



Planning Department

MEMORANDUM

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

FROM: Joanne Marques
Regulatory Planning & Zoning

DATE: November 12, 2025

RE: Planning Department Recommendations

Please find attached, for your information, Planning Department recommendations for the November 18, 2025 Board of Appeal's Hearing.

Also included are the Board Memos for:
75 to 77 Dorchester ST South Boston 02127
80 Smith ST Mission Hill 02120
100 Smith ST Mission Hill 02120

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



Case	BOA1785891
ZBA Submitted Date	2025-10-06
ZBA Hearing Date	2025-11-18
Address	85 Chandler ST Boston 02116
Parcel ID	0501062000
Zoning District & Subdistrict	South End Neighborhood MFR
Zoning Article	32-4
Project Description	The proposal includes a complete renovation of an existing duplex, including the interior renovation of kitchens, bathrooms, flooring, and insulation; and exterior renovations that include enlarging door openings, repairs to exterior stairs, addition of garden-level railings, and the addition of a roof deck, extending the building's height to up to 53.25'.
Relief Type	Conditional Use
Violations	GCOD Applicability

Planning Context:

85 Chandler Street sits in a Multifamily residential subdistrict of the South End Neighborhood and is subject to Article 64 of the zoning code. The proposed is within the South End Landmark District, less than 0.3 miles from the Back Bay Amtrak and Orange Line station. This parcel sits in both CFROD and GCOD overlay districts, as well as Restricted Parking and Restricted Roof districts. Chandler Street is a southern-moving one way street and the proposed sits across the street from similarly structured, uniform brownstone condominiums with FARs of approximately 0.4. The rear abuts a 4 foot passageway, and the block interior opens up to Columbus Ave and I-90, and does not directly face a public way.

Rear elevation plans show substantive changes to the facade including replacement of external stairs, addition of new stairs and balconies, and new and additional windows. The proposed left side elevation shows in greater detail the two additional balconies, and two total roof decks. There is no excavation proposed below 8.0' of the Boston base, other than for groundwater recharge systems.

Zoning Analysis:



The project is cited for GCOD applicability, pursuant to Section 32-4 due to the substantive rehabilitation of the building, as well as the addition of the porches and balcony.

Changes to the review process for GCOD Applicability citations coming before the ZBA were voted on and accepted by the Zoning Commission on Wednesday, October 22, 2025. CGOD compliance is ultimately determined and confirmed by the Boston Water and Sewer Commission. Now that amendments to Article 32 have been signed and approved by the Mayor, this review will no longer come before the ZBA. However, as previously mentioned, this project sits within the South End Landmark District and a Restricted Roof District (Article 64-34), and so will be subject to design review. Work subject to review by the South End Landmark District Commission includes all proposed exterior work at the front facade, all exterior work at the rooftop when visible from a public way, and all work at side and rear elevations when facing a public way.

Recommendation:

In reference to BOA1785891, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Landmarks Commission for design review.

Reviewed,

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Deputy Director of Zoning



Case	BOA1759609
ZBA Submitted Date	2025-08-06
ZBA Hearing Date	2025-11-06
Address	72 Leyden ST East Boston 02128
Parcel ID	0101809000
Zoning District & Subdistrict	East Boston Neighborhood EBR-2.5
Zoning Article	53
Project Description	Addition of a half bathroom to the first floor common area in an existing three-unit residential building
Relief Type	Variance
Violations	Use Forbidden

Planning Context:

The site is located in a residential neighborhood in East Boston. The surrounding properties are two- to three-unit buildings. The proposed project is an internal renovation that would be within the existing building footprint of a three-unit, four-story building.

Zoning Analysis:

The proposed project seeks relief for one zoning violation. The site is an existing three-family residential building in a two-family residential zone. The proposed design does not increase unit count, and the internal renovation does not impact the urban fabric of the street. The City has a vested interest in retaining existing housing units as an anti-displacement strategy; the use violation is recommended for relief.

Recommendation:

In reference to BOA1759609, The Planning Department recommends APPROVAL.

Reviewed,

Deputy Director of Zoning



Case	BOA1772272
ZBA Submitted Date	2025-09-04
ZBA Hearing Date	2025-11-06
Address	364 Main ST Charlestown 02129
Parcel ID	0202546000
Zoning District & Subdistrict	Charlestown Neighborhood 3F-2000
Zoning Article	62
Project Description	Proposed project would extend the existing livable space into the property's basement; the newly finished basement will include a new mechanical room.
Relief Type	Variance
Violations	FAR Excessive CFROD Applicability

Planning Context:

Charlestown's residential core is characterized by continuous blocks of brick rowhouses, many dating back more than a century. These consistent, masonry buildings accommodate a mix of housing types ranging from single-family to small multi-family dwellings. Main Street functions both as a neighborhood commercial corridor and a principal north-south route through Charlestown. The subject property, 364 Main Street, was constructed in 1870 and currently operates as a single-family residence on a residential block of Main Street composed of uniform, red-brick, three-story buildings with basements visible through sidewalk-level windows set in concrete bases.

The proposed project involves no exterior alterations and maintains the property's existing single-family use. The scope is limited to finishing the basement to extend the existing livable area, resulting in a modest increase in FAR.

Although 364 Main Street lies within the Coastal Flood Resiliency Overlay District (CFROD), the proposed work does not meet the threshold that requires CFROD review under Article 80; the district's objectives provide critical planning context. The CFROD is mapped in areas that are vulnerable to future flooding under sea level rise; this property and below grade spaces like a basement are particularly vulnerable to this risk.



Zoning Analysis:

The proposed project results in one dimensional violation related to excessive FAR. The project proposes the creation of 680 square feet of living space in the currently unfinished basement, increasing the property's FAR from 1.8 to 2.3.

The 3F-2000 Subdistrict permits a maximum FAR of 2.0, and many adjacent properties already approach this threshold, with reported FAR values ranging from 1.8 to 1.9. While the proposed FAR increase constitutes a minor dimensional violation and would not alter the visual or physical character of the block, a variance is not recommended for this violation because of the expansion of livable area below grade at any area at risk for future flooding.

Although the proposal does not expand the building footprint, the planned basement conversion introduces new occupiable space below the Design Flood Elevation. The CFROD is intended to protect occupants and structures from flood risks associated with sea level rise and climate change. In order to protect current and future residents from the impacts of sea level rise and flooding, the Planning Department does not support the creation of new residential space below the DFE.

Recommendation:

In reference to BOA1772272, The Planning Department recommends DENIAL WITHOUT PREJUDICE on account of FAR violations due to proposed living space below the Design Flood Elevation. Proponent should consider a project that does not include living space below the Design Flood Elevation.

Reviewed,

A handwritten signature in black ink, reading "Kathleen O'Neil".

Deputy Director of Zoning



Case	BOA1783484
ZBA Submitted Date	2025-09-26
ZBA Hearing Date	2025-11-06
Address	100 City Hall PZ Boston 02108
Parcel ID	0302897000
Zoning District & Subdistrict	Government Center/Markets Sears Crescent Protection Area
Zoning Article	6-4
Project Description	The proponent is seeking the removal of petitioner-only provisos established in 2013 that allowed for a then conditional use to include a restaurant with takeout. The proposed project will include renovating the restaurant and adding outdoor seating for up to 8 patrons.
Relief Type	Conditional Use
Violations	Other Protectional Conditions

Planning Context:

The proposed is an exempt property in the Sears Crescent Protection Area of the Government Center/Markets Zoning District. Directly within City Hall Plaza, this parcel is subject to Article 45 of the zoning code. The proposed project sits less than 100 feet from the Government Center MBTA Station headhouse, and is integrated into the plaza design with retail facing north towards the landing zone where people exit from the Green and Blue Lines. Other commercial retailers within the Sears Crescent Building include Dunkin Donuts and Wishing Cup; banking establishments such as Commonwealth Bank, Citizens Bank, and a LibertyX Bitcoin ATM; an escape room, and general office uses.

Cocobeat, the current retailer occupying 100 City Hall Plaza is a locally-owned small business health-food cafe that offers smoothies, juices, and light fare like avocado toasts, granola, and quinoa bowls.

Zoning to implement the recommendations of PLAN: Downtown, which was recently passed by the Zoning Commission on October 22, 2025, removes takeout as a Conditional Use, making it Allowed as part of the Restaurant Use.

Zoning Analysis:



The refusal letter calls out Article 6-4, Other Conditions Necessary as Protection. Article 6-4 mentions special conditions that could include: front, rear, or side yards that exceed the minimum; lacking screening of parking areas from adjoining areas; modification of exterior features; limiting the size, number of occupants, method of operation, and extent of facilities; regulation of traffic features; or off-street parking beyond the minimum. This text was amended last in 2024 and has streamlined guidance for conditional approval, none of which are explicitly mentioned in the existing proviso. Removal of the proviso is warranted on the basis that it is in conflict with other, newer portions of the code.

Article 45-14 of the zoning code regulates the Government Center/Market District ground floor uses and includes things like Bakeries and Pastry Shops, Cafes, Diners, Delicatessen stores, and other restaurants, not including take-out uses except as allowed in Section 45-14.3(u). A retailer like Cocobeat constitutes an Allowed Use under the current zoning code.

Section 45-14.3(u) states that Allowed Accessory Uses for the purpose of food service include, sale over the counter, wholly incidental to a use listed under Section 45-14.3, of food or drink prepared on premises for off-premises consumption, provided that such use is accessory to a hotel or restaurant use if, as so sold, such food or drink is ready for take-out. The addition of outdoor seating represents an accessory use to an existing Allowed Restaurant and take out use in this area, and is, too, allowed by the zoning code.

The conditional use to change occupancy to include restaurant with takeout was approved for this proponent with the following provisos:

- That the use extend only to Cocobeat
- That all paper products display the name and logo of the establishment
- That a solar-powered compacting trash receptacle be provided that is consistent with the existing street furniture
- That deliveries not be made during peak traffic hours of 7:00-9:00am and 4:00-6:00pm
- That garbage be stored in appropriate rodent-proof facilities and put out for pick up one half hour before collection

-That plans with particular attention to signage be submitted to the BRA for design review approval

BOA1783484

2025-11-06

2 Planning Department



Relief by way of removal of this proviso poses no adverse effects to the property and surrounding community pursuant to the conditional use criteria in Article 6-4. The proposed would continue to be subject to the Specific Design Requirements laid out in Section 45-16 and 45-17. The removal of “petitioner only” provisos and extensions of nonconforming takeout uses was recently completed as a part of recent zoning reforms.

Recommendation:

In reference to BOA1783484, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1702910
ZBA Submitted Date	2025-03-25
ZBA Hearing Date	2025-11-06
Address	93 Charter ST Boston 02113
Parcel ID	0301976000
Zoning District & Subdistrict	North End Neighborhood MFR
Zoning Article	54
Project Description	Add a staircase connecting the existing roof deck to the top of the existing headhouse and add metal railing around the top of head house.
Relief Type	Variance
Violations	Roof Structure Restrictions

Planning Context:

The Restricted Roof District: North End Neighborhood ensures that new development does not overwhelm the existing residential fabric of Boston's North End. Roof decks are incredibly common structures on immediately surrounding buildings, even those a full story taller than 93 Charter St. Roof decks range in size from small rectangular structures with fencing around them to completely finished roofs, and often have prominent head houses to provide access to the roof level. The proposed project here takes advantage of 93 Charter St.'s existing head house to maximize activated open space on the property.

The subject parcel has immediate proximity, within 100', to both Copp's Hill Terrace and Copp's Hill Burying Ground.

Zoning Analysis:

The proposed project incurs one dimensional violation due limitations placed on building and roof structure height from the Restricted Roof District: North End Neighborhood. In an MFR Zoning Subdistrict, building height is limited to 55'. Currently, the bottom of the existing head house sits at 54'-1" and the metal railing is proposed at a minimum of 3'-6" bringing the maximum height of the building to approximately 58'. The proposed project creates a minor dimensional violation relative to the allowed maximum of 55'. The proposal does not touch the



existing building or alter the current height; the only portion that will exist above the 55' maximum height is fencing around the existing head house.

This proposal will not negatively impact any of the surrounding streets or open space with shadows, and is highly contextual with the heights seen from buildings in the immediate vicinity, many of which have habitable roof structures at parallel heights. Despite the minor dimensional violation this proposal creates, the overall design aligns with and does not exceed any heights already seen from the immediate surrounding buildings.

The proposed project site sits within 100 feet of multiple parks, but due to the setback of the roofdeck towards the rear of the property is likely not visible from those parks. If the Parks Department determines the roof deck is visible, they may complete design review under the terms of the Parks design review ordinance.

Recommendation:

In reference to BOA1702910, The Planning Department recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, reading "Kathleen O'Neil".

Deputy Director of Zoning



Case	BOA1759889
ZBA Submitted Date	2025-08-06
ZBA Hearing Date	2025-11-06
Address	18 Rutland SQ Roxbury 02118
Parcel ID	0402712000
Zoning District & Subdistrict	South End Neighborhood MFR
Zoning Article	64
Project Description	Roof Deck Erection
Relief Type	Variance
Violations	Roof Structure Restrictions

Planning Context:

The proposed project would be building a roof deck on top of an existing four-story single-family home. No new work will be done below the roof deck. The home is a rowhouse that shares walls with similarly massed rowhouses neighboring it. Many of the neighboring homes presently have roof decks. The site is located in the South End Historic District and would require South End Landmarks Review.

Zoning Analysis:

Section 64-34 provides the regulations for roof structures and expresses a conditional use permit would be required for the erection of a roof structure that would have human occupancy. The proposed would be built in a similar sizing and format to the neighboring roof decks remaining in context with the neighborhood. The roof deck will have appropriate setbacks to limit visibility from the street at 15 ft and from the rear yard of the property at 5 ft. The entrance to the roof deck will be 22 ft from the street facing edge and 17 ft from the rear edge in line with city recommendations.

Recommendation:

In reference to BOA1759889, The Planning Department recommends APPROVAL W/ PROVISIO that plans be approved by the Landmarks Commission.



Planning Department

CITY of BOSTON

Reviewed,

Kathleen O'Neil

Deputy Director of Zoning



Case	BOA1742622
ZBA Submitted Date	2025-06-27
ZBA Hearing Date	2025-11-06
Address	917 E Broadway South Boston 02127
Parcel ID	0604292000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Change occupancy from office to single unit, including finishing the basement.
Relief Type	Variance
Violations	Roof Structure Restrictions Side Yard Insufficient Rear Yard Insufficient Parking or Loading Insufficient

Planning Context:

The project is located at the eastern end of East Broadway in a dense, primarily residential neighborhood in the City Point area of South Boston. It is located on a corner lot one block west of Marine Park on Pleasure Bay. The surrounding buildings are generally two to three stories tall, contain multiple units, are tightly packed, and form a consistent street wall.

The project proposes converting an existing commercial building into a single-family residential building with limited renovations to the exterior facades, interior first and second floor living spaces, and basement. The Boston ISD Zoning Code Refusal letter includes reference to an "addition on top of the garage and extending the second floor to connect with the addition," however, this work has been removed from the scope of the project. Exterior work on the project is limited to replacing the existing windows and doors. This exterior work also includes removing the commercial storefront that faces the corner of E. Broadway and P Street and replacing it with a masonry wall and new windows to match the other existing windows on the E. Broadway facade. The project will maintain its front door facing E. Broadway.

The project has an existing garage on site with an existing curb cut on P Street that is outside the scope of this project and will remain unchanged. The project does not propose any additional parking on site, however, Go Boston 2030 and citywide transportation planning goals support a "dramatic shift in mode choices" away from single occupancy vehicles and set out a goal to "decrease the amount of Boston commuters driving alone by 50%." Furthermore, the



draft South Boston Transportation Action Plan notes that walking is "the most common choice of transportation to reach shops, restaurants and open spaces" by residents in the South Boston study area.

Given that the project isn't changing the building's overall size or footprint, nor is it making significant changes to its appearance, it is appropriate for this area and context.

Zoning Analysis:

The proposed project is located in an MFR Subdistrict of the South Boston Neighborhood District. Per Article 68 Section 29, this lot is subject to the rooftop structures restrictions of the neighborhood article; however, the project removed the scope of work that included renovations to the rooftop of the garage and the expansion of the second floor. The project does propose replacement of the existing skylight with a new one; however, this is not a "roofed structure designed or used for human occupancy, access (except as allowed in the following paragraph), or storage" nor is it a "roof structure, headhouse, or mechanical equipment normally built above the roof and not designed or used for human occupancy". As such, since there are no existing rooftop structures nor any new ones proposed, the project does not violate this element of the Code.

Per Article 68 Section 33, Table G, residential projects that do not qualify as affordable housing must provide 1.5 off-street parking spaces per dwelling unit. This project proposes no additional off-street parking spaces. Given that this is a continuation of the existing condition, and providing additional parking would require demolition of the historic structure, relief is recommended.

Per Article 68 Section 8, Table D, projects in an MFR subdistrict must provide a minimum side yard of three feet and a minimum rear yard of twenty feet. The existing primary structure provides a four-foot side yard on the P street side of the lot and a seven-foot-six-inch side yard where it abuts a neighboring property. The existing primary structure is also located twenty-three feet and six inches away from the rear lot line. The project has an existing garage on site that is not part of the project. Section 68-34 allows for accessory structures to be located within side and rear yards if they are "no more than fifteen feet (15) in height, or nearer than four (4) feet to any side or rear Lot line, or closer than sixty-five (65) feet to the front Lot line." The garage is only eleven feet tall; however, it is located within one foot of the site lot line, one foot four inches from the rear lot line, and forty-three feet and five inches away from the front lot line, thus failing



to comply with all three requirements of the Section 68-34 exemption. However, because both the primary and accessory structures exist, the accessory structure is not of a significant height, and no significant exterior changes are proposed; this project is appropriate for the area and context.

Plans reviewed are titled "917 E Broadway", prepared by Of Possible, LLC, and dated May 15, 2025.

Recommendation:

In reference to BOA1742622, The Planning Department recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, reading "Kathleen O'Neil".

Deputy Director of Zoning



Case	BOA1750660
ZBA Submitted Date	2025-07-21
ZBA Hearing Date	2025-11-06
Address	78 Harbor View ST Dorchester 02125
Parcel ID	1303171000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-5000
Zoning Article	65
Project Description	Add a 10 foot curb cut for access to paved side setback that will be converted into a driveway
Relief Type	Variance
Violations	Usable Open Space Insufficient Parking Design and Maneuverability

Planning Context:

The proposed project would add a curb cut to the front of the property that would allow access for tandem parking in the currently paved side setback for the one unit building on the parcel. Tandem parking with no side yard is extremely common in this area, with both neighboring properties utilizing the parking strategy that this project proposes. The proposed curb cut will not interfere with any street trees, utility poles, fire hydrants, or any other feature located within the sidewalk area.

Zoning Analysis:

The proposed project has two zoning violations. The first is due to "Off-Street Parking and Loading Requirements," which in this case is referring to the placement of the parking area within the front yard of the property. Normally, this is not allowed under the zoning code. However, Zoning Code Article 65 Section 42 states: "If a Lot is located in a Residential Subdistrict, a total of two (2) accessory parking spaces serving residential uses on such Lot may be located in that portion of the Front Yard that lies between the Side Yard and the Front Lot Line, provided that the total width of such Front Yard area used for parking does not exceed ten (10) feet." This project is proposing a driveway of 10 feet total, meeting this requirement. This is an incorrect violation and should be disregarded.



The second violation is in regards to the minimum required open space. The code requires a minimum open space of 750 square feet. The existing structure is already under this requirement. Including the proposed driveway space, there is a total of around 700 square feet. By converting this area to a driveway, which does not count towards open space, there would be a total open space of 330 square feet. However, this does not reflect the built reality of the neighborhood. Many of the buildings in the area take up the majority of their lot, with drive lanes on the side and small rear yards. Almost none of the structures in the surrounding area would meet this requirement if permitted today. This reflects a disconnect between the zoning code and the built reality of the neighborhood and is a sign of potential necessary zoning reform. In addition, this lot is smaller than its neighboring lots by almost one-third. This unique lot size constitutes a hardship for the proponent, as they cannot utilize their land in the same way as nearby dwellings. At the same time, loss of open space is significant and should be mitigated by ensuring a permeable driveway that minimizes stormwater impacts and better invites use of the driveway as open space for the occupants.

Recommendation:

In reference to BOA1750660, The Planning Department recommends APPROVAL W/ PROVISIO that plans be submitted for design review with attention to increasing the permeability of the driveway.

Reviewed,

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Deputy Director of Zoning



Case	BOA1710454
ZBA Submitted Date	2025-04-17
ZBA Hearing Date	2025-11-06
Address	118 Bowdoin ST Dorchester 02121
Parcel ID	1401324001
Zoning District & Subdistrict	Dorchester Neighborhood 3F-5000
Zoning Article	65
Project Description	Internal renovation adding bathrooms, a kitchen, mechanical rooms, fire safety, and an accessibility lift to finish the basement
Relief Type	Variance
Violations	FAR Excessive

Planning Context:

The proposed project site is in a residential neighborhood comprised of mostly 2-, 3-, and 4-plus unit buildings equidistant from amenities on Bowdoin Street and Geneva Ave. The existing site is a three-story church building that was previously granted zoning relief to redevelop the pre-existing single-story church building. The proposed project aims to add necessary components to the basement that will be crucial to the function of the building.

Zoning Analysis:

The proposed project is seeking relief for one zoning violation for exceeding the maximum required Floor Area Ratio. Article 65 dimensional regulations require a maximum FAR of 0.5. This is not representative of the FARs that currently exist on the site or on the street. The proposed renovations make a marginal difference in FAR compared to the existing noncompliance of the current structure which has already been approved for zoning relief previously. The proposed improvements in the basement show adequate ceiling height and fire safety measures. The main entrance is on the basement level which has a walkout to the street in the front of the building, and the area is not at risk of flooding. Therefore, this violation is recommended for relief.

Plans reviewed are titled "Proposed Church Debre Menkrat St. Gabriel Church", prepared by Northcounty Group, Inc., and dated 2/25/2025.



Recommendation:

In reference to BOA1710454, The Planning Department recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, reading "Kathleen O'Neil".

Deputy Director of Zoning



Case	BOA1749143
ZBA Submitted Date	2025-07-16
ZBA Hearing Date	2025-11-06
Address	29 Aldworth ST Jamaica Plain 02130
Parcel ID	1901725000
Zoning District & Subdistrict	Jamaica Plain Neighborhood 2F-5000
Zoning Article	55
Project Description	The project will add two dormers to an existing 2.5-story, two unit residential structure and build a new rear deck.
Relief Type	Variance
Violations	FAR Excessive

Planning Context:

The property is located in a residential area of Jamaica Plain with mostly single and two family residential structures that are 2.5- to 3-stories tall. Most of the structures fill a majority of their lots are closely spaced with properties to both sides.

The project will add two dormers to an existing 2.5-story, two-unit residential structure and will replace a rear porch. This is an example of the types of improvements that the Planning Department seeks to streamline through the neighborhood housing initiative by allowing minor improvements to seek approval without needing to navigate the Zoning Board of Appeals (ZBA).

Zoning Analysis:

The project is cited for excessive floor area ratio (FAR). The maximum FAR is 0.6 and the existing is 0.56. The project will increase the FAR to 0.67. There are several examples of two-unit residential properties in the area with an FAR higher than 0.67.

This project presents a case for zoning reform given the number of properties in the area with an FAR higher than what is allowed in the Zoning Code. An update to these regulations will allow property owners to invest in their property without having to navigate the ZBA process.

Recommendation:

In reference to BOA1749143, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

A handwritten signature in black ink, reading "Kathleen O'Neil".

Deputy Director of Zoning



Case	BOA1766722
ZBA Submitted Date	2025-08-21
ZBA Hearing Date	2025-11-06
Address	61 Lila RD Jamaica Plain 02130
Parcel ID	1902718000
Zoning District & Subdistrict	Jamaica Plain Neighborhood 1F-9000
Zoning Article	55
Project Description	Project proposes a new, two-story rear addition that will replace an existing rear porch.
Relief Type	Variance
Violations	FAR Excessive Rear Yard Insufficient Side Yard Insufficient

Planning Context:

The proposed project is located in a largely residential area of Jamaica Plain where most properties are single-unit residential with large yards. The existing structure is smaller than others in the area and the lot is much smaller with a very small back yard.

The project will demolish an existing porch and replace it with a two story addition in approximately the same footprint. The project is the type of residential improvement that the Planning Department seeks to streamline through the Neighborhood Housing initiative which will allow owners to invest in their properties without needing to zoning relief.

Zoning Analysis:

The project has been cited for Excessive Floor Area Ratio (FAR), insufficient side yard, and insufficient rear yard. The required side yard is twelve feet; no change is proposed to the existing side yards of 5.9 and 10.7 feet. The lot is 3,384 square feet and has a median depth of approximately 65 feet (rear lot line is non parallel to front lot line). In comparison, most lots in the area are at least 5,000 square feet with many larger than 10,000 square feet and are often deeper than 95 feet.

The maximum FAR allowed is 0.3 and the existing is 0.66. The proposed addition will increase the FAR to 0.76. The minimum rear yard is forty feet and the existing is 8.7 feet. The proposed



addition will decrease the rear yard to 8.3 feet while also increasing the degree of non-conformity through the additional height within the rear yard.

Although the addition will increase the degree of non-conformity, the violations for excessive FAR and insufficient rear yard are because of how small the lot is and the exceptional shallowness of the lot. The proposed improvement constitutes a reasonable use of the land while respecting the general purpose and intent of the zoning code.

Recommendation:

In reference to BOA1766722, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1766114
ZBA Submitted Date	2025-08-20
ZBA Hearing Date	2025-11-06
Address	8 Preston RD West Roxbury 02132
Parcel ID	2007824000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-8000
Zoning Article	56
Project Description	The proponent plans to extend living space into the basement, which is currently unfinished. There will be a music room, living area, and gym in the renovated basement.
Relief Type	Variance
Violations	FAR Excessive

Planning Context:

The proponent at 8 Preston Road plans to extend living space into a basement that is currently unfinished. The goal is to create a flexible space for extended family use, without altering the primary structure. 8 Preston Road is a one-unit detached house located in an area of West Roxbury that transitions between the Centre Street commercial zone and a predominantly residential area. It is a short distance from Centre St - key corridors with access to bus routes and nearby commuter rail service. The houses in this area of West Roxbury are generally a mix of one and two-unit detached residences.

This extension of living space is a clear case for zoning reform. The current code lacks a clear path for homeowners to make small, interior adaptations that meet evolving household needs. Finishing an existing basement to create additional living space supports family friendly living without altering the exterior character of the neighborhood. This kind of modest, interior improvement aligns with the City's goals for more flexible, incremental housing options.

Zoning Analysis:

This proposal has triggered one zoning violation: FAR excessive.

The FAR allowed for this lot is 0.3 and the plans show the proposed FAR will be 0.49. According to the assessor's report of the existing property, the current FAR is 0.29. It is reasonable to expect that the proposed renovations will increase the FAR given that the living area will be



expanded into the basement without the lot size increasing. The proposed addition creates modest, high-quality living space that allows the property to meet the evolving needs of today's households, which include supporting family growth, multi-generational living, and aging in place. These are all priorities articulated in the City's housing and planning goals. Because the improvements to the living space are not disruptive to the neighborhood context or compromise the minimum open space, relief is recommended.

Recommendation:

In reference to BOA1766114, The Planning Department recommends APPROVAL .

Reviewed,

A handwritten signature in black ink, reading "Kathleen O'Neil".

Deputy Director of Zoning



Case	BOA1721220
ZBA Submitted Date	2025-05-14
ZBA Hearing Date	2025-11-06
Address	128 Gardner ST West Roxbury 02132
Parcel ID	2009243000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	56
Project Description	Proponent plans to construct a two-story, three-bedroom additional unit at the rear of 128 Gardner St.
Relief Type	Variance, Conditional Use
Violations	Lot Width Insufficient Lot Frontage Insufficient FAR Excessive Side Yard Insufficient Off street parking requirements Use: Forbidden Dimensional Regulations

Planning Context:

128 Gardner St is currently a one-unit residence in a mixed-use area of West Roxbury that primarily comprises of single-dwelling residential units, in addition to restaurants, large-footprint retail like Savers and Home Depot, child and pet care facilities, and the West Roxbury VA Medical Center in the immediate vicinity. The residence is located an 18 minute walk from the West Roxbury Commuter Rail Station. Homes in this area generally have lower lot coverage and off-street driveway parking.

The proposed project is the addition of a new construction, three bedroom, two story, attached dwelling unit in the rear of the existing one-unit home. The plans do not show existing conditions of the current home and footprint, but aerial images show a shed in the rear yard that will presumably be demolished to accommodate the additional unit.

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. 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 seven violations: lot width and frontage insufficient, side yard insufficient, FAR excessive, off-street parking requirements, forbidden use, and dimensional regulations. The provided plans do not provide any type of zoning analysis, nor dimensions of the house contextualized to the lot. This may affect the planner's zoning analysis and the Planning Department strongly urges the proponent to submit zoning analysis and details as much as possible when submitting plans, to ensure accuracy.

The lot on which 128 Gardner St is located has a frontage and width of 50 ft, but zoning in this subdistrict requires 60 ft. This is an existing nonconformity as the project does not change the lot frontage and width dimensions, therefore, relief is recommended.

The side yard required is 10 ft on either side, but plans do not show what the existing side yard measurements are. However, the plans do show that the additional unit will be 6 ft less wide than the existing unit, therefore, does not aggravate side yard violations. The violation for side yard is an existing nonconformity, and relief is recommended.

The project's proposed FAR is unknown. According to the assessor's data, the existing residence's FAR for the one unit is 0.17. FAR is not to exceed 0.4 in this subdistrict. It is reasonable to expect that the proposed renovations will almost double the FAR given that the living area almost doubles in square footage while the lot size remains unchanged. However, the proposed addition creates modest, high-quality living space that allows the property to meet the evolving needs of today's households, which include supporting family growth, multi-generational living, and aging in place. These are all priorities articulated in the City's housing and planning goals. Because the improvements to the living space are not disruptive to the neighborhood context or compromise the minimum open space, relief is recommended.

Off-street parking is also cited as a violation, though not specified for which reason. According to the assessor's data, 128 Gardner St has one parking spot, which does meet parking minimum requirements for this subdistrict. With the additional unit, zoning requires one additional parking spot. Plans do not show any details regarding parking. If no additional parking is provided, then the off-street parking minimum for this project is a violation. However, it is difficult to



accommodate an additional parking spot based on aerial images of the driveway. Currently, the driveway is used as the existing residence's off-street parking. Because tandem parking is not allowed, maneuverability would be an issue. However, aerial images show on-street parking on Gardner St. Because of the availability of on-street parking, relief is recommended.

In this 1F-6000 district, a maximum of one dwelling unit is allowed per lot, therefore a second unit is forbidden. However, this violation is in service of providing additional housing units. In particular, 3-bedroom housing units capable of accommodating families advance the City of Boston's goals to expand family-sized housing options across the city. Relief is recommended.

Lastly, this project was cited for violating dimensional regulations due to the location of the main entrance. Section 56-8 requires that "the main entrance of a Dwelling shall face the Front Lot Line." Plans show that the main entrance for this additional unit will be at the rear of the property, facing the rear lot. However, because this new unit is physically located behind the existing dwelling, which already fronts the street, it is not possible for the rear unit's entrance to face the front lot line. Its placement at the back of the lot will have no impact on the public realm, therefore, relief is recommended.

Plans reviewed are titled "128 Gardner St. West Roxbury Ma, are prepared by Help-U-Build Design Service and dated February 21, 2025.

Recommendation:

In reference to BOA1721220, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1757994
ZBA Submitted Date	2025-08-01
ZBA Hearing Date	2025-11-06
Address	51 to 53 Brookline AV Boston 02215
Parcel ID	2100064000
Zoning District & Subdistrict	Fenway Neighborhood Brookline Ave CC
Zoning Article	66
Project Description	The proposed project involves installing new electronic signage on the building's rooftop, in accordance with Section 11-7 of the Zoning Code. Relief from the Zoning Code is not required.
Relief Type	Conditional Use
Violations	Electronic Signs

Planning Context:

The site is occupied by a one-story commercial building operated by Sal's Pizza, featuring static signage mounted on the north-facing (right) wall. The proposed sign is oriented to project light away from the adjacent four-story building to the south, which is on the same side of Brookline Avenue.

Fronting Brookline Avenue, the site is located directly across from Fenway Park. On the opposite side of the street, adjacent parcels along this commercial corridor are developed with one- to two-story buildings, predominantly occupied by food and beverage establishments. The surrounding streetscape is characterized by a combination of static and electric signage associated with local commercial and entertainment uses, contributing to a dynamic visual environment and heightened pedestrian activity, particularly during event days.

On September 18, 2025, the BPDA Board reviewed this petition and authorized the following actions: (1) entering into a License Agreement with Orange Barrel Media LLC, the operator of the proposed electronic sign at 51 Brookline Avenue, for a term of one year with eight one-year renewal options; and (2) granting design review approval for the Electronic Sign permit. The board also authorized all related actions necessary to implement these approvals.



Zoning Analysis:

The project falls within the Lansdowne Street Entertainment District and requires review under Section 11-7 for comprehensive sign review.

Recommendation:

The Planning Department recommends APPROVAL W/ PROVISIO, that plans be submitted to the Planning Department for comprehensive sign review to ensure compliance with the signage design standards and complements the character of the building and surrounding context.

Reviewed,

A handwritten signature in black ink, reading "Kathleen O'Neil".

Deputy Director of Zoning

MEMORANDUM**SEPTEMBER 18, 2025**

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

**FROM: ERIC BOATRIGHT, SENIOR ARCHITECT
SETH RISEMAN, DEPUTY DIRECTOR FOR DESIGN REVIEW**

SUBJECT: 51 BROOKLINE AVENUE - ELECTRONIC SIGN

SUMMARY: This Memorandum requests authorization for the Director to: (i) enter into a License Agreement with Orange Barrel Media, LLC as the operator of an Electronic Sign (defined below) to be located at 51 Brookline Avenue and to take such further actions described therein, subject to Orange Barrel Media, LLC, obtaining a conditional use permit for the Electronic Sign; (ii) issue the design review approval of the Electronic Sign required by Section 11-7.1(a) of the Code; and (iii) execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing actions.

ELECTRONIC SIGNAGE BACKGROUND

Section 11-7 of the Boston Zoning Code (the "Code") governs Electronic Signage within the City of Boston. Section 11-7 provides that Electronic Signs are only permitted within certain zoning districts and that zoning relief in the form of a conditional use permit must be obtained. The above referenced property is within one of the zoning districts within which electronic signs are allowed by conditional use permit.

51 BROOKLINE AVENUE

Orange Barrel Media, LLC proposes to install an electronic sign (the "Electronic Sign") on a new structure cantilevering above the building at 51 Brookline Avenue (the "Building"). This site is located within the Landsdowne Street Entertainment District. The Building currently has three legally nonconforming static signs initially

installed on its roof between 1939 and 1964. These existing signs will be removed from the Building prior to installation of the Electronic Sign. The total sign area of the three existing signs exceeds the Electronic Sign's area, resulting in an overall decrease in sign area at the Building. In accordance with section 11-7.4 of the zoning code, the Electronic Sign will display a minimum of 10% public service content, which can include thematic content reflecting its location in the Fenway neighborhood and content available for community groups and organizations. The Electronic Sign has been designed to comply with Section 11-7 of the Code.

LICENSE AGREEMENT FOR THE ELECTRONIC SIGN

Section 11-7.3 of the Code requires an operator of an electronic sign to obtain a license from the Authority in connection with operating such sign. Orange Barrel Media and the Authority have agreed upon a form of license agreement for the Electronic Sign, which form of license complies with the requirements of Section 11-7.3 of the Code.

RECOMMENDATION

Based on the foregoing, BRA staff recommends that the Director be authorized to: (i) enter into a License Agreement with Orange Barrel Media, LLC pursuant to Section 11-7.3 of the Code for a license term of one (1) year with automatic renewals for additional one (1) year terms for up to a maximum of eight (8) years for an Electronic Sign to be located at 51 Brookline Avenue, and to take such further actions described therein, subject to Orange Barrel Media, LLC obtaining a conditional use permit for the Electronic Sign; (ii) issue the design review approval of the Electronic Sign required by Section 11-7.1(a) of the Code; and (iii) execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing actions.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to enter into a License Agreement with Orange Barrel Media, LLC pursuant to Section 11-7.3 of the Boston Zoning Code for a license term of one (1) year with automatic renewals for additional one (1) year terms for up to a maximum of eight (8) years for an Electronic Sign to be located at 51 Brookline Avenue, and to take such further actions described therein,

subject to Orange Barrel Media obtaining a conditional use permit for the Electronic Sign; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue the design review approval of the Electronic Sign required by Section 11-7.1(a) of the Code; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing actions.



Case	BOA1690497
ZBA Submitted Date	2025-02-07
ZBA Hearing Date	2025-11-18
Address	60 Canal ST Boston 02114
Parcel ID	0301611000
Zoning District & Subdistrict	Bulfinch Triangle General Area
Zoning Article	46
Project Description	The proposed project includes a change of use from an office use and sport shop with a snack bar, to general commercial retail on Floors 1 - 2, and converting Floors 3 - 6 into a total of six (6) residential units.
Relief Type	Conditional Use
Violations	GCOD Applicability Conditional Use - MFR

Planning Context:

The proposed project sits within the General Area subdistrict of the Bulfinch Triangle district, as well as the Coastal Flood Resilience, Groundwater Conservation, and Restricted Parking Overlay Districts. Because of its proximity to the Charles river and Boston Harbor, this area is also in the 2025 FEMA Flood Hazard Area. The Bulfinch Triangle neighborhood is one of Boston's Historic Inventory Areas, and is rich with architectural history and cultural heritage. Constructed in 1871 in the Second Empire/Mansard style, the building was home to the Paine Furniture Company and was once a key part of the neighborhood commercial and light industrial district. The vestiges of America's "oldest furniture store" can be seen in the building's double height ceilings, wide floor plates, and wood beams.

The existing property stretches across the block between Canal Street and Friend Street. To the northernmost side on Canal Street it faces the One Canal Apartment Complex and a number of commercial retail shops, small offices, cafes, and service providers. The southern side, facing Friend Street, looks out to just over 14,000 sq. feet of surface parking space.

Zoning Analysis:

In an effort to promote residential development, the Zoning Commission approved text amendments to Article 46 of the code to allow for residential uses in the Bulfinch Triangle



District. The amendment, championed by City Councilor Sharon Durkin, aims to streamline the development process and facilitate the conversion of underutilized parcels into housing units while maintaining the district's character and history.

This change was adopted on March 20, 2025 whereas this proposal was filed on December 20, 2024 and the refusal letter produced on January 31, 2025. The letter cites the proposed project as needing a Conditional Use Permit under Article 46-9; to date Residential Uses including multifamily dwellings are Allowed, provided that any existing nonconformity of the structure does not increase the FAR after conversion. Relief will not be required, as the proposed project is not in violation of the zoning code.

The proposed project is also cited for GCOD Applicability, pursuant to Section 32-4, due to the substantive interior changes and rehabilitation being made on Floors 3 - 6. The City of Boston adopted Article 32 as a means to protect the wood pile foundations of buildings from being damaged by lowered groundwater levels. Particularly because of the change of use allowing for Residential dwellings, GCOD requires the design and installation of a groundwater recharge system capable of capturing 1" of precipitation over the impervious area of the lot, and a certification of no harm to be submitted to ISD and the Boston Groundwater Trust. All proposed uses below the Base Flood Elevation of 19 feet are non-residential and thus acceptable, still, dry floodproofing strategies for the ground floor are recommended.

Recommendation:

In reference to BOA1690497, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1618586
ZBA Submitted Date	2024-06-25
ZBA Hearing Date	2025-11-18
Address	1812 Columbia RD South Boston 02127
Parcel ID	0702706000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Erect a new three-unit residential structure with five parking spaces. Demolish the existing house on the lot.
Relief Type	Variance, Conditional Use
Violations	GPOD Applicability Front Yard Insufficient Roof Structure Restrictions

Planning Context:

The proposed project sits in an established residential area in South Boston's City Point area. Its surroundings consist of a mix of two- to three-story structures with one-unit to multi-unit residential land uses. The Oliver Hazard Perry School as well as several commercial uses (including a grocery store and two local retail establishments) can be found within several blocks of the site. It also fronts the South Boston Yacht Club and has immediate access (within 1,000 ft) to South Boston's Marine Park, Pleasure Bay, and M Street Beach. The MBTA's 11 bus route stops right next to the site.

The project site is currently occupied by a two-story, one-unit residential structure, known as the "Moakley House" (it is formerly the residence of former US Congressman John Joseph "Joe" Moakley). A petition to landmark the structure was submitted to the Boston Landmarks Commission in 2024. In February 2025, the Commission voted to not designate the structure. The proposed project seeks to demolish this existing structure and replace it with a new three-story, three-unit residential structure with five new off-street parking spaces. The unit mix includes one ~700 square foot studio unit and two ~2,000 square foot three-bedroom units; each with its own dedicated decks/open spaces. This project scope aligns with the stated housing goals for the area: to encourage the development of medium-density infill housing, which is appropriate to the existing built environment and prevents overdevelopment (Section



68-6, 2014). It also aligns with the City's overarching housing goals to promote housing diversity and increase the availability of more flexible, family-sized housing options.

While the proposed project site does sit within the City's Coastal Flood Resilience Overlay District (CFROD) and FEMA Flood Hazard Area, the structure's lack of basement living space and siting atop its sloped lot (the structure sits at the highest point of the lot, outside of FEMA's overlay) reduce the impacts of potential flooding on the project.

Zoning Analysis:

The project's proposed front yard (three feet) is less than the subdistrict's required minimum (five feet). While insufficient by the zoning, this proposed figure aligns with the modal front yard setback on both of the proposed project's block frontages (the project is sited on a corner parcel). Because of this alignment with the existing built context, the impacts of this front yard dimension will be negligible.

The project's roof structure restrictions violation relates not to the project's proposed roof or balconies, but rather its proposed height. This is due to a Section 68-29 provision, applicable to sites requiring full or partial demolition of existing structures, which makes new development projects exceeding the building height of the existing structure subject to demolition conditional uses; even if they otherwise comply with the maximum allowed height by zoning. Accordingly, because the proposed project's height (35 feet) is in excess of the height of the existing structure being demolished (32 feet), the project requires a conditional use permit. It is recommended that zoning relief be granted for this violation, due to: (1) the proposal's compliance with underlying zoning requirements for the area (40 foot heights allowed), and (2) its alignment with the existing built form of the surrounding area (of which 35 to 40 foot building heights are the predominate condition). Future zoning reform efforts in this area should consider removing the highlighted roof structure provision, in order to both streamline and better align the area's dimensional requirements with its existing context.

Because the proposed project is located within a Greenbelt Protection Overlay District (GPOD) and triggers the overlay's 5,000 square foot gross floor area applicability threshold, it will require GPOD review to move forward. A proviso for such review has been added to this approval recommendation to satisfy that requirement. It is recommended that such review include efforts to increase flood resiliency through site design and plant selection. An additional proviso for



Planning Department design review has been added to this recommendation to simplify and enhance the articulation of the proposed project's facades and roofline.

Plans reviewed titled, "Proposed Three-Family - 1812 Columbia Road, South Boston, Massachusetts," prepared by Choo & Company Inc. on July 11, 2024.

Recommendation:

In reference to BOA1618586, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans shall be reviewed by the Department of Parks and Recreation due to its location within the Greenbelt Protection Overlay District, that plans shall be submitted to the Planning Department for design review.

Reviewed,

A handwritten signature in black ink, reading "Kathleen Onuf".

Deputy Director of Zoning



Case	BOA1736225
ZBA Submitted Date	2025-06-20
ZBA Hearing Date	2025-11-18
Address	921 to 925 Parker ST Jamaica Plain 02130
Parcel ID	1002333000
Zoning District & Subdistrict	Jamaica Plain Neighborhood MFR
Zoning Article	55
Project Description	The proposed project will add new telecommunications equipment to an existing residential structure with existing telecommunications equipment.
Relief Type	Conditional Use
Violations	Conditional Use

Planning Context:

The proposed project will add new telecommunications equipment to an existing residential structure with existing telecommunications equipment. The property is a residential building within the Mildred Hailey Apartments which according to the project plans is home to an existing telecommunications facility.

The project will add additional telecommunications equipment on the roof of the seven story building. The equipment is proposed within concealed platforms that are similar in scale and location to mechanical equipment on neighboring buildings.

Zoning Analysis:

The project is cited for a violation of Article 86, Section 6 of the Zoning Code which makes rooftop and facade mounted antennae within a residential district a conditional use.

The proposed project will add telecommunications equipment to the roof of an existing residential structure with existing telecommunications equipment on the roof. The telecommunications equipment is proposed within two "concealed platforms" on the flat roof of the seven-story building that will be painted to "match [the] existing structure" per the project plans. The platforms are approximately 144 square feet, eleven feet tall, and will be stepped back from the building cornice by at least ten feet, therefore minimizing the visual impact of the



equipment. The color of the concealed platforms should be chosen to further minimize visual impact.

Recommendation:

In reference to BOA1736225, The Planning Department recommends APPROVAL WITH PROVISIO: that plans are submitted to the Planning Department for design review approval.

Reviewed,

A handwritten signature in black ink, reading "Kathleen O'Neil".

Deputy Director of Zoning



Case	BOA1723491
ZBA Submitted Date	2025-05-21
ZBA Hearing Date	2025-11-18
Address	107 Magnolia ST Dorchester 02125
Parcel ID	1300990000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-5000
Zoning Article	50
Project Description	The project seeks to construct an eight-unit, three story dwelling on a currently vacant site with five off-street parking spaces and two major curb cuts.
Relief Type	Variance
Violations	FAR Excessive Rear Yard Insufficient Front Yard Insufficient Usable Open Space Insufficient Additional Lot Area Insufficient Parking or Loading Insufficient Forbidden Use

Planning Context:

107 Magnolia ST is embedded in the residential fabric of the neighborhood and comprised of single and multi-unit dwellings ranging from 2.5- 3 stories in height. The project site is currently a vacant lot. Residences in the area have ample front, rear, and side yards with off-street parking. The project proposal seeks to erect eight multi-bedroom (two bed & two bathroom) dwellings with five off-street parking spaces and two curb cuts.

Zoning Analysis:

The subject property was cited eight violations in total, six of which pertain to dimensional regulations and two regarding use. According to Article 50 Table B, Multifamily Dwellings are forbidden in the 3F-5000 subdistrict. However, the majority of residences in the area are multi-dwelling units ranging from two to six units. The property is proposing eight units and is subject to Article 79 (Inclusionary Zoning) and will need a housing agreement with the Mayor's Office of Housing (MOH). As the use already exists within the neighborhood and is unlikely to be a nuisance, relief is appropriate.



The project proposal is deficient in the front (zero feet), rear (zero feet) and side yard abutting Magnolia Sq. (3.1 feet). In the 3F-5000 district a front yard of 20 feet, a rear yard of 30 feet, and a side yard of 10 feet are required. Additionally the property was cited for insufficient usable open space. In the 126 sf of usable open space where 650 sf per dwelling unit is required. The massing of this building is quite large for this residential neighborhood as the majority multi-family dwellings have significant front, rear and side yards. In relation, the project was cited for excessive FAR. The property currently proposes a FAR 1.6 while only 0.8 is permitted and the average FAR of the surrounding properties is 1.1. Although this is greater than what is permitted in the zoning district, it highlights that the proposed project would be significantly larger and denser than what currently exists. As such, the scale of this property is incredibly disproportionate and would need a significant reduction in the front, rear, and side yards to bring it into context with the existing neighborhood. As such, zoning relief for the previously noted violations of dimensional regulations is not appropriate. Additionally, of the two ground floor units, only one is accessible.

The property was cited for insufficient off-street parking. According to Article 50 Table H (Off-street parking requirements) one space per dwelling is required at the subject property (eight total spaces) however only five spaces are proposed. Additionally, the City of Boston Public Improvement Commission views a standard curb cut at 10-12 feet however, to access the proposed off-street parking, the project proposes a curb cut nearly double that along Magnolia Sq. The combination of insufficient parking and limited maneuverability inappropriate for the neighborhood and zoning relief should not be granted.

Recommendation:

In reference to BOA1723491, The Planning Department recommends DENIAL WITHOUT PREJUDICE. The proponent should consider a project with compliant front and rear yards and access design to comply with accessibility requirements. A revised project should also be designed to maximize Usable Open Space and create parking accessible through a single curb cut.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1696317
ZBA Submitted Date	2025-03-04
ZBA Hearing Date	2025-11-18
Address	58 Mallet ST Dorchester 02124
Parcel ID	1602868000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-5000
Zoning Article	65
Project Description	Construct new 2.5-story, 2-unit residential building including shared drive lane with 56 Mallet St
Relief Type	Variance
Violations	FAR Excessive Side Yard Insufficient Front Yard Insufficient Usable Open Space Insufficient

Planning Context:

The surrounding context features a mix of residential uses and 2.5- to 3-story building typologies. The project proposes to replace a surface-level parking lot with a 2.5-story residential building. Parking for the proposed project would utilize a shared driveway with the neighboring property, 56 Mallet, helping to reduce the overall impervious paving needed for this project. This two-family housing building is typical of scale and form both on this block and in the subdistrict. While not a traditional triple-decker, the size and design take inspiration from the predominant built form around the parcel.

Future considerations to zoning may consider adjusting dimensional requirements in this district to better reflect existing built form, removing the need for variances of this sort.

Zoning Analysis:

The proposed project triggers four zoning violations. The first violation is in regards to the Floor Area Ratio (FAR) of the project. The zoning allows for a maximum FAR of 0.5, while the proposed project would have an FAR of 0.7. This does not match the context of the immediate neighborhood. Triple-deckers are common in this area of Dorchester, as well as townhouse-style properties, such as the neighboring row of properties. The built reality does not match the



zoning codes, as these typologies are almost impossible to construct at an FAR of 0.5, given typical lot dimensions. This highlights the potential need for zoning reform in this area.

The subject lot is 39' wide. The proposed building is 23' wide, which is a function of the typical floor plates found in this typology. While the total 16' combined side yard setbacks are less than the required 20' total for two 10' side yards, zoning relief is recommended because the western side of the site is afforded a zoning complaint 10' side yard setback to facilitate provision of usable open space. A relatively smaller side yard setback is provided on the eastern side of the lot, where the proposed shared driveway is located.

The front yard setback is insufficient as well. There is a 15-foot requirement, while the proposed project is providing 6 feet. However, this stretch of Mallet Street is defined by its modal street wall. While the proposed project is under the zoning minimum, it is in line with the modal street wall and helps to reinforce neighborhood character.

The final violation concerns usable open space per dwelling unit. The zoning code requires 750 square feet per dwelling, while this project is proposing 636 square feet per unit. While this is lower than the zoning minimum, it is in line with neighborhood design and character. The proposed project matches the typical front, rear, and side yards found in this area. Most buildings in the surrounding area do not meet this minimum requirement. This again reflects a disconnect between zoning and the built reality of the neighborhood.

Recommendation:

In reference to BOA1696317, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1728734
ZBA Submitted Date	2025-05-30
ZBA Hearing Date	2025-11-18
Address	725 Adams ST Dorchester 02124
Parcel ID	1603457000
Zoning District & Subdistrict	Dorchester Neighborhood MFR
Zoning Article	7
Project Description	Reduce parking spaces to 27, from 40 spaces required by a 1966 proviso
Relief Type	Variance
Violations	Remove Proviso

Planning Context:

The proposed project seeks to modify the parking requirements for a shared lot, focusing specifically on the spaces associated with the property at 735 Adams St. The project proposes to remove 13 parking spaces from the total lot. This total lot currently operates under a 1966 Proviso that mandates a minimum of 40 off-street parking spaces be provided across the shared properties. The core of the proposal is to get the Zoning Board of Appeal to reduce the required 40 spaces codified in the 1966 Proviso down to a new minimum of 27 spaces. This proposal fits well within the local context. This parcel is located outside of Adams Village, an economic center for the neighborhood. Parking is not the highest and best use of land in the center of a well-used commercial node. This reduction would be in line with city planning goals to reduce car dependency and encourage alternative transit. By removing this parking, a parcel currently being used for parking would become more welcoming to potential future developments.

This ZBA is in conjunction with case BOA1728737, as the parking lot between 725 and 735 Adams Street is shared. This half of the ZBA case is in regards to 725 Adams St, a 30-unit building. The 1966 Proviso associated 27 parking spaces with this building, and the actual reduction in parking is taking place at 735 Adams St. The project seeks to reduce the 735 Adams St allocation from 27 spaces down to 13 spaces, which accounts for the overall 13-space removal from the total lot as the property at 725 Adams St is not seeing a reduction in its associated parking spaces. However, because the total lot falls under the single 1966 Proviso



for 40 spaces, this renovation to the lot triggers the need to address the proviso across both properties in two corresponding cases.

Zoning Analysis:

The proposed project seeks to remove the proviso established in 1966 that requires 40 off-street parking spaces. The current city zoning for a residential development calls for a ratio of 1.5 parking spaces for every unit, meaning the 30-unit building at 725 Adams St would today require 45 spaces. The parcel in question is currently a 30-unit apartment building with 13 provided parking spaces as per the 1966 allocation, which is already below the required 45-space zoning minimum. The proposed reduction would leave the 13 spaces for the 30-unit building at 725 Adams St with the overall reduction in the total lot being associated with 735 Adams St. If this parking count, 13 spaces for 30 units, were proposed for a new project today, it would not meet the current zoning minimum off-street requirement of 45 spaces.

The project is seeking relief from the 1966 Proviso because its requirements are now outdated. The Boston Transportation Department has identified this area as being able to support projects with little or no parking at all, and this reduction in spaces brings this existing lot in line with neighborhood character and city transportation policy. By reducing the parking on this parcel, a new buildable open space will be opened up, which allows for a better and higher usage of the land as well.

Recommendation:

In reference to BOA1728734, The Planning Department recommends APPROVAL WITH PROVISIO/S: That the pedestrian access guaranteed to 735 Adams St by the 1966 proviso be preserved.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1728737
ZBA Submitted Date	2025-05-30
ZBA Hearing Date	2025-11-18
Address	735 Adams ST Dorchester 02124
Parcel ID	1603457001
Zoning District & Subdistrict	Dorchester Neighborhood MFR
Zoning Article	7
Project Description	Reduce parking spaces to 27, from 40 spaces required by a 1966 proviso for 2 associated buildings
Relief Type	Variance
Violations	Remove Proviso

Planning Context:

The proposed project seeks to modify the parking requirements for a shared lot, focusing specifically on the spaces associated with the property at 735 Adams St. The project proposes to remove 13 parking spaces from the total lot. This total lot currently operates under a 1966 Proviso that mandates a minimum of 40 off-street parking spaces be provided across the shared properties. The core of the proposal is to get the Zoning Board of Appeal to reduce the required 40 spaces codified in the 1966 Proviso down to a new minimum of 27 spaces. This proposal fits well within the local context. This parcel is located outside of Adams Village, an economic center for the neighborhood. Parking is not the highest and best use of land in the center of a well-used commercial node. This reduction would be in line with city planning goals to reduce car dependency and encourage alternative transit. By removing this parking, a parcel currently being used for parking would become more welcoming to potential future developments.

This ZBA is in conjunction with case BOA1728734, as the parking lot between 725 and 735 Adams Street is shared. This half of the ZBA case is in regards to 735 Adams St, a 30-unit building. The 1966 Proviso associated 27 parking spaces with this building, and the actual reduction in parking is taking place at 735 Adams St. The project seeks to reduce the 735 Adams St allocation from 27 spaces down to 13 spaces, which accounts for the overall 13-



space removal from the total lot as the property at 725 Adams St is not seeing a reduction in its associated parking spaces. However, because the total lot falls under the single 1966 Proviso for 40 spaces, this renovation to the lot triggers the need to address the proviso across both properties in two corresponding cases.

Zoning Analysis:

The proposed project seeks to remove the proviso established in 1966 that requires 40 off-street parking spaces. The current city zoning for a residential development calls for a ratio of 1.5 parking spaces for every unit, meaning the 30-unit building at 735 Adams St would today require 45 spaces. The parcel in question is currently a 30-unit apartment building with 27 provided parking spaces as per the 1966 allocation, which is already below the required 45-space zoning minimum. The proposed reduction would leave 13 spaces for the 30-unit building at 735 Adams St with the other remaining spaces in the total lot being associated with 725 Adams St. If this parking count, 13 spaces for 30 units, were proposed for a new project today, it would not meet the current zoning minimum off-street requirement of 45 spaces.

The project is seeking relief from the 1966 Proviso because its requirements are now outdated. The Boston Transportation Department has identified this area as being able to support projects with little or no parking at all, and this reduction in spaces brings this existing lot in line with neighborhood character and city transportation policy. By reducing the parking on this parcel, a new buildable open space will be opened up, which allows for a better and higher usage of the land as well.

Recommendation:

In reference to BOA1728737, The Planning Department recommends APPROVAL WITH PROVISIO/S: That the pedestrian access guaranteed to 735 Adams St by the 1966 proviso be preserved.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1709606
ZBA Submitted Date	2025-04-15
ZBA Hearing Date	2025-11-18
Address	56 Old Morton ST Mattapan 02126
Parcel ID	1703735000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-6000
Zoning Article	65
Project Description	The proposal is converting an existing two car garage into an accessory dwelling unit.
Relief Type	Variance
Violations	FAR Excessive Rear Yard Insufficient Side Yard Insufficient Two or More Dwelling Same Lot

Planning Context:

The Proposed Project would convert an existing garage on site into a new detached accessory dwelling unit (ADU). The site presently contains a two-story two-family house along Old Morton St and a two car garage towards the rear of the parcel along Wichita Terrace. The surrounding context is a mixture of various scale homes from two-family to multi-family. The neighboring parcels also vary in size. The work to convert the garage to an ADU would be connecting utility lines, updating the walls to be up to code for residency and adding rooms. The site is within PLAN: Mattapan which encourages the development of ADUs where opportunistic. The PLAN goes on to specifically identify sites that are larger and have ADU potential which includes the site in question. The ADU Guidebook provides additional recommendations in reference to design; this type of ADU is described in the Guidebook as “Adapt Your Garage” and offers guidance on how to ensure adequate access paths for the fire department from the street to the proposed ADU. The proposed path would be 14’-0” surpassing the recommended 10’-0” minimum.

Zoning Analysis:

The project as proposed would have more than one dwelling on the same lot, have an excessive FAR, insufficient side yard and insufficient rear yard. The side yard setback is an existing violation at 5’-1” when the required is 10’-0”. The rear yard setback is also an existing



violation at 10'-3" when the required is 20'-0". The ADU proposed would be within the same square footage as the existing garage therefore not increasing or worsening any existing yard setback violations. The FAR would be considered excessive due to ground level garage spaces not counting towards gross floor area so with the change of the garage to occupied residential space it is now included. As mentioned, the work will not extend or grow the space outside of the existing built garage therefore making no new impact to the site. Lastly in reference to the excessive dwelling on the same lot violation, the proposed project is in line with city planning recommendations. It is following the standards set forth by the City's ADU Guidebook and achieving recommendations from PLAN: Mattapan.

"56R Old Morton St" Drawn by SIC Design Dated September 3, 2024.

Recommendation:

In reference to BOA1709606, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1732175
ZBA Submitted Date	2025-06-10
ZBA Hearing Date	2025-11-18
Address	56R Wichita TE Mattapan 02126
Parcel ID	1703735000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-6000
Zoning Article	65
Project Description	The proposal is converting an existing two car garage into an accessory dwelling unit as part of a companion case.
Relief Type	Variance
Violations	FAR Excessive Rear Yard Insufficient Side Yard Insufficient Two or More Dwelling Same Lot

Planning Context:

The Proposed Project would convert an existing garage on site into a new detached accessory dwelling unit (ADU). The site presently contains a two-story two-family house along Old Morton St and a two-car garage towards the rear of the parcel along Wichita Terrace. The surrounding context is a mixture of various scale homes from two-family to multi-family. The neighboring parcels also vary in size. The work to convert the garage to an ADU would be connecting utility lines, updating the walls to be up to code for residency and adding rooms. The site is within PLAN: Mattapan which encourages the development of ADUs where opportunistic. The PLAN goes on to specifically identify sites that are larger and have ADU potential which includes the site in question. The ADU Guidebook provides additional recommendations in reference to design; this type of ADU is described in the Guidebook as “Adapt Your Garage” and offers guidance on how to ensure adequate access paths for the fire department from the street to the proposed ADU. The proposed path would be 14’-0” surpassing the recommended 10’-0” minimum.

Zoning Analysis:

The project as proposed would have more than one dwelling on the same lot, have an excessive FAR, insufficient side yard and insufficient rear yard. The side yard setback is an



existing violation at 5'-1" when the required is 10'-0". The rear yard setback is also an existing violation at 10'-3" when the required is 20'-0". The ADU proposed would be within the same square footage as the existing garage therefore not increasing or worsening any existing yard setback violations. The FAR would be considered excessive due to ground level garage spaces not counting towards gross floor area so with the change of the garage to occupied residential space it is now included. As mentioned, the work will not extend or grow the space outside of the existing built garage therefore making no new impact to the site. Lastly in reference to the excessive dwelling on the same lot violation, the proposed project is in line with city planning recommendations. It is following the standards set forth by the City's ADU Guidebook and achieving recommendations from PLAN: Mattapan.

"56R Old Morton St" Drawn by SIC Design Dated September 3, 2024.

Recommendation:

In reference to BOA1732175, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1720983
ZBA Submitted Date	2025-05-14
ZBA Hearing Date	2025-11-18
Address	704 Metropolitan AV Hyde Park 02136
Parcel ID	1807570000
Zoning District & Subdistrict	Hyde Park Neighborhood 2F-5000
Zoning Article	69
Project Description	Construct a new six-unit residential building on a vacant lot.
Relief Type	Variance
Violations	Rear Yard Insufficient Lot Area Insufficient FAR Excessive Height Excessive (stories) Usable Open Space Insufficient Front Yard Insufficient Height Excessive (ft) Side Yard Insufficient Parking design and maneuverability Parking or Loading Insufficient Maximum Number of Allowed Dwelling Units on Lot Exceeded Use: Forbidden (Multifamily Residential)

Planning Context:

The proposed project is located in an area of Metropolitan Avenue where one side of the street is in a 2F subdistrict, and the other side of the street is a 1F subdistrict. Other properties in the 2F subdistrict vary in scale from single- unit dwellings to six-unit dwellings. Structures vary between two and three stories in the 2F subdistrict. However, due to the variety in grade, some structures have a first floor above street level. The proposed project was first submitted as a four-story structure with eight residential units, but the plans have been revised to reduce the scope to a three-story structure with six units, matching some of the surrounding context. While this area of Hyde Park is zoned as a two-unit residential subdistrict, the surrounding neighborhood fabric comprises structures with up to six dwelling units in a similar arrangement, height, and massing to the proposed project. As such, the proposed use is contextually appropriate. The open space and lot area violations follow from the use restrictions, and also merit relief based on context.



Zoning Analysis:

The proposed project is located in a 2F-5000 zoning subdistrict in the Hyde Park Neighborhood. The most recent set of plans submitted to the ZBA for review revise the project such that the violations for height in feet and rear yard dimension have been changed to meet zoning dimensional regulations.

The proposed project is located less than one block from River Street, a major bus corridor through Hyde Park. As such, the proposed number of parking spaces for the project, one per unit (six total spaces) is sufficient for the area, despite being below the zoning threshold of 2 spaces per dwelling unit. The proposed parking arrangement aligns with City goals to reduce reliance on single-occupancy vehicle transportation.

The yard dimensions of the proposed project match the surrounding context of the built environment. Other properties on this side of the block have a comparable front yard dimension to the proposed 13'-2", measuring between 10' and 17', compared to the required 20' per Article 69. The six-foot side yard matches the side yard dimension on neighboring properties on the side of the dwelling that does not contain a driveway. The nonconforming setback on the side of the dwelling with the driveway is due to the shared driveway condition. If the driveway were part of the 704 Metropolitan Avenue parcel, there would be no violation. However, the shared driveway is a preferred condition, as it reduces the number of potential curb cuts along Metropolitan Avenue, leading to improved sidewalk safety.

Given the project's dimensional alignment with the surrounding structures, relief is also recommended for the excessive FAR violation.

Review and analysis is based on the plans prepared by Context, dated August 7, 2025.

Recommendation:

In reference to BOA1720983, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1732895
ZBA Submitted Date	2025-06-11
ZBA Hearing Date	2025-11-18
Address	8 to 12 Amherst ST Roslindale 02131
Parcel ID	2000159000
Zoning District & Subdistrict	Roslindale Neighborhood 2F-5000
Zoning Article	67
Project Description	Demolish an existing two-unit residence and build a new 3-story, 3-unit townhouse building.
Relief Type	Variance, Conditional Use
Violations	Lot Area Insufficient FAR Excessive Height Excessive (stories) Usable Open Space Insufficient Side Yard Insufficient Rear Yard Insufficient Lot Frontage Insufficient Conformity with Existing Building Alignment Use: Forbidden Location of Main Entrance

Planning Context:

8-12 Amherst St is located in a 2F-5000 zoning subdistrict that directly abuts the S4 Squares + Streets zoning subdistrict. Consequently, this address is located in an area of Roslindale that transitions from primarily commercial uses to primarily residential dwellings. This address is also located within a 5 minute walk of Fallon Field Playground and Adams Park.

The residential unit mix of this area is diverse, but features predominantly two-unit and three-unit homes with high lot coverage, relatively compact yards, and are 2.5-3 stories in height. Currently, 8-12 Amherst St represents a singular address, 12 Amherst St, where there exists a two-unit dwelling. This dwelling would be demolished to make room for the proposed three townhomes. Considering this context, the proposal to build three new homes on this vacant lot fits within the surrounding neighborhood context. It also introduces new housing within proximity to transit resources by way of the Roslindale Village MBTA Commuter Rail stop and bus routes along Belgrade and Washington Streets, located within a 3 minute walking distance.



Zoning Analysis:

This project has received ten zoning citations: forbidden use; conformity with existing building alignment; location of main entrance; lot area and usable open space insufficient; FAR and height excessive; and side, rear, and lot frontage insufficient.

The FAR, lot area, use, and number of allowed stories are violations that are all in service of providing additional housing units. The maximum FAR for this subdistrict is 0.5 and this project proposes a 1.18 FAR. The lot area required is 8,000 sq ft, but this project sits on a 5,000 sq ft lot. 3-unit townhomes are a forbidden use because it violates the maximum unit count of 2. The maximum stories allowed is 2.5 and this project goes up to 3 stories. While these violations exceed current dimensional and use limits, they are consistent with the surrounding residential context, where similar multi-unit structures and three-story homes already exist. The slightly higher FAR is justified by the project's goal of delivering high-quality, family-oriented housing on a modestly sized lot. Collectively, these variances highlight the outdated nature of the existing zoning code, which restricts the type and scale of housing necessary to meet the needs of a growing neighborhood. In particular, 3-bedroom housing units capable of accommodating families are important to supply in a growing, multigenerational neighborhood.

This plan has also triggered a "Conformity with Existing Building Alignment" violation. Though plans do not show the proposed project relative to existing buildings on the same block, the plans indicate a 5 ft front lot depth. Aerial images of the buildings along this block exhibit varying lot depths, meaning conformity already does not exist. Therefore, the proposed 5 ft depth is not inherently out of line with existing on-the-ground patterns. Since this aligns with the general character of the block, relief is recommended.

For three units on one lot, 5,250 sq ft of open space is required but this project proposes 700 sq ft. Given the lot's immediate proximity to Roslindale Village, a dense mixed-used commercial corridor where smaller lot sizes and limited private open space are characteristic of the surrounding urban fabric, relief is recommended. Furthermore, in this context, prioritizing additional housing units over private open space supports greater density directly adjacent to existing amenities, transit, and neighborhood services. The project's close proximity to two public parks that provide ample access to open space further justifies relief from these requirements.



Lot frontage, side, and rear yards are cited as additional violations but relief is recommended for reasons similar to the open space citation. The lot frontage required is 50 ft and the lot frontage for this project is 50 ft, so this is an incorrect zoning violation. The front yard required is 20 ft and this project proposes 5 ft. Similarly, the side yard required is 10 ft but the project proposes 3 ft and 11 ft on opposite sides. The rear and side yards are consistent in character with surrounding residential properties, many of which have similarly compact setbacks to reflect the more urban setting of this area of Roslindale. Relief is recommended.

Location of main entrance is cited as a violation for one of the three units. Article 67 Section 9.3 states that "within the Residential Subdistricts, the main entrance of a Dwelling shall face the Front Lot Line." One unit's main entrance was cited for not facing the front lot line, which presents as an issue to the fire department. The Planning Department recommends Design Review to work with the proponent on enhancing the walkway, lighting, and adding signage that clearly indicates where the main entrance to unit three is located. Relief is recommended once appropriate entryway visibility is met.

Plans reviewed are titled "New Multi-Family Dwelling 8-12 Amherst Roslindale, MA", are prepared by McKay Architects, and dated September 19, 2025.

Recommendation:

In reference to BOA1732895, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review to work with the proponent on enhancing the walkway, lighting, and adding signage that clearly indicates where the main entrance to unit three is located.

Reviewed,

A handwritten signature in black ink, reading "Kathleen O'Connell".

Deputy Director of Zoning



Case	BOA1762986
ZBA Submitted Date	2025-08-13
ZBA Hearing Date	2025-11-18
Address	6 Manton TE Allston 02134
Parcel ID	2101494000
Zoning District & Subdistrict	Allston/Brighton Neighborhood MFR-1
Zoning Article	51
Project Description	Change the use on an existing residential building from three (3) to four (4) residential dwelling units through conversion of the existing basement level.
Relief Type	Variance, Conditional use
Violations	FAR Excessive Parking or Loading Insufficient Extension of nonconforming use Lot Area Insufficient

Planning Context:

6 Manton Terrace is located on a narrow residential cul-de-sac off Manton Street in Allston, just south of Cambridge Street and within walking distance of the Harvard Avenue commercial corridor. The surrounding area consists primarily of three-story multifamily homes and triple-deckers on small lots, many of which contain basement or attic apartments that predate current zoning. The street has a cohesive residential character and limited off street parking, with most residents relying on on-street parking or transit access via nearby bus routes along Cambridge Street.

The property is an existing three-family dwelling within the MFR-1 District, representative of Allston's early- to mid-20th-century housing stock. The proposal creates a basement-level apartment, resulting in a four-unit building with minimal exterior changes limited to window wells and egress improvements. The project maintains the existing scale, massing, and use of the structure, reflecting a typical pattern of small-scale housing adaptation across Allston's multifamily districts where incremental legalization and reinvestment continue to meet neighborhood housing demand.

Zoning Analysis:



The proposal to convert the basement level of an existing three-family dwelling into a legal dwelling unit, resulting in a four-unit residential structure, has been reviewed against Article-51. The work involves interior renovation, new egress windows, and code-compliant ventilation and ceiling heights. The building will remain three stories, fully sprinklered, with no off-street parking.

Article 51, Section 9: Relief is required for dimensional noncompliance related to insufficient lot area per dwelling unit and excessive floor-area ratio. The lot size cannot accommodate a fourth unit under current MFR-1 standards; however, the additional unit is achieved entirely within the existing footprint, representing efficient reuse rather than expansion.

Article 9, Section 1: Relief is required for extension of a nonconforming structure due to a pre-existing side-yard deficiency. The proposal does not alter the building's exterior footprint or height, maintaining the existing setback condition.

Article 51, Section 56: No off-street parking is provided for the new unit, triggering a variance. Given the property's location near Cambridge Street transit routes and the compact residential pattern of Manton Terrace, relief is appropriate and consistent with similar conversions in the neighborhood.

Given the project's compatibility with surrounding residential use, limited exterior work, and conversion entirely within the existing building envelope, the requested variances are reasonable and appropriate. The case underscores the need for zoning reform to modernize dimensional standards and support lawful small-scale infill consistent with Allston's established multifamily character.

Plans reviewed: "Legalize Basement Apartment" prepared by Com Inc. Architects, dated April 16, 2025

Recommendation:

In reference to BOA1762986, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1749533
ZBA Submitted Date	2025-07-17
ZBA Hearing Date	2025-11-18
Address	27 to 29 Everett ST Allston 02134
Parcel ID	2201763000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 3F-4000
Zoning Article	51
Project Description	Change use from three units to six units by adding three units in the rear through a three-story addition on an existing three-unit residential building.
Relief Type	Variance
Violations	Parking or Loading Insufficient Additional Lot Area Insufficient FAR Excessive Height Excessive (ft) Height Excessive (stories) Usable Open Space Insufficient Rear Yard Insufficient Use: Forbidden (Multi-family)

Planning Context:

The proposed project seeks to change the use of an existing three-unit residential building at 27-29 Everett Street in Allston to six-units. The three additional units would be created through a three-story rear addition. The existing building is a three-story three-unit residential building on a lot that is 5,000 square feet. The rear is currently paved and used for parking. While this portion of Everett Street closer to North Beacon Street is zoned as 3F-4000, the abutting property is zoned as Guest Street LI-2. As a result, this area contains a mix of residential buildings that are predominantly three-unit and multi-family units. Additionally, it is also within close proximity to 15 North Beacon Street, a mixed-use building with heights that range from five to ten stories. The proposed project would further the goals highlighted in the Allston-Brighton Needs Assessment (January 2024) as it highlighted a need for housing and density. This project would help meet this need as it would increase the housing supply in a manner consistent with the surrounding built environment.

Zoning Analysis:



The refusal letter cites eight violations: insufficient parking, insufficient lot area, excessive FAR, excessive height in both feet and stories, insufficient open space, insufficient rear yard, and a forbidden use.

Under Article 51, for an area zoned 3F-4000, a multi-unit dwelling is a forbidden use. However, relief is warranted for this as many properties along the Everett Street and North Beacon Street intersection are multi-unit or mixed-use buildings. This can be seen with 15, 31, and 37 North Beacon Street. This is a case of zoning reform to better align the zoning with the built environment.

In regards to parking, the minimum parking ratio is 1.75 spaces per dwelling unit which would require a total of ten spaces. The proposed project is proposing four spaces. Relief is warranted due to the site's proximity to transit options including the MBTA bus lines such as the 64, 66, and 57. Additionally, the Boston Landing Commuter Rail Stop is also 0.2 miles away. This is also a case of zoning reform in regards to the parking requirement and necessity. As many options are available within a 5 minute walk of the proposed project, it reduces the need to have 10 parking spaces on site.

The minimum required lot size is 4,000 square feet for 1 or 2 units and then an additional 2,000 square feet for each additional unit. This means that a six-unit residential building would require a lot size of 12,000 square feet. The proposed project is on a lot that is 5,000 square feet. However, relief is warranted as many multi-use properties within the 3F-4000 subdistrict along the intersection of Everett Street and North Beacon Street do not meet this requirement. This can be seen with 12 Everett Street, which is a multi-unit residential building comparable in size to the proposed project, on a lot that is 5,780 square feet.

The maximum allowed FAR is 0.8 while the project is proposing an FAR of 1.43. This increase reflects the additional living space created through the addition of three new units on a relatively small lot. The proposed FAR is also comparable to the multi-unit properties in the area. For example 25 Everett is a four-unit residential building with an estimated FAR of 1.21.

The project is proposing a height of 4-stories and 46 feet. While this exceeds the maximum allowed height of 3-stories and 35 feet, relief is warranted because of two factors: the increase in living space that is created through this project and the current built environment of this portion of Everett Street. Many nearby properties along this portion of Everett Street are four-stories. 25 Everett Street which directly abuts the proposed project is four-stories and 24 Everett



Street, which is across the street from the proposed project, is also four-stories. Additionally, the increase in height will create a pitched roof that better complements the surrounding built environment as many of the abutting properties all feature a pitched roof, compared to the existing flat roof.

The project is proposing 225 square feet of usable open space per dwelling unit while the minimum required amount is 650 square feet per unit. Relief is warranted because this project is adding additional living space to an existing residential building on a 5,000 square foot lot. The existing building footprint significantly limits the amount of available open space, especially to accommodate adequate living areas and while accommodating off-street parking spaces.

The project proposes a rear yard of 18 feet while the minimum required amount is 30 feet. Relief is warranted for this due to the size and configuration of the lot, which measures at 50 feet by 100 feet. To provide adequate living space in a manner consistent with the current built environment, a reduction in the rear yard was necessary. Although the rear addition decreased the rear yard, its visual impact is minimal as it abuts the rear yard of 10-16 Clevemont Avenue, which is currently used for parking.

The plans reviewed are titled ZBA REFUSED EPLANS_27 - 29 EVERETTE ST_ALT1719036 (1) and are dated May 5, 2025. They were prepared by David Harmon Architecture.

Recommendation:

In reference to BOA1749533, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review to ensure that the parking layout meets adequate maneuverability requirements.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1692087
ZBA Submitted Date	2025-02-14
ZBA Hearing Date	2025-11-18
Address	15 to 19 Edinboro ST Boston 02111
Parcel ID	0304434000, 0304433000
Zoning District & Subdistrict	Chinatown Historic Chinatown Protection Area
Zoning Article	32, 43
Project Description	Change use from restaurant, photo studio, artist studio, and tailor shop to restaurant, three live-work units (bike shop, Kung Fu studio, art gallery), and five residential units.
Relief Type	Conditional Use, Variance
Violations	GCOD Applicability Parking or Loading Insufficient

Planning Context:

The proposed project is located within the Chinatown neighborhood, approximately 900 feet from the Chinatown Orange Line MBTA Station, and just north of the Chinatown Gate. The proposed substantial rehabilitation of the existing building converts the existing uses of restaurant, photo studio, artist studio, and tailor shop to be a restaurant, three live-work units for a bike shop, Kung Fu studio, and art gallery, and five additional residential units.

Given the proximity to transit and a walkable area, and the transportation mode shift goals outlined in Go Boston 2030, a lower-than-required parking ratio is acceptable. Additionally, the proposed Chinatown rezoning (draft November 2024) includes the removal of parking minimums.

PLAN: Downtown (updated 2025) recommends creating additional housing options while preserving the existing built fabric and promoting cultural activities and new small businesses. The proposed project will add new housing units to the neighborhood and provide additional opportunities for small businesses with the live-work units.



Zoning Analysis:

The project is cited for GCOD applicability due to substantial rehabilitation pursuant to Section 32-4. Consequently, the project is subject to GCOD review by the Boston Water and Sewer Commission. This case supports zoning reform, which was recently passed in October 2025, where substantial rehabilitation projects no longer require a conditional use permit from the Board of Appeal, but rather must follow a typical building permit process while still getting reviewed by the Boston Groundwater Trust and the BWSC.

The project is also cited for insufficient parking; although the project is located within a restricted parking district, it still has requirements for parking associated with the residential units pursuant to Section 43-23 and Section 23-1. However, adding parking would require part of the existing structure to be demolished and is infeasible for this kind of substantial rehabilitation; this presents a case for zoning reform.

Plans reviewed are titled "15-19 Edinboro Street," prepared by Hresko Associates, Inc., and dated July 19th, 2024.

Recommendation:

In reference to BOA1692087, 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	BOA1697382
ZBA Submitted Date	2025-03-07
ZBA Hearing Date	2025-11-18
Address	417 to 421 Hyde Park AV Roslindale 02131
Parcel ID	1904608000
Zoning District & Subdistrict	Roslindale Neighborhood NS
Zoning Article	67
Project Description	The property owner seeks to change commercial use from a wellness spa to a cannabis dispensary. There will be no changes made to the exterior building footprint.
Relief Type	Variance, Conditional Use
Violations	Use: Conditional Screening & Buffering Requirement

Planning Context:

417-421 Hyde Park Ave is located in a small pocket of commercial establishments surrounded more generally by residential areas. A liquor store and an auto body shop neighbors the building. Across the street are detached, multi-unit homes in addition to an auto insurance agency. The location is in compliance with Cannabis Control Commission (CCC) buffer zones as well as city of Boston regulations. There is an impassable barrier condition met with the nearby Philbrick Elementary School, located a five minute walk away. Furthermore, there are no libraries, community centers, or similarly sensitive uses in close proximity.

The proposed project seeks to change the occupancy, from a wellness and medspa to a retail cannabis dispensary operated by Zenith United LLC (co-owned by a lifelong Hyde Park resident and lifelong Roxbury resident). Minor interior renovations are also planned in order to fit-out the space for the proposed cannabis-related retail use. Furthermore, there will be on-site parking, full ADA compliance, and safety lighting and surveillance installed for evening business.

Zenith United LLC began community outreach in February 2024 to build community support and developed relationships with local neighborhood associations. They have received over 200 signatures from local residents in support in addition to letters of support submitted from two elected officials.

Zoning Analysis:



This project has two zoning citations: forbidden use and screening & buffering.

Cannabis establishments are conditionally allowed in Neighborhood Shopping subdistricts "provided that any cannabis establishment shall be sited at least one-half mile or 2,640 feet from another existing cannabis establishment and at least 500 feet from a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12. Distances shall be determined from the nearest lot line of the proposed establishment to the nearest lot line of an existing establishment or school. Use approval shall be applicable to the applicant only." This location complies with distanced-based buffer requirements between other cannabis establishments and schools. Additionally, the proponent has demonstrated community outreach and gained local support for this retail establishment. Therefore, a conditional use permit is recommended.

Plans nor aerial images do not demonstrate adherence to the screening and buffering requirement. According to Article 67 Section 30 "Where any Lot line of a Proposed Project located in a Neighborhood Business Subdistrict... abuts (a) a public park, or (b) a Residential Subdistrict or Residential Use... such Proposed Project shall provide and maintain, along each Lot line abutting such street, park, subdistrict, or use, a strip of shrubs and trees densely planted along the inside edge of a solid wall or board type wooden fence that is constructed to be at least sixty percent (60%) opaque." Although the lack of screening and buffering is not ideal, it is an existing nonconformity, as this commercial use has long served 417–421 Hyde Park Ave. Moreover, given that the abutting property in the residential subdistrict is an auto shop rather than a dwelling, the absence of screening is less impactful and more contextually appropriate for the surrounding land use. Therefore, granting relief is recommended.

Plans reviewed are titled "417 Hyde Park Ave", are prepared by 686 Architects, and dated November 15, 2023.

Recommendation:

In reference to BOA1697382, The Planning Department recommends APPROVAL.

Reviewed,

Deputy Director of Zoning



Case	BOA1733651
ZBA Submitted Date	2025-06-13
ZBA Hearing Date	2025-11-18
Address	26 Barnard PL South Boston 02127
Parcel ID	0603339010
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Erect new two-unit residential structure with two parking spaces.
Relief Type	Variance
Violations	FAR Excessive Height Excessive Additional Lot Area Insufficient Front Yard Insufficient Parking design and maneuverability Parking or Loading Insufficient Application of Dimensional Requirements (Traffic Visibility Across a Corner Lot)

Planning Context:

The proposed project sits in an established residential area of South Boston - just above the neighborhood's Telegraph Hill area, between both East Broadway and East 1st Street. Its immediately surrounding context consists of a mix of two- to four-story residential structures, with a range of one-unit to multi-unit uses. A variety of civic + commercial uses (including retail, restaurant, and service establishments) can be found within a two block radius of the project site, especially along East Broadway and K Street. Stops for the MBTA's 7, 9, and 10 routes are also accessible to the site within the same range.

The project site sits on one of the corners of Barnard Place, a T-shaped dead-end private way that sits within the block bounded by Emmet Street, East 2nd Street, I Street, and East 3rd Street. The ~2,000 square foot lot is currently vacant and used as surface parking for its neighboring properties.

The proposed project seeks to erect a new three-and-a-half-story, two-unit residential structure on the vacant lot. Both units can accommodate larger households, with each having four bedrooms and ~2,400 square feet of living area. The project also proposes an off-street parking space and private roof deck for each unit. This scope aligns with the area's stated planning



goals: to encourage the development of medium-density infill housing, which is appropriate to the existing built environment and prevents overdevelopment (Section 68-6, 2014). It also aligns with the City's overarching housing goals to promote housing diversity and increase the availability of more flexible, family-sized housing options (Housing a Changing City, Boston 2030 - September 2018).

Zoning Analysis:

The proposed project's lot area, while insufficient by zoning's standards (3,000 square feet required, 2,000 square feet existing/proposed), is an existing condition, not proposed to be changed or worsened. In fact, despite the zoning's allowances, the lot is actually one of the larger sites that can be found across the surrounding area. Because many of the project's neighboring properties feature similar two-unit (or greater) residential uses on far smaller lots (~1,000 square feet), the impacts of this violation will be negligible.

Similarly, the project's height, FAR, and front yard violations are common conditions with existing precedent across the area. The project's proposed FAR (2.0 allowed, 2.35 proposed), although on the upper end, falls within the range of common figures found around the site (surrounding properties range from 1.5 - 2.5 FAR, and on both smaller and larger lots). Its excessive building height (40 feet allowed, 43.5 feet proposed) meanwhile, is a proposed condition already found on several lots (and with more significantly built out upper stories) within proximity to the site (two block radius). The effects of this height are minimized due to the project's inner-block location (which largely shields its impacts on the public right of way) as well as its upper story stepback (five to ten feet on each side). While the project's insufficient front yard dimension (five feet required, three feet proposed) is more shallow than its abutting properties (~twenty foot setback), it is contextual (and less severely nonconforming) to site conditions on lots with similarly scaled structures across the surrounding area (zero-lot line condition is typical). Accordingly, each of these violations are viewed as appropriate for the site.

The proposed project's off-street parking count, while one spot short of the zoning requirement (three spaces required, two proposed), aligns with the Boston Transportation Department's maximum recommended parking ratios for the area (one to one). Its design too, while not appropriate on all sites in the area, is for this property, given: (1) its shallow lot, which prevents the creation of tandem spaces or rear yard parking (without sacrificing significant living area); and (2) its location on an infrequently traveled dead-end private way (which minimizes the need for additional corner visibility). While two new curb cuts are proposed for site, they both align



with the City's preferred dimensions (twelve foot width allowed, ten foot width proposed) and replace two larger curb cuts already existing on the site.

Plans reviewed titled, "26 Barnard Place, Boston, MA 02127," prepared by Design Resource Team, LLC on May 22, 2025.

Recommendation:

In reference to BOA1733651, The Planning Department recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, reading "Kathleen O'Neil".

Deputy Director of Zoning



Case	BOA1766192
ZBA Submitted Date	2025-08-20
ZBA Hearing Date	2025-11-18
Address	1948 to 1950 Washington ST Roxbury 02118
Parcel ID	0801884000
Zoning District & Subdistrict	Roxbury Neighborhood Newmarket IDA
Zoning Article	50
Project Description	The proponents are seeking to change an existing restaurant to a restaurant with live entertainment use.
Relief Type	Conditional Use
Violations	Conditional Use

Planning Context:

The proponents seek to add live entertainment to the existing restaurant, therefore changing its use to a restaurant with entertainment. No work will be done with this use change. Located on Washington Street which serves as a central corridor for the Roxbury Neighborhood, the restaurant is located on the ground floor of a mixed use building with residential use above. Similar mixed use buildings can be found along this corridor containing commercial uses on the bottom with residential above. This active cultural/ entertainment use would be in line with the Roxbury Strategic Master Plan (2004).

Zoning Analysis:

The proponents are seeking a conditional use permit for a restaurant with entertainment. The proposed use would be contextually appropriate given the location along a central corridor featuring a variety of commercial uses. The use will not cause disruption with new construction or displacement due to it being proposed in an existing restaurant. Due to the proposed meeting the conditions of Section 6-3 required for approval, a conditional use permit is recommended.

Recommendation:

In reference to BOA1766192, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

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

Deputy Director of Zoning



Case	BOA1770724
ZBA Submitted Date	2025-08-29
ZBA Hearing Date	2025-11-18
Address	44 Centre ST Roxbury 02119
Parcel ID	0903465000, 0903466000, 0903467000, 0903468000, 0903469000
Zoning District & Subdistrict	Roxbury Neighborhood Urban Wild Open Space (OS-UW)
Zoning Article	50
Project Description	The project proposes combining five parcels and constructing a single unit dwelling with an interior two car garage.
Relief Type	Variance
Violations	Usable Open Space Insufficient

Planning Context:

44 Center St is located in Boston's Roxbury neighborhood. The area is primarily residential with a mixture of building types ranging from single unit dwellings to large apartment buildings. The project proposes combining five parcels in the Roxbury neighborhood to construct a single unit dwelling and maintain most of the natural elements of the site including a fishpond and a variety of different tree species. Although the property is currently zoned as Open Space-Urban Wild, the land is privately owned by BLANK EDWARD III. According to the City of Boston Assessor reports, the parcels are currently classified "unusable residential land." Further research indicates this is due to a Conservation Deed Restriction from 1991 placed by the Public Facilities Commission. The Planning Department was unable to confirm with the Mayor's Office of Housing if the Conservation Deed Restriction was lifted prior to this proposal. It should be noted, that if not, the restriction would need to be lifted before any development can occur at the project site.

Zoning Analysis:

The subject property is located in the Open Space Urban Wild (OS-UW) zoning district. The property was cited for insufficient usable space however there are no applicable dimensional regulations in the OS-UW zoning district. The property is proposing a single unit dwelling use at the site however only unpaved walking paths are permitted in the zoning district. As the use is



already prevalent in the neighborhood and the property owner plans to maintain much of the natural elements of the existing site, zoning relief is appropriate. Additionally, pending the lift of the Conservation Deed Restriction, the Planning Department would support rezoning the to match the surrounding residential district.

Additionally, the project is located within the Roxbury Neighborhood Design Overlay District and Highland Park Architectural District which were established to protect the unique architectural design of the neighborhood. As such the project's plans will need to be submitted to the City of Boston Planning Department's Design Review Division for review and the Landmark Commission for approval.

Recommendation:

In reference to BOA1770724, The Planning Department recommends APPROVAL WITH PROVISIO: that if the lifting of the Conservation Deed Restriction is confirmed, that plans be submitted to the Boston Landmarks Commission for review.

Reviewed,

A handwritten signature in black ink, reading "Katelyn Onuf".

Deputy Director of Zoning



Case	BOA1756156
ZBA Submitted Date	2025-07-29
ZBA Hearing Date	2025-11-18
Address	8 Frost AVE Dorchester 02122
Parcel ID	1602215000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-5000
Zoning Article	65
Project Description	Erect three new townhouse units and a dormer expansion attached to an existing single family house.
Relief Type	Variance
Violations	FAR Excessive Height Excessive (stories) Forbidden Use

Planning Context:

The site of the proposed project is in a residential area with various retail options within a half-mile and walkable connections to bus transit. Many properties in the area have garage parking and driveways on the first floor with two to three stories of living area above. The proposed design changes are consistent with the neighborhood character, and the additional units descend toward the back of the lot. This leaves the street frontage and residential urban landscape unaffected by this project.

Zoning Analysis:

The proposed design was flagged for violating dimensional and use regulations. The half-story addition to the existing building height is recommended for relief on the basis that the dormer expansion and massing is consistent with the neighborhood. This area is zoned for 2F-5000 uses, and the project proposes four units. Four townhomes on a lot of this size is contextual. The site's existing FAR is low in comparison to neighboring properties, and the required 0.5 FAR is not representative of the lot coverage on the street. The proposed FAR is more consistent with the existing urban fabric, and the lot has adequate square footage for four housing units with sufficient yard space. Therefore, the zoning violations are recommended for relief.



Plans reviewed are titled "Proposed Townhouse Addition at 8 Frost Ave", prepared by Choo & Company Inc., and dated 6/25/2025.

Recommendation:

In reference to BOA1756156, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with attention to pedestrian access through the site.

Reviewed,

A handwritten signature in black ink, reading "Kathleen Onuf".

Deputy Director of Zoning



Case	BOA1719823
ZBA Submitted Date	2025-05-09
ZBA Hearing Date	2025-11-18
Address	32 Gordon ST Allston 02134
Parcel ID	2101122000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 3F-4000
Zoning Article	51
Project Description	Renovate an existing three-family residential building. The project will maintain three dwelling units, while adding three new units, and increase the number of on-site parking spaces from one to four, and include full sprinkler installation.
Relief Type	Variance
Violations	Parking or Loading Insufficient Lot Area Insufficient FAR Excessive Usable Open Space Insufficient Side Yard Insufficient Use: Forbidden

Planning Context:

32 Gordon Street is located on a residential side street in Allston, situated between N. Beacon Street and Cambridge Street near the intersection with Harvard Avenue. The immediate context is a compact, residential block characterized by triple-decker and small multifamily housings.

The site lies within proximity to the Western Avenue and Harvard Avenue corridors; both identified in the Allston–Brighton Community Plan process as transition zones with growing housing demand and incremental density pressures.

The property is currently a three-story, three-family structure typical of Allston’s early 20th-century residential stock. The proposal seeks to expand the building’s residential capacity through internal reconfiguration and modest exterior alterations, consistent with recent small-scale infill patterns observed across 3F districts in Allston where multi-unit conversions increasingly occur as reinvestment or adaptation of older buildings.

Zoning Analysis:



The proposal to renovate an existing three-family dwelling into a five-unit residential building has been reviewed against Article-51. The project includes interior reconfiguration to create additional dwelling units, a new basement-level unit, and dormer additions to improve upper-story layouts. The structure will remain three stories in height and fully sprinklered, with no on-site parking provided.

Article 51, Section 8: Multifamily use exceeding three-units is Forbidden in the 3F-4000 Subdistrict. Relief is required to allow six-units within the existing envelope. The use remains residential in character and consistent with surrounding multifamily structures on Gordon Street.

Article 51, Section 9: The lot area per dwelling unit requirement (2,000 sq ft) is not met on this 4,344 sq ft parcel. The proposed five-units yield approximately 868 sq ft per unit, requiring a variance. The additional units are achieved through interior reconfiguration rather than expansion, maintaining neighborhood scale.

Article 51, Section 9: The maximum permitted FAR of 0.8 is exceeded by the proposed 1.094 FAR. Relief is required. The increase reflects basement and attic conversions common to nearby properties, not a change in massing.

Article 51, Section 9: Required usable open space (650 sq ft/unit) is not met; 57 sq ft/unit is provided. Given the small-lot pattern and consistent rear yard conditions in the area, relief is appropriate.

Article 51, Section 9: The side yard setback of 5'-7" continues an existing nonconformity where 6 ft is required. No further encroachment is proposed and the envelope of the structure has not changed.

Article 51, Section 56: No off-street parking is provided, requiring a variance. The property's proximity to MBTA bus routes and the Green Line supports a car-light residential model consistent with City mobility goals.

Given the project's consistency with the surrounding residential pattern, modest scale, and reuse of an existing three-story structure. The proposal reflects typical small-lot conversion pressures in Allston's 3F districts and underscores the need for zoning reform to align dimensional standards with the established multifamily character of these neighborhoods.



"Proposed Plans and Elevations" prepared by Context LLC, dated October 8, 2024, revised November 1, 2024

Recommendation:

In reference to BOA1719823, The Planning Department recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, reading "Kathleen O'Neil".

Deputy Director of Zoning



Case	BOA1670349
ZBA Submitted Date	2024-11-11
ZBA Hearing Date	2025-11-18
Address	501 Boylston ST Boston 02116
Parcel ID	0501296000
Zoning District & Subdistrict	Boston Proper B-6-90a
Zoning Article	Underlying Zoning
Project Description	The proponent is proposing a change of use to a restaurant with rooftop seating. They are also proposing a net addition of 53 parking spaces.
Relief Type	Conditional Use, Variance
Violations	FAR Excessive Additional Conditions in Restricted Parking District Use: Conditional (parking garage) Use: Conditional (restaurant)

Planning Context:

This project was previously reviewed by the Planning Department for the ZBA hearings on 7/8/25 and 9/23/25. While the conditional use for the restaurant was granted in the 7/8/25 hearing, because there has been no updates regarding the proposed parking plan with the Air Pollution Control Commission since the 9/23/25 hearing, the Planning Department's recommendation has remained the same.

501 Boylston Street is a ten story building with businesses on the ground floor and several offices that comprises most of the block between Clarendon Street and Berkeley Street. The proponent is proposing a change of occupancy to a restaurant with rooftop seating. In the plan, the proponent identifies the proposed addition of 53 new parking spaces. It is within a mile of two MBTA stations and there is an existing 114-space parking garage in the building.

Zoning Analysis:

Because the site sits in a Restricted Parking District, no additional parking spaces can be approved unless the applicant has already received approval from the Air Pollution Control Commission. While the proponent has submitted a renewal application for their existing spaces, they have not yet submitted an application for the additional proposed spaces as of 10/31/2025.



For a parking facility to receive approval from the Air Pollution Control Commission within a Restricted Parking District, there are additional conditions that must be met including the following: a) there must be enough spaces in the Freeze Bank for allocation; b) the proposed parking facility is currently and shall remain in compliance with all local, state, and federal permit regulations and applicable laws; c) is consistent with transportation planning objectives that include not adding off-street parking in an area that is already adequately served by existing facilities or that has adequate transit access, will not contribute significantly to traffic flows during peak traffic periods, and is located and designed that the surrounding sidewalks and streets can accommodate pedestrians and vehicular movement; d) is consistent with requirements adopted by the Commission such as the electric vehicle readiness policy, off-street bicycle parking guidelines, Boston Transportation Department parking ratios, and any other sustainable mobility and travel demand management policies; and e) should a Commercial Parking Facility include Exempt Parking Spaces, the general public will be excluded from the Exempt Parking Spaces.

The plans are titled "501 Boylston Street," are dated 8/29/23, and were prepared by Arrowstreet Architecture & Design.

Recommendation:

In reference to BOA1670349, The Planning Department recommends DEFERRAL: that plans be resubmitted after receiving approval for the new parking spaces from the Air Pollution Control Commission to move forward, with review at that time to improve maneuverability of the additional parking spaces. If there is no approval, plans should be resubmitted with no additional parking spaces.

Reviewed,

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

Deputy Director of Zoning

MEMORANDUM**July 17, 2025**

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

FROM: CASEY HINES, DIRECTOR FOR DEVELOPMENT REVIEW
DYLAN NORRIS, PROJECT MANAGER
JOHN STUART FISHBACK, SENIOR LANDSCAPE ARCHITECT II
MICHELLE YEE, PLANNER I
SCOTT SLARSKY, SENIOR URBAN DESIGNER

SUBJECT: 75-77 DORCHESTER STREET, SOUTH BOSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority 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 75-77 Dorchester Street in South 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 other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The Proposed Project is located on an approximately 4,330 square foot parcel of land located at 75-77 Dorchester Street in the South Boston neighborhood of Boston (the "Project Site"). The Project Site is currently used for a one-story restaurant and a two-family dwelling.

The Project Site is located one next to the active Perkins Square area and within a 15-minute walk of both the Andrew and Broadway Red Line rapid transit stations. Multiple modes of public transportation are available to businesses and residents in and around Perkins Square, including trains, buses, Zipcars, and Bluebikes.

DEVELOPMENT TEAM

The development team includes:

Proponent: STATS 77 LLC
Jim and Andrew Statires, Managers
75-77 Dorchester Street
South Boston, MA, 02127

Architect: Tim Johnson Architect LLC
Tim Johnson

Legal Counsel: Morancy & Adams, P.C.
Ryan Spitz, Esq.

Civil Engineering:
& Surveying Boston Survey, Inc.

PROPOSED PROJECT

STATS 77 LLC (the “Proponent”) proposes to construct a five (5) story mixed use building that will include approximately 19,032 square feet of gross floor area, restaurant, and approximately fifteen (15) residential apartments, including three (3) income-restricted units (the “Proposed Project”). The residential rental units include seven (7) one-bedroom units and eight (8) two-bedroom units. The Proposed Project will include approximately fifteen (15) interior secure bicycle parking spaces, as outlined in the City of Boston Bike Parking Guidelines, January 2021, Version 2.1 (the “Bike Parking Guidelines”).

The table below summarizes current estimates for the Proposed Project’s Key Statistics

<u>Estimated Project Metrics</u>	Proposed Plan
Gross Square Footage	23,031
Gross Floor Area	18,944

<i>Residential</i>	15,469
<i>Retail</i>	3,475
<i>Mechanical/storage</i>	4,087
Development Cost Estimate	\$6,024,161
Residential Units	15
<i>Rental Units</i>	15
<i>Ownership Units</i>	0
<i>IZ/Affordable Units</i>	3
Parking spaces	0
Bike Parking Spaces	15

PLANNING AND ZONING CONTEXT

The Proposed Project at 75-77 Dorchester Street is located in the South Boston Neighborhood Zoning District within a Multifamily Residential / Local Services (MFR/LS) Zoning Subdistrict, governed by Article 68 of the Zoning Code. This location is near the commercial node at the intersection of Dorchester Street, West Broadway, and East Broadway. The proposed mixed-use building with an active ground floor aligns well with the built environment of this area.

Staff review was guided by the local context and citywide planning goals. During staff review of the project, streetscape improvements were designed to ensure compliance with Complete Street Guidelines to help widen the sidewalk at Athens Street and ensure an appropriate path of travel was established on Dorchester Street alongside the addition of two new street tree. Additionally, improvements will be made to the intersection of Athens Street and Dorchester Street including, a new bump out and a new crosswalk location helping ensure pedestrian safety.

The proposed height and floor area ratio exceed the maximum dimensions established by Article 68. However, zoning relief is appropriate given the Proposed Project's consistency with an established dimensional context found on this section of Dorchester Street, as well as the provisions of Section 7-3 of the Zoning Code.

ARTICLE 80 REVIEW PROCESS

On February 6, 2025, the Proponent filed an Application for Small Project Review ("SPRA") with the BPDA for the Proposed Project, pursuant to Article 80E of the Code ("the Code"). The BPDA sponsored and held a virtual public meeting on May 6, 2025, via Zoom. The public meeting was advertised in the South Boston Today, South Boston Online, and Caught in Southie newspapers, posted to the BPDA's website, and an email notification was sent to all subscribers of the BPDA's South Boston neighborhood updates mailing list. Local city and state elected officials received notification of the public meetings via email. The presentations and recordings of the virtual public meetings were published on the BPDA project webpage following each meeting. The public comment period concluded on May 13, 2025.

Outside of the BPDA-sponsored public review process, the Proponent conducted additional outreach with the Saint Vincent's Neighborhood Association, the Gate of Heaven Neighborhood Association, abutters, and local elected officials to solicit feedback and address comments and concerns.

ZONING

The Project Site is within a Multifamily/Local Services zoning subdistrict under Article 68, the South Boston Neighborhood Zoning Article. The Proposed Project expects that zoning relief will be needed for the following: Lot Area, Additional Lot Area, Floor Area Ratio (FAR), Building Height, Open Space, Side Yard Setback, and off-street parking and loading.

INCLUSIONARY ZONING

The Proposed Project is subject to Zoning Code Article 79 Inclusionary Zoning, dated October 1, 2024 ("IZ") and is located within Zone B, as defined by IZ. IZ requires that a minimum of 17% of the total number of units or 17% of residential leasable square footage within Article 80E Small Project developments are designated as IZ units. In this case, three (3) units or approximately 20% of the total

number of units, and 18.98% of residential leasable square footage, within the project will be designated as income-restricted units (the “IZ Units”) made available to households with incomes not more than 60% of the Area Median Income (“AMI”), based upon data from the United States Department of Housing and Urban Development (“HUD”) and published by the Mayor’s Office of Housing (“MOH”) as annual income and rent limits.

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

Unit Number	Number of Bedrooms	Unit Size (Sq Ft)	Percent of AMI	Rent
1 (a/k/a 201)	One-Bedroom	740	60%	\$1,378
6 (a/k/a 306)	Two-Bedroom	928	60%	\$1,559
11 (a/k/a 411)	One-Bedroom	690	60%	\$1,378

The location of the IZ Units will be finalized in conjunction MOH staff and outlined in an Affordable Rental Housing Agreement and Restriction (“ARHAR”) with MOH and rents and income limits will be adjusted according to MOH published maximum rents and income limits, as based on HUD AMIs, available at the time of the initial rental of the IZ Units. IZ Units must be comparable in size, design, and quality to the market-rate units in the Proposed Project, cannot be stacked or concentrated on the same floors, and must be consistent in bedroom count with the entire Proposed Project.

The ARHAR must be executed along with, or prior to, the issuance of the Certification of Approval for the Proposed Project. The Proponent must also register the Proposed Project with the Boston Fair Housing Commission (“BFHC”) upon issuance of the building permit. The IZ Units will not be marketed prior to the submission and approval of an Affirmative Marketing Plan to the BFHC. Preference will be given to applicants who meet the following criteria, weighted in the order below:

- Boston resident; and
- 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 in determining eligibility for such a preference.

An affordability covenant will be placed on the IZ Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with an MOH 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 IZ Units during this fifty (50) year period must fall within the applicable income and rent limits for each IZ Unit. IZ Units may not be rented out by the developer prior to rental to an income eligible household, and MOH or its assigns or successors will monitor the ongoing affordability of the IZ Units.

MITIGATION AND COMMUNITY BENEFITS

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

- **Improved Street and Pedestrian Environment**
 - The Proposed Project will also improve the existing crosswalks across Dorchester Street and Athens Street. The crosswalks will be a high visibility crosswalk to help improve pedestrian visibility and safety. The crosswalks will require the addition of compliant split pedestrian curb ramps equipped with yellow tactile warning strips. The crosswalk across Athens Street shall be raised. Further study of the existing conditions may be required following Board approval to determine the necessity of a sidewalk bump-out to dimensionally accommodate the Dorchester Street reciprocal curb ramp. The City will continue to work with the Proponent on this improvement and it may necessitate relocating the crosswalk to a more feasible location. All crosswalks must be designed with review from the Disabilities Commission, Public Works Department (PWD), Boston Transportation Department (BTD), and Planning Department.
 - The Proposed Project will include 15 interior covered and secure bike parking spaces and 4 exterior visitor post-and-ring bike parking spaces in compliance with the City's Bike Parking Guidelines in the public way on Dorchester Street.

- A commitment of \$5,420 to the Boston Transportation Department (BTD) to be contributed upon issuance of Certificate of Occupancy for the Proposed Project to support the bikeshare system.
 - In compliance with Boston's Complete Street Policy, the Proponent will setback their building to create a wider sidewalk on both Athens and Dorchester Street to ensure a sidewalk Pedestrian Zone with a minimum 5'-0" clear accessible path of travel, as well as an additional 3'-0" minimum furnishing zone as measured from the back of curb along Dorchester Street to accommodate street trees and stormwater management. All sidewalk setbacks are subject to design review and will require approval for a Pedestrian Easement with the Public Improvement Commission (PIC).
 - Stormwater management infrastructure shall be provided within the right-of-way as required by the Streets Green Infrastructure Policy. The Planning Department encourages the proponent to follow Public Works standard details G.362, G.331, and G.120 for the implementation of infrastructure which dually supports long term street tree health and stormwater management.
- **Construction Related Employment**
 - The Proposed Project will create approximately fifty (50) construction jobs;

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. These proposed improvements are subject to design review and approval by the Boston Transportation Department (BTD), Public Works Department (PWD), Public Improvement Commission (PIC), and the Planning Department.

RECOMMENDATIONS

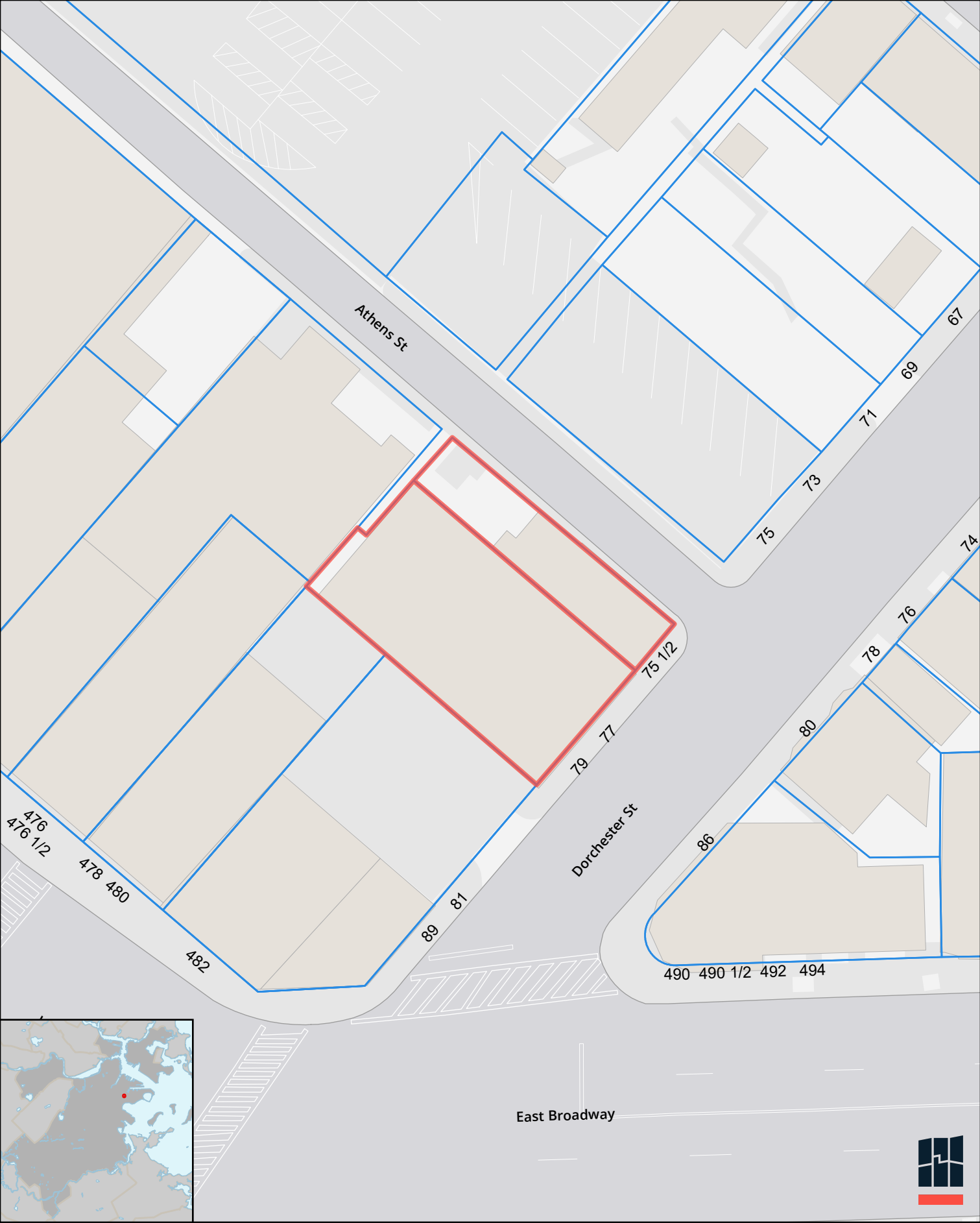
The Proposed Project complies with the requirements set forth in Section 80E of the Code for Small Project Review. Therefore, BPDA staff recommends that the Director be authorized to: (1) issue a Certification of Approval for the Proposed Project; and (2) enter into a Community Benefits Agreement in connection with the Proposed Project and take any other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Approval pursuant to Section 80E-6 of the Boston Zoning Code (the "Code"), approving the development at 75-77 Dorchester Street in the South Boston neighborhood, proposed by STATS 77 LLC (the "Proponent"), for the construction of a five (5) story mixed-use building that will include approximately 15,017 square feet of gross floor area and approximately fifteen (15) residential apartments (the "Proposed Project"), in accordance with the requirements of Small Project Review, Article 80E, 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 take any other actions and execute and deliver a Community Benefits Agreement, and any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

75-77 Dorchester Street



75-77 Dorchester Street





Boston City Council

ED FLYNN

Councilor - District 2

July 16, 2025

Boston Planning Department
One City Hall Square, Room 900
Boston, MA 02201

RE: Letter of support for 75-77 Dorchester St

Dear Members of the BPDA Board,

I'm writing in support of 75-77 Dorchester Street, which is on today's Board's agenda. The project will construct a five-story mixed-use building with one retail unit and 15 multi-family residential rental units, including 3 affordable housing units. There will be 15 parking spots assigned to the building in an off-site parking lot next to the building.

Although I acknowledge and continue to share concerns from neighbors as it relates to the height, my support stems from a series of good-faith compromises throughout the community process on quality of life issues. These include the removal of all decks and balconies, securing the 15 parking spaces in the nearby lot, windows on Athens Street being inoperable, agreeing to discontinue outdoor dining, trash storage located with the interior of the building, and bumping out the crosswalk to the opposite side of Dorchester Street and Athens Street to provide additional on-street parking.

The proponents have conducted a good community process and made good-faith compromises as it relates to these quality of life issues. If you have any questions, please feel free to contact me at Ed.Flynn@Boston.gov, or at 617-635-3203.

Sincerely,

Ed Flynn

Boston City Councilor, District 2

**Boston Water and
Sewer Commission**



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

March 7, 2025

Ms. Lucia Pena Banda, Project Assistant
Boston Planning Department
One City Hall Square
Boston, MA 02210

Re: 75-77 Dorchester Street, South Boston
Small Project Review Application

Dear Ms. Banda:

The Boston Water and Sewer Commission (Commission) has reviewed the Small Project Review Application (SPRA) for the proposed redevelopment project located at 75-77 Dorchester Street in the South Boston neighborhood of Boston. This letter provides the Commission's comments on the SPRA.

The proposed project is located on two parcels containing approximately 4,330 square feet (sf) of land that is presently occupied by a one-story restaurant, Stats Bar and Grille and a two-family house. The project proponent, Stats 77 LLC (STATS) proposes to raze the existing buildings and construct a five-story, mixed-use residential building having approximately 19,032 gross square feet. The building will contain a total of 15 residential units consisting of one-bedroom, two-bedroom units and commercial space. On-site parking will not be provided.

Water service is provided by Commission owned and maintained facilities in Dorchester Street and Athens Street. Dorchester Street has a 12-inch ductile iron cement lined (DICL) water main that was installed in 1997 and a 20-inch pit cast iron water main that was installed in 1899 and cleaned, and cement lined in 1970. Athens Street has an 8-inch DICL water main that was installed in 2002. The water mains are part of the Commission's Southern Low-Pressure Zone.

Sewer service is provided by a 20-inch by 24-inch sewer, and an 18-inch storm drain in Dorchester Street. Athens Street has a 20-inch by 27-inch combined sewer that end at a manhole near the rear property line of the project site.

Daily water demand and wastewater generation for the proposed project was not stated in the SPRA.

The Commission has the following comments regarding the proposed project.



General

1. Prior to the initial phase of the site plan development, STATS, should meet with the Commission's Design and Engineering Customer Services Departments 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 STATS, expense. They must be designed and constructed in conformance with the Commission's design standards, Water Distribution System and Sewer Use regulations, and Requirements for Site Plans. The site plan should include the locations of new, relocated and existing water mains, sewers and drains which serve the site, proposed service connections, water meter locations, as well as backflow prevention devices in the facilities that will require inspection. A General Service Application must also be submitted to the Commission with the site plan.
4. The Department of Environmental Protection (DEP), in cooperation with the Massachusetts Water Resources Authority (MWRA) and its member communities, has implemented 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. 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 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 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.
5. The design of the project should comply with the City of Boston's Complete Streets Initiative, which requires incorporation of "green infrastructure" into street designs. Green infrastructure includes greenscapes, such as trees, shrubs, grasses and other landscape plantings, as well as rain gardens and vegetative swales, infiltration basins, and paving materials and permeable surfaces. The proponent must develop a



maintenance plan for the proposed green infrastructure. For more information on the Complete Streets Initiative see the City's website at <http://bostoncompletestreets.org/>

6. The water use and sewage generation estimates were not provided in the SPRA. The Commission requires that these values be calculated and submitted with the Site Plan. STATS 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. STATS should also provide the methodology used to estimate water demand for the proposed project.
7. The Commission will require STATS to undertake all necessary precautions to prevent damage or disruption of the existing active water and sewer lines on, or adjacent to, the project site during construction. As a condition of the site plan approval, the Commission will require STATS to inspect the existing sewer lines by CCTV after site construction is complete, to confirm that the lines were not damaged from construction activity.
8. It is STATS 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, STATS 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. STATS should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. STATS should consider outdoor landscaping which requires minimal use of water to maintain. If STATS 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.
2. STATS 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. STATS should contact the Commission's Meter Department for information on and to obtain a Hydrant Permit.
3. STATS will be required to install approved backflow prevention devices on the water services for fire protection, mechanical and any irrigation systems. STATS is advised to consult with the Commission's Manager of Engineering Code Enforcement, with regards to backflow prevention.
4. The Commission is utilizing a Fixed Radio Meter Reading System to obtain water meter readings. For new water meters, the Commission will provide a Meter Transmitter Unit



(MTU) and connect the device to the meter. For information regarding the installation of MTUs, STATS should contact the Commission's Meter Department.

Sewage / Drainage

1. In conjunction with the Site Plan and the General Service Application STATS will be required to submit a Stormwater Pollution Prevention Plan. The plan must:
 - Identify specific best management measures for controlling erosion and preventing the discharge of sediment, contaminated stormwater or construction debris to the Commission's drainage system when construction is underway.
 - Include a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control structures or treatment structures to be utilized during the construction.
 - Specifically identify how the project will comply with the Department of Environmental Protection's Performance Standards for Stormwater Management both during construction and after construction is complete.
2. The Commission encourages STATS 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. STATS 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, STATS will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.
4. STATS 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.
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, STATS 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 STATS install a permanent casting stating "Don't Dump: Drains to Boston Harbor" next to any catch basin created or modified as part of this project. STATS 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. STATS is advised to consult with the Commission's Operations Department with regards to grease traps.

Thank you for the opportunity to comment on this project.

Yours truly,

John P. Sullivan, P.E.
Chief Engineer

JPS/rja

cc: C. Rizzi, MWRA
D. Devlin, BWSC
P. Salvatore, BWSC
S. McFee, BWSC

MEMORANDUM**January 16, 2025**

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

FROM: CASEY HINES, SENIOR DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
NUPOOR MONANI, SENIOR DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
LYDIA HAUSLE, SENIOR TRANSPORTATION PLANNER
SETH RISEMAN, DEPUTY DIRECTOR OF DESIGN REVIEW
EBONY DAROSA, SENIOR PROJECT MANAGER
ILANA HAIMES, PLANNER II

SUBJECT: NOTICE OF PROJECT CHANGE - 80-100 SMITH STREET, MISSION HILL

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority ("BRA") d/b/a Boston Planning & Development Agency: (1) approve the 80-100 Smith Street development Project (the "Proposed Project") as a Notice of Project Change, pursuant to Section 80C of the Boston Zoning Code (the "Code"); (2) issue a Scoping Determination waiving the requirement of further review pursuant to Article 80B-5.4(c)(iv) of the Code for the proposed 80-100 Smith Street project (the "Proposed Project"); (3) authorize the Director to issue a Certification of Compliance for the Proposed Project pursuant to Section 80B-6 of the Code, upon successful completion of the Article 80B Large Project Review process; (4) authorize the Director to execute and deliver a Cooperation Agreement, which will include a provision requiring compliance with the Boston Residents Jobs Policy, an Affordable Rental Housing Agreement and Restriction ("ARHAR"), if necessary, or require the same be executed by and between the Proponent and the Mayor's Office of Housing, 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 is comprised of an approximately 1.45 acre parcel within the Mission Church complex in the Mission Hill neighborhood of Boston. The single parcel has a lot area of approximately 62,986 sf (the “Project Site”). The Project Site has frontage along Smith and St. Alphonsus Streets. Until recently, there were structures on the Project Site composing the Mission Church complex: 80 Smith Street, St. Alphonsus Hall, a large meeting and performance hall that had been unused since the 1970s; 90 Smith Street, a four (4) story masonry structure that currently contains offices for the Harvard T.H. Chan School of Public Health, which will remain and is not part of the NPC Project; and 100 Smith Street, a three (3) story masonry structure that formerly housed a convent.

Over time, the edifices at 80 and 100 Smith Street fell into a state of disrepair so as to represent a safety hazard, and in November 2023, with approvals from the Boston Landmarks Commission and Boston Inspectional Services, they were demolished.

The Project Site directly abuts Boston’s Basilica of Our Lady of Perpetual Help and the Our Lady of Perpetual Help Mission Grammar School to the south and the Mission Hill baseball field playground to the east. Nearby residential areas embody three general typologies: 1) the 2 and a half (2.5) to three (3) story clapboard-sided and gabled-roofed Mission Main Apartments that are part of the Boston Housing Authority’s portfolio; 2) the mid-20th-century high-rise residential slab towers along the west side of St. Alphonsus Street and a new six (6) story development at 95 St. Alphonsus Street; and 3) the traditional Boston residential neighborhood vernacular of triple-decker houses farther to the south, up Mission Hill. Neighborhood thoroughfares include Huntington Avenue and Tremont Street to the northwest and south, respectively.

The Project Site is less than half mile from the Massachusetts Bay Transportation Authority (“MBTA”) Green E-line Branch Longwood Medical Area station and the MBTA Orange Line Roxbury Crossing station. MBTA bus service is provided by the #39 and CT2 buses along Huntington Avenue, the #66 bus along Tremont Street, and the Mission Hill LINK services within the immediate neighborhood. The Project Site is also located proximate to several major bike routes.

DEVELOPMENT TEAM

The Development Team consists of:

Proponent:	Mission Associates, LLC c/o Weston Associates David Mackay Mark Donahue
Legal Counsel:	McDermott, Quilty, Miller & Hanley LLP Joseph Hanley, Esq. Nicholas J. Zozula, Esq.
Architect:	RODE Architects, Inc. Ben Wan Eric Robinson Alex Zee Luke Stevenson
Landscape Architect:	Arcadis IBI Group, Inc. Phil Colleran Kristina Stevens
Civil Engineer:	Nitsch Engineering John Schmid
Transportation Consultant:	VHB Sean Manning Ryan White
Permitting Consultant:	Epsilon Associates, Inc. David Hewett Emma Marcou
Geotechnical Consultant:	McPhail Associates, LLC Jason Huestis

DESCRIPTION AND PROGRAM

The Proposed Project will replace the recently demolished buildings at 80 and 100 Smith Street with two (2) new residential buildings, totaling approximately 202,000 sf and containing up to two hundred and eighteen (218) residential rental units. The new structure at 80 Smith Street will contain approximately 82,650 sf, eight (8) stories and up to eighty-six (86) residential rental units. The new structure at 100 Smith Street will contain approximately 119,350 sf, thirteen (13) stories, and up to one-hundred thirty-two (132) residential rental units. The two-hundred eighteen (218) total units in the Proposed Project include sixty-four (64) studio units, sixty-eight (68) one-bedroom units, nineteen (19) one-plus-bedroom units, and sixty-seven (67) two-bedroom units.

The Proposed Project will include a maximum of nineteen (19) at-grade and sixty-eight (68) below-grade vehicle parking spaces. The Proposed Project will include 218 interior secure resident bike spaces and 44 exterior visitor post-and-ring bike parking spaces. A loading area will also be provided at the rear of the at-grade parking area.

The project was originally approved by the BPDA Board on June 9, 2005, and included approximately 41,300 gsf of renovation, 239,256 gsf of new construction, and 71,800 gsf of garage construction. An eight (8) story building proposed on the former St. Alphonsus Hall site at 80 Smith Street was to contain approximately 97,906 gsf with approximately eighty-six (86) residential units. A fourteen (14) story building proposed on the former convent site at 100 Smith Street was to contain approximately one hundred and fifteen (115) residential units. In addition, the Mission School was proposed to be rehabilitated to include approximately twenty-eight (28) residential units. In total, the 2005 project proposed two hundred and twenty-nine (229) residential units with a mix of studio/lofts, one- and two-bedroom units. The original project also included a total of two hundred and twenty-one (221) parking spaces (174 below-grade spaces and 47 surface spaces.)

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

<u>Estimated Project Metrics</u>	Jan 2005 Approval	Revised Plan	Net Change
Gross Square Footage	354,366	269,968	(84,398)

Gross Floor Area	280,468	243,212	(37,256)
<i>Residential</i>	280,468	202,000	(78,468)
<i>Office</i>	0	41,212 (existing to remain at 90 Smith)	41,212
<i>Retail</i>	0	0	0
<i>Lab</i>	0	0	0
<i>Medical Clinical</i>	0	0	0
<i>Education</i>	0	0	0
<i>Hotel</i>	0	0	0
<i>Industrial</i>	0	0	0
<i>Recreational</i>	0	0	0
<i>Cultural</i>	0	0	0
<i>Parking</i>	73,898	26,756	(47,142)
* Development Cost Est.	\$78,000,000	\$125,000,000	\$47,000,000
Residential Units	229	218	(11)
<i>Rental Units</i>	229	218	(11)
<i>Ownership Units</i>	0	0	0
<i>IDP/Affordable Units</i>	-	37*	37*
Parking spaces	221	87	(134)

ARTICLE 80 REVIEW PROCESS

On September 12, 2022 the Proponent filed a Notice of Project Change, which initiated a public comment period that concluded on December 9, 2022. The Notice of Project Change was sent to the City's public agencies/departments and elected officials pursuant to Section 80A-2 of the Code.

Pursuant to Section 80B-5.3 of the Code, a Scoping Session related to the Notice of Project Change was held on October 17, 2022, with the City's public agencies/departments and elected officials to review and discuss the Proposed Project.

On November 3, 2022, a Virtual Impact Advisory Group Meeting was held. On November 29, 2022, a Virtual Public Meeting was held. The Virtual Public Meeting was advertised in the local Mission Hill paper and listed on the BPDA website.

On June 7, 2023, a Request for Supplemental Information was submitted to the Proponent and on December 12, 2023, the Proponent filed a Supplemental Information Document ("SID"), which initiated a public comment period that concluded on February 27, 2024. The SID was sent to the City's public agencies/departments and elected officials pursuant to Section 80A-2 of the Code.

A Virtual Public Meeting was held on February 13, 2024. The Virtual Public Meeting was advertised in the local Mission Hill paper, listed on the BPDA website, and distributed to those who enrolled in the BPDA Mission Hill email list. Two Virtual Impact Advisory Meetings were held on February 7, 2024, and April 2, 2024.

On May 7, 2024, the Proposed Project was approved by the Boston Civic Design Commission ("BCDC") pursuant to Article 28 of the Code.

PLANNING CONTEXT

The Mission Hill Citizens Advisory Committee was established in 2001 to review and guide proposed development by the Redemptorist Fathers (Mission Church), and its developer, Weston Associates. In 2005, the Mission Hill Citizens Advisory Committee planning process culminated in the approval of a development plan for the church lower campus: 90 Smith Street was to be adaptively reused, and the sites of the former social hall at 80 Smith Street and former convent at 100 Smith Street were approved for replacement by new residential construction. The proposed project includes developing new buildings at 80 and 100 Smith Street that retain the use, scale, and massing previously approved, which is consistent with the planning context established by the Mission Hill Citizens Advisory Committee process.

This site is located in the Tremont Street Community Facilities subdistrict of the Mission Hill Neighborhood District. Zoning Article 59 governing the Mission Hill Neighborhood District was adopted in 1996, but was not subsequently updated to reflect the later Mission Hill Citizens Advisory Committee planning process. The proposed multifamily use is zoning compliant. Although the proposed height

exceeds the zoning maximum of 55 feet, the proposed height remains unchanged from the project that was approved in 2005 based on the Mission Hill Citizens Advisory Committee planning process.

ZONING

The Project Site is located within the Tremont Community Facilities (CF) Subdistrict of the Mission Hill Neighborhood Zoning District and is therefore subject to Article 59 of the Zoning Code. The Project Site is subject to City Ordinance 7.4-11 and the Proposed Project requires Parks Design Review by the Boston Parks and Recreation Department due to the Project Site's adjacency to the Mission Hill Playground. The Project Site is also listed within a Massachusetts Historical Commission Historic Inventory Area. The Proposed Project will include Multifamily Residential Uses in two (2) distinct buildings with one at 80 Smith Street and one at 100 Smith Street. A Multifamily Residential Use is an Allowed Use within the relevant CF Zoning Subdistrict. Therefore, the NPC Project will not require any Use Variances for the proposed Multifamily Residential Uses at the two buildings. Certain dimensional characteristics of the NPC Project will require relief from the terms of the Zoning Code, including but not limited to Floor Area Ratio Excessive, Building Height Excessive, and Rear Yard Insufficient. The final amount of off-street parking and loading will be reviewed and determined by the BPDA pursuant to the provisions of the Article 80 Large Project review process.

MITIGATION & COMMUNITY BENEFITS

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

- Revitalize and convert the Project Site into a residential development that enhances the immediate area, while respecting the history of the Project Site;
- Offer the community use of the Proposed Project's outdoor courtyard space from May to October for seasonal weekend activities by Mission Hill organizations, including but not limited to the Mission Main Task Force's Annual Unity Day event and its other events, farmer's markets and community programs, subject to advance notice, availability as reasonably appropriate. Said space shall be made available for up to eight (8) events per season, but no more than twice per month.

- The Proponent agrees to host a special community meeting to review and discuss the status of the existing building to remain at 90 Smith Street before any new tenant or use change thereat.
- The Proponent will continue to work with the IAG on pending draft Construction Management Plan, which will be referenced in the Cooperation Agreement and finalized based on mutually acceptable terms before the Project's ZBA hearing.
- Make a one-time Seventy-Five Thousand dollar (\$75,000.00) contribution to the City's Fund for Parks, a non-profit organization, as described below:

1. Recipient: City's Fund for Parks
Boston Parks and Recreation Department
1010 Massachusetts Avenue, 3rd Floor
Boston, MA 02118
2. Use: Mission Hill Playground Light Installation and Maintenance
3. Amount: \$75,000.00
4. Timeline: The \$75,000 contribution is due at initial building permit issued by ISD.

- Make a one-time Two Hundred Thousand dollar (\$200,000.00) contribution to the Mission Main Task Force, a non-profit organization, as described below:

1. Recipient: Mission Main Task Force
41 Smith Street
Boston, MA 02120
2. Use: Rental Relief Fund and program expenses
3. Amount: \$200,000.00
4. Timeline: \$50,000 is due at initial building permit issued by ISD, \$50,000 is due at the issuance of the Certificate of Occupancy, and \$20,000 is due annually, for the first five years of the new building's operation.

- Make a one-time Seventy-Five Thousand dollar (\$75,000.00) contribution to the Stabilizing Homeownership in Mission Hill Pilot program for homebuyer assistance in Mission Hill as described below:
 - 5. Recipient: Stabilizing Homeownership in Mission Hill Pilot (via the Mayor's Office of Housing)
 - 6. Use: To provide financial assistance for first-time homebuyers in Mission Hill and it's BHA properties.
 - 7. Amount: \$75,000.00
 - 8. Timeline: \$75,000 is due at issuance of Certificate Of Occupancy by ISD.
- Upon issuance of the Certificate of Occupancy, the Proponent will make a one-time "bikeshare" contribution of \$59,950.00 to Boston Transportation Department ("BTD") per the City's Bike Parking Guidelines as well as provide space for one (1) nineteen (19) dock bike share station onsite upon issuance of Certificate of Occupancy. The Proponent will work with BTD and the BPDA to site the station appropriately, though it is anticipated that the station will be within a curb extension on Smith Street close to the St. Alphonsus Street intersection. Bike share stations may require Administrative Review by PIC.
- The Proposed Project will minimize the negative impacts of parking by consolidating all vehicular access to the site from a single driveway of no more than 20 feet wide on Saint Alphonsus Street. An existing driveway will be closed and the new driveway will be installed slightly to the north at a location that improves site lines and minimizes pedestrian risk. As determined by the Boston Transportation Department ("BTD") through the Transportation Access Plan Agreement ("TAPA"), the Proposed Project will include an audio and visual notification system(s) to notify pedestrians of vehicles entering and exiting the off-street vehicle parking accommodations throughout the Project Site.
- The project will comply with the BTD Electric Vehicle Readiness Policy for New Developments, requiring 25% of the vehicle parking spaces to be equipped with electric vehicle charging stations and the remaining 75% to be ready for future installation.

- In compliance with Boston's Complete Streets Policy, the Proponent will make much-needed sidewalk and streetscape improvements to St. Alphonsus Street and Smith Street within the bounds of their property within the public way. 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. These proposed improvements are subject to design review and approval by the Boston Transportation Department (BTD), Public Works Department (PWD), Public Improvement Commission (PIC), and the Planning Department.
 - St. Alphonsus Street will maintain a minimum 11.5-foot sidewalk including 7 feet clear accessible paths of travel absent vertical elements. Smith Street will maintain a minimum of 9.5-foot sidewalk including 6 feet clear accessible paths of travel absent vertical elements. The clear paths along both streets will be made of monolithic concrete monolithic with concrete pavers within the landscape zone.
 - One new street tree will be planted on St. Alphonsus Street in the location where the existing curb cut will be closed as part of the project.
 - To support pedestrian safety and expand the public realm, the project will design and install multiple curb extensions including two on St. Alphonsus Street at the north and south ends of the project site and on the Smith Street at the east and west ends of the project site.
 - The Proponent will design and implement two new and two refreshed crosswalks. The crosswalks will be high-visibility, ladder-style crosswalks and align with BTD standard details. All crosswalks will be equipped with ADA-compliant, directional pedestrian curb ramps, including reciprocal ramps on the opposite side of the street. These crosswalks include:
 - a new mid-block crossing on St Alphonsus Street across from the Grammar School building entry, including a new curb bump-out;
 - an improved crossing across St Alphonsus Street at the corner with Smith Street, including a new curb bump-out;

- an improved crossing across Smith Street at the intersection with St Alphonsus Street; and,
 - a new crossing across Smith Street to the northwest corner of Cornelia Court. This crosswalk may require an extension of and other modifications to the existing landscape median on Smith Street to provide a fully accessible crossing of Smith Street.
- The Proponent will work with BTM to identify appropriate locations for and install signage for pick-up/drop-off vehicle parking spaces on Smith Street
- The project will comply with the Boston Transportation Department Transportation Demand Management Points System. The selected strategies will be specified and codified in the TAPA. For this project, minimum expected requirements include 90 TDM points. In addition to meeting all baseline requirements, the project will provide the following impact and elective strategies:
 - The Proponent will provide on-site parking at a rate below the maximum allowed by BTM.
 - The Proponent will provide discounted bikeshare memberships as part of the Bluebikes Corporate Program.
 - The Proponent will provide an on-site e-bike and/or e-cargo bike for use by Project tenants.
 - The Proponent will provide a minimum of one car share vehicle(s) that is accessible 24 hours a day, seven days a week. The car-share vehicle(s) must have its own designated parking space identified through signage and pavement markings.
 - The Proponent will provide carpool matching services with signed preferential parking spaces.
 - The Project includes an on-site fitness room and a centralized parcel drop-off and receiving area.
- As part of its construction of the Proposed Project, the Proponent will design and construct four (4) new speed humps along Smith Street and the southern boundary of the development site. The work will be undertaken in collaboration with BTM, BPD, District Councilor Durkan and the Mission Main Tenant Task Force. Work to be performed subject to and within a reasonable

time of the BPD's issuance of its Certificate of Compliance, as requested by Article 80 Large Project Review.

- As part of its construction management plan, the Proponent will coordinate with the Mission Main Tenant Task Force to provide construction updates. All construction updates will be provided in a multilingual way. The Proponent will identify a point of contact to provide said updates.
- The Proponent will continue to engage with the abutting Our Lady of Perpetual Help Mission Grammar School to coordinate and identify proper safety measures for the school.

The community benefits described above will be set forth in the Cooperation Agreement for the Proposed Project. Any required community benefit contribution payments shall be made to the BPDA or respective City of Boston department before issuance of the initial building permit by the City of Boston Inspectional Services Department ("ISD") and will be distributed as outlined above. · The proponent will enter into a Transportation Access Plan Agreement ("TAPA") prior to receiving a building permit.

AFFIRMATIVELY FURTHERING FAIR HOUSING

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

Article 80 Interventions

- Provide all IDP units on site;
- Provide an additional percentage of IDP units than required.

Marketing and Housing Access Interventions

- Agree to review a lottery preference for voucher-holders for the IDP units, to be determined in the marketing plan;
- the Proponent and all successor-owners of the Project will take proactive steps to make sure that the ~~37~~ 33* units provided under the Inclusionary Development Policy (~~33 at 70% AMI, 4 at 100% AMI~~)* are equally accessible to voucher-holder candidates who may successfully participate in the affordable housing lotteries for these units. Specifically, any property manager at this Project who utilizes credit screening for tenant selection shall forego said credit check for a voucher-holder applicant, as the

*Scrivener's error corrected 1/23/2025

government voucher secures regularity of payment. For any voucher-holder, first month's rent will not be collected until the lease and Housing Assistance Payment (HAP) contract is signed, and last month's rent will not be required, as the government agency cannot pay this in advance (but will pay it per contract when the last month arrives).

- Adopt the Fair Chance Tenant Selection Policy for market-rate units;
- Develop and abide by a tenant screening policy requiring that CORI, Credit Score, Eviction History be assessed on an individualized basis rather than implementing a blanket policy that excludes applicants with CORIs, certain credit scores, and/or eviction histories;
- Work exclusively with local, multilingual, and culturally competent leasing agents;
- Market all residential units in all of Boston's dominant languages;
- Market all units across media types (print, social, audio, digital, etc.); and
- Describe IDP units and link to Metrolist on the Project's primary marketing website

INCLUSIONARY DEVELOPMENT COMMITMENT

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 (the "IDP") and is located within Zone B, as defined by the IDP. The IDP requires that 13% of the total number of units within the development be designated as IDP units. In this case, the Proposed Project has committed to providing thirty-three (33) units, or approximately 15% of the total number of units within the Proposed Project, to be created as IDP rental units (the "IDP Units"), with all units made affordable to households earning not more than 70% of AMI, as published annually by the BPDA and based upon data from the United States Department of Housing and Urban Development ("HUD").

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

80 Smith Street					
Unit Number	Number of Bedrooms	Unit Square Footage	Percentage of AMI	Rent	Group-2 designation
206	Studio	509	70%	\$1,330	
211	Two-Bedroom	959	70%	\$1,766	Group-2A

BOARD APPROVED**15**

302	Two-Bedroom	877	70%	\$1,766	
305	One-Bedroom	629	70%	\$1,559	
310	Studio	513	100%	\$1,932	
408	One-Bedroom	631	70%	\$1,559	
501	Two-Bedroom	833	70%	\$1,766	
506	Studio	509	70%	\$1,330	
509	Two-Bedroom	917	70%	\$1,766	
604	One-Bedroom	620	70%	\$1,559	
605	One-Bedroom	629	100%	\$2,261	
704	Studio	506	70%	\$1,330	
710	Two-Bedroom	835	70%	\$1,766	

100 Smith Street					
Unit Number	Number of Bedrooms	Unit Square Footage	Percentage of AMI	Rent	Group-2 designation
201	Two-Bedroom	1003	70%	\$1,766	
208	One-Bedroom	661	70%	\$1,559	
304	One-Bedroom +	775	70%	\$1,559	
311	Two-Bedroom	821	70%	\$1,766	
404	Studio	450	70%	\$1,330	
407	One-Bedroom	664	100%	\$2,261	
408	One-Bedroom	661	70%	\$1,559	
506	One-Bedroom +	755	70%	\$1,559	
509	Studio	508	70%	\$1,330	Group-2A
601	Two-Bedroom	930	70%	\$1,766	
611	One-Bedroom	629	70%	\$1,559	
704	Studio	492	100%	\$1,932	
707	One-Bedroom	664	70%	\$1,559	
710	Two-Bedroom	829	70%	\$1,766	
803	Studio	466	70%	\$1,330	
901	Two-Bedroom	930	70%	\$1,766	

909	Studio	508	70%	\$1,330	
1010	One-Bedroom	659	70%	\$1,559	
1107	One-Bedroom	664	70%	\$1,559	Group-2A
1209	Studio	508	70%	\$1,330	

The location of the IDP Units will be finalized in conjunction with BPDA and Mayor's Office of Housing ("MOH") staff and outlined in the ARHAR, and rental prices and income limits will be adjusted according to BPDA published maximum rental prices and income limits, as based on HUD AMIs, available at the time of the initial rental of the IDP Units. IDP Units must be comparable in size, design, and quality to the market-rate units in the Proposed Project, cannot be stacked or concentrated on the same floors, and must be consistent in bedroom count with the entire Proposed Project.

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

1. Boston resident;
2. Household size (a minimum of one (1) person per bedroom); and
3. Voucher-holders (if determined for the Proposed Project in the Affirmative Marketing Plan, which may determine a limited percentage of units for the preference).

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.

The IDP Units will not be marketed prior to the submission and approval of the Plan. An affordability covenant will be placed on the IDP Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with a BPDA option to extend for an additional period of twenty (20) years). The household income of the renter and the rent of any subsequent rental of the IDP

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

RECOMMENDATIONS

This Memorandum requests that the Boston Redevelopment Authority (“BRA”) d/b/a Boston Planning & Development Agency: (1) approve the 80-100 Smith Street project as a Notice of Project Change, pursuant to Section 80C of the Boston Zoning Code; (2) issue a Preliminary Adequacy Determination waiving the requirement of further review pursuant to Article 80B 5.4(c)(iv) of the Code for the proposed 80-100 Smith Street project; (3) authorize the Director to issue a Certification 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; (4) authorize the Director to execute and deliver a Cooperation Agreement, which will include a provision requiring compliance with the Boston Residents Jobs Policy, an Affordable Rental Housing Agreement and Restriction (“ARHAR”), if necessary, or require the same be executed by and between the Proponent and the Mayor’s Office of Housing, 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 Preliminary Adequacy Determination under Section 80B-5.4©(iv) of the Boston Zoning Code, in connection with the Proposed Project located at 80-100 Smith Street in the Mission Hill neighborhood of Boston (the “Proposed Project”), which (i) finds that the Notice of Project Change submitted on September 12, 2022, and the Supplemental Information Document submitted on December 12, 2023, adequately describe the potential impacts arising from the Proposed Project, and provide sufficient mitigation measures to minimize these impacts; and (ii) waives further of the Proposed Project under subsection (iv) of Section 80B-5.4 (c) of the Code, subject to continuing design review by the Boston Redevelopment Authority (“BRA”); and

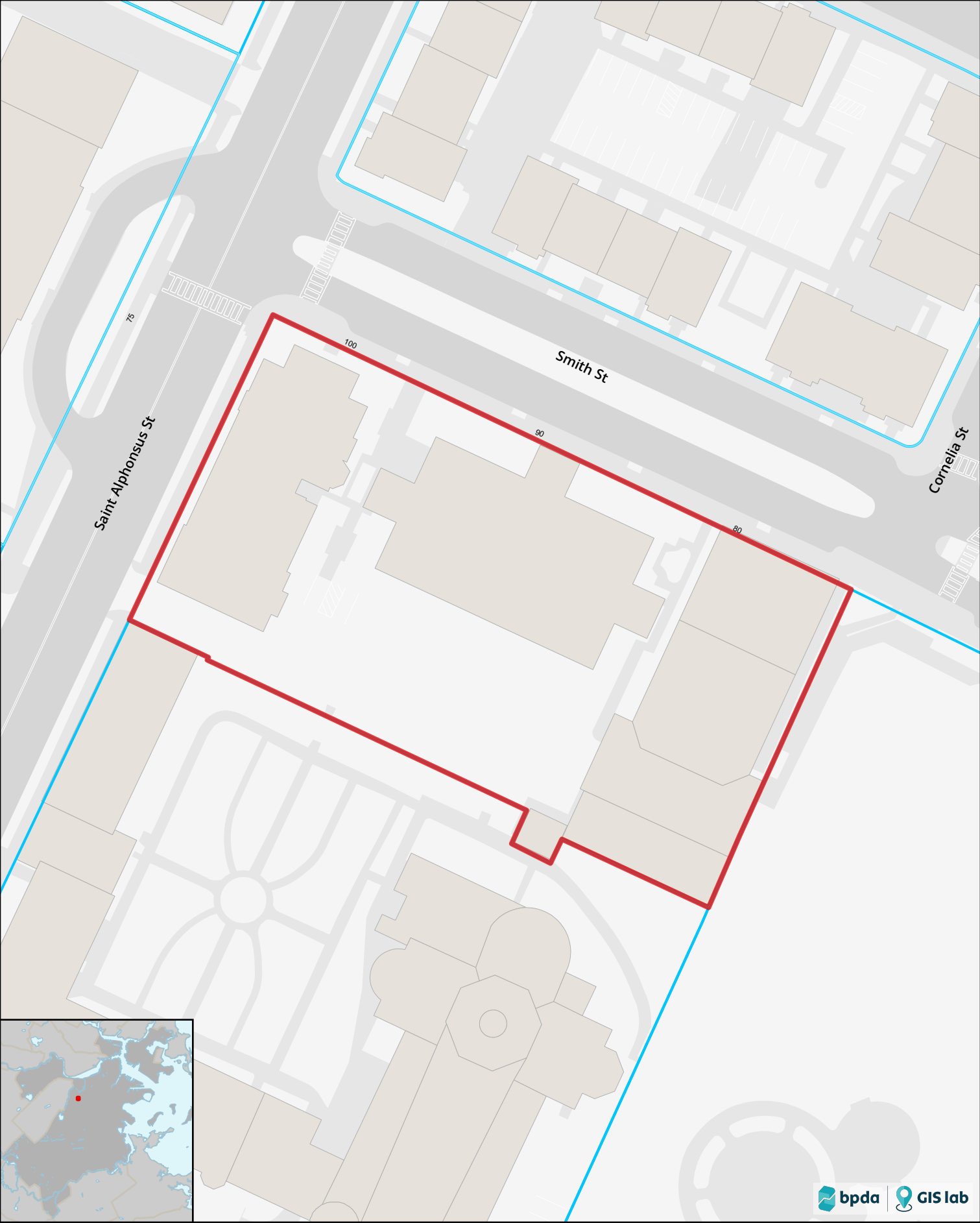
FURTHER**VOTED:**

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 Job Policy, an Affordable Rental Housing Agreement and Restriction for the creation of thirty-three on site IDP Units, if necessary, or require the same be executed by and between the Proponent and the Mayor's Office of Housing, and any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project, all upon terms and conditions determined to be in the best interests of the BRA.

80-100 Smith Street



80-100 Smith Street





City of Boston
Parks and Recreation
Mayor Michelle Wu

February 27, 2024

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

RE: Supplemental Information for 80-100 Smith Street adjacent to Mission Hill Playground

Dear Ms. Polhemus;

The Boston Parks and Recreation Department (BPRD) has reviewed the *Response to Supplemental Information Request for 80-100 Smith Street*. The project site is immediately adjacent to Mission Hill Playground. The development as a whole will impact the park due to the density of 218 households and lack of onsite open space for active recreational use. The building at 80 Smith Street shares a property line with the park and will impact the the publicly-owned open space, particularly if zoning relief is granted for the proposed design.

BPRD also reviewed the presentation that was made at the public meeting on February 13, 2024. BPRD previously reviewed the *Notice of Project Change* in a comment letter dated December 9, 2022. The proponent responded to that letter in the *Supplemental Filing*, but did not change the building to resolve any of the issues – therefore the comments in that letter remain open.

Municipal Code Section 7-4.11 The 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. That review will include but not be limited to the following impacts to the park: height, shadows, setbacks, landscape buffer, onsite open space, roof deck, construction feasibility, noise and exhaust, egress, accommodation of pets, and interface between uses.

Zoning Relief The project requires relief from zoning in order to be constructed as proposed. If granted, such relief would have a negative impact on the adjacent park as described below.

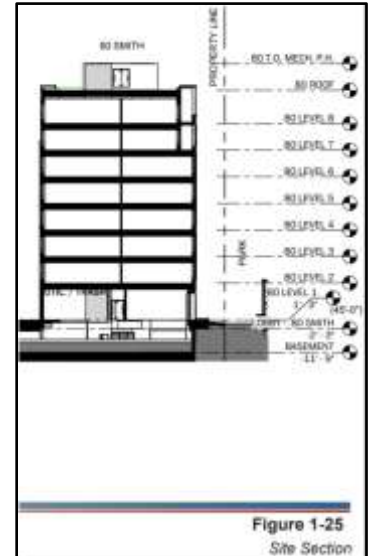
Height and Shadows Zoning allows a height of 55 feet. Relief from zoning would allow the proposed building height of 93 feet plus mechanicals. This height will cast permanent shadows on Mission Hill Playground year round - at the least from 3:00 pm until dusk from September to March and at the least after 6:00 pm until dusk in June. *The shadow study should include the rooftop mechanicals and actual time of impact. The shadow impacts of the required 55 foot height and the proposed 93 foot height plus mechanicals should be provided for comparison.*

Rear Yard Setback Zoning requires a rear yard setback of 20 feet. However, the building at 80 Smith will have a rear yard setback of 8 feet. If approved, this relief from zoning would create additional permanent shadows on Mission Hill Playground. *The shadow impacts of the required 20 foot setback and the proposed 8 foot setback should be provided for comparison.*

Side Yard Setback Zoning does not require a side yard setback. *Figure 1-16 Site Sections between 80 Smith and Mission Hill Playground* shows various widths of the side yard setback, including a planted buffer and the “porch” area. However, a portion of this setback is shown as a walkway, not as a planted buffer in renderings. This area also includes the fence that is not shown on renderings. *The design of this setback and interface should be clarified.*

Figure 1-25 Site Section appears to show 80 Smith Street in relation to the property line. This section does not include height or setback width as it changes along the facade. It does not show balconies, private yards or landscaping and trees. *This information should be provided.*

The plans indicate that there will be a landscaped buffer between the building at 80 Smith Street and the playground. The plans show eight trees in this buffer. However, even the site plan shows the tree canopies to be severely truncated. It is unclear whether the trees proposed in this buffer would be viable. *Further detail should be provided.*



Noise and Exhaust The 2005 site plans showed the ground floor plan with a garage exhaust next to the ball field. The 2024 basement plan and ground floor plan do not include the location of the exhaust ventilation. *The location of the garage exhaust ventilation should be provided.*

Details of the building mechanicals in relation to the public open space should be provided - including garage ventilation; building ventilation, condensing units, etc. Mechanicals should be sited so as not to impact the publicly owned open space with noise or exhaust. Ventilation fans should not impact or be oriented to public open space, and noise should be mitigated.

Egress to the Park The 2005 plan showed an ingress/egress door facing the park. The 2024 ground floor plan shows an internal hallway that appears to terminate in a dead end at a similar location facing the park. However, no door is shown in the 2024 plan. *This should be clarified.*



Retaining Wall/Fence The 2024 renderings show an edge condition that does not include the retaining wall or fence, and instead shows a seamless transition between the project and the park. *The design intent of such renderings should be clarified.*





City of Boston
Parks and Recreation
Mayor Michelle Wu

Construction Feasibility It will be difficult for the proponent to construct the building at 80 Smith Street as proposed, designed and sited given the side yard setback from the park. BPRD requested extensive information related to the demolition and construction in the comment letter on the NPC. The building has since been demolished without this information being provided.

The proponent did not provide the information that BPRD requested and instead responded that it would “commit to submit a plan directly to the Parks Department for review and approval at the appropriate time prior to the commencement of construction. It will be developed at the same time as the [BTD] Construction Management Plan.”

No demolition or construction access will be allowed from the park. Now is the appropriate time to provide the information that BPRD had requested. The previously requested information regarding demolition and construction impacts and management should be provided prior to the BPDA Board vote so that it may be evaluated to determine whether the proposed project is feasible given its proximity to the park. This information is in addition to that required by BTD.

The proponent should detail how the following will be performed without encroachment on or impact to Mission Hill Playground: demolition and waste removal given that the building at 80 Smith Street sits at the property line of the park; construction staging (including cranes, heavy equipment, deliveries, truck routes, contractor parking, storage, etc.); crane radii; excavation and grading; driving of piles; foundation support; foundation footings and construction; groundwater management during construction and after; erosion and sediment control; storm water management; construction of the building in proximity to the park; and noise and dust.

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

Mitigation The proposed project will have significant impacts on the adjacent playground, particularly if relief from zoning is granted. It is unclear what mitigation may have been negotiated in 2005 to offset the impacts to the park. *This information should be provided.*

Sincerely,

Carrie M. Dixon

Carrie Marsh Dixon, Executive Secretary
Boston Parks and Recreation Commission

cc: Ryan Woods, Commissioner, Boston Parks and Recreation Department
Liza Meyer, Chief Landscape Architect, Boston Parks and Recreation Department
Carrie Marsh Dixon, Executive Secretary, Boston Parks and Recreation Commission
Seth Riseman, Deputy Director of Design Review, Boston Planning and Development Agency
Jill Zick, Assistant Deputy Director of Public Realm, Boston Planning and Development Agency
Ebony DaRosa, Project Manager, Boston Planning and Development Agency

**Boston Water and
Sewer Commission**

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



October 14, 2022

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

Re: 80-110 Smith Street, NPC

Dear Michael Sinatra:

The Boston Water and Sewer Commission (Commission) has reviewed the Notice of Project Change (NPC) for the above referenced Project (Project). The Project site is located at the corner of Smith and Saint Alphonsus Streets in the Mission Hill neighborhood of Boston. A very similar proposal was reviewed by the Boston Redevelopment Authority (BRA) in 2005, and the current proposal represents only a minor change from what was originally approved at that time.

The Project site currently includes three structures that are a part of the Mission Church complex: 80 Smith Street, 90 Smith Street; and 100 Smith Street. The Project includes the demolition of the two existing abandoned buildings located at 80 Smith Street and 100 Smith Street, and an existing parking lot to the south. The existing 90 Smith Street building is between these two buildings and is not part of the Project.

The Project will include new residential buildings having approximately 202,000 square feet of new gross floor area and approximately 218 rental units, consisting of studio, one- and two-bedroom units. Approximately 86 dwelling units will be located at 80 Smith Street. The remaining 132 units will be located at 100 Smith Street. The Project will include approximately 11,450 square feet of open space to service the Project's residents. Parking will consist of 24 spaces on an open-air surface lot at grade, and 125 parking spaces in a below-grade garage utilizing and automated mechanical stacking system.

Water, sewer, and storm drain service for the Project site is provided by the Boston Water and Sewer Commission. The existing 80 Smith Street and 100 Smith Street buildings are abandoned and do not currently use water. The Projects estimated domestic water demand is approximately 12,826 gallons per day (gpd) for 80 Smith, and 20,086 gpd for 100 Smith, for a total proposed demand of 32,912 gpd. For water service the Project site is served on Smith Street by an 8-inch ductile iron southern low water main installed in 2015; on Saint Alphonsus Street by an 8-inch cast iron cement lined southern high water main installed in 1961; and on Saint Alphonsus Street by a 6-inch pit cast iron southern high water main installed in 1903.

The Project will require new domestic water and fire protection services. The domestic water and fire protection services will connect to the existing BWSC water mains in Smith Street and /or Saint Alphonsus Street. The Proponent will work with BWSC to identify whether the new buildings will have separate or shared domestic water and fire protection services.



The existing 80 and 100 Smith buildings are abandoned and do not contribute to existing sewage flows. The Project's estimated sewage flow is estimated at approximately 11,660 gpd for 80 Smith, and 18,260 gpd for 100 Smith, for a total proposed sewage generation of 29,920 gpd.

The Proponent will coordinate with BWSC on the design and capacity of the proposed connections to the sewer system. The Project will require new building sewer services. It is anticipated that the new sewer services for 80 Smith Street will connect to the existing 15-inch sewer main on Smith Street. The new 100 Smith sewer services will connect to either the existing 15-inch sewer main on Smith Street and/or the existing 12-inch sewer main on Saint Alphonsus Street.

For storm drainage the Project site is served by an existing 39-inch storm drain on Smith Street and a 12-inch storm drain main on the sidewalk located on east side of Saint Alphonsus Street which flows northerly and connects to the 39-inch storm drain main Smith Street. another 24-inch storm drain runs on the west side of Saint Alphonsus Street opposite the Project site which flows northerly and also connects to the 39-inch storm drain on Smith Street. The proposed Project is not expected to result in a significant change in impervious area compared to existing conditions. Improvements and connections to the Commission's infrastructure will be reviewed as part of the Commission's Site Plan Review Process.

The Commission comments regarding the Project are provided below.

General

1. The Proponent must submit a site plan and General Service Application to the Commission for the proposed Project. Prior to the initial phase of the site plan development, the Proponent should meet with the Commission's Design and Engineering Customer Services to review water main, sewer and storm drainage system availability and potential upgrades that could impact the Project's development.
2. Any new or relocated water mains, sewers and storm drains must be designed and constructed at the Proponent's expense. They must be designed and constructed in conformance with the Commission's design standards, Water Distribution System and Sewer Use Regulations, and Requirements for site Plans. The site plan should include the locations of new, relocated and existing water mains, sewers and drains which serve the site, proposed service connections, water meter locations, as well as back flow prevention devices in the facilities that will require inspection.
3. With the site plan the Proponent must provide detailed estimates for water demand (including water required for landscape irrigation), wastewater generation, and stormwater runoff for the Project. The Proponent should provide separate estimates of peak and continuous maximum water demand for retail, irrigation, and air-conditioning make-up water for the Project.
4. It is the Proponent's responsibility to evaluate the capacity of the water and sewer system serving the Project site to determine if the systems are adequate to meet future Project demands. With the site plan the Proponent must include a detailed capacity analysis for the water and sewer systems serving the Project site, as well as an analysis of the impact the Project will have on the Commission's systems and the MWRA's systems overall. The analysis should identify specific measures that will be implemented to offset the impacts of the anticipated flows on the Commission and MWRA sewer systems.



5. Developers of projects involving disturbances of land of one acre or more are required to obtain an NPDES General Permit for Construction from the Environmental Protection Agency. The Proponent is responsible for determining if such a permit is required and for obtaining the permit. If such a permit is required for the proposed Project, a copy of the Notice of Intent and any pollution prevention plan submitted to EPA pursuant to the permit must be provided to the Commission's Engineering Services Department prior to the commencement of construction.
6. The design of the Project must comply with the City of Boston's Complete Streets Initiative, which requires incorporation of "green infrastructure" into street designs. Green infrastructure includes 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/>
7. Before the Proponent demolishes any existing structures the existing water, sewer and drain connections that won't be re-used must be cut and capped in accordance with Commission standards. The Proponent must complete a Termination Verification Approval Form for a Demolition Permit, available from the Commission.

Sewage/Drainage

8. Oil traps are required on drainage systems discharging from enclosed parking garages. Discharges from the oil traps must be directed to a building sewer and must not be mixed with roof or other surface runoff. The requirements for oil traps are provided in the Commission's Requirements for Site Plans.
9. Sanitary sewage must be kept separate from stormwater at all times and separate sanitary sewer and storm drain service connections must be provided for the new building. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer. The Commission requires that existing stormwater and sanitary sewer service connections, if any are to be re-used by the Project, be dye tested to confirm they are connected to the appropriate system.
10. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission and the MWRA. The discharge of any dewatering drainage to the storm drainage system requires a Drainage Discharge Permit from the Commission. If the dewatering drainage is contaminated with petroleum products for example, the Proponent will be required to obtain a Remediation General Permit from the EPA for the discharge.
11. A Total Maximum Daily Load (TMDL) for Nutrients has been established for the Lower Charles River Watershed by the Massachusetts Department of Environmental Protection (DEP). To achieve the reductions in phosphorus loadings required by the TMDL phosphorus concentrations in stormwater discharges to the lower Charles River from Boston must be reduced by 64%. To accomplish the necessary reductions in phosphorus the Commission requires developers of projects in the lower Charles River watershed to infiltrate stormwater discharging from impervious areas in accordance with DEP requirements. With the site plan the Proponent must submit a phosphorus reduction plan for the Project.



12. The Proponent must fully investigate methods for infiltrating stormwater on-site before the Commission will consider a request to discharge stormwater to the Commission's system. A volume of runoff equal to one inch of rainfall times the total impervious area on site must be infiltrated prior to discharge to a storm drain or a combined sewer system for projects less than 100,000 square feet of floor area. All projects at or above 100,000 square feet of floor area are required to retain, on site, a volume of runoff equal to 1.25 inches of rainfall times the impervious area. A feasibility assessment for infiltrating stormwater on-site must be submitted with the site plan for the Project. The site plan must show how storm drainage from roof tops and other impervious surfaces will be managed.
13. The Massachusetts Department of Environmental Protection (MassDEP) has established Performance Standards for Stormwater Management. The Standards address stormwater quality, quantity, and recharge. In addition to Commission standards, the proposed Project will be required to meet MassDEP's Stormwater Management Standards.
14. In conjunction with the site plan and General Service Application the Proponent will be required to submit a Stormwater Pollution Prevention Plan. The plan must:
 - Specifically identify how the Project will comply with the Department of Environmental Protection's Performance Standards for Stormwater Management both during construction and after construction is complete.
 - Identify specific best management measures for controlling erosion and preventing the discharge of sediment, contaminated stormwater or construction debris to the Commission's drainage system when construction is underway.
 - Include a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control or treatment structures to be utilized during construction.
15. The Commission requests that the Proponent install a permanent casting stating: "Don't Dump: Drains to Charles River" next to any new catch basin installed as part of the Project. The Proponent may contact the Commission's Operations Division for information regarding the purchase of the castings.
16. The Commission encourages the Proponent to explore additional opportunities for protecting stormwater quality by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.

Water

17. The Proponent is required to obtain a Hydrant Permit for use of any hydrant during construction of the Project. The water used from the hydrant must be metered. The Proponent should contact the Commission's Operations Department for information on obtaining a Hydrant Permit.



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

Thank you for the opportunity to comment on this Project.

Yours truly,

John P. Sullivan, P.E.
Chief Engineer

JPS/as

cc: D. Mackay, Mission Associates
K. Ronan, Mass. Water Resources Authority via email
P. Larocque, BWSC via email

TO: Michael Sinatra, Senior Project Manager
CC: Mission Associates, LLC

FROM: Travis Anderson, Senior Infrastructure & Energy Planner
William Visco, Smart Utilities & Energy Planning Co-op

DATE: October 20th, 2022
SUBJECT: **80-100 Smith Street - Smart Utilities Comments - NPC**

Comments and requests for additional information:

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

Thank you for the preliminary submission of a Utility Site Plan and Smart Utilities Checklist. In response to our review of the provided documents, we ask that you include the following elements in a future filing:

1. Utility Site Plan: The Smart Utilities team requests that the following be included on an updated Utility Site Plan in a future submission:
 - a) Gas
 - i) The project has indicated that the building is all electric
 - b) Telecom
 - i) Show the telecom connection and its planned extension from the right-of-way (ROW) to the building.
 - c) Electric Service
 - i) Show the electrical connection and its planned extension from the right-of-way (ROW) to the building.
 - ii) Show the location of any electrical utility meters.
 - d) Domestic Water
 - i) Show the domestic water connection and its planned extension from the right-of-way (ROW) to the building.
 - ii) Show the location of any domestic water utility meters.
 - e) Stormwater and Sanitary
 - i) Please show the stormwater and sanitary connections to city sewer lines, including their planned extension from the right-of-way (ROW) to the building.
 - f) Green Infrastructure
 - i) Please submit diagrams/cross sections of potential stormwater infrastructure (permeable surfaces, retention tanks, low impact design strategies, landscape features in the public realm, etc.)

g) Electrical Transformers

- i) Thank you for providing the proposed location on the site. It appears if the transformer location was to shift further into the site the drive aisle would open up.
- ii) Please clarify if the transformers are to be screened from the right of way
- iii) Please include verification that any transformers are being adequately sized for future loads.

h) Electric Vehicles

- i) Please include in your USP any infrastructure needed to comply with the City of Boston [EV Readiness Policy for New Developments](#). This may include EV chargers, additional electrical services, transformers, empty conduit, etc. 25% of onsite parking must be EV ready at onset, with the remaining 75% being EV-ready for future installation.

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.

4) Urban Heat Island

- a) Preliminary details regarding heat mitigation strategies. For additional information, please consult the following:
<https://www.boston.gov/departments/environment/climate-ready-boston-map-explorer>



CITY of BOSTON

Michelle Wu, Mayor

To: Michael Sinatra, BPDA
From: Jeffrey Alexis, PWD
Date: September 27, 2022
Subject: 80-100 Smith Street NPC - Boston Public Works Department Comments

Included here are Boston Public Works Department (PWD) comments for the 80-100 Smith Street NPC.

Pedestrian Access:

The developer should consider making pedestrian improvements at the Smith Street and Cornelia Court intersection, as well as the intersection of St. Alphonsus Street and Tremont Street.

Project Specific Scope Considerations:

The developer should consider extending the scope of work to include sidewalk improvements along St. Alphonsus Street up to the intersection at Tremont Street. Coordinate with BTDA Active Transportation to explore any opportunities for improved bicycle facilities along St. Alphonsus Street.

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 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 BTDA.



PUBLIC WORKS DEPARTMENT

Boston City Hall • 1 City Hall Sq Rm 714 • Boston MA 02201-2024
The Office of the Streets, Transportation, and Sanitation
(617) 635-4900



CITY of BOSTON

Michelle Wu, Mayor

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:

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.



PUBLIC WORKS DEPARTMENT

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CITY *of* BOSTON

Michelle Wu, Mayor

Green Infrastructure:

The developer shall work with PWD 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.

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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Michelle Wu
Mayor

Article 37 Interagency Green Building Committee

July 20, 2022

Joseph Hanley
Mission Associates, LLC
28 State Street, Suite 802
Boston, MA 02109

Re: 80-100 Smith Street– Zoning Article 37 Green Building Compliance

Dear Mr. Hanley,

The Boston Interagency Green Building Committee (IGBC) is looking forward to learning more about your project and working with you and your team to ensure the project minimizes adverse environmental impacts, including greenhouse gas emissions, and contributes to Boston's sustainability and resiliency goals.

Your proposed project is subject to Boston Zoning Code Article 37 Green Buildings. In addition to ensuring projects comply with Article 37, IGBC staff are available to explain City of Boston sustainability, green building, and carbon neutral goals and best practices. Please feel free to request a profile meeting or call with IGBC staff.

The following is intended to assist you and your team in initial project planning and provision of related submission materials and project expectations:

Article 37 Initial Filing. For the complete review, please include the following items in your future filings:

- **Sustainability Narrative.** The following items should be included in this section; all elements are understood to be preliminary:
 - Sustainability Narrative. This section should outline the project's sustainability, green building, and climate resiliency strategies. The narrative should identify the proposed US Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) rating system and outcome, describe building-specific strategies for each LEED category and how key credits will be achieved (stormwater, heat island, water-use reduction, energy optimization), state whether the project will be USGBC Registered or USGBC Certified, and include a

preliminary LEED Checklist. Use and submit only a standard LEED Checklist. Modified Checklists will not be reviewed.

- **Climate Resiliency Checklist Report** (Resiliency Report). The Resiliency Checklist provides a framework for considering present and future climate conditions in the project planning and design. The Resiliency Checklist is to be completed online using [this link](#) with a copy of the Climate Resiliency Report included in the filing.
- In support of the City of Boston's Resiliency and GHG emissions reduction goals including Carbon Neutral Boston 2050 the IGBC requests the project team to prepare a project specific **Carbon Neutral Building Assessment**. The CNBA should model a range of low-carbon building design packages that leverage enhanced building envelope and smaller optimized building systems. It should include at least one all electric clean heating and cooling package. The assessment should assess maximized solar energy systems and determine any amount of off-site renewable energy required for zero carbon performance. In the assessment, we recommend that you target the following values:
 - **Enhanced Building Envelope:**
 - Air infiltration – ACH below 0.6;
 - Opaque curtain wall insulation – below U-0.05;
 - Vision curtain wall performance – below U-0.20;
 - Window performance - below U-0.20;
 - Window to wall ratio, tuned glazing with Solar Heat Gain Coefficient below SGHC 0.30);
 - Insulation levels for roof – R-50 c.i., wall – R-36 with c.i., and slab – R-12 c.i..
 - **Optimized Building Systems:**
 - Small, highly efficient and alternative clean all-electric heating & cooling systems;
 - Dedicated fresh air with ERV (better 80% with MERV 8 filter) systems that fully consider the improved envelope performance and utilize advanced heat pump and hybrid heating technology;
 - Heat pump hot water equipment.
 - **Maximized Solar Energy Systems** – optimized roof program and equipment layout for solar renewable energy systems and installed systems.
 - **Renewable Energy Procurement:**
 - Offsite renewable energy assets;
 - RECs (Massachusetts Class I) and equivalent credits;
 - Carbon offsets.

Please include the following UA and Carbon Emission Intensity (CEI) building performance calculations for the proposed design of your buildings as described below.

UA and CEI Calculations

- Whole Building UA value – this is the average area weighted U value for all building exterior areas
- Vertical Wall UA value – this is the average area weighted U value for only the vertical exterior areas which excludes roof, floor, and subgrade wall areas.

Example: Whole Building UA = 0.13, and Vertical Wall UA = 0.17

Carbon Emission Intensity – measured in kilograms of carbon dioxide equivalent per conditioned square feet of building area per year. The CEI calculations should be building specific and breakout primary uses, energy types (natural gas, grid electricity), and onsite renewable energy system(s) subtotals as well as the net CEI calculation.

Example:

Building One (Residential 100k sf, Retail 3k sf)

- *Residential Elec = 1.98 kg CO₂e/sf/yr*
- *Residential Gas = 0.0 kg CO₂e/sf/yr*
- *Retail Elec = 3.20 kg CO₂e/sf/yr*
- *Retail Gas = 0.65 kg CO₂e/sf/yr*
- *Building CEI = 2.03 kg CO₂e/sf/yr*

Note – so we better understand the building performance in the initial life cycle of the building mechanical systems, and whether the building will meet the future performance standards, please provide CEI's for both current (2021) and future (2035) Grid Electricity emissions based on the following energy Emission Factors:

- Natural Gas: 117 lbs / Mbtu = 53.11 kg CO₂e / Mbtu = 5.31 kg CO₂e / therm
- 2021 Grid Electricity: 611 lbs CO₂e / MWh = 277.8 kg CO₂e / MWh = 81.2 kg CO₂e / MBtu
- 2035 Grid Electricity: 392 lbs CO₂e / MWh = 177.8 kg CO₂e / MWh = 52.1 kg CO₂e / MBtu

If the project requires the removal of an existing on-site building include.

The project requires the removal of an existing on-site building. Consistent with the City's Zero Waste Plan, we suggest consideration of deconstruction rather than standard demolition. Deconstruction can be done in several ways and at various proportions. We ask that the project consult with Susan Cascino, Recycling Policy Director for the Environment, Energy & Open Space Cabinet, about potential deconstruction options. She can be reached at susan.cascino@boston.gov or by calling 617-635-3850.

Please include the information mentioned above in your future filings. Please let me know if you have any questions or if I can be of any assistance.

Sincerely,

Katie Pedersen

On behalf of the Interagency Green Building Committee

Cc: Michael Sinatra, BPDA
IGBC



Case	BOA1690859
ZBA Submitted Date	2025-02-10
ZBA Hearing Date	2025-11-18
Address	122 Wood AV Mattapan 02136
Parcel ID	1804048000
Zoning District & Subdistrict	Hyde Park Neighborhood 1F-6000
Zoning Article	69
Project Description	Construct a new two-family dwelling after subdividing an existing lot.
Relief Type	Variance
Violations	FAR Excessive Rear Yard Insufficient Side Yard Insufficient Usable Open Space Insufficient Front Yard Insufficient Lot Frontage Insufficient Lot Area Insufficient Lot Width Insufficient Parking or Loading Insufficient

Planning Context:

This project was originally scheduled for the September 23, 2025 hearing date but was deferred. New drawings were submitted demonstrating the addition of two new parking spaces and the relocation of the building 8 ft closer to the front lot line, reducing the depth of the front yard. The Planning Department staff recommendation remains the same. This project is filed in connection to ALT1676803. The proposed project would erect a two-family home after subdividing a lot that currently contains an existing two-family structure. The subdivision would create an open undeveloped lot in which the proposed building would be built on. The surrounding context is made up of a mixture of single-family and two-family dwellings. The site is a corner lot condition and much larger than the neighboring lots. The proposed project is within the area of PLAN: Mattapan but was not rezoned due to its location in the Hyde Park Neighborhood District.

Zoning Analysis:



The current lot is larger than much of the neighboring lots at the size of 6,872 sf. The subdivision would cut the large lot almost in half and the proposed newly created lot would be similar in size to the neighboring lots at 3,181.34 sf, which are all smaller than the requirement at 6,000 sf. The proposed has an insufficient lot width and lot frontage of 32 ft. The floor area ratio of the proposed is excessive at 0.7 when the maximum is 0.5. The proposed usable open space per dwelling unit is insufficient at 980 sf while required would be 3,600 sf. The proposed side yard is insufficient at 4.9 ft while the minimum is 10 ft. These violations are commonplace in the surrounding context, especially amongst the residences along the Wood Ave corridor. The front yard is proposed at 16.5 ft while the required is 25 ft. The rear yard is proposed at 23.4 ft while the required is 40 ft. Both the front yard and rear yard setbacks are in line with the neighboring existing house conforming with existing building alignment as recommended by the zoning code. Lastly the project will have insufficient parking of 0 while the required would be 4. PLAN: Mattapan specifically calls for a need for contextually appropriate infill housing due to help the City's present shortage of housing. The PLAN also recognizes the challenge of the new projects including off-street parking. The proposed remains in line with the surrounding context while adding to the housing stock of the city.

Recommendation:

In reference to BOA1690859, The Planning Department recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, reading "Kathleen O'Neil".

Deputy Director of Zoning



Case	BOA1690861
ZBA Submitted Date	2025-02-10
ZBA Hearing Date	2025-11-18
Address	122 Wood AV Mattapan 02136
Parcel ID	1804048000
Zoning District & Subdistrict	Hyde Park Neighborhood 1F-6000
Zoning Article	69
Project Description	Subdivide a lot with an existing two-family dwelling into two lots; one with the existing dwelling and one vacant for new construction.
Relief Type	Variance
Violations	Side Yard Insufficient Usable Open Space Insufficient Lot Width Insufficient Lot Frontage Insufficient Lot Area Insufficient

Planning Context:

The project was scheduled for the September 23, 2025 hearing but was deferred. The Planning Department staff recommendation remains the same. This project is filed in connection to ERT1676804. The proposed project would subdivide a corner lot which is larger than much of the neighboring context and contains an existing two-unit structure. The subdivision would make the lot containing the existing building smaller, but still similar in size to much of the neighboring lots with a similar amount of open space. No alterations will be made to the existing building. The surrounding context is made up of a mixture of single-family and two-family dwellings. The proposed project is within the area of PLAN: Mattapan but was not rezoned because it is located within the Hyde Park Neighborhood District.

Zoning Analysis:

The proposed subdivision creates five violations on the now smaller existing lot. The lot area is insufficient at 3,901.66 sf while the required minimum is 6,000 sf. The lot width and frontage are insufficient at 41 ft while the minimum required is 60 ft. The usable open space is insufficient at 1,195 while the required minimum would be 3,600. Lastly the side yard will be insufficient at 3.8 ft while the required minimum is 10 ft. All of these violations are commonplace across the



neighborhood with lots of similar size and houses of similar mass. PLAN: Mattapan specifically calls for a need for contextually appropriate infill housing due to help the City's present shortage of housing. The proposal would allow for the creation of new housing, while preserving existing housing and remaining in character with the surrounding context.

Recommendation:

In reference to BOA1690861, The Planning Department recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, reading "Kathryn Onuf".

Deputy Director of Zoning



Case	BOA1781936
ZBA Submitted Date	2025-09-23
ZBA Hearing Date	2025-11-18
Address	12 Perkins AV Hyde Park 02136
Parcel ID	1811653000
Zoning District & Subdistrict	Hyde Park Neighborhood 1F-6000
Zoning Article	69
Project Description	Convert existing garage into an additional dwelling unit
Relief Type	Variance
Violations	Side Yard Insufficient Rear Yard Insufficient Two or More Dwellings on Same Lot Use: Forbidden (Additional Dwelling Unit)

Planning Context:

The proposed project was deferred by the Zoning Board of Appeal from the September 23, 2025 hearing. As no new plans have been submitted, the Planning Department recommendation remains the same.

The proposed project intends to convert an existing garage structure to an accessory dwelling unit. The ADU Guidebook, approved in November 2024, provides a number of schemes to enable the addition of one unit of housing on various lot types across Boston. More specifically, the guidebook describes the conversion of an existing external structure into an additional unit as a suitable renovation for larger size lots.

Zoning Analysis:

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



Recommendation:

In reference to BOA1781936, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1709737
ZBA Submitted Date	2025-04-16
ZBA Hearing Date	2025-11-18
Address	12R Perkins AV Hyde Park 02136
Parcel ID	1811653000
Zoning District & Subdistrict	Hyde Park Neighborhood 1F-6000
Zoning Article	69
Project Description	Convert existing garage into an additional dwelling unit.
Relief Type	Variance
Violations	Side Yard Insufficient Rear Yard Insufficient Two or More Dwellings on Same Lot Use: Forbidden (Additional Dwelling Unit)

Planning Context:

The proposed project was deferred by the Zoning Board of Appeal from the September 23, 2025 hearing. As no new plans have been submitted, the Planning Department recommendation remains the same.

The proposed project intends to convert an existing garage structure to an accessory dwelling unit. The ADU Guidebook, approved in November 2024, provides a number of schemes to enable the addition of one unit of housing on various lot types across Boston. More specifically, the guidebook describes the conversion of an existing external structure into an additional unit as a suitable renovation for larger size lots.

Zoning Analysis:

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



Recommendation:

In reference to BOA1709737, The Planning Department recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, reading "Kathleen O'Neil".

Deputy Director of Zoning



Case	BOA1769103
ZBA Submitted Date	2025-08-26
ZBA Hearing Date	2025-11-18
Address	26 Windom ST Allston 02134
Parcel ID	2200080000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 1F-4000
Zoning Article	51
Project Description	The applicant proposes to construct a two-story rear addition to the existing one-unit dwelling.
Relief Type	Variance
Violations	FAR Excessive Side Yard Insufficient Rear Yard Insufficient

Planning Context:

26 Windom Street is located on a block lined with small detached homes, several of which have been expanded with rear or side additions of similar scale. The existing two-and-a-half-story house sits on a 3,400 square foot lot. The proposal is to construct a two-story rear addition; the scale and form of the addition are consistent with patterns of expansion already present in the neighborhood. The site is directly adjacent to the Enterprise Research Campus (ERC) and the emerging greenway corridor, where larger-scale mixed-use and affordable housing projects are being planned. While this broader context reflects significant change at the district scale, the proposed addition at 26 Windom remains in character with the surrounding residential block.

Zoning Analysis:

The property is located within the 1F-4000 Residential Subdistrict of the Allston-Brighton Neighborhood District. A review of the proposal against Article 51 of the Boston Zoning Code has identified the following zoning issues:

Floor Area Ratio (FAR): Article 51, Section 9, and Table D establish a maximum FAR of 0.5 in the 1F-4000 subdistrict. On a 3,400 square foot lot, this allows for 1,700 square feet of gross floor area. The existing home is approximately 1,178 square feet (FAR 0.30). With the proposed



two-story rear addition, the total would rise to about 2,244 square feet (FAR 0.66), exceeding the maximum and requiring relief.

Side Yard: A 10-foot side yard is required. The project would maintain a setback of 4'-9", matching the existing structure along the property line. Relief is needed to continue this nonconforming condition.

Rear Yard: A 30-foot rear yard is required. The addition would reduce this setback to 3 feet from the rear property line. Although this is a substantial shortfall, similar conditions are common in the neighborhood, where many older homes and additions do not meet current rear yard requirements.

Given the small lot, the modest scale of the addition, and the citywide goals of housing diversification, the ZBA should consider granting relief. The project reflects the way many Allston-Brighton homes have been adapted over time and underscores the need for zoning updates that better match the built fabric of Boston's neighborhoods.

Plans reviewed: "26 Windom: Rear Addition Permit Set," prepared by Anderson Porter Design and dated May 15, 2025.

Recommendation:

In reference to BOA1769103, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning