



Planning Department

MEMORANDUM

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

FROM: Joanne Marques
Regulatory Planning & Zoning

DATE: April 2, 2025

RE: Planning Department Recommendations

Please find attached, for your information, Planning Department recommendations for the April 8, 2025 Board of Appeal's Hearing.

Also included are the Board Memos for: 23 to 25 N Beacon ST Allston 02134 and 434 Washington ST Brighton 02135.

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



Case	BOA1691234
ZBA Submitted Date	2025-02-12
ZBA Hearing Date	2025-04-08
Address	9 Oak Square AV Brighton 02135
Parcel ID	2203912000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 3F-4000
Zoning Article	51
Project Description	Renovate existing four-unit building to include six units. Resurface rear accessory parking area for six regular spaces and one van accessible space.
Relief Type	Variance, Conditional Use
Violations	Side Yard Insufficient Front Yard Insufficient Change in Nonconforming Use >25% (Forbidden) Use: MFR (Forbidden) Basement Unit (Forbidden)

Planning Context:

The proposed project intends to convert an existing four unit building to a six unit building with an accessible basement dwelling unit. The existing parking area to the rear of the site will also be renovated. The current condition contains seven parking spaces across a large gravel area. The proposed parking arrangement will contain six regular spaces and one van accessible space across a reduced, paved footprint.

The Allston-Brighton Needs Assessment, adopted by BPDA Board in January 2024, recognizes that the average rent within the neighborhood for a two-bedroom unit increased by more than 10% over the course of the Assessment study period. This increase underscores the immediate need for additional housing within both Boston as a whole, and particularly the Allston-Brighton area. Participants in the study promoted supply-side solutions to the housing crisis, recommending an end to parking minimums, relaxation of zoning rules, and other measures to increase housing production in the neighborhood. The proposed development subdivides an existing building into additional housing units, and adds accessible accommodations, in line with the goals of creating more housing while preserving the unique neighborhood character.



The proposed project contains seven parking spaces, one more than the number of the proposed housing units. Per the suggested BTM Parking Maximums, there should be no more than a 1.0/du parking ratio. It is recommended that the plans be revised to reduce the parking by an additional space.

Zoning Analysis:

The proposed project contains five zoning violations. The two dimensional violations for insufficient front and side yard persist from the existing condition. The front yard is changed minimally through the creation of a bay at the left side of the building. The bay will protrude 0.2' further into the front yard from the existing building front, but the front of the building face will continue to be located approximately twenty feet from the front lot line. The side yard condition to the left of the building is improved through the proposed changes, with an increase by five feet of the proposed side yard.

The other violations relate to the number of units and their locations within the building. The building presently contains four units; as such, the proposed project represents an extension of a nonconforming use, albeit a worsened condition through the addition of two units. Given the needs of the Allston-Brighton neighborhood, and the City as a whole with respect to additional housing, relief is recommended for multifamily use. However, changes should be made to the basement unit to ensure proper natural light within the unit. It is not clear from the provided plans if light wells exist for that unit.

Recommendation:

In reference to BOA1691234, The Planning Department recommends DENIAL WITHOUT PREJUDICE. While the use and general layout of the project is appropriate, the proponent should consider a project that reduces the area devoted to parking and improves basement dwelling conditions with light wells.

Reviewed,

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Deputy Director of Zoning



Case	BOA1677709
ZBA Submitted Date	2024-12-11
ZBA Hearing Date	2025-04-08
Address	50 Bradeen ST Roslindale 02131
Parcel ID	1903366000
Zoning District & Subdistrict	Roslindale Neighborhood 3F-4000
Zoning Article	67
Project Description	Construct a new three-story building (plus a basement) with three units and three parking spaces. The lot currently contains a single-unit building.
Relief Type	Variance
Violations	Parking or Loading Insufficient Rear Yard Insufficient Lot Area Insufficient Additional Lot Area Insufficient FAR Excessive Usable Open Space Insufficient Side Yard Insufficient

Planning Context:

This project proposes a new three-story building (plus a basement) with three units. The lot currently contains a single-unit building, meaning a net gain of two units. The project would maintain the existing driveway and provide three parking spaces at the rear of the lot. The block where the project is proposed (Bradeen Street) is mostly smaller, one and a half to two and a half story buildings. However, nearby on Washington Street and Fawndale Road, most buildings are triple-decker type buildings similar to the proposed project.

This project is just outside of the main study area for the Roslindale Square Small Area Plan, which was adopted by the BPDA Board February 13, 2025. This Plan is part of the Squares + Streets initiative, which is a planning and zoning initiative focused on adding, supporting, and improving housing, public space, small businesses, and arts and culture in transit-accessible neighborhood centers and along main streets. This area was included in Squares + Streets initiative in part because of its rich transit resources and ability to benefit from transit-oriented development. In particular, the location of this proposed project is a three minute walk from a



bus stop which is serviced by ten bus lines and is a fifteen minutes walk from the Roslindale Village MBTA Commuter Rail Station. This project therefore aligns with city-wide planning goals of increasing housing in transit-rich areas.

Although this project is outside of the main study area circle for the Roslindale Square Squares + Streets Small Area Plan, this area is discussed in the Land Use and Design Framework section of the adopted plan. The plan establishes a framework where the connecting streets and transition corridors (such as this area around north Washington Street) “supplement existing residential uses with infill that responds to the look and feel of its neighbors.” This project fits within this framework, since its scale and typology is similar to many buildings in the surrounding area.

On February 14, 2025, the Planning Department released a draft of zoning updates for the Roslindale Square area. These zoning updates would implement the recommendation in the Roslindale Square Small Area Plan to map Squares + Streets districts “throughout mixed-use areas of the Square, at key gateways to the Square, and to provide transitions to smaller-scale residential areas.” In the draft zoning map, 50 Bradeen Street abuts a proposed S2 district which is mapped along Whipple Avenue and the nearby portion of Washington Street. The map does not include this parcel in the proposed Squares + Streets zoning because the Plan recommends “Where this Plan envisions continued smallscale residential uses and incremental growth, update residential zoning to reflect existing built patterns, support safe walking routes to Roslindale Square, and enable the development of Accessory Dwelling Units (ADUs) and small multi-unit residential buildings.” The Planning Department is currently working on these types of updates to residential zoning through the Neighborhood Housing initiative.

Zoning Analysis:

This project includes three parking spaces and therefore does not meet the parking requirements of six spaces (two spaces per unit). However, as discussed in the planning context, this is in a transit-rich, Square + Streets area, and therefore having few to no parking spaces may be appropriate.

This project also has violations for insufficient lot area (because it does not meet the minimum of 4,000 sq ft for one unit) and for insufficient additional lot area (because it does not meet the minimum of 8,000 sq ft for three units). The size of this lot (3,372 sq ft) is very similar to the



surrounding lots, meaning nearly all of the existing buildings in the area also do not comply with the lot area requirement of 4,000 sq ft for one unit. Additionally, three units is an allowed use in this district and many three-unit buildings exist nearby, most of which are also on lots that are less than 4,000 sq ft. This project demonstrates why this zoning regulation should be reformed, as the regulation makes it so nearly all buildings are non-compliant.

The proposed project has an FAR of 1.11 and therefore exceeds the maximum allowed FAR of 0.8. Recently adopted zoning districts (specifically the Squares + Streets districts and the new residential districts in Mattapan and East Boston) do not include FAR as a measure. New zoning uses Building Floor Plate and Building Lot Coverage to control overall massing instead of FAR. The largest Building Floor Plate of the proposed building is approximately 1,370 sq ft and the Building Lot Coverage is approximately 41%. This is similar to the Building Floor Plate and Building Lot Coverage of many of the surrounding buildings, which shows that the proposed massing is appropriate.

The project does not meet the zoning requirements for the side yards (5 ft and 10 ft proposed while 10 ft is required on each side) or rear yards (10 ft proposed while 32 ft is required). However, the proposed side yards are similar to the immediately adjacent properties. This indicates that this zoning requirement should be updated to reflect the existing built pattern and enable small multi-unit residential buildings, as recommended in the Roslindale Square Small Area Plan. The proposed 10 foot rear yard, however, is smaller than most of the existing buildings, as most existing buildings have 15-20 ft rear yards. Rear yards are important for allowing sufficient space for trees, and there does appear to be an existing tree on the east side of the property. Although the proposed rear yard is larger (29.4 ft) on this side of the property which could minimize the threat to the existing tree, the proposed rear parking could additionally mean the removal of existing trees. This project should be reviewed by the Planning Department to determine if there are modifications to the design or site plan that can help ensure the maintenance of any existing trees.

The project does not meet the Usable Open Space requirements of 2,400 sq ft (800 sq ft per unit). Article 67 states that "All ground level open space used to satisfy the minimum usable open space requirements specified in this Table C must have been an unobstructed length of not less than ten (10) feet and an unobstructed width of not less than ten (10) feet." Therefore, this project does not appear to have any space that can count as usable open space. However, recently adopted zoning districts do not include Usable Open Space as a measure and instead



use Permeable Area of Lot to ensure adequate green space (as well as Outdoor Amenity Space in certain districts, higher activity districts to ensure usable outdoor space). If the driveway is not permeable, the permeable area would be only about 10%. Therefore, the driveway should be made with permeable pavers to ensure a Permeable Area of Lot of at least 15-20%.

Plans reviewed: "ERT1637396 BOA prepared appeals hearing set 12.11.24" prepared by "DF" and dated "07/19/2024."

Recommendation:

In reference to BOA1677709, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with attention to ensuring tree canopy and increasing permeable area to at least 15-20%.

Reviewed,

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Deputy Director of Zoning



Case	BOA1654474
ZBA Submitted Date	2024-09-20
ZBA Hearing Date	2025-04-08
Address	36 to 38 Wyvern ST Roslindale 02131
Parcel ID	1904327010
Zoning District & Subdistrict	Jamaica Plain Neighborhood 2F-5000
Zoning Article	55
Project Description	The proposed project involves the conversion of the existing attic space to create a master bedroom suite, including the addition of a full bathroom and a utility closet. The scope of work also includes the construction of two new dormers to increase usable floor area and improve natural light and ventilation. The design aims to enhance the livability of the upper floor while maintaining the architectural integrity of the structure within the context of the surrounding neighborhood.
Relief Type	Variance
Violations	Height Excessive (stories) Rear Yard Insufficient Front Yard Insufficient

Planning Context:

The subject property is part of a four-unit condominium development constructed in 2018, consisting of two attached duplex-style buildings that share a common driveway. The development is located within the 2F-5000 subdistrict of the Jamaica Plain neighborhood, characterized by a medium-density residential zoning designation with no additional overlay districts. The surrounding context includes a mix of recently constructed residential properties, contributing to the evolving residential character of the area.

The existing development pattern along Wyvern Street includes several properties with a third story achieved through the use of dormers, reflecting a precedent for vertical expansion within the local context. Notably, the adjacent condominium buildings at 32 and 36 Wyvern Street incorporate dormers to create functional third-story living space. The proposed project aligns



with this established pattern, maintaining compatibility with the scale and form of the neighborhood while enhancing the usability of the existing structure.

Zoning Analysis:

The plans propose finishing the attic to create a master bedroom, full bathroom, and utility closet, along with framing two new dormers to the property located in the 2F-5000 zoning subdistrict. The proposed project has three zoning violations under Article 55, Section 9, related to building height, rear yard setback, and front yard setback.

Building Height Compliance: The 2F-5000 zoning regulations permit a maximum building height of 2½ stories. The proposed project would result in a full three stories, exceeding the allowed height as specified in Article 55, Section 9. The proposed dormer width exceeds the maximum allowable 8 feet for dormers not contributing to a full-story calculation as per zoning regulations.

The existing rear yard provides only 12 feet 5 inches, where 20 feet is required. Similarly, the existing front yard setback is 11 feet 2 inches, where 15 feet is required. Both the rear and front yard setbacks are existing non-conformities. The proposed project does not worsen these conditions but will extend structures within the existing footprints, requiring zoning relief for the continuation of non-conforming setbacks.

The proposed project does not meet the building height, front yard, and rear yard requirements outlined in Article 55, Section 9 of the Boston Zoning Code. The project aligns with the surrounding neighborhood, where similar dormers and third-story elements are present.

Granting a variance would allow for improved livability and functionality without negatively impacting the community, supporting neighborhood consistency and enhancing the property's usability. The project is a case for zoning reform to establish dimensional requirements that better align with the existing built fabric.

The Plans, titled “ Ben Boardman and Nyssa Boardman” and prepared by DHI Construction, are dated 2023.

Recommendation:

In reference to BOA1654474, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

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Deputy Director of Zoning



Case	BOA1659168
ZBA Submitted Date	2024-10-03
ZBA Hearing Date	2025-04-08
Address	312 Talbot AV Dorchester 02124
Parcel ID	1700679000
Zoning District & Subdistrict	Dorchester Neighborhood 3F-6000
Zoning Article	65
Project Description	Construct a new four-unit residential building.
Relief Type	Variance
Violations	Parking or Loading Insufficient Parking design and maneuverability Lot Area Insufficient FAR Excessive Height Excessive (stories) Front Yard Insufficient Side Yard Insufficient Lot Width Insufficient Use: forbidden (multifamily) Establishment of Residential Subdistricts

Planning Context:

Parcel is an irregularly-shaped 4500 square foot vacant lot in Codman Square, with an approximately 50-foot-wide front frontage, and an approximately 5-foot-wide rear frontage, in a 3F-6000 subdistrict in Dorchester. The abutter to the west is a large three-family offset up to its western lot line, putting all side yard on the east side of its parcel abutting the proponent's parcel. The abutter to the east is similar, another irregular triangular lot with a large three-family structure offset up to its western lot line, providing no setback against the proponent's parcel. Across this entire portion of Codman Square, due to a combination of building size and placement and irregularity of lot sizes, there is little to no conformity with current zoning dimensional regulations of any kind.

Finding modified use and dimensional regulations for appropriate infill is a goal of the Neighborhood Housing zoning initiative, started in November 2024. To the degree that this proposal can align with those general goals, this proposal is therefore in line with citywide goals around reasonable housing production. Generally speaking, in this case, the irregularity of this



lot's shape and size means that proposed dimensional violations can largely be attributed to existing conditions and are indeed fully contextually appropriate and even expected. Zoning reform, while not able to account for all the particulars of such an irregular lot, should still try to improve conformity and allow for reasonable infill of residential structures on vacant lots.

Zoning Analysis:

Basement unit:

The proposal is a three-story new construction building, with a basement story partially below ground. The first story starts 4'6" above grade, and the basement terminates 4'10" below grade, meaning that the basement is approximately half above grade and has a floor height of 9'4".

There is no substantial grade change across the lot. While there are no full-size basement windows, all ten window locations on the upper floor units have equivalent locations on the basement unit, with half size windows. There are no markings related to fire suppression, though the refusal letter from ISD does note that full building code review is required.

Additionally, the single noted egress on plans is a front stairwell, where upper story units can ascend to enter and the basement can descend to enter. Given that this is new construction, rather than the renovation of an existing unit, the Planning Department encourages that at least some portion of a unit be located above-grade and that all building code requirements for egress are followed.

Use regulations:

A four-unit residential structure is a forbidden use in a 3F-6000 subdistrict, a violation not only of Article 65 Section 8 via the use table in Table A, but also of Article 65 Section 7 via the unit count restriction for three-family residential subdistricts. This structure is smaller in bulk and provides more off-street parking than many surrounding structures. Given the scale and prevalence of three-family and larger structures in the general area, relief is appropriate.

Site plan requirements:

Article 65 Table F requires 1.25 parking spaces per dwelling unit, requiring a total of 5. Only two spaces are provided on site, though the proposal also includes a proposed easement onto 29 Southern Ave to allow an additional four spaces, which would provide more than the required minimum. Similarly, screening and buffering requirements as noted by Article 65 Section 39 may not be fully met. Providing this much parking above and beyond the minimum is



inappropriate, given the degree to which it almost fully fills the rear yard with paved surfaces. Additionally, if the proponent seeks to provide parking above parking minimums, seeking zoning relief for unit counts above zoning minimums is yielding an inappropriate design outcome of this much off-street parking on such a constrained site. Proponent should consider reducing parking allowances given site constraints, eliminating the basement unit to remove the design consideration of so much additional parking on-site, or both. Relief is not appropriate.

Dimensional regulations:

This project violates a number of dimensional regulations for a 3F-6000 subdistrict. More specifically, the lot size of 4474 square feet is below the minimum lot size of 6000, the lot width needs to be 50 feet, while the most conservative interpretation of this irregular lot's frontage is only 35 feet, the proposed FAR of 1.07 is above the required maximum of 0.4, the proposed 3 stories is above the maximum allowed of 2.5 stories, the front yard of 9'3" is below the required 15' , and the lowest side yard (unmarked but likely below 5') is below the required 10'. In all of these cases, the proposed structure is fully contextually appropriate, and none of these dimensional requirements are achievable with any realistic design solution. The proposed building is an appropriate building for this parcel, and is similar in form to many surrounding buildings with similar constraints, and so relief for these violations is generally appropriate.

Recommendation:

In reference to BOA1659168, The Planning Department recommends DENIAL WITHOUT PREJUDICE. Proponent should consider reducing parking given site constraints, eliminating the unit located entirely in the basement to either remove the design consideration of so much additional parking on-site or building code and egress concerns, or both.

Reviewed,

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Deputy Director of Zoning



Case	BOA1690119
ZBA Submitted Date	2025-02-06
ZBA Hearing Date	2025-04-08
Address	11 Capen ST Dorchester 02124
Parcel ID	1702081000
Zoning District & Subdistrict	Dorchester Neighborhood 3F-6000
Zoning Article	65
Project Description	This is one of a group of three affordable homeownership projects being proposed under MOH's Welcome Home Boston program. 11 Capen Street would be a three-story building with six dwelling units.
Relief Type	Variance
Violations	Parking or Loading Insufficient Height Excessive (stories) Lot Area Insufficient FAR Excessive Front Yard Insufficient Side Yard Insufficient Use: forbidden (MFR)

Planning Context:

The proposed project is one of three affordable homeownership projects being proposed as a part of MOH's Welcome Home Boston program under separate permits. At 5,979 square feet, 11 Capen Street would be a three-story infill building with six three-bedroom units on a primarily residential block. The project is about a nine-minute walk from the Morton Street station, which is served by commuter rail.

Totaling 15 units altogether, the three projects would share a parking lot with seven spaces. Article 80 Small Project review requirements were waived for this project to help expedite the production of affordable housing (Article 80E-2(4(c))). According to notes on the building plans from ISD, building code review has been deferred at this time.

The proposed project is located within the study area of the Fairmount Indigo Corridor Planning Initiative, within the Morton Street Station Area. After a housing demand and capacity analysis, the Fairmount Indigo Corridor Planning Initiative study identified a need for 250 new housing



units in the Morton Street Station Area. The Fairmount Indigo Corridor Planning Initiative study report also stresses the importance of infill development, an aim mentioned 24 times in the document as a means of "reinforc[ing] neighborhood fabric" while adding new housing opportunities. The study report also notes that new development should help address displacement pressures. Comprised of affordable homeownership units, this project helps ensure that current Boston residents can stay in the City long-term. As part of the Welcome Home Boston development process, a Request for Proposal (RFP) was issued to give the public a chance to submit proposals for parcels of land owned by the City of Boston in the Dorchester and Mattapan neighborhoods of Boston.

Zoning Analysis:

Like other residences on this block, 11 Capen Street is three stories, with a design very similar to older three-deckers. 11 Capen Street would have an FAR of 1, similar to neighboring properties. For example, assessing data for 7 Capen Street (the immediately adjacent house) is 1.2 and it is 3 stories. While both of these exceed the current zoning caps of 0.4 FAR and 2.5 stories, they are not out of character with the existing residential scale.

At seven proposed spaces for 15 units, the parking is insufficient by Code standards (1.5 spaces per unit). However, the proposed project is located nine minutes away from the nearest transit station. Additionally, at one space per unit, the BTD parking maximums affirm the fact that the Code's parking requirements are now out of alignment with the area. With the Code requiring 1.5 spaces per unit, the three parcels would have to include 23 spaces. Adding that amount of parking to this project could result in fewer affordable homeownership units, a significant trade-off.

The project also received violations relating to the lot and yard (front and side yards, as well as insufficient lot area). The required front yard in this area is 15', while the side yard minimum is 10'. This project is proposing a front yard of 7' and a side yard of about 6' at its narrowest point. However, a smaller side yard is needed to accommodate both a driveway and a sloped accessible walkway leading to the parking lot. Smaller front and side yards are a normal condition of the block. The project also received an insufficient lot area violation. The requirement in this subdistrict is 6,000 square feet. However, according to assessing data, failing to meet this high requirement is another common condition on the block, as seen at 15 and 17 Capen Street.



This is a case for zoning reform to better align dimensional requirements with existing context as well as those needed to provide affordable home opportunities to Boston residents.

The plans are titled "Welcome Home Boston Phase II" and are dated September 17, 2024.

Recommendation:

In reference to BOA1690119, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with attention to parking lot maneuverability and design.

Reviewed,

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Deputy Director of Zoning



Case	BOA1690082
ZBA Submitted Date	2025-02-06
ZBA Hearing Date	2025-04-08
Address	270 Norfolk ST Dorchester 02124
Parcel ID	1702117000
Zoning District & Subdistrict	Dorchester Neighborhood 3F-6000
Zoning Article	65
Project Description	This is one of a group of three affordable homeownership projects being proposed under MOH's Welcome Home Boston program. 270 Norfolk Street would be a three-story building with six dwelling units.
Relief Type	Variance
Violations	Lot Width Insufficient Parking design and maneuverability Parking or Loading Insufficient Lot Area Insufficient FAR Excessive Height Excessive (stories) Rear Yard Insufficient Side Yard Insufficient Front Yard Insufficient Use: forbidden (MFR)

Planning Context:

The proposed project is one of three affordable homeownership projects being proposed as a part of MOH's Welcome Home Boston program under separate permits. At 5,357 square feet, 270 Norfolk Street would be a three-story infill building with six three-bedroom units on a primarily residential block. The project is about a nine-minute walk from the MBTA Morton Street Commuter Rail Station.

Totaling 15 units altogether, the three projects would share a parking lot with seven spaces. Article 80 Small Project review requirements were waived for this project to help expedite the production of affordable housing (Article 80E-2(4(c))). According to notes on the building plans from ISD, building code review has been deferred at this time.



The proposed project is located within the study area of the Fairmount Indigo Corridor Planning Initiative, within the Morton Street Station Area. After a housing demand and capacity analysis, the Fairmount Indigo Corridor Planning Initiative study identified a need for 250 new housing units in the Morton Street Station Area. The Fairmount Indigo Corridor Planning Initiative study report also stresses the importance of infill development, an aim mentioned 24 times in the document as a means of "reinforc[ing] neighborhood fabric" while adding new housing opportunities. The study report also notes that new development should help address displacement pressures. Comprised of affordable homeownership units, this project helps ensure that current Boston residents can stay in the City long-term. As part of the Welcome Home Boston development process, a Request for Proposal (RFP) was issued to give the public a chance to submit proposals for parcels of land owned by the City of Boston in the Dorchester and Mattapan neighborhoods of Boston.

Zoning Analysis:

This project received violations for excessive floor area ratio (FAR) and height in stories. Like other residences on this block, 270 Norfolk is three stories, with a design very similar to older three-deckers. 270 Norfolk Street would have an FAR of 1.4, similar to neighboring properties. For example, assessing data for 7 Capen Street (the project's closest neighbor to the east) has a FAR of 1.2 and is three stories. While both of these exceed the current zoning caps of 0.4 FAR and 2.5 stories, they are not out of character with the existing residential scale.

At seven proposed spaces for 15 units, the parking is insufficient by Code standards (1.5 spaces per unit). However, the proposed project is located nine minutes away from the nearest transit station. Additionally, at one space per unit, the BTB parking maximums affirm the fact that the Code's parking requirements are now out of alignment with the area. With the Code requiring 1.5 spaces per unit, the three parcels would have to include 23 spaces. Adding that amount of parking to this project could result in fewer affordable homeownership units, a significant trade-off.

The project also received violations relating to lot size (insufficient lot area and lot width) and for insufficient front (15' required), side (10' required), and rear yards (30' required). There is an additional citation regarding use (multifamily residences are forbidden in this 3F-6000 subdistrict). 270 Norfolk is proposing a front yard of approximately 7', a side yard of 3', and a rear yard used for parking. However, a smaller side yard is required for an accessible walkway, and smaller side and front yards are a normal condition of the block. The project also received

BOA1690082

2025-04-08

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an insufficient lot area violation. The minimum lot area in this subdistrict is 6,000 square feet. However, according to assessing data, failing to meet this high requirement is another common condition on the block, as seen at 15 and 17 Capen Street.

This is a case for zoning reform to better align dimensional requirements with existing context as well as those needed to provide affordable home opportunities to Boston residents.

The plans are titled "Welcome Home Boston Phase II" and are dated September 17, 2024.

Recommendation:

In reference to BOA1690082, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with attention to parking lot maneuverability and design.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1690111
ZBA Submitted Date	2025-02-06
ZBA Hearing Date	2025-04-08
Address	262 Norfolk ST Dorchester 02124
Parcel ID	1702079000
Zoning District & Subdistrict	Dorchester Neighborhood 3F-6000
Zoning Article	65
Project Description	This is one of a group of three affordable homeownership projects being proposed under MOH's Welcome Home Boston program. 262 Norfolk Street would be a three-story building with three three-bedroom units.
Relief Type	Variance
Violations	Parking or Loading Insufficient Parking design and maneuverability Height Excessive (stories) Lot Area Insufficient FAR Excessive Front Yard Insufficient Rear Yard Insufficient

Planning Context:

The proposed project is one of three affordable homeownership projects being proposed as a part of MOH's Welcome Home Boston program under separate permits. At 3,046 square feet, 262 Norfolk Street would be a three-story infill building with three three-bedroom units on a primarily residential block. The project is a nine-minute walk from the Morton Street Station, which is served by commuter rail. Totalling 15 units altogether, the three projects would share a parking lot with seven spaces. Article 80 Small Project review requirements were waived for this project to help expedite the production of affordable housing (Article 80E-2(4(c))). According to notes on the building plans from ISD, building code review has been deferred at this time.

The proposed project is located within the study area of the Fairmount Indigo Corridor Planning Initiative, within the Morton Street Station Area. After a housing demand and capacity analysis, the Fairmount Indigo Corridor Planning Initiative study identified a need for 250 new housing units in the Morton Street Station Area. The Fairmount Indigo Corridor Planning Initiative study report also stresses the importance of infill development, an aim mentioned 24 times in the



document as a means of "reinforc[ing] neighborhood fabric" while adding new housing opportunities. The study report also notes that new development should help address displacement pressures. Comprised of affordable homeownership units, this project helps ensure that current Boston residents can stay in the City long-term. As part of the Welcome Home Boston development process, a Request for Proposal (RFP) was issued to give the public a chance to submit proposals for parcels of land owned by the City of Boston in the Dorchester and Mattapan neighborhoods of Boston.

Zoning Analysis:

This project received violations for the proposed number of stories and for exceeding the floor area ratio (FAR) cap. Despite the Code limit of 2.5 stories in this district, 262 Norfolk is three stories, with a design very similar to older three-deckers on the block. 262 Norfolk Street would have an FAR of 1.4, similar to neighboring properties. Located right next door, assessing data shows that 7 Capen Street has a FAR of 1.2 and is three stories. While both of these exceed the current zoning caps (.4 FAR and 2.5 stories) they are not out of character with the existing residential scale.

The project also received violations relating to the lot and yard (front and rear yards, as well as insufficient lot area). The required front yard is 15', while the rear yard requirement is 30'. This project is proposing a front yard of 10' and a rear yard of 14'. However, smaller front and rear yards are a normal condition of the block, as seen at 2 and 4 Capen Street. The project also received an insufficient lot area violation. The minimum lot area in this subdistrict is 6,000 square feet. However, according to assessing data, failing to meet this high requirement is another common condition on the block, as seen at 15 and 17 Capen Street.

At seven proposed spaces for 15 units, the parking is insufficient by Code standards (1.5 spaces per unit). However, the proposed project is located nine minutes away from the nearest transit station. Additionally, at one space per unit, the BTD parking maximums affirm the fact that the Code's parking requirements are now out of alignment with the area. With the Code requiring 1.5 spaces per unit, the three parcels would have to include 23 spaces. Adding that amount of parking to this project could result in fewer affordable homeownership units, a significant trade-off.



This is a case for zoning reform to better align dimensional requirements with existing context as well as those needed to provide affordable home opportunities to Boston residents.

The plans are titled "Welcome Home Boston Phase II" and are dated September 17, 2024.

Recommendation:

In reference to BOA1690111, The Planning Department recommends APPROVAL WITH PROVISOR/S: that plans be submitted to the Planning Department for design review with attention to parking lot maneuverability and design.

Reviewed,

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Deputy Director of Zoning



Case	BOA1631598
ZBA Submitted Date	2024-07-25
ZBA Hearing Date	2025-04-08
Address	32 Dewey ST Dorchester 02125
Parcel ID	1300481000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	50
Project Description	Construct a new three-unit, three-story residential dwelling on a 3,489 sq ft vacant lot with two rear parking spaces and a shared driveway.
Relief Type	Variance
Violations	Parking or Loading Insufficient Lot Area Insufficient Additional Lot Area Insufficient Lot Width Insufficient Lot Frontage Insufficient FAR Excessive Usable Open Space Insufficient Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient

Planning Context:

This proponent seeks to construct a new three-unit, three-story residential dwelling on a 3,489 sq ft vacant lot within a predominantly residential block of Dewey Street in Dorchester's Dudley Triangle area. The Dudley Triangle area is a historic area identified in the MACRIS database with a select list of properties in its inventory. This property is vacant and does not propose demolition of any identified historic property within the inventory. This property directly abuts the side yard of 34 Dewey Street to the east, which has a separate application for a new construction of a two-unit, two-story residential dwelling on a 2,788 sq ft vacant lot (see application ERT1608682). These properties have common ownership and the plans for both projects are detailed in this application's set of plans.

Both project plans include the construction of a new ten-foot driveway with an 11.8-foot opening on Dewey Street going between both buildings. It extends to the two parking spaces in the rear



yard of 32 Dewey Street with a seven-foot and seven-and-a-half-inch turn opening behind the northeastern rear of the building to access the spaces. The driveway is located on both the properties of 32 Dewey Street and 34 Dewey Street, split in width between the two with the eastern side yard of 32 Dewey holding between 5.5-feet and 5.7 feet of the driveway width and 34 Dewey holding between 6.2 and 6.3 feet. The site plans do not include a plan for filling the existing curb cut on Dewey Street, creating a new curb cut, or if the rear parking spaces will be shared between the properties. The curb cut plans and the overall maneuverability of the driveway along with access to the rear parking space would benefit from further review. Additionally, this property is within a five-minute walk of several bus stops on Blue Hill Avenue that provide access to the 45 bus route which brings passengers to the Ruggles MBTA T station. As such, the proximity to public transit justifies the lower number of proposed parking spaces than the typical ratio of parking spaces in the area.

The surrounding block consists of two-story, two-and-a-half-story, and three-story residential dwellings, the majority of which are two-unit and three-unit dwellings with small front yards, off-set side yards for a driveway, and a diversity of narrow and wide rear yard depths. There is also a three-story apartment building across the street from Winthrop Playground to the east with a larger building width and floorplate than the nearby lower scale properties. Overall, the proposed projects at both 32 Dewey Street and 34 Dewey Street align with the use and scale of the existing context and adds to the diversity of housing stock.

However, the proposed rear parking spaces and parking design for 32 Dewey Street significantly reduce the amount of open green space and leave this property with no usable rear yard. The City does not support replacement of the existing permeable space with pavement for the parking of private vehicles. Additionally, the preceding analysis of the driveway necessitates design review with attention to parking design that could relate to this issue of removed open space. Review may include considering the removal of one or both parking spaces, reducing the massing of the dwelling on 32 Dewey Street in the rear to create more rear yard space, or reorienting the location of the driveway and parking spaces completely on just the 32 Dewey Street lot. It may also include the potential merging of these two separate properties into a single building, thus providing potential side yard and rear yard space if the central driveway is removed.



32 Dewey Street abuts the Winthrop Playground to the north. 34 Dewey Street abuts a small portion of a publicly owned parcel that is located between the property and Winthrop Playground parcel. 32 Dewey St abuts the side yard of a three-unit, three-and-a-half-story residential dwelling at 30 Dewey Street along most of the southern part of its western side lot line. It also abuts the rear of a two-unit, two-story residential dwelling at 87-89 Dacia Street along the northern part of its western side lot line. Due to being within 100 feet of the Winthrop Playground, both projects will require review by the Parks Commission with attention to the paved parking area that will abut the park.

Zoning Analysis:

This proposal has received ten violations specific to lot standards (lot area, additional lot area per dwelling unit, lot width, lot frontage, usable open space, front yard, side yard, and rear yard), building standards (floor area ratio), and use standards (off-street parking ratio).

As noted, this property is an existing vacant property of proposing a structure of similar height and use as properties of similar lot area in the surrounding area. Additionally, many of the surrounding properties have small front yards, off-set side yards, and variable rear yard depths, which all indicate a trend of existing properties not meeting the lot standards of this zoning subdistrict. This indicates a need for zoning reform to establish residential zoning regulations for lot standards that affirm and align with the more common scale of three-unit and two-unit properties in the area.

The insufficient rear yard and insufficient usable open space (Art. 50, Sec. 29) are largely due to the proposed rear parking space that takes up the entire rear of the property and the depth of the proposed dwelling. As noted, rear yard depths in this area vary but there are yard spaces. Design review of the parking and rear area should also include a consideration of if the overall building massing must be reduced in the rear to provide greater usable open space and rear yard abutting the Winthrop Playground to the north.

The proposed project has an excessive floor area ratio (Art.50, Sec. 29), though it is at a reasonable height and width for a three-unit dwelling compared to other three-unit dwellings in the area. Design review with attention to the potential and reducing the building massing in the rear could help to reduce this FAR, but the overall proposed scale is not excessive in the context of the varied lot coverage and building massings found on this block.



This subdistrict requires an off-street parking ratio of one parking space per dwelling unit, which the proposed two parking spaces are insufficient in meeting (Art. 50, Sec. 43). However, as stated in the Planning Context, this area has access to a local bus route which reduces the overall need for parking and private vehicles. It is also unclear if these are shared parking spaces or unique to the property at 32 Dewey Street. Any additional parking spaces would also further reduce usable open space and further complicate the parking design which requires review as proposed.

Site plan completed by Scott M. Cerrato on March 1, 2024. Project plans completed by Urban Determination on November 22, 2023.

Recommendation:

In reference to BOA1631598, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for review with attention to increasing the amount of usable open space and improving the parking design. This review may include consideration of reorienting or removing the proposed central driveway, clarifying any curb cut plans for a driveway, reducing or removing the number of parking spaces to create rear yard space, reducing the massing of the proposed dwelling to create rear yard space, or merging the proposed projects on 32 Dewey Street and 34 Dewey Street (ERT1608682) into a single building. Plans shall also be submitted to the Parks Department for review.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1631601
ZBA Submitted Date	2024-07-25
ZBA Hearing Date	2025-04-08
Address	34 Dewey ST Dorchester 02125
Parcel ID	1300480000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	50
Project Description	Construct a new two-unit, two-story residential dwelling on a 2,788 sq ft vacant lot with two rear parking spaces and a shared driveway.
Relief Type	Variance
Violations	Parking or Loading Insufficient Lot Area Insufficient Lot Width Insufficient Lot Frontage Insufficient FAR Excessive Usable Open Space Insufficient Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient

Planning Context:

This proponent seeks to construct a new two-unit, two-story residential dwelling on a 2,788 sq ft vacant lot within a predominantly residential block of Dewey Street in Dorchester's Dudley Triangle area. The Dudley Triangle area is a historic area identified in the MACRIS database with a select list of properties in its inventory. This property is vacant and does not propose demolition of any identified historic property within the inventory. This property directly abuts the side yard of 32 Dewey Street to the west, which has a separate application for a new construction of a three-unit, three-story residential dwelling on a 3,489 sq ft vacant lot (see application ERT1608671). These properties have common ownership and the plans for both projects are detailed in this application's set of plans.

Both project plans include the construction of a new ten-foot driveway with an 11.8-foot opening on Dewey Street going between both buildings. It extends to the two parking spaces in the rear yard of 32 Dewey Street with a seven-foot and seven-and-a-half-inch turn opening behind the



northeastern rear of the building to access the spaces. The driveway is located on both the properties of 32 Dewey Street and 34 Dewey Street, split in width between the two with the eastern side yard of 32 Dewey holding between 5.5-feet and 5.7 feet of the driveway width and 34 Dewey holding between 6.2 and 6.3 feet. The site plans do not include a plan for filling the existing curb cut on Dewey Street, creating a new curb cut, or if the rear parking spaces will be shared between the properties. The curb cut plans and the overall maneuverability of the driveway along with access to the rear parking space would benefit from further review.

Additionally, this property is within a five-minute walk of several bus stops on Blue Hill Avenue that provide access to the 45 bus route which brings passengers to the Ruggles MBTA T station. As such, the proximity to public transit justifies the lower number of proposed parking spaces than the typical ratio of parking spaces in the area.

The surrounding block consists of two-story, two-and-a-half-story, and three-story residential dwellings, the majority of which are two-unit and three-unit dwellings with small front yards, off-set side yards for a driveway, and a diversity of narrow and wide rear yard depths. There is also a three-story apartment building across the street from Winthrop Playground to the east with a larger building width and floorplate than the nearby lower scale properties. Overall, the proposed projects at both 32 Dewey Street and 34 Dewey Street align with the use and scale of the existing context and adds to the diversity of housing stock.

However, the proposed rear parking spaces and parking design for 32 Dewey Street significantly reduce the amount of open green space and leave this property with no usable rear yard. The City does not support replacement of the existing permeable space with pavement for the parking of private vehicles. Additionally, the preceding analysis of the driveway necessitates design review with attention to parking design that could relate to this issue of removed open space. Review may include considering the removal of one or both parking spaces or reorienting the location of the driveway and parking spaces completely on just the 32 Dewey Street lot. It may also include the potential merging of these two separate properties into a single building, thus providing potential side yard and rear yard space if the central driveway is removed.

32 Dewey Street abuts the Winthrop Playground to the north. 34 Dewey Street abuts a small portion of a publicly owned parcel that is located between the property and Winthrop Playground parcel. 32 Dewey St abuts the side yard of a three-unit, three-and-a-half-story residential



dwelling at 30 Dewey Street along most of the southern part of its western side lot line. It also abuts the rear of a two-unit, two-story residential dwelling at 87-89 Dacia Street along the northern part of its western side lot line. Due to being within 100 feet of the Winthrop Playground, both projects will require review by the Parks Commission with attention to the paved parking area that will abut the park.

Zoning Analysis:

This proposal has received nine violations specific to lot standards (lot area, lot width, lot frontage, usable open space, front yard, side yard, and rear yard), building standards (floor area ratio), and use standards (off-street parking ratio).

As noted, this property is an existing vacant property proposing a structure of similar height and use as properties of similar lot area in the surrounding area. Additionally, many of the surrounding properties have small front yards, off-set side yards, and variable rear yard depths, which all indicate a trend of existing properties not meeting the lot standards of this zoning subdistrict. This indicates a need for zoning reform to establish residential zoning regulations that affirm and align with the more common scale of three-unit and two-unit properties in the area.

The insufficient rear yard and insufficient usable open space are largely due to the proposed depth and building lot coverage of the proposed dwelling. As noted, rear yard depths in this area vary but there are yard spaces. Design review of this property in conjunction with the project at 32 Dewey Street should also include a consideration of if the overall building massing must be reduced or if adjustments to the proposed driveway can shift the overall massing of the project.

This subdistrict requires an off-street parking ratio of one parking space per dwelling unit, which the proposed two parking spaces are insufficient in meeting (Art. 50, Sec. 43). However, as stated in the Planning Context, this area has access to a local bus route which reduces the overall need for parking and private vehicles. It is also unclear if these are shared parking spaces or unique to the property at 32 Dewey Street. Any additional parking spaces would also further reduce usable open space and further complicate the parking design which requires review as proposed.



The proposed project has an excessive floor area ratio, though it is at a reasonable height and width for a three-unit dwelling compared to other three-unit dwellings in the area. Design review with attention to the potential and reducing the building massing in the rear could help to reduce this FAR, but the overall proposed scale is not excessive in the context of the varied lot coverage and building massings found on this block.

Site plan completed by Scott M. Cerrato on March 1, 2024. Project plans completed by Urban Determination on November 22, 2023.

Recommendation:

In reference to BOA1631601, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Department of Parks and Recreation for review and that plans be submitted to the Planning Department for design review with attention to increasing the amount of usable open space and improving the parking design. This review may include consideration of reorienting or removing the proposed central driveway, clarifying any curb cut plans for a driveway, reducing or removing the number of parking spaces to create rear yard space, reducing the massing of the proposed dwelling to create rear yard space, or merging the proposed projects on 32 Dewey Street (ERT1608671) and 34 Dewey Street into a single building.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1644751
ZBA Submitted Date	2024-08-26
ZBA Hearing Date	2025-04-08
Address	5 Lark ST South Boston 02127
Parcel ID	0700537000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Erect new four-story residential building with three units with off-street parking after demolishing an existing single-unit house.
Relief Type	Variance
Violations	Roof Structure Restrictions Lot Area Insufficient Additional Lot Area Insufficient FAR Excessive Usable Open Space Insufficient Parking design and maneuverability Rear Yard Insufficient Parking or Loading Insufficient Insufficient Minimum Access Drive Width

Planning Context:

The proposed project seeks to construct a new three-unit residential building at 5 Lark Street in South Boston. The proposed three-unit residential building will be four stories tall, and each unit will contain two bedrooms. There will also be three parking spaces stacked horizontally on the proposed first floor within an open-air garage that will be accessed through the existing curb cut on the property.

Currently, this lot, sized 32' by 56', holds a single-unit, two-story residential building. The existing structure would be subject to Article 85 Demolition Delay as it was built in 1900. Lark Street is a smaller street connecting W 8th Street with W 9th Street. Only two residential properties have a frontage on Lark Street, the proposed project and 7 Lark Street. The other properties front W 8th Street or W 9th Street and have their rear yards or parking on Lark Street. This area of South Boston is primarily residential, with dwellings that range from single-unit, two-unit, to multifamily.



While the proposed project sits outside the boundary of PLAN: South Boston Dorchester Avenue, this would further the goals outlined in Housing a Changing City, Boston 2030 (September 2018), as it would increase the available housing stock by creating additional housing units. Additionally, this site is suitable for higher density due its proximity to transit options as it is 0.5 miles from the Andrew Station MBTA Red Line Station and 0.1 miles from a bus stop for the MBTA 10 bus.

Zoning Analysis:

The refusal letter states a total of nine violations: roof structure restrictions, insufficient lot area, insufficient additional lot area, excessive FAR, insufficient usable open space, insufficient rear yard, parking design and maneuverability, insufficient parking, and insufficient minimum access drive width.

Regarding the roof structure restrictions, Section 68-29 notes that the height of any existing building on a lot shall determine the allowed building height on that lot subsequent to total or partial demolition of such building. Because of this, the maximum allowed height is 26 feet or 2-stories. This project is proposing a height of 39 feet 4.25 inches. Relief should be granted for this because the maximum allowed height in an MFR subdistrict under Article 68 is 40 feet, and the proposed building still falls within this limit. Additionally, the proposed height would also align better with the surrounding properties and would be more consistent with the built environment as abutting properties at 7 Lark Street and 177 W 8th Street are 3-4 stories tall.

Under Article 68, in an MFR subdistrict, the minimum required lot area is 2,000 square feet, with an additional 1,000 square feet for each additional dwelling unit. The proposed project has a lot area of 1,732 square feet for three residential units and does not meet the minimum requirement. However, relief should be granted for these violations as the lot size is actually larger than that of similar multifamily properties in the area. For example, 7 Lark Street is a multifamily property on a 1,251 square foot lot, and 182 W 9th Street is another multifamily property on a 1,204 square-foot lot. Both of these are smaller than the proposed lot.

