans showing the extents of the proposed sidewalk improvements associated with this project must be submitted to the PWD Engineering Division for review and approval. Changes to any curb geometry will need to be reviewed and approved through the PIC.

Please note that at signalized intersections, any alteration to pedestrian ramps may also require upgrading the traffic signal equipment to ensure that the signal post and pedestrian push button locations meet current ADA and Manual on Uniform Traffic Control Devices (MUTCD) requirements. Any changes to the traffic signal system must be coordinated and approved by BTM.

All proposed sidewalk widths and cross-slopes must comply to both City of Boston and ADA/AAB standards.

The developer is encouraged to contact the City's Disabilities Commission to confirm compliant accessibility within the Public ROW.

## **Driveway Curb Cuts:**

Any proposed driveway curb cuts within the Public ROW will need to be reviewed and approved by the PIC. All existing curb cuts that will no longer be utilized shall be closed.



## **PUBLIC WORKS DEPARTMENT**

Boston City Hall • 1 City Hall Sq Rm 714 • Boston MA 02201-2024  
The Office of the Streets, Transportation, and Sanitation  
(617) 635-4900

**Discontinuances:**

Any discontinuances (sub-surface, surface or above surface) within the Public ROW must be processed through the PIC.

**Easements:**

Any easements within the Public ROW associated with this project must be processed through the PIC.

**Landscaping:**

The developer must seek approval from the Chief Landscape Architect with the Parks and Recreation Department for all landscape elements within the Public ROW. The landscaping program must accompany a LM&I with the PIC.

**Street Lighting:**

The developer must seek approval from the PWD Street Lighting Division, where needed, for all proposed street lighting to be installed by the developer. All proposed lighting within the Public ROW must be compatible with the area lighting to provide a consistent urban design. The developer should coordinate with the PWD Street Lighting Division for an assessment of any additional street lighting upgrades that are to be considered in conjunction with this project. All existing metal street light pull box covers within the limits of sidewalk construction to remain shall be replaced with new composite covers per PWD Street Lighting standards. Metal covers should remain for pull box covers in the roadway. For all sections of sidewalk that are to be reconstructed in the Public ROW that contain or are proposed to contain a City-owned street light system with underground conduit, the developer shall be responsible for installing shadow conduit adjacent to the street lighting system. Installation of shadow conduit and limits should be coordinated through the BPDA Smart Utilities team.

**Roadway:**

Based on the extent of construction activity, including utility connections and taps, the developer will be responsible for the full restoration of the roadway sections that immediately abut the property and, in some cases, to extend the limits of roadway restoration to the nearest intersection. A plan showing the extents and methods for roadway restoration shall be submitted to the PWD Engineering Division for review and approval.

**Additional Project Coordination:**

All projects must be entered into the City of Boston Utility Coordination Software (COBUCS) to review for any conflicts with other proposed projects within the Public ROW. The developer must coordinate with any existing projects within the same limits and receive clearance from PWD before commencing work.

**Green Infrastructure:**

The developer shall work with PWD, the Green Infrastructure Division, and the Boston Water and Sewer Commission (BWSC) to determine appropriate methods of green infrastructure and stormwater management systems within the Public ROW. The ongoing maintenance of such systems shall require an LM&I Agreement with the PIC. Effects of water infiltration with respect to the adjacent underpass structure and underground MBTA tunnels that may be negatively impacted by infiltration may impact the ability to install such systems and should be considered. Coordination with PWD and MBTA will be required.

**Resiliency:**

Proposed designs should follow the Boston Public Works Climate Resilient Design Guidelines (<https://www.boston.gov/environment-and-energy/climate-resilient-design-guidelines>) where applicable.

Please note that these are the general standard and somewhat specific PWD requirements. More detailed comments may follow and will be addressed during the PIC review process. If you have any questions, please feel free to contact me at [jeffrey.alexis@boston.gov](mailto:jeffrey.alexis@boston.gov) or at 617-635-4966.

