



Planning Department

MEMORANDUM

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

FROM: Joanne Marques
Regulatory Planning & Zoning

DATE: August 07, 2025

RE: Planning Department Recommendations

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

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



Case	BOA1723649
ZBA Submitted Date	2025-05-22
ZBA Hearing Date	2025-08-12
Address	140 Putnam ST East Boston 02128
Parcel ID	0107006000
Zoning District & Subdistrict	East Boston Neighborhood EBR-3
Zoning Article	53
Project Description	Construct a rear addition, decks, and new third floor to convert an existing one-unit building into two units.
Relief Type	Conditional Use
Violations	GCOD Applicability

Planning Context:

The proposed project sits in an established residential area just outside the Eagle Hill neighborhood in East Boston. This block of Putnam St is fully built out, with one-, two-, and three-unit buildings lining the block.

The proposal is to convert this one-unit residence into two units by adding a third floor addition, renovating the existing house, and adding a rear addition and decks. The dimensions and use of the proposed changes are allowed under the updated zoning to implement PLAN: East Boston. In addition, the proponent plans to renovate the existing basement by adding mechanical equipment including sprinkle water storage.

Zoning Analysis:

This project has triggered Article 32 *Groundwater Conservation Overlay District*, due to “The erection or extension of any structure designed or used for human occupancy or access, mechanical equipment, or laundry or storage facilities.” 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.



Because the proponent plans to pursue below-grade construction within a Groundwater Conservation Overlay District (GCOD; Article 32 - Section 32-4), they require further GCOD review from the Boston Water and Sewer Commission.

Plans reviewed are titled "140 Putnam Street East Boston, MA for Hruska Residence", prepared by Civil Environmental Consultants, dated March 10, 2025.

Recommendation:

In reference to BOA1723649, 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,

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

Deputy Director of Zoning



Case	BOA1534942
ZBA Submitted Date	2023-10-11
ZBA Hearing Date	2025-08-12
Address	10 Bremen ST East Boston 02128
Parcel ID	0105363000
Zoning District & Subdistrict	East Boston Neighborhood 3F-2000
Zoning Article	53
Project Description	Change the structure's existing use from retail/office to a mix of office on first level, with six (6) residential units above, including a roof deck. The project scope includes erecting a two-story vertical addition, new stair towers with penthouses, and updates life safety.
Relief Type	Variance, Conditional Use, IPOD Permit
Violations	GCOD Applicability Parking or Loading Insufficient IPOD Applicability Roof Structure Restrictions Lot Area Insufficient Additional Lot Area Insufficient FAR Excessive Height Excessive (stories) Height Excessive (ft) Usable Open Space Insufficient Side Yard Insufficient Rear Yard Insufficient Forbidden Use (MFR); Change in Non-Conforming Use

Planning Context:

The proposed project sits in an established mixed-use area, one block east of East Boston's Maverick Square. Its surroundings consist of a mix of two- to four-story structures with multifamily residential land uses and a few ground-floor commercial establishments scattered throughout. Larger five- to seven-story buildings with a higher concentration of commercial uses can be found in the surrounding blocks, mainly around Maverick Square. In addition, the site sits immediately adjacent to the East Boston Greenway and is within a one block radius of the MBTA's Maverick Square Station (which services the blue line) and stops for the 114, 116, 120, and 121 bus routes.



The project site is occupied by an existing two-story commercial structure, currently housing a professional office use. The site features no existing off-street parking. The proposed project seeks to erect a two-story addition atop this existing structure (extending the building height from two to four stories) to accommodate the addition of six new residential units above a renovated ground floor commercial space. These vertical additions are proposed to align with the structure's existing building floorplate and involve no additional bump out or extension of the structure's footprint on the site. No substantial changes are proposed to the project's site plan.

This project scope is aligned with the planning goals outlined in PLAN: East Boston (adopted by the BPDA Board on January 18, 2024) for the area. These encourage the preservation and re-use of existing structures, the retention and expansion of ground-floor commercial uses, and the development of contextually sensitive and appropriately-scaled residential infill on underdeveloped lots throughout the neighborhood.

Of note, the proposed project also sits within the bounds of the East Boston Interim Planning Overlay District (IPOD). The IPOD was implemented in 2018 to ensure that, during the development of the neighborhood's new strategic plan, adequate planning and zoning protections were in place to guide and regulate new construction in the area. Because the proposed project's permit application was submitted prior to the IPOD's sunset on 11/11/23, it will still require an IPOD permit to proceed. Given the project's alignment with the planning goals of the recently adopted PLAN: East Boston (as discussed above), the Planning Department recommends the project for approval.

Planning Department Urban Design staff have recommended the project undergo design review to increase the setbacks of the structure's proposed roof deck from the building's edges. Because the site sits within and meets the applicability thresholds for the City's Groundwater Conservation Overlay District (GCOD), GCOD review will also be required for the project.

Zoning Analysis:

The proposed project has been cited with 14 zoning violations, relating to use, scale, parking regulations, and others. These citations are listed upon the project's most recent refusal letter, dated 12/6/23. The project proposal was initially filed with the Inspectional Services Department



on 3/21/23. Since that initial filing, updated zoning for the East Boston neighborhood was adopted by the Zoning Commission (on 4/24/24).

East Boston's updated zoning places the proposed project within an EBR-4 subdistrict. EBR-4 subdistricts allow a maximum building height of four stories and fifty feet, and permit both multifamily residential and ground floor commercial uses. The proposed project complies with both of these requirements (proposed building height of four stories and forty-two feet with six dwelling units above a ground floor commercial space).

Updated zoning for the area also removes previously present dimensional regulations (such as maximum FAR, minimum lot area, and minimum usable open space) and replaces them with updated dimensional regulations based on building form and environmental performance items (including maximum building lot coverage, maximum building floor plate, and minimum permeable area of lot). The zoning also recalibrates the requirements for previously present dimensional regulators (including for front, rear, and side yard setbacks). While some of the proposed project's raw dimensional figures are in violation of these requirements (mainly building lot coverage, permeable area of lot, and yard setback maximums/minimums), they relate exclusively to extensions of existing nonconforming dimensions currently present on the site. Because the proposed project will not worsen these existing dimensions, they will not constitute violations of the area's zoning (as per Section 53-30 of the Zoning Code - Nonconformity as to Dimensional Requirements). This makes the project dimensionally compliant with East Boston's updated zoning.

The project's cited violations relating to parking requirements and roof structure restrictions remain applicable to the proposal. The regulations of the City's GCOD are also applicable to the project. Comments on each follow below.

1) Insufficient Parking: The proposed project falls below the required parking count in East Boston's updated zoning (zero spaces proposed, seven spaces required). This zero parking condition is already existing upon the site and is not proposed to be altered through the proposal. Even if it were, the project's lot size (1,700 square feet) is not large enough to accommodate seven spaces with sufficient space for maneuverability without demolishing the existing structure thereon. The City also discourages the development of new curb cuts, wherever possible. This zero parking condition is also one that is shared across 90%+ of the lots within a three block radius of the project site. Because of this, as well as the project's close



proximity to multiple public transit options, the proposal's insufficient parking violation is minimally invasive to the site and surrounding area.

2) Roof Structure Restrictions: The project's proposed roof deck violates the roof structure setback requirements detailed in the area's updated zoning (five foot setback from all roof edges required - three feet proposed on the structure's east and north roof edges). A proviso for Planning Department Design Review has been added to this recommendation to increase the roof deck's setback dimensions.

3) GCOD Applicability: Because the proposed project seeks to add more than fifty square feet of area to the existing structure (a GCOD applicability trigger), the proposed project will be required to comply with the regulations of the GCOD for review by the Boston Water & Sewer Commission. A proviso for GCOD Review has been added to this recommendation to accommodate this need.

Recommendation:

In reference to BOA1534942, 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), that plans be submitted to the Planning Department for design review.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1710785
ZBA Submitted Date	2025-04-18
ZBA Hearing Date	2025-08-12
Address	22 Monument SQ Charlestown 02129
Parcel ID	0203040000
Zoning District & Subdistrict	Charlestown Neighborhood RH-2000
Zoning Article	62
Project Description	Legalizing existing parking space.
Relief Type	Variance
Violations	Usable Open Space Insufficient

Planning Context:

This site is located across the street from the Bunker Hill Monument in the Original Peninsula area of Charlestown. The site has a four-story, four-unit row house with one parking space in the rear. There is no construction proposed with this project; the proponent is seeking to legalize an existing parking space on their property. There are also no changes proposed to the existing 18-foot curb cut. The parking space is screened from the public right-of-way with an existing fence.

