



Planning Department

CITY of BOSTON

MEMORANDUM

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

FROM: Joanne Marques
Planning Department

DATE: April 3, 2026

RE: Planning Department Recommendations (Revised)

Please find attached, for your information, Planning Department recommendations for the April 7, 2026 Board of Appeals Hearing.

Also included:

65 to 79 Wareham ST 08 Roxbury MA 02118
52 Plympton ST 08 Roxbury MA 02118

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



Case	BOA1792127
ZBA Submitted Date	2025-10-27
ZBA Hearing Date	2026-04-07
Address	101 Cottage ST East Boston 02128
Parcel ID	0105260000
Zoning District & Subdistrict	East Boston Neighborhood EBR-4
Zoning Article	53
Project Description	The proposal adds a private roof deck for Unit 2 at the existing two-family dwelling at 101 Cottage Street. Access to the roof deck would be provided from the existing third-floor rear balcony by way of a new exterior spiral stair located at the rear of the building.
Relief Type	Variance, Conditional Use
Violations	Extension of Non Conforming Use Roof Structure Restrictions Rear Yard Insufficient Lot Depth Insufficient

Planning Context:

The proposal at 101 Cottage Street consists of exterior alterations to an existing two-family dwelling. The proposed project converts the roof into a private deck for the use of Unit 2. Access to the roof deck would be provided by an exterior rear spiral staircase extending from the third-floor rear balcony. The existing building footprint remains unchanged.

The property is located within the EBR-4 subdistrict on an interior lot that directly abuts a corner lot to the north along its right side lot line. The lot is rectangular in configuration, measuring approximately 19.66 feet in width by 50 feet in depth, for a total lot area of 983 square feet. Nearby lots are generally similar in size and share the same narrow rectangular pattern.

The site is also located within the East Boston Neighborhood Restricted Roof area, where roof decks and other roof structures are subject to additional planning and design review.

Zoning Analysis:



The proposal received citations for extension of a nonconforming use, insufficient rear yard, insufficient lot depth, and roof structure restrictions.

The rear-yard and lot-depth citations arise from the existing dimensional condition of the property. The proposal retains the existing footprint and lot dimensions. Article 53, Table F requires a rear yard in the EBR-4 subdistrict equal to one-third of the lot depth. The existing structure predates the current zoning, and its rear-yard condition is therefore pre-existing nonconforming. Because the proposal does not extend farther into the lot or further encroach into the required rear yard, it does not increase that nonconformity. Both citations instead arise from the same existing condition and do not represent a new nonconformity introduced by the proposed work. Furthermore, the proposal triggers review under Article 53, Section 53-30 because it includes a vertical addition to an existing nonconforming structure, even though that provision is not cited in the denial letter. Under Section 53-30(2)(b), a vertical extension is allowed if it remains within the existing building floor plate, does not exceed the greater of the existing or permitted height, and complies with any applicable setback requirements. Here, the proposed roof deck does not create any new dimensional nonconformity and remains within those limits. On that basis, the roof deck is properly understood as a permissible vertical extension under Section 53-30(2)(b).

With respect to roof deck requirements under Article 53, Section 53-25, the plans satisfy the roof deck's location and elevation requirements, but not its access and setback requirements. The deck is shown on the main roof of a building with a roof slope of less than five degrees and appears to be set less than one foot above the roof's highest point. The issue is therefore access and setback. Article 53, Section 53-25 permits access only by a roof hatch or bulkhead no more than thirty inches above the deck, or by a stairway headhouse that meets the prescribed dimensional requirements and is set back at least ten feet from the roof edge facing the public right of way. The proposed exterior spiral stair from the third-floor rear balcony does not satisfy either option. In addition, the plans show a front setback of approximately five feet, where ten feet is required.

Even so, the proposed roof deck and stair access are supported by the surrounding context. The proponent submitted plans indicating a comparable roof deck condition on the abutting right corner lot, including similar deck dimensions, mirrored stair access, and an approximately five-foot setback. The proposed condition therefore reflects an adjacent pattern. While the proposal



cannot fully achieve the prescribed setback due to the stair access, relocating that access internally through the roof would result in a meaningful loss of living space.

The reviewed plans, titled "101 Cottage - Unit 2 Roof Deck," were prepared by Derek Rubinoff Architect and dated September 5, 2025.

Recommendation:

In reference to BOA1792127, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1811057
ZBA Submitted Date	2026-01-11
ZBA Hearing Date	2026-04-07
Address	51 Soley ST Charlestown 02129
Parcel ID	0203339000
Zoning District & Subdistrict	Charlestown Neighborhood 3F-2000
Zoning Article	62
Project Description	Proposed gut renovation of the existing single-family residence, including the construction of an approximately 300 sq ft two-story rear addition, a first-floor rear deck, new front and rear dormers, and a roof deck above the rear addition. The proposal also includes finishing the existing basement and maintaining three existing off-street parking spaces at the rear of the lot.
Relief Type	Conditional Use, Variance
Violations	Rear Yard Insufficient Usable Open Space Insufficient Roof Structure Restrictions

Planning Context:

Buildings in the immediate area exhibit a range of roof forms, including three-story flat-roofed structures that commonly support roof decks and two-and-a-half-story gable-roofed buildings with front and rear dormers. Regardless of the roof type, the narrow lot pattern has produced a consistent built form of narrow, two-story rear additions, many of which support roof decks when the primary structure cannot. These rear additions are typically rectangular and occupy approximately half the lot width. At 51 Soley Street, the existing rear addition presents a unique L-shaped configuration that creates a small interior void between the primary structure and the addition. Due to its orientation, this space functions as an effectively unusable two-story recess between 51 Soley Street and the adjacent property at 49 Soley Street.

Lots fronting Soley Street with rear lot lines along Monument Court tend to decrease in depth due to the offset alignment of the two streets. The subject parcel is the longest lot constrained by this condition and is therefore able to accommodate three off-street parking spaces at the rear. Across the block, rear yards are commonly fully paved, with larger lots incorporating patios



or hardscape outdoor areas, while smaller lots rely on roof decks rather than ground-level open space.

The limited provision of open space, especially green open space, on these parcels is offset by the property's close proximity to several public open spaces, including Winthrop Square, the Bunker Hill Monument park, and the Charlestown Naval Shipyard Park.

In addition to the dimensional and use regulations of the 3F-2000 Subdistrict, the property is subject to the Charlestown Neighborhood Design Overlay District (NDOD), which requires that new construction and significant alterations remain compatible with the historic character of Charlestown. The property is also located within the Restricted Roof District: Charlestown Neighborhood, which regulates the construction and expansion of rooftop structures to ensure they remain contextual to the existing urban form and do not adversely impact the pedestrian experience along public ways.

Zoning Analysis:

The proposed project incurs two dimensional violations under Article 62-7 and requires a Conditional Use Permit pursuant to the roof structure restrictions of Article 62-25. The dimensional violations relate to an insufficient rear yard and insufficient usable open space. The 3F-2000 Subdistrict requires a 20' rear yard setback. The existing structure already provides a nonconforming 19' rear yard. The proposed first-floor deck reduces this setback to 15.4', representing a minor worsening of an existing condition rather than the creation of a new violation. Despite this reduction, the rear yard remains large enough to accommodate the existing three off-street parking spaces along with the proposed deck, maintaining separation between the structure and the rear lot line. Given the limited worsening of the existing violation and the continued functionality of the rear yard, relief is appropriate. The subdistrict also requires 350 sq ft of usable open space. The existing structure currently provides approximately 105 sq ft, which will be reduced to 70 sq ft as a result of the proposed addition filling the recessed void created by the existing L-shaped rear addition. While this change further reduces ground-level open space, the proposal introduces the first-floor rear deck and enables the creation of a rear roof deck, providing functional outdoor space for the residents. The property is also located within close proximity to several public open spaces, further offsetting the reduction of on-site open space. Considering these factors, relief for this minor worsening of an existing violation is appropriate.



