



Planning Department

MEMORANDUM

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

FROM: Joanne Marques
Regulatory Planning & Zoning

DATE: April 25, 2025

RE: Planning Department Recommendations

Please find attached, for your information, Planning Department recommendations for the April 29, 2025 Board of Appeals Hearing.

Also included are the Board Memos for:

80 to 82 Allandale ST Roslindale 02130
90 to 92 Allandale ST Roslindale 02130
94R to 96R Allandale ST Roslindale 02130
84R to 86R Allandale ST Roslindale 02467

20 to 24 Malcolm X BL Roxbury 02119
70 Dudley ST Roxbury 02119

49 to 51 D ST South Boston 02127

If you have any questions please feel free to contact me



Case	BOA1686131
ZBA Submitted Date	2025-01-24
ZBA Hearing Date	2025-04-17
Address	286 Perham ST West Roxbury 02132
Parcel ID	2008485000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	56
Project Description	Finishing an unfinished basement for more living space, including a family room, bathroom, office, and storage space.
Relief Type	Variance
Violations	FAR Excessive

Planning Context:

The proposed project is located in a low-density, primarily single-family neighborhood just south of the VFW Parkway and Brook Farm. The project site - a 1.5 story single-family home with a pitched roof - reflects the surrounding built fabric in the immediate vicinity.

This kind of improvement is an example of the kinds of renovations and changes the Planning Department seeks to streamline via the new Neighborhood Housing Zoning initiative, announced in November 2024, where a clear goal is the eventual citywide allowance of maintenance and upgrades to existing structures without the need for zoning relief. West Roxbury is among several neighborhoods with large lots and low-density housing that will be part of phase 1 of this initiative. This project exemplifies how home improvements can contribute to contextual growth in Boston's lower-density residential neighborhoods especially where current and future flood risk is low. Updating a basement to extend living space also aligns with the Boston Housing Strategy 2025 goal to make Boston one of the most family-friendly cities in the country, in part by providing housing that serves various household sizes and compositions.

Zoning Analysis:

The only zoning violation is excessive Floor Area Ratio (FAR), which has a maximum of 0.4 in the 1F-6000 subdistrict. The current FAR is 0.43, and the proposed FAR is 0.61. This is an existing non-conformity that is being increased by finishing the existing basement floorplate to



create more living space, which will not affect building massing. Relief from the existing FAR requirements is recommended.

The plans reviewed are titled ALT1631528 Stamped for ZBA. The date when these plans were prepared and name of the entity/individual who drew them is not indicated on the plans.

Recommendation:

In reference to BOA1686131, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1682233
ZBA Submitted Date	2025-01-07
ZBA Hearing Date	2025-04-17
Address	114 Eastwood CC West Roxbury 02132
Parcel ID	2010762000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	56
Project Description	Construct a rear addition to an existing two-story dwelling.
Relief Type	Variance
Violations	Rear Yard Insufficient

Planning Context:

This project proposes a rear addition to an existing two-story single unit dwelling. The proposed project includes the demolition of an existing garage at the rear of the property.

Zoning Analysis:

The proposed project creates a rear yard measuring only 27.8 feet in a zoning subdistrict with a required thirty-foot yard depth. A reduced rear yard setback is not uncharacteristic for the neighborhood. While adjacent properties do not tend to encroach on the rear property line, using online mapping applications to measure rear yard setbacks on surrounding parcels yields several results just under the thirty foot requirement. The proposed project also demolishes a garage in the rear yard, opening up the rear yard further, and removing accessory structures closer to the rear property line to ensure light and air for neighbors.

Recommendation:

In reference to BOA1682233, The Planning Department recommends APPROVAL.

Reviewed,

Deputy Director of Zoning



Case	BOA1686002
ZBA Submitted Date	2024-10-31
ZBA Hearing Date	2025-04-17
Address	28 Shaw ST West Roxbury 02132
Parcel ID	2002858011
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	56
Project Description	Construct rear addition to existing two-unit building.
Relief Type	Variance, Conditional Use
Violations	FAR Excessive Extension of Non-Conforming Use

Planning Context:

Parcel is a two-unit residence within the Bellevue Hill portion of West Roxbury approximately four blocks east of the Bellevue Hill Park. Residential uses are consistent and fairly widespread for multiple blocks in all directions. Each unit in this structure has a rear porch, and the applicant seeks to replace these stacked porches with family rooms in the same location, expanded to the rear.

This modification is an example of an incremental improvement to an existing residential structure, which the Neighborhood Housing zoning initiative, launched in November 2024, seeks to enable by-right.

Zoning Analysis:

Parcel is sited well within a 1F-6000 subdistrict in West Roxbury. No dimensional violations except for Floor Area Ratio require zoning relief. Per Article 56, Table D, the maximum FAR allowed in a 1F-6000 is 0.4. While existing square footage at 2,392 square feet on a 6,728 square foot lot yields an FAR of approximately 0.36, this addition of 240 square feet of livable area on each floor would yield a new FAR of 0.42, which would be a violation. That said, many neighboring structures are at least the same size as the proposed new building and on much smaller lots, so this FAR requirement is not reflective of existing conditions. Relief is appropriate, especially given the relatively small violation of 0.02 above the maximum allowed.



Per Article 6, Section 1, an extension of a nonconforming use requires a conditional use permit. This property is a two-family residence, which is forbidden in a 1F-6000 subdistrict. Though this proposal does not add any additional units, it does extend each of the existing units, making this an extension of a nonconforming use. These extensions are minor, appropriate to the existing site, reasonable in scale, and should present no nuisance or difficulties for pedestrians or vehicles. Indeed, not only the abutting properties, but many properties throughout the subdistrict have two units or more present, which are existing nonconformities. Future zoning reform should adjust unit count requirements to, at a minimum, make existing unit counts conforming with the zoning code. Relief in the form of a conditional use permit is appropriate.

Recommendation:

In reference to BOA1686002, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1686290
ZBA Submitted Date	2025-01-24
ZBA Hearing Date	2025-04-17
Address	28 Chesbrough RD West Roxbury 02132
Parcel ID	2008749000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	56
Project Description	The proposed project is a rear first floor and basement addition. A portion of the rear addition would encompass and enclose the existing deck. The new, proposed deck would be built further into the backyard.
Relief Type	Variance
Violations	Side Yard Insufficient

Planning Context:

28 Chesborough Road is a one-unit house on a block with other one-unit houses, mostly between one and two stories. The proposed project is a rear first floor and basement addition roughly 22' in depth. A portion of the rear addition would encompass and enclose the existing deck, repurposing it as part of the addition. The project includes added space in the basement, along with another bedroom, a laundry room, a family room, and an expanded bathroom. The new, proposed deck would be built further into the backyard. The addition and the new deck would not be any wider than the existing house.

Zoning Analysis:

The project received one violation for an insufficient side yard. The minimum side yard requirement in this subdistrict is 10', and the proposed project's side yard measurements are 12' and 7'6". However, the addition and new deck would be the same width as the existing house, extending the non-conformity, and would not worsen the side yard nonconformity.

Recommendation:

In reference to BOA1686290, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

Kathleen O'Neil

Deputy Director of Zoning



Case	BOA1662019
ZBA Submitted Date	2024-10-15
ZBA Hearing Date	2025-04-17
Address	118 Woodrow AV Dorchester 02124
Parcel ID	1403667000
Zoning District & Subdistrict	Greater Mattapan Neighborhood 3F-5000
Zoning Article	60
Project Description	Expand the existing dormer and renovate unit two, which is located on the second floor and attic floor, including renovations for a new kitchen and bathrooms.
Relief Type	Variance
Violations	Front Yard Insufficient Side Yard Insufficient

Planning Context:

This project is located on a corner lot at the intersection of Woodrow Ave and Wollaston Terrace, within a 15-minute walk of two commuter rail stations (Talbot Ave and Morton Street) and a 30-minute walk of two Red Line stations (Ashmont and Shawmut). Just a few blocks north of Morton Street and east of Blue Hill Avenue, the site is well connected to major transit routes, including bus lines 28, 29, 31, 21, and 26. The surrounding area is predominantly residential, with buildings ranging from 2.5 to 3 stories, many featuring large dormers.

Although this lot sits just outside the PLAN: Mattapan study area, it shares similar built patterns with the neighborhoods included in the plan. As a result, many of PLAN: Mattapan's key objectives are highly relevant here. Notably, the proposed project focuses on improving existing housing in Mattapan, supporting a core goal of the plan—enhancing neighborhood stability and fostering wealth-building opportunities.

Zoning Analysis:

The proposed project does not reduce the existing front or side yards, as the dormer already exists and is simply being extended forward for stair's headroom clearance without surpassing the home's front facade. As outlined in the planning context, the extended dormer aligns well with the character of many surrounding buildings. Given these factors, this proposal should be



approved. Additionally such a simple and everyday addition should be able to be done by right without needing to go through a long and expensive variance process. The side and front yard violations are existing non-conformities that are being extended but not worsened. Based on Google Earth approximate measurements, the existing front yard is about 6.5 feet and existing side yards are about 7 feet on both sides, while zoning requires a front yard of 15 feet and a side yard of 10 feet on either side. This is a very clear case for why zoning reform is needed.

Plans reviewed are titled "118 Woodrow Ave, Dorchester, MA" prepared by T Design LLC, and dated February 6, 2024.

Recommendation:

In reference to BOA1662019, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1631009
ZBA Submitted Date	2024-07-24
ZBA Hearing Date	2025-04-17
Address	857 to 861 Dorchester AV Dorchester 02125
Parcel ID	0703073000
Zoning District & Subdistrict	Dorchester Neighborhood MFR/LS
Zoning Article	65
Project Description	Extend space used for an existing cafe with no external work.
Relief Type	Variance, Conditional Use
Violations	Parking or Loading Insufficient Use: conditional (take-out)

Planning Context:

The project proposes extending the floor space dedicated to the use of an existing take-out restaurant (Sugar Bowl Cafe). The current space is already owned by the Sugar Bowl, but is not open to patrons. The surrounding area is predominantly mixed-use, with housing on upper stories and small commercial uses on the first stories, such as take-out restaurants and retail stores.

The proposed project would improve the accessibility of the existing restaurant opening the second entrance (on Roseclair Street) to the public. Unlike the existing public entrance (at the corner of Dorchester Street and Roseclair Street), which has a step up to the front door, this entrance has a ramp.

Zoning Analysis:

This project requires a conditional use permit because it extends the existing take-out restaurant use, which is a conditional use in this subdistrict. Per Article 6 Section 3, the Zoning Board of Appeal shall grant appeals for conditional uses if the specific site is an appropriate location for such use, the use will not adversely affect the neighborhood, there will be no serious hazard to vehicles or pedestrians from the use, no nuisance will be created by the use, and adequate and appropriate facilities will be provided for the proper operation of the use. This use meets these conditions because take-out uses are already prevalent in this area and a take-out restaurant has already been operating at this location successfully.



The zoning requires that Other Restaurant Uses in the Dorchester Neighborhood District have 0.15 spaces per seat. This restaurant appears to have zero off-street parking spaces, and because the proposed change increases the seating (from 16 seats to 49 seats), the project would worsen this nonconformity. However, due to the lot coverage of the existing building, it is not feasible to add off-street parking. In addition, the other commercial uses on this block also do not have off-street parking. , meaning the zoning does not align with built conditions. This is a case for zoning reform to better align zoning requirements to mixed-use contexts.

Plans reviewed: "SUGARBOWL CAFE INCREASE IN OCCUPANCY IN UN-USED CAFE SPACE" prepared by "TS" and dated 4/30/2024.

Recommendation:

In reference to BOA1631009, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1682573
ZBA Submitted Date	2025-01-08
ZBA Hearing Date	2025-04-17
Address	401 W Fourth ST South Boston 02127
Parcel ID	0601094000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Renovate and erect addition for an existing three-story, single-family dwelling. Change occupancy from single-family to two-family dwelling.
Relief Type	Variance, Conditional Use
Violations	Roof Structure Restrictions Rear Yard Insufficient Nonconformity as to Dimensional Regulations

Planning Context:

The proposed project sits in an established residential subdistrict within the Saint Vincent area of South Boston. It also lies within a Restricted Parking and Restricted Roof Structure Overlay Districts. The project's surroundings consist of a mix of two- to three-story structures with single-family to multi-family residential land uses. Bus stops for the MBTA's 9, 10, and 11 routes as well as two Bluebikes stations are accessible to the site within a quarter-mile walk.

The project site is a small, narrow lot (1,488 square feet of area, 25' wide) currently occupied by an existing three-story, single-family residential structure. It does not feature any existing off-street parking. The proposed project seeks to erect a new two-story rear addition and renovate the structure's interior to support the addition of a new dwelling unit therein (bringing the structure's total occupancy to two units, a net addition of one dwelling unit). These alterations extend living space into the structure's existing basement level (to accommodate an expanded living area for the proposed ground floor/basement unit) and update the structure's building floorplate to create greater setbacks from the property's side lot lines. Because the project does not sit in a flood zone, and updates the structure's built form to provide additional egress and access to light and air, the proposed basement living space is appropriate for the site. These updates result in the creation of two family-sized, three bedroom dwelling units upon the site.



While the project's rear addition does alter the structure's existing roofline (triggering the provisions of the area's roof structure restrictions), those proposed changes will not be visible from the public right of way. Because of this, Planning Department Urban Design staff see the project's addition as contextual to the area and have noted it as not requiring additional design review.

This project scope is in keeping with the City's planning goal to increase housing availability, as detailed in *Housing a Changing City, Boston 2030* (September 2018). The project's proposed zero-parking condition also aligns with the stated goals of the in-progress South Boston Transportation Action Plan (whose study area the project site sits within): to retain existing open space and provide residents access to housing units in transit-accessible locales.

Zoning Analysis:

The project's insufficient rear yard violation is triggered by its proposed rear addition. This rear yard addition, while not adding a substantial amount of gross floor area, alters the shape of the existing structure's building floor plate, extending it five feet further into the site's rear yard.

While the extension results in a dimension that exceeds the area's minimum rear yard setback (twenty feet required, fifteen feet proposed), the result is a built form that mirrors (and has a rear yard setback less severely nonconforming than) the existing conditions of many of the project's surroundings (roughly 50% of the site's surrounding parcels have a rear yard setback of less than ten feet). The impacts of the project's rear yard setback are also mitigated by the addition's more narrow nature (as compared to the existing structure), which increase the structure's side yard setbacks and retain the site's amount of usable open space. Because of this, the project's insufficient rear yard setback will have minimal impacts on the surrounding area.

The project's violation for the extension of existing nonconforming dimensions relates to its lack of proposed off-street parking spaces (three spaces required, zero spaces existing/proposed), and insufficient lot area (3,000 square feet required for the two-family use, 1,488 square feet existing/proposed). Both of these violations represent extensions of contextual nonconformities already existing upon the site. Regarding the former, the project's proposed zero-parking condition is one shared by each of the project's immediately abutting parcels as well as the vast majority (over 90%) of its broader surroundings. This shared context stems from the area's uniquely small lot sizes and densely built existing form, which largely prohibits the development of new off-street parking without requiring the demolition of existing structures. Similarly, while



insufficient by the Code's standards for its proposed occupancy, the project's adjusted lot area per dwelling unit (744 square feet per dwelling unit) results in a figure similar to (and less severely nonconforming than) many of the properties in the surrounding area. In fact, almost none of the parcels in the project's surrounding area have a lot which meets the minimum size requirement for the subdistrict, either by total lot area or adjusted lot area per dwelling unit. Looking at the numbers specifically, roughly half of the project's proximal parcels have an existing adjusted lot area per dwelling unit of less than 500 square feet, a figure significantly more constrained than what this project proposes. Understanding these factors, the project's proposed parking and additional lot area conditions will result in minimal impacts to the surrounding area, rendering them contextual to the area.

The project's violation of the area's roof structure restrictions relates to its proposed rear addition, which alters the structure's existing roofline. As per Section 68-35 of the Zoning Code, these alterations trigger the need for a conditional use permit. Conditional uses are required to meet several criteria to be approved, including that they must: (1) be appropriate to the location; (2) not adversely affect the surrounding neighborhood; (3) avoid creating serious hazard to pedestrians and vehicles; and (4) not create nuisance. Considering that the project's roof line alterations do not increase the structure's existing height, are entirely hidden from public view, and result in expanded side yard setbacks from adjacent properties, the proposal is deemed as being appropriate and minimally invasive to the surrounding area, thus meeting the criteria required for approval.

As evidenced by the area's widespread nonconformance with existing zoning regulations, future zoning reform in this area is needed. This reform should focus on eliminating minimum lot area requirements and right-sizing parking and other dimensional regulations, to better match zoning with the area's existing built context. Further efforts should focus on amending the area's roof structure restrictions, so as to avoid having low-impact additions/alterations trigger the need for zoning relief, lowering barriers for the development of new housing throughout the neighborhood.

Plans reviewed are titled "Reno/Addition to 3-St., Single-Family Dwelling to Create 3-St., 2-Family Dwelling, 401 West Fourth Street, South Boston, MA," prepared by "Time Johnson Architect, LLC" on November 29, 2023.

Recommendation:



In reference to BOA1682573, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1667594
ZBA Submitted Date	2024-10-31
ZBA Hearing Date	2025-04-17
Address	68 F ST South Boston 02127
Parcel ID	0600990000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Change use from one- to two-unit dwelling. No changes to the building's exterior are proposed.
Relief Type	Variance
Violations	Parking or Loading Insufficient Additional Lot Area Insufficient Forbidden Use (Basement Unit)

Planning Context:

The proposed project sits in an established residential subdistrict within the Saint Vincent area of South Boston. The project's surroundings consist of a mix of two- to three-story structures with single-family to multi-family residential land uses. Bus stops for the MBTA's 9, 10, and 11 routes as well as two Bluebikes stations are accessible to the site within a quarter-mile walk.

The project site is a small, narrow lot (2,106 square feet of area, 25' wide) currently occupied by an existing three-story, semi-attached, single-family residential structure. It does not feature any existing off-street parking. The proposed project seeks to renovate the structure's existing basement into an additional basement dwelling unit (bringing the structure's total occupancy to two units). Because the project does not sit in a flood zone, and is within a structure that provides appropriate egress and access to light and air, a basement unit is appropriate for the site. Because the project site does not meet the ADU owner-occupancy requirement, the new dwelling unit is considered a standard dwelling unit, not an internal ADU (despite it being functionally designed as such). No exterior alterations to the existing structure or changes to the existing site plan are proposed by the project.

This project scope is in keeping with the City's planning goal to increase housing availability, as detailed in *Housing a Changing City, Boston 2030* (September 2018). The project's proposed



zero-parking condition also aligns with the stated goals of the in-progress South Boston Transportation Action Plan (whose study area the project site sits within): to retain existing open space and provide residents access to housing units in transit-accessible locales.

Zoning Analysis:

Section 68-7.3 of the Zoning Code details requirements for the creation of additional dwelling units (ADUs) in the South Boston Neighborhood. It states that ADUs shall be allowed and exempt from zoning requirements in cases where such project adds no more than one dwelling unit to the existing structure; does not involve any bump out, extension or construction to the existing envelope of the structure which results in the addition of gross floor area; occurs within an owner-occupied structure; and is registered in accordance with Ch. 9-1.3 of the City of Boston Rental Registry Ordinance. The project's proposed basement dwelling unit meets all of these criteria, except the owner-occupancy requirement. This means the proposed basement unit is not considered an ADU by zoning, and is instead categorized as a standard dwelling unit, added to the structure's existing dwelling unit count and subject to the requirements of the Zoning Code. This categorization triggers a forbidden use violation for the project, as non-ADU basement dwelling units are forbidden in the South Boston Neighborhood.

While in violation of the Code, the project's new proposed basement dwelling unit is created by converting already existing basement space (currently operating as part living space / part storage for the structure's existing single-family use) into a separate and distinct dwelling unit. Because no alterations to the existing structure's building footprint are proposed (or needed to accommodate the proposed basement dwelling unit), the potential impacts of the cited forbidden use violation will be minimal to the surrounding area. Further, the project's existing basement has two established means of egress, sufficient access to light and air through multiple window wells, and is sited outside of the City's Coastal Flood Resilience Overlay District (CFROD). These factors make the existing structure an appropriate, safe, and livable location for a basement dwelling unit.

The project's remaining zoning violations relate to its lack of proposed off-street parking spaces (three spaces required, zero spaces existing/proposed), and insufficient lot area required to support the added dwelling unit (3,000 square feet required, 1,862 square feet existing/proposed). Both of these violations represent extensions of contextual nonconformities already existing upon the site. Regarding the former, the project's proposed zero-parking condition is one shared by each of the project's immediately abutting parcels as well as the vast



majority (over 90%) of its broader surroundings. This shared context stems from the area's uniquely small lot sizes and densely built existing form, which largely prohibits the development of new off-street parking without requiring the demolition of existing structures. Similarly, while insufficient by the Code's standards for its proposed use, the project's adjusted lot area per dwelling unit (931 square feet per dwelling unit) results in a figure similar to (and less severely nonconforming than) many of the properties in the surrounding area. Almost none of the parcels in the project's surrounding area have a lot which meets the minimum size requirement for the subdistrict, either by total lot area or adjusted lot area per dwelling unit. Of note, the proposed project sits in a multifamily residential subdistrict, which allows two-unit dwellings (up to multifamily residential uses) by right. Despite the project proposing an allowed land use within an existing structure, meeting the zoning's lot area requirements would require the existing structure to be demolished and redeveloped (a process that would have a far greater impact on the neighborhood than what the project proposes). Understanding these factors, the project's proposed parking and additional lot area conditions are deemed minimally invasive and contextual to the surrounding area.

A proviso for Planning Department design review has been added to this recommendation due to the project's lack of floor-to-ceiling heights listed on its project plans/elevations. This review should focus on ensuring that the project's existing basement space and proposed basement dwelling unit meets the 7'6" ceiling height threshold to support living space therein.

As evidenced by the area's widespread nonconformance with existing zoning regulations, future zoning reform in this area is needed. This reform should focus on eliminating minimum lot area requirements and right-sizing parking and other dimensional regulations, to better match zoning with the area's existing built context. Further efforts should focus on removing the neighborhood's prohibition on basement dwelling units, outside of the City's Coastal Flood Resilience Overlay District, to lower barriers for the development of new housing throughout the neighborhood.

Plans reviewed are titled "Change of Occupancy: 1-Family to 2-Family within Existing Building, 68 F Street, South Boston, MA 02127," prepared by "Time Johnson Architect, LLC" on July 15, 2024.

Recommendation:



In reference to BOA1667594, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with attention to ensuring the project's proposed basement dwelling unit meets the 7'6" floor-to-ceiling height threshold to support living space therein.

Reviewed,

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Deputy Director of Zoning



Case	BOA1687823
ZBA Submitted Date	2025-01-28
ZBA Hearing Date	2025-04-29
Address	25 Brown AV Roslindale 02131
Parcel ID	1903983000
Zoning District & Subdistrict	Roslindale Neighborhood 2F-5000
Zoning Article	67
Project Description	Extend living space into the existing attic.
Relief Type	Variance
Violations	FAR Excessive

Planning Context:

The proposed project converts an existing attic to livable space within a single-unit dwelling. This project makes no changes to the exterior of the building. The proposed changes are all internal - to extend the living space into the attic. The proposed changes do not alter the existing building's relationship to the neighborhood context, nor the fabric of the surrounding Roslindale neighborhood.

Zoning Analysis:

The proposed project results in an FAR violation through the extension of living area into an existing space not previously counted in the calculation of Floor Area Ratio. This project represents a case for zoning reform to make interior changes easier to permit along a more predictable timeline for homeowners and project proponents.

Recommendation:

In reference to BOA1687823, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

Kathleen Onuf

Deputy Director of Zoning



Case	BOA1690262
ZBA Submitted Date	2025-02-06
ZBA Hearing Date	2025-04-29
Address	551 to 555 Beech ST Roslindale 02131
Parcel ID	1806006000
Zoning District & Subdistrict	Roslindale Neighborhood 1F-6000
Zoning Article	67
Project Description	Construct new three-unit residential building.
Relief Type	Variance
Violations	FAR Excessive Use: forbidden Dimensional Req. for two or more dwellings

Planning Context:

The existing structure is a two-story single unit home on a lot larger than most surrounding lots. The surrounding area is primarily residential with dwellings between one and a half and two and a half stories. The buildings immediately adjacent to the property are single unit homes however there are many two and three unit buildings in the surrounding area. The parcel is located within walking distance to the George Conley Elementary School the Phineas Bates Elementary School, and is also near the Metropolitan and Sherrin Woods. There is also a #50 MBTA Bus Stop at the end of Beech Street providing connections north to Roslindale and Forest Hills and south to Hyde Park. Given the parcel's proximity to transportation, open space, and schools, it is a fitting place for a three unit residential building.

Zoning Analysis:

Article 67 Table C sets the maximum Floor Area Ratio (FAR) for the 1F-6000 subdistrict at 0.5. The combined living area for the proposed three units is less than 7,000 square feet. The subject parcel is approximately 12,750 square feet leading to a proposed FAR of approximately 0.55. There are examples within the subject zoning district of properties with the same or greater FAR, despite the requirement for this district.



The proposed three unit building also requires zoning relief from Article 67 Sections 8 and 33 which prohibit two or more dwellings on a single lot in this district. There are examples in the surrounding area of two and three unit dwellings on lots similar or smaller in size. Plans reviewed "555 Beech" prepared by "Matthew Arnold Architect" and dated "October 21, 2024"

Recommendation:

In reference to BOA1690262, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review of the proposed driveway aisle width in the parking area.

Reviewed,

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Deputy Director of Zoning



Case	BOA1679123
ZBA Submitted Date	2024-12-18
ZBA Hearing Date	2025-04-29
Address	4280R Washington ST Roslindale 02131
Parcel ID	1804553000
Zoning District & Subdistrict	Roslindale Neighborhood NS
Zoning Article	67
Project Description	Build a new freestanding garage in the rear of the existing building.
Relief Type	Variance
Violations	Rear Yard Insufficient Accessory Buildings in Side or Rear Yard

Planning Context:

The proposed project involves the construction of a new freestanding garage at the rear of the property. This garage will be built in an area currently used for paved outdoor storage. The neighborhood features many freestanding garages, which are typically situated further from the main buildings due to concerns about combustion engines and exhaust. The proposed garage is designed to match the predominant style in the area, featuring a flat roof and siding materials similar to those used in existing garages. This design is consistent in character with the design of other garages in the neighborhood. Contextual design on this corner lot is a relevant consideration due to the proposal's visibility from the side street perspective on Kittrage Street.

Zoning Analysis:

The second violation concerning "Accessory Buildings in Side or Rear Yard" also relates to the setbacks of the proposed project. Article 67, Section 33.7 states: "Accessory Buildings may be erected in a Side or Rear Yard; provided that no such Accessory Building is more than fifteen (15) feet in height, or closer than four (4) feet to any side or rear Lot line, or nearer than sixty-five (65) feet to the front Lot line." The proposed project is located only 30 feet from the front lot line of the property. It meets the requirements for the rear and side yard setbacks. However, this parcel has an unusual shape, presenting an undue hardship for the proponent: the entire parcel lies within the 65 foot front setback required for accessory buildings. It is a wide, shallow lot that significantly differs from the more regular rectangular lots located nearby. There is no viable



building that could occupy this space without a variance, yet it is well-suited for the proposed garage. Under Article 7.3, this undue hardship should qualify for a variance.

The proposed project must also undergo design review as per 67-28.1(a), Design Review and Design Guidelines, which state that any new building visible from the public way that is over 750 square feet should receive design review.

Recommendation:

In reference to BOA1679123, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review.

Reviewed,

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Deputy Director of Zoning



Case	BOA1685652
ZBA Submitted Date	2025-01-22
ZBA Hearing Date	2025-04-29
Address	43 Algonquin ST Dorchester 02124
Parcel ID	1700006000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-5000
Zoning Article	65
Project Description	Converting a one-story, one-unit building to a three-story, two-unit building by adding two stories on top. Also adding a new driveway and curb cut.
Relief Type	Variance
Violations	Parking or Loading Insufficient FAR Excessive Height Excessive (stories) Front Yard Insufficient Side Yard Insufficient

Planning Context:

This project proposes adding two stories and a new unit to an existing building. The existing building is one story plus a basement (which contains living space) and contains one unit. The first unit would remain in the basement and first story and the second unit would be in the new second and third stories.

