



# Planning Department

## MEMORANDUM

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

FROM: Joanne Marques  
Regulatory Planning & Zoning

DATE: June 4, 2025

RE: Planning Department Recommendations

Please find attached, for your information, Planning Department recommendations for the June 12, 2025 Board of Appeal's Hearing.

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



<b>Case</b>	BOA1693782
<b>ZBA Submitted Date</b>	2025-02-22
<b>ZBA Hearing Date</b>	2025-06-12
<b>Address</b>	11 Dorchester ST South Boston 02127
<b>Parcel ID</b>	0602877000
<b>Zoning District &amp; Subdistrict</b>	South Boston Neighborhood Multifamily Residential (MFR)
<b>Zoning Article</b>	68
<b>Project Description</b>	Add live entertainment use operating after 10:30 pm to an existing restaurant use.
<b>Relief Type</b>	Conditional Use
<b>Violations</b>	Conditional use (live entertainment after 10:30 pm) Change in non-conforming conditional use

**Planning Context:**

The proposed project is located at the intersection of Dorchester Street and Dresser Street in South Boston, less than a quarter mile north of East/West Broadway. The blocks surrounding the project area are primarily multifamily residential, with most restaurants, bars, retail, and services concentrated along West Broadway.

The proposed project is located just one block south from West First Street, a previously industrial corridor commonly used as a through-street by trucks travelling to Conley Terminal. Over the last decade, the corridor has started to transition to a more mixed use and residential context, attracting more pedestrian traffic and businesses closer to this part of the neighborhood.

Recent large-scale projects along or near West First Street include the project site itself, which completed construction in 2017 as a 30-unit multifamily residential building with a ground floor restaurant. Similar nearby projects include 2 H Street, a 127-unit multifamily building with ground floor food retail space currently under construction, and 377 West First Street, a 9-unit condo building with ground floor commercial/retail that was completed in 2017.



Several nearby mixed-use multifamily projects have ground floor restaurants with late night non-live/live entertainment licenses, including Stats Bar and Grille at 77 Dorchester Street and Hunter's Kitchen and Bar at 110 Dorchester Street. The proposed project itself also has an existing non-live entertainment license that expires in December 2025; the proposed live entertainment use would also require a live entertainment license granted by the Boston Licensing Board. This existing context supports the inclusion of live entertainment past 10:30 pm in the existing restaurant space.

**Zoning Analysis:**

The proposed project is cited for violating Article 9 Section 2 of the Boston Zoning Code, which regulates changes in non-conforming use. A restaurant with live entertainment operating after 10:30 pm, the proposed project use, is Forbidden in an MFR subdistrict as cited in Article 68 Table A. The second violation cited - Article 68 Section 7 - regulates uses in residential subdistricts. It states, "Any use identified as "F" (Forbidden) in Table A for the proposed location of such use is Forbidden in such location."

Since the proposed project already has a non-live entertainment license that extends past 10:30 pm - and several nearby restaurants below residential upper floors also have late-night entertainment licenses - relief from both zoning violations pertaining to this nono-conforming use is recommended.

The plans provided are titled "Publico Street Bistro & Garden, 11 Dorchester Street, S Boston, Mass" prepared by 1507 Architecture and dated December 12, 2024.

**Recommendation:**

In reference to BOA1693782, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



<b>Case</b>	BOA1698916
<b>ZBA Submitted Date</b>	2025-03-13
<b>ZBA Hearing Date</b>	2025-06-12
<b>Address</b>	33 to 39 Savin Hill AV Dorchester 02125
<b>Parcel ID</b>	1502516000
<b>Zoning District &amp; Subdistrict</b>	Dorchester Neighborhood SAVIN HILL LC
<b>Zoning Article</b>	65
<b>Project Description</b>	Remove Proviso granted to this petitioner only
<b>Relief Type</b>	Conditional Use
<b>Violations</b>	Use: Conditional (Takeout Proviso)

**Planning Context:**

The proposed project would reopen a previously operating take out restaurant under new ownership. There are no structural alterations proposed. The take out operation within the restaurant required a conditional use and was previously granted. The project needs to go before the Zoning Board of Appeal in order to change the restriction that limits the take out operations to the previous owner. The use is staying consistent with the previous use, the only change is the petitioner.

**Zoning Analysis:**

The previously granted conditional use (takeout proviso) was granted only to the petitioner, the previous owner of the establishment. The only proposed change for this site is the ownership of the restaurant. The use remains consistent with existing neighborhood context. It is recommended that the conditional use be granted and petitioner only proviso removed.

**Recommendation:**

In reference to BOA1698916, The Planning Department recommends APPROVAL.

Reviewed,

Deputy Director of Zoning



*Planning Department*

**CITY of BOSTON**



<b>Case</b>	BOA1697509
<b>ZBA Submitted Date</b>	2025-03-07
<b>ZBA Hearing Date</b>	2025-06-12
<b>Address</b>	2R Summer ST West Roxbury 02132
<b>Parcel ID</b>	2009477000
<b>Zoning District &amp; Subdistrict</b>	West Roxbury Neighborhood 1F-6000
<b>Zoning Article</b>	56
<b>Project Description</b>	The applicant seeks to convert an existing detached, one-story accessory structure that was previously used as a woodshop into an Accessory Dwelling Unit (ADU) on a lot currently improved with a single-family home. The proposed ADU would function as a second dwelling unit on the lot, resulting in two separate residential structures.
<b>Relief Type</b>	Variance, Conditional Use
<b>Violations</b>	Parking or Loading Insufficient Lot Area Insufficient Lot Frontage Insufficient Usable Open Space Insufficient Front Yard Insufficient Rear Yard Insufficient Side Yard Insufficient Two or More Dwellings

**Planning Context:**

The subject property at 2 Summer Street is located in a transitional area of West Roxbury, where low-density single-family homes are interspersed with pockets of multifamily housing. While the property lies within a residential district, it is situated near a commercial corridor, placing it at the edge of a predominantly residential neighborhood. This mix of housing types and nearby commercial uses reflects a gradual shift in land use patterns and provides opportunities for modest increases in residential density that respect the surrounding context. The proposed conversion of an existing accessory structure into an Accessory Dwelling Unit (ADU) aligns with broader planning goals of supporting housing diversity, particularly where appropriate transitions can be made without major alterations to the built environment. The ADU Guidebook, approved in November 2024, reinforces this approach by offering a range of schemes to add one unit of housing on various lot types across Boston. It specifically highlights



the adaptation of existing accessory structures such as garages or carriage houses as a practical strategy for increasing housing options on smaller or medium-density lots, provided key considerations like building code compliance and site conditions are adequately addressed.

### **Zoning Analysis:**

The property is located within the 1F-6000 zoning subdistrict of the West Roxbury Neighborhood District. A detailed review of the proposal against the requirements of Article 56 of the Boston Zoning Code has revealed the following zoning implications:

**Use Compliance – Two Dwellings on One Lot:** Under Article 56, Section 40.12, only one dwelling is permitted per lot in the 1F-6000 subdistrict. The proposed ADU would result in two principal residential structures on a single lot, which is not an allowed use. As such, this aspect of the project requires conditional use relief from the Zoning Board of Appeal (ZBA).

**Lot Area and Lot Frontage Compliance:** The zoning code requires a minimum lot area of 6,000 square feet per dwelling unit. With two dwelling units proposed, a total of 12,000 square feet would be required. The subject lot, however, contains only 6,620 square feet, resulting in a 5,380 square foot shortfall.

**Yard Setback Compliance:** Dimensional regulations under Table D of Article 56 require a minimum front yard of 20 feet, side yards of 10 feet, and a rear yard of 30 feet. Based on the submitted site plans: The converted ADU sits just 8'1" feet from the rear lot line, requiring a 22-foot rear yard variance. The side yard on the eastern property line is effectively 8 feet, necessitating a full 10-foot side yard variance.

**Usable Open Space Compliance:** The zoning code requires 750 square feet of usable open space per dwelling unit, for a total of 1,500 square feet. With limited yard area available between two structures and lot lines, the proposal does not provide sufficient open space, triggering a variance for open space deficiency.

**Off-Street Parking Compliance:** One off-street parking space is required per dwelling unit. The existing driveway accommodates the primary residence but no additional parking is proposed for the ADU. As such, a variance is required for insufficient off-street parking.

**Life Safety and Fire Access:** The proposed ADU is located at the rear of the lot, behind the existing home, with no direct street frontage. This condition may conflict with the access



requirements of 527 CMR (the state fire code). As noted by ISD, the applicant will be required to coordinate with the Boston Fire Department to confirm access or pursue relief from the State Fire Marshal.

Although the proposal introduces several zoning nonconformities, it adapts an existing structure without expanding the building footprint and does not increase the overall height or scale of the built environment. The reuse of a rear accessory structure for residential purposes offers a low-impact opportunity to increase housing without fundamentally altering the neighborhood character.

Given the constrained site, the scale of the ADU, and the citywide goals of housing diversification, the ZBA should consider granting relief. The project aligns with broader planning objectives and illustrates the need for zoning updates that better reflect the evolving needs and built context of residential neighborhoods like West Roxbury.

The plans, titled “2 Summer Street ADU,” were prepared by NIDIFY Studio and are dated November 25, 2024.

**Recommendation:**

In reference to BOA1697509, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning





<b>Case</b>	BOA1697197
<b>ZBA Submitted Date</b>	2025-03-06
<b>ZBA Hearing Date</b>	2025-06-12
<b>Address</b>	2 Summer ST West Roxbury 02132
<b>Parcel ID</b>	2009477000
<b>Zoning District &amp; Subdistrict</b>	West Roxbury Neighborhood 1F-6000
<b>Zoning Article</b>	56
<b>Project Description</b>	The applicant seeks to convert an existing detached, one-story accessory structure that was previously used as a woodshop into an Accessory Dwelling Unit (ADU) on a lot currently improved with a single-family home. The proposed ADU would function as a second dwelling unit on the lot, resulting in two separate residential structures.
<b>Relief Type</b>	Conditional Use, Variance
<b>Violations</b>	Rear Yard Insufficient Lot Area Insufficient Side Yard Insufficient Two or More Dwelling Same Lot

**Planning Context:**

The subject property at 2 Summer Street is located in a transitional area of West Roxbury, where low-density single-family homes are interspersed with pockets of multifamily housing. While the property lies within a residential district, it is situated near a commercial corridor, placing it at the edge of a predominantly residential neighborhood. This mix of housing types and nearby commercial uses reflects a gradual shift in land use patterns and provides opportunities for modest increases in residential density that respect the surrounding context. The proposed conversion of an existing accessory structure into an Accessory Dwelling Unit (ADU) aligns with broader planning goals of supporting housing diversity, particularly where appropriate transitions can be made without major alterations to the built environment. The ADU Guidebook, approved in November 2024, reinforces this approach by offering a range of schemes to add one unit of housing on various lot types across Boston. It specifically highlights the adaptation of existing accessory structures such as garages or carriage houses as a practical strategy for increasing housing options on smaller or medium-density lots, provided key considerations like building code compliance and site conditions are adequately addressed.



### **Zoning Analysis:**

The property is located within the 1F-6000 zoning subdistrict of the West Roxbury Neighborhood District. A detailed review of the proposal against the requirements of Article 56 of the Boston Zoning Code has revealed the following zoning implications:

**Use Compliance – Two Dwellings on One Lot:** Under Article 56, Section 40.12, only one dwelling is permitted per lot in the 1F-6000 subdistrict. The proposed ADU would result in two principal residential structures on a single lot, which is not an allowed use. As such, this aspect of the project requires conditional use relief from the Zoning Board of Appeal (ZBA).

**Lot Area and Lot Frontage Compliance:** The zoning code requires a minimum lot area of 6,000 square feet per dwelling unit. With two dwelling units proposed, a total of 12,000 square feet would be required. The subject lot, however, contains only 6,620 square feet, resulting in a 5,380 square foot shortfall.

**Yard Setback Compliance:** Dimensional regulations under Table D of Article 56 require a minimum front yard of 20 feet, side yards of 10 feet, and a rear yard of 30 feet. Based on the submitted site plans: The converted ADU sits just 8'1" feet from the rear lot line, requiring a 22-foot rear yard variance. The side yard on the eastern property line is effectively 8 feet, necessitating a full 10-foot side yard variance.

**Usable Open Space Compliance:** The zoning code requires 750 square feet of usable open space per dwelling unit, for a total of 1,500 square feet. With limited yard area available between two structures and lot lines, the proposal does not provide sufficient open space, triggering a variance for open space deficiency.

Although the proposal introduces several zoning nonconformities, it adapts an existing structure without expanding the building footprint and does not increase the overall height or scale of the built environment. The reuse of a rear accessory structure for residential purposes offers a low-impact opportunity to increase housing without fundamentally altering the neighborhood character.

Given the constrained site, the scale of the ADU, and the citywide goals of housing diversification, the ZBA should consider granting relief. The project aligns with broader planning



objectives and illustrates the need for zoning updates that better reflect the evolving needs and built context of residential neighborhoods like West Roxbury.

The plans, titled “2 Summer Street ADU,” were prepared by NIDIFY Studio and are dated November 25, 2024.

**Recommendation:**

In reference to BOA1697197, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



<b>Case</b>	BOA1714460
<b>ZBA Submitted Date</b>	2025-04-24
<b>ZBA Hearing Date</b>	2025-06-12
<b>Address</b>	23 Wedgemere RD West Roxbury 02132
<b>Parcel ID</b>	2003153000
<b>Zoning District &amp; Subdistrict</b>	West Roxbury Neighborhood 1F-6000
<b>Zoning Article</b>	56
<b>Project Description</b>	Renovate an existing single family home to expand the second story.
<b>Relief Type</b>	Variance
<b>Violations</b>	Side Yard Insufficient

**Planning Context:**

The subject property is a one and a half story cape in West Roxbury. It is located on a block with primarily single-unit homes that are one and a half to two stories tall. Many of the homes on this street are colonial style homes on lots that are similar in size to the subject parcel.

**Zoning Analysis:**

The property is subject to the dimensional requirements of Section 56 Table D which require a minimum side yard of ten feet. The existing structure has a side yard of 7 feet, 1 inch at its narrowest point along the western property line. The proposed renovation is not any closer to the property line but the addition will increase the structure's height, extending this nonconformity.

The proposed structure is almost identical to neighboring properties in its colonial architectural style and massing. Additionally, visual inspection of the surrounding area suggests that there is likely a similar degree of existing non-conformity for neighboring two-story homes with respect to side yard requirements. The proposed addition will allow the owner additional living space while respecting the need for access, light, and air between two residential properties.

Future zoning reform could ensure that minor structural alterations to increase living space within residential structures of this size are allowed. Plans reviewed "Parlon Family Addition" prepared by "Lighthouse Architecture" dated 2/4/2025.



**Recommendation:**

In reference to BOA1714460, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



<b>Case</b>	BOA1706593
<b>ZBA Submitted Date</b>	2025-04-07
<b>ZBA Hearing Date</b>	2025-06-12
<b>Address</b>	11 Bonair ST West Roxbury 02132
<b>Parcel ID</b>	2006813000
<b>Zoning District &amp; Subdistrict</b>	West Roxbury Neighborhood 1F-6000
<b>Zoning Article</b>	56
<b>Project Description</b>	The proponent seeks to extend the existing curb cut from that accommodating a driveway for one car to accommodate two.
<b>Relief Type</b>	Variance
<b>Violations</b>	Parking or Loading Insufficient Design

**Planning Context:**

The proponent seeks to widen the existing 9 foot wide curb cut from that accommodating a driveway for one car to accommodate two, resulting in a 14 foot curb cut. The surrounding context contains many driveways that provide parking for two cars, generally accommodated through a singular curb cut that widens into a parking area or a tandem driveway configuration; it is rare to see a wide curb cut. Bonair Street also includes on-street parking. The widened curb cut would remove publicly-available on-street parking and contributes to a worsening of the sidewalk condition. The Planning Department would prefer a parking configuration that does not widen the curb cut.

**Zoning Analysis:**

The zoning for West Roxbury states that the maximum curb cut width for a lot with fewer than 50 spaces cannot exceed 12 feet. Article 56, section 39 states that the maximum allowable width for front yard parking is 10 feet. Given the impacts to the public realm including the decrease of opportunities for on-street parking, this proposal is excessive. The proponent should consider a different parking configuration.

**Recommendation:**

In reference to BOA1706593, The Planning Department recommends DENIAL.



Planning Department

**CITY of BOSTON**

Reviewed,

*Kathleen Onuf*

Deputy Director of Zoning