Pursuant to Article 6-3, the Board may grant a Conditional Use Permit where the proposed work is appropriate for the site, does not adversely affect the neighborhood, and does not create a nuisance. The proposed front dormers are consistent with the dormer pattern commonly found on gable-roofed buildings in the surrounding area. The proposed rear dormer, however, extends across nearly the full width of the structure and will be highly visible from Monument Court, a public right-of-way. As a result, the proposal represents a substantial alteration of the existing roof form. Planning Department Design Review is required, ensuring the design aligns with the requirements and design guidance of the Charlestown Neighborhood Design Overlay District and does not negatively impact the public realm along Monument Court.

Plans reviewed are titled "Proposed Renovations 51 Soley Street Charlestown, MA." prepared by Timothy Sheehan Architect and dated 6/18/2025.

Recommendation:

In reference to BOA1811057, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review focusing on the size and scale of the proposed rear dormer.

Reviewed,

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Deputy Director of Zoning



Case	BOA1747974
ZBA Submitted Date	2025-07-14
ZBA Hearing Date	2026-04-07
Address	142 P ST 06 South Boston MA 02127
Parcel ID	0604441000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Build 5 roof decks on top of an existing building, accessed through existing roof hatches. Each unit will have its own deck.
Relief Type	Variance, Conditional Use
Violations	Front Yard Insufficient Rear Yard Insufficient Roof Structure Restrictions

Planning Context:

The proposed project sits in an established residential area of South Boston's City Point neighborhood. Its surrounding context consists of a mix of three- to four-story structures, housing a range of single- to multi-unit residential land uses. The project is located within a one-block radius of Marine Park and several stops for the MBTA's 11 bus route.

The project site is occupied by an existing three-story, five-unit residential structure. The proposed project seeks to erect five new roof decks atop the existing structure, one for each unit. These roof decks are proposed to be accessed through existing roof hatches and completely hidden from public view. The latter is accommodated due to the structure's existing parapet, which extends 4 feet above the project's flat roof, and provides complete visual screening for the structure's existing rooftop mechanicals and proposed roof decks.

The project scope aligns with the Planning Department's design standards for roof decks (built upon flat roof, concealed from the public right of way) and is harmonious with the site's existing design. It also adds valuable usable open space for the structure's residents. Roof decks and upper story balconies are contextual to the site and commonly found in the surrounding area, including on several of the structures on the proposed project's block.

Zoning Analysis:



The proposed project's roof structure restrictions violation is triggered by Section 68-29 of the Code, which necessitates a conditional use permit for any project proposing to alter the roofline of an existing residential structure. The project's proposed roof decks maintain the structure's existing building height (which conforms with zoning) and are entirely hidden from public view (accessed through existing roof hatches + screened by the structure's existing four-foot-tall parapet wall). Because of this context, as well as the fact that roof decks are a common fixture already existing across the project's surroundings, the proposal is deemed appropriate for the area.

The project's insufficient front and side yard violations are existing conditions, not proposed to be extended or worsened by the proposed project. Accordingly, their impacts are negligible to the proposal.

Considering the prevalence of roof decks across the urban form of South Boston (and beyond), future zoning reform efforts should amend neighborhood zoning requirements to better permit open roof decks, especially upon already existing residential structures.

Plans reviewed titled, "142 P Street, South Boston, MA," prepared by Context Architects on March 2, 2026.

Recommendation:

In reference to BOA1747974, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1808920
ZBA Submitted Date	2025-12-30
ZBA Hearing Date	2026-04-07
Address	78 H ST South Boston 02127
Parcel ID	0602091000
Zoning District & Subdistrict	South Boston Neighborhood MFR/LS
Zoning Article	68
Project Description	Change the use of an existing building from one dwelling unit to two. Extend living space into the basement; remodel existing baths; and add first-floor bath, second-floor kitchen, and rear deck with egress stairs.
Relief Type	Variance
Violations	Lot Area Insufficient Additional Lot Area Insufficient Side Yard Insufficient FAR Excessive Parking or Loading Insufficient

Planning Context:

The proposed project sits just South of East Broadway, and is located between South Boston's Telegraph Hill and City Point neighborhoods. Its surroundings consist of three- to four-story structures, with a range of single- to multi-unit residential land uses. Limited ground-floor commercial uses are located within a three-block radius of the site. Stops for the MBTA's 9 and 10 bus routes are accessible within a half-block of the proposed project.

The project site is currently occupied by an existing three-story attached-structure with a one-unit residential land use. The site is narrow (eighteen feet) and does not have any existing off-street parking. The proposed project seeks to convert the building from one dwelling unit to two. It proposes to do so through internal renovations to the existing structure, including the conversion of basement storage space into living space. The basement is set roughly 40% above grade and has several existing window openings, providing the space with sufficient access to light and air. It site also sits outside the Boston's Coastal Flood Resilience Overlay District (CFROD), meaning its basement flood risk is minimal. Outside of the addition of a new rear deck / egress stair, no exterior alterations to the existing structure are proposed.



The 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 which promote projects delivering additional housing units through the adaptive reuse and preservation of historic structures (Housing a Changing City, Boston 2030 - September 2018).

Zoning Analysis:

The proposed project's insufficient lot area, side yard, and off-street parking violations are each existing conditions upon the site, not proposed to be altered through the project. While insufficient by the zoning's standards, the project's lot area (5,000 square feet required, 1,350 square feet proposed) is contextual to its surroundings, representing one of the largest lots on its block. The majority of these smaller lots already hold either two- or three-unit residential uses. Each also shares the same zero-foot side yard setback condition that the proposed project does.

The site's insufficient parking (two spaces required, zero existing/proposed) is another condition shared by every lot on the project's block. Due to the site's narrow parcellation (eighteen feet wide), the creation of off-street parking upon the site could not be accommodated without the demolition of the existing structure on the site. Accordingly, the project's site plan is proposed to remain as is, in alignment with its surroundings.

The proposed project's FAR violation represents an existing nonconformity on the site that is worsened by the project (1.5 permitted, 1.64 existing, 2.15 proposed). While the proposed project does extend this nonconformity, it does so exclusively through interior renovations of the existing structure. Because this extension of living space does not involve any addition or bump out to the structure's existing footprint, its impacts will be negligible to the surrounding area.

Future zoning reform in the area should seek to recalibrate dimensional standards and remove minimum requirements for lot area and off-street parking, so as to better align zoning rules with the existing context of the neighborhood.

Plans reviewed titled, "One To Two Family Conversion, 78 H Street, South Boston, MA," prepared by T Design LLC on November 10, 2025.

Recommendation:

BOA1808920
2026-04-07
2 Planning Department



Planning Department

CITY of BOSTON

In reference to BOA1808920, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1807562
ZBA Submitted Date	2025-12-19
ZBA Hearing Date	2026-04-07
Address	126 Crawford ST Dorchester 02121
Parcel ID	1202990000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	50
Project Description	Construct a new front exterior stair.
Relief Type	Variance
Violations	Front Yard Insufficient

Planning Context:

The proposed project would be the addition of a new front exterior stair that would act as a new means of egress for the upper unit in a two-unit, three-story building. The unit is only located on the upper third floor with access from one rear staircase that begins in the exterior side yard of the building. The new staircase would be accessed from a new path directly off the sidewalk adjacent to the front entrance of the lower level unit. The surrounding context is made up of a mixture of unit count with homes similar in mass and design. The site is located adjacent to Crawford St Playground and triggers Ordinance 7.4-11 requiring approval of the Boston Parks and Recreation Commission.

