



Planning Department

CITY of BOSTON

MEMORANDUM

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

FROM: Joanne Marques
Planning Department

DATE: April 30, 2026

RE: Planning Department Recommendations

Please find attached, for your information, Planning Department recommendations for the May 5, 2026 Board of Appeals Hearing.

Also included:

69 to 71 A ST South Boston 02127

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



Case	BOA1795439
ZBA Submitted Date	2025-11-04
ZBA Hearing Date	2026-05-05
Address	133 to 135 N Washington ST Boston 02113
Parcel ID	0301468000
Zoning District & Subdistrict	North End Neighborhood North Washington St CC
Zoning Article	54
Project Description	Erect a six-story, six unit (five 3-bedroom units, one 2-bedroom unit) residential building.
Relief Type	Variance, Conditional Use
Violations	GCOD Applicability Side Yard Insufficient FAR Excessive Height Excessive (ft) Usable Open Space Insufficient Rear Yard Insufficient Roof Structure Restrictions Off Street Parking Regulations Use: Conditional Residential on Ground-Floor

Planning Context:

Beyond the designated purpose of the Community Commercial (CC) Subdistricts, the North Washington Community Commercial Subdistrict serves as a primary transitional zone between the residential core of the North End and the higher-density Bulfinch Triangle and Downtown areas. Currently, the corridor’s streetscape is characterized by a mix of residential units, commercial storefronts, and open parking lots. Many of these ground-floor spaces are underutilized or currently vacant, creating an inactive street frontage that contrasts with the vibrant commercial activity found throughout the North End. The building heights here are notably taller than the neighborhood’s interior, with buildings on the eastern side of the street reaching five to eight stories to match the six to nine story heights seen on the western side. The block’s geometry is shaped by North Washington Street meeting Endicott Street, creating an exceptionally dense condition. Most buildings on this block extend to their rear lot lines, leaving only a narrow designated passageway between them.

In terms of transit, this site is exceptionally well-connected due to its proximity to North Station, which provides access to the MBTA Orange and Green Lines within a ten-minute walk. The



property is also located directly across from a major bus stop serving the 92, 93, 111, 426, and 428 routes, further contributing to the connectedness of the lot's location. The location of the proposed project is highly aligned with the goals of Housing a Changing City: Boston 2030, which calls for the prioritization of developing housing that has immediate proximity to major transit stations. Furthermore, this proposed project will provide new, family-sized housing units with the creation of 5 three-bedroom units and one two-bedroom unit over the creation of new studio or one-bedroom units.

The subject lot is located within the Coastal Flood Resilience Overlay District (CFROD) and a FEMA 'AO' Flood Hazard District. The CFROD promotes sustainable development by mandating resilient design standards and Design Flood Elevation (DFE) based on projected 2070 sea-level rise and storm surge risks. Notably, habitable space is prohibited below the DFE within these overlay districts. Compliance with Article 25-6 within the FEMA district ensures the proposal is designed to minimize flood damage and provide adequate drainage without increasing hazards to health or property. Additionally, the property is subject to the Restricted Parking Overlay District (RPOD), which supports the Downtown Boston Parking Freeze; the Groundwater Conservation Overlay District (GCOD), which protects building foundations and ensures new development does not deplete groundwater levels; and the North End Restricted Roof Structure District which regulates the scale and visibility of rooftop additions or utilities.

Zoning Analysis:

The Refusal Letter cites six dimensional violations, specifically regarding side and rear yard setbacks, FAR, building height, usable open space, and off-street parking. Additionally, the proposal requires a Conditional Use Permit under Articles 54 and 32 for the ground-floor residential use, Restricted Roof Structure District guidelines, and the GCOD requirements. Pursuant to Article 54, Table B, ground-floor residential units are a conditional use in Community Commercial subdistricts. While this site would typically be well-suited for such use, its location within the CFROD and the FEMA Flood Hazard District provides significant grounds for denial. The submitted plot plan shows an at-grade elevation of approximately 17.5', while the DFE is established at 19.5'. Introducing habitable residential space significantly below the DFE directly violates CFROD's guidelines and FEMA regulations. Furthermore, for an AO Flood Zone, building code strictly requires the lowest floor to be elevated to or above the flood depth, placing a residential unit at grade on this lot creates a substantial long-term safety risk. The proponent should consider alternatives to the proposed design that either address these concerns through eliminating the ground-floor residential unit or elevating the overall structure.



While the FAR of 5.1 is higher than the allowed 3.0, it remains below the FAR of many existing structures along North Washington Street, which can range as high as 6.2 for FAR. Despite the contextual alignment in massing, the design introduces at-grade habitable space below the DFE and for the lot, which is a fundamental violation of the CFROD and FEMA Flood Hazard District. Because the design includes an entire residential unit situated at an unsafe elevation relative to projected flood risks, the Planning Department cannot recommend relief for this FAR violation.

The new building maintains the existing 0' side setbacks but seeks to alleviate the existing condition between North Washington and Endicott Street by improving the rear setback. While the subdistrict does not have a specific side yard requirement, the violation was cited due to proximity to abutting window and ventilation openings. The proposal does not meet the 12' rear setback requirement, but improves the current structure's footprint, ensuring the proposed building does not exceed the legal lot line, and sets back the uppermost story away from abutting properties along Endicott Street by an additional 4'. Although the project provides insufficient usable open space, this prioritization of indoor living area is common in the North End to maximize the provision of housing units. The proposed building height of 64' exceeds the 55' subdistrict limit but remains contextual with surrounding structures that typically range from 60-to-70'. The proposed roof deck is designed with significant setbacks from both the front and rear roof edges to minimize its visibility from public ways and ensure screening from neighboring residents.

The exclusion of off-street parking, while a violation of Article 54, Table E, is appropriate given the site's exceptional transit access and the density of the North End. This design choice is further supported by the lot's location within the RPOD. Finally, because the project is located within the GCOD, the plans must undergo review by the Boston Water & Sewer Commission to ensure compliance with the requirements for Dig Down, Lot Coverage, and Paving Projects outlined in Article 32-3.

Plans reviewed are titled "Nick Beaujean 133 North Washington Street, Boston MA 02113" prepared by 686 Architects and dated 09/11/2025. This set of plans was submitted to the Inspectional Services Department on 03/26/2026 and received a new denial on 04/16/2026. The review was based on the most up-to-date proposal containing 6 residential units.

Recommendation:



In reference to BOA1795439, The Planning Department recommends DENIAL WITHOUT PREJUDICE: the proponent must consider a design which does not introduce livable space or residential units below the DFE of this lot or consider a design that raises the structure above the DFE outlined by the FEMA Flood Hazard District to ensure compliance with Article 25.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1813329
ZBA Submitted Date	2026-01-20
ZBA Hearing Date	2026-05-05
Address	139 W Canton ST Roxbury 02116
Parcel ID	0400261000
Zoning District & Subdistrict	South End Neighborhood MFR
Zoning Article	64
Project Description	The project proposes to renovate the existing building located at 139 West Canton Street. Proposed work includes remodeling the interior, adding a rear, second-story balcony, and adding a roof deck.
Relief Type	Conditional Use
Violations	GCOD Applicability Rear Yard Encroachment

Planning Context:

The existing single-family rowhouse is within the South End Landmark District, less than half a mile from the Back Bay MBTA Orange Line Station. The surrounding area includes a consistent building typology of single- and two-family rowhouse buildings of similar size and scale. The subject block backs up to a shared green space.

The proposed renovation includes interior remodel, a rear, second-story balcony, a roof deck with hatch for access, underground water and sewer work, and in kind facade repairs.

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. However, the interior renovations do propose to lower the floor elevation of the garden level by one foot in order to increase the floor to ceiling space. The project will be subject to review by the South End Landmark District Commission (SELDC) and the Boston Water and Sewer Commission (BWSC).

Zoning Analysis:

The subject property was cited based on Articles 64 and 32 of the zoning code.



Art. 64, Sec. 9.4: "Any Proposed Project that otherwise meets the applicable use and dimensional requirements of this Article shall be conditional if such Proposed Project involves the extension of a Town House or Row House into a rear yard, where such extension...involves the addition of a porch or balcony, other than a roof deck, above the first story." In the MFR subdistrict, the required minimum rear setback is 20 feet; however, the site currently only provides a 16.3-foot rear setback due to the existing configuration of the block, all of which was constructed in the late 19th and early 20th century. The proposed rear balcony will encroach nine feet into the existing rear yard but will be in line with the adjacent second-floor rear balcony to the north. Furthermore, a shared, private park exists behind the home, providing additional green space, separation, and privacy. Staff recommends approval of the conditional use.

Art. 32, Sec. 4: The project is cited for GCOD applicability, pursuant to Section 32-4 due to substantial rehabilitation and underground water and sewer work proposed on the site. Consequently, the project is subject to GCOD review by the Boston Water and Sewer Commission.

Plans reviewed are titled "Ojeda Residence," prepared by Kennard Architects, and dated December 2025.

Recommendation:

In reference to BOA1813329, The Planning Department recommends APPROVAL.

Reviewed,

Deputy Director of Zoning



Case	BOA1822885
ZBA Submitted Date	2026-02-23
ZBA Hearing Date	2026-05-05
Address	149 Newbury ST Boston 02116
Parcel ID	0501361010
Zoning District & Subdistrict	Boston Proper B-3-65
Zoning Article	8
Project Description	Change use from an office to a clinic in a third floor commercial space.
Relief Type	Conditional Use
Violations	Use: Conditional (Clinic)

Planning Context:

This proposed project converts an existing office space on the third floor of a five-story commercial building to a medical spa. The property is located along Newbury Street at the intersection with Dartmouth Street, and is a five-story commercial building constructed in 2023. Newbury Street is an active mixed-use corridor that hosts a variety of businesses and commercial activity, including restaurants, offices, galleries, and other medical spas/clinics. Given the nearby and existing active land uses, this is an appropriate use for this location.

Zoning Analysis:

A medical spa is considered a Clinic not accessory to a main use (Use Item No. 39A in Table B of Article 8), which is conditional in this B-3-65 subdistrict. In granting conditional use for this use, the Board of Appeal must find that the conditions in Article 6 are met: the proposed use will not ostensibly adversely affect the neighborhood, will not present a hazard to vehicles or pedestrians, will not create a nuisance, has the appropriate facilities to properly operate the use, and is in an appropriate location. Given the prevalence of this type of use in the proximate area and within the same zoning district, it is an appropriate location for such use. This presents a case for zoning reform, where many of the land uses that are common in this area are considered conditional or forbidden.

Plans reviewed are titled "Tenant Improvement 149 Newbury Street Boston, MA 02116," prepared by Mark Vetter Architecture, and dated December 23, 2025.



Planning Department

CITY of BOSTON

Recommendation:

In reference to BOA1822885, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1825910
ZBA Submitted Date	2026-03-06
ZBA Hearing Date	2026-05-05
Address	154 to 170 Commonwealth AV Boston 02116
Parcel ID	0501383000
Zoning District & Subdistrict	Boston Proper H-3-65
Zoning Article	Underlying Zoning
Project Description	Change the use from a medical office to a private, members-only club. The club will include a fitness area, food and drink for members, a sauna and steam room, and treatment rooms.
Relief Type	Conditional Use
Violations	Conditional Use

Planning Context:

The subject property is located in the Back Bay neighborhood along Commonwealth Avenue, within a primarily residential context characterized by historic brownstone and condominium buildings. The surrounding area includes a mix of residential, institutional, and membership-based uses, with several private clubs located in the immediate vicinity, including the Quin House. These uses reflect an established pattern of adaptive reuse within existing buildings, where interior spaces accommodate non-residential functions without altering the exterior character. The proposed change of use is consistent with this pattern, maintaining the building’s residential appearance while introducing a contained, member-only use that aligns with the surrounding neighborhood context.

Zoning Analysis:

The proposed project involves a change of use from Medical Office to Private Club (Use Item No. 30) within an existing condominium unit. Zoning relief is required for the following reason:

Article 8, Section 3, Conditional Use: The proposed Private Club use is a conditional use within the H-3-65 subdistrict and therefore requires approval from the Board of Appeal.



No additional dimensional violations have been identified. The proposal does not involve exterior alterations, expansion of the building envelope, or changes to height, floor area ratio, or setbacks.

The request is limited to use-based relief. The proposal represents a change in occupancy within an existing structure and does not introduce new massing or physical nonconformities. Due to this, the zoning considerations are focused on the appropriateness of the use within the existing neighborhood context rather than on dimensional compliance.

“Letter titled ‘160 Commonwealth Avenue, Boston, MA,’ dated October 30, 2025, were reviewed in support of this recommendation.

Recommendation:

In reference to BOA1825910, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1772580
ZBA Submitted Date	2025-09-05
ZBA Hearing Date	2026-05-05
Address	94 W Cedar ST Boston 02114
Parcel ID	0501973000
Zoning District & Subdistrict	Boston Proper H-2-65
Zoning Article	Underlying Zoning
Project Description	The project seeks a change of use from commercial/residential to a 5-story, 6-unit building through a 3-story addition over an existing rowhouse.
Relief Type	Variance, Conditional Use
Violations	FAR Excessive Rear Yard Insufficient Side Yard Insufficient Usable Open Space Insufficient Parking or Loading Insufficient GCOD Applicability Projections in Rear Yard

Planning Context:

94 West Cedar Street is primarily residential, but sits just a few hundred feet from the Cambridge Street commercial corridor. The proposed project is less than 500 feet from the Charles/MGH MBTA Red Line Station. The existing building sits right at the lot line, with no front, rear, or side yards. The rear of the property faces a thin and narrow alley with no outdoor amenity space or parking. 94 West Cedar Street is currently home to the West Cedar Dry Cleaner, with residential apartments on the second floor. All proposed exterior work that is, or will be, visible from any public way and will require review by the Landmarks Commission.

Zoning Analysis:

The refusal letter refers to six (6) total violations of the zoning code: dimensional violations of excessive FAR, insufficient rear and side yards, insufficient Usable Open Space, and insufficient off-street parking. The proposed project is also cited for CGOD applicability due to the substantive changes being made to the building envelope.



In an H-2-65 subdistrict, the maximum FAR is 2.0. The proposed three-story addition would bring this project to a FAR of 4.2, significantly exceeding the limit. However, the neighboring buildings at 92 and 96 West Cedar stand at five and four stories, respectively. As the shortest building on the entire block, extending 94 West Cedar to five stories would align with the existing neighborhood context and bridge a visual "gap" in the street wall, making zoning relief appropriate.

The refusal letter refers to Article 19 Section 4 and Article 20 Section 4 related to Side and Rear Yard requirements in H-districts. In short, Article 19-4 states that there is no required side yard for the first 70 feet back into the property; while Article 20-4 says that if you have no side yards you must have a rear yard of at least 30 feet. As this is infill development, extending the vertical height of the envelope between two much taller buildings, the violations for Projections into Rear Yard, and Insufficient Side and Rear Yards, all constitute existing nonconformities. There are no proposed changes to the building floorplate. Zoning relief as it relates to Excessive FAR and to extend the existing non-conformities related to all yards is appropriate.

Article 13 Section 1 of the zoning code mandates a minimum of 150 square feet of Usable Open Space per Dwelling Unit. The proposed would contain six Dwelling Units and so would be required to provide 900 square feet of Usable Open Space on a lot that is only 1,560 square feet total. With over 80% lot coverage, the existing site plan does not meet zoning code standards for an "Usable Open Space" in a meaningful way, however, the proposed compensates for the lack of Usable Open Space by providing a balcony with an area of 45-60 square feet for each floor at the rear of the building. The existing conditions therefore are an existing non-conformity and should be granted zoning relief.

The refusal letter also refers to Article 23 Section 1 which states that if the maximum FAR for the lot is 2.0 then, for each dwelling unit, there shall be provided at least 0.7 spaces of parking. In the case of this proposed project, that would mean providing 4.2 (likely 5) parking spaces and would likely require demolition of the existing building. In neighborhoods like Beacon Hill, off-street parking is generally incongruent with the built environment, where most construction pre-dates the widespread adoption of modern vehicles. Additionally, the proposed is in close proximity to multi-modal rapid transit and is highly walkable making zoning relief is appropriate.

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



This case represents a strong case for zoning reform and revising the portions of the code which prevent modernization or renovation to existing structures. Mandatory parking minimums, in particular, create time-consuming and expensive delays for proponents, which ultimately slow down the creation of much-needed housing across the City.

Plans were produced by Tim Johnson Architect, LLCC and are dated April 2, 2026.

Recommendation:

In reference to BOA1772580, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1830565
ZBA Submitted Date	2026-03-23
ZBA Hearing Date	2026-05-05
Address	87 Heath ST Mission Hill 02120
Parcel ID	1001257000, 1001258000
Zoning District & Subdistrict	Mission Hill Neighborhood LI, 3F-2000
Zoning Article	59
Project Description	The project will consolidate then subdivide two lots to create "Lot A" to maintain access to 89 Heath Street and "Lot B" to build a multi-family residential building. The proposed building is a 5-story, 14-unit residential building with 7 car parking spaces and both indoor and outdoor bike parking.
Relief Type	Variance
Violations	Off Street Parking Regulations Parking or Loading Insufficient Height Excessive (ft) FAR Excessive Usable Open Space Insufficient Rear Yard Insufficient screening and buffering Lots in Two Districts Use: Forbidden

Planning Context:

The proposed project is located on Heath Street in Mission Hill, an east to west corridor between South Huntington Avenue and Columbus Avenue. Heath Street is also the boundary between Mission Hill, which rises to the north, and Jamaica Plain to the south. The area south of Heath Street is a mix of institutional uses such as the James W. Hennigan School and VA Medical Center, and more residential areas which range in scale from single unit residential structures to the multi-story Mildred Hailey Apartments. To the north of Heath Street, the neighborhood is more residential with a mix of small scale, one- to three-unit structures and larger, multi-family residential structures.

Heath Street is best understood as a corridor that is unique from the surrounding side streets and has almost fully transitioned from light industrial to residential land uses. The site itself is a parking lot with a loading dock for the neighboring industrial building. The property abuts



residential lots to the north and east which contain triple-deckers. The triple-deckers cover most of the lots they are built on, leaving little room in surrounding yards. Residential structures in the surrounding area generally have very small rear yards, however, there are examples of lots with larger rear yards with mature trees.

The project will consolidate two existing lots, executing a merge and subsequent subdivision that operates as a boundary line adjustment to adjust the sizes of “Lot A” and “Lot B” as shown on the Plot Plan. Lot B will contain the proposed residential structure whereas Lot A will maintain the existing driveway that will provide access to the existing loading dock for the neighboring property at 89 Heath Street. The Planning Department would not normally support the creation of a parcel as small as the proposed Lot A, however, its proposed function as an access for the neighboring parcel is permissible and should be memorialized as such.