The maximum allowed FAR is 2.0, while the project is proposing an FAR of 2.14. This is a case for zoning reform to align with the dimensional requirements of the built environment. Similar to the lot area, there are multifamily properties in this area of South Boston, such as 7 Lark Street and 182 W 9th Street, that are multifamily properties built on smaller lots, resulting in FARs that



exceed both the proposed FAR and max allowed 2.0 FAR. This project is also creating additional living space on a smaller lot that aligns with the current built environment of the area.

Because this is a shallow lot, the standard 20-foot rear yard requirement does not apply. Per Section 68-34.10, lots with a depth of less than 100 feet require a minimum rear yard of 15 feet. However, the proposed project proposes a rear yard of 10 feet. Relief should be granted due to the unique context of the site. This lot primarily abuts the rear yard of properties on W 8th and W 9th Street. 7 Lark Street is a 4-unit residential building on the corner of Lark Street and W 9th Street with no formal rear yard and an entrance on W 9th Street. While the rear yard is only 10 feet to accommodate parking, the ground floor features an open layout and abuts a vacant lot. Given these conditions, relief is warranted.

Regarding the amount of usable open space, the minimum required amount is 200 square feet per dwelling unit. This project is proposing 90 square feet per dwelling unit. However, relief should be granted due to two reasons: community feedback and the size of the parcel. The three parking spaces located on the first floor were added in response to community feedback, which requested off-street parking options. Additionally, the lot's size limits the design options as in order to accommodate the parking spaces, the amount of usable open space was reduced. Relief is warranted because the addition of parking was a request from the community and the lot size restricts the ability to accommodate both the community's request and open space requirements.

The three parking violations noted are insufficient parking spaces, insufficient maneuverability size of the parking spaces, and insufficient drive aisle width. In regards to the number of parking spaces, Article 68 requires a parking ratio of 1.5 but the site is providing 3 spaces with a ratio of 1.0. This is a case for zoning reform to address the discrepancy between the necessity and the requirement. This site is 0.5 miles from the Andrew Station MBTA Red Line Station and 0.1 miles from a bus stop for the MBTA 10 bus. Section 68-33 notes that 50% of the required parking spaces must be at least seven feet in width and 18 feet in length, and the remaining spaces must be no less than 8.5 feet in width and 20 feet in length. This project is currently proposing two spaces that are 8 feet by 16 feet and one space that is 7 feet 11 inches by 16 feet. Additionally, it is proposing a drive aisle of 14 feet 6 inches that does not clear the minimum required 20 feet.

The current design for the parking is infeasible as it does not meet the minimum space requirements, and the proposed drive aisle limits maneuverability. As off-street parking spaces

BOA1644751

2025-04-08

3 Planning Department



were the result of community feedback, a redesign would be necessary to ensure its usability. This would include relocating the stairs and entrance on the first floor to accommodate three parking spaces that would meet size and maneuverability requirements, such as laying the spaces out side by side vertically compared to the current horizontal layout. Alternatively, one parking space could be removed, reducing the total to two.

The plans reviewed are titled ERT1613154 UPDATED Zoning and building code refusal decisions with UPDATED BOA and AAB hearing plan set attached 2.5.25 (1) and are dated December 2, 2024. They were prepared by Timothy Burke Architecture.

Recommendation:

In reference to BOA1644751, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with attention to the first floor to create a feasible parking layout, such as creating the spaces side by side, or by removing a parking space, or consider removing the parking completely.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1688563
ZBA Submitted Date	2025-01-30
ZBA Hearing Date	2025-04-08
Address	15 Cawfield ST Dorchester 02125
Parcel ID	0703751000
Zoning District & Subdistrict	Dorchester Neighborhood 3F-5000
Zoning Article	65
Project Description	Replacing rear porches on a triple-decker with an addition for extended interior space
Relief Type	Variance
Violations	Rear Yard Insufficient

Planning Context:

15 Cawfield St is presently a three-story, three-unit dwelling. The building is a two-bay triple-decker which is similar in massing to the adjacent homes in the immediate vicinity. Presently the building has a shallow rear yard in comparison to the neighboring context. A common trait for these homes across the neighborhood is a rear stacked porch, accessible from every level. Some dwellings in the area have enclosed these porches for internal use. The proponents seek to expand the occupiable area of each of the three units by replacing the existing porches with enclosed laundry rooms.

Zoning Analysis:

The building has nine existing nonconformities. It should be noted that throughout the neighborhood the following violations or nonconformities are commonplace and should be considered for reform: insufficient off-street parking, insufficient lot area, insufficient lot width, insufficient lot frontage, excessive building height (feet & stories), insufficient front yard, insufficient side yard and insufficient rear yard.

Section 65-43 provides guidelines that a building may be altered or enlarged as long as the nonconformity is not increased. Only one of these nonconformities would be worsened by this addition causing a violation: insufficient rear yard. The 3F-5000 subdistrict in Dorchester zoning has a minimum rear yard setback of 30 feet and the existing building has a rear yard setback of 7 feet. The proposal would extend the building further back and make the new rear yard setback



1.5 feet. It is recommended that the proponent does not increase the rear yard violation by keeping the new proposed rooms within the footprint of the existing porch and retaining a 7 foot rear yard.

Recommendation:

In reference to BOA1688563, The Planning Department recommends DENIAL WITHOUT PREJUDICE. Proponent should consider a project that does not extend further into the rear yard than the existing non-conformity.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1692919
ZBA Submitted Date	2025-02-19
ZBA Hearing Date	2025-04-08
Address	36 to 42 W Broadway South Boston 02127
Parcel ID	0600023000
Zoning District & Subdistrict	South Boston Neighborhood MFR/LS
Zoning Article	68
Project Description	Confirm use of a third floor manufacturing space as well as seek a use variance for a second floor yoga space
Relief Type	Variance
Violations	Use: Forbidden

Planning Context:

The proposed project aims to renovate the office space on the building's third floor, which was previously used as a yoga studio. As this change occurs, the occupied light manufacturing space on the second floor will need to undergo an updated use appeal to align with the overall building improvements. Since the manufacturer is already established, this change will not affect the occupancy status.

This section of Broadway features extremely dense mixed-use development, with numerous commercial and office spaces located near the Broadway station. This density and the existing conditions indicate that the office space is a suitable fit for the area.

Zoning Analysis:

This project triggers two zoning use violations. The first is in regards to the light manufacturing use on the second floor. This space is already in use, and this process is seeking to confirm the occupancy. While new manufacturing is to be discouraged in the immediate area, the industrial historical context provides insight into the siting of the business and should not be rejected.

The second violation is regarding the third-floor office space. Office space is allowed on the first floor and basement as long as it has a separate entrance. This project does not follow these guidelines. However, this does not reflect the commercial nature of the Broadway Station area.



Office and commercial spaces are abundant, both recently established and historic. This points to a disconnect between the zoning code and the built reality of the neighborhood and may be a case for zoning reform.

Recommendation:

In reference to BOA1692919, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1694094
ZBA Submitted Date	2025-02-24
ZBA Hearing Date	2025-04-08
Address	457 to 469A W Broadway South Boston 02127
Parcel ID	0601960000
Zoning District & Subdistrict	South Boston Neighborhood MFR/LS
Zoning Article	68
Project Description	Change use to accommodate a small restaurant with takeout.
Relief Type	Conditional Use
Violations	Use: Conditional (Small Restaurant with Takeout)

Planning Context:

The proposed project seeks to change the use of a vacant commercial space in a mixed-use building to accommodate a small restaurant with takeout. 457-469A West Broadway is a five-story mixed-use building that finished construction in 2022. There were three ground floor level commercial spaces dedicated to retail. Two of the spaces currently hold Citizens Bank and sauna studio SweatHouz. The last space is currently vacant. This proposed change will allow restaurant chain Anna's Taqueria to open in the remaining vacant space.

This area of West Broadway consists of a mix of commercial and mixed-use buildings and is easily accessible by the MBTA 9 bus. Commercial uses in this area currently include banks, retail stores, saunas, restaurants that range from takeout to sit-down, and convenience stores. This project would enable Anna's Taqueria to expand its services into South Boston along one of the neighborhood's key commercial hubs, where it currently has no presence and current restaurants include fast food chains, Chinese, Italian, and American.

Zoning Analysis:

Under Article 68, in an MFR/LS subdistrict, a small restaurant with takeout is a conditional use. Article 6 notes that a conditional use permit can be granted if the following conditions are met: a) specific site is an appropriate location for such use, b) use will not adversely affect the neighborhood, c) there will be no serious hazard to vehicles or pedestrians from the use, d) no nuisances will be created and e) adequate and appropriate facilities will be provided for the



proper operation of the use. A conditional use permit should be granted for this restaurant as it both meets these requirements and would allow a local chain to open along one of the neighborhood's commercial hubs where current restaurants include fast food chains, Chinese, Italian, and American.

The plans reviewed are titled ANNAS SOUTH BOSTON APPROVAL SET ZBA.pdf (2) and are dated October 21, 2024. They were prepared by A. Normandin Design, Architect.

Recommendation:

In reference to BOA1694094, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1689340
ZBA Submitted Date	2025-02-04
ZBA Hearing Date	2025-04-08
Address	230 Marlborough ST Boston 02116
Parcel ID	0503365000
Zoning District & Subdistrict	Boston Proper H-3-65
Zoning Article	13
Project Description	Construct a new roof deck with wood-framed masonry walls on top of the existing garden-level roof structure. Modify an existing window to create a door for roof deck access. The proposed deck will be designed to complement the architectural character of the building and surrounding context.
Relief Type	Variance
Violations	Rear Yard Insufficient

Planning Context:

The proposed project is located mid-block in a densely built section of the Back Bay neighborhood, with many surrounding transit, open space, and civic amenities.

Nearby open spaces are abundant, including the Boston Public Garden just 0.6 miles away, the Commonwealth Avenue Mall one block south, and the Charles River Esplanade a few blocks to the north. Several retail and commercial amenities are located just a few walkable blocks away on Newbury and Boylston streets, the Prudential Center, and Massachusetts Ave.

The proposed project is located within a local Architectural District - the Back Bay Architectural District - which requires review by the Landmarks Commission. Pursuant to regulations for the Back Bay Architectural District, roof decks should be minimally visible from the public right of way, and such additions should maintain original roofline configurations on the front and rear elevations, among other design-related provisions.

Given the location of the proposed roof deck at the rear of the building abutting a public alley, which is mainly used for residential parking, storage, trash, and other rear deck additions, it is



unlikely that the proposed deck would be visible from the public way, and it does not alter the roofline in any way given that it is located above a garden-level unit. The proposed project is also contextually responsive to similar residential decks on neighboring properties. Many of these decks are located on different building floors - including top floor roofs - but are generally around the same size as the proposed project. Many of the existing rear yards along this block are of a similar depth, indicating an existing built condition that should be affirmed.

Zoning Analysis:

In the H-3-65 subdistrict, rear yard setbacks are required to be 25% of lot depth, which would be 28 feet since the lot is 112 feet deep. The existing rear yard setback is 16.9 feet. This zoning violation is an existing non-conformity, which the proposed roof structure does not worsen, so relief is recommended. This is a case for zoning reform to align dimensional regulations with existing context and accommodate existing buildings.

Recommendation:

In reference to BOA1689340, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Boston Landmarks Commission for review.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1556711
ZBA Submitted Date	2024-01-02
ZBA Hearing Date	2025-04-08
Address	138 Arlington ST Boston 02116
Parcel ID	0500771000
Zoning District & Subdistrict	Bay Village Neighborhood RH
Zoning Article	32, 63
Project Description	Demolish existing one-story building (separate permit to be filed), and construct a one-unit, four-story row house.
Relief Type	Variance, Conditional Use
Violations	GCOD Applicability Lot Width Insufficient Lot Frontage Insufficient FAR Excessive Height Excessive (stories) Height Excessive (ft) Usable Open Space Insufficient Rear Yard Insufficient Traffic Visibility Across Corner Lot Front Door Not Facing Front Lot Line

Planning Context:

This site sits within the Bay Village Historic District, located within a quarter mile of the Arlington MBTA Station and the Tufts Medical Center MBTA Station. Because of its location within the Bay Village Historic District, this project will be subject to Landmarks Review. The property is on the corner of Arlington Street and Melrose Street; the row houses along Arlington Street have a consistent architectural style and building form, with typically four or five stories and mansard roofs. The buildings immediately nearby along Arlington Street are less consistent, and range between two stories and six stories. However, this corner lot is the only property along Arlington Street within the Row House zoning subdistrict that extends further to the northeast along Melrose Street.

The parcel is abnormally small, at 350 square feet, compared to the other row house parcels along Melrose Street, which average around 750 square feet. This irregular parcel shape is due to the angled intersection of Melrose Street and Arlington Street. The existing building has a trapezoidal shape that extends to the property lines, with a 13.5' setback from the northwest



property line. This setback could be considered the rear yard when compared to the other row houses along Melrose Street, or considered the side yard if the building front is oriented towards Arlington Street.

The existing one-story building with a basement is currently occupied by an office use, and is not inventoried as part of the Bay Village Historic District. Given the size of the parcel, it would not be feasible to construct more than one unit of housing. The proposed project includes a kitchen in the basement/garden level, a living space on the first floor, and three bedrooms on each of the second, third, and fourth floors. The change from a currently underutilized parcel to a residential unit helps increase housing stock and fills in a "missing tooth" of row house typology along Melrose Street.

Zoning Analysis:

The proposed project is cited for several dimensional violations, several of which are existing nonconformities, and are largely due to the parcel's small size and zoning regulations that do not match the other existing buildings within the same row house subdistrict. The proposed building is nearly an exact extrusion of the existing building to be demolished.

The project is cited for traffic visibility across a corner lot, pursuant to Section 63-25. Given the existing building of this corner lot, the proposed building will not have a different traffic visibility impact than it currently does today.

The project is cited for insufficient lot width (15' required, 14.5' existing and proposed) and insufficient frontage (15' required, 14.5' existing and proposed). This is due to the small parcel size, is not changeable, and constitutes a reasonable condition for a variance pursuant to Section 7-3, due to the "exceptional narrowness, shallowness, or shape of the lot."

The project is cited for insufficient rear yard (12' required, 0' proposed), which is due to the corner lot condition. The 0' proposed rear yard is due to the building adjoining the neighboring rowhouse along Melrose Street, and a 13.5' setback is provided along the other side/rear yard along Arlington Street.

The minimum required usable open space is 150 square feet, and the proposed project provides 40 square feet via a roof deck. Several other row houses along Melrose Street provide open space through a roof deck or with a fenced-in yard in the rear. Given the location of this corner lot, rear-yard open space is not feasible, as it would be immediately fronting Arlington Street.



The project is also cited for excessive FAR (2.0 maximum, 4.05 proposed), excessive height in feet (35' maximum, 40' proposed), and excessive height in stories (three maximum, four proposed). One feature adding to the proposed FAR are bump-outs on the second and third floors to accommodate the bedrooms and bathrooms there. The proposal for including livable space extending over the public right of way may require a vertical discontinuance from the Public Improvement Commission above Melrose Street and Arlington Street.

The proposed building is nearly identical in height to the neighboring row house on Melrose Street, including the same architectural feature of a mansard roof. All of the row houses along Melrose Street exceed the maximum FAR of 2.0, and range between 2.2 and 4.4. Further, many of the row houses exceed the maximum height in stories and feet. The eight rowhouses adjacent to this proposed project extending down Melrose Street are built at or above 40'. This demonstrates a need for zoning reform to better match the existing context.

The final dimensional violation is for the location of the main entrance. Section 63-8 states that "the main entrance of a Dwelling shall face the Front Lot Line." The proposed main entrance is located off of Arlington Street, but does not face the lot line. Rather, the entrance is perpendicular to Arlington Street on the side/rear yard. The location of this entrance is likely due to both privacy concerns and to accommodate internal building circulation, as there is an immediate step up to the living room and step down to the basement kitchen area.

The project is located within the Coastal Flood Resilience Overlay District (CFROD), governed by Article 25A of the Zoning Code. Due to the project size, compliance with Article 25A is elective, but recommended. The 2070 projected 1% Storm Base Flood Elevation is expected to be 19' BCB. Therefore, with a residential use, the Design Flood Elevation of the proposed project is recommended to be 21' BCB.

Finally, the project is cited for Groundwater Conservation Overlay District Applicability. The project includes the erection or extension of a structure, where the new structure or extension occupies more than fifty square feet of lot area. Under Article 32, this requires a Conditional Use Permit, which mandates the design and installation of a groundwater recharge system capable of capturing 1 inch of precipitation over the lot's impervious area. The system design must be submitted to the Boston Water & Sewer Commission for review, comment, and approval.

Plans reviewed are titled "138 Arlington Street Bay Village Boston, MA", prepared by Pisani + Associated Architects, and dated August 3, 2023.



Recommendation:

In reference to BOA1556711, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Boston Landmarks Commission for design review, that 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 plans be submitted to the Planning Department for resilience review. Resilience Review shall include confirming that no additional liveable area be constructed below grade at risk for flooding; pursuant with the intent of Section 25A-6, such condition could be met by establishing the building height from the Sea Level Rise - Design Flood Elevation through resilience review.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1674746
ZBA Submitted Date	2024-11-27
ZBA Hearing Date	2025-04-08
Address	33 to 41 West ST Boston 02111
Parcel ID	0304818000, 0304819000
Zoning District & Subdistrict	Midtown Cultural Ladder Blocks and Washington Street Theatre Protection Area
Zoning Article	38
Project Description	Changing use of the second and third floors to include an "escape room," which is an expansion of the existing third-floor escape room into the second floor.
Relief Type	Conditional Use
Violations	Use: Forbidden (Escape Room/Puzzle Room)

Planning Context:

The two parcels that comprise this project are located two blocks from the Downtown Crossing MBTA Station and half a block from the Boston Common. The proposal slightly decreases the existing escape room use on the third floor by 358 square feet and expands it into the second floor by 2,425 square feet.

This area of Downtown Crossing is a hub for mixed-use activity, with vibrant entertainment, retail, residential, and office uses. The site is within the Ladder Blocks character area identified through PLAN: Downtown. A key priority for the Ladder Blocks area through PLAN: Downtown is adaptive reuse, especially for smaller-scale buildings such as the two as part of this proposal (one constructed in 1850 and one constructed in 1908). The ongoing Downtown Zoning initiative suggests these parcels be included in a new SKY-LOW district, which proposes indoor recreation uses to be allowed.

Given the existing use of the site and the planning recommendations established through PLAN: Downtown, an expansion of the escape room use is appropriate at this site.

Zoning Analysis:

"Escape Room" is considered a forbidden use because of its omission from the allowed and conditional uses in Section 38-18. However, an escape room could be considered a "cultural



use" or "entertainment use", which are both allowed in this subdistrict. This presents a case for zoning reform, where the land uses, as defined, may not have clear interpretation.

Plans reviewed are titled "Escape the Room Boston", prepared by Berman Design, and dated August 23, 2024.

Recommendation:

In reference to BOA1674746, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1656048
ZBA Submitted Date	2024-09-26
ZBA Hearing Date	2025-04-08
Address	255 Webster ST East Boston 02128
Parcel ID	0104642010
Zoning District & Subdistrict	East Boston Neighborhood EBR-3
Zoning Article	53
Project Description	Expanding the dormer on the front of a three-unit structure and adding an overhead canopy to the primary entrance.
Relief Type	Variance
Violations	Side Yard Insufficient

Planning Context:

The subject property is located on the south side of East Boston in a medium density residential neighborhood. The existing building is a three-unit, two and a half story colonial with a street facing dormer that has a single window. It has a front porch raised above the sidewalk and front stairs that descend immediately adjacent to the porch. The structure is built up to the eastern side property line with a passageway leading to a separate dwelling behind the structure on the western side. The property is surrounded by similar two and a half and three story structures with flat and pitched roofs. Many of the surrounding structures are built within the three-foot minimum side yard and most have canopies over the primary entrance.

Zoning Analysis:

The existing structure is built within the three-foot minimum side yard making it an existing non-conformity. The proposed dormer and canopy will encroach on the side yard therefore increasing the degree of non-conformity. Article 53-30 (2)(a) provides an exemption for horizontal extensions within the side yard so long as the proposed extension does not extend further into the side yard than the existing structure. The proposed dormer and canopy do not extend further into the side yard than the existing structure therefore qualifying for this exemption.



Plans reviewed Three-Family Residential 255 Webster Street East Boston, MA 02128 Proposed Roof Modification prepared by GPH design and dated June 5, 2024.

Recommendation:

In reference to BOA1656048, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1640127
ZBA Submitted Date	2024-08-14
ZBA Hearing Date	2025-04-08
Address	517 to 519 Metropolitan AV Hyde Park 02136
Parcel ID	1807753000
Zoning District & Subdistrict	Hyde Park Neighborhood 1F-6000
Zoning Article	69
Project Description	The proposal includes demolishing an existing one-unit dwelling and creating six (6), multiple bedroom townhomes, each with a parking garage.
Relief Type	Variance, Conditional Use
Violations	Parking design and maneuverability FAR Excessive Height Excessive (stories) Front Yard Insufficient Rear Yard Insufficient Usable Open Space Insufficient Parking or Loading Insufficient Forbidden Use Building Alignment Conformity Location of Main Entrance

Planning Context:

517-519 Metropolitan Ave is located in Boston's Hyde Park Neighborhood. It is an existing one-unit, one-story dwelling that resides on a nearly 13,000 square foot lot, one of the largest in the area. The parcel is primarily rectangular in shape with perpendicular lot lines that are slightly different lengths, making the rear lot line slanted. The neighborhood is comprised of a variety of housing types ranging from one to two and a half stories in height, as well as townhouses that face a side lot line (similar to those proposed), and a single story commercial plaza with stores like America's food basket, Dunkin Donuts, and other retailers.

In April 2008, the BRA board approved the Hyde Park Strategic Neighborhood Plan. Recommendations in the plan call for more affordable, multi-bedroom units, that are in close proximity to mixed-use and commercial areas and serve diverse populations. The proposed development includes demolishing an existing one-unit dwelling and increasing the utilization of



the parcel, by creating six, three-story townhouses with multiple bedrooms. Each town home is accompanied by an attached parking garage suitable for one car and there are five (5) driveway parking spots, and the site plan includes a number of shared green spaces (front and rear yards) within the property and private decks for each unit.