**PUBLIC WORKS DEPARTMENT**

Boston City Hall • 1 City Hall Sq Rm 714 • Boston MA 02201-2024

The Office of the Streets, Transportation, and Sanitation

(617) 635-4900



**CITY *of* BOSTON**  
Michelle Wu, Mayor

Sincerely,

**Jeffrey Alexis**  
Principal Civil Engineer  
Boston Public Works Department  
Engineering Division

CC: Todd Liming, PIC



**PUBLIC WORKS DEPARTMENT**  
Boston City Hall • 1 City Hall Sq Rm 714 • Boston MA 02201-2024  
The Office of the Streets, Transportation, and Sanitation  
(617) 635-4900

**Boston Water and  
Sewer Commission**



980 Harrison Avenue  
Boston, MA 02119-2540  
617-989-7000

May 6, 2026

Mr. Dylan Norris, Project Manager  
Boston Planning Department  
One City Hall Square  
Boston, MA 02201

Re: 320 Summer Street  
Project Notification Form

Dear Mr. Norris:

The Boston Water and Sewer Commission (Commission) has reviewed the Project Notification Form (PNF) for the proposed redevelopment project located at 320 Summer Street in South Boston. This letter provides the Commission's comments on the PNF.

The project site is located at the intersection of Summer Street and A Street, with secondary frontage along Sleeper Street. The site land area is approximately 18,821 square foot (sf.). The site is presently occupied by two warehouse structures that were previously combined. The combined building contains approximately 122,100 sf. Most recently, the building functioned as office space.

The project proponent HC 320 Summer Street LLC (HC320) proposes conversion of the office space to approximately 145 new residential apartments, 7,500 sf of ground floor retail space and roof deck. The proposed renovations will preserve the existing building envelope, structural system, and primary façade openings. The scope of work is limited to interior renovations within the combined buildings with no expansion to its existing footprint or façade.

Water service is provided by Commission owned and maintained facilities in Summer Street A Street, Congress Street and the private road behind the building. Summer Street has a 12-inch ductile iron cement lined (DICL) water main that was installed in 2008. A Street has a 12-inch DICL water main and a 16-inch DICL both water mains were installed in 1984. Congress Street has two 16-inch DICL water main that was installed in 2007. The Private Road has a 6-inch DICL water main that was installed in 2008. Both water mains the 12-inch water main in A street, 6-inch water main in the Private Road and one 16-inch water main in Congress Street, are connected to the Commission's Southern High-Pressure Zone. The other water mains are connected to the Commission's Southern Low-Pressure Zone.

Sewer and storm drain facilities owned and maintained by the Commission are a 24-inch sewer and 30-inch storm drain in A Street. Congress Street has a 10-inch and 15-inch sewer and a 48-



inch storm drain. The Private Way has a 12-inch sewer. Privately owned storm drains include the 12-inch storm drain in the Private Road.

The PNF states that daily water demand for the proposed project is estimated to be 11,583 gallons per day (gpd) and wastewater generation is estimated to be 10,540 gpd.

The Commission has the following comments regarding the proposed project.

#### General

1. Prior to the initial phase of the site plan development, HC320, should meet with the Commission's Design and Engineering Customer Services Departments to review water main, sewer and storm drainage system availability and potential upgrades that could impact the development.
2. All new or relocated water mains, sewers and storm drains must be designed and constructed at HC320's, expense. They must be designed and constructed in conformance with the Commission's design standards, Water Distribution System and Sewer Use regulations, and Requirements for Site Plans. The site plan should include the locations of new, relocated and existing water mains, sewers and storm drains which serve the site, proposed service connections, water meter locations, as well as backflow prevention devices in the facilities that will require inspection. A General Service Application must also be submitted to the Commission with the site plan.
3. The proponent estimates that daily sewage will be less than Department of Environmental Protection's 15,000 gpd threshold for infiltration and inflow mitigation. However, the proponent should be aware that if during the site plan permitting process, it becomes apparent that wastewater flows will be 15,000 gpd or more, the Commission will invoke the requirement that the project participate in the 4 to 1 program.

The proponent should also note that the 4 to 1 requirement must be addressed 90 days before the activation of the water service.

4. The design of the project should comply with the City of Boston's Complete Streets Initiative, which requires incorporation of "green infrastructure" into street designs. Green infrastructure includes greenscapes, such as trees, shrubs, grasses and other landscape plantings, as well as rain gardens and vegetative swales, infiltration basins, and paving materials and permeable surfaces. The proponent must develop a maintenance plan for the proposed green infrastructure. For more information on the Complete Streets Initiative see the City's website at <http://bostoncompletestreets.org/>



5. For any proposed masonry repair and cleaning HC320 will be required to obtain from the Boston Air Pollution Control Commission a permit for Abrasive Blasting or Chemical Cleaning. In accordance with this permit HC320 will be required to provide a detailed description as to how chemical mist and run-off will be contained and treated before discharge to the sewer or drainage system or collected and disposed of lawfully off site. A copy of the description and any related site plans must be provided to the Commission's Engineering Customer Service Department for review before masonry repair and cleaning commences. HC320 is advised that the Commission may impose additional conditions and requirements before permitting the discharge of the treated wash water to enter the sewer or drainage system.
6. The project sites are located within Boston's Groundwater Conservation Overlay District (GCOD). The district is intended to promote the restoration of groundwater and reduce the impact of surface runoff. Projects constructed within the GCOD are required to include provisions for retaining stormwater and directing the stormwater to the groundwater table for recharge.
7. The Commission will require HC320 to undertake all necessary precautions to prevent damage or disruption of the existing active water, sewer and storm drains on, or adjacent to, the project site during construction. As a condition of the site plan approval, the Commission will require HC320 to inspect the existing sewer and storm drains by CCTV after site construction is complete, to confirm that the lines were not damaged from construction activity.
8. It is HC320's responsibility to evaluate the capacity of the water, sewer and storm drain systems serving the project site to determine if the systems are adequate to meet future project demands. With the site plan, HC320 must include a detailed capacity analysis for the water, sewer and storm drain systems serving the project site, as well as an analysis of the impacts the proposed project will have on the water, sewer and storm drainage systems.

#### Water

1. HC320 must provide separate estimates of peak and continuous maximum water demand for residential, commercial, industrial, irrigation of landscaped, and air conditioning make-up water for the project with the site plan. Estimates should be based on full-site build-out of the proposed project. In addition, provide the methodology used to estimate water demand for the proposed project.
2. HC320 should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. Consider outdoor landscaping which requires minimal use of water to maintain. If in-ground sprinkler systems are installed, the Commission recommends that timers, soil moisture indicators and rainfall



sensors be installed. The use of sensor-operated faucets and toilets in common areas of buildings should be considered.

3. HC320 is required to obtain a Hydrant Permit for use of any hydrant during the construction phase of this project. The water used from the hydrant must be metered. Contact the Commission's Meter Department for information on and to obtain a Hydrant Permit.
4. The Commission is utilizing a Fixed Radio Meter Reading System to obtain water meter readings. For new water meters, the Commission will provide a Meter Transmitter Unit (MTU) and connect the device to the meter. For information regarding the installation of MTUs, contact the Commission's Meter Department.

#### Sewage / Drainage

1. In conjunction with the Site Plan and the General Service Application HC320 will be required to submit a Stormwater Pollution Prevention Plan. The plan must:
  - Identify specific best management measures for controlling erosion and preventing the discharge of sediment, contaminated stormwater or construction debris to the Commission's drainage system when construction is underway.
  - Include a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control structures or treatment structures to be utilized during the construction.
  - Specifically identify how the project will comply with the DEP's Performance Standards for Stormwater Management both during construction and after construction is complete.
2. The Commission encourages HC320 to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.
3. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission. HC320 is advised that the discharge of any dewatering drainage to the storm drainage system requires a Drainage Discharge Permit from the Commission. If the dewatering drainage is contaminated with petroleum products, HC320 will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.



4. The Commission supports HC320 commitment to construct on site a stormwater retention and infiltration system. The design criteria required that the system be sized for a volume of runoff equal to 1.25 inches of rainfall times the impervious area. The site plan should indicate how storm drainage from roof drains will be handled.
5. The DEP established Stormwater Management Standards. The standards address water quality, water quantity and recharge. In addition to Commission standards, HC320 will be required to meet DEP Stormwater Management Standards.
6. Sanitary sewage must be kept separate from stormwater and separate sanitary sewer and storm drain service connections must be provided. The Commission requires that existing stormwater and sanitary sewer service connections, which are to be re-used by the proposed project, be dye tested to confirm they are connected to the appropriate system.
7. The Commission requests that HC320 install a permanent casting stating "Don't Dump: Drains to Boston Harbor" next to any catch basin created or modified as part of this project. Contact the Commission's Operations Division for information regarding the purchase of the castings.
8. If a cafeteria or food service facility is built as part of this project, grease traps will be required in accordance with the Commission's Sewer Use Regulations. HC320 is advised to consult with the Commission's Operations Department with regards to grease traps.

Thank you for the opportunity to comment on this project.

Yours truly,

John P. Sullivan, P.E.  
Chief Engineer

JPS/RJA

cc: C. Rizzi, MWRA via e-mail  
D. Devlin, BWSC via e-mail  
P. Salvatore, BWSC via e-mail  
S. McFee, BWSC via e-mail