Zoning Analysis:

The proposed would violate front yard depth requirements. The required front yard depth minimum is 20 feet and the proposed would be approximately 5 feet. The front yard violation is an existing violation: while this violation would be extended vertically and horizontally, the proposed alterations would not extend further into the existing front yard setback than the existing condition. Design review is recommended to simplify the design and better integrate proposed alterations into the existing front porch and stairs.

Recommendation:

In reference to BOA1807562, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with



attention to consolidating the landings, that plans shall be submitted to the Department of Parks and Recreation for review.

Reviewed,

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Deputy Director of Zoning



Case	BOA1721164
ZBA Submitted Date	2025-05-14
ZBA Hearing Date	2026-04-07
Address	2 to 20 Fairmount AV Hyde Park 02136
Parcel ID	1809009000
Zoning District & Subdistrict	Hyde Park Neighborhood NS-2
Zoning Article	69
Project Description	Adding take-out to existing restaurant use.
Relief Type	Conditional Use
Violations	Use: conditional (take-out)

Planning Context:

This project is in the study area for the Squares + Streets: Cleary Square Small Area Plan, which was released as a draft on March 17, 2026 and is now available for public comments. The stated land use goals in the plan for this area (designated in the plan as the community and commercial core) include supporting the "existing commercial character through land use regulations that allow a variety of commercial uses." The small business section of the plan also states community priorities including "protections and supports for small BIPOC and immigrant owned business." This project aligns with the goals of the plan by allowing a small immigrant owned business (Rincon Caribeno) to diversify their offers.

Zoning Analysis:

This project requires a conditional use permit because take-out is conditional in the existing Neighborhood Shopping subdistricts in Hyde Park.

A draft zoning map to implement the goals of the Cleary Square Small Area was also released on March 17, 2026. This map proposed rezoning this area as an SC district. This would make take-out an allowed use as part of any restaurant use. This would help meet the plan goals by allowing a diversity of commercial uses and supporting small businesses by removing zoning barriers for operation.

Recommendation:

In reference to BOA1721164, The Planning Department recommends APPROVAL.



Planning Department

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Reviewed,

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Deputy Director of Zoning



Case	BOA1809219
ZBA Submitted Date	2026-01-02
ZBA Hearing Date	2026-04-07
Address	123 Kilsyth RD 21 Brighton MA 02135
Parcel ID	2102158000
Zoning District & Subdistrict	Allston-Brighton Neighborhood 3F-6000
Zoning Article	51
Project Description	The project will replace an existing three-story porch.
Relief Type	Variance
Violations	Rear Yard Insufficient

Planning Context:

The project is located at 123 Kilsyth Road in Brighton within a residential neighborhood characterized by multi-family buildings with rear porches and outdoor egress structures. The site is within the Aberdeen Architectural Conservation District (ACD). The proposal replaces an existing three-story porch with a new structure in a similar location, improving safety and functionality while maintaining the building’s existing scale and use. The work is consistent with common residential improvements in the area and does not alter the primary use of the property.

Zoning Analysis:

The proposed replacement of an existing three-story porch triggers zoning relief for the following reason:

Article 51, Section 9 – Rear Yard Projection: The project proposes to replace an existing three-story porch with a new structure that extends into the required rear yard. Under Article 51, Table D, structures are subject to minimum rear yard setback requirements. The proposed porch results in a projection into the required rear yard, continuing an existing nonconforming condition and therefore requiring variance relief.

The proposed work replaces an existing exterior structure and does not alter the primary use, building height, or overall massing of the building. The violation results from the continuation of an existing condition typical of the surrounding residential context, where rear porches



commonly extend into yard setbacks. The project requires dimensional variance relief under Article 51, Section 9 for rear yard encroachment.

The plans titled "Replace Three Story Porch", prepared by Momentum Architecture and dated October 19, 2025, reflect a replacement and improvement of an existing porch structure consistent with common residential upgrades in the area, and the requested dimensional relief represents a reasonable and context-appropriate accommodation.

Recommendation:

In reference to BOA1809219, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1804160
ZBA Submitted Date	2025-12-05
ZBA Hearing Date	2026-04-07
Address	2r to 4r Egremont RD Brighton 02135
Parcel ID	2102019000
Zoning District & Subdistrict	Allston/Brighton Neighborhood MFR-1
Zoning Article	51
Project Description	Second-floor addition within the existing building footprint at 55–53 Cummings Road, a four-unit residential dwelling.
Relief Type	Variance
Violations	Front Yard Insufficient Side Yard Insufficient Building Alignment

Planning Context:

The subject property is a corner lot with frontage on both Cummings Road and Egremont Road. The property contains two existing residential dwellings, including an eight-unit building and a separate two-unit building. The surrounding area is primarily residential in character and consists largely of two- to three-story residential buildings, including detached homes, two-family dwellings, and small multi-family structures. The neighborhood reflects a pattern of moderate residential density typical of Brighton, with a mix of residential building types along local streets.

The site is also located within the Aberdeen Architectural Conservation District, an area characterized by a consistent pattern of residential development and building scale, where external changes require review by the Landmarks Commission.

Zoning Analysis:

The proposal involves the construction of a vertical addition to an existing residential building while maintaining the existing building footprint. The MFR-1 subdistrict is intended to accommodate multifamily residential uses while maintaining appropriate building scale, setbacks, and open space within established residential neighborhoods.



The first violation concerns front yard depth. Article 51, Section 9 (Dimensional Regulations) requires a minimum front yard depth of 20 feet. As shown on the plans, the existing front yard along Cummings Road measures approximately 5.9 feet, compared to the required 20 feet. This condition represents an existing nonconformity. Because the proposal introduces a vertical addition while maintaining the current footprint, the project extends this nonconformity. Zoning relief is appropriate as many residential buildings along Cummings Road are constructed with shallow front setbacks that establish the existing street wall condition.

The second violation involves side yard depth. Article 51, Section 9 requires a minimum side yard depth of 10 feet in the subdistrict. The existing building provides a side yard measuring approximately 1.3 feet, which is below the required minimum. This condition is also pre-existing. As the proposal does not modify the footprint of the building but adds a vertical addition above the existing structure, the project extends this nonconforming side yard condition. Zoning relief is appropriate as reduced side yard setbacks are common among older residential buildings in the neighborhood.

The third violation relates to Article 51, Section 57, Application of Dimensional Requirements, which requires that the front wall of a building be parallel to the front lot line. The subject property is a corner lot with frontage along both Cummings Road and Egremont Road. As shown on the Certified Plot Plan (Sheet A000), the lot frontage is listed as approximately 271.59 feet, reflecting the combined frontage along both streets.

The plot plan illustrates that the existing building footprint is oriented at an angle relative to the Cummings Road lot line and is not parallel to it. This condition is pre-existing. In addition, the plans reviewed state that the proposed work does not impact the building setbacks and only affects the structure's height, confirming that the existing footprint and alignment will remain unchanged.

This analysis is based on plans prepared by Northeast Geospatial Consultants titled "53-55 Cummings Road, Brighton, MA" dated March 25th, 2026."

Recommendation:

In reference to BOA1804160, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

Kathleen Onuf

Deputy Director of Zoning



Case	BOA1822588
ZBA Submitted Date	2026-02-20
ZBA Hearing Date	2026-04-07
Address	140 Strathmore RD 21 Brighton MA 02135
Parcel ID	2102508000
Zoning District & Subdistrict	Brighton Neighborhood 3F-5000
Zoning Article	51
Project Description	The proposal includes a new three-story, six-unit residential building with two parking spaces, with the existing garage relocated to the front and attached per Boston Landmarks Commission requirements. Filed in conjunction with ALT1538479 (1863 Commonwealth Avenue).
Relief Type	Variance
Violations	Usable Open Space Insufficient off Street Parking Two or More Dwelling Same Lot Additional Lot Area Insufficient Lot Width Insufficient Front Yard Insufficient Rear Yard Insufficient FAR Excessive Use: Forbidden

Planning Context:

140 Strathmore Road is located just off Commonwealth Avenue in Brighton within a residential area characterized by a mix of two-family homes, three-family buildings, and larger apartment buildings along nearby corridors. The immediate context includes two- to three-story residential structures, while proximity to Commonwealth Avenue supports a more transit-oriented, higher-density pattern.

The proposal introduces a new three-story residential building with six units, consistent with the scale and housing types in the surrounding area. However, it differs from typical development patterns by adding a new principal structure on an lot that already contains a two-unit building, increasing the total number of units on site.



The application is being reviewed in conjunction with 1863 Commonwealth Avenue, as the presence of two or more dwellings on the same lot requires Zoning Board of Appeal approval. Together, the proposals reconfigure the lot to accommodate multiple buildings and a higher unit count than typically allowed in the 3F-5000 subdistrict, reflecting pressure for housing in transit-accessible areas.

Zoning Analysis:

The proposed project includes the construction of a new three-story residential building with six units. Because this application is tied to a second project at 1863 Commonwealth Avenue, zoning relief is required for the following reasons:

Article 51, Section 19 – Use Forbidden: The proposal introduces a six-unit multifamily building in a 3F-5000 subdistrict, where this use is not allowed. The surrounding area includes a mix of housing types and higher-density buildings along Commonwealth Avenue, reflecting a pattern of development not fully captured by existing zoning.

Article 51, Section 57.13 – Two or More Dwellings on the Same Lot: The lot will contain more than one residential building. Zoning requires each building to meet dimensional requirements as if on its own lot, which is not met.

Article 51, Section 9 (Table D) – Lot Area per Dwelling Unit Insufficient: The proposed project results in a total of eight dwelling units on the lot. At 5,000 square feet per unit, 40,000 square feet of lot area is required. The existing lot contains approximately 11,175 square feet, resulting in approximately 1,397 square feet of lot area per unit. Relief is required.

Article 51, Section 9 (Table D) – Lot Width Insufficient: The lot width is approximately 40 feet where 50 feet is required.

Article 51, Section 9 (Table D) – Floor Area Ratio (FAR) Excessive: The proposed FAR is approximately 0.92 where 0.8 is allowed.

Article 51, Section 9 (Table D) – Usable Open Space Insufficient: Approximately 183 square feet per unit is provided where 650 square feet is required.

Article 51, Section 9 (Table D) – Side Yard Insufficient: Side yards are approximately 4.6 feet and 6.5 feet where 6.7 feet is required.



Article 51, Section 9 (Table D) – Rear Yard Insufficient: The rear yard is approximately 17.7 feet where 30 feet is required.

Article 51, Section 56 – Off-Street Parking Insufficient: Approximately 10.5 spaces are required, while two are proposed. The site is located near Commonwealth Avenue with access to the MBTA Green Line (B Branch) and bus routes, providing strong transit alternatives.

The site is well served by the MBTA Green Line (B Branch) and multiple bus routes, providing strong transit alternatives. The proposal adds housing in a transit-accessible area, and many of the requested zoning relief items stem from limitations within the existing zoning code, which does not fully align with current development patterns or housing needs. The proposal highlights the need for zoning reform to better accommodate contextually appropriate density in areas well-served by transit.

Plans titled “140 Strathmore Road, Brighton, MA,” dated October 18, 2023, were reviewed in support of this recommendation.

Recommendation:

In reference to BOA1822588, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1822577
ZBA Submitted Date	2026-02-20
ZBA Hearing Date	2026-04-07
Address	1863 Commonwealth AV 21 Brighton MA 02135
Parcel ID	2102508000
Zoning District & Subdistrict	Allston-Brighton Neighborhood 3F-5000
Zoning Article	51
Project Description	The existing two-family dwelling will remain on the 11,205 sq ft lot, with removal of the rear deck proposed. This application is filed in conjunction with ERT1538522 (140 Strathmore Road).
Relief Type	Variance
Violations	Rear Yard Insufficient Parking design and maneuverability Two or More Dwelling Same Lot

Planning Context:

1863 Commonwealth Avenue is located along a well-established stretch of Brighton’s Commonwealth Avenue corridor, where a mix of two-family homes, three-family buildings, and larger apartment structures coexist in a transit-rich, residential environment. The area is largely built out, and development patterns reflect incremental changes over time rather than large-scale redevelopment, with many properties shaped by historic lot configurations and long-standing conditions.

This proposal, on its own, follows that pattern. The existing two-family dwelling will remain, with only the removal of a rear deck and no changes to the building’s footprint or massing. The application is primarily driven by zoning considerations related to the presence of multiple dwellings on the same lot, rather than a physical expansion of the structure.

Zoning Analysis:

The proposed project keeps the existing two-family home and removes a rear deck. However, because this application is tied to a second project at 140 Strathmore Road, zoning relief is required for the following reasons:



Article 51, Section 57.13 – Two or More Dwellings on the Same Lot:

The lot will contain more than one residential building. Zoning requires each building to meet dimensional rules as if it were on its own lot. This condition is not met, so relief is required.

Article 51, Section 9 (Table D) – Rear Yard Insufficient:

The existing rear yard is about 7.5 feet, where 30 feet is required. This is an existing condition but still requires relief.

Article 51, Section 56 – Off-Street Parking Insufficient:

Zoning requires four parking spaces, but only two are provided, resulting in a reduction of existing on-site parking. While this creates a zoning violation, the site is located along Commonwealth Avenue with direct access to the MBTA Green Line (B Branch) and multiple bus routes, providing strong transit options within walking distance.

The proposed work does not change the building's size, height, or footprint. The zoning issues stem from the shared lot and existing conditions, rather than new construction at this building.

The plans titled 1863 Commonwealth Avenue, Brighton, MA, dated October 18, 2023, reflect a project that maintains the existing structure while adjusting how the lot is used. The need for relief in this case also reflects broader limitations in the current zoning code, particularly related to parking requirements in transit-served areas, where reduced car dependence is more feasible.

Recommendation:

In reference to BOA1822577, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1809679
ZBA Submitted Date	2026-01-05
ZBA Hearing Date	2026-04-07
Address	55 Bostonia AV Brighton 02135
Parcel ID	2204728000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 1F-5000
Zoning Article	51
Project Description	The project intends to add storage in the basement of Unit 1 and add a bedroom and bathroom in the attic of Unit 2 with the addition of a roof dormer.
Relief Type	Variance
Violations	FAR Excessive

Planning Context:

The proposed project is located within a primarily residential part of the Brighton Neighborhood. The surrounding area consists of similar two- to three-story single- to two-unit buildings. The project is proposing to finish part of the unfinished basement in Unit 1 for storage purposes. Additionally, it seeks to add 806 square feet of living space by adding a bedroom and bathroom in the attic space on the third floor of Unit 2. They intend to do this by adding a dormer on the west side of the building.

Zoning Analysis:

The proposed project is in violation of the floor area ratio (FAR) maximum for this lot, which is 0.5. The building has approximately 3,056 square feet of gross floor area with a lot size of 4,050 square feet, resulting in an FAR of 0.76. With the extension of living space in the attic and basement, it is reasonable to expect an increase in FAR. The proposed additions align with the goals outlined in Housing a Changing city, Boston 2030 as it would allow property owners to enhance their living spaces to meet their needs. Additionally, the proposed building is consistent with the scale and residential characteristics of its surroundings and the project involves little change to the exterior of the building. Finally, the need for FAR relief reflects how certain provisions of the existing zoning code do not always align with the built form of the surrounding neighborhood. For these reasons, staff support the requested FAR relief.



The plans reviewed are titled Plans for ZBA-55 Bostonia AVE and were reviewed 12/03/25.

Recommendation:

In reference to BOA1809679, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1772081
ZBA Submitted Date	2025-09-04
ZBA Hearing Date	2026-04-07
Address	85 to 91 Essex ST Boston 02111
Parcel ID	0304431000
Zoning District & Subdistrict	Chinatown Commercial Chinatown
Zoning Article	6
Project Description	Extend existing use of a paid parking lot for 50 vehicles for three additional years.
Relief Type	Conditional Use
Violations	Restricted Parking District

Planning Context:

This valet surface parking lot is located within the Chinatown neighborhood along Essex Street, within a quarter mile of both the Chinatown Orange Line MBTA Station and South Station. The site has continually been used as a parking lot for at least 20 years. The proponent is seeking a three-year extension for continued operation of this surface parking lot. This site is also within the proposed MU-10 subdistrict, as contemplated by the Draft Chinatown Zoning (November 2024), where Standalone Parking Lot is a forbidden use. Given the surrounding mixed-use and transit-oriented location, this is not an appropriate site for a surface parking lot and would be better served as a redevelopment project. However, a three-year extension is appropriate here given that there are no current plans from this private property owner to redevelop the site.

Zoning Analysis:

This site is within the Restricted Parking District, which pursuant to Section 6-3A requires conditional use approval from the Board of Appeal, provided that it meets one or more of the following conditions:

- a. It will serve a traffic demand not adequately provided for by public transportation; or
- b. It will replace existing off-street parking spaces in one or more nearby parking facilities, or it will replace legal on-street parking spaces that have been physically eliminated through permanent modification or demolition; or



c. It is accessory or ancillary to a use which by its nature does not contribute significantly to traffic flows during peak traffic periods; or

d. the facility constitutes a temporary parking lot use of land and that serious intent to reuse the land for an allowed use within a specified period of time has been demonstrated to the satisfaction of the Board of Appeal.

Given that this is an existing parking lot, the proposed extension of use does not satisfy conditions (a), (b), or (c). However, the Board of Appeal may find in its review that it satisfies condition (d).

Plans reviewed are titled "85-91 Essex Street Permit Site Plan of Land," prepared by Meridian Associates, and dated May 30, 2018.

Recommendation:

In reference to BOA1772081, The Planning Department recommends APPROVAL WITH PROVISIO/S: that another three year sunset clause be put into effect.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1807850
ZBA Submitted Date	2025-12-22
ZBA Hearing Date	2026-04-07
Address	226 Beacon ST Boston 02116
Parcel ID	0502622000
Zoning District & Subdistrict	Boston Proper H-3-65
Zoning Article	Underlying Zoning
Project Description	The proposed project seeks to add a new entry portico and front stoop that will extend to the lot line. The updates include restoring the front facade and architectural details of the building to its original 1864 appearance. There are no other proposed changes.
Relief Type	Variance
Violations	Front Yard Insufficient

Planning Context:

The existing parcel sits within an H-3-65 Apartment Residential subdistrict and is subject to the underlying zoning code. 226 Beacon Street is within the Back Bay Architectural District, as well as a Coastal Flood resilience Overlay, Groundwater Conservation Overlay, and Restricted Parking District. Both Hynes Convention Center and Copley MBTA Green Line stations are approximately a 15 minute walk (0.6 miles) away from the parcel. Newbury Street is less than a half mile’s walk away from the parcel, putting it in close proximity to a wide range of amenities. Constructed in 1864, the property at 226 Beacon was originally designed as a symmetrical pair with the adjacent 228 Beacon Street and featured a prominent portico and front stoop that extended to the lot line. The design of the entryway was changed and lowered to street level in 1962 when the building was converted to eight (8) dwelling units.

The proposed project was granted approval by the Back Bay Architectural Commission to remove the non-historic facade in December of 2025. Further design review may be required or ongoing.

Zoning Analysis:

The refusal letter cites the proposed project as being in violation of Article 18 Section 1 wherein the Front Yard is made insufficient because of reconstruction of the front portico and stoop.



Within the underlying zoning code, the Front Yard minimum depth requirements in an H-3-65 subdistrict is ten (10) feet. The building itself is currently set back 19.9 feet from the lot line and has no dimensional violations. The proposed portico and stoop would extend the landing and stair 11.75 feet forward to the sidewalk, leaving approximately seven (7) feet of clearance between the base of the stair and the sidewalk. The design would maintain garden-level frontage and planting beds. The extension ends at the existing brownstone curb, which will be restored and repaired.

In this area of the city, minimum front yard depths serve as building setbacks rather than green space requirements. Front Yard Insufficient does not accurately describe what is changing between the sidewalk and the building; particularly in a neighborhood where “yards” are few and far between. The proposed includes no changes to the overall greenscape at the street-level, and will enhance pedestrian experience through enhanced architectural articulation.

Similar porticos and stoops can be seen on numerous properties on Beacon Street, where the porch functions as an outdoor amenity space; people can be seen sitting, resting, and watching passers-by. Because there are no changes to the building envelope itself, and because the design seeks to replicate the original design of the building which predates the underlying zoning code, zoning relief is appropriate.

Plans were prepared by Carpenter & MacNeille Architects & Builders and are dated 3/17/2026.

Recommendation:

In reference to BOA1807850, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1721560
ZBA Submitted Date	2025-05-15
ZBA Hearing Date	2026-04-07
Address	323 Washington ST Dorchester 02121
Parcel ID	1401441000
Zoning District & Subdistrict	Dorchester Neighborhood Local Convenience
Zoning Article	65
Project Description	Change occupancy from a convenience store to a cannabis store.
Relief Type	Conditional Use, Variance
Violations	Conditional Use Cannabis Buffer Zone

Planning Context:

The proposed single story commercial establishment at 323 Washington Street is located in the Four Corners Area in Dorchester. This area is characterized by small scale commercial corridors crossing through densely packed residential areas which thereby have walkable access to the nearby retail amenities.

Washington Street is a retail and transit corridor. Millennium Smoke and Vape Shop is located across the street at 338 Washington Street. The proposed use fits within the context of surrounding retail establishments and provides an economic development opportunity in the neighborhood for an existing local business. Zoning in itself is not the only determinant as to if this use is appropriate in this area. This project will also be validated through state approval from the Cannabis Control Commission Licensing Board and the Boston Cannabis Board. The Planning Department defers to their recommendations. In December 2025, the Boston Cannabis Board approved Josh's One Stop LLC to operate as a Marijuana Retailer at 323A Washington Street in Dorchester.

Zoning Analysis:

The proposed project is seeking approval for a conditional use and a variance for violating a buffer zone restriction.



According to Article 65 Table B, cannabis establishments are conditional uses in Local Convenience Subdistricts. The proposed project is in a Local Convenience Subdistrict which is meant to, "provid[e] convenience goods and services for the immediate neighborhood and pedestrians." A cannabis and convenience retail establishment is a suitable use in this zone.

However, the article prohibits cannabis establishments being closer than one-half mile in distance from another existing cannabis establishment or within 500 feet of a school. Distances are determined from the nearest lot line of the proposed establishment to the nearest lot line of an existing establishment or school. The proposed project is 0.4 miles away from 617 THC, a retail cannabis establishment on Bowdoin Street, another commercial corridor. UP Academy Dorchester is one-quarter mile (1,320 feet) from the site.

As noted by applicant, 935 CMR 500, the statewide legislation implementing access to cannabis and referenced by Text Amendment No. 432, provides additional language defining buffer zones from schools:

"Buffer Zone. A Marijuana Establishment Entrance may not be closer than 500 feet from the nearest School Entrance, unless a city or town adopts an ordinance or bylaw that reduces the distance requirement.

(a) The buffer zone distance of 500 feet shall be measured in a straight line from the geometric center of the Marijuana Establishment Entrance to the geometric center of the nearest School Entrance, unless there is an Impassable Barrier within those 500 feet; in these cases, the buffer zone distance shall be measured along the center of the shortest publicly-accessible pedestrian travel path from the geometric center of the Marijuana Establishment Entrance to the geometric center of the nearest School Entrance.

State enabling legislation regulates a 500 foot buffer zone for proximity to school entrances only, and it does not limit neighboring establishments. Modification to Boston's cannabis buffer zones should consider mirroring the language of the state's enabling legislation, to avoid the need for variances and appeals in situations where Boston's zoning and this legislation differs in small ways. The zoning for cannabis establishment uses is overly restrictive in comparison to state regulations and local cannabis board approval standards. Therefore, the citation and cannabis buffer zone violation are recommended for approval for a conditional use permit and variance.



Recommendation:

In reference to BOA1721560, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1818661
ZBA Submitted Date	2026-02-04
ZBA Hearing Date	2026-04-07
Address	5 Ashland ST Dorchester 02122
Parcel ID	1600094000
Zoning District & Subdistrict	Dorchester Neighborhood 1F-7000
Zoning Article	65
Project Description	Demolish existing building to construct a three-story, Six-unit residential building with 12 parking spots.
Relief Type	Variance
Violations	FAR Excessive Height Excessive Front Yard Insufficient Forbidden Use

Planning Context:

The site is located less than a half-mile from Dorchester Avenue local retail and services and from Fields Corner MBTA Red Line Station. The site is also a half-mile away from Savin Hill Cove natural area and waterfront. The immediate surrounding area is mostly one- and two-unit residential buildings. Denser housing types, including triple-deckers on the street have less parking per unit and less yard space. The general urban fabric becomes denser and less car-reliant closer to Dorchester Avenue.

Adding housing through the introduction of additional density near retail corridors is consistent with the planning principles outlined in Imagine Boston 2030 and the updated Housing a Changing City 2030 plans. This project maintains the facade of a 2.5 story residential building (commonly seen throughout the neighborhood) while adding housing that descends toward the back of the lot and avoids disturbing the streetscape. The project's effect on the streetscape will be further analyzed through Planning Department design review where revisions can be recommended if necessary.

Zoning Analysis:

The proposed design violates use and dimensional standards set by the Article 65 of the zoning code. The project is also subject to design review due to its location in a Neighborhood Design Overlay District (NDOD).



Multifamily uses are prohibited in this subdistrict, and the required FAR for this site is 0.4. Many buildings, including the existing building on the site, in the area do not have a total floor area that is less than half of the lot size. 5 Ashland Street is the largest residential lot on the block, located one half-mile from a rapid transit station and retail corridor. This makes the site suitable for infill development of multiple units of housing.

The proposed building's height exceeds compliance based on stories and height in feet. The maximum height requirements for buildings in this area are 35 feet and 2.5 stories. The buildings at 8 to 12 Ashland Street across the street are all three stories. The proposed three story building is contextual for the area and the facade design mimics the appearance of smaller scale housing.

The proposed front yard depth for this project is 9 feet from the lot line to the porch and 15 feet from the lot line to the front wall of the property. The design proposes to decrease front yard depth. Though the required minimum front yard depth is 15 feet, the lots on this block have front yards that range from approximately 0 feet to 30 feet. The proposed yard depths leave adequate space for light and air on all sides of the building. However, the Planning Department recommends that the building be set back six feet further than designed, so that the front yard is increased to align with buildings on the street and the existing 15-foot front yard depth.

The townhouse-style development maintains a smaller scale multi-family residential fabric while taking advantage of the large lot size to add more dwelling units descending toward the back of the lot. The proposed townhouse-style multifamily use and site location are appropriate for the surrounding context and further city planning goals. Therefore, the zoning violations are recommended for relief with design review to increase existing building alignment and preserve historic character wherever possible.

Plans reviewed are titled, "5 Ashland Street Boston, MA", prepared by Context, and dated 12/02/2025.

Recommendation:

In reference to BOA1818661, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review of the demolition plan and site plan to increase alignment with Neighborhood Design Overlay District standards.



Planning Department

CITY of BOSTON

Reviewed,

Kathleen Onuf

Deputy Director of Zoning



Case	BOA1823317
ZBA Submitted Date	2026-02-24
ZBA Hearing Date	2026-04-07
Address	185 Wachusett ST Jamaica Plain 02130
Parcel ID	1904873000
Zoning District & Subdistrict	Jamaica Plain Neighborhood 1F-4000
Zoning Article	55
Project Description	The project will add a partial third story with a rear deck to a 2.5-story, 2-unit residential structure. It will also replace an existing dormer at the front of the structure.
Relief Type	Variance
Violations	FAR Excessive Height Excessive (stories) Side Yard Insufficient

Planning Context:

The proposed project is located at 185 Wachusett Street in the Forest Hills neighborhood of Jamaica Plain. Wachusett Street is a residential street where the structures are close to one another on the sides with slightly larger, planted rear yards. The structures are generally 2 to 2.5 stories in height with pitched roofs. The property is situated on a slight grade so that the north side is higher than the south side. Also, Wachusett Street backs up to Hyde Park Avenue which is a busier corridor where residential structures are generally three-stories or taller.

The project will add a third story addition to the rear half of the two-unit residential structure to create additional living space for one of the residential units. It will also add a rear deck on the third story and replace the existing dormer at the front of the structure.

The addition would better fit into the neighborhood context if the project proposed a design for the new attic floor with a 12:12 pitch, gable roof and shed dormers. This would also increase the amount of living space on the proposed third floor.

Zoning Analysis:

The project is cited for three violations including excessive floor area ratio (FAR), excessive building height (in stories), and insufficient side yard. The project will increase the FAR from 0.53 to 0.68, above the maximum FAR of 0.6 allowed in the subdistrict. The proposed addition



will increase the size of one of the residential units from two to four bedrooms while maintaining an FAR that is consistent with the scale of the surrounding neighborhood.

The height of the rear half of the structure will also increase from 2.5 to 3 stories, above the maximum allowed height of 2.5 stories. This increase in height is consistent with the surrounding neighborhood context and will be mitigated by the grade of the site.

The project is also cited for insufficient side yard. The existing side yards are 5.8 and 8.8 feet, both below the requirement of 10 feet. The project will increase the degree of non-conformity vertically due to the proposed increase in structure height.

The Planning Department supports this request for a variance because the project allows the property owner to improve their structure while ensuring the improvements will not be injurious to the surrounding neighborhood. Plans reviewed "185 Wachusett #2 Addition" prepared by "William Lackey" dated 5/29/2025.

Recommendation:

In reference to BOA1823317, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1808115
ZBA Submitted Date	2025-12-23
ZBA Hearing Date	2026-04-07
Address	67 Belle AV West Roxbury 02132
Parcel ID	2010596000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	56
Project Description	This project proposes a 2.5-story, single-unit dwelling on a currently vacant lot with two off-street parking spaces.
Relief Type	Variance
Violations	Lot Area Insufficient Lot Width Insufficient Lot Frontage Insufficient Front Yard Insufficient FAR Excessive

Planning Context:

The project at 67 Belle Ave proposes constructing a 2.5 story, single-unit dwelling that will have four bedrooms and two off-street parking spaces on a lot that is currently vacant.

The property is located in a residential area of West Roxbury that is made up primarily of one-unit homes on lots with lower to moderate lot coverage. The heights of homes within a one-block radius vary from 1-story dwellings to 2.5 story dwellings. The outer facade of the proposed home aligns with the general character of buildings in this area. Lots in a 1-2 block radius exhibit varying lot size and coverage, but the lot at 67 Belle Ave is more compact than others.

Zoning Analysis:

This project was flagged for five zoning citations: FAR Excessive; lot area, lot width, and lot frontage insufficient; as well as front yard insufficient.

The proposed FAR for this home is 0.48 and the maximum allowed in this subdistrict is 0.4. There are a few examples of homes that exceed the maximum FAR requirement in the immediate vicinity, such as at abutting lot 71 Belle Ave (0.48). Because the home's FAR would not be out of scale with surrounding properties and the new building footprint will maintain appropriate lot coverage, relief is recommended.



The lot area is 3,600 square feet and the lot frontage and width are both 40 feet. In this subdistrict, a minimum lot area of 6,000 square feet and a minimum lot frontage of 60 feet are required. These are existing nonconformities as this project will not alter the lot area or lot frontage. Furthermore, these violations are consistently present in a 1-2 block radius of the project site, with very few lots meeting the lot area and lot frontage requirements. Future zoning reform for this area should look to re-calibrate the lot area and width requirements to better align with the area's existing context. Relief is recommended.

The proposed front yard setback is 13 feet and a minimum of 20 feet is required for this subdistrict. Although the proposal does not fully meet the required dimension, front yard violations are prevalent among homes in the immediate vicinity, such as at 65 Belle Ave (14 ft) and 71 Belle Ave (13 ft), indicating a pattern of established nonconformities. Relief is recommended.

Plans reviewed are titled "Plan of Proposed Construction 65 Belle Ave Boston, Massachusetts", are prepared by Greater Boston Surveying and Engineering, and dated October 22, 2025.

Recommendation:

In reference to BOA1808115, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1803940
ZBA Submitted Date	2025-12-04
ZBA Hearing Date	2026-04-07
Address	40 to 42 Ashford ST Allston 02134
Parcel ID	2100502000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 2F-5000
Zoning Article	51
Project Description	Renovation to accommodate a change of use to ten single-room occupancy (SRO) units, one studio unit, and one one-bedroom unit.
Relief Type	Conditional Use
Violations	Extension of Non Conforming Use

Planning Context:

The proposed project seeks to renovate and change the use of an existing residential structure that contains both dwelling and lodging units. The project will result in ten single-room occupancy (SRO) units, one studio unit, and one one-bedroom unit. Internal renovations will include relocating the bathrooms and common kitchen areas serving the lodging units and updating the layout for the studio and one-bedroom units. External renovations include replacing porch decking and replacing all existing gutters. No significant changes to the building's exterior are proposed. The existing structure is a 2.5-story residential building located at the corner of Ashford and Pratt Street. It currently contains nine SRO units, one studio, and two 1-bedroom units. This lodging house was originally developed in 1993 by the Allston Brighton CDC for individuals with special needs. The property, a converted Victorian House, had been in serious disrepair prior to renovations and was initially configured for 11 SRO units. The proposed renovations will improve the building's energy efficiency while rehabilitating the units, allowing it to continue to operate as a lodging house.

This portion of Ashford Street is zoned as 2F-5000 and is predominately filled with residential buildings that range from two units to three units. However, as Ashford Street approaches Boston University, there are also many multi-unit residential buildings.

The proposed project would support the goals outlined in the Allston-Brighton Needs Assessment (January 2024) which identified a need for a greater variety of housing types. This



project would help meet this need by increasing the housing supply while preserving and reinvesting in an existing structure.

Zoning Analysis:

The refusal letter states one citation: the extension of a non-conforming use. Under Article 51 in a 2F-5000 subdistrict, a lodging house is a forbidden use. However, because the proposed project is continuing an existing lodging use, Section 9-1 states that whenever a building is being used for a use that is not conforming to the code, it may be reconstructed provided that it receives a conditional use permit under Article 6 from the Zoning Board of Appeal. Article 6 notes that a conditional use permit can be granted if the following conditions are met: a) specific site is an appropriate location for such use, b) use will not adversely affect the neighborhood, c) there will be no serious hazard to vehicles or pedestrians from the use, d) no nuisances will be created and e) adequate and appropriate facilities will be provided for the proper operation of the use. A conditional use permit should be granted as the renovations will improve the functionality and safety of this structure. These updates will support the continued use of the property as a lodging house while contributing to a greater variety of housing types within the neighborhood especially in close proximity to Boston University. Additionally, the proposed renovations improve the building's energy efficiency while rehabilitating the units, allowing it to continue to operate as a lodging house.

The plans reviewed are titled ALT1732424_ZONINGREFUSALLETTER_ePlans_11122025 and are dated September 18, 2024. They were prepared by The Narrow Gate Architecture, LTD.

Recommendation:

In reference to BOA1803940, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1807244
ZBA Submitted Date	2025-12-18
ZBA Hearing Date	2026-04-07
Address	15 Chester ST Allston 02134
Parcel ID	2100783000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 3F-4000
Zoning Article	51
Project Description	The proposed project seeks to add two bedrooms within an extended living space at the basement level. No changes to the building envelope are proposed.
Relief Type	Variance
Violations	FAR Excessive Extension of Non Conforming Use

Planning Context:

The proposed project is surrounded by other three-family and multi-family buildings and currently supports six (6) units that contain sixteen (16) bedrooms while maintaining the characteristics, building height and form, of the surrounding context. The surrounding neighborhood in Allston is characterized by a mix of medium-density residential, high-activity commercial, and mixed-used buildings. Furthermore, the proposed project sits between the MBTA Green Line Packard's Corner and Harvard Ave Stations, and is 0.2 miles from the MBTA's 57 bus route, making it easily accessed on foot.

This project would further the goals outlined in Housing a Changing City, Boston 2030 (September 2018) as it would allow property owners to enhance their living spaces to meet their needs while preserving the existing structure. Furthermore, this dwelling is supporting the initiatives of the Allston-Brighton Needs Assessment (January 2024) and the Anti-Displacement Action Plan (July 2025) to promote housing and stabilize residents in neighborhoods.

Zoning Analysis:

The refusal letter states that there are two violations of the zoning code: Floor Area Ratio Excessive (Section 51-9) and Extension of Non Conforming Use (Section 9-1).



Under Article 51, a project within a 3F-4000 subdistrict is allowed a maximum FAR of 0.8. The existing building has an FAR of 1.3. Since there are no changes being made to the building envelope and the proposed bedrooms already exist as livable area, the FAR is not affected and this violation constitutes an existing non-conformity.

As for the Extension of Non Conforming Use, the dwelling already contains six (6) units and will be adding the legalization of two (2) bedrooms to the existing Unit One, converting Unit One from a two bedroom to a four bedroom unit. Due to the surrounding context of multi-family residential buildings, zoning relief is recommended.

The plans reviewed are titled ALT1721812 ISD Refusal Stamped Drawings and were reviewed 11/26/25. They were prepared by RP Architectural Studio.