Zoning Analysis:

The proposal was sited for ten violations in total; seven are dimensional (Insufficient rear and front yard, insufficient usable open space, excessive FAR, excessive height (stories), building alignment, and main entrance location), two pertain to the location and number of parking spaces, and one regarding the proposed use.

In the 1-F6000 district multifamily uses are forbidden however, there are a number of multi-unit dwellings in the neighborhood suggesting that the use meets the conditions required for approval as outlined in Article 6-3 of the zoning code. Also, in the 1-F6000 a minimum front yard of 25 ft and a minimum rear yard of 40 ft are required. However, the project proposes a front yard of 15 ft and a rear yard of 20.2 ft both of which are still contextual with the existing neighborhood. Additionally, the minimum usable open space requirement in the district is 1800 sq. ft per dwelling unit while the project proposes 807 sq ft per dwelling. Given the size of parcels within the area, a large backyard is common. However, there are a number of buildings at the northern end of Metropolitan Ave where the usable open space more closely matches what is being proposed. Additionally, the 1-F6000 district permits a maximum FAR of 0.5 but the project proposes an FAR of 0.77. Although this is a significant increase, the creation of six townhouse style units on one of the larger lots in the area is appropriate. Additionally, the maximum number of stories permitted is 2.5 while this project proposes three. Although, this would be moderately taller than what is currently permitted and typically seen throughout the neighborhood, the additional attic space (third floor) adds essential living space that will be used to create multi-bedrooms units. A proviso for Design Review by the Planning Department will also help ensure that the proposed property's scale and usable open space remains contextual with the neighborhood.

The project was also cited for insufficient parking and location. In the Hyde Park Neighborhood District, a total of 12 parking spaces (two per dwelling unit) is required but the proposal only includes sufficient parking for 11 spaces. This moderate deficiency actually puts the project in closer alignment with BTDA's maximum parking ratios for larger projects (one per dwelling= six parking spaces total). Additionally, the project was cited for improper parking location for the five



driveway spaces. Currently, they are located at the far eastern side of the property directly abutting the property line. However, according to Article 69-29, parking spaces need to at least five ft away from the side lot line. Moreover, there is also likely an opportunity to remove some of the additional surface parking and increase usable open space at the property. The proviso for Design Review by the Planning Department will further examine and improve the site plan.

Lastly, the project was cited for building alignment conformity and main entrance location. The plans for the project did not provide a street modal calculation to verify conformance however, this can be addressed with Design Review and has been included in the proviso. To accommodate the layout of the townhouse style units, the front entrances of the units face the eastern side lot line. This is contextual with the neighborhood as there is an existing development of similar units facing the side lot line as well.

Recommendation:

In reference to BOA1640127, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with attention to the site plan to minimize surface parking spaces and maximize permeable surfaces/open space.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1685237
ZBA Submitted Date	2025-01-22
ZBA Hearing Date	2025-04-08
Address	25 Denton TE Roslindale 02131
Parcel ID	1805117000
Zoning District & Subdistrict	Roslindale Neighborhood 1F-6000
Zoning Article	67
Project Description	Construct a shed dormer addition to the existing attic of a detached single-family home. The scope of work includes interior renovations to convert the finished attic space into a master suite and the reconstruction of the existing stairway from the second floor. No work is proposed on the lower levels, and the building floorplate will remain unchanged.
Relief Type	Variance
Violations	FAR Excessive Side Yard Insufficient

Planning Context:

The subject property is located in the Roslindale neighborhood within the 1F-6000 zoning district, which is designated for low-density, single-family residential development. The home is a detached, single-family dwelling that is consistent with the architectural character and development patterns of the surrounding neighborhood. The area is primarily composed of similar early- to mid-20th-century homes, many of which feature expanded dormers within attic spaces. These dormers contribute to the established built environment and neighborhood fabric by providing additional living space while maintaining the overall scale and character of the district.

The proposed dormer addition is designed to be compatible with this existing pattern of development and will not introduce a scale or form that is inconsistent with the surrounding properties. The modified building is not out of character with surrounding properties, indicating a need for zoning reform to better align dimensional requirements with existing context.

Zoning Analysis:



The plans propose the construction of a full-length dormer addition to the existing attic of a detached, single-family home in the 1F-6000 zoning district. A detailed review of the proposal against the requirements of Article 67 of the Boston Zoning Code has revealed the following zoning implications:

Floor Area Ratio (FAR) Compliance: Under Article 67, Table C, the maximum allowable Floor Area Ratio (FAR) for properties in the 1F-6000 district is 0.5. The lot has a total area of 4,000 square feet, with a maximum allowable Floor Area Ratio (FAR) of 0.5, which permits a maximum floor area of 2,000 square feet. The existing structure has a total floor area of 1,815 square feet, and the proposed dormer addition would increase the total floor area to 2,191 square feet. As a result, the proposed FAR is 0.547, exceeding the permitted 0.5 limit, thereby requiring zoning relief for excessive floor area.

Side Yard Setback Compliance: Since the proposed dormer maintains the existing nonconforming 5-foot side yard setback, which does not meet the required 10-foot minimum, this modification requires a variance for dimensional relief to allow for the continued nonconformity.

Neighborhood Consistency & Justification for Relief: The surrounding neighborhood features a consistent pattern of similar dormer additions on nearby homes, reflecting a common architectural style. Many homes in the area have enlarged dormers that integrate seamlessly into the roofline, indicating an established precedent for such modifications.

While the proposed dormer requires zoning relief for side yard setback and for exceeding the maximum allowable Floor Area Ratio (FAR). Despite these zoning nonconformities, the project does not introduce an out-of-character element to the neighborhood. The proposed design remains in harmony with the surrounding built environment and ensures that the scale and massing of the structure remain visually consistent with adjacent properties. Given the existing pattern of development, the Zoning Board of Appeal (ZBA) should consider granting relief, as the proposal aligns with the architectural character of the area while improving the functionality and livability of the home without creating adverse impacts on neighboring properties. The project is a case for zoning reform to establish dimensional requirements that better align with the existing built fabric.

The plans, titled “25 Denton Terrace Renovation & Addition” and prepared by Derek Rubinoff Architect, are dated 11/12/24.



Recommendation:

In reference to BOA1685237, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1674858
ZBA Submitted Date	2024-11-29
ZBA Hearing Date	2025-04-08
Address	9 Perrin ST Roxbury 02119
Parcel ID	1200347000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	50
Project Description	Subdivide lot into two lots. One lot to contain a three-unit building and one lot to contain a two-unit building in an existing carriage house. Three-unit building submitted as separate case ALT1644862.
Relief Type	Variance
Violations	Lot Area Insufficient NDOD Applicability Lot Width Insufficient Lot Frontage Insufficient Usable Open Space Insufficient Side Yard Insufficient Rear Yard Insufficient Two or more dwellings on the same lot

Planning Context:

The proposed project subdivides an existing lot containing one three-story building and one two-story carriage house into two lots, each to contain one structure. This project was filed in conjunction with a case at 93 Moreland Street, which contains the plans for alterations of the existing three-story building.

The proposed project is seeking to convert an existing carriage house into an Accessory Dwelling Unit (ADU). The project's scope aligns well with the Mayor's Office of Housing's ADU 2.0 Pilot and ongoing planning work to develop a Citywide ADU Pattern Book and zoning for ADUs. In 2021 and 2022, the Mayor's Office of Housing (MOH) developed the ADU 2.0 initiative, which provides guidance and zoning relief to homeowners interested in turning existing exterior structures, like garages, into livable spaces. MOH recognizes that ADUs can provide additional income for homeowners and flexible, separate living arrangements for families to age in place, or support relatives or children while still maintaining their privacy.



The proposed project also contains six parking spaces across a large paved area. Neither the number of parking spaces, nor the extent of the proposed impermeable area align with planning guidelines, including a reduction of urban heat island and reduced reliance on single occupancy vehicles. It is recommended that as this project undergoes design review, the number of parking spaces and area dedicated to surface parking are both reduced to a maximum ratio of 1.0 space per dwelling unit.

Zoning Analysis:

The proposed project contains eight zoning violations. While the lot area is changing through the proposed subdivision, there are no external changes proposed to the existing building that would alter the neighborhood character. In order to support a variety of housing production within the City, only design review is suggested to ensure the character of the Neighborhood Design Overlay District is maintained, and that the parking, as mentioned in the Planning Context, is reviewed to improve layout and maneuverability.

Recommendation:

In reference to BOA1674858, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review for location in a Neighborhood Design Overlay District, and for attention to the number and layout of the parking spaces.

Reviewed,

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Deputy Director of Zoning



Case	BOA1674857
ZBA Submitted Date	2024-11-29
ZBA Hearing Date	2025-04-08
Address	93 Moreland ST Roxbury 02119
Parcel ID	1200347000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	50
Project Description	Subdivide a lot into two lots. One lot will contain a two-unit building in the existing carriage house, and one lot will contain a four-unit building. The two-unit building is considered a separate case BOA1674858.
Relief Type	Variance, Conditional Use
Violations	NDOD Applicability Side Yard Insufficient Rear Yard Insufficient Two or More Dwellings on Same Lot Use: conditional

Planning Context:

This lot currently contains three units, including a main building constructed in the 1890s and an accessory building, both in fair condition. The proposed project subdivides an existing lot containing one three-story building and one two-story carriage house into two lots, each to contain one structure. This project was filed in conjunction with a case at 9 Perrin Street, which contains the plans for alterations of the existing two-story carriage house.

The original corner lot is approximately 11,500 square feet, significantly larger than most surrounding residential lots, which average around 4,000 square feet. The proponent seeks to divide it into two lots: one at 93 Moreland St, about 7,500 square feet, and another at 9 Perrin St, about 4,000 square feet.

The proposal to convert the existing one-unit three-story building into a four-unit building, along with subdividing the lot to create two additional units on the adjacent parcel, aligns with the city's planning goals of increasing housing supply as outlined in Housing a Changing City: Boston 2030 (September 2018). Additionally, The Roxbury Strategic Master Plan advocates for



increased housing opportunities at different income levels and the retention of existing affordable housing. The proposed development will not only add much-needed housing to the area but also preserve existing structures, providing a viable path for maintaining and repairing buildings that are in fair condition. This approach supports both housing growth and historic preservation.

Located in Roxbury at the corner of Moreland St and Perrin St, the site is surrounded by a mix of 2.5- and 3.5-story buildings, some with small commercial spaces on the ground floor and, in certain cases, zero-lot-line conditions. The lot is just one block from Blue Hill Avenue and within a 15-minute walk of the MBTA Uphams Corner Commuter Rail Station.

Given the location along this major transportation corridor, surrounding commercial establishments, and dense multifamily development, additional housing units are appropriate at this site.

The proposed adjacent 9 Perrin Street lot contains six parking spaces across a large paved area. Neither the number of parking spaces, nor the extent of the proposed impermeable area align with planning guidelines, including a reduction of urban heat island and reduced reliance on single occupancy vehicles. It is recommended that as this project undergoes design review, the number of parking spaces and area dedicated to surface parking are both reduced to a maximum ratio of 1.0 space per dwelling unit.

Zoning Analysis:

The refusal letter cites four zoning violations: insufficient side yard, insufficient rear yard, multiple dwellings on the same lot, and conditional use; and cites the applicability of the NDOD (Neighborhood Design Overlay District) for design review. While the lot area is changing through the proposed subdivision, there are no external changes proposed to the existing building that would alter the neighborhood character. In order to support a variety of housing production within the City, only design review is suggested to ensure the character of the Neighborhood Design Overlay District is maintained, and that the parking, as mentioned in the Planning Context, is revised.

Recommendation:



In reference to BOA1674857, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review due to location in the Neighborhood Design Overlay District.

Reviewed,

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Deputy Director of Zoning



Case	BOA1564330
ZBA Submitted Date	2024-01-22
ZBA Hearing Date	2025-04-08
Address	296 Summit AV Brighton 02135
Parcel ID	2101720000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 3F-4000
Zoning Article	51
Project Description	Add basement dwelling unit and surface parking to an existing three-unit building.
Relief Type	Variance, Conditional Use
Violations	Limitation of Area for accessory use (parking) Rear Yard Insufficient Usable Open Space Insufficient Additional Lot Area Insufficient FAR Excessive Parking design and maneuverability Use: Forbidden (MFR) Use: Forbidden (Accessory Parking) Number of Habitable Stories Exceeded

Planning Context:

The proposed project is located on a block with a mix of single-unit and three-unit dwellings. This project intends to make no changes to the exterior dimensions of the structure. Exterior alterations are limited to changes to window openings and egress/ingress to improve the habitability of the proposed basement unit.

The proposed project is seeking to convert an existing basement space into an Accessory Dwelling Unit (ADU). The project's scope aligns well with the Mayor's Office of Housing's ADU 2.0 Pilot and ongoing planning work to develop a Citywide ADU Pattern Book and zoning for ADUs. In 2021 and 2022, the Mayor's Office of Housing (MOH) developed the ADU 2.0 initiative, which provides guidance and zoning relief to homeowners interested in turning existing exterior structures, like garages, into livable spaces. MOH recognizes that ADUs can provide additional income for homeowners and flexible, separate living arrangements for families to age in place, or support relatives or children while still maintaining their privacy. The location of this unit outside of a designated flood zone supports its utility as a dwelling space.



The Allston-Brighton Needs Assessment also recognizes the need for improved housing stock in the Allston-Brighton Neighborhood, including units with multiple bedrooms to meet the needs of families. The proposed project updates existing housing stock to meet the needs identified in this Assessment.

Boston Transportation Department Parking Maximum Guidelines also establish an important planning context for this proposed project. Projects should aim to align with BTM maximums in lieu of exceeding such maximums to align with zoning requirements.

Zoning Analysis:

The dimensional violations for the proposed project, FAR Excessive and Rear Yard Insufficient, persist from the existing condition, given that no exterior changes are being made that affect the massing of the structure. The proposed project adds a new unit to the basement of the building, converting the existing structure from a three-unit dwelling to a four-unit (multifamily) dwelling. While the number of habitable stories is increasing, the height and character of the building remain unchanged and contextual with the surroundings.

The proposed project contains three violations with respect to the parking area: Limitation of Area for accessory use (parking), Parking design and maneuverability, and Use: Forbidden (Accessory Parking). Ten spaces are proposed on site. The proposed project is located near several public transit options, approximately 1/4 mile from the Washington MBTA Green Line Station. While the Zoning Code sets minimums for parking, BTM has established parking maximums that are used as guidelines. The intent of using parking maximums in lieu of minimums is to reduce reliance on single occupancy vehicles in an area with rich transit options and walkable neighborhoods. Per Article 51, Table J, the minimum number of parking spaces for a project of this type is 1.75 spaces/dwelling unit, totaling seven spaces. The BTM guidelines recommend only 1.0 spaces/dwelling unit. It is recommended that the proponent reduce the number of spaces to align with the parking maximums as opposed to the parking minimums. Such change would also improve the parking maneuverability from the proposed condition, as parking above the recommended maximum often creates additional violations for usable open space and vehicle maneuverability.

Recommendation:

In reference to BOA1564330, The Planning Department recommends DENIAL WITHOUT PREJUDICE. While the use is appropriate, the proponent should consider a project that



redesigns the proposed parking layout with fewer parking spaces in order to improve maneuverability and increase usable open space.

Reviewed,

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Deputy Director of Zoning



Case	BOA1685352
ZBA Submitted Date	2025-01-22
ZBA Hearing Date	2025-04-08
Address	4471 Washington ST Roslindale 02131
Parcel ID	2000498000
Zoning District & Subdistrict	Roslindale Neighborhood 2F-5000
Zoning Article	67
Project Description	Erect a new residential building with eight units and four parking spaces.
Relief Type	Variance
Violations	Parking or Loading Insufficient FAR Excessive Height Excessive (stories) Usable Open Space Insufficient Rear Yard Insufficient Additional Lot Area Insufficient Forbidden use (multifamily)

Planning Context:

The proposed project is to infill a vacant lot in a 2F-5000 subdistrict in Roslindale. The lot is within the proposed Roslindale Squares + Streets rezoning area. For this portion of Washington Street, the Roslindale Squares + Streets Plan, approved in February 2025, recommends "[m]ixed-use gateways located at existing commercial clusters around the Square," and more specifically provides that "small-to-medium scale housing options" are an appropriate option for built form. This proposal provides an example of this type of housing located near transit services along Washington St.

On balance, this project is an example of contextual infill housing that resembles existing neighborhood fabric. This is a good example of projects that fit within the range of outcomes possible under Squares + Streets planning and zoning. Given the appropriateness of projects at this scale and beyond, future zoning reform should continue identifying locations where Squares + Streets districts can be mapped.

Zoning Analysis:

Per Article 67, Table F, two parking spaces per unit are required for residential uses. A total of 4 parking spaces, averaging out to 0.5 spaces per unit are being proposed, which would be a



violation. With good access to the 34, 34E, and 70 buses, and 0.7 miles walking distance to the MBTA Roslindale Village Commuter Rail Station, parking at less than one space per unit is appropriate. Relief is appropriate.

Per Article 67, Table C, the minimum lot area required for uses other than a 1F or 2F residential dwelling in a 2F-5000 subdistrict is 8,000 square feet. This lot is 6,500 square feet, which is insufficient. Additionally, 1,750 square feet of usable open space are required per unit, which would require 14,000 square feet of open space, which is more than twice the size of the lot. These restrictions on minimum lot size and required open space are effectively a replication of a prohibition on uses other than one-family or two-family dwellings. While the exact amount of open space is not shown on the plans, it is likely approximately 2,000 square feet of permeable space on the ground, with additional space via three porches, which exceeds many neighboring properties. Relief is appropriate.

Per Article 67, Table C, the maximum FAR in a 2F-5000 is 0.5, the maximum number of stories is 2.5, and the required rear yard is 40 feet. With a project area of 9853 square feet, the FAR on this would be approximately 1.5, which would be a violation, the project proposes 3 stories, which would also be a violation, and the rear yard would be a violation at 20 feet. Many buildings on this block have an FAR well above 0.5, heights at 3 stories, and rear yards smaller than 40 feet, meaning this zoning's FAR and story limit does not even represent existing conditions. Relief is appropriate.

Per Article 67, Table B, residential uses larger than two-family are forbidden. This proposes eight units, and so would be a violation. Multifamily and mixed-use properties can be found widely not only abutting but up and down Washington St, and this use restriction is highly restrictive relative to existing conditions. As noted in the planning context, the Roslindale Squares + Streets plan specifically envisions multifamily use as an appropriate use for this area. Relief is appropriate.

As a project proposed in January 2025 and over seven units, this is subject to Article 79, Boston's inclusionary zoning, which went into effect in October 2024. The proponent needs to secure an affordable housing agreement with the Mayor's Office of Housing memorializing proponent's obligations under Article 79.

With a focus on site plan and accessibility requirements, design review with the Planning Department is appropriate.



Recommendation:

In reference to BOA1685352, The Planning Department recommends APPROVAL WITH PROVISIO/S: that a housing agreement be issued prior to issuing permits, that plans be submitted to the Planning Department for design review.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1631614
ZBA Submitted Date	2024-07-25
ZBA Hearing Date	2025-04-08
Address	679 Cummins HW Mattapan 02126
Parcel ID	1802115000
Zoning District & Subdistrict	Greater Mattapan Neighborhood R2
Zoning Article	60
Project Description	Subdivide the existing parcel into two lots and build a new three-family structure on the new parcel.
Relief Type	Variance
Violations	Rear Yard Insufficient Front Yard Insufficient Parking or Loading Insufficient Building Lot Coverage Excessive Permeable Area of Lot Insufficient Forbidden Parking Location

Planning Context:

This proposal was previously considered and deferred at the January 28, 2025 and the March 25, 2025 hearings. The plans have not changed and the recommendation has remained the same. The proponents are proposing to divide an existing lot into two lots and build a new three-unit building. The existing three-unit structure would remain 677 Cummins Highway while the new lot with the proposed construction would become 679 Cummins Highway. The present site of what is proposed to be the 679 Cummins Highway parcel is currently serving as a fully paved parking lot for 677 Cummins Highway. Subdivision of the lot would create two lots much smaller than the typical lot size in the area; in order to provide infill development, the proponent would have to consider smaller buildings than what is typically seen in the area. The existing lot is 6,768 SF and the new lots will be 3,218 SF and 3,551 SF. The proposed would be located in the extents of PLAN: Mattapan. PLAN: Mattapan was adopted in April 2023; updated zoning for residential areas followed in January 2024. PLAN: Mattapan outlines Cummins Highway as a crucial corridor in the neighborhood. Infill development in character to the context is encouraged along corridors like Cummins Highway.

Zoning Analysis:



The proposal would trigger seven violations for the new building at 679 Cummins Highway while creating four violations for the existing building at 677 Cummins Highway due to the creation of a new, smaller lot. The 677 Cummins Highway parcel will have an insufficient size of permeable space at 8% while the required is 25%. This however is not a new violation for the site due to an already existing lack of permeable space. 677 Cummins Highway will also have a new insufficient cumulative side yard minimum of 6' while the required is 14'. The last new violation for the 677 Cummins Highway parcel will be insufficient parking of 0 spaces while the required is 2.25 (3) spaces. These violations are caused due to the creation of the new lot, but reflect common non-conformities seen in the area.

The new proposed 679 Cummins Highway property would have a violation of exceeding the allowed building lot coverage of 40% at a coverage amount of 53%. The proposed project will also have an insufficient amount of permeable area of lot at 0% while the required is 25%. There will also be an insufficient side yard at 2' while the required is 3'. The cumulative side yard setback would be insufficient at 7' while the required is 14'. The rear yard setback would be insufficient at 5.6' while the required is 20'. The parking of 2 cars would be insufficient at 2 while the required minimum is 2.25 (3) . The location of the parking is also a violation due to parking not allowed along the front yard of a parcel. These violations can not be recommended for relief. The zoning is very recent zoning created to implement PLAN: Mattapan and the violations would work against the outlined new zoning. Proponents should consider an addition of housing in an appropriate manner, either by pursuing an ADU, or by constructing a smaller building on a new lot to comply with dimensional regulations.

"677 Cummins HWY Zoning Set" Dated 12-26-2024 drawn by SIC Design.

Recommendation:

In reference to BOA1631614, The Planning Department recommends DENIAL WITHOUT PREJUDICE. Proponent should consider a project that aligns with the dimensional regulations of updated zoning, particularly for any new infill development.

Reviewed,

Deputy Director of Zoning



Case	BOA1630352
ZBA Submitted Date	2024-07-23
ZBA Hearing Date	2025-04-08
Address	77 Bailey ST Dorchester 02124
Parcel ID	1704525000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-5000
Zoning Article	65
Project Description	Erect a 3-story multifamily building with 6 dwelling units, each with two bedrooms and 2 bathrooms. The building will have front decks, a common roof deck, and six rear parking spaces. This is Building 1 of 2 buildings that will be built on the same lot. See ERT1609270 for the second building at 79 Bailey Street. Demolition of the existing building will be filed under a separate permit.
Relief Type	Variance
Violations	Parking or Loading Insufficient Parking design and maneuverability Existing Building Alignment Lot Area Insufficient Lot Width Insufficient Lot Frontage Insufficient FAR Excessive Side Yard Insufficient Two or More Dwellings on Same Lot Use: Forbidden (Multi-family dwelling)

Planning Context:

The proponent seeks to build two separate three-and-a-half-story, six-unit multifamily residential dwellings on the same lot with a total of six rear parking spaces shared between the buildings.

The two buildings are identical in scale, unit type, and unit size. This application is for the building that will have 77 Bailey Street as its address and is proposed for the western side of the lot. It is associated with application ERT1609270 which is the second building that will have 79 Bailey Street as its address and is proposed for the eastern side of the lot.

ISD has provided a set of revised site plans (dated February 10, 2025) and project plans (dated February 4, 2025) submitted by the proponent that have not yet received a stamp by ISD. These



plans show modifications to the original plan set. This recommendation is based on these revised plans. If these plans are stamped by the date of the Zoning Board of Appeal hearing, then the Planning Department's recommendation in this letter will remain.

The original plans proposed that each building would have basement storage space, flat square bays, front decks for the second and third floors, and a roof deck. Based on the revised plans, the following modifications have been made: removes the front balconies, changes the front of the building to have octagonal bays which are more in line with adjacent three-deckers, adds rear balconies, removes the roof deck as well as the basement storage, and adds a half-story penthouse for one of the units in each building which changes the height from three to three-and-a-half stories.

The existing property is a 9,225 sq ft lot and currently holds a two-story, three-unit residential dwelling. The front lot line of this parcel is in alignment with the front lot line of 87 Bailey Street to the east, but the abutting 75 Bailey Street property to the west is angled towards the northwest due to a turn in the street that places that property's front lot line out of alignment with 77 Bailey Street.

The proponent seeks to demolish this existing structure to erect the two proposed dwellings. This property is listed as having a "Pending Landmark" status by the Boston Landmarks Commission. As such, this project would have to adhere to the provisions of Article 85 (Demolition Delay) as the landmark status of this property is reviewed.

The property's lot size is larger than that of abutting and adjacent residential dwellings that hold three or more units. The current building form also differs in design compared to other three-unit residential dwellings in the area because it is only two stories and has a wider building width than those adjacent dwellings.

The properties surrounding this lot are predominantly three-story, three-unit residential dwellings while properties further down Bailey Street to the west include one-unit, two-unit, and multifamily residential dwellings at various heights. This property also abuts a five-story mixed-use building along its southern rear lot line that has 64 dwelling units and 24 parking spaces. The variety of building scales in this area indicates a diverse building pattern that this project would fit well into, especially considering that the project is proposed with a style similar to three-decker buildings.



This property is located on a predominantly residential street but it is the third lot west of the intersection of Dorchester Avenue and Bailey Street. This places it within a five-minute walk of a major commercial corridor, the Ashmont MBTA Red Line Station, and bus stops along Dorchester Avenue and Talbot Avenue. The proposed multifamily residential use for this property aligns with the surrounding land use patterns and aligns with the City's goal of encouraging transit-oriented development by placing more housing units closer to MBTA T stations and bus routes.

The existing property has a driveway along the western side lot that leads to the southern rear yard where there is a small garage and a large amount of paved rear yard space. The property is listed as having five parking spaces according to its report by the Assessing Department. There is an existing curb cut for this driveway. The proponent seeks to demolish the rear garage to place six total exterior parking spaces in the southern rear yard behind the two buildings. To access these parking spaces, the plans indicate a new 10 ft driveway entry from the center of the front lot line that leads to the rear yard parking spaces. The plans do not clearly indicate if the curb cut for the existing side yard driveway will be closed and it also does not indicate if a new curb cut is proposed for this central driveway.

Additionally, while the project seeks to provide front decks and a roof deck, the ground-level usable open space is largely diminished due to the amount of paved space that will be committed to the driveway and rear parking spaces. The Planning Department Transportation team recommends that the proponent consider alterations to the project that could allow for an expansion of usable open space, the retention of the existing curb cut, and an improvement of the existing driveway or the proposed driveway and parking area design. Alterations could include driveway and parking redesign, adjustment to the two buildings' footprint, or merging the projects into a single building.

The proposal of 12 total dwelling units on this lot triggers the provisions of the Inclusionary Development Policy, which is effective for projects proposing 10 or more dwelling units and that sought out zoning relief prior to October 1, 2024. As such, the proponent will need to include 13% affordable unit(s) and must be issued a housing agreement prior to issuing permits if the proposed number of dwelling units remain above ten total.

Zoning Analysis:



This application has received 10 violations specific to land use standards (multifamily dwelling residential use, off-street parking use), design standards (parking design), lot standards (lot area, lot width, lot frontage, side yard, two or more dwellings on the same lot, and conformity with existing building alignment), and building standards (floor area ratio). Additionally, while the buildings at 77 and 79 Bailey Street are identical, the refusal letter for this building did not include a violation for building height in stories that the refusal letter for 79 Bailey Street (ERT1609270) did include. Therefore, that zoning regulation will be reviewed as well relative to this specific building for consistency in review across the two identical applications. The addition of octagonal bays in the revised plans reduces the amount of front yard setback, which would trigger a violation for front yard depth as well. However, the modifications reflect the style of bay found in other three-deckers in the area and was made following the proponent's response to a meeting with abutters.

Multifamily dwelling uses are forbidden in the 2F-5000 subdistrict (Art. 65, Sec. 8). However, as mentioned in the Planning Context, multifamily dwellings exist within this surrounding area and the architectural design of this proposed set of buildings is similar to the form of existing adjacent three-decker buildings. Relatedly, the 2F-5000 subdistrict requires a maximum floor area ratio (FAR) of 0.5 and a maximum height in stories of 2.5 stories (Art. 65, Sec. 9). The project has an excessive FAR of 1.15 and an excessive height in stories of 3 stories but a conforming height in feet of 33.2 ft (which is under the 35 ft maximum). There are precedents in this area for three-story buildings and larger multifamily dwellings that exceed these regulations, indicating a more common trend of larger building scales that accommodate a variety of housing densities. This offers a reason for this building to receive relief because it is at building scale in the middle of the three-unit building typologies and the larger multifamily building typologies found nearby. It also signals a need for zoning reform in this area to affirm and better accommodate multifamily residential uses and the variety of building scales that are needed to provide those uses, especially in transit-rich areas close to mixed-use areas like this site.

Article 65 requires 1.5 parking spaces per dwelling unit for properties with 10 or more units (Art. 65, Sec. 41). Since this project has two six-unit buildings on the same lot, the total of 12 units triggers this parking requirement as it provides a ratio of 0.5 parking spaces per unit. However, as mentioned this project is within close proximity of several public transit resources and thus does not provide an excessively high number of parking spaces which would otherwise limit the possibility for multifamily housing to be built at this site and further diminish the amount of



remaining usable open space. Additionally, this number of parking spaces proposed per unit is reasonably below the maximum recommended by the Boston Transportation Department for residential properties in this part of Boston. Specifically, BTB recommends a maximum ratio of 0.75 parking spaces per unit for rentals and 1.0 parking space per unit for condos. This indicates a need for zoning reform again related to multifamily residential uses as the existing parking ratio minimum in this zoning district penalizes multifamily development by setting a high ratio for housing despite proximity to other mobility options.

The 2F-5000 subdistrict requires that projects of “Any Other Dwelling or Use” be built on lots that have a minimum lot area of 5,000 sq ft, a minimum lot width of 50 ft, and a minimum lot frontage of 50 ft (Art. 65, Sec. 9). The lot for this proposed project does meet each of these requirements with a lot area of 9,225 sq ft as well as a lot width and lot frontage of 94.36 ft. To that end, this project adheres to the lot standards of the area. This project also triggered a violation for Conformity with Existing Building Alignment, though as indicated in the Planning Context this property is only in alignment with one abutting property to the east. Additionally, the proposed front yard depth is similar to the front yard depth of the three-decker building abutting this lot to the east and thus would be similar in perception from the public realm. This further indicates a need for zoning reform that is more responsive to diverse surrounding lot conditions and that better enables the appropriate lot standards for a contextually appropriate multifamily use like this without triggering zoning violations.

The remaining violations indicate a need for the proponent to consider an alternative building design to improve the off-street parking use and open space availability. The proposed parking design has triggered a violation for parking size and maneuverability (Art. 65, Sec. 65-41.5). While the Planning Department Transportation team has indicated no significant concern with the parking space sizes and maneuverability, there are concerns for the lack of clarity on the curb cut changes for the existing and new driveway. Retention of the existing curb cut would prevent further disruption to the pedestrian infrastructure on this side of Bailey Street.

The 2F-5000 subdistrict requires a minimum side yard depth of 10 ft, which the proposed building is insufficient of with a side yard depth of 2 ft 10 in from the western side lot line (Art. 65, Sec. 9). The side yard is small due to the amount of space committed on the eastern side lot to the other building and the center of the lot to the central driveway. Additionally, these two buildings trigger a dimensional violation for Two or More Dwellings on Same Lot which requires that the distance between both buildings should be at least twice the minimum side yard depth



of this subdistrict, which equates to a minimum distance between buildings of 20 ft (Art. 65, Sec. 42.13). The proposed distance between the two buildings is 13 ft and the proposed driveway is within that middle space.

Altogether these violations present a case to consider an alteration to the project to better reuse the existing curb cut and driveway, produce more ground-level usable open space, allow for a larger side yard on this western side of the lot, and prevent the triggering of this two or more dwellings requirement. While the proposed land use and architectural style are contextually appropriate, adjustments to the building massing could produce a simpler ground-level condition.

Original site plan completed by Daniel Macisaac, Professional Land Surveyor on May 19, 2024. Original project plans completed by Hue Architecture on May 24, 2024. Revised project plans completed by Hue Architecture on February 4, 2025. Revised site plan completed by Daniel Macisaac, Professional Land Surveyor on February 10, 2025

Recommendation:

In reference to BOA1630352, The Planning Department recommends DEFERRAL: the revised plans for this project from February 4, 2025 and February 10, 2025 have not yet received a stamp from ISD.

If these revised plans are provided with stamps from ISD by the time of the Zoning Board of Appeal hearing, then the Planning Department recommends APPROVAL WITH PROVISIO/S: that the plans be submitted to the Planning Department for design review with attention to an expansion of ground-level usable open space and an improvement on the parking design, which may include changing the size of the proposed buildings or merging them into one building; and that a housing agreement be executed with the Mayor's Office of Housing.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1632750
ZBA Submitted Date	2024-07-29
ZBA Hearing Date	2025-04-08
Address	79 Bailey ST Dorchester 02124
Parcel ID	1704525000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-5000
Zoning Article	65
Project Description	Erect a three-story multifamily building with six dwelling units, each with two bedrooms and two bathrooms. The building will have front decks, a common roof deck, and six rear parking spaces. This is Building 1 of 2 buildings that will be built on the same lot. See ERT1605980 for the second building at 79 Bailey Street. Demolition of the existing building will be filed under a separate permit.
Relief Type	Variance
Violations	Parking or Loading Insufficient Parking design and maneuverability Existing Building Alignment Lot Area Insufficient Lot Width Insufficient Lot Frontage Insufficient FAR Excessive Height Excessive (stories) Side Yard Insufficient Two or More Dwellings on Same Lot Use: Forbidden (Multi-family dwelling)

Planning Context:

The proponent seeks to build two separate three-and-a-half-story, six-unit multifamily residential dwellings on the same lot with a total of six rear parking spaces shared between the buildings.

The two buildings are identical in scale, unit type, and unit size. This application is for the building that will have 79 Bailey Street as its address and is proposed for the eastern side of the lot. It is associated with application ERT1605980 which is the second building that will have 77 Bailey Street as its address and is proposed for the western side of the lot.

ISD has provided a set of revised site plans (dated February 10, 2025) and project plans (dated February 4, 2025) submitted by the proponent that have not yet received a stamp by ISD. These



plans show modifications to the original plan set. This recommendation is based on these revised plans. If these plans are stamped by the date of the Zoning Board of Appeal hearing, then the Planning Department's recommendation in this letter will remain.

The original plans proposed that each building would have basement storage space, flat square bays, front decks for the second and third floors, and a roof deck. Based on the revised plans, the following modifications have been made: removes the front balconies, changes the front of the building to have octagonal bays which are more in line with adjacent three-deckers, adds rear balconies, removes the roof deck as well as the basement storage, and adds a half-story penthouse for one of the units in each building which changes the height from three to three-and-a-half stories.

The existing property is a 9,225 sq ft lot and currently holds a two-story, three-unit residential dwelling. The front lot line of this parcel is in alignment with the front lot line of 87 Bailey Street to the east, but the abutting 75 Bailey Street property to the west is angled towards the northwest due to a turn in the street that places that property's front lot line out of alignment with 79 Bailey Street.

The proponent seeks to demolish this existing structure to erect the two proposed dwellings. This property is listed as having a "Pending Landmark" status by the Boston Landmarks Commission. As such, this project would have to adhere to the provisions of Article 85 (Demolition Delay) as the landmark status of this property is reviewed.

The property's lot size is larger than that of abutting and adjacent residential dwellings that hold three or more units. The current building form also differs in design compared to other three-unit residential dwellings in the area because it is only two stories and has a wider building width than those adjacent dwellings.

The properties surrounding this lot are predominantly three-story, three-unit residential dwellings while properties further down Bailey Street to the west include one-unit, two-unit, and multifamily residential dwellings at various heights. This property also abuts a five-story mixed-use building along its southern rear lot line that has 64 dwelling units and 24 parking spaces. The variety of building scales in this area indicates a diverse building pattern that this project would fit well into, especially considering that the project is proposed with a style similar to three-decker buildings.



This property is located on a predominantly residential street but it is the third lot west of the intersection of Dorchester Avenue and Bailey Street. This places it within a five-minute walk of a major commercial corridor, the Ashmont MBTA Red Line Station, and bus stops along Dorchester Avenue and Talbot Avenue. The proposed multifamily residential use for this property aligns with the surrounding land use patterns and aligns with the City's goal of encouraging transit-oriented development by placing more housing units closer to MBTA T stations and bus routes.

The existing property has a driveway along the western side lot that leads to the southern rear yard where there is a small garage and a large amount of paved rear yard space. The property is listed as having five parking spaces according to its report by the Assessing Department.

There is an existing curb cut for this driveway. The proponent seeks to demolish the rear garage to place six total exterior parking spaces in the southern rear yard behind the two buildings. To access these parking spaces, the plans indicate a new 10 ft driveway entry from the center of the front lot line that leads to the rear yard parking spaces. The plans do not clearly indicate if the curb cut for the existing side yard driveway will be closed and it also does not indicate if a new curb cut is proposed for this central driveway.

Additionally, while the project seeks to provide front decks and a roof deck, the ground-level usable open space is largely diminished due to the amount of paved space that will be committed to the driveway and rear parking spaces. The Planning Department Transportation team recommends that the proponent consider alterations to the project that could allow for an expansion of usable open space, the retention of the existing curb cut, and an improvement of the existing driveway or the proposed driveway and parking area design. Alterations could include driveway and parking redesign, adjustment to the two buildings' footprint, or merging the projects into a single building.

The proposal of 12 total dwelling units on this lot triggers the provisions of the Inclusionary Development Policy, which is effective for projects proposing 10 or more dwelling units and that sought out zoning relief prior to October 1, 2024. As such, the proponent will need to include 13% affordable unit(s) and must be issued a housing agreement prior to issuing permits if the proposed number of dwelling units remains above ten total.

Zoning Analysis:

This application has received 11 violations specific to land use standards (multifamily dwelling residential use, off-street parking use), design standards (parking design), lot standards (lot BOA1632750

2025-04-08

3 Planning Department



area, lot width, lot frontage, side yard, two or more dwellings on the same lot, and conformity with existing building alignment), and building standards (floor area ratio and building height in stories). The addition of octagonal bays in the revised plans reduces the amount of front yard setback, which would trigger a violation for front yard depth as well. However, the modifications reflect the style of bay found in other three-deckers in the area and was made following the proponent's response to a meeting with abutters.

Multifamily dwelling uses are forbidden in the 2F-5000 subdistrict (Art. 65, Sec. 8). However, as mentioned in the Planning Context, multifamily dwellings exist within this surrounding area and the architectural design of this proposed set of buildings is similar to the form of existing adjacent three-decker buildings. Relatedly, the 2F-5000 subdistrict requires a maximum floor area ratio (FAR) of 0.5 and a maximum height in stories of 2.5 stories (Art. 65, Sec. 9). The project has an excessive FAR of 1.15 and an excessive height in stories of 3 stories but a conforming height in feet of 33.2 ft (which is under the 35 ft maximum). There are precedents in this area for three-story buildings and larger multifamily dwellings that exceed these regulations, indicating a more common trend of larger building scales that accommodate a variety of housing densities. This offers a reason for this building to receive relief because it is at building scale in the middle of the three-unit building typologies and the larger multifamily building typologies found nearby. It also signals a need for zoning reform in this area to affirm and better accommodate multifamily residential uses and the variety of building scales that are needed to provide those uses, especially in transit-rich areas close to mixed-use areas like this site.

Article 65 requires 1.5 parking spaces per dwelling unit for properties with 10 or more units (Art. 65, Sec. 41). Since this project has two six-unit buildings on the same lot, the total of 12 units triggers this parking requirement as it provides a ratio of 0.5 parking spaces per unit. However, as mentioned this project is within close proximity of several public transit resources and thus does not provide an excessively high number of parking spaces which would otherwise limit the possibility for multifamily housing to be built at this site and further diminish the amount of remaining usable open space. Additionally, this number of parking spaces proposed per unit is reasonably below the maximum recommended by the Boston Transportation Department for residential properties in this part of Boston. Specifically, BTB recommends a maximum ratio of 0.75 parking spaces per unit for rentals and 1.0 parking space per unit for condos. This indicates a need for zoning reform again related to multifamily residential uses as the existing parking ratio minimum in this zoning district penalizes multifamily development by setting a high ratio for housing despite proximity to other mobility options.



The 2F-5000 subdistrict requires that projects of “Any Other Dwelling or Use” be built on lots that have a minimum lot area of 5,000 sq ft, a minimum lot width of 50 ft, and a minimum lot frontage of 50 ft (Art. 65, Sec. 9). The lot for this proposed project does meet each of these requirements with a lot area of 9,225 sq ft as well as a lot width and lot frontage of 94.36 ft. To that end, this project adheres to the lot standards of the area. This project also triggered a violation for Conformity with Existing Building Alignment, though as indicated in the Planning Context this property is only in alignment with one abutting property to the east. Additionally, the proposed front yard depth is similar to the front yard depth of the three-decker building abutting this lot to the east and thus would be similar in perception from the public realm. This further indicates a need for zoning reform that is more responsive to diverse surrounding lot conditions and that better enables the appropriate lot standards for a contextually appropriate multifamily use like this without triggering zoning violations.

The remaining violations indicate a need for the proponent to consider an alternative building design to improve the off-street parking use and open space availability. The proposed parking design has triggered a violation for parking size and maneuverability (Art. 65, Sec. 65-41.5). While the Planning Department Transportation team has indicated no significant concern with the parking space sizes and maneuverability, there are concerns for the lack of clarity on the curb cut changes for the existing and new driveway. Retention of the existing curb cut instead of creating a new curb cut would prevent further disruption to the pedestrian infrastructure on this side of Bailey Street.

The 2F-5000 subdistrict requires a minimum side yard depth of 10 ft, which the proposed building is insufficient of with a side yard depth of 7 ft from the eastern side lot line (Art. 65, Sec. 9). The side yard is small due to the amount of space committed on the eastern side lot to the other building and the center of the lot to the central driveway. Additionally, these two buildings trigger a dimensional violation for Two or More Dwellings on Same Lot which requires that the distance between both buildings should be at least twice the minimum side yard depth of this subdistrict, which equates to a minimum distance between buildings of 20 ft (Art. 65, Sec. 42.13). The proposed distance between the two buildings is 13 ft and the proposed driveway is within that middle space.

Altogether these violations present a case to consider an alteration to the project to better reuse the existing curb cut and driveway, produce more ground-level usable open space, allow for a larger side yard on this western side of the lot, and prevent the triggering of this two or more



dwellings requirement. While the proposed land use and architectural style are contextually appropriate, adjustments to the building massing could produce a simpler ground-level condition.

Original site plan completed by Daniel Macisaac, Professional Land Surveyor on May 19, 2024. Original project plans completed by Hue Architecture on May 24, 2024. Revised project plans completed by Hue Architecture on February 4, 2025. Revised site plan completed by Daniel Macisaac, Professional Land Surveyor on February 10, 2025

Recommendation:

In reference to BOA1632750, The Planning Department recommends DEFERRAL: the revised plans for this project from February 4, 2025 and February 10, 2025 have not yet received a stamp from ISD.

If these revised plans are provided with stamps from ISD by the time of the Zoning Board of Appeal hearing, then the Planning Department recommends APPROVAL WITH PROVISIO/S: that the plans be submitted to the Planning Department for design review with attention to an expansion of ground-level usable open space and an improvement on the parking design, which may include changing the size of the proposed buildings or merging them into one building; and that a housing agreement be executed with the Mayor's Office of Housing.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1658178
ZBA Submitted Date	2024-10-01
ZBA Hearing Date	2025-04-08
Address	674 to 676 E Broadway South Boston 02127
Parcel ID	0603235000
Zoning District & Subdistrict	South Boston Neighborhood MFR/LS
Zoning Article	68
Project Description	Renovate an existing three-story mixed-use building to change use to three residential units and one commercial unit by adding additional living space in a new fourth story.
Relief Type	Variance
Violations	Parking or Loading Insufficient Roof Structure Restrictions FAR Excessive Height Excessive (ft) Usable Open Space Insufficient Rear Yard Insufficient Lot Area Insufficient Additional Lot Area Insufficient

Planning Context:

This project was previously reviewed by the Planning Department for the ZBA hearing on 3/4/25. Because no new plans have been submitted, the Planning Department's recommendation has remained the same.

The proposed project seeks to renovate the existing three-story mixed-use building at 674-676 East Broadway in South Boston by adding a fourth floor and expanding the living space on the current second and third floor. This will change the use from one residential unit and one commercial unit to three residential units and one commercial unit. The current structure is a three-story mixed-use building that shares a party wall with the abutting property at 672 East Broadway. The first floor houses Moko, a Japanese restaurant, which will remain in this location with no changes to the basement and first floor. The second and third floor currently contain a single one-bedroom unit. With the expansion, this will become three two-bedroom units.



This portion of East Broadway intersects with K Street and primarily contains mixed-use buildings with ground floor commercial uses that include restaurants, cafes, and convenience stores. Larger commercial businesses such as Stop & Shop and Walgreens are also located nearby. Many of the mixed-use buildings in this area also share a party wall.

This project would further the goals outlined in Housing a Changing City, Boston 2030 (September 2018) as it would create additional housing while also allowing property owners to adapt and enhance their living spaces to meet their needs.

Zoning Analysis:

The refusal letter states a total of eight dimensional and parking violations: insufficient parking, roof structure restrictions, excessive FAR, excessive height, insufficient open space, insufficient rear yard, insufficient lot area, and insufficient additional lot area. This area is currently zoned as MFR/LS, and many of these violations are based on the existing building.

The minimum parking requirement is 0.3 spaces per seat for the restaurant, and 1.5 spaces for each of the residential units. This project is retaining the existing parking condition which is zero parking spaces. This is a case for zoning reform to address the discrepancy between the parking requirement and necessity. This site is well-served by public transit as it is located just 70 feet from a bus stop for MBTA 9 and 10 bus routes. Additionally, since this site currently provides no parking spaces, part of the existing building would need to be demolished to create parking. This would impact the proposed commercial unit which is intended to remain unchanged in order to retain the existing restaurant.

Under Article 68, the maximum allowed height is 35' while this project is proposing a height of 43.6'. Relief should be granted because, although the proposed height exceeds the maximum allowed height, many nearby properties also exceed this height including the mixed-use buildings at 673 and 700 East Broadway. Additionally, the project's location at the corner of East Broadway and K Street also helps mitigate the height impact while working with the natural grade change along K Street. This is also a case for zoning reform to align the dimensional requirements with the built environment.

This project is also proposing a roof deck. Section 68-29 notes that open roof decks may be erected on the main roof of a building with a flat roof provided that it is a) less than one foot above the highest point of the roof, b) total height of the building does not exceed the maximum



building height, c) access is by roof hatch or bulkhead no more than 30 inches in height above the deck unless the Board of Appeal grants permission for a stairway headhouse, and d) an appurtenant hand rail is set back horizontally. The violation arises because the height of the proposed building already exceeds the maximum allowed height for this area and would need permission from the Board of Appeal for a stairway headhouse. Relief should be granted because, despite exceeding the maximum allowed height, would provide additional usable open space for the residents. Additionally there is also a roof deck nearby at 673 East Broadway.

The small lot size of this parcel makes it difficult to meet the minimum requirements for open space, lot area, additional lot area, and explains why the proposed building exceeds the maximum allowed FAR. Under Article 68, the minimum required amount of usable open space is 200 square feet per dwelling unit, a minimum lot area of 5,000 square feet, and an additional 1,000 square feet for each additional dwelling unit. The maximum allowed FAR is also 1.5. This project proposes 82 square feet of usable open space, a lot area of 1,336 square feet and an FAR of 2.97. Relief should be granted due to the narrow size of this lot and because the proposed project will maintain the existing building footprint. While the lot size is comparable to other mixed-use row houses on East Broadway, it is smaller than other three-unit residential buildings in the area. Given the building's footprint, increasing usable open space would be difficult while still ensuring adequate living space. The increase in FAR should also be allowed as this is the creation of additional living space on a narrow parcel. Thus, relief should be granted for the amount of usable open space, lot area, additional lot area, and FAR.

The last violation is in regards to the rear yard. This project is proposing a rear yard of 14.4' while the minimum required rear yard setback is 20'. Because the proposed project is maintaining the existing building footprint, this is an existing non-conformity. This is also a case for zoning reform to allow the extension of non-conformities, when the structure otherwise conforms to dimensional requirements and the existing non-conformities are not increasing, to incentive retention and improvement of existing structures.

The plans reviewed are titled ZBA REFUSED EPLANS_674 - 676 E BROADWAY_ALT1631060 and were prepared by Choo & Company, Inc. They are dated May 8, 2024.

Recommendation:



In reference to BOA1658178, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with attention to the compatibility of the existing structure and addition.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1575584
ZBA Submitted Date	2024-02-28
ZBA Hearing Date	2025-04-08
Address	81 Lexington ST East Boston 02128
Parcel ID	0102918000
Zoning District & Subdistrict	East Boston Neighborhood 2F-2000
Zoning Article	53
Project Description	Erect a 3.5-story per zoning multifamily dwelling with 7 residential units on a newly created 3,706 square foot lot. The project scope includes bike storage and rear decks. The project's proposed subdivision of the existing parcel and demolition of the existing building are tied to separate permits.
Relief Type	Variance
Violations	Parking or Loading Insufficient Height Excessive (ft) Height Excessive (stories) Side Yard Insufficient Existing Building Alignment Forbidden Use (7 Units); Traffic Visibility Across Corner

Planning Context:

The proposed project has its ZBA hearing deferred five times: on September 24, 2024; October 29, 2024; December 3, 2024; February 4, 2025; and March 25, 2025. The Planning Department provided recommendations for denial without prejudice for each project iteration, citing design concerns relating to the project's proposed scale, setbacks, and excessive unit count as grounds for the denials. Since then, the proponent submitted updated project plans to ISD, and, on March 4, 2025, received an updated zoning refusal letter and set of refused project plans. These plans make amendments to the building's design, addressing some of the aforementioned concerns of the project's initial proposal, particularly building setbacks. Despite this, the updated proposal falls short of meeting the standards for approval previously set forth by the Planning Department in past iterations of this recommendation. These standards relate to the project's proposed unit count (seven units still in excess of zoning maximum) and overall



building scale (excessive height increased, building width remains excessive). The contents of this recommendation have been updated to reflect the details of this amended project design.

The proposed project sits in an established residential area in the Eagle Hill area of East Boston. Its surroundings consist of 2.5-story to 4-story structures with single-family to multi-family residential uses and limited retail, restaurant, and commercial uses on the ground floors of several nearby corner lots. The site sits within a quarter-mile of several bus stops - including those for the MBTA's 114, 116, 117, 120, and 121 routes - and is a half-mile from the MBTA's Airport Blue Line Station. It is also close (within a quarter-mile walk) to two community child care centers, Hugh R. O'Donnell Elementary, Mario Umana Academy K-8, Central Square Park, Eastie Farms, and East Boston's Shaw's grocery store.

The proposed project is sited on a corner parcel currently occupied by a 2.5-story three-family residential structure and a 38' x 50' surface parking lot. It seeks to demolish the site's existing structure and surface parking to erect a new 3.5-story multifamily residential building, consisting of seven dwelling units (including private decks and bike parking). This scope of work removes the project's previously proposed ground floor commercial space, reduces its proposed unit count by one, and increases its proposed height by one story.

The recommendations of PLAN: East Boston promote the development of appropriately-scaled low-density residential infill, as a way to expand housing opportunities for East Boston residents and affirm the neighborhood's existing built character. Where possible, however, the PLAN recommends that preservation / renovation of the neighborhood's existing housing stock be utilized to accomplish these goals. While the proposed project does expand residential uses on the site (three dwelling units existing, seven dwelling units proposed), it does so in a way that exceeds the area's typical scale of building, with an occupancy greater than what currently exists in the site's surroundings (the area's largest residential structures have occupancies ranging from four to six dwelling units), and includes the razing of an existing residential structure. As a result, the proposed project creates a built scale that is out of scale with the area's existing urban form, and ultimately deviates from PLAN: East Boston's planning recommendations for residential areas.

The recommendations of PLAN: East Boston (adopted January 2024) also outline a need to improve access to neighborhood-serving retail and service amenities in residential areas, and



support the development of small-scale commercial spaces on corner parcels within East Boston's neighborhood fabric (to support uses such as coffee shops, laundromats, etc.). The project's updated designs, which remove its previously proposed ground floor corner commercial space, backtrack from this goal. While ground floor commercial uses are not required for residential corner lots, the scale of infill proposed by this project aligns with the type of development where such uses were contemplated as appropriate by the PLAN, thus representing a missed opportunity by the project to further this planning goal.

Zoning Analysis:

The proposed project has been cited with seven zoning violations relating to use, scale, and parking regulations. These citations are listed upon the project's most recent refusal letter, dated March 4, 2025. While the project's cited zoning subdistrict (2F-2000) relates to East Boston's zoning at the initial date of project filing (December 12, 2023), the listed violations for the project's updated plans relate to East Boston's updated neighborhood zoning, which was adopted by the Zoning Commission on April 24, 2024.

East Boston's updated zoning places the proposed project within an EBR-3 subdistrict. EBR-3 subdistricts allow a maximum building height of three stories/35' and permit residential uses up to six dwelling units on lots with a frontage greater than 55' (of which 81 Lexington Street complies). The proposed project, with a height of 3.5 stories/40' and seven dwelling units, exceeds these permitted maximums. It also proposes building width in excess of the area's zoning (50' permitted, 68' proposed). These violations, together, result in an excessive building scale, out of context with both zoning and the built character of the surrounding neighborhood (which consists predominately of three-story structures with two to six residential units).

The site's insufficient parking violation relates to the project's proposed zero-parking condition. While in violation of the area's zoning requirements (1:1 dwelling/space parking ratio required, totaling seven required off-street spaces for the project), this condition is one commonly found throughout the Eagle Hill area, including on ~85% of the lots on the proposed project's immediately surrounding blocks. Similarly, the project's violation for insufficient traffic visibility across corner is not met by any of the area's corner parcels. While the project's 3 foot front yard setback varies from the block's predominant existing building alignment (zero foot front setback), the additional space provided by the proposed dimension actually represents a preferable design outcome that conforms with the front yard requirements of the area's zoning



as well as its broader planning goals to create additional street-facing open space (especially upon corner lots).

The project's insufficient side yard violation is incorrectly cited on its refusal letter, as each of the proposed structure's side yards meet the minimum three foot setback requirement by zoning.

While the project's proposed setbacks and parking are common neighborhood conditions contextual to the site, its dimensional violations point to a proposed building scale that exceeds the site's surrounding built context. Because of this, the proposed structure is deemed an inappropriate addition to East Boston's Eagle Hill area.

Plans reviewed titled, "81 Lexington Street, Boston, MA 02128," prepared by 686 Architects on May 15, 2024.

Recommendation:

In reference to BOA1575584, The Planning Department recommends DENIAL WITHOUT PREJUDICE. The proponent should consider a project that reduces its residential occupancy to no more than six dwelling units (and, preferably, retains the project's initially proposed ground floor corner commercial space). Such a project should also amend the proposed structure's height and footprint to better align with the dimensional regulations of East Boston's updated zoning.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1578094
ZBA Submitted Date	2024-03-08
ZBA Hearing Date	2025-04-08
Address	218 Bremen ST East Boston 02128
Parcel ID	0103757000
Zoning District & Subdistrict	East Boston Neighborhood 3F-2000
Zoning Article	53
Project Description	Expand the building into the rear yard and add a fourth floor to an existing three-story, three-unit building, resulting in a total of four units.
Relief Type	Variance, Conditional Use
Violations	Parking or Loading Insufficient GCOD Applicability Roof Structure Restrictions Additional Lot Area Insufficient FAR Excessive Height Excessive (ft) Height Excessive (stories) Usable Open Space Insufficient Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient Flood Hazard Districts Use: Forbidden

Planning Context:

The project is located in a residential area of East Boston, directly across the street from the East Boston Greenway and just a short distance from Bremen Community Park. The neighborhood is characterized by tightly clustered three-story buildings with small backyards. This dense and walkable environment is supported by excellent transit access, with the Maverick T stop less than a 10-minute walk away and the Airport T stop just a 5-minute walk from the site.

Based on recommendations from PLAN: East Boston (adopted on April 24, 2024), this area was rezoned as EBR-4 on May 1, 2024 to allow four-story multifamily buildings, signaling a shift toward accommodating slightly higher density. One of PLAN: East Boston's key goals focused on expanding access to housing options that are affordable, stable, and able to meet



households needs as they change over time. The neighborhood's established infrastructure, proximity to public transit, and access to parks make it an ideal location for modest density increases like the proposed project. The updated zoning reflects a recognition of the area's potential to support additional housing while maintaining its residential character.

Zoning Analysis:

The proposed project at 218 Bremen Street in East Boston has been cited with 13 zoning violations. These citations are listed upon the project's most recent refusal letter, dated 3/7/24. The project proposal was initially filed with the Inspectional Services Department on 12/1/23. Since that initial filing, updated zoning for the East Boston neighborhood was adopted by the Zoning Commission on 4/24/24.

The proponent seeks to convert a three-unit, three story building into a four-unit building by extending into the rear yard and adding a fourth story. Under the old zoning district 3F-2000 the project has 13 violations related to dimensional requirements (FAR, height, and front, side and rear yards), use requirements (multifamily forbidden), site requirements (off-street parking, lot area, and usable open space), and others (flood hazard district, GCOD, roof structure).

Under East Boston's updated zoning, the property falls within the EBR-4 subdistrict, which permits a maximum building height of 4 stories/50' and allows multi-unit buildings. The proposed project complies with both of these requirements.

Updated zoning for the area also removes previously present dimensional regulations (such as maximum FAR, minimum lot area, minimum additional lot area, and minimum usable open space) and replaces them with updated dimensional regulations based on building form and environmental performance items (including maximum building lot coverage, maximum building floor plate, and minimum permeable area of lot). The zoning also recalibrates the requirements for previously present dimensional regulators (including for front, rear, and side yard setbacks).

Some of the proposed project's raw dimensional figures are in violation of the new zoning requirements (mainly yards and lot coverage). The side and front yard violations reflect existing nonconforming conditions that are not worsened by the proposed changes. According to the provision on section 53-30, a building may be altered, enlarged or extended, provided that any enlargement itself does not increase any such dimensional nonconformity. However, the project worsens conditions for the rear yard and lot coverage. The proponent should revise the design



to make sure that the proposed rear yard and lot coverage is compliant with updated zoning, which required a rear yard of 1/3 lot depth and a lot coverage of 60% for the EBR-4 subdistrict.

The current building lacks off-street parking. According to section 53-28-2, if a Structure existing on the effective date of this Article is altered or extended so as to increase its Gross Floor Area or the number of Dwelling Units, only the additional Gross Floor Area or the additional number of Dwelling Units shall be counted in computing the off-street parking facilities required, which under updated zoning would be 1 additional unit, which does not have a parking requirement. Additionally, creating off-street parking where there is none would require demolishing the existing building and creating a curb cut where there is none, removing public on-street parking; zoning relief is appropriate.

Additionally, the project is located in the Coastal Flood Resilience Overlay District. The proponent is not allowed to extend the living area below the sea level rise Design Flood Elevation (DFE). The drawings do not have enough information to accurately determine whether or not it's in compliance, since they are missing the finished floor elevation of the first floor in Boston City Base (BCB). The elevations need to be labeled in BCB instead of the project datum in order to determine whether the additional living area is below DFE or not.

The proposal also involves extending a structure that occupies more than 50 square feet of lot area within a Groundwater Conservation Overlay District (GCOD). Consequently, the parcel is subject to GCOD review by the Boston Water and Sewer Commission.

This recommendation is based on plans titled "218 BREMEN ST. E. BOSTON MA" prepared by DAVID CHOI on 11/4/23.

Recommendation:

In reference to BOA1578094, The Planning Department recommends DENIAL WITHOUT PREJUDICE. The proponent should consider a project that does not extend living area below the Sea Level Rise Design Flood Elevation (Article 25A) and reduces the size of the addition to ensure a rear yard of 1/3 lot depth and a lot coverage of 60%.



Planning Department

CITY of BOSTON

Reviewed,

Kathleen O'Neil

Deputy Director of Zoning

MEMORANDUM**JANUARY 16, 2025**

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

FROM: CASEY HINES, SENIOR DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
SCOTT GREENHALGH, PROJECT MANAGER
MICHELLE YEE, PLANNER I
BREEZE OUTLAW, SENIOR URBAN DESIGNER
DANIELA ESPINOSA, TRANSPORTATION PLANNER

SUBJECT: 23-25 NORTH BEACON STREET, ALLSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority d/b/a Boston Planning & Development Agency ("BPDA") authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 23-25 North Beacon Street in Allston (as defined below, the "Proposed Project"), in accordance with Article 80E, Small Project Review of the Boston Zoning Code (the "Code"); and (2) enter into an Affordable Rental Housing Agreement and Restriction ("ARHAR"), if necessary, or require the same be executed by and between the Proponent and Mayor's Office of Housing; and (3) enter into a Community Benefits Agreement in connection with the Proposed Project, and to take any other actions, and to execute any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The project site includes approximately 9,600 square feet of land located at 23-25 North Beacon Street in the Allston neighborhood of Boston (the "Project Site"). The Project Site is currently occupied by an existing three-story residential building and surface parking lot. The closest means of public transit are the MBTA 57, 64, 66, and 501 Buses, which have stops within 0.1 miles from the Project Site. The nearest

MBTA Subway Stations are the Allston Street and Griggs Street Stations (Green Line), which are each approximately 0.6 miles from the Project Site. The nearest MBTA Commuter Rail Station is the Boston Landing Station, which is approximately 0.4 miles from the Project Site. The nearest Bluebikes station is located approximately 0.1 miles from the Project Site.

DEVELOPMENT TEAM

The development team includes:

Proponent: Alpha Management Corporation
Anwar Faisal

Architect: Embarc
Dartagnan Brown
Tim Loranger

Legal Counsel: Hemenway & Barnes, LLP
Johanna Schneider, Esq.

Landscape Architect: MDLA
Michael D'Angelo

PROPOSED PROJECT

Alpha Management Corporation (the "Proponent") proposes to redevelop the Project Site by demolishing the existing on-site three-story residential structure and constructing a new six-story, twenty-five (25) rental unit multi-family residential building (the "Proposed Project"). The new building will include thirteen (13) one-bedroom rental units, three (3) two-bedroom rental units and nine (9) three-bedroom rental units. The development will replace an existing surface parking area at the rear of the site with shared open space for building residents, reducing impervious surface space and increasing usable green space. No motor vehicle parking spaces will be provided. The Proposed Project will include a minimum of twenty-four (24) interior covered and secured resident bike parking spaces. The Proposed Project will also include a minimum of six (6) visitor bike parking spaces using a minimum of three (3) post-and-ring racks.

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

<u>Estimated Project Metrics</u>	Proposed Plan
Gross Square Footage	24,605 SF
Gross Floor Area	24,605 SF
<i>Residential</i>	24,605 SF
<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>	0
<i>Parking</i>	0
Development Cost Estimate	\$11 million
Residential Units	25
<i>Rental Units</i>	25
<i>Ownership Units</i>	0
<i>IDP/Affordable Units</i>	4
Parking spaces	0

ZONING

The Project Site is located within a 3F-4000 three-family residential zoning subdistrict. Similar to numerous other recently approved projects in the immediate vicinity, the Project will require zoning relief for FAR, height, additional lot area per dwelling unit, minimum open space per dwelling unit, front and side yard setbacks and minimum parking requirements.

PLANNING AND ZONING CONTEXT

The Proposed Project at 23-25 North Beacon Street is located in the Allston-Brighton Neighborhood Zoning District's 3F-4000 Subdistrict, governed by Article 51 of the Zoning Code. This portion of North Beacon Street is characterized by mixed-use, residential, and commercial properties. The proposed multi-family residential use aligns well with the built environment of this area.

The Proposed Project is located in the study area of the Allston-Brighton Needs Assessment, adopted by the BPDA Board in January 2024. While this planning process did not yield zoning, it did provide staff with insight relevant to the review of the Proposed Project, including the need for housing that is both accessible and affordable. The Proposed Project aligns with this goal by providing transit-oriented development that also includes 4 income-restricted units. Additionally, public realm and sidewalk improvements were designed in collaboration with staff to ensure compliance with Complete Street Guidelines.

ARTICLE 80 REVIEW PROCESS

On August 14, 2024, 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 a virtual public meeting on September 16, 2024, via Zoom. The meeting was advertised in the local newspapers, posted on the BPDA website and a notification was emailed to all subscribers of the BPDA's Allston-Brighton neighborhood update list. The public comment period ended on September 27, 2024.

MITIGATION AND COMMUNITY BENEFITS

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

- In compliance with Boston’s Complete Streets policy, the Proponent will make sidewalk and streetscape improvements to North Beacon Street. The proposed improvements include increasing the width of the sidewalk pedestrian zone, populating the front yard setback with a small entry plaza and landscaping, maintaining and upgrading the existing street tree, adding a second street tree and ground cover, providing continuous sub-surface structural soil trench, adding visitor bike racks, and reducing the existing curb cut width. Public Improvement Commission approvals for proposed improvements shall be completed before Certification of Approval for the Proposed Project. The physical mitigation improvements shall be completed upon Certificate of Occupancy. These proposed improvements are subject to design review and approval by the Boston Transportation Department (“BTD”), Public Works Department (“PWD”), Public Improvement Commission (“PIC”), and the Planning Department.
- Before issuance of the Certification of Approval, the Proponent will make a one-time “bikeshare” contribution of \$6,875.00 to the Boston Transportation Department (“BTD”) per the City of Boston Bike Parking Guidelines.
- In support of the City’s green building and carbon neutral goals, the Proposed Project will be all-electric.
- The Proposed Project will create approximately 200 temporary construction related jobs.
- Additional property tax revenue for the City.

The Community Benefits described above will be set forth in the Community Benefits Agreement for the Proposed Project. The Community Benefit contribution payments shall be made to the BPDA or respective City of Boston department before issuance of the Certification of Approval and will be distributed as outlined above.

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

TENANT RELOCATION PLAN

Historically, the existing onsite residential building has had a low renewal rate, with tenants typically moving on to other housing after the end of their lease term; as such, it is not anticipated that any tenants will be displaced by the Project. The Proponent will, however, provide advance notice to existing tenants that it will not be renewing any leases for the lease year beginning September 2025 nor will it advertise any vacancies beyond that time. In addition, the Proponent owns several hundred rental units in the immediate neighborhood and will work with current tenants to find and offer comparable units at comparable rents in other buildings in the vicinity of the Project Site.

INCLUSIONARY DEVELOPMENT POLICY

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 (the "IDP") and is located within Zone B, 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, the Proposed Project has committed to providing four (4) units, or approximately 16% of the total number of units within the Proposed Project, to be created as IDP rental units (the "IDP Units"). All four (4) IDP Units will be made affordable to households earning not more than 70% of AMI, as published annually 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 rental prices for the IDP Units are as follows:

Unit Number	Number of Bedrooms	Unit Size (Sq Ft)	Percentage of AMI	Rent	Group-2
101	Three-Bedroom	1115	70%	\$2,057	Group-2
202	One-Bedroom	625	70%	\$1,621	
303	One-Bedroom	625	70%	\$1,621	
405	Two-Bedroom	790	70%	\$1,837	Group-2

The location of the IDP Units will be finalized in conjunction with BPDA and Mayor's Office of Housing ("MOH") staff and outlined in the ARHAR, and rental prices and income limits will be adjusted according to BPDA published maximum rental prices 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 the 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 recommends that the Director be authorized to: (1) issue a Certification of Approval for the Proposed Project; (2) enter into an Affordable Rental Housing Agreement and Restriction ("ARHAR"), if necessary, or require the same be executed by and between the Proponent and Mayor's Office of Housing; (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 at 23-25 North Beacon Street in the Allston neighborhood, proposed by Alpha Management Corporation (the "Proponent"), for the construction of a new six-story, twenty-five (25) rental unit multi-family building (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

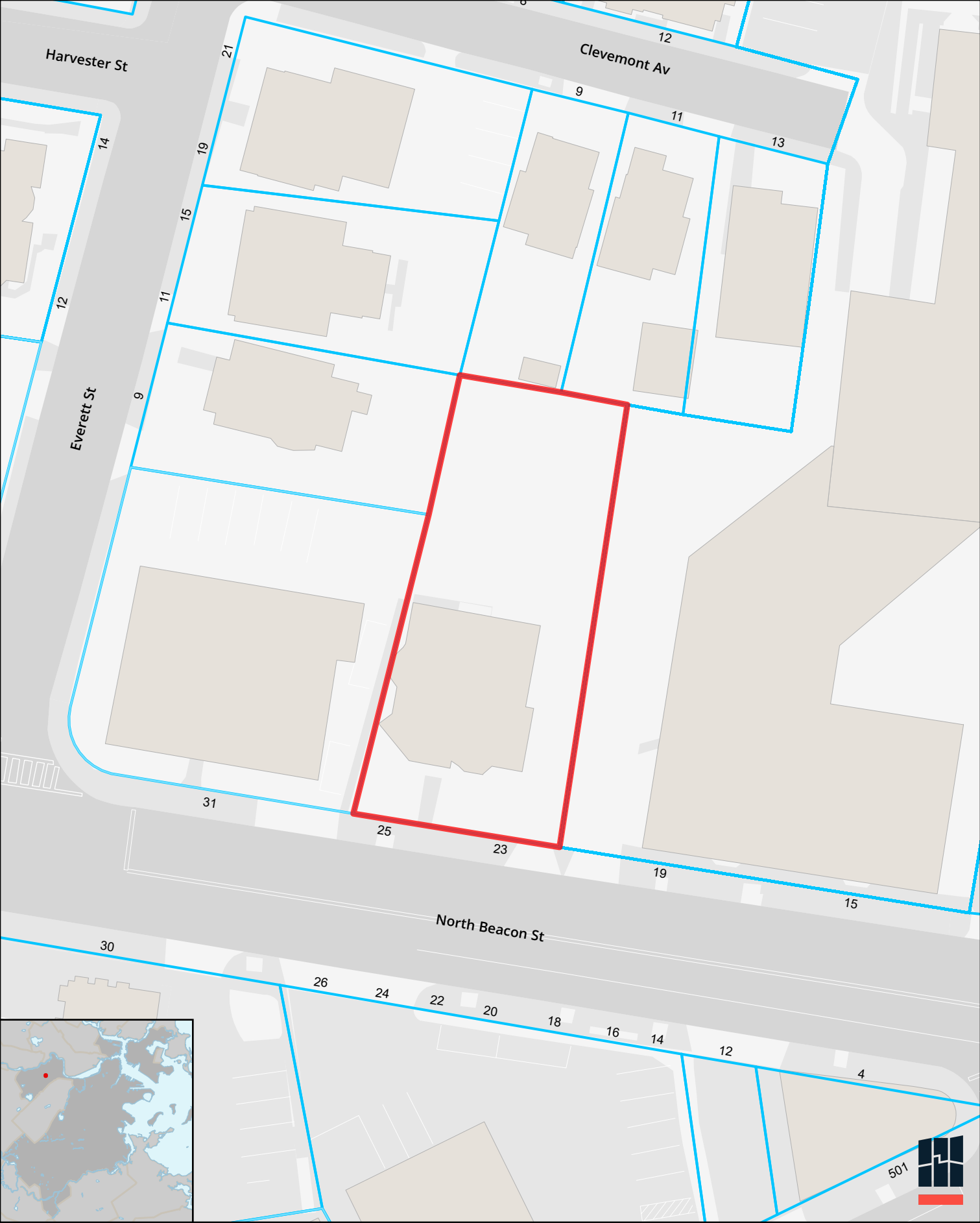
FURTHER

VOTED: That the Director be, and hereby is, authorized to execute an Affordable Rental Housing Agreement and Restriction, for the creation of four (4) on-site Inclusionary Development Units if necessary, or require the same be executed by and between the Proponent and Mayor's Office of Housing; and

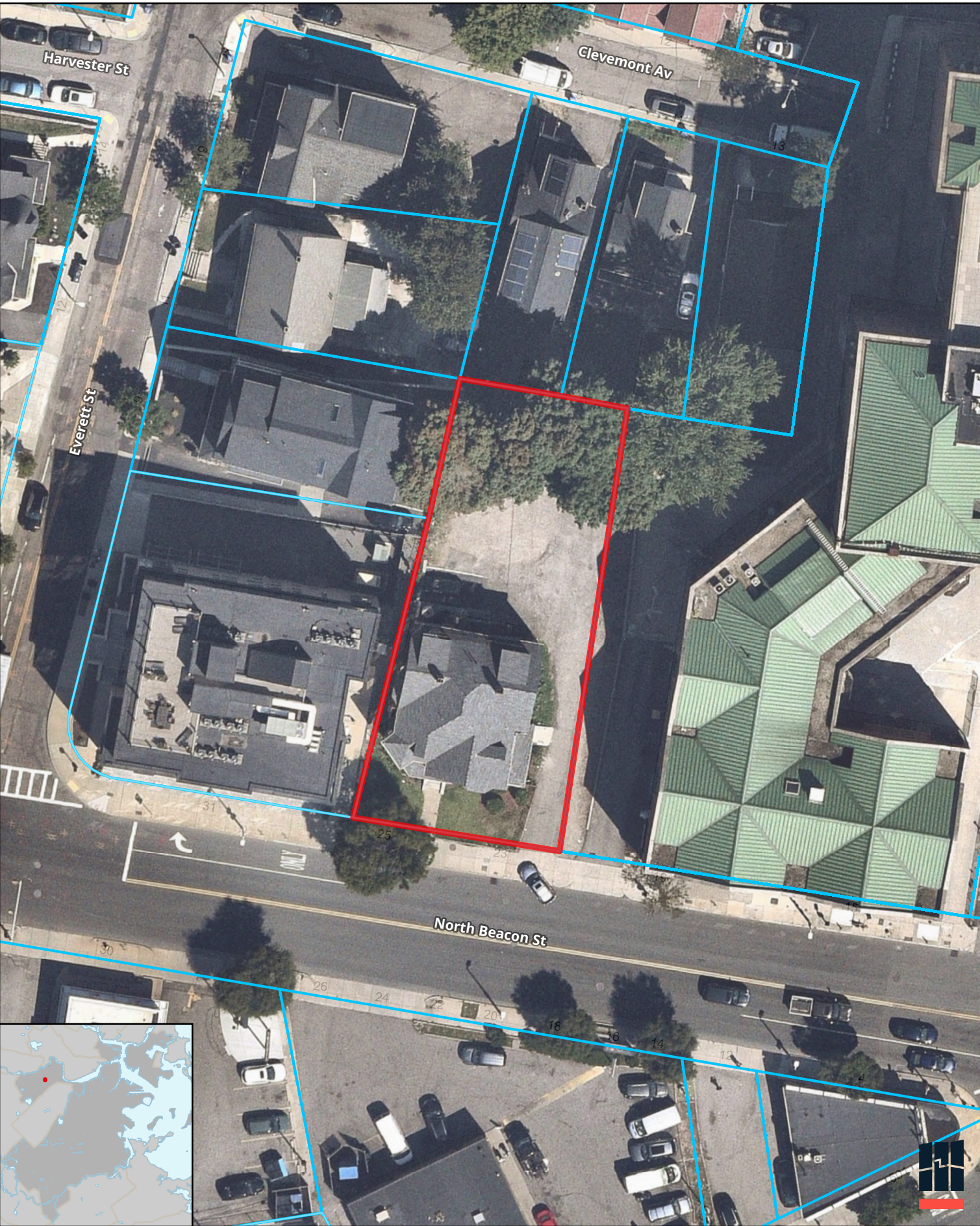
FURTHER

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

23-25 North Beacon Street



23-25 North Beacon Street





Boston City Council

LIZ BREADON

Councilor – District 9

January 16, 2024

Chair Patricia Rojas
Boston Planning & Development Agency Board
One City Hall Plaza
Boston, MA 02201

TRANSMITTED VIA EMAIL

RE: 23-25 North Beacon Street Small Project Review Application

Dear Chair Rojas:

I am submitting this letter to reiterate my opposition to the 23-25 North Beacon Street project in the Allston neighborhood of Boston (the 'Project'). This proposed development is scheduled to appear before the Boston Planning & Development Agency (the 'BPDA') Board at its January 16, 2024 Board Meeting.

The Alpha Management Corporation (the 'Proponent') filed a Small Project Review Application with the BPDA on August 14, 2024 for the proposed 23-25 North Beacon Street project. As stated in the project's SPRA, the Proponent has proposed to construct an approximately 24,605 SF residential project consisting of 25 rental units in a 6-story building to be located on North Beacon Street in Allston. In response to this filing, elected officials representing Allston-Brighton, including myself, Representative Honan, Councilor Mejia, Councilor Murphy, and Councilor Santana, submitted a letter of opposition to this proposal on September 26, 2024.

Though a representative of the Proponent did meet with my office in late 2024, my concerns about the proposed development and the Proponent's management of existing properties have not been resolved.

My reasons for opposition to this project include the following:

- The 23-25 North Beacon Street development is proposed by Alpha Management Corporation, an entity managed by Anwar Faisal. Through Alpha Management, Faisal owns and manages over 2,000+ apartment units in the Greater Boston area, a significant number of which are located in Allston Brighton. In the management of Alpha's properties, the Proponent has demonstrated that they are unable to provide safe, healthy, and adequate housing to the many Allston Brighton residents who live in their units. Beyond individual apartments, the Proponent has continually failed to maintain the exterior areas of Alpha's properties and properly manage waste produced by residents. This failure contributes to many of Allston Brighton's ongoing sanitation issues, a public health concern that affects all community members.
- From 2014 to September 2024, Alpha Management's Allston Brighton rental properties have received approximately 577 building, property, and public works violations, as issued by either the City of Boston's Inspectional Services Department or the Public Works Department.
- During my time as Councilor, the Proponent has had one other Article 80 development project approved by the BPDA: a residential project located on 14 Gardner Street in Allston approved in April 2022. During the Article 80 process for this project, the Proponent made a verbal commitment to community members to improve management of its existing properties in Allston



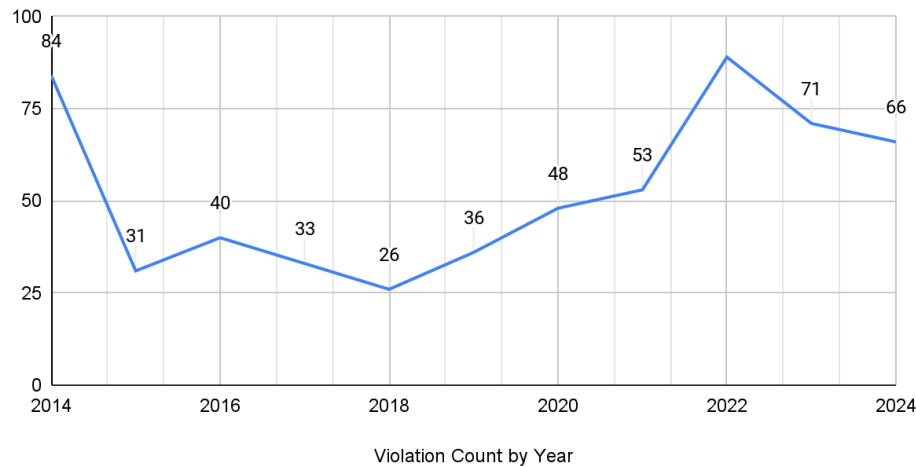
Boston City Council

LIZ BREADON

Councilor – District 9

Brighton. However, since this approval, the number of building, property, and public works violations issued to the Proponent has not been significantly reduced. From 2022 to September 2024, the Proponent's Allston Brighton properties received a total of ~226 violations. In 2022, the Proponent's properties received ~89 violations: the highest annual number of violations that the Proponent has received in the past 10 years. I am disappointed that the Proponent did not follow through with its prior commitment to improve management of its properties.

Building and Property, Public Works Violations Received Per Year by Alpha Properties in Allston Brighton



A representative of the Proponent met with my office in December 2024 to discuss this project. During this meeting, the representative shared that the Proponent has made a renewed commitment to improve the management of its properties and has hired a consultant team to assist in this undertaking. Though I appreciate this stated intent, I cannot support this project without evidence of clear improvement to the Proponent's track record.

Thank you for your consideration of this letter.

Sincerely,

Liz Breadon
Boston City Councilor
District 9, Allston-Brighton

cc: Casey Hines, Deputy Director of Development Review, City of Boston Planning Department
Jeffrey Thomas, Communications and Intergovernmental Relations Specialist, City of Boston Planning Department
Scott Greenhalgh, Project Manager, City of Boston Planning Department



Boston City Council

LIZ BREADON

Councilor – District 9

September 26, 2024

Mr. Scott Greenhalgh
Project Manager
City of Boston Planning Department
One City Hall Plaza
Boston, MA 02201

TRANSMITTED VIA EMAIL

RE: 23-25 North Beacon Street Small Project Review Application

Dear Mr. Greenhalgh:

This is a letter of comment on the Small Project Review Application ('SPRA') filed by Alpha Management Corporation (the 'Proponent') on August 14, 2024 for the proposed 23-25 North Beacon Street project in the Allston neighborhood of Boston (the 'Project'). As stated in the project's SPRA, the Proponent has proposed to construct an approximately 24,605 SF residential project consisting of 25 rental units in a 6-story building to be located on North Beacon Street in the Union Square neighborhood of Allston.

We, the undersigned elected officials of Allston Brighton, are opposed to this project.

This development is proposed by Alpha Management Corporation, an entity managed by Anwar Faisal. Through Alpha Management, Faisal owns and manages over 2,000+ apartment units in the Greater Boston area. A significant number of these apartments are located in Allston Brighton.

In the management of Alpha's properties, the Proponent has demonstrated that they are unable to provide safe, healthy, and adequate housing to the many Allston Brighton residents who live in their units. Beyond individual apartments, the Proponent has continually failed to maintain the exterior areas of Alpha's properties and properly manage waste produced by residents. This failure contributes to many of Allston Brighton's ongoing sanitation issues, a public health concern that affects all community members.

Our reasons for opposition include the following:

- From 2014 to September 2024, Alpha Management's Allston Brighton rental properties have received approximately 577 building, property, and public works violations, as issued by either the City of Boston's Inspectional Services Department or the Public Works Department. Building and property violations issued to Alpha properties include such issues as unsafe and dangerous dwelling conditions. Public works code violations include such matters as improper storage of trash, overfilling of dumpsters, and illegal dumping.
- From 2022 to September 2024, Alpha Management's Allston Brighton rental properties received approximately 226 building, property, and public works violations, as issued by either the City of Boston's Inspectional Services Department or the Public Works Department. The number of violations per year issued to Alpha properties in Allston Brighton has been increasing since a low of 33 violations were issued in 2018. Please see the below graph for more information.

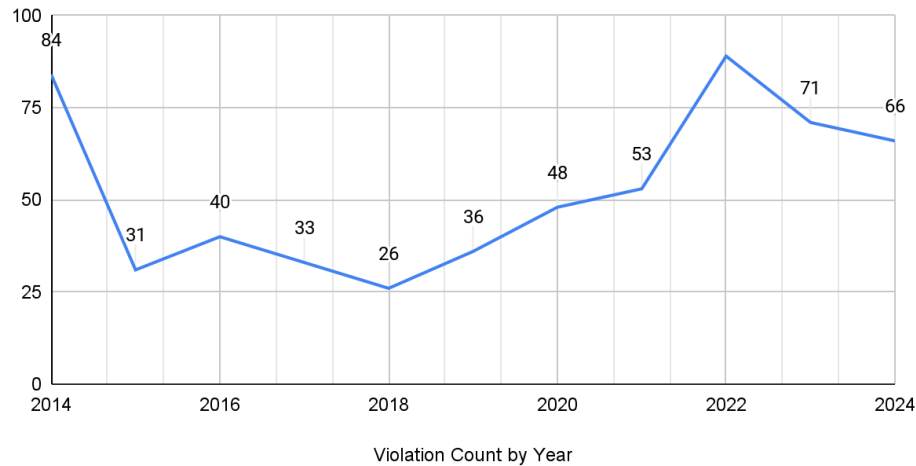


Boston City Council

LIZ BREADON

Councilor – District 9

Building and Property, Public Works Violations Received Per Year by Alpha Properties in Allston Brighton



- The proposed project seeks to demolish the existing three-story residential building that currently exists on the project site; as such, this project will directly displace multiple tenants who currently live in this existing building. If this project is to proceed despite our opposition, the Proponent must produce and share with the Planning Department and the Mayor's Office of Housing an appropriate plan that adequately addresses the impact that this project will have on existing tenants. At minimum, this plan must outline how the Proponent will: 1) provide appropriate notice of the proposed project and its impact to current tenants; and 2) offer assistance so that tenants, if so desired, may relocate to a similarly priced housing unit in the Proponent's Allston Brighton portfolio. We expect the Proponent to follow up with both the Planning Department and the Mayor's Office of Housing throughout the implementation of this plan.

Whether through willful neglect or mismanagement, the Proponent has a proven track record of maintaining and creating inadequate housing conditions for Allston Brighton residents. Unfortunately, we have not seen significant improvement to this record in the past several years. As elected officials representing Allston Brighton, we cannot support this proposed project given this context.

Sincerely,

Liz Breadon
Boston City Councilor
District 9, Allston-Brighton

Kevin G. Honan
State Representative
17th Suffolk District



Boston City Council

LIZ BREADON

Councilor – District 9

Julia Mejia
Boston City Councilor
At-Large

Erin Murphy
Boston City Councilor
At-Large

Henry Santana
Boston City Councilor
At-Large

cc: Casey Hines, Deputy Director of Development Review, Boston Planning Department
Jeffrey Thomas, Communications and Intergovernmental Relations Specialist, Boston Planning Department

**Boston Water and
Sewer Commission**

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



September 11, 2024

Scott Greenhalgh
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

Re: 23-25 North Beacon Street

Dear Scott Greenhalgh:

The Boston Water and Sewer Commission (Commission) has reviewed the Small Project Review Application (SPRA) for the 23-25 North Beacon Street Project (the Project). The Project site is located in the Brighton neighborhood of Boston. The Project includes the demolition of an existing three-story structure and the construction of a six-story, twenty-five (25) unit multi-family building. The new building will include thirteen (13) one-bedroom units, three (3) two-bedroom units and nine (9) three-bedroom units.

The Boston Water and Sewer Commission owns and maintains the water, sewer and drain lines serving the Project site. The Project site is served by separate sanitary sewer and storm drain systems. On North Beacon Street the Project site is served by an existing 12-inch sanitary sewer and a 12-inch storm drain. On Everett Street the Project site is serviced by a 10-inch sanitary sewer and a 12-inch storm drain.

Existing water service for domestic use and fire protection is supplied from North Beacon Street by a 12-inch southern low pit cast iron water main installed in 1875 and rehabilitated in 1990; and Everett Street by a 12-inch ductile iron cement lined water main installed in 1999.

There was no information regarding the water, sewer and storm drainage services provided to the campus in SPRA.

The Commission comments regarding the Project are provided below.

General

1. The Proponent must submit a site plan and General Service Application to the Commission for the proposed Project. Prior to the initial phase of the site plan development, the Proponent should meet with the Commission's Design and Engineering Customer Services to review water main, sewer and storm drainage system availability and potential upgrades that could impact the Project's development.
2. Any new or relocated water mains, sewers and storm drains must be designed and constructed at the Proponent's expense. They must be designed and constructed in conformance with the Commission's design standards, Water Distribution System and Sewer Use Regulations, and Requirements for site Plans. The site plan should include the locations of new, relocated and existing water mains, sewers and drains which serve the site, proposed service connections, water meter locations, as well as back flow prevention devices in the facilities that will require inspection.



3. With the site plan the Proponent must provide detailed estimates for water demand (including water required for landscape irrigation), wastewater generation, and stormwater runoff for the Project. The Proponent should provide separate estimates of peak and continuous maximum water demand for retail, irrigation and air-conditioning make-up water for the Project.
4. It is the Proponent's responsibility to evaluate the capacity of the water and sewer system serving the Project site to determine if the systems are adequate to meet future Project demands. With the site plan the Proponent must include a detailed capacity analysis for the water and sewer systems serving the Project site, as well as an analysis of the impact the Project will have on the Commission's systems and the MWRA's systems overall. The analysis should identify specific measures that will be implemented to offset the impacts of the anticipated flows on the Commission and MWRA sewer systems.
5. Developers of projects involving disturbances of land of one acre or more are required to obtain an NPDES General Permit for Construction from the Environmental Protection Agency. The Proponent is responsible for determining if such a permit is required and for obtaining the permit. If such a permit is required for the proposed Project, a copy of the Notice of Intent and any pollution prevention plan submitted to EPA pursuant to the permit must be provided to the Commission's Engineering Services Department prior to the commencement of construction.
6. If and where applicable, the design of the Project must comply with the City of Boston's Complete Streets Initiative, which requires incorporation of "green infrastructure" into street designs. Green infrastructure includes green spaces, such as trees, shrubs, grasses and other landscape plantings, as well as rain gardens and vegetative swales, infiltration basins, and paving materials and permeable surfaces. The proponent must develop a maintenance plan for the proposed green infrastructure. For more information on the Complete Streets Initiative see the City's website at <http://bostoncompletestreets.org/>
7. Before the Proponent demolishes any existing structures the existing water, sewer and drain connections that won't be re-used must be cut and capped in accordance with Commission standards. The Proponent must complete a Termination Verification Approval Form for a Demolition Permit, available from the Commission.

Sewage/Drainage

8. The Department of Environmental Protection (DEP), in cooperation with the Massachusetts Water Resources Authority (MWRA) and its member communities are implementing a coordinated approach to flow control in the MWRA regional wastewater system, particularly the removal of extraneous clean water (e.g., infiltration/ inflow ("I/I")) in the system. Pursuant to the policy new developments with design flow exceeding 15,000 gpd of wastewater are subject to the Department of Environmental Protection's regulation 314 CMR 12.00, section 12.04(2)(d). This regulation requires all new sewer connections with design flows exceeding 15,000 gpd to mitigate the impacts of the development by removing four gallons of infiltration and inflow (I/I) for each new gallon of wastewater flow added. The Commission will require the Proponent to develop an inflow reduction plan consistent with the regulation. The 4:1 reduction should be addressed at least 90 days prior to activation of water service and will be based on the estimated sewage generation provided with the Project site plan.



9. Grease traps will be required in any food service facility if included in the Project in accordance with the Commission's Sewer Use Regulations. The proponent is advised to consult with the Commission before preparing plans for food service facilities.
10. Sanitary sewage must be kept separate from stormwater at all times and separate sanitary sewer and storm drain service connections must be provided for the new buildings. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer. The Commission requires that existing stormwater and sanitary sewer service connections, if any are to be re-used by the Project, be dye tested to confirm they are connected to the appropriate system.
11. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission and the MWRA. The discharge of any dewatering drainage to the storm drainage system requires a Drainage Discharge Permit from the Commission. If the dewatering drainage is contaminated with petroleum products for example, the Proponent will be required to obtain a Remediation General Permit from the EPA for the discharge.
12. A Total Maximum Daily Load (TMDL) for Nutrients has been established for the Lower Charles River Watershed by the Massachusetts Department of Environmental Protection (DEP). To achieve the reductions in phosphorus loadings required by the TMDL phosphorus concentrations in stormwater discharges to the lower Charles River from Boston must be reduced by 64%. To accomplish the necessary reductions in phosphorus the Commission requires developers of projects in the lower Charles River watershed to infiltrate stormwater discharging from impervious areas in accordance with DEP requirements. With the site plan the Proponent must submit a phosphorus reduction plan for the Project.
13. The Proponent must fully investigate methods for infiltrating stormwater on-site before the Commission will consider a request to discharge stormwater to the Commission's system. The site plan must indicate how storm drainage from roof tops and other impervious surfaces will be managed. All projects at or above 100,000 square feet of floor area are required to retain, on site, a volume of runoff equal to 1.25 inches of rainfall times the impervious area. A feasibility assessment for infiltrating stormwater on-site must be submitted with the site plan for the Project.
14. The Massachusetts Department of Environmental Protection (MassDEP) has established Performance Standards for Stormwater Management. The Standards address stormwater quality, quantity and recharge. In addition to Commission standards, the proposed Project will be required to meet MassDEP's Stormwater Management Standards.
15. In conjunction with the site plan and General Service Application the Proponent will be required to submit a Stormwater Pollution Prevention Plan. The plan must:
 - Specifically identify how the Project will comply with the Department of Environmental Protection's Performance Standards for Stormwater Management both during construction and after construction is complete.
 - Identify specific best management measures for controlling erosion and preventing the discharge of sediment, contaminated stormwater or construction debris to the Commission's drainage



system when construction is underway.

- Include a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control or treatment structures to be utilized during construction.
16. The Commission requests that the Proponent install a permanent casting stating: “Don’t Dump: Drains to Charles River” next to any new catch basin installed as part of the Project. The Proponent may contact the Commission’s Operations Division for information regarding the purchase of the castings.
17. The Commission encourages the Proponent to explore additional opportunities for protecting stormwater quality by minimizing sanding and the use of deicing chemicals, pesticides and fertilizers.

Water

18. The Proponent is required to obtain a Hydrant Permit for use of any hydrant during construction of the Project. The water used from the hydrant must be metered. The Proponent should contact the Commission’s Operations Department for information on obtaining a Hydrant Permit.
19. The Commission utilizes a Fixed Radio Meter Reading System to obtain water meter readings. Where a new water meter is needed, the Commission will provide a Meter Transmitter Unit (MTU) and connect the device to the meter. For information regarding the installation of MTUs, the Proponent should contact the Commission’s Meter Installation Department.
20. The Proponent should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular, the Proponent should consider indoor and outdoor landscaping which requires minimal use of water to maintain. If the Proponent plans to install in-ground sprinkler systems, the Commission recommends that timers, soil moisture indicators and rainfall sensors be installed. The use of sensor-operated faucets and toilets in common areas of buildings should also be considered.

Thank you for the opportunity to comment on this Project.

Yours truly,

John P. Sullivan, P.E.
Chief Engineer

JPS/as

cc: A. Faisal, Alpha Management Corp.
K. Ronan, Mass. Water Resources Authority via email
P. Larocque, BWSC via email



CITY of BOSTON

Michelle Wu, Mayor

To: [Scott Greenhalgh]
From: [Xujie Liu], PWD
Date: [8/21/2024]
Subject: [23-25 North Beacon Street (SPRA)] - Boston Public Works Department Comments

Included here are Boston Public Works Department (PWD) comments for the 23-25 North Beacon Street SPRA.

Project Coordination:

The developer shall coordinate with the PWD, BPDA and BTM in regards to the proposed bike lane on North Beacon Street. The developer should coordinate with BTM and PWD to develop safety and accessibility improvements for pedestrians and cyclists in the area.

Project Specific Scope Considerations:

Please confirm with the Public Improvement Commission (PIC) that the proposed width and material of sidewalk meet City standards. The developer should also coordinate with the Parks and Recreation department in regards to the existing tree protection and planting of street trees. The developer shall coordinate with PWD to check the compliance of two existing pedestrian curb ramps on North Beacon Street at Everett Street.

Pedestrian Access:

The developer should consider extending the scope of sidewalk improvements along the site frontage.

Site Plan:

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 vs Private Right-of-Way:

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

All work within the public way shall conform to Boston Public Works Department (PWD) standards. Any non-standard materials proposed within the public way will require approval through the Public Improvement Commission (PIC) process and a fully executed License, Maintenance and Indemnification (LM&I) Agreement with the PIC.

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 American's 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.



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(617) 635-4900

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.

Green Infrastructure:

The developer shall work with PWD, the Green Infrastructure Division, and the Boston Water and Sewer Commission (BWSC) to determine appropriate methods of green infrastructure and stormwater management systems within the Public ROW. The ongoing maintenance of such systems shall require an LM&I Agreement with the PIC.

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.



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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



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MEMORANDUM**NOVEMBER 14, 2024**

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

FROM: CASEY HINES, SENIOR DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
ZOE SCHUTTE, PROJECT ASSISTANT
MICHELLE YEE, PLANNER I, PLANNING REVIEW
DANIELA ESPONOSA, TRANSPORTATION PLANNER
BREEZE OUTLAW, SITE DESIGN
SCOTT SLARSKY, URBAN DESIGNER

SUBJECT: 434 WASHINGTON STREET, BRIGHTON

SUMMARY: This Memorandum requests the Boston Redevelopment Authority d/b/a Boston Planning & Development Agency ("BPDA") authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 434 Washington Street in Brighton (as defined below, the "Proposed Project"), in accordance with Article 80E, Small Project Review of the City of Boston Zoning Code (the "Code"); (2) execute and deliver an Affordable Housing Agreement ("AHA"), if necessary, or require the same be executed by and between the Proponent and Mayor's Office of Housing, in connection with the Proposed Project; (3) enter into a Community Benefits Agreement in connection with the Proposed Project, and to take any and all other actions and to execute any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The Proposed Project is located on the corner of Washington Street and Foster Street and encompasses approximately 6,369 square feet of land (the "Project Site" or "Site"). The Project Site currently consists of a vacant single-family house surrounded by overgrown shrubbery. This structure is to be razed as part of the Proposed Project.

DEVELOPMENT TEAM

The development team includes:

Proponent:

Wesley Leung
Peninsula Capital Group
PO Box 590518
Newton, MA 02459

Legal Counsel

Jeffrey Drago, Esq.
Drago & Toscano, LLP
11 Beacon Street, Suite 615
Boston, MA 02108

Mary Kate Campbell, Esq.
Drago & Toscano, LLP
11 Beacon Street, Suite 615
Boston, MA 02108

Architect

Tim Loranger, Architect, LEED AP
EMBARC
580 Harrison Avenue, Suite 2W
Boston, MA 02118

Landscape Architect

Adrienne Emmerich
Verdant Landscape Architecture
318 Harvard Street, #25
Brookline, MA 02446

Engineer

Keri Pyke, P.E., PTOE
Howard Stein Hudson
11 Beacon Street
Boston, MA 02108

PROPOSED PROJECT

Peninsula Capital Group (the “Proponent”) proposes to revitalize Project Site with the development of a four-story, mixed-use building containing approximately 14,585 gross square feet of eighteen (18) residential homeownership units, one

ground floor commercial retail space, and eleven (11) off-street parking spaces. The homeownership units include six (6) studio units, nine (9) one-bedroom units, and three (3) two-bedroom units.

The ground-floor retail is proposed to be in the front of the building with an entrance off Washington Street to activate the streetscape and improve the pedestrian experience at this corner. This Site is within proximity of multiple MBTA bus routes and within one mile of three MBTA Green Line stations. The Proposed Project also includes a spacious bike room to promote public transportation and alternative modes of transport.

The table below summarizes the Proposed Project's key statistics:

Project Metrics Proposed Plan	Proposed Plan
Gross Square Footage	14,585
Gross Floor Area	12,465
<i>Residential</i>	11,285
<i>Commercial</i>	1,180
Development Cost Estimate	\$4,200,000
Residential Units	18
IDP Units	3
Parking spaces	11

ARTICLE 80 REVIEW PROCESS

On July 24, 2024, 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 Planning Department sponsored and held a virtual public meeting on August 20, 2024, via Zoom. The meeting was advertised in the local newspapers, posted on the Planning Department website and a notification was emailed to all subscribers of the Planning Department's Brighton neighborhood update list. The public comment period ended on September 6, 2024.

The development team discussed the Proposed Project with staff prior to its application to identify issues, address concerns, and make preliminary design changes accordingly. Additionally, as part of the Article 80 Review process, the development team met with neighbors and the Brighton Allston Improvement Association to obtain feedback and answer questions from community members. The development team will continue to work with the Planning Department, the

Inspectional Services Department and other city agencies in accordance with Article 80 requirements.

ZONING:

The Project Site is located within the Allston/Brighton Neighborhood, Neighborhood Shopping District (NS-0.5) Subdistrict and is subject to Article 51 of the Code.

The Proposed Project will need relief from three requirements of the Code outlined in Article 51, including the Maximum Floor Area Ratio, the Maximum Building Height, and the Off-Street Parking Requirement. The Project Site is located in an area that contains a mix of residential housing and commercial, and staff finds the proposed building's height, mass, and scale are appropriate for this location and conducive to this section of the Brighton neighborhood.

PLANNING AND ZONING CONTEXT

The Proposed Project is located in the Allston-Brighton Neighborhood Zoning District's Neighborhood Shopping (NS-0.5) Subdistrict, governed by Article 51 of the Zoning Code. This portion of Washington Street is characterized by a mix of residential and commercial properties. The proposed use mix of active ground floor uses and residential aligns well with the built environment of this area.

The Proposed Project is located in the study area of the Allston-Brighton Needs Assessment, which was adopted by the BPDA Board on January 18, 2024. While this planning process did not yield zoning, it did provide staff with insight relevant to the review of the Proposed Project, including the need for housing that is both accessible and affordable. The Proposed Project aligns with this goal by providing opportunities for homeownership served by transit, including three (3) income-restricted units.

During staff review of the Proposed Project, height was decreased to four stories to better align with the context established by adjacent properties on Washington and Parsons Streets. Additionally, proposed sidewalk improvements were designed in collaboration with staff to ensure compliance with both Complete Streets and ADA Guidelines. While the proposed height and floor area ratio exceeds the maximum dimensions established by Article 51, staff find the Proposed Project's overall consistency with planning goals and local context warrant appropriate zoning relief.

MITIGATION AND COMMUNITY BENEFITS

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

- In compliance with Boston’s Complete Streets policy, the Proponent will make sidewalk and streetscape improvements to the Washington Street and Foster Street intersection. Public Improvement Commission (“PIC”) approvals for proposed improvements shall be completed before building permit issuance by the Inspectional Services Department (“ISD”) for the Proposed Project. The physical mitigation improvements must be completed upon the issuance of the Certificate of Occupancy. These proposed improvements are subject to design review and approval by the Boston Transportation Department (“BTD”), Public Works Department (“PWD”), PIC, and the Planning Department.
 - The Proposed Project will enhance the streetscapes and public realm by implementing the following at the Project Site:
 - Constructing ADA compliant ramps, including the ramps serving the Foster Street and Washington Street crosswalk, sidewalks, the reciprocal ramps as required by code, and crosswalks where possible (5-foot minimum clear path of travel);
 - Ensuring minimal and code compliant gapping between the edge of the detectable warning panels and the edge of the curb;
 - The addition of two (2) new street trees along Foster Street.
 - Installation of a 6-foot-tall wood fence and landscaping along the southern shared property line to provide appropriate screening and buffering.
 - Extending the scope of sidewalk improvements east to the existing curb cut at 430 Washington Street to ensure accessibility and compliance in anticipation of future Route 57 improvements by BTD and the MBTA.
- Before issuance of the Certification of Approval, the Proponent will make a one-time “bikeshare” contribution of Five Thousand Three Hundred Eighty-Seven dollars (\$5,387.00) to BTD per the City of Boston Bike Parking Guidelines.

- Creating on-site affordable units in excess of the City's IDP affordability requirements.
- Creating a dedicated bike room for storage of bikes within the building to encourage bicycling as a mode of transportation.
 - Bike room to meet minimum dimensions required by the City of Boston Bike Parking Guidelines.
- Adding revenue in the form of property taxes to the City of Boston.
- Creating temporary construction and labor jobs.

The community benefits described above will be set forth in the Community Benefits Agreement for the Proposed Project. Any required community benefit contribution payments shall be made to the BPDA or respective City of Boston department before issuance of the initial building permit by ISD and will be distributed as outlined above. The Proposed Project and public realm improvements are subject to 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 B, 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, the developer has agreed to exceed the IDP by income-restricting approximately 16.7% of the units at the Project Site, including three (3) units within the Proposed Project to be created as IDP homeownership units (the "IDP Units"). One (1) IDP Unit will be made affordable to households earning not more than 50% of Area Median Income ("AMI"), as based on data from the United States Department of Housing and Urban Development ("HUD") and published annually by the BPDA and Mayor's Office of Housing ("MOH"), one (1) unit will be made affordable to households earning not more than 70% of AMI, and one (1) unit will be made affordable to households earning not more than 80% of AMI.

The proposed locations, sizes, income restrictions, and sales prices for the IDP Units are as follows:

Unit Number	Number of Bedrooms	Unit Size (Square Feet)	Percentage of AMI	Price
202	Studio	540	50%	\$93,300
203	One-Bedroom	640	80%	\$219,500

304	One-Bedroom	665	70%	\$185,500
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The location of the IDP Units will be finalized in conjunction with BPDA and Mayor's Office of Housing ("MOH") staff and outlined in the AHA, and sales prices and income limits will be adjusted according to BPDA published maximum sales prices and income limits, as based on HUD AMIs, available at the time of the initial sale 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 AHA 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;
2. Household size (a minimum of one (1) person per bedroom); and
3. First-time homebuyer.

An affordability covenant will be placed on each IDP Unit 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 any subsequent purchaser of the IDP Units during this fifty (50) year period must fall within the applicable income limit for each IDP Unit. IDP Units may not be rented by the developer prior to sale 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, staff recommends that the Director be authorized to: (1) issue a Certification of Approval for the Proposed Project; (2) execute and deliver an Affordable Housing Agreement for the creation of three (3) on-site IDP Units, if necessary, or require the same be executed by and between the

Proponent and Mayor's Office of Housing, in connection with the Proposed Project; and (3) enter into a Community Benefits Agreement, and to take any and all other actions and execute any and all 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 at 434 Washington Street in the Brighton neighborhood, for the construction of a new (4) four-story, mixed-use building containing approximately 14,585 gross square feet of eighteen (18) residential home ownership units, one ground floor commercial retail space, and eleven (11) off-street 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 BPDA; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute and deliver an Affordable Housing Agreement for the creation of three (3) on-site IDP Units, if necessary, or require the same be executed by and between the Proponent and Mayor's Office of Housing, in connection with the Proposed Project; and

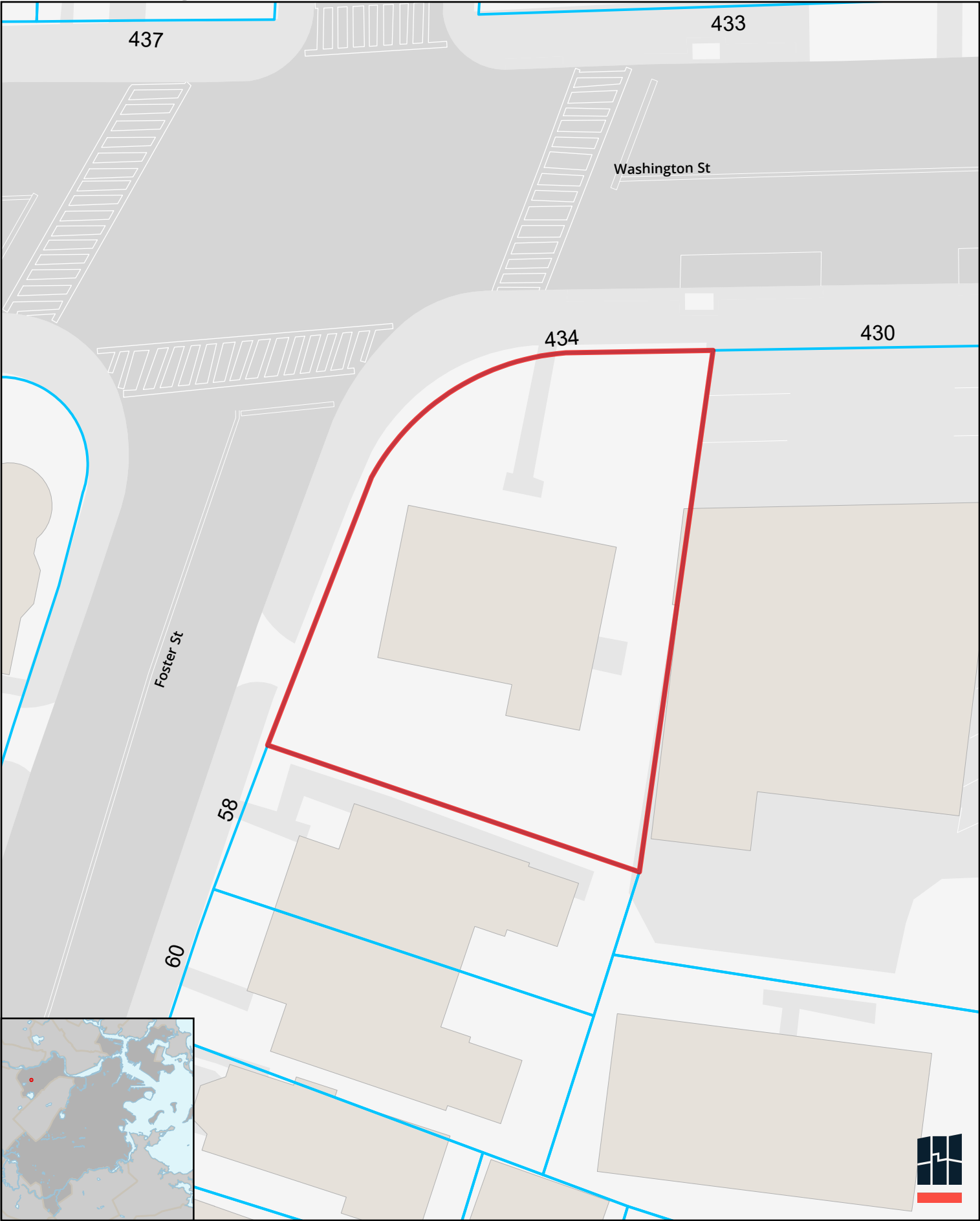
FURTHER

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

434 Washington Street



1:300



434 Washington Street