Zoning Analysis:

The project is cited for violating minimum usable open space; the required usable open space for four units within this RH-2000 subdistrict is 1,000 square feet (250 square feet per unit). The existing and proposed usable open space is difficult to estimate with the provided plans, but appears to be around 450 square feet in the rear yard and over 300 square feet on a roof deck.

Given that this is an existing condition and there are no changes proposed with the proposed plan, legalization of the parking space is recommended.

Plans reviewed are titled "Certified Plot Plan Located at 22 Monument Square Charlestown, MA," prepared by Boston Survey, Inc., and dated January 29, 2025.

Recommendation:

In reference to BOA1710785, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

Kathleen Onuf

Deputy Director of Zoning



Case	BOA1703445
ZBA Submitted Date	2025-03-26
ZBA Hearing Date	2025-08-12
Address	100 Huntington AV J5 Boston 02116
Parcel ID	0400985010
Zoning District & Subdistrict	Huntington Avenue/Prudential Center General Area
Zoning Article	11
Project Description	Add window decals for advertisements on both sides of a skybridge over Huntington Avenue, with each occupying 480 square feet.
Relief Type	Conditional Use
Violations	On-Premise Signs in Non-Residential Districts

Planning Context:

The proposal includes adding window decals for advertisements on both sides of the skybridge over Huntington Avenue that connects the Prudential Center and Copley Place. The window decals would occupy seven window panels on each side of the skybridge, with each occupying 480 square feet (8 feet tall and 60 feet wide). The proposed location of these window decals means that the signs are not necessarily considered signage for a specific store or location, but rather an advertisement similar to a billboard. The Planning Department does not support signs for businesses without a retail front in that specific location, and further does not support signage attached to sky bridges.

Zoning Analysis:

The proposed signage is cited for violating provisions in Section 11-2 for "On-Premise Signs in Non-Residential Districts." Window decals such as this are only referenced in subsection (c), which states "A permanent non-illuminated sign on the inside of the glass of a window, provided that the total area of the sign does not exceed thirty percent of the total glass area of windows appurtenant to the use to which the sign is accessory, and provided that signs on ground floor windows be included in calculating the total area of signs on a sign frontage." The proposed signage would not occupy more than thirty percent of the windows; however, it is not apparent that these window decals are accessory to a specific use that they are providing advertisement



for. It is also unclear that these advertisements would be considered on-premise signage, as the definition for On-Premise Sign is “a sign which advertises or announces a use conducted or good available on the lot on which the sign is located.” Given the location of this signage on a skybridge (which is permitted by an easement, rather than being on a defined lot), it would be considered Off-Premise Signage; Article 11 does not provide guidance around Off-Premise Signs.

Additionally, while it is difficult to classify this kind of signage related to specific requirements in Article 11, these signs would be larger than other allowable On-Premise Signs. For example, free-standing signs subject to Section 11-2(e) be up to 65 sf, 125 sf, or 250 sf depending on the use(s) that the signs are accessory to.

Plans reviewed are titled "Windowscape Location Plan Pedestrian Skybridge Huntington Avenue Boston, Massachusetts," prepared by Dana F. Perkins, Inc., and dated October 30, 2024.

Recommendation:

In reference to BOA1703445, The Planning Department recommends DENIAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1723832
ZBA Submitted Date	2025-05-22
ZBA Hearing Date	2025-08-12
Address	1260 Boylston ST Boston 02215
Parcel ID	0504230000
Zoning District & Subdistrict	Fenway Neighborhood NS-1
Zoning Article	66
Project Description	Change use of new commercial space on ground floor to large take-out restaurant
Relief Type	Conditional Use
Violations	Conditional use

Planning Context:

The proposed project would change the use of the ground floor of a new multi-use building to fill the currently vacant space with a new large restaurant with take-out service. According to the proposed floor plan, 1,575 square feet would be designated for the commercial kitchen and 584 square feet for queuing, pickup, and on-premise dining. The remaining space is for the bathroom, trash, closet, and similar uses.

The building is located on the south side of Boylston Street, in the heart of Fenway's commercial corridor. Abutting the site to the east is a gas station, directly across Boylston is the Guitar Center, and there are eight stories of residential above the ground floor commercial. Based on October 2023 Google Maps streetview images, there are five commercial spaces on the ground floor that are all vacant. The proposed project would change the use of one of these spaces.

Boylston Street is a busy thoroughfare with a relatively wide sidewalk, street trees, an elevated bike lane, and on-street metered parking in front of the proposed site. There is also an approximately 50-foot long, 15 minute pick up and drop off space in front of the site.

The Fenway Transportation Action Plan is a joint effort between the Boston Planning Department and the Boston Transportation Departments and will guide changes to Fenway streets and the public realm.

Materials reviewed for this recommendation were prepared by HFA-AE Ltd. filed on April 9, 2025 and reviewed by ISD on April 30, 2025.



Zoning Analysis:

The proposed "Large Take-out restaurant" use is conditional. Section 6-3 of the zoning code outlines the "conditions required for approval" for conditional uses requiring that the specific site is an appropriate location for such use, the uses will not adversely affect the neighborhood, there will be no serious hazard to vehicles or pedestrians, and adequate and appropriate facilities will be provided for the proper operation of the use.

An active commercial use on the ground floor is appropriate in this location. A restaurant that provided the option of take-out would likely be appropriate. However, given that the proposed floor plan is designed for production rather than on-site consumption, it appears that the proposed project would function more like a manufacturing use than a restaurant. Specifically, the proposed project appears more similar to the Article 8 use definition of "Food and Beverage Production: A facility for the production of food and beverages including but not limited to commercial kitchens, breweries, and distilleries. Such use may include associated Restaurant or Retail Store." Motorized delivery is not incidental to but central to the business model of the proposed project.

Boylston Street is a congested corridor - a recent study found that the inbound travel lane is blocked up to 35% of the time during the evening peak hours. Therefore, the proposed project is expected to result in adverse traffic and parking impacts related to its reliance on motorized delivery.

Recommendation:

In reference to BOA1723832, The Planning Department recommends DENIAL WITHOUT PREJUDICE.

Reviewed,

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Deputy Director of Zoning



Case	BOA1660636
ZBA Submitted Date	2024-10-09
ZBA Hearing Date	2025-08-12
Address	202 W First ST South Boston 02210
Parcel ID	0602777001
Zoning District & Subdistrict	South Boston Neighborhood First St. LI
Zoning Article	68
Project Description	Combine three lots and renovate the existing structures to create a two-story commercial building with uses that include live entertainment, local retail, restaurant with takeout, and an outdoor patio.
Relief Type	Variance, Conditional Use
Violations	Use: Forbidden (Bar with Live Entertainment) Use: Conditional (Restaurant with Live Entertainment) Use: Forbidden (Take-out Restaurant (Large)) Use: Conditional (Local Retail Business) Use: Forbidden (Accessory Outdoor Cafe)

Planning Context:

The proposed project seeks to combine three lots and renovate the existing structures to accommodate a two-story commercial building with uses that include a bar and restaurant with live entertainment and takeout, and an outdoor patio space. While the existing structures will be combined, the existing masonry will remain and will be cleaned, repointed, and painted. These three lots currently contain three separate two-story commercial buildings with distinct facades that range from traditional brick, blue brick, and white vertical slats. The space fronting C Street will also help accommodate an outdoor patio space

Although the plans have since fallen through, this site was also previously approved by the BPDA Board in 2022 for a 4-story mixed-use life science and office building. While this project is located within the First St. LI, W First Street includes mainly industrial buildings alongside multifamily residential buildings.

This project will help activate an area that is currently transitioning from its previous industrial uses and will offer a new destination for the residents in a part of South Boston where there are



currently no restaurants. The closest restaurants and entertainment spaces are a few blocks down on West Broadway.

Zoning Analysis:

The refusal letter states five citations all related to use. Under Article 68, for the First St. LI, a bar with live entertainment, a large takeout restaurant, and accessory outdoor cafe are forbidden uses. Additionally, restaurants with live entertainment and local retail businesses are conditional uses.

Relief should be granted for the forbidden uses which include a bar with live entertainment, a large takeout restaurant, and an accessory outdoor cafe. Due to its past industrial uses, W First Street currently contains no restaurants or entertainment spaces. However, the area now contains many multifamily residential buildings. By allowing this project, it would help establish a destination for South Boston residents.

Article 6 notes that a conditional use permit can be granted if the following conditions are met: a) specific site is an appropriate location for such use, b) use will not adversely affect the neighborhood, c) there will be no serious hazard to vehicles or pedestrians from the use, d) no nuisances will be created and e) adequate and appropriate facilities will be provided for the proper operation of the use. A conditional use permit should be granted for these uses as it both meets these requirements and would open a new restaurant destination where there is currently none.

The plans reviewed are titled ALT1615024 - REV1 - 202 W First St_ZBAPPlans and are dated February 4, 2025. They were prepared by Rode Architects.

Recommendation:

In reference to BOA1660636, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1676246
ZBA Submitted Date	2024-12-05
ZBA Hearing Date	2025-08-12
Address	598R E Seventh ST South Boston 02127
Parcel ID	0702281001
Zoning District & Subdistrict	South Boston Neighborhood Multifamily Residential
Zoning Article	68
Project Description	Construct an addition to an existing single-unit residential structure to convert it into a three-unit structure.
Relief Type	Variance
Violations	Front Yard Insufficient Rear Yard Insufficient Additional Lot Area Insufficient

Planning Context:

The project proposes to combine two lots: one with an existing single unit residential structure and one vacant lot to build an addition which will convert the existing structure into a three-unit building. The lots are located in the interior of a large residential block in South Boston between narrow lots that stretch from the street to the middle of the block. Large blocks are common in this area where most residential buildings are built on the street and have parking or open space in the rear yard that is accessible through narrow driveways or walkways. There are several examples of existing residential properties built in the interior of blocks in South Boston where they sit separate from the closely spaced structures on the perimeter of blocks. The project would help contribute to the City's goals for increased housing production and will make use of underutilized space within the block.

Zoning Analysis:

There are discrepancies in the front and rear yard measurements shown on the Certified Plot Plan, those listed in the Zoning Summary Chart on Sheet A0.1, and as listed in the 6/25/2025 letter from Ryan Spitz, Esq., representative of the property owner. To clarify these discrepancies, the following will distinguish which lot lines are considered the front, rear, and sides for the combined lot. Based on the Article 2 definitions of "Lot Line, Front" and "Street," the Planning Department's interpretation is that the remaining east boundary of Parcel 0702281001



and the south boundary of Parcel 0702280020, which face the passageway shown on the plans, are the “front” lot lines. The north boundary of the combined lots are the “rear” lot lines and both east and west boundaries are “side” lot lines.

Pursuant to Article 68 Table D, the required front yard is five feet. The existing front yard is zero feet, and the proposed addition has a front yard of 4.2 feet which is an expansion of an existing non-conformity. The required rear yard is 20 feet; the existing rear yard is approximately two feet, and the proposed addition has a rear yard of 3.2 feet. This also constitutes an expansion of an existing non-conformity. The Planning Department supports the request for variance with respect to front and rear yards, however, the project should complete design review to increase the depth of the rear yard (north boundary) to a minimum of five feet to allow adequate light and air between properties.

The minimum lot size in the district is 2,000 square feet and an additional 1,000 square feet of lot area is required for each additional residential unit after the first. This means that the minimum lot size for a three-unit residential property is 4,000 square feet. The proposed lot is 3,154 square feet. The surrounding area has many examples of lots that surpass these lot area requirements which suggests that the proposed lot area is consistent with the neighborhood's established character and thus presents a case for zoning reform.

Plans reviewed "Single to 3-Family Dwelling Renovation 598R E. 7th Street Boston, MA" prepared by Jacob Levine, Haus Group, dated 04/14/25.

Recommendation:

In reference to BOA1676246, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with respect to the rear yard which shall be a minimum of five feet in depth in order to provide light and air.

Reviewed,

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Deputy Director of Zoning



Case	BOA1672787
ZBA Submitted Date	2024-11-20
ZBA Hearing Date	2025-08-12
Address	72 Buttonwood ST Dorchester 02125
Parcel ID	0702826000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-3000
Zoning Article	65
Project Description	The proposal seeks to add a two-story, one bedroom dwelling unit attached to an existing two-unit dwelling.
Relief Type	Variance
Violations	FAR Excessive Usable Open Space Insufficient Side Yard Insufficient Rear Yard Insufficient

Planning Context:

72 Buttonwood St is a two-unit residence in a mixed-use area of predominantly three-unit and multi-unit residential buildings, restaurants, and a gas station in the same block as the unit. There are diverse housing typologies in the neighborhood, ranging from one-family to multi-family homes. Homes in this area generally have high lot coverage. Additionally, this residence is 0.2 mi, or a 5 minute walk, from the JFK/UMass red line stop. Housing in this transit-accessible area is a high need.

The proposed project is the addition of a new construction, one bedroom, attached dwelling unit in the rear of the existing two-unit home. Evaluating the plans, it appears that 72 Buttonwood St was already extended from original floor plans to accommodate an additional room, currently used as a living room. This proposed addition appears to fall under the category of an attached ADU because it is a building that would remain adjacent to the main building.

The additional housing unit proposed in this project aligns with the City's goals to develop more housing, per Housing a Changing City: Boston 2030 (2018). The plan notes the importance of supporting "projects and planning that create additional density in locations with good transit that are affordable to the middle class". The plan also expresses the intent in making



“improvements to the permitting process to help smaller builders create more housing on small, privately-owned parcels”.

Zoning Analysis:

The proposed project received violations of FAR, open space, side yard, and rear yard.

The project proposes a 1.2 FAR. Neighboring homes on the same block also exceed maximum FAR. Based on the City Assessor’s data, such as a 1.8 FAR at 55 Mt Vernon St and 1.9 FAR at 53 Mt Vernon St. Therefore, the proposed project is generally aligned with existing massing in the neighborhood; zoning relief for FAR is recommended.

This project is cited for violating minimum usable open space; the required usable open space for a 2F-5000 zoning subdistrict is 1,200 square feet (600 square feet per dwelling unit). The project proposes 500 square feet of usable open space. The proposed open space is sufficient and is not out of line with surrounding properties. Given the need to cut into the open space available to increase a dwelling unit on the parcel, particularly in a transit-oriented area, zoning relief is recommended

The rear yard setback required 15 feet but the proposed rear yard setback is 10 feet. Additionally, the side yard setback required is 10 feet on both sides, but this project proposes 2 feet to the right and 12 feet to the left of the property. Many parcels within a 1-2 block radius of this parcel share similar rear and side yard dimensions. Despite the proposal triggering these violations, the lot has ample space to accommodate this expansion. This violation is a reflection of outdated zoning codes that do not reflect current planning and development goals of the city. Reforming the zoning code to not require excess rear yard space could encourage production of additional dwelling units, such as in this proposal. This represents a case for zoning reform and relief is recommended.

Although this parcel is currently zoned for a maximum of two units, it is located in an area with easy access to transit and amenities, where there is urgent need for more housing. In the neighborhood, three- and multi-family buildings are already a dominant typology. Therefore, this is a case for zoning reform to allow for more units in this location, particularly by adding onto existing buildings and aligning with the neighborhood fabric.



Plans reviewed are titled "Certified Plot Plan for Chuong Residence at 72 Buttonwood St. Dorchester, MA", are prepared by Civil Environmental Consultants and dated June 7, 2022.

Recommendation:

In reference to BOA1672787, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1652955
ZBA Submitted Date	2024-09-16
ZBA Hearing Date	2025-08-12
Address	85 Centre ST Roxbury 02119
Parcel ID	1100068000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	50
Project Description	The applicant is proposing to demolish an existing one-story church building and build a new five-story residential building with ten units and eight parking spaces in a basement-level garage.
Relief Type	Variance
Violations	Forbidden Use Rear Yard Insufficient Side Yard Insufficient Front Yard Insufficient Height Excessive (ft) Height Excessive (stories) FAR Excessive Additional Lot Area Insufficient Existing Building Alignment Parking or Loading Insufficient Usable Open Space Insufficient

Planning Context:

The proponent seeks to demolish the former Fellowship Mission Church, built in 1940, and consolidate two lots (ALT1534326 and ALT1534323) to allow for the construction of a new 5-story residential building with 10 dwelling units, and 8 off-street parking spaces in a basement-level garage accessed by a side yard driveway that follows the natural topography of the site. The unit count was reduced from 12 to 10, and a building elevator was added as part of recent design changes. The proposed project is subject to the Inclusionary Development Policy based on the unit count of at least 10 units and date of filing before the effective date of Inclusionary Zoning. The proposed number of parking spaces is fewer than typically required, which supports the City's goals under Go Boston 2030 to reduce reliance on private vehicles in walkable, transit-served neighborhoods, and aligns with the Boston Transportation Department's



maximum parking guidelines for this location. The site's proximity to public transportation and neighborhood amenities further supports this approach.

Zoning Analysis:

The project requires zoning relief for multiple dimensional violations under Article 50.

The project does not meet rear, side, and front yard requirements. The zoning code requires a 30-foot rear yard, but the project proposes 10 feet. On the east side, 10 feet is required where there is an adjacent building, but only 6 feet is provided. On the west side, the project meets the requirement with 12 feet. A 20-foot front yard is required, but the project proposes only 5 feet. However, this front yard may qualify for relief under Article 50-44.2 if the proposed setback aligns with the block's modal setback. While the proponent did not provide documentation of modal setback, the proposed 5 foot setback is contextually appropriate in this location.

The proposal also exceeds the allowed building height and number of stories. The zoning code allows a maximum of 35 feet and three stories, but the project proposes 55 feet 4 inches and five stories. The maximum allowed floor area ratio (FAR) is 0.8, while the proposed FAR of 2.38 is significantly higher. Given the steep topography of the area, the building's height and bulk is mitigated by a grade that slopes down from the front to rear of the site.

The zoning code also requires 22,000 square feet of lot area for ten units, but the project site is only 6,089 square feet, or about 609 square feet per unit. The zoning code requires 650 square feet of usable open space per unit, which totals 6,500 square feet for ten units. The project proposes 1,875 square feet, or about 187 square feet per unit, which is less than one-third of what is required. However, the proposal does provide significant open space through private balconies for floors one to five. Further, the rear lot line of this parcel abuts the Community College CF zoning subdistrict and Roxbury Community College. The institutional building typologies and massing found on this abutting parcel establish an edge context in which the proposed multifamily use is a compatible building typology and land use.



Recommendation:

In reference to BOA1652955, The Planning Department recommends APPROVAL WITHPROVISO/S: that plans be submitted to the Planning Department for design review, with particular attention to exterior materials, landscape plan, and design of balconies and decks and that a housing agreement be executed with the Mayor's Office of Housing.

Reviewed,

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Deputy Director of Zoning



Case	BOA1721513
ZBA Submitted Date	2025-05-15
ZBA Hearing Date	2025-08-12
Address	756 to 762 Adams ST Dorchester 02122
Parcel ID	1603616000
Zoning District & Subdistrict	Dorchester Neighborhood LC
Zoning Article	65
Project Description	The proponent is seeking a change of use to allow live entertainment after 10:30 PM in the portion of the premises currently operating as a restaurant. The adjoining space, currently used as a retail professional office, will retain its existing use.
Relief Type	Variance
Violations	Use: Forbidden (Restaurant with Live Entertainment after 10:30 PM)

Planning Context:

The applicant seeks to add live entertainment after 10:30 PM to an existing restaurant, without any changes to the exterior of the building. This site is located within the Adams Village area of Dorchester, along a commercial street with restaurants, retail, and consumer services. The site is within 1/2 mile of the Ashmont Red Line Station and within 1/4 mile of 3 MBTA Bus Routes. The proposed live entertainment is indicated on the project plans, set near the restaurant's exit #3 leading to Minot Street. The buildings on either side of the restaurant and across the street include commercial businesses.

Zoning Analysis:

Restaurant with live entertainment after 10:30 PM is a forbidden use in Local Convenience (LC) subdistricts in Dorchester. However, the only subdistricts in Dorchester where this is allowed is Local Industrial, and the only subdistricts where this is conditional is community commercial. These subdistricts exist mostly on the periphery of Dorchester, and not within many of the commercial centers. Given this lack of opportunity for late-night entertainment within the neighborhood commercial centers and the active uses in this particular area, it may be appropriate to reform the zoning for this area to better reflect existing conditions. The operator



will also be required to receive a live entertainment license through the Boston Licensing Board, which will include additional community engagement to ensure that the specifics of the live entertainment proposed (including hours of operation) are appropriate.

Plans reviewed are titled "Kenneth & Joseph Blasi. 760 to 762 Adams Street Dorchester, MA 02122", dated January 23, 2024, and prepared by 686 Architects.

Recommendation:

In reference to BOA1721513, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1699703
ZBA Submitted Date	2025-03-17
ZBA Hearing Date	2025-08-12
Address	1700 Dorchester AV Dorchester 02122
Parcel ID	1601161000
Zoning District & Subdistrict	Dorchester Neighborhood MFR/LS
Zoning Article	65
Project Description	Change use to takeout restaurant and make interior changes only
Relief Type	Variance
Violations	Use: Large Takeout Restaurant (Forbidden)

Planning Context:

The proposed project is located in the Dorchester Neighborhood, between the commercial nodes of Fields Corner, Dorchester Center, and Adams Village. This section of Dorchester Avenue contains a mix of ground floor residential, office, retail, and neighborhood services uses. There are few restaurants along this block. The restaurants in the area share a building with other ground floor uses, such as the shared building containing a restaurant, drug store, and hair studio at the intersection of Dorchester Avenue and Roseland Street, and the shared building at the intersection of Dorchester Avenue and Lonsdale Street containing a pizza restaurants and a hair studio.

Zoning Analysis:

In this zoning subdistrict, Small Takeout Restaurant uses are conditional, and Large Takeout Restaurant uses are forbidden. A Small Takeout Restaurant may contain a total gross floor area not exceeding one-thousand square feet, and a Large Takeout Restaurant is any such establishment exceeding that threshold. The proposed project has a gross floor area of 1260 SF, exceeding the Small Restaurant maximum value. However, the remaining area of 260 SF is too small to accommodate an additional use, and a division of the floorplate could result in unused space. As such, to best use the entirety of the space, approval is recommended.

Recommendation:

In reference to BOA1699703, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

Kathleen Onuf

Deputy Director of Zoning



Case	BOA1700951
ZBA Submitted Date	2025-03-20
ZBA Hearing Date	2025-08-12
Address	94 Lyall TE West Roxbury 02132
Parcel ID	2006804010
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	56
Project Description	This project proposes the removal of a rear deck to replace it with an expanded first floor living space footprint, creating new and enlarged kitchen, living, and dining space.
Relief Type	Variance
Violations	FAR Excessive Rear Yard Insufficient Side Yard Insufficient

Planning Context:

94 Lyall Te is located in a primarily residential area, with a majority of units existing as single family dwellings, and borders Mt. Benedict Cemetery.

This property currently is a single unit building and the proponent is seeking to replace an existing deck with an expanded and updated first floor plan. This proposal does not increase the total dwelling units on the lot. The additional first floor square footage would enlarge the kitchen and provide more communal space for the living and dining rooms.

The lots appear moderate in size, with modest front and rear yards. The homes along this street generally share a similar character and size to the subject property. Many homes have detached garage units, though 94 Lyall Te does not. The proposed modifications are in keeping with the established character of the neighborhood and are not expected to negatively impact the surrounding community, especially because the expansion would be a rear addition and not visible at the street frontage.

Zoning Analysis:



This proposal has triggered three zoning violations: FAR excessive, rear yard insufficient, and side yard insufficient.

The FAR allowed for this lot is 0.4 and the proposed FAR is 0.444. This addition increases the livable space but does not increase the lot coverage dramatically. The improvements to the living space are not disruptive to the neighborhood context or compromise the minimum open space. Relief is recommended.

The rear yard setback is 15.9' but the proposed rear yard setback is 10.8'. Many parcels within a one to two block radius of this parcel share similar rear yard dimensions. Despite the proposal triggering these violations, the lot has ample space to accommodate this expansion. This violation is a reflection of outdated zoning codes that do not reflect the existing scale of buildings within neighborhoods like West Roxbury.

The side yard setback requirement is 10' on both sides, and the proposal leaves 9.1' on the right side and 8.7' on the left side. This is an existing nonconformity as the first floor expansion does not cut into additional side yard space, therefore, relief is recommended.

94 Lyall TE does sit in the Greenbelt Protection Overlay District but this project does not trigger GPOD review because it does not expand existing structures beyond 5000 square feet.

Design review is not recommended since this addition would not be visible from the street.

Plans reviewed are titled "94 Lyall Terrace West Roxbury, MA 02132", are prepared by I.S. Hernandez Services Inc., and dated January 17, 2025.

Recommendation:

In reference to BOA1700951, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1703386
ZBA Submitted Date	2025-03-26
ZBA Hearing Date	2025-08-12
Address	26 N Crescent CC Brighton 02135
Parcel ID	2204758000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 2F-5000
Zoning Article	51
Project Description	Convert existing front yard landscaping into one off-street parking space.
Relief Type	Variance
Violations	Parking or Loading Insufficient

Planning Context:

The subject property is located on North Crescent Circuit in the Allston-Brighton neighborhood, a residential street characterized by similarly scaled single- and two-family homes with consistent front yard setbacks and landscaped frontages. The prevailing pattern along the street includes side driveways or parking areas set back from the street, preserving green space and a uniform residential streetscape. There is no precedent on this block for off-street parking located in the front yard. The proposed conversion of the front yard into a parking space would therefore be inconsistent with the established neighborhood character and development pattern.

Zoning Analysis:

The proposed project seeks to convert an existing landscaped front yard into a parking space. The property is located in the Allston-Brighton Neighborhood District, within a residential subdistrict governed by Article 51 of the Boston Zoning Code.

Per Section 51-51.2(c), parking is discouraged in the front of buildings unless there are special circumstances, such as existing building locations or site constraints, that make such placement necessary. Instead, parking areas should be located to the side or rear of buildings and must comply with the design provisions in Section 51-56



No such special circumstances have been demonstrated in this case. The site has an existing side driveway consistent with the development pattern on North Crescent Circuit, where neighboring properties also maintain driveways or side-access parking. The introduction of a front yard parking space would disrupt the existing street character, which is defined by landscaped front yards and consistent setbacks.

From a transportation and maneuverability standpoint, input from a Boston Transportation Planner indicates that the proposed parking space is only marginally large enough to qualify as a compact space and would require a multi-point turn within the public sidewalk to enter or exit. This would create operational concerns and potential conflicts with pedestrian movements.

Based on the design guidelines and Article 51 provisions, as well as transportation input, the proposed front yard parking configuration is not supported.

Prepared from the Certified Plot Plan by Boston Survey, Inc., dated 11/05/2024.

Recommendation:

In reference to BOA1703386, The Planning Department recommends DENIAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1705492
ZBA Submitted Date	2025-04-02
ZBA Hearing Date	2025-08-12
Address	274 to 276 Sumner ST East Boston 02128
Parcel ID	0104920000
Zoning District & Subdistrict	East Boston Neighborhood EBR-3
Zoning Article	53
Project Description	Extend an existing exterior stairwell to the roof and create a new roof deck.
Relief Type	Conditional Use
Violations	Roof Structure Restrictions Side Yard Insufficient Extension of Nonconforming Building

Planning Context:

The project is located on Sumner Street in East Boston where three- to four-story, flat roofed buildings are common. Most residential structures share partition walls with the neighboring structures.

The proposal is for a new roof deck that will be accessed by a stairwell located at the rear of the structure. There is an existing stairwell that provides egress for all three floors; the project will extend the stairwell to the roof and add a new roof deck. Most residential structures in the area cover a majority of their lot meaning that decks are used for outdoor amenity space. There is a roof deck on the immediately adjacent building to the east, and several more throughout the surrounding area. Most roof decks are oriented towards the rear of the structure and are accessible through a head house or hatch. Given the prevalence in the area, a roof deck is appropriate for this location.

Zoning Analysis:

The project has been cited for an insufficient side yard and for the extension of a non-conforming building. The Article 53 Footnotes to Table F state that “Semi-attached Dwellings, Town House Buildings, and Row House Buildings are only required to have side yards on sides



that are not attached to another Dwelling.” No violation for insufficient side yard or for the extension of a non-conforming building is found because the structure is a row house.

The project is within the Restricted Roof District for the East Boston Neighborhood. Section 53-25.2 includes the requirements for the conditional use of roof structures within the district. The proposed roof does not meet the requirements of Section 53-25.2(a)(iii) for access to the roof and (iv) for the deck’s setback from the roof edges. The Planning Department supports the request for conditional use despite this change because the project will utilize a mostly existing stairway and the minor addition is consistent with the building’s existing context.

Recommendation:

In reference to BOA1705492, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1731977
ZBA Submitted Date	2025-06-09
ZBA Hearing Date	2025-08-12
Address	335 to 347 Harrison AV Roxbury 02118
Parcel ID	0306337000
Zoning District & Subdistrict	South End Neighborhood EDA North
Zoning Article	Article 64-16
Project Description	Live entertainment
Relief Type	Conditional use
Violations	Conditional use

Planning Context:

321 Harrison Avenue

Zoning Analysis:

The Proposed Project falls within Planned Development Area ("PDA") No. 98 as established by Map Amendment No. 586, effective 4/16/14. This use is allowed under the approved Development Plan.

Recommendation:

In reference to BOA1731977, The Planning Department recommends APPROVAL Revised site plans be submitted to the Planning Department for issuance of Certificate of Consistency.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1709303
ZBA Submitted Date	2025-04-15
ZBA Hearing Date	2025-08-12
Address	47 Jersey ST Boston 02215
Parcel ID	0504339000
Zoning District & Subdistrict	Fenway Neighborhood Fenway Triangle NDA
Zoning Article	Article 66-11
Project Description	Mobile restaurant -Proposed takeout, sit-down.
Relief Type	Conditional use
Violations	Conditional use – mobile restaurant

Planning Context:

Fenway Park

Zoning Analysis:

The Proposed Project falls within Planned Development Area No. 136 (Fenway Corners West) as established by Map Amendment No. 693, effective 8/16/23. This use is allowed under the approved Development Plan.

Recommendation:

In reference to BOA1709303, The Planning Department recommends APPROVAL: Revised site plans be submitted to the Planning Department for issuance of Certificate of Consistency .

Reviewed,

Deputy Director of Zoning



Case	BOA1709380
ZBA Submitted Date	2025-04-15
ZBA Hearing Date	2025-08-12
Address	6 Gifford PL South Boston 02127
Parcel ID	0700623000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Combine lots at 6 Gifford Place and 8 Gifford Place. Erect an addition and change the use from three to five residential units.
Relief Type	Variance
Violations	Parking or Loading Insufficient FAR Excessive Usable Open Space Insufficient Front Yard Insufficient Rear Yard Insufficient Side Yard Insufficient Lot Area Insufficient Height Excessive (ft)

Planning Context:

Property is on a small mid-block dead-end street connected to Ward St, in South Boston between Dorchester St and Preble St, approximately three blocks east of the MBTA Red Line Andrew Station. The triangle area bounded by Dorchester St, Preble St, and Old Colony Ave is largely residential with some commercial on the outer boundaries of the area, and is primarily three and four story buildings with party wall conditions and high lot coverage. 6 Gifford Place currently has a 3-unit residential building connected to 4 Gifford Place, and 8 Gifford Place is currently vacant. The proponent seeks to build an addition on 8 Gifford Place, which would be attached to 4 Gifford Place, and which would retain a 3' egress path from the midblock condition behind these buildings onto Gifford Place. All surrounding properties would continue to otherwise have all of their existing yards and egress paths. The addition would include a ground floor garage with off-street parking, and units on levels 2, 3, and 4. This portion of South Boston, as part of the 2015 PLAN: South Boston Dorchester Avenue planning process, recommends "small scale residential infill development consistent with the existing residential scale and character." This proposal is an example of such development.



Zoning Analysis:

Site Conditions

Parking or Loading Insufficient: Per Article 68, Table G, 1.5 parking spaces are required for each residential unit. This proposal would require 8, higher than the proposed provision of 3, which would be a violation. No parking is currently being provided. Off-street parking is commonly not provided at all, given the almost complete site coverage of most attached rowhouse residential conditions in South Boston MFR districts. The site is also a short walk to the MBTA Red Line Andrew Station. Relief is appropriate.

Usable Open Space Insufficient: Per Article 68, Table D, 200 square feet of open space are required for every unit. This proposal would require 1000 square feet, which would represent 35% of the lot area of the two combined lots. The proposal provides approximately 350 square feet of open space, at the rear of the lot and as the egress path alongside what is presently 4 Gifford Place. This proportion of provided open space is characteristic of South Boston properties, and relief is appropriate.

Lot Area Insufficient: Per Article 68, Table D, 2000 square feet are required for all residential uses in MFR, with an additional 1000 square feet required for every unit. This would require 7000 square feet, which is more than the available 2856 square feet. These required lot areas are substantially higher than the existing amount of density present in South Boston. Zoning reform should consider amending dimensional requirements to, at a minimum, reflect existing conditions. Relief is appropriate. Given the double lot condition proposed here, a total of 5 units is still less dense across overall lot area than many existing 3 and 4-story buildings with 3 or 4 units.

Dimensional Building Conditions

Five violations are related to the dimensional regulations for the proposed building. Per Article 68, Table D, the maximum FAR in an MFR subdistrict is 2.0. Given the number of 3-story buildings taking up more than two-thirds of a lot in South Boston, and the number of 4-story buildings taking up more than half of a lot, these FAR regulations are substantially more restrictive than existing conditions. This proposal would create an FAR of 2.13. Given the number of new units and resemblance of contextual scale, relief is appropriate. Per Article 68, Table D, the minimum front yard required in an MFR subdistrict is 5', the minimum rear yard is



20', and the minimum side yard is 3'. The current front yard is 3', and this would extend that violation to the addition on the lot currently 6 Gifford Place. The current side yard on the 2 Gifford Place edge is 3", which is unchanged. The side against 8 Gifford Place would be 1' 4.5", which would still be substantially more generous than most existing conditions in this subdistrict. The rear yard would be 5', which is a common condition in the surrounding context. Relief is appropriate. Per Article 68, Table D, the maximum height allowed in an MFR is 40'. Plans show the fourth story at 42', which would be a small violation. Four stories are a common condition on some parcels in the surrounding area, and relief is appropriate.

Recommendation:

In reference to BOA1709380, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1730722
ZBA Submitted Date	2025-06-05
ZBA Hearing Date	2025-08-12
Address	156 to 160 Blue Hill AV Dorchester 02125
Parcel ID	1300382000
Zoning District & Subdistrict	Roxbury Neighborhood MFR/LS
Zoning Article	50
Project Description	Construction a two-story addition containing eight new residential units above an existing one-story retail space.
Relief Type	Variance
Violations	FAR Excessive Side Yard Insufficient Usable Open Space Insufficient Parking design and maneuverability Parking or Loading Insufficient Additional Lot Area Insufficient

Planning Context:

The proposed project would be to build a two-story addition with eight new units on top of an existing one-story restaurant/retail space. The restaurant and retail will remain on the ground floor. Both floors above will contain four units each. Preservation of existing small businesses while adding housing through redevelopment is a goal of the City's recent look at anti-displacement policy. The surrounding context is mostly residential of various scales with some ground level restaurant and retail spaces. The directly adjacent building is retail on the ground floor with two stories of residential above with a zero lot line condition fire wall bordering the site of the proposed project.

Zoning Analysis:

The proposed project, while an allowed use and building height, is seeking zoning relief for some dimensional violations and off-street parking requirement violations. The proposal has insufficient lot area at 6,787 SF while the required for 8 units would be 9,000 SF. The proposal also would have insufficient open space at 0 SF while the required would be 1,600 SF for the 8 units. Both of these mentioned zoning violations are specific to preserving the existing retail on site while adding the residential component and reflect the built pattern of the building next door



at 164-170 Blue Hill Ave. At 8 units the proposal is within the threshold of Inclusionary Zoning and is required to provide 17% of its units as income restricted housing.

The max FAR allowed is 1.0 while the proposed would be 1.78. FAR is commonly exceeded in the surrounding context by other multifamily buildings, indicating the need for broader zoning reform in this area. The sideyard required would be 10 ft however the proposed would be 0 ft in line with the current structure on the site. Section 50-45 describes that a building can be altered and enlarged given that such nonconformity is not increased or that any enlargement itself conforms to such dimensional requirements. With the added floor the setbacks would not be worsened but extended. This design is also contextually appropriate along Blue Hill Ave specifically in relation to the neighboring building with a retail use on the bottom and two stories of residential above. There is a fire wall condition on the neighboring building facing the proposed project site which will be met with a proposed fire wall condition.

The off-street parking is insufficient at 7 spaces total with the requirement of 16 spaces. 8 new spaces required by the new residential units. However the provided parking is within the Boston Transportation Department recommendations for best practices. However the spaces proposed are not properly dimensioned. Presently they are proposed at 8'x18' which is under the required 8x'20' standard parking dimensions. Design review will be needed to amend these spaces to the proper dimensions.

Design review will also be needed to amend the current proposed bay windows overhanging on public right of way over Blue Hill Ave and Julian Street, particularly given the goal to expand tree canopy in the Blue Hill Ave streetscape of the Blue Hill Ave Action Plan. The proposal is also within the Blue Hill Ave Boulevard Planning Design District requiring design review to meet the required standards set forth in Sections 50-39, 50-40, and 50-41.

"156 162 Blue Hill Ave" Drawn by MDJ Engineering & Construction Dated 5/9/2024

Recommendation:

In reference to BOA1730722, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with specific attention to the parking lot, and the overhangs above public right of way.



Planning Department

CITY of BOSTON

Reviewed,

Kathleen O'Neil

Deputy Director of Zoning



Case	BOA1613738
ZBA Submitted Date	2024-06-11
ZBA Hearing Date	2025-08-12
Address	33 Crescent AV Dorchester 02125
Parcel ID	1303074000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-5000
Zoning Article	65
Project Description	Demolish the existing 2-unit, 2-story structure; erect 3-story, 9-unit building.
Relief Type	Variance
Violations	FAR Excessive Height Excessive (stories) Rear Yard Insufficient Side Yard Insufficient Front Yard Insufficient Lot Area Insufficient Parking design and maneuverability Parking or Loading Insufficient Use: Forbidden

Planning Context:

The proposed project would demolish an existing 2-unit, 2-story structure and replace it with a 9-unit, 3-story building in the same location. The proposal is located in Dorchester, at the nexus of the Polish Triangle and the Little Saigon neighborhoods near the intersection of Columbia Ave and Dorchester Ave

This area is characterized by commercial and mixed-use buildings along Dorchester Avenue. While larger residential buildings are common along Dorchester Avenue, the triple-decker typology becomes predominant as one progresses along Crescent Avenue. The proposed project is located less than 500 feet from a large mixed-use and multifamily buildings on Dorchester Ave. The streets behind Dorchester Ave are densely packed with a consistent scale of development ranging from single-family to multifamily residential.



This area of Dorchester is well served by transit. It is located around 500 feet from Dorchester Avenue with its active bus connections, as well as 500 feet from JFK/UMass MBTA red line station, with connections to both the Quincy and Ashmont lines.

Zoning Analysis:

The proposed project triggers 9 zoning violations. The first is forbidden use. The proposed project is for a 9-unit (Multifamily) residential building; this area is zoned for up to two units. While the area has more existing density than zoning allows for, much of that is at the scale of 3-unit dwellings. However, the physical floorplate and height of the building is in line with the overall character of the neighborhood. While the unit count would violate zoning regulations, this parcel is in a transit dense area and can support the additional residents. The combination of the contextual size of the proposed building, as well as the minor transportation impact of such small multifamily housing indicate the proposed use is appropriate.

Insufficient Lot Area is also cited as a zoning violation. Zoning requires a minimum 5,000 SF lot, while the proposed project is located on a 4,958 SF lot. Although this is below the minimum, an existing structure on the property demonstrates that the lot is usable in its current form. If this violation were not granted a variance, there is no type of structure that would be allowed on this lot.

The next violation is due to the excessive height of the proposed structure. The neighborhood is zoned for two and a half stories, while the project proposes a full three stories. This is not reflective of the larger built environment. As noted, the triple-decker is the predominant built form in the area. While the proposed project is a half story above the maximum height in stories, the project is only proposing a building height of 31 feet 6 inches, below the maximum of 35 feet, highlighting the appropriate dimensions of the project. The two and a half story height limit is not reflective of the larger development patterns in the area, and highlights the need for potential zoning reform.

The next violation is due to the proposed FAR being above the zoned maximum. The proposed project has a FAR of 1.57 while the area is zoned for a maximum FAR of 0.50. This zoning metric is also not reflective of the built environment of the neighborhood. The typical lot dimensions and triple-decker typology of this area exceed an FAR of 0.50. In addition, this lot in particular is around $\frac{3}{4}$ the size of adjacent lots, which presents a hardship for reasonable use of the property. This again highlights the need for potential zoning reform in the area.



The next set of violations concern the front, side, and rear setbacks of the proposed project. The zoning requires a side setback of 10 feet. There is a setback of 10 feet on the left-hand side, but only 2.9 feet on the right-hand side. The minimum front yard setback is 15 feet, while the proposed project only has a setback of 5.3 feet. The rear yard setback has a requirement of 30 feet, while the proposed project only has a rear yard of 5 feet. This is again not reflective of the existing context. Dwellings in this area typically include a small front yard, with the building offset to one side to allow for a small private alley for trash and rear yard access. While smaller than what zoning allows, the proposed 5 foot rear setback is common in the area and is consistent with neighborhood contextual design. If the proposed project were to adhere to the existing yard requirements, it would create a building that is out of line with the existing neighborhood character. In addition, the smaller lot size of the proposed project represents an additional hardship.

The last set of violations concern off-street parking requirements. The proposed project would provide 6 parking spaces in the basement where zoning requires a 1:1 parking ratio. This leaves the project 3 spaces short of complying. However, off-street parking in the area is extremely uncommon. There is almost no property that has off-street parking in the immediate vicinity. While this project is under the zoning minimum, the Boston Transportation Department has identified this as an area where a ratio of 0 off-street parking spaces is appropriate. These factors, in combination, point to this being an appropriate level of parking for the project.

The final violation is due to the traffic visibility around the corner. This regulation states:

“Whenever a minimum Front Yard is required and the Lot is a Corner Lot, no Structure or planting interfering with traffic visibility across the corner, or higher, in any event, than two and one-half (2-½) feet above the curb of the abutting Street, shall be maintained within that part of the required Front Yard that is within the triangular area formed by the abutting side lines of the intersecting Streets and a line joining points on such lines thirty (30) feet distant from their point of intersection.”

There is an existing structure on the property that does not not meet this requirement, pointing to the appropriate fit for the project. Due to the smaller size of the lot, if this requirement were to be adhered to, there would be no viable structure allowed on the property.

As the project has 9 units, it is subject to review by the Disabilities Commission. The common storage space is located on the second floor which is not accessible to those with disabilities.



This will have to be moved to the ground floor in order to be accessible. The single accessible unit on the ground floor is also smaller than the other units and is the only one located next to the garage space. As this is the accessible unit, it is subject to an adequacy determination from Massachusetts Architectural Access Board, and may be required to undergo further design modifications to ensure its design and amenities are consistent with other units in the building.

Because the project was filed before the effective date of Article 79, it is below the threshold that would require the proponent to provide IDP units.

Recommendation:

In reference to BOA1613738, The Planning Department recommends APPROVAL WITH PROVISIO: that plans be submitted to the Planning Department for design review.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1725055
ZBA Submitted Date	2025-05-27
ZBA Hearing Date	2025-08-12
Address	571B Washington ST Dorchester 02124
Parcel ID	1700654001
Zoning District & Subdistrict	Dorchester Neighborhood NS
Zoning Article	65
Project Description	Proponent is seeking a change in use from a recreational retail cannabis establishment to a newly-tenanted cannabis establishment that includes marijuana retail, delivery operator, and delivery courier uses. No construction is proposed.
Relief Type	Conditional Use
Violations	Use: Conditional

Planning Context:

In November 2019, the Mayor's Office signed an Ordinance Establishing Equitable Regulation of the Cannabis Industry in the City of Boston. The goal of this ordinance is to ensure Boston is a model for how to create a system that fosters racial equity and inclusion in the new cannabis industry and to bring the benefit of this industry to all Boston communities. As part of the ordinance, the Boston Cannabis Board was established. This independent board is charged with reviewing all applicants for a cannabis license.

This site is an existing recreational cannabis retail along the commercial and area in Codman Square, making it an appropriate location for retail use such as this.

Zoning Analysis:

Cannabis Establishment is a conditional use in the Dorchester NS sub-district and an existing use on this site.

Plans reviewed are titled "571B Washington Street", prepared by Greater Boston Surveying and Engineering, and dated 7/27/2021.

Recommendation:



In reference to BOA1725055, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1730351
ZBA Submitted Date	2025-06-04
ZBA Hearing Date	2025-08-12
Address	14 Cheryl LN Hyde Park 02136
Parcel ID	1812282090
Zoning District & Subdistrict	Hyde Park Neighborhood 1F-9000
Zoning Article	69
Project Description	Construct a rear addition to accommodate an ADU to an existing single-unit structure.
Relief Type	Variance
Violations	FAR Excessive Side Yard Insufficient Rear Yard Insufficient Location of Main Entrance Use: Forbidden

Planning Context:

The proposed project includes a rear addition to add an accessory dwelling unit (ADU) to an existing single-unit residence. The rear addition occupies the space of an existing deck/patio, but extends beyond the current extents of the deck/patio into the rear and side yards. The proposed project is located on an irregularly shaped parcel, with a rounded front and a total of five sides. The rear of the parcel abuts forested public open space on the Dedham Parkway.

The project's scope, to add an ADU, aligns well with the Mayor's Office of Housing's ADU 2.0 Pilot and ongoing planning work to develop a Citywide ADU Pattern Book and zoning for ADUs. In 2021 and 2022, the Mayor's Office of Housing (MOH) developed the ADU 2.0 initiative, which provides guidance and zoning relief to homeowners interested in turning existing exterior structures, like garages, into livable spaces. MOH recognizes that ADUs can provide additional income for homeowners and flexible, separate living arrangements for families to age in place, or support relatives or children while still maintaining their privacy. According to the ADU Guidebook, this project proposes a new attached ADU, a building or major addition adjacent to the main building, with its own entrance.

Zoning Analysis:



The proposed project contains five zoning violations. The use, location of main entrance, and FAR violations all stem from the provision of this zoning subdistrict for single-unit residential structures. The goals set in the Planning Context for the addition of ADUs across the City inform the need for zoning relief for these violations. The proposed ADU is located at the rear of the existing building and contains a separate entrance. As privacy is a stated goal of supporting ADUs, the private entrance should be prioritized over its alignment relative to the front of the parcel, particularly one with such an irregular shape.

Given the irregular shape of the parcel, it is unclear how to distinguish between side and rear yard. As the parcel abuts a forested open space, the proposed project has less potential to encroach on other adjacent properties. Despite this, the side yard setback remains undersized, as it locates the access to the ADU in the side yard, closer to the adjacent property. As such, the proponent should seek to increase the side setback of the addition to meet the existing condition of 9.2' to not worsen the violation.

Recommendation:

In reference to BOA1730351, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review to increase the side setbacks to a minimum of nine feet.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1735554
ZBA Submitted Date	2025-06-18
ZBA Hearing Date	2025-08-12
Address	71 Davison ST Hyde Park 02136
Parcel ID	1808762000
Zoning District & Subdistrict	Hyde Park Neighborhood 2F-5000
Zoning Article	69
Project Description	This project proposes the division of a 8,832 sq. ft. through lot including 71 Davison St. and 88 Pierce St. Following division, the existing two-unit dwelling will remain at 71 Davison St. on a lot size of 4,249 sq. ft. A separate application will be submitted for a new construction on the newly-created lot consisting of 88 Pierce St.
Relief Type	Variance
Violations	Parking design and maneuverability Lot Area Insufficient Usable Open Space Insufficient Rear Yard Insufficient

Planning Context:

This site is located within Hyde Park, in a residential neighborhood between West St. and Walter St. It is located within 1/2 mile of the Hyde Park commuter rail station. The project proposes to divide the current through lot into two separate lots, and still maintain the existing two-unit dwelling at 71 Davison St.

The depth of both lots following subdivision, which would be about 30 to 40 ft., would be consistent with surrounding properties that generally range between 25 to 60 ft. Additionally, the size of the lot that includes 71 Davison St. would become much more consistent with the size of surrounding lots following division as most lots on Davison St. are sized between 3,000 sq. ft. to 6,500 sq. ft.

Zoning Analysis:

The project is in violation for not providing sufficient parking as there must be two parking spaces provided per dwelling unit, and the site currently only has two spaces for two units.



Despite this, multiple properties of a similar size on Davison St. only have two spaces provided for two units. Additionally, this is an existing non-conformity and there would be no change to how parking operates on the existing lot. Given the project's proximity to the commuter line and consistency with surrounding properties, a lower than required parking ratio is appropriate here.

The project would have a lot area of 4,249 sq. ft. after the proposed division which would be below the 5,000 sq. ft. requirement. However, 69 Davison St., which this project directly abuts, is also below the 5,000 sq. ft. requirement. Additionally, 67 Davison St. is also below the 5,000 sq. ft. requirement which shows that even with the proposed division, this project is consistent with surrounding lot sizes. The prevalence of lots in the area that are below the 5,000 sq. ft. requirement demonstrates a need for zoning reform.

The project is in violation for not having sufficient usable open space per dwelling unit as the requirement is 1,750 sq. ft. per unit, and after the proposed division the lot would be left with 877 sq. ft. 69 Davison St., a directly abutting parcel, has a similar amount of usable open space as this project would have following the proposed division, and so do multiple other properties on Davison St. Given the consistency with surrounding properties, a lower than required amount of usable open space is appropriate in this case.

The project would also violate the rear yard setback requirement of 40 ft. as the setback would be 33 ft. following division. However, most of the surrounding properties have rear yard setbacks that are less than 40 ft., which makes this project appropriate due to its consistency with the surrounding area and demonstrative of a need for zoning reform.

Recommendation:

In reference to BOA1735554, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1735552
ZBA Submitted Date	2025-06-18
ZBA Hearing Date	2025-08-12
Address	88 Pierce ST Hyde Park 02136
Parcel ID	1808762000
Zoning District & Subdistrict	Hyde Park Neighborhood 2F-5000
Zoning Article	69
Project Description	This project proposes the new construction of a two-unit dwelling at 88 Pierce St. following the proposed division of a lot that also includes 71 Davison St. A separate application has been submitted for the division.
Relief Type	Variance
Violations	Parking or Loading Insufficient Lot Area Insufficient Lot Width Insufficient Lot Frontage Insufficient FAR Excessive Usable Open Space Insufficient Side Yard Insufficient Rear Yard Insufficient Dimensional Reg.

