



MEMORANDUM

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

FROM: Joanne Marques
Regulatory Planning & Zoning

DATE: May 16, 2024

RE: BPDA Recommendation

Please find attached, for your information, BPDA's recommendations for the May 21, 2024 Board of Appeals Hearing.

Also included are the Board Memos for: 2 Hillsboro ST Dorchester 02125, 75 to 81 Dudley ST Roxbury 02119 and 75 to 83 Hancock ST Dorchester 02125.

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



Case	BOA1542280
ZBA Hearing Date	2024-05-21
Address	162 Boylston St Boston 02116
Parcel ID	0500027000
Zoning District & Subdistrict	Midtown Cultural Boston Common and Public Garden Protection Area
Zoning Article	38
Project Description	Change occupancy from a sales room and offices to restaurant and retail at ground level and 43 residential units above
Relief Type	Conditional Use
Violations	GCOD Applicability

Planning Context:

The site is located on the southern edge of Boston Common and within the PLAN: Downtown planning area. The project converts a vacant sales office on the ground floor of an existing commercial building into a restaurant and upper-floor office spaces into 43 residential units. The conversion does not change the existing footprint of the building. All proposed work is internal to the existing building except for a proposed addition to the rear portion of the building on 8 Carver St.

The project creates 43 residential units. As the Proposed Project is in the Groundwater Conservation Overlay District it requires zoning relief for a conditional use and the provisions of the Inclusionary Development Policy will apply.

The project maintains the structure's historic facade on Boylston Street and furthers PLAN: Downtown's goals of historic preservation, increasing active ground floors, and residential growth downtown. The project also aligns with the goals of the Office to Residential Conversion Program to convert older commercial space downtown to residential units.

Zoning Analysis:

The project is located in the Midtown Cultural Zoning District and the forward portion of the building is within the Boston Common and Public Garden Protection Area subdistrict.



The project aligns with the regulations of these districts, but requires zoning relief and additional review as it is located within the Groundwater Conservation Overlay District.

Recommendation:

In reference to BOA1542280, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: the plans shall be reviewed and approved by the Boston Water & Sewer Commission due to its location within the Groundwater Conservation Overlay District (GCOD) and that a housing agreement be executed with the Mayor's Office of Housing to comply with the Inclusionary Development Policy.

Reviewed,

A handwritten signature in blue ink that reads "Amee Rana". The signature is fluid and cursive.

Director of Planning, BPDA



Case	BOA1584690
ZBA Hearing Date	2024-05-21
Address	173 Commonwealth AVE Boston 02116
Parcel ID	0502946000
Zoning District & Subdistrict	Boston Proper H-3-65
Zoning Article	32
Project Description	Change occupancy from 7-unit dwelling to one family then perform full gut renovation and reconstruction, including a roof deck and 3 off-street parking spaces.
Relief Type	Conditional Use
Violations	GCOD Applicability

Planning Context:

The project is located in the Back Bay neighborhood along Commonwealth Avenue mid-block between Dartmouth and Exeter Streets. The site is currently occupied by an attached, 5-story townhouse with a 5-story townhouse attached on the east and a 4-story townhouse attached on the west.

The neighborhood is defined by a consistent pattern of brick townhouses similar to that on the site of the proposed project.

Zoning Analysis:

The site is in the Boston Proper base zoning, Apartment Residential H-3-65 subdistrict, as well as the Groundwater Conservation Overlay District (GCOD), Restricted Parking District, and Back Bay Architectural District. The violation cited pertains to the GCOD per Article 32, which requires a conditional use permit for substantial rehabilitations of any structure within the overlay district. To grant a conditional use permit, a project must meet two requirements: 1) "promote infiltration of rainwater into the ground by capturing within a suitably-designed system a volume of rainfall on the lot equivalent to no less than 1.0 inches across that...lot area occupied by the structure to be Substantially Rehabilitated" and 2) "result in no negative impact on groundwater levels within the lot".

The proposed project's designed system must be submitted to the Boston Water & Sewer Commission for review, comment, and approval.

BOA1584690

2024-05-21

1 Boston Planning & Development Agency



Recommendation:

In reference to BOA1584690, the Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO. The plans shall be submitted for review by the Boston Water & Sewer Commission due to the proposed project's location within the Groundwater Conservation Overlay District (GCOD).

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rand", is written in a cursive style.

Director of Planning, BPDA



Case	BOA1546998
ZBA Hearing Date	2024-05-21
Address	545 E Second St South Boston 02127
Parcel ID	0603140000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Combine 3 parcels into 2 larger parcels, with the proponent then erect a 6 unit residential building with garage on 1 of the new parcels..
Relief Type	Variance
Violations	Additional Lot Area Insufficient Rear Yard Insufficient Roof Structure Restrictions Parking or Loading Insufficient Parking design and maneuverability

Planning Context:

The proposed project is located on the northern end of the South Boston Neighborhood district, in an area that was once dominated by manufacturing but is now transitioning to a heavily residential neighborhood as evident by the newer developments surrounding the proposed project. East Second Street acts as a buffer, with developments on the same side of the street as the proposed project being small to medium residential buildings. Across the street the neighborhood begins to step up in size as most of the parcels once had an industrial use and many retrofitted the historic buildings into residential and commercial uses. As it currently exists, the two lots are undersized compared to this section of South Boston. The new parcels created by this project will be in line with the neighboring properties and will allow for a better utilization of the land.

Zoning Analysis:

The proposed project triggers violations, which can be grouped into three sections: Parking, Dimensional Regulations, and Roof Structure.

The first violation is in regard to the proposed headhouse and mechanicals on top of the new development. The project's roofline is at 39 feet, one foot below the 40 foot maximum. However, the addition of the mechanicals exceeds this limit and triggers the violation. While it is a



violation, the proponent has worked to conceal the mechanicals within the interior area of the roof, helping to maintain the desired designed roofline. The mechanicals will have no impact on street view as they have been set back.

The section set of violations are in regards to dimensional regulations. The first violation is that the proposed project does not have the required additional square footage per unit required by the zoning code. The proposed project would require a lot of 7000 square feet, while the newly subdivided lot would only be around 4,500 square feet. The other dimensional violation is that the rear yard setback is insufficient for the proposed development. Both of these regulations point to this project being too large for the area. However, the zoning code does not reflect the development goals of the city in this area of south Boston. This strip of Second Street is largely characterized by new apartment buildings on a similar scale to the proposed development. The residential housing and density is appropriate in this area, even though the zoning code does not support it.

The final set of two violations are related to parking. This area of South Boston is well-served by transit, including multiple bus routes and the Broadway MBTA station. The project is providing one off-street parking space per unit, per zoning requirements. However, Boston Transportation Department guidelines call for a maximum ratio of 0.75 spaces per unit: any increase in off-street parking would further exacerbate the proposal's inconsistency with this guideline.

Recommendation:

In reference to BOA1546998, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review.

Reviewed,

A handwritten signature in blue ink that reads "Amee Rana".

Director of Planning, BPDA



Case	BOA1584507
ZBA Hearing Date	2024-05-21
Address	2136 to 2140 Washington ST Roxbury 02119
Parcel ID	0802480000
Zoning District & Subdistrict	Roxbury Neighborhood Dudley Square EDA
Zoning Article	Article 50
Project Description	Proposed change of use and occupancy from office and retail to office (2nd floor) and social club with limited live entertainment to include flex boutique (1st floor) and storage (basement).
Relief Type	Variance, Conditional Use
Violations	Parking or Loading Insufficient Conditional Use (Private/Social Club Serving Alcohol w/ Limited Live Entertainment)

Planning Context:

The proposed project sits in the Dudley Square Economic Development in Roxbury. It is also a part of one of the neighborhood's Boulevard Planning Districts (BPDs). According to Section 50-37 of the Zoning Code (Boulevard Planning Districts, Roxbury), BPDs serve as markers of significant neighborhood corridors and gateways to residential areas. Special design guidelines for BPDs are established in Article 50 (Roxbury Neighborhood Zoning). In addition, the project sits within the Eustis Street Historic Protection Area. Because the site sits within 100' of a public park, the provision of Ordinance 7.4-11 (Parks Design Review) will also apply.

The surrounding context comprises a mix of 2 to 6 story residential and mixed-use structures, which house a variety of different retail, commercial, and community uses. The site is located a half-mile from Ruggles Station (Orange Line and Commuter Rail) and immediately abuts stops for several MBTA bus routes, including the 1, 8, 15, and 47. It is also within walking distance (quarter-mile) of several civic amenities, including Ramsay Park, Orchard Park, and the Greater Roxbury Arts & Cultural Center.

The proposed project seeks to expand the property's ground floor use allowances to allow for private social club and live entertainment uses, in addition to the existing retail space, which will remain. The project does not propose to expand the footprint of the existing structure. The proposal has been filed by the structure's current occupant, Black Market Nubian (a local Black-

BOA1584507

2024-05-21

1 Boston Planning & Development Agency



owned business operating as a pop-market and creative/cultural work space, which, among other things, spearheads the Nubian Square Public Art Initiative). This project scope is supported by the stated planning goals of PLAN: Nubian Square: (1) to enhance civic life and the area's cultural environment; (2) to promote the development of neighborhood amenities which build on the area's cultural history and assets, including things like entertainment venues, performance centers, and music spaces; and (3) to support existing local businesses and mitigate the risk of commercial displacement (July 2019).

Zoning Analysis:

The proposed project's insufficient parking violation is an existing condition. The project site is currently occupied by a structure with a zero-lot-line condition and a building lot coverage of roughly 90%. Zero parking conditions are common throughout the area, including the majority of lots within immediate proximity to the project site.

Because private social clubs (with live entertainment and serving alcohol) are conditional uses in the Dudley Square EDA, the proposed project will require a conditional use permit to move forward. Article 6 of the Zoning Code lays out the conditions required for the approval of proposed conditional uses in Boston. These conditions include: (1) that the specific site is an appropriate location for such use; (2) that the use will not adversely affect the neighborhood; (3) that there will be no serious hazard to vehicles or pedestrians from the use; (4) that no nuisance will be created by the use; and (5) that adequate and appropriate facilities will be provided for the proper operation of the use.

Due to, (1) the site's context, which sits in immediate proximity to other existing live entertainment venues serving alcohol as well as multiple transit options that can service patrons; and (2) the project's scope, which does not include any structural alteration or expansion of the existing building; the proposed project's impacts on the surrounding area are minimal. These factors justify the project's appropriateness to the surrounding area. It's recommended that a conditional use permit for the proposed uses be granted.

Because the project sits within the Eustis Street Historic Protection Area, a proviso for Landmarks Review has been added to this recommendation to account for any updates to signage that may stem from the proposed change of occupancy.

Recommendation:



In reference to BOA1584507, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Boston Landmarks Commission for design review .

Reviewed,

A handwritten signature in blue ink, which appears to read "Amee Rand". The signature is fluid and cursive, with a long horizontal stroke at the end.

Director of Planning, BPDA



Case	BOA1573263
ZBA Hearing Date	2024-05-21
Address	73 to 75 Bowdoin Ave 14 Dorchester MA 02121
Parcel ID	1401163000
Zoning District & Subdistrict	Dorchester Neighborhood 3F-5000
Zoning Article	65
Project Description	Create a new curb cut for two tandem parking spaces.
Relief Type	Variance
Violations	Limitation of off street parking area

Planning Context:

73-75 Bowdoin Avenue is a classic triple-decker in Dorchester on a residential block with a mix of housing typologies ranging from 2-3.5 stories. The project is proposing a new 12' curb cut and a new driveway with two tandem parking spaces. About half of the other properties on the block have driveways. The site is a 7 minute walk from the Four Corners/Geneva commuter rail station, and a 16 minute walk to the Fields Corner Red Line station.

This parcel falls within the study area of the Fairmount-Indigo Corridor Four Corners/Geneva Avenue Station Area Plan (2015). Several goals related to the proposed project were identified, including “increas[ing] neighborhood walkability and bikeability” (October 2015). Following recent feedback at a community meeting, the Four Corners area will be considered in tandem with Codman Square as part of the Squares + Streets planning and zoning initiative area. Neighborhood-specific Squares + Streets recommendations for this area are forthcoming.

On a citywide scale, Go Boston 2030 sets out several transportation-oriented goals: in particular, reducing car use and emissions (March 2017). Climate Ready Boston echoed the importance of reducing emissions, noting that it is the key to “prevent[ing] the most extreme precipitation projections from becoming a reality” (December 2016).

There are other negative impacts to consider. On a smaller scale, the addition of a curb cut degrades the sidewalk. By making it possible to park beyond the extent of the driveway and limiting the flow of pedestrian traffic, it allows encroachment of the public way. At 73-75 Bowdoin Ave, the new driveway would also result in a loss of permeable space that could provide room



for additional trees. While current conditions are not detailed in the plans, 2019 imagery of the address shows standard size curbside collection garbage cans out front that provide an easy reference for lost permeable garden space, which would total around 15 square feet.

Zoning Analysis:

The driveway is less than 5' away from the side lot line, triggering an insufficient parking and loading violation (Article 10-1). The first proposed tandem space closest to the street measures 20'x10.3', while the second is slightly smaller: still 20' long, but tapering to a 7.7' width at the back of the space to account for the bump-out created by the bay windows. This is not aligned with the Public Works Department's guidelines for the issuance of new curb cut permits which call for residential driveways that are at least 10' wide (February 2013).

In order to move forward, zoning relief is needed in the form of a variance. However, there are no relevant circumstances unique to the structure but not the neighborhood, which is required to grant a variance (Section 7-3(a)). Higher lot coverage and minimal side yards are typical conditions for this block.

Given the noncompliance with the Code, the lack of alignment with area and citywide planning goals, and the reduction in street parking that would be caused by an additional curb cut, we recommend denial.

Recommendation:

In reference to BOA1573263, The Boston Planning & Development Agency recommends DENIAL.

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rand", is written over a faint, light blue circular stamp.

Director of Planning, BPDA



Case	BOA1528931
ZBA Hearing Date	2024-05-21
Address	15 Levant ST Dorchester 02122
Parcel ID	1500967000
Zoning District & Subdistrict	Dorchester Neighborhood 3F-D-3000
Zoning Article	65
Project Description	Construct a new three unit, three decker building with a new three-space driveway and attached carport utilizing an existing curb cut.
Relief Type	Variance
Violations	Rear Yard Insufficient Usable Open Space Insufficient

Planning Context:

This project proposes the building of a new 3-family, 3-decker home on an empty lot. It is surrounded almost exclusively by other 3-deckers and is a 10-minute walk away from Washington Street, a key commercial corridor in the area. A 3-car driveway with a pre-existing curb cut is also included in the plans. The driveway ends at the rear of the proposed house with an attached carport. The carport includes two supporting posts that divide the space into parking spots for 2 of the 3 cars. The third space is uncovered and located about 4’ from the rear property line. All three spaces measure about 8’x24.’

Unlike other 3-deckers on the block, the proposed driveway is longer and cuts behind the property. Street View imagery captured in 2019 shows that other houses on this block have tandem spaces and driveways that are sized for 1-2 cars instead of 3.

In addition to its proximity to a walkable commercial center, 15 Levant Street is also equidistant to two public transit stations: the Fields Corner T stop (a 13-minute walk) and the Four Corners/ Geneva commuter rail station (a 9-minute walk). The site falls within a few blocks of the study area boundary for the Fairmount-Indigo Corridor Four Corners/Geneva Avenue Station Area Plan (2015). In this plan, several goals related to the proposed project were identified, including “leverag[ing] vacant lots for infill housing,” “add[ing] new housing,” and “encourag[ing] multifamily” options near transit stations.



Zoning Analysis:

The proposed project received two violations: one for an insufficient rear yard (15' minimum depth is required and roughly 5' is provided), and a second for insufficient usable open space (900 sq. ft required, roughly 650 sq. ft. provided).

New 3-unit construction in this subdistrict calls for 900 square feet of usable open space overall. As defined in Article 2, usable open space is “suitable for recreation, swimming pool, tennis court, gardens, or household service activities, such as clothes drying. Such space must be at least seventy-five percent (75%) open to the sky, free of automotive traffic, parking, and undue hazard, and readily accessible by all those for whom it is required.”

The largest portion of usable space in the plans is in the side yard, which comes to roughly 640 sq. ft. The 3 front porches modestly add to this total. This small reduction in usable open space is unlikely to negatively affect the neighborhood and still in keeping with the intent of the code (Article 7-3). It is also in line with the surrounding context- three deckers on small, narrow lots with limited usable open space.

Regarding the second violation, the rear yard insufficiency is not caused by the size of the building itself. At 24' x 45.7', the house's proposed dimensions are very consistent with other properties on the block. In fact, according to 2022 satellite imagery, neighboring houses tend to have greater building depth (50'-55').

Instead, it appears that the rear yard violation is triggered by the need to meet the parking requirement for a new 3 unit residence, which is 1 space per unit. While not identified as a violation, the proposed parking arrangement creates a maneuverability issue, particularly with the inclusion of the posts from the carport separating the two spaces.

This is a case for zoning reform. Future reform efforts in this area should look to better align parking requirements with typical driveway size and proximity to public transit. Modifying usable open space requirements to better reflect existing building and lot patterns could also be considered.

Recommendation:

BOA1528931
2024-05-21
2 Boston Planning & Development Agency



In reference to BOA1528931, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that proponent undergoes design review with BTM to address parking maneuverability, and remove one parking space if BTM determines that this will improve maneuverability and usable open space.

Reviewed,

A handwritten signature in blue ink, appearing to read "Arnee Rand". The signature is fluid and cursive.

Director of Planning, BPDA



Case	BOA1563876
ZBA Hearing Date	2024-05-21
Address	1905 to 1907 River ST Hyde Park 02136
Parcel ID	1812402000
Zoning District & Subdistrict	Hyde Park Neighborhood 2F-5000
Zoning Article	69
Project Description	Construct two side by side detached structures, each containing one unit (two units in total).
Relief Type	Variance
Violations	Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient

Planning Context:

1905 - 1907 River Street in Hyde Park is located in a predominantly residential neighborhood with a variety of housing typologies from, generally in the scale of 1 to 2.5 stories. The proposed project is located on a corner lot neighboring a 2.5-story single-family dwelling. The plans are to construct one detached two family dwelling. The proposal also includes four off-street parking spaces, two on the side and two in the rear. The proposal would require the demolition of the currently existing single family home located at 1907 River Street in Hyde Park.

Zoning Analysis:

1905 - 1907 River Street is located in a two-family (2F-5000) subdistrict of the Hyde Park Neighborhood District. The proposed project was cited for three dimensional violations: front, side, and rear yard minimum setback requirements. However, two of the three cited violations appear to be inconsistent with the proposed plans. The side yard requirements for the neighborhood are 10 feet and the proposal exceeds this by 7 feet and 6 inches on the side. Further, the proponent is proposing a rear yard depth of 40 feet which is also in line with the zoning requirements for the neighborhood.

The front yard requirement for the neighborhood district is 20 feet, and they are proposing 21.70 feet, however, because it is a corner lot, both sides that face a street must adhere to the minimum front yard setback, per Sec. 19-6. The proposed front yard setback facing Solaris Road is not sufficient by approximately 10 feet. However, many of the other houses along this



side street, including the one across the street, do not have 20 foot wide front yards. This discrepancy does not make the proposal out of line with the surrounding zoning context.

Recommendation:

In reference to BOA1563876, The Boston Planning & Development Agency recommends APPROVAL W/ PROVISIO that plans shall be submitted to the Agency for design review.

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rand", is written in a cursive style.

Director of Planning, BPDA



Case	BOA1589775
ZBA Hearing Date	2024-05-21
Address	30 Pinewood ST Mattapan 02126
Parcel ID	1804259000
Zoning District & Subdistrict	Hyde Park Neighborhood 1F-6000
Zoning Article	Article 69
Project Description	Full second floor addition to existing one and a half story dwelling including adding a 4th bedroom and new rear deck.
Relief Type	Variance
Violations	FAR Excessive Front Yard Insufficient Rear Yard Insufficient Side Yard Insufficient

Planning Context:

This site sits within a residential area on the cusp of Mattapan and Hyde Park. The area is predominantly 1-family homes that are built to 1.5 or 2.5 stories tall. The applicant proposes converting the current second-floor attic into a full second story by raising the roofline, bringing the building from 1.5 stories to 2 stories. The proposed second story occupies the same building floorplate as the first story. This proposal increases the housing quality, with a new rear deck and the addition of a 4th bedroom.

PLAN: Mattapan called for the preservation of existing building stock as a priority to preserve Mattapan's built form and character. The proposed addition largely maintains the existing structure while improving the housing quality.

Zoning Analysis:

This project is cited for having excessive floor area; the maximum FAR allowed by Article 69 is 0.5 for 1 Family Detached structures in a 1F-6000 subdistrict. However, the proposed project includes 1,504 gross square feet (not including the newly proposed deck and accessory garage structure) on a 4,000 sq ft lot, resulting in an FAR of 0.376.

The project is also cited for front, side, and rear yard setback violations, which are all existing nonconformities. The proposed project maintains the same setbacks as the existing property.



The minimum front yard setback is 25' and the existing/proposed setback is 15.9'. However, this existing setback is consistent with the building alignment of the two immediately adjacent properties.

The minimum side yard setback is 10' and the existing/proposed setback is 7.9'. This configuration is to accommodate a driveway within the other side yard of 13.8', and is a common configuration within this neighborhood. Finally, the minimum rear yard setback is 40' and the existing/proposed setback is 35'. This setback is consistent with each of the properties on this same block that have a similar building footprint and lot size.

Plans reviewed are titled "DHS Reality Group LLC/Daisy De La Rosa 30 Pinewood Street, Hyde Park MA", prepared by Perazim Design, and dated November 17th, 2023.

Recommendation:

In reference to BOA1589775, The Boston Planning & Development Agency recommends APPROVAL .

Reviewed,

A handwritten signature in blue ink that reads "Amee Rando". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Director of Planning, BPDA



Case	BOA1583137
ZBA Hearing Date	2024-05-21
Address	1481 Centre ST West Roxbury 02132
Parcel ID	2004526000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	Art. 56
Project Description	Change the occupancy of an existing two-family dwelling to a two-family dwelling with an accessory family child care home in the basement. Includes the replacement of two slide doors and one main door, interior painting, and the replacement of all floors to vinyl floors in the new child care space.
Relief Type	Variance, Conditional Use
Violations	Parking or Loading Insufficient Use: Conditional (Daycare) Change in Non-Conforming Use

Planning Context:

This project proposes the alteration of the basement level of an existing one-story, two-family dwelling to be converted into an accessory family child care home. This project does not propose any changes to the first floor and does not include any physical additions to the structure. This property is on a block of Centre Street that holds a mix of one-, two-, and some three-story residential dwellings. Many of these buildings vary between having one-family and two-family land uses.

This project is in alignment with the Mayor’s Office of Early Childhood’s (OEC) goal to reduce barriers to the development of child care facilities throughout the City. The BPDA and OEC partnered in this effort amend the Zoning Code to make “child care centers” and “accessory family child care homes” Allowed uses in all neighborhood subdistricts, including all subdistricts of West Roxbury (October 2023). This project was filed in June 2023, prior to zoning updates adopted by the Boston Zoning Commission on October 18, 2023

The need for child care in West Roxbury is further detailed in the Mayor’s Office of Women’s Advancement (MOWA) report “Making Child Care Work: Results from the 2021 Child Care Census Survey” (February 2022) in which West Roxbury is one of many Boston neighborhoods identified as having costs for child care that are above the state average. This finding from the

BOA1583137

2024-05-21

1 Boston Planning & Development Agency



report indicates a need in the area for the increase of child care facilities like this project proposes because the increase in supply will support potential lower child care costs and greater child care access in the neighborhood.

This property has an existing paved driveway in the northeastern side yard of the lot that is designed to hold four (4) parking spaces. As part of the updates to child care zoning to align with the Mayor's Office of Early Childhood's (OEC) goals, minimum parking requirements of any kind specific to child care center uses were removed from the Zoning Code. While this project is an accessory family child care home rather than a child care center, the existing number of parking spaces and the goals of the OEC indicate no need to add more parking spaces to the property.

Zoning Analysis:

This property is located within the 1F-6000 (One Family Residential) subdistrict of the West Roxbury Neighborhood District (Art. 56).

As mentioned, this project was filed in June 2023, prior to zoning updates adopted by the Boston Zoning Commission on October 18, 2023 to allow child care centers and accessory family child care homes as land uses across all zoning subdistricts. The refusal letter is from March 20, 2024, but refers to the previous zoning regulations for this type of land use prior to the October 2023 zoning updates.

Under the previous zoning, the proposed accessory family child care home was a Conditional use within the 1F-6000 subdistrict under the term "Daycare" (Art. 56 – Sec. 7) and would have required 0.7 parking spaces per 1,000 sq ft of the proposed child care space based on the regulations for the category of "Community Uses" (Art. 56 – Sec. 39). However, under both updated zoning and the way that both the Mayor's Office of Early Childhood and the Massachusetts Department of Early Education and Care (EEC) would interpret this project, this would be an accessory family child care home, i.e. an Allowed use and would not have a minimum parking requirement. As stated in the Planning Context, this would remove several barriers to providing a community-serving use aligned with City goals of increasing child care options in areas like the West Roxbury neighborhood where the MOWA report identified high need for child care.

The refusal letter cites a "Change in Non-Conforming Use" violation (Art. 9 – Sec. 2) due to the existing two-family residential dwelling being a Forbidden use within the 1F-6000 subdistrict. As

BOA1583137

2024-05-21

2 Boston Planning & Development Agency



noted in the Planning Context, this property is surrounded by a variety of one- and two-family dwellings and this is due to it being on a segment of Centre Street where the western side of the street is in the 1F-6000 subdistrict and the eastern side is in the 2F-5000 subdistrict. This has produced a mix of properties on both sides of Centre Street that have nonconforming land uses indicating that the proposed change in non-conforming use is appropriate to ensure the proponent is not deprived of the reasonable use of their land per Sec. 7-3

Site plans completed by Boston Survey Inc. on October 10, 2023. Project Plans completed by GJ Design Group on June 6, 2023.

Recommendation:

In reference to BOA1583137, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO: that no building code relief be granted.

Reviewed,

A handwritten signature in blue ink that reads "Amee Rana".

Director of Planning, BPDA



Case	BOA1521952
ZBA Hearing Date	2024-05-21
Address	259R to 259RF Market ST Brighton 02135
Parcel ID	2202571000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 1F-5000
Zoning Article	51
Project Description	Erect (4) new 3-story townhomes in a newly created rear lot (Lot-B, 10,845 sq. ft.) behind the existing two-family dwelling, which will remain on the street facing lot. Each townhome features garaged parking for two cars and top story decks. See ALT1484754 & ALT1515523 for subdivision applications.
Relief Type	Variance
Violations	Lot Frontage Insufficient FAR Excessive Height Excessive (stories) Front Yard Insufficient Use: forbidden (townhomes) Use: forbidden (multi-family dwelling) Dimensional Regulations Applicable in Residential Subdistricts: Location of Main Entrance Application of Dimensional Requirements: Two or More Dwellings on Same Lot

Planning Context:

Parcel is an abnormally shaped (60' frontage, 255' depth) parcel, that extends deep into an irregularly wide residential block in Brighton, approximately one block to the east of McKinney Playground. The proponent seeks to subdivide the lot into two, retain the existing two-family on what would be the front lot, and construct four one-unit townhomes on the rear lot. The space is currently occupied by a small garage and greenhouse, which are accessible by a driveway running along the south side of the parcel.

While infill housing development was not specifically mentioned in the Allston/Brighton Needs Assessment (completed in January 2024), housing was identified as the most critical need in the neighborhood. In particular, the assessment noted how housing production in Allston/Brighton has not kept pace with overall housing production in Boston, and this proposal is an excellent example of new kinds of housing production that can help to close that gap.



The basic planning need to be addressed is striking a balance between 1) building contextual housing on vacant space to address the housing crisis; and 2) ensuring that development on atypical parcels mitigates potential negative effects on neighbors. This condition of a deep and skinny lot is distinct for Brighton, and the zoning violations in general reflect the degree to which existing language is not flexible enough to handle lot sizes with abnormal proportions and size. In particular, while townhomes may reasonably be a forbidden use in parcels where only detached residences of between one to three units can generally fit, townhomes (and to a lesser degree, rowhouses) allow for units to be placed nearer to each other in a form that resembles the overall scale of housing in Allston and Brighton.

Zoning Analysis:

Lot Frontage Insufficient: Per Article 51, Table D, the minimum lot frontage for uses other than a 1 Family Detached is 50'. In this case, as a rear lot, the frontage would be 0'. In this case, what would be the front lot is proposing a 20' access easement. This 20' easement cannot be made larger due to the placement of the existing two-family structure, as well as to avoid reducing that lot's effective frontage further below 50'. This is an appropriate solution given the abnormal configuration of the parcel, and relief is appropriate.

FAR Excessive: Per Article 51, Table D, the maximum FAR for a use other than a 1 Family Detached is 0.5. This proposal suggests an FAR of 0.72, which is a violation. This latest version of the plans reduces the unit count from 7 to 4, to lower this violation. An abutting parcel with a single family dwelling has an FAR of 0.56, so 0.72 is contextually similar. Given the abnormal size of this parcel relative to neighbors and degree to which this new construction is not visible from the public realm, relief is appropriate.

Height Excessive (stories): Per Article 51, Table D, the maximum number of stories for a use other than a 1 Family Detached is 2.5. These townhouses are proposed as three stories, which is a violation. Many residential buildings in this area are between 2.5 and 3 stories, depending on roof pitch, and some adjacent commercial buildings are a full three stories with flat roofs. Given that these proposed townhomes have pitched roofs already, they are contextually appropriate. Future zoning reform should consider adjusting dimensional standards to align base zoning



requirements with the actual built form, in particular to avoid roof violations related to half story changes.

Front Yard Insufficient: Per Article 51, Table D, the minimum front yard setback for any use other than a 1-Family Detached is 20. To avoid additional side and rear yard violations, this proposed subdivided lot has a front yard setback of 1', which is a violation. Given that this 'front yard' is in fact entirely to the rear of an additional parcel, and that there remains 25' feet between this building and the existing two-family to the front, appropriate space between the two buildings is present. Given the abnormal positioning of this parcel, relief is appropriate.

Use: forbidden (townhomes): Per Article 51, Table D, townhouses are a forbidden use in this 1F subdistrict. Given the abnormal size of the lot relative to other lots in this subdistrict and relative to the citywide policy objectives of housing production, small-scale multifamily is appropriate in this location, and relief is appropriate.

Use: forbidden (multi-family dwelling): Per Article 51, Table D, multifamily dwellings are a forbidden use in this 1F subdistrict. Given the abnormal size of the lot relative to other lots in this subdistrict and relative to the citywide policy objectives of housing production, small-scale multifamily is appropriate in this location, and relief is appropriate.

Dimensional Regulations Applicable in Residential Subdistricts: Location of Main Entrance: Per Section 51-9.4, main dwelling must face the front lot line. In this case, given the abnormal shape of the parcel in combination with its placement behind another parcel, a main entrance facing the front is incompatible with otherwise maintaining most dimensional requirements of the zoning code. Because the proponent is providing an access easement along the southern edge of the front parcel, the most appropriate location for the main entrances on the rear parcel is also this southern side. This happens to be facing the southern side yard side of the parcel, and relief is appropriate.

Application of Dimensional Requirements: Two or More Dwellings on Same Lot: Per Section 51-57.13, a dwelling cannot be built to the rear of another dwelling, they must have distance between them, and dimensional regulations apply individually to each building as if they were separate lots. In this case, townhouses are a contextually appropriate way to build additional



units at a scale that resemble surrounding context, though they functionally operate from a design perspective more like multifamily dwellings in a single building. Given that this is all

happening behind another parcel and given the abnormal shape of the parcel, the placement of these buildings relative to one another is constrained, and relief is appropriate.

Given the unconventional proposal of housing behind other housing in Allston, design review can ensure that the overall measures being proposed here provide appropriate mitigation to surrounding property owners.

Additionally, the ISD refusal letter notes that a full building code review is pending, and that a dwelling behind a dwelling will require compliance with fire truck access. Accordingly, we recommend that no building code relief be provided here.

Recommendation:

In reference to BOA1521952, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that no building code relief be granted, that plans shall be submitted to the Agency for design review.

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rana", with a stylized flourish extending to the right.

Director of Planning, BPDA



Case	BOA1521950
ZBA Hearing Date	2024-05-21
Address	257 Market ST Brighton 02135
Parcel ID	2202571000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 1F-5000
Zoning Article	51
Project Description	Proposed subdivision of single parcel into two parcels filed in conjunction with proposal to construct multifamily residential building on new rear parcel
Relief Type	Variance, Conditional Use
Violations	Parking or Loading Insufficient Rear Yard Insufficient Extension of Non-Conforming Use

Planning Context:

The proposed project intends to subdivide an existing parcel into two parcels. The current parcel contains one existing two-family home and a garage. The intended subdivision would divide the parcel into two lots, the front of which would contain the two-family home, and the rear of which would contain the garage. The front parcel (with frontage along Market Street) is proposed to contain a 20' wide access easement to the newly created rear parcel. This proposal was submitted in conjunction with an appeal to develop the rear parcel as 259 Market Street. The following recommendation does not consider the proposed development, only the subdivision associated with this Board of Appeal request.

Zoning Analysis:

The proposed parcel division is located in the Allston/Brighton Neighborhood District, in a One-Family Residential (1F-5000) subdistrict pursuant to Article 51 of the Zoning Code. The refusal letter responds to three zoning violations, insufficient parking, rear setback, and extension of a non-conforming use. Both the insufficient parking and the extension of the non-conforming use persist from existing conditions on site, and are not changing due to the proposed lot subdivision. The rear yard setback for the front parcel (parcel containing the existing two-family home) would be reduced from a compliant dimension to approximately 30', ten feet fewer than required by zoning. Existing front and side setbacks that would remain unchanged ensure the



provision of adequate open space. Both parcels as proposed would contain dimension to satisfy the minimum lot size set forth by the zoning subdistrict.

Recommendation:

In reference to BOA1521950, The Boston Planning & Development Agency recommends APPROVAL .

Reviewed,

A handwritten signature in blue ink, appearing to read "Anne Kane", is written in a cursive style.

Director of Planning, BPDA



Case	BOA1576209
ZBA Hearing Date	2024-05-21
Address	4 to 6 E Springfield ST Roxbury 02118
Parcel ID	0801496000
Zoning District & Subdistrict	South End Neighborhood NDA
Zoning Article	Article 64
Project Description	Change occupancy from 4 to 6 residential units. Addition of 2 floors and roof decks. Interior renovation.
Relief Type	Variance, Conditional Use
Violations	Roof Structure Restrictions Parking or Loading Insufficient FAR Excessive Rear Yard Insufficient

Planning Context:

The project is located on a mixed-use street, lined with multifamily residential buildings, restaurants, and offices, and is 0.1 miles from the bus network servicing Washington St. The existing multifamily residential buildings range from 3 stories to 5 stories tall. The existing building is a 2 1/2-story multifamily residential building. The project proposes to add 2 additional stories (5 stories) and a roof deck and increase its occupancy from 4 to 6 units.

The scale, massing, and use of the proposed project are consistent with the surrounding context. However, the proposed 2-story addition does not match the historic architectural character of the surrounding neighborhood as it is not set back from the original historic building. This is notable as the project is located in the South End Landmark District.

The creation of two additional units is consistent with Boston's goals, as outlined in Housing a Changing City (2018), of increasing housing stock.

Zoning Analysis:

The project triggers Section 64-34.-Restricted Roof Structure Regulations as the proposal alters the profile and configuration of the roof, as detailed here " no roofed structure designed or used for human occupancy, access (except as allowed in following paragraph), or storage, and no roof structure, headhouse, or mechanical equipment normally built above the roof and not



designed or used for human occupancy, shall be erected or enlarged on the roof of an existing building if such construction relocates or alters the profile and/or configuration of the roof or mansard, unless after public notice and hearing and subject to Sections 6-2, 6-3, and 6-4, the Board of Appeal grants a conditional use therefore."

The proposed project exceeds the maximum 3 FAR. As outlined in the planning context, the proposed project is consistent in scale and massing with the existing context.

The proposed project does not meet the minimum 20' rear yard requirement. The 0.7' rear yard is an existing condition and thus an existing nonconformity. The proposed changes do not exacerbate the nonconformity.

The project does not meet the minimum 4.2 parking spaces. Reducing the number of parking spaces is consistent with GO BOSTON 2030's (2017) goals of reducing reliance on private vehicles.

Recommendation:

In reference to BOA1576209, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE with attention to introducing a larger setback for the 2-story addition and ensuring the roof deck is not visible from the street. .

Reviewed,

A handwritten signature in blue ink, appearing to read "Anne Rando", written in a cursive style.

Director of Planning, BPDA



Case	BOA1552645
ZBA Hearing Date	2024-05-21
Address	243D Savin Hill Ave Dorchester 02125
Parcel ID	1302329000
Zoning District & Subdistrict	Dorchester Neighborhood 1F-7000
Zoning Article	65
Project Description	To demolish an existing single family home and replace it with a new home featuring a pool.
Relief Type	Variance
Violations	Lot Frontage Insufficient Placement of Front Door

Planning Context:

This project proposes new ground-up construction of a single family home on a lot that is currently occupied by an existing single family residence. This area of Savin Hill is characterized by large single family homes, with many of these residences being historically significant for their design. This is reflected through the Neighborhood Design Overlay District which was established “to protect the historic character, existing scale, and quality of the pedestrian environment in the neighborhood.” The proposed project would demolish an existing residence. Demolition is reviewed through Article 85 The structure being demolished is not a contributing structure to neighborhood character, especially as the parcel is screened from the street by surrounding properties. While this project is new construction, the design seems to fit in with the already constructed developments surrounding the lot but design review is recommended to ensure compliance.

Zoning Analysis:

This development triggers two violations, which are both related to the irregular shape of the lot. The violations are both in Article 65 Section 9 of the zoning code and pertain to insufficient lot frontage and the placement of the front door away from the main street. However, the size and shape of this lot would prevent any sort of reasonable development and presents a hardship to the proponent. This lot is located away from the main road, behind a row of properties that disconnect it from the street. Instead, the residents of 243 Savin Hill Avenue and the surrounding residences share a private way to the street.



The lot in question therefore has no frontage on the main street, presenting a challenge to all developments. The front door placement also fits within this paradigm, as while the door does not face the main street, it does face the passageway which makes it feel appropriate in its placement. If the development were to follow the rule to the letter, the front door would open up on the rear of a neighboring property. Together, these limitations reflect hardship on the development.

Recommendation:

In reference to BOA1552645, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review.

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rand". The signature is fluid and cursive.

Director of Planning, BPDA



Case	BOA1587525
ZBA Hearing Date	2024-05-21
Address	34 to 36 WILLIAMS Ave HYDE PARK 02136
Parcel ID	1810603000
Zoning District & Subdistrict	Hyde Park Neighborhood 1F-6000
Zoning Article	Article 69
Project Description	Convert an existing barn structure (in the rear of the primary dwelling) into an Accessory Dwelling Unit. The primary dwelling is one unit and owner-occupied.
Relief Type	Variance
Violations	Limitation of Area for accessory use (parking) Lot Area Insufficient Usable Open Space Insufficient Rear Yard Insufficient FAR Excessive Two or More Dwellings on Same Lot #34R Lot Area Insufficient #34R Lot Width Insufficient #34R Lot Frontage Insufficient #34R Usable Open Space Insufficient #34R Side Yard Insufficient #34R Rear Yard Insufficient #34R Parking Insufficient #34R Two or More Dwellings on Same Lot

Planning Context:

The City of Boston and the BPDA are currently working to eliminate barriers to building Accessory Dwelling Units (ADUs) by updating zoning to make these small homes as-of-right citywide. The ADU program allows owner-occupants to build smaller, independent units inside their homes or in their yards. This initiative aims to expand lower-cost housing options, empower residents to build wealth, and foster diverse, multi-generational living spaces.

ADUs are an important part of Boston’s housing production toolbox and can help ease Boston’s affordable housing crisis. ADUs simultaneously support flexibility in Boston’s housing stock—allowing homes to expand as families grow or relatives move in due to life events—while also adding much-needed new rental units to the neighborhood. ADUs are a type of naturally-occurring affordable housing because they are often developed by owner-occupants in



response to a unique need that their household has. This may include, for example, the need to move an aging grandparent, or a recent graduate into the household.

Zoning Analysis:

Currently, within the Hyde Park Neighborhood District, an Additional Dwelling Unit is allowed and exempt from all requirements of this Code provided that it is within an existing residential structure and the Additional Dwelling Unit does not involve any bump out, extension or construction to the existing envelope of the structure. Therefore, this project only requires zoning relief because the proposed ADU is within an existing external accessory structure, as opposed within the existing residential structure.

The majority of zoning violations for this case relate to the dimensions of the existing lot, the primary dwelling, and the barn structure. These dimensions, however, are existing non-conformities and would not be changed by the proposed project.

The violations which would be introduced or worsened by the proposed project are the violations which relate to the number of units on the lot (usable open space and insufficient parking), and as well as the prohibition on multiple dwellings on one lot. The proposed parking does not meet the zoning requirements because the zoning requires 2 parking spaces per dwelling unit. The property currently has 2 parking spaces, and so the addition of another unit would mean it would have 1 parking space per dwelling unit. However, this is within BTDA's recommended parking ratio for Hyde Park listed in the Guidelines by the Boston Transportation Department for use by the Zoning Board of Appeal (1.0-1.5 spaces per unit). The zoning also requires 1,800 sq ft of usable open space per unit. Therefore, in order to have 2 units on this lot, there would need to be 3,600 sq ft. The actual proposed usable open space is not clear because the applicant did not provide a landscape plan, but it appears from the site plan that there will be at least 3,200 sq ft of usable open space provided. Therefore, if there is an usable open space violation, it is minor.

Zoning relief is appropriate, as the proposal is in alignment with the city's goals of allowing ADUs city-wide. As stated in the planning context of this recommendation, ADUs are an important part of Boston's housing production toolbox and can help ease Boston's affordable housing crisis. The BPDA is currently working on an ADU zoning reform initiative aimed at creating additional housing capacity in our neighborhoods, in a manner that reinforces the



existing character and fabric of the built environment. Small-scale residential projects, including ADUs, are a low impact strategy to provide new housing opportunities to Bostonians at a range of income levels and ages. As proposed, the design is well-aligned with the policy and design strategies informing ADU best practices that Boston is in the process of adopting into its regulatory framework.

Recommendation:

In reference to BOA1587525, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that the ADU structure maintains a sloped roofline.

Reviewed,

A handwritten signature in blue ink, appearing to read "Annee Rand". The signature is fluid and cursive.

Director of Planning, BPDA



Case	BOA1553455
ZBA Hearing Date	2024-05-21
Address	1052 Hyde Park Ave Hyde Park 02136
Parcel ID	1808041001
Zoning District & Subdistrict	Hyde Park Neighborhood
Zoning Article	69
Project Description	Erect a new 3-story, multifamily residential building, with 12 units and 12 surface parking spaces on a newly created 11,151 sq ft lot. Demolish an existing single family house currently located on the site
Relief Type	Variance and Forbidden Use
Violations	Forbidden Use Parking or Loading Insufficient FAR Excessive Height Excessive Height Excessive (stories) Side Yard Insufficient Usable Open Space Insufficient Conformity Building Alignment

Planning Context:

The proposed project sits in a single-family (1F-6000) residential subdistrict in Hyde Park. The surrounding context includes a mix of residential and commercial uses and various housing typologies, however, for the most part nothing as dense as 12 stories. Directly abutting the parcel on either side is a single story plumbing and home repairs business, and on the other side, a two-story single family home. The project site is located in an economic and transit rich location, being a 15 minute walk from the Cleary Square commercial district and the Hyde Park and Fairmount commuter rail stations. The project is just outside of the Cleary Square Square + Streets planning area, and as such will serve to benefit from any planning recommendations that occur. The proponent seeks to construct a new three-story, multifamily residential building with 12 units and surface parking on a newly created 11,151 square foot lot. Per the Inclusionary Development Policy currently in effect, at least one inclusionary unit must be dedicated as this project has more than ten units and requires zoning relief. This project would require the demolition of the existing two-story single-family dwelling which is occurring under a separate permit.



Zoning Analysis:

The proposed project sits in a single-family (1F-6000) residential subdistrict in Hyde Park. The proposed plans are in violation of Article 69 Section 29 which define off-street parking and loading requirements as being two spaces per dwelling unit (in this case, 24 spaces). The proponent is proposing to provide one space per unit (twelve spaces in total). The plans are also in violation of Article 69 Section 30 which defines conformity with existing building alignment.

The code states: if at any time, in the same Block as a Lot required by Article 69 to have a minimum Front Yard, there exist two or more Buildings fronting on the same side of the same Street as such Lot, instead of the minimum Front Yard depth specified in this Article, the minimum Front Yard depth shall be in conformity with the Existing Building Alignment of the Block. The front yards of the surrounding buildings greatly vary, ranging from very little frontage on buildings across the street to 10-25 feet of front yard space on the buildings neighboring it. However, given the scale, which greatly exceeds that of the buildings surrounding, more frontage would be necessary.

Furthermore, the proposed use is forbidden, being that it is proposing a multifamily residence in a single family residential zone. That being said, while there are varying housing typologies in this neighborhood along Hyde Park Ave, there are not many buildings of this particular scale nor multifamily residential typology (12 units) present along the corridor. While the maximum FAR is 0.5, the project is proposed at FAR 0.67. The plans are in violation of the neighborhood zoning height requirement which is defined as 2.5 stories, and 35 feet. The plans exceed these requirements by a half story, and 3.6 feet. The proposal is also in violation of usable open space and side yard minimum requirements. The required usable open space is 1,800 square feet while the proposal provides 123 square feet. Further, the required minimum side yard for the neighborhood is 10 feet, while the proposal only provides 4 feet and 10 inches of space. This does not provide an adequate amount of space between the proposed project and the abutting buildings.

Recommendation:



In reference to BOA1553455, The Boston Planning & Development Agency recommends DENIAL.

Reviewed,

A handwritten signature in blue ink, which appears to read 'Annee Rando'. The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Director of Planning, BPDA



Case	BOA1572704
ZBA Hearing Date	2024-05-21
Address	40 Rexford St Mattapan 02126
Parcel ID	1801113000
Zoning District & Subdistrict	Greater Mattapan Neighborhood R2
Zoning Article	60
Project Description	Interior renovation of an existing third-floor unit of a three-story building.
Relief Type	Variance
Violations	Parking or Loading Insufficient Use: forbidden (three-family)

Planning Context:

The site is located on a residential street off of Mattapan Square within the PLAN: Mattapan study area.

The project renovates the interior of an existing third-floor unit of a three-story building, expanding living space into what is currently storage space. This property is assessed as a two-family residential property, but the plans provided and Google Street View indicate that there is an existing third unit on the third floor.

The expanded livable area for this project aligns with PLAN: Mattapan’s (2023) in that the program stays within the three-story building scale maximum of the surrounding residential fabric and the extra space supports opportunities to accommodate growing living arrangements.

The site is near public transit, with a 4-minute walk to bus stops on Blue Hill Ave. The project does not create additional off-street parking spaces for the third unit. in line with the City's goals of reducing dependency on private vehicles, as outlined in Go Boston 2030 (March 2017).

Zoning Analysis:

The project violates the 2-dwelling unit maximum of the R-2 district. The existing building, however, has three units and stays within the district's maximum three-story building scale.



The site's close proximity to public transit eliminates the need for off-street parking, making this a strong case for zoning reform to eliminate parking minimums that create barriers to additional housing in transit-rich areas.

Recommendation:

In reference to BOA1572704, The Boston Planning & Development Agency recommends APPROVAL .

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rand", is written over a faint, light blue rectangular stamp area.

Director of Planning, BPDA



Case	BOA1450603
ZBA Hearing Date	2024-05-21
Address	556 Cambridge St Allston 02134
Parcel ID	2101123000
Zoning District & Subdistrict	Allston/Brighton Neighborhood LC-.5
Zoning Article	51
Project Description	Construct a new 4-story 14-unit residential building in place of an existing 2-story commercial building.
Relief Type	Variance, Conditional Use
Violations	Parking or Loading Insufficient FAR Excessive Height Excessive (ft) Usable Open Space Insufficient Side Yard Insufficient Rear Yard Insufficient Use: Conditional (Multifamily)

Planning Context:

The proposed project is seeking to erect a new 4-story residential building with 14 units at 556 Cambridge Street in Allston. This site currently holds a two-story commercial building that would be demolished for the new construction. The proposed project is a 4-story, 40 feet building with 2 units on the ground floor and then 4 units on the second to fourth floor. No parking would be provided on site. There is a bus stop for the MBTA 57 and 501 routes within a 1-minute walk from the project site. While this portion of Cambridge Street is currently zoned as LC-.5, Cambridge Street contains a mix of commercial and residential buildings. On this portion of Cambridge Street, the residential buildings are a mix of two-family, three-family, and multi-family buildings. The commercial buildings contain a mix of businesses that include a grocery store, a restaurant, and a pet clinic. The proposed project also sits across the street from the International Community Church. Cambridge Street will also be a focus area for study for Squares + Streets zoning as part of the upcoming Allston-Brighton Neighborhood Plan that will be launching this year.

This project would help advance the needs identified in the Allston-Brighton Needs Assessment (January 2024). The Allston-Brighton Needs Assessment sought to assess the community's assets and needs. One of the central needs identified was a need for accessible and affordable



housing. The proposed project would add to the housing stock as it would create housing in a space that was previously used for commercial uses. It is also accessible to transit due to the MBTA bus stop for the 57 and 501 route within a minute walk from the site. This project would also add affordable housing units as per the City's Inclusionary Development Policy (IDP). IDP requires that market-rate housing developments with 10 or more units and in need of zoning relief support the creation of income restricted housing. While it is unclear from the plans how many of the proposed 14 units will be dedicated as income-restricted, the applicant will need to execute an agreement with the Mayor's Office of Housing to comply with the policy.

Zoning Analysis:

The refusal letter states that there are violations in insufficient off-street parking, insufficient usable open space, insufficient side yard, insufficient rear yard, an excessive FAR, an excessive height, lack of street wall continuity, and the use. Under Article 51, the dimensions for an area zoned as LC-.5 are as follows: maximum FAR of 0.5, maximum building height of 15 feet, minimum usable open space per dwelling unit of 50 square feet per dwelling unit, a minimum rear yard of 20 feet, and a parking ratio of 1.75. While no side yard is required in this subdistrict, because the project abuts a 3F-4000 subdistrict, it is required to have at least 5 feet from the side lot line and 10 feet from an existing structure on an abutting lot. Within this subdistrict, a multifamily residential building is a conditional use.

Under Article 6 Section 3, a conditional use permit can be granted if it meets the following criteria: the specific site is an appropriate use for such use; the use will not adversely affect the neighborhood; there will be no serious hazard to vehicles or pedestrians from the use; no nuisance will be created by the use; and adequate and appropriate facilities will be provided for proper operation of the use. A conditional use permit should be granted as a multifamily residential dwelling is an appropriate use on Cambridge Street, as it would create transit-oriented housing that would support the planning goals of Allston-Brighton and is contextually consistent with multifamily dwellings found along this part of Cambridge Street.

In regards to the dimensional requirements, relief is recommended for the FAR, height, and for the rear and side setbacks. For the FAR and height, relief is recommended as this project would build a transit-oriented development project in a predominantly residential mixed use corridor, as identified in the Allston-Brighton Needs Assessment. For the rear and side yards, these violations are due to the size of the parcel. As this is a unique parcel, variances should be

BOA1450603

2024-05-21

2 Boston Planning & Development Agency



granted as per Article 7. This parcel sits smaller than the other parcels on Cambridge Street, for those zoned as LC-.5 or for residential uses. The size of the proposed building is contextual with the existing multiple-family residential dwellings on Cambridge Street. Under Article 51, the rear rear yard is required to have a minimum of 20 feet. While there is no side yard required in this subdistrict, because the projects abuts a 3F-4000 subdistrict, it is required to have at least 5 feet from the side lot line and 10 feet from an existing structure on an abutting lot. This project is proposing a rear setback of 6.5' and the west setback, which abuts the 3F-4000 subdistrict, is 2.17'. In order to build a residential building that is comparable to the other multifamily residential buildings on Cambridge Street, this building would not be able to meet the minimum side and rear yard setbacks.

In regards to parking, this is a case of zoning reform as the underlying zoning would require the site to have 28 parking spaces. However, due to the proximity of the MBTA bus stop for the 57 and 501 bus routes, this would be a transit-oriented development where parking is not necessary.

Relief is also recommended for the amount of usable open space. As this project is located in an area that is currently zoned as LC-.5, the current zoning is not consistent with the mixed-use land uses of Cambridge Street. The proposed project is offering open space as a roof deck and would provide 42 square feet per dwelling unit. This site is also a 6-minute walk from Ringer Park, which has both a sports facilities and a playground on site.

The plans reviewed are titled 556 Cambridge Street and were prepared by Khalsa. They are dated February 5, 2023.

Recommendation:

In reference to BOA1450603, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISOS: a housing agreement be executed with the Mayor's Office of Housing to comply with the Inclusionary Development Policy; that plans be submitted to the Authority for design review.



Reviewed,

A handwritten signature in blue ink, appearing to read 'Anne Kane'. The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Director of Planning, BPDA



Case	BOA1542408
ZBA Hearing Date	2024-05-21
Address	27 to 29 Kenilworth St Roxbury 02119
Parcel ID	0903229000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	Article 50
Project Description	Construct a new nine (9) unit passive house condo building on a vacant corner lot.
Relief Type	Variance
Violations	FAR Excessive Height Excessive (ft) Height Excessive (stories) Usable Open Space Insufficient Front Yard Insufficient Side Yard Insufficient Additional Lot Area Insufficient Parking or Loading Insufficient Forbidden Use (MFR)

Planning Context:

This proposed project was deferred from its initial hearing date on 4/9/2024. Because no new materials have been provided from the proponent since that date, the project's previously detailed planning context, zoning analysis, and recommendation remain the same.

The proposed project sits in a Three-Family Residential Subdistrict in Roxbury's Highland Park Area. It is also a part of one of the neighborhood's Boulevard Planning Districts (BPDs). According to Section 50-37 of the Zoning Code (Boulevard Planning Districts, Roxbury), BPDs serve as markers of significant neighborhood corridors and gateways to residential areas. Special design guidelines for BPDs are established in Article 50 (Roxbury Neighborhood Zoning). In addition, the project sits within the Roxbury Neighborhood Design Overlay District (NDOD) as well as the Highland Park Architectural Conservation District.

The surrounding context comprises a mix of 2 to 4 story residential and mixed-use structures, with occupancies ranging from single-family to multifamily (20+ dwelling units). The project site is located within a 1/2 mile of the Roxbury Crossing orange line MBTA station and a short walk (500') from bus stops servicing the 14, 15, 19, 23, 28, 41, 42, 44, 45, and 66 MBTA bus routes. It is also within immediate proximity (~1/4) to several civic amenities, including the Roxbury



Heritage State Park, Jeep Jones Park, Madison Park Playground, and Roxbury Branch of the Boston Public Library.

The proposed project seeks to erect a new 3.5 story, 9 unit residential structure upon the site, which currently operates as a 100% impervious surface parking lot. This scope is revised from a previous Article 80 proposal, which included 23 dwelling units and was reviewed by the BPDA in 2022. The updated proposal also includes public realm improvements, which bump out the corner parcel's existing curb to regularize the dimensions of the adjacent intersection and create a new publicly accessible open space with landscaping and new street trees. The project also proposes to create two new accessible pedestrian crossings across Kenilworth Street and Dudley Street (previously there were none). These proposed improvements will be subject to the review and approval of the Public Improvement Commission.

The proposed project's scope, which replaces existing surface parking with housing, is consistent with both City and neighborhood planning goals: (1) to encourage appropriately-scaled residential infill development and create new housing (Imagine Boston 2030, 2016); (2) to promote the development of architecturally contextual mid-density housing (Roxbury Strategic Master Plan, 2006); (3) to reduce impervious surface across the City (Heat Resilience Solutions for Boston, 2023); and (4) to increase tree canopy across the City (Urban Forest Plan, 2022).

Because of the site's location within a BPD, NDOD, and Landmarks District, Landmarks Design Review will be required for the project.

Zoning Analysis:

Because the project sits in a three-family residential subdistrict (3F-4000), its proposed multifamily residential use constitutes a zoning violation. Multifamily residential uses are common in the surrounding area and can be seen existing with occupancies far greater in scale than what is proposed by this project (20+ dwelling units). This condition is also what trigger's the project's additional lot area per dwelling unit violation.

Similarly, while the project's building height (3.5 stories proposed, 3 allowed), FAR (3.44 proposed, 0.8 allowed), side yard (0' proposed, 10' required) dimensions exceed the permitted zoning regulations for the area, several existing precedents of similar scale and dimensional violations can be found within a block radius of the project site. In fact, many of these examples actually exceed the scale of what is proposed by this project, especially in height.

BOA1542408

2024-05-21

2 Boston Planning & Development Agency



While the project also holds violations for insufficient usable open space and off-street parking, these are largely offset by the public realm improvements proposed by the project (which include a new publicly accessible open space adjacent to the project and create enough on-street parking spaces to satisfy the site's off-street parking requirement).

The project's front yard dimension conforms with the street's existing building alignment, and should be excluded from the proposal's violation list.

Zoning reform is needed for the area to better align regulation with existing context. Specifically, given the extent of nonconformity already existing there, these efforts should look to expand allowances for multifamily residential uses, amend height requirements to match what is already existing, and replace existing density regulators such FAR and lot area/dwelling unit with more predictable regulators of building form such as building lot coverage.

A proviso for Landmarks Review has been added to this recommendation to satisfy the design review requirements of both the Roxbury NDOD and Highland Park Architectural Conservation District.

Recommendation:

In reference to BOA1542408, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISOR/S: that plans shall be submitted to the Boston Landmarks Commission for design review .

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rand", is written over a light blue circular stamp.

Director of Planning, BPDA



Case	BOA1529408
ZBA Hearing Date	2024-05-21
Address	31 Rosedale ST Dorchester 02124
Parcel ID	1700647000
Zoning District & Subdistrict	Dorchester Neighborhood 3F-6000
Zoning Article	65
Project Description	Gut renovation, construction of living space in the basement, addition of roof dormers and turret, creation of new parking spaces in rear, and change in occupancy from two-family to three-family residential building.
Relief Type	Variance
Violations	Limitation of off street parking areas Parking in the Front Yard Lot Area Insufficient FAR Excessive Height Excessive (stories)

Planning Context:

The proposed project is located in Codman Square on a through-lot with Rosedale Street in the front and Dunlap Street in the rear. The site is currently occupied by a 2.5-story, two-family residential building with several mature trees in the rear and a driveway on the east side of the lot. The site is abutted by 2.5-story residential buildings on both sides. The neighborhood is composed of similar, 2.5- and 3-story residential buildings. Residential use of the basement level is an existing condition, as are dimensional violations for excessive height and floor area.

Zoning Analysis:

The proposed project will extend the existing driveway and create a surface parking area for four vehicles in the rear of the building. Because the site is a through-lot, it has no rear yard per Section 65-42.10. The proposed parking plan should be refined in the design review process to minimize impervious surface area and impacts to open space.

Section 65-8.2 prohibits basement dwelling units within the Dorchester Neighborhood District. However, the existing site condition includes two bedrooms and a kitchen in the basement, so there is existing living space in the basement. The site is not located in the Coastal Flood Resiliency Overlay District (CFROD), so there are no known concerns about flooding in the



basement. Given that there are no known hazards, the zoning subdistrict allows for three units, and there is existing living space in the basement, providing zoning relief for the basement unit is recommended. Expanding residential uses is a City goal, and legalizing the housing unit will help ensure the space is safe and up to building code standards. The Section 65-8.2 prohibition of basement units in the Dorchester Neighborhood District presents a possible hardship due to its inconsistency with other neighborhood articles and the base code.

The proposed project is also cited for insufficient lot area. Dorchester Neighborhood 3F-6000 requires a minimum lot area of 6,000 square feet for up to 2 units. The lot at 31 Rosedale is 5,038 square feet, and there are currently two units, so the existing condition is non-conforming. The proposed project will exacerbate the existing non-conformity by adding a third unit, but there is established precedent within the neighborhood for this non-conformity. For example, there are several three-family buildings on Dunlap Street on even smaller lots, including on the lot directly across Dunlap from the proposed project. Similarly, the proposed FAR is excessive of the maximum 0.4, however, based on Boston Assessor's Office records of lot size and living area, there are several buildings nearby that exceed the maximum FAR, including the two buildings that abut the proposed project on either side. Preventing the proposed project on these grounds may prevent reasonable use of the land based on the neighborhood context.

The proposed project is also cited for a violation of the maximum building height of 2.5 stories. Although the project is not increasing the height of the building in feet, it does propose to add a dormer and turret which will increase the living space. The proposal does change the roof line, but it does not flatten the roof or increase any impacts related to height. Therefore, preventing the proposed increase in living space based on maximum FAR and building height in stories would preclude reasonable use of the property and zoning relief is justified.

The proposed project is cited for violating Section 65.9-2 which requires "Within the Residential Subdistricts, the main entrance of a Dwelling shall face the Front Lot Line". The proposed location of the basement unit entrance is on the east side of the building where there is an existing door. The existing and proposed driveway is adjacent to the east side of the building, providing safe and convenient access to the proposed entrance for residents and any potential emergency response personnel, therefore zoning relief is recommended.

Recommendation:



In reference to BOA1529408, the Boston Planning & Development Agency recommends APPROVAL WITH PROVISOS: that plans shall be submitted to the Agency for design review; that no building code relief be granted..

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rand", is written in a cursive style.

Director of Planning, BPDA



Case	BOA1567789
ZBA Hearing Date	2024-05-21
Address	1 to 7 Selkirk RD Brighton 02135
Parcel ID	2102162000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 3F-6000
Zoning Article	51
Project Description	Construct four three-story townhouses and four parking spaces
Relief Type	Variance
Violations	Parking or Loading Insufficient FAR Excessive Height Excessive (stories) Rear Yard Insufficient

Planning Context:

The proposed project intends to construct four attached three-story townhouses on an approximately 9,000 SF empty corner lot in the Brighton neighborhood near the Brookline town line. The adjacent property on Kilsyth Road is under common ownership, and proposes improvements submitted to the Zoning Board of Appeals for conversion from a single-family to a four-family building with additional improvements (BOA 1548380). The parcel is located within the Aberdeen Architectural Conservation District and within a Boston MHC Historic Inventory Area, although there is no inventoried structure on the site. The buildings abutting the project site are listed within the MACRIS Kilsyth Road and Lanark Road inventory area, and are recorded as the "best preserved of the picturesque suburban streets developed in the 1890s in the Aberdeen area." The inventory document continues on to note that "Houses are generous in size and are placed to emphasize natural geological features and create a rural atmosphere."

Zoning Analysis:

This project was previously reviewed by the BPDA for the ZBA hearing on April 9, 2024. Because no new plans have been submitted, the BPDA's recommendation has remained the same.

The proposed project is located in the Allston-Brighton Neighborhood District, within a 3F-6000 subdistrict, pursuant to Article 51 of the Zoning Code. Violations cited for the proposed project include Excessive Height, Rear Setback, Excessive FAR, and Insufficient Parking. Per Article

BOA1567789

2024-05-21

1 Boston Planning & Development Agency



51, there is also a restriction of the number of townhouses allowed on the lot, at three, although this violation is not reflected in the Refusal Letter. Given the nature of this parcel as a corner lot with two front yards, bounded to the rear by a parcel of the same ownership, the insufficient rear setback condition merits zoning relief. However, as the neighborhood has been cited for its rural-like setting within the greater urban context and contains heavily planted yards on surrounding parcels, it is recommended that the proponent work to increase the rear setback through the process of design review, potentially by reducing the length of the units. The excessive FAR also merits zoning relief, as the FAR given in the Zoning Code pertains to maximum three units on a site, whereas this proposal intends to construct four units. The FAR should scale accordingly to provide adequately for the addition of a unit on this sufficiently large parcel.

The height of the proposed development exceeds the zoning allowance by one 0.5' at 35.5'. Given the extreme topography of both the parcel and the surrounding neighborhood, the proposal demonstrates an accounting for the topography of the site, and should be given relief with respect to height in alignment with the MACRIS inventory document for the area, for placement to emphasize natural geologic features. Additionally, while the proposal is not compliant with height in terms of feet, it does conform with the allowable number of stories (3) for the subdistrict.

The required parking at the project site per the Zoning Code is 1.75 spaces per unit, thus this proposal is not compliant through the offering of only 4 parking spaces. The equivalent of one space per unit is sufficient per BTM Parking Maximums and based on the parcel's proximity to transit options such as the Green Line. The proponent should work with the BPDA Urban Design team to review the materiality of the parking area through Design Review, ensuring that it comprises a pervious surface similar to other small parking lots in the neighborhood.

While the dimensional violations of this project merit relief, this project should undergo Design Review to better align with the architectural character set forth within the Neighborhood Design Overlay District and the Aberdeen Architectural Conservation District. Parcels within this district are heavily planted with mature trees, and contain architectural features such as porches, stone piers, and gabled roofs. Section 51-51 of the Zoning Code states that while "contemporary design for residential structures shall not be discouraged," such designs should "reflect and complement the patterns of height, siting, and architectural character of the surrounding residential structures."



Recommendation:

In reference to BOA1567789, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Boston Landmarks Commission for design review .

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rando", is written over a light blue circular stamp.

Director of Planning, BPDA



Case	BOA1565390
ZBA Hearing Date	2024-05-21
Address	16 Rowena ST Dorchester 02124
Parcel ID	1605323000
Zoning District & Subdistrict	Dorchester Neighborhood 1F-7000
Zoning Article	65
Project Description	Change occupancy of existing two-family residential dwelling to three-family by adding a 2-bedroom unit in the basement.
Relief Type	Variance and Conditional Use
Violations	FAR Excessive Parking or Loading Insufficient Extension of Non Conforming Use Use: Forbidden (3-Family) Dim Regs: Location of Main Entrance

Planning Context:

The proposed project is seeking to change its occupancy from a two-family residential dwelling at 16 Rowena Street in Dorchester to a three-family residential dwelling. Based on the presence of three mailboxes at this address, it is likely that the dwelling already contains three units. Existing condition plans were only submitted for the basement level, which do not label this area as a living area. Based on plans submitted, it is unknown if the dwelling contains an unpermitted, third unit on upper levels above the basement.

With the proposed changes, the grade of the entrance would be lowered to accommodate a new door. No changes would be made to the existing massing and structure. The proposed unit would have 920 square feet of usable space, with 2 bedrooms, an in-unit laundry and sufficient space for a kitchen and living room. While this area is currently zoned as 1F-7000, Rowena Street contains a mix of single-family, two-family, and multi-family residential buildings.

There are currently no active planning initiatives for this area. However, this project would help further the goals outlined in Housing a Changing City, Boston 2030 (September 2018) as it would increase the housing stock by adding an additional unit at this building.

Zoning Analysis:



The refusal letter for this project states violations in an extension of a non-conforming use, insufficient off-street parking, a forbidden use, excessive FAR, and the location of the main entrance. Under Article 65, for an area zoned as 1F-7000, both two-family and three-family dwellings are forbidden. As the existing building is currently a two-family residential dwelling, changing the occupancy to a three-family dwelling is an extension of a non-conforming use. The current zoning also addresses the excessive FAR violation. Since the existing structure and massing would not change with the proposed project, the creation of living space in the previously unused basement, is creating an excessive FAR.

Under Article 65, a parking ratio of 1.0 is required in this area and would require three parking spaces. The project currently only offers space for two spaces. However, this is also a case for zoning reform to address the discrepancy between parking as a necessity and a requirement. This site is situated near transit options as the Ashmont MBTA Red Line Station is a 5-minute walk away. This station also includes access to multiple bus lines such as the 22, 23, 24, 26, and 215 bus routes.

The appeal submission includes only current and proposed plan views of the basement, and a plot plan. The submission does not include any elevations, nor a site plan indicating parking and landscaping areas. This information is necessary to understand the proposed design of the basement dwelling unit, particularly as it relates to the surrounding grade. Without this information, staff are unable to adequately assess if proposed zoning relief is appropriate.

The plans reviewed are titled 16 Rowena Street and were prepared by Mark Schryver on May 23, 2023.

Recommendation:

In reference to BOA1565390, The Boston Planning & Development Agency recommends DEFERRAL for submission of adequate plans, including elevations and a site plan indicating parking and landscaping areas.



Reviewed,

A handwritten signature in blue ink, appearing to read 'Anne Kane'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Director of Planning, BPDA



Case	BOA1588450
ZBA Hearing Date	2024-05-21
Address	94 Harvard ST Dorchester 02124
Parcel ID	1700144000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-5000
Zoning Article	Article 65
Project Description	Construct new 3-story, 4-unit building as part of the Welcome Home, Boston Phase 1 in conjunction with the Mayor's Office of Housing.
Relief Type	Variance, Conditional Use
Violations	Parking or Loading Insufficient Lot Area Insufficient FAR Excessive Height Excessive (ft) Height Excessive (stories) Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient Use: Forbidden (Multi-Family Dwelling)

Planning Context:

This project is one one three buildings in the first phase of the Welcome Home, Boston initiative from the Mayor's Office of Housing. Welcome Home, Boston is a first-time homebuyer program for families earning between 80-100% AMI. This building includes two 3-bedroom units and two studio units. The site is located within a 5-minute walk of the Talbot Ave Commuter Rail Station, and within a 10-minute walk of the Dorchester Center commercial area.

The currently vacant site is within a residential neighborhood with a broad mix of housing, including single-family homes, three-deckers, and multifamily apartment building. The proximity of this site to a high-frequency commuter rail station and a robust commercial center make this an appropriate location for more housing density than the current zoning may allow. Further, the Welcome Home, Boston initiative addresses citywide goals of increasing affordable homeownership opportunities and through the fully electric building design, aligns with City goals of promoting generational wealth and reducing environmental impact.

Zoning Analysis:



The project is cited for insufficient off-street parking, but this is an incorrect citation as Article 65 in Municode does not reflect Text Amendment 454. Text Amendment 454 exempts projects with at least 60% of units being income-restricted at or below 100% of AMI from any parking requirements.

Multi-family dwellings are forbidden within 2F subdistricts of Dorchester. However, this 4-unit project from a design perspective, is similar in scale to the typical three-decker homes found on this same block and within the same 2F subdistrict. There are also several apartment buildings nearby within this 2F subdistrict.

The required lot area here is 5,000 square feet, but this lot is 4,287 square feet. Every lot on this block and the majority of lots within this 2F-5000 subdistrict are under 5,000 square feet, which presents a case for zoning reform.

The maximum FAR here is 0.5, while the proposed project is 0.99. Again, the underlying zoning here is out of date with what is actually constructed, as many of the surrounding properties have an FAR around 1.0 or higher.

The project violates the maximum height in both stories and feet. The proposed height is 3 stories (2.5 maximum) and 42.5' (35' maximum). Many nearby properties exceed the 2.5 stories maximum, primarily the three-deckers, but are consistently under 35' in height.

Finally, the project violates front, side, and rear yard setbacks. The minimum front yard setback is 15' and the proposal is 6'9". Front yard setbacks for the surrounding context are consistently lower than this 15', with some zero-lot-line conditions. The required side yard minimum is 10', and the smallest proposed side yard is 5'. This configuration is to accommodate a driveway within the other side yard of 14'-7", and is a common configuration within this neighborhood. This is a case for zoning reform, where setbacks should instead be calculated as a cumulative total to adjust for this driveway condition. The rear yard setback minimum is 30', and the proposed setback is 17'-2". The neighboring rear yards are both under 10', and the majority of rear yards within this same 2F subdistrict are under 30'. The yard requirements for this 2F-5000 subdistrict are inconsistent with the majority of the built context, illustrating a need for zoning reform in this neighborhood.

Plans reviewed are titled "94 Harvard St. BOSTON, MA 02124", prepared by Studio Luic Architects, and dated May 7th, 2024.



Recommendation:

In reference to BOA1588450, The Boston Planning & Development Agency recommends APPROVAL .

Reviewed,

A handwritten signature in blue ink, appearing to read 'Anne Kane'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Director of Planning, BPDA



Case	BOA1588457
ZBA Hearing Date	2024-05-21
Address	84 Harvard St Dorchester 02124
Parcel ID	1700131000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-5000
Zoning Article	65
Project Description	Construction of a new 4-story 8-unit building on a vacant lot.
Relief Type	Variance
Violations	Parking or Loading Insufficient Lot Area Insufficient FAR Excessive Height Excessive (ft) Height Excessive (stories) Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient Use: forbidden (multifamily dwelling) Traffic Visibility Across Corner

Planning Context:

The project is proposing new construction of a residential building on currently vacant, City-owned parcels.

The proponent, Boston Communities, has been awarded land and funding to forward the City of Boston’s “Welcome Home, Boston” program. The proponent is seeking to create approximately 25 units of income-restricted, home-ownership opportunities across three parcels, one of which being 84 Harvard Street. The remaining two other properties include 77 and 94 Harvard Street.

“Welcome Home, Boston” is a housing development initiative started by the Mayor’s Office of Housing, which aims to develop new affordable homes. The three sites previously identified (77 Harvard Street, 84 Harvard Street, and 94 Harvard Street), are part of Phase I of this program, which began in 2022. Community feedback was gathered to determine requirements to help shape the RFPs which were used to select developers for each of the parcels identified in Phase I. Following this process, there was a 14-day comment period in the fall of 2023.

This project is a new 4-story 8-unit building at the corner of Harvard and Spencer Streets. The two streets have different built character and density. Harvard Street is a wider, primary

BOA1588457

2024-05-21

1 Boston Planning & Development Agency



vehicular artery, with several vacant parcels, multifamily buildings that neighbor the site, and a mix of 3-story 1- to 3-family homes. Spencer Street is a smaller residential street with 3- to 3.5-story 1- to 3-family homes with larger 8- to 10-foot front yards. The project's scope to erect 8 housing units is in keeping with planning goals of increasing housing availability, as detailed in *Housing a Changing City, Boston 2030* (September 2018).

The site is close to public transit, with a 9-minute walk to the Talbot Avenue commuter rail station and a 6-minute walk to bus stops on Washington Street. Similar to neighboring 3 family homes and multifamily buildings, the project does not include off-street parking. While the corner lot project has small front yards compared to typical yards in the area, it is built along the Harvard Street property line, aligning with the zero lot line condition of the immediately adjacent multifamily building and has a 2' yard along Spencer Street.

The proposed project is located within the Fairmount Indigo Corridor Plan (2014). The Fairmount Indigo Corridor Plan is a comprehensive, community-based, corridor-wide plan that aims to integrate economic growth and physical improvement along the 9.2 miles of transit corridor of the Fairmount Indigo line. In addition to encouraging transit-oriented development along the line, the Fairmount Indigo Plan recognizes the importance of “strong and livable neighborhoods with high quality housing choices” to ensure the necessary density to make these areas viable and prosperous. This includes adding market rate and affordable housing of appropriate scale that are complementary to the area that the Fairmount stations are located. The plan also emphasizes the need to use publicly-owned real estate assets to attract and unlock strategic private investments near the stations and use City-owned vacancies on residential streets to reduce empty lots and add to the housing stock and improve the quality of housing with infill development.

The Fairmount Indigo Corridor Plan made several recommendations targeted at improving transit-oriented housing and quality housing choice, and increased neighborhood stability and a focus on benefitting current residents. These recommendations include: preventing displacement, allowing for a higher density around transit stations, reducing empty lots, and encouraging mixed-use main streets.

The increased housing units proposed in this project also aligns with the City's goals to develop more housing, per *Imagine Boston 2030* and *Housing a Changing City: Boston 2030* (2018). *Housing a Changing City: Boston 2030* highlighted “increasing access to homeownership, preventing displacement, and [to] promoting fair and equitable housing access”, with a City

BOA1588457

2024-05-21

2 Boston Planning & Development Agency



commitment to create an additional 15,820 units of income-restricted housing from the original 16,000 units proposed in 2014. This updated goal responds to the expected population and job growth Boston will experience by 2030, and the need to keep pace with demand for housing.

Zoning Analysis:

The project violates several dimensional regulations of Article 65 due to its scale. While the proposed side and rear yards of the building are similar to neighboring buildings, the FAR, height in feet and stories, and the front yards are both insufficient under Article 65. The lack of adequate yards at the corner violates the traffic visibility across corner requirement. Ongoing design consultation with Mayor's Office of Housing staff should evaluate the yard space to ensure the project provides contextually consistent setbacks, and evaluate how the proposed height can be contextually integrated with the scales currently found on Spencer Street.

Multifamily is forbidden in the 2F subdistrict. However, 3 family buildings are common in the area and 3 larger multifamily buildings immediately neighbor the site. Like the proposed project, these sites, which average 4,000 SF, do not align with the areas Article 65's lot area minimum of 5,000 SF for 1 or 2 units.

The site's close proximity to public transit eliminates the need for off-street parking required under Article 65. Neighboring 3-family homes and multifamily buildings also do not provide off-street parking.

Recommendation:

In reference to BOA1588457, The Boston Planning & Development Agency recommends APPROVAL.



Reviewed,

A handwritten signature in blue ink, appearing to read 'Anne Kane'. The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Director of Planning, BPDA

MEMORANDUM**April 11, 2024**

TO: **BOSTON REDEVELOPMENT AUTHORITY**
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY (BPDA)
AND JAMES ARTHUR JEMISON II, DIRECTOR

FROM: CASEY HINES, DEPUTY DIRECTOR FOR DEVELOPMENT REVIEW
CAMILLE PLATT, PROJECT MANAGER
JOSEPH BLANKENSHIP, SENIOR TRANSPORTATION PLANNER II
MEGHAN RICHARD, URBAN DESIGNER II
FORD DELVECCHIO, PLANNER I
CAMILLE PLATT, PROJECT MANAGER

SUBJECT: 2 HILLSBORO STREET, DORCHESTER

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) d/b/a the Boston Planning & Development Agency (“BPDA”) authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 2 Hillsboro Street in Dorchester (the “Proposed Project”), in accordance with Article 80E, Small Project Review of the Boston Zoning Code (the “Code”); (2) execute and deliver a Community Benefits Agreement; and take any other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The site is located on an unnumbered parcel on Hillsboro Street in the Uphams Corner Neighborhood of Dorchester. The assessor’s parcel number is 07-03656000 and contains approximately 10,791 square feet. The site, which is currently vacant, sits at the end of Hillsboro Street, which physically ends at the southwest corner of the site, but legally extends to the northwest corner. The Proponent will file an Abandonment Petition with the Public Improvement Commission to seek an abandonment of this section of the street, which is a private way currently open to public access.

The surrounding neighborhood is comprised of a range of building types, including traditional 3- story 19th century homes and new construction triple-decker style buildings, as well as nearby larger 6-story multifamily apartments adjacent to a working industrial area, made up of single- story buildings. Directly abutting the property to the north is the Diamond Windows site.

DEVELOPMENT TEAM

The Development Team for the Proposed Project consists of:

Proponent:	HSS Partners, LLC Brian Goldson William Madsen Hardy
Sponsor:	New Atlantic Development, LLC Brian Goldson William Madsen Hardy
Legal Counsel:	Klein Hornig, LLP Joseph Lieber Michelle Shortsleeve
Architect:	ICON Architecture, Inc. Kendra Halliwell AIA, LEED AIP Maria Baudler
Landscape Architect:	Offshoots, Inc. Kate Kennan Terry Kinsler

PROPOSED PROJECT

The Project includes the new construction of 21 for-sale condominium units in a single four-story building. The Proposed Project's homeownership units will be affordable to households earning 80% AMI and 100% AMI, and will include six (6) studio units, three (3) one-bedroom units, eleven (11) two-bedroom units, and one (1) three-bedroom unit.

<u>Estimated Project Metrics</u>	Proposed Plan
Gross Square Footage	22,362
Gross Floor Area	22,108
<i>Residential</i>	21,263
<i>Office</i>	0
<i>Retail</i>	0
<i>Lab</i>	0
<i>Medical Clinical</i>	0
<i>Education</i>	0
<i>Hotel</i>	0
<i>Industrial</i>	0
<i>Recreational</i>	0
<i>Cultural</i>	845
<i>Parking</i>	0
Development Cost Estimate	\$13,650,000
Residential Units	21
<i>Rental Units</i>	0
<i>Ownership Units</i>	21
<i>IDP/Affordable Units</i>	21
Parking spaces	4

PUBLIC PROCESS

On September 22, 2023, the Proponent filed a Small Project Review Application with the BPDA for the Proposed Project pursuant to Article 80E of the Boston Zoning Code. The BPDA held a virtual public meeting for the Project on October 24, 2023, which was noticed in local papers, posted on the BPDA website and distributed to BPDA email lists and social media. In addition, the Project Team met with the Dudley Street Neighborhood Initiative’s Sustainable Development Committee on September 28, 2023. The project team has also had direct, on-going communication with the direct abutters, including residential owners/tenants, Diamond Windows and Humphreys Street Studios.

COMMUNITY BENEFITS AND MITIGATION

Providing Affordable Homeownership: The Project will advance the City of Boston's housing production goals by proposing to create a variety of affordable and moderate-income, for-sale housing.

Revitalizing an Under-Utilized Site: The Project will be constructed on an underutilized site that is currently vacant. No demolition or displacement will occur.

Transit-Oriented Design: The project will take full advantage of its proximity to public transit and is within close range of a host of bus lines, Zipcar locations, BlueBike stations and is just 0.4 miles from the Upham's Corner Station of the MBTA Fairmount Line and 0.9 miles from the MBTA JFK/UMASS Red Line Station.

Supporting Artists: The Proponent intends to execute a MassDocs Affordable Housing Restriction under which 18 of the units will have a preference for Boston-Certified Artists. Having affordable live/workspaces as well as a common workspace in the building, the project is supporting not just artists, but creative small businesses/sole proprietorships.

Preserving Affordable Artist Workspace: The development of the Project was a key component to the successful preservation of the adjacent Humphreys Street Studios ("HSS") property, which provides workspace for over 45 artists and creative small businesses. The Sponsor worked with the artist tenants at HSS to purchase the property and deed it to a special-purpose nonprofit entity controlled by tenant representatives, with additional board members being appointed by the Sponsor and the Mayor's Office of Arts and Culture. When the HSS property was purchased, the adjoining vacant land was deeded to Proponent for the purposes of constructing affordable housing, allowing housing subsidies to be used to cover a portion of the overall purchase price.

Sustainable Design/Zero Emissions Building: the development team is well versed in providing high-efficiency, low-energy use buildings. The Project will be Passive House Certified.

Creating Job Opportunities: The Project will provide new construction and permanent jobs during both construction and operation.

PLANNING CONTEXT

2 Hillsboro Street is located on the edge of the Upham's Corner commercial node, in an area characterized by a variety of building types, including single family, multi-family, and mixed use commercial/residential developments.

The Proposed Project is located 3 blocks from MBTA bus stops for the 15 and 41 lines. In addition, the Upham's Corner Commuter Rail Station is within a quarter mile walk, and the JFK/Umass Red line stop is a half mile walk down Columbia Road to the east.

The western edge of the property faces the rear of the Humphreys Street Studios, an adapted former industrial site used as artist workspace that provides space to creators throughout the Boston community to both construct and present their art. The focus on the arts is reflected in the new development at 2 Hillsboro street as 18 of the 21 units will have a lottery preference for certified artists. The proponent was also involved in the preservation of artist workspace at the Humphreys Street Studios.

The proposed project is within the study area of the Upham's Corner Station Area Plan, adopted by the BRA Board in 2015, a product of the Fairmont Indigo Corridor Plan. While the zoning recommendations and public realm goals of the Upham's Corner Plan were not formalized through zoning, the goals of this planning process are still relevant to the site. These goals include the following: minimizing displacement of existing residents and businesses, strengthening local business activity, creating transit-oriented housing, and locating residential uses above ground floor retail to provide a stable customer base.

Upham's Corner is identified as an Arts and Innovation District where economic development is anchored by cultural uses. Artist housing, venues for the creative economy, and public realm enhancement are necessary to fulfill this vision, in part through strong public-private partnerships. The proposed project fulfills these objectives by constructing live/work spaces for artists. By creating housing for artists in the neighborhood, this project helps to create a hub for the creative economy that the Arts and Innovation District seeks to achieve.

ZONING

The site is located in a 3F-5000 District in the Dorchester Neighborhood District Residential Subdistrict. Tucked behind residential and industrial uses, the site abuts a shared Right of Way. As part of this project, the proponent intends to request that the end portion of Hillsboro Street be abandoned, which would allow the land to be improved.

The proposed project comprises approximately 22,000 GSF in a single four-story building. As this redevelopment will be minimally visible and will have a relatively discrete impact in the surrounding neighborhood, the project will be reviewed through Article 80 Small Project review.

INCLUSIONARY DEVELOPMENT COMMITMENT

Projects financed as one entity and where at least 40% of the units are income-restricted are exempt from the Inclusionary Development Policy, dated December 10, 2015. The Proposed Project is financed as one entity and contains twenty-one (21) income-restricted homeownership units, or 100% of the total units, surpassing 40% of the total units. As such, the Proposed Project is exempt from the Inclusionary Development Policy.

As currently proposed, eleven (11) units will be made affordable to households with incomes no greater than 80% of the Area Median Income ("AMI"), as published by the United States Department of Housing and Urban Development ("HUD") and ten (10) units will be made affordable to households with incomes no greater than 100% AMI. The affordability of the Proposed Project will be finalized through the public funding process and the ongoing affordability will be monitored under a MassDocs Agreement.

RECOMMENDATIONS

The Proposed Project complies with the requirements set forth in Section 80E of the Code for Small Project Review. Therefore, BPDA staff recommends that the Director be authorized to: (1) issue a Certification of Approval for the Proposed Project located at 2 Hillsboro Street in Dorchester; and (2) execute and deliver a Community Benefits Agreement and 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 pursuant to Section 80E-6 of the Boston Zoning Code (the "Code"), approving the development consisting of a new multifamily residential development on a 10,791 square foot site to include approximately 22,000square feet of floor area, and contain up to Twenty-One (21) residential condominium units in a Four (4) story building, with Four (4) parking spaces (the "Proposed Project"), in accordance with the requirements of Small Project Review, Article 80E, of the Code, subject to continuing design review by the Boston Redevelopment Authority; and

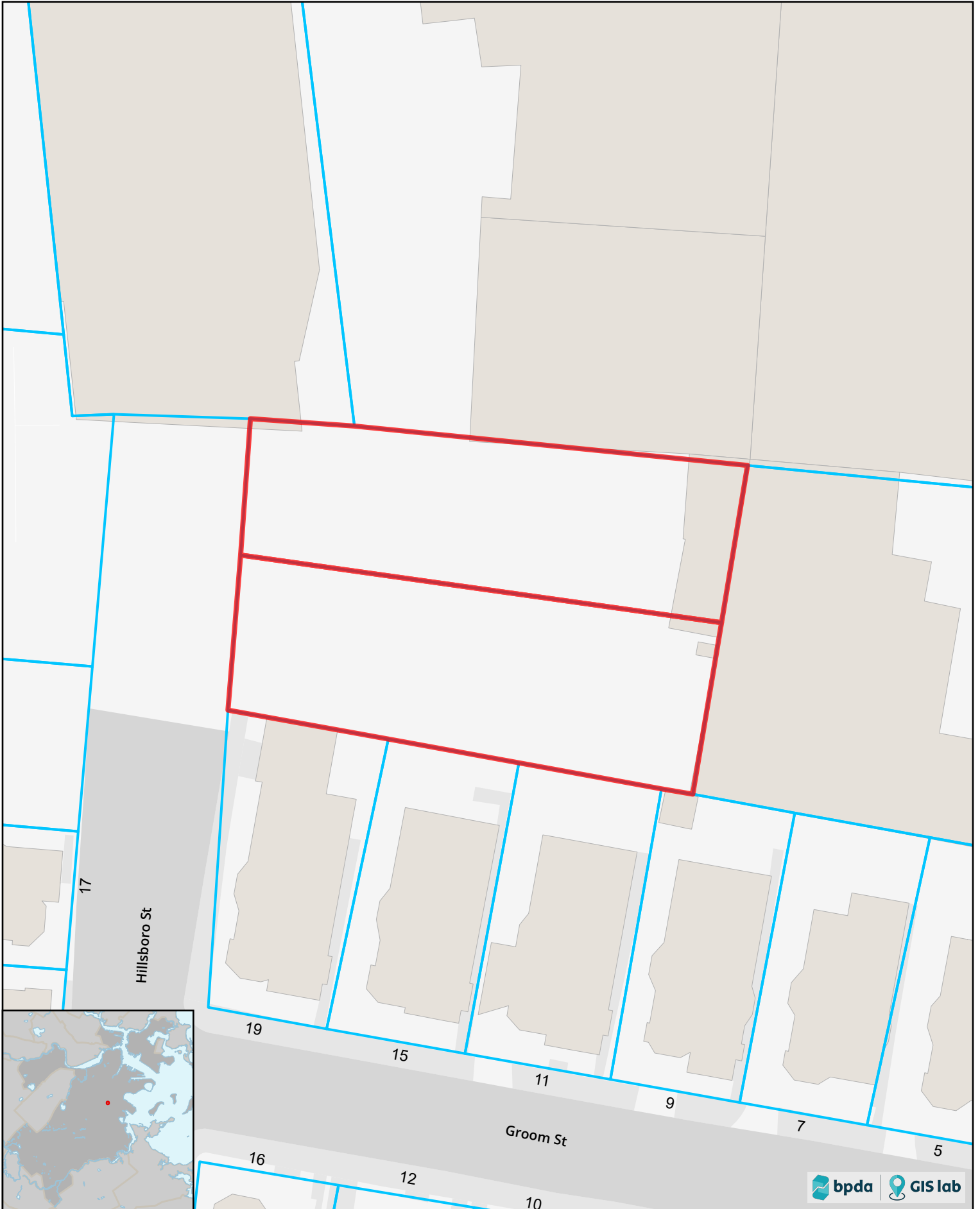
FURTHER

VOTED: That the Director be, and hereby is, authorized to execute, a Community Benefits Agreement, and deliver any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

2 Hillsboro Street



1:400



2 Hillsboro Street



1:400



MEMORANDUM

March 14, 2024

**TO: BOSTON REDEVELOPMENT AUTHORITY
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY (BPDA)
AND JAMES ARTHUR JEMISON II, DIRECTOR**

**FROM: CASEY HINES, DIRECTOR OF DEVELOPMENT REVIEW
EBONY DAROSA, SENIOR PROJECT MANAGER
MEGHAN RICHARD, URBAN DESIGNER II
SAM ROY, SENIOR TRANSPORTATION PLANNER
FORD DELVECCHIO, PLANNER I**

**SUBJECT: NOTICE OF PROJECT CHANGE
75-81 DUDLEY STREET, ROXBURY**

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 development located at 75-81 Dudley Street in Roxbury (the “Proposed Project”), in accordance with Article 80E, Small Project Review, of the Boston Zoning Code (the “Code”) and take any other actions and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project;

PROJECT SITE

The Proposed Project is located at 75-81 Dudley Street in Roxbury. The Project site is located between Dudley Street and Guild Row (the “Project Site”). The Project Site is comprised of two (2) vacant parcels of land totaling approximately 8,265 square feet.

In 2019, the City of Boston, through a Request for Proposals process, specifically PLAN: Nubian Square 75-81 Dudley Street (the “RFP”), selected the Proponent as the developer of the Project Site, which is owned by the City. The RFP process and

selection resulted in extensive collaboration with the Roxbury Strategic Master Plan Oversight Committee, Highland Park Architectural Conservation District Commission, and the broader Roxbury community.

In all, the Proponent has conducted extensive preliminary outreach with nearby and abutting property owners, area residents, local elected and appointed officials, the Mayor's Office of Housing ("MOH"), the Roxbury Strategic Master Plan Oversight Committee, the Highland Park Architectural Conservation District Commission, and agency staff to seek and integrate input on its development program.

DEVELOPMENT TEAM

Proponent: Madison Park Development Corporation
Intiya Ambrogi-Isaza
Anna Clemens

Legal
Counsel: Klein Hornig
Joseph Lieber
Stephanie Johnson

Architect: Studio Luz
Hansy Better Barraza
Leena Ismail
Elise Zilius

Survey Engineer: Samiotes Consultants, Inc.
Andrew D'Allesandro

Environmental
21E Engineer: CLEAResult
Ann John

Civil Engineer
Surveyor: Joyce Consulting Group, PC
Erin Joyce

Geotech Engineer: McPhail Associates, LLC
Gina Garten

DESCRIPTION AND PROGRAM

The Proposed Project will redevelop the under-utilized 75-81 Dudley Street site with construction of a new four-story (4) residential homeownership building totaling approximately 18,039 square feet. The building will contain fifteen (15) income restricted condominium units. The proposed project will include seventeen (17) interior covered and secure bike parking spaces and a minimum of two (2) exterior visitor post-and-ring bike parking racks providing four (4) spaces in compliance with the City’s Bike Parking Guidelines. This proposal replaces previous project iterations that are unsuitable due to the community’s desire to protect six silver linden trees on the edges of the 75-81 Dudley Street site as well as the addition of an elevator in the building.

The Proposed Project replaces the originally proposed 75-81 Dudley Street Project, which consisted of a four-story (4) residential homeownership building totaling approximately 23,940 square feet and twenty (20) income restricted condominium units. The originally proposed project also contained ground floor commercial space and bicycle storage.

The total development cost is approximately \$10,630,937.

The table below summarizes the Proposed Project’s key statistics.

<u>Estimated Project Metrics</u>	Jan 2020 Approval	Revised Plan	Net Change
Gross Square Footage	23,940	18,039	-5,901
Gross Floor Area	23,940	18,039	-5,901
<i>Residential</i>	17,619	12,618	-5,001
<i>Office</i>	0	0	0
<i>Retail</i>	720	0	-720
<i>Lab</i>	0	0	0
<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	422	422
<i>Cultural</i>	0	0	0
<i>Parking</i>	0	0	0
Development Cost Est.	\$9,592,000	\$10,630,937	\$1,038,937
Residential Units	20	15	-5
<i>Rental Units</i>	0	0	0
<i>Ownership Units</i>	20	15	-5
<i>IDP/Affordable Units</i>	20	15	-5
Parking spaces	0	0	0

ARTICLE 80 REVIEW PROCESS

On November 13, 2023, the Proponent filed a Notice of Project Change (“NPC”) with the BPDA for the Proposed Project, pursuant to Article 80E of the Code. The NPC was sent to the City’s public agencies/departments and elected officials pursuant to Section 80A-2 of the Code.

On January 10, 2024, a Virtual Public Meeting was held. The Virtual Public Meeting was advertised in the local Bay State Banner, listed on the BPDA website, and distributed to those enrolled in the BPDA Roxbury email list. The public comment period ended on January 16, 2024.

PLANNING CONTEXT

The Proposed Project is located at the intersection of Dudley Street and Guild Row, directly across from the Dudley Square Plaza. The site is located in the center of Nubian Square, Roxbury’s commercial and cultural center. The proposed building scale is consistent with the context of the immediate built environment, which contains a mix of residential, commercial, and civic uses.

The Roxbury Strategic Master Plan (2004), serves as the area plan for this location, and the Roxbury neighborhood as a whole. Key elements of this plan include the enhancement of the civic and cultural environment, promotion of a diverse economy and range of housing options, and creation of safer transportation connections and a lively public realm. The Proposed Project helps fulfill these planning goals through the creation of new income-restricted housing on currently vacant land. In addition to net new housing production, proposed site improvements will enhance the parcel's edges, improving the public realm experience of this block.

The Proposed Project is also located in the PLAN: Nubian Square study area. This parcel was cited by the plan as an exemplary location for infill development in the context of an established neighborhood fabric. In use and form, the proposal is well-aligned with the planning goal of ensuring that new development is both responsive to neighborhood context, and consistent with surrounding uses.

ZONING

The Project Site is situated within the Roxbury Neighborhood District and is governed by Article 50 of the Code. The previously Proposed Project was granted zoning relief from the following: Multifamily Residential Zoning, Minimum Lot Size, Additional Lot Area for Each Additional D.U., Maximum Floor Area Ratio, Maximum Building Height (Stories), Maximum Building Height (Feet), Minimum Usable Open Space Per D.U., Minimum Front Yard, Minimum Side Yard (With Front Yard Special Provisions for Corner Lots, Section 50-44), Minimum approval of the project changes (from higher to lower density) from the ZBA acting Rear Yard, Minimum Number of Parking Spaces, Minimum Number of Off-Street Loading Bays, and Traffic Visibility Across Corner.

The previous version of this Project had received zoning approval and relief which the Proponent has requested to extend. This request will be voted on at the March 12, 2024, Board of Appeal meeting. Because of the previous zoning relief, the Proponent plans to request approval of the project changes (from higher to lower density) from the ZBA acting as board final arbiter. No additional relief is needed due to these design changes.

MITIGATION AND COMMUNITY BENEFITS

The Proposed Project will provide the following mitigation and community benefits:

- A commitment of \$4,125.00 to the Boston Transportation Department (“BTD”) to be contributed upon issuance of a certificate of occupancy for the Proposed Project to support the bikeshare system.
- Subject to PIC Approval, the Proponent will setback their building to create a wider sidewalk on Dudley Street within the bounds of their property within the public way. Dudley Street will have a minimum of nine and a half (9.5) foot sidewalk, inclusive of a pedestrian easement within the property line as needed. All sidewalks will maintain at least five (5) feet clear accessible paths of travel absent vertical elements made of concrete monolithic sidewalk space. All sidewalk setbacks are subject to design review and will require approval for a Pedestrian Easement with the Public Improvement Commission (PIC).
- Subject to PIC Approval, the Proponent will setback their building to create a wider sidewalk on Guild Row within the bounds of their property within the public way. Guild Row will have a minimum of nine and a half (9.5) foot sidewalk, inclusive of a pedestrian easement within the property line as needed. All sidewalks will maintain at least five (5) feet clear accessible paths of travel absent vertical elements made of concrete monolithic sidewalk space. All sidewalk setbacks are subject to design review and will require approval for a Pedestrian Easement with the Public Improvement Commission (PIC).
- Subject to PIC Approval, The proponent will tighten the curb radius on the southern side of Dudley Street at Guild Row to create a shorter crossing across Dudley Street.
- Subject to PIC Approval, The proponent will provide improvements to bus stop #1147 including accessibility upgrades. The existing bus stop is not currently accessible and will be made accessible by the sidewalk expansion via the setback that the proponent is providing. This will allow for an accessible landing pad for the front door, as well as a rear door clear zone. The proponent will follow guidelines of the 2018 MBTA Bus Stop Planning & Design Guide for all identified stops.
- These proposed improvements shall be completed before certificate of occupancy issuance for the Proposed Project and are subject to design review and approval by the Boston Transportation Department (BTD), Public Works Department (PWD), Public Improvement Commission (PIC), and the BPDA.

**HOUSING PROGRAM AND INCLUSIONARY DEVELOPMENT POLICY
COMMITMENTS**

Projects financed as one entity and where at least forty (40) percent of the units are income restricted are exempt from the Inclusionary Development Policy, dated December 10, 2015. The Proposed Project is financed as one entity and contains fifteen (15) income restricted units, or 100 percent of the total units, surpassing 40 percent of the total units. As such, the Proposed Project is exempt from the Inclusionary Development Policy.

As currently proposed, eight (8) units will be made affordable to households with incomes no greater than 80% of the Area Median Income ("AMI"), as published by the United States Department of Housing and Urban Development ("HUD") and seven (7) units will be made affordable to households with incomes no greater than 120% AMI, however, the Proponent shall review the feasibility of making the Units available at lower AMIs through their public funding and regulatory process. The affordability of the project will be finalized through the public funding process and the ongoing affordability of the project will be monitored by the City of Boston and/or other public funding agencies through a MassDocs Agreement.

RECOMMENDATIONS

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

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Approval pursuant to Section 80E-6 of the Boston Zoning Code (the "Code"), approving the development consisting of a four-story building totaling approximately 18,039 square feet and containing fifteen (15) homeownership units at 75-81 Dudley Street in Roxbury (the "Proposed Project") in accordance with the requirements of Small Project Review, Article 80E, of the Code, in connection with the Notice

of Project Change submitted by Madison Park Development Corporation (the "Proponent") on November 13, 2023, subject to continuing design review by the Boston Redevelopment Authority ("BRA") and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

75-81 Dudley Street



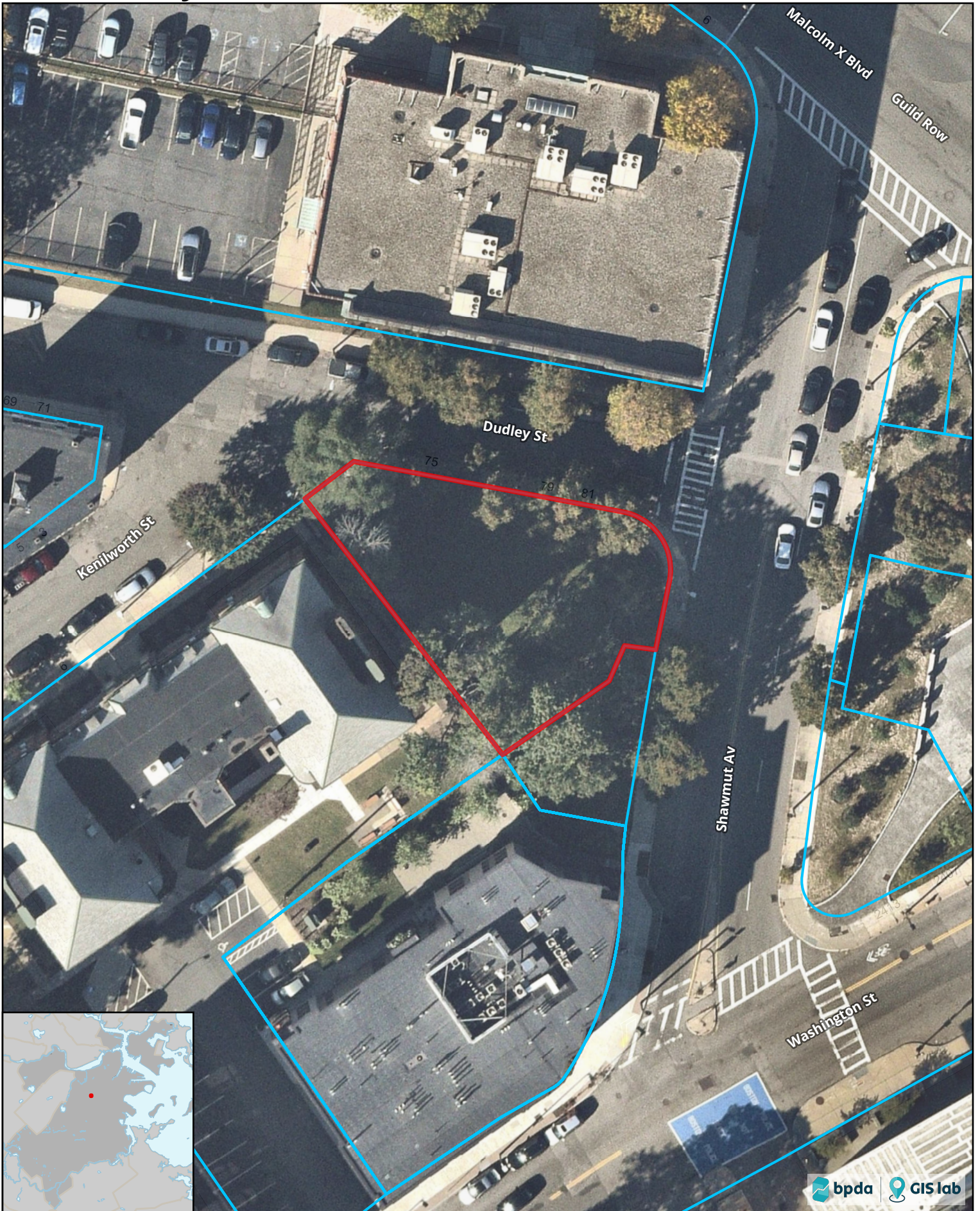
1:500



75-81 Dudley Street



1:500



MEMORANDUM**DECEMBER 14, 2023**

TO: **BOSTON REDEVELOPMENT AUTHORITY**
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY (BPDA)
AND JAMES ARTHUR JEMISON II, DIRECTOR

FROM: CASEY HINES, DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
SCOTT GREENHALGH, PROJECT MANAGER

SUBJECT: 81 HANCOCK STREET, DORCHESTER

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 development located at 81 Hancock Street in Dorchester (the “Proposed Project”, defined below), in accordance with Article 80E, Small Project Review, of the Boston Zoning Code (the “Code”); and (2) execute and deliver an Affordable Rental Housing Agreement and Restriction (“ARHAR”) in connection with the Proposed Project; and (3) enter into a Community Benefits Agreement in connection with the Proposed Project, and to take any other actions and to execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The Proposed Project (defined below) is located at 81 Hancock Street and is a 14,994 square foot lot located in the Dorchester neighborhood of Boston (the “Project Site”). The Project Site consists of four (4) existing parcels under common ownership and is currently improved by Fernandez Liquors IV, Hancock Laundry, and a pizzeria. The Proposed Project will be built on top of the existing ground floor retail in order to preserve existing businesses and follow the planning guidelines which call for ground floor retail with residential above. The entrances to both the existing retail and the future residential will be along Hancock Street. This area is populated with a mixture of larger mostly three (3) family dwellings, but there are several nearby multi-family projects approved or recently built. The existing Property has an open-air parking area that will be incorporated into the Proposed Project and improve the existing

conditions. The Project Site is located 0.5 miles from the Uphams Corner MBTA Commuter Rail station and is served by multiple MBTA Bus routes.

DEVELOPMENT TEAM

Proponent: Huy Nguyen

Attorney: Prince Lobel Tye
Michael P. Ross, Esq.

Architect: Vanko Studio Architects
J. Peter Vanko

PROPOSED PROJECT

The Proposed Project consists of approximately 33,595 gross square feet to be constructed at the Project Site and will contain thirty-six (36) residential rental dwelling units comprised of fifteen (15) studio units, twelve (12) one-bedroom units, six (6) two-bedroom units, and three (3) three-bedroom units. Six (6) of the units will be designated as affordable, giving the project an affordability rate of sixteen-point-seven percent (16.7%). Additionally, there will be fifteen (15) vehicle parking spaces, and forty (40) bicycle parking spaces for use by residents. The ground floor level will offer residential amenities such as an enclosed bicycle parking area, and community area, and the existing retail entities will maintain their operation at the Project Site, (the “Proposed Project”).

The table below summarizes the Proposed Project’s key statistics.

<u>Estimated Project Metrics</u>	Proposed Plan
Gross Square Footage	33,595
Gross Floor Area	33,595
<i>Residential</i>	28,663
<i>Office</i>	0
<i>Retail</i>	4,932

<i>Lab</i>	0
<i>Medical Clinical</i>	0
<i>Education</i>	0
<i>Hotel</i>	0
<i>Industrial</i>	0
<i>Recreational</i>	0
<i>Cultural</i>	0
<i>Parking</i>	0
Development Cost Estimate	\$12,000,000
Residential Units	36
<i>Rental Units</i>	36
<i>Ownership Units</i>	0
<i>IDP/Affordable Units</i>	6
Parking spaces	15

PLANNING CONTEXT

The Proposed Project is located within the Dorchester Neighborhood Zoning District, 3F-5000 subdistrict, intended to limit new development to low-density, three-family buildings.

The site is within a half mile of Upham’s Corner train station, along a two-lane street with mixed uses serving the local neighborhood, on a corner lot with a one-story commercial building and surface parking.

The area has undergone recent planning as part of the Fairmount Indigo Planning Initiative, Upham’s Corner Station Area Plan (Plan) adopted in 2014. The Plan was never codified in zoning but provides a vision for the area for transit-oriented development that contributes to economic prosperity and supports existing residents and businesses. The Plan aims to support small and local-serving businesses, such as those currently existing on the Proposed Project site, while encouraging mixed-use development with mixed-income housing to expand

housing choices and attract new residents who can patronize the local businesses. Specifically, the Plan recommends the extension of a “Main Street District” – an active, walkable, mixed-use district - from Columbia Road down Hancock Street to Trull Street, encompassing the site.

In addition to applying the zoning regulations, advancing plan goals, and respecting neighborhood context during project review, close consideration was given to the landscaping and screening of the parking spaces, access to bike amenities, and architectural design.

ARTICLE 80 REVIEW PROCESS

On August 18, 2023, the Proponent filed an Application for Small Project Review with the BPDA for the Proposed Project, pursuant to Article 80E of the Code (the “Code”). The BPDA sponsored and held virtual public meetings on September 13, 2023, and October 23, 2023, via Zoom. The meetings were advertised in the local newspapers, posted on the BPDA website and a notification was emailed to all subscribers of the BPDA’s Dorchester neighborhood update list. The public comment period ended on November 2, 2023.

ZONING

The Project Site is located within the Dorchester Neighborhood Zoning District, and the 3F-5000 Subdistrict.

The anticipated zoning relief needed on this project is as follows:

Use: Multifamily in a 3F-5000
Lot Size Per Dwelling Unit
FAR (2.24 in a 0.5)
Maximum Building Height/Stories (49 ft in a 35 ft / 4-stories in a 2.5-story)
Minimum Side/Front Yard (corner lot) (0’ in a 10)
Minimum Rear Yard (20’ in a 30’)
Minimum Number of Parking Spaces (15 in a 54)
Off Street Loading

MITIGATION AND COMMUNITY BENEFITS

- The Proposed Project will enhance the streetscapes by upgrading the public realm in and around the Project Site. Public realm improvements will include approximately sixteen (16) new trees;
- In support of the City's green building and carbon neutral goals, the Proposed Project will be designed to use all-electric systems;
- The Proposed Project will contribute \$9,900 to the Boston Transportation Department to support the bike share system, which shall be due upon Certificate of Occupancy;
- The Proponent shall install a crosswalk across Trull Street. The Proponent shall also install a crosswalk across Hancock Street near the intersection of Trull Street or Glendale Street in coordination with BPDA, BTM, and PIC. This work shall be completed no later than Certificate of Occupancy;
- The Proposed Project will create approximately one-hundred (100) construction jobs and result in approximately ten (10) full-time jobs.

The community benefits described above will be set forth in the Community Benefit Contribution Agreement for the Proposed Project. The community benefit contribution payments shall be made to the BPDA or respective City department before issuance of the initial building permit by the City of Boston Inspectional Services Department ("ISD") and will be distributed as outlined above.

The Proposed Project and public realm improvements are subject to BPDA Design Review.

INCLUSIONARY DEVELOPMENT POLICY

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 (the "IDP") and is located within Zone C, as defined by the IDP. The IDP requires that 13% of the total number of units within the development be designated as IDP units. In this case, six (6) units, or approximately 16.7% of the total number of units within the Proposed Project, will be created as IDP rental units (the "IDP Units"), meeting and exceeding the requirements of the IDP. Each of the six (6) units will be made affordable to households earning not more than 70%

of AMI, as published by the BPDA, and based upon data from the United States Department of Housing and Urban Development (“HUD”).

The proposed locations, sizes, income-restrictions, and rents for the IDP units are as follows:

Unit Number	Bedroom Size	Square Footage	Percentage of Area Income	Rental Price	Group 2/ADA Accessibility
103	Two-bedroom	1068	70%	\$1,766	
106	Studio	486	70%	\$1,330	
201	Three-bedroom	1109	70%	\$1,978	
205	One-bedroom	822	70%	\$1,559	Group-2
302	One-bedroom	694	70%	\$1,559	
309	Studio	454	70%	\$1,330	

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

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

- (1) Boston resident; and
- (2) Household size (a minimum of one (1) person per bedroom).

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

An affordability covenant will be placed on the IDP Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with a BPDA option to extend for an additional period of twenty (20) years). The household income of the renter and rent of any subsequent rental of the IDP Units during this fifty (50) year period must fall within the applicable income and rent limits for each IDP Unit. IDP Units may not be rented out by the developer prior to rental to an income eligible household, and the BPDA or its assigns or successors will monitor the ongoing affordability of the IDP Units.

RECOMMENDATIONS

The Proposed Project complies with the requirements set forth in Section 80E of the Code for Small Project Review. Therefore, BPDA staff recommend that the Director be authorized to: (1) issue a Certification of Approval for the Proposed Project; (2) execute and deliver an Affordable Rental Housing Agreement and Restriction ("ARHAR") in connection with the Proposed Project; and (3) enter into a Community Benefits Agreement in connection with the Proposed Project, and to take any other actions and to execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Approval pursuant to Section 80E-6 of the Boston Zoning Code (the "Code"), approving the development consisting of a four (4) story, mixed-use rental building of approximately 33,595 gross square feet, including thirty six (36) rental units, with fifteen (15) onsite parking spaces with residential amenities and related improvements to the site, existing public serving retail, landscaping and pedestrian and vehicular access and approximately forty (40) bike parking spaces, located at 81 Hancock Street in Dorchester (the "Proposed Project") in accordance with the requirements of Small Project Review, Article 80E of the Code, subject to continuing design review by the BPDA; and

FURTHER

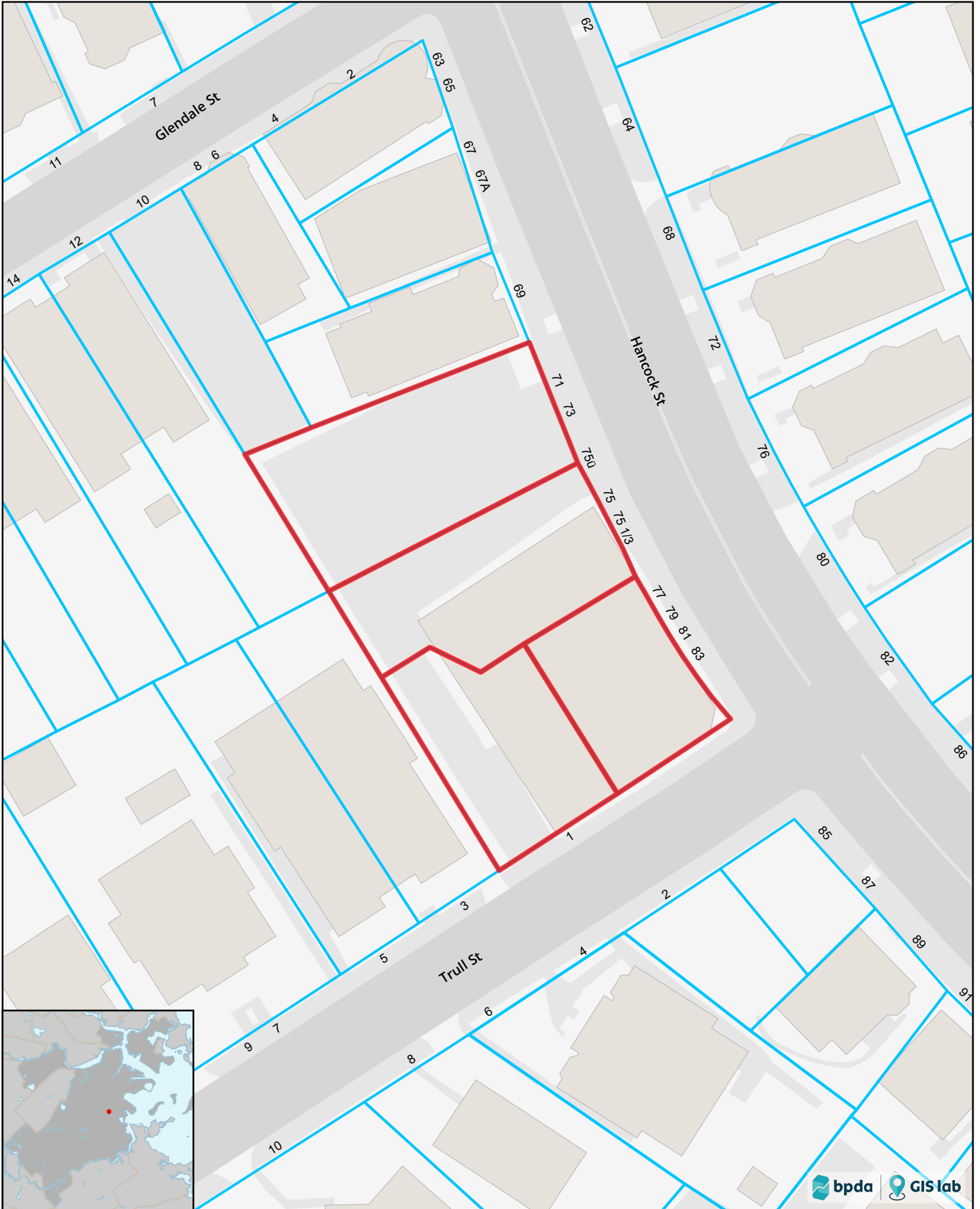
VOTED: That the Director be, and hereby is, authorized to execute and deliver an Affordable Rental Housing Agreement and Restriction (“ARHAR”) for the creation of six (6) IDP Units in connection with the Proposed Project; and

FURTHER VOTED: That the Director be, and hereby is, authorized to enter into a Community Benefits Agreement in connection with the Proposed Project, and to take any other actions and to execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

81 Hancock Street



1:500



81 Hancock Street



1:500





Frank Baker
Boston City Councilor
District 3

December 4, 2023

Mr. Arthur Jemison
Boston Planning and Development Agency
One City Hall, Ninth Floor
Boston, Massachusetts 02201

Dear Chief Jemison,

As the Boston City Councilor for District 3, I am writing to express my strong support for the development proposal at 81 Hancock Street in Dorchester, Massachusetts.

Mr. Huy Nguyen is a long-time Dorchester resident and has been working carefully on this proposal for many years. I appreciate Mr. Nguyen creating more than the required number of affordable units and taking the neighborhood's concerns into consideration. Many of the changes made to the project throughout the process were from direct input from the abutters. I believe this project will be beneficial to the Hancock Street neighborhood and the City of Boston and applaud Mr. Nguyen for his efforts.

Thank you for your time and attention to this matter. Please do not hesitate to contact me directly if you have any questions or concerns.

Sincerely,

Frank Baker
Boston City Councilor, District 3



The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133-1054

December 4, 2023

Boston Planning and Development Agency
One City Hall, Ninth Floor
Boston, Massachusetts 02201

RE: Letter of Support for 81 Hancock Street

Dear BPDA Board Members,

My name is Christopher Worrell, and I am the State Representative of the 5th Suffolk District of Massachusetts. 81 Hancock Street is located within the 5th Suffolk, and as a resident, neighbor, and elected official, I'd like to express my heartfelt support for this development.

Mr. Huy Nguyen, in collaboration with community members, neighbors, and stakeholders, has dedicated significant effort to develop a proposal that aligns closely with the preferences of the neighborhood. He dedicated more than three years to ensuring that the stakeholder's voices were woven into the foundation of this project, and I believe that his efforts have yielded a proposal that we as a community can take pride in.

The current residential proposal includes six three-bedroom and six two-bedroom units, with the remaining units divided between one-bedroom and studio spaces. Six apartments are designated as affordable, surpassing the minimum requirement for affordable housing units in a project of this scale. He has also collaborated with the Hancock Civic Association and the City of Boston to meet the needs of the community by relocating the building by ten feet and by adding five extra parking spaces for residents.

Mr. Nguyen is not only trying to contribute positively to this community but is trying to better his own community. Mr. Nguyen resides around the corner from 81 Hancock and has owned a business on Hancock Street for twenty-one years. Having demonstrated his commitment to the neighborhood, he now aspires to establish something that will enable more individuals to become part of this community and contribute to its growth.

I endorse this project and express my sincere confidence in the positive benefits it will bring. Should you have any questions or concerns, please feel free to reach out.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Worrell".

Christopher Worrell
State Representative – 5th Suffolk District
Christopher.worrell@mahouse.gov



The Commonwealth of Massachusetts

MASSACHUSETTS STATE SENATE

LIZ MIRANDA

STATE SENATOR
2ND SUFFOLK DISTRICT

STATE HOUSE, ROOM 519
617-722-1673
LIZ.MIRANDA@MASENATE.GOV

Chair - Racial Equity, Civil Rights and Inclusion
Vice Chair - Economic Development and Emerging Technologies

Ways & Means, Census, Juvenile and Emerging Adult Justice
Community Development and Small Businesses, Elder Affairs,
State Administration and Regulatory Oversight

Boston Planning and Development Agency
One City Hall, Ninth Floor
Boston, Massachusetts 02201

RE: Letter of Support for 81 Hancock Street

Dear BPDA Board Members,

My name is Liz Miranda and I am the State Senator of the 2nd Suffolk District. Although 81 Hancock Street is not in my Senate District, this is a project that I followed closely as State Representative for the 5th Suffolk District and wish to express my support for this development.

Mr. Huy Nguyen has been working diligently on this proposal alongside community members and stakeholders to create a design that is more aligned with that the community would like to see. This project is over 3 years in the making and has been carefully crafted to ensure that community input is at the forefront of every decision and that nothing would be finalized unless the neighborhood was in support. Mr. Nguyen has redrafted his designs four times in order to incorporate community feedback. The current proposal for residential space would have six three-bedroom and six two-bedroom units, with the rest split between one-bedroom and studio units. Six of the apartments would be rented as affordable. The project surpasses the minimum affordable housing units required for a project of this scale.

Mr. Nguyen is a longtime Dorchester resident and lives right around the corner of this development and has owned business on Hancock Street since 2002. He understands firsthand concerns that his neighbors have raised and made deliberate decisions towards finding agreeable solutions. He has and continues to work amicably with the Hancock Civic to ensure that any issues are rectified. The most notable being redesigning and moving the building by 10 feet to ensure that the direct abutters concerns of being boxed in were

addressed. He also is working alongside the City of Boston to create an additional 5 parking spots as requested by the residents.

I share in the support of this project among our supporters and community stakeholders and am confident in the benefits that it will bring. If you have any questions or concerns, please do not hesitate to reach out.

Sincerely,

A handwritten signature in blue ink, appearing to read "Liz Miranda". The signature is stylized with large, overlapping loops and a long horizontal stroke extending to the right.

Senator Liz Miranda
2nd Suffolk District
(Roxbury, Dorchester, Mattapan, Hyde Park, Mission Hill,
Jamaica Plain, South End, Roslindale, Fenway)



HANCOCK STREET CIVIC ASSOCIATION
DORCHESTER, MA 02125
sites.google.com/view/hasca02125
hancockstreetcivic@gmail.com

September 24, 2023

Scott Greenhalgh
Project Manager
Boston Planning and Development Agency
scott.greenhalgh@boston.gov
Re: 81 Hancock Street, Dorchester

Members of the Hancock Street Civic Association and neighborhood residents voted unanimously on September 21, 2023 to OPPOSE the current plan for development of the property at 81 Hancock Street, which includes a four (4) story, thirty-nine (39) unit mixed-use building with fourteen (14) parking spaces, and retail space to allow the existing liquor store and laundromat to continue their occupancy. The issues that follow are those with which Members expressed unanimous agreement.

- The number of units proposed is excessive. We would remind you that under the existing code, the parcel is zoned 3F-5000. The current proposal calls for 39 units, which is far in excess of what the neighborhood would support for that parcel.
- The proposal, as presented, contains only slightly more than the number of affordable units required to meet the minimum standard set by the City of Boston. Residents of the neighborhood would like to see the number of affordable units increased to a minimum of 20% or more. Ideally, the mix would include units at both affordable (i.e., income no more than 60% of AMI) and workforce levels (i.e., 80% to 100% AMI).
- Neighbors felt strongly that the ratio of parking spaces to proposed units is inadequate and that a 1:1 ratio of *residential* parking spaces to units is imperative, given the lack of available parking on Hancock and surrounding side streets. It should also be pointed out that Hancock Street is a snow emergency artery, which makes adequate parking for residents doubly important. Hancock Street is lined predominantly with two and three family homes, most of which were built around or before 1900 and many of which do not have off-street parking. At present, Hancock Street is at capacity – and often over capacity – for residential parking. The City of Boston’s false belief that limiting residential parking for new construction will cause people to choose not to have cars is inaccurate at its basis and is creating chaos for neighborhoods. While we all agree that traffic in Boston is becoming untenable, there are better ways to reduce the number of cars on city streets that do not threaten Bostonians’ ability to earn a living and/or take care of their families. Adding cars to Hancock Street threatens the quality of life for existing residents of the neighborhood.
- No consideration has been given to the parking needs of the liquor store and laundromat. Patrons of those businesses currently use the parking lot adjacent to the building, which will be eliminated with this development.

Sincerely,

A handwritten signature in blue ink that reads "Marti A. Glynn".

Marti A. Glynn
President



To: Scott Greenhalgh, BPDA
From: Yang Yang, PWD
Date: 9/6/23
Subject: 81 Hancock Street - Boston Public Works Department Comments

Included here are Boston Public Works Department comments for the 81 Hancock Street Project Notification Form.

Project Coordination:

Coordinate with BTM regarding the Neighborhood Slow Street: Hancock Street Triangle Project. (<https://www.boston.gov/departments/transportation/neighborhood-slow-streets/hancock-street-triangle>) The project is proposing new curb geometry at the corner of Trull Street and Hancock Street. The developer shall incorporate this work into their design.

Project Specific Scope Considerations:

The developer should coordinate with BTM and PWD to develop safety and accessibility improvements for pedestrians and cyclists in the area. The developer should reconstruct pedestrian ramps and crossings at the Hancock Street and Trull Street intersection. The developer should also coordinate with the Parks Department regarding the street tree plantings. Please note that the minimum clearance required for pedestrian access within the public right-of-way is 5 feet.

Site Plan:

The developer must provide an engineer's site plan at an appropriate engineering scale that shows curb functionality on both sides of all streets that abut the property.

Construction Within The Public Right-of- Way (ROW):

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

Sidewalks:

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

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

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





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

Driveway Curb Cuts:

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

Discontinuances:

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

Easements:

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

Landscaping:

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

Street Lighting:

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

Roadway:

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

Additional Project Coordination:

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

Green Infrastructure:

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



PUBLIC WORKS DEPARTMENT

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

The Office of the Streets, Transportation, and Sanitation

(617) 635-4900



Resiliency:

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

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

Sincerely,

Jeffrey Alexis
Principal Civil Engineer
Boston Public Works Department
Engineering Division

CC: Para Jayasinghe, PWD
Todd Liming, PIC





MEMORANDUM

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

FROM: Joanne Marques
Regulatory Planning & Zoning

DATE: May 16, 2024

RE: BPDA Recommendation

Please find attached, for your information, BPDA's recommendations for the May 16, 2024 Board of Appeals Hearing.

Also included are the Board Memos for: 2 Hillsboro ST Dorchester 02125, 75 to 81 Dudley ST Roxbury 02119 and 75 to 83 Hancock ST Dorchester 02125.

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



Case	BOA1542280
ZBA Hearing Date	2024-05-21
Address	162 Boylston St Boston 02116
Parcel ID	0500027000
Zoning District & Subdistrict	Midtown Cultural Boston Common and Public Garden Protection Area
Zoning Article	38
Project Description	Change occupancy from a sales room and offices to restaurant and retail at ground level and 43 residential units above
Relief Type	Conditional Use
Violations	GCOD Applicability

Planning Context:

The site is located on the southern edge of Boston Common and within the PLAN: Downtown planning area. The project converts a vacant sales office on the ground floor of an existing commercial building into a restaurant and upper-floor office spaces into 43 residential units. The conversion does not change the existing footprint of the building. All proposed work is internal to the existing building except for a proposed addition to the rear portion of the building on 8 Carver St.

The project creates 43 residential units. As the Proposed Project is in the Groundwater Conservation Overlay District it requires zoning relief for a conditional use and the provisions of the Inclusionary Development Policy will apply.

The project maintains the structure's historic facade on Boylston Street and furthers PLAN: Downtown's goals of historic preservation, increasing active ground floors, and residential growth downtown. The project also aligns with the goals of the Office to Residential Conversion Program to convert older commercial space downtown to residential units.

Zoning Analysis:

The project is located in the Midtown Cultural Zoning District and the forward portion of the building is within the Boston Common and Public Garden Protection Area subdistrict.



The project aligns with the regulations of these districts, but requires zoning relief and additional review as it is located within the Groundwater Conservation Overlay District.

Recommendation:

In reference to BOA1542280, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: the plans shall be reviewed and approved by the Boston Water & Sewer Commission due to its location within the Groundwater Conservation Overlay District (GCOD) and that a housing agreement be executed with the Mayor's Office of Housing to comply with the Inclusionary Development Policy.

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rando", is written in a cursive style.

Director of Planning, BPDA



Case	BOA1584690
ZBA Hearing Date	2024-05-21
Address	173 Commonwealth AVE Boston 02116
Parcel ID	0502946000
Zoning District & Subdistrict	Boston Proper H-3-65
Zoning Article	32
Project Description	Change occupancy from 7-unit dwelling to one family then perform full gut renovation and reconstruction, including a roof deck and 3 off-street parking spaces.
Relief Type	Conditional Use
Violations	GCOD Applicability

Planning Context:

The project is located in the Back Bay neighborhood along Commonwealth Avenue mid-block between Dartmouth and Exeter Streets. The site is currently occupied by an attached, 5-story townhouse with a 5-story townhouse attached on the east and a 4-story townhouse attached on the west.

The neighborhood is defined by a consistent pattern of brick townhouses similar to that on the site of the proposed project.

Zoning Analysis:

The site is in the Boston Proper base zoning, Apartment Residential H-3-65 subdistrict, as well as the Groundwater Conservation Overlay District (GCOD), Restricted Parking District, and Back Bay Architectural District. The violation cited pertains to the GCOD per Article 32, which requires a conditional use permit for substantial rehabilitations of any structure within the overlay district. To grant a conditional use permit, a project must meet two requirements: 1) "promote infiltration of rainwater into the ground by capturing within a suitably-designed system a volume of rainfall on the lot equivalent to no less than 1.0 inches across that...lot area occupied by the structure to be Substantially Rehabilitated" and 2) "result in no negative impact on groundwater levels within the lot".

The proposed project's designed system must be submitted to the Boston Water & Sewer Commission for review, comment, and approval.



Recommendation:

In reference to BOA1584690, the Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO. The plans shall be submitted for review by the Boston Water & Sewer Commission due to the proposed project's location within the Groundwater Conservation Overlay District (GCOD).

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rand", is written over a faint, light blue circular stamp.

Director of Planning, BPDA



Case	BOA1546998
ZBA Hearing Date	2024-05-21
Address	545 E Second St South Boston 02127
Parcel ID	0603140000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Combine 3 parcels into 2 larger parcels, with the proponent then erect a 6 unit residential building with garage on 1 of the new parcels..
Relief Type	Variance
Violations	Additional Lot Area Insufficient Rear Yard Insufficient Roof Structure Restrictions Parking or Loading Insufficient Parking design and maneuverability

Planning Context:

The proposed project is located on the northern end of the South Boston Neighborhood district, in an area that was once dominated by manufacturing but is now transitioning to a heavily residential neighborhood as evident by the newer developments surrounding the proposed project. East Second Street acts as a buffer, with developments on the same side of the street as the proposed project being small to medium residential buildings. Across the street the neighborhood begins to step up in size as most of the parcels once had an industrial use and many retrofitted the historic buildings into residential and commercial uses. As it currently exists, the two lots are undersized compared to this section of South Boston. The new parcels created by this project will be in line with the neighboring properties and will allow for a better utilization of the land.

Zoning Analysis:

The proposed project triggers violations, which can be grouped into three sections: Parking, Dimensional Regulations, and Roof Structure.

The first violation is in regard to the proposed headhouse and mechanicals on top of the new development. The project's roofline is at 39 feet, one foot below the 40 foot maximum. However, the addition of the mechanicals exceeds this limit and triggers the violation. While it is a



violation, the proponent has worked to conceal the mechanicals within the interior area of the roof, helping to maintain the desired designed roofline. The mechanicals will have no impact on street view as they have been set back.

The section set of violations are in regards to dimensional regulations. The first violation is that the proposed project does not have the required additional square footage per unit required by the zoning code. The proposed project would require a lot of 7000 square feet, while the newly subdivided lot would only be around 4,500 square feet. The other dimensional violation is that the rear yard setback is insufficient for the proposed development. Both of these regulations point to this project being too large for the area. However, the zoning code does not reflect the development goals of the city in this area of south Boston. This strip of Second Street is largely characterized by new apartment buildings on a similar scale to the proposed development. The residential housing and density is appropriate in this area, even though the zoning code does not support it.

The final set of two violations are related to parking. This area of South Boston is well-served by transit, including multiple bus routes and the Broadway MBTA station. The project is providing one off-street parking space per unit, per zoning requirements. However, Boston Transportation Department guidelines call for a maximum ratio of 0.75 spaces per unit: any increase in off-street parking would further exacerbate the proposal's inconsistency with this guideline.

Recommendation:

In reference to BOA1546998, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review.

Reviewed,

A handwritten signature in blue ink that reads "Amee Rana".

Director of Planning, BPDA



Case	BOA1584507
ZBA Hearing Date	2024-05-21
Address	2136 to 2140 Washington ST Roxbury 02119
Parcel ID	0802480000
Zoning District & Subdistrict	Roxbury Neighborhood Dudley Square EDA
Zoning Article	Article 50
Project Description	Proposed change of use and occupancy from office and retail to office (2nd floor) and social club with limited live entertainment to include flex boutique (1st floor) and storage (basement).
Relief Type	Variance, Conditional Use
Violations	Parking or Loading Insufficient Conditional Use (Private/Social Club Serving Alcohol w/ Limited Live Entertainment)

Planning Context:

The proposed project sits in the Dudley Square Economic Development in Roxbury. It is also a part of one of the neighborhood's Boulevard Planning Districts (BPDs). According to Section 50-37 of the Zoning Code (Boulevard Planning Districts, Roxbury), BPDs serve as markers of significant neighborhood corridors and gateways to residential areas. Special design guidelines for BPDs are established in Article 50 (Roxbury Neighborhood Zoning). In addition, the project sits within the Eustis Street Historic Protection Area. Because the site sits within 100' of a public park, the provision of Ordinance 7.4-11 (Parks Design Review) will also apply.

The surrounding context comprises a mix of 2 to 6 story residential and mixed-use structures, which house a variety of different retail, commercial, and community uses. The site is located a half-mile from Ruggles Station (Orange Line and Commuter Rail) and immediately abuts stops for several MBTA bus routes, including the 1, 8, 15, and 47. It is also within walking distance (quarter-mile) of several civic amenities, including Ramsay Park, Orchard Park, and the Greater Roxbury Arts & Cultural Center.

The proposed project seeks to expand the property's ground floor use allowances to allow for private social club and live entertainment uses, in addition to the existing retail space, which will remain. The project does not propose to expand the footprint of the existing structure. The proposal has been filed by the structure's current occupant, Black Market Nubian (a local Black-

BOA1584507

2024-05-21

1 Boston Planning & Development Agency



owned business operating as a pop-market and creative/cultural work space, which, among other things, spearheads the Nubian Square Public Art Initiative). This project scope is supported by the stated planning goals of PLAN: Nubian Square: (1) to enhance civic life and the area's cultural environment; (2) to promote the development of neighborhood amenities which build on the area's cultural history and assets, including things like entertainment venues, performance centers, and music spaces; and (3) to support existing local businesses and mitigate the risk of commercial displacement (July 2019).

Zoning Analysis:

The proposed project's insufficient parking violation is an existing condition. The project site is currently occupied by a structure with a zero-lot-line condition and a building lot coverage of roughly 90%. Zero parking conditions are common throughout the area, including the majority of lots within immediate proximity to the project site.

Because private social clubs (with live entertainment and serving alcohol) are conditional uses in the Dudley Square EDA, the proposed project will require a conditional use permit to move forward. Article 6 of the Zoning Code lays out the conditions required for the approval of proposed conditional uses in Boston. These conditions include: (1) that the specific site is an appropriate location for such use; (2) that the use will not adversely affect the neighborhood; (3) that there will be no serious hazard to vehicles or pedestrians from the use; (4) that no nuisance will be created by the use; and (5) that adequate and appropriate facilities will be provided for the proper operation of the use.

Due to, (1) the site's context, which sits in immediate proximity to other existing live entertainment venues serving alcohol as well as multiple transit options that can service patrons; and (2) the project's scope, which does not include any structural alteration or expansion of the existing building; the proposed project's impacts on the surrounding area are minimal. These factors justify the project's appropriateness to the surrounding area. It's recommended that a conditional use permit for the proposed uses be granted.

Because the project sits within the Eustis Street Historic Protection Area, a proviso for Landmarks Review has been added to this recommendation to account for any updates to signage that may stem from the proposed change of occupancy.

Recommendation:



In reference to BOA1584507, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Boston Landmarks Commission for design review .

Reviewed,

A handwritten signature in blue ink, appearing to read 'Amee Rand'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Director of Planning, BPDA



Case	BOA1573263
ZBA Hearing Date	2024-05-21
Address	73 to 75 Bowdoin Ave 14 Dorchester MA 02121
Parcel ID	1401163000
Zoning District & Subdistrict	Dorchester Neighborhood 3F-5000
Zoning Article	65
Project Description	Create a new curb cut for two tandem parking spaces.
Relief Type	Variance
Violations	Limitation of off street parking area

Planning Context:

73-75 Bowdoin Avenue is a classic triple-decker in Dorchester on a residential block with a mix of housing typologies ranging from 2-3.5 stories. The project is proposing a new 12' curb cut and a new driveway with two tandem parking spaces. About half of the other properties on the block have driveways. The site is a 7 minute walk from the Four Corners/Geneva commuter rail station, and a 16 minute walk to the Fields Corner Red Line station.

This parcel falls within the study area of the Fairmount-Indigo Corridor Four Corners/Geneva Avenue Station Area Plan (2015). Several goals related to the proposed project were identified, including “increas[ing] neighborhood walkability and bikeability” (October 2015). Following recent feedback at a community meeting, the Four Corners area will be considered in tandem with Codman Square as part of the Squares + Streets planning and zoning initiative area. Neighborhood-specific Squares + Streets recommendations for this area are forthcoming.

On a citywide scale, Go Boston 2030 sets out several transportation-oriented goals: in particular, reducing car use and emissions (March 2017). Climate Ready Boston echoed the importance of reducing emissions, noting that it is the key to “prevent[ing] the most extreme precipitation projections from becoming a reality” (December 2016).

There are other negative impacts to consider. On a smaller scale, the addition of a curb cut degrades the sidewalk. By making it possible to park beyond the extent of the driveway and limiting the flow of pedestrian traffic, it allows encroachment of the public way. At 73-75 Bowdoin Ave, the new driveway would also result in a loss of permeable space that could provide room



for additional trees. While current conditions are not detailed in the plans, 2019 imagery of the address shows standard size curbside collection garbage cans out front that provide an easy reference for lost permeable garden space, which would total around 15 square feet.

Zoning Analysis:

The driveway is less than 5' away from the side lot line, triggering an insufficient parking and loading violation (Article 10-1). The first proposed tandem space closest to the street measures 20'x10.3', while the second is slightly smaller: still 20' long, but tapering to a 7.7' width at the back of the space to account for the bump-out created by the bay windows. This is not aligned with the Public Works Department's guidelines for the issuance of new curb cut permits which call for residential driveways that are at least 10' wide (February 2013).

In order to move forward, zoning relief is needed in the form of a variance. However, there are no relevant circumstances unique to the structure but not the neighborhood, which is required to grant a variance (Section 7-3(a)). Higher lot coverage and minimal side yards are typical conditions for this block.

Given the noncompliance with the Code, the lack of alignment with area and citywide planning goals, and the reduction in street parking that would be caused by an additional curb cut, we recommend denial.

Recommendation:

In reference to BOA1573263, The Boston Planning & Development Agency recommends DENIAL.

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rand", is written over a faint, light blue circular stamp.

Director of Planning, BPDA



Case	BOA1528931
ZBA Hearing Date	2024-05-21
Address	15 Levant ST Dorchester 02122
Parcel ID	1500967000
Zoning District & Subdistrict	Dorchester Neighborhood 3F-D-3000
Zoning Article	65
Project Description	Construct a new three unit, three decker building with a new three-space driveway and attached carport utilizing an existing curb cut.
Relief Type	Variance
Violations	Rear Yard Insufficient Usable Open Space Insufficient

Planning Context:

This project proposes the building of a new 3-family, 3-decker home on an empty lot. It is surrounded almost exclusively by other 3-deckers and is a 10-minute walk away from Washington Street, a key commercial corridor in the area. A 3-car driveway with a pre-existing curb cut is also included in the plans. The driveway ends at the rear of the proposed house with an attached carport. The carport includes two supporting posts that divide the space into parking spots for 2 of the 3 cars. The third space is uncovered and located about 4' from the rear property line. All three spaces measure about 8'x24.'

Unlike other 3-deckers on the block, the proposed driveway is longer and cuts behind the property. Street View imagery captured in 2019 shows that other houses on this block have tandem spaces and driveways that are sized for 1-2 cars instead of 3.

In addition to its proximity to a walkable commercial center, 15 Levant Street is also equidistant to two public transit stations: the Fields Corner T stop (a 13-minute walk) and the Four Corners/ Geneva commuter rail station (a 9-minute walk). The site falls within a few blocks of the study area boundary for the Fairmount-Indigo Corridor Four Corners/Geneva Avenue Station Area Plan (2015). In this plan, several goals related to the proposed project were identified, including “leverag[ing] vacant lots for infill housing,” “add[ing] new housing,” and “encourag[ing] multifamily” options near transit stations.



Zoning Analysis:

The proposed project received two violations: one for an insufficient rear yard (15' minimum depth is required and roughly 5' is provided), and a second for insufficient usable open space (900 sq. ft required, roughly 650 sq. ft. provided).

New 3-unit construction in this subdistrict calls for 900 square feet of usable open space overall. As defined in Article 2, usable open space is “suitable for recreation, swimming pool, tennis court, gardens, or household service activities, such as clothes drying. Such space must be at least seventy-five percent (75%) open to the sky, free of automotive traffic, parking, and undue hazard, and readily accessible by all those for whom it is required.”

The largest portion of usable space in the plans is in the side yard, which comes to roughly 640 sq. ft. The 3 front porches modestly add to this total. This small reduction in usable open space is unlikely to negatively affect the neighborhood and still in keeping with the intent of the code (Article 7-3). It is also in line with the surrounding context- three deckers on small, narrow lots with limited usable open space.

Regarding the second violation, the rear yard insufficiency is not caused by the size of the building itself. At 24' x 45.7', the house's proposed dimensions are very consistent with other properties on the block. In fact, according to 2022 satellite imagery, neighboring houses tend to have greater building depth (50'-55').

Instead, it appears that the rear yard violation is triggered by the need to meet the parking requirement for a new 3 unit residence, which is 1 space per unit. While not identified as a violation, the proposed parking arrangement creates a maneuverability issue, particularly with the inclusion of the posts from the carport separating the two spaces.

This is a case for zoning reform. Future reform efforts in this area should look to better align parking requirements with typical driveway size and proximity to public transit. Modifying usable open space requirements to better reflect existing building and lot patterns could also be considered.

Recommendation:

BOA1528931
2024-05-21
2 Boston Planning & Development Agency



In reference to BOA1528931, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that proponent undergoes design review with BTM to address parking maneuverability, and remove one parking space if BTM determines that this will improve maneuverability and usable open space.

Reviewed,

A handwritten signature in blue ink, appearing to read "Arnee Rand". The signature is fluid and cursive.

Director of Planning, BPDA



Case	BOA1563876
ZBA Hearing Date	2024-05-21
Address	1905 to 1907 River ST Hyde Park 02136
Parcel ID	1812402000
Zoning District & Subdistrict	Hyde Park Neighborhood 2F-5000
Zoning Article	69
Project Description	Construct two side by side detached structures, each containing one unit (two units in total).
Relief Type	Variance
Violations	Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient

Planning Context:

1905 - 1907 River Street in Hyde Park is located in a predominantly residential neighborhood with a variety of housing typologies from, generally in the scale of 1 to 2.5 stories. The proposed project is located on a corner lot neighboring a 2.5-story single-family dwelling. The plans are to construct one detached two family dwelling. The proposal also includes four off-street parking spaces, two on the side and two in the rear. The proposal would require the demolition of the currently existing single family home located at 1907 River Street in Hyde Park.

Zoning Analysis:

1905 - 1907 River Street is located in a two-family (2F-5000) subdistrict of the Hyde Park Neighborhood District. The proposed project was cited for three dimensional violations: front, side, and rear yard minimum setback requirements. However, two of the three cited violations appear to be inconsistent with the proposed plans. The side yard requirements for the neighborhood are 10 feet and the proposal exceeds this by 7 feet and 6 inches on the side. Further, the proponent is proposing a rear yard depth of 40 feet which is also in line with the zoning requirements for the neighborhood.

The front yard requirement for the neighborhood district is 20 feet, and they are proposing 21.70 feet, however, because it is a corner lot, both sides that face a street must adhere to the minimum front yard setback, per Sec. 19-6. The proposed front yard setback facing Solaris Road is not sufficient by approximately 10 feet. However, many of the other houses along this



side street, including the one across the street, do not have 20 foot wide front yards. This discrepancy does not make the proposal out of line with the surrounding zoning context.

Recommendation:

In reference to BOA1563876, The Boston Planning & Development Agency recommends APPROVAL W/ PROVISIO that plans shall be submitted to the Agency for design review.

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rand", is written in a cursive style.

Director of Planning, BPDA



Case	BOA1589775
ZBA Hearing Date	2024-05-21
Address	30 Pinewood ST Mattapan 02126
Parcel ID	1804259000
Zoning District & Subdistrict	Hyde Park Neighborhood 1F-6000
Zoning Article	Article 69
Project Description	Full second floor addition to existing one and a half story dwelling including adding a 4th bedroom and new rear deck.
Relief Type	Variance
Violations	FAR Excessive Front Yard Insufficient Rear Yard Insufficient Side Yard Insufficient

Planning Context:

This site sits within a residential area on the cusp of Mattapan and Hyde Park. The area is predominantly 1-family homes that are built to 1.5 or 2.5 stories tall. The applicant proposes converting the current second-floor attic into a full second story by raising the roofline, bringing the building from 1.5 stories to 2 stories. The proposed second story occupies the same building floorplate as the first story. This proposal increases the housing quality, with a new rear deck and the addition of a 4th bedroom.

PLAN: Mattapan called for the preservation of existing building stock as a priority to preserve Mattapan's built form and character. The proposed addition largely maintains the existing structure while improving the housing quality.

Zoning Analysis:

This project is cited for having excessive floor area; the maximum FAR allowed by Article 69 is 0.5 for 1 Family Detached structures in a 1F-6000 subdistrict. However, the proposed project includes 1,504 gross square feet (not including the newly proposed deck and accessory garage structure) on a 4,000 sq ft lot, resulting in an FAR of 0.376.

The project is also cited for front, side, and rear yard setback violations, which are all existing nonconformities. The proposed project maintains the same setbacks as the existing property.



The minimum front yard setback is 25' and the existing/proposed setback is 15.9'. However, this existing setback is consistent with the building alignment of the two immediately adjacent properties.

The minimum side yard setback is 10' and the existing/proposed setback is 7.9'. This configuration is to accommodate a driveway within the other side yard of 13.8', and is a common configuration within this neighborhood. Finally, the minimum rear yard setback is 40' and the existing/proposed setback is 35'. This setback is consistent with each of the properties on this same block that have a similar building footprint and lot size.

Plans reviewed are titled "DHS Reality Group LLC/Daisy De La Rosa 30 Pinewood Street, Hyde Park MA", prepared by Perazim Design, and dated November 17th, 2023.

Recommendation:

In reference to BOA1589775, The Boston Planning & Development Agency recommends APPROVAL .

Reviewed,

A handwritten signature in blue ink that reads "Amee Rando".

Director of Planning, BPDA



Case	BOA1583137
ZBA Hearing Date	2024-05-21
Address	1481 Centre ST West Roxbury 02132
Parcel ID	2004526000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	Art. 56
Project Description	Change the occupancy of an existing two-family dwelling to a two-family dwelling with an accessory family child care home in the basement. Includes the replacement of two slide doors and one main door, interior painting, and the replacement of all floors to vinyl floors in the new child care space.
Relief Type	Variance, Conditional Use
Violations	Parking or Loading Insufficient Use: Conditional (Daycare) Change in Non-Conforming Use

Planning Context:

This project proposes the alteration of the basement level of an existing one-story, two-family dwelling to be converted into an accessory family child care home. This project does not propose any changes to the first floor and does not include any physical additions to the structure. This property is on a block of Centre Street that holds a mix of one-, two-, and some three-story residential dwellings. Many of these buildings vary between having one-family and two-family land uses.

This project is in alignment with the Mayor’s Office of Early Childhood’s (OEC) goal to reduce barriers to the development of child care facilities throughout the City. The BPDA and OEC partnered in this effort amend the Zoning Code to make “child care centers” and “accessory family child care homes” Allowed uses in all neighborhood subdistricts, including all subdistricts of West Roxbury (October 2023). This project was filed in June 2023, prior to zoning updates adopted by the Boston Zoning Commission on October 18, 2023

The need for child care in West Roxbury is further detailed in the Mayor’s Office of Women’s Advancement (MOWA) report “Making Child Care Work: Results from the 2021 Child Care Census Survey” (February 2022) in which West Roxbury is one of many Boston neighborhoods identified as having costs for child care that are above the state average. This finding from the

BOA1583137

2024-05-21



report indicates a need in the area for the increase of child care facilities like this project proposes because the increase in supply will support potential lower child care costs and greater child care access in the neighborhood.

This property has an existing paved driveway in the northeastern side yard of the lot that is designed to hold four (4) parking spaces. As part of the updates to child care zoning to align with the Mayor's Office of Early Childhood's (OEC) goals, minimum parking requirements of any kind specific to child care center uses were removed from the Zoning Code. While this project is an accessory family child care home rather than a child care center, the existing number of parking spaces and the goals of the OEC indicate no need to add more parking spaces to the property.

Zoning Analysis:

This property is located within the 1F-6000 (One Family Residential) subdistrict of the West Roxbury Neighborhood District (Art. 56).

As mentioned, this project was filed in June 2023, prior to zoning updates adopted by the Boston Zoning Commission on October 18, 2023 to allow child care centers and accessory family child care homes as land uses across all zoning subdistricts. The refusal letter is from March 20, 2024, but refers to the previous zoning regulations for this type of land use prior to the October 2023 zoning updates.

Under the previous zoning, the proposed accessory family child care home was a Conditional use within the 1F-6000 subdistrict under the term "Daycare" (Art. 56 – Sec. 7) and would have required 0.7 parking spaces per 1,000 sq ft of the proposed child care space based on the regulations for the category of "Community Uses" (Art. 56 – Sec. 39). However, under both updated zoning and the way that both the Mayor's Office of Early Childhood and the Massachusetts Department of Early Education and Care (EEC) would interpret this project, this would be an accessory family child care home, i.e. an Allowed use and would not have a minimum parking requirement. As stated in the Planning Context, this would remove several barriers to providing a community-serving use aligned with City goals of increasing child care options in areas like the West Roxbury neighborhood where the MOWA report identified high need for child care.

The refusal letter cites a "Change in Non-Conforming Use" violation (Art. 9 – Sec. 2) due to the existing two-family residential dwelling being a Forbidden use within the 1F-6000 subdistrict. As

BOA1583137

2024-05-21

2 Boston Planning & Development Agency



noted in the Planning Context, this property is surrounded by a variety of one- and two-family dwellings and this is due to it being on a segment of Centre Street where the western side of the street is in the 1F-6000 subdistrict and the eastern side is in the 2F-5000 subdistrict. This has produced a mix of properties on both sides of Centre Street that have nonconforming land uses indicating that the proposed change in non-conforming use is appropriate to ensure the proponent is not deprived of the reasonable use of their land per Sec. 7-3

Site plans completed by Boston Survey Inc. on October 10, 2023. Project Plans completed by GJ Design Group on June 6, 2023.

Recommendation:

In reference to BOA1583137, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO: that no building code relief be granted.

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rana", is written over a faint, light blue circular stamp.

Director of Planning, BPDA



Case	BOA1521952
ZBA Hearing Date	2024-05-21
Address	259R to 259RF Market ST Brighton 02135
Parcel ID	2202571000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 1F-5000
Zoning Article	51
Project Description	Erect (4) new 3-story townhomes in a newly created rear lot (Lot-B, 10,845 sq. ft.) behind the existing two-family dwelling, which will remain on the street facing lot. Each townhome features garaged parking for two cars and top story decks. See ALT1484754 & ALT1515523 for subdivision applications.
Relief Type	Variance
Violations	Lot Frontage Insufficient FAR Excessive Height Excessive (stories) Front Yard Insufficient Use: forbidden (townhomes) Use: forbidden (multi-family dwelling) Dimensional Regulations Applicable in Residential Subdistricts: Location of Main Entrance Application of Dimensional Requirements: Two or More Dwellings on Same Lot

Planning Context:

Parcel is an abnormally shaped (60' frontage, 255' depth) parcel, that extends deep into an irregularly wide residential block in Brighton, approximately one block to the east of McKinney Playground. The proponent seeks to subdivide the lot into two, retain the existing two-family on what would be the front lot, and construct four one-unit townhomes on the rear lot. The space is currently occupied by a small garage and greenhouse, which are accessible by a driveway running along the south side of the parcel.

While infill housing development was not specifically mentioned in the Allston/Brighton Needs Assessment (completed in January 2024), housing was identified as the most critical need in the neighborhood. In particular, the assessment noted how housing production in Allston/Brighton has not kept pace with overall housing production in Boston, and this proposal is an excellent example of new kinds of housing production that can help to close that gap.

BOA1521952

2024-05-21

1 Boston Planning & Development Agency



The basic planning need to be addressed is striking a balance between 1) building contextual housing on vacant space to address the housing crisis; and 2) ensuring that development on atypical parcels mitigates potential negative effects on neighbors. This condition of a deep and skinny lot is distinct for Brighton, and the zoning violations in general reflect the degree to which existing language is not flexible enough to handle lot sizes with abnormal proportions and size. In particular, while townhomes may reasonably be a forbidden use in parcels where only detached residences of between one to three units can generally fit, townhomes (and to a lesser degree, rowhouses) allow for units to be placed nearer to each other in a form that resembles the overall scale of housing in Allston and Brighton.

Zoning Analysis:

Lot Frontage Insufficient: Per Article 51, Table D, the minimum lot frontage for uses other than a 1 Family Detached is 50'. In this case, as a rear lot, the frontage would be 0'. In this case, what would be the front lot is proposing a 20' access easement. This 20' easement cannot be made larger due to the placement of the existing two-family structure, as well as to avoid reducing that lot's effective frontage further below 50'. This is an appropriate solution given the abnormal configuration of the parcel, and relief is appropriate.

FAR Excessive: Per Article 51, Table D, the maximum FAR for a use other than a 1 Family Detached is 0.5. This proposal suggests an FAR of 0.72, which is a violation. This latest version of the plans reduces the unit count from 7 to 4, to lower this violation. An abutting parcel with a single family dwelling has an FAR of 0.56, so 0.72 is contextually similar. Given the abnormal size of this parcel relative to neighbors and degree to which this new construction is not visible from the public realm, relief is appropriate.

Height Excessive (stories): Per Article 51, Table D, the maximum number of stories for a use other than a 1 Family Detached is 2.5. These townhouses are proposed as three stories, which is a violation. Many residential buildings in this area are between 2.5 and 3 stories, depending on roof pitch, and some adjacent commercial buildings are a full three stories with flat roofs. Given that these proposed townhomes have pitched roofs already, they are contextually appropriate. Future zoning reform should consider adjusting dimensional standards to align base zoning



requirements with the actual built form, in particular to avoid roof violations related to half story changes.

Front Yard Insufficient: Per Article 51, Table D, the minimum front yard setback for any use other than a 1-Family Detached is 20. To avoid additional side and rear yard violations, this proposed subdivided lot has a front yard setback of 1', which is a violation. Given that this 'front yard' is in fact entirely to the rear of an additional parcel, and that there remains 25' feet between this building and the existing two-family to the front, appropriate space between the two buildings is present. Given the abnormal positioning of this parcel, relief is appropriate.

Use: forbidden (townhomes): Per Article 51, Table D, townhouses are a forbidden use in this 1F subdistrict. Given the abnormal size of the lot relative to other lots in this subdistrict and relative to the citywide policy objectives of housing production, small-scale multifamily is appropriate in this location, and relief is appropriate.

Use: forbidden (multi-family dwelling): Per Article 51, Table D, multifamily dwellings are a forbidden use in this 1F subdistrict. Given the abnormal size of the lot relative to other lots in this subdistrict and relative to the citywide policy objectives of housing production, small-scale multifamily is appropriate in this location, and relief is appropriate.

Dimensional Regulations Applicable in Residential Subdistricts: Location of Main Entrance: Per Section 51-9.4, main dwelling must face the front lot line. In this case, given the abnormal shape of the parcel in combination with its placement behind another parcel, a main entrance facing the front is incompatible with otherwise maintaining most dimensional requirements of the zoning code. Because the proponent is providing an access easement along the southern edge of the front parcel, the most appropriate location for the main entrances on the rear parcel is also this southern side. This happens to be facing the southern side yard side of the parcel, and relief is appropriate.

Application of Dimensional Requirements: Two or More Dwellings on Same Lot: Per Section 51-57.13, a dwelling cannot be built to the rear of another dwelling, they must have distance between them, and dimensional regulations apply individually to each building as if they were separate lots. In this case, townhouses are a contextually appropriate way to build additional



units at a scale that resemble surrounding context, though they functionally operate from a design perspective more like multifamily dwellings in a single building. Given that this is all

happening behind another parcel and given the abnormal shape of the parcel, the placement of these buildings relative to one another is constrained, and relief is appropriate.

Given the unconventional proposal of housing behind other housing in Allston, design review can ensure that the overall measures being proposed here provide appropriate mitigation to surrounding property owners.

Additionally, the ISD refusal letter notes that a full building code review is pending, and that a dwelling behind a dwelling will require compliance with fire truck access. Accordingly, we recommend that no building code relief be provided here.

Recommendation:

In reference to BOA1521952, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that no building code relief be granted, that plans shall be submitted to the Agency for design review.

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rana", with a stylized flourish extending to the right.

Director of Planning, BPDA



Case	BOA1521950
ZBA Hearing Date	2024-05-21
Address	257 Market ST Brighton 02135
Parcel ID	2202571000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 1F-5000
Zoning Article	51
Project Description	Proposed subdivision of single parcel into two parcels filed in conjunction with proposal to construct multifamily residential building on new rear parcel
Relief Type	Variance, Conditional Use
Violations	Parking or Loading Insufficient Rear Yard Insufficient Extension of Non-Conforming Use

Planning Context:

The proposed project intends to subdivide an existing parcel into two parcels. The current parcel contains one existing two-family home and a garage. The intended subdivision would divide the parcel into two lots, the front of which would contain the two-family home, and the rear of which would contain the garage. The front parcel (with frontage along Market Street) is proposed to contain a 20' wide access easement to the newly created rear parcel. This proposal was submitted in conjunction with an appeal to develop the rear parcel as 259 Market Street. The following recommendation does not consider the proposed development, only the subdivision associated with this Board of Appeal request.

Zoning Analysis:

The proposed parcel division is located in the Allston/Brighton Neighborhood District, in a One-Family Residential (1F-5000) subdistrict pursuant to Article 51 of the Zoning Code. The refusal letter responds to three zoning violations, insufficient parking, rear setback, and extension of a non-conforming use. Both the insufficient parking and the extension of the non-conforming use persist from existing conditions on site, and are not changing due to the proposed lot subdivision. The rear yard setback for the front parcel (parcel containing the existing two-family home) would be reduced from a compliant dimension to approximately 30', ten feet fewer than required by zoning. Existing front and side setbacks that would remain unchanged ensure the



provision of adequate open space. Both parcels as proposed would contain dimension to satisfy the minimum lot size set forth by the zoning subdistrict.

Recommendation:

In reference to BOA1521950, The Boston Planning & Development Agency recommends APPROVAL .

Reviewed,

A handwritten signature in blue ink, appearing to read "Anne Kane", is written in a cursive style.

Director of Planning, BPDA



Case	BOA1576209
ZBA Hearing Date	2024-05-21
Address	4 to 6 E Springfield ST Roxbury 02118
Parcel ID	0801496000
Zoning District & Subdistrict	South End Neighborhood NDA
Zoning Article	Article 64
Project Description	Change occupancy from 4 to 6 residential units. Addition of 2 floors and roof decks. Interior renovation.
Relief Type	Variance, Conditional Use
Violations	Roof Structure Restrictions Parking or Loading Insufficient FAR Excessive Rear Yard Insufficient

Planning Context:

The project is located on a mixed-use street, lined with multifamily residential buildings, restaurants, and offices, and is 0.1 miles from the bus network servicing Washington St. The existing multifamily residential buildings range from 3 stories to 5 stories tall. The existing building is a 2 1/2-story multifamily residential building. The project proposes to add 2 additional stories (5 stories) and a roof deck and increase its occupancy from 4 to 6 units.

The scale, massing, and use of the proposed project are consistent with the surrounding context. However, the proposed 2-story addition does not match the historic architectural character of the surrounding neighborhood as it is not set back from the original historic building. This is notable as the project is located in the South End Landmark District.

The creation of two additional units is consistent with Boston's goals, as outlined in Housing a Changing City (2018), of increasing housing stock.

Zoning Analysis:

The project triggers Section 64-34.-Restricted Roof Structure Regulations as the proposal alters the profile and configuration of the roof, as detailed here " no roofed structure designed or used for human occupancy, access (except as allowed in following paragraph), or storage, and no roof structure, headhouse, or mechanical equipment normally built above the roof and not



designed or used for human occupancy, shall be erected or enlarged on the roof of an existing building if such construction relocates or alters the profile and/or configuration of the roof or mansard, unless after public notice and hearing and subject to Sections 6-2, 6-3, and 6-4, the Board of Appeal grants a conditional use therefore."

The proposed project exceeds the maximum 3 FAR. As outlined in the planning context, the proposed project is consistent in scale and massing with the existing context.

The proposed project does not meet the minimum 20' rear yard requirement. The 0.7' rear yard is an existing condition and thus an existing nonconformity. The proposed changes do not exacerbate the nonconformity.

The project does not meet the minimum 4.2 parking spaces. Reducing the number of parking spaces is consistent with GO BOSTON 2030's (2017) goals of reducing reliance on private vehicles.

Recommendation:

In reference to BOA1576209, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE with attention to introducing a larger setback for the 2-story addition and ensuring the roof deck is not visible from the street. .

Reviewed,

A handwritten signature in blue ink, appearing to read "Anne Rando", is written in a cursive style.

Director of Planning, BPDA



Case	BOA1552645
ZBA Hearing Date	2024-05-21
Address	243D Savin Hill Ave Dorchester 02125
Parcel ID	1302329000
Zoning District & Subdistrict	Dorchester Neighborhood 1F-7000
Zoning Article	65
Project Description	To demolish an existing single family home and replace it with a new home featuring a pool.
Relief Type	Variance
Violations	Lot Frontage Insufficient Placement of Front Door

Planning Context:

This project proposes new ground-up construction of a single family home on a lot that is currently occupied by an existing single family residence. This area of Savin Hill is characterized by large single family homes, with many of these residences being historically significant for their design. This is reflected through the Neighborhood Design Overlay District which was established “to protect the historic character, existing scale, and quality of the pedestrian environment in the neighborhood.” The proposed project would demolish an existing residence. Demolition is reviewed through Article 85 The structure being demolished is not a contributing structure to neighborhood character, especially as the parcel is screened from the street by surrounding properties. While this project is new construction, the design seems to fit in with the already constructed developments surrounding the lot but design review is recommended to ensure compliance.

Zoning Analysis:

This development triggers two violations, which are both related to the irregular shape of the lot. The violations are both in Article 65 Section 9 of the zoning code and pertain to insufficient lot frontage and the placement of the front door away from the main street. However, the size and shape of this lot would prevent any sort of reasonable development and presents a hardship to the proponent. This lot is located away from the main road, behind a row of properties that disconnect it from the street. Instead, the residents of 243 Savin Hill Avenue and the surrounding residences share a private way to the street.



The lot in question therefore has no frontage on the main street, presenting a challenge to all developments. The front door placement also fits within this paradigm, as while the door does not face the main street, it does face the passageway which makes it feel appropriate in its placement. If the development were to follow the rule to the letter, the front door would open up on the rear of a neighboring property. Together, these limitations reflect hardship on the development.

Recommendation:

In reference to BOA1552645, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review.

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rand", with a stylized flourish at the end.

Director of Planning, BPDA



Case	BOA1587525
ZBA Hearing Date	2024-05-21
Address	34 to 36 WILLIAMS Ave HYDE PARK 02136
Parcel ID	1810603000
Zoning District & Subdistrict	Hyde Park Neighborhood 1F-6000
Zoning Article	Article 69
Project Description	Convert an existing barn structure (in the rear of the primary dwelling) into an Accessory Dwelling Unit. The primary dwelling is one unit and owner-occupied.
Relief Type	Variance
Violations	Limitation of Area for accessory use (parking) Lot Area Insufficient Usable Open Space Insufficient Rear Yard Insufficient FAR Excessive Two or More Dwellings on Same Lot #34R Lot Area Insufficient #34R Lot Width Insufficient #34R Lot Frontage Insufficient #34R Usable Open Space Insufficient #34R Side Yard Insufficient #34R Rear Yard Insufficient #34R Parking Insufficient #34R Two or More Dwellings on Same Lot

Planning Context:

The City of Boston and the BPDA are currently working to eliminate barriers to building Accessory Dwelling Units (ADUs) by updating zoning to make these small homes as-of-right citywide. The ADU program allows owner-occupants to build smaller, independent units inside their homes or in their yards. This initiative aims to expand lower-cost housing options, empower residents to build wealth, and foster diverse, multi-generational living spaces.

ADUs are an important part of Boston’s housing production toolbox and can help ease Boston’s affordable housing crisis. ADUs simultaneously support flexibility in Boston’s housing stock—allowing homes to expand as families grow or relatives move in due to life events—while also adding much-needed new rental units to the neighborhood. ADUs are a type of naturally-occurring affordable housing because they are often developed by owner-occupants in

BOA1587525

2024-05-21



response to a unique need that their household has. This may include, for example, the need to move an aging grandparent, or a recent graduate into the household.

Zoning Analysis:

Currently, within the Hyde Park Neighborhood District, an Additional Dwelling Unit is allowed and exempt from all requirements of this Code provided that it is within an existing residential structure and the Additional Dwelling Unit does not involve any bump out, extension or construction to the existing envelope of the structure. Therefore, this project only requires zoning relief because the proposed ADU is within an existing external accessory structure, as opposed within the existing residential structure.

The majority of zoning violations for this case relate to the dimensions of the existing lot, the primary dwelling, and the barn structure. These dimensions, however, are existing non-conformities and would not be changed by the proposed project.

The violations which would be introduced or worsened by the proposed project are the violations which relate to the number of units on the lot (usable open space and insufficient parking), and as well as the prohibition on multiple dwellings on one lot. The proposed parking does not meet the zoning requirements because the zoning requires 2 parking spaces per dwelling unit. The property currently has 2 parking spaces, and so the addition of another unit would mean it would have 1 parking space per dwelling unit. However, this is within BTDA's recommended parking ratio for Hyde Park listed in the Guidelines by the Boston Transportation Department for use by the Zoning Board of Appeal (1.0-1.5 spaces per unit). The zoning also requires 1,800 sq ft of usable open space per unit. Therefore, in order to have 2 units on this lot, there would need to be 3,600 sq ft. The actual proposed usable open space is not clear because the applicant did not provide a landscape plan, but it appears from the site plan that there will be at least 3,200 sq ft of usable open space provided. Therefore, if there is an usable open space violation, it is minor.

Zoning relief is appropriate, as the proposal is in alignment with the city's goals of allowing ADUs city-wide. As stated in the planning context of this recommendation, ADUs are an important part of Boston's housing production toolbox and can help ease Boston's affordable housing crisis. The BPDA is currently working on an ADU zoning reform initiative aimed at creating additional housing capacity in our neighborhoods, in a manner that reinforces the



existing character and fabric of the built environment. Small-scale residential projects, including ADUs, are a low impact strategy to provide new housing opportunities to Bostonians at a range of income levels and ages. As proposed, the design is well-aligned with the policy and design strategies informing ADU best practices that Boston is in the process of adopting into its regulatory framework.

Recommendation:

In reference to BOA1587525, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that the ADU structure maintains a sloped roofline.

Reviewed,

A handwritten signature in blue ink, appearing to read "Anne Kane", is written over a faint, light blue circular stamp.

Director of Planning, BPDA



Case	BOA1553455
ZBA Hearing Date	2024-05-21
Address	1052 Hyde Park Ave Hyde Park 02136
Parcel ID	1808041001
Zoning District & Subdistrict	Hyde Park Neighborhood
Zoning Article	69
Project Description	Erect a new 3-story, multifamily residential building, with 12 units and 12 surface parking spaces on a newly created 11,151 sq ft lot. Demolish an existing single family house currently located on the site
Relief Type	Variance and Forbidden Use
Violations	Forbidden Use Parking or Loading Insufficient FAR Excessive Height Excessive Height Excessive (stories) Side Yard Insufficient Usable Open Space Insufficient Conformity Building Alignment

Planning Context:

The proposed project sits in a single-family (1F-6000) residential subdistrict in Hyde Park. The surrounding context includes a mix of residential and commercial uses and various housing typologies, however, for the most part nothing as dense as 12 stories. Directly abutting the parcel on either side is a single story plumbing and home repairs business, and on the other side, a two-story single family home. The project site is located in an economic and transit rich location, being a 15 minute walk from the Cleary Square commercial district and the Hyde Park and Fairmount commuter rail stations. The project is just outside of the Cleary Square Square + Streets planning area, and as such will serve to benefit from any planning recommendations that occur. The proponent seeks to construct a new three-story, multifamily residential building with 12 units and surface parking on a newly created 11,151 square foot lot. Per the Inclusionary Development Policy currently in effect, at least one inclusionary unit must be dedicated as this project has more than ten units and requires zoning relief. This project would require the demolition of the existing two-story single-family dwelling which is occurring under a separate permit.



Zoning Analysis:

The proposed project sits in a single-family (1F-6000) residential subdistrict in Hyde Park. The proposed plans are in violation of Article 69 Section 29 which define off-street parking and loading requirements as being two spaces per dwelling unit (in this case, 24 spaces). The proponent is proposing to provide one space per unit (twelve spaces in total). The plans are also in violation of Article 69 Section 30 which defines conformity with existing building alignment.

The code states: if at any time, in the same Block as a Lot required by Article 69 to have a minimum Front Yard, there exist two or more Buildings fronting on the same side of the same Street as such Lot, instead of the minimum Front Yard depth specified in this Article, the minimum Front Yard depth shall be in conformity with the Existing Building Alignment of the Block. The front yards of the surrounding buildings greatly vary, ranging from very little frontage on buildings across the street to 10-25 feet of front yard space on the buildings neighboring it. However, given the scale, which greatly exceeds that of the buildings surrounding, more frontage would be necessary.

Furthermore, the proposed use is forbidden, being that it is proposing a multifamily residence in a single family residential zone. That being said, while there are varying housing typologies in this neighborhood along Hyde Park Ave, there are not many buildings of this particular scale nor multifamily residential typology (12 units) present along the corridor. While the maximum FAR is 0.5, the project is proposed at FAR 0.67. The plans are in violation of the neighborhood zoning height requirement which is defined as 2.5 stories, and 35 feet. The plans exceed these requirements by a half story, and 3.6 feet. The proposal is also in violation of usable open space and side yard minimum requirements. The required usable open space is 1,800 square feet while the proposal provides 123 square feet. Further, the required minimum side yard for the neighborhood is 10 feet, while the proposal only provides 4 feet and 10 inches of space. This does not provide an adequate amount of space between the proposed project and the abutting buildings.

Recommendation:



In reference to BOA1553455, The Boston Planning & Development Agency recommends DENIAL.

Reviewed,

A handwritten signature in blue ink, appearing to read 'Annee Rand'. The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Director of Planning, BPDA



Case	BOA1572704
ZBA Hearing Date	2024-05-21
Address	40 Rexford St Mattapan 02126
Parcel ID	1801113000
Zoning District & Subdistrict	Greater Mattapan Neighborhood R2
Zoning Article	60
Project Description	Interior renovation of an existing third-floor unit of a three-story building.
Relief Type	Variance
Violations	Parking or Loading Insufficient Use: forbidden (three-family)

Planning Context:

The site is located on a residential street off of Mattapan Square within the PLAN: Mattapan study area.

The project renovates the interior of an existing third-floor unit of a three-story building, expanding living space into what is currently storage space. This property is assessed as a two-family residential property, but the plans provided and Google Street View indicate that there is an existing third unit on the third floor.

The expanded livable area for this project aligns with PLAN: Mattapan’s (2023) in that the program stays within the three-story building scale maximum of the surrounding residential fabric and the extra space supports opportunities to accommodate growing living arrangements.

The site is near public transit, with a 4-minute walk to bus stops on Blue Hill Ave. The project does not create additional off-street parking spaces for the third unit. in line with the City's goals of reducing dependency on private vehicles, as outlined in Go Boston 2030 (March 2017).

Zoning Analysis:

The project violates the 2-dwelling unit maximum of the R-2 district. The existing building, however, has three units and stays within the district's maximum three-story building scale.



The site's close proximity to public transit eliminates the need for off-street parking, making this a strong case for zoning reform to eliminate parking minimums that create barriers to additional housing in transit-rich areas.

Recommendation:

In reference to BOA1572704, The Boston Planning & Development Agency recommends APPROVAL .

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rand". The signature is fluid and cursive.

Director of Planning, BPDA



Case	BOA1450603
ZBA Hearing Date	2024-05-21
Address	556 Cambridge St Allston 02134
Parcel ID	2101123000
Zoning District & Subdistrict	Allston/Brighton Neighborhood LC-.5
Zoning Article	51
Project Description	Construct a new 4-story 14-unit residential building in place of an existing 2-story commercial building.
Relief Type	Variance, Conditional Use
Violations	Parking or Loading Insufficient FAR Excessive Height Excessive (ft) Usable Open Space Insufficient Side Yard Insufficient Rear Yard Insufficient Use: Conditional (Multifamily)

Planning Context:

The proposed project is seeking to erect a new 4-story residential building with 14 units at 556 Cambridge Street in Allston. This site currently holds a two-story commercial building that would be demolished for the new construction. The proposed project is a 4-story, 40 feet building with 2 units on the ground floor and then 4 units on the second to fourth floor. No parking would be provided on site. There is a bus stop for the MBTA 57 and 501 routes within a 1-minute walk from the project site. While this portion of Cambridge Street is currently zoned as LC-.5, Cambridge Street contains a mix of commercial and residential buildings. On this portion of Cambridge Street, the residential buildings are a mix of two-family, three-family, and multi-family buildings. The commercial buildings contain a mix of businesses that include a grocery store, a restaurant, and a pet clinic. The proposed project also sits across the street from the International Community Church. Cambridge Street will also be a focus area for study for Squares + Streets zoning as part of the upcoming Allston-Brighton Neighborhood Plan that will be launching this year.

This project would help advance the needs identified in the Allston-Brighton Needs Assessment (January 2024). The Allston-Brighton Needs Assessment sought to assess the community’s assets and needs. One of the central needs identified was a need for accessible and affordable



housing. The proposed project would add to the housing stock as it would create housing in a space that was previously used for commercial uses. It is also accessible to transit due to the MBTA bus stop for the 57 and 501 route within a minute walk from the site. This project would also add affordable housing units as per the City's Inclusionary Development Policy (IDP). IDP requires that market-rate housing developments with 10 or more units and in need of zoning relief support the creation of income restricted housing. While it is unclear from the plans how many of the proposed 14 units will be dedicated as income-restricted, the applicant will need to execute an agreement with the Mayor's Office of Housing to comply with the policy.

Zoning Analysis:

The refusal letter states that there are violations in insufficient off-street parking, insufficient usable open space, insufficient side yard, insufficient rear yard, an excessive FAR, an excessive height, lack of street wall continuity, and the use. Under Article 51, the dimensions for an area zoned as LC-.5 are as follows: maximum FAR of 0.5, maximum building height of 15 feet, minimum usable open space per dwelling unit of 50 square feet per dwelling unit, a minimum rear yard of 20 feet, and a parking ratio of 1.75. While no side yard is required in this subdistrict, because the project abuts a 3F-4000 subdistrict, it is required to have at least 5 feet from the side lot line and 10 feet from an existing structure on an abutting lot. Within this subdistrict, a multifamily residential building is a conditional use.

Under Article 6 Section 3, a conditional use permit can be granted if it meets the following criteria: the specific site is an appropriate use for such use; the use will not adversely affect the neighborhood; there will be no serious hazard to vehicles or pedestrians from the use; no nuisance will be created by the use; and adequate and appropriate facilities will be provided for proper operation of the use. A conditional use permit should be granted as a multifamily residential dwelling is an appropriate use on Cambridge Street, as it would create transit-oriented housing that would support the planning goals of Allston-Brighton and is contextually consistent with multifamily dwellings found along this part of Cambridge Street.

In regards to the dimensional requirements, relief is recommended for the FAR, height, and for the rear and side setbacks. For the FAR and height, relief is recommended as this project would build a transit-oriented development project in a predominantly residential mixed use corridor, as identified in the Allston-Brighton Needs Assessment. For the rear and side yards, these violations are due to the size of the parcel. As this is a unique parcel, variances should be

BOA1450603

2024-05-21

2 Boston Planning & Development Agency



granted as per Article 7. This parcel sits smaller than the other parcels on Cambridge Street, for those zoned as LC-.5 or for residential uses. The size of the proposed building is contextual with the existing multiple-family residential dwellings on Cambridge Street. Under Article 51, the rear rear yard is required to have a minimum of 20 feet. While there is no side yard required in this subdistrict, because the projects abuts a 3F-4000 subdistrict, it is required to have at least 5 feet from the side lot line and 10 feet from an existing structure on an abutting lot. This project is proposing a rear setback of 6.5' and the west setback, which abuts the 3F-4000 subdistrict, is 2.17'. In order to build a residential building that is comparable to the other multifamily residential buildings on Cambridge Street, this building would not be able to meet the minimum side and rear yard setbacks.

In regards to parking, this is a case of zoning reform as the underlying zoning would require the site to have 28 parking spaces. However, due to the proximity of the MBTA bus stop for the 57 and 501 bus routes, this would be a transit-oriented development where parking is not necessary.

Relief is also recommended for the amount of usable open space. As this project is located in an area that is currently zoned as LC-.5, the current zoning is not consistent with the mixed-use land uses of Cambridge Street. The proposed project is offering open space as a roof deck and would provide 42 square feet per dwelling unit. This site is also a 6-minute walk from Ringer Park, which has both a sports facilities and a playground on site.

The plans reviewed are titled 556 Cambridge Street and were prepared by Khalsa. They are dated February 5, 2023.

Recommendation:

In reference to BOA1450603, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISOS: a housing agreement be executed with the Mayor's Office of Housing to comply with the Inclusionary Development Policy; that plans be submitted to the Authority for design review.



Reviewed,

A handwritten signature in blue ink, appearing to read 'Anne Kane'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Director of Planning, BPDA



Case	BOA1542408
ZBA Hearing Date	2024-05-21
Address	27 to 29 Kenilworth St Roxbury 02119
Parcel ID	0903229000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	Article 50
Project Description	Construct a new nine (9) unit passive house condo building on a vacant corner lot.
Relief Type	Variance
Violations	FAR Excessive Height Excessive (ft) Height Excessive (stories) Usable Open Space Insufficient Front Yard Insufficient Side Yard Insufficient Additional Lot Area Insufficient Parking or Loading Insufficient Forbidden Use (MFR)

Planning Context:

This proposed project was deferred from its initial hearing date on 4/9/2024. Because no new materials have been provided from the proponent since that date, the project's previously detailed planning context, zoning analysis, and recommendation remain the same.

The proposed project sits in a Three-Family Residential Subdistrict in Roxbury's Highland Park Area. It is also a part of one of the neighborhood's Boulevard Planning Districts (BPDs). According to Section 50-37 of the Zoning Code (Boulevard Planning Districts, Roxbury), BPDs serve as markers of significant neighborhood corridors and gateways to residential areas. Special design guidelines for BPDs are established in Article 50 (Roxbury Neighborhood Zoning). In addition, the project sits within the Roxbury Neighborhood Design Overlay District (NDOD) as well as the Highland Park Architectural Conservation District.

The surrounding context comprises a mix of 2 to 4 story residential and mixed-use structures, with occupancies ranging from single-family to multifamily (20+ dwelling units). The project site is located within a 1/2 mile of the Roxbury Crossing orange line MBTA station and a short walk (500') from bus stops servicing the 14, 15, 19, 23, 28, 41, 42, 44, 45, and 66 MBTA bus routes. It is also within immediate proximity (~1/4) to several civic amenities, including the Roxbury



Heritage State Park, Jeep Jones Park, Madison Park Playground, and Roxbury Branch of the Boston Public Library.

The proposed project seeks to erect a new 3.5 story, 9 unit residential structure upon the site, which currently operates as a 100% impervious surface parking lot. This scope is revised from a previous Article 80 proposal, which included 23 dwelling units and was reviewed by the BPDA in 2022. The updated proposal also includes public realm improvements, which bump out the corner parcel's existing curb to regularize the dimensions of the adjacent intersection and create a new publicly accessible open space with landscaping and new street trees. The project also proposes to create two new accessible pedestrian crossings across Kenilworth Street and Dudley Street (previously there were none). These proposed improvements will be subject to the review and approval of the Public Improvement Commission.

The proposed project's scope, which replaces existing surface parking with housing, is consistent with both City and neighborhood planning goals: (1) to encourage appropriately-scaled residential infill development and create new housing (Imagine Boston 2030, 2016); (2) to promote the development of architecturally contextual mid-density housing (Roxbury Strategic Master Plan, 2006); (3) to reduce impervious surface across the City (Heat Resilience Solutions for Boston, 2023); and (4) to increase tree canopy across the City (Urban Forest Plan, 2022).

Because of the site's location within a BPD, NDOD, and Landmarks District, Landmarks Design Review will be required for the project.

Zoning Analysis:

Because the project sits in a three-family residential subdistrict (3F-4000), its proposed multifamily residential use constitutes a zoning violation. Multifamily residential uses are common in the surrounding area and can be seen existing with occupancies far greater in scale than what is proposed by this project (20+ dwelling units). This condition is also what trigger's the project's additional lot area per dwelling unit violation.

Similarly, while the project's building height (3.5 stories proposed, 3 allowed), FAR (3.44 proposed, 0.8 allowed), side yard (0' proposed, 10' required) dimensions exceed the permitted zoning regulations for the area, several existing precedents of similar scale and dimensional violations can be found within a block radius of the project site. In fact, many of these examples actually exceed the scale of what is proposed by this project, especially in height.

BOA1542408

2024-05-21

2 Boston Planning & Development Agency



While the project also holds violations for insufficient usable open space and off-street parking, these are largely offset by the public realm improvements proposed by the project (which include a new publicly accessible open space adjacent to the project and create enough on-street parking spaces to satisfy the site's off-street parking requirement).

The project's front yard dimension conforms with the street's existing building alignment, and should be excluded from the proposal's violation list.

Zoning reform is needed for the area to better align regulation with existing context. Specifically, given the extent of nonconformity already existing there, these efforts should look to expand allowances for multifamily residential uses, amend height requirements to match what is already existing, and replace existing density regulators such FAR and lot area/dwelling unit with more predictable regulators of building form such as building lot coverage.

A proviso for Landmarks Review has been added to this recommendation to satisfy the design review requirements of both the Roxbury NDOD and Highland Park Architectural Conservation District.

Recommendation:

In reference to BOA1542408, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISOR/S: that plans shall be submitted to the Boston Landmarks Commission for design review .

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rand", is written over a light blue circular stamp.

Director of Planning, BPDA



Case	BOA1529408
ZBA Hearing Date	2024-05-21
Address	31 Rosedale ST Dorchester 02124
Parcel ID	1700647000
Zoning District & Subdistrict	Dorchester Neighborhood 3F-6000
Zoning Article	65
Project Description	Gut renovation, construction of living space in the basement, addition of roof dormers and turret, creation of new parking spaces in rear, and change in occupancy from two-family to three-family residential building.
Relief Type	Variance
Violations	Limitation of off street parking areas Parking in the Front Yard Lot Area Insufficient FAR Excessive Height Excessive (stories)

Planning Context:

The proposed project is located in Codman Square on a through-lot with Rosedale Street in the front and Dunlap Street in the rear. The site is currently occupied by a 2.5-story, two-family residential building with several mature trees in the rear and a driveway on the east side of the lot. The site is abutted by 2.5-story residential buildings on both sides. The neighborhood is composed of similar, 2.5- and 3-story residential buildings. Residential use of the basement level is an existing condition, as are dimensional violations for excessive height and floor area.

Zoning Analysis:

The proposed project will extend the existing driveway and create a surface parking area for four vehicles in the rear of the building. Because the site is a through-lot, it has no rear yard per Section 65-42.10. The proposed parking plan should be refined in the design review process to minimize impervious surface area and impacts to open space.

Section 65-8.2 prohibits basement dwelling units within the Dorchester Neighborhood District. However, the existing site condition includes two bedrooms and a kitchen in the basement, so there is existing living space in the basement. The site is not located in the Coastal Flood Resiliency Overlay District (CFROD), so there are no known concerns about flooding in the



basement. Given that there are no known hazards, the zoning subdistrict allows for three units, and there is existing living space in the basement, providing zoning relief for the basement unit is recommended. Expanding residential uses is a City goal, and legalizing the housing unit will help ensure the space is safe and up to building code standards. The Section 65-8.2 prohibition of basement units in the Dorchester Neighborhood District presents a possible hardship due to its inconsistency with other neighborhood articles and the base code.

The proposed project is also cited for insufficient lot area. Dorchester Neighborhood 3F-6000 requires a minimum lot area of 6,000 square feet for up to 2 units. The lot at 31 Rosedale is 5,038 square feet, and there are currently two units, so the existing condition is non-conforming. The proposed project will exacerbate the existing non-conformity by adding a third unit, but there is established precedent within the neighborhood for this non-conformity. For example, there are several three-family buildings on Dunlap Street on even smaller lots, including on the lot directly across Dunlap from the proposed project. Similarly, the proposed FAR is excessive of the maximum 0.4, however, based on Boston Assessor's Office records of lot size and living area, there are several buildings nearby that exceed the maximum FAR, including the two buildings that abut the proposed project on either side. Preventing the proposed project on these grounds may prevent reasonable use of the land based on the neighborhood context.

The proposed project is also cited for a violation of the maximum building height of 2.5 stories. Although the project is not increasing the height of the building in feet, it does propose to add a dormer and turret which will increase the living space. The proposal does change the roof line, but it does not flatten the roof or increase any impacts related to height. Therefore, preventing the proposed increase in living space based on maximum FAR and building height in stories would preclude reasonable use of the property and zoning relief is justified.

The proposed project is cited for violating Section 65.9-2 which requires "Within the Residential Subdistricts, the main entrance of a Dwelling shall face the Front Lot Line". The proposed location of the basement unit entrance is on the east side of the building where there is an existing door. The existing and proposed driveway is adjacent to the east side of the building, providing safe and convenient access to the proposed entrance for residents and any potential emergency response personnel, therefore zoning relief is recommended.

Recommendation:



In reference to BOA1529408, the Boston Planning & Development Agency recommends APPROVAL WITH PROVISOS: that plans shall be submitted to the Agency for design review; that no building code relief be granted..

Reviewed,

A handwritten signature in blue ink, appearing to read 'Amee Rand'. The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Director of Planning, BPDA



Case	BOA1567789
ZBA Hearing Date	2024-05-21
Address	1 to 7 Selkirk RD Brighton 02135
Parcel ID	2102162000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 3F-6000
Zoning Article	51
Project Description	Construct four three-story townhouses and four parking spaces
Relief Type	Variance
Violations	Parking or Loading Insufficient FAR Excessive Height Excessive (stories) Rear Yard Insufficient

Planning Context:

The proposed project intends to construct four attached three-story townhouses on an approximately 9,000 SF empty corner lot in the Brighton neighborhood near the Brookline town line. The adjacent property on Kilsyth Road is under common ownership, and proposes improvements submitted to the Zoning Board of Appeals for conversion from a single-family to a four-family building with additional improvements (BOA 1548380). The parcel is located within the Aberdeen Architectural Conservation District and within a Boston MHC Historic Inventory Area, although there is no inventoried structure on the site. The buildings abutting the project site are listed within the MACRIS Kilsyth Road and Lanark Road inventory area, and are recorded as the "best preserved of the picturesque suburban streets developed in the 1890s in the Aberdeen area." The inventory document continues on to note that "Houses are generous in size and are placed to emphasize natural geological features and create a rural atmosphere."

Zoning Analysis:

This project was previously reviewed by the BPDA for the ZBA hearing on April 9, 2024. Because no new plans have been submitted, the BPDA's recommendation has remained the same.

The proposed project is located in the Allston-Brighton Neighborhood District, within a 3F-6000 subdistrict, pursuant to Article 51 of the Zoning Code. Violations cited for the proposed project include Excessive Height, Rear Setback, Excessive FAR, and Insufficient Parking. Per Article

BOA1567789

2024-05-21

1 Boston Planning & Development Agency



51, there is also a restriction of the number of townhouses allowed on the lot, at three, although this violation is not reflected in the Refusal Letter. Given the nature of this parcel as a corner lot with two front yards, bounded to the rear by a parcel of the same ownership, the insufficient rear setback condition merits zoning relief. However, as the neighborhood has been cited for its rural-like setting within the greater urban context and contains heavily planted yards on surrounding parcels, it is recommended that the proponent work to increase the rear setback through the process of design review, potentially by reducing the length of the units. The excessive FAR also merits zoning relief, as the FAR given in the Zoning Code pertains to maximum three units on a site, whereas this proposal intends to construct four units. The FAR should scale accordingly to provide adequately for the addition of a unit on this sufficiently large parcel.

The height of the proposed development exceeds the zoning allowance by one 0.5' at 35.5'. Given the extreme topography of both the parcel and the surrounding neighborhood, the proposal demonstrates an accounting for the topography of the site, and should be given relief with respect to height in alignment with the MACRIS inventory document for the area, for placement to emphasize natural geologic features. Additionally, while the proposal is not compliant with height in terms of feet, it does conform with the allowable number of stories (3) for the subdistrict.

The required parking at the project site per the Zoning Code is 1.75 spaces per unit, thus this proposal is not compliant through the offering of only 4 parking spaces. The equivalent of one space per unit is sufficient per BTM Parking Maximums and based on the parcel's proximity to transit options such as the Green Line. The proponent should work with the BPDA Urban Design team to review the materiality of the parking area through Design Review, ensuring that it comprises a pervious surface similar to other small parking lots in the neighborhood.

While the dimensional violations of this project merit relief, this project should undergo Design Review to better align with the architectural character set forth within the Neighborhood Design Overlay District and the Aberdeen Architectural Conservation District. Parcels within this district are heavily planted with mature trees, and contain architectural features such as porches, stone piers, and gabled roofs. Section 51-51 of the Zoning Code states that while "contemporary design for residential structures shall not be discouraged," such designs should "reflect and complement the patterns of height, siting, and architectural character of the surrounding residential structures."



Recommendation:

In reference to BOA1567789, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Boston Landmarks Commission for design review .

Reviewed,

A handwritten signature in blue ink, appearing to read "Annee Rand", is written over a light blue circular stamp.

Director of Planning, BPDA



Case	BOA1565390
ZBA Hearing Date	2024-05-21
Address	16 Rowena ST Dorchester 02124
Parcel ID	1605323000
Zoning District & Subdistrict	Dorchester Neighborhood 1F-7000
Zoning Article	65
Project Description	Change occupancy of existing two-family residential dwelling to three-family by adding a 2-bedroom unit in the basement.
Relief Type	Variance and Conditional Use
Violations	FAR Excessive Parking or Loading Insufficient Extension of Non Conforming Use Use: Forbidden (3-Family) Dim Regs: Location of Main Entrance

Planning Context:

The proposed project is seeking to change its occupancy from a two-family residential dwelling at 16 Rowena Street in Dorchester to a three-family residential dwelling. Based on the presence of three mailboxes at this address, it is likely that the dwelling already contains three units. Existing condition plans were only submitted for the basement level, which do not label this area as a living area. Based on plans submitted, it is unknown if the dwelling contains an unpermitted, third unit on upper levels above the basement.

With the proposed changes, the grade of the entrance would be lowered to accommodate a new door. No changes would be made to the existing massing and structure. The proposed unit would have 920 square feet of usable space, with 2 bedrooms, an in-unit laundry and sufficient space for a kitchen and living room. While this area is currently zoned as 1F-7000, Rowena Street contains a mix of single-family, two-family, and multi-family residential buildings.

There are currently no active planning initiatives for this area. However, this project would help further the goals outlined in Housing a Changing City, Boston 2030 (September 2018) as it would increase the housing stock by adding an additional unit at this building.

Zoning Analysis:



The refusal letter for this project states violations in an extension of a non-conforming use, insufficient off-street parking, a forbidden use, excessive FAR, and the location of the main entrance. Under Article 65, for an area zoned as 1F-7000, both two-family and three-family dwellings are forbidden. As the existing building is currently a two-family residential dwelling, changing the occupancy to a three-family dwelling is an extension of a non-conforming use. The current zoning also addresses the excessive FAR violation. Since the existing structure and massing would not change with the proposed project, the creation of living space in the previously unused basement, is creating an excessive FAR.

Under Article 65, a parking ratio of 1.0 is required in this area and would require three parking spaces. The project currently only offers space for two spaces. However, this is also a case for zoning reform to address the discrepancy between parking as a necessity and a requirement. This site is situated near transit options as the Ashmont MBTA Red Line Station is a 5-minute walk away. This station also includes access to multiple bus lines such as the 22, 23, 24, 26, and 215 bus routes.

The appeal submission includes only current and proposed plan views of the basement, and a plot plan. The submission does not include any elevations, nor a site plan indicating parking and landscaping areas. This information is necessary to understand the proposed design of the basement dwelling unit, particularly as it relates to the surrounding grade. Without this information, staff are unable to adequately assess if proposed zoning relief is appropriate.

The plans reviewed are titled 16 Rowena Street and were prepared by Mark Schryver on May 23, 2023.

Recommendation:

In reference to BOA1565390, The Boston Planning & Development Agency recommends DEFERRAL for submission of adequate plans, including elevations and a site plan indicating parking and landscaping areas.



Reviewed,

A handwritten signature in blue ink, appearing to read 'Anne Kane'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Director of Planning, BPDA



Case	BOA1588450
ZBA Hearing Date	2024-05-21
Address	94 Harvard ST Dorchester 02124
Parcel ID	1700144000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-5000
Zoning Article	Article 65
Project Description	Construct new 3-story, 4-unit building as part of the Welcome Home, Boston Phase 1 in conjunction with the Mayor's Office of Housing.
Relief Type	Variance, Conditional Use
Violations	Parking or Loading Insufficient Lot Area Insufficient FAR Excessive Height Excessive (ft) Height Excessive (stories) Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient Use: Forbidden (Multi-Family Dwelling)

Planning Context:

This project is one one three buildings in the first phase of the Welcome Home, Boston initiative from the Mayor's Office of Housing. Welcome Home, Boston is a first-time homebuyer program for families earning between 80-100% AMI. This building includes two 3-bedroom units and two studio units. The site is located within a 5-minute walk of the Talbot Ave Commuter Rail Station, and within a 10-minute walk of the Dorchester Center commercial area.

The currently vacant site is within a residential neighborhood with a broad mix of housing, including single-family homes, three-deckers, and multifamily apartment building. The proximity of this site to a high-frequency commuter rail station and a robust commercial center make this an appropriate location for more housing density than the current zoning may allow. Further, the Welcome Home, Boston initiative addresses citywide goals of increasing affordable homeownership opportunities and through the fully electric building design, aligns with City goals of promoting generational wealth and reducing environmental impact.

Zoning Analysis:



The project is cited for insufficient off-street parking, but this is an incorrect citation as Article 65 in Municode does not reflect Text Amendment 454. Text Amendment 454 exempts projects with at least 60% of units being income-restricted at or below 100% of AMI from any parking requirements.

Multi-family dwellings are forbidden within 2F subdistricts of Dorchester. However, this 4-unit project from a design perspective, is similar in scale to the typical three-decker homes found on this same block and within the same 2F subdistrict. There are also several apartment buildings nearby within this 2F subdistrict.

The required lot area here is 5,000 square feet, but this lot is 4,287 square feet. Every lot on this block and the majority of lots within this 2F-5000 subdistrict are under 5,000 square feet, which presents a case for zoning reform.

The maximum FAR here is 0.5, while the proposed project is 0.99. Again, the underlying zoning here is out of date with what is actually constructed, as many of the surrounding properties have an FAR around 1.0 or higher.

The project violates the maximum height in both stories and feet. The proposed height is 3 stories (2.5 maximum) and 42.5' (35' maximum). Many nearby properties exceed the 2.5 stories maximum, primarily the three-deckers, but are consistently under 35' in height.

Finally, the project violates front, side, and rear yard setbacks. The minimum front yard setback is 15' and the proposal is 6'9". Front yard setbacks for the surrounding context are consistently lower than this 15', with some zero-lot-line conditions. The required side yard minimum is 10', and the smallest proposed side yard is 5'. This configuration is to accommodate a driveway within the other side yard of 14'-7", and is a common configuration within this neighborhood. This is a case for zoning reform, where setbacks should instead be calculated as a cumulative total to adjust for this driveway condition. The rear yard setback minimum is 30', and the proposed setback is 17'-2". The neighboring rear yards are both under 10', and the majority of rear yards within this same 2F subdistrict are under 30'. The yard requirements for this 2F-5000 subdistrict are inconsistent with the majority of the built context, illustrating a need for zoning reform in this neighborhood.

Plans reviewed are titled "94 Harvard St. BOSTON, MA 02124", prepared by Studio Luic Architects, and dated May 7th, 2024.



Recommendation:

In reference to BOA1588450, The Boston Planning & Development Agency recommends APPROVAL .

Reviewed,

A handwritten signature in blue ink, appearing to read 'Anne Kane'. The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Director of Planning, BPDA



Case	BOA1588457
ZBA Hearing Date	2024-05-21
Address	84 Harvard St Dorchester 02124
Parcel ID	1700131000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-5000
Zoning Article	65
Project Description	Construction of a new 4-story 8-unit building on a vacant lot.
Relief Type	Variance
Violations	Parking or Loading Insufficient Lot Area Insufficient FAR Excessive Height Excessive (ft) Height Excessive (stories) Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient Use: forbidden (multifamily dwelling) Traffic Visibility Across Corner

Planning Context:

The project is proposing new construction of a residential building on currently vacant, City-owned parcels.

The proponent, Boston Communities, has been awarded land and funding to forward the City of Boston’s “Welcome Home, Boston” program. The proponent is seeking to create approximately 25 units of income-restricted, home-ownership opportunities across three parcels, one of which being 84 Harvard Street. The remaining two other properties include 77 and 94 Harvard Street.

“Welcome Home, Boston” is a housing development initiative started by the Mayor’s Office of Housing, which aims to develop new affordable homes. The three sites previously identified (77 Harvard Street, 84 Harvard Street, and 94 Harvard Street), are part of Phase I of this program, which began in 2022. Community feedback was gathered to determine requirements to help shape the RFPs which were used to select developers for each of the parcels identified in Phase I. Following this process, there was a 14-day comment period in the fall of 2023.

This project is a new 4-story 8-unit building at the corner of Harvard and Spencer Streets. The two streets have different built character and density. Harvard Street is a wider, primary

BOA1588457

2024-05-21

1 Boston Planning & Development Agency



vehicular artery, with several vacant parcels, multifamily buildings that neighbor the site, and a mix of 3-story 1- to 3-family homes. Spencer Street is a smaller residential street with 3- to 3.5-story 1- to 3-family homes with larger 8- to 10-foot front yards. The project's scope to erect 8 housing units is in keeping with planning goals of increasing housing availability, as detailed in *Housing a Changing City, Boston 2030* (September 2018).

The site is close to public transit, with a 9-minute walk to the Talbot Avenue commuter rail station and a 6-minute walk to bus stops on Washington Street. Similar to neighboring 3 family homes and multifamily buildings, the project does not include off-street parking. While the corner lot project has small front yards compared to typical yards in the area, it is built along the Harvard Street property line, aligning with the zero lot line condition of the immediately adjacent multifamily building and has a 2' yard along Spencer Street.

The proposed project is located within the Fairmount Indigo Corridor Plan (2014). The Fairmount Indigo Corridor Plan is a comprehensive, community-based, corridor-wide plan that aims to integrate economic growth and physical improvement along the 9.2 miles of transit corridor of the Fairmount Indigo line. In addition to encouraging transit-oriented development along the line, the Fairmount Indigo Plan recognizes the importance of “strong and livable neighborhoods with high quality housing choices” to ensure the necessary density to make these areas viable and prosperous. This includes adding market rate and affordable housing of appropriate scale that are complementary to the area that the Fairmount stations are located. The plan also emphasizes the need to use publicly-owned real estate assets to attract and unlock strategic private investments near the stations and use City-owned vacancies on residential streets to reduce empty lots and add to the housing stock and improve the quality of housing with infill development.

The Fairmount Indigo Corridor Plan made several recommendations targeted at improving transit-oriented housing and quality housing choice, and increased neighborhood stability and a focus on benefitting current residents. These recommendations include: preventing displacement, allowing for a higher density around transit stations, reducing empty lots, and encouraging mixed-use main streets.

The increased housing units proposed in this project also aligns with the City's goals to develop more housing, per *Imagine Boston 2030* and *Housing a Changing City: Boston 2030* (2018). *Housing a Changing City: Boston 2030* highlighted “increasing access to homeownership, preventing displacement, and [to] promoting fair and equitable housing access”, with a City

BOA1588457

2024-05-21

2 Boston Planning & Development Agency



commitment to create an additional 15,820 units of income-restricted housing from the original 16,000 units proposed in 2014. This updated goal responds to the expected population and job growth Boston will experience by 2030, and the need to keep pace with demand for housing.

Zoning Analysis:

The project violates several dimensional regulations of Article 65 due to its scale. While the proposed side and rear yards of the building are similar to neighboring buildings, the FAR, height in feet and stories, and the front yards are both insufficient under Article 65. The lack of adequate yards at the corner violates the traffic visibility across corner requirement. Ongoing design consultation with Mayor's Office of Housing staff should evaluate the yard space to ensure the project provides contextually consistent setbacks, and evaluate how the proposed height can be contextually integrated with the scales currently found on Spencer Street.

Multifamily is forbidden in the 2F subdistrict. However, 3 family buildings are common in the area and 3 larger multifamily buildings immediately neighbor the site. Like the proposed project, these sites, which average 4,000 SF, do not align with the areas Article 65's lot area minimum of 5,000 SF for 1 or 2 units.

The site's close proximity to public transit eliminates the need for off-street parking required under Article 65. Neighboring 3-family homes and multifamily buildings also do not provide off-street parking.

Recommendation:

In reference to BOA1588457, The Boston Planning & Development Agency recommends APPROVAL.



Reviewed,

A handwritten signature in blue ink, which appears to read 'Anne Kane'. The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Director of Planning, BPDA

MEMORANDUM**April 11, 2024**

TO: **BOSTON REDEVELOPMENT AUTHORITY**
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY (BPDA)
AND JAMES ARTHUR JEMISON II, DIRECTOR

FROM: CASEY HINES, DEPUTY DIRECTOR FOR DEVELOPMENT REVIEW
CAMILLE PLATT, PROJECT MANAGER
JOSEPH BLANKENSHIP, SENIOR TRANSPORTATION PLANNER II
MEGHAN RICHARD, URBAN DESIGNER II
FORD DELVECCHIO, PLANNER I
CAMILLE PLATT, PROJECT MANAGER

SUBJECT: 2 HILLSBORO STREET, DORCHESTER

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) d/b/a the Boston Planning & Development Agency (“BPDA”) authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 2 Hillsboro Street in Dorchester (the “Proposed Project”), in accordance with Article 80E, Small Project Review of the Boston Zoning Code (the “Code”); (2) execute and deliver a Community Benefits Agreement; and take any other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The site is located on an unnumbered parcel on Hillsboro Street in the Uphams Corner Neighborhood of Dorchester. The assessor’s parcel number is 07-03656000 and contains approximately 10,791 square feet. The site, which is currently vacant, sits at the end of Hillsboro Street, which physically ends at the southwest corner of the site, but legally extends to the northwest corner. The Proponent will file an Abandonment Petition with the Public Improvement Commission to seek an abandonment of this section of the street, which is a private way currently open to public access.

The surrounding neighborhood is comprised of a range of building types, including traditional 3- story 19th century homes and new construction triple-decker style buildings, as well as nearby larger 6-story multifamily apartments adjacent to a working industrial area, made up of single- story buildings. Directly abutting the property to the north is the Diamond Windows site.

DEVELOPMENT TEAM

The Development Team for the Proposed Project consists of:

Proponent:	HSS Partners, LLC Brian Goldson William Madsen Hardy
Sponsor:	New Atlantic Development, LLC Brian Goldson William Madsen Hardy
Legal Counsel:	Klein Hornig, LLP Joseph Lieber Michelle Shortsleeve
Architect:	ICON Architecture, Inc. Kendra Halliwell AIA, LEED AIP Maria Baudler
Landscape Architect:	Offshoots, Inc. Kate Kennan Terry Kinsler

PROPOSED PROJECT

The Project includes the new construction of 21 for-sale condominium units in a single four-story building. The Proposed Project's homeownership units will be affordable to households earning 80% AMI and 100% AMI, and will include six (6) studio units, three (3) one-bedroom units, eleven (11) two-bedroom units, and one (1) three-bedroom unit.

<u>Estimated Project Metrics</u>	Proposed Plan
Gross Square Footage	22,362
Gross Floor Area	22,108
<i>Residential</i>	21,263
<i>Office</i>	0
<i>Retail</i>	0
<i>Lab</i>	0
<i>Medical Clinical</i>	0
<i>Education</i>	0
<i>Hotel</i>	0
<i>Industrial</i>	0
<i>Recreational</i>	0
<i>Cultural</i>	845
<i>Parking</i>	0
Development Cost Estimate	\$13,650,000
Residential Units	21
<i>Rental Units</i>	0
<i>Ownership Units</i>	21
<i>IDP/Affordable Units</i>	21
Parking spaces	4

PUBLIC PROCESS

On September 22, 2023, the Proponent filed a Small Project Review Application with the BPDA for the Proposed Project pursuant to Article 80E of the Boston Zoning Code. The BPDA held a virtual public meeting for the Project on October 24, 2023, which was noticed in local papers, posted on the BPDA website and distributed to BPDA email lists and social media. In addition, the Project Team met with the Dudley Street Neighborhood Initiative’s Sustainable Development Committee on September 28, 2023. The project team has also had direct, on-going communication with the direct abutters, including residential owners/tenants, Diamond Windows and Humphreys Street Studios.

COMMUNITY BENEFITS AND MITIGATION

Providing Affordable Homeownership: The Project will advance the City of Boston's housing production goals by proposing to create a variety of affordable and moderate-income, for-sale housing.

Revitalizing an Under-Utilized Site: The Project will be constructed on an underutilized site that is currently vacant. No demolition or displacement will occur.

Transit-Oriented Design: The project will take full advantage of its proximity to public transit and is within close range of a host of bus lines, Zipcar locations, BlueBike stations and is just 0.4 miles from the Upham's Corner Station of the MBTA Fairmount Line and 0.9 miles from the MBTA JFK/UMASS Red Line Station.

Supporting Artists: The Proponent intends to execute a MassDocs Affordable Housing Restriction under which 18 of the units will have a preference for Boston-Certified Artists. Having affordable live/workspaces as well as a common workspace in the building, the project is supporting not just artists, but creative small businesses/sole proprietorships.

Preserving Affordable Artist Workspace: The development of the Project was a key component to the successful preservation of the adjacent Humphreys Street Studios ("HSS") property, which provides workspace for over 45 artists and creative small businesses. The Sponsor worked with the artist tenants at HSS to purchase the property and deed it to a special-purpose nonprofit entity controlled by tenant representatives, with additional board members being appointed by the Sponsor and the Mayor's Office of Arts and Culture. When the HSS property was purchased, the adjoining vacant land was deeded to Proponent for the purposes of constructing affordable housing, allowing housing subsidies to be used to cover a portion of the overall purchase price.

Sustainable Design/Zero Emissions Building: the development team is well versed in providing high-efficiency, low-energy use buildings. The Project will be Passive House Certified.

Creating Job Opportunities: The Project will provide new construction and permanent jobs during both construction and operation.

PLANNING CONTEXT

2 Hillsboro Street is located on the edge of the Upham's Corner commercial node, in an area characterized by a variety of building types, including single family, multi-family, and mixed use commercial/residential developments.

The Proposed Project is located 3 blocks from MBTA bus stops for the 15 and 41 lines. In addition, the Upham's Corner Commuter Rail Station is within a quarter mile walk, and the JFK/Umass Red line stop is a half mile walk down Columbia Road to the east.

The western edge of the property faces the rear of the Humphreys Street Studios, an adapted former industrial site used as artist workspace that provides space to creators throughout the Boston community to both construct and present their art. The focus on the arts is reflected in the new development at 2 Hillsboro street as 18 of the 21 units will have a lottery preference for certified artists. The proponent was also involved in the preservation of artist workspace at the Humphreys Street Studios.

The proposed project is within the study area of the Upham's Corner Station Area Plan, adopted by the BRA Board in 2015, a product of the Fairmont Indigo Corridor Plan. While the zoning recommendations and public realm goals of the Upham's Corner Plan were not formalized through zoning, the goals of this planning process are still relevant to the site. These goals include the following: minimizing displacement of existing residents and businesses, strengthening local business activity, creating transit-oriented housing, and locating residential uses above ground floor retail to provide a stable customer base.

Upham's Corner is identified as an Arts and Innovation District where economic development is anchored by cultural uses. Artist housing, venues for the creative economy, and public realm enhancement are necessary to fulfill this vision, in part through strong public-private partnerships. The proposed project fulfills these objectives by constructing live/work spaces for artists. By creating housing for artists in the neighborhood, this project helps to create a hub for the creative economy that the Arts and Innovation District seeks to achieve.

ZONING

The site is located in a 3F-5000 District in the Dorchester Neighborhood District Residential Subdistrict. Tucked behind residential and industrial uses, the site abuts a shared Right of Way. As part of this project, the proponent intends to request that the end portion of Hillsboro Street be abandoned, which would allow the land to be improved.

The proposed project comprises approximately 22,000 GSF in a single four-story building. As this redevelopment will be minimally visible and will have a relatively discrete impact in the surrounding neighborhood, the project will be reviewed through Article 80 Small Project review.

INCLUSIONARY DEVELOPMENT COMMITMENT

Projects financed as one entity and where at least 40% of the units are income-restricted are exempt from the Inclusionary Development Policy, dated December 10, 2015. The Proposed Project is financed as one entity and contains twenty-one (21) income-restricted homeownership units, or 100% of the total units, surpassing 40% of the total units. As such, the Proposed Project is exempt from the Inclusionary Development Policy.

As currently proposed, eleven (11) units will be made affordable to households with incomes no greater than 80% of the Area Median Income ("AMI"), as published by the United States Department of Housing and Urban Development ("HUD") and ten (10) units will be made affordable to households with incomes no greater than 100% AMI. The affordability of the Proposed Project will be finalized through the public funding process and the ongoing affordability will be monitored under a MassDocs Agreement.

RECOMMENDATIONS

The Proposed Project complies with the requirements set forth in Section 80E of the Code for Small Project Review. Therefore, BPDA staff recommends that the Director be authorized to: (1) issue a Certification of Approval for the Proposed Project located at 2 Hillsboro Street in Dorchester; and (2) execute and deliver a Community Benefits Agreement and 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 pursuant to Section 80E-6 of the Boston Zoning Code (the "Code"), approving the development consisting of a new multifamily residential development on a 10,791 square foot site to include approximately 22,000square feet of floor area, and contain up to Twenty-One (21) residential condominium units in a Four (4) story building, with Four (4) parking spaces (the "Proposed Project"), in accordance with the requirements of Small Project Review, Article 80E, of the Code, subject to continuing design review by the Boston Redevelopment Authority; and

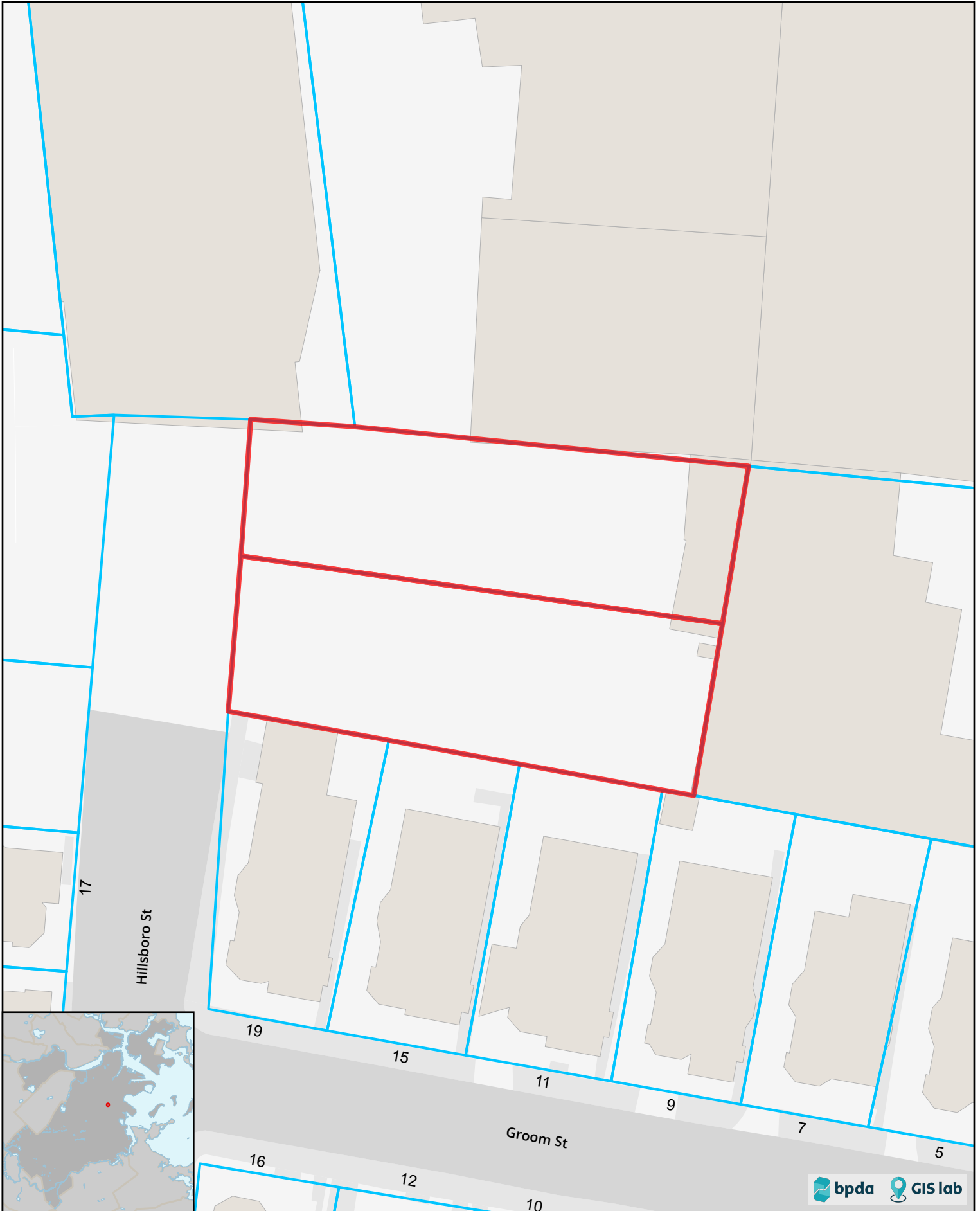
FURTHER

VOTED: That the Director be, and hereby is, authorized to execute, a Community Benefits Agreement, and deliver any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

2 Hillsboro Street



1:400



2 Hillsboro Street



1:400



Hillsboro St

Groom St

MEMORANDUM

March 14, 2024

**TO: BOSTON REDEVELOPMENT AUTHORITY
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY (BPDA)
AND JAMES ARTHUR JEMISON II, DIRECTOR**

**FROM: CASEY HINES, DIRECTOR OF DEVELOPMENT REVIEW
EBONY DAROSA, SENIOR PROJECT MANAGER
MEGHAN RICHARD, URBAN DESIGNER II
SAM ROY, SENIOR TRANSPORTATION PLANNER
FORD DELVECCHIO, PLANNER I**

**SUBJECT: NOTICE OF PROJECT CHANGE
75-81 DUDLEY STREET, ROXBURY**

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 development located at 75-81 Dudley Street in Roxbury (the “Proposed Project”), in accordance with Article 80E, Small Project Review, of the Boston Zoning Code (the “Code”) and take any other actions and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project;

PROJECT SITE

The Proposed Project is located at 75-81 Dudley Street in Roxbury. The Project site is located between Dudley Street and Guild Row (the “Project Site”). The Project Site is comprised of two (2) vacant parcels of land totaling approximately 8,265 square feet.

In 2019, the City of Boston, through a Request for Proposals process, specifically PLAN: Nubian Square 75-81 Dudley Street (the “RFP”), selected the Proponent as the developer of the Project Site, which is owned by the City. The RFP process and

selection resulted in extensive collaboration with the Roxbury Strategic Master Plan Oversight Committee, Highland Park Architectural Conservation District Commission, and the broader Roxbury community.

In all, the Proponent has conducted extensive preliminary outreach with nearby and abutting property owners, area residents, local elected and appointed officials, the Mayor’s Office of Housing (“MOH”), the Roxbury Strategic Master Plan Oversight Committee, the Highland Park Architectural Conservation District Commission, and agency staff to seek and integrate input on its development program.

DEVELOPMENT TEAM

Proponent: Madison Park Development Corporation
Intiya Ambrogi-Isaza
Anna Clemens

Legal
Counsel: Klein Hornig
Joseph Lieber
Stephanie Johnson

Architect: Studio Luz
Hansy Better Barraza
Leena Ismail
Elise Zilius

Survey Engineer: Samiotes Consultants, Inc.
Andrew D’Allesandro

Environmental
21E Engineer: CLEAResult
Ann John

Civil Engineer
Surveyor: Joyce Consulting Group, PC
Erin Joyce

Geotech Engineer: McPhail Associates, LLC
Gina Garten

DESCRIPTION AND PROGRAM

The Proposed Project will redevelop the under-utilized 75-81 Dudley Street site with construction of a new four-story (4) residential homeownership building totaling approximately 18,039 square feet. The building will contain fifteen (15) income restricted condominium units. The proposed project will include seventeen (17) interior covered and secure bike parking spaces and a minimum of two (2) exterior visitor post-and-ring bike parking racks providing four (4) spaces in compliance with the City’s Bike Parking Guidelines. This proposal replaces previous project iterations that are unsuitable due to the community’s desire to protect six silver linden trees on the edges of the 75-81 Dudley Street site as well as the addition of an elevator in the building.

The Proposed Project replaces the originally proposed 75-81 Dudley Street Project, which consisted of a four-story (4) residential homeownership building totaling approximately 23,940 square feet and twenty (20) income restricted condominium units. The originally proposed project also contained ground floor commercial space and bicycle storage.

The total development cost is approximately \$10,630,937.

The table below summarizes the Proposed Project’s key statistics.

<u>Estimated Project Metrics</u>	Jan 2020 Approval	Revised Plan	Net Change
Gross Square Footage	23,940	18,039	-5,901
Gross Floor Area	23,940	18,039	-5,901
<i>Residential</i>	17,619	12,618	-5,001
<i>Office</i>	0	0	0
<i>Retail</i>	720	0	-720
<i>Lab</i>	0	0	0
<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	422	422
<i>Cultural</i>	0	0	0
<i>Parking</i>	0	0	0
Development Cost Est.	\$9,592,000	\$10,630,937	\$1,038,937
Residential Units	20	15	-5
<i>Rental Units</i>	0	0	0
<i>Ownership Units</i>	20	15	-5
<i>IDP/Affordable Units</i>	20	15	-5
Parking spaces	0	0	0

ARTICLE 80 REVIEW PROCESS

On November 13, 2023, the Proponent filed a Notice of Project Change (“NPC”) with the BPDA for the Proposed Project, pursuant to Article 80E of the Code. The NPC was sent to the City’s public agencies/departments and elected officials pursuant to Section 80A-2 of the Code.

On January 10, 2024, a Virtual Public Meeting was held. The Virtual Public Meeting was advertised in the local Bay State Banner, listed on the BPDA website, and distributed to those enrolled in the BPDA Roxbury email list. The public comment period ended on January 16, 2024.

PLANNING CONTEXT

The Proposed Project is located at the intersection of Dudley Street and Guild Row, directly across from the Dudley Square Plaza. The site is located in the center of Nubian Square, Roxbury’s commercial and cultural center. The proposed building scale is consistent with the context of the immediate built environment, which contains a mix of residential, commercial, and civic uses.

The Roxbury Strategic Master Plan (2004), serves as the area plan for this location, and the Roxbury neighborhood as a whole. Key elements of this plan include the enhancement of the civic and cultural environment, promotion of a diverse economy and range of housing options, and creation of safer transportation connections and a lively public realm. The Proposed Project helps fulfill these planning goals through the creation of new income-restricted housing on currently vacant land. In addition to net new housing production, proposed site improvements will enhance the parcel's edges, improving the public realm experience of this block.

The Proposed Project is also located in the PLAN: Nubian Square study area. This parcel was cited by the plan as an exemplary location for infill development in the context of an established neighborhood fabric. In use and form, the proposal is well-aligned with the planning goal of ensuring that new development is both responsive to neighborhood context, and consistent with surrounding uses.

ZONING

The Project Site is situated within the Roxbury Neighborhood District and is governed by Article 50 of the Code. The previously Proposed Project was granted zoning relief from the following: Multifamily Residential Zoning, Minimum Lot Size, Additional Lot Area for Each Additional D.U., Maximum Floor Area Ratio, Maximum Building Height (Stories), Maximum Building Height (Feet), Minimum Usable Open Space Per D.U., Minimum Front Yard, Minimum Side Yard (With Front Yard Special Provisions for Corner Lots, Section 50-44), Minimum approval of the project changes (from higher to lower density) from the ZBA acting Rear Yard, Minimum Number of Parking Spaces, Minimum Number of Off-Street Loading Bays, and Traffic Visibility Across Corner.

The previous version of this Project had received zoning approval and relief which the Proponent has requested to extend. This request will be voted on at the March 12, 2024, Board of Appeal meeting. Because of the previous zoning relief, the Proponent plans to request approval of the project changes (from higher to lower density) from the ZBA acting as board final arbiter. No additional relief is needed due to these design changes.

MITIGATION AND COMMUNITY BENEFITS

The Proposed Project will provide the following mitigation and community benefits:

- A commitment of \$4,125.00 to the Boston Transportation Department (“BTD”) to be contributed upon issuance of a certificate of occupancy for the Proposed Project to support the bikeshare system.
- Subject to PIC Approval, the Proponent will setback their building to create a wider sidewalk on Dudley Street within the bounds of their property within the public way. Dudley Street will have a minimum of nine and a half (9.5) foot sidewalk, inclusive of a pedestrian easement within the property line as needed. All sidewalks will maintain at least five (5) feet clear accessible paths of travel absent vertical elements made of concrete monolithic sidewalk space. All sidewalk setbacks are subject to design review and will require approval for a Pedestrian Easement with the Public Improvement Commission (PIC).
- Subject to PIC Approval, the Proponent will setback their building to create a wider sidewalk on Guild Row within the bounds of their property within the public way. Guild Row will have a minimum of nine and a half (9.5) foot sidewalk, inclusive of a pedestrian easement within the property line as needed. All sidewalks will maintain at least five (5) feet clear accessible paths of travel absent vertical elements made of concrete monolithic sidewalk space. All sidewalk setbacks are subject to design review and will require approval for a Pedestrian Easement with the Public Improvement Commission (PIC).
- Subject to PIC Approval, The proponent will tighten the curb radius on the southern side of Dudley Street at Guild Row to create a shorter crossing across Dudley Street.
- Subject to PIC Approval, The proponent will provide improvements to bus stop #1147 including accessibility upgrades. The existing bus stop is not currently accessible and will be made accessible by the sidewalk expansion via the setback that the proponent is providing. This will allow for an accessible landing pad for the front door, as well as a rear door clear zone. The proponent will follow guidelines of the 2018 MBTA Bus Stop Planning & Design Guide for all identified stops.
- These proposed improvements shall be completed before certificate of occupancy issuance for the Proposed Project and are subject to design review and approval by the Boston Transportation Department (BTD), Public Works Department (PWD), Public Improvement Commission (PIC), and the BPDA.

**HOUSING PROGRAM AND INCLUSIONARY DEVELOPMENT POLICY
COMMITMENTS**

Projects financed as one entity and where at least forty (40) percent of the units are income restricted are exempt from the Inclusionary Development Policy, dated December 10, 2015. The Proposed Project is financed as one entity and contains fifteen (15) income restricted units, or 100 percent of the total units, surpassing 40 percent of the total units. As such, the Proposed Project is exempt from the Inclusionary Development Policy.

As currently proposed, eight (8) units will be made affordable to households with incomes no greater than 80% of the Area Median Income ("AMI"), as published by the United States Department of Housing and Urban Development ("HUD") and seven (7) units will be made affordable to households with incomes no greater than 120% AMI, however, the Proponent shall review the feasibility of making the Units available at lower AMIs through their public funding and regulatory process. The affordability of the project will be finalized through the public funding process and the ongoing affordability of the project will be monitored by the City of Boston and/or other public funding agencies through a MassDocs Agreement.

RECOMMENDATIONS

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

Appropriate votes follow:

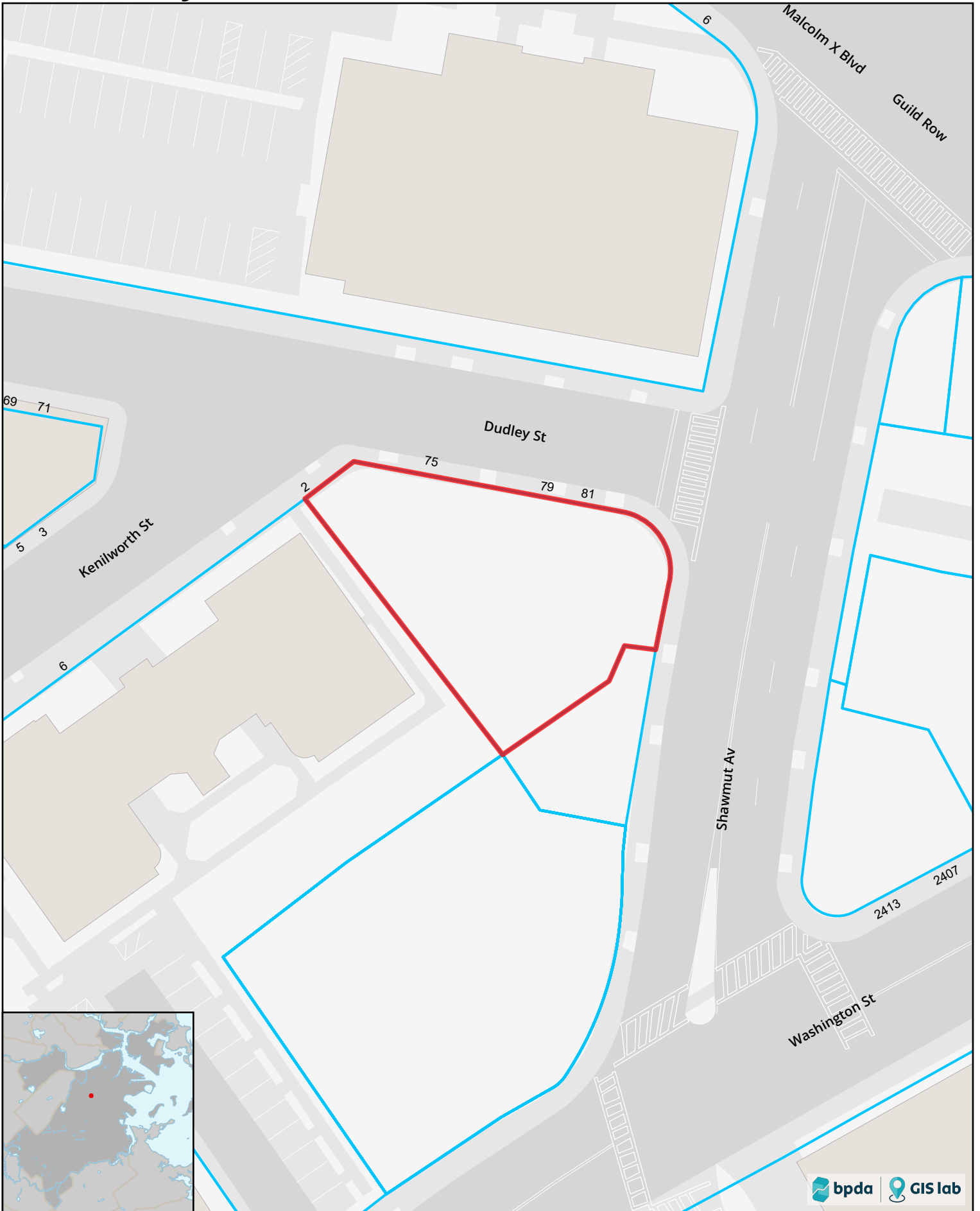
VOTED: That the Director be, and hereby is, authorized to issue a Certification of Approval pursuant to Section 80E-6 of the Boston Zoning Code (the "Code"), approving the development consisting of a four-story building totaling approximately 18,039 square feet and containing fifteen (15) homeownership units at 75-81 Dudley Street in Roxbury (the "Proposed Project") in accordance with the requirements of Small Project Review, Article 80E, of the Code, in connection with the Notice

of Project Change submitted by Madison Park Development Corporation (the "Proponent") on November 13, 2023, subject to continuing design review by the Boston Redevelopment Authority ("BRA") and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

75-81 Dudley Street



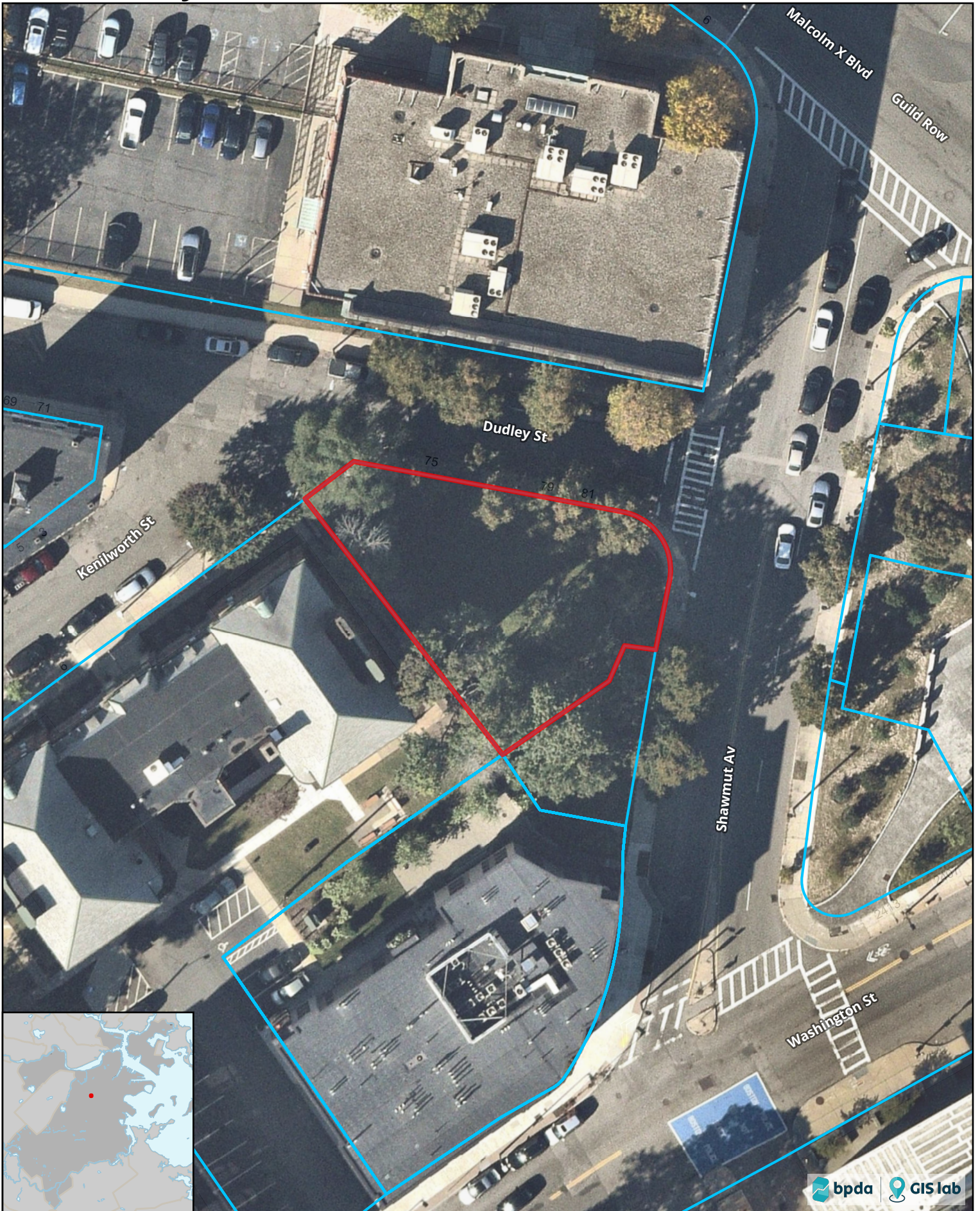
1:500



75-81 Dudley Street



1:500



MEMORANDUM**DECEMBER 14, 2023**

TO: **BOSTON REDEVELOPMENT AUTHORITY**
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY (BPDA)
AND JAMES ARTHUR JEMISON II, DIRECTOR

FROM: CASEY HINES, DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
SCOTT GREENHALGH, PROJECT MANAGER

SUBJECT: 81 HANCOCK STREET, DORCHESTER

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 development located at 81 Hancock Street in Dorchester (the “Proposed Project”, defined below), in accordance with Article 80E, Small Project Review, of the Boston Zoning Code (the “Code”); and (2) execute and deliver an Affordable Rental Housing Agreement and Restriction (“ARHAR”) in connection with the Proposed Project; and (3) enter into a Community Benefits Agreement in connection with the Proposed Project, and to take any other actions and to execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The Proposed Project (defined below) is located at 81 Hancock Street and is a 14,994 square foot lot located in the Dorchester neighborhood of Boston (the “Project Site”). The Project Site consists of four (4) existing parcels under common ownership and is currently improved by Fernandez Liquors IV, Hancock Laundry, and a pizzeria. The Proposed Project will be built on top of the existing ground floor retail in order to preserve existing businesses and follow the planning guidelines which call for ground floor retail with residential above. The entrances to both the existing retail and the future residential will be along Hancock Street. This area is populated with a mixture of larger mostly three (3) family dwellings, but there are several nearby multi-family projects approved or recently built. The existing Property has an open-air parking area that will be incorporated into the Proposed Project and improve the existing

conditions. The Project Site is located 0.5 miles from the Uphams Corner MBTA Commuter Rail station and is served by multiple MBTA Bus routes.

DEVELOPMENT TEAM

Proponent: Huy Nguyen

Attorney: Prince Lobel Tye
Michael P. Ross, Esq.

Architect: Vanko Studio Architects
J. Peter Vanko

PROPOSED PROJECT

The Proposed Project consists of approximately 33,595 gross square feet to be constructed at the Project Site and will contain thirty-six (36) residential rental dwelling units comprised of fifteen (15) studio units, twelve (12) one-bedroom units, six (6) two-bedroom units, and three (3) three-bedroom units. Six (6) of the units will be designated as affordable, giving the project an affordability rate of sixteen-point-seven percent (16.7%). Additionally, there will be fifteen (15) vehicle parking spaces, and forty (40) bicycle parking spaces for use by residents. The ground floor level will offer residential amenities such as an enclosed bicycle parking area, and community area, and the existing retail entities will maintain their operation at the Project Site, (the “Proposed Project”).

The table below summarizes the Proposed Project’s key statistics.

<u>Estimated Project Metrics</u>	Proposed Plan
Gross Square Footage	33,595
Gross Floor Area	33,595
<i>Residential</i>	28,663
<i>Office</i>	0
<i>Retail</i>	4,932

<i>Lab</i>	0
<i>Medical Clinical</i>	0
<i>Education</i>	0
<i>Hotel</i>	0
<i>Industrial</i>	0
<i>Recreational</i>	0
<i>Cultural</i>	0
<i>Parking</i>	0
Development Cost Estimate	\$12,000,000
Residential Units	36
<i>Rental Units</i>	36
<i>Ownership Units</i>	0
<i>IDP/Affordable Units</i>	6
Parking spaces	15

PLANNING CONTEXT

The Proposed Project is located within the Dorchester Neighborhood Zoning District, 3F-5000 subdistrict, intended to limit new development to low-density, three-family buildings.

The site is within a half mile of Upham’s Corner train station, along a two-lane street with mixed uses serving the local neighborhood, on a corner lot with a one-story commercial building and surface parking.

The area has undergone recent planning as part of the Fairmount Indigo Planning Initiative, Upham’s Corner Station Area Plan (Plan) adopted in 2014. The Plan was never codified in zoning but provides a vision for the area for transit-oriented development that contributes to economic prosperity and supports existing residents and businesses. The Plan aims to support small and local-serving businesses, such as those currently existing on the Proposed Project site, while encouraging mixed-use development with mixed-income housing to expand

housing choices and attract new residents who can patronize the local businesses. Specifically, the Plan recommends the extension of a “Main Street District” – an active, walkable, mixed-use district - from Columbia Road down Hancock Street to Trull Street, encompassing the site.

In addition to applying the zoning regulations, advancing plan goals, and respecting neighborhood context during project review, close consideration was given to the landscaping and screening of the parking spaces, access to bike amenities, and architectural design.

ARTICLE 80 REVIEW PROCESS

On August 18, 2023, the Proponent filed an Application for Small Project Review with the BPDA for the Proposed Project, pursuant to Article 80E of the Code (the “Code”). The BPDA sponsored and held virtual public meetings on September 13, 2023, and October 23, 2023, via Zoom. The meetings were advertised in the local newspapers, posted on the BPDA website and a notification was emailed to all subscribers of the BPDA’s Dorchester neighborhood update list. The public comment period ended on November 2, 2023.

ZONING

The Project Site is located within the Dorchester Neighborhood Zoning District, and the 3F-5000 Subdistrict.

The anticipated zoning relief needed on this project is as follows:

Use: Multifamily in a 3F-5000
Lot Size Per Dwelling Unit
FAR (2.24 in a 0.5)
Maximum Building Height/Stories (49 ft in a 35 ft / 4-stories in a 2.5-story)
Minimum Side/Front Yard (corner lot) (0’ in a 10)
Minimum Rear Yard (20’ in a 30’)
Minimum Number of Parking Spaces (15 in a 54)
Off Street Loading

MITIGATION AND COMMUNITY BENEFITS

- The Proposed Project will enhance the streetscapes by upgrading the public realm in and around the Project Site. Public realm improvements will include approximately sixteen (16) new trees;
- In support of the City's green building and carbon neutral goals, the Proposed Project will be designed to use all-electric systems;
- The Proposed Project will contribute \$9,900 to the Boston Transportation Department to support the bike share system, which shall be due upon Certificate of Occupancy;
- The Proponent shall install a crosswalk across Trull Street. The Proponent shall also install a crosswalk across Hancock Street near the intersection of Trull Street or Glendale Street in coordination with BPDA, BTM, and PIC. This work shall be completed no later than Certificate of Occupancy;
- The Proposed Project will create approximately one-hundred (100) construction jobs and result in approximately ten (10) full-time jobs.

The community benefits described above will be set forth in the Community Benefit Contribution Agreement for the Proposed Project. The community benefit contribution payments shall be made to the BPDA or respective City department before issuance of the initial building permit by the City of Boston Inspectional Services Department ("ISD") and will be distributed as outlined above.

The Proposed Project and public realm improvements are subject to BPDA Design Review.

INCLUSIONARY DEVELOPMENT POLICY

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 (the "IDP") and is located within Zone C, as defined by the IDP. The IDP requires that 13% of the total number of units within the development be designated as IDP units. In this case, six (6) units, or approximately 16.7% of the total number of units within the Proposed Project, will be created as IDP rental units (the "IDP Units"), meeting and exceeding the requirements of the IDP. Each of the six (6) units will be made affordable to households earning not more than 70%

of AMI, as published by the BPDA, and based upon data from the United States Department of Housing and Urban Development (“HUD”).

The proposed locations, sizes, income-restrictions, and rents for the IDP units are as follows:

Unit Number	Bedroom Size	Square Footage	Percentage of Area Income	Rental Price	Group 2/ADA Accessibility
103	Two-bedroom	1068	70%	\$1,766	
106	Studio	486	70%	\$1,330	
201	Three-bedroom	1109	70%	\$1,978	
205	One-bedroom	822	70%	\$1,559	Group-2
302	One-bedroom	694	70%	\$1,559	
309	Studio	454	70%	\$1,330	

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

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

- (1) Boston resident; and
- (2) Household size (a minimum of one (1) person per bedroom).

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

An affordability covenant will be placed on the IDP Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with a BPDA option to extend for an additional period of twenty (20) years). The household income of the renter and rent of any subsequent rental of the IDP Units during this fifty (50) year period must fall within the applicable income and rent limits for each IDP Unit. IDP Units may not be rented out by the developer prior to rental to an income eligible household, and the BPDA or its assigns or successors will monitor the ongoing affordability of the IDP Units.

RECOMMENDATIONS

The Proposed Project complies with the requirements set forth in Section 80E of the Code for Small Project Review. Therefore, BPDA staff recommend that the Director be authorized to: (1) issue a Certification of Approval for the Proposed Project; (2) execute and deliver an Affordable Rental Housing Agreement and Restriction (“ARHAR”) in connection with the Proposed Project; and (3) enter into a Community Benefits Agreement in connection with the Proposed Project, and to take any other actions and to execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Approval pursuant to Section 80E-6 of the Boston Zoning Code (the “Code”), approving the development consisting of a four (4) story, mixed-use rental building of approximately 33,595 gross square feet, including thirty six (36) rental units, with fifteen (15) onsite parking spaces with residential amenities and related improvements to the site, existing public serving retail, landscaping and pedestrian and vehicular access and approximately forty (40) bike parking spaces, located at 81 Hancock Street in Dorchester (the “Proposed Project”) in accordance with the requirements of Small Project Review, Article 80E of the Code, subject to continuing design review by the BPDA; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute and deliver an Affordable Rental Housing Agreement and Restriction (“ARHAR”) for the creation of six (6) IDP Units in connection with the Proposed Project; and

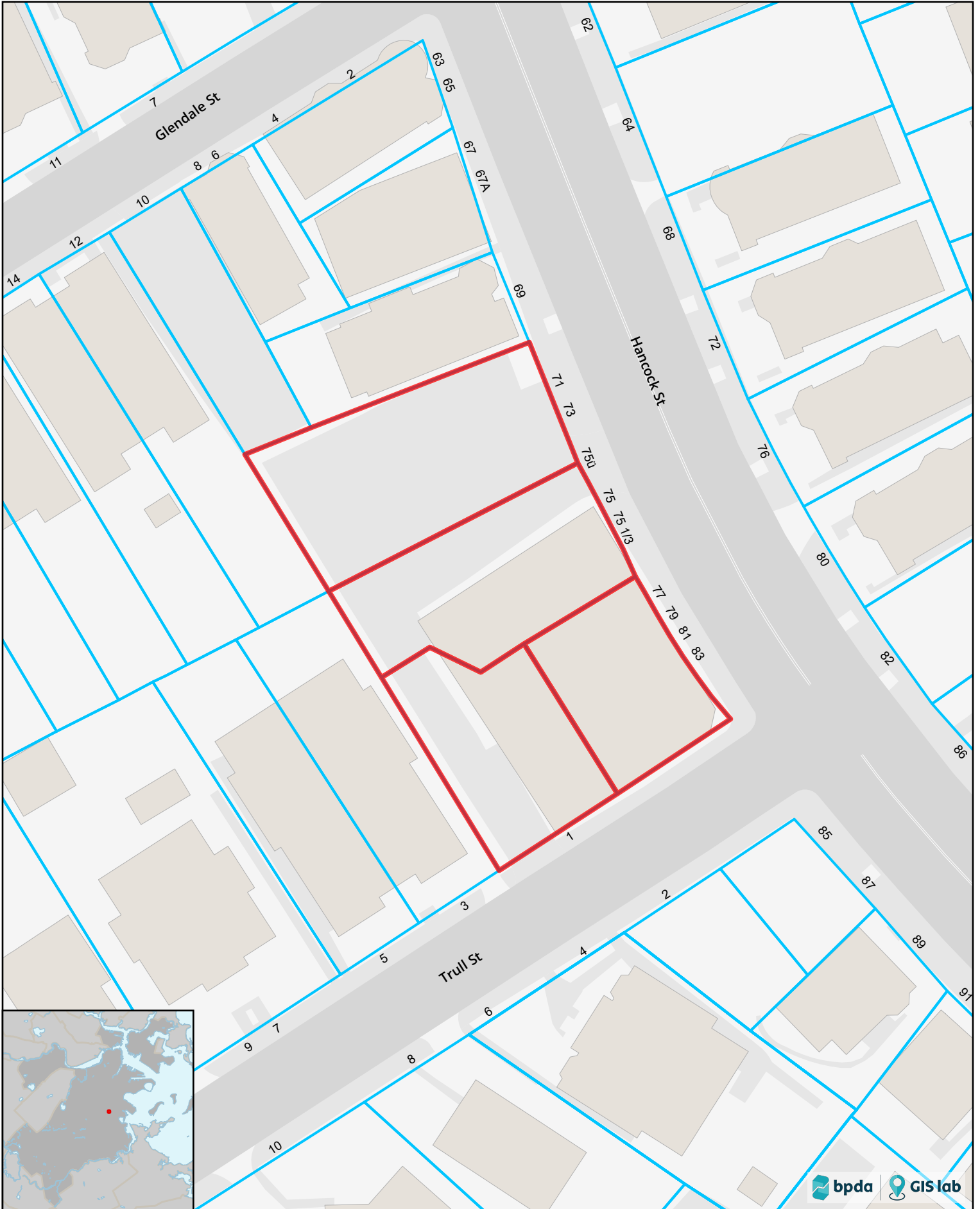
FURTHER

VOTED: That the Director be, and hereby is, authorized to enter into a Community Benefits Agreement in connection with the Proposed Project, and to take any other actions and to execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

81 Hancock Street



1:500



81 Hancock Street



1:500





Frank Baker
Boston City Councilor
District 3

December 4, 2023

Mr. Arthur Jemison
Boston Planning and Development Agency
One City Hall, Ninth Floor
Boston, Massachusetts 02201

Dear Chief Jemison,

As the Boston City Councilor for District 3, I am writing to express my strong support for the development proposal at 81 Hancock Street in Dorchester, Massachusetts.

Mr. Huy Nguyen is a long-time Dorchester resident and has been working carefully on this proposal for many years. I appreciate Mr. Nguyen creating more than the required number of affordable units and taking the neighborhood's concerns into consideration. Many of the changes made to the project throughout the process were from direct input from the abutters. I believe this project will be beneficial to the Hancock Street neighborhood and the City of Boston and applaud Mr. Nguyen for his efforts.

Thank you for your time and attention to this matter. Please do not hesitate to contact me directly if you have any questions or concerns.

Sincerely,

Frank Baker
Boston City Councilor, District 3



The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133-1054

December 4, 2023

Boston Planning and Development Agency
One City Hall, Ninth Floor
Boston, Massachusetts 02201

RE: Letter of Support for 81 Hancock Street

Dear BPDA Board Members,

My name is Christopher Worrell, and I am the State Representative of the 5th Suffolk District of Massachusetts. 81 Hancock Street is located within the 5th Suffolk, and as a resident, neighbor, and elected official, I'd like to express my heartfelt support for this development.

Mr. Huy Nguyen, in collaboration with community members, neighbors, and stakeholders, has dedicated significant effort to develop a proposal that aligns closely with the preferences of the neighborhood. He dedicated more than three years to ensuring that the stakeholder's voices were woven into the foundation of this project, and I believe that his efforts have yielded a proposal that we as a community can take pride in.

The current residential proposal includes six three-bedroom and six two-bedroom units, with the remaining units divided between one-bedroom and studio spaces. Six apartments are designated as affordable, surpassing the minimum requirement for affordable housing units in a project of this scale. He has also collaborated with the Hancock Civic Association and the City of Boston to meet the needs of the community by relocating the building by ten feet and by adding five extra parking spaces for residents.

Mr. Nguyen is not only trying to contribute positively to this community but is trying to better his own community. Mr. Nguyen resides around the corner from 81 Hancock and has owned a business on Hancock Street for twenty-one years. Having demonstrated his commitment to the neighborhood, he now aspires to establish something that will enable more individuals to become part of this community and contribute to its growth.

I endorse this project and express my sincere confidence in the positive benefits it will bring. Should you have any questions or concerns, please feel free to reach out.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Worrell'.

Christopher Worrell
State Representative – 5th Suffolk District
Christopher.worrell@mahouse.gov



The Commonwealth of Massachusetts

MASSACHUSETTS STATE SENATE

LIZ MIRANDA

STATE SENATOR
2ND SUFFOLK DISTRICT

STATE HOUSE, ROOM 519
617-722-1673
LIZ.MIRANDA@MASENATE.GOV

Chair - Racial Equity, Civil Rights and Inclusion
Vice Chair - Economic Development and Emerging Technologies

Ways & Means, Census, Juvenile and Emerging Adult Justice
Community Development and Small Businesses, Elder Affairs,
State Administration and Regulatory Oversight

Boston Planning and Development Agency
One City Hall, Ninth Floor
Boston, Massachusetts 02201

RE: Letter of Support for 81 Hancock Street

Dear BPDA Board Members,

My name is Liz Miranda and I am the State Senator of the 2nd Suffolk District. Although 81 Hancock Street is not in my Senate District, this is a project that I followed closely as State Representative for the 5th Suffolk District and wish to express my support for this development.

Mr. Huy Nguyen has been working diligently on this proposal alongside community members and stakeholders to create a design that is more aligned with that the community would like to see. This project is over 3 years in the making and has been carefully crafted to ensure that community input is at the forefront of every decision and that nothing would be finalized unless the neighborhood was in support. Mr. Nguyen has redrafted his designs four times in order to incorporate community feedback. The current proposal for residential space would have six three-bedroom and six two-bedroom units, with the rest split between one-bedroom and studio units. Six of the apartments would be rented as affordable. The project surpasses the minimum affordable housing units required for a project of this scale.

Mr. Nguyen is a longtime Dorchester resident and lives right around the corner of this development and has owned business on Hancock Street since 2002. He understands firsthand concerns that his neighbors have raised and made deliberate decisions towards finding agreeable solutions. He has and continues to work amicably with the Hancock Civic to ensure that any issues are rectified. The most notable being redesigning and moving the building by 10 feet to ensure that the direct abutters concerns of being boxed in were

addressed. He also is working alongside the City of Boston to create an additional 5 parking spots as requested by the residents.

I share in the support of this project among our supporters and community stakeholders and am confident in the benefits that it will bring. If you have any questions or concerns, please do not hesitate to reach out.

Sincerely,

A handwritten signature in blue ink, appearing to read "Liz Miranda". The signature is stylized with large, overlapping loops and a vertical line through the center.

Senator Liz Miranda
2nd Suffolk District
(Roxbury, Dorchester, Mattapan, Hyde Park, Mission Hill,
Jamaica Plain, South End, Roslindale, Fenway)



HANCOCK STREET CIVIC ASSOCIATION
DORCHESTER, MA 02125
sites.google.com/view/hasca02125
hancockstreetcivic@gmail.com

September 24, 2023

Scott Greenhalgh
Project Manager
Boston Planning and Development Agency
scott.greenhalgh@boston.gov
Re: 81 Hancock Street, Dorchester

Members of the Hancock Street Civic Association and neighborhood residents voted unanimously on September 21, 2023 to OPPOSE the current plan for development of the property at 81 Hancock Street, which includes a four (4) story, thirty-nine (39) unit mixed-use building with fourteen (14) parking spaces, and retail space to allow the existing liquor store and laundromat to continue their occupancy. The issues that follow are those with which Members expressed unanimous agreement.

- The number of units proposed is excessive. We would remind you that under the existing code, the parcel is zoned 3F-5000. The current proposal calls for 39 units, which is far in excess of what the neighborhood would support for that parcel.
- The proposal, as presented, contains only slightly more than the number of affordable units required to meet the minimum standard set by the City of Boston. Residents of the neighborhood would like to see the number of affordable units increased to a minimum of 20% or more. Ideally, the mix would include units at both affordable (i.e., income no more than 60% of AMI) and workforce levels (i.e., 80% to 100% AMI).
- Neighbors felt strongly that the ratio of parking spaces to proposed units is inadequate and that a 1:1 ratio of *residential* parking spaces to units is imperative, given the lack of available parking on Hancock and surrounding side streets. It should also be pointed out that Hancock Street is a snow emergency artery, which makes adequate parking for residents doubly important. Hancock Street is lined predominantly with two and three family homes, most of which were built around or before 1900 and many of which do not have off-street parking. At present, Hancock Street is at capacity – and often over capacity – for residential parking. The City of Boston’s false belief that limiting residential parking for new construction will cause people to choose not to have cars is inaccurate at its basis and is creating chaos for neighborhoods. While we all agree that traffic in Boston is becoming untenable, there are better ways to reduce the number of cars on city streets that do not threaten Bostonians’ ability to earn a living and/or take care of their families. Adding cars to Hancock Street threatens the quality of life for existing residents of the neighborhood.
- No consideration has been given to the parking needs of the liquor store and laundromat. Patrons of those businesses currently use the parking lot adjacent to the building, which will be eliminated with this development.

Sincerely,

Marti A. Glynn
President



To: Scott Greenhalgh, BPDA
From: Yang Yang, PWD
Date: 9/6/23
Subject: 81 Hancock Street - Boston Public Works Department Comments

Included here are Boston Public Works Department comments for the 81 Hancock Street Project Notification Form.

Project Coordination:

Coordinate with BTM regarding the Neighborhood Slow Street: Hancock Street Triangle Project. (<https://www.boston.gov/departments/transportation/neighborhood-slow-streets/hancock-street-triangle>) The project is proposing new curb geometry at the corner of Trull Street and Hancock Street. The developer shall incorporate this work into their design.

Project Specific Scope Considerations:

The developer should coordinate with BTM and PWD to develop safety and accessibility improvements for pedestrians and cyclists in the area. The developer should reconstruct pedestrian ramps and crossings at the Hancock Street and Trull Street intersection. The developer should also coordinate with the Parks Department regarding the street tree plantings. Please note that the minimum clearance required for pedestrian access within the public right-of-way is 5 feet.

Site Plan:

The developer must provide an engineer’s site plan at an appropriate engineering scale that shows curb functionality on both sides of all streets that abut the property.

Construction Within The Public Right-of- Way (ROW):

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

Sidewalks:

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

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

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





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

Driveway Curb Cuts:

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

Discontinuances:

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

Easements:

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

Landscaping:

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

Street Lighting:

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

Roadway:

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

Additional Project Coordination:

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

Green Infrastructure:

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



PUBLIC WORKS DEPARTMENT

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

The Office of the Streets, Transportation, and Sanitation

(617) 635-4900



Resiliency:

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

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

Sincerely,

Jeffrey Alexis
Principal Civil Engineer
Boston Public Works Department
Engineering Division

CC: Para Jayasinghe, PWD
Todd Liming, PIC



PUBLIC WORKS DEPARTMENT

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