This project is within the study area for the Codman Square + Four Corners Squares + Streets Small Area Plan. Squares + Streets 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. Although the Codman Square + Four Corners Squares + Streets Small Area Plan is currently paused, this area's inclusion in the Squares + Streets initiative shows that it was identified as a transit-accessible area which would benefit from transit-oriented development. In particular, the location of this proposed project is 0.3 miles from Talbot Ave MBTA Commuter Rail Station and 0.8 miles from Felids Corner MBTA Red Line Station. This project therefore aligns with citywide planning goals of increasing housing in transit-rich areas.



The project also includes adding a new driveway and curb cut on the West side of the lot, which is in addition to the existing driveway and curb cut on the East side of the lot. The new curb cut must be reviewed and approved by the Public Improvement Commission (PIC). City of Boston Commissioner of Public Works Guidelines for the Issuance of a Curb Cut Permit (2013) states that “The application should not seek to create more than one curb cut for a single lot.” Because there is already a curb cut on this lot, this means that the proposed new curb cut is not appropriate. In addition, the proposed new driveway would remove usable open space and permeable area, which is not aligned with citywide goals of maintaining or increasing these assets as much as possible. Lastly, because of this project's location in a transit-rich, Squares + Streets area, a lower parking ratio is appropriate and the proposed new driveway is not needed.

Zoning Analysis:

Parking insufficient: Because this project would increase the number of units in the building to two, the zoning requires two parking spaces (one space per unit). Although the spaces are not included on the site plan, the existing parking appears to be two tandem spaces, which is equivalent to 1.75 spaces (according to Article 65 Table G footnote 3). The proposed addition of the new driveway would double the existing parking to 3.5 spaces (4 tandem spaces) and therefore exceed the zoning requirement of 2 spaces. However, as discussed in the planning context of this recommendation, a lower parking ratio is appropriate due to this project's location in a transit-rich, Squares + Streets area, and the new driveway would not comply with Public Works guidelines for curb cuts nor with citywide goals for maintaining usable open space and permeable area.

Height Excessive (stories): The project proposes an addition which would make the building three stories, which means it exceeds the zoning maximum of two and half stories. However, there are many three story buildings nearby on Harvard Street, School Street, and Thane Street. This indicates that this zoning regulation should be updated to better align with built conditions.

Front yard insufficient: The project is cited for a front yard violation because the proposed 13.4 foot front yard does not meet the 15 foot front yard minimum listed in Article 65 Table C.

However, Section 65-42 states that “If at any time in the same Block as a Lot required by this Article to have a minimum Front Yard there exist two or more Buildings fronting on the same side of the same Street as such Lot, instead of the minimum Front Yard depth specified in this Article, the minimum Front Yard depth shall be in conformity with the Existing Building

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Alignment of the Block.” Existing Building Alignment is defined in the zoning code as “The Front Yard depth that occurs most frequently along a block, as measured by lot widths along the block...” The exact existing building alignment is approximately 11 to 14 feet, as that is the approximate front yard of the majority of the buildings on the block. The project therefore has an adequate front yard.

Side Yard Insufficient: The project is cited for an insufficient side yard because the existing building has a 9.6 foot side yard on one side, which does not comply with the 10 foot side yard requirement. This is a minor existing non-conformity and relief should be granted.

The proposed project has an FAR of approximately 0.65 and therefore exceeds the maximum allowed FAR of 0.5. 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 1,055 sq ft and the Building Lot Coverage is approximately 22%. This is slightly smaller compared to the Building Floor Plate and Building Lot Coverage of most of the surrounding buildings, which shows that the proposed massing is appropriate for the existing area.

Plans reviewed: “Proposed one to two family addition” prepared by “T Design, LLC” and dated “06/02/2024.”

Recommendation:

In reference to BOA1685652, The Planning Department recommends APPROVAL WITH PROVISIO/S that the second driveway and curb cut are removed from the plans.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1683263
ZBA Submitted Date	2025-01-13
ZBA Hearing Date	2025-04-29
Address	64 Nelson ST Dorchester 02124
Parcel ID	1702513000
Zoning District & Subdistrict	Dorchester Neighborhood 3F-6000
Zoning Article	65
Project Description	Erect a 4-story, 4-unit multifamily residential building with ADA-accessible unit on the first floor and a private roof deck. New utilities, sprinkler, and fire alarm system.
Relief Type	Variance
Violations	Parking or Loading Insufficient Lot Area Insufficient FAR Excessive Height Excessive (stories) Height Excessive (ft) Front Yard Insufficient Rear Yard Insufficient Use: forbidden (multifamily residential) Use: forbidden (basement unit)

Planning Context:

Site is a vacant corner lot in a 3F-6000 lot in Dorchester, two blocks northeast of the PLAN: Mattapan study area and a recently rezoned area with a new Mattapan R2 zoning district. While the immediate context is consistently small-scale residential properties, the Morton Street mixed use corridor is a block and a half to the south of the property. While no planning study is directly relevant to this study area, proximity to the PLAN: Mattapan study area can allow for a general confluence of the principles of both that study and the overall guidance of the ongoing Neighborhood Housing zoning initiative, both of which consider the importance of reasonable infill in residential areas like this one. Three-story multifamily properties are highly prevalent in the surrounding neighborhood. The Morton St commuter rail stop is approximately three blocks southwest of this site.

A residential proposal like this is very much in line with not only the kind of housing allowed in Squares and Streets districts nearby but also the kind of residential infill supported by



Neighborhood Housing. As long as this kind of housing is a reasonable fit on this specific lot, this proposal generally aligns with planning goals.

Zoning Analysis:

Use Violations: Per Article 65, Table A, multi-family (in this case, four units) uses are disallowed in a 3F-6000. Additionally, per Article 65, Section 8, basement units are forbidden. While much of this building appears three stories tall, the site has substantial topography with a hill rising up from the street. For this reason, what appears as a first floor partially set into the ground from the street has a portion that becomes increasingly underground as it extends into the rear and thus can be considered a basement unit. The first floor opens up to the street frontage with a full-size door and full-size windows and thus can avoid many of the concerns surrounding the suitability or safety of basement units. Given the proximity of the site to commuter rail, the potential impact of an additional unit on the neighborhood fabric is low, and relief for these uses is appropriate.

Parking: Per Article 65, Table F, 1.25 parking spaces per unit are required for housing with four units. This project proposes a total of four spaces, which would be a ratio of one per unit, which would be a violation. Given the proximity to the Morton Street stop, a ratio of one space per unit is reasonable, and relief is appropriate.

Dimensional Regulations: Per Article 56, Table C, six dimensional violations are proposed for this project in a 3F-6000 subdistrict. At 5476 square feet, the minimum lot size of 6000 is not met. At 1.1, the FAR is a violation over the allowed 0.4. At 4, the number of allowed stories exceeds the maximum of 2.5. At 37' from the street side, the height is above the allowed height of 35', though a rear staircase head house does raise the total height to 38' at the rear where the ground rises up to the second floor. Of the two side yards, one is a noncompliant 5', while zoning requires 10'. Finally, at 5', the front yard is smaller than the required 15'. All of these violations are related to one another. While the lot is below the requirement, many surrounding lots are even smaller than this lot, and so the minimum lot size is not reflective of existing conditions. The zoning requirement of maximum FAR 0.4 is wholly uncharacteristic of the surrounding context, and some of the violation in this project is related to the partially underground fourth floor. The building is still contextually similar in bulk to neighboring buildings. The same is true for height, both in feet and stories. Triple-deckers, some with higher floor-to-floor heights than in this proposal, are prevalent throughout, and most are similarly noncompliant. Finally, many nearby properties have front and side yards even smaller than this

BOA1683263

2025-04-29

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property. Future zoning reform should consider, at a minimum, adjusting dimensional regulations to, at a minimum, allow for general conformity of preexisting buildings in residential buildings, thus allowing for infill that is at a minimum in the same spirit and style as what currently exists. Relief is appropriate.

Recommendation:

In reference to BOA1683263, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1688468
ZBA Submitted Date	2025-01-30
ZBA Hearing Date	2025-04-29
Address	1526 to 1530 Dorchester AVE Dorchester 02122
Parcel ID	1600667000
Zoning District & Subdistrict	Dorchester Neighborhood MFR/LS
Zoning Article	65
Project Description	Change of use from existing commercial retail space to proposed cannabis establishment, including minor cosmetic updates.
Relief Type	Conditional Use
Violations	Conditional Use (Cannabis Establishment)

Planning Context:

The proposed project sits in an established mixed-use area along the Fields Corner portion of Dorchester Avenue. Its site is occupied by a mixed-use building (residential and commercial) with several different ground floor commercial establishments thereon, including an ice cream shop, furniture store, and insurance agency. The project is surrounded by a high-density of ground floor retail and commercial land uses along the corridor, and is proximal (less than a quarter-mile) to the Fields Corner branch of the Boston Public Library and the Fields Corner MBTA Station (which services the red line). The proposed project is also located within the study area of the ongoing Squares + Streets planning process for Fields Corner, for which area-specific planning recommendations are forthcoming.

The proposed project seeks to change the occupancy of a currently vacant commercial space, from a local retail business (which the space has most recently supported) to a retail cannabis dispensary called Zeb Cannabis Boutique (a women and minority-owned, Boston-based small business). Minor interior renovations are also planned in order to fit-out the space for the proposed cannabis-related retail use.

At the business's Boston Cannabis Board hearing, which was held on January 15, 2025, the owner was unanimously approved for a cannabis retail license. The project received letters of



support from City Councilors John Fitzgerald, Julia Mejia, and Ruthzee Louisjeune, as well as the Louis D. Brown Peace Institute. Because of this, as well as the project's fit within the site's and surrounding's existing and historic commercial context, the Planning Department deems the proposal appropriate to the site and area.

Zoning Analysis:

The proposed project's refusal letter incorrectly lists the proposed cannabis establishment as a conditional use. According to Table A of the Article 65 Tables, cannabis establishments are forbidden uses in the project's MFR/LS subdistrict. Because of this, the project should require a variance as opposed to a conditional use permit.

Historically, the Planning Department has noted, in prior ZBA cases, that it opposes the placement of cannabis establishments in residential zones. That general guidance notwithstanding, this location warrants special consideration as an exception to that rule. This is due to the unreasonably restrictive nature of the parcel's existing zoning, as part of one of Dorchester's MFR/LS subdistricts. The project site features an existing mixed-use commercial building (which includes five ground floor commercial spaces and has supported a variety of different retail, service, restaurant, and other commercial establishments since its development in 1920), is located along an overwhelmingly commercial section of Dorchester and the Dorchester Avenue corridor, and, until 2013, had been zoned as part of a commercial district or with far more flexible commercial land use allowances. Today, almost all of the site's existing and previously present commercial uses would and have required zoning relief to be developed, despite their contextual appropriateness to the site and surrounding area. Under existing commercial zoning, the majority of these uses would be deemed allowed or, in the case of cannabis establishments, conditional uses.

Because of this alignment with the site's historic and existing functioning, as well as the fact that the proposed cannabis establishment meets the buffer requirements set forth by zoning (at least 500 feet from a school and a half-mile from any other cannabis establishment), has received support from several City Councilors and the community, and has been granted approval by the Boston Cannabis Board, the Planning Department sees the proposed project as contextual to the area and resulting in minimal negative impacts to its surroundings.



Due to the aforementioned context regarding the proposed project's existing zoning, future zoning recommendations for the area, set forth through the Fields Corner Squares + Streets planning process, should highlight the importance of realigning commercial land use allowances in this area with the site's and corridor's existing and historic built context, so as to reduce unnecessary hurdles to opening new commercial establishments.

Plans reviewed are titled, "1526 DORCHESTER AVE, BOSTON, MA 02122 - ZEB CANNABIS DISPENSARY," prepared by "Studio Cann," and dated December 20, 2024.

Recommendation:

In reference to BOA1688468, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1689001
ZBA Submitted Date	2025-02-03
ZBA Hearing Date	2025-04-29
Address	155 Dudley ST Roxbury 02119
Parcel ID	1200001000
Zoning District & Subdistrict	Roxbury Neighborhood Dudley Square EDA
Zoning Article	50
Project Description	Change use from beauty salon to tattoo parlor.
Relief Type	Conditional Use
Violations	Use: Conditional (Body Art Establishment)

Planning Context:

This site is situated in the heart of Nubian Square, half a block away from the Nubian Square busway. The proposal changes the use from an existing beauty salon to a tattoo parlor. Nubian Square is an active mixed-use commercial and residential area with a plethora of small restaurants and retail and service establishments. PLAN: Nubian Square (July 2019) recommended advancing economic development through the addition of jobs and business ownership; the proposal to open a new tattoo shop aligns with this recommendation.

Zoning Analysis:

The proposed tattoo parlor is considered a "Body Art Establishment," which is a conditional use in the Dudley Square EDA subdistrict pursuant to Article 50 Table A. The proposed use likely satisfies the conditions required for approval outlined in Section 6-3: this is an appropriate location for the body art establishment use, it would not adversely affect the neighborhood, it would not pose a serious hazard to vehicles or pedestrians, a nuisance would not be created by this use, and the appropriate facilities are provided for such use.

Plans reviewed are titled "Tattoo Shop Fitout", prepared by 8TFIVE STUDIO, and dated May 15, 2024.

Recommendation:

In reference to BOA1689001, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

Kathleen Onuf

Deputy Director of Zoning



Case	BOA1690706
ZBA Submitted Date	2025-02-10
ZBA Hearing Date	2025-04-29
Address	507 Massachusetts AV Roxbury 02118
Parcel ID	0900905000
Zoning District & Subdistrict	Roxbury Neighborhood Multifamily Residential (MFR)
Zoning Article	50
Project Description	Increase lodging house capacity from seven units to ten units and make interior changes, including new bathrooms and kitchenettes for each unit.
Relief Type	Conditional Use, Variance
Violations	FAR Excessive Usable Open Space Insufficient Additional Lot Area Insufficient CFROD Applicability Extension of non-conforming use

Planning Context:

The proposed project - the expansion of an existing boutique hotel, the Chester Hotel - is located at the intersection of Tremont Street and Massachusetts Ave, on the same block as Chester Square and walkable to many cafes, restaurants, and cultural/educational institutions along Tremont Street and Huntington Avenue. The hotel is located in an ideal location for a hotel due to the proximity of nearby institutions, cultural venues, and transit. The project site is within a 10-minute walk of Symphony Hall, the New England Conservatory of Music, and the Northeastern University campus. It is located approximately 0.3 miles from the Massachusetts Avenue stop on the Orange Line and 0.4 miles to the Symphony stop on the Green Line.

The proposed project is located within the South End Landmark District (SELD), which sets design standards applicable to any proposed exterior work on front facades, exterior rooftop changes visible from the public way, and exterior side and rear elevation changes visible from a public way. However, since this proposed project is only proposing interior renovations and change in occupancy capacity, SELD design review does not apply. The proposed project is



also located in the Boulevard Planning District, which recognizes certain corridors such as Massachusetts Avenue as key gateways into the Roxbury neighborhood.

Although the historic designations do not require review for this proposed project, the rehabilitation of an existing mid-19th century brownstone in a National Register Historic District should be encouraged as it contributes to the preservation and continued utility of historic structures.

Zoning Analysis:

The violation for expansion of an existing non-conforming use is applicable to lodging houses, which are conditional in the MFR subdistrict. The lodging house - The Chester Hotel - already exists and is located in a widely visited area of the city. There are many boutique hotels located within historic South End townhomes including Clarendon Square Bed and Breakfast and The Upton. The proposed extension of the existing use is a benefit to this area that contributes to its economic vitality and patronage of nearby institutions and nightlife from out-of-town visitors.

The zoning violation for inadequate usable open space - 200 sf/dwelling unit - applies to the proposed project because it is in the category of Residential Uses (Article 64, Table A). The addition of three new lodging units for a total of ten units would require 2,000 square feet of open space, almost the size of the existing lot (2,200 square feet). Due to the size of the lot and the prevailing patterns of densely settled lots on this block, in which most parcels that contain multi-family structures do not have on-site open space, relief is recommended.

The required FAR of 1.0 is exceeded due to the proposed occupancy of the garden level with three new units, which is currently used for storage space. Although there are no exterior additions as part of this project and the footprint of the existing building remains the same, relief for this zoning violation is not recommended on account of proposed occupiable space below the Design Flood Elevation (DFE) in the Coastal Flood Resilience Overlay District (CFROD). CFROD is intended to ensure that people and structures are protected from adverse effects of sea level rise and flooding associated with climate change, so any occupiable space should be avoided in parts of buildings that are prone to flooding.

The requirement for additional lot area per dwelling unit is 4,000 for first 3 units and additional 1,000 sf for each additional unit. This means the lot would have to be 11,000 sf. The lot size of 2,200 square feet is part of a uniform, densely settled historic block structure, and most



townhomes in this block on similarly sized lots are multi-family structures. Due to the contextual appropriateness of the lot size relative to unit count, relief from this violation is recommended.

The plans reviewed are titled Renovation Construction Garden Level 507 Mass Ave Boston MA and were prepared by T Design, LLC. They are dated November 10, 2024.

Recommendation:

In reference to BOA1690706, The Planning Department recommends DENIAL WITHOUT PREJUDICE on account of FAR violations due to proposed living space below the Design Flood Elevation. Proponent should consider a project that does not include living space below the Design Flood Elevation and/or incorporates resiliency review to ensure adequate floodproofing.

Reviewed,

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Deputy Director of Zoning



Case	BOA1673895
ZBA Submitted Date	2024-11-25
ZBA Hearing Date	2025-04-29
Address	809 E Fifth ST South Boston 02127
Parcel ID	0604363000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Construct a three-story rear addition to an existing attached three-story, two-unit dwelling, change the legal occupancy of the two-unit dwelling to a one-unit dwelling, and make interior renovations to the property. The proposed addition will include a rear patio on the ground floor and a rear deck on the third story.
Relief Type	Conditional Use
Violations	Roof Structure Restrictions

Planning Context:

This proponent seeks to construct a three-story rear addition to an existing attached three-story, two-unit dwelling in South Boston and change the legal occupancy of the two-unit dwelling to a one-unit dwelling. The proposed addition will include a rear patio on the ground floor and a rear deck on the third story.

The existing dwelling at 809 E Fifth Street shares a party wall with 807 E Fifth Street to its west. 807 E Fifth Street is also a two-unit dwelling. There are no structural changes to the property at 807 E Fifth Street and the proposed rear addition at 809 E Fifth Street is on the eastern side of the property, so the structural addition does not touch the party wall between the two properties. Several properties on E Fifth Street have rear patios on the ground floor and/or rear decks on upper stories that are similar in lot depth and scale to that proposed for this dwelling. These additions are only slightly visible from the public realm due to the rear additions extending slightly closer to the eastern side lot line than the existing properties side yard setback. However, the extension into the side yard is minimal and the proposed design of the addition is in keeping with the existing structure in a way that would not significantly alter the character of the structure in the public realm. The height of the addition is slightly lower than the height of the



roofline of the existing structure, thus making the roof line extension into the rear also not visible from the public realm.

Zoning Analysis:

This proposal has received one violation for roof structure restrictions (Art. 68, Sec. 29) specific to the reconfiguration of the roofline and the proposal of a roof deck on the lower roof of the structure. Art. 68, Sec. 29 states that a roof reconfiguration and roof deck as is proposed with this project would require the granting by the Zoning Board of Appeal of a conditional use to allow for those alterations. This is on the basis that such roof structure alterations do not have “the potential of damaging the uniformity of height or architectural character of the immediate vicinity.” As stated in the Planning Context, these proposed alterations would largely not be visible from the public realm, would be below the height of the existing structure, and would be solely alterations to the rear of the property. As such, the proposed alterations would not damage the character of the surrounding area and the overall proposed design of the addition is in keeping with the structure’s existing design and common rear roof deck structures on the surrounding block.

Site plans completed by Neponset Valley Survey Association, Inc. on June 10, 2024 (Existing Conditions Plan) and February 13, 2025 (Proposed Addition Plan). Project plans completed by Lighthouse Architecture on February 14, 2025.

Recommendation:

In reference to BOA1673895, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1688805
ZBA Submitted Date	2025-02-03
ZBA Hearing Date	2025-04-29
Address	605 E Second ST South Boston 02127
Parcel ID	0603341000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Raise the roof of an existing two-story residential building to create an additional floor of living space, and add a roof dormer.
Relief Type	Variance
Violations	Side Yard Insufficient

Planning Context:

The proposed project seeks to renovate the existing two-story residential building at 605 E Second Street in South Boston by raising the roof to create an additional floor of living space and adding a roof dormer. The proposed building will be three-stories tall total. The new living space will include an additional bedroom, bathroom, and closet. The existing structure is a two-story duplex that is part of the same building as 601 E Second Street. The proposed changes will only occur on the east side of the building and no changes to 601 E Second Street will occur. This portion of E Second Street contains residential buildings that range from single-unit, two-unit, three-unit, to multifamily. Their heights range from two and three stories. While most properties in this area appear to comply with the dimensional regulations, there is a common discrepancy with side yards, as many properties, particularly the rowhouses, do not meet the minimum required side yard.

This project would further the goals outlined in Housing a Changing City, Boston 2030 (September 2018) as it would allow property owners to enhance their living spaces to meet their needs while preserving the existing structure.

Zoning Analysis:

The refusal letter states one violation: insufficient side yard. Under Article 68, for an area zoned as MFR, the minimum required side yard is 3 feet. While the east side yard meets this requirement, the proposed west side yard is 0 feet. However, since the proposed changes to



this structure are adding additional height and there are no proposed changes to the width of the structure, this is an existing non-conformity. Additionally, because the building is a duplex, this means that the existing west side yard has always been 0 feet and has not conformed to the minimum required side yard. This is a case for zoning reform to allow the extension of non-conformities as the structure otherwise conforms to dimensional requirements and the existing non-conformities are not increasing, to incentivize retention and improvement of existing structures.

The plans reviewed are titled ZBA REFUSED EPLANS_605 E SECOND ST_ALT1679344 and are dated 12/12/2024. They were prepared by Design Resource Team, LLC.

Recommendation:

In reference to BOA1688805, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1681147
ZBA Submitted Date	2025-01-02
ZBA Hearing Date	2025-04-29
Address	821 E Third ST South Boston 02127
Parcel ID	0603858000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Renovations to expand living space in the basement, create a balcony on the second floor, and expand living space in the attic by adding a roof extension.
Relief Type	Variance
Violations	Roof Structure Restrictions Side Yard Insufficient

Planning Context:

The proposed project seeks to renovate the existing 2.5-story residential building at 821 E Third Street in South Boston by expanding the living space in the basement, creating a rear balcony for the second floor with internal renovations, and expanding the living space in the attic by adding a roof extension. These renovations will add a family room and studio/office into the basement, add a bathroom and laundry room to the second floor, and add two bedrooms and a bathroom to the attic. The basement and attic were previously unused. No major changes to the structure will be made except for the creation of a balcony and the roof extension for the attic. The existing structure is a 2.5-story residential building that was built closely to the west side property line. This portion of E Third Street primarily contains residential buildings that range from single-unit, two-unit, and single-unit rowhouses. While most properties in this area appear to comply with the dimensional regulations, there is a common discrepancy with side yards as many properties, particularly the rowhouses, do not meet the minimum required side yard. This project would further the goals outlined in Housing a Changing City, Boston 2030 (September 2018) as it would allow property owners to enhance their living spaces to meet their needs while preserving the existing structure.

Zoning Analysis:



The refusal letter states two violations: roof structure restrictions and insufficient side yard. Section 68-29 notes that the height of any building existing 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 24.56 feet which is the height of the existing building. However, the project is proposing a height of 28.9 feet. Relief should be granted because the maximum allowed height in this area under Article 68 is 40 feet and the proposed building still falls within this limit. Additionally, the proposed height would align better with the surrounding properties on this side E Third Street and would be more consistent with the overall built environment.

The second violation is in regards to the side yard. Under Article 68, the minimum required side yard is three feet. While the east side yard meets this requirement, the proposed west side yard is 0.8 feet. However, since the proposed changes to this structure is in regards to expanding the roof and adding a balcony, there are no proposed changes to the width of this structure which means that this is an existing non-conformity. Additionally, while this does not meet the minimum required side yard, this property also abuts the driveway of the adjacent lot which would help mitigate impacts. This is a case for zoning reform to allow the extension of non-conformities as the structure otherwise conforms to dimensional requirements and the existing non-conformities are not increasing, to incentivize retention and improvement of existing structures.

The plans reviewed are titled ALT1659804_ZONINGREFUSAL_ePlans_04022025 and are dated April 2, 2025. They were prepared by L.R. Designs LLC.

Recommendation:

In reference to BOA1681147, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Planning Department

CITY of BOSTON



Case	BOA1673348
ZBA Submitted Date	2024-11-22
ZBA Hearing Date	2025-04-29
Address	151 to 153 Endicott ST Boston 02113
Parcel ID	0301366000
Zoning District & Subdistrict	North End Neighborhood MFR
Zoning Article	54
Project Description	Confirm change of use to a cosmetic tattoo studio.
Relief Type	Conditional Use
Violations	Use: Forbidden (Body Art Establishment)

Planning Context:

This site is located within the tightly-knit North End neighborhood, at the intersection of Endicott Street and Thacher Street, two blocks away from N Washington Street. The existing building is mixed-use, with two commercial spaces on the ground floor and residential units on the stories above; this is a common condition in the surrounding blocks. The other commercial space in this building is a make-up studio, and the several other commercial uses nearby are small restaurants and retail and service establishments. Based on a search on Google Maps and looking at the proposed business' website, it is currently operating out of this location. Given the surrounding context and the existing use of the site, the confirmation of this cosmetic tattoo studio is appropriate at this location.

Zoning Analysis:

The proposed tattoo parlor is considered a "Body Art Establishment," which is a forbidden use in MFR subdistricts pursuant to Article 54 Table A. There are several other small commercial establishments on the ground floor of buildings within the MFR subdistricts despite them being forbidden. A different zoning subdistrict that reflects and allows this mix of uses may be a more appropriate designation for these areas, and presents a case for zoning reform. For instance, the modernized land uses in Table A of Article 8 would consider a tattoo parlor as a "Service Establishment" and have the same land use allowances as other similar uses.



The proposed use likely satisfies the conditions required for approval outlined in Section 6-3: this is an appropriate location for the body art establishment use, it would not adversely affect the neighborhood, it would not pose a serious hazard to vehicles or pedestrians, a nuisance would not be created by this use, and the appropriate facilities are provided for such use.

Plans reviewed are titled "Modern Skin Beauty Layout", prepared by SDP Architects, and dated June 21, 2024.

Recommendation:

In reference to BOA1673348, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1482368
ZBA Submitted Date	2023-06-06
ZBA Hearing Date	2025-04-29
Address	87 Morris ST East Boston 02128
Parcel ID	0106841000
Zoning District & Subdistrict	East Boston Neighborhood 3F-2000
Zoning Article	53
Project Description	Convert a two-unit building to three units building by renovating the basement into a new unit.
Relief Type	Variance, Conditional Use
Violations	FAR Excessive Usable Open Space Insufficient Parking or Loading Insufficient IPOD Applicability GCOD Applicability Lot Area Insufficient Additional Lot Area Insufficient Location of Main Entrance

Planning Context:

87 Morris Street is an existing residential building located in a residential area a five minute walk from the MBTA Blue Line Airport Station. The proponent seeks to change the use of the existing building by renovating the basement into a new dwelling unit, creating a three unit building. Like the existing building, the majority of the homes along Morris Street are built up to the existing lot lines with little to no sideyard allotments. The majority of residences do not provide off-street parking.

PLAN: East Boston, which was adopted by the BPDA Board on January 18, 2024, has recommendations to combat two of Boston's most significant challenges: housing affordability and resiliency, particularly from coastal flooding. The plan encourages the development of Additional Dwelling Units, when safely located, as they offer a sustainable and efficient way to expand housing options and "contribute to more inclusive and adaptable communities". Further, the plan also proposed that zoning be updated so that, "Homeowners who want to make small changes to their houses—such as adding a dormer, creating an in-law suite in a basement, or



building a new deck—will require fewer variances, making it easier for people to stay in their homes as their needs change.” Zoning recommendations implementing the plan were codified in April 2024.

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

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

Zoning Analysis:

New zoning for this area to codify the recommendations of PLAN: East Boston was adopted on April 24, 2024. The notice for this new zoning was advertised on April 1, 2024, therefore projects that applied before this date were reviewed under the zoning in effect at the time. Any Proposed Project within the East Boston IPOD Study Area seeking to, in this case, enlarge or extend a building or structure so as to increase the gross floor area by more than one thousand (1,000) square feet will be subject to receiving an IPOD permit. However, those interim planning and zoning standards are no longer in effect. This project applied on May 30, 2023, and therefore the old zoning applies; however the updated zoning provides important planning

BOA1482368

2025-04-29

2 Planning Department



context. Under the updated zoning, the proposal would be located in the EBR-3 zoning subdistrict.

Under the 3F-2000 zoning, the project does not comply with the requirements for usable open space, parking, and additional lot area despite occurring in an existing building because these measurements are based on a per unit measurement, and the project is adding a unit. Under the EBR-3 zoning, the project would comply with all dimensional requirements, including off-street parking, with the exception, but would be prohibited because of its location in the Coastal Flood Resiliency Overlay District (CFROD).

The project is located in the Groundwater Conservation Overlay District (GCOD) and requires the review of the Groundwater Trust and BWSC.

The project is also flagged for Article 25 (Flood Hazard District). It appears the project is not in a flood hazard district, but is in the Coastal Flood Resiliency Overlay District (Article 25A), which means that the addition or extension of Residential Uses below the Sea Level Rise-Design Flood Elevation (SLR-DFE) (21.5 ft in this case) would be prohibited under new East Boston zoning. The plans do not show the finished floor elevation of the proposed space in relation to the Sea Level Rise-Design Flood Elevation, so it is not clear whether the proposed extension of living space would be under the SLR-DFE. As a below grade unit from the conversion of a basement, it is likely that there is no version of this project that would ensure the new living area is safe from flooding risk.

Recommendation:

In reference to BOA1482368, The Planning Department recommends DENIAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1598189
ZBA Submitted Date	2024-05-03
ZBA Hearing Date	2025-04-29
Address	1A to 1B Mystic ST Charlestown 02129
Parcel ID	0200056000
Zoning District & Subdistrict	Charlestown Neighborhood NS
Zoning Article	62
Project Description	<p>The applicant proposes to construct a new three-story duplex on a newly created 2,643 square foot lot at 1a-1b Mystic Street in Charlestown. The proposed building includes two attached buildings, each designed as a three floor building with one unit, basement-level living space and private roof decks. The project also features projecting window bays over the public right-of-way.</p> <p>This development is associated with an application to subdivide the existing lot (ALT1592346), and an application to build a three-story, three-unit townhouse (ERT1576719) on the other newly created lot (223–225 Bunker Hill Street). Demolition of the existing structure on the site (a dry cleaners) will be filed separately under a forthcoming demolition permit.</p>
Relief Type	Variance, Conditional Use
Violations	FAR Excessive Rear Yard Insufficient Use: Conditional (Two Family Detached Dwelling - Basement & First Story) Use: Conditional (Two Family Detached Dwelling - Second Story & Above)

Planning Context:

The project site is located in the Charlestown neighborhood, within the Neighborhood Shopping (NS) subdistrict, a traditionally commercial district that includes a mix of neighborhood-serving retail and residential uses. The property also lies within the Charlestown Neighborhood Design



Overlay District and the Charlestown Restricted Roof Overlay District, which aim to preserve the character and scale of existing development.

The site fronts onto Mystic Street. Mystic Street is a residential street adjacent to Bunker Hill Street, which is a mixed-use corridor with many multifamily residential as well as commercial buildings. The proposed project abuts three-story residential buildings on its rear and one side, and there several larger four-story multifamily buildings located nearby along Bunker Hill Street. The scale of the proposed development is consistent with the surrounding three- and four-story multifamily residential buildings and aligns with the established scale, lot pattern, and yard configurations of the neighborhood.

PLAN: Charlestown, and updated zoning to implement the plan, was adopted by the BPDA board on September 28, 2023. The PLAN highlights that “residents' feedback about retail has centered on four concerns: 1) the loss of small businesses; 2) vacant storefronts; 3) missing essential retail like laundromats, and 4) a lack of food options.” Because of these concerns, particularly loss of retail space, the plan includes zoning recommendations to make residential uses conditional on the ground floor in the commercial districts. This zoning was intended to “reduce existing pressure on the real estate market to convert retail spaces into housing units, which has led to the loss of several retail spaces in the neighborhood in recent years... it will allow for the Zoning Board of Appeals to deny variances for residential uses on the ground floor in some instances, where a conversion from retail is required, without prohibiting residential uses from occupying ground floors universally, such as in locations where residential is already or historically has been the ground floor.” Although this project would be in the NS district, the new parcelization means that this project would front onto Mystic Street, which is a residential area where ground floor residential uses are appropriate.

PLAN: Charlestown also sets recommendations to address neighborhood housing needs, including to “Prioritize the creation of larger housing units with 3+ bedrooms,” which this project does.

The plan does not include additional specific zoning dimensional recommendations for the Original Peninsula of Charlestown (where this project is located), but does include specific design guidelines for infill projects within the Original Peninsula. Because of this project's



location within the Neighborhood Design Overlay District, it should receive design review to ensure compliance with the design guidelines established in PLAN: Charlestown.

Zoning Analysis:

Floor Area Ratio (FAR) Compliance: Per Article 62, Table D, the maximum FAR allowed in the NS subdistrict is 2.0. The proposed project exceeds this limit, triggering a zoning violation. While the structure adds density, it does so in a manner that aligns with the surrounding three and four-story residential buildings, indicating that the FAR is consistent with the neighborhood character and built form.

Rear Yard Requirements: The ordinance requires a minimum rear yard depth of 20 feet, while the proposed rear yard is 11.1 feet. However, small rear yards is a common condition among rowhouse lots of similar depth in Charlestown, where zero-lot-line rear walls are often observed due to constrained block dimensions and historic patterns of development.

This project is within a Neighborhood Design Overlay District and proposes the erection of a building with a gross floor area of three hundred (300) or more square feet which is visible from a public street. Therefore, it is subject to the Design Component of Small Project Review and any approved plans must be subsequently reviewed by the Planning Department (Section 80E-2 of the Zoning Code).

Use Compliance: The project is cited for two conditional uses. Firstly, it is cited for the conditional use of “Two family detached dwelling” on Second Story & Above. One to three unit dwellings are conditional (while multifamily is allowed) in this subdistrict in order to encourage higher density projects. However, the unit count of this project is appropriate, given that the larger size of the units (four bedrooms) is aligned with the goals of PLAN: Charlestown, and the size of the building already exceeds the maximum FAR.

It is also cited for the conditional use of “Two family detached dwelling” in the Basement & First Story. All residential uses are also conditional on the ground floor (while commercial uses are allowed) in order to encourage mixed-use and commercial projects in the NS subdistrict. However, as discussed in the planning context, the new lot subdivision means that, although this new lot is still within the NS subdistrict, it now fronts onto Mystic Street rather than Bunker Hill Street. Mystic Street is a residential area where ground floor residential uses are appropriate.



Reviewed plans: "Two Townhouses, 1A-1B Mystic Street" and prepared by Timothy Sheehan, Architect, dated December 11, 2024.

Recommendation:

In reference to BOA1598189, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review because if the projects location with a Neighborhood Design Overlay District (NDOD), with attention to compliance with the design guidelines established in PLAN: Charlestown.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1598199
ZBA Submitted Date	2024-05-03
ZBA Hearing Date	2025-04-29
Address	223 to 225 Bunker Hill ST Charlestown 02129
Parcel ID	0200056000
Zoning District & Subdistrict	Charlestown Neighborhood NS
Zoning Article	62
Project Description	<p>The applicant proposes to construct a new three-story townhouse building on a newly created 2,071 square foot lot at 223–225 Bunker Hill Street in Charlestown. The proposed building includes three attached townhouse units, each designed as a three-story building with one unit, basement-level living space and private roof decks.</p> <p>This development is associated with an application to subdivide the existing lot (ALT1592346), and an application to build a three-story, two-unit townhouse (ERT1576719) on the other newly created lot (1A/1B Mystic Street). Demolition of the existing structure on the site (a dry cleaners) will be filed separately under a forthcoming demolition permit.</p>
Relief Type	Conditional Use, Variance
Violations	FAR Excessive Rear Yard Insufficient Use: Conditional 3F (Bsmt. & First Story) Use: Conditional Townhouse (Bsmt. & First Story) Use: Conditional 3F (Second Story & Above) Traffic Visibility Across Corner

Planning Context:

The project site is located in the Charlestown neighborhood, within the Neighborhood Shopping (NS) subdistrict, a traditionally commercial district that includes a mix of neighborhood-serving retail and residential uses. The property also lies within the Charlestown Neighborhood Design Overlay District and the Charlestown Restricted Roof Overlay District, which aim to preserve the character and scale of existing development.



The site has frontage on both Bunker Hill Street and Mystic Street. Bunker Hill Street is a mixed-use corridor, with many multifamily residential as well as commercial buildings, including a salon and restaurant on the block adjacent to the proposed project. The proposed project abuts three-story residential buildings on its rear and one side, and there several larger four-story multifamily buildings located nearby along Bunker Hill Street. The scale of the proposed development is consistent with the surrounding three- and four-story multifamily residential buildings and aligns with the established scale, lot pattern, and yard configurations of the neighborhood.

PLAN: Charlestown, and updated zoning to implement the plan, was adopted by the BPDA board on September 28, 2023. The PLAN highlights that “residents' feedback about retail has centered on four concerns: 1) the loss of small businesses; 2) vacant storefronts; 3) missing essential retail like laundromats, and 4) a lack of food options.” Because of these concerns, particularly loss of retail space, the plan includes zoning recommendations to make residential uses conditional on the ground floor in the commercial districts. This zoning was intended to “reduce existing pressure on the real estate market to convert retail spaces into housing units, which has led to the loss of several retail spaces in the neighborhood in recent years... it will allow for the Zoning Board of Appeals to deny variances for residential uses on the ground floor in some instances, where a conversion from retail is required, without prohibiting residential uses from occupying ground floors universally, such as in locations where residential is already or historically has been the ground floor.” Because this project would include converting the location from a service use, dry cleaning, to fully residential uses, it does not align with the plan goals of preserving retail in the NS district along Bunker Hill St.

PLAN: Charlestown also sets recommendations to address neighborhood housing needs, including to “Prioritize the creation of larger housing units with 3+ bedrooms,” which this project does.

The plan does not include additional specific land use recommendations for the Original Peninsula of Charlestown (where this project is located), but does include specific design guidelines for infill projects within the Original Peninsula. Because of this project's location within the Neighborhood Design Overlay District, it should receive design review to ensure compliance with the design guidelines established in PLAN: Charlestown.



Zoning Analysis:

Floor Area Ratio (FAR) Compliance: Per Article 62, Table D, the maximum FAR allowed in the NS subdistrict is 2.0. The proposed project exceeds this limit, triggering a zoning violation. While the structure adds density, it does so in a manner that aligns with the surrounding three and four-story residential buildings, indicating that the FAR is consistent with the neighborhood character and built form.

Rear Yard Requirements: The ordinance requires a minimum rear yard depth of 20 feet, while the proposed rear yard is 3 feet. However, because this is a corner lot, this rear yard also acts as a side yard, and the required side yard in this subdistrict is zero feet. Therefore, this smaller yard is reasonable. In addition, small rear yards is a common condition among rowhouse lots of similar depth in Charlestown, where zero-lot-line rear walls are often observed due to constrained block dimensions and historic patterns of development.

Use Compliance: The project is cited for three conditional uses. Firstly, it is cited as a conditional use for “Three family detached dwelling” on Second Story & Above. One to three unit dwellings are conditional (while multifamily is allowed) in this subdistrict in order to encourage higher density projects. However, the unit count of this project is appropriate, given that the larger size of the units (four bedrooms) is aligned with the goals of PLAN: Charlestown, and the size of the building already exceeds the maximum FAR.

It is also cited for the conditional use of “Rowhouse” on the Basement and First Story and for the conditional use of “Three family detached dwelling” in the Basement & First Story. All residential uses are conditional on the ground floor in order to encourage mixed use and commercial projects in the NS subdistrict. As discussed in the planning context, PLAN: Charlestown states that this zoning exists to “allow for the Zoning Board of Appeals to deny variances for residential uses on the ground floor in some instances, where a conversion from retail is required.” Because this project would involve the loss of existing retail space, it does not align with the goals of PLAN: Charlestown and the conditional use should not be granted.

This project is within a Neighborhood Design Overlay District and proposes the erection of a building with a gross floor area of three hundred (300) or more square feet which is visible from a public street. Therefore, it is subject to the Design Component of Small Project Review and any approved plans must be subsequently reviewed by the Planning Department (Section 80E-2 of the Zoning Code).



Reviewed plans: "Three Townhouses, 223–225 Bunker Hill Street" and prepared by Timothy Sheehan, Architect, dated December 11, 2024.

Recommendation:

In reference to BOA1598199, The Planning Department recommends DENIAL WITH PREJUDICE. The proponent should consider a project that retains retail, service, or other commercial uses on the ground floor facing Bunker Hill St.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1598199
ZBA Submitted Date	2024-05-03
ZBA Hearing Date	2025-04-29
Address	223 to 225 Bunker Hill ST Charlestown 02129
Parcel ID	0200056000
Zoning District & Subdistrict	Charlestown Neighborhood NS
Zoning Article	62
Project Description	<p>The applicant proposes to construct a new three-story townhouse building on a newly created 2,071 square foot lot at 223–225 Bunker Hill Street in Charlestown. The proposed building includes three attached townhouse units, each designed as a three-story building with one unit, basement-level living space and private roof decks.</p> <p>This development is associated with an application to subdivide the existing lot (ALT1592346), and an application to build a three-story, two-unit townhouse (ERT1576719) on the other newly created lot (1A/1B Mystic Street). Demolition of the existing structure on the site (a dry cleaners) will be filed separately under a forthcoming demolition permit.</p>
Relief Type	Conditional Use, Variance
Violations	FAR Excessive Rear Yard Insufficient Use: Conditional 3F (Bsmt. & First Story) Use: Conditional Townhouse (Bsmt. & First Story) Use: Conditional 3F (Second Story & Above) Traffic Visibility Across Corner

Planning Context:

The project site is located in the Charlestown neighborhood, within the Neighborhood Shopping (NS) subdistrict, a traditionally commercial district that includes a mix of neighborhood-serving retail and residential uses. The property also lies within the Charlestown Neighborhood Design Overlay District and the Charlestown Restricted Roof Overlay District, which aim to preserve the character and scale of existing development.



The site has frontage on both Bunker Hill Street and Mystic Street. Bunker Hill Street is a mixed-use corridor, with many multifamily residential as well as commercial buildings, including a salon and restaurant on the block adjacent to the proposed project. The proposed project abuts three-story residential buildings on its rear and one side, and there several larger four-story multifamily buildings located nearby along Bunker Hill Street. The scale of the proposed development is consistent with the surrounding three- and four-story multifamily residential buildings and aligns with the established scale, lot pattern, and yard configurations of the neighborhood.

PLAN: Charlestown, and updated zoning to implement the plan, was adopted by the BPDA board on September 28, 2023. The PLAN highlights that “residents' feedback about retail has centered on four concerns: 1) the loss of small businesses; 2) vacant storefronts; 3) missing essential retail like laundromats, and 4) a lack of food options.” Because of these concerns, particularly loss of retail space, the plan includes zoning recommendations to make residential uses conditional on the ground floor in the commercial districts. This zoning was intended to “reduce existing pressure on the real estate market to convert retail spaces into housing units, which has led to the loss of several retail spaces in the neighborhood in recent years... it will allow for the Zoning Board of Appeals to deny variances for residential uses on the ground floor in some instances, where a conversion from retail is required, without prohibiting residential uses from occupying ground floors universally, such as in locations where residential is already or historically has been the ground floor.” Because this project would include converting the location from a service use, dry cleaning, to fully residential uses, it does not align with the plan goals of preserving retail in the NS district along Bunker Hill St.

PLAN: Charlestown also sets recommendations to address neighborhood housing needs, including to “Prioritize the creation of larger housing units with 3+ bedrooms,” which this project does.

The plan does not include additional specific land use recommendations for the Original Peninsula of Charlestown (where this project is located), but does include specific design guidelines for infill projects within the Original Peninsula. Because of this project's location within the Neighborhood Design Overlay District, it should receive design review to ensure compliance with the design guidelines established in PLAN: Charlestown.



Zoning Analysis:

Floor Area Ratio (FAR) Compliance: Per Article 62, Table D, the maximum FAR allowed in the NS subdistrict is 2.0. The proposed project exceeds this limit, triggering a zoning violation. While the structure adds density, it does so in a manner that aligns with the surrounding three and four-story residential buildings, indicating that the FAR is consistent with the neighborhood character and built form.

Rear Yard Requirements: The ordinance requires a minimum rear yard depth of 20 feet, while the proposed rear yard is 3 feet. However, because this is a corner lot, this rear yard also acts as a side yard, and the required side yard in this subdistrict is zero feet. Therefore, this smaller yard is reasonable. In addition, small rear yards is a common condition among rowhouse lots of similar depth in Charlestown, where zero-lot-line rear walls are often observed due to constrained block dimensions and historic patterns of development.

Use Compliance: The project is cited for three conditional uses. Firstly, it is cited as a conditional use for “Three family detached dwelling” on Second Story & Above. One to three unit dwellings are conditional (while multifamily is allowed) in this subdistrict in order to encourage higher density projects. However, the unit count of this project is appropriate, given that the larger size of the units (four bedrooms) is aligned with the goals of PLAN: Charlestown, and the size of the building already exceeds the maximum FAR.

It is also cited for the conditional use of “Rowhouse” on the Basement and First Story and for the conditional use of “Three family detached dwelling” in the Basement & First Story. All residential uses are conditional on the ground floor in order to encourage mixed use and commercial projects in the NS subdistrict. As discussed in the planning context, PLAN: Charlestown states that this zoning exists to “allow for the Zoning Board of Appeals to deny variances for residential uses on the ground floor in some instances, where a conversion from retail is required.” Because this project would involve the loss of existing retail space, it does not align with the goals of PLAN: Charlestown and the conditional use should not be granted.

This project is within a Neighborhood Design Overlay District and proposes the erection of a building with a gross floor area of three hundred (300) or more square feet which is visible from a public street. Therefore, it is subject to the Design Component of Small Project Review and any approved plans must be subsequently reviewed by the Planning Department (Section 80E-2 of the Zoning Code).



Reviewed plans: "Three Townhouses, 223–225 Bunker Hill Street" and prepared by Timothy Sheehan, Architect, dated December 11, 2024.

Recommendation:

In reference to BOA1598199, The Planning Department recommends DENIAL WITH PREJUDICE. The proponent should consider a project that retains retail, service, or other commercial uses on the ground floor facing Bunker Hill St.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1690482
ZBA Submitted Date	2025-02-07
ZBA Hearing Date	2025-04-29
Address	90 to 92 Perthshire RD Brighton 02135
Parcel ID	2203497000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 2F-5000
Zoning Article	51
Project Description	Erect a new two-unit building, in conjunction with BOA1690484 at 94-100 Perthshire Road to erect a four-unit building on the same lot, after razing the existing property for a total of six units.
Relief Type	Variance
Violations	Front Yard Insufficient Parking or Loading Insufficient Parking design and maneuverability Two or More Dwellings on Same Lot

Planning Context:

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

The proposed project seeks to construct a new two-unit residential building at 90-92 Perthshire Road in Brighton, in conjunction with BOA1690484 at 94-100 Perthshire Road, which plans to construct a four-unit residential building on the same lot. The proposed two-unit residential building will be two and a half stories tall and each unit will contain three bedrooms. There will also be eight parking spaces behind these buildings that will be shared with 94-100 Perthshire Road. The existing curb cut will be removed in favor of a new 12.2 foot curb cut on the west side of the property.

This lot is a 20,050 square foot lot that is mostly vacant with a 2.5-story single-unit residential building on the east side of the site. Because this building was built in 1950, it is subject to Article 85 Demolition Delay. The current curb cut sits in the center of the lot and is 20 feet wide. While Perthshire Road is currently zoned as 2F-5000, it contains a mix of residential properties that range from single-unit, two-unit, and three-unit.



This project would further the goals outlined in Housing a Changing City, Boston 2030 (September 2018) as it would increase the housing stock by building contextually-appropriate infill housing units on a large lot that has been underutilized.

Zoning Analysis:

The refusal letter states three violations: front yard insufficient, parking or loading insufficient, and two or more dwellings on one lot. Under Article 51, for an area zoned as 2F-5000, the minimum required front yard is 20 feet. This is a case for zoning reform to align with the dimensional regulations of the built environment. While the project is proposing a front yard of 9.5 feet, this aligns with the modal front yard in the area and would bring the proposed project into consistency with the surrounding area.

The minimum parking ratio for this area is 1.75. This project proposes a total of eight parking spaces for both this project and for BOA1690484 at 94-100 Perthshire Road. Both of these projects are proposing a total of six residential units. This is also a case for zoning reform to address the discrepancy between the requirement and necessity. This site is 0.3 miles from Oak Square in Brighton which provides access to multiple MBTA bus routes, including the 57, 64, and 501, offering multiple public transportation alternatives.

Section 51-56.5 (d) requires that 50% of the proposed parking spaces be at least 7 feet by 18 feet, while the remaining spaces must be at least 8.5 feet by 20 feet. This project includes eight parking spaces: one at 12 feet by 19 feet and seven at 9 feet by 19 feet. While the design meets the 7 feet by 18 feet requirement, the remaining spaces do not meet the 8.5 feet by 20 feet requirement. Relief should not be granted because the parking layout should be adjusted to comply with this requirement while also increasing permeable surface, improving the rear yard for the front two units. This is feasible as the minimum required drive aisle width is 10 feet which this proposal exceeds so it would be possible to allow for modification without compromising the functionality.

The last violation is in regards to two dwellings on one lot. Section 51-57.13 requires that a) the distance between dwellings must be at least twice the minimum side yard, b) both buildings must meet dimensional requirements for lot area, lot width, lot frontage, usable open space, and front, rear, and side yards as if they were on separate lots, and c) no dwelling shall be built behind another unless approved by the Board of Appeal. Relief should be granted for this violation for different factors. First is because the proposed buildings exceed the required spacing. The minimum side yard is 10 feet, and the proposed distance between buildings is



more than 20 feet. Second, while the project does not fully meet the front yard requirement, as previously stated, the proposed front yard aligns with the modal front yard on Perthshire Road. And finally, although Section 51-57.13 discourages putting another residential dwelling in the rear of another, the unique shape of this lot makes it different to create different layouts. Because this lot has an average length of 203 feet but a frontage of 67.89 feet, this layout is one of the only viable options for maximizing the lot's use for the creation of housing. Therefore relief should be granted for this violation.

The plans reviewed are titled ERT1651770 Z.R. decision updated with revised site plan with BOA hearing plan set attached 3.11.25 and were prepared by Sangiolo Associates, Architects. They are dated February 16, 2025.

Recommendation:

In reference to BOA1690482, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review to ensure the parking layout meets the minimum required parking space sizes and to increase permeable surfaces to enhance the rear yard experience for the front two units.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1690484
ZBA Submitted Date	2025-02-07
ZBA Hearing Date	2025-04-29
Address	94 to 100 Perthshire RD Brighton 02135
Parcel ID	2203497000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 2F-5000
Zoning Article	51
Project Description	Erect a new four-unit building, in conjunction with BOA1690482 at 90-92 Perthshire Road to erect a two-unit building on the same lot, after razing existing property for a total of six units.
Relief Type	Variance
Violations	FAR Excessive Height Excessive (stories) Rear Yard Insufficient Lot Width Insufficient Parking design and maneuverability Existing Building Alignment Parking or Loading Insufficient Use: Forbidden (MFR) Two or More Dwellings On One Lot

Planning Context:

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

The proposed project seeks to construct a new four-unit residential building at 94-100 Perthshire Road in Brighton, in conjunction with BOA1690482 at 90-92 Perthshire Road, which plans to construct a two-unit residential building on the same lot. The proposed four-unit residential building will be three stories tall and each unit will contain three bedrooms. There will also be eight parking spaces in front of these buildings that will be shared with 90-92 Perthshire Road. The existing curb cut will be removed in favor of a new 12.2 foot curb cut on the west side of the property.

This lot is a 20,050 square foot lot that is mostly vacant with a 2.5-story single-unit residential building on the east side of the site. Because this building was built in 1950, it is subject to Article 85 Demolition Delay. The current curb cut sits in the center of the lot and is 20 feet wide.



While Perthshire Road is currently zoned as 2F-5000, it contains a mix of residential properties that range from single-unit, two-unit, and three-unit.

This project would further the goals outlined in the Allston-Brighton Needs Assessment (January 2024) as it would increase the housing stock by building contextually-appropriate infill housing units on a large lot that has been underutilized.

Zoning Analysis:

The refusal letter states nine violations: excessive FAR, excessive height in stories, insufficient rear yard, insufficient lot width, parking design and maneuverability, existing building alignment, insufficient parking, forbidden use, and two or more dwellings on one lot.

Under Article 51, the maximum FAR for an area zoned as 2F-5000 is 0.6, while this project proposes an FAR of 0.75. Although this exceeds the maximum allowed amount, relief is warranted because this project is providing a total of six residential units on a lot that is larger than most lots in this area in buildings that are a comparable size to the existing residential buildings in this area. This lot is 20,050 square feet and this would ensure an efficient and appropriate use of the available space.

The maximum allowed height is 35 feet or 2.5 stories while this project proposes 35 feet and 3 stories. While the proposed project surpasses the maximum height in stories, it is still under the maximum allowed height in feet. Relief is warranted because the site's grade change mitigates height concerns as this portion of the lot sits at a lower grade than the area fronting Perthshire Road and other nearby properties, such as 70-72 Perthshire Road, also have three stories.

The minimum required rear yard is 30 feet, the minimum required lot width is 50 feet and under Article 51, MFR is a forbidden use in an area zoned as 2F-5000. The project proposes a rear yard of 16 feet, a lot width of 68.22. The refusal letter states that this is a violation because the shared driveway which includes its walkways is 20 feet, which does not meet the 50 feet minimum requirement. However, under Article 2, lot width is defined as the shortest horizontal distance between the side lot lines. As this definition does not exclude driveways, this should not be listed as a violation.

Under Article 51, the minimum required rear yard is 30 feet while multifamily is forbidden in a 2F-5000 subdistrict. The project proposes a 16 foot rear yard and is proposing a multifamily. Relief is warranted for these two violations due to the unique size of the 20,050 square foot lot which is larger and wider than most in the area. While multifamily is a forbidden use, limiting this lot to a two-unit residential use would underutilize its square footage. Regarding the rear yard,

BOA1690484

2025-04-29

2 Planning Department



increasing it would compromise the shared parking and reduce the functional rear yard for the front two units. Because of this, relief is warranted for these violations.

In regards to two dwellings on one lot. Section 51-57.13 requires that a) the distance between dwellings must be at least twice the minimum side yard, b) both buildings must meet dimensional requirements for lot area, lot width, lot frontage, usable open space, and front, rear, and side yards as if they were on separate lots, and c) no dwelling shall be built behind another unless approved by the Board of Appeal. Relief should be granted for this violation for different factors. The first is because the proposed buildings exceed the required spacing. The minimum side yard is 10 feet, and the proposed distance between buildings is more than 20 feet. Second, while the project does not fully meet the rear yard requirement, as previously stated, it would be difficult to increase the rear yard while ensuring adequate space for parking and an adequate rear yard experience for the front two units. Finally, although Section 51-57.13 discourages putting another residential dwelling in the rear of another, the unique shape of this lot makes it different to create different layouts. Because this lot has an average length of 203 feet but a frontage of 67.89 feet, this layout is one of the only viable options for maximizing the lot's use for the creation of housing. Therefore relief should be granted for this violation.

The lot size and lot frontage make it difficult to conform with the existing building alignment. With a lot frontage of 68.22 feet, it would not be feasible for all six proposed units to front Perthshire Road. Additionally, with its current design, forcing all six units to front Perthshire Road would also underutilize its square footage.

Section 51-56.4 notes that off-street parking spaces shall not be located in any part of a front yard. However, due to the design of this project and BOA1690482 at 90-92 Perthshire Road, the shared parking is placed between the two buildings resulting in parking within the front yard of this proposal. Relief is warranted because relocating the parking to the rear would require a longer driveway and create more impervious surface which is not ideal. This change would also reduce the living space for the rear units, and push them closer to the front units and compromise each unit's access to light and privacy.

The minimum parking ratio for this area is 1.75. This project proposes a total of eight parking spaces for both this project and for BOA1690482 at 90-92 Perthshire Road. Both of these projects are proposing a total of six residential units. This is also a case for zoning reform to address the discrepancy between the requirement and necessity. This site is 0.3 miles from Oak



Square in Brighton which provides access to multiple MBTA bus routes, including the 57, 64, and 501, offering multiple public transportation alternatives.

The plans reviewed are titled ERT1651774 Z.R. decision letter with BOA hearing plan set attached 2.7.25 and were prepared by Sangiolo Associates, Architects. They are dated September 11, 2024.

Recommendation:

In reference to BOA1690484, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review focusing on the driveway and walkway to the units and shared parking to increase permeable surfaces..

Reviewed,

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

Deputy Director of Zoning



Case	BOA1653182
ZBA Submitted Date	2024-09-17
ZBA Hearing Date	2025-04-29
Address	59 Worcester ST Roxbury 02118
Parcel ID	0900554000
Zoning District & Subdistrict	South End Neighborhood Multifamily Residential (MFR)
Zoning Article	64
Project Description	Convert a residential building from from two units to five units, including removal of two front elevation dormers and construction of rear porches and a connecting stairwell.
Relief Type	Variance
Violations	Rear Yard Insufficient Side Yard Insufficient Roof Structure Restrictions CFROD Applicability Townhouse/rowhouse extension into rear

Planning Context:

The proposed project is located on a primarily residential block between east/west running Tremont Street and Shawmut Ave. The Hurley K-8 school is located just across the street. It is walkable to many cafes, restaurants, and cultural/educational institutions along Tremont Street and Huntington Avenue. The project site is transit-accessible, located approximately 0.4 miles from the Massachusetts Avenue stop on the Orange Line and 0.6 miles to the Symphony stop on the Green Line. The adjacency of this project to many transit, cultural, and civic resources makes it an appropriate location for more residential units.

The building currently has one basement studio unit and one residential unit spanning the first through fourth floors. Each floor of the building has its own bedroom, bathroom, and kitchen. The proposal represents a formalization of an existing condition, where each floor of the building could operate as a standalone residential unit, but presents an opportunity to renovate and update the quality of each unit.

The proposed project is located within the South End Landmark District (SELD), which sets design standards applicable to any proposed exterior work on front facades, exterior rooftop



changes visible from the public way, and exterior side and rear elevation changes visible from a public way. The project would require Landmarks Commission review because of proposed removal of existing dormers on the front elevation facing Worcester Street, and removal of the fire escape to add rear porches and an exterior stairwell on the rear elevation facing a public alley. Many of the row houses on this block and within the broader context have rear yard additions in order to add porches for each unit and increase usable open space for residents, so this proposal is in context with existing conditions on the block.

Zoning Analysis:

There are no minimum side yard requirements in an MFR subdistrict according to Article 64 Table D, so the citation for side yard insufficiency should not be in the refusal letter. Similarly, the rear yard requirement of 20 feet does not seem to be violated given that the proposed rear yard is approximately 20 feet, including the proposed exterior decks and stairwell. Violation for rear yard insufficiency should also not be cited.

The citation for Roof Structure Restrictions refers to the provision that no roofed structure for human occupancy "shall be erected or enlarged on the roof of an existing building if such construction relocates or alters the profile and/or configuration of the roof or mansard, unless after public notice and hearing and subject to Sections 6-2, 6-3, and 6-4, the Board of Appeal grants a conditional use therefor." (Article 64, Section 34). This is triggered because of the alteration of the rear elevation profile with new dormers, and conditional approval is recommended given that the proposed dormer changes do not face a public right of way.

The citation for townhouse/rowhouse extension into the rear is applicable to the proposed porches - approx. 14' 11" deep - which is conditional according to Article 64, Section 9. It reads "Notwithstanding any contrary provision of this Article or Code, any Proposed Project that otherwise meets the applicable use and dimensional requirements of this Article shall be conditional if such Proposed Project involves the extension of a Town House or Row House into a rear yard, where such extension...involves the addition of a porch or balcony, other than a roof deck, above the first story." Conditional approval is recommended due to the prevailing condition of rear porch additions on this block, and that they are not visible from the public right of way.



The plans reviewed are titled '59 Worcester Street Apartments' dated March 5, 2025, prepared by Guzman Architects.

Recommendation:

In reference to BOA1653182, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning

MEMORANDUM**October 10, 2024**

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

FROM: CASEY HINES, SENIOR DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
NUPOOR MONANI, SENIOR DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
SCOTT SLARSKY, SENIOR ARCHITECT & URBAN PLANNER
ILANA HAIMES, PLANNER II, PLANNING REVIEW
JAMES FITZGERALD, DEPUTY DIRECTOR OF PLANNING REVIEW
JILL ZICK, ASSISTANT DEPUTY DIRECTOR OF PUBLIC REALM REVIEW
HARSHIKA BISHT, SENIOR SUSTAINABLE DESIGN REVIEWER
STEPHEN HARVEY, SENIOR PROJECT MANAGER

SUBJECT: 10 MALCOLM X BOULEVARD, ROXBURY

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority ("BRA") d/b/a Boston Planning & Development Agency ("BPDA") authorize the Director to: (1) issue a Scoping Determination waiving the requirement of further review pursuant to Article 80B-5.3(d) of the Boston Zoning Code (the "Code") in connection with the Project Notification Form submitted to the BPDA on March 8, 2024 (the "PNF") by 10 MX Owner LCC (the "Proponent"), for the 10 Malcolm X Boulevard project (the "Proposed Project", defined below) in the Roxbury neighborhood of Boston; (2) to issue one or more Certifications of Compliance for the Proposed Project pursuant to Section 80B-6 of the Code, upon successful completion of the Article 80 review process; (3) enter into an Affordable Housing Agreement ("AHA") and 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; (4) execute and deliver a Cooperation Agreement and 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 at 10 Malcolm X Boulevard in Roxbury (the "Site"). The existing Site measures approximately 72,003 sf (1.65 acres) and is located in Nubian Square, the historic economic and cultural center of Roxbury's community. The Site lies at the junction of Dudley Street and Malcolm X Boulevard, a tenth of a mile from the

Massachusetts Bay Transportation Authority's ("MBTA") Nubian Station Bus Terminal, providing bus and Silver Line service to downtown Boston, and approximately four (4) blocks from the MBTA Roxbury Crossing Orange Line subway station. The Site is also within a half mile of the MBTA Ruggles Station, providing Orange Line subway, and commuter rail and bus service. In addition to abundant transit connectivity, the Site is also within walking distance to multiple Boston Public Schools, the Bruce C. Bolling Municipal Building, and faith-based institutions including the First Church of Roxbury in the historic John Eliot Square and the Islamic Society of Boston at the intersection of Malcolm X Boulevard and Tremont Street.

The Site comprises two legal parcels, which the Proponent anticipates will be consolidated and re-subdivided in connection with its zoning relief and building permit process. The Site is currently developed with an approximately 35,000 square foot office building (the former Roxbury Boys Club), that was converted to commercial offices in 2000. In addition, there are 74 surface parking spaces on the Site.

DEVELOPMENT TEAM:

The Development Team for the Proposed Project consists of:

Proponent: 10 MX Owner, LLC, a joint venture

SV + Partners

John Sullivan

Jacob Vance

Trax Development

Tani Halperin

Mike Messina

Caste Capital

Patrick Kimble

Architect: Embarc Design

Dartagnan Brown

Daniel Riggs

Coty Cossi

Legal Counsel: Law Offices of Derric S. Small

Derric Small

Hemenway & Barnes LLP
Johanna Schneider

Landscape

Architect: Michael D'Angelo Landscape Architecture, LLC
Michael D'Angelo

MEP/FP

Engineer: Wozny Barbar & Associates, Inc.
Shawn Wegener

Permitting: Bevco Associates
Beverley Johnson

**Community and
Government**

Affairs: JW Advisory Services, LLC
Jay Walsh

LINK Advisory + Solutions, LLC
Lance Campbell

Zakim Strategies LLC
Josh Zakim

Transportation: Howard Stein Hudson
Elizabeth Peart
Melissa Restrepo

Civil Engineer: Howard Stein Hudson
Joseph Connolly

**Environmental
& Geotechnical:**

Haley & Aldrich
Kate Dilawari
Michael Weaver

**Wind
and Solar
Glare:**

RWDI Consulting Engineers and Scientists
Peter Soligo

Shannon Daniels

**Daylight/
Air Quality
and Noise:**

Fort Point Associates
Katie Moniz
Matthew Wallace

LEED/Article 37:

Soden Sustainability
Colleen Soden
Arran French

**Energy
Modeling:**

enviENERGY
Samira Ahmadi

**Historical and
Archaeological:**

The Public Archaeology Laboratory, Inc.
Maureen Cavanaugh

DESCRIPTION AND PROGRAM:

The Proponent plans to preserve the existing 35,000 square foot office building ("Existing Commercial Building") and proposes to replace the existing surface parking lots with the Proposed Project, comprised of two components:

- 20 Malcolm X Blvd- the new construction of a 6-story, approximately 105,000 SF, 111-unit rental building consisting of approximately (20) Studios, (60) One-Bedroom, (25) Two-Bedroom and (6) Three-Bedroom units with approximately 1,900 sf of ground floor community retail space fronting on Malcolm X Boulevard, with approximately thirty-three (33) accessory garage vehicle parking spaces, residential amenities, and associated site improvements;
- 70 Dudley Street - the new construction of a 3-story, approximately 13,000 sf, 12-unit 100% homeownership building consisting of (4) One-Bedroom, (4) Two-Bedroom and (4) Three-Bedroom units on Dudley Street, with residential amenities, and associated site improvements; and
- Approximately nineteen (19) surface vehicle parking spaces of the Existing Commercial Building which may be shared with the adjacent multifamily buildings.

The Proposed Project does not include the Existing Commercial Building, as no changes are proposed to its footprint or building envelope. The Existing Commercial Building is currently 100% occupied and it is the intent of the Proponent to keep the building occupied during construction of the Proposed Project. The Existing Commercial Building will retain access to the existing surface parking spaces which may be reduced and reconfigured during the phased construction of the development.

The proposed massing and height of the Proposed Project steps down across the Site from approximately 69'-10" at 20 Malcolm X to approximately 34'-9" at 70 Dudley Street. The Site is characterized by an approximately 13'-26' drop in grade between Dudley Street and Malcolm X Boulevard, which will conceal approximately 1.5 – 2.0 stories of 20 Malcolm X Blvd as viewed from Dudley Street and the Highland Park neighborhood.

The Proposed Project will include at least one (1) bicycle space per dwelling unit: 70 Dudley Street will include approximately 12 bicycle spaces, and 20 Malcolm X Blvd will include approximately 111 bicycle spaces. In addition there will be approximately 25 visitor bicycle spaces on exterior racks and an area within the adjacent public right of way reserved for a new blue-bike station. Secure bicycle rooms meeting the City's Bicycle Parking Guidelines will be distributed within 20 Malcolm X Blvd and 70 Dudley Street at their respective ground levels.

The Proposed Project may be constructed in phases, with the anticipated first phase to include the construction of 20 Malcolm X Blvd. The building at 70 Dudley Street would be developed in a second phase. Surface parking for the Existing Office Building will be reconfigured and removed as required.

The table below summarizes the Proposed Project's anticipated key development metrics:

Project Metrics	Proposed Plan
Gross Square Footage (inc. Existing Office Building)	167,000 GSF
Gross Floor Area	153,014 GFA
<i>Retail</i>	1,900 SF
<i>Residential</i>	94,456 SF
<i>Commercial</i>	35,400 SF
Privately Owned Public Spaces <i>POPS</i>	5,100 SF
Development Cost Estimate	\$75,000,000
Residential Units	123

<i>Rental Units</i>	111
<i>Ownership Units</i>	12
<i>IDP/Affordable Units</i>	21
Parking Spaces (maximum)	52
Bike Parking (minimum)	Interior 123 / Exterior 25

ARTICLE 80 REVIEW PROCESS

On August 30, 2023, the Proponent filed a Letter of Intent (“LOI”) in accordance with the BPDA’s policy regarding Provision of Mitigation by Development Projects in Boston.

The Proponent filed a Project Notification Form (“PNF”) for the Proposed Project on March 8, 2024, which initiated a thirty-(30) day public comment period which was then subsequently extended and concluded on April 19, 2024.

The notice and PNF were sent to the City’s public agencies/departments and elected officials pursuant to Section 80A-2 of the Code. Additionally, copies of the PNF were sent to all Impact Advisory Group (“IAG”) members.

The BPDA hosted an IAG meeting on March 20, 2024, and a public meeting on April 9, 2024. These meetings were advertised in the local neighborhood newspapers, posted to the BPDA’s calendar, and email notification was sent to all subscribers of the BPDA’s Roxbury neighborhood updates.

Pursuant to Section 80B-5.3 of the Code, a Scoping Session was held on March 19, 2024, with the City’s public agencies and elected officials to review and discuss the Proposed Project.

The Proponent presented the Proposed Project, to the Boston Civic Design Commission (BCDC) on June 4th, 2024 and to the BCDC Design Subcommittee on August 20th, 2024. The Proponent received a vote to approve the Project from the BCDC on September 10th, 2024.

PLANNING AND ZONING

The Proposed Project at 10 Malcolm X Boulevard is located in a Three-Family Residential (3F-4000) Subdistrict in the Roxbury Neighborhood District.

The Proposed Project is located within the Highland Park Architectural Conservation District, designated in 2022, to preserve the architectural character of the Highland

Park neighborhood, including significant examples of late 18th, 19th, and early 20th century architectural styles. In the Highland Park Architectural Conservation District Report, the protection and retention of healthy trees, and the preservation of stone outcroppings, stone walls, and stone gate posts where possible are highlighted goals. The report also suggests that *generally, the height of new construction shall respect certain standards of scale in order to maintain the District's special qualities including overall building height and massing.*

The Site is also located in the study area for the Roxbury Strategic Master Plan (RSMP). This Plan discourages surface parking in the neighborhood, and recommends that developments consolidate parking where possible. The Proposed Project initially reduced the number of proposed parking spaces from 78 to 59 per staff recommendations. Further project review contributed to an additional reduction in parking to 52 total spaces, with 21 of those dedicated to the existing office building to remain.

The RSMP supports the preservation and rehabilitation of existing historic buildings, through a reinforcement of the integrity of historic buildings and places in Roxbury. Through the use of public art, the proposed development project updates and celebrates the existing historic building on the site. With the incorporation of ground floor retail, the proposed development also responds to the goals of the RSMP to support diverse economic activity particularly in the area around Nubian Square.

This planning context is further supported by PLAN: Nubian Square, a planning initiative centered around the Nubian Square neighborhood. The Plan identifies the needs of the Nubian Square study area regarding housing, transportation, green and resilient design, and jobs and economic development opportunities. The proposed development responds to the framework of PLAN: Nubian Square through the development of new housing units.

In support of the economic development goals of PLAN: Nubian Square, the Proposed Project locates residential units near transit options, providing direct access in and out of the neighborhood for commuters. This element of the proposal also supports the goals of Housing a Changing City: Boston 2030 and Go Boston 2030 to increase housing options density near transit centers.

In coordination with the resilience efforts set forth in PLAN: Nubian Square, the Urban Forest Plan, and the Climate Action Plan, Heat Resilience Solutions for Boston identifies the Nubian Square area as experiencing higher than median daytime temperatures compared to the city as a whole. In particular, the report cites *institutional areas like those around Madison Park High* as a contributor to high levels of urban heat. As a

result, increased canopy coverage was suggested on the site to mitigate these effects and increase levels of comfort for residents and pedestrians alike in the proposed development area. The Proponent was responsive to this request through proposed increases to planted open space on site.

The Site is also located in the Boulevard Planning and Neighborhood Design Overlay Districts. Accordingly, staff review incorporated the context of Malcolm X Boulevard as an entrance to the larger neighborhood, the Highland Park Architectural Conservation District, and an MHC Historic Inventory Area. Parks Commission design review will also be required, per City Ordinance 7-4.11, due to the project site's proximity to public open space.

The Planning Review team acknowledges changes that have been made to the project throughout the review to better respond to the zoning and planning contexts of the site. The Proponent has pushed back the new residential building from the existing nearby lower-scale residential buildings to reduce the contrast between the proposed development and existing neighborhood fabric. In keeping with the neighborhood context, the proposed building fronting on Malcolm X Boulevard has been lowered by one story. Further measures were taken at the submission of the PNF to better align with requests by staff regarding sidewalk dimensions and parking ratios.

MITIGATION & COMMUNITY BENEFITS

The Proposed Project will provide mitigation and community benefits for the Roxbury neighborhood and the City as a whole, including:

Housing

- Creating approximately 123 new multifamily housing units, including a mix of homeownership and rental units, including an approximately 12-unit, 100% homeownership building at 70 Dudley Street, providing homebuyers with the opportunity to create generational wealth.
- Providing 21 income restricted IDP housing units at varying income restrictions (60%, 70% and 80% AMI).

Commercial

- Preserving the Existing Commercial Building (formally the Roxbury Boy Club). The building is currently home to a number of tenants that house local jobs in Nubian Square and provides services to the local community services including the Social Security administration.

- Adding approximately 1,900sf of community retail space at street-level along Malcolm X Boulevard programmed to help activate the new public plaza and the Nubian Square area and providing an alternative from the vehicular centric character of the street;

Open Space and Public Realm

- Eliminating approximately 19,200sf of impervious surface parking areas, which encourage auto dependency and contribute to urban heat island effect.
- Creating an approximately 5,100sf publicly accessible plaza including new trees and seating area adjacent to a MBTA bus stop as well as 10,700sf of onsite open space for residents.
- Preserve an existing Puddingstone Wall and incorporating it into the Proposed Projects' architecture and landscape design.
- Investing over \$350,000 into public realm improvements to safety and visual appearance through enhancing the lighting, planting new street trees, widening sidewalks, and providing various streetscape amenities to enhance the pedestrian experience;
- Adding approximately 71 net new trees including approximately 10 new street trees to the Site.
- The Proponent will make a monetary contribution of \$123,000.00 for parks and open space improvements in the vicinity of the Project Site, delivered pro rata by project phase prior to the issuance of a Certificate of Occupancy for each phase. The financial contribution shall be made payable to the "Fund for Boston Parks and Recreation," or another entity as directed by the BPDA.

Public Art

The Proponent shall work with the Planning Department staff and the Mayor's Office of Arts and Culture ("MOAC") on a proposed art mural. The Proponent will complete the appropriate Planning Department review before installing any art mural.

Transportation/Transit Oriented Development

- Implementation of TDM measures to encourage residents, employees, and visitors of the Proposed Project to utilize the nearby transit, bicycle and pedestrian travel modes.
- The Proponent will enter into a mutually acceptable shared driveway easement with the Boston Redevelopment Authority with respect to the neighboring parcel (Parcel No. 0903268010). The Proponent will design, construct and maintain the entire driveway easement.

- The Proponent commits to purchasing and installing a bus shelter in front of the Project Site on Malcolm X Boulevard. If a bus shelter location cannot be agreed upon by pull of permits, the market rate cost of a bus shelter will be contributed to either the Transportation Department or the Parks Department.
- In compliance with the Boston Transportation Department's ("BTD") Bike Parking Guidelines, the Proponent shall support the provision of Bluebikes in and around the Project Site through the following measures, which shall be finalized by and between the Proponent and BTD in the Transportation Access Plan Agreement ("TAPA") for the Proposed Project:
 - The provision of a fifteen (15)-dock Bluebikes station, the location of which shall be finalized in the TAPA; and
 - A monetary contribution of Sixty -Thousand Dollars (\$60,000) towards the City of Boston's Bluebikes network/program(s).

The proposed scope of any in-kind work agreed to by the Proponent shall be developed in consultation with staff and appropriate city agencies, departments, and commissions and the allocation of any financial contributions shall first be provided to the BPDA for disbursement to the specified entity or organization. The details of any in-kind work and the allocation of any financial contributions shall be incorporated into the Cooperation Agreement between the Proponent and the BPDA. To the greatest extent possible, the Proponent will provide the BPDA with evidence indicating that the above-referenced mitigation and community benefits have been satisfied.

Construction signage must be installed at the Site before and during the construction of the Proposed Project. The signage must be in the form of panels at highly visible locations at the construction site or around the construction site perimeter and must be adjacent to each other, as approved by staff. Staff will work with the Proponent to provide high-resolution graphics that must be printed at a large scale (minimum of 8 feet by 12 feet).

Smart Utilities

The Proposed Project will comply with the Smart Utilities requirements adopted through the Development Review Guidelines, and Article 80B of the Code. The Proposed Project shall meet or exceed the 1.25" of stormwater infiltration per square inch of impervious development standard and will incorporate best practice green infrastructure standards within the public realm, when applicable. These elements include but are not limited to porous curb extensions, bio-retention strategies and/or rain gardens. Utilities in any City right of way will be designed to conform with Public Works Department standards and will undergo further review

to ensure they are not in conflict with any landscape design feature such as tree pits and/or other green infrastructure elements. The Proposed Project will also provide access for local telecom and fiber providers to ensure broadband equity and possible future deployment of smart technologies. Ongoing utility coordination with MassDOT, PIC, and Smart Utilities will continue as needed.

Sustainability & Resiliency

- Passive building design will preserve natural resources and reduce strain on the electrical grid by minimizing building energy demand during peak load events;
- Replacing the large area of existing surface parking with high-albedo roof surfaces and a net-increase in planting and tree coverage to reduce heat island effect;
- The use of high-SRI pavements will help mitigate urban heat island effect;
- A net gain of approximately 53 new trees on site will help mitigate urban heat island effect;
- High-efficiency irrigation systems will be incorporated to reduce water consumption;
- A diverse palette of native and naturalized plant species will promote biodiversity and support pollinator species.

Article 37

Both the buildings in the Proposed Project will be designed and constructed to be a minimum of LEED Gold / 61 points certifiable and passive house certifiable. Additionally, the buildings will be designed and constructed as follows:

1. Low carbon residential buildings targeting Building 2035 pCEI at or below 1.6 kg CO₂e/sf-yr prioritizing building enclosure solutions which may include continuous insulated, low infiltration >30% window to wall ratio, triple glazing, all efficient electric heat pump space heating/cooling and DHW heating systems, along with energy recovery ventilation and all-electric EnergyStar-rated appliances.
2. The Proposed Project will install a 65kW system with the final amount to be determined by Design Filing once mechanical equipment needs are finalized.
3. Additionally, the Proposed Project will purchase 100% renewable electricity for all common area meters and tenant loads using Boston Community Choice Electricity's ("BCCE")'s "Green 100" (100% renewable electricity) option and new owners will be informed of the benefits using renewable electricity and their ability to opt out of the BCCE program at no cost.

Updates related to Passive House Feasibility and/or Energy Conservation Measures related to project performance shall be provided to the BPDA as the Project's design progresses. The project will also explore mass timber feasibility at schematic design stage.

AFFIRMATIVELY FURTHERING FAIR HOUSING

The Proposed Project will incorporate the following Affirmatively Furthering Fair Housing (AFFH) Interventions:

Article 80 Interventions

- Increase the percentage of IDP units above the required amount.
- Provide all IDP onsite.

Marketing and Housing Access Interventions

- Agree to follow best practices in marketing market-rate units that are inclusive and welcoming to members of protected classes including the following:
- For the homeownership units, provide a preference to first-time/generation Homebuyers and develop marketing policies and procedures that are least likely to exclude preferred homebuyers.

The Proponent must submit to the Boston Fair Housing Commission—along with its Affirmative Fair Housing Marketing Plan (the “Plan”) for IDP units—a market-rate unit marketing plan detailing the adoption of the Boston Fair Chance Tenant Selection Policy as well as the other specific best practices that will be used to market the market-rate units.

HOUSING PROGRAM AND INCLUSIONARY DEVELOPMENT POLICY

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 (“IDP”), and is located within Zone C. The IDP is satisfied when 13% of residential rental units are designed as IDP units. In this case, eighteen (18) units within the Proposed Project will be created as IDP rental units and three (3) units, or approximately 25% of the total number of homeownership units within the Proposed Project, will be created as IDP homeownership units, for a total of twenty-one (21) income-restricted units (the “IDP Units”). Three (3) rental IDP Units will be made affordable to households earning not more than 60% of the Area Median Income (“AMI”), as determined by the U.S. Department of Housing and Urban Development, and published by the BPDA, twelve (12) rental IDP Units will be made available to households earning not more than 70% AMI, three (3) rental IDP Units will be made available to households earning not more than 80% AMI, two (2) homeownership IDP

Units will be made affordable to households earning not more than 80% of AMI, and the remaining one (1) homeownership IDP Unit will be made affordable to households earning not less than 80% of AMI but not more than 100% of AMI.

The IDP Units include four (4) studio unit, ten (10) one-bedroom units, five (5) two-bedroom units, and two (2) three-bedroom units.

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

70 Dudley Street					
Unit Number	Number of Bedrooms	Square Footage	Percentage of AMI	Sales Price	ADA/Group 2 Designation
102	Two-Bedroom	905	80%	\$258,500	Group 2
201	Three-Bedroom	1170	80%	\$297,200	
303	One-Bedroom	750	100%	\$287,400	
10 Malcolm X Boulevard					
Unit Number	Number of Bedrooms	Square Footage	Percentage of AMI	Rent	Group-2 Designation
204	One-Bedroom	635	60%	\$1,325	Group 2
207	Studio	457	70%	\$1,330	
211	Studio	520	70%	\$1,330	
217	One-Bedroom	760	70%	\$1,559	
305	Two-Bedroom	975	70%	\$1,766	Group 2
311	One-Bedroom	675	70%	\$1,559	
316	One-Bedroom	760	60%	\$1,325	
319	One-Bedroom	770	70%	\$1,559	
323	Three-Bedroom	1155	70%	\$1,978	
404	Two-Bedroom	975	70%	\$1,766	
410	Studio	455	70%	\$1,330	
411	One-Bedroom	675	80%	\$1,793	
418	One-Bedroom	760	70%	\$1,559	
422	Two-Bedroom	945	80%	\$2,033	
510	Studio	455	60%	\$1,130	Group 2
517	One-Bedroom	735	80%	\$1,793	
612	One-Bedroom	610	70%	\$1,559	
618	Two-Bedroom	950	70%	\$1,766	

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 Affordable Housing Agreement ("AHA") and Affordable Rental Housing Agreement and Restriction ("ARHAR"), and rents, sales prices, and income limits will be adjusted according to BPDA published maximum rent, sales prices, and income limits, as based on HUD AMIs, available at the time of the initial rental and 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 and ARHAR must be executed along with, or prior to, the issuance of the Certification of Compliance for each building or phase of 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 (for homeownership units only).

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 purchaser or renter and the sales price or rent of any subsequent sale or rental of the IDP Units during this fifty (50) year period must fall within the applicable income, price, and rent limits for each IDP Unit. IDP Units may not be rented out by the developer prior to sale or rental to an income eligible household, and the BPDA or its assigns or successors will monitor the ongoing affordability of the IDP Units.

The 21 proposed on-site IDP Units fully satisfy the IDP requirements pursuant to the December 10, 2015 IDP.

RECOMMENDATIONS

Approvals have been requested of the BPDA pursuant to Article 80, Section 80B of the Code for the issuance of a Scoping Determination waiving further review pursuant to Article 80, Section 80B-5.3(d) of the Code, and for the issuance of a Certification of Compliance under Section 80B-6 upon successful completion of the Article 80 review process.

BPDA staff believes that the PNF meets the criteria for issuance of a Scoping Determination waiving further review. Therefore, BPDA staff recommends that the BPDA approve the Proposed Project and authorize the Director to: (1) issue a Scoping Determination waiving further review pursuant to Article 80, Section 80B-5.3(d) of the Code; (2) issue one or more Certifications of Compliance under Section 80B-6, upon successful completion of the Article 80 review process; (3) enter into an Affordable Housing Agreement ("AHA") and 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; (4) execute and deliver a Cooperation Agreement (referencing, among other things, the Boston Residents Construction Employment Plan ordinance), and any and all other agreements and documents upon terms and conditions deemed to be in the best interest of the BPDA.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to issue a Scoping Determination waiving further review under Section 80B-5.3(d) of the City of Boston Zoning Code (the "Code"), which (i) finds that the Project Notification Form submitted to the Boston Redevelopment Authority ("BRA") on March 8, 2024 (the "PNF") and comments received by the BPDA adequately describes the potential impacts arising from the proposed 10 Malcolm X Boulevard project (the "Proposed Project"), and provides sufficient mitigation measures to minimize these impacts, and (ii) waives further review of the Proposed Project under subsection 3 of Section 80B-5 of the Code, subject to continuing design review by the Boston Redevelopment Authority ("BRA"); and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue one or more Certifications of Compliance or Partial Certifications of Compliance for the Proposed Project upon the successful completion of all Article 80 processes; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute an enter into an Affordable Housing Agreement ("AHA") and an Affordable Rental Housing Agreement and Restriction ("ARHA") for the creation of 21 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

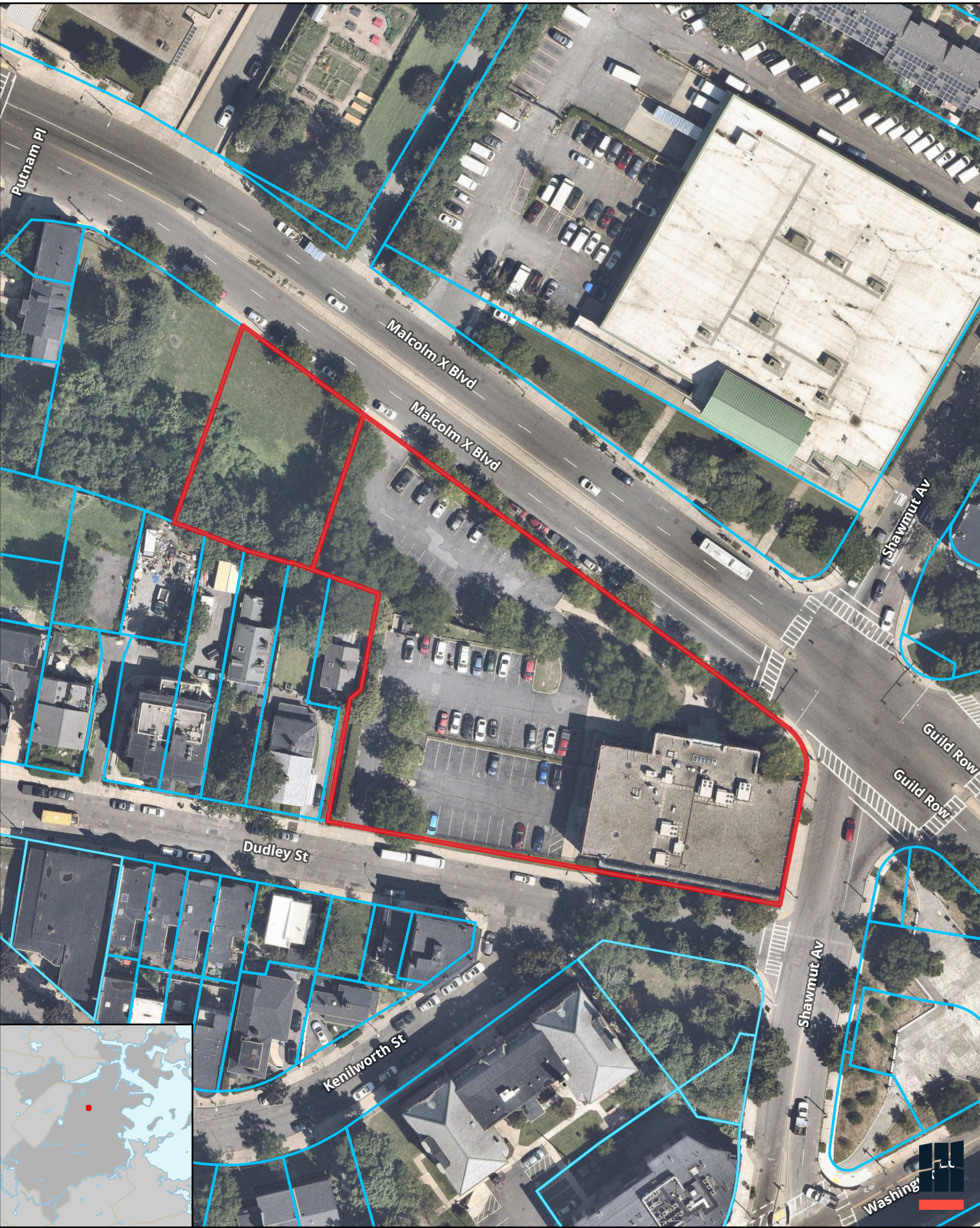
FURTHER

VOTED: That the Director be, and hereby is, authorized to execute a Cooperation Agreement, and any and all other agreements and documents which the Director deems appropriate and necessary in connection with the Proposed Project, all upon terms and conditions determined to be in the best interests of the BPDA.

10 Malcolm X Boulevard



10 Malcolm X Boulevard



**Boston Water and
Sewer Commission**



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

March 14, 2024

Mr. Stephen Harvey
Senior Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

Re: 10 Malcolm X Boulevard, Roxbury
Project Notification Form

Dear Mr. Harvey:

The Boston Water and Sewer Commission (Commission) has reviewed the Project Notification Form (PNF) for the proposed 10 Malcolm X Boulevard project located at 10 Malcolm X Boulevard in the Roxbury neighborhood of Boston.

The proposed project is located on an approximately 72,003 square foot (sf) (1.65 acre) site currently occupied by a commercial building and surface parking. The project proponent, 10 MX Owner, LLC, proposes to preserve the existing commercial building and construct two new buildings:

1. A six (6) story, 111-unit residential building with ground floor retail space in approximately 105,000 gross square feet (gsf), and
2. A four (4) story, 21-unit residential building in approximately 22,000 gsf.

The project site is bounded by Malcolm X Boulevard to the northeast, Guild Row to the east, Dudley Street to the south, and residential buildings and vacant BPDA land to the west. There will be approximately 54 vehicle parking spaces.

According to the PNF, the project's proposed water demand is approximately 22,968 gallons per day (gpd). The Commission owns and maintains a 12-inch Southern Low DICL water main installed in 1994 in Malcolm X Boulevard and a 12-inch Southern High PCI water main installed in 1907 and rehabilitated in 1988 and a 24-inch Southern Low PCI water main installed in 1871 and rehabilitated in 1976 in Dudley Street.

According to the PNF, the proposed sewage generation is 23,505 gpd, an increase of 20,880 gpd over existing conditions. For sewage and storm drainage service, the site is served by a 39-inch by 26-inch combined sewer in Malcolm X Boulevard, a 72-inch storm drain in Guild Row and a 39-inch by 26-inch combined sewer in Dudley Street.

The Commission has the following comments regarding the PNF:



General

1. Prior to the initial phase of the site plan development, 10 MX Owner, LLC 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 development.
2. All new or relocated water mains, sewers and storm drains must be designed and constructed at 10 MX Owner, LLC'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. A General Service Application must also be submitted to the Commission with the site plan.
3. The Department of Environmental Protection (DEP), in cooperation with the Massachusetts Water Resources Authority and its member communities, is 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. In April of 2014, the Massachusetts DEP promulgated new regulations regarding wastewater. The Commission has a National Pollutant Discharge Elimination System (NPDES) Permit for its combined sewer overflows and is subject to these new regulations [314 CMR 12.00, section 12.04(2)(d)]. This section 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. In this regard, any new connection or expansion of an existing connection that exceeds 15,000 gallons per day of wastewater shall assist in the I/I reduction effort to ensure that the additional wastewater flows are offset by the removal of I/I. Currently, a minimum ratio of 4:1 for I/I removal to new wastewater flow added is used. The Commission supports the policy and will require proponent to develop a consistent inflow reduction plan. The 4:1 requirement should be addressed at least 90 days prior to activation of water service and will be based on the estimated sewage generation provided on the project site plan.
4. The design of the project should comply with the City of Boston's Complete Streets Initiative, which requires incorporation of "green infrastructure" into street designs. Green infrastructure includes greenscapes, such as trees, shrubs, grasses and other landscape plantings, as well as rain gardens and vegetative swales, infiltration



basins, and paving materials and permeable surfaces. The proponent must develop a maintenance plan for the proposed green infrastructure. For more information on the Complete Streets Initiative see the City's website at <http://bostoncompletestreets.org/>

5. 10 MX Owner, LLC should be aware that the US Environmental Protection Agency issued the Remediation General Permit (RGP) for Groundwater Remediation, Contaminated Construction Dewatering, and Miscellaneous Surface Water Discharges. If groundwater contaminated with petroleum products, for example, is encountered, 10 MX Owner, LLC will be required to apply for a RGP to cover these discharges.
6. It is 10 MX Owner, LLC's responsibility to evaluate the capacity of the water, sewer and storm drain systems serving the project site to determine if the systems are adequate to meet future project demands. With the site plan, 10 MX Owner, LLC must include a detailed capacity analysis for the water, sewer and storm drain systems serving the project site, as well as an analysis of the impacts the proposed project will have on the Commission's water, sewer and storm drainage systems.

Water

1. 10 MX Owner, LLC must provide separate estimates of peak and continuous maximum water demand for residential, commercial, industrial, irrigation of landscaped areas, and air-conditioning make-up water for the project with the site plan. Estimates should be based on full-site build-out of the proposed project. 10 MX Owner, LLC should also provide the methodology used to estimate water demand for the proposed project.
2. 10 MX Owner, LLC should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular, 10 MX Owner, LLC should consider outdoor landscaping which requires minimal use of water to maintain. If 10 MX Owner, LLC 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 be considered.
3. 10 MX Owner, LLC is required to obtain a Hydrant Permit for use of any hydrant during the construction phase of this project. The water used from the hydrant must be metered. 10 MX Owner, LLC should contact the Commission's Meter Department for information on and to obtain a Hydrant Permit.
4. 10 MX Owner, LLC will be required to install approved backflow prevention devices on the water services for fire protection, mechanical and any irrigation systems. 10



MX Owner, LLC is advised to consult with Mr. Larry Healy, Manager of Engineering Code Enforcement, with regards to backflow prevention.

5. The Commission is utilizing a Fixed Radio Meter Reading System to obtain water meter readings. For new water meters, the Commission will provide a Meter Transmitter Unit (MTU) and connect the device to the meter. For information regarding the installation of MTUs, 10 MX Owner, LLC should contact the Commission's Meter Department.

Sewage / Drainage

1. A Total Maximum Daily Load (TMDL) for Nutrients has been established for the Lower Charles River Watershed by the Massachusetts Department of Environmental Protection (MassDEP). In order to achieve the reductions in Phosphorus loading required by the TMDL, phosphorus concentrations in the lower Charles River from Boston must be reduced by 64%. To accomplish the necessary reductions in phosphorus, the Commission is requiring developers in the lower Charles River watershed to infiltrate stormwater discharging from impervious areas in compliance with MassDEP. 10 MX Owner, LLC will be required to submit with the site plan a phosphorus reduction plan for the proposed development. 10 MX Owner, LLC must fully investigate methods for retaining stormwater on-site before the Commission will consider a request to discharge stormwater to the Commission's system. The site plan should indicate how storm drainage from roof drains will be handled and the feasibility of retaining their stormwater discharge on-site. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer.

In conjunction with the Site Plan and the General Service Application the 10 MX Owner, LLC will be required to submit a Stormwater Pollution Prevention Plan. The plan must:

- Identify best management practices for controlling erosion and for preventing the discharge of sediment and contaminated groundwater or stormwater runoff to the Commission's drainage system when the 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.
- Provide a stormwater management plan in compliance with the DEP standards mentioned above. The plan should include a description of the measures to control pollutants after construction is completed.




2. Developers of projects involving disturbances of land of one acre or more will be required to obtain an NPDES General Permit for Construction from the Environmental Protection Agency and the Massachusetts Department of Environmental Protection. 10 MX Owner, LLC is responsible for determining if such a permit is required and for obtaining the permit. If such a permit is required, it is required that a copy of the permit and any pollution prevention plan prepared pursuant to the permit be provided to the Commission's Engineering Services Department, prior to the commencement of construction. The pollution prevention plan submitted pursuant to a NPDES Permit may be submitted in place of the pollution prevention plan required by the Commission provided the Plan addresses the same components identified in item 1 above.
3. The Commission encourages 10 MX Owner, LLC to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.
4. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission. 10 MX Owner, LLC is advised that the discharge of any dewatering drainage to the storm drainage system requires a Drainage Discharge Permit from the Commission. If the dewatering drainage is contaminated with petroleum products, 10 MX Owner, LLC will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.
5. 10 MX Owner, LLC must fully investigate methods for retaining stormwater on-site before the Commission will consider a request to discharge stormwater to the Commission's system. The site plan should indicate how storm drainage from roof drains will be handled and the feasibility of retaining their stormwater discharge on-site. All projects at or above 100,000 square feet of floor area are to retain, on site, a volume of runoff equal to 1.25 inches of rainfall times the impervious area. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer.
6. The Massachusetts Department of Environmental Protection (MassDEP) established Stormwater Management Standards. The standards address water quality, water quantity and recharge. In addition to Commission standards, 10 MX Owner, LLC will be required to meet MassDEP Stormwater Management Standards.
7. Sanitary sewage must be kept separate from stormwater and separate sanitary sewer and storm drain service connections must be provided. The Commission requires that existing stormwater and sanitary sewer service connections, which are to be re-used by the proposed project, be dye tested to confirm they are connected to the appropriate system.



8. The Commission requests that 10 MX Owner, LLC install a permanent casting stating “Don’t Dump: Drains to Charles River” next to any catch basin created or modified as part of this project. 10 MX Owner, LLC should contact the Commission’s Operations Division for information regarding the purchase of the castings.
9. If a cafeteria or food service facility is built as part of this project, grease traps will be required in accordance with the Commission’s Sewer Use Regulations. 10 MX Owner, LLC is advised to consult with the Commission’s Operations Department with regards to grease traps.
10. The enclosed floors of a parking garage must drain through oil separators into the sewer system in accordance with the Commission’s Sewer Use Regulations. The Commission’s Requirements for Site Plans, available by contacting the Engineering Services Department, include requirements for separators.
11. The Commission requires installation of particle separators on all new parking lots greater than 7,500 square feet in size. If it is determined that it is not possible to infiltrate all of the runoff from the new parking lot, the Commission will require the installation of a particle separator or a standard Type 5 catch basin with an outlet tee for the parking lot. Specifications for particle separators are provided in the Commission’s requirements for Site Plans.

Thank you for the opportunity to comment on this project.

Yours truly,



John P. Sullivan, P.E.
Chief Engineer

JPS/afh

cc: Jacob Vance, SV + Partners
K. Ronan, MWRA
P. Larocque, BWSC
L. Melara, BWSC

To: [Stephen Harvey]
From: [Bence Kovacs], PWD
Date: [3/15/2024]
Subject: [10 Malcolm X Boulevard] - Boston Public Works Department Comments

Included here are Boston Public Works Department (PWD) comments for the 10 Malcolm X Boulevard PNF.

Project Coordination

The developer shall coordinate with BTM regarding the [Nubian Square Phase 2 Reconstruction Project](#). Please connect with project manager Patrick Hoey. The developer shall also coordinate with BTM regarding the [Malcolm X Boulevard Bus and Bike Project](#).

Project Specific Scope Considerations:

The developer shall coordinate with the BPDA, BTM, and PWD to develop safety and accessibility improvements for pedestrians and cyclists in the area as part of the TAPA. The developer shall coordinate with the Parks and Recreation department in regards to the planting and pruning of street trees and shall protect the existing street trees. The developer shall coordinate with the Office of Green Infrastructure in regards to the installation of any green infrastructure improvements. The developer should consider renovating sidewalks abutting their property. The developer shall coordinate with PIC regarding any potential pedestrian easements. The developer should consider making accessibility improvements for pedestrians to the intersection of Dudley and Kenilworth 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 Americans with Disabilities Act (ADA)/ Massachusetts Architectural Access Board (AAB) guidelines, including the installation of new or reconstruction of existing pedestrian ramps at all corners of all intersections abutting the project site if not already constructed to ADA/AAB compliance per Code of Massachusetts Regulations Title 521, Section 21 (<https://www.mass.gov/regulations/521-CMR-21-curb-cuts>). This includes converting apex ramps to perpendicular ramps at intersection corners and constructing or reconstructing reciprocal pedestrian ramps where applicable. Plans showing the extent 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.



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

All proposed sidewalk widths and cross-slopes must comply with 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



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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.

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
Chief Design Engineer
Boston Public Works Department
Engineering Division

CC: Para Jayasinghe, PWD
Todd Liming, PIC



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CITY *of* BOSTON
Michelle Wu, Mayor



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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
TYLER ROSS, SENIOR PROJECT MANAGER
ILANA HAIMES, PLANNER II, PLANNING REVIEW
JIM FITZGERALD, TRANSPORTATION PLANNER
BREEZE OUTLAW, LANDSCAPE URBAN DESIGNER
AMBER GALKO, URBAN DESIGNER
HARSHIKA BISHT, SENIOR SUSTAINABLE DESIGN REVIEWER

SUBJECT: 49-51 D STREET, SOUTH BOSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority ("BRA") d/b/a the Boston Planning & Development Agency ("BPDA") authorize the Director to: (1) issue a Scoping Determination waiving further review pursuant to Article 80, Large Project Review of the Boston Zoning Code (the "Code") for the 49-51 D Street Large Project (the "Proposed Project", defined below) in the South Boston neighborhood of Boston; (2) issue a Certification of Compliance under Section 80B-6 of the Code upon successful completion of the Article 80 review process; (3) enter into an Affordable Rental Housing Agreement and Restriction, if necessary, or require the same be executed by and between the Applicant and Mayor's Office of Housing ("MOH"), and a Cooperation Agreement, in connection with the Proposed Project; and (4) take any other actions and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The project site consists of an approximately 15,542 square-foot parcel located at 49-51 D Street (the "Project Site" or "Site"). The existing conditions consist of a one-to-two story commercial building housing a printing company, to be replaced by a nine-story mixed-use building (the "Property Site" or "Site").

DEVELOPMENT TEAM

The Development Team includes:

Developer and Applicant:	<u>Sing Ming Chan</u> 97 Farragut LLC So. Boston, MA
Legal Counsel:	<u>Adams & Morancy</u> George Morancy, P.C.
Permitting Consultant:	<u>MLF Consulting LLC</u> Mitchell L. Fischman Mark Feldman
Architect:	<u>RODE Architects Inc.</u> Eric Robinson Michael Dellefave Adrian DiCorato
Transportation Planning & Engineering:	<u>Howard Stein Hudson</u> Brian Beisel Michael White Madison Blanchard
Landscape Architect:	<u>MDLA Architecture LLC</u> Michael D'Angelo Chris Golden

PROPOSED PROJECT

The Proposed Project is a mixed-use development consisting of a nine-story building containing 70 residential rental units, approximately 1,944 square feet of ground floor commercial space, a landscaped plaza open to public use, seventy (70) resident bicycle parking spaces within the building and fifteen (14) visitor bicycle spaces, located in the public realm adjacent to the Site, and space for a new 15-dock BlueBikes station along D Street in front of the Project Site (collectively the "Proposed Project"). The Proposed Project will not include accessory off-street parking, as it is located approximately eight minutes walking distance from the MBTA's Andrew Red Line Station. The residential rental units include seven (7)

studio units, thirty-two (32) one-bedroom units, twenty-nine (29) two-bedroom units, and two (2) three-bedroom units.

In designing the Proposed Project, great care was given to respecting future plans for the character and scale of the surrounding area as development proceeds on the nearby Washington Village project, the recently approved “On The Dot” project not far from the Site, and other future development plans proceeding in accordance with the planning goals and guidelines of PLAN: South Boston Dorchester Avenue.

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

<u>Estimated Project Metrics</u>	Proposed Plan
Gross Square Footage	73,472
Gross Floor Area	68,321
<i>Residential</i>	66,377
<i>Office</i>	0
<i>Retail</i>	1,944
<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	\$30,000,000
Residential Units	
<i>Rental Units</i>	70
<i>Ownership Units</i>	
<i>IDP/Affordable Units</i>	12+
Parking spaces	

ARTICLE 80 REVIEW PROCESS

On August 28, 2023, the Applicant filed a Letter of Intent ("LOI") with the BPDA, and on May 30, 2024, the Applicant filed a Project Notification Form ("PNF") with the Boston Planning & Development Agency for the Proposed Project, pursuant to Article 80B of the Code. The BPDA sponsored and held a virtual public Impact Advisory Group meeting on June 18, 2024, a virtual Public Meeting on June 20, 2024, and the BPDA sponsored a second virtual public Impact Advisory Group meeting on August 7, 2024, all via the Zoom webinar platform. The three meetings were advertised in the local newspapers, posted on the Planning Department website, and notifications were emailed to all subscribers of the Planning Department's South Boston neighborhood update list. The public comment period ended on June 29, 2024.

Prior to submission of the PNF, the Applicant had conducted outreach to the community and with the area's local elected officials to collect neighborhood feedback and to inform the community of the status of the Proposed Project.

PLANNING AND ZONING CONTEXT

The Proposed Project is located in a Restricted Manufacturing (M-2) District subdistrict. The Proposed Project is also located in the Coastal Flood Resilience and Restricted Parking Overlay Districts.

Residential uses in manufacturing districts are subject to the lot area, width, open space, and yard requirements of the nearest residential district in the Base Code. In the case of the Proposed Project, this is an H-1 district. In addition to H-1 applicability, staff review was guided by PLAN: South Boston Dorchester Avenue (PLAN: Dot Ave), adopted by the BPDA Board in December 2016. This plan addresses a study area extending from the Broadway MBTA Station south to Devine Way along Dorchester and Old Colony Avenues. PLAN: Dot Ave recommends an increase in residential use throughout the study area, including activated ground floor amenities within mixed-use corridors, in a manner consistent with the Proposed Project. The expanded sidewalk and streetscape set forth by the Applicant also directly support the green link proposed in PLAN: Dot Ave that would extend across D Street between Dorchester Avenue and Old Colony Avenue.

PLAN: South Boston Dorchester Avenue Transportation Plan is a corresponding mobility plan to PLAN: South Boston Dorchester Avenue, focused on improved safety and mobility for all modes and related transportation corridor design improvements in the study area. The transportation Plan calls for Complete Streets improvements to this segment of D Street, and development plans submitted by the Applicant advance this vision. The design of the proposed development incorporates an improved interim condition that also provides flexibility as the design of D Street is planned to evolve in accordance with the Plan and potential future development changes.

While this project does not meet the open space per dwelling unit requirement set forth by the Zoning Code, the Open Space and Recreation Plan for the City of Boston recognizes that meeting the minimum usable open space per dwelling unit zoning requirement onsite has become a challenge in densely developing neighborhoods like South Boston, putting pressure on existing parkland in the area. The Proposed Project seeks to add some relief to this pressure, by installing a pocket park on the Site. For a site that is presently entirely hardscape, this Proposed Project demonstrates a marked improvement to permeability of the surface as well as an increase in greenspace.

The added cooling effects of a pocket park as well as the proposed addition of trees to the road centerline and sidewalks would aid in cooling an area identified by Heat Resilience Solutions for Boston as particularly susceptible to the extreme heat effects of climate change. The potential for water infiltration in the new green space and uptake by the proposed trees is also important in this area, which has been identified as at risk for flooding as soon as 2030 during the 50% chance design thunderstorm according to the Boston Water and Sewer Inundation Model.

The Coastal Flood Resilience Overlay District requires new construction to meet resilient design standards. These standards include elevating the ground floor of the building above Base Flood Elevation (BFE) for the year 2070, and limiting the uses that can be located below the Design Flood Elevation (DFE). The regulatory BFE for this site is 18' Boston City Base. For the uses specified in this project one foot of freeboard is required such that the ground floor of the Proposed Project has a DFE of 19'. The Proposed Project aligns with resilient design standards by elevating the ground floor to 20'.

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 an improved pedestrian experience along D Street with new sidewalks and street furnishing zones, new street trees and landscaping, a new public pocket park, visitor bike parking consistent with the City of Boston’s Complete Streets Design Guidelines, a new 15 unit BlueBikes station, and a ground-floor setback which will allow for future sidewalk widening and a D Street bike lane. Requisite PIC approvals for proposed improvements shall be completed before building permit issuance for the Proposed Project. The physical mitigation improvements must be completed upon 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), Public Improvement Commission (PIC), and the Planning Department. In addition, the Proponent has agreed to the following:

- A one-time contribution of \$25,000 to the Boston Centers for Youth and Families to be used at the BCYF Condon Community Center Council.
- A one-time contribution of \$10,000 to the Boston Transportation Department to be used towards the cost of locating a new pedestrian crosswalk in the area of Old Colony Avenue and E Street.
- A one-time contribution of \$15,000 to the Newmarket Business BID Outreach program to be used to support its outreach to persons with substance abuse disorders, as well as its program of collecting and disposing of discarded needles and other drug-related paraphernalia and trash in the Andrew Square/Newmarket area.
- A one-time contribution of \$50,000 to the South Boston Community Health Center to be used to support its treatment programs for persons with substance abuse disorders, and/or general health and wellness initiatives in the South Boston community.
- A one-time contribution of \$49,000 to the Boston Transportation Department (“BTD”) to support the procurement and installation of a 15-dock BlueBikes station in proximity to the Project Site.
- A one-time contribution of \$15,000 to the Boston Public Works Department (“PWD”) to support the procurement and installation of additional acorn-style streetlights in the Andrew Square area.
- \$25,000 contribution to The Gavin Foundation, Inc., to be used to support its treatment programs for persons with substance abuse disorders.
- \$10,000 contribution to The South Boston Special Kids and Young Adults Corporation

- A one-time contribution of \$7,500 to Andrew Square Civic Association to be used for Community wellness mural
- A one-time contribution of \$5,000 to Andrew Square Civic Association to be used for 24 historical banners in the Andrew Square neighborhood
- The Developer will codify in the projects TAPA that rental tenants in the building will be restricted from qualifying for a resident permit parking sticker
- The Developer will also codify in the TAPA, commitments to Transportation Demand Management (TDM) measures consistent with the City's TDM Points System policy.
- Additional revenue in the form of new property taxes to the City of Boston.

The community benefits described above will be set forth in the Cooperation 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 the City of Boston Inspectional Services Department ("ISD") and will be distributed as outlined above. The Proposed Project and public realm improvements are subject to Planning Department Design Review.

SUSTAINABILITY AND RESILIENCY

In support of Boston's carbon-neutral goals, the Proposed Project will be designed and constructed to be Zero Net Carbon (or Zero Net Carbon Ready), LEED v4 Gold / 62 points certifiable, and Passive House certified, with a Building 2035 pCEI <1.24 kg CO₂e/sf-yr.

The Proposed Project will include a well-insulated air-tight enclosure and all-efficient-electric heat pump space conditioning and DHW heating systems with energy recovery ventilation and all-electric EnergyStar-rated appliances.

The Proposed Project has committed to purchasing 100% renewable electricity for common building loads and setting up residential meters using the Boston Community Choice Electricity Program's "Green 100" option (100% renewable) and informing new residents of the building's green features, the benefits of using renewable electricity, and their ability to opt down or out at any time at no cost and will further assess the feasibility of adding approximately 12 kW solar PV on its roof with the final amount determined by Design Filing.

To minimize embodied carbon impacts, the Proposed Project has committed to achieving one point for the Building Life-Cycle Impact Reduction credit with a life cycle assessment (LCA).

SMART UTILITIES

The Proposed Project will comply with the Smart Utilities requirements found in Article 80B of the Code. The Proposed Project shall meet or exceed the 1" of stormwater infiltration per square inch of impervious development standard and will incorporate best practice green infrastructure standards within the public realm, when applicable. These elements include but are not limited to porous curb extensions, bio-retention strategies and/or rain gardens. The Proposed Project will also include smart streetlights standards for new sidewalks, including city shadow conduit and dual handholes in accordance with PIC requirements. Utilities in any City right of way will be designed to conform with Public Works Department standards and will undergo further review to ensure they are not in conflict with any landscape design feature such as tree pits and/or other green infrastructure elements. The Proposed Project will also provide access for local telecom and fiber providers to ensure broadband equity and possible future deployment of smart technologies.

The Applicant agrees to complete the Smart Utilities review prior to obtaining a Certificate of Occupancy. The items to be reviewed include:

- The Proposed Project's compliance to 1" of infiltration per square inch of impervious development as indicated in the Smart Utilities checklist.
- Review of horizontal infrastructure and landscape features to ensure proper distances have been maintained from tree-pits and relevant green infrastructure.
- The Proposed Project's Smart Street Light integration. The Applicant shall include city shadow conduit in accordance with sidewalk reconstruction and PIC review. This includes review of broadband, fiber optic cabling, and shadow conduit in order to preserve broadband equity and other dependent smart technologies.
- Location of transformers and critical infrastructure so as to ensure coordination with Eversource and "right sized" infrastructure. Confirmation of the electrical underground vault located along D street meets minimum width, height and vertical clearance criteria.

- A plan to address relevant conflicts reported through COBUCS if/as relevant. The Applicant and the contractor will continue to work with BTU and Smart Utilities as needed.
- Coordination of the landscape design to ensure the utilization of low impact design strategies for stormwater retention and wind buffers.

AFFIRMATIVELY FURTHERING FAIR HOUSING

The Proposed Project will incorporate the following Affirmatively Furthering Fair Housing (AFFH) Interventions:

Article 80 Interventions

- Provide an additional percentage of IDP units than required
- Deepen the affordability of IDP units
- Provide all IDP units on-site
- Provide a higher proportion of 2+ bedroom IDP units than required

Marketing and Housing Access Interventions

- Provide a preference for an agreed upon percentage of units to rental voucher-holders and developer marketing and tenant selection policies and procedures that are least likely to exclude voucher-holders
- Agree to follow best practices related to the use of CORI, eviction, and credit records in the tenant screening and selection process
- Agree to best practices in marketing the market-rate units that are inclusive of and welcoming to members of protected classes

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 twelve (12) units, or approximately 17.65% of the total number of units and 18.24% of total unit square footage, within the Proposed Project to be created as IDP rental units (the "IDP Units"). Two (2) IDP Units will be made affordable to households earning not more than 50% of AMI, as published annually by the BPDA

and based upon data from the United States Department of Housing and Urban Development ("HUD"), three (3) IDP Units will be made affordable to households earning not more than 60% of AMI, five (5) IDP Units will be made affordable to households earning not more than 70% of AMI, one (1) IDP Unit will be made affordable to households earning not more than 80% of AMI, and the remaining one (1) IDP Unit will be made affordable to households earning not more than 90% of AMI.

One (1) IDP Unit will be a studio unit, five (5) IDP Units will be one-bedroom units, four (4) IDP Units will be two-bedroom units, and two (2) IDP Units will be three-bedroom units.

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 Designation
203	One-Bedroom	687	50%	\$1,091	
205	Three-Bedroom	1250	60%	\$1,678	
207 *	Three-Bedroom	1270	70%	\$1,978	
302	One-Bedroom	697	60%	\$1,325	
401	One-Bedroom	722	70%	\$1,559	
506	One-Bedroom	706	80%	\$1,793	
509	Two-Bedroom	932	50%	\$1,232	Group-2A
605 *	Two-Bedroom	953	60%	\$1,499	
703	One-Bedroom	687	90%	\$2,026	
804	Two-Bedroom	948	70%	\$1,766	Group-2A & -2B
809	Two-Bedroom	916	70%	\$1,766	
907	Studio	532	70%	\$1,330	

* The Affirmative Marketing Plan shall consider feasibility for Units 207 and 605 to be marketed with a preference to households with a housing voucher, made affordable to households earning not more than 70% and 60%, respectively, of AMI. Households qualifying for such preference may have incomes any amount lower than said maximum AMI levels and rented up to the rent limit for a 60% or 70% AMI (respectively) IDP Unit notwithstanding use of the marketing preference.

The location of the IDP Units will be finalized in conjunction with the Planning Department 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 Compliance for the Proposed Project. The Applicant 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. Voucher holder household (where applicable under the Affirmative Marketing Plan)

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 80B of the Code for Large Project Review. Therefore, staff recommends that the Director: (1) issue a Scoping Determination waiving further review pursuant to Article 80, Large Project Review of the Boston Zoning Code (the "Code") for the 49-51 D Street

Large Project (the "Proposed Project") in the South Boston neighborhood of Boston; (2) issue a Certification of Compliance under Section 80B-6 of the Code upon successful completion of the Article 80 review process; (3) enter into an Affordable Rental Housing Agreement and Restriction, if necessary, or require the same be executed by and between the Applicant and Mayor's Office of Housing ("MOH"), and a Cooperation Agreement, in connection with the Proposed Project; and (4) take any other actions and 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 Scoping Determination under Section 808-5.3(d) of the Boston Zoning Code (the "Code") which (i) finds that the Project Notification Form submitted on May 30, 2024, adequately describes the potential impacts arising from 49-51 D Street Mixed-Use Project in the South Boston neighborhood (the "Proposed Project"), and provides sufficient mitigation measures to minimize these impacts; and (ii) waives further review of the Proposed Project under Section 80B-5 of the Code, subject to continuing design review by the Planning Department; and

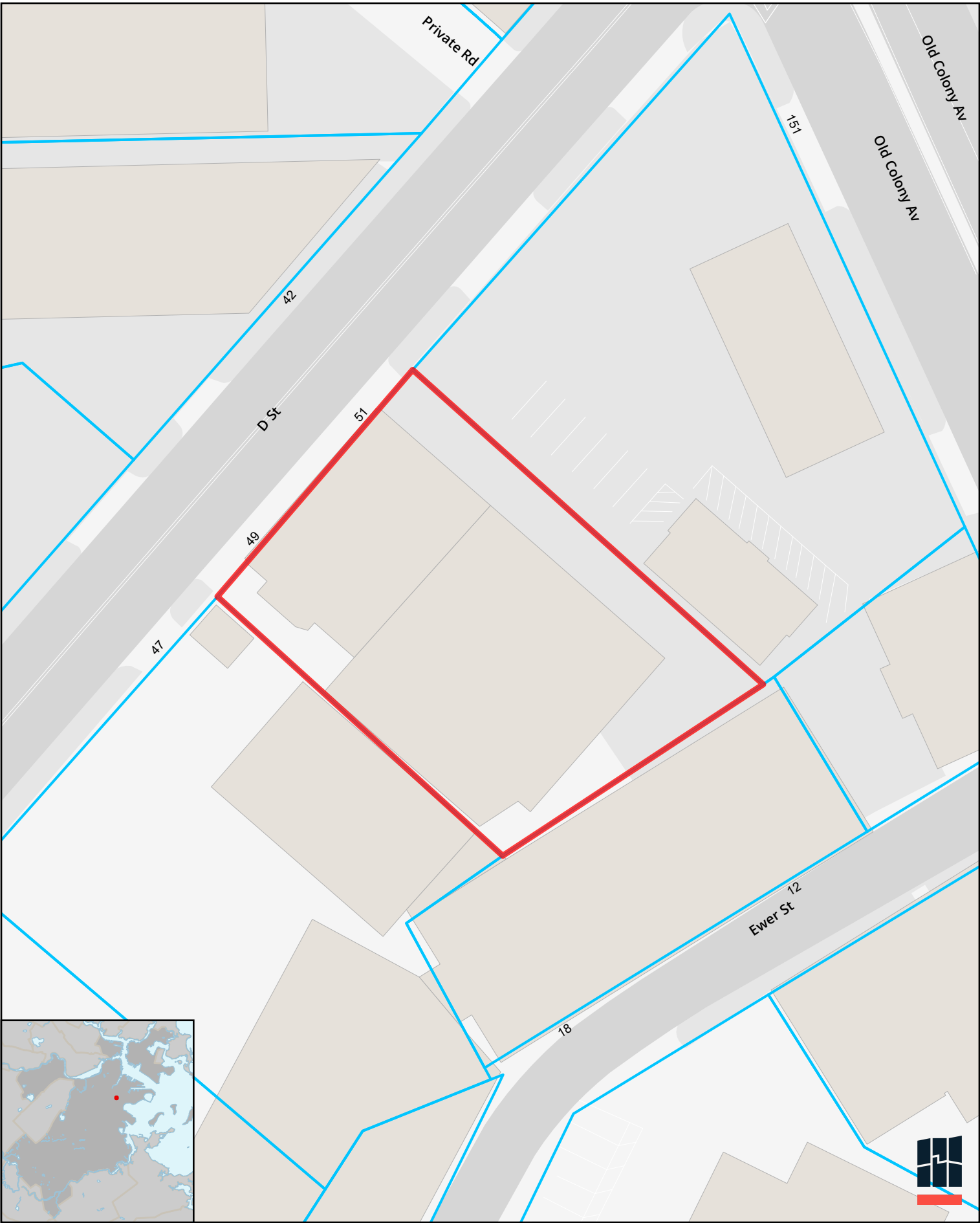
FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Compliance under Section 808-6 of the Code for the Proposed Project upon the successful completion of all Article 80 processes; and

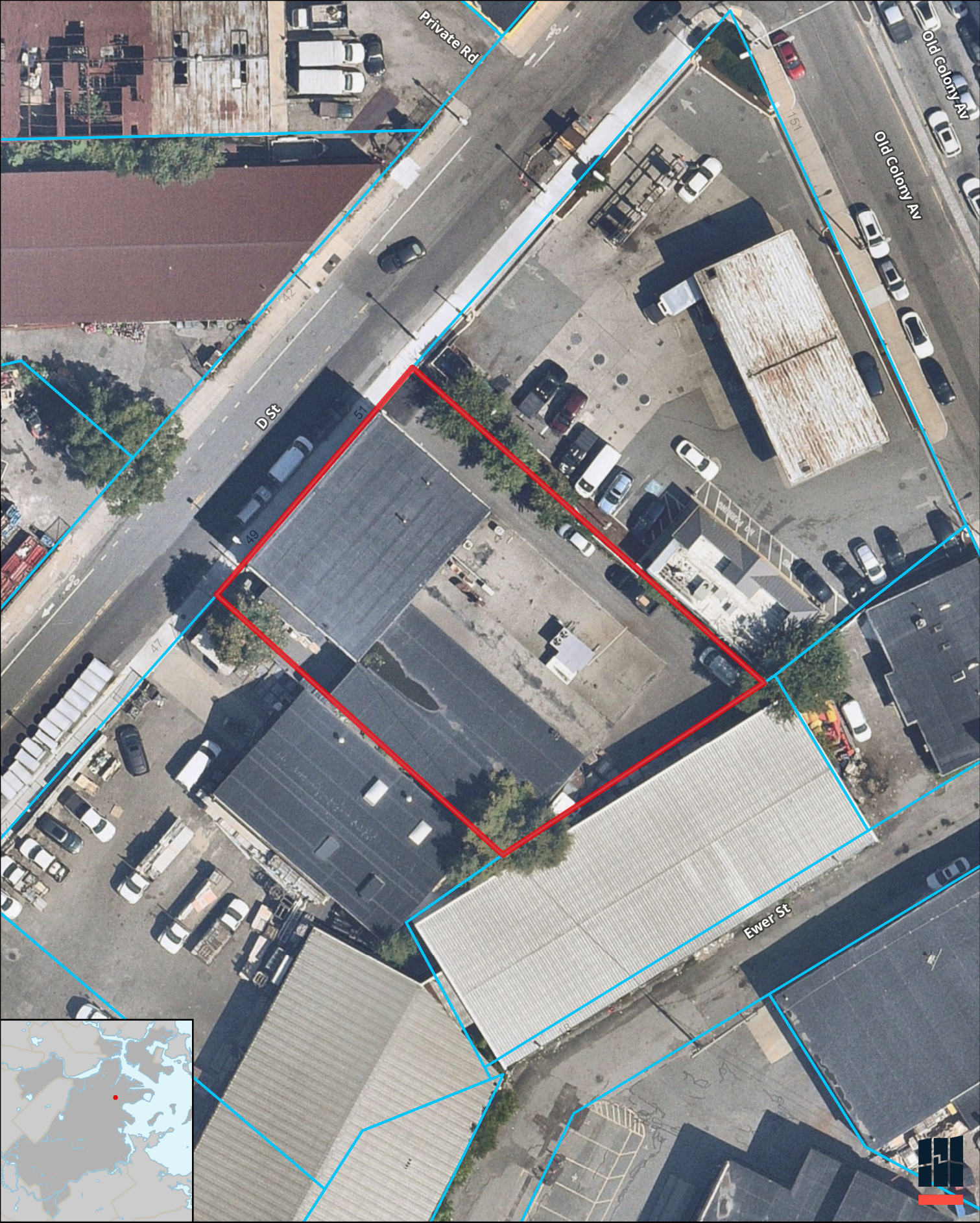
FURTHER

VOTED: That the Director be, and hereby is, authorized to execute a Cooperation Agreement which will include a provision to comply with the Boston Residents Construction Employment Plan, and an Affordable Rental Housing Agreement and Restriction Agreement for the creation of twelve (12) on-site IDP Units or, if necessary, require the same be executed by and between the Proponent and the Mayor's Office of Housing, and any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project, all upon terms and conditions determined to be in the best interests of the City of Boston.

49-51 D Street



49-51 D Street





DAVID BIELE
STATE REPRESENTATIVE
4TH SUFFOLK DISTRICT

STATE HOUSE, ROOM 446
TEL. (617) 722-2460
David.Biele@mahouse.gov

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

November 14, 2024

Kairos Shen, Chief of Planning
City of Boston Planning Department
1 City Hall Square
Boston, MA 02201

Re: 49-51 D Street, South Boston

Chief Shen and Board Members of the Boston Planning & Development Agency:

Thank you for the opportunity to provide comment regarding the proposal for 49-51 D Street in South Boston, currently under review by the Boston Planning & Development Agency (BPDA).

In terms of background, the proposal falls within the BPDA's PLAN: Dorchester Avenue strategic plan (the "PLAN") and is subject to the BPDA's Article 80 Large Project Review. In terms of specifics, the proposal calls for the construction of a nine-story building, creating roughly 73,500 square feet of mixed-use gross space, including approximately 70 rental units. According to the City of Boston's parking ratio map for Article 80 projects, this location calls for a ratio of 0.5 parking spaces per rental unit—translating into a maximum of 35 spaces for this proposal. Upon review, the proposal before the Board includes zero parking at this location.

To rectify this issue, the proponent has repeatedly pointed to construction of future parking lots/garages at other nearby developments at On the DOT, Washington Village, and 323-363 Dorchester Avenue with a commitment to contacting these developments to secure some sort of parking agreement for tenants at 49-51 D Street. Relying on future development projects to meet the obligations of this proposal without any agreements in place is not sound policy. Additionally, a residential parking restriction has been proposed as a possible solution—however the program has not been codified, leaving uncertainty as to its legal enforcement.

Moreover, if approved, this proposal would be the first project within the area covered by the PLAN without any onsite parking. Given the bonus densities provided in the PLAN, such an approval would set a negative precedent for future proposals within the PLAN area and exacerbate quality of life issues for residents. In light of the foregoing, coupled with the lack of

consensus within the Impact Advisory Group (IAG) on this proposal, the Board should defer this proposal to a later date until the concerns can be addressed.

Thank you for your time and consideration of this important matter, and for the opportunity to provide testimony. Please do not hesitate to reach out with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Biele". The signature is fluid and cursive, with a horizontal line above the first part of the name.

DAVID BIELE
State Representative



Boston City Council
ED FLYNN
Councilor - District 2

November 14, 2024

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

Dear members of the BPDA Board,

I'm writing to express my concerns regarding the proposed plan at 49-51 D Street, and to again convey my opinion that this project was not ready for the Board of Director's Agenda today. The proposed project will redevelop the current two-story brick industrial building and accessory surface parking into a new nine-story mixed-use building consisting of 70 rental apartment units, with ground-level commercial space. The proposal includes 7 studios, 32 one-bedrooms, 29 two-bedrooms, 2 three-bedrooms, and a 17% affordability rate on site - with 12 units included in the Inclusionary Development Policy (IDP) affordable housing program. The proposed new building would have 70 bicycle spaces for residents, 14 visitor bicycle spaces within the public realm; however, most notably, there will be no on-site parking.

Many residents and I were under the impression that unresolved concerns related to South Boston's existing parking crisis warranted additional community process, and that this project was not ready for BPDA Board review. My South Boston neighbors, relevant civic groups like the Andrew Square Civic Association, the Cityside Neighborhood Association, and I have consistently expressed these concerns. While a number of Article 80 projects across the city have been approved at higher parking ratios in recent years, our community seemingly continues to be held to a different standard with lower parking ratios. In my discussions with BPDA staff in recent weeks, these outstanding community concerns were acknowledged and discussed.

As I have stated previously, the nearest residential zoning of Article 68 calls for 1.5 parking spots per unit. The Boston Transportation Department may have guidelines that call for 0.5 parking spots per unit - but that is not zoning. Neighbors throughout South Boston continue to express their position that new vehicles will invariably be parked on the street, along with visitors who will also drive their cars. Storage for 84 bicycles will not alleviate the concerns of my constituents due to the on the ground reality that they face everyday-whether they're coming home from work, shuttling kids to activities, taking care of their elderly parents, or simply enjoying a night out - they come home to circle the blocks for 45 minutes hoping to find a spot.



Boston City Council

ED FLYNN

Councilor - District 2

It is my understanding that language in the Board Memo will indicate that the proponent will codify in the project transportation agreement (TAPA) that rental tenants in the building will be restricted from qualifying for a resident permit parking sticker. During my time as an elected official, the City of Boston has not maintained a consistent position on this issue as to whether there is an ability to restrict resident parking permits for Article 80 projects, be they homeownership or rental units. It is unknown whether the City of Boston will officially enact this policy somewhere in writing and be prepared to stand by it when challenged; otherwise, the legitimate concerns from my neighbors will remain prevalent- that projects with low parking ratios, or zero parking, will only eventually worsen our existing crisis.

I understand that the proponent has committed to reaching out to work with developments in the area to look to address this issue, and while some progress has been made since the project's initial proposal, I believe more engagement and community process is still needed to address outstanding concerns. For these reasons, I respectfully request not only that the proponent continue to work on a plan regarding parking, but that the City of Boston take concrete steps to address our existing parking crisis for tax-paying residents - and not exacerbate the problem.

I respectfully ask that the Board please take the concerns on parking and the quality of life issues that my constituents have raised seriously, and allow for more work on these outstanding matters. If you have any questions, please feel free to contact me at Ed.Flynn@Boston.gov, or at 617-635-3203.

Sincerely,

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

Ed Flynn

Boston City Council President

District 2

Boston Interagency Fair Housing Development Committee Review & Recommendation Form

Project Name/Address	49-51 D Street
BIFDC Review Date(s):	6/10/2024

AFFH Recommendations

AFFH Assessment is complete.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No - An AFFH Assessment is marked as complete when the BIFDC has concluded its review and is able to make a recommendation regarding the AFFH components of a Proposed Project.
If no, describe what is needed to complete the Assessment.	<p>The Proponent is requested to respond to the following questions, comments, and recommendations:</p> <ol style="list-style-type: none"> Rental unit AMIs: Proponent is recommended to include units within the rental portion of the project that are within a wider range of AMIs between 50-90%. Including these units would provide increased access to individuals with lower incomes who are somewhat overrepresented in the Project Area. Group 2 units: Currently, all group 2 units are placed on one side of the building. Proponent is recommended to disperse these units equitably throughout the entire project. Family size units: Currently, there are no units within the Project that have more than two bedrooms. Proponent is recommended to include a number of 3-bedroom units in order to provide greater access to families in the Project Area. Voucher holder units: Proponent is recommended to set aside a number of additional IDP units with a requirement that they be filled with households with a mobile voucher, and for which total rent collected is the small area FMR, in order to increase the significantly low voucher usage in the area.
AFFH Assessment appears to be accurate.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If no, describe the inaccuracies.	
AFFH Assessment notes:	

Planned Development Area

This review is for Planned Development Area (PDA) only (each project located within a PDA to be reviewed separately).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No-Intervention Enhancement for PDAs not required
This project is located within a PDA.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Is yes, describe any different or additional AFFH and/or other housing obligations that are required under the PDA:	
PDA Notes:	

Historical Exclusion

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

Actual Residential Displacement

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

Displacement Risk

This project is located in an area of high displacement risk.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – Intervention Enhancement for High Displacement Risk is not required
Discuss the basis for the above determination.	<p><u>Displacement Risk Analysis & Historical Exclusion</u></p> <p>Displacement is defined under the Boston Zoning Code as “unwilling or coerced departure, removal or economic dislocation, in a community or in an adjacent and impacted community, occurring when neighborhood choices become limited due to increasing rent burden or a lack of housing that is affordable to area residents, area renters, low-income residents, or residents belonging to protected class or a set of protected classes, thereby restricting housing choice for the impacted population.”</p> <p>Historical exclusion is defined as explicit discrimination based on race or membership of other Protected Classes or correlative economic factors that have perpetuated housing segregation and excluded members of Protected Classes from living in the neighborhood as measured by data provided in the Housing and Household Composition Community Profile Report.</p> <p>In order to assess displacement risk and historical exclusion, the BIFDC considers direct displacement at the Proposed Project site, as well as broader risk in the community within ¼ mile of the site, and population levels of protected classes. For the purposes of this analysis, the BIFDC considers information from the following sources:</p> <ol style="list-style-type: none"> 1. Housing and Household Composition Community Profile Report (HHCCPR) 2. MOH Displacement Risk Map 3. Answers Provided in AFFH Assessment Section 4 <p>This analysis represents the BIFDC’s opinion when viewing the Proposed Project in the context of the three sources used to assess risk of displacement as defined in the Boston Zoning Code and is not predictive with regard to whether actual displacement will occur in the community.</p>

When using the HHCCPR to assess displacement risk and historical exclusion, the following factors are considered:

1. Percentage of renter-occupied households
2. Percentage of rent-burdened and extremely-rent-burdened households
3. Household income in the project area
4. Percentage of residents that are members of protected classes (note: not all possible protected classes are reported on)
5. Mitigating factors such as high percentage of income-restricted units or high percentage of 2-plus-bedroom units in the surrounding area

This analysis is undertaken, in accordance with the AFFH Zoning Amendment, for the purposes of informing BIFDC recommendations in general and specifically in determining whether any Intervention Enhancements are necessary due to High Displacement Risk within ¼ mile of the Proposed Project site. Factors that tend to show little or no displacement pressure may indicate historical exclusion and/or a lack of meaningful housing access for specific populations (often more vulnerable to displacement) within ¼ mile of the Proposed Project site, which should be addressed as part of a holistic AFFH strategy for developing and marketing this project. The findings below expand further upon the recommendations and requests made by the BIFDC utilizing the data from the HHCCPR and information found in the project's AFFH Assessment.

Displacement Risk Findings:

Household income

The household incomes in the area around the Proposed Project site are lower than the citywide average, with 47.7% of households having an annual income of \$50,000 or less annually compared to the citywide average of 41.2%. A large number of lower-income households when considered with other factors can be indicative of elevated displacement risk because it may contribute to difficulty affording housing and other necessary costs.

Proponent is recommended to widen the range of AMLs within the income-restricted units in order to increase access to affordable housing for individuals with lower incomes.

Persons with disabilities

The number of persons with disabilities is 11% higher in the project area than the citywide average. **Proponent is recommended to ensure that the group 2 units within the building are equitably distributed.**

Answers provided in AFFH Assessment Section 4

The Proponent's answers to AFFH Assessment Section 4 indicates that there is no direct residential displacement at the Proposed Project site.

Historical Exclusion & Access to Opportunity Findings:

The HHCCPR considers the following protected classes: families with children, disability status, race and ethnicity, and immigrant status.

Percentage of income-restricted housing

The percentage of income-restricted housing within ¼ mile of the Proposed Project site is nearly 12% lower than the citywide average. A low percentage of income-restricted housing

	<p>when considered with other factors can be indicative of historical exclusion and reduced access to opportunity for individuals with lower incomes.</p> <p>Percentage of voucher-usage The percentage of voucher usage in the Project Area is 4.5% lower than the citywide average. Proponent is therefore recommended to designate a portion of income-restricted units as voucher-holder units with a preference for voucher-holders.</p> <p>Racial and ethnic composition The percentage of individuals identifying as Black or African American alone is 16% lower than the citywide average. This could be indicative of their limited access to the community. Proponent is therefore recommended to create marketing and housing access strategies that are inclusive of and welcoming to members of these communities. Strategies should include creating language access plans when marketing the project, committing to working with local and culturally competent leasing and sales agents, and marketing across all media types with a particular emphasis on media types consumed by those racial and ethnic groups who are underrepresented in the community.</p> <p>Conclusion: Using the information contained in the Housing and Household Composition Community Profile Report, the DND Displacement Risk Map, and the answers to AFFH Assessment Section 4, there is likely a moderate risk of displacement as defined above in the area surrounding the Proposed Project site.</p>
Displacement Risk Notes:	

Proportionality

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

AFFH Strategy

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

AFFH Strategy Notes:	
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**Boston Water and
Sewer Commission**



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

June 24, 2024

Mr. Tyler Ross, Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

Re: 49-51 D Street, South Boston
Project Notification Form

Dear Mr. Ross:

The Boston Water and Sewer Commission (Commission) has reviewed the Project Notification Form (PNF) for the proposed redevelopment project located at 49-51 D Street in the South Boston neighborhood of Boston. This letter provides the Commission's comments on the PNF.

The proposed project is located on an approximately 14,541-square foot (sf) parcel of land located on D Street. The site is currently occupied by a 2-story brick industrial building and surface parking. The project proponent, 97 Farragut LLC, proposes to demolish the existing building and construct a 73,472 gross square foot, 9-story, mixed-use residential building. The building will contain seventy-one residential units. The residential units are studios, 1-bedroom and 2-bedroom apartments. The ground floor will have commercial space and parking for 86 bicycles. Public open space is provided along the northwestern edge of the proposed building.

For water and sewer service, the Commission owns and maintains two water mains and a sewer in D Street. One water main is a 12-inch pit cast iron (PCI) pipe that was installed in 1909 and cleaned and cement lined in 2005. The other water main is a 30-inch pit PCI transmission main that was installed in 1895 and cleaned and cement lined in 1971. Both water mains are served by the Commission's Southern Low-Pressure Zone. Sewer service is provided by a 42-inch by 45.5-inch combined sewer.

The PNF states that daily water demand for the proposed project is estimated to be 11,806 gallons per day (gpd) and wastewater generation is estimated to be 10,732 gpd.

The Commission has the following comments regarding the proposed project.

General

1. Prior to the initial phase of the site plan development, 97 Farragut LLC should meet with the Commission's Design and Engineering Customer Services Department to review the



schedule for D Street sewer separation work included in Contract 21-309-012. The work in this Contract is ongoing and is expected to be complete in April of 2026. D Street work involves replacement of the existing combined sewer with a new storm drain, replacement of the existing water mains and construction of a new sanitary sewer.

2. Prior to demolition of the building, all water, sewer, and storm drain connections to the buildings must be cut and capped at the main pipe in accordance with the Commission's requirements. The proponent must complete a Cut and Cap General Services Application, available from the Commission.
3. All new or relocated water mains, sewers and storm drains must be designed and constructed at 97 Farragut LLC'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 backflow prevention devices in the facilities that will require inspection. A General Service Application must also be submitted to the Commission with the site plan.
4. The proponent estimates that daily sewage will be less than DEP's 15,000 gpd threshold. However, the proponent should be aware that if during the site plan permitting process, it becomes apparent that wastewater flows will be 15,000 gpd or more, the Commission will invoke the requirement that the project participate in the infiltration and inflow (I/I) removal program.

The proponent should also note that the I/I removal requirement must be addressed 90 days before the activation of the water service.

5. The design of the project should comply with the City of Boston's Complete Streets Initiative, which requires incorporation of "green infrastructure" into street designs. Green infrastructure includes greenscapes, such as trees, shrubs, grasses, and other landscape plantings, as well as rain gardens and vegetative swales, infiltration basins, and paving materials and permeable surfaces. The proponent must develop a maintenance plan for the proposed green infrastructure. For more information on the Complete Streets Initiative see the City's website at <http://bostoncompletestreets.org/>
6. The Commission will require 97 Farragut LLC to undertake all necessary precautions to prevent damage or disruption of the existing active water and sewer lines on, or adjacent to, the project site during construction. As a condition of the site plan approval, the Commission will require 97 Farragut LLC to inspect the existing sewer lines by CCTV after site construction is complete, to confirm that the lines were not damaged from construction activity.



7. It is 97 Farragut LLC's responsibility to evaluate the capacity of the water, sewer and storm drain systems serving the project site to determine if the systems are adequate to meet future project demands. With the site plan, 97 Farragut LLC must include a detailed capacity analysis for the water, sewer and storm drain systems serving the project site, as well as an analysis of the impacts the proposed project will have on the Commission's water, sewer, and storm drainage systems.

Water

1. 97 Farragut LLC must provide separate estimates of peak and continuous maximum water demand for residential, commercial, industrial, irrigation of landscaped areas, and air-conditioning make-up water for the project with the site plan. Estimates should be based on full-site build-out of the proposed project. 97 Farragut LLC should also provide the methodology used to estimate water demand for the proposed project.
2. 97 Farragut LLC should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. 97 Farragut LLC should consider outdoor landscaping which requires minimal use of water to maintain. If 97 Farragut LLC 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 be considered.
3. 97 Farragut LLC is required to obtain a Hydrant Permit for use of any hydrant during the construction phase of this project. The water used from the hydrant must be metered. 97 Farragut LLC should contact the Commission's Meter Department for information on and to obtain a Hydrant Permit.
4. The Commission is utilizing a Fixed Radio Meter Reading System to obtain water meter readings. For new water meters, the Commission will provide a Meter Transmitter Unit (MTU) and connect the device to the meter. For information regarding the installation of MTUs, 97 Farragut LLC should contact the Commission's Meter Department.

Sewage / Drainage

1. In conjunction with the Site Plan and the General Service Application 97 Farragut LLC will be required to submit a Stormwater Pollution Prevention Plan. The plan must:
 - Identify specific best management measures for controlling erosion and preventing the discharge of sediment, contaminated stormwater, or construction debris to the Commission's drainage system when construction is underway.



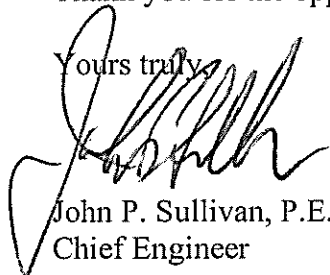
- Include a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control structures or treatment structures to be utilized during the construction.
 - Specifically identify how the project will comply with the Department of Environmental Protection's Performance Standards for Stormwater Management both during construction and after construction is complete.
2. The Commission encourages 97 Farragut LLC to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.
 3. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission. 97 Farragut LLC is advised that the discharge of any dewatering drainage to the storm drainage system requires a Drainage Discharge Permit from the Commission. A Phase I Environmental Site Assessment was completed in March of 2022. The results of the soil and groundwater testing program found evidence of pollutants in the soil and groundwater. As part of the site plan approval, 97 Farragut LLC will be required to submit to the Commission a soil and groundwater monitoring plan. 97 Farragut LLC will be required to provide the Commission with a copy of the Remediation General Permit issued by the Environmental Protection Agency (EPA) for groundwater discharge.
 4. 97 Farragut LLC must fully investigate methods for retaining stormwater on-site before the Commission will consider a request to discharge stormwater to the Commission's system. The site plan should indicate how storm drainage from roof drains will be handled and the feasibility of retaining their stormwater discharge on-site. The projects must retain, on site, a volume of runoff equal to 1.00 inches of rainfall times the impervious area. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer.
 5. The Massachusetts Department of Environmental Protection (MassDEP) established Stormwater Management Standards. The standards address water quality, water quantity and recharge. In addition to Commission standards, 97 Farragut LLC will be required to meet MassDEP Stormwater Management Standards.
 6. Sanitary sewage must be kept separate from stormwater and separate sanitary sewer and storm drain service connections must be provided. The Commission requires that existing stormwater and sanitary sewer service connections, which are to be re-used by the proposed project, be dye tested to confirm they are connected to the appropriate system.



7. The Commission requests that 97 Farragut LLC install a permanent casting stating “Don’t Dump: Drains to Boston Harbor” next to any catch basin created or modified as part of this project. 97 Farragut LLC should contact the Commission’s Operations Division for information regarding the purchase of the castings.
8. If a restaurant or food service facility is built as part of this project, grease traps will be required in accordance with the Commission’s Sewer Use Regulations. 97 Farragut LLC is advised to consult with the Commission’s Operations Department with regards to grease traps.

Thank you for the opportunity to comment on this project.

Yours truly,



John P. Sullivan, P.E.
Chief Engineer

JPS/RJA

cc: K. Ronan, MWRA via e-mail
P. Larocque, BWSC via e-mail
P. Salvatore, BWSC via e-mail
S. McFee, BWSC via e-mail



CITY of BOSTON

Michelle Wu, Mayor

To: [Tyler Ross]
From: [Hayden Budofsky], PWD
Date: [5/30/2024]
Subject: [49-51 D Street] - Boston Public Works Department Comments

Included here are Boston Public Works (PWD) comments for the 49-51 D Street PNF.

Project Coordination:

The developer shall continue to coordinate with BPDA, as well as with BTM & PWD in regards to the future 'Plan Dot Ave' initiative in which streetscape/landscape plans for this project are based on.

Project Specific Scope Considerations:

The developer should coordinate with BTM and PWD to develop safety and accessibility improvements for pedestrians and cyclists in the area. The developer should coordinate with Parks & Recreation department in regards to the construction of four tree pits & the planting of four trees along D Street. If the developer is providing an offset of their property by shifting the sidewalk/future bike lane onto private land, pedestrian and bike easements will be required from PIC.

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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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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TO: Tyler Ross, Project Manager
FROM: Yair Shapiro, Smart Utilities Planner
Cc: Travis Anderson, Senior Infrastructure & Energy Planner
DATE: June 24th, 2024
SUBJECT: 49-51 D Street Project – Smart Utilities Comments – PNF

Comments and requests for additional information:

Certain parts of the Boston Smart Utilities Policy are applicable for this project since the project is being reviewed under Article 80B. Below you will find our requests for information necessary for the on-going Smart Utilities review. Please send any information to Yair Shapiro via smartutilities@boston.gov and include it in your future filings.

- 1) Utility Site Plan: Please submit the USP showing the following:
 - a) Utility Connections:
 - i) Thank you for showing the location of existing utility connections. We ask to include all new utility connections (gas, water, sewer, drainage, electric, and telecom).
 - ii) In the site layout, it appears there may be a conflict between the existing trees and the domestic water service line. Could you please provide more details on this issue?
 - b) Green Infrastructure:
 - i) Please show the proposed location of Green Infrastructure and stormwater management assets on the site and the ROW, including trees and permeable pavers and make sure there are no conflicts with the existing and proposed utility connections.
 - c) Gas:
 - i) Show the location of the gas meter(s) and whether they are located inside or outside the building.
 - d) Smart Street Lights: Please show the following:
 - i) The location of the electrical conduit(s) that will power the street lights along your project and where this conduit will receive or already receives

Cc: PM, BPDA
Caitlin Coppinger, Deputy Director of Comprehensive Planning, BPDA

power from (i.e., direct connection to the utility in the ROW, connected to street light electrical conduit in adjacent parcel/building).

- ii) If any significant sidewalk reconstruction is planned, we are asking you to include two separate conduits, one for extra electrical and one for extra fiber, running along the street light conduit on sidewalks. Note: PIC is currently recommending one dual handhole for these conduits; the handhole should be different from the handhole for street lights.
- iii) Where this extra electrical conduit and extra fiber conduit would receive power/fiber from the electrical utility and telecom utility on the ROW, respectively. Note: a) the actual tie into the utility is not required, but we need to know where the utilities would allow for service to come into the sidewalk shadow conduit; b) the tie-into electric service should not be the power pull box used for the street light, but a separate direct connection to the utility.
- iv) Where the handholes for these two conduits would be located. Handholes should be located at least at the nodes of the conduit, where the conduit will connect to the utility service or to an existing conduit in an adjacent parcel, and at the base of any pertinent street lights.
- e) Electrical Transformers: Please include the proposed location of any electrical transformers on site.
- f) Electric Vehicles:
 - i) Please include in your USP any infrastructure needed to comply with the City of Boston EV Readiness Policy for New Developments. This may include EV chargers, additional electrical services, transformers, empty conduit, etc.

2) Report of Potential Conflicts:

- a) Please provide the report of potential conflicts generated by entering your project into the City of Boston Utility Coordination Software (COBUCS). If any conflicts are identified, we would then request information on how the team plans to address these conflicts with the relevant entities.

3) Smart Utilities Checklist:

- a) Thank you for submitting the Smart Utilities check-list. After receiving and reviewing the information requested above, we may ask that some of the design elements are memorialized as an update to the Smart Utilities Checklist. We can guide the team more efficiently towards the section(s) of the Checklist that would be necessary after the information above has been received and reviewed

If you have any questions regarding these comments or would like to arrange a meeting to discuss the policy please feel free to contact Yair Shapiro via yair.shapiro@boston.gov or smartutilities@boston.gov

Note: Any documents submitted via email to Yair.shapiro@Boston.gov will not be attached to the PDF form generated after submission, but are available upon request.

MEMORANDUM**SEPTEMBER 12, 2024**

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

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

SUBJECT: 90 ALLANDALE STREET, WEST ROXBURY

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority 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 90 Allandale Street in Jamaica Plain (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 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 87,162 square feet of land located at 90 Allandale Street in the Jamaica Plain neighborhood of Boston (the "Project Site"). The Project Site is currently occupied by a single-family dwelling. The closest means of public transit are MBTA 35 and 38 Buses, which have inbound and outbound stops 0.3 miles from the Project Site. The nearest MBTA Subway Station is the Forest Hills Station (Orange Line), which is approximately 1.2 miles from the Project Site. The nearest MBTA Commuter Rail Station is the aforementioned Roslindale Village Station, which is approximately one mile from the Project Site.

DEVELOPMENT TEAM

The development team includes:

Proponent:	<u>Stefco Holdings LLC</u> Stefanos Efstratoudakis
Architect:	<u>Hendren Associates</u> Gary Hendren
Legal Counsel:	<u>Pulgini and Norton, LLP</u> John Pulgini, Esq.
Civil Engineer:	<u>Decoulos & Company</u> James Decoulos
Landscape Architect:	<u>Verdant Landscape Architecture</u> Katya Podsiadlo

PROPOSED PROJECT

Stefco Holdings LLC (the “Proponent”) proposes to redevelop the Project Site by demolishing the existing on-site building and constructing a new residential development comprised of four (4) two and a half story townhouses, each containing two (2) single-family dwelling units, for a total of eight (8) homeownership condominiums on the northerly portion of the lot. Each condominium unit will be two and a half stories and contain three (3) bedrooms. The southerly portion of the lot will be protected from future development by restrictions to be included in the Master Deed, which will be recorded with the Suffolk Registry of Deeds upon the creation of the condominium (the “Master Deed”).

The Proposed Project will contain eight (8) dwelling units, with units ranging in size from 2,736 to 3,694 square feet, averaging approximately 3,127 square feet per unit. The total gross floor area across the four (4) buildings is 25,021 square feet. Each unit will have a maximum of two (2) garaged vehicle parking spaces, resulting in a total of sixteen (16) motor vehicle parking spaces.

The wetland at the rear of the Project Site made the Proposed Project subject to the review of the Boston Conservation Commission and the Wetlands Protection Ordinance. The Boston Conservation Commission review is ongoing, and any new suggestions from the Boston Conservation Commission that affect the design of the Proposed Project shall be considered in design review with staff. The Proponent will continue to coordinate with the Boston Conservation Commission the civil and landscape plans to ensure maintenance access to the stormwater infrastructure.

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

<u>Estimated Project Metrics</u>	Proposed Plan
Gross Square Footage	28,141
Gross Floor Area	25,021
<i>Residential</i>	25,021
<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>	3,120
Development Cost Estimate	\$7,500,000
Residential Units	8
<i>Rental Units</i>	
<i>Ownership Units</i>	8
<i>IDP/Affordable Units</i>	0
Parking spaces	16

ZONING

The Project Site is located in the West Roxbury Neighborhood Zoning District, which is governed by Article 56 of the Code. The Proposed Project is anticipated to need relief from the Zoning Board of Appeals for the following variances: Article 56, Section 7: Use. Townhouses are forbidden in a 1F-8000 Zoning Sub-District; Article 56, Section 40.12: Two or more dwellings on same lot; Article 56, Section 40.1: Conformity with existing building alignment; Article 56, Section 8: Main access door not facing front lot line.

PLANNING AND ZONING CONTEXT

The Proposed Project is located within Article 56, the West Roxbury Neighborhood District, in a Single Family Residential (1F-8000) subdistrict. Per the delineation of Boston's neighborhoods, the Proposed Project is located in Jamaica Plain, close to the Jamaica Plain-West Roxbury line. Use and dimensional regulations are structured to facilitate primarily large lot, single-family residential structures with sizable setbacks on all sides. These regulations are intended to preserve an area of Jamaica Plain characterized by a healthy, mature tree canopy and open space. The Project Site is located within 100 feet of parkland and is therefore also subject to Parks Design Review, as per City Ordinance 7.4-11.

The Allandale Woods, adjacent to the Project Site, are recognized by the Open Space and Recreation Plan as a significant resource for the City, both in terms of environmental benefits and public access to green space. The Proposed Project aligns with the preservation goals of the Open Space and Recreation Plan with respect to Allandale Woods through its conservation of the forested area of the parcel. Staff find the Proposed Project's design reflects a balance of the policy goals of creation of new housing and conservation of Boston's urban tree canopy. To preserve open space on the rear half of the Project Site, Proponent will include certain restrictions in the Master Deed, to be approved by the Boston Conservation Commission.

The significant setbacks from the ephemeral stream on the Project Site offer the opportunity to preserve potential wetland and riparian vegetation onsite. The Open Space and Recreation Plan recognizes that in this area of Jamaica Plain and West

Roxbury there are non-forested wetlands, dominated by a diverse collection of native species.

Planning Department staff have determined that zoning relief is warranted due to the unique conditions of the Project Site: the balance of the parcel could be subdivided into approximately five 8,000 sf lots (the minimum lot size), excluding the portion of the Project Site to be restricted by the Master Deed, each with a single-family structure totaling no more than 2,400 GSF each. A subdivision such as this would yield a use consistent with zoning, and would yield an FAR at or under the maximum of 0.3. However, this would require far more impervious paved area and clear-cutting to accommodate access between several subdivided, low-density parcels. As proposed, the eight detached homes on the Project Site will share a common driveway paved with permeable pavers, and the Proponent intends to preserve at least half of the parcel as protected open space. The proposed use and site design have been reviewed with attention to minimizing mature canopy clear-cutting, maximizing permeable surface area, and preserving the character of this area of Jamaica Plain.

ARTICLE 80 REVIEW PROCESS

On April 22, 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 May 20, 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 West Roxbury neighborhood update list. The public comment period ended on May 31, 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 Allandale Road. Public Improvement Commission approvals for proposed improvements shall be completed before building permit issuance 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.

- The Proposed Project will enhance the streetscapes by reconstructing the sidewalks on Allandale Street within the bounds of the Project Site and within the public way. The new sidewalks will comply with Boston Public Works Department standards including providing a clear path of at least four feet absent vertical elements. The sidewalk will be constructed using monolithic concrete. As design progresses, the Proponent will evaluate whether the sidewalk can be widened through a setback on their property to achieve the preferred width of at least 5 feet clear.
 - The Proponent will narrow the existing curb cut that provides access to the site to a maximum of 22 feet with a maximum driveway width of 18 feet.
 - Upon completing a lighting analysis, the Proponent will design and implement a new crosswalk across Allandale Street to the east of the Allandale Farms Driveway. The crosswalk will be a high visibility crosswalk to help improve pedestrian visibility and safety. This crosswalk will require the addition of ADA-compliant pedestrian curb ramps equipped with yellow tactile warning strips. All crosswalks must be designed with review from the Disabilities Commission, PWD, BTD, and Planning Department. This work will be supported by speed humps proximate to the new crosswalk location that will be installed by the Public Works Department.
- Before issuance of the Certificate of Approval, the Proponent will make a one-time “bikeshare” contribution of \$2,200.00 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 designed to meet LEED Silver standards.
 - The Proposed Project will create approximately 85 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 initial building permit by the City of Boston Inspectional Services Department ("ISD") and will be distributed as outlined above.

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

INCLUSIONARY DEVELOPMENT POLICY

The Inclusionary Development Policy, dated December 10, 2015 ("IDP"), requires that any Proposed Project requiring zoning relief and creating ten (10) or more units which is (a) financed by the City, (b) on City-owned land, or (c) is not financed as one entity and restricting or preserving 40% or more of units as affordable, or otherwise exempt as a dormitory or other non-residential use, must provide at least 13% of residential units as income-restricted IDP units. The Proposed Project is creating fewer than ten (10) residential units and is therefore exempt from the IDP.

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 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 90 Allandale Street in the Jamaica Plain neighborhood, proposed by Stefco Holdings LLC (the "Proponent"), for the construction of four (4) two and a half story townhouses each containing two (2) single-family homeownership condominiums, for a total of eight (8) homeownership condominiums (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 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.

90 Allandale



90 Allandale





City of Boston Parks and Recreation

Mayor Michelle Wu

May 31, 2024

Teresa Polhemus
Boston Planning and Development Agency
One City Hall Square, 9th Floor
Boston, MA 02201

RE: 90 Allandale Street (80-96 Allandale Street), Small Project Review Application

Dear Ms. Polhemus;

The Boston Parks and Recreation Department (BPRD) has reviewed the *Small Project Review Application* (SPRA) for 90 Allandale Street, adjacent to the Allandale Woods Urban Wild.

BPRD staff attended pre-file meetings with the proponent and submitted comments to the BPDA during the pre-file periodⁱ and to the Conservation Commission on the Notice of Intent.ⁱⁱ This effort was made in order to inform the design to minimize impacts on Allandale Woods.

The comments are attached and summarized below. These issues remain open to resolution.

Parks Commission This project is subject to the approval of the Boston Parks and Recreation Commission prior to the issuance of building permits under Municipal Code Section 7-4.11.

Conservation Commission The Conservation Commission is a stakeholder at Allandale Woods. It owns the property to the west of the project site. It holds the conservation restriction on the private property to the south of the project site. It also has jurisdiction over the wetlands on the site and in the vicinity of Allandale Woods. The Conservation Commission required a peer review on 90 Allandale Street to study the stormwater impacts on the wetland system.

Natural Resource Context The project site is immediately adjacent to the Allandale Woods Urban Wild which is the City's largest and most ecologically-significant, permanently-protected natural area. Approximately 100 acres of unfragmented forest include an extensive network of wetlands with meadows, marshes, springs, streams, ponds and State-certified vernal pools.

The project is also in the vicinity of protected open spaces including Allandale Farm and the Arnold Arboretum; connected by the Allandale Street Greenbelt Overlay Protection District (GPOD); the Centre Street GPOD; and the VFW Parkway GPOD. These open spaces and scenic streets contribute to a rural and pastoral landscape that is the last vestige of its type in Boston.

Archeological Context The City of Boston's Archeologist previously noted that significant archaeological resources may be located in the vicinity of the Spring House in Allandale Woods, which is within 300' of most of the proposed project site. The Spring Hill Native Village is located in the Arnold Arboretum, and the river that serves this village originates at the Allandale Woods spring site, indicating active use by Native Americans. The area surrounding the spring is therefore considered extremely sensitive for Native and Historic cultural deposits.

The City's Archeologist strongly recommended avoiding below ground impacts within 100 meters of the spring – this distance includes most of the parcel at 90 Allandale Street.ⁱⁱⁱ The Massachusetts Historical Commission (MHC) recommended that project planners consider alternatives to avoid ground impacts in proximity to the spring. If avoidance of ground impacts are not feasible, then the MHC recommended an intensive locational archeological survey.^{iv}

The above considerations should be discussed with the City's Archeologist.

Building Context There are several other projects currently or recently under review by the BPDA which will have cumulative impacts on Allandale Woods and its wetland habitat. The project should be considered in relation to the pending plan for 64 Allandale Street and the recent rezoning of 1245 and 1251 Centre Street which allows development to significantly exceed that which was previously allowed under the *Allandale Woods Conservation Protection Subdistrict*.

Existing Condition The parcel at 90 Allandale Street is a steeply sloped site which drops from its height at Allandale Street to its lowest point at Allandale Woods. Most of the site is within 300' of the historic Spring House. A partially culverted intermittent stream traverses the lower half of the site. This stream is part of the wetland system of Allandale Woods. A portion of site is also in the critical upland habitat for the associated nearby vernal pool in Allandale Woods.

Project Description The proposed project includes eight townhouses that are 2.5 stories tall (35') on the north portion of the site. The south portion of the site includes open space and a partially culverted stream. The SPRA states that the landscape design will preserve many of the existing trees and restore the area to a native meadow after invasive species removal.

Intermittent Stream and Wetland Area This stream is discussed in depth in the attached emails that were previously submitted. Four of the proposed units are located within 100' uphill of the bank of the stream. The stormwater management is located within 100' of the bank of the stream and partially within the Waterfront Buffer Zone.

BPRD previously requested that the stormwater treatment be removed from the Waterfront Buffer Zone. BPRD has also asked that the culverted stream be daylighted.

Open Space Protection The SPRA states that "the southerly portion of the property that abuts the Conservation Protection subdistrict, comprising 40,000 sf of land, will be protected from future development with a deed restriction."

Few details are provided but the proposed deed restriction is a 30 year agreement with no requirement to extend. It will be administered by the Homeowners Association with no City oversight. This will not ensure long-term land and water conservation and stewardship.

Instead of a deed restriction, *BPRD encourages a conservation restriction to ensure permanent protection of the lower portion of the site including the wetlands adjacent to Allandale Woods*. This precedence has been set by several other nearby private properties adjacent to Allandale Woods which have protected 39-51% of their sites through conservation restrictions.^v

This significant acreage of privately owned properties at Allandale Woods has been permanently protected through conservation restrictions approved by the MA Executive Office of Energy and Environmental Affairs (EOEEA) and held by the Conservation Commission.^{vi}

The BRA/BPDA's approval of the Springhouse at 44 Allandale Street^{vii} included a conservation restriction on 46% of its site (6.26 of 13.5 acres) in order to preserve the natural open space.^{viii} Other projects also contributed significant open space to Allandale Woods through conservation restrictions. Sophia Snow at 1205 Centre Street protected 51% of its site (2.55 of 4.98 acres). Allandale Realty Trust at 200 Allandale Street protected 39% of its site (17 of 43.24 acres).

Wetland and Wildlife Habitat The property at 90 Allandale Street is a two acre upland that slopes down to wetlands in Allandale Woods – an ecologically sensitive network of wet meadows, springs, and streams that flow into a nearby State-certified vernal pool before emptying into Bussey Brook. This system of hydrologically and vegetatively connected upland and wetland plays an essential role to wildlife.

The eight units in general and the four units to the south of the site plan in particular have the potential to impact the wildlife and habitat at Allandale Woods. In addition, the lower four units will also have the greatest visual impact from the urban wild.

The Mass. Natural Heritage and Endangered Species Program notes that the vernal pond habitat in Allandale Woods is “Critical Terrestrial Habitat” for amphibians. This habitat typically extends 750’ (and can extend up to a ¼ mile) from the edge of the vernal pool.^{ix} This program provides best practices for Critical Terrestrial Habitats in order to maintain the health of vernal pools. *The proponent should describe how the site plan meets these best practices.*^x

Groundwater Water was tapped from the spring in Allandale Woods and sold for drinking water and medicinal purposes by the Ordione Company in the 1800s. Recent testing indicates that the spring retains a high quality of clarity and purity. In summer, water seeps out of the ground and flows into the streambed under the bridges and into the vernal pool, providing water for wildlife.

Development and use of 90 Allandale Street has the potential for impacts to groundwater and surface water. *The project should effectively demonstrate how the groundwater will be protected, given the historical significance of the spring, and its importance to wildlife habitat.*

Stormwater The site at 90 Allandale is a vegetated upland that forms the northern border of the watershed, and drops down to the vernal pool wetland system at Allandale Woods.

The stormwater detention is within 100’ of the stream bank. *A stormwater management plan is needed that provides details of what storm event will be accommodated, evidence for where the stormwater will go, and evidence that the treatment of stormwater will be fully provided on site.*

In addition to compliance with Boston Water and Sewer Commission (BWSC) requirements and the Massachusetts Stormwater Handbook - *any development on the site should demonstrate that it will not change the pre-construction water regime of the watershed.*

This analysis should factor in accurate pool water levels and the significant contribution of groundwater in this basin. Changes in water sources, quality, depth, volume, timing of filling or drying, and fluctuations in response to precipitation events can affect the pool's biology and ability to support endemic species, and risk permanently degrading the vernal pool habitat.

Grading *A grading plan is needed that shows greater detail and a limit of work line.*

Interface with the Urban Wild Due to the sensitive nature of the urban wild and wetlands - BPRD requests that there be no private access from 90 Allandale Street into Allandale Woods from the project site. *The urban wild should be accessed only at official trail heads. Fencing (with no gate or access) should be along the southern property line.*

Natural Landscape Plan Residents of 90 Allandale Street will have attractive views to the urban wild. However, the view from Allandale Woods will be permanently degraded by buildings and lack of a substantive vegetated landscape. Visual impacts should be fully screened with significant native landscaping to ensure the views into the project are not detrimental to the experience of Allandale Woods. The proponent should also address the following issues:

- *A plan should be provided for restoration planting along the southern portion of the site.*
- *More information is needed on species, size and number of trees for the buffer to Allandale Woods. There should be a dense evergreen buffer with mature height (i.e. white pine).*
- *Proposed tree removals should be provided and should include a table of removals by species, dbh size and location.*

Pet Management Allandale Woods has sensitive wildlife and habitat that is negatively impacted by off-leash dogs, even those that run on private property adjacent to the urban wild. The urban wild should not be utilized for any off leash activity or pet hygiene purposes. *The site plan should specify a fenced area to accommodate all hygiene and off-leash activity for pets.*

Conclusion The proponent recognizes that the natural environment will be an amenity - stating that an intent is for "resident ownership that feels like country living." The SPRA notes that the site offers an opportunity to provide residences "within a rare Urban Wild context."

The project should be designed to protect and enhance the ecological, hydrological, historical and recreational amenities of Allandale Woods Urban Wild.

BPRD has been consistent in the concerns that it has expressed throughout the pre-file for 90 Allandale Street yet many issues remain to be resolved.

The comments in this letter are made with regard to the protection of the urban wild, and are consistent with those which have been and will be provided to any property owners pursuing development in the vicinity of Allandale Woods.

Sincerely,

Carrie M. Dixon

Carrie Marsh Dixon, Executive Secretary
Boston Parks and Recreation Commission

cc: Ryan Woods, Commissioner, Boston Parks and Recreation Department
Liza Meyer, Chief Landscape Architect, Boston Parks and Recreation Department
Carrie Marsh Dixon, Executive Secretary, Boston Parks and Recreation Commission
Paul Sutton, Urban Wilds Manager, Boston Parks and Recreation Commission
Elena Itämeri, Executive Director, Conservation Commission
Joseph Bagley, City Archeologist, Boston Landmarks Commission
Seth Riseman, Deputy Director of Design Review, Boston Planning and Development Agency
Jill Zick, Assistant Deputy Director of Public Realm, Boston Planning and Development Agency
Scott Greenhalgh, Project Manager, Boston Planning and Development Agency

Attach: Paul Sutton at BPRD to Elena Itameri at Conservation Commission; comments on the *Notice of Intent for 90 Allandale Street*; May 17, 2023. Provided to BPDA on May 22, 2024

Paul Sutton at BPRD to Elena Itameri at Conservation Commission; comments on the *90 Allandale Street NOI*; September 6, 2023. Provided to BPDA on September 18, 2023.

ⁱ Paul Sutton at BPRD to Scott Greenhalgh at BPDA; forwarded comments on the 90 Allandale Notice of Intent at Conservation Commission dated September 6, 2023; sent on September 18, 2023; and Carrie Marsh Dixon at the Boston Parks Commission to Scott Greenhalgh at BPDA et al; comments following the 90 Allandale Street Pre-file Meeting; May 22, 2024.

ⁱⁱ Paul Sutton at BPRD to Elena Itameri at Conservation Commission; Comments on the Notice of Intent for 90 Allandale Street; May 17, 2023; and Paul Sutton to Elena Itameri at Conservation Commission ; 90 Allandale NOI Comments; September 6, 2023.

ⁱⁱⁱ Joseph Bagley at Boston Landmarks Commission letter to Chris Tracey at BRA; RE: 64 Allandale Housing Project; October 5, 2015

^{iv} Brona Simon at Massachusetts Historical Commission to Christopher Tracy at BRA; RE: 64 Allandale Residences; October 26, 2015.

^v 1205 Centre Street protected 51% of the site (2.55 of 4.98 acres), and recently purchased 1225 Centre Street. 44 Allandale Street protected 46% of the site (6.26 of 13.5 acres). Allandale Realty Trust at 200 Allandale Street protected 39% of the site (17 of 43.24 acres).

^{vi} <https://www.mass.gov/service-details/conservation-restriction-review-program>

^{vii} Boston Redevelopment Authority, *Amended and Restated Plan for Planned Development Area No. 31 at 44 Allandale Street Jamaica Plain / West Roxbury*, dated 10/21/93, approved 10/28/93, effective 11/19/93.

^{viii} Conservation Restriction and Public Access Easement, filed 04/17/98 at the Suffolk County Registry of Deeds.

^{ix} OLIVER: MassGIS's Online Mapping Tool

^x *Best Development Practices: Conserving Pool Breeding Amphibians in Residential and Commercial Development in the Northeastern United States*. Aram Calhoun, Ph.D. of the Maine Audubon Society and Michael Klemens Ph.D. of the Metropolitan Conservation Alliance. 2002.



Scott Greenhalgh <scott.greenhalgh@boston.gov>

BPRD comment letter on 90 Allandale Street

Carrie Marsh Dixon <carrie.marsh@boston.gov>

Fri, Jun 7, 2024 at 5:03 PM

To: Teresa Polhemus <teresa.polhemus@boston.gov>, Scott Greenhalgh <scott.greenhalgh@boston.gov>

Cc: Ryan Woods <ryan.woods@boston.gov>, Liza Meyer <liza.meyer@boston.gov>, Paul Sutton <paul.sutton@boston.gov>, Elena Itämeri <elena.itameri@boston.gov>, Joseph Bagley <joseph.bagley@boston.gov>, Seth Riseman <seth.riseman@boston.gov>, Jill Zick <jill.zick@boston.gov>

Hello - attached please find BPRD's comment letter on 90 Allandale Street. Thank you.

**CARRIE MARSH DIXON****Executive Secretary****Boston Parks and Recreation Commission**[1010 Massachusetts Avenue, 3rd floor](#)[Boston, Massachusetts 02118](#)

617-961-3074 (direct) 617-635-4505 (main)



BPRD comment letter on 90 Allandale Street 053124 FINAL.pdf
5321K

Scott Greenhalgh <scott.greenhalgh@boston.gov>

BPRD letter for 90 Allandale

Carrie Marsh Dixon <carrie.marsh@boston.gov>
To: Scott Greenhalgh <scott.greenhalgh@boston.gov>

Wed, Jun 5, 2024 at 5:56 PM

Hi Scott -I hope to have a comment letter for 90 Allandale to you tomorrow. Thank you.



CARRIE MARSH DIXON
Executive Secretary
Boston Parks and Recreation Commission
[1010 Massachusetts Avenue, 3rd floor](#)
[Boston, Massachusetts 02118](#)
617-961-3074 (direct) 617-635-4505 (main)

On Fri, May 31, 2024 at 5:29 PM Carrie Marsh Dixon <carrie.marsh@boston.gov> wrote:
Hi Scott - BPRD will submit a comment letter for 90 Allandale early next week. Thank you.



CARRIE MARSH DIXON
Executive Secretary
Boston Parks and Recreation Commission
[1010 Massachusetts Avenue, 3rd floor](#)
[Boston, Massachusetts 02118](#)
617-961-3074 (direct) 617-635-4505 (main)

On Fri, Apr 26, 2024 at 3:20 PM Scott Greenhalgh <scott.greenhalgh@boston.gov> wrote:
Good Afternoon,

Linked below for your review is an electronic copy of the 90 Allandale proposed project in West Roxbury. The Small Project Review Application ("SPRA") was received by the Boston Planning & Development Agency ("BPDA") on April 22, 2024.

Project Link: <https://www.bostonplans.org/projects/development-projects/90-allandale>

The **SPRA** was filed by Stefcu Builders (the "Proponent"). The proposed project ("Proposed Project") contemplates the demolition of an existing single-family building and construction of four (4) new two and a half story townhouses

each containing two (2) single-family dwelling units, for a total of eight (8) home ownership condominiums on the northerly portion of the lot. Each condo unit will contain 3 bedrooms and a garage, which will allow parking for two (2) motor vehicles per unit. The southerly portion of the lot will be protected from future development with the recording of a deed restriction.

The BPDA solicits comments from public agencies and the public. Written comments on the attached SPRA must be received by the BPDA no later than May 31, 2024. Please use my contact information below for comments or clarification.

Sincerely,
Scott Greenhalgh

--

 BPDA_Identity_RGB_Hor_Pri_DB.png

Scott Greenhalgh (*green-hall*)

Project Manager

617-918-4271

Boston Planning & Development Agency (BPDA)

One [City Hall Square](#), 9th Floor | Boston, MA 02201

bostonplans.org

----- Forwarded message -----

From: **Carrie Marsh Dixon** <carrie.marsh@boston.gov>

Date: Wed, May 22, 2024 at 10:07 AM

Subject: Re: 90 Allandale Pre-file Meeting

To: Scott Greenhalgh <scott.greenhalgh@boston.gov>, Seth Riseman

<seth.riseman@boston.gov>, Elena Itämeri <elena.itameri@boston.gov>

Cc: Paul Sutton <paul.sutton@boston.gov>, Liza Meyer <liza.meyer@boston.gov>, Jill Zick

<jill.zick@boston.gov>, Sam Valentine <sam.valentine@boston.gov>, Scott Slarsky

<scott.slarsky@boston.gov>

Hi Scott and Elena - I attended the public meeting on Monday night re: 90 Allandale. I joined a bit late but believe that there are issues that remain unresolved, as outlined in the comments below from Paul Sutton that were previously provided to BPDA and Con Com.

Last year, Con Com required the proponent of 90 Allandale to have a peer review conducted to study the stormwater impacts of the project. The proposed stormwater system is proposed in the Waterfront Buffer Zone which under the new City wetland ordinance is not supposed to be developed. A portion of the 90 Allandale site is also in critical upland habitat for the associated nearby vernal pool. Another item that was supposed to be analyzed was the feasibility of daylighting a portion of the stream which is culverted/covered on the 90 Allandale parcel. Urban Wilds staff understood from Con Com that the peer review was being conducted by the applicant.

Also - BPRD has requested that a Conservation Restriction approved by EOEEA and held by Con Com be placed on the property - not a deed restriction. This is in keeping with the significant conservation restrictions that have been placed on all of the immediately surrounding private properties, including Springhouse, Sophia Snow Place, and Allandale Condominiums. These conservation restrictions combine to create Allandale Woods.

BPRD is seeking updates requested in the letter below on the clearing, grading plan, setbacks, etc, the status of the peer review, the conservation restriction, etc..

Thank you.



On Tue, Sep 26, 2023 at 12:38 PM Scott Greenhalgh <scott.greenhalgh@boston.gov> wrote:

Looping in the BPDA review team.

On Mon, Sep 18, 2023 at 10:39 AM Paul Sutton <paul.sutton@boston.gov> wrote:

Scott,

Thanks for the invitation to the 90 Allandale Street meeting tomorrow. Unfortunately, I am unable to attend. Below are the 9/6/23 comments the Urban Wilds Program submitted to the Conservation Commission for the 90 Allandale Street Notice of Intent filing.

The BCC continued their recent hearing to allow for a peer review of project impacts on downstream hydrology and the potential for stream daylighting (currently culverted) of the 90 parcel.

Please let me know if you have any questions.

Best regards,
Paul Sutton

90 Allandale NOI Comments

Paul Sutton <paul.sutton@boston.gov>

Wed,
Sep 6,
2023
8:31 AM

Hello Elena,

Please accept for Commission consideration our comments below on the materials recently submitted as part of the 90 Allandale St. NOI filing.

Waterfront Area

The Ordinance states that "The Commission therefore may require that any person filing an application (hereinafter, the Applicant) restore or maintain a strip of continuous, undisturbed or restored vegetative cover or waterfront public access throughout the Waterfront Area, unless the Commission determines, based on adequate evidence, that the area or part of it may be altered without harm to the values of the resource areas protected by the Ordinance. Such disturbed areas must be minimized to the greatest extent possible..."

The clear intent of this section is that the Waterfront Areas are to be restored. On other projects, the Commission has required continuous native vegetative cover in this area, invasive removal and ongoing maintenance of the restored natural condition in these areas, along with protection through a Conservation Restriction. In such an approach, the BCC has sought to ensure that the resource area improvement has a similar lifespan to the alteration of the buffer zone. As noted by the Commission at the previous

hearing, it is functionally unclear how buildings can be placed immediately adjacent to the Waterfront Area boundary without the Waterfront Area itself being altered and impacted. Under the current plan the porches of Units 6 and 7 and an existing stone path are actually located in the Waterfront Area, and an existing stone patio extends into the Riverfront Area. Typically usable outdoor space (ie. yard) is needed as a buffer between proposed development and the resource areas. This can be achieved by reducing the number of units or reconfiguring the units immediately adjacent to/in the Waterfront Zone. Absent that, the immediate space outside most of the dwelling units, consisting of a meadow grass mix, will be unusable for recreation and difficult for routine building maintenance. To ensure the long term integrity of the proposed Waterfront Zone meadow, we recommend the following:

- A split rail wooden fence to demarcate and protect the Waterfront Area and other portions of the 100' Wetland Buffer.
- Removal or reduction of the existing stone path and patio to minimize impact to the resource areas and compensate for the Unit 6 and Unit 7 porches (if allowed) which extend into the Waterfront Area.
- A traditional meadow mowing regimen of early spring mowing (to allow for full ecological meadow function of plant maturation, seed drop, and over-winter habitat for insects and animals).
- A vegetation management plan which spells out mowing frequency and landscape maintenance requirements.

Deed Restriction

The proposed Deed Restriction with no public access is a 30 year agreement with no requirement to extend. It is administered by the Homeowners Association with no Commission oversight. This is not a formula for successful long-term land and water conservation and stewardship. We highly recommend that a Conservation Restriction co-administered by the Commission be required of the applicant. This will ensure that the property is protected under Article 97 and is stewarded in a consistent manner similar to those associated with the Sophia Snow Place, Springhouse and Allandale Condominiums. Conservation Restrictions may or may not include provisions for public access.

The applicant proposes areas of landscape and lawn along with some native plantings and seeding. We recommend the applicant be required to provide the following for the intermittent stream, Waterfront Area, Riverfront Area, and portions of the adjacent buffer zone that are not proposed for alteration.

- an invasive plant management protocol.
- a full vegetative restoration of the Waterfront Area and Riverfront Area, and portions of the adjacent buffer zone that are not proposed for alteration.
- a vegetation management plan to keep the area of native plantings healthy and free of invasive plants over time.

Vernal Pool & Stormwater

The intermittent stream serves as an important hydrological link and habitat corridor with the BCC/Springhouse wetland basin and the BCC/Sophia Snow Placecertified vernal pool. For obligate amphibian vernal pool species, the Critical Terrestrial Habitat (100 - 750') extends to the southern portion of 90 Allandale. Given this, we believe the larger area downgradient and surrounding the project site should be taken into consideration. In particular we ask that the applicant demonstrate that the stormwater system will not change the downstream hydrology nor provide an upstream source of invasive plant materials to spread into the Urban Wild. One the most important development and management practices relative to this type of sensitive wetland system is to maintain inputs to the vernal pool watershed at pre-construction levels, avoiding increases or decreases in water levels (Calhoun/Kelemens, *Best Development Practices; Conserving Pool-Breeding Amphibians in Residential and Commercial Developments in the Northeastern United States*). In addition to assessing whether the proposed stormwater will impact peak rates, we recommend that the Commission examine the the duration and frequency at which stormwater will flow at or near the peak rates . Beyond meeting stormwater standards, we need to assess whether the stormwater system reduces or increases the volume of water leaving a site. Any change in the volume of water could have unintended negative impacts on the vernal pool.

Siltation of the stream during construction or through poor site stabilization could also have negative impacts on the vernal pool. The applicant should be required to demonstrate that the proposed erosion control and stabilization is sufficient to assure that water quality will be protected. Practices need to be able to prevent a release of turbid water even in the extraordinary rain events we have experienced frequently this summer that likely exceed typical BMP capabilities.

Other comments:

- The Limit of Site Disturbance needs to be clearer on the site plans; the applicant should provide a graphic which shows areas where soil will be disturbed.
- The proposed plan shows large areas being seeded; it is unclear which areas will be cleared and prepped before seeding versus those which will be limited to overseeding.
- A graphic legend would be helpful in determining which areas are proposed for meadow seeding versus lawn.
- The applicant should address why the existing "stormwater channel" does not meet the definition of stream under the Boston Wetlands Ordinance. Additionally, the applicant should demonstrate that the rate of flow in the channel from the infiltrator will not exceed existing flows and that the volume will be substantially the same as pre-development to avoid impacts downstream to the vernal pool.
- With regard to climate and resiliency, the removal and control of invasive species is important in establishing a diverse native plant community that can better adapt to climate change. Without a thoughtful invasive management

plan, the proposed mitigation will be short lived and inadequate; any native plants added will be overtaken by the invasive plants and the biodiversity of the system will become more limited.

- Daylighting of a portion of the culverted stream adjacent to the Springhouse/BCC land should still be explored with the goal of dissipating flows that are currently managed by an undersized, outdated pipe/culvert system. This could potentially serve as mitigation for incursions into the Waterfront Area and Riverfront Area and the intensive development proposed in the 100' Wetland Buffer.
- Clarification is needed on any plans for the provision of a dog recreation area separate from the Riverfront and Waterfront Areas.
- The intermittent stream is hydrologically linked to the wetland on the BCC land upstream of 100 Allandale as verified by a dye test and the DEP.

Thank you for the opportunity to comment.

Best regards,
Paul Sutton

PAUL SUTTON

Urban Wilds Program Manager
Boston Parks and Recreation Department
617-961-3029(w)

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----- Forwarded message -----

From: **Paul Sutton** paul.sutton@boston.gov

Date: Wed, May 17, 2023 at 11:52 AM

Subject: 90 Allandale St. NOI

To: Elena Itämeri elena.itameri@boston.gov

Cc: Carrie Marsh Dixon <carrie.marsh@boston.gov>

Elena,

Please kindly accept our comments below on the 90 Allandale Street Notice of Intent filing. Please note that this project will also be subject to a separate Parks Commission review under Municipal Code Section 7-4.11 (100' Rule).

Thank you,
Paul Sutton

Procedural

This Notice of Intent application and its associated abutters' notification was filed over a year ago. In order to provide adequate current notice to abutters, we believe that a new abutter notification should be required prior to any substantive discussion on this NOI application.

General

There is no narrative in the filing discussing how the material submitted for this hearing relates to the materials submitted over a year ago. Specifically, there is no discussion about the delay, about how the submitted material addresses previous Commission and public comments, or how the design and overall project approach has evolved. The number and overall siting of the housing units appear largely unchanged. Significant clearing and grading are still needed in the Waterfront Area on the western and central portion of the site to accommodate Units 5,6, 7, and 8. Grading also extends further into the 25' Riverfront Area to the south of Unit 7. This is a significant change from the existing conditions footprint and a significant deviation from what is allowed under current zoning. There also appears to be no discussion about how the site plan was developed to minimize impacts to resource areas or how the culverted streambed will be restored.

Buffer Zone Impacts

Under Boston's new wetland ordinance, the Buffer Zone is presumed important to the resource area because activities in close proximity to resource areas have a reasonable probability to have an adverse impact in the short and/or long term. Regarding the Waterfront Area, the ordinance specifies that disturbances are to be minimized to the greatest extent possible. In its current form, this proposal does not appear to be consistent with the ordinance. As designed, proposal impacts will include the following:

- Extensive site regrading in the Waterfront Area for the construction of housing units and terraced areas
- Significant clearing and removal of canopy trees particularly above elevation 170' in the Waterfront Area on the west side of the site
- Alteration of hillside hydrology in Allandale Woods associated with regrading the entire width (east/west) of the site.

Missing Information

- Narrative on site design relative to minimizing impacts to resources areas, as noted above
- Limit of work line
- Discussion of the fence line correction needed on southeast portion of the property where it includes a portion of BCC/Springhouse conservation land
- Discussion about what is called out as the deed restricted area
- Details about any proposed resident access to Allandale Woods through gates, pathways, etc. (note: to minimize impacts to sensitive natural areas within BCC/Springhouse conservation land, we stress the need to regulate access through the formally designated access point at the Allandale Street trailhead)
- Proposal for any outdoor dog space on the 90 Allandale property. (note: off-leash dogs currently pose the greatest problem relative to wildlife management on the BCC/Springhouse conservation land).

Landscaping

The current landscaping plan is difficult to read as it incorporates many layers of information, at times specific and at times conceptual. We recommend a landscape plan (non-rendered) be prepared specifically for the Riverfront and Waterfront Areas (separate from building foundation plantings). The stream thread and wetland flagging should be provided relative to the proposing plantings. Additionally,

- Plantings should be shown to reflect actual size at time of planting
- The wetland/upland gradient is sharp in areas and certain proposed plants as shown (ie. *Clethra alnifolia* and *Ilex glabra*) will likely not survive without irrigation
- A discussion of how the existing groundcover, including invasives, in the streambed will be addressed as part of site preparation for the proposed overseeding with Wetmix
- What type of stabilization will be used to secure seed that is proposed in and around the stream?
- What is the intent of the Low Mow Meadow? The landscape plan calls for a Low Mow Meadow; however, the specified seed mix (NE Warm Season Grass Mix) includes tall species such as Big Bluestem and Indian Grass. The full ecological value of these plants can only be realized if they are allowed to grow

and go to seed. Meadows are typically not mowed in late summer so that plants can mature and self seed.

- Plans call for overseeding grassland (turf) with the warm season grass mix. It actually appears from the plans that the seeding is proposed in areas that are proposed for clearing/grading. If overseeding is proposed over turf (outside of excavated areas), there should be a discussion of the methods proposed as overseeding, alone, over established turf will likely not be effective.
- Eastern Hemlock is proposed for planting adjacent to Allandale st. This tree species is the host plant to the invasive Woolly Adelgid pest. Will these trees be regularly treated to prevent them from becoming a future hazard?

Stream Restoration

While the intermittent stream corridor extending from 100 to 44 Allandale has been degraded previously through culverting, clearing, filling and yard waste dumping, it is a critical part of the subwatershed and contributes significantly to the health of the Allandale perennial stream and certified vernal pool below. Any redevelopment along the stream corridor should minimize impacts to the resource areas through thoughtful design which is compatible with natural systems. Where the stream has been filled in and culverted, efforts should be made to daylight and restore the stream.

Thanks for the opportunity to comment.

Best regards,

Paul Sutton

PAUL SUTTON

Urban Wilds Program Manager

Boston Parks and Recreation Department

617-961-3029(w)

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CITY of BOSTON

Michelle Wu, Mayor

To: [Scott Greenhalgh]
From: [Bence Kovacs], PWD
Date: [5/17/2024]
Subject: [90 Allandale St] - Boston Public Works Department Comments

Included here are Boston Public Works Department (PWD) comments for the 90 Allandale Street Small Project Review Application.

Project Coordination

The developer shall coordinate with Parks and Recreation regarding development in the vicinity of Boston urban wilds.

Project Specific Scope Considerations:

The developer should consider reconstructing the sidewalks on the frontage of their property with cement concrete. The developer shall coordinate with the BPDA, BTD, and PWD to develop safety and accessibility improvements for pedestrians and cyclists in the area to improve access to transportation services and nearby facilities.

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 Americans with Disabilities Act (ADA)/ Massachusetts Architectural Access Board (AAB) guidelines, including the installation of new or reconstruction of existing pedestrian ramps at all corners of all intersections abutting the project site if not already constructed to ADA/AAB compliance per Code of Massachusetts Regulations Title 521, Section 21 (<https://www.mass.gov/regulations/521-CMR-21-curb-cuts>). This includes converting apex ramps to perpendicular ramps at intersection corners and constructing or reconstructing reciprocal pedestrian ramps where applicable. Plans showing the extent 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



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Manual on Uniform Traffic Control Devices (MUTCD) requirements. Any changes to the traffic signal system must be coordinated and approved by BTM.

All proposed sidewalk widths and cross-slopes must comply with 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

Chief Design Engineer
Boston Public Works Department
Engineering Division

CC: Julia Campbell, I&D
Todd Liming, PIC



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Scott Greenhalgh <scott.greenhalgh@boston.gov>

90 Allandale Pre-file Meeting

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Scott,

Thanks for the invitation to the [90 Allandale Street](#) meeting tomorrow. Unfortunately, I am unable to attend. Below are the 9/6/23 comments the Urban Wilds Program submitted to the Commission. The BCC continued their recent hearing to allow for a peer review of project impacts on downstream hydrology and the potential for stream daylighting (currently culverted) of the 90 parcel.

Please let me know if you have any questions.

Best regards,

Paul Sutton

90 Allandale NOI Comments

Inbox



Paul Sutton <paul.sutton@boston.gov>

to Elena

Hello Elena,

Please accept for Commission consideration our comments below on the materials recently submitted as part of the 90 Allandale St. NOI filing.

Waterfront Area

The Ordinance states that "The Commission therefore may require that any person filing an application (hereinafter, the Applicant) restore or maintain a strip of continuous, undissected access throughout the Waterfront Area, unless the Commission determines, based on adequate evidence, that the area or part of it may be altered without harm to the values of the area. Such alteration must be minimized to the greatest extent possible..."

The clear intent of this section is that the Waterfront Areas are to be restored. On other projects, the Commission has required continuous native vegetative cover in this area, in condition in these areas, along with protection through a Conservation Restriction. In such an approach, the BCC has sought to ensure that the resource area improvement has a buffer. The Commission at the previous hearing, it is functionally unclear how buildings can be placed immediately adjacent to the Waterfront Area boundary without the Waterfront Area itself. Units 6 and 7 and an existing stone path are actually located in the Waterfront Area, and an existing stone patio extends into the Riverfront Area. Typically usable outdoor space is the resource areas. This can be achieved by reducing the number of units or reconfiguring the units immediately adjacent to/in the Waterfront Zone. Absent that, the immediate space will be unusable for recreation and difficult for routine building maintenance. To ensure the long term integrity of the proposed Waterfront Zone meadow, we recommend the following:

- A split rail wooden fence to demarcate and protect the Waterfront Area and other portions of the 100' Wetland Buffer.
- Removal or reduction of the existing stone path and patio to minimize impact to the resource areas and compensate for the Unit 6 and Unit 7 porches (if allowed) which are currently unusable.
- A traditional meadow mowing regimen of early spring mowing (to allow for full ecological meadow function of plant maturation, seed drop, and over-winter habitat for insects).
- A vegetation management plan which spells out mowing frequency and landscape maintenance requirements.

Deed Restriction

The proposed Deed Restriction with no public access is a 30 year agreement with no requirement to extend. It is administered by the Homeowners Association with no Commission oversight. We highly recommend that a Conservation Restriction co-administered by the Commission be required of the applicant. This will ensure that the restriction is implemented in a consistent manner similar to those associated with the Sophia Snow Place, Springhouse and Allandale Condominiums. Conservation Restrictions may or may not include provisions for:

The applicant proposes areas of landscape and lawn along with some native plantings and seeding. We recommend the applicant be required to provide the following for the immediate adjacent buffer zone that are not proposed for alteration.

- an invasive plant management protocol.
- a full vegetative restoration of the Waterfront Area and Riverfront Area, and portions of the adjacent buffer zone that are not proposed for alteration.
- a vegetation management plan to keep the area of native plantings healthy and free of invasive plants over time.

Vernal Pool & Stormwater

The intermittent stream serves as an important hydrological link and habitat corridor with the BCC/Springhouse wetland basin and the BCC/Sophia Snow Place certified vernal pool. The Vernal Pool Habitat (100 - 750') extends to the southern portion of 90 Allandale. Given this, we believe the larger area downgradient and surrounding the project site should be taken into consideration. The stormwater system will not change the downstream hydrology nor provide an upstream source of invasive plant materials to spread into the Urban Wild. One of the most important wetland systems is to maintain inputs to the vernal pool watershed at pre-construction levels, avoiding increases or decreases in water levels (Calhoun/Kelemens, *Best Management Practices for Wetlands in Commercial Developments in the Northeastern United States*). In addition to assessing whether the proposed stormwater will impact peak rates, we recommend that the Commission require the applicant to monitor flow at or near the peak rates. Beyond meeting stormwater standards, we need to assess whether the stormwater system reduces or increases the volume of water leaving a site and its impacts on the vernal pool.

Siltation of the stream during construction or through poor site stabilization could also have negative impacts on the vernal pool. The applicant should be required to demonstrate that water quality will be protected. Practices need to be able to prevent a release of turbid water even in the extraordinary rain events we have experienced frequently this summer.

Other comments:

- The Limit of Site Disturbance needs to be clearer on the site plans; the applicant should provide a graphic which shows areas where soil will be disturbed.
- The proposed plan shows large areas being seeded; it is unclear which areas will be cleared and prepped before seeding versus those which will be limited to overseed
- A graphic legend would be helpful in determining which areas are proposed for meadow seeding versus lawn.
- The applicant should address why the existing "stormwater channel" does not meet the definition of stream under the Boston Wetlands Ordinance. Additionally, the app infiltrator will not exceed existing flows and that the volume will be substantially the same as pre-development to avoid impacts downstream to the vernal pool.
- With regard to climate and resiliency, the removal and control of invasive species is important in establishing a diverse native plant community that can better adapt to cl the proposed mitigation will be short lived and inadequate; any native plants added will be overtaken by the invasive plants and the biodiversity of the system will becom
- Daylighting of a portion of the culverted stream adjacent to the Springhouse/BCC land should still be explored with the goal of dissipating flows that are currently manag potentially serve as mitigation for incursions into the Waterfront Area and Riverfront Area and the intensive development proposed in the 100' Wetland Buffer.
- Clarification is needed on any plans for the provision of a dog recreation area separate from the Riverfront and Waterfront Areas.
- The intermittent stream is hydrologically linked to the wetland on the BCC land upstream of 100 Allandale as verified by a dye test and the DEP.

Thank you for the opportunity to comment.

Best regards,
Paul Sutton



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