Planning Context:

This site is located within Hyde Park, in a residential neighborhood between West St. and Walter St. It is located within 1/2 mile of the MBTA Hyde Park Commuter Rail Station. The surrounding area has an abundance of single and two-unit dwellings along with a small mix of apartments and condos. The almost purely residential character of the surrounding area along with the presence of multiple two-unit dwellings on the same street suggests that the project is appropriate for this site.

Following the proposed division, the new lot size would go down from 8,832 sq. ft. to 4,583 sq. ft. Few lots in the area that contain residential buildings exceed 8,000 ft., and thus the proposed lot size following division would be more aligned with the character of the neighborhood.



The 2011 Hyde Park Neighborhood Strategic Plan highlighted the planning objective of providing housing for a full range of income groups and household types. This project meets that goal by providing another two-unit dwelling option in the neighborhood that is consistent with surrounding lots and their structures.

Zoning Analysis:

The proposed project would be in violation for not providing sufficient parking as there must be two parking spaces provided per dwelling unit, and the proposed project would only include two spaces for two units. Despite this, multiple two-unit properties on Pierce St. also only have two spaces provided, demonstrating a potential need for zoning reform. Given the proposed project's proximity to transit and consistency with surrounding properties, a lower than required parking ratio is appropriate here.

The proposed project would also violate dimensional regulations under Article 69 Section 9, including additional lot area per dwelling unit, lot area, lot width, lot frontage, FAR, usable open space, side yard, and rear yard requirements. Despite the proposed lot area being 4,583 sq. ft. when it is required to be at least 5,000 sq. ft., there are multiple two-unit properties on Pierce St. and in the surrounding area that do not meet this requirement. This indicates that the proposed lot size would be consistent with the surrounding environment and also demonstrates a potential need for zoning reform.

The proposed project's FAR exceeds the limit provided in Article 69 Section 9, but the overall size of the building would not significantly differ from others on Pierce St. This suggests that a higher FAR than allowed would be appropriate for this site.

The usable open space provided within the project also does not meet the requirement mandated in Article 69, but the choice to include outdoor decks helps alleviate this reduction in space. The proposed amount of usable open space would also not significantly differ from other properties on Pierce St. and in the surrounding area. Given the fact that the developer has included decks to help alleviate this issue and that the proposed amount of space would be consistent with the surrounding area, a lower than mandated amount of usable open space is appropriate here.

The proposed lot frontage of 45 feet does not meet the requirement of 50 feet, but multiple other properties on Pierce St. do not meet this requirement as well. Additionally, the project does not meet the lot width requirement of 50 feet, but other existing properties on Pierce St. and the



surrounding area also do not meet this requirement. This indicates that the proposed lot frontage and width are consistent with the surrounding area and may demonstrate a need for zoning reform.

The proposed rear yard setback of this project does not meet the 40 foot requirement, and the proposed side yard setback does not meet the 10 foot requirement. Regardless, multiple two-unit properties on Pierce St. and in the surrounding area do not meet these requirements, and this indicates consistency with the surrounding area as well as another potential need for zoning reform.

Recommendation:

In reference to BOA1735552, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1575425
ZBA Submitted Date	2024-02-28
ZBA Hearing Date	2025-08-12
Address	62 L ST South Boston 02127
Parcel ID	0603571000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Replace the existing exterior stair system and construct a new roof deck atop the main roof of the existing structure. The new roof deck will be accessed via a spiral staircase and will include guardrails in accordance with applicable building codes. No expansion of the building footprint or enclosed habitable space is proposed.
Relief Type	Variance, Conditional Use
Violations	Roof Structure Restrictions Side Yard Insufficient Rear Yard Insufficient

Planning Context:

The subject property is located in the South Boston Neighborhood District, within a multifamily residential (MFR) context characterized by medium-density residential uses, including triple-deckers and rowhouses. The surrounding neighborhood exhibits a range of rooftop improvements, including multiple examples of roof decks accessed via spiral staircases. These precedents indicate a pattern of evolving rooftop usage that is consistent with the proposal, which seeks to provide functional outdoor space without altering the overall building envelope. The proposed deck is in keeping with other approved structures in the area and does not introduce new massing inconsistent with the neighborhood character.

Zoning Analysis:

The proposed replacement of existing exterior stairs and construction of a new roof deck requires zoning relief for the following reasons:

Article 68, Section 29, Roof Structure Restrictions: Access to the roof deck is proposed via a spiral stair and platform assembly, rather than a roof hatch. Under zoning, access to roof decks



must be provided by a hatch or a bulkhead no more than 30 inches tall. The proposed stair configuration exceeds this allowance and introduces new vertical structures on the roof, necessitating conditional use relief.

Article 68, Section 8, Side Yard Insufficient: The MFR subdistrict requires a minimum side yard setback of 3 feet. According to the site plan, the proposed metal stair and platform will be constructed within the footprint of the existing house and do not project further into the side yard than the current structure. The northern side yard measures only 2.7 feet at its narrowest point, resulting in a deficiency. This shortfall is due to the lot's existing constrained width rather than any new encroachment. Therefore, dimensional relief is required for insufficient side yard on the southern lot line.

Article 68, Section 8, Rear Yard Insufficient: The required rear yard setback is 20 feet. Based on the site plan, the proposed spiral staircase is located approximately 4 feet from the rear property line, resulting in a 16-foot shortfall and a violation of the rear yard dimensional standard. The new spiral staircase will replace an existing deck and stairs; while it maintains a similar location, it will extend approximately 10 inches further into the rear yard than the current condition.

The plans, entitled 62 L Street – Roof Deck Renovation Project and prepared by Tucker Architecture on November 12, 2022, propose the construction of a new roof deck with access via a spiral stair and exterior platform, replacing an existing stair and deck system. Given the scope of the project and its alignment with other roof deck approvals in the neighborhood, this project presents a reasonable case for zoning relief. It also illustrates the need for dimensional standards that better reflect the built conditions and lifestyle expectations in South Boston's dense multifamily districts.

Recommendation:

In reference to BOA1575425, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1690706
ZBA Submitted Date	2025-02-10
ZBA Hearing Date	2025-08-12
Address	507 Massachusetts AV Roxbury 02118
Parcel ID	0900905000
Zoning District & Subdistrict	Roxbury Neighborhood MFR
Zoning Article	50
Project Description	Increase lodging house capacity from 7 units to 10 units and make interior changes, including new bathrooms and kitchenettes for each unit.
Relief Type	Conditional Use, Variance
Violations	FAR Excessive Usable Open Space Insufficient Additional Lot Area Insufficient CFROD Applicability Extension of non-conforming use (Lodging House)

Planning Context:

This project was previously deferred at the April 29, 2025 and June 3, 2025 Zoning Board of Appeal hearings. The proponent has since shared updated plans that correctly state the current occupied living space in the garden level, so the Planning Department recommendation has been updated accordingly. The proposed project - the expansion of an existing boutique hotel, the Chester Hotel - is located at the intersection of Tremont Street and Massachusetts Ave, on the same block as Chester Square and walkable to many cafes, restaurants, and cultural/educational institutions along Tremont Street and Huntington Avenue. The hotel is located in an ideal location for a hotel due to the proximity of nearby institutions, cultural venues, and transit. The project site is within a 10-minute walk of Symphony Hall, the New England Conservatory of Music, and the Northeastern University campus. It is located approximately 0.3 miles from the Massachusetts Avenue stop on the Orange Line and 0.4 miles to the Symphony stop on the Green Line.

The proposed project is located within the South End Landmark District (SELD), which sets design standards applicable to any proposed exterior work on front facades, exterior rooftop changes visible from the public way, and exterior side and rear elevation changes visible from a public way. However, since this proposed project is only proposing interior renovations and



change in occupancy capacity, SELD design review does not apply. The proposed project is also located in the Boulevard Planning District, which recognizes certain corridors such as Massachusetts Avenue as key gateways into the Roxbury neighborhood.

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

Zoning Analysis:

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

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

The required FAR of 1.0 is exceeded due to the proposed occupancy of the garden level with three new units, which the plans indicate are currently used for storage space. However, this was an error on the originally submitted plans, and the proponent has since shared plans that indicate the garden level is currently used as occupied living space. While the project sits within the Coastal Flood Resilience Overlay District (CFROD), it does not meet any of the applicable thresholds and therefore is not subject to the requirements of Article 25A.

The requirement for additional lot area per dwelling unit is 4,000 for first 3 units and additional 1,000 sf for each additional unit. This means the lot would have to be 11,000 sf. The lot size of 2,200 square feet is part of a uniform, densely settled historic block structure, and most townhomes in this block on similarly sized lots are multi-family structures. Due to the contextual appropriateness of the lot size relative to unit count, relief from this violation is recommended.



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

Recommendation:

In reference to BOA1690706, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning