



Planning Department

MEMORANDUM

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

FROM: Joanne Marques
Regulatory Planning & Zoning

DATE: June 18, 2025

RE: Planning Department Recommendations

Please find attached, for your information, Planning Department recommendations for the June 24, 2025 Board of Appeals Hearing.

Also included are the Board Memos for:

1690 to 1700 Hyde Park AVE Hyde Park 02136
65 Seattle ST Allston 02134
79 Seattle ST Allston 02134
142 to 146 Saint Mary's ST Boston 02215
1 Waverly ST Roxbury 02119
944 Saratoga ST East Boston 02128

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



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



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



Case	BOA1697197
ZBA Submitted Date	2025-03-06
ZBA Hearing Date	2025-06-12
Address	2 Summer ST West Roxbury 02132
Parcel ID	2009477000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	56
Project Description	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.
Relief Type	Conditional Use, Variance
Violations	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



Case	BOA1697509
ZBA Submitted Date	2025-03-07
ZBA Hearing Date	2025-06-12
Address	2R Summer ST West Roxbury 02132
Parcel ID	2009477000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	56
Project Description	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.
Relief Type	Variance, Conditional Use
Violations	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



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

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Deputy Director of Zoning



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



Case	BOA1719295
ZBA Submitted Date	2025-05-08
ZBA Hearing Date	2025-06-24
Address	393 to 395 Beacon ST Boston 02116
Parcel ID	0503457000, 0503456000
Zoning District & Subdistrict	Boston Proper H-3-65
Zoning Article	32
Project Description	In conjunction with ALT1479678, combine two parcels at 393 and 395 Beacon Street and renovate the interior to include a garage and larger living spaces to create four residential units.
Relief Type	Conditional Use
Violations	GCOD Applicability

Planning Context:

The proposed project at 393-395 Beacon Street seeks to combine two parcels at 393 and 395 Beacon Street in the Back Bay and renovate the existing residential buildings to expand the living spaces to better suit the owners' needs. The renovations include adding a garage to the basement and combining smaller residential units to create four, three-bedroom units with en suite bathrooms and an open layout kitchen, living, and dining area. 393-395 Beacon Street are two, four-story rowhouses that each contain nine to ten residential units in each building. These units ranged from studio to one-bedroom. No changes to the structure will be made with these renovations. Beacon Street is lined with four-story row houses that are characterized by their brick facades with stone stairs that lead toward the entrance.

This project would further the goals outlined in Housing a Changing City, Boston 2030 (September 2018) as it would allow the property owners to enhance their spaces while still preserving the historic fabric of the neighborhood.

Zoning Analysis:

The refusal letter states one item that would need zoning relief: Groundwater Conservation Overlay District (GCOD) Applicability. Because this project is located in the GCOD, this project is also subject to review by the BWSC. Section 32-5 also notes that substantial rehabilitation of a structure would require a conditional use permit.



Section 6-3 notes that a conditional use permit may be issued if it meets the following criteria: a) specific site is an appropriate location for such use, b) use will not adversely affect the neighborhood, c) there will be no serious hazard to vehicles or pedestrians from the use, d) no nuisances will be created and e) adequate and appropriate facilities will be provided for the proper operation of the use. As this location is continuing its residential use and the changes made will allow the property owners to continue to live in their spaces, a conditional use permit should be issued.

The plans reviewed are titled ALT1479678_BOA Review Plan_393-395 Beacon st_1.28.25.pdf and were prepared by Choo & Company, Inc. They are dated November 5, 2024.

Recommendation:

In reference to BOA1719295, The Planning Department recommends APPROVAL WITH PROVISIO/S: the plans shall be reviewed and approved by the Boston Water & Sewer Commission due to its location within the Groundwater Conservation Overlay District (GCOD).

Reviewed,

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Deputy Director of Zoning



Case	BOA1684856
ZBA Submitted Date	2025-01-21
ZBA Hearing Date	2025-06-24
Address	151 Hebron ST Mattapan 02126
Parcel ID	1802444000
Zoning District & Subdistrict	Greater Mattapan Neighborhood MFR
Zoning Article	60
Project Description	Erect a three-story, eight-unit residential dwelling including a ground-floor accessible unit. The project includes the construction of three open, ground-level off-street parking spaces in the front yard of the property that are covered by a second-story overhang.
Relief Type	Variance
Violations	FAR Excessive Rear Yard Insufficient Side Yard Insufficient Usable Open Space Insufficient Additional Lot Area Insufficient Front Yard Insufficient Parking or Loading Insufficient Parking design and maneuverability Off-Street Parking and Loading Requirements (Location)

Planning Context:

The proponent seeks to build a new three-story, eight-unit residential dwelling with a ground-floor accessible unit at 151 Hebron Street. The project includes three ground-level off-street parking spaces in the front yard of the property that are fully covered by a second-story overhang.

This property is located in the easternmost section of Mattapan on Hebron Street. It is within a 10-minute walking distance from MBTA bus stops along Cummins Highway that provide service to Route 30. It abuts three four-story, multi-unit apartment structures to its southwest, north, and northeast that are all under common ownership. There are parking lots that serve the surrounding apartment buildings. The apartments' parking lots are located across the street from the southeastern front lot line and abut the northeastern side lot line of the proponent's property.



The proposed frontage condition of this project includes the three ground-level, off-street parking spaces with a wide curb cut providing driveway access on Hebron Street, a ground-floor lobby entrance to the east of the three parking spaces, and a second-story overhand above the three parking spaces. The front lobby provides the primary frontage entrance and circulation to the upper story dwelling units while one ground-floor unit is accessible from an entrance in front of the northeasternmost parking space and the other ground-floor unit is accessible from an entrance along the southwestern side of the building. The ground-floor of the dwelling is pork chop-shaped due to the enclosed lobby entrance and circulation jutting off from the livable area of the ground floor; the upper stories are complete rectangles.

This property is unique because Hebron Street becomes Croydon Street, which is a dead end street, and both streets serve primarily as rights-of-way to access the various off-street parking spaces and entrances of the surrounding apartment buildings. Hebron Street does not have a sidewalk condition and the street lacks defined curb conditions, mostly in service of the predominant off-street parking use. On-street parking does not seem like a common condition on Hebron Street. Without on-street parking access and without a consistent curb condition, the addition of off-street parking as-needed for this site would align with the surrounding off-street parking uses. The proposed three parking spaces are also an appropriately limited number of parking spaces that aligns with City goals to reduce reliance on private vehicles when near public transit options (i.e., the Route 30 bus stops). However, considering the potential for redevelopment of the surrounding parcels in the future or street redesign to improve walkability in this area, the design of the proposed off-street parking area and driveway should consider reducing how much usable open space on the parcel is removed to create a paved, curb cut area in service of private vehicles. There is an existing permeable open space in the front yard and a significant amount of it would need to be removed and paved to introduce a wide enough curb cut entrance for the proposed front yard parking spaces. The proposed parking design significantly reduces that potential usable open space for the site due to the commitment of ground-level front yard space to parking.

This property is also unique because its rear lot line in the northwest of the parcel directly abuts the extended section of a pork chop-shaped parcel on which two of the surrounding apartment buildings and a large open space are located. Specifically, the area of that pork chop-shaped parcel that abuts this property's rear lot line is completely open space and the northwestern lot line of that open space abuts the length of Livermore Street. Within this open space there is an existing walkway that leads from Livermore Street through the parcel and to this property's rear



lot line. This walkway is identified in the proponent's plans as a "15' right of way for benefit of 151 Hebron Street," indicating a potential easement agreement between the owner of 151 Hebron Street and the owner of the parcel on Livermore Street that holds the pathway, open space, and two apartment buildings. While the walkway is provided for the benefit of 151 Hebron Street to connect to Livermore Street in the northwest, reliance on that pathway in the long-term is uncertain and dependent on any future redevelopment decisions made by the property owner of that easement and surrounding parcels. The siting of entrances for the dwelling units on this property should take into account the potential access conditions to the site. The proposed project includes rear yard access to all eight units and separate primary access for the two ground-floor units and the six remaining upper-story units.

Zoning Analysis:

This proposal has violations specific to building standards (FAR), lot standards (front yard, rear yard, side yard, usable open space per dwelling unit, additional lot area for each additional dwelling unit), use standards (off-street parking ratio), and design standards (parking in the front yard, parking maneuvering areas).

As mentioned, this property is surrounded by three four-story, multi-unit apartment buildings that are located on larger lots. Due to the surrounding land use and building scale conditions, the proposed scale of this project with attention to the scale necessary to accommodate eight dwelling units is appropriate and in line with the context. As such, zoning relief for excessive FAR and insufficient additional lot area for each dwelling unit (Art. 60, Sec. 9) would be appropriate due to the existing FAR and additional lot area regulations not aligning with the building scale and existing lot conditions for multifamily residential land uses in practice. This indicates a need for zoning reform of this zoning district to better align the building standards with the scale needed for a variety of multi-unit development projects.

As mentioned in the Planning Context, the proposed parking design and placement of off-street parking spaces for this project reduces the amount of usable open space along the front yard. Both the front and rear yard of this property provide the most reasonable areas for usable open space because the front yard faces the open area of Hebron Street and the rear yard faces the current walkway easement and open space of the northwestern abutting parcel. Considering the potential for the surrounding parcels to redevelop in the future and potentially place physical structures closer to the rear and side yards, the proponent should reconfigure the proposed yard space to accommodate current and future usable open space needs on site.



Reconfiguration of the proposed parking spaces, driveway, and an increase in front, rear, and/or side yard usable open space would reduce the scale of this project's insufficient front, rear, side, and usable open space per dwelling unit violations (Art. 60, Sec. 9). The proponent would benefit from updated designs to the location of the parking spaces and a slight reduction in the bulk of the overall structure. Placement of the parking spaces and second-story overhang to the rear of the structure with a covered or uncovered narrow driveway from Hebron Street and angled entry into each space would reduce the amount of curb cut along the front lot line, remove parking from the front yard, and allow for more usable open space. Any potential reconfiguration to increase usable open space may require a reduction in the size or number of units within the structure.

Lastly, as mentioned above, this project's low number of off-street parking spaces is appropriate due to its proximity to a local bus route and its alignment with City goals to reduce the amount of reliance on and paved areas for private vehicles (Art. 60, Sec. 32).

Site plan completed by Hardy + Man Design Group, PC on July 18, 2024 and project plans completed by JCBT Architect on August 14, 2024.

Recommendation:

In reference to BOA1684856, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with attention to increasing the usable open space by increasing yard setbacks and reconfiguring the location of the parking spaces and driveway away from the front yard. This may require a reduction in the size or number of dwelling units.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1702984
ZBA Submitted Date	2025-03-25
ZBA Hearing Date	2025-06-24
Address	84 Dale ST Roslindale 02131
Parcel ID	1805764000
Zoning District & Subdistrict	Roslindale Neighborhood 1F-6000
Zoning Article	67
Project Description	Construct a front addition to enlarge the entryway and create a front porch; and a rear addition to replace the existing deck.
Relief Type	Variance
Violations	Front Yard Insufficient

Planning Context:

The subject property is located in a small scale residential neighborhood. Most structures in the neighborhood are one- to two and a half-stories tall and are oriented towards the street and front yard. Many of the structures have a single, primary entrance on the front of the structure with stairs that lead up to a stoop or small front porch. They generally have a driveway on one side of their property with parking in front of or next to the structure and a small front yard. There are examples in the area surrounding the subject property of residential structures that are built right to the sidewalk, with little to no front yard.

Zoning Analysis:

The proposed front addition has been flagged for insufficient front yard. The front yard requirement for the subject property is 25 feet, however, Section 67-33 (1) states that the minimum front yard will be determined by existing building alignment of structures on the block. Section 2-1 also provides standards for measuring front yards and states that porches with roofs may not be built within the required front yard.

Visual inspection of the East side of Dale Street shows that the front yards are between approximately fifteen and twenty feet in depth with stoops (with and without roofs) that lead to the main entrance. Some of the stoops on Dale Street appear to be closer than fifteen feet to the right-of-way.



The existing front yard is fifteen feet in depth, measured to the corner of the stoop which has a roof. The front of the primary structure is 18.5 feet from the right-of-way. The proposed front addition, which includes a bump out of the structure and a small deck, is 8.5 feet wide and will extend 7.5 towards the right-of-way while maintaining a minimum 11.5 foot front yard.

While the proposal does increase the degree of non-conformity with respect to the front yard depth, it is not inconsistent with the alignment of homes on Dale Street, and neighboring streets show that residential structures can be built much closer to the street. This is an example of a project that could benefit from zoning reform to allow a smaller front yard and prevent the need for a variance. Plans reviewed "Johnson Residence" prepared by David J. Cann dated 11/2/24.

Recommendation:

In reference to BOA1702984, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1697485
ZBA Submitted Date	2025-03-07
ZBA Hearing Date	2025-06-24
Address	148 Arlington ST Hyde Park 02136
Parcel ID	1808060000
Zoning District & Subdistrict	Hyde Park Neighborhood 2F-5000
Zoning Article	69
Project Description	Convert existing two-unit structure into a three-unit structure. No external changes.
Relief Type	Variance
Violations	Use: Forbidden

Planning Context:

The proposed project would convert a currently unused attic space into a third unit in an existing two-unit building. The only work will be internal. There will be no exterior or dimensional changes made to the existing structure.

The proposed project fits within the surrounding neighborhood. While the area is zoned for two units, there is an abundance of three-unit buildings and multifamily residences that already exist within the near neighborhood. The project is immediately adjacent to Hyde Park Ave, which is a main thoroughfare for the area and acts as a conduit for retail and services, as well as larger-scale uses. The project's appropriate fit suggests a potential need for zoning reform to bring the code into line with the area's built reality.

Zoning Analysis:

The only triggered violation is regarding to use for the proposed project. The area is zoned for two-family residential, while the proposed project is three-family residential. Again, this reflects an outdated zoning code that does not reflect the built environment that already exists. There will be no external changes made to the project, and it is in an area that is well served by various bus routes along Hyde Park Ave.

Recommendation:

In reference to BOA1697485, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

Kathleen Onuf

Deputy Director of Zoning



Case	BOA1709403
ZBA Submitted Date	2025-04-15
ZBA Hearing Date	2025-06-24
Address	53 Cedar Grove ST Dorchester 02124
Parcel ID	1604623000
Zoning District & Subdistrict	Dorchester Neighborhood 1F-5000
Zoning Article	65
Project Description	Renovate an existing 1.5-story, one-unit home by removing the second-floor roof and adding a new full third story with a pitched roof and a large dormer.
Relief Type	Variance
Violations	FAR Excessive Side Yard Insufficient Front Yard Insufficient

Planning Context:

The proposed project at 53 Cedar Grove Street involves the renovation of an existing 1.5-story, one-unit home.. The scope includes removing the current second-floor roof and constructing a new full third story with a pitched roof and a large dormer. This type of vertical expansion is consistent with several other nearby homes on the block and surrounding streets, many of which are two-and-a-half to three stories in height.

The property is located in the Cedar Grove section of Dorchester, a primarily residential area with a mix of single- and multi-family homes. It is within walking distance of major streets including Adams Street and Gallivan Boulevard, which provide access to neighborhood amenities and services. The home is also situated near several transit options, including the Cedar Grove stop on the MBTA Red Line (Ashmont Branch) and nearby bus routes along Adams Street, offering convenient access to public transportation.

Importantly, the proposed renovation maintains the existing front and side yard setbacks, which are consistent with other homes on the block. The footprint of the house is not expanding, and the new massing aligns with the established pattern of development in the area. The project



represents a modest and context-sensitive upgrade that supports continued investment in the neighborhood while respecting its residential character.

Zoning Analysis:

The proposed renovation triggers a few dimensional violations, related to Floor Area Ratio (FAR) and yard setbacks.

The maximum allowable FAR in the 1F-5000 subdistrict is 0.5. The proposed project would increase the FAR to 0.69, which exceeds the permitted threshold. However, the increase is due to vertical expansion within the existing footprint, rather than sprawl or overbuilding of the lot. This type of modest intensification aligns with the overall scale and form of neighboring structures, many of which are similarly sized or taller. It represents a case where the zoning may be overly restrictive relative to the built context, highlighting the need for reform that better reflects existing neighborhood patterns.

The project maintains the current side and front yard setbacks. The left side yard meets zoning requirements at 11'-10.5", while the right side yard remains at 3'-5.5", which is insufficient under current zoning (10' required) but matches the long-standing existing condition. The front yard is also nonconforming at 11'-3.5", short of the 15' minimum, but again reflects the established pattern along the block. Since the proposal does not worsen these conditions and preserves the footprint, these yard nonconformities should be viewed as reasonable and typical for the area.

Overall, the proposal presents a thoughtful improvement that respects the existing building envelope and neighborhood character, while also exposing limitations of the current zoning framework in accommodating modest, context-sensitive growth.

Recommendation:

In reference to BOA1709403, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1694232
ZBA Submitted Date	2025-02-25
ZBA Hearing Date	2025-06-24
Address	10 Westerly ST Jamaica Plain 02130
Parcel ID	1002039000
Zoning District & Subdistrict	Jamaica Plain Neighborhood 1F-3000
Zoning Article	55
Project Description	Create living space in the basement and increase the height of the existing 2.5-story, 3-unit building to 3 stories.
Relief Type	Variance
Violations	Rear Yard Insufficient Side Yard Insufficient Front Yard Insufficient

Planning Context:

The site of the proposed project is one-block north of Centre Street in the Hyde Square neighborhood of Jamaica Plain. The lot is mid-block on a street lined on either side with 2.5-story residential buildings with gable roofs. The building alignment, rear yard, and spacing between the buildings are relatively consistent. Each building has about a 3 to 5 foot side yard on one side and a 10 to 12 foot driveway on the other, a 15 to 20 foot rear yard, and a 7 to 10 foot front yard. Abutting the proposed project to the north is a 2.5-story, flat-topped brick building occupied by the St. Norbert's School. To the rear of the lot is the Blessed Sacrament Church at 361 Centre Street, which was approved by the BPDA Board in 2022 for a renovation and addition of residential uses.

The existing building on the site is a 2.5-story, 3-unit residential building with front, side, and rear yards consistent with the other buildings on the block.

Zoning Analysis:

The proposed project violates the required 15 foot front yard, 10 foot side yard, and 20 foot rear yard requirements. The existing building also violates these yard requirements - currently, the building has a northern side yard of 4.4 feet and southern side yard of 16.2 feet, a front yard of 9.6 feet, and a rear yard of 8.9 feet. The proposed project would make no changes to these dimensions. Therefore, the existing building is nonconforming and the proposed project would



not exacerbate the existing condition. Zoning relief for the front, side, and rear yard is recommended.

Recommendation:

In reference to BOA1694232, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1703780
ZBA Submitted Date	2025-03-27
ZBA Hearing Date	2025-06-24
Address	190 L ST South Boston 02127
Parcel ID	0702576000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	The proponent is seeking to legalize an existing basement unit in a three-unit attached triple-decker.
Relief Type	Variance
Violations	FAR Excessive Parking or Loading Insufficient Usable Open Space Insufficient Additional Lot Area Insufficient

Planning Context:

The proponent is seeking to legalize an existing basement unit in a three-unit attached triple-decker on a residential block. The existing basement apartment has 7' ceilings, and about half of it appears to be below grade based on the section provided in the plans. There are some small changes proposed for the basement unit as a part of the change of occupancy, including the conversion of a bedroom to an office and a wet bar to a full kitchen. A new sprinkler room would be added as a part of the project and the unit would be fully sprinklered. There are two staircases that currently serve as means of egress, one located at the front of the unit and the second located at the rear. For added light and ventilation inside the unit, there are nine low-height sliding glass windows. In terms of fire access, the front door is the common entry point for all units and does face the street. This project would add no square footage.

Zoning Analysis:

This project triggered violations for excessive FAR, insufficient parking, insufficient usable open space, and insufficient additional lot area, creating a need for a variance to move forward. This project would not worsen any of the listed violations. This is a legalization of an existing use, so unforeseen adverse impacts to the neighborhood and surrounding properties are unlikely.



Legalizing existing housing uses, when appropriate and safe, also helps combat displacement from tenuous living conditions.

The plans are titled "EXISTING THREE FAMILY HOME LEGALIZATION OF BASEMENT UNIT INTO UNIT #4," were prepared by Lighthouse Architects, and are dated 11/5/2024.

Recommendation:

In reference to BOA1703780, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1703095
ZBA Submitted Date	2025-03-25
ZBA Hearing Date	2025-06-24
Address	96 Chandler ST Boston 02116
Parcel ID	0500978000
Zoning District & Subdistrict	South End Neighborhood MFR
Zoning Article	64
Project Description	The proposed project is the replacement of six casement windows not original to the house and the construction of a roof deck.
Relief Type	Conditional Use
Violations	Roof Structure Restrictions

Planning Context:

96 Chandler Street is a three-story attached brick rowhouse, the predominant housing typology in the neighborhood. With the exception of one shop on the corner, it is located on a wholly residential block. The house sits within the Groundwater Conservation Overlay District (GCOD), the Coastal Flood Resiliency Overlay District (CFROD), the South End Neighborhood's Restricted Roof District, and the South End Historic District.

The proponent states in their application that approvals from the Landmarks Commission have already been secured. This relatively small scope and size of this project does not trigger CFROD (Section 25A-4). Similarly, GCOD was not cited for this project because there is no apparent below-grade excavation and it does not qualify as a substantial rehabilitation.

The proposed project is the replacement of six casement windows not original to the house and the construction of a roof deck. The roof deck would be located at the rear of the building and would likely not be visible from Chandler Street. In terms of egress, a new staircase on the rear west side leads to an exit to the roof via a daylighter hatch. On page two of the plans, an existing "ship's ladder" and accompanying hatch on the eastern side of the roof that would be removed is called out.

Satellite imagery from April 2025 shows nine other roof decks on this block.



Zoning Analysis:

The refusal letter cites one violation for roof structure restrictions (Section 64-34). A conditional use permit is required to move forward. The Code states that in "in reaching [a] decision under this Section 64-34, the Board of Appeal shall consider whether such roof structure has the potential to damage the uniformity of height or architectural character of the immediate vicinity." The deck's alignment near the rear of the building (like most other roof decks on this block) should not significantly impact the uniformity of height or create adverse impacts for surrounding properties.

The plans are titled "ROOF CONSTRUCTION PLAN & ROOF DETAILS," are dated 8/9/2024, and were submitted by CJB Architects.

Recommendation:

In reference to BOA1703095, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Landmarks Commission for review as required.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1678910
ZBA Submitted Date	2024-12-17
ZBA Hearing Date	2025-06-24
Address	16 Bond ST South End 02118
Parcel ID	0305830000
Zoning District & Subdistrict	South End Neighborhood MFR
Zoning Article	64
Project Description	The proponent seeks to restore and repair the existing building facade and roof through the replacement of windows and skylights and the expansion of the rear dormer while installing a groundwater recharge system.
Relief Type	Conditional Use
Violations	GCOD Applicability Roof Structure Restrictions Use: Conditional

Planning Context:

The proponent seeks to restore and repair the existing building facade and roof through the replacement of windows and skylights and the expansion of the rear dormer. The adjacent buildings have a range of different types of dormers including ones that are similar to the style the proponent proposes. The project is located within the South End Landmark District which requires all exterior design changes to undergo design review.

Zoning Analysis:

The project is located in the Groundwater Conservation Overlay District (GCOD). The purpose of the GCOD is to protect wood pile foundations of buildings from being damaged by lowered groundwater levels. Projects that fall within GCOD require review by the Groundwater Trust and Boston Water and Sewer Commission to ensure compliance with the rules. This project is proposing to install a groundwater recharge system.

In the South End Neighborhood District, no roofed structure designed or used for human occupancy, access, or storage, and no roof structure, headhouse, or mechanical equipment normally built above the roof and not designed or used for human occupancy, shall be erected



or enlarged on the roof of an existing building if such construction relocates or alters the profile and/or configuration of the roof or mansard. Therefore, the project must undergo design review.

Recommendation:

In reference to BOA1678910, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Landmarks Commission for review, and that the plans shall be reviewed and approved by the Boston Water & Sewer Commission due to its location within the Groundwater Conservation Overlay District (GCOD).

Reviewed,

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

Deputy Director of Zoning



Case	BOA1691757
ZBA Submitted Date	2025-02-13
ZBA Hearing Date	2025-06-24
Address	75 Harrison AV Boston 02111
Parcel ID	0304951000
Zoning District & Subdistrict	Chinatown COMMERCIAL CHINATOWN
Zoning Article	43
Project Description	Change use from retail to restaurant with accessory takeout on the first floor. Minor interior modifications proposed as shown on submitted plans.
Relief Type	Conditional Use
Violations	Use: Conditional

Planning Context:

The subject property is located at 75 Harrison Avenue within the Commercial Chinatown Subdistrict of the Chinatown District, a vibrant, mixed-use area characterized by a dense concentration of restaurants, small businesses, and residential uses. This portion of Chinatown functions as a key cultural and economic hub, serving both long-standing neighborhood residents and visitors. Ground-floor commercial spaces are commonly occupied by food service establishments, many of which offer takeout or limited seating options aligned with the area's high pedestrian activity and small storefront typology.

The proposed restaurant use with accessory takeout is consistent with the surrounding land use pattern and supports the district's planning goals of sustaining neighborhood-based retail and dining. The change contributes positively to the active street-level environment and helps preserve the commercial and cultural fabric of the Chinatown community.

This proposal also aligns with the goals outlined in PLAN: Downtown, adopted in December 2023, which emphasizes strengthening neighborhood-serving uses and enhancing street-level vitality, particularly in historic and culturally significant areas like Chinatown. Furthermore, draft zoning updates currently under review for Chinatown would eliminate the need for zoning relief



for this type of small-scale food use, signaling long-term policy support for such uses in this location.

Zoning Analysis:

The proposal to establish a restaurant with accessory takeout service at 75 Harrison Avenue has been reviewed in detail against the requirements of Article 43, Section 19 of the Boston Zoning Code, which governs use regulations within the Chinatown District, including the Commercial Chinatown Subdistrict, where the property is located. The following zoning considerations apply: Use Regulations (Takeout Use):

While this relief is technically required, it is important to note that takeout establishments are prevalent throughout Chinatown and are consistent with the area's intensely pedestrian-oriented commercial environment. The proposed use aligns with the neighborhood's active ground-floor character and its cultural emphasis on small-format dining and food service businesses.

The plans, titled "Tenant Buildout for Future Restaurant", were prepared by JCBT Architect and dated April 1, 2024.

Recommendation:

In reference to BOA1691757, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1690949
ZBA Submitted Date	2025-02-11
ZBA Hearing Date	2025-06-24
Address	163 Falcon ST East Boston 02128
Parcel ID	0103266000
Zoning District & Subdistrict	East Boston Neighborhood EBR-3
Zoning Article	53
Project Description	Change use from three units to four units by converting an existing unfinished basement into a dwelling unit.
Relief Type	Variance
Violations	Parking or Loading Insufficient Forbidden Use

Planning Context:

This application is located within the East Boston Neighborhood District, in the EBR-3 (East Boston Residential 3) subdistrict, a medium-density residential zoning district. The site also falls within, and is subject to, PLAN: East Boston, which was adopted by the BPDA board on March 14, 2024 and its corresponding zoning implemented through the updated Zoning Article 53, adopted on May 1, 2024.

The project is located in the Eagle Hill subarea, where PLAN: East Boston outlines a vision to "affirm the physical characteristics that define low-scale neighborhood fabric" while allowing for a mix of housing types within a limited range. The plan calls for using the existing built environment as a guide, ensuring that the size and scale of new development are consistent with what already exists. In the nearby area of the project site, residential buildings are often three-story, containing three units

Zoning Analysis:

The proposed project seeks to change the use of the existing three-family dwelling to a four-family dwelling by converting an unfinished basement into a fourth dwelling unit. The building's exterior envelope would remain unchanged.



A four-unit residential building is allowed in the EBR-3 Subdistrict for wide lots or through an Additional Dwelling Unit, where the building is otherwise owner-occupied. Because this lot has a Lot Frontage of less than 55 feet (25 feet existing), it is limited to only three units.

The proposal would also require zoning relief for the off-street parking requirements under Article 53, TABLE L. A four-unit residential building in this area requires one off-street parking space per dwelling unit, for a total of four spaces. Therefore, the proposal which includes no off-street parking does not meet this requirement. The zero-parking condition is an existing condition on this site and is commonly found on this block. Due to the parcelization of this area of East Boston, parking would be impossible to add to existing homes due to existing building footprints; providing side or rear yard parking would require demolition of the existing building. However, since the four unit use is forbidden, the current no parking condition for three units can continue.

Recommendation:

In reference to BOA1690949, The Planning Department recommends DENIAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1649460
ZBA Submitted Date	2024-09-04
ZBA Hearing Date	2025-06-24
Address	561 to 579 Centre ST Jamaica Plain 02130
Parcel ID	1901986000
Zoning District & Subdistrict	Jamaica Plain Neighborhood MFR
Zoning Article	55
Project Description	Erect a new 4-story mixed-use building with 12 units and 1 commercial space, and 8 off-street parking spaces. Demolish the existing structure.
Relief Type	Variance
Violations	Parking or Loading Insufficient Additional Lot Area Insufficient Existing Building Alignment FAR Excessive Height Excessive (ft) Height Excessive (stories) Rear Yard Insufficient Front Yard Excessive Usable Open Space Insufficient Use: forbidden (retail)

Planning Context:

Parcel is an unused gas station on Centre Street in Jamaica Plain, just north of the primary Centre St commercial district. While Centre St is a solid mix of commercial and residential uses along the street itself, the surrounding residential neighborhood is primarily multifamily residential, whether larger corridor or townhouse based buildings, or detached three-family structures. Regardless, the contextual height easily reaches three stories regularly on the western side of Centre St. On the eastern side, even when buildings are three stories high, many of those properties are elevated almost a story from the sidewalk, making the effective height on that side of the corridor four stories tall.

In that sense, the scale of this proposed development is generally fully in-scale with surrounding context, and generally aligns with mixed-use development around commercial districts. The Centre Street corridor contains the mix of a primary commercial corridor with adjacent ground



floor retail and upper story housing characteristic of ongoing Squares + Streets study areas, and is why the City included the corridor in a list of areas for future Squares + Streets planning. Larger parcels with residential zoning are well-suited for multifamily housing development, especially when those units improve the vitality of their neighboring commercial centers and can reduce car dependency. Moreover, at 12 units – below the Article 80 small project review threshold – this proposal is substantially smaller than the kinds of transformative larger-scale mixed use or housing projects that are key components of these larger planning studies, but still subject to providing affordable units under the inclusionary development policy (which applies instead of inclusionary zoning due to this project predating the October 1, 2024 effective date). This project, for example, is substantially less tall and dense than multifamily housing that would be by-right in S1 or above, the kinds of zoning districts that are applicable directly along key commercial corridors. Given the limited scope of this proposal, on balance, as long as no factors in this proposal are highly out of balance with existing conditions, this project is highly aligned with public policy and design goals, and are highly in line with likely future planning efforts.

Zoning Analysis:

Dimensional Regulations

Existing Building Alignment: Per Article 55, Section 41.1, existing building alignments must be provided for Lakeville and Goodrich Roads. While this recommendation does not perform this calculation, the setback on both streets of approximately 6' does appear to generally align with the alignment on both street sides. Relief is appropriate.

FAR Excessive: Per Article 55, Table E, the maximum FAR in an MFR is 1. While submitted plans propose an FAR of 0.7, this is almost certainly a typo. The building covers much of the parcel and is four stories, and while the building floorplate is not specifically provided, an FAR of 2-4 is likely. This is generally in scale with the FAR of nearby multifamily properties, and relief is appropriate.

Height Excessive (ft): Per Article 55, Table E, the maximum height allowed in MFR is 35'. This building proposes 46', which would be a violation. As noted in planning context, many surrounding buildings are elevated an additional story due to grade change, making this proposed additional ~10' contextual. Relief is appropriate.

Height Excessive (stories): Per Article 55, Table E, the maximum story count allowed in MFR is 3. This proposes 4, which would be a violation. As noted in the planning context, many

BOA1649460

2025-06-24

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surrounding buildings are elevated an additional story due to grade change, making this proposed height contextual. Relief is appropriate.

Rear Yard Insufficient: Per Article 55, Table E, the minimum rear yard is 20', and a 15' rear yard is proposed. Many surrounding buildings have rear yards smaller than 15'. The existing structure – to be demolished – on the southern side of the parcel along Goodrich Road abuts directly against the rear lot line, making this proposal a substantial improvement compared with existing conditions, and there is adequate buffer to neighboring properties. Relief is appropriate.

Front Yard Insufficient: Per Article 55, Table E, the minimum front yard is 15', and a violating 6-8' are proposed. These front yards are contextually similar to surrounding areas, and relief is appropriate. The existing gas station canopy – to be demolished – is sited such that the front yard is approximately 2' at one corner, making this proposal a substantial improvement compared with existing conditions, and relief is appropriate. Future zoning reform should modify dimensional regulations to, at a minimum, conform to surrounding context.

Use and Site-Specific Regulations

Parking or Loading Insufficient: Per Article 55, Table J, 1.5 parking spaces per dwelling unit are required. At 12 units, this requires 18 spaces. Additionally, for 597 square feet of retail commercial space, somewhere between 1-2 spaces of parking are additionally required. In total, 8 spaces are proposed for residences. At a 0.6 mile walk to the Green Street Orange Line MBTA Station and Southwest Corridor bicycle path, a 0.3 mile walk to the Emerald Necklace bicycle path, and direct access to the MBTA 39 bus (a key bus route) and 41 bus, a parking ratio of less than 1 is appropriate and in line with City recommendations. Relief is appropriate.

Additional Lot Area Insufficient: Per Article 55, Table E, 4,000 square feet plus an additional 1,000 square feet are required for 12 yielding a total required 13,000 square feet on the lot. The lot is 9,853 square feet, which would be a violation. Similar to the FAR violation mentioned earlier, multifamily residential regularly provides units at a quantity of lot area at the scale provided here. Relief is appropriate.

Usable Open Space Insufficient: Per Article 55, Table E, 150 square feet of open space are required per unit. This would require 1,800 square feet of usable open space. The refusal letter notes 2,700 as a required amount, which appears to be incorrect. While the site plan does not specifically note the amount of open space, they do claim to provide 164 square feet per unit,



which would yield 2,000 square feet of provided open space and would not be a violation. This does generally seem correct, based on the general scale of the landscaping provided relative to the dimensions noted on the site plan. To the degree a violation is present, relief is appropriate.

Use: forbidden (retail); Per Article 55, retail is a forbidden use in MFR. Retail is highly prevalent along Centre St, with restaurants present within one block. Relief is appropriate.

Recommendation:

In reference to BOA1649460, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with a focus on site plan and circulation and that a housing agreement be executed with the Mayor's Office of Housing. New curb cuts will require curb cut permit application from Public Works. Applicant to close all existing curb cuts and rebuild sidewalks as necessary.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1719485
ZBA Submitted Date	2025-05-09
ZBA Hearing Date	2025-06-24
Address	15 Conry CR Jamaica Plain 02130
Parcel ID	1902286000
Zoning District & Subdistrict	Jamaica Plain Neighborhood 1F-9000
Zoning Article	55
Project Description	The applicant proposes to demolish the existing single-family dwelling and construct a new single-family dwelling, largely on the same footprint as the existing structure. The existing curb cut will remain in approximately the same location.
Relief Type	Variance
Violations	Lot Width Insufficient Lot Frontage Insufficient FAR Excessive Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient Usable Open Space Insufficient

Planning Context:

This case proposes the demolition of an existing single-family home and the construction of a new single-family home, largely on the same footprint.

This section of Jamaica Plain is primarily made up of detached single-family residences on irregularly shaped lots. Many nearby homes date to the mid-20th century and reflect a range of architectural styles, setbacks, and lot configurations. Conry Circle is a residential street with a mix of lot widths and housing types. As a result, dimensional nonconformities — particularly related to lot size, frontage, and setbacks — are common in this part of the neighborhood.

The project maintains the single-family use, in keeping with the prevailing character of the area. While the proposal does require multiple variances due to the lot's dimensions, the construction of a new home presents an opportunity to provide updated housing that complements the existing character of the street.



Zoning Analysis:

The proposed project at 15 Conry Circle is located in the 1F-9000 subdistrict of the Jamaica Plain Neighborhood District, where single-family residential use is allowed as-of-right. The property is also within the Neighborhood Design Overlay District (NDOD), which triggers design review under Article 55, Section 37 to ensure compatibility with the surrounding neighborhood context.

While the single-family residential use remains consistent with zoning, the project does not comply with several dimensional requirements under Article 55, Section 9 and therefore requires multiple variances. The lot area, width, and frontage are all substandard: the lot provides 6,009 square feet where 9,000 are required, with 59 feet of lot width and frontage where 70 feet is required. The proposed structure also exceeds the maximum allowable floor area ratio (FAR), with a proposed FAR of 0.64 where 0.3 is allowed. Setbacks are also noncompliant: the front yard is proposed at 17.6 feet (25 feet required), the side yard at 5.4 feet (12 feet required), and the rear yard at 16.3 feet (40 feet required).

The plans show that the existing single-car garage (approximately 17'-8" x 19') will be replaced with a larger two-car garage (approximately 20'-6" x 20'), impacting side and rear yard setbacks. Although the scale of relief requested is considerable, many properties in this section of Jamaica Plain were built prior to current zoning and exhibit similar nonconformities. The proposed building remains within the permitted height of 35 feet (proposed: 34 feet 11 inches) and does not exceed the maximum of 2.5 stories.

Provided that the final design is compatible with adjacent homes and meets NDOD design standards, the proposal may be considered consistent with the surrounding context.

The plans reviewed are titled 15 Conry Crescent and were prepared by T Design, LLC. They were prepared on December 29, 2024.

Recommendation:

In reference to BOA1719485, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review.



Planning Department

CITY of BOSTON

Reviewed,

Kathleen O'Neil

Deputy Director of Zoning



Case	BOA1719499
ZBA Submitted Date	2025-05-09
ZBA Hearing Date	2025-06-24
Address	34 Cobden ST Roxbury 02119
Parcel ID	1101689000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	50
Project Description	Erect a three-story, three-unit building.
Relief Type	Variance
Violations	FAR Excessive Lot Area Insufficient Side Yard Insufficient Usable Open Space Insufficient Lot Width Insufficient Parking or Loading Insufficient

Planning Context:

The proposed project is a three-story three-unit building on a vacant lot. The surrounding context is mostly three or more unit residential buildings. The proposed would be of a similar three story typology and massing seen in the context. The site in question is a narrow and long parcel which is common to numerous neighboring parcels that are developed in the surrounding context.

Zoning Analysis:

The proposal seeks relief for the following violations: insufficient usable open space, insufficient lot area, insufficient off-street parking, insufficient lot width, excessive floor area ratio and insufficient side yard. The minimum required lot area is 6000 SF while the project site is 3,561 SF which is a specific site condition that cannot be adjusted. The required lot width is 45 FT while the site lot width is 25 FT. This is a site condition that can not be changed and is a common violation for developed lots in the surrounding context. The required off-street parking would be 3 while the proposed is 0. Many of the surrounding residences do not have any form of off-street parking being another common violation. The required side yard is 10 FT. On the west end of the proposed project the side yard would be 3.2 FT and on the other end it would be

2.8 FT. The proposed insufficient side yard dimensions are due to the natural narrow width of the site. Due to the common nature of narrow parcels in this context, the side yards are also commonly insufficient. The required usable open space would be 1,950 SF while the proposed would be 825 SF. This is another challenge to meet given the narrow nature and limited size of the site. Staff recommend zoning relief due to the proposed being contextually appropriate. The zoning violations are common to the surrounding area; this is a case for zoning reform to better align the zoning requirements with existing conditions.

Recommendation:

In reference to BOA1719499, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1719017
ZBA Submitted Date	2025-05-08
ZBA Hearing Date	2025-06-24
Address	179 W Brookline ST Roxbury 02118
Parcel ID	0400441000
Zoning District & Subdistrict	South End Neighborhood MFR
Zoning Article	64
Project Description	Adding a roof deck to an existing row house. This is an amendment to ALT1584669, which previously received a conditional use permit for Substantial Rehabilitation in a Groundwater Conservation Overlay District.
Relief Type	Conditional Use
Violations	Roof Structure Restrictions

Planning Context:

This is an amendment to ALT1584669, which was approved at the Zoning Board of Appeal hearing on October 29, 2024. The only zoning relief received through this original approval was a conditional use permit, which was required because the project is within the Groundwater Conservation Overlay District and involves Substantially Rehabilitation. The application now requires an amendment because the applicant is proposing adding a roof deck to the original proposal, which requires additional zoning relief.

This project is on a residential, row house street in the South End. Many of the neighboring buildings on the block have existing roof decks. This project is in the South End Landmark District and would propose a change to a rooftop which is visible from a public way. It therefore must be reviewed by the South End Landmark District Commission.

Zoning Analysis:

Section 64-34 of the Zoning Code states: "An open roof deck may be erected on the main roof of a building with a flat roof or a roof with a slope of less than five degrees, excluding shed dormers, provided that:



- (a) such deck is less than one (1) foot above the highest point of such roof;
- (b) the total height of the building, including such deck, does not exceed the maximum building height allowed by this Article for the location of the building;
- (c) access is by roof hatch or bulkhead no more than thirty (30) inches in height above such deck unless, after public notice and hearing and subject to Sections 6-2, 6-3 and 6-4, the Board of Appeal grants permission for a stairway headhouse; and
- (d) such deck and any appurtenant hand rail, balustrade, hatch; or bulkhead is set back at least five (5) feet from the front and rear roof edge."

For the proposed roof deck, condition (a) is nearly met (as the roof deck is one foot and one half inch above the roof) and condition (b) is met (as the total height is about 53 feet, less than the allowed height of 70 feet).

Condition (c) is not met, as the top of the roof hatch is 65.75 inches. However, the height of the building up to the top of the hatch is about 58 feet and therefore below the total allowed height of 70 feet. This means the height of the hatch does not create excessive height.

Condition (d) is also not met because, although the roof deck is set back over 5 feet at the front of the building, it is set back zero feet at the rear of the building. The rear of this building abuts a private alley used primarily for parking and some small rear yards. There are therefore minimal concerns about the urban design impact of the roof deck at the rear of the building in comparison to the front of the building.

Recommendation:

In reference to BOA1719017, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the South End Landmarks Commission for design review.

Reviewed,

Deputy Director of Zoning



Planning Department

CITY of BOSTON



Case	BOA1685149
ZBA Submitted Date	2025-01-21
ZBA Hearing Date	2025-06-24
Address	31 Notre Dame ST Roxbury 02119
Parcel ID	1100938000, 1100937000
Zoning District & Subdistrict	Roxbury Neighborhood MFR
Zoning Article	50
Project Description	Combine two parcels under common ownership, demolish a one-unit building, and construct a four-story, 14-unit residential building.
Relief Type	Variance
Violations	Parking or Loading Insufficient Lot Area Insufficient Additional Lot Area Insufficient FAR Excessive Usable Open Space Insufficient Side Yard Insufficient

Planning Context:

This proposed project is located in Roxbury, approximately one block from Columbus Avenue and within 1/2 mile of the Stony Brook MBTA Orange Line Station and 1/2 mile from Jackson Square. The proposal includes combining two lots under common ownership, one of which with a one-unit building and the other with a driveway serving that building. The proposal demolishes the existing building and constructs a new four-story, 14-unit residential building.

The surrounding properties on this block are a mix of one- and two-unit buildings, vacant properties, and facilities for the Dimock Community Health Center. The adjacent property to the northeast is a parking lot part of the Dimock Community Health Center and the adjacent property to the southeast is a vacant lot. Within several blocks of this site are higher-density housing options, with some larger apartment buildings of similar or greater scale to this proposal.

The proposed project does not include parking, but does provide secured bike parking and is located in close proximity to the MBTA Orange Line and high frequency bus routes and bus



lanes on Columbus Avenue. Consistent with current City policy, a lower-than-required parking ratio is acceptable here, especially given the quality of other transportation options.

Additional housing not only advances goals from Housing a Changing City (2018), but also the Roxbury Strategic Master Plan (2004). The Roxbury Strategic Master Plan called for an expansion of affordable housing units and the addition of more housing units that are ADA accessible. The proposed project is subject to Inclusionary Zoning because it includes 14 units, meaning it will need to provide income-restricted units and enter a housing agreement with the Mayor's Office of Housing. The proposal, however, does not create fully accessible entrances to the building, with a step-up condition at each point of entry. This condition should be addressed through design review for the project.

Given the alignment with citywide and neighborhood planning initiatives, particularly the creation of additional affordable housing units, this project is appropriate at this site.

Zoning Analysis:

The proposed project has an FAR of 2.2, but the maximum allowed FAR for the MFR subdistrict pursuant to Article 50 is 1.0. The majority of buildings within this same MFR subdistrict have an FAR greater than 1.0, typically ranging from 1.2 to 2.0. Additional FAR is needed to promote housing production, especially within a multifamily residential subdistrict; this presents a case for zoning reform to update dimensional regulations to better match the existing context.

The proposed project also does not have sufficient lot area and sufficient additional lot area for the proposed 14 units. The minimum required lot area for the first three units is 4,000 square feet, and the total minimum lot area (including the additional 1,000 square feet per unit) is 15,000 square feet. The parcel itself is only 4,514 square feet, meaning it could only accommodate three units if fully compliant with zoning.

The required amount of usable open space is 200 square feet per dwelling unit, for a total of 2,800 square feet. The proposal includes 172 square feet per dwelling unit, largely satisfied through private balconies and landscaping on the side and rear yards. Other multi-unit buildings in this same subdistrict also typically provide usable space through private balconies, or don't provide any usable open space at all. Again, this presents a case for zoning reform, to better align the open space regulations with the built context. Notably, the project also proposes planting four new trees in the rear of the site.

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The minimum required side yard is 10', but the proposal includes an 8' side yard on the northeastern side abutting a Dimock Community Health Center parking lot, and a 5' side yard to the southeast abutting the vacant property. Side yards are inconsistent in the surrounding context, ranging from zero-lot-line conditions to over 20 feet. However, nearby properties that have a smaller-than-required side yard are often due to a driveway on the opposite side. This presents a case for zoning reform, where cumulative measurements for side yards may be more appropriate to provide flexibility, but still achieve the intent of separation between buildings.

Finally, the proposed project is required to provide one parking space per residential unit, for a total of 14 parking spaces. The project does not include off-street parking, which is appropriate given the inclusion of secured bike parking within the building, proximity to rapid transit stations, and being located one block away from high-quality bus lanes on Columbus Avenue. The inclusion of required off-street parking could otherwise jeopardize the number of units and amount of open space provided on the site. Again, zoning reform should address outdated parking regulations, especially in areas with access to other multimodal transportation facilities.

Plans reviewed are titled "Proposed 4-Story, 14-Unit Residential Building 31 Notre Dame Street Roxbury, MA 02119," prepared by Tim Johnson Architect, LLC, and dated March 27, 2025.

Recommendation:

In reference to BOA1685149, The Planning Department recommends APPROVAL WITH PROVISIO/S: that a housing agreement be issued prior to issuing permits, and that plans be submitted to the Planning Department for design review with attention to accessibility on the ground floor points of egress.

Reviewed,

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Deputy Director of Zoning



Case	BOA1575584
ZBA Submitted Date	2024-02-28
ZBA Hearing Date	2025-06-24
Address	81 Lexington ST East Boston 02128
Parcel ID	0102918000
Zoning District & Subdistrict	East Boston Neighborhood 2F-2000
Zoning Article	53
Project Description	Erect a 3.5-story multifamily dwelling with 7 residential units on a newly created 3,706 square foot lot. The project scope includes bike storage and rear decks. The project's proposed subdivision of the existing parcel and demolition of the existing building are tied to separate permits.
Relief Type	Variance
Violations	Parking or Loading Insufficient Height Excessive (ft) Height Excessive (stories) Side Yard Insufficient Existing Building Alignment Forbidden Use (7 Units); Traffic Visibility Across Corner

Planning Context:

The proposed project has its ZBA hearing deferred seven times: on September 24, 2024; October 29, 2024; December 3, 2024; February 4, 2025; March 25, 2025, April 8, 2025, and May 20, 2025. The Planning Department provided recommendations for denial without prejudice for each project iteration, citing design concerns relating to the project's proposed scale, setbacks, and excessive unit count as grounds for the denials.

The three most recent iterations of this recommendation (for the April 8, 2025, May 20, 2025, and June 24, 2025 hearings) related to the project's updated project plans. The proponent submitted these updated project plans to ISD and received an updated zoning refusal letter and set of refused project plans on March 4, 2025. These plans make amendments to the building's design, addressing some of the aforementioned concerns of the project's initial proposal, particularly building setbacks. Despite this, the updated proposal falls short of meeting the



standards for approval previously set forth by the Planning Department in past iterations of this recommendation. These standards relate to the project's proposed unit count (seven units still in excess of zoning maximum) and overall building scale (excessive height increased, building width remains excessive). The contents of this recommendation have been updated from its original form to reflect the details of this amended project design, though remain largely unchanged from its recent April 8, 2025 and May 20, 2025 iterations (as no new materials have been submitted since).

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

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

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



area's existing urban form, and ultimately deviates from PLAN: East Boston's planning recommendations for residential areas.

The recommendations of PLAN: East Boston (adopted January 2024) also outline a need to improve access to neighborhood-serving retail and service amenities in residential areas, and support the development of small-scale commercial spaces on corner parcels within East Boston's neighborhood fabric (to support uses such as coffee shops, laundromats, etc.). The project's updated designs, which remove its previously proposed ground floor corner commercial space, backtrack from this goal. While ground floor commercial uses are not required for residential corner lots, the scale of infill proposed by this project aligns with the type of development where such uses were contemplated as appropriate by the PLAN, thus representing a missed opportunity by the project to further this planning goal.

Zoning Analysis:

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

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

The site's insufficient parking violation relates to the project's proposed zero-parking condition. While in violation of the area's zoning requirements (1:1 dwelling/space parking ratio required, totaling seven required off-street spaces for the project), this condition is one commonly found throughout the Eagle Hill area, including on ~85% of the lots on the proposed project's immediately surrounding blocks. Similarly, the project's violation for insufficient traffic visibility

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across corner is not met by any of the area's corner parcels. While the project's 3 foot front yard setback varies from the block's predominant existing building alignment (zero foot front setback), the additional space provided by the proposed dimension actually represents a preferable design outcome that conforms with the front yard requirements of the area's zoning as well as its broader planning goals to create additional street-facing open space (especially upon corner lots).

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

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

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

Recommendation:

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

Reviewed,

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

Deputy Director of Zoning



Case	BOA1663421
ZBA Submitted Date	2024-10-20
ZBA Hearing Date	2025-06-24
Address	869 Saratoga ST East Boston 02128
Parcel ID	0101053000
Zoning District & Subdistrict	East Boston Neighborhood EBR-3
Zoning Article	53
Project Description	Erect a four-story residential building with three residential units with private rear decks, three ground level parking spaces, and a basement utility room.
Relief Type	Variance
Violations	Height Excessive (stories) Height Excessive (ft) Building Lot Coverage Excessive Permeable Area of Lot Insufficient Rear Yard Insufficient Side Yard Insufficient Building Depth Excessive

Planning Context:

The proposed project is within the boundaries of PLAN: East Boston, which was adopted by the BPDA Board in January 2024. The Plan calls for the development of contextually sensitive and appropriately scaled residential projects that "affirm the physical characteristics that define low-scale neighborhood fabric" (PLAN: East Boston page 21). Zoning updates codifying the recommendations of PLAN: East Boston were adopted by the Zoning Commission in April 2024. The proposed project supports the Plan's goals for low-scale residential fabric by constructing a residential building with three dwelling units in an area characterized by similar three-family buildings, including many triple-deckers. The Plan also sets out goals for climate resilient site design, particularly on privately-owned residential land. The Plan notes that "the spaces between buildings created by front, side, and rear yard setbacks contribute to neighborhood open space and provide the space needed for trees and other plants to grow" (PLAN: East Boston page 21). Although the building footprint and parking area covers most of the site, the proposed pavers are permeable, which satisfies this goal of the Plan.



The proposed project is also within the Coastal Flood Resilience District (CFROD), which requires that occupiable residential space is located above the Design Flood Elevation (DFE). 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 residential space should be avoided in parts of buildings that are prone to flooding. The Base Flood Elevation (BFE) for the proposed project is 19.5 feet, which means that any residential use should be no lower than 2 feet above BFE, which in this case would be 21.5 feet. The proposed residential uses in this project are at an elevation of 11.5 feet above grade, which meets the requirements of CFROD. The only uses that are proposed at-grade are parking and circulation, which are allowed to be located below the minimum DFE. However, there are below-grade basement utilities that should be elevated above the DFE.

Zoning Analysis:

The zoning code refusal letter for the project cites 7 zoning violations based on the EBR-3 zoning subdistrict. The proposed project is cited for both building height in stories and in feet. The EBR-3 subdistrict has a maximum height limit of 3 stories and 35 feet. The project is proposed to be 4 stories and 49.3 feet, which is a whole story taller and greater than ten feet higher than the zoning requirements. This is true even with the provision in Article 53 Section 19 regarding the applicability of proposed projects within the CFROD in East Boston, in which height is measured from the higher of grade or 2 feet above BFE. Although most residential structures along this block and in the immediate vicinity are a maximum of 3 stories, the units per structure vary from single- and 2-families to small multifamilies with 4-6 units per building. Relief is not recommended.

The EBR-3 subdistrict requires a minimum rear setback to be $\frac{1}{3}$ of the lot depth, which would be approximately 32 feet for a lot that is 97 feet deep. Side setbacks are required to be a minimum of 3 feet. The proposed project has a 28-foot rear setback and a 0.1-foot setback at the narrowest. The massing of the structure takes up most of the width and depth of the lot, significantly decreasing the existing side and rear setbacks of the existing structure on the lot. Relief for rear yard setback is not recommended.

Narrow side yards are a common feature of the built fabric on this block - generally only wide enough for a pedestrian to pass through - but the proposed side yard will leave little space for light and air between the proposed building and abutting residences. The side setback is never



greater than 0.2 feet between the building and the side yard. Relief from the side yard violation based on the EBR-3 subdistrict requirements is not recommended.

The lot coverage for a mid-block lot in an EBR-3 is 60%, which would be 1,437 square feet for this lot (based on the lot width of 24.7 feet and depth of 97 feet). The proposed lot coverage is approximately 69%, or 1,648 square feet. Several of the buildings on this block extend further back into similarly deep and narrow lots, so the proposed lot coverage is contextual. However, most yards on this block still maintain a sizable planted and/or permeable rear yard. EBR-3 requires a minimum 30% permeable area of the lot, which would be 718 square feet for this lot. The proposed permeable area of the lot is approximately 700 square feet - largely due to permeable pavers where 2 parking spaces are located - which is slightly below the minimum. Given the vulnerability of this area to present and future flooding, relief is not recommended for permeable area of lot.

Finally, EBR-3 requires a maximum building depth of 70 feet, and the proposed project is approximately 72 feet. Although the massing of the proposed building is contextual for a commonly deep and narrow lot, relief for this violation is not recommended as building depth contributes to less site permeability.

The plans reviewed are titled "869 Saratoga Street East Boston, Boston, Massachusetts 02128" and are prepared by Context, dated April 1, 2024.

Recommendation:

In reference to BOA1663421, The Planning Department recommends DENIAL. As new construction, the proponent should consider a project that complies with the dimensional requirements of the updated Article 53.

Reviewed,

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Deputy Director of Zoning



Case	BOA1482368
ZBA Submitted Date	2023-06-06
ZBA Hearing Date	2025-06-24
Address	87 Morris ST East Boston 02128
Parcel ID	0106841000
Zoning District & Subdistrict	East Boston Neighborhood 3F-2000
Zoning Article	27T, 32, 53
Project Description	Change the use from a two unit building to a three unit building by remodeling the basement into a new apartment.
Relief Type	Variance, Conditions Use, IPOD
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:

This case has been previously reviewed and deferred by the ZBA on 4/23/25. No new project plans have been submitted. The contents of this review will remain the same.

87 Morris Street is located in the East Boston neighborhood district. PLAN: East Boston, which was adopted by the BPDA Board on March 14, 2024, encourages the development of Additional Dwelling Units as they offer a sustainable and efficient way to expand housing options and “contribute to more inclusive and adaptable communities”. Further, the PLAN states 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.”

87 Morris Street is within a 5 minute walking radius of the MBTA Blue Line Airport Station further aligning it with city wide goals for increasing transit oriented development in order to address the ongoing housing crisis. The proponent seeks to change the occupancy of the



existing residence from a 2-family to a 3-family. This would involve the remodeling of the basement into a new apartment.

Morris Street contains mostly 3-family residences, including the two residences immediately to the east and west of the plot lines. Majority of the homes along Morris Street are built up to the existing lot lines with little to no side yard allotments. Parking along Morris Street appears to be very congested, with the majority of residences not providing any additional parking within their parcel.

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.

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. This

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project applied on April 18, 2023, and therefore the old zoning applies; however the updated zoning provides important planning context.

The project does not comply with new Article 53 zoning for off-street parking, as one new parking space would be required for the new third unit. However, due to the narrow shape of the lot, there is no room for a driveway, and therefore a variance would be appropriate.

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.

New zoning does not restrict FAR, lot area, or usable open space, and instead regulates building width and depth, building lot coverage, building floor plate, and permeable area of lot. The project seems to comply with all of these dimensional requirements except for the permeable area of lot, which is not shown clearly in the plans. As noted in the planning context of this recommendation, adequate permeable area is vital for mitigating flooding in this area. Also, due to the additional unit, the project does not comply with the requirements for usable open space, parking, and additional lot area in existing zoning, despite being an existing structure.

The project is located in the Groundwater Conservation Overlay District (GCOD). The purpose of the GCOD is to protect wood pile foundations of buildings from being damaged by lowered groundwater levels. Projects that fall within GCOD and involve the erection or extension of any structure designed or used for human occupancy or access, mechanical equipment, or laundry or storage facilities, including garage space, if such construction involves the excavation below grade to a depth equal to or below eight (8) feet above Boston City Base, are required to obtain a conditional use permit.

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 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.



Recommendation:

In reference to BOA1482368, The Planning Department recommends DENIAL. The Planning Department does not support the creation of new housing in a basement that is at risk of flooding in the future.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1677881
ZBA Submitted Date	2024-07-02
ZBA Hearing Date	2025-06-24
Address	155R Princeton ST East Boston 02128
Parcel ID	0106656000
Zoning District & Subdistrict	East Boston Neighborhood EBR-3
Zoning Article	53
Project Description	Build a new three story building containing three units on top of an existing garage.
Relief Type	Conditional Use,Variance
Violations	Roof Structure Restrictions Height Excessive (stories) Front Yard Excessive Side Yard Insufficient Rear Yard Insufficient Two or More Dwellings on Same Lot

Planning Context:

This project was deferred from the ZBA hearing on March 25, 2025. No new plans have been submitted and so the Planning Department recommendation has remained the same.

This application proposes building three-stories containing three-units on top of an existing garage. This would be on a new lot (155R Princeton St) which would be created through a subdivision proposed on a companion case (BOA1677882). The other part of the proposed subdivided lot (157 Princeton St) contains an existing three-story, three-unit building.

Plan: East Boston, which was adopted by the BPDA Board on March 14, 2024, states that in the subarea where this project is located ("Eagle Hill"), "Most buildings are close to the sidewalk edge, if not immediately abutting it, and are close to each other." In the immediate surrounding area, nearly all existing buildings fit this description, with front yards between 0 and 5 feet and narrow side yards with few driveways. There is one other building in the area (216 Saratoga St) with a typology similar to what is proposed in this project, with a dwelling built at the rear of another dwelling. This building (built in 1910) is an outlier among dwellings otherwise built to the edge of the lots.



Plan: East Boston states that one of the key land use and built form recommendations for neighborhood residential areas is to "allow for a mix of housing types within a limited range and affirm the physical characteristics that define lowscale neighborhood fabric... These limits would be set by using existing built forms as a guide, ensuring that the size and scale of new development are consistent with what already exists." This proposed project does not support this plan recommendation, as the proposed project is significantly different in form from what currently exists in the area and updated zoning.

Zoning Analysis:

New zoning for this area to codify the recommendations of PLAN: East Boston was adopted on April 24, 2024.

The proposed building would be a total of four stories (three new residential stories on top of the existing garage). This means it does not comply with the zoning maximum of three stories. However, because of the slight downwards slope of the lot, it does comply with the maximum height in feet (35 feet). The proposed building is also about the same height (slightly shorter) than the existing building on 157 Princeton, and it therefore fits in the context of the area in terms of height.

The proposed new building would not comply with the rear, side, and front yard requirements. The zoning requires a 30 feet rear yard for this lot, while the proposed rear yard is 0 feet. The zoning also requires a side yard of 3 feet, while the proposed side yard is 0 feet. While an accessory building like a garage is allowed to be located within a required side or rear yard, the proposed new building would violate all these updated yard requirements. The project also does not comply with the front yard maximum of 5 feet, as the front yard would be approximately 40 feet due to the accessway to the building and its location behind another building. This front yard maximum was established in the zoning to support the planning goals of allowing for a mix of housing types while affirming the existing physical characteristics of the neighborhood fabric, including residential buildings with street frontage.

Section 53-29.13 of the Code states that "A Dwelling shall not be built to the rear of another Dwelling." The Code further states that the Board of Appeal may grant zoning relief for this requirement "if it finds that open space for all occupants, and light and air for all rooms designed for human occupancy, will not be less than would be provided if the requirements of this Section



53-29.13 were met.” This project would cut off all access to light from the rear for the existing building on 157 Princeton St. Therefore, the Board of Appeal should not grant this zoning relief.

Plans reviewed: “PROPOSED THREE FAMILY RENOVATION” prepared by “SLHG” and dated “7/12/24.”

Recommendation:

In reference to BOA1677881, The Planning Department recommends DENIAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1677882
ZBA Submitted Date	2024-12-12
ZBA Hearing Date	2025-06-24
Address	157 Princeton ST 1 East Boston 02128
Parcel ID	0106656000
Zoning District & Subdistrict	East Boston Neighborhood EBR-3
Zoning Article	53
Project Description	Subdivide an existing lot into two lots: 155R Princeton St and 157 Princeton St. 157 Princeton St contains an existing three-story, three-unit dwelling.
Relief Type	Variance
Violations	Building Lot Coverage Excessive Permeable Area of Lot Insufficient Side Yard Insufficient Rear Yard Insufficient

Planning Context:

This project was deferred from the ZBA hearing on March 25, 2025. No new plans have been submitted and so the Planning Department recommendation has remained the same.

This application proposes subdividing an existing lot into two lots: 155R Princeton St at the southwest and 157 Princeton St at the northeast. 157 Princeton St contains an existing three-story, three-unit dwelling. A companion case (BOA1677881) proposes adding three-stories containing three-units on top of an existing garage on 155R Princeton St.

Plan: East Boston was adopted by the BPDA Board on March 14, 2024. The Plan states that one of the key land use and built form recommendations for neighborhood residential areas is to "preserve privately-owned open space and increase permeable areas. The spaces between buildings created by front, side, and rear yard setbacks contribute to neighborhood open space and provide the space needed for trees and other plants to grow. Permeable areas are needed to support groundwater recharge and limit stormwater runoff that contributes to neighborhood flooding and worsens water quality." This proposed subdivision does not support this plan



recommendation, as it does not preserve adequate space to the side and rear of the existing building on 157 Princeton for trees and other plantings or for permeable area.

Zoning Analysis:

New zoning for this area to codify the recommendations of PLAN: East Boston was adopted on April 24, 2024.

The proposed lot subdivision would create two new lot lines, one at the rear of the existing building and one on the west side of the existing building. This would create new rear yard and side yard violations for the existing building, as the new side yard would be 2.7 feet (while the zoning requires 3 feet) and the new rear yard would be 3.7 feet (while the zoning requires 10 feet).

Additionally, the new proposed lot dimensions for 157 Princeton St would mean the existing building would not comply with the building lot coverage or permeable area of lot requirements, as the building lot coverage would be 80% (the zoning maximum is 60%) and the permeable area of the would be no more than 20% (the zoning minimum is 30%).

Plans reviewed: "SUBDIVISION PLAN" prepared by "SLHG" and dated 11/22/22.

Recommendation:

In reference to BOA1677882, The Planning Department recommends DENIAL.

Reviewed,

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

Deputy Director of Zoning

MEMORANDUM**December 12, 2024**

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

FROM: CASEY HINES, SENIOR DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
NUPOOR MONANI, SENIOR DEPUTY DIRECTOR OF DEVELOPMENT
REVIEW
MEGHAN RICHARD, SENIOR URBAN DESIGNER
JOHN STUART-FISHBACK, SENIOR LANDSCAPE ARCHITECT II
DANIELA ESPINOSA,
HARSHIKA BISHT, SENIOR SUSTAINABLE DESIGN REVIEWER
ILLANA HAIMES, ZONING COMPLIANCE PLANNER II
EBONY DAROSA, SENIOR PROJECT MANAGER

SUBJECT: 1690-1700 HYDE PARK AVENUE, HYDE PARK

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) d/b/a Boston Planning & Development Agency (“BPDA”): authorize the Director of the BPDA (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”) for the project located at 1690-1700 Hyde Park Avenue in the Hyde Park neighborhood of Boston (as further described below, the “Proposed Project”); (2) to issue one or more Certifications of Compliance or Partial Certifications of Compliance for the Proposed Project pursuant to Section 80B-6 of the Code, upon successful completion of the Article 80 Large Project Review process; and (3) take any and all actions and execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing including, without limitation, executing and delivering a Cooperation Agreement, which will include a provision requiring compliance with the Boston Residents Jobs Policy, an Affordable Rental Housing Agreement and Restriction (“ARHAR”), and any and all other

documents and agreements as the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The project site comprises of three parcels of land totaling approximately 30,860 square feet (SF), or 0.71 acres, between Hyde Park Avenue and the MBTA Fairmount Line between 1670 and 1702 Hyde Park Avenue (the “Project Site”). The Project Site is located approximately three hundred (300) feet from the Readville commuter rail station, and is located in close proximity to several MBTA bus lines that run along Hyde Park Avenue.

The Project Site currently has three existing tenants including:

- Henry’s Welding – a tenant at will who has been informed about the Proposed Project;
- CRC Auto – a tenant who has a term of years that expires November 30, 2025; and
- JM Music & Electric – a tenant who will be relocated to another location owned by the Proponent.

DEVELOPMENT TEAM

The development team includes:

Proponent: West Boylston Investments LLC c/o FPM LLC
103 Clayton Street
Dorchester, MA 02122
Greg Feeney
Brendan Feeney
Michael Sheehan
Mark Feeney

Article 80

Permitting

Consultant: Mitchell L. Fischman Consulting (“MLF Consulting”) LLC
41 Brush Hill Road

Newton, MA 02461
Mitchell Fischman
Mark Feldman

Legal
Counsel: McDermott Quilty Miller & Hanely LLP
28 State Street, Suite 802
Boston, MA 02109
Dennis Quilty, Esq

Architect: RODE Architects Inc.
535 Albany Street, Suite 39
Boston, MA 02118
Eric Robinson
Amanda Sanders
Luke Stevenson

Landscape
Architect: Michael D'Angelo Landscape Architecture LLC
840 Summer Street, Suite 201A
South Boston, MA 02127
Michael D'Angelo
Chris Golden

Transportation
Planner: Howard Stein Hudson
11 Beacon Street, Suite 1010
Boston, MA 02108
Keri Pyke, P.E., PTOE
Melissa Restrepo

Civil
Engineer: Howard Stein Hudson
11 Beacon Street, Suite 1010
Boston, MA 02108
George Mihov, P.E.

Sustainability

Consultant: Soden Sustainability Consulting
19 Richardson Street
Winchester, MA 01890
Colleen Ryan Soden, LEED AP BD+C
Arran French

Noise and Air

Consultant: Tech Environmental, Inc.
Hobbs Brook Office Park
303 Wyman Street
Waltham, MA 02451
Marc C. Wallace

**Passive House
Feasibility**

Consultant: Steven Winter Associates
Greentown Labs
444 Somerville Avenue
Somerville, MA 02143
Stephen Moore
Conn O'Farrell

Wind Engineer:

RWDI, Inc
600 South Gate Drive
Guelph, ON N1G 4P6 Canada
Peter Soligo
Shannon Daniels

**Geotechnical
Engineer:**

Ardent Group
590 Summer Street
Rockland, MA 02370
Joseph Dorsett, Jr.

DESCRIPTION AND PROGRAM

The Proposed Project consists of the construction of a new residential rental building totaling approximately 99,000 gross square feet. The new building will contain approximately one hundred and fifteen (115) multi-family rental units, including thirty-seven (37) studios, forty-four (44) one-bedroom, nineteen (19) two-bedroom, and fifteen (15) three-bedroom units. The Proposed Project will also contain up to sixty-nine (69) garage parking spaces and 1,500 gross square feet of ground floor retail space.

The estimated total development cost for the Proposed Project is \$35,000,000.

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

<u>Estimated Project Metrics</u>	Proposed Plan
Gross Square Footage	136,000
Gross Floor Area	99,000
<i>Residential</i>	83,000
<i>Office</i>	0
<i>Retail</i>	1,500
<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>	28,000
Development Cost Estimate	
Residential Units	115

<i>Rental Units</i>	115
<i>Ownership Units</i>	0
<i>IDP/Affordable Units</i>	20
Parking spaces	69

ARTICLE 80 REVIEW PROCESS

On September 27, 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. As memorialized in a BPDA Memorandum dated June 17, 2024, the Impact Advisory Group ("IAG") was finalized with six members.

The Proponent filed a Project Notification Form ("PNF") on February 8, 2024, which initiated a public comment period that concluded on March 29, 2024. Notice of the receipt of the PNF by the BPDA was published in the Boston Herald on February 8, 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 IAG members.

Pursuant to Section 80B-5.3 of the Code, on March 5, 2024, a Scoping Session related to the PNF was held with the City's public agencies and elected officials to review and discuss the Proposed Project.

On March 19, 2024, a joint Virtual IAG and Public Meeting was held. The meeting was listed on the BPDA website, advertised in the local newspaper, and distributed to those who enrolled in the BPDA Hyde Park email list. On August 21, 2024, a Virtual IAG Meeting was held. The Virtual IAG Meeting was listed on the BPDA website and distributed to the those who enrolled in the BPDA Hyde Park email list. On September 12, 2024, a site visit was held with the IAG in attendance.

In addition to the above-mentioned meetings, the Proponent and BPDA also undertook community outreach efforts and participated in a series of meetings to

discuss the Proposed Project and solicit feedback before and during the Article 80 Review process with abutters, neighborhood residents, local elected officials, and several community groups, including the Hyde Park Neighborhood Council, to discuss the Proposed Project and solicit feedback.

PLANNING AND ZONING CONTEXT AND CITY STAFF REVIEW

The Proposed Project is located in the Hyde Park Neighborhood District, in a Local Industrial 2 (LI-2) subdistrict. This zoning designation is not consistent with the proposed use and dimensions that are representative of the evolving fabric of this portion of Hyde Park Avenue. The proposed multi-family residential use is forbidden. Dimensional regulations intended for industrial building typologies assume buildings that are much lower and have higher lot coverage than is required to support new housing and much-needed public realm and open space enhancements in this area.

The existing building is not inventoried by the Massachusetts Historical Commission (MHC) as an historic structure, although the neighborhood in which the proposed development is sited is within a Boston MHC Historic Inventory Area, the Readville Industrial Area. Several surrounding properties are individually inventoried by the MHC as well.

Given the proximity of the site to the Readville MBTA Commuter Rail Station, the site is in the study area of the Fairmount Indigo Corridor Planning Initiative. The area surrounding the Readville Commuter Rail Station is identified in the Plan as having significant capacity for new homes and great potential for new residential densities, and suggests that new zoning be implemented to support housing strategies outlined by the Plan.

Heat Resilience Solutions for Boston recognizes this area of Hyde Park as having the same median heat value as the city as a whole. Given the prevalence of extreme heat across the city, the median value is still quite high, recorded as 99.5°F during the modeled 2019 heat wave. As temperatures increase as a result of climate change, it is important for the proposed development to work towards the mitigation of urban heat. Canopy coverage is an important step towards urban heat island mitigation. The Hyde Park neighborhood as a whole falls above average for canopy coverage in comparison to the city as a whole. However, the area surrounding the proposed development site, bounded by either of the MBTA rail lines, Reservation Road to the north, and Neponset River Parkway to the south

includes few street trees. Street trees are important not only for the shade they provide, but for the value they provide to pedestrians through increased comfort and safety in separating the sidewalk from vehicle travel lanes in the street. The Proposed Project responds to this need through the intended addition of six street trees along the Hyde Park Avenue frontage, as well as the creation of a pocket park interior to the site.

The area around Readville Station is identified by the Imagine Boston 2030 as a neighborhood intended for expansion. The Proposed Project's site is located in a transit-accessible area in the city with infrastructure already in place to support new mixed-use housing growth. The 6-story height is acceptable as a response to the policies set forth by the planning context for the area and responds to the transit capacity in this area. Given that the proponent intends direct access to units at the proposed development, it is recognized that there is ground floor activation additional to the small proposed commercial space within the development.

MITIGATION & COMMUNITY BENEFITS

The BPDA encourages the Proponent to continue to work with the Boston Transportation Department ("BTD"), the Boston Public Works Department ("PWD"), the Massachusetts Bay Transportation Authority ("MBTA"), and the BPDA to address the concerns in regard to traffic and circulation impacts in the neighborhood. The Proposed Project will result in a number of mitigation items and public benefits to the Hyde Park neighborhood and the City of Boston as a whole, subject to continuing discussions with staff of the BTD, PWD, and BPDA Transportation Planning staff, described as follows:

- Reconstructing and widening sidewalks along Hyde Park Avenue in front of site as a part of the Proposed Project, including:

Providing a Complete Streets compliant sidewalk along Hyde Park Avenue including a 7'-0" wide Pedestrian Zone and a 4'-0" wide Furnishing Zone which includes (3) three street trees and short term bicycle parking. Extent and volume of street tree soil has not been confirmed. Minimum required soil volumes are per Boston Complete Streets Design Guidelines. Planning recommends that to the extent feasible the project strive to meet industry standards for soil volume

as described on page 60 of Complete Streets, which targets 2 cubic feet of soil per 1 square foot of mature tree canopy. Assume a soil depth of 3 feet when calculating soil volume. Assume target mature tree canopy diameter matches street tree spacing. Staff requests that the proponent evaluate the potential for installation of canopy trees at the back of sidewalk where trees cannot be provided within the Furnishing Zone due to the active curb condition. Staff requests that the proponent consider the incorporation of permeable pavers in the Furnishing Zone.

- Creating a new short-term drop-off area at the request of local business owners for Uber and Amazon type drop-offs.
- In addition, development provides a traditional off-street loading dock for move-in and longer-term building service providers, i.e, UPS, Fed-X, and USPS.
- Providing a street-level bike lane. The bike lane and Pedestrian Zone occur inboard of the property line, therefore the proponent will need to seek a Highway Easement from the Public Improvement Commission.
- Installing new, accessible ramps, improving street lighting, where necessary.
- Providing bicycle storage racks surrounding the site, where appropriate, all in conformity with BPDA/BTD plans and Boston Complete Street requirements.

Providing a Pocket Park in front of the building entrances along Hyde Park Avenue totaling approximately 4,000 square feet which serves as an amenity to the building tenants as well as being accessible for use by the general public. The Pocket Park as designed provides opportunities for passive uses through the provision of bench seating and flexible seating areas, lawn, and accessible circulation routes. An outdoor seating area adjacent to the commercial space directly connects to the larger Pocket Park via a stair. The Pocket Park can also be accessed directly from the sidewalk via a flush walkway or a stair. The Pocket Park connects the public

realm to the primary residential entrance and resident bike parking room. Shade trees and ornamental planting are proposed to buffer the space from Hyde Park Avenue, to create a welcoming and comfortable environment, and to support stormwater management. A total of twenty-three (23) new trees are proposed including the site and R.O.W. Staff recommends that the Proponent give further consideration to the activation and function of the Pocket Park including addressing how the large lawn area will be used, how it will survive dog use and improved activation of the lawn by relocating / reorienting the benches away from the lawn's edge. Staff also recommends further consideration of the proposed raised curbs around the lawn, planters, and seating area in support of maximizing the potential for accessibility and stormwater management.

- Preserving and reinforcing the historic character of the area by exploring opportunities to salvage material from existing WPA site wall and incorporate the salvaged material into future landscape elements such as walls, curbs, or paving, where feasible.
- Providing a one-time “bikeshare” contribution of \$49,000.00 to the Boston Transportation Department per the City’s Bicycle Parking Guidelines upon issuance of the Certificate of Occupancy as well as providing space for one (1) 15-dock bikeshare station nearby offsite also upon issuance of Certificate of Occupancy. The Proponent will continue to work with BTM and the BPDA to site the station appropriately (the bikeshare station may also require Administrative Review by the Public Improvements Commission).
- Providing a \$10,000.00 contribution to BCYF Hyde Park upon issuance of the Building Permit.
- Providing a \$10,000.00 contribution to City of Boston Parks and Recreation Department for the IACONO Playground and Park upon issuance of the Building Permit.
- Providing a \$10,000.00 contribution to Hyde Park Main Streets upon issuance of the Building Permit.

SUSTAINABILITY & RESILIENCY

- Supporting Boston's carbon-neutral goals, the Proposed Project will be designed and constructed to be Zero Net Carbon, LEED Gold / 61 points certifiable, and Passive House certified, with a Building 2035 pCEI 0.8 kg CO₂e/sf-yr.
- The proposed building will include a well-insulated airtight enclosure, all-efficient electric heat pump space conditioning and DHW heating systems with energy recovery ventilation, and all-electric EnergyStar-rated appliances (including additional and unique strategies).
- The Proposed Project will install approximately 133.7 kW solar PV with the final amount determined by Design Filing and 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.)

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 (17.4%)
- Deepen the affordability of IDP units (60-80% AMI range)
- Provide all IDP units on-site
- Provide a higher proportion of 2+ bedroom IDP units than required

Marketing & Housing Access Interventions

- Provide a preference for up to 10% of the IDP units, or two (2) units, to rental voucher-holders
- Develop 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
- Reduce security deposits to 50% for 10% of the total units, including application to all 20 proposed IDP units

Areas of High Historical Exclusion Intervention Enhancement

- Provide a preference to local businesses and provide flexible long-term lease options for commercial space(s)

INCLUSIONARY DEVELOPMENT COMMITMENT

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 (the "IDP") and is located within Zone C, as defined by the IDP. The IDP requires that 13% of the total number of units within the development be designated as IDP units. The Proposed Project has committed to providing twenty (20) units, or approximately 17.4% of the total number of units and 17.8% of total unit square footage, within the Proposed Project to be created as IDP rental units (the "IDP Units"). Three (3) IDP units will be made affordable to households earning not more than 60% of AMI, as published annually by the BPDA and based upon data from the United States Department of Housing and Urban Development ("HUD"), fourteen (14) IDP units will be made affordable to households earning not more than 70% of AMI, and three (3) units will be made affordable to households earning not more than 80% of AMI.

Six (6) IDP units will be studio units, seven (7) IDP units will be one-bedroom units, four (4) IDP units will be two-bedroom units, and three (3) 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
102 *	Two-Bedroom	980	70%	\$1,837	Group-2A
110	One-Bedroom	705	80%	\$1,865	
203	Three-Bedroom	1,165	60%	\$1,745	Group-2A

204	One-Bedroom	720	70%	\$1,621	
209 *	One-Bedroom	695	70%	\$1,621	
219	Studio	490	80%	\$1,592	
223	Two-Bedroom	995	70%	\$1,837	
302	Three-Bedroom	1,115	60%	\$1,745	
307	Studio	480	70%	\$1,383	
311	Two-Bedroom	895	60%	\$1,559	
314	One-Bedroom	685	70%	\$1,621	
322	Studio	495	70%	\$1,383	
410	One-Bedroom	685	70%	\$1,621	
417	Studio	470	70%	\$1,383	
504	One-Bedroom	720	70%	\$1,621	Group-2A
508	Three-Bedroom	1,095	70%	\$2,057	
518	Two-Bedroom	925	80%	\$2,114	
519	Studio	470	70%	\$1,383	
605	Studio	480	70%	\$1,383	Group-2A
612	One-Bedroom	685	70%	\$1,621	

* The Affirmative Marketing Plan shall provide that Units 102 and 209 will be marketed with a preference to households with a housing voucher, made affordable to households earning not more than 70% of AMI (albeit households qualifying for such preference may have incomes any amount lower than 70% AMI) and rented up to the rent limit for a 70% AMI IDP Unit notwithstanding use of the marketing preference.

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

The ARHAR must be executed along with, or before, the issuance of the Certification of Compliance for the Proposed Project. The Proponent must also register the

Proposed Project with the Boston Fair Housing Commission (“BFHC”) at the time of building permit issuance. 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 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

Based on the foregoing, the BPDA staff recommends that the BPDA Board, after due consideration of the filings, written and oral comments received, and meetings held regarding the Proposed Project: (1) authorize the Director to issue a Scoping Determination waiving the requirement of further review pursuant to Article 80B5.3(d) of the Code for the Proposed Project; (2) issue one or more Certifications of Compliance or Partial Certifications of Compliance for the Proposed Project pursuant to Section 80B-6 of the Code, upon successful completion of the Article 80 Large Project Review process; and (3) to take any and all actions and execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing including, without limitation, executing and delivering a Cooperation Agreement, which will include a provision requiring compliance with the Boston Residents Jobs Policy, an Affordable Rental Housing Agreement and Restriction, and any and all other documents and agreements as

the Director deems appropriate and necessary in connection with the Proposed Project.

Appropriate votes follow:

VOTED:

That the Director be, and hereby is, authorized to issue a Scoping Determination waiving further review under Section 80B-5.3(d) of the Boston Zoning Code (the "Code"), in connection with the proposed project located at 1690-1700 Hyde Park Avenue in the Hyde Park neighborhood of Boston (the "Proposed Project"), which (i) finds that the Project Notification Form submitted on February 8, 2024 adequately describes the potential impacts arising from the Proposed Project, and provide sufficient mitigation measures to minimize these impacts; and (ii) waives further review of the Proposed Project under subsection (iii) 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 pursuant to Section 80B-6 of the Code upon successful completion of the Article 80 Large Project Review process; and

FURTHER

VOTED:

That the Director be, and hereby is, authorized to take any and all actions and execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing including, without limitation, executing and delivering a Cooperation Agreement, which will include a provision requiring compliance with the Boston Residents Jobs Policy, an Affordable Rental Housing Agreement and Restriction for twenty (20) on-site Inclusionary Development units, 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 BRA.

1690-1700 Hyde Park Ave



1690-1700 Hyde Park Ave



MEMORANDUM**March 13, 2025**

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

FROM: CASEY HINES, SENIOR DEPUTY DIRECTOR FOR DEVELOPMENT REVIEW
NUPOOR MANANI, SENIOR DEPUTY DIRECTOR FOR DEVELOPMENT REVIEW
MICHELLE YEE, PLANNER I
BREEZE OUTLAW, SENIOR URBAN DESIGNER
ERIC BOATRIGHT, SENIOR ARCHITECT
DANIELA ESPINOSA, TRANSPORTATION PLANNING ASSISTANT
CAMILLE PLATT, PROJECT MANAGER

SUBJECT: 65-79 SEATTLE STREET, ALLSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority ("BRA") d/b/a Boston Planning & Development Agency ("BPDA") authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 65-79 Seattle Street in Allston (as defined below, the "Proposed Project"), in accordance with Article 80E, Small Project Review of the Boston Zoning Code (the "Code"); and (2) enter into a Community Benefits Agreement in connection with the Proposed Project, and to take any other actions and to execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The Proposed Project site is approximately 43,500 sf and is bounded on the West by Seattle Street, on the East by Windom Street, on the North by the to be constructed Harvard Greenway, and on the South by 2-4 family homes. The Site is conveniently located near numerous easily accessible public transportation options like the Commuter Rail Line at Boston Landing as well as numerous MBTA bus lines like No. 64, 66, and 70. The Site also offers easy access to major routes like the

Massachusetts Turnpike and Storrow Drive, connecting it to Greater Boston and beyond. The Site has a Walk score of 87, Transit Score of 66 and Bike Score of 92. The Site is in walking distance to a multitude of parks and green space of varying sizes such as James H Roberts Playground, Raymond V. Mellone Park, and the newly renovated Smith Playground. The Site will ultimately abut a publicly accessible 3-acre greenway, to be built by Harvard, which will connect Raymond V. Mellone Park and a pathway to the Charles River.

DEVELOPMENT TEAM

The development team includes:

Proponent:	<u>Urbanica, Inc.</u> Kamran Zahedi
Architect:	<u>Urbanica Design</u> Stephen Chung
Legal Counsel:	<u>Pierce Atwood LLP</u> Paula M. Devereaux

PROPOSED PROJECT

Urbanica, Inc. (the “Proponent”) proposes to develop a 48,000 sf mixed-income development with forty-three (43) homeownership units on the site in Allston (the “Proposed Project”). The Proposed Project will have all forty-three (43) units deed-restricted as affordable homeownership units for households earning up to 80% of Area Median Income (“AMI”) and up to 100% of AMI. Twenty-two (22) units will be restricted to households earning at or below 80% AMI and twenty-one (21) units will be restricted to households earning at or below 100% AMI. The Proposed Project includes three (3) buildings: Building A includes twenty-four (24) units, of which approximately three (3) are one-bedroom units, fifteen (15) are two-bedroom units, and six (6) are three bedroom units; Building B includes nine (9) units, of which approximately two (2) are one-bedroom units and seven (7) are two-bedroom units; and Building C includes ten (10) units, of which approximately two (2) are one-bedroom units and eight (8) are two-bedroom units. This Project aims to provide a significant number of quality housing opportunities for a variety of income levels in the City of Boston and help families, seniors, and young professionals. Five (5) units will be made accessible to those with mobility, hearing and visual impairments

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

<u>Estimated Project Metrics</u>	Proposed Plan
Gross Square Footage	48,128
Gross Floor Area	
<i>Residential</i>	48,128
<i>Office</i>	
<i>Retail</i>	
<i>Lab</i>	
<i>Medical Clinical</i>	
<i>Education</i>	0
<i>Hotel</i>	0
<i>Industrial</i>	0
<i>Recreational</i>	0
<i>Cultural</i>	0
<i>Parking</i>	
Development Cost Estimate	25,900,000
Residential Units	
<i>Rental Units</i>	0
<i>Ownership Units</i>	43
<i>IDP/Affordable Units</i>	43
Parking spaces	22

PLANNING AND ZONING CONTEXT

The Proposed Project at 65-79 Seattle Street is located in the Allston-Brighton Neighborhood Zoning District's North Allston EDA Subdistrict, governed by Article

51 of the Zoning Code. The proposed use is well-suited to the context of this portion of Seattle Street which transitions from residential to institutional in character as it approaches the Harvard Allston campus.

The Proposed Project is located in the study area of the Allston-Brighton Needs Assessment, adopted by the BPDA Board in January 2024. While this planning process did not yield zoning, it did provide staff with insight relevant to the review of the Proposed Project, including the need for housing that is both accessible and affordable. The Proposed Project aligns with this as all proposed units will be income-restricted. Additionally, other plans that were considered during staff review include the ongoing Harvard Enterprise Research (ERC) District & Greenway Plan, the Beacon Park Yard Regional Framework Plan, and the Allston-Brighton Community Plan as these plans will guide the growth in the neighborhood and the area surrounding the Proposed Project. In particular, public realm and sidewalk improvements were designed in collaboration with staff to ensure consistency with Complete Street Guidelines.

While the Proposed Project will need variances for dimensional regulations such as minimum open space, the Project incorporates a central courtyard amenity that enhances the pedestrian experience and maximizes open space which is consistent with the local planning context. Additionally, the courtyard design helps minimize vehicular presence, further prioritizing the pedestrian and resident experience.

ARTICLE 80 REVIEW PROCESS

On October 29, 2024, the Proponent filed an Application for Small Project Review with the Planning Department for the Proposed Project, pursuant to Article 80E of the Code (the “Code”). The Planning Department sponsored and held a virtual public meeting on January 22, 2025, via Zoom. The meeting was advertised in local newspapers, posted on the Planning Department website and a notification was emailed to all subscribers of the Allston neighborhood update list as required by the Code. The public comment period was extended, and ended on February 3, 2025.

MITIGATION AND COMMUNITY BENEFITS

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

- The creation of forty-three (43) affordable residential home ownership units.
- Significant landscaping, pedestrian connectivity, and related public realm improvements on and around the site, in compliance with Boston's Complete Streets policy.
- The Proposed Project will provide forty-three (43) long-term and nine (9) short-term bicycle parking spaces that shall be designed in accordance with the City's Bike Parking Guidelines
- Before issuance of the Certification of Approval, the Proponent will make a one-time "bikeshare" contribution of Eleven Thousand Eight Hundred-Five dollars (\$11,825.00) to BTB per the City of Boston Bike Parking Guidelines.

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 Planning Department 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. The entry and exit way from the Proposed Project's parking garage will be done on Windom Street.

HOUSING PROGRAM AND INCLUSIONARY DEVELOPMENT POLICY

The Proposed Project applied for a building permit on September 11, 2024, prior to the October 1, 2024 effective date of Zoning Article 79 Inclusionary Zoning, and is therefore subject to the Inclusionary Development Policy, dated December 10, 2015 ("IDP"): the IDP provides that projects that are financed as one entity and where at least 40% of the units are income restricted are exempt from the affordability requirements of the IDP. The Proposed Project is financed as one entity and contains forty-three (43) income restricted home ownership units, or 100% percent of the total units, surpassing 40% of the total units. As such, the Proposed Project is exempt from the Inclusionary Development Policy.

As currently proposed the Proposed Project will provide approximately forty-three (43) income-restricted homeownership units. Building A includes approximately twelve (12) units which will be made available to households with incomes not more than 80% of the Area Median Income ("AMI"), as published by the United States Department of Housing and Urban Development; and, approximately twelve (12) units which will be made available to households with incomes not more than

100% of AMI. Building B includes approximately five (5) units which will be made available to households with incomes not more than 80% of AMI, and four (4) units which will be made available to households with incomes not more than 100% of AMI. Building C includes approximately five (5) units which will be made available to households with incomes not more than 80% of AMI, and five (5) units made available to households with incomes not more than 100% of AMI.

The affordability of the Proposed Project will be finalized through the public funding process and the ongoing affordability of the Proposed Project will be monitored under a MassDocs agreement.

RECOMMENDATIONS

The Proposed Project complies with the requirements set forth in Section 80E of the Code for Small Project Review. Therefore, 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 65-79 Seattle Street in the Allston neighborhood, proposed by Urbanica, Inc. (the "Proponent"), for the construction of three (3) buildings of three (3) stories containing a total of forty-three (43) affordable homeownership residential units (the "Proposed Project"), in accordance with the requirements of Small Project Review, Article 80E, of the Code, subject to continuing design review by the Planning Department; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to enter into a Community Benefits Agreement, 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.

65 Seattle Street



1:600



65 Seattle Street





December 2, 2024

Camille Platt
Boston Planning and Development Agency
One City Hall Square – Ninth Fl
Boston, MA 02201

Re: 65-79 Seattle Street, Allston SPRA

Dear Camille Platt,

The Boston Water and Sewer Commission (Commission) has reviewed the Small Project Review Application (SPRA) for 65-79 Seattle St also known as *Urbanica* (the Project). The Project site is in the Allston neighborhood of Boston. The project proposes a mixed-income development with forty-three homeownership units, all units will be deed restricted as affordable units. The Project propose area is approximately 43,500 gsf gross square feet (gsf) and will have seven 1-bedroom units, thirty-one 2-bedroom and five 3-bedroom units. This Project will have 13,644 sf of open space and 31 on-site parking spaces.

The Commission owns and maintains the water, sewer and drain lines serving the Project site. The Project site is served by a 10-inch sanitary sewer located on Seattle Street and a 15-inch sewer on Hopedale Street.

For drainage, the Project site is served by a 60x96-inch storm drainage system that passes through Seattle Street and Windom Street, parallel to and near Science Drive. Neither Seattle Street nor Windom Street have storm drains; the nearest one is an 18-inch storm drain on Hopedale Street.

For domestic water use and fire protection, the Project site is supplied from Seattle Street by an 8-inch northern low ductile iron cement line water main installed in 2002, and on Windom Street by a 1.5-inch copper water main installed in 1967.

The Commission comments regarding the Project are provided below:

General

1. Urbanica, Inc must submit a site plan and General Service Application (GSA) to the Commission for the proposed Project. Prior to the initial phase of the site plan development, the Proponent should meet the Commission's Design and Engineering Customer Services to review water main, sewer and storm drainage system availability and potential upgrades that could impact the Project's development.
2. Prior to demolition of any buildings, 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. Urbanica, Inc must then complete a Termination Verification Approval Form for a Demolition Permit, available from the Commission and submit the completed form



to the City of Boston's Inspectional Services Department before a demolition permit will be issued.

3. All new or relocated water mains, sewers and storm drains must be designed and constructed at Urbanica, Inc 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. To assure compliance with the Commission's requirements, Urbanica, Inc must submit a site plan and a General Service Application to the Commission's Engineering Customer Service Department for review and approval when the design of the new water and wastewater systems and the proposed service connections to those systems are 50 percent complete. The site plan should include the locations of new, relocated and existing water mains, sewers and drains which serve the site, proposed service connections as well as water meter locations.
4. The Department of Environmental Protection, in cooperation with the Massachusetts Water Resources Authority and its member communities, are implementing a coordinated approach to flow control in the MWRA regional wastewater system, particularly the removal of extraneous clean water (e.g., infiltration/ inflow (I/I)) in the system. In this regard, DEP has been routinely requiring proponents proposing to add significant new wastewater flow to assist in the I/I reduction effort to ensure that the additional wastewater flows are offset by the removal of I/I. Currently, DEP is typically using a minimum 4:1 ratio for I/I removal to new wastewater flow added. The Commission supports the DEP/MWRA policy and will require the proponent to develop a consistent inflow reduction plan. The 4:1 reduction should be addressed at least 90 days prior to activation of water service and will be based on the estimated sewage generation provided with the project site plan.
5. The water usage and sewage generation estimates were not provided. The Commission requires that these values be calculated and submitted with the Site Plan. Urbanica, Inc should provide separate estimates of peak and continuous maximum water demand for residential, irrigation and air-conditioning make-up water for the project. Estimates should be based on full-site build-out of the proposed project. Urbanica, Inc should also provide the methodology used to estimate water demand for the proposed project.
6. The proponent should be aware that the US Environmental Protection Agency issued a draft 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, the proponent will be required to apply for a RGP to cover these discharges.



Water

1. Urbanica, Inc should 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. Urbanica, Inc should also provide the methodology used to estimate water demand for the proposed project.
2. In addition to the water conservation measures required by the Massachusetts Plumbing Code and listed in the SPRA, Urbanica, Inc should also consider implementing other water saving measures where appropriate. Public restrooms should be equipped with sensor-operated faucets and toilets.
3. Urbanica, Inc 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. Urbanica, Inc should contact the Commission's Operations Division for information on how to obtain a Hydrant Permit.
4. If potable water is to be used for irrigation of the landscaped areas, the amount should be quantified. If Urbanica, Inc plans to install a sprinkler system, the Commission suggests that timers, tension meters (soil moisture indicators) and rainfall sensors also be installed. The Commission strongly encourages the creation of landscape that requires minimal use of potable water.
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, the Proponents should contact the Commission's Meter installation 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. In order to achieve the reductions in phosphorus loadings required by the TMDL, phosphorus concentrations in stormwater discharges to the lower Charles River from Boston must be reduced by 64%. To accomplish the necessary reductions in phosphorus, the Commission is requiring developers of projects in the lower Charles River watershed to infiltrate all stormwater discharging from impervious areas. The proponent of this project will be required to submit with the site plan a phosphorus reduction plan for the proposed development.
2. Urbanica, Inc must submit to the Commission's Engineering Customer Service Department a detailed stormwater management plan which:
 - Identifies 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.



- Includes 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 the construction.
 - Provides a stormwater management plan in compliance with the DEP's standards mentioned above. The plan should include a description of the measures to control pollutants in stormwater after construction is completed.
3. 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. The proponent is responsible for determining if such a permit is required and for obtaining the permit. If such a permit is required, it is requested 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 2 above.
 4. The Commission encourages Urbanica, Inc to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.
 5. If Urbanica, Inc seeks to discharge dewatering drainage to the Commission's sewer system, they will be required to obtain a Drainage Discharge Permit from the Commission's Engineering Customer Service Department prior to discharge.
 6. Urbanica, Inc 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.
 7. Sanitary sewage must be kept separate from stormwater and separate sanitary sewer and storm drain service connections must be provided.
 8. The Commission requests that the proponent 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. The proponent should contact the Commission's Operations Division for information regarding the purchase of the castings.
 9. Any uncovered parking or paved areas that are built require particle separators on all drains that will collect the runoff from these areas. Specifications for particle separators are provided in the Commission's Requirements for Site Plans.



10. 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.

Thank you for the opportunity to comment on this Project.

Yours truly,

for John P. Sullivan, P.E.
Chief Engineer

JPS/kr

Cc: K. Zahedi, Urbanica, Inc
K. Ronan, Mass. Water Resources Authority via email
P. Larocque, BWSC via email



Boston City Council

LIZ BREADON

Councilor – District 9

TRANSMITTED VIA EMAIL

March 4, 2025

Camille Platt
Project Manager
City of Boston Planning Department
One City Hall Plaza
Boston, MA 02201

RE: 65-79 Seattle Street- Letter of Support

Dear Ms. Platt:

As elected officials representing Allston-Brighton, we write to express our support for the 65-79 Seattle Street project (the 'Project') proposed by Urbanica, Inc. (the 'Proponent') in the Allston neighborhood of Boston.

65-79 Seattle Street is an approximately 43,000 SF parcel formerly occupied by commercial uses. The project site was purchased by The President and Fellows of Harvard College ('Harvard') in 2019. In 2021, Harvard expressed its intent to donate this parcel for the development of homeownership units as part of the community benefits and mitigation associated with Phase A of the Enterprise Research Campus. Harvard subsequently conducted a competitive Request for Proposals process for this project, which ultimately resulted in the selection of Urbanica, Inc. as project developer in January 2025.

As detailed in the Small Project Review Application ('SPRA') filed with the City of Boston Planning Department on October 29, 2024, Urbanica, Inc. has proposed to construct a residential development consisting of 43 income-restricted homeownership units on the 65-79 Seattle Street site. The Proponent has also proposed the inclusion of a significant amount of open space and on-site amenities for resident use, including a community room and landscaped courtyard.

As elected officials of Allston-Brighton, we would like to express our enthusiastic support for this development. This project will create a significant number of income-restricted homeownership units available to households with incomes ranging from 80%-100% AMI. Creation of income-restricted homeownership units is particularly critical in Allston; only ~10% of all housing units in Allston are owner-occupied, and, furthermore, only 30 of those existing homeownership units are income-restricted. We appreciate that this project will create much-needed income-restricted homeownership opportunities for Allston, Brighton, and Boston residents.

Finally, we would also like to thank the Urbanica team for the extensive community outreach efforts that the team has conducted both prior to and during the project's Article 80 review process. The Proponent has been proactive in outreach efforts and has been responsive to community concerns.



Boston City Council

LIZ BREADON

Councilor – District 9

We appreciate the opportunity to comment on this project and look forward to this development progressing.

Sincerely,

Liz Breadon
Boston City Councilor
District 9, Allston-Brighton

Michael J. Moran
Majority Leader
State Representative
18th Suffolk District

Kevin G. Honan
State Representative
17th Suffolk District

Ruthzee Louijeune
Boston City Councilor
At-Large

Julia Mejia
Boston City Councilor
At-Large

Erin Murphy
Boston City Councilor
At-Large

Henry Santana
Boston City Councilor
At-Large

cc: Casey Hines, Deputy Director of Development Review, City of Boston Planning Department
Jeffrey Thomas, Communications and Intergovernmental Relations Specialist, City of Boston Planning Department
Roxanna Zahedi, Development Manager, Urbanica, Inc.

MEMORANDUM**February 13, 2025**

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

FROM: CASEY HINES, SENIOR DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
NUPOOR MONANI, SENIOR DEPUTY DIRECTOR OF DEVELOPMENT
REVIEW
SCOTT SLARSKY, SENIOR ARCHITECT AND URBAN PLANNER
JAMES FITZGERALD, DEPUTY DIRECTOR OF PLANNING REVIEW
ILANA HAIMES, PLANNER II
JOHN STUART FISHBACK, SENIOR LANDSCAPE ARCHITECT II
EBONY DAROSA, SENIOR PROJECT MANAGER

SUBJECT: 142-146 ST. MARY'S STREET, FENWAY

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority ("BRA") d/b/a the Boston Planning & Development Agency authorize the Director to: (1) issue a Determination waiving further review pursuant to Article 80, Large Project Review of the City of Boston Zoning Code (the "Zoning Code") for the 142-146 St. Mary's Street project (the "Proposed Project", defined below) in the Audubon Circle 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 to be executed by and between the Proponent and the Mayor's Office of Housing, 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 includes approximately 29,634 square feet of land, with an existing non-conforming commercial parking garage and unimproved surface area located at 142-146 St. Mary's Street in the City of Boston's ("City's") Audubon Circle neighborhood (the "Project Site" or "Site"). The Site is located in the City's Multifamily Residential ("MFR") Zoning Subdistrict of the Audubon Circle Neighborhood District, which is regulated pursuant to Article 61 of the Zoning Code. The Project Site abuts the MBTA's D Green Line railroad tracks and its Fenway Station and is also in close walking distance to the Green Line's St. Mary's Station and adjacent to the border of the Town of Brookline.

The surrounding neighborhood context is well-suited to the scale and scope of the Proposed Project, with the nearby 101 Monmouth Street 8-1/2 stories multi-family residence, and traditional lower-density 3-1/2 residential buildings along Medfield Street, flanking the Project Site to the west and north, respectively. The broader Audubon Circle neighborhood is a mix of residential and commercial/service uses with good transit connectivity, access to green space and recreation and walkability to education, institutions, job centers, retail and similar conveniences, respectively.

DEVELOPMENT TEAM

The Project Team consists of the following entities:

Proponent:	100 Monmouth Street LLC c/o Allen Associates Properties Inc. P.O. Box 590249 Newton Centre, MA 02459 Matthew Allen, Douglas Allen Caroline Allen, Sam Allen
Legal Counsel/Outreach:	McDermott Quilty Miller & Hanley LLP 28 State Street, Suite 802 Boston, MA 02109 Joseph Hanley, Esq. - Partner Dennis Quilty, Esq. - Partner Nicholas Zozula, Esq. - Partner

Architect:	RODE Architects Inc. 535 Albany Street, #405 Boston, MA 02118 Ben Wan, Amanda Dexter
Article 80 Permitting Consultant:	Mitchell L. Fischman Consulting ("MLF Consulting") LLC 41 Brush Hill Road Newton, MA 02461 Mitchell Fischman - Principal
Transportation Planner / Engineer:	Howard Stein Hudson 11 Beacon Street, Suite 1010 Boston, MA 02108 Keri Pyke, Melissa Restrepo
Civil Engineer:	Howard Stein Hudson 11 Beacon Street, Suite 1010 Boston, MA 02108 Rick Latini, Madison Blanchard
Landscape Architect:	Verdant Landscape Architecture 318 Harvard St #25, Brookline MA, 02446 Katya Podsiadlo
Sustainability Consultant	Soden Sustainability Consulting 19 Richardson Street Winchester, MA 01890 Colleen Ryan Soden, Arran French

DESCRIPTION AND PROGRAM

The Proponent proposes to raze and replace the outdated commercial parking garage at the Project Site and revitalize it with a new transit-oriented six (6) story residential building of approximately 84,520 gross square feet, containing eighty-five (85) units of multi-family residential rental housing, new and expanded public sidewalks, improved pedestrian and vehicular access, bicycle storage, and 100 on-site vehicular parking spaces for *both* its new building residents *and* for the

Proponent's off-street parking obligations for its long-existing abutting apartment building at 101 Monmouth Street in the Town of Brookline, including 18 surface and 82 garaged spaces (the "Proposed Project"). The residential program will include approximately twelve (12) studios, fifty-two (52) one-bedroom units, and twenty-one (21) two-bedroom units. Thirteen (13) units will be income-restricted to meet and exceed the requirements of the Inclusionary Development Policy.

At significant impact to the Proposed Project, and as part of its transit-oriented development program, the Proponent has made substantive revisions to the building footprint and massing of the Proposed Project, to accommodate a new pedestrian pathway at a portion of its private land adjacent to the MBTA Fenway Greenline Subway Station (the "Proposed MBTA Pathway Connection"). The Proposed MBTA Pathway Connection would provide improved new neighborhood access to the public subway service of Fenway Station, by creating a direct means of egress from the station platforms to the nearest public ways along northwest corner of the Project Site (at the intersection of Medfield / Monmouth and St Mary's Streets). The Proposed MBTA Pathway Connection would also traverse public and private sidewalks and incorporate new ADA/AAB compliant curbs, ramps, and grades, for much-needed accessibility improvements.

The Proposed Project will also create much-needed housing at a development without displacement, with an architectural form that better comports with its historic context while expressing a modern design language towards the adjacent Emerald Necklace park. The building massing is organized by its contextual adjacencies, with highly varied conditions presented by the different site exposures. The building is taller facing the large "urban room" of the Riverway and drops in height where it faces the existing residences which front onto Medfield Street, all while staying below the taller structures that exist at 101 Monmouth and fronting onto Park Drive. This contextual approach threads the Proposed Project into the existing context, building on the existing fabric of the Audubon Circle neighborhood.

The Proponent plans to commence construction of the Proposed Project in 2026. There are an estimated 100 +/- construction jobs contributing to the Proposed Project and potential for several new permanent jobs in the property management and leasing areas. The total anticipated development cost is approximately Forty-Seven Million Dollars.

The table below summarizes the Proposed Project’s anticipated key development metrics.

<u>Estimated Project Metrics</u>	Proposed Plan
Gross Square Footage	118,321
Gross Floor Area	84,520
<i>Residential</i>	84,520
<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>	29,236
Development Cost Estimate	\$47,000,000
Residential Units	85
<i>Rental Units</i>	85
<i>Ownership Units</i>	0
<i>IDP/Affordable Units</i>	13
Parking spaces	100

ARTICLE 80 REVIEW PROCESS

On May 10, 2023, the Proponent filed a Letter of Intent (“LOI”) in accordance with the BPDA’s policy regarding the Provision of Mitigation by Development Projects in Boston. On May 11, 2023, letters soliciting nominations for the Impact Advisory Group (“IAG”) were delivered to local and state elected officials. On June 7, 2023, the IAG was finalized with five (5) members.

The Proponent filed a Project Notification Form (“PNF”) for the Proposed Project on October 24, 2023, which initiated a public comment period with a closing date of November 23, 2023, with said public comment period subsequently extended until January 16, 2024. Notice of the receipt of the PNF by the BPDA was published in the Boston Herald on October 24, 2023. The notice and PNF were sent to the City’s public agencies/departments and elected officials.

Pursuant to Section 80B-5.3 of the Code, a Scoping Session was held on November 7, 2023, with the City’s public agencies and elected officials to review and discuss the Proposed Project.

The BPDA also held the following public meetings on the Proposed Project: an IAG meeting on November 13, 2023, and a public meeting on December 11, 2023. The meetings were advertised in local newspapers and on the BPDA website and distributed to the BPDA’s Audubon Circle/Fenway email list.

The BPDA then issued a Scoping Determination and request for a Draft Project Impact Report (“DPIR”) on May 17, 2024. The Proponent subsequently filed a DPIR to the BPDA on October 23, 2024. The DPIR filing initiated an additional public comment period with an extended closing date of December 20, 2024. Notice of the receipt of the DPIR Response by the BPDA was published in the Boston Herald on October 23, 2024. The notice and DPIR Response were sent to the City’s public agencies/departments and elected officials.

The BPDA then held additional public meetings on the Proposed Project and the Proponent’s DPIR Response, including an IAG meeting on November 12, 2024, and a public meeting on December 10, 2024. The meetings were advertised in local newspapers and on the BPDA website and distributed to the BPDA’s Audubon Circle/Fenway email list.

The Proposed Project was revised in the DPIR (as follows):

- Reduced the building’s size and scale from 91,000 gsf to 84,520 gsf;
- Reduced the number of residential units from 90 to 85;
- Increased onsite open space by 25% from 6,674 sf to 8,370 sf;

- Introduced a new pedestrian path – the Proposed MBTA Pathway Connection - connecting the MBTA Fenway D-line station to the nearest public way at Medfield / Monmouth Streets;
- Reduced the number of overall garage parking spaces from 105 to 82, and relocating the garage entrance from St Mary's Street to the alley shared with the Medfield Street residences, to enhance the pedestrian environment on St Mary's Street, and to improve pedestrian function of the Proposed MBTA Pathway Connection to the MBTA Greenline station; and
- Provided further setback of the building massing away from the MBTA right-of-way, thereby reducing the building footprint and the proposed level 2 amenity deck and increasing the amount of at-grade landscaped open space. and reducing the impact of building construction on ongoing operations in the MBTA right-of-way.

PLANNING AND ZONING CONTEXT

The Proposed Project site is within a Multifamily Residential (MFR) zoning subdistrict in Audubon Circle Neighborhood District. The border between the City of Boston and Town of Brookline is located at the property line of the project site that fronts on St. Mary's Street. Access rights for existing residential buildings surrounding the proposed project, and coordination with the MBTA and Town of Brookline influenced the final design of the Proposed Project.

Planning context and recommendations from Housing Boston 2030 and the Fenway Transportation Action Plan informed staff review of the Proposed Project. Housing Boston 2030 recommendations support residential development in the vicinity of existing transit and amenities. The location of this Site near the MBTA Green Line and mixed-use corridors including Park Drive, Boylston Street, and Brookline Avenue, make this Site an ideal location for multifamily housing with low parking ratios, upgraded pedestrian infrastructure, and on-site affordability.

The Emerald Necklace Park system, including a segment of the Riverway, directly abuts the MBTA Green Line tracks behind the Project Site and is easily accessible from Park Drive. The Proposed Project responds to the adjacent conditions in its massing and public realm improvements, including an accessible multimodal path connecting Medfield Street/Monmouth Street to the Fenway MBTA.

The Proposed Project at 142-146 St. Mary's Street is impacted by the access rights of multiple entities that directly abut the Project Site. The existing parking garage on the site as well as the parking available on the privately owned section of St. Mary's Street have historically served the parking needs of the adjacent building within the boundaries of the Town of Brookline. The Proposed Project addresses the needs of the adjacent building by continuing to provide 85 spaces of ancillary parking but limiting net new parking spaces on-site to a maximum of eight (8) for building residents, two (2) for carshare, and up to fifteen (15) for neighborhood residents. While staff consider it regrettable that off-street parking capacity must be retained for the benefit of housing units located in Brookline, staff recognize that this is a necessary compromise to unlock underutilized land for the production of housing in Boston.

MITIGATION AND COMMUNITY BENEFITS

The Proposed Project will provide a number of benefits to the Audubon Circle neighborhood and the City of Boston as a whole, including the following:

- Creation of 85 units of much-needed residential rental housing in place of an outdated parking garage that is not the highest and best use for the Site, including the income-restriction of 15.3% of residential units within the Proposed Project, which meets and exceeds the City's Inclusionary Development Policy.
- The inclusion of a minimum of eighty-five (85) long-term covered and secure bike parking spaces in a bike parking room with access off of Saint Mary's Street and a minimum of 18 exterior visitor post-and-ring short-term bike parking in compliance with the 2021 Boston Transportation Department Bike Parking Guidelines.
- Minimize the negative impacts of parking by locating the parking access off of the shared alley, allowing for an active street wall on Saint Mary's Street and prioritize the pedestrian connection to the Fenway MBTA Station.
- The Proponent must provide an accessible path from the new Fenway Station path as described above to Monmouth Street/Medfield Street intersection. Providing approximately 252 linear feet and 2,053 total square feet of private land (at the Project Site) for the Proposed MBTA Pathway

Connection's new neighborhood access route to the public subway node at the MBTA's abutting Fenway Station, with a direct means of egress from its station platforms to the nearest public ways along northwest corner of the Project Site (at the intersection of Medfield and St Mary's Streets), along with new ADA/AAB compliant curbs, ramps and grading measures for much-needed accessibility and pedestrian safety upgrades to and from Fenway Station. Along the MBTA track side of the pedestrian connection, the new path will be located within a 16' wide easement comprised of 12' of the Project Site and 4' of the MBTA property. The portion of the path along the south side of the building should provide a minimum 8'-0" width clear path of travel. The portion of the path along the west side of the building, along Saint Mary's Street side, should provide a minimum 6'-0" clear width path. Exterior lighting shall be provided along the full length of the path as required to meet or exceed MBTA and industry standard best practice photometric standards for access /egress. The Planning Department and Disabilities Commission recommend incorporation of a poured-in-place permeable pavement in an effort to mitigate flooding and deter ponding along the MBTA path. The path must be open to the general public 24 hours a day, 7 days a week with no access restrictions. The path must be delivered upon Certificate of Occupancy.

- Advancing and aligning with modern planning principles and City's housing goals for improved public access and utilization of a long-existing public transportation node in the City's Audubon Circle neighborhood, as part of an abutting transit-oriented multifamily development; to better serve existing residents and future growth in the immediate and surrounding community.
- Replacement of an existing commercial parking garage and non-descript structure on a vastly underutilized lot used for parking and storage, thereby improving the safety and visual appearance of the area and improving environmental conditions on the Site.
- Significant improvement and increase of the pervious area of the lot to mitigate stormwater and runoff which will also improve compliance with the requirements of the Groundwater Conservation Overlay District.

- Significant improvement of pedestrian safety, enhanced connectivity and overall aesthetic of the Site and its immediate area, by removing three vehicular garage entry points to the existing garage to be removed and creating approximately 108' linear feet of entirely new sidewalks with a new public realm to meet Complete Streets standards and guidelines.
- No Public Improvement Commission actions are anticipated on-site based upon the scope of work documented in the BPDA Board memo and presentation. Off-site mitigation, if needed, could require submission of Specific Repair Plan(s) depending upon the location and scope of improvements.
- The Proposed Project will comply with the BTD Electric Vehicle Readiness Policy for New Developments, requiring 25% of the parking spaces to be equipped with electric vehicle charging stations and the remaining 75% to be ready for future installation.
- Planting and continued maintenance of at least six (6) new street trees along the St. Mary's Street Private Way. Street trees should be planted in a minimum 3'-0" wide Furnishing Zone as measured from the back of curb. Tree pit openings should be 24 square feet minimum. Permeable paving should be provided in the Furnishing Zone. Soil volumes should at minimum meet Boston Complete Streets Design Guidelines and should to the extent feasible strive to meet the industry standard best practice targets described on page 60 of the Boston Complete Streets Design Guidelines. Street tree soil should be included both below the Pedestrian Zone and Furnishing Zone in order to maximize volume and allow for the permeable paving to perform as a conduit to support air and water exchange with the street tree soils below. Following Board approval, the proponent should document the proposed soil extents and soil volume on a per-tree basis.
- An inventory of existing trees should be provided following Board approval. The inventory should include all trees 6" DBH and larger, including both trees on Site and trees occurring on adjacent parcels within fifteen (15) feet of the project limit of work. The survey should be prepared by a certified arborist and indicate the tree species, size (DBH), and condition. Provide a plan illustrating proposed protections and removals. Provide a plan documenting mitigation achieved through proposed tree planting. Planning encourages

the Proponent to engage a certified arborist to develop a plan for proposed tree protection and oversee implementation.

- Creation of a new loading, drop-off, and lay-by loading area along St Mary's Street along the proposed project's frontage, to manage vehicular and truck activity away from the abutting existing residences.
- Inclusion of a dog pet relief area and dog zone on Site for residents to reduce potential burden on neighborhood infrastructure and open space, along with outdoor courtyards to provide open space for residents.
- The Proponent is contributing One Hundred and Fifty Thousand Dollars (\$150,000.00) to the Brookline Green Space Alliance for the purpose of enhancing and maintaining Monmouth Park, which serves as the main recreational parkland open space for this section of the Audubon Circle Neighborhood in the City of Boston, as immediately adjacent to its border with the Town of Brookline. The Proponent has reviewed the Proposed Project with the Emerald Necklace Conservancy and the Muddy River Restoration Project Maintenance and Management Oversight Committee to help shape and design the Muddy River facing elevation of its new building facade in that direction, and the Proposed MBTA Pathway Connection will serve as an additional benefit of improved access and connectivity to and for the public use and stewardship of the Emerald Necklace and Muddy River.
- The Proponent is contributing Twenty-Five Thousand Dollars (\$25,000.00) over five years, in Five Thousand (\$5,000.00) increments, beginning with the first year after issuance of Certificate of Occupancy, to the non-profit Audubon Circle Neighborhood Association for the purpose of funding its annual beautification improvements at and around the public realm in Audubon Circle and in the immediate vicinity of the Project Site.
- The project will comply with the Boston Transportation Department Transportation Demand Management Points System. The selected strategies will be specified and codified in the Transportation Access Plan Agreement ("TAPA"). As currently contemplated, the following two TDM Point System measures will be delivered:

- The number of proposed parking spaces for the new development is below the maximum allowed by the Boston Transportation Department (“BTD”) Parking Ratio Guidelines.
 - The Proponent will charge market-rate price for the use of the on-site parking.
 - The Proponent will provide space for two (2) car share parking spaces.
- Upon issuance of the Certificate of Occupancy, the Proponent will make a one-time “bikeshare” contribution of \$49,000.00 to Boston Transportation Department (“BTD”) per the City’s Bike Parking Guidelines . The Proponent will also work with BTD and the Planning Department to locate one (1) nineteen (19) dock bike share station either on the project site, or near the Project Site upon issuance of Certificate of Occupancy . The Planning Department has the strong preference that the bike share station be sited on the project site. If that is not possible, the station must be in the close vicinity (ideally within a minimum of a three-minute walk of the project site). This may require construction to build a curb extension to accommodate this station. Bike share stations may require Administrative Review by PIC.
- The number of parking spaces approved by Planning Department is a maximum number of spaces, as final decisions on parking supply are codified by the TAPA for Large Projects, and where applicable, the Proponent must comply with Boston’s Air Pollution Control Commission’s (APCC) Parking Freeze permitting requirements. The Proponent must comply with the Boston Transportation Department’s Maximum Parking Ratio Guidelines. The number of parking spaces must comply with the Restricted Parking Overlay District (RPOD) where applicable and must not override or exceed the allowable amount of parking spaces per Boston Zoning Code. Parking layout is subject to ISD approval.

The proposed scope of any in-kind work agreed to by the Proponent shall be developed in consultation with the BPDA 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 previously referenced mitigation and community benefits have been satisfied.

All sidewalk and streetscape improvements are subject to design review and may require approval for a Specific Repairs Action with PIC.

BPDA-approved construction signage must be installed at the project construction 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. The BPDA 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).

SUSTAINABILITY & RESILIENCY

Article 37

- In support of Boston's carbon neutral goals, the Proposed Project will be designed and constructed to be all-electric, LEED v4 Gold certified (62 points), and Passive House compliant with a Building 2035 predictive carbon emissions (pCEI) value of 1.00 kg CO₂e/sf-yr.
- The proposed building will include a well-insulated, air-tight enclosure with efficient electric heat pump space conditioning and DHW heating systems, energy recovery ventilation, all-electric EnergyStar rated appliances, and a window to wall ratio (WWR) between 20-26%.
- 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. The Proponent is also looking into installing a 20 kW solar panel array based on available roof area. Further study will be conducted to confirm the size.
- Additionally, to minimize embodied carbon impacts and include healthier durable material, the building's structure will consist of 5 stories of wood-

framed, panelized construction over a concrete & steel podium for the basement and ground floor. A wooden stick frame is one of the lowest embodied carbon structural solutions available for our building type, lower in embodied carbon than mass timber due to the reduced need for material. The team will further refine the structure to reduce the need for material where possible and will specify steel with a high recycled content, low-carbon concrete mixes with EPDs, as well as low VOC finishes.

● **Smart Utilities**

- On-going review of stormwater retention and/or management over the impervious area and confirmed on updated utility site plan, that the proposed infrastructure does not conflict with other utilities.
- On-going review of trees, permeable pavers, if used, and other green infrastructure features on the right-of-way, where applicable based on the scope of work; (to be reviewed as part of on-going review processes with Urban Design and PIC).
- Verification of compliance with the City of Boston EV Readiness Policy for New Developments, including EV chargers and needed infrastructure. Project shall provide 25% of total parking EV charging space on site. The Proponent will outfit the remaining 75% of parking spaces to be EV ready as defined by the BTM EV Readiness Policy for New Large Developments.
- A Utility Site Plan showing the infrastructure in the bullets above, as well as all other relevant utility infrastructure, as needed in on-going future reviews with Urban Design and PIC, including electric connection for streetlights.
- A plan to address relevant conflicts reported through COBUCS if/as relevant. Project team and the contractor will continue to work with BTM and Smart Utilities, as needed.

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;
- Provide all IDP units on-site;
- Deepen the affordability of IDP units.

Marketing and Housing Access Interventions

- Provide a preference for an agreed upon percentage of units to rental voucher holders for the first year or some other term.

INCLUSIONARY DEVELOPMENT COMMITMENT

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 ("IDP"), and is located within Zone A, 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, thirteen (13) units within the Proposed Project will be created as IDP rental units (the "IDP Units") or 15.29% of total residential units within the Proposed Project. One (1) unit will be made available to households earning not more than 50% of the Area Median Income ("AMI") as published annually by the BPDA and based upon data from the United States Department of Housing and Urban Development ("HUD"), eleven (11) units will be made available to households earning not more than 70% of the AMI, and one (1) unit will be made available to households earning not more than 100% of the AMI.

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

Unit Number	Number of Bedrooms	Unit Size (Sq Ft)	Percentage of AMI	Maximum Rent	Group-2
202	One-Bedroom +	891	70%	\$1,621	
204	One-Bedroom	714	70%	\$1,621	
213	Two-Bedroom	1,040	50%	\$1,281	Group-2A
304	One-Bedroom +	767	70%	\$1,621	
309	Studio	506	70%	\$1,383	

315	One-Bedroom	779	70%	\$1,621	Group-2A & Group-2 Sensory
317	One-Bedroom	727	70%	\$1,621	
407	Two-Bedroom	1003	100%	\$2,670	
412	One-Bedroom	714	70%	\$1,621	Group-2 Sensory
503	One-Bedroom	742	70%	\$1,621	
508	One-Bedroom	714	70%	\$1,621	
513	Studio	501	70%	\$1,383	Group-2A
516	Two-Bedroom	949	70%	\$1,837	

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

The ARHAR must be executed along with, or prior to, the issuance of the Certification of Compliance for the Proposed Project. The Proponent must also submit a draft Affirmative Marketing Plan (the "Plan") to the Boston Fair Housing Commission at the time the building permit is issued. The IDP Units will not be marketed prior to the submission and approval of the Plan by Fair Housing and the BPDA. Preference will be given to applicants who meet the following criteria, weighted in the order below:

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

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

A deed restriction will be placed on each of 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

Approvals have been requested of the BPDA pursuant to Article 80, Section 80B of the Code for the issuance of a Determination waiving further review pursuant to Article 80, Section 80B-5.44 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.

Staff believe that the DPIR together with any additional materials and comments received by the BPDA in regard to the Proposed Project meets the criteria for issuance of a Determination waiving further review. It is therefore recommended that the BPDA approve the Proposed Project and authorize the Director to: (1) issue a Determination waiving further review pursuant to Article 80, Section 80B-5.4 of the Code; (2) issue a Certification of Compliance under Section 80B-6 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 Proponent and the Mayor's Office of Housing; and (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.

VOTED: That the Director be, and hereby is, authorized to issue a Determination waiving further review under Section 80B-5.4 of the City of Boston Zoning Code (the "Code"), which (i) finds that the Project Notification Form ("PNF") and Development Project Impact Report together with any additional material and comments received by the BPDA adequately describes the potential impacts arising from the proposed 142-146 St. Mary's Street project (the "Proposed Project"), and provides sufficient mitigation measures to minimize these

impacts, and (ii) waives further review of the Proposed Project under subsection 4 of Section 80B-5 of the Code, subject to continuing design review by the Boston Redevelopment Authority ("BRA") d/b/a the Boston Planning and Development Agency ("BPDA"); and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Certification 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 Affordable Rental Housing Agreement and Restriction for the creation of thirteen (13) on-site Inclusionary Development Units in connection with the Proposed Project, if necessary, or require the same be executed by and between the Proponent and the 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.

142-146 St. Mary's Street



1:600



142-146 St. Mary's Street



To: Mitchell Fischmann, Principal, MLF Consulting
Cc: Matthew Allen, Partner, Allen Associates Properties Inc.
Douglas Allen, Partner, Allen Associates Properties Inc
Joseph Hanley, Attorney, McDermott Quilty Hanley & Miller LLP
Ebony DaRosa, Project Manager, City of Boston Planning Department
From: Janna Ramadan, AFFH Zoning Assistant on behalf of the Boston Interagency Fair Housing
Development Committee
Date: February 4, 2025
Re: 142-146 St. Mary's St Affirmatively Furthering Fair Housing Comments from the Boston
Interagency Fair Housing Development Committee

Thank you for submitting your Affirmatively Furthering Fair Housing (AFFH) Assessment and for your ongoing work to take meaningful actions to address significant disparities both in housing needs and in access to opportunity in the Fenway neighborhood and the City of Boston as a whole. The Boston Interagency Fair Housing Development Committee (BIFDC) has reviewed your response letter and has additional requests and recommendations. Review by the BIFDC is intended to be ongoing and collaborative, throughout the Article 80 review and approval process. Your responses to the requested information will assist the BIFDC to continue its AFFH review of the Proposed Project.

The BIFDC has comments on and/or requests for additional information regarding:

1. Clarifying and confirming number of Group 2 units
2. Cause for decreasing number of IDP units

A detailed explanation of the BIFDC's comments and recommendations is included with this letter. If you have any questions, comments, or concerns about this letter or AFFH in general, please contact Janna Ramadan at janna.ramadan@boston.gov. Please submit any information and/or documents regarding AFFH to your Project Manager.

Boston Interagency Fair Housing Development Committee Review & Recommendation Form

Project Name/Address	142-146 St. Mary's St
BIFDC Review Date(s):	2/3/2025
	11/3/2022

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>Based on the comments from BIFDC representatives (attached), the Proponent is requested to respond to the following questions, comments, and recommendations:</p> <ol style="list-style-type: none"> Clarifying and confirming number of Group 2 units: The BIFDC seeks to clarify the number and type of Group 2 units to confirm that the minimum policy requirements are being met. To achieve the architectural access minimums (i.e. 521 CMR 9.00), the project requires 4 Group 2 units (5%) plus 2 Hard of Hearing units (additional 2%). Under IDP, to achieve the 15% IDP Group 2 unit minimum, 2 of the Group 2 units and 1 of the Hard of Hearing units must be IDP units. Currently, it appears that an IDP Group 2 unit is counted twice, as both a Group 2A and Hard of Hearing unit, and that the project has fewer than the total required accessible units.. Cause for decreasing number of IDP units: The BIFDC requests clarity regarding why the project had to decrease the total number of IDP units in order to increase the depth in affordability. Specifically, the BIFDC notes that in addition to changing one unit to 100% AMI to facilitate changing one unit to 50% AMI, the project also lost 1 IDP unit (at the same time that the project lost 4 market-rate units). Greater description of the thought process behind that decrease in the

	number of IDP units, whether related to financial feasibility or other factors, would be appreciated.
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:	

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 responsible to AFFH goals, including which specific different or additional intervention options should be considered.	
AFFH Strategy Notes:	

To: Joseph Hanley, Attorney

Cc: Ebony DaRosa, Project Manager, Boston Planning and Development Agency

From: Rafi Nizam, AFFH Assistant on behalf of the Boston Interagency Fair Housing Development Committee

Date: November 13th, 2023

Re: 142-146 St. Mary's St Affirmatively Furthering Fair Housing Comments from the Boston Interagency Fair Housing Development Committee

Thank you for submitting your Affirmatively Furthering Fair Housing (AFFH) Assessment and for your ongoing work to take meaningful actions to address significant disparities both in housing needs and in access to opportunity in the Fenway neighborhood and the City of Boston as a whole. The Boston Interagency Fair Housing Development Committee (BIFDC) has reviewed your submission and has comments, suggestions, and requests for additional information. Review by the BIFDC is intended to be ongoing and collaborative throughout the Article 80 review and approval process. Your responses to the requested information will assist the BIFDC to continue its AFFH review of the Proposed Project.

The BIFDC has comments on and/or requests for additional information regarding:

1. AMIs of IDP Units
2. Number of 2+ bedroom units
3. Number of Group 2 units
4. Units available to voucher holders

In addition to the outline provided above, a more detailed explanation of the BIFDC's comments and recommendations is included with this letter. If you have any questions, comments, or concerns about this letter or AFFH in general, please contact Rafi Nizam at rafi.nizam@boston.gov. Please submit any information and/or documents regarding AFFH to your Project Manager.

Boston Interagency Fair Housing Development Committee Review & Recommendation Form

Project Name/Address	142-146 St. Mary's St
BIFDC Review Date(s):	11/3/2022

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>Based on the comments from BIFDC representatives (attached), the Proponent is requested to respond to the following questions, comments, and recommendations:</p> <ol style="list-style-type: none"> AMIs of IDP Units: Proponent is recommended to provide IDP units at a range of AMIs from 50% - 100% AMI. The household incomes in the area surrounding the Proposed Project are significantly lower than the City-wide average. Offering IDP units at a wider range of AMIs will begin to address this concern. Number of 2+ Bedroom Units: Proponent is recommended to provide more 2+ bedroom units than currently proposed, especially IDP units. There are significantly fewer families with children under 18 in the area around the Proposed Project site. There are also fewer 2+ bedroom units in the area compared to the City as a whole, which may indicate a lack of access to units appropriate for families with children under 18. Number of Group 2 IDP units: Proponent is recommended to increase the number of fully built out Group 2 IDP units for persons with disabilities. There are significantly fewer households in the area surrounding the Proposed Project site identifying as having a disability than the citywide average. Providing additional Group 2 units will create opportunities for these households to live in the area. Units available to voucher holders: Proponent is recommended to give preference to voucher-holders for the IDP units to help address the low rate of voucher utilization in the project 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 checked="" type="checkbox"/> Yes – Intervention Enhancement for High Displacement Risk is required <input type="checkbox"/> No
Discuss the basis for the above determination.	<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 high risk of displacement in the area surrounding the Proposed Project site.</p> <p>Displacement Risk Analysis: 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>In order to assess displacement, the BIFDC considers both actual displacement at the project site as well as displacement risk in the community within ¼ mile of the Proposed Project site. 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. DND 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</p>

Zoning Code and is not predictive with regard to whether actual displacement will occur in the community.

When using the HHCCPR to assess displacement risk, 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 catchment 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+ bedroom units.

Please note that this analysis is for the purposes of considering whether the level of displacement risk within ¼ mile of the Proposed Project site necessitates an Intervention Enhancement due to High Displacement Risk. Factors that may tend to show little or no displacement pressure may indicate a lack of meaningful community integration within ¼ mile of the Proposed Project site, which should be addressed as part of a holistic AFFH strategy.

Percentage of renter occupied households

The percentage of renter-household is 22.4% higher than the city-wide average. A large number of renter households when considered with other factors can be indicative of elevated displacement risk. There is a high number of renter-households in the area around the Proposed Project site.

Percentage of rent-burdened and extremely rent burdened households

The percentage of rent-burdened households within ½ miles of the Proposed Project site is about 6% higher than the city-wide average, while the percentage of extremely rent-burdened households is about 8% higher. An elevated number of rent-burdened and/or extremely rent-burdened households when considered with other factors can be indicative of elevated displacement risk. There is a higher number of rent-burdened and extremely rent-burdened households in the area around the Proposed Project site.

It is worth noting here that higher prevalence of lower incomes may be caused by the large number of roommate households (i.e. non-family householder) in the area and the location of the Proposed Project site among a neighborhood home to students and young adult households with lower earning capacity.

Household income

Household income in the area around the Proposed Project site is significantly lower than the city-wide average with 51.5% of households having an annual income of \$50,000 or less annually compared to the city-wide average of 41.2%. A large number of low-income households when considered with other factors can be indicative of elevated displacement risk. There is a high number of low-income households in the area around the Proposed Project Site.

Percentage of resident that are member of protected classes

	<p>The HHCCPR considers the following protected classes: families with children, disability status, race and ethnicity, and immigrant status. Again, it is important to remember that factors reviewed here which show a low displacement pressure may tend to indicate that there is a lack of meaningful community integration within the Proposed Project Area, which should be addressed as part of a holistic AFFH strategy.</p> <p><u>Families with children:</u> The share of households with children under 18 is 21% lower than the city as a whole.</p> <p><u>Persons with disabilities:</u> The share of households with a member with a disability is about 19% lower than city-wide averages.</p> <p><u>Racial and ethnic composition:</u> There is a higher than average number of individuals identifying as Asian and Native Hawaiian and other Pacific Islander within the area surrounding the Proposed Project site. Large concentrations of specific racial and ethnic groups when considered with other factors can be indicative of elevated displacement risk. There is a notable Asian and Native Hawaiian and other Pacific Islander population within the area around the Proposed Project site.</p> <p><u>Number of persons identifying as foreign born:</u> The percentage of foreign-born individuals within the Proposed Project area is 8% lower than the city-wide average.</p> <p><i>Mitigating Factors</i></p> <p>Elevated displacement risk can sometimes be mitigated by other factors detailed in the Housing and Household Composition Community Profile report, such as prevalence of a high number of income-restricted housing units, larger units appropriate for different family types, or high prevalence of housing voucher utilization. However, at this time, there are no mitigating factors that apply to this project area.</p> <p><i>DND Displacement Risk Map</i>The DND Displacement Risk Map is not precise enough to apply to the project level, however it does indicate that this area of Brighton shows a moderate level displacement risk.</p> <p><i>Answers Provided in AFFH Assessment Section 4</i></p> <p>The Proponent's answer to AFFH Assessment Section 4 indicates that there is no direct residential displacement at 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 responsible to AFFH goals, including which specific different or additional intervention options should be considered.	
AFFH Strategy Notes:	

**Boston Water and
Sewer Commission**



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

October 30, 2023

Ms. Ebony DaRosa
Senior Project Manager
Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

Re: 142-146 St. Mary's Street, Audubon Circle
Project Notification Form

Dear Ms. DaRosa:

The Boston Water and Sewer Commission (Commission, BWSC) has reviewed the Project Notification Form (PNF) for the proposed 142-146 St. Mary's Street project located at 142-146 St. Mary's Street in the Audubon Circle neighborhood of Boston.

The proposed project is located on an approximately 29,634 square foot (sf) site currently occupied by a commercial parking garage. The project proponent, 100 Monmouth Street LLC, proposes to construct a new six (6) story residential building of approximately 90,000 gross square feet (gsf). The project site is bounded by the MBTA D branch Green Line right-of-way to the southeast, St. Mary's Street to the west, a passageway adjacent to the properties along Medfield Street to the northwest, and residential building to the east. There will be approximately 105 garage parking spaces and 23 surface parking spaces.

According to the PNF, the project's proposed water demand is approximately 13,189 gallons per day (gpd). The Commission owns and maintains an 8-inch Southern Low DICL water main installed in 2002 in St. Mary's Street.

According to the PNF, the proposed sewage generation is 11,990 gpd. For sewage and storm drainage service, the site is served by a 66-inch Massachusetts Water Resources Authority (MWRA) sanitary sewer in St. Mary's Street. There is a 12-inch BWSC sanitary sewer and 12-inch BWSC storm drain in Medfield Street.

The Commission has the following comments regarding the PNF:

General

1. Prior to the initial phase of the site plan development, 100 Monmouth Street 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. Prior to demolition of any buildings, 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 100 Monmouth Street 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.
4. 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.

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 4 to 1 program.

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. 100 Monmouth Street 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, 100 Monmouth Street LLC will be required to apply for a RGP to cover these discharges.
7. The project sites are located within Boston's Groundwater Conservation Overlay District (GCOD). The district is intended to promote the restoration of groundwater and reduce the impact of surface runoff. Projects constructed within the GCOD are required to include provisions for retaining stormwater and directing the stormwater to the groundwater table for recharge.
8. It is 100 Monmouth Street 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, 100 Monmouth Street 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. 100 Monmouth Street 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. 100 Monmouth Street LLC should also provide the methodology used to estimate water demand for the proposed project.
2. 100 Monmouth Street LLC should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In



particular, 100 Monmouth Street LLC should consider outdoor landscaping which requires minimal use of water to maintain. If 100 Monmouth Street 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. 100 Monmouth Street 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. 100 Monmouth Street LLC should contact the Commission's Meter Department for information on and to obtain a Hydrant Permit.
4. 100 Monmouth Street LLC will be required to install approved backflow prevention devices on the water services for fire protection, mechanical and any irrigation systems. 100 Monmouth Street 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, 100 Monmouth Street 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. 100 Monmouth Street LLC will be required to submit with the site plan a phosphorus reduction plan for the proposed development. 100 Monmouth Street 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 100 Monmouth Street 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. The Commission encourages 100 Monmouth Street 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. 100 Monmouth Street 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, 100 Monmouth Street LLC will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.
 4. 100 Monmouth Street 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.
 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, 100 Monmouth Street 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

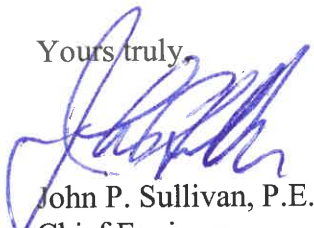


by the proposed project, be dye tested to confirm they are connected to the appropriate system.

7. The Commission requests that 100 Monmouth Street 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. 100 Monmouth Street LLC should contact the Commission's Operations Division for information regarding the purchase of the castings.
8. 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. 100 Monmouth Street LLC is advised to consult with the Commission's Operations Department with regards to grease traps.
9. 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.
10. 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: Matthew Allen, 100 Monmouth Street LLC
K. Ronan, MWRA
P. Larocque, BWSC



Michelle Wu
Mayor

Article 37 Interagency Green Building Committee

January 10, 2024

Matthew Allen
Allen Associates Properties Inc.
P.O. Box 590249
Newton Centre, MA 02459

Re: 142-146 St. Mary's Street - Article 37 – Initial Filing Comments

Dear Mr. Allen,

The Boston Interagency Green Building Committee (IGBC) has reviewed your October 24, 2023 Project Notification Form (PNF) filing for compliance with Boston Zoning Article 37 Green Buildings. The Filings indicates that the project will use the LEED v4 New Construction rating system and would achieve LEED Gold ratings / 62 points. The IGBC accepts the rating system selection and green building commitments however the project team should identify additional credits and a pathway to achieving LEED Platinum and zero net carbon performance.

The submitted PNF is incomplete; please provide the following items so that the IGBC can continue reviewing your project:

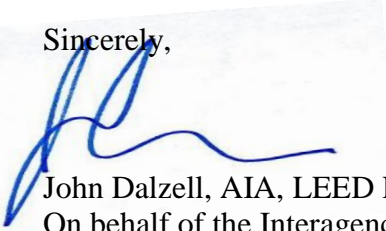
- Preliminary building performance modeling and Carbon Neutral Building Assessment including predictive carbon emission intensity (pCEI) for the proposed design and low and zero carbon alternatives.
- Climate Resiliency Checklist (CRC) – please complete the updated online CRC now accessed on the [Developer Portal](#); see Project Record > Building Record > Climate Resiliency Checklist. Once completed online, submit a resulting PDF with your updated filing.

The attached MFR Low Carbon Best Practice Guide and Green Building Incentive Summary provide recommendations and funding resources for achieving a zero net carbon building. The proposed building should including all-efficient-electric heating/cooling, ERV, and DHW heating systems, install on-site solar PV, and purchase renewable electricity.

The IGBC appreciates the LID and Heat Island reduction strategies and encourages the development team to also achieve the Cool Wall Pilot Credit and pursue strategies to reduce embodied carbon,

Please let me know if you have any questions or would like discuss project strategies.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John Dalzell', is written over a light blue rectangular background.

John Dalzell, AIA, LEED Fellow
On behalf of the Interagency Green Building Committee

Cc: Ebony DaRosa, BPDA
IGBC

Boston Groundwater Trust

229 Berkeley St, Fourth Floor, Boston, MA 02116

617.859.8439

www.bostongroundwater.org

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Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201-1007

Tim Mitchell,
*Neighborhood Association
of the Back Bay*

Subject: 142-146 St. Mary's Street, Audubon Circle, Project Notification Form Comments

Janine Commerford,
Greater Boston

Dear Ms. DaRosa,

Real Estate Board
Peter Shilland,
Ellis South End

Thank you for the opportunity to comment on the 142-146 St. Mary's Street, Audubon Circle, Project Notification Form (PNF). The Boston Groundwater Trust (BGwT) was established by the Boston City Council to monitor groundwater levels in sections of Boston where the integrity of building foundations is threatened by low groundwater levels and to make recommendations for solving the problem. Therefore, my comments are limited to groundwater related issues.

Neighborhood Association
Aaron Michlewitz,
North End Waterfront

As stated in the PNF the project site is located within the Groundwater Conservation Overlay District (GCOD) as outlined in Article 32 of the City of Boston Zoning Code.

Neighborhood Council
Angie Liou,
Asian Community

The PNF also states that the Project will comply with the standards and requirements set forth in Article 32 of the Zoning Code. The Proponent will obtain a written determination from the Boston Water and Sewer Commission (BWSC) as to whether the Project meets the standards and requirements of Article 32. In addition, the Proponent will demonstrate that the Project meets the requirements of Section 32-6 of the Zoning Code by obtaining a stamped certification from a Massachusetts registered engineer that the requirements of Section 32-6 of the Zoning Code are met. The Proponent will provide both a copy of the written determination from BWSC and a copy of the stamped certification from a Massachusetts registered engineer to the BPDA and the Boston Groundwater Trust prior to the issuance of a Certification of Consistency. As such, the Project is designed in compliance with Article 32 of the Zoning Code.

Development Corporation
Kat Eshel,
*Chief of Staff, Mayor's Office of
Environment, Energy, and
Open Space*

Sharon Durkan,
Boston City Council
Beatrice Nessen,
Boston Preservation Alliance

Nick Pittman,
*Fenway Community
Development Corporation*

Kate England,
*Director of Green
Infrastructure*

I look forward to continuing to work with the proponent and the Agency to assure that this project can have only positive impacts on area groundwater levels.

Executive Director

Christian Simonelli

Very truly yours,



Christian Simonelli
Executive Director

CC: Kathleen Pederson, BPDA
Maura Zlody, EOS





To: Ebony Darosa, BPDA
From: Yang Yang, PWD
Date: 10/27/2023
Subject: 142-146 St. Mary's Street- Boston Public Works Department Comments

Included here are Boston Public Works Department comments for the 142-146 St. Mary's Street Project Notification Form.

Project Coordination:

The developer should coordinate with PWD regarding the reconstruction of Medfield Street.

Project Specific Scope Considerations:

The developer should coordinate with BTM, BPDA and PWD to develop safety and accessibility improvements for all modes of transportation in the area. The developer should verify and reconstruct the existing pedestrian ramps and crossings as needed, specifically those at St. Mary's Street and Medfield Street intersection.

Site Plan:

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

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

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

Sidewalks:

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

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

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

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

Driveway Curb Cuts:



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Michelle Wu, Mayor

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

Discontinuances:

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

Easements:

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

Landscaping:

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

Street Lighting:

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

Roadway:

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

Additional Project Coordination:

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

Green Infrastructure:

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



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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

**PUBLIC WORKS DEPARTMENT**

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(617) 635-4900

TO: Ebony DaRosa, Project Manager
FROM: Travis Anderson, Senior Infrastructure & Energy Planner
Becca Miller, Smart Utilities Program - Associate
DATE: December 19th, 2023
SUBJECT: **142-146 St. Mary's Street – 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 Travis Anderson 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 all new and existing utility connections (gas, water, sewer, drainage, electric, telecom).
 - ii) Provide lateral diagrams, as applicable, St. Mary's Street including all new and existing utility infrastructure and include the location of proposed tree pits.
 - b) Green Infrastructure:
 - i) Please confirm the impervious area and volume of stormwater that will be retained on the site, via filling Part 4 of [Smart Utilities Checklist](#) as well as by showing it on the Utility Site Plan. Please include the updated locations for stormwater capture.
 - c) Electrical Transformers:
 - i) Please consider plans to screen the transformer from view with plantings.
 - d) 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

Caitlin Coppinger, Deputy Director of Comprehensive Planning, BPDA

include EV chargers, additional electrical services, transformers, empty conduit, etc.

- Please specify the number of EV chargers and the type of EVSE (i.e. Level I, Level II, or DCFC)

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) 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
- b) After submission you will receive:
 - i) A confirmation email with a PDF of your completed checklist. Please include a copy of this document with your next filing with the BPDA.
 - ii) A separate email with a link to update your initial submission. Please use ONLY this link for updating the Checklist associated with a specific project.

If you have any questions regarding these comments or would like to arrange a meeting to discuss the policy please feel free to contact Travis Anderson via travis.anderson@boston.gov or smartutilities@boston.gov

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



Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Monica Tibbitts-Nutt, Secretary & CEO
Phillip Eng, General Manager & CEO



January 2, 2024

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

Attention: Ebony DaRosa

**RE: 142-146 St. Mary's Street
Boston, MA 02215
Project Notification Form Comments**

Dear Ebony,

The MBTA encourages and supports transit-oriented development, a proven strategy for smart, sustainable growth, reducing traffic congestion and increasing transit ridership. In creating successful transit-oriented projects, development immediately adjacent to MBTA property, which falls under the MBTA's Zone of Influence (ZOI) policy, must be carefully considered to ensure safety, sustained operations, and resiliency of the public transportation system.

The MBTA has reviewed the 142-146 St. Mary's Street project and has a number of concerns related to safety, setbacks, operations and public access. This letter includes comments made by the MBTA's Operations, Real Estate, Transit-Oriented Development, and Environment Departments.

MBTA Comments

MBTA Station Access

As has been discussed with the development team, the MBTA needs to incorporate station egress at the southwest end of the outbound platform at Fenway Station to enhance egress capacity of the station. With the increasing ridership demand on Fenway Station due to development projects such as 142-146 St. Mary's, a pedestrian path linking the Station to St. Mary's Street is even more critical. Per code requirements, the link needs to provide a clear, dedicated accessible route from the station platform to a public way. MBTA has a requirement to meet or exceed the requirements set forth in the National Fire Protection Association's Standard for Fixed Guideway Transit and Passenger Rail Systems (NFPA 130). The 142-146 St. Mary's frontage along the MBTA right-of-way is the only option that does not put pedestrians in conflict with vehicular traffic and the project presents a unique opportunity to coordinate transit-oriented connectivity needed for the neighborhood and Fenway Station.

As has been discussed with the project team and on calls with the City of Boston, Fenway Station is a key logistics area for MBTA construction activities due to its proximity to the Fenway Portal that provides access into the central tunnel area of the Green Line. The MBTA uses available space adjacent to the right-of-way for materials and equipment storage and for work activities, such as welding rail. This area will be even more heavily relied upon over the next decade and beyond for these key functions as the MBTA embark upon central tunnel and station upgrades. Due to the criticality of the location and constrained MBTA facilities in

the location, it is a safety risk to incorporate the access within the MBTA right-of-way at this location. As discussed in meetings with the proponent, the optimum location for the path would be in a setback area on the 142 St. Mary's property as it would provide adequate separate of the building from the transit way and would provide safe access for pedestrian egress from the station.

Licensing Requirements

Due to the proximity of the project to MBTA property, the Authority's Zone of Influence policy would apply to this project. This will include reviewing design and construction plans, canvassing internal departments on potential impacts, project management, as well as flagging support during construction, when deemed necessary to maintain a safe work site and operations. All staffing costs will be borne by the developer through the execution of a force account agreement. License applications, and further information on the MBTA's policy, may be obtained at mbtarealty.com/licenses.

In this case, a phased license approach may be preferable. The MBTA advises the Proponent to continue to discuss licensing options with Michele Folts, the project manager assigned to this development. Specific areas of consideration to be discussed in the license process and requiring support during construction follow.

Setbacks and Safety

Setbacks are an important zoning mechanism to separate incompatible uses, and in many areas are used to separate active rail lines from development, protecting people by physically distancing them from transit, which is a heavy industrial use. While the minimum required side yard setback in the Audubon Circle Multi-Family Residential zoning sub-district is zero feet, the Proponent has not considered compatibility of uses in the design and proposes to construct building foundations at the property line and immediately adjacent to a heavy industrial use raises concern.

Without an adequate setback from the lot line, the construction, maintenance, and occupancy of this structure and supporting infrastructure will repeatedly involve the risk of an adverse interaction between MBTA infrastructure and the project's contractors and residents, as well as MBTA riders and employees. Any time that the Proponent needs to work on or maintain their property's façade along the right-of-way as presented in the design, it will be within MBTA's Zone of Influence, which is defined as a distance of thirty feet (30') from the MBTA property line. Any activity within this zone will be required to obtain a ZOI license from the MBTA to allow for MBTA technical review, coordination and support of construction, maintenance or other activities.

While a setback of thirty feet is preferred, a setback of at least twenty feet (20') could decrease the likelihood of patrons encroaching on MBTA property, or potentially tossing objects from the planned second-level garden terrace onto the ROW, as well as additional undesired opportunities for residents to potentially foul the ROW, including the overhead power and communication systems. Similar concerns exist for potential operable windows along the ROW. Past examples of risks incurred due to zero and/or reduced-setback development include:

- Damage to MBTA property;
- Damage to transit infrastructure and disruption of service;
- Track fires caused by users on abutting sites; and
- Injury and potential death.

Crane Use & Concrete Pumping

The project will likely require the support of a crane and concrete pump trucks to construct the underground parking and six above grade floors of the building. Consideration of pump trucks and crane placement to prevent the fouling of the Right of Way (ROW) will be a requirement. MBTA will not suspend service at any time and the project will need to plan the work accordingly. In addition to reviewing foundation design for potential impacts, the MBTA will need to review and accept all work plans for concrete placement and crane lifts before construction starts.

Vegetation Removal and ROW Stabilization Considerations/Concern

The existing tree canopy will likely need to be removed to provide the necessary clearance for building construction. The tree removal will need to be coordinated with MBTA. As part of the tree and brush removal, preservation of slope stability will be necessary to ensure the integrity of the right-of-way and track bed.

Foundation

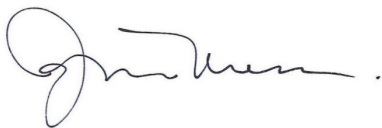
Recent project drawings along the southern elevations imply that the project will require support of excavation and foundation walls along the property line. The MBTA will need to review these plans to ensure that track integrity and ROW are not compromised. Arrangements will need to be made with the MBTA for the future maintenance of this building infrastructure. Additionally, the MBTA will need to review drainage plans to ensure that runoff will not impact MBTA property or the ROW.

Site Fencing

The MBTA will require that the Proponent to install a temporary fence on the property line when construction starts. At this time, the project information does not include construction logistics information that denotes the location of temporary construction fencing in proximity to the ROW. This will be coordinated through the license process.

The MBTA appreciates the opportunity to provide comments on this project and looks forward to continuing to work with the project team to move the project forward with MBTA technical review, licensing and construction. If you have any questions regarding these issues, please feel free to contact the TOD project manager Michele Folts at mfolts@mbta.com.

Sincerely,



Jennifer Mecca
Deputy Chief, Transit-Oriented Development

Cc: R. Henderson, Chief of Real Estate
C. Hines, Interim Director of Development Review
J. Fitzgerald, Deputy Director of Transportation Planning



SHARON DURKAN
OFFICE OF BOSTON CITY COUNCILOR, DISTRICT 8

February 13, 2025

Priscilla Rojas
Boston Planning and Development Agency
One City Hall Square, Ninth Floor
Boston, MA 02201

Re: 142-146 St. Mary's Street

Dear Chair Rojas & Members of the BPDA Board,

I want to begin by expressing my appreciation for the dedicated work of the Impact Advisory Group (IAG) and the many community members who have engaged in this process over time. I firmly believe that community involvement strengthens development projects, and I am encouraged by the thoughtful dialogue that has taken place around 142-146 St. Mary's Street. This project presents a valuable opportunity to address the city's ongoing housing crisis by introducing much-needed transit-oriented residential development.

The proponent has made significant adjustments in response to community and City of Boston feedback, including:

- A dedicated pedestrian connection to the MBTA's Fenway Station, enhancing accessibility for neighborhood residents.
- Increased open space, with the project now incorporating 8K+ square feet—25% more than originally proposed.
- 15% Inclusionary Development Policy (IDP) units, ensuring more affordable housing remains within the neighborhood.
- A \$25,000 commitment to the Audubon Circle Neighborhood Association (ACNA) to support beautification efforts, which I fought.

This proposal aligns with Boston's vision for smart growth by leveraging proximity to public transit while prioritizing sustainability through fossil fuel-free building systems. I am particularly pleased that the project complies with the Parks Frontage Ordinance, reinforcing the



SHARON DURKAN
OFFICE OF BOSTON CITY COUNCILOR, DISTRICT 8

importance of green space connectivity within the Fenway area. This building would improve the condition of the area, and use of this space significantly.

I recognize that some concerns remain, and I commit to working with the neighborhood to address the following challenges:

- A nearby intersection frequently experiences puddling and ice buildup, creating hazardous conditions for pedestrians. I will work to ensure this area is graded to improve drainage and safety.
- I strongly urge that the planned repaving of nearby road(s) be postponed until after construction is complete to avoid premature damage from heavy equipment and construction activity.
- Ensuring that nearby streets are not overly burdened by additional vehicles and that traffic circulation remains safe and efficient.
- Advocating for further refinements to the pedestrian walkway to the T and ensuring improvements to sidewalks and crossings, as part of the MBTA process.

While no project is without its complexities, I believe this development is a strong step forward in creating a more connected and accessible neighborhood. I urge the Board to approve this tonight and look forward to continuing the conversation with residents and stakeholders to make sure we are continuing the conversation in a way that benefits the Audubon Circle neighborhood.

Sharon Durkan
Boston City Councilor, District 8

MEMORANDUM**February 13, 2025**

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

FROM: CASEY HINES, SENIOR DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
NUPOOR MONANI, SENIOR DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
JAMES FITZGERALD, DEPUTY DIRECTOR OF PLANNING REVIEW
ERIC BOATRIGHT, SENIOR ARCHITECT
MEGHAN RICHARD, SENIOR URBAN DESIGNER
JILL ZICK, ASSISTANT DEPUTY DIRECTOR OF PUBLIC REALM DESIGN
HARSHIKA BISHT, SENIOR SUSTAINABLE DESIGN REVIEWER
FORD DELVECCHIO, PLANNER I
CAMILLE PLATT, PROJECT MANAGER

SUBJECT: One Waverly (270-272 Warren Street), Roxbury

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority d/b/a Boston Planning & Development Agency ("BPDA") authorize the Director to: (1) issue a Determination waiving further review pursuant to Section 80A-6.2 of the Boston Zoning Code (the "Code") in connection with a Notice of Project Change (the "NPC") for the One Waverly redevelopment project (the "Proposed NPC Project") submitted to the BPDA by Cruz 270 Warren Street LLC (the "Proponent"), on December 7, 2023; (2) issue a Certification of Compliance under Section 80B-6 of the Code upon successful completion of Article 80B Large Project Review; and (3) execute and deliver a Cooperation Agreement with a provision requiring compliance with the Boston Residents Construction Employment Plan and an affordable housing requirement, 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 NPC Project is a part of a two-phased proposal, which includes 270-

272 Warren Street ("One Waverly Site"), 280-290 Warren Street, ES Warren Street, and 2-10 Clifford Street (collectively the "Overall Site"), a mixed-use residential /commercial development in the Roxbury neighborhood. The Overall Site is bordered by Warren Street, Clifford Street, Waverly Street, and properties between Waverly and Clifford Streets. The existing on-site buildings at 280-290 Warren Street, ES Warren Street and 2-10 Clifford Street (collectively the "Phase I Site") were demolished to enable Phase 1 of the project to be constructed.

The One Waverly Site is located at the corner of Waverly and Warren Streets and is bounded by the Michael E. Haynes Arms Building, located on the Phase I Site, which recently received its Certificate of Occupancy ("CO") from the City of Boston.

The Overall Site is also located within the MFR/LS subdistrict of the Roxbury Neighborhood Zoning District (Article 50), which permits multi-family dwellings of up to four stories and office uses, although the floor area ratio and height for the Proposed NPC Project exceeded the zoning limitations and some dimensional requirements were not met by the proposed project under the existing zoning regulations.

The Original Phase 2 Project (as described on the following page) was granted relief by the Board of Appeals on April 25, 2017, based on two appeals filed with the Boston Inspectional Services Department: #BOA664763 (Phase 1 - 8 Clifford Street) and #BOA664762 (Phase 2 - One Waverly - Formerly 270-272 Warren Street). The zoning relief for the Proposed NPC Project now requires filing for new Board of Appeal relief to allow the Proposed NPC Project to proceed.

DEVELOPMENT TEAM

The Development Team for the Proposed NPC Project consists of:

Proponent:

Cruz 270 Warren Street, LLC
John B. Cruz III, President
Daniel Cruz, Jr., Vice President
Edgar J. Carrere, Senior Project Manager

Architect:

Micheal Washington Architects, Inc.
Micheal Washington
Benjamin Lee

**Landscape Architect
And Civil Engineer:**

DZI-Devellis Zrein Inc.
Imad Zrein

**Article 80 Permitting
Consultant**

MLF Consulting, LLC
Mitchell L. Fischman

Legal Counsel:

Tourse & Associates PC
Dennis R. Tourse

**Transportation
Planner/Engineer:**

Howard Stein Hudson
Brian J. Beisel, PTP
Michael White

**LEED/Sustainability
Consultant:**

Soden Sustainability
Consulting
Colleen Ryan Soden
Arran French

**Noise and Air
Consultant:**

Tech Environmental, Inc.
Marc C. Wallace

**Geotechnical
Consultant:**

UTS of Massachusetts, Inc.
Kevin M. Martin, P.E.

DESCRIPTION AND PROGRAM

The Overall Site currently comprises a land area of approximately 54,670 square ft (1.25 acres), and includes the Phase 1 Site (29,329 SF), the completed Michael E. Haynes Arms building, and a former existing church structure at the corner of Warren and Waverly Streets which will be demolished for the Proposed NPC

Project.

The Original Phase 2 Project, as approved by the BPDA Board on December 15, 2016, included the construction of a five-story (5) building consisting of 44 units of elderly housing, 4,050 GSF for coffee shop and restaurant space, and 28 parking spaces in a single-level garage at the Warren and Waverly Streets corner of the overall project.

The Proposed NPC Project in the Phase 2 portion of the project is being proposed in this Notice of Project Change ("NPC") for a total of fifty-two (52) units of affordable multi-family rental housing for households with incomes up to 60% of Area Median Income ("AMI"), and with 3,812 sf of available commercial space at the ground floor, and 18 garage parking spaces. The Proposed NPC Project unit mix consists of twenty-four (24) one-bedroom units, twenty-four (24) two-bedroom units, and four (4) three-bedroom units. The Proposed NPC Project will also complete an exterior resident courtyard amenity space between the completed Phase I building and the Proposed NPC Project on the One Waverly Site as a part of this proposed NPC, as well as add street trees to Waverly Place.

The table below compares the Original Phase 2 project to the subject Proposed Phase 2 Project as described in the NPC.

Parameter	Original Phase 2 Project (Approx.)	Proposed NPC Project (Approx.)
Gross Floor Area	68,658 GSF	65,384 GSF
<i>Residential, Associated Space and Parking</i>	64,608 GSF (Elderly)	61,572 GSF (Multi-Family)
<i>Retail/Restaurant</i>	4,050 GSF	3,812 GSF
Dwelling Units	44	52
<i>Rental</i>	44	52
<i>Income-restricted</i>	44	52
Vehicle parking spaces	28	18

The total development cost is approximately \$41 million.

ARTICLE 80 REVIEW PROCESS

Following a prior Article 80B Large Project Review approval vote on December 15, 2016, the Proponent revised the Original Phase 2 Project proposal and submitted the NPC to the BPDA on December 7, 2023. The BPDA hosted virtual Impact Advisory Group (“IAG”)/public meetings regarding the NPC on January 4, 2024, and again on January 7, 2025. The IAG/public meetings were advertised in the local paper, a notice was posted on the BPDA’s calendar, and an email notification was sent out to all subscribers of the BPDA’s Roxbury neighborhood email update list. The comment period was extended and concluded on January 17, 2025.

PLANNING CONTEXT

The Proposed Project at 1 Waverly Street is located just outside the Nubian Square area of Roxbury on Warren Street, the main thoroughfare in the area. The Proposed Project is across the street from the Washington Park Urban Renewal Area which forms the surrounding context along with the adjacent traditional residential neighborhood fabric of Roxbury.

The Proposed Project is served by the 10, 14, 19, 23, and 28 MTBA bus lines, some of the highest usage routes in the system. In addition, Nubian Square is located approximately a quarter mile to the north of the property, which provides connections to additional transit service. The Upham’s Corner MBTA Commuter Rail station is located approximately a half mile to the east.

The Proposed Project is served by a number of open space resources. The Little Scobie Playground is located a block east of the proposed project, and the Warren Gardens Park is located a block north along Warren Street. Directly west of the property is Malcolm X Park, with a number of both passive and active recreation amenities.

The Roxbury Strategic Master Plan is the product of a community led planning process in 2004. Relevant goals of this plan include the aim of fostering residential and commercial growth in the Roxbury neighborhood without displacement. While the Proposed Project exceeds the dimensional requirements of its Multifamily/Local Service zoning subdistrict, it is aligned with the Roxbury Strategic Master Plan goal of locating larger mixed use buildings along corridors including Warren Street, as well as the design goals informing the Boulevard Planning Overlay District in which it is located.

URBAN DESIGN AND SITE DESIGN

During post board design review of the Proposed NPC Project under Article 80B of the Code, the Development Team will continue to work with the Planning Department Urban Design Division to design and produce an open space diagram to guide future open space development on the One Waverly Site.

MITIGATION AND PUBLIC BENEFITS

The Proposed NPC Project will provide mitigation and community benefits for the Roxbury neighborhood and the City as a whole, as specified in the approved December 16, 2015 BPDA Board Approval Memorandum including:

- Creating much needed workforce housing in the Roxbury Neighborhood;
- Creating income-restricted rental housing within the Proposed NPC Project;
- Redeveloping blighted and underutilized parcels;
- Encouraging alternative modes of transportation through the use of bicycling and walking, within approximately one mile to the MBTA Nubian Square bus terminal;
- Creating 52 bike racks within the building and 6 outside of the building to encourage bicycling as a mode of transportation, leading to less vehicular traffic;
- Adding revenue in the form of new property taxes to the City of Boston;
- Creating full-time jobs (commercial / retail);
- Creating temporary construction and labor jobs;
- Coordinating with the Mayor's Office of Arts & Culture to replace the existing site mural with an object of public art that would be erected or installed, either on-site or in the vicinity of the site, with a proposed budget of \$8,000 from Cruz 270 Warren Street LLC; and
- Coordinating with the Boston Transportation Department in an effort to improve operations for all users (motorists, bicyclists, and pedestrians) along Warren Street.
- Adding 7 street trees along Waverly Street, 2 street trees along Warren Street, and 7 trees in the interior courtyard to acknowledge the Boston

Urban Forest Plan goals, and granting a pedestrian easement to the Public Improvement Commission to create the minimum clear dimension requirements of public sidewalks to meet Boston Complete street minimum standards.

- Improving streetlights and sidewalks along the Waverly Place frontage to bring them into accordance with Boston Complete Streets design specs.

GREEN BUILDING

In support of Boston's carbon neutral goals, the Proposed NPC Project will be designed and constructed to be Zero Net Carbon, LEED v4 Gold / minimum 60 points certifiable, and Passive House compliant with a Building 2035 pCEI 0.34 kg CO₂e/sf-yr.

The proposed building 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 building will utilize wooden stick frame construction favoring regenerative practices.

The Proposed NPC Project will install 90 kW solar PV and has committed to purchasing 100% renewable electricity for common building loads and setting up common area and tenant 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.

SMART UTILITIES

The building and site plan will comply with the Smart Utilities requirements found in Article 80B of the Code. The Project NPC 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. The Proposed NPC Project will also include smart streetlights standards for new sidewalks, including city shadow conduit and dual handholes in accordance with PIC requirements. The Proposed NPC Project will also adhere to the City of Boston's EV readiness program and shall have 25% of parking spaces EVSE - Installed and the remaining 75% EV-Ready for future installation. Utilities in any City of Boston 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 NPC Project will also provide access for local telecom and fiber providers to

ensure broadband equity and possible future deployment of smart technologies.

HOUSING PROGRAM AND INCLUSIONARY DEVELOPMENT

Projects financed as one entity and where at least 40% of the units are income restricted are exempt from the Inclusionary Development Policy, dated December 10, 2015 (the "IDP"). The Proposed Project is financed as one entity and contains fifty-two (52) total income-restricted units, equaling 100% of the total units thus surpassing 40% of the total units. As such, the Proposed Project is exempt from the Inclusionary Development Policy.

The residential rental units within the Proposed Project shall include approximately fifty-two (52) units made available to households earning not more than 60% of the Area Median Income ("AMI"), as published by the United States Department of Housing and Urban Development ("HUD"), of which approximately nine (9) units will be made available through the Massachusetts Rental Voucher Program ("MRVP").

The affordability of the Proposed Project will be finalized through the public funding process and the ongoing affordability of the Proposed Project will be monitored under a MassDocs agreement. The Proposed Project has been issued City of Boston Affordable Housing Acceleration Certificate No. EO2225.

RECOMMENDATION

Based on the foregoing, BPDA staff recommends that the BPDA Board authorize the Director to: (i) issue a Determination waiving further review pursuant to Section 80A-6.2 of the Boston Zoning Code (the "Code") in connection with a NPC for the Proposed NPC Project submitted to the BPDA by the Proponent, on December 7, 2023; (2) issue a Certification of Compliance under Section 80B-6 of the Code upon successful completion of Article 80B Large Project Review; and (3) execute and deliver a Cooperation Agreement with a provision requiring compliance with the Boston Residents Construction Employment Plan and an affordable housing requirement, and any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed NPC Project.

Appropriate votes follow:

VOTED: That the Director of the Boston Redevelopment Authority be, and hereby is, authorized to issue a Determination waiving further review pursuant to Section 80A-6.2 of the Code in connection

with the Notice of Project Change (the "NPC") for the Phase 2 - 270-272 Warren Street redevelopment project (a.k.a. One Waverly) (the "Proposed NPC Project") submitted to the BPDA by Cruz 270 Warren Street, LLC (the "Proponent") on December 7, 2023; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue one or more Certification(s) of Compliance or Partial Certification(s) of Compliance under Section 80B-6 of the Code upon the successful completion of Article 80B Large Project Review; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute a Cooperation Agreement with a provision requiring compliance with the Boston Residents Construction Employment Plan, affordable housing restriction commitments as detailed in this Board memorandum and any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed NPC Project, all upon terms and conditions determined to be in the best interests of the BPDA.

280-290 Warren Street



280-290 Warren Street





Boston City Council
TANIA FERNANDES ANDERSON
Councilor – District 7

August 28, 2024
Ms. Sheila Dillon
Chief and Director
Mayor's Office of Housing
112 Channel Street
Boston, MA 02210

RE: One Waverly Street Roxbury, MA 02119

Dear Director Dillon:

I write to express my support for the proposal by Cruz Development Corporation to build a 52 unit mixed-income, mixed use rental development on Warren Street in Roxbury, directly next to their Michael E. Haynes Arms development project, which was recently completed and will be the new home of the Cruz Companies. These new homes will be affordable to individuals and families starting at 30% AMI, while providing opportunities up to 80% AMI. The project will also have 3,483 square feet of retail and 18 garage parking spaces.

With the right kind of planning and development, Warren Street holds the potential to become an exciting commercial destination in Roxbury. Support for the One Waverly Street project will allow the construction of this project to move forward and continue the revitalization of the Warren Street corridor. The Cruz proposal will eliminate an abandoned blighted building and replace it with well-designed quality housing that compliments the surrounding neighborhood.

Thank you for your consideration of this important project. Please do not hesitate to call me if you have any questions.

Best,

Tania Fernandes Anderson
City Councilor District 7



CHYNAH TYLER
STATE REPRESENTATIVE
7TH SUFFOLK DISTRICT

The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133-04

Vice Chair:
State Administration & Regulatory Oversight

Committees:
Ways & Means
Public Safety & Homeland Security
Emergency Preparedness and Management

State House, Room 33
TEL: 617-942-1213
Chynah.Tyler@MAHouse.gov

September 18, 2024

Ms. Sheila Dillon
Director
Mayor's Office of Housing
12 Channel Street
Boston, MA 02210

Dear Director Dillon,

I write to express my strong support for the application by Cruz Development Corporation for their One Waverly Street proposal, which consists of a 52 unit mixed-income, mixed-use development project. The project also contains 3,483 square feet of retail space and 18 garage spaces in the heart of Roxbury.

Cruz Companies and their employees have worked diligently to improve the physical and economic condition of the neighborhoods of Boston. Support for their One Waverly Street project will allow the new construction of much-needed mixed-income housing units and help connect businesses in the Warren Street corridor. The Cruz proposal will eliminate a vacant, blighted building and replace it with a well-designed, quality housing development that complements the surrounding neighborhood. Cruz has long demonstrated its strong commitment to Roxbury and the broader community by hiring local talent that reflects the diversity of our community, as well as hiring small businesses of color that demonstrate the immense talent in the City of Boston.

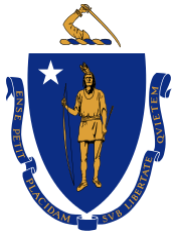
Thank you for your consideration of this important project. Please do not hesitate to call me if you have any questions.

Thank you,

A handwritten signature in dark ink, appearing to read "Chynah Tyler". The script is fluid and cursive, with the first name "Chynah" written in a larger, more prominent style than the last name "Tyler".

Chynah Tyler
State Representative
7th Suffolk

Cc: John B. Cruz III
Daniel Cruz, Jr.



The Commonwealth of Massachusetts

MASSACHUSETTS STATE SENATE

LIZ MIRANDA

STATE SENATOR
SECOND SUFFOLK DISTRICT

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

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

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

August 30, 2024

Ms. Sheila Dillon
Chief of Housing and Director
Mayor's Office of Housing
12 Channel Street
Boston, MA 02210

Re: Support for One Waverly Street, Roxbury, MA 02119

Dear Chief Dillon:

I am writing to express support for the proposed new construction, mixed-use development, to be located on One Waverly Street. This new construction project will contain 52 mixed income units, 18 garage parking spaces and 3,483 square feet of commercial space. There will be housing for families earning 30% - 80% of the AMI, while eliminating a significantly blighted building in the Warren Street corridor.

Since affordable housing options are so scarce, it is critical that One Waverly Street receive this investment to ensure its longevity and affordability into the future. The Cruz Companies have an excellent track record employing a high percentage of local workers of color as well as MBE's on all of their projects.

As the State Senator for the Second Suffolk District in Boston, whose residents will be served by this development project, I ask you to support this worthwhile development. Thank you for your consideration. Please do not hesitate to contact me regarding my support should you have any questions

Sincerely,



Senator Liz Miranda |she/her|
Second Suffolk District
*(Roxbury, Dorchester, Mattapan, Hyde Park, Mission Hill,
Jamaica Plain, South End, Roslindale, Fenway)*

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
NUPOOR MONANI, SENIOR DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
ELLA WISE, SENIOR PLANNER
ADAM JOHNSON, URBAN DESIGNER
NICK SCHMIDT, SENIOR TRANSPORTATION PLANNER
EBONY DAROSA, SENIOR PROJECT MANAGER

SUBJECT: 944 SARATOGA STREET, EAST BOSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority ("BRA") d/b/a Boston Planning & Development Agency ("BPDA") to authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 944 Saratoga Street in East Boston (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 take any and all other actions and execute any and all other agreements and documents that the Director deems necessary and appropriate.

PROJECT SITE

The Project Site is comprised of an approximately 8,609 square foot parcel of land within the Orient Heights neighborhood located in the East Boston neighborhood of Boston (the "Project Site"). The Project Site is currently vacant but was previously occupied by an auto repair shop. The Project Site is bounded by Noyes Playground and a multifamily residential building, which was completed by the Proponent in

2021. The Project Site is approximately 0.2 miles to the MBTA's Orient Heights train station, and other nearby public transit options.

DEVELOPMENT TEAM

The Development Team consists of:

Proponent: CBE 944 Saratoga, LLC
John Conley, Manager

Legal Counsel: Law Office of Richard C. Lynds
Richard C. Lynds, Esq.

Architect: Embarc
Bill Mensinger

Civil Engineer: Engineering Alliance, Inc.
Richard A. Salvo, P.E.

DESCRIPTION AND PROGRAM

The Proposed Project would replace a vacant lot with a new Coastal Flood Resilience Overlay District "CRFOD" compliant four (4) story, 49' foot, 10' inch tall residential building totaling approximately 26,565 gross square feet. The building would contain twenty-one (21) rental residential units, (9) garage parking spaces, and twenty-eight (28) bicycle parking spaces. The Proposed Project includes four (4) studio units, nine (9) one-bedroom units, and eight (8) two-bedroom units.

The Proposed Project includes a maximum of nine (9) on-site motor vehicle parking spaces for residents located at ground level. All motor vehicle parking spaces would be accessed via a single curb cut via Saratoga Street shared with 946 Saratoga Street. The curb cut size shall be limited to no wider than ten (10) feet.

The Proposed Project includes a minimum total of twenty-four (24) interior covered and secured resident bike parking spaces located within the ground floor and directly accessible via Saratoga Street. The Proposed Project also includes a

minimum total of four (4) exterior visitor bike parking spaces using a minimum of two (2) post-and-ring racks in compliance with the City of Boston's Bike Parking Guidelines.

The Proposed Project includes streetscape improvements to Saratoga Street consistent with the Boston Complete Streets Design Guidelines. The Proposed Project would be set back from the property line on Saratoga Street to create an accessible sidewalk at least eight (8) feet in width, inclusive of a minimum five (5) foot clear pedestrian path of travel and three (3) foot furnishing zone with permeable pavers and at least two (2) street trees, along the Project Site. The Proposed Project would provide curb extensions for the existing Saratoga Street crosswalk immediately west of the Project Site that connects to the Noyes Playground pathway.

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

<u>Estimated Project Metrics</u>	Proposed Plan
Gross Square Footage	26,565
Gross Floor Area	23,740
<i>Residential</i>	16,935
<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>	2,585
Development Cost Estimate	\$8,000,000
Residential Units	
<i>Rental Units</i>	21

<i>Ownership Units</i>	
<i>IDP/Affordable Units</i>	0
Parking spaces	9

ARTICLE 80 REVIEW PROCESS

On May 13, 2024, the Proponent filed a Small Project Review Application (the “SPRA”), which initiated a public comment period that concluded on June 12, 2024. The SPRA was sent to the City’s public agencies/departments and elected officials pursuant to Section 80A-2 of the Code.

On June 4, 2024, a Virtual Public Meeting was held. The Virtual Public Meeting was advertised in the local East Boston paper and listed on the BPDA website.

PLANNING CONTEXT

PLAN: East Boston (the “PLAN”), a neighborhood-wide planning initiative to guide growth in East Boston, was adopted by the BPDA Board January 18, 2024. The PLAN includes analysis and recommendations related to zoning, public realm and transportation improvements, and broader policy and program considerations for inter-departmental coordination. The recommendations are organized by geographies: Neighborhood Residential Areas, Squares and Corridors, and Evolving Waterfront and Industrial Areas.

Orient Heights Square is one of the Squares and Corridors identified in the PLAN, characterized as “an important place of gathering, located near the Blue Line.” The PLAN seeks to “improve the legibility of the square and connect it to nearby assets.” Specific to land use and design, the PLAN recommends replacing the Neighborhood Shopping zoning district with a new MU-4 district in Orient Heights Square, including the parcel of the Proposed Project. The PLAN envisions improvements to the existing Saratoga Street crosswalk to improve safety and access to Noyes Playground and align with a proposed mid-block pedestrian connection between Saratoga Street and Bennington Street. As the location immediately abuts Noyes

Playground, staff review carefully considered the relation between the Proposed Project and the public park that surrounds it on two sides.

ZONING

Article 53 - East Boston Neighborhood District and Zoning Map 3-C were amended in April 2024 to codify recommendations from PLAN: East Boston. Accordingly, the proposed project is within the Article 53 East Boston Neighborhood, Mixed-Use 4 (MU-4) subdistrict.

The proposed use is multifamily residential, which is allowed in the subdistrict. The MU-4 subdistrict allows maximum building height of four stories and 50 feet, as measured from grade as defined by Article 2 and Article 25A of the Zoning Code; minimum rear setback of 10 feet when abutting a non-residential use; minimum front setback of 6 feet or modal front setback; minimum side setback of 10 feet total, with 3 feet minimum per side when abutting a non-residential use; maximum lot coverage of 70%; minimum permeable area of lot of 15%; maximum floor plate of 8,000 square feet; and maximum building width of 120 feet.

The proposed rear setback from Noyes Playground is between 9 feet 6 inches and 10 feet 7 inches with an average of 10 feet 2 inches. According to Section 53-29.8, given that the rear wall of the Proposed Project is not parallel to the rear lot line and the average distance between the Proposed Project and the rear lot line is greater than the minimum rear yard requirement and at no point less than 3/4ths of the rear yard requirement (i.e. 7.5 feet), the rear yard requirements are met.

MITIGATION & COMMUNITY BENEFITS

The Proposed Project has committed to providing community benefits for the East Boston neighborhood and the City of Boston. The Proposed Project would result in an improved pedestrian experience along Saratoga Street with the installation of improved sidewalks and new curb extensions, street trees, landscaping, and visitor bike parking consistent with the City of Boston's Complete Streets Design Guidelines. In addition, the Proponent has agreed to an in-kind and/or financial commitment totaling up to forty thousand (\$40,000.00) dollars, to be managed by the BPDA, which may be allocated to:

- An in-kind commitment for the design and installation of curb extensions at the existing Saratoga Street crosswalk immediately west of the Project Site and connecting to the Noyes Playground path. This mitigation measure is

subject to review by the BPDA, Boston Transportation Department (“BTD”), Boston Public Works Department (“PWD”), and other City departments, as needed. Sidewalk setbacks and improvements to the public way, including curb extensions, are subject to design review and will require approval for Pedestrian Easement and Specific Repairs actions with the Public Improvement Commission (“PIC”). PIC approvals for proposed improvements shall be completed before building permit issuance for the Proposed Project. The physical mitigation improvements must be completed upon Certificate of Occupancy. This mitigation measure is subject to BPDA design review and Planning Department discretion. In the event that circumstances change regarding this mitigation, the Planning Department and other City departments will work with the Proponent to identify an alternative solution with comparable impact and estimated value.

- Within 30 days of issuance of Building Permit, a one-time “bikeshare” contribution of Five Thousand Seven Hundred Seventy Five dollars (\$5,775) to BTD per the City’s Bike Parking Guidelines.

The community benefits described above will be set forth in the Community Benefits Agreement for the Proposed Project. Any required community benefit contribution payments shall be made to the BPDA or respective City of Boston department before issuance of the initial building permit by ISD and will be distributed as outlined above. The Proposed Project and public realm improvements are subject to design review.

INCLUSIONARY DEVELOPMENT POLICY

The 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 has been designed to be in full compliance with the provisions of the Zoning Code and as no zoning relief is required, the Project 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, staff recommends that the Director

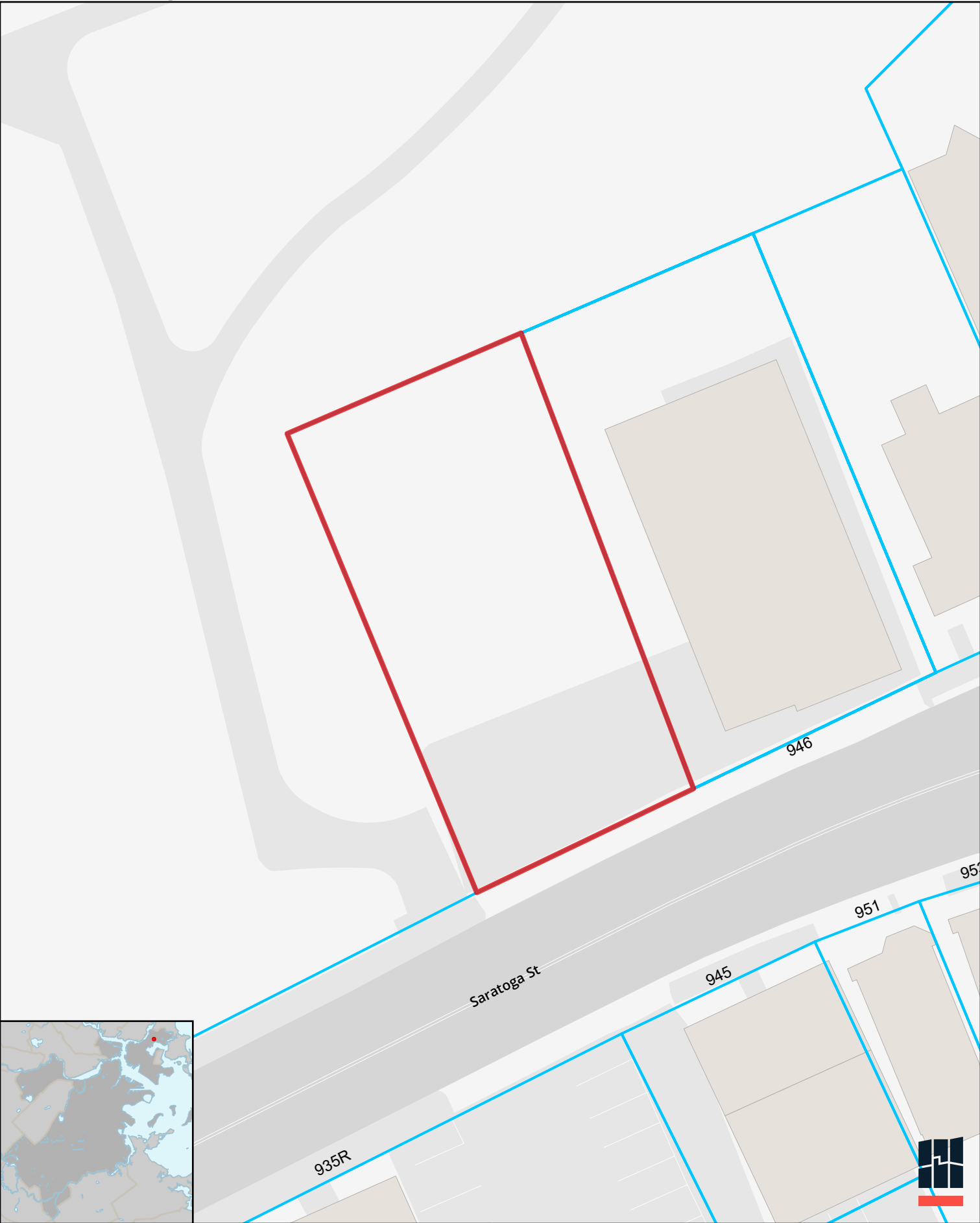
be authorized to: (1) issue a Certification of Approval for the Proposed Project; and (2) enter into a Community Benefits Agreement in connection with the Proposed Project, and take any and all other actions and execute any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Approval pursuant to Section 80E-6 of the Boston Zoning Code (the "Code"), approving the Proposed Project consisting of 19,520 square feet at 944 Saratoga Street in East Boston (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.

944 Saratoga Street



944 Saratoga Street



To: Ebony Darosa
From: BPDA Planning and Urban Design
Date: June 7, 2024
Subject: 944 Saratoga Small Project Review Application
BPDA Planning and Urban Design Comments

The following comments are provided in response to the “944 Saratoga Street, East Boston, Small Project Review Application” submitted to the Boston Planning and Development Agency (BPDA) by CBE 944 Saratoga LLC on May 14, 2024.¹

Planning and Zoning

At this time, the proposed project at 944 Saratoga Street, East Boston does not align with the standards set forth by the Boston Zoning Code and PLAN: East Boston.

Site Context

The site is currently a vacant lot. It was recently occupied by an auto repair shop that was razed in the past several years. The site abuts the Noyes Playground to the left and rear and a 3-story multifamily building constructed in 2021 on the right.

The site was subject to a previous Article 80 application for a proposal referred to as 944-946 Saratoga that encompassed this parcel and the one next to it. The previous proposal was abandoned, and instead a 3-story development project on 946 Saratoga was approved and constructed.

The proposed site is located in Orient Heights Square within a block of the intersection of Saratoga and Boardman Streets. Saratoga Street is two-lane with on-street parking on both sides lined with a mixed of 1- to 3- story residential and commercial uses. Orient Heights T station is less than a 10-minute and Constitution Beach is less than a 5-minute walk.

Planning Context

¹ <https://bpda.app.box.com/s/rbdi6ha8u8zhs3vg3g1svyyy5h1yhk21>

PLAN: East Boston and accompanying zoning amendments were adopted by the BPDA Board in January 2024. Zoning text and map amendments that codify the PLAN recommendations were adopted by the Boston Zoning Commission in April 2024.

Orient Heights Square is one of the squares and streets identified in the PLAN, identified as “an important place of gathering, located near the Blue Line.” Generally, the PLAN seeks to “improve the legibility of the square and connect it to nearby assets.” OBJ

Regulatory and Policy Context


The Inclusionary Development Policy (IDP) is required of all projects with 10 or more units that require zoning relief, City funding, or are located on City-owned land to reserve at least 13% of all units as income-restricted. The proposed project includes 20% income-restricted units and complies with IDP.

The project is also subject to the Boston Air Pollution Control Commission’s East Boston Parking Freeze Zone, as well as City of Boston Parks review per Boston Municipal Code Ordinance 7.4-11.

Zoning Context

The proposed project is within the Article 53 East Boston Neighborhood, Mixed-Use 4 subdistrict. The site of the proposed project had been within the East Boston Neighborhood District, Neighborhood Shopping subdistrict until zoning amendments to Article 53 were adopted by the Boston Zoning Commission in April 2024. The zoning requirements are compared to the proposed project below. Zoning relief is recommended where the zoning requirements are inconsistent with citywide goals for resiliency, affordability, and equity.

The proposed project is also within the Coastal Flood Resilience Overlay District (CFROD) meaning that it is anticipated to be flooded with a 1% chance storm event in 2070 with 40 inches of sea level rise and is subject to Article 25A. Please see the resilience comments below for further detail. Article 25A relates to the proposed use and dimensions of the site. Residential uses below the Sea Level Rise - Design Flood Elevation (DFE) are prohibited. For residential uses, the DFE is defined as two feet above the Base Flood Elevation. In addition, per Article 25A, the building height of the proposed project “shall be measured from the higher of: (a) Grade, or (b) two (2) feet above the Sea Level Rise - Base Flood Elevation (SLR-BFE).”

Table 1. Consistency with East Boston Neighborhood, MU-4 subdistrict				
Dimensions / Uses	Zoning Requirements	Proposed Project per SPRA	Consistent?	Relief recommended?
Setback (front)	6 ft or modal	2'7" - 8'2" and modal	Consistent with modal setback	N/A
Setback (side)	Abutting non-residential: 10 ft total, 3 ft min per side	Abutting non-residential: 5.8 ft	Consistent	N/A
Setback (rear)	Abutting non-residential: 10 ft	3 ft	Not consistent	No relief recommended
Height	4 stories 50 feet	4 stories 52 ft, 5in	Consistent (stories)  Not consistent (feet)	No relief recommended

Max building lot coverage	70%	65%	Consistent	N/A
Max building width	120 ft	49.5 ft, per SPRA	Consistent	N/A
Max floor plate	8,000 sq ft	5,595 sq ft	Consistent	N/A
Min outdoor amenity space	none	2,400 sq ft total including decks and bal	N/A	N/A
Min permeable area of lot	15%	15%	Consistent	N/A
Uses	Multifamily allowed	Multifamily	Consistent	N/A

As noted above, the proposed rear setback and height is non-compliant with the recently amended Article 53 zoning regulations. The Article 53 amendments codified the recent recommendations of PLAN: East Boston reflecting City and community goals. Given the site of the proposed project adjacent to a City of Boston public park, the side and rear setback adjacent to the park are critical to ensure harmonious private use of the proposed project and public use of the park.² In regards to the proposed height measured in feet, BPDA staff acknowledge that the proposed floor-to-floor measurements are not irregular; however, the height does exceed the zoning maximum measured in feet and it is requested that the project design be revisited to reduce the proposed height by two feet, five inches.

- *In consultation with BPDA Urban Design staff, increase the rear yard setback from three to 10 and reduce the height to 50 feet in order to gain consistency with the recently adopted Zoning Amendments to Article 53 and Zoning Map 3*

Urban Design

Architecture

Note: Urban Design/architectural comments will refer to architectural stories as a shorthand to simplify discussion of architectural features; nothing in these comments is meant to contradict

² This is consistent with the City of Boston Parks Department feedback given in a November 2023 comment letter in response to pre-file conceptual plans for 944 Saratoga which requests a greater rear yard in order to reduce impact on the park.

BPDA staff team's understanding that proposed building height equals 4 stories above DFE and 1 story below DFE.

- *This building has three architectural fronts: one facing the street and two facing the park. Facing the street, the 1 story below DFE and first 2 stories above DFE are very elegant, due to the horizontal detailing in the expression. This expression gets lost toward the rear of the building, contributing to a feeling of bulk. Consider how the horizontal detailing and lines of the front can be extended to the sides facing the park.*
- *The current massing proportion of 3 + 2 architectural stories (4 stories above DFE) is causing the building to read as much more massive than it actually is. Given that 4 stories are allowed under zoning, consider extending the architectural expression of the bottom portion of the building up one more story, so that this reads as a 4 + 1 building. The protruding "bay" on the front elevation could be extended up a further story to continue that logic and to help regain some of the square footage lost by meeting the rear setback requirement.*
- *How could the penthouse be detailed so that it reads as more secondary from the side in the view below? Total building height should be no greater than 50'.*



- *Please draw the canopy of the adjacent Park tree on all architectural plans, so that we can understand how the carving of the massing relates to the canopy extent.*

Public Realm and Open Space

- *The proponent should provide a zoning compliant footprint that honors the rear yard setback and gives as much dimension as possible to the parkside side yard to preserve the root zone of the existing tree on parkland. This could help the proponent significantly in their Parks Commission review process.*
- *The footprint should be closer to 946 Saratoga and provide the largest side yard setback and buffer to the parkside (western edge of the parcel). This will reduce the dimension of*

the shared drive aisle to 20', while still maintaining a 3-foot side yard setback along the east edge of the parcel.

- *We are concerned that the existing van accessible space is not working, so that should be explored as a part of the new footprint.*
- *construction access cannot be allowed from park land.*



City of Boston
Parks and Recreation
Mayor Michelle Wu

May 22, 2024

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

RE: Small Project Review, 944 Saratoga Street, adjacent to Noyes Playground in East Boston

Dear Ms. Polhemus:

The Boston Parks and Recreation Department (BPRD) has reviewed the *Small Project Review Application for 944 Saratoga Street* in East Boston. The site of the proposed project is immediately adjacent to Noyes Playground on two sides.

Previous Reviews BPRD previously reviewed the plans for 944-946 Saratoga Street before the project was bifurcated, and provided comments in a letter dated September 25, 2017. BPRD also reviewed the pre-file conceptual plans for 944 Saratoga Street and provided comments in a letter dated November 10, 2023. Those letters were intended to inform the conceptual design so that impacts to Noyes Playground would be eliminated prior to submittal to the BPDA, BOA and the Parks Commission. *The previous letters are attached because the issues were not resolved.*

Municipal Code Section 7-4.11 The project will require the approval of the Boston Parks and Recreation Commission prior to the issuance of building permits. Issues that will be reviewed for impacts to the playground will include but not be limited to height; massing; rear and side yard setbacks; shadows; onsite open space; landscaping; balconies and roof deck; construction management; accommodation of pets; protection of public trees; and interface between uses. *The Parks Commission's review is not listed in Table 2-2 Anticipated Permits and Approvals.*

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
Seth Riseman, Boston Planning and Development Agency
Jill Zick, Boston Planning and Development Agency
Ebony DaRosa, Boston Planning and Development Agency



City of Boston
Parks and Recreation
Mayor Michelle Wu

November 10, 2023

Michael Christopher
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

RE: Pre-file conceptual plans; 944 Saratoga Street, adjacent to Noyes Playground in East Boston

Dear Michael:

The Boston Parks and Recreation Department (BPRD) received conceptual plans from the proposed project at 944 Saratoga Street, which is immediately adjacent to Noyes Playground. This project is currently in the pre-file phase and has not yet been submitted to the Boston Planning and Development Agency (BPDA) for Article 80 Small Project review.

BPRD reviewed the *Concept Plans for 944 Saratoga Street* dated September 18, 2023. The comments below are intended to inform the conceptual design so that impacts to Noyes Playground are eliminated prior to Article 80 and Parks Commission review. BPRD may submit additional comments to the BPDA and the Board of Appeals once a submittal is made.

Municipal Code Section 7-4.11 This project is subject to *Municipal Code Section 7-4.11* and requires the approval of the Boston Parks and Recreation Commission prior to the issuance of building permits. Issues that will be reviewed for impacts to the playground will include but not be limited to height, massing, setbacks, shadows, onsite open space, landscaping, balconies and roof deck, construction management, accommodation of pets, and interface between uses.

Conceptual Design The proposed height of the building is 5 stories (55'). There are no measurements provided but the proponent stated that the rear setback is about 2-3 feet from the park and the side yard setback is six feet from the park. There is a large tree in the park near the shared property line with a canopy that overhangs the project site. There are balconies, a roof deck and outdoor seating adjacent to the property line, with minimal side and rear yard setbacks.

Previous Review BPRD previously provided the attached comment letter during Article 80 review for 944-946 Saratoga Street dated September 25, 2017. The issues in that letter remain relevant to the conceptual plans for 944 Saratoga Street – particularly regarding impacts to the adjacent playground from setbacks, height and shadows, roof decks and balconies, etc.

The original project that was proposed at 944-946 Saratoga Street in 2017 was later bifurcated into two buildings along a shared driveway. The building at 946 Saratoga Street is set back 20' from the park, and is three stories (35') tall – alleviating concerns about impacts to the park. The Boston Parks and Recreation Commission approved the project at 946 Saratoga Street in 2018.

The project at 944 Saratoga Street should match the height and setbacks that were previously approved on the tandem site at 946 Saratoga Street in order to eliminate park impacts.

Zoning The site is zoned *Article 53 East Boston Neighborhood Shopping Subdistrict (NS)*. The maximum allowed height is 35 feet. The maximum FAR is 1.0. The minimum rear yard setback is 20 feet. The side yard setback is zero feet. The onsite open space is 50 sf per unit.

In an email to the BPRD, the proponent stated the opinion that “the zoning setbacks for the lot located in the NS District are 0 on the side yard and 20' on the rear. As this may be a corner lot condition, the rear yard could be treated as a side yard under Article 53.”

However, the Zoning Code defines a corner lot as “a lot with boundaries abutting on, and meeting at the intersection of two streets...” The location of the subject site does not appear to fit this corner lot definition as its boundaries abut a park, not the intersection of two streets.

BPRD will seek a determination from the BPDA on the interpretation of whether the lot at 944 Saratoga Street is a corner lot condition, with a rear yard setback of zero feet.

Zoning Relief The *Concept Plan* does not include an analysis of zoning. However, the building is designed in a manner that assumes relief of zoning for height, massing, rear yard setback, onsite open space, etc. Such relief would create a significant impact on the adjacent public park.

The conceptual plans should be redesigned so that zoning relief is not required that will create impacts on the adjacent publicly owned open space. The zoning dimensional requirements of 35' maximum height, FAR of 1.0, and 20' minimum rear yard setback should be met in order to eliminate impacts to the immediately adjacent playground. A side yard setback of 10' is desired.

Height and Shadows The proposed height of five stories and 55' exceeds that which is allowed under zoning and would require relief from zoning which would create impacts on the publicly owned park. The additional height and minimal rear yard setbacks would create a building that is physically imposing on the park. The building would likely cast shadows on the playground throughout the day and the year given its siting to the south of the public open space.

The conceptual plans should be redesigned so that zoning relief is not required that will create shadow impacts on the adjacent publicly owned open space.

A shadow impact analysis should be provided from dawn until dusk year round.

Setbacks Relief from zoning would create minimal setbacks which would have shadow, aesthetic and user impacts on the park. The rear setback is 2-3 feet from the park - it appears that it will be impossible to build the structure without access from the playground. The balconies and roof decks immediately overhanging the park would privatize the space. There is a large tree in the park along the side yard that would be impacted by zoning relief, design and construction.

The conceptual plans should be redesigned so that zoning relief is not required that will create impacts on the adjacent publicly owned open space.

Onsite Open Space An analysis has not been provided of the onsite open space that is required under zoning. The open space that is shown on the conceptual plan is passive use space. Residents of the households will therefore rely on the adjacent public park for their active recreation needs. *The impact of additional users to the park should be fully mitigated.*

Noise and Exhaust *The proponent should provide details of the building mechanicals in relation to the public open space - including garage ventilation; building ventilation, condensing units, etc. Mechanicals should be sited so as not to impact open space with noise. Ventilation fans should not impact or be oriented to public open space, and noise should be mitigated.*

Demolition and Construction Management *A demolition and construction management plan should be provided specific to impacts to Noyes Playground, in addition to anything submitted to BTD. As applicable, this plan should include: specifics of demolition and waste removal given that the proposed building sits nearly at the property line of the park; construction staging (including cranes, heavy equipment, deliveries, truck routes, contractor parking, storage, etc.); management of dust and noise; excavation and grading; driving of piles; foundation support; foundation footings and construction; groundwater management during construction and after; erosion and sediment control; stormwater management; impact to trees; and noise and dust.*

Pets *A pet relief space should be provided on site to eliminate impacts to public open space.*

Interface Between Uses The proposed project sets up a potentially incompatible interface between an existing publicly owned playground and a private residential building.

The proponent enters into this project aware that the adjacent property is fully utilized as a public park. The onus is on the proponent to mitigate any impacts within its own property.

Conclusion *The conceptual plans should be redesigned so that the building meets required zoning; is in alignment with the previously approved building at 946 Saratoga Street, and does not create negative impacts on or interface with the adjacent publicly owned open space.*

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
Seth Riseman, Boston Planning and Development Agency
Jill Zick, Boston Planning and Development Agency
Casey Hines, Boston Planning and Development Agency
Ebony DaRosa, Boston Planning and Development Agency

BOSTON

September 25, 2017
Martin J. Walsh, Mayor

Ms. Teresa Polhemus
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

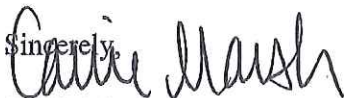
RE: 944 - 946 Saratoga Street, adjacent to Noyes Playground in East Boston

Dear Ms. Polhemus:

BPRD has reviewed the Article 80 application for the proposed development at 944 Saratoga Street. This project is immediately adjacent to Noyes Playground and shares its west side and rear property lines with the park. The park will provide significant amenity to the development.

The project is subject to approval of the Boston Parks and Recreation Commission prior to the issuance of building permits, under Municipal Code Section 7-4.11. It would be difficult for BPRD's review staff to recommend the project to the Commission for approval, given its current design. It is therefore desired that the issues below be resolved during the Article 80 review:

- Siting – the setbacks of 9' along the side and rear property lines would have a detrimental impact on the park. The rear zoning setback requirement of 20' should be honored, and a minimum side setback of 5' (10' preferred) should be provided along the park property.
- Zoning - relief for height and massing would further impose the building on the park.
- Shadows – the building will create shadows on the playground, including the playing field.
- Construction Impacts - Construction impacts (noise, dust, traffic, etc.) should be detailed. All construction shall be accommodated onsite - no access will be allowed through the park. No parking associated with the construction will be allowed on park property.
- Balconies and a first floor roof deck immediately abut the park and could create usage issues.
- The fenestration of the parking level opens immediately onto the park.
- The building should be screened from the park with screening located on the project site.
- The impact of 42 households (likely up to 100 residents) using the park as an active recreational amenity should be appropriately mitigated during Article 80 review.
- A dog recreation space should be provided onsite, if pets will be allowed.
- Any public shade trees in the vicinity of the site will need to be protected from impacts.

Sincerely,


Carrie Marsh

Executive Secretary, Boston Parks and Recreation Commission

cc: Christopher Cook, Commissioner, Boston Parks and Recreation Department
Liza Meyer, Chief Landscape Architect, Boston Parks and Recreation Department
Jon Greeley, Director of Development Review, Boston Planning and Development Agency
Michael Cannizzo, Senior Architect, Boston Planning and Development Agency
Raul Duverge, Project Manager, Boston Planning and Development Agency



Boston Parks and Recreation Department

1010 Massachusetts Ave., Boston, MA 02118 / Tel.: 617-635-4505 / Fax: 617-635-3173



To: [Ebony DaRosa]
From: [Hayden Budofsky], PWD
Date: [06/04/2024]
Subject: [944 Saratoga Street] - Boston Public Works Department Comments

Included here are Boston Public Works (PWD) comments for the 944 Saratoga Street SPRA.

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 the Parks & Recreation department in regards to the planting of two new street trees along Saratoga Street. A proposed pedestrian ramp should follow PWD standards & guidelines, and will need to meet AAB/ADA standards. Proposing a mid-block crossing at the park entrance along Saratoga Street will require an opposite ramp on the south side of the street. This would conflict with an existing driveway that would require coordination with the parcel owner and PIC. The developer shall coordinate with PWD and BTM to identify the best location for this crossing. The developer shall consider installing an RRFB.

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:

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

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

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



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(617) 635-4900

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

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

Green Infrastructure:

The developer shall work with PWD, the Green Infrastructure Division, and the Boston Water and Sewer Commission (BWSC) to determine appropriate methods of green infrastructure and storm water 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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