The proposed project will create a 5-story, 14-unit residential building with 7 parking spaces located underneath the building at the surface level in the rear of the parcel. The building will also provide outdoor and indoor bike parking, two new street trees, and has balconies for the units in the rear of the building.

The subject parcel is located approximately 0.25 miles from the Jackson Square MBTA Station. It is also served by the Number 14 MBTA Bus providing service between the Jamaica Plain VA Medical Center, Jackson Square, and Roslindale Square. This high level of transportation service makes the lot an appropriate place for increased residential density and for on-site parking below the ratio of one space per unit.

Zoning Analysis:

The lot consolidation and subdivision proposed by the project will create a lot (Lot B) that is subject to the zoning of two neighborhood subdistricts, the Article 59 Mission Hill Neighborhood Local Industrial and 3F-2000 subdistricts. Section 12-1 of the Zoning Code provides a procedure for “lots in two districts.” The refusal letter cites the extension of the Local Industrial District as a conditional use and lists a violation for the multi-family residential use as forbidden. Multi-family residential uses are forbidden in both the Local Industrial and 3F-2000 subdistricts. The transition of the Heath Street corridor to residential uses and the lot’s location near transportation resources suggest that the zoning for the subject lot is out of date. The subject lot is a fitting place for a multi-family residential use.

The project is cited for insufficient off-street parking and off-street loading. The Zoning Code requires one parking space per dwelling unit or fourteen parking spaces for the proposed



project. The project proposes seven parking spaces which strikes a balance between maximizing the number of residential units and amenities on site and providing necessary off-street parking in an area where street parking is constrained. At approximately 18,216 square feet, the project is above the minimum threshold of 15,000 square feet to provide one loading bay. The project does not propose a loading bay, and the Planning Department recommends a variance for this requirement due to the narrow lot width which makes it infeasible.

The project also exceeds the requirements for building height at 59 feet (5 stories), above the maximum of 40 feet, and floor area ratio (FAR) at 2.98, above the maximum of 2.0. While the proposed height and FAR are greater than what is allowed in the district, there are examples of structures in the area, both at the Mildred Hailey Apartments and along the Heath Street corridor, with similar massing. The proposed height and FAR are consistent with the City's goals for transit-oriented development and present a case for zoning reform along the Heath Street corridor.

The project is also cited for insufficient rear yard, usable open space, and screening as required by Article 59, Section 35. All three of these violations relate to the subject lot size and subsequent balance of ensuring the proposed building does not create undue impact on neighboring properties while providing livable open space for prospective residents.

The proposed rear yard is reported as 10.6 feet (although the parking and rear retaining wall are approximately four feet from the rear lot line), below the minimum requirement of 20 feet. The project will provide balconies that are approximately 60 square feet for the 7 units located in the rear half of the building, or approximately 480 square feet of usable open space. No usable open space is proposed for the 7 units in the front half of the building. The Zoning Code requires 50 square feet of usable open space per dwelling unit. Article 59, Section 35 of the Code provides specific screening and buffering requirements for Local Industrial subdistricts that border residential districts. The site plans do not show any screening, buffering, or vegetation between the proposed building and neighboring residential uses.

A reduced yard requirement for the rear yard is permissible because it is possible to maintain adequate light and air between the proposed buildings and neighboring properties while also allowing the property owner adequate use of their land in a manner consistent with the City's goals for transit-oriented development. The size of the subject lot means that meeting the 20-foot minimum for the rear yard would impact the building design, likely making it infeasible. The



small lot size also means that the quality of usable open space that could be provided at the ground level would be poor.

The Planning Department recommends relief with design review for the proposed rear yard depth, usable open space, and proposed buffering including plantings surrounding the building. The applicant should provide additional usable open space that is accessible to all units if possible. The proposed rear yard depth should not be less than the proposed 10.6 feet.

With fourteen units proposed, the project is also subject to Article 79 of the Zoning Code. The applicant must execute an agreement with the Mayor's Office of Housing to comply with Article 79. Plans reviewed: "87 Heath Street" prepared by: "drt architecture" dated 1/23/2026.

Recommendation:

In reference to BOA1830565, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with respect to the proposed rear yard depth, usable open space, and buffering, and that a housing agreement be executed with the Mayor's Office of Housing prior to issuing permits.

Reviewed,

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

Deputy Director of Zoning

Deputy Director of Zoning



Case	BOA1810466
ZBA Submitted Date	2026-01-08
ZBA Hearing Date	2026-05-05
Address	94 to 96 Saint Marks RD Dorchester 02124
Parcel ID	1601861000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-5000
Zoning Article	65
Project Description	Establish an additional unit in a previously finished space on the third floor changing the use from two units to three units. The proposal includes the installation of a new sprinkler system for the entire building, a porch to the second floor, two (2) new off-street parking spaces, and a curb cut.
Relief Type	Variance
Violations	Side Yard Insufficient Height Excessive (stories) FAR Excessive Usable Open Space Insufficient 3 Family Detached Dwelling Forbidden

Planning Context:

The proposed project is currently a three-story building and is proposing the addition of another unit on the third floor. The surrounding context of the proposed project is medium density including two- and three-story buildings and multi-family buildings, meaning the addition of a third unit would maintain the characteristics of the surrounding buildings. This project also follows the example of the Planning Department’s *Accessory Dwelling Unit Guidebook* (November 2024) “Add Another Floor” chapter which talks about different regulations to add another unit to the structure.

Zoning Analysis:

The refusal letter states five (5) violations of the Zoning Code: 3 Family Detached Dwelling, Forbidden (Article 65, Section 7), Floor Area Ratio Excessive (Article 65, Section 9), Building Height Excessive (Stories) (Article 65, Section 9), Usable Open Space Insufficient (Article 65, Section 9), and Side Yard Insufficient (Article 65, Section 9).



The violations of Floor Area Ratio Excessive, Building Height Excessive (Stories), and Side Yard Insufficient are all existing nonconformities that are not being altered by the project.

The project triggered a 3 Family Detached Dwelling violation as it proposes adding an additional unit to the building. The additional unit will be established to an already finished third floor, maintaining the characteristics of the surrounding context of the lot which includes three-story and multifamily housing.

The project also triggered a Usable Open Space Insufficient violation due to the addition of two (2) off-street parking spaces. However, parking requirements require one (1) parking space per dwelling. With the shape of the lot, having the parking be in the rear makes sense, to meet this requirement it will require the Usable Open Space requirement to be violated. However, this current parking plan will cause the removal of two (2) existing trees. The planning goals of *Climate Ready Boston* (addressing permeability, heat island effect, and increased tree canopy, 2016) and Boston's *Urban Forest Plan* (preserving healthy and mature trees, 2022) outline the point of protecting healthy, mature trees. The proponent should consider creating a new parking plan that creates two (2) tandem parking spaces which will meet the parking requirement and protect the rear yard tree. The Planning Department would also support a project that did not include parking and retained both trees.

The plans reviewed are titled ALT1796290_ZONINGREFUSALLETTER_ePlans_12232025 and were reviewed on 12/23/25. The plans were prepared by 686 Architects.

Recommendation:

In reference to BOA1810466, APPROVED WITH PROVISIO/S: that plans be submitted to the Planning Department for review with attention to redesigning parking layout to preserve existing tree(s).

Reviewed,

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

Deputy Director of Zoning



Case	BOA1703937
ZBA Submitted Date	2025-03-27
ZBA Hearing Date	2026-05-05
Address	2 to 8 Dyer ST Dorchester 02124
Parcel ID	1702051000
Zoning District & Subdistrict	Dorchester Neighborhood 3F-6000
Zoning Article	65
Project Description	Build four new townhomes with two parking spaces each.
Relief Type	Conditional Use, Variance
Violations	FAR Excessive Height Excessive (ft) Height Excessive (stories) Rear Yard Insufficient Side Yard Insufficient Front Yard Insufficient Usable Open Space Insufficient Lot Area Insufficient Parking or Loading Insufficient Traffic Visibility Across Corner Conformity with Existing Building Alignment Two or More Dwelling Same Lot

Planning Context:

The proposed project would construct 4 new townhome style units that are connected by party walls. By providing townhome style units, there is an opportunity for dense development while fitting in the neighborhood character. The existing parcel is currently overgrown with brush and trees across the property.

The property is located in the Cedar Grove section of Dorchester, a primarily residential area with a mix of single- and multi-family homes. As one moves south towards Morton Street, the density drastically increases. This project is helping to expand this dense zone away from Morton street while maintaining neighborhood character.

It is within walking distance of major streets including Norfolk Street and Morton St, which provide access to neighborhood amenities and services. The home is also situated near several transit options, including the Morton St stop on the MBTA Fairmont Indigo Line and nearby bus routes along Norfolk St, offering convenient access to public transportation.



Zoning Analysis:

The proposed project requires a conditional use permit. This area is zoned as 3F-6000, or up to three family. The proposed project at four units is multifamily. However, this is a disconnect between the zoning code and built reality. While two and three family are most common in this area, there are multiple examples of multifamily buildings on Capen and Dyer Streets. This suggests the potential need for zoning reform in this area to bring unit count in line with the zoning code. The FAR, lot area, and use are violations that are all in service of providing additional housing units. The maximum FAR for this subdistrict is 0.4 and this project proposes a 2.27 FAR. The lot area required is 12,000 sq ft, but this project sits on a 3,416 sq ft lot. 4-unit townhomes are a forbidden use because it violates the maximum unit count of 3. While these violations exceed current dimensional and use limits, they are consistent with the surrounding residential context, where similar multi-unit structures already exist. The higher FAR is justified by the project's goal of delivering high-quality, family-oriented housing on an undersized sized lot. Collectively, these variances highlight the outdated nature of the existing zoning code, which restricts the type and scale of housing necessary to meet the needs of a growing neighborhood. In particular, 3-bedroom housing units capable of accommodating families are important to supply in a growing neighborhood.

The proposed project is also triggering a violation for insufficient off street parking. The zoning requires a ratio of 1.25 parking spaces per unit, or in this case, five spaces for four units. The proposed project is only providing four spaces according to ISD, while the plans appear to provide eight spaces total. This is due to the fact that these garages provide tandem parking spaces. These allow for two cars to park one in front of the other for condensed storage. In addition, the project is proposing four curb cuts to access the garages. This portion of Dorchester has been highlighted by the Boston Transportation Department as an area where parking ratios of as low as zero spaces per unit are appropriate. The proponent should consider removing the parking from the project. This would eliminate the need for the curb cuts as well as bring the project closer in line with neighboring buildings. In addition, the construction of four new curb cuts would eliminate four currently existing street parking spaces. While the project would provide parking on site, the neighborhood as a whole loses out on the existing asset of on-street parking. However, if the driveway were to be consolidated into one lane with one curb cut, that would provide a more appropriate fit for the neighborhood, providing off-street parking for the project while also preserving on-street parking for existing residents. Through



consolidation they can increase the overall parking count for the neighborhood while preserving street parking.

The proposed project also triggers violations for height in feet and height in stories. The proposed project is 4 stories and 42.8 feet while the zoning has maximums of 2.5 stories and 35 feet. This height is well out of line with neighborhood character. There are no four story buildings located within close proximity of the project. The townhomes would appear out of place with its immediate neighbors. A reduction of one story will bring this much closer to the existing scale while still providing dense housing. As the parking is the only thing present on the ground floor, the elimination of the garage floor will reduce the nonconformity

For three units on one lot, 3,000 sq ft of open space is required but this project proposes no open space. Given the lot's immediate proximity to Gallivan Boulevard, a dense mixed-used commercial corridor where smaller lot sizes and limited private open space are characteristic of the surrounding urban fabric, relief is recommended. The project parcel is also smaller than many of its neighbors. While it matches the depth of its neighbors, the width of the parcel is almost half. Furthermore, in this context, prioritizing additional housing units over private open space supports greater density directly adjacent to existing amenities, transit, and neighborhood services. The project's close proximity to two public parks that provide ample access to open space further justifies relief from these requirements.

This plan has also triggered a "Conformity with Existing Building Alignment" violation. Along Dyer St and Capen there is a uniform nature to the building alignment. The proposed project has a setback that is less than the defined edge of Dyer St and Capen St. The Dyer St and Capen St setbacks should be pushed back to be in alignment with the existing buildings along the street edge.

The front, side, and rear yards are cited as additional violations but relief is recommended for reasons similar to the open space citation. The front yard required is 15 ft and the lot frontage for this project is 2.4 ft. However, as noted above, both front yards are located within a contextual front setback. If this project were to pull back 4 feet to the neighboring building at 10 Capen as well as pull back by 3 feet the neighboring building on 8-10 Dyer St, this violation would fall off. The overall depths of these yards would be 5 Feet on Dyer St and 6 Feet on Capen St.



The side yard required is 10 ft and this project proposes 1.4 ft. Similarly, the rear yard required is 20 ft but the project proposes 3. While this is less than the zoning minimums, townhome style developments help to create high quality housing on denser lots. While the privately owned open space is less than many of its neighbors, the close proximity to existing amenities and transit make the scale of this project an appropriate fit for the area.

The proposed project triggers the violation “Two or more Dwellings on the same lot” as there will be four new townhomes on one lot. While this is a zoning violation, townhomes are designed to fit in contexts such as these, where dense housing is necessary without disrupting the overall character of the neighborhood. This is a sign that zoning reform is necessary, as planning highlights these small scale residential developments as desirable while the current zoning is not conducive to the effort.

The final violation is due to the Traffic visibility around the corner. This violation states:

“Whenever a minimum Front Yard is required and the Lot is a Corner Lot, no Structure or planting interfering with traffic visibility across the corner, or higher, in any event, than two and one-half (2-½) feet above the curb of the abutting Street, shall be maintained within that part of the required Front Yard that is within the triangular area formed by the abutting side lines of the intersecting Streets and a line joining points on such lines thirty (30) feet distant from their point of intersection.”

The proposed project is not meeting its front yard requirement on either edge of the corner lot, and is being built in the area identified above. However, there is a modal setback for these stretches of Dyer St and Capen St. Both of the building edges should be pulled back and angled to be in line with the neighboring street walls on Capen St and Dyer St. The project should pull back 4 feet to the neighboring building at 10 Capen and pull back by 3 feet in line with the neighboring building on 8-10 Dyer St. As stated above, The overall depths of these yards would be 5 Feet on Dyer St and 6 Feet on Capen St.

Plans reviewed are titled “0 Dyer St” and were prepared by Luna Design group on 10/29/24.

Recommendation:

In reference to BOA1703937, The Planning Department recommends APPROVAL WITH PROVISIO/S: That no relief be granted for the front yard so that a front yard of at least 5 Feet



on Dyer St and 6 feet on Capen St can be preserved in line with its neighbors and that the ground level parking be removed or redesigned to require only one curb cut.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1800604
ZBA Submitted Date	2025-11-24
ZBA Hearing Date	2026-05-05
Address	4 Adams ST Hyde Park 02136
Parcel ID	1811846000
Zoning District & Subdistrict	Hyde Park Neighborhood 2F-5000
Zoning Article	69
Project Description	The proponent plans to build a three-unit new construction on the site of an existing 1.5-story, one-unit dwelling that will be demolished.
Relief Type	Variance, Conditional Use
Violations	off Street Parking Lot Area Insufficient FAR Excessive Height Excessive (stories) Usable Open Space Insufficient Height Excessive (ft) Side Yard Insufficient Rear Yard Insufficient Use: Forbidden

Planning Context:

The project at 4 Adams St proposes three units and three parking spaces in what is currently a one-unit dwelling. The existing dwelling will be demolished to accommodate this new construction project. Two units will have 2 bedrooms, and one unit will have 3 bedrooms. This lot sits just a couple blocks from new Cleary Square Squares+Streets proposed boundaries. This area features a mix of one-, two-, and three-unit buildings. Lots in this area exhibit varying coverage and setbacks, but generally exhibit higher lot coverage patterns. Homes and lots along this street generally 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 one to three stories, and side yard setbacks vary from compact to moderate. Most of the project's impact will occur away from street-level view.

Zoning Analysis:



This proposal has triggered nine zoning violations: FAR excessive, height (stories and feet) excessive, lot area insufficient, side and rear yards insufficient, open space insufficient, off street parking and loading, and use: forbidden.

The maximum FAR for this lot is 0.5. While the building plans do not provide the FAR, the calculated FAR from floor plans provides an estimate of ~0.7. However, there is precedent of FAR ratios that exceed the minimum, such as at 1414 River St (0.92), 1420 River St (0.91), and right across the street at 1421 River St (0.58). Relief is recommended.

The maximum building height in this subdistrict is 2.5 stories and 35 feet. This project will be three stories and 39 feet and 8 inches. This three-story building is consistent with many of the triple deckers along the adjacent River Street. These height violations are recommended for relief on the basis that it will not cause unsafe conditions and create negligible change in the built environment context of this area.

A minimum lot area of 8,000 square feet is required and the existing lot falls short at 6,100 feet. There are no proposed changes to the lot size. There are several examples of a similar density observed in a 1-2 block radius of this project. Around the corner at 1420 River St, a three-unit building exists on a 3,775 sq ft lot. Next door at 1414 River St, the same unit count for the same lot area is found. Additionally, most lots do not meet the minimum as most lots in the area are below 5,000 square feet. Because lot density patterns follow what is already established in the area, relief is recommended.

The rear yard minimum is 40 feet and the side yard minimum is 10 feet. Plans show that the proposed rear yard measures 36 feet and the proposed side yard measures 15.5 feet on one side and 5 feet on the other. Several nearby properties have more significant side and rear yard violations, such as at 6 Adams St, 16 Adams St, and 1426 River St. Relief is recommended.

1,750 sq ft of open space is required per dwelling, for a total of 5,250 square feet. With the lot being 6,100 square feet, accommodating the minimum open space requirement would be infeasible. Many lots in this area of Hyde Park are not big enough to even meet the minimum lot area required, let alone the open space. The Reservation Road Park is a 7 minute walk away and Smith Pond Playground is a 12 minute walking distance. The accessibility to these parks further supports the recommendation for relief.



Two parking spots per dwelling unit is required in this subdistrict, for a total of six spots. This project proposes three parking spots, a ratio of one spot per unit. Considering this lot is within 0.5 miles to the 32 and 33 bus lines in addition to the Hyde Park Commuter Rail station, relief is recommended.

Three units in a 2F-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. Furthermore, this site's location directly adjacent to Cleary Square and a commuter rail station makes it particularly well suited to accommodate additional housing while remaining compatible with the surrounding neighborhood.

Plans reviewed are titled "Site Plan of Land located at 4 & 4A Adams St Hyde Park, MA" and is dated September 30, 2025.

Recommendation:

In reference to BOA1800604, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1807767
ZBA Submitted Date	2025-12-22
ZBA Hearing Date	2026-05-05
Address	1904 River ST Hyde Park 02136
Parcel ID	1812484000
Zoning District & Subdistrict	Hyde Park Neighborhood 2F-5000
Zoning Article	69
Project Description	This project proposes a third floor addition on two existing, two-level multifamily dwellings. Each building will grow from 8 units to 12 units per building.
Relief Type	Variance, Conditional Use
Violations	Extension of Non Conforming Use Lot Area Insufficient FAR Excessive Height Excessive (stories) Usable Open Space Insufficient Front Yard Insufficient Rear Yard Insufficient Off Street Parking Design Traffic Corner Visibility Use: Forbidden

Planning Context:

This recommendation relates to one of two applications tied to a proposed project upon the project site, 1900-1904 Sycamore St. The project seeks to add four dwelling units on an existing eight unit residential building. This scope of work is divided into two separate permit applications (BOA1807763 for 1900 River St and BOA1807767 for 1904 River St), each of which will require its own recommendation. This recommendation relates to the 1904 River St portion of the project.

The project at 1904 River Street concerns one of two existing buildings on a shared lot. The existing structure is a two-story multifamily residence with eight units. The proposal adds a third story, increasing the total number of units from eight to twelve.



The shared lot currently provides 14 parking spaces for both buildings. Plans indicate parking for ten cars on the opposite side of the existing lot, but it is unclear whether these spaces will replace or supplement the current parking. Each unit will be one-bedroom.

The site sits at the boundary of Hyde Park and Dedham, in an area characterized primarily by single-family homes with occasional two-family buildings. Lot coverage and setbacks vary, though they generally reflect moderate patterns.

Along this street, homes and lots exhibit a range of sizes and typologies, from single-family detached houses to structures resembling triple-deckers. Building heights range from one to three stories, and side yard setbacks vary from compact to moderate.

Zoning Analysis:

This proposal has triggered ten zoning violations: FAR excessive, height (stories) excessive, lot area insufficient, front and rear yards insufficient, open space insufficient, off street parking design, traffic corner visibility, extension of nonconforming use, and use: forbidden.

The maximum FAR for this lot is 0.5 and the proposed FAR is 0.9. Given that the lot is nearly twice the size of many neighboring lots, and that the renovation adds living area vertically rather than expanding the ground floor, this increase is reasonable. The proposed FAR is further justified by a 50% increase in housing units, particularly given the site's proximity to the Readville MBTA station, approximately 0.7 miles away. Relief is recommended.

The maximum building height in this subdistrict is 2.5 stories and 35 feet. This project will be 3 stories and 32 feet. Many buildings along a 1-2 block radius of this lot are 2.5 stories in height. Furthermore, 3-story buildings are not unprecedented in this area, with a triple decker at 1863 River St around the corner. The renovation would not exceed the total height violation in feet, so relief is recommended.

A minimum lot area of 8,000 square feet is required for "other uses" that are not "1 Family Detached or Semi-Attached or 2 Family Detached". Furthermore, a multifamily use is forbidden in this zoning subdistrict, therefore triggering extension of nonconforming use. Although the lot area exceeds the 8,000 square foot minimum, the existing multifamily use is an existing nonconformity and the proposal does not intensify the dimensional nonconformity beyond adding units within the existing building footprint. The project represents a modest, contextually consistent increase in housing supply without introducing novel impacts to the surrounding area, and therefore relief should be recommended.



Front and rear yards are cited as violations, and in this subdistrict the front yard minimum is 20 feet and the rear yard minimum is 40 feet. Plans show that the front yard is 31.1 feet. The definition of front yards state "where a lot abuts two or more streets, the owner may designate either of the two widest streets as the Front Lot Line." It is possible that the plans examiner has designated the side yard as the front yard, while the owner has chosen otherwise. This appears to be an incorrect violation. Regardless, the front and rear yard violations are existing nonconformities and the project does not worsen any yard setbacks. Relief is recommended.

1,750 sq ft of open space is required per dwelling, for a total of 42,000 square feet. There is 2,006 sq ft of usable open space provided on this lot. Although the proposal provides less open space on-site than required, the property is immediately adjacent to a large, continuous stretch of open land along the river and the grounds of Fairview Cemetery. Given this context, relief is recommended.

Off street parking and design and traffic corner visibility have been cited as violations. The plans do not make clear whether parking will be relocated or provided additionally to what's existing. Design Review is recommended to clarify the parking designs and traffic visibility issue. The proposal of a new curb cut requires design review as well.

Lastly, Article 79 Inclusionary Zoning requirements are triggered for this project at 1900 River St and the project that shares this lot at 1904 River St because the net increase in unit counts is eight units.

Plans reviewed are titled "Addition to: 1900-1904 River St" and is dated April 9, 2025.

Recommendation:

In reference to BOA1807767, The Planning Department recommends APPROVAL WITH PROVISOR/S: that a housing agreement be issued prior to issuing permits, and that plans be submitted to the Planning Department for design review to review parking design, placement of parking, traffic corner visibility, and curb cut placement..

Reviewed,

Deputy Director of Zoning



Planning Department

CITY of BOSTON



Case	BOA1807763
ZBA Submitted Date	2025-12-22
ZBA Hearing Date	2026-05-05
Address	1900 River ST Hyde Park 02136
Parcel ID	1812484000
Zoning District & Subdistrict	Hyde Park Neighborhood 2F-5000
Zoning Article	69
Project Description	This project proposes a third floor addition on two existing, two-level multifamily dwellings. Each building will grow from 8 units to 12 units per building.
Relief Type	Variance, Conditional Use
Violations	Extension of Non Conforming Use Lot Area Insufficient FAR Excessive Height Excessive (stories) Usable Open Space Insufficient Front Yard Insufficient Rear Yard Insufficient Off Street Parking Design Traffic Corner Visibility Use: Forbidden

Planning Context:

This recommendation relates to one of two applications tied to a proposed project upon the project site, 1900-1904 Sycamore St. The project seeks to add four dwelling units on an existing eight unit residential building. This scope of work is divided into two separate permit applications (BOA1807763 for 1900 River St and BOA1807767 for 1904 River St), each of which will require its own recommendation. This recommendation relates to the 1900 River St portion of the project.

The project at 1900 River Street concerns one of two existing buildings on a shared lot. The existing structure is a two-story multifamily residence with eight units. The proposal adds a third story, increasing the total number of units from eight to twelve.

The shared lot currently provides 14 parking spaces for both buildings. Plans indicate parking for ten cars on the opposite side of the existing lot, but it is unclear whether these spaces will replace or supplement the current parking. Each unit will be one-bedroom.



The site sits at the boundary of Hyde Park and Dedham, in an area characterized primarily by single-family homes with occasional two-family buildings. Lot coverage and setbacks vary, though they generally reflect moderate patterns.

Along this street, homes and lots exhibit a range of sizes and typologies, from single-family detached houses to structures resembling triple-deckers. Building heights range from one to three stories, and side yard setbacks vary from compact to moderate.

Zoning Analysis:

This proposal has triggered ten zoning violations: FAR excessive, height (stories) excessive, lot area insufficient, front and rear yards insufficient, open space insufficient, off street parking design, traffic corner visibility, extension of nonconforming use, and use: forbidden.

The maximum FAR for this lot is 0.5 and the proposed FAR is 0.9. Given that the lot is nearly twice the size of many neighboring lots, and that the renovation adds living area vertically rather than expanding the ground floor, this increase is reasonable. The proposed FAR is further justified by a 50% increase in housing units, particularly given the site's proximity to the Readville MBTA station, approximately 0.7 miles away. Relief is recommended.

The maximum building height in this subdistrict is 2.5 stories and 35 feet. This project will be 3 stories and 32 feet. Many buildings along a 1-2 block radius of this lot are 2.5 stories in height. Furthermore, 3-story buildings are not unprecedented in this area, with a triple decker at 1863 River St around the corner. The renovation would not exceed the total height violation in feet, so relief is recommended.

A minimum lot area of 8,000 square feet is required for "other uses" that are not "1 Family Detached or Semi-Attached or 2 Family Detached". Furthermore, a multifamily use is forbidden in this zoning subdistrict, therefore triggering extension of nonconforming use. Although the lot area exceeds the 8,000 square foot minimum, the existing multifamily use is an existing nonconformity and the proposal does not intensify the dimensional nonconformity beyond adding units within the existing building footprint. The project represents a modest, contextually consistent increase in housing supply without introducing novel impacts to the surrounding area, and therefore relief should be recommended.

Front and rear yards are cited as violations, and in this subdistrict the front yard minimum is 20 feet and the rear yard minimum is 40 feet. Plans show that the front yard is 31.1 feet. The

BOA1807763

2026-05-05

2 Planning Department



definition of front yards state "where a lot abuts two or more streets, the owner may designate either of the two widest streets as the Front Lot Line." It is possible that the plans examiner has designated the side yard as the front yard, while the owner has chosen otherwise. This appears to be an incorrect violation. Regardless, the front and rear yard violations are existing nonconformities and the project does not worsen any yard setbacks. Relief is recommended.

1,750 sq ft of open space is required per dwelling, for a total of 42,000 square feet. There is 2,006 sq ft of usable open space provided on this lot. Although the proposal provides less open space on-site than required, the property is immediately adjacent to a large, continuous stretch of open land along the river and the grounds of Fairview Cemetery. Given this context, relief is recommended.

Off street parking and design and traffic corner visibility have been cited as violations. The plans do not make clear whether parking will be relocated or provided additionally to what's existing. Design Review is recommended to clarify the parking designs and traffic visibility issue. The proposal of a new curb cut requires design review as well.

Lastly, Article 79 Inclusionary Zoning requirements are triggered for this project at 1900 River St and the project that shares this lot at 1904 River St because the net increase in unit counts is eight units.

Plans reviewed are titled "Addition to: 1900-1904 River St" and is dated April 9, 2025.

Recommendation:

In reference to BOA1807763, The Planning Department recommends APPROVAL WITH PROVISIO/S: that a housing agreement be issued prior to issuing permits, and that plans be submitted to the Planning Department for design review to review parking design, placement, traffic corner visibility, and curb cut placement.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1812434
ZBA Submitted Date	2026-01-15
ZBA Hearing Date	2026-05-05
Address	384 to 390 Lagrange ST West Roxbury 02132
Parcel ID	2003543000
Zoning District & Subdistrict	West Roxbury Neighborhood NS
Zoning Article	56
Project Description	Change use to add a body art studio within existing hair salon and spa. No work to be done.
Relief Type	Conditional Use
Violations	Conditional Use

Planning Context:

The proposed project seeks to add a body art studio to their existing hair salon and spa. The body art studio would be located in an existing studio space in the basement. There is no work to be done with this change in occupancy. The building is located in a commercial node along Centre Street in West Roxbury, a main commercial corridor. It is surrounded by similarly scaled businesses.

Zoning Analysis:

The proposed use is contextually appropriate given its location within an existing salon and along a commercial corridor. Additionally, the change in use requires no construction or displacement, and thus no disruption to the surrounding area. The conditions of Article 6-3 are met. A conditional use permit is recommended.

Recommendation:

In reference to BOA1812434, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen O'Neil".

Deputy Director of Zoning



Case	BOA1741777
ZBA Submitted Date	2025-06-25
ZBA Hearing Date	2026-05-05
Address	183 Saint Botolph ST Boston 02115
Parcel ID	0402332000
Zoning District & Subdistrict	Huntington Avenue/Prudential Center St. Botolph Protection Area
Zoning Article	41
Project Description	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.
Relief Type	Variance
Violations	Rear Yard Insufficient Roof Structure Restrictions FAR Excessive Parking or Loading Insufficient GCOD Applicability

Planning Context:

This project was deferred by the Zoning Board of Appeal on February 24, 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,

Kathleen Onuf

Deputy Director of Zoning

MEMORANDUM

March 19, 2026

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

FROM: CASEY HINES, SR. DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
NUPOOR MONANI, SR. DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
ANDREW ZIMMERMANN, SR. URBAN DESIGNER II
SAM ROY, SR. TRANSPORTATION PLANNER II
CYRUS MICELI, PLANNER
HEEYOUNG LEE, SR. LANDSCAPE ARCHITECT
JOHN DALZELL, SR. ARCHITECT FOR SUSTAINABLE DEVELOPMENT
JACK GILMAN, PROJECT ASSISTANT
STEPHEN HARVEY, SR. PROJECT MANAGER

SUBJECT: 69 A STREET, SOUTH BOSTON
THIRD NOTICE OF PROJECT CHANGE

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) d/b/a Boston Planning & Development Agency (“BPDA”) authorize the Director to: (1) issue a Certification of Approval for the proposed Third Notice of Project Change (“NPC”) for the development located at 69 A Street (as further described below, the “Proposed Project”), in accordance with Article 80E, Small Project Review of the Boston Zoning Code (the “Code”); (2) issue a recommendation to the City of Boston Zoning Board of Appeal for Approval with Proviso, contingent upon plans being submitted to the Planning Department for design review approval; (3) take any other action and execute any documents that the Director deems necessary in connection with the Proposed Project.

PROJECT SITE

The Proposed Project is located in the South Boston neighborhood of Boston. The site consists of approximately 17,749 square feet of land located on three (3)

contiguous parcels at 69-71 A Street and 95-103 Athens Street (the “Project Site”). There is one structure at the Project Site, a five-story building, formerly a three-story brick and beam building before two additional stories were added as part of the Originally Approved Project described below, fronting on A Street. The Project Site is within walking distance of MBTA Red Line subway service (Broadway), providing direct access to Downtown and the Greater Boston area.

DEVELOPMENT TEAM

The development team includes:

Proponent: CIEE, Inc.

Architect: Margulies Perruzzi Architects

Legal Counsel: Adams & Morancy
George Morancy, Esq.

BACKGROUND

On January 4, 2016, 69 ASTMA Owner, LLC (the “Original Proponent”) submitted a Small Project Review Application (“SPRA”) to BPDA seeking to develop the Project Site and expand its existing structure into a six (6) story mixed-use commercial office building with retail, gym/fitness and on-site parking. On February 11, 2016, the BRA Board voted to approve the first iteration of the 69 A Street project (the “Originally Approved Project”).

The Originally Approved Project allowed for the demolition of an existing two-story building at the rear of the site and the renovation, expansion, and mixed-use conversion of an existing brick and beam structure into a six (6)-story building with a height of 66.6 feet (excluding rooftop mechanicals). Specifically, the expansion project consisted of a three (3)-story addition above the existing brick and beam building, with a six (6)-story addition onto the rear of the expanded structure.

On June 27, 2018, CIEE submitted a Notice of Project Change (“NPC II”) to the BPDA to revise the Originally Approved Project. CIEE obtained interest in the Originally Approved Project from the Original Proponent in early 2018 and purchased the

Project Site to install a new flagship corporate office in the city and relocate its headquarters from Portland, Maine. CIEE is a domestic non-profit organization and the country's oldest non-governmental organization in the field of international education and study abroad programming.

The following changes were approved to the Originally Approved Project:

1. Voluntary removal of the sixth story from its construction plans (as allowed for the Original Approved Project), resulting in a one-story reduction from the originally approved three-story addition, with a total corresponding height decrease from 66'6" to 58'.
2. Eliminating the originally approved rear addition to the existing three-story building. Along with the voluntary height reduction (above), this modification decreased the square footage of the Originally Approved Project by 33,000square feet, bringing the revised building total to approximately 45,700square feet.
3. A decrease of approximately 18,000 square feet of commercial gross floor area, bringing the total to approximately 33,700 square feet.
4. A 5,900 square foot floor plate reduction.
5. Removal of 1,300 square feet of deck space and relocation of 1,070 square feet of roof deck from the rear of the building to the front of the building, stepping back the fifth floor.

As a result of these proposed changes, the approved development at the Project Site consisted of the demolition of the existing two-story building at the rear of the site, and the renovation and two (2)-story addition to the existing building, totaling 45,700 square feet, including approximately 33,700 square feet of commercial space and 12,000 square feet of ground floor retail space with approximately eighteen (18) off street parking spaces (the "Approved Project").

On July 15, 2021, CIEE submitted a Second Notice of Project Change ("NPC II Project") due to severe hardship imposed upon it. The Proponent proposed to re-purpose the use within the completed building envelope and without materially altering the exterior appearance of the Approved Project. The COVID-19 pandemic has resulted in significant impacts on CIEE's operations, substantially reducing its

workforce by more than 75% globally and, within the City of Boston, preventing CIEE from occupying and operating the building as its global headquarters.

To address these implications and fulfill its commitment to economic development, job creation, and community benefits, CIEE partnered with an established life-science developer to propose a new use at the Project Site for Research and Development (Research Lab and Product Development or Prototype Manufacturing) (the “NPC II Project”).

The NPC II Project reduced the size and scale of the Original Approved Project, and it included certain responsive measures and project modifications to address community input for its proposed new Research and Development Uses within the existing building envelope, and new rooftop mechanical facilities. While approved by the BPDA, the NPC II Project changes did not receive the necessary zoning relief from Zoning Board of Appeal and were subsequently abandoned.

THIRD NOTICE OF PROJECT CHANGE

On January 30th, 2026, the Proponent submitted the Third Notice of Project Change for the project with the BPDA pursuant to Article 80A-6 of the Code (“NPC III Project”).

The Third Notice of Project Change proposes to convert floors two through four of the existing building from approved office use to multifamily residential use, while retaining the active ground-floor and basement retail/fitness center uses, as well as office space on the fifth floor, and an expansion of open space to a roof deck area. Most notably, the proposed conversion will create twenty-four (24) residential units specifically for participants in CIEE’s post-graduate international internship programs. The residential units include approximately three (3) studio units, three (3) one-bedroom units, and eighteen (18) two-bedroom units.

The parking and loading accommodations have been altered to reduce the parking from eighteen (18) spaces to seventeen (17) spaces. A screened and buffered trash storage will be located onsite in the surface parking lot. The proponent has also added a bike room for a minimum of twenty-four (24) long-term covered and secure bike parking spaces located on the second floor. The proponent has also committed to providing space for an on-site bike share station.

The NPC III Project does not propose any expansion to the building envelope.

PLANNING AND ZONING CONTEXT

The Site of the Proposed Project at 69 A is located within a Multifamily Residential / Local Services (MFR/LS) Subdistricts, subject to the regulations of Article 68 (South Boston Neighborhood District) of the Zoning Code. The scope involves converting three floors of existing vacant office space into 24 residential dwelling units. This proposed land use aligns with the subdistrict's goal of increasing through contextual, mid-density development. The Planning Department supports the adaptive reuse of existing vacant space into much needed housing.

The Proposed Project will require zoning variances triggered by the shift to per-dwelling unit zoning requirement calculations. The Proposed Project anticipates requiring zoning relief due to deficiencies in lot size for additional dwellings units, in off-street parking & loading, and in usable open space. Dimensions on the site are proposed to remain as is. Additionally, a conditional use permit will be sought regarding roof structure restrictions. Outside of any roof structures, such as guardrails, the proposal involves only interior renovations within the existing approved and constructed building envelope. Accordingly, the physical impact of these violations will be minimal.

ARTICLE 80 REVIEW PROCESS

On January 30, 2026, the Proponent submitted the Third Notice of Project Change for the Proposed Project. The Planning Department sponsored and held a virtual public meeting on February 24th, 2026, via Zoom. The meeting was posted on the Planning Department website, and a notification was emailed to all subscribers of the Planning Department's South Boston neighborhood update list. The public comment period ended on March 13th, 2026.

COMMUNITY BENEFITS

The Proposed Project will include mitigation measures and community benefits to the neighborhood and the City of Boston (the "City"), including:

- The creation of twenty-four (24) new housing units, including one unit for a live-in building manager, ensuring responsive oversight and neighborhood accountability;
- A one-time payment into the Inclusionary Development Fund of the City of Boston Treasury in the amount of \$968,194.20 to support the construction and preservation of affordable housing throughout the City of Boston;
- The proponent will provide space for one (1) minimum fifteen (15) dock bike share station onsite upon issuance of Certificate of Occupancy. As currently contemplated, the bike share station is to be sited south of the building on private property with direct access from A Street between 69 A Street and 80 West Broadway. The proponent has agreed to enter into a licensing agreement with Bluebikes to provide space for this station. The station will be funded by the city or grant funding;
- The proponent will provide up to two (2) parking spaces for the management of the gym tenant. The live-in CIEE building manager will have use up to two (2) parking spaces, depending on household size and need. The remaining thirteen (13) parking spaces will be used flexibly by:
 1. Program participants living in the building and their periodic visitors;
 2. CIEE employees with need to visit the company's headquarters on any given day;
 3. CIEE Board members and other corporate officers during company-wide meetings which take place several times per year; and iv) temporary use by delivery vehicles, ride-hailing vehicles, etc., during times when the parking space designated for such use is occupied;
- Use of the roof deck will be time-limited (no later than 10 p.m.) and monitored at all times by the building manager. The deck itself will be appropriately enclosed by sound-attenuating panels and other screening so as to minimize sound migration;

- The retention of active ground floor commercial/retail space, consisting of a gym/fitness center serving the immediate neighborhood;
- The expected creation of over fifty (50) temporary construction jobs over the length of the proposed project;
- Advancement of Boston's position as a global hub for international education and cultural exchange through CIEE's BridgeUSA program, which has facilitated international understanding and peaceful coexistence since 1947;
- Introduction of young international professionals into the local community, who will patronize neighborhood restaurants, cafes, retail establishments, and service businesses during their residencies;
- Contribution to the region's innovation economy by facilitating knowledge transfer and international business connections that benefit Boston-area companies;
- Optimal use of transit-oriented location immediately adjacent to Broadway Station on the Red Line, supporting the City's goals for transit-oriented development and reduced automobile dependence.

INCLUSIONARY ZONING

The Proposed Project is subject to the affordability requirements for Article 80E projects set forth in Zoning Code Article 79 Inclusionary Zoning, dated October 1, 2024 ("IZ"), and is located within Zone B, as defined by IZ. IZ requires that 17% of the total number of units, or leasable square footage, within Article 80E Small Project developments are designated as IZ units. In this case, the Proposed Project will make a payment in lieu of units for a total of 17% of total residential leasable square footage of the Proposed Project.

As currently proposed, the Proposed Project's IZ payment obligation is estimated to be \$968,194.20 (the "IZ Payment"). The payment amount will be calculated with MOH and paid by the Proponent into the City of Boston Treasury to the IDP Special Revenue Fund ("IDP Fund"), at a rate of \$460 per square foot (per IZ for Zone B), for a total amount of 17% of total residential leasable square footage of the project. Final determination of the payment amount may be subject to be recalculated

upon any residential square footage changes during project design and construction. Payment of 50% of the amount is due at the issuance of a full building permit, and payment of the other 50% is due at the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy.

The IZ Payment will be restricted by MOH in an Affordable Housing Contribution Agreement (“AHCA”). The AHCA must be executed prior to issuance of the first building permit for the Proposed Project. MOH or its assigns or successors will monitor the IZ Payment.

RECOMMENDATIONS

The Proposed Project complies with the requirements set forth in Section 80E of the Code for Small Project Review. Therefore, staff recommends that the Director is authorized to: (1) issue a Certification of Approval for the proposed Third Notice of Project Change (“NPC III”) for the Proposed Project; (2) take any other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Approval, approving the Third Notice of Project Change proposed by CIEE, Inc. (the “Proponent”), at 69 A Street in South Boston (the “Proposed Project”), in order to change the use of the building from Office Space, Retail & Gym to Office, Retail & Gym, and Multifamily Residential (24 Units), in accordance with the requirements of Small Project Review, Article 80E, of the Boston Zoning Code, subject to continuing design review by the Boston Redevelopment Authority (“BRA”); and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a recommendation to the City of Boston Zoning Board of Appeal for Approval with Proviso, the proposed project’s necessary zoning relief; approval contingent upon plans being submitted to the Planning Department for design review approval; and

**FURTHER
VOTED:**

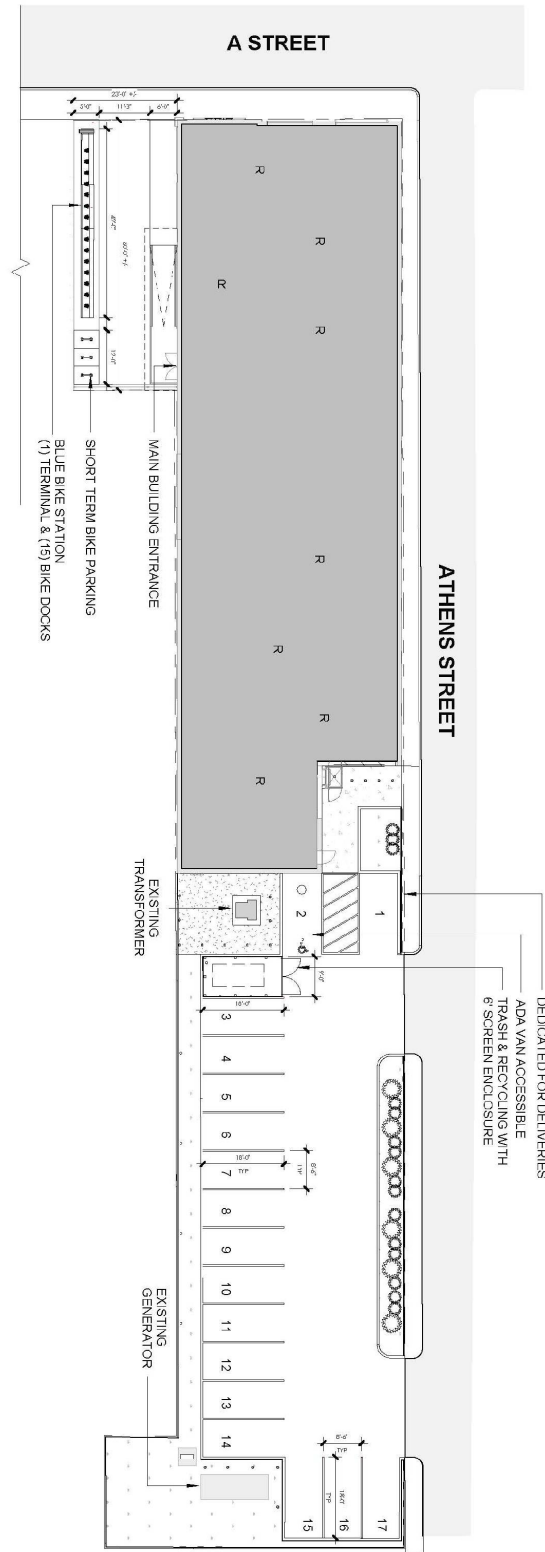
That the Director be, and hereby is, authorized to execute and deliver any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

Exhibit A

The table below summarizes the Proposed Project’s key development metrics.

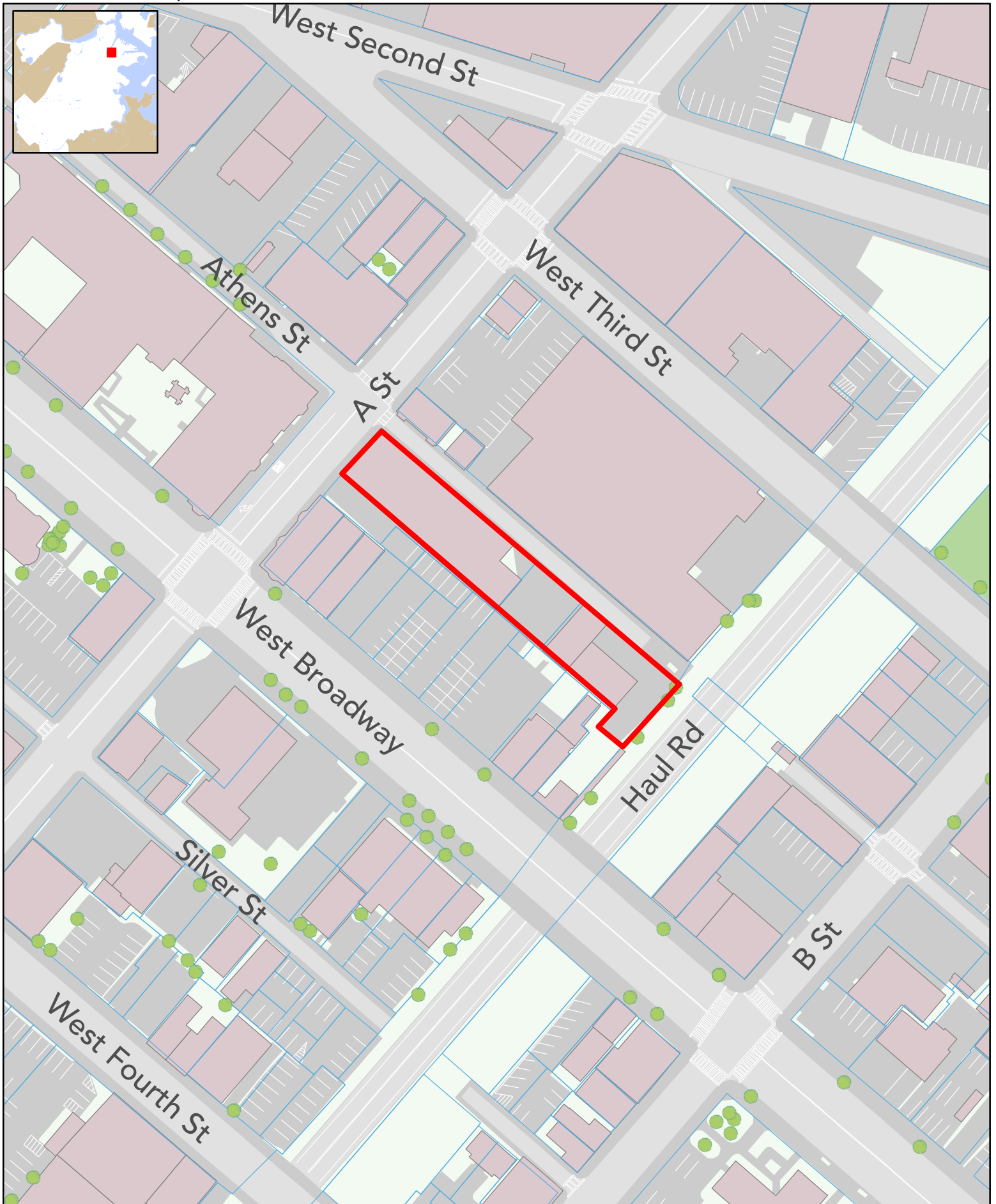
Estimated Project Metrics	Jul 2021	Revised Plan	Net Change
Gross Square Footage	45,700	45,700	0
Gross Floor Area	45,700	45,700	0
<i>Residential</i>	0	23,500	23,500
<i>Office</i>	6,500	6,500	0
<i>Retail</i>	15,700	15,700	0
<i>Lab</i>	23,500	0	-23,500
<i>Medical Clinical</i>	0	0	0
<i>Education</i>	0	0	0
<i>Hotel</i>	0	0	0
<i>Industrial</i>	0	0	0
<i>Recreational</i>	0	0	0
<i>Cultural</i>	0	0	0
<i>Parking</i>	0		0
Development Cost Est.	\$15,000,000	+\$5,000,000	\$20,000,000
Residential Units	0	24	24
<i>Rental Units</i>	0	24	24
<i>Ownership Units</i>	0	0	0
<i>IDP/Affordable Units</i>	0	0	0
Maximum Parking spaces	18	17	-1
<i>Long-term Bicycle Parking</i>		24	
<i>Short-term Bicycle Parking</i>		4 (Ground Fl.)	
<i>Location of Bike Room</i>		Second Floor	
<i>Bluebike Docks</i>		15	
<i>Bluebike Stations</i>		1	
<i>Minimum Monetary Bluebike Contribution</i>			
<i>Loading Bays</i>		0	

Exhibit B
Site Plan



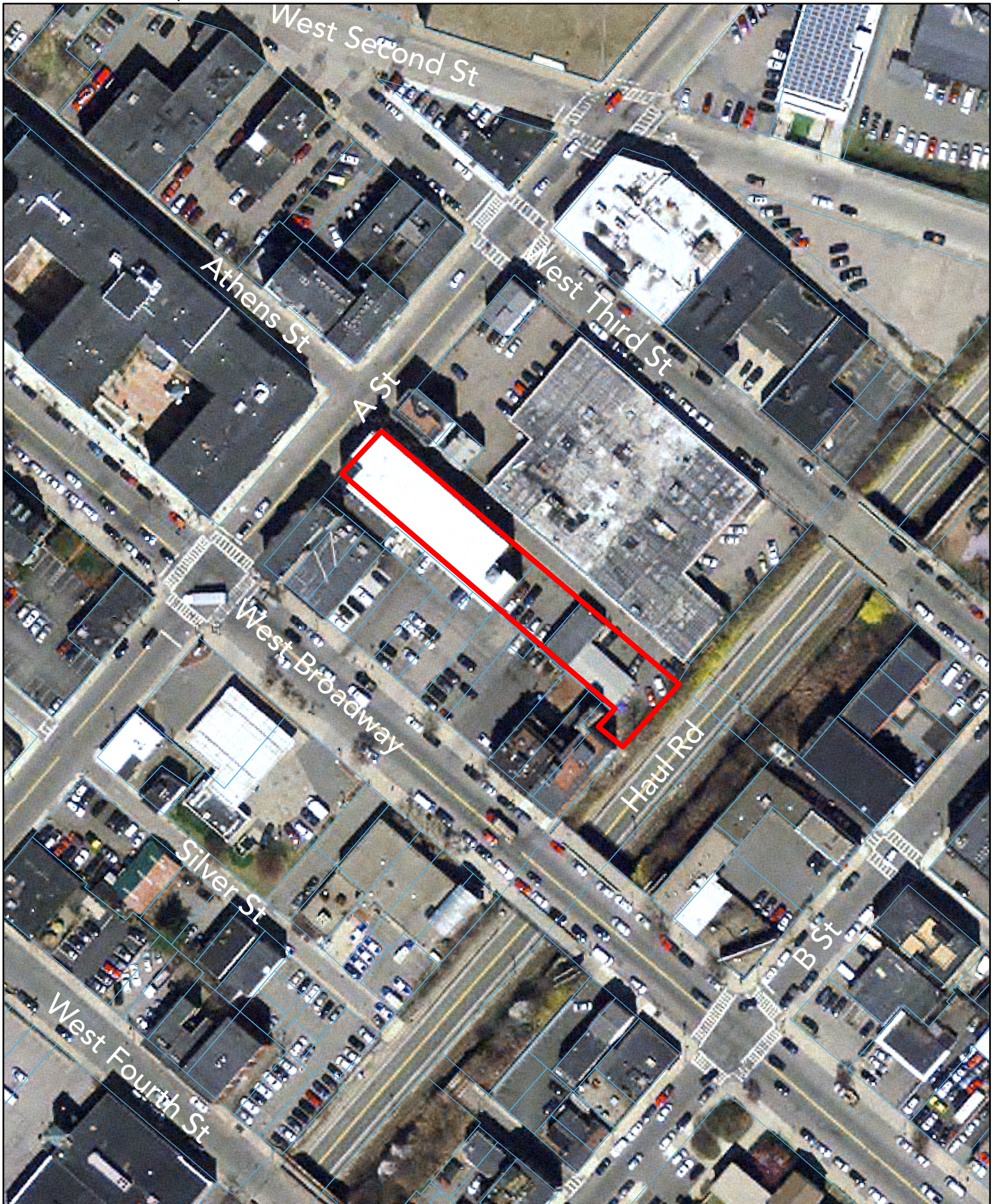
69 A Street, South Boston

1 inch = 100 feet
0 25 50 75 100 Feet



69 A Street, South Boston

2013 Aerial
1 inch = 100 feet
0 25 50 75 100 Feet





Boston City Council
ED FLYNN
Councillor - District 2

March 19, 2026

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

RE: Support for 69 A Street

Dear Members of the BPDA Board,

I am writing in support of the proposed project at 69 A Street which seeks approval to convert the floors two through four of the existing building from approved office use to multifamily residential use, while retaining the active ground-floor and basement fitness center, as well as the limited office space on the fifth floor.

The original proposal consisted of five (5) levels of commercial office space, ground level retail, and a parking garage with 18 spaces. This conversion would create 24 units specifically intended for participants from the Council on International Educational Exchange (CIEE) international internship and the BridgeUSA programs. The proposal would make interior changes with no significant modifications to exterior appearance, height, or footprint.

The participants are typically working professionals, 25 years or older, whose compliance with CIEE residency policies is directly tied to their status with the program and maintaining internships with their employers. Following the COVID-19 pandemic and now in this latest iteration, CIEE has since worked closely and in good-faith with the community in recent months, including meeting with nearby local civic groups and abutters, to be responsive to any outstanding questions and concerns related to the use, transportation impacts, and quality of life issues. CIEE has also relayed there will be a full-time live-in building manager on-site at all times.

As a result, I respectfully ask that the Board provide every consideration to approve the proposal at 69 A Street. If you have any questions, please feel free to contact me at Ed.Flynn@Boston.gov, or at 617-635-3203.

Sincerely,

A handwritten signature in black ink that reads "Ed Flynn".

Ed Flynn
Boston City Councillor, District 2