



Planning Department

CITY of BOSTON

MEMORANDUM

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

FROM: Joanne Marques
Planning Department

DATE: October 28, 2026

RE: Planning Department Recommendations

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

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



Case	BOA1870900
ZBA Submitted Date	2026-07-09
ZBA Hearing Date	2026-11-05
Address	22 Harvard ST Charlestown 02129
Parcel ID	0203726000
Zoning District & Subdistrict	Charlestown Neighborhood 3F-2000
Zoning Article	62
Project Description	Construction of a roof deck and first-story rear deck, with staircase access to the rear yard on an existing four-story, single-family dwelling.
Relief Type	Conditional Use
Violations	Roof Structure Restrictions

Planning Context:

Located at the edge of Charlestown's residential core near New Rutherford Avenue, 22 Harvard Street is a four-story, single-family dwelling. Harvard Street exhibits a distinct architectural divide between its eastern and western sides: the eastern side, facing the residential core, consists of three- to three-and-a-half story pitched-roof townhomes, while the western side features four- to six-story flat- and mansard-roofed buildings separated by private ways and alleys. While roof decks are prevalent across both building typologies in the immediate vicinity, buildings along the western side support these decks at noticeably greater heights. Specifically, the adjacent four-story buildings at 20 and 28 Harvard Street stand at approximately the same height as the subject property and both feature large, centrally located roof decks, establishing a clear neighborhood precedent for a rooftop structure at this height.

The subject lot falls within both the Charlestown Neighborhood Design Overlay District (NDOD) and the Restricted Roof Structure District: Charlestown Neighborhood. While the scope of work does not meet the thresholds to trigger formal Planning Department Design Review under Section 28-5, it requires a Conditional Use Permit pursuant to Section 62-25.



Zoning Analysis:

Pursuant to Section 62-25, the proposed project requires a Conditional Use Permit for the construction of a roof deck. While the Refusal Letter cites the excessive height of the proposed deck, the immediate neighborhood context and existing conditions on abutting properties directly justify the proposed elevation. Adjacent four-story buildings already support roof decks at comparable heights, creating an established architectural pattern along the western side of Harvard Street.

Beyond the height, the proposal complies with all other requirements of Section 62-25. The roof deck is positioned central on the existing roof, incorporating large setbacks from the building edges to provide adequate screening and prevent visibility from the Harvard Street public way. The design mitigates any visual impact on the pedestrian experience, remains consistent with surrounding rooftop structures, and will not produce adverse impacts or create a nuisance. The proposal both meets the criteria of Section 62-25 and the standards of Section 6-3, as such, the Planning Department supports the issuance of this Conditional Use Permit.

Plans reviewed are titled "Proposed Renovations to the 22 Harvard Street Charlestown, MA 02129", prepared by Peter P. Tummino and dated 02/04/2026.

Recommendation:

In reference to BOA1870900, The Planning Department recommends APPROVAL.

Reviewed,

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Senior Planner



Case	BOA1873930
ZBA Submitted Date	2026-07-17
ZBA Hearing Date	2026-11-05
Address	81 to 81A Prince ST Boston 02113
Parcel ID	0302282000
Zoning District & Subdistrict	North End Neighborhood MFR/LS
Zoning Article	6, 9
Project Description	Proponent is seeking a Change of Nonconforming Use on the ground floor from four residential units and ground floor commercial space to four residential units and ground floor restaurant space. Interior renovations included in scope of work to support change of use.
Relief Type	Conditional Use
Violations	Change of Nonconforming Use; Use: Conditional (Take-Out Restaurant Small)

Planning Context:

The property at 81 Prince Street currently features vacant commercial space on the ground floor. While located along a predominantly residential corridor of the North End, the lot sits within a transitional zone near the intersection of Prince and Salem Streets, an area defined by mixed-use buildings with active ground floor uses including bars, restaurants, bakeries, and markets. At this intersection alone, five surrounding mixed-use properties support dining and retail establishments, establishing strong neighborhood precedent for the proposed restaurant use.

The scope of work entails renovating the vacant ground floor commercial space into a small restaurant while converting the basement into dedicated dry storage and food preparation areas. The proposal does not impact the existing residential units on upper stories and includes no exterior alterations to the existing building.

Zoning Analysis:



The proposed project is cited for a use violation regarding a Change in Nonconforming Use and requires a Conditional Use Permit for the ground floor restaurant.

Situated in a transitional Multi-Family Residential/Local Services (MFR/LS) subdistrict, 81 Prince Street provides a buffer between the residential core further northwest along Prince Street and the active commercial fabric of the Salem Street Neighborhood Shopping (NS) subdistrict. Under subdistrict regulations, restaurant uses are classified as conditional. However, the subject parcel directly abuts an established, dense cluster of food and beverage establishments, including one operating on a 24-hour basis. Activating this currently vacant storefront with a small dining establishment is well supported by immediate ground floor context and enhances the pedestrian and streetscape experience along a prominent North End corridor. Pursuant to Section 9-2, converting the existing nonconforming commercial space into a restaurant will not result in a greater detriment to the immediate neighborhood, nor will it create a nuisance or adverse hazard under Section 6-3's criteria for issuing a Conditional Use Permit. Because the proposal satisfies the requirements for both a change in nonconforming use and a Conditional Use Permit, the Planning Department supports the requested relief.

Plans reviewed are titled "Nostra 81 Prince Street Boston, MA 02113" prepared by Design Resource Team, LLC and are undated.

Recommendation:

In reference to BOA1873930, The Planning Department recommends APPROVAL.

Reviewed,

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Senior Planner



Case	BOA1894075
ZBA Submitted Date	2026-08-25
ZBA Hearing Date	2026-11-05
Address	31 G ST South Boston 02127
Parcel ID	0601998000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	This project proposes to construct a two level, back deck extending from the (raised) first floor into the rear yard, maintaining existing parking spaces underneath.
Relief Type	Variance
Violations	Rear Yard Insufficient Side Yard Insufficient

Planning Context:

31 G Street is located in the South Boston Neighborhood in the Multifamily Residential subdistrict, two blocks south of East Broadway. The two and a half story, single-family building is located on the corner of two residential streets. The primary entry is located on G Street and a single parking space located in the rear yard is accessed off Silver Street. Presently, a small deck extends from the rear of the first floor approximately 9 feet into the rear yard, generally aligned with adjacent properties' decks and balconies' rear yard encroachments.

The project proposes to reconstruct and extend a rear deck, accessed from the first floor, raised approximately 4.5 feet from grade at the rear. The deck will contain two levels, accessed by steps up approximately 16 inches and extend to the rear and side edges of the lot. The parking space below the deck will be maintained.

Zoning Analysis:

The project was cited for violation to Article 68, Section 8, for side and rear yard encroachments. A minimum of three and twenty feet are required for side and rear yards respectively. However, in its present condition, the site has no side yards as buildings on the



subject block are constructed as row houses with zero-lot line sides. Additionally, the required side yard would not extend into the portion of the side that the deck is proposed in. In the rear, the site is already paved entirely to the property's edges. The proposed deck will be raised on posts, set in a new retaining wall which will replace the existing one in its present location, allowing for air to pass below the deck. Furthermore, light to adjacent property's rear yard is not expected to be impacted due to the placement of the deck to the north of the adjacent parcel, and the building to the west has no windows on the subject side. Therefore, Staff supports approval of the requested variances.

Plans reviewed are titled "New Back Deck 31 G Street South Boston, MA," prepared by Stephanov Architects and dated July 2026.

Recommendation:

In reference to BOA1894075, The Planning Department recommends APPROVAL.

Reviewed,

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Senior Planner



Case	BOA1873051
ZBA Submitted Date	2026-07-15
ZBA Hearing Date	2026-11-05
Address	748 to 750 E Broadway South Boston 02127
Parcel ID	0603511000, 0603510000
Zoning District & Subdistrict	South Boston Neighborhood MFR-LS
Zoning Article	68
Project Description	Interior tenant finish out for Fitness Center and ground floor uses including Professional Offices, Local Retail Business, Barber and Beauty Shop, and Tailor Shop.
Relief Type	Conditional Use, Variance
Violations	Forbidden Use Conditional Use

Planning Context:

748 to 750 East Broadway is located in the South Boston Neighborhood. The building was constructed in 2024 as nine residential units with ground and basement commercial uses. The site is located in an established mixed-use area, situated at the intersection of East Broadway and L Street. The surrounding area includes a number of restaurants, a large grocery store, and several other retail businesses, professional offices, and banks. The majority of these establishments are found at the ground floor, with residential uses typically occupying the stories above. Of note, the site is transit accessible, with stops for the MBTA's 7, 9, and 10 bus routes immediately adjacent to the site. No off street parking is existing or proposed.

This project proposes interior tenant finish out of the ground floor for Professional Offices, Local Retail Business, Barber and Beauty Shop, and Tailor Shop uses and basement finish out for a Fitness Center use.

Zoning Analysis:

This project was cited for noncompliance with Article 68, Section 7, regarding forbidden and conditional uses. All the proposed ground floor uses are conditioned to being accessed by an



exterior door, but otherwise allowed by right except for Professional Offices which requires conditional use approval. The proposed Fitness Center use is a forbidden use, requiring a variance.

Other Fitness Centers can be found within three blocks both north along L Street and West along East Broadway Street. Furthermore, Professional Office uses are located within the same block and throughout East Broadway including Real Estate offices among other office types.

Within the South Boston Neighborhood, the greater Broadway Street is the appropriate location for personal and professional commercial uses such as the ones proposed. Furthermore, during the review process for the subject building, the community expressed interest in non-restaurant commercial uses, such as those proposed. While individual businesses aside from the gym will be accessed via a shared commercial door on Broadway, a design that is called out as forbidden in Table A of Article 68, the entrance is separate from the residential units above, which take access off L Street. A shared hall, front lobby, and kitchenette is proposed for use by individual tenants. Furthermore, the building is designed with glass windows along L Street, giving the visual appearance of street entry to businesses, while utilizing one shared entrance. Therefore, Staff supports the requested uses.

Plans reviewed are titled "748-750 E Broadway First Floor Office Fitout," prepared by Sousa Design Architects and dated April 2026.

Recommendation:

In reference to BOA1873051, The Planning Department recommends APPROVAL.

Reviewed,

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Senior Planner



Case	BOA1876006
ZBA Submitted Date	2026-07-22
ZBA Hearing Date	2026-11-05
Address	23 Linden ST South Boston 02127
Parcel ID	0700979000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Erect dormer additions and renovate
Relief Type	Variance
Violations	Side Yard Insufficient

Planning Context:

23 Linden Street is located in the South Boston Neighborhood in Dorchester Heights, north of South Boston High School. The single-family, three and a half story building has two points of access: an enclosed, side passageway providing entry to the lower parlor level and a stepped-up street level entrance to the second story. The attic is presently unfinished.

Adjacent properties are similar in height and access, with enclosed, single-story side passageways between buildings, connecting all buildings with shared party walls. Some adjacent properties have finished attics with dormer additions, extending available living space. Off street parking is uncommon in the area and not present on the subject site.

The proposed project entails interior renovations and extension of the living space into the existing attic. Two new dormers are proposed on the existing roof to extend the livable area. Additionally, side passageway renovations are proposed to bring the existing pathway into ADA compliance. The roof above the passageway will be reconstructed as part of the renovation. The property is located in the Multifamily Residential Subdistrict and is subject to Restricted Roof District overlay regulations.

Zoning Analysis:



The project was cited for violation to Article 68, Section 8, for side yard encroachment. The minimum required side yard is three feet. The proposed dormers will extend to the edge of the existing building, with the eaves extending approximately six inches beyond the existing building line, worsening the existing side yard violation to 0.18 feet on the south side of the building. Staff is in support of the requested variance as the primary building wall is not moving and the eve extension will be approximately 32 feet above grade.

Plans reviewed are titled "Dormer Addition and Interior Renovation to Single Family Residence," prepared by Azad Architects and dated April 2026.

Recommendation:

In reference to BOA1876006, The Planning Department recommends APPROVAL.

Reviewed,

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Senior Planner



Case	BOA1856602
ZBA Submitted Date	2026-06-01
ZBA Hearing Date	2026-11-05
Address	88 Lambert AV Roxbury 02119
Parcel ID	0903679000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	50
Project Description	The proposal is to add a chicken coop to the property of a single family home.
Relief Type	Variance
Violations	Forbidden Use

Planning Context:

The proposed project would be the addition of a chicken coop in the backyard of a single family home. The parcel has a large amount of open space and the proposed chicken coop would only take a small portion of the site. The surrounding context is mostly residential with a mixture of mass and density. The house on site is an approved landmark however the proposed coop will not require landmark review considering it does not have impact on the house. The site is within the Roxbury Neighborhood Overlay District but the proposed work does not meet the criteria requiring review. The site is also within the 100 ft radius of the Rockledge Street Urban Wild which would trigger Municipal Ordinance 7.4-11 however the proposed work would not be visible from the urban wild.

Zoning Analysis:

The proposed project would require zoning relief for the accessory keeping of animals, which is a forbidden use. It is not an allowed use in any of the residential zoning districts for Roxbury. The use would not be contextually appropriate or in harmony with the code.

"Topographic Plan, 88 Lambert Avenue" Drawn by Framingham Survey Consultants Inc. Dated December 29, 2018



Recommendation:

In reference to BOA1856602, The Planning Department recommends DENIAL.

Reviewed,

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Senior Planner



Case	BOA1904468
ZBA Submitted Date	2026-09-25
ZBA Hearing Date	2026-11-05
Address	3615 to 3621 Washington ST Jamaica Plain 02130
Parcel ID	1102617010
Zoning District & Subdistrict	Jamaica Plain Neighborhood Local Industrial
Zoning Article	55
Project Description	The project proposes to add a new hair salon to an existing mixed-use building.
Relief Type	Conditional Use
Violations	Use: Conditional

Planning Context:

The proposed hair salon is located at 3611 Washington Street, within the existing mixed use building on the property. The building is six stories of residential use above commercial use on the ground floor. The property is abutted by the MBTA Orange Line corridor and Forest Hills Station, along with other residential uses to the north. The MBTA Arborway Garage is across Washington Street.

The project is located within the PLAN: JP/Rox plan area. The plan seeks to create recommendations that improve the livability of the area in a number of ways, one of which is focused on supporting small business. Specifically, the plan seeks to enable small businesses to find suitable locations through various types of technical assistance and zoning reform. The proposed hair salon is a community oriented small business that contributes to the goals stated in PLAN: JP/Rox.



Zoning Analysis:

Barber and beauty shops are an Allowed Use in the Local Industrial zoning subdistrict, except where they are greater than 1,000 square feet, in which case they are Conditional Uses. The proposed hair salon is approximately 1,200 square feet which means it requires a conditional use approval. The proposed use is consistent with the planning goals of the neighborhood.

Plans reviewed "Tenant B" prepared by "Colliers Engineering and Design" dated 10/7/25.

Recommendation:

In reference to BOA1904468, The Planning Department recommends APPROVAL.

Reviewed,

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Senior Planner



Case	BOA1881627
ZBA Submitted Date	2026-08-03
ZBA Hearing Date	2026-11-05
Address	55 Brown AV Roslindale 02131
Parcel ID	1903988000
Zoning District & Subdistrict	Roslindale Neighborhood 2F-5000
Zoning Article	67
Project Description	This project is an interior and exterior renovation of the home, including finishing the basement and attic units, adding bedrooms, creating a new exterior egress, reconfiguring interior floor plans, and updating exterior elements.
Relief Type	Variance
Violations	FAR Excessive

Planning Context:

55 Brown Ave is located in a residential area of Roslindale that consists of a mix of one- to three-unit dwellings. Across the street, there is a church. Homes in this area tend to have higher lot coverage.

The project proposes a complete interior and exterior renovation to the existing structure. While the number of units - two - remains the same, each unit will be renovated to have three bedrooms. The only change to the exterior envelope will be an additional egress from the second floor unit. The roofing, siding, and windows will be removed and replaced as well, in addition to other structural modifications.

Zoning Analysis:

This project has triggered one violation: FAR excessive.



The FAR allowed for this lot is 0.5 and the plans do not show the proposed FAR. The assessor's report of the existing property reveals that the FAR is 0.6. It is reasonable to expect that the proposed renovations will increase the FAR given that the living area will be extended into the attic and basement without the lot size increasing. The proposed addition creates modest, high-quality living space that allows the property to meet the evolving needs of today's households, which include supporting family growth, multi-generational living, and aging in place. These are all priorities articulated in the City's housing and planning goals. Because the improvements to the living space are not disruptive to the neighborhood context or compromise the minimum open space, relief is recommended.

Plans reviewed are titled "Proposed Renovation to Existing Two-Family Residence at 55 Brown Ave, Roslindale MA", and are prepared by Turman Design Services and dated June 2026.

Recommendation:

In reference to BOA1881627, The Planning Department recommends APPROVAL.

Reviewed,

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Senior Planner