Recommendation:

In reference to BOA1807244, The Planning Department recommends APPROVAL WITH PROVISIO/S: That the floor to floor height of the basement units height be no less than 7 feet 6 inches, that the spiral staircase shall not be less than 36 inches in clear width at all points above the permitted handrail height and below the required headroom height, and that there is second means of egress from the back basement unit that does not use the 3'-8" side yard in final construction documentation

Reviewed,

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

Deputy Director of Zoning



Case	BOA1642295
ZBA Submitted Date	2024-08-19
ZBA Hearing Date	2026-04-07
Address	33R Princeton ST East Boston 02128
Parcel ID	0105975000
Zoning District & Subdistrict	East Boston Neighborhood EBR-3
Zoning Article	53
Project Description	33R Princeton Street is an existing, non-conforming, studio dwelling unit constructed over a detached garage on the same lot as a 4-unit residential structure. The proponent is seeking zoning relief in order to bring the property into compliance with the Boston Zoning Code.
Relief Type	Variance
Violations	Rear Yard Insufficient Side Yard Insufficient Application of Dimensional Requirements

Planning Context:

This case was originally scheduled for the February 24, 2026 ZBA hearing and was deferred; no new plans have been submitted since that time, and the Planning Department's recommendation remains unchanged.

33R Princeton is located in the Residential 3 subdistrict of East Boston in a developed residential block. Within a quarter mile walk from the property, one can access four different bus routes, a grocery store, drug store, and Central Square Park with Blue Bike docking. The site is located in a Restricted Roof District and Parking Freeze Zone which are not impacted by the requested variances.

This request is to legalize an existing, unpermitted dwelling unit, constructed and occupied at an uncertain date. The subject studio dwelling unit is located above the detached garage and is in violation of building configuration and dimensional standards. According to the proponent, the unit has been occupied by the same tenant for approximately 13 years, with three prior tenants since the unit's initial construction in 1992. The unit is not assessed as a dwelling unit by the City of Boston Assessing Department. In addition to legalizing the existing property



configuration, the proponent proposes constructing a new entrance to the unit, balcony, and stairway to provide a second means of egress to and from the studio unit.

This request is directly supported by one of the five key goals of PLAN: East Boston: to "expand access to housing options that are affordable, stable, and able to meet households' needs as they change over time." Furthermore, legalizing this property will aid in avoiding displacement of those who presently occupy the unit. As the City and East Boston's population grows, un-traditional units like this one are an important part of the neighborhood's housing stock, offering alternative style, location, and privacy. At the same time, the City has a vested interest in ensuring that work is appropriately permitted.

Zoning Analysis:

This application was initially submitted in 2023 and cited by ISD in August 2024 for violations to Article 53, Sections 29 and 9 regarding building configuration and dimensional standards and Section 56 regarding minimum parking requirements under previous East Boston zoning regulations. The East Boston zoning code was updated in April 2024 in response to the passing of PLAN: East Boston. The plans are no longer in violation of parking requirements, as parking minimums have been removed from East Boston zoning. However, the plans are in violation of building configuration and dimensional standards of Sections 29 and 5, outlined below.

Building Configuration: Article 53, Section 29, No. 12 states that "A Dwelling shall not be built to the rear of another Dwelling," but "the Board of Appeal may grant permission for a variation...if it finds that open space for all occupants, and light and air for all rooms designed for human occupancy, will not be less than would be provided if the requirements of this Section 53-29.13 were met." The building configuration associated with this variance request is an existing condition of the site. Due to the building configuration on the lot, it was not possible then nor now to construct a second building/dwelling to the side of the primary building without demolishing a portion of the existing building. Therefore, the existing location of the rear dwelling maximizes light and air on the site.

Dimensional Standards: Article 53, Section 29, No. 13 states that "If on one Lot there are two or more Main Buildings or Dwellings, including temporary Dwellings, the yard requirements...shall apply at each actual Lot line and not as if each Building were on a separate Lot." Per Table F, referred to in Section 5, a minimum side yard of three feet and rear yard of 1/3 the lot depth are required. The existing garage structure is located within these required setbacks; however, the garage was permitted and constructed 1992, prior to existing dimensional standards. The

BOA1642295

2026-04-07

2 Planning Department



proposed balcony and staircase will worsen this side yard encroachment, but these improvements are proposed to bring the dwelling unit into compliance with the Building Code, providing a second means of egress.

Plans reviewed are titled "The Residences at 33 Princeton Street" prepared by LUNA Design Group, and dated April of 2024.

Recommendation:

In reference to BOA1642295, The Planning Department recommends DENIAL: due to the fact that records are not able to prove how long the structure has been used as a dwelling unit and the City's interest in not allowing unpermitted work.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1642295
ZBA Submitted Date	2024-08-19
ZBA Hearing Date	2026-04-07
Address	33R Princeton ST East Boston 02128
Parcel ID	0105975000
Zoning District & Subdistrict	East Boston Neighborhood EBR-3
Zoning Article	53
Project Description	33R Princeton Street is an existing, non-conforming, studio dwelling unit constructed over a detached garage on the same lot as a 4-unit residential structure. The proponent is seeking zoning relief in order to bring the property into compliance with the Boston Zoning Code.
Relief Type	Variance
Violations	Rear Yard Insufficient Side Yard Insufficient Application of Dimensional Requirements

Planning Context:

This case was originally scheduled for the February 24, 2026 ZBA hearing and was deferred; no new plans have been submitted since that time, and the Planning Department's recommendation remains unchanged.

33R Princeton is located in the Residential 3 subdistrict of East Boston in a developed residential block. Within a quarter mile walk from the property, one can access four different bus routes, a grocery store, drug store, and Central Square Park with Blue Bike docking. The site is located in a Restricted Roof District and Parking Freeze Zone which are not impacted by the requested variances.

This request is to legalize an existing, unpermitted dwelling unit, constructed and occupied at an uncertain date. The subject studio dwelling unit is located above the detached garage and is in violation of building configuration and dimensional standards. According to the proponent, the unit has been occupied by the same tenant for approximately 13 years, with three prior tenants since the unit's initial construction in 1992. The unit is not assessed as a dwelling unit by the City of Boston Assessing Department. In addition to legalizing the existing property



configuration, the proponent proposes constructing a new entrance to the unit, balcony, and stairway to provide a second means of egress to and from the studio unit.

This request is directly supported by one of the five key goals of PLAN: East Boston: to "expand access to housing options that are affordable, stable, and able to meet households' needs as they change over time." Furthermore, legalizing this property will aid in avoiding displacement of those who presently occupy the unit. As the City and East Boston's population grows, un-traditional units like this one are an important part of the neighborhood's housing stock, offering alternative style, location, and privacy. At the same time, the City has a vested interest in ensuring that work is appropriately permitted.

Zoning Analysis:

This application was initially submitted in 2023 and cited by ISD in August 2024 for violations to Article 53, Sections 29 and 9 regarding building configuration and dimensional standards and Section 56 regarding minimum parking requirements under previous East Boston zoning regulations. The East Boston zoning code was updated in April 2024 in response to the passing of PLAN: East Boston. The plans are no longer in violation of parking requirements, as parking minimums have been removed from East Boston zoning. However, the plans are in violation of building configuration and dimensional standards of Sections 29 and 5, outlined below.

Building Configuration: Article 53, Section 29, No. 12 states that "A Dwelling shall not be built to the rear of another Dwelling," but "the Board of Appeal may grant permission for a variation...if it finds that open space for all occupants, and light and air for all rooms designed for human occupancy, will not be less than would be provided if the requirements of this Section 53-29.13 were met." The building configuration associated with this variance request is an existing condition of the site. Due to the building configuration on the lot, it was not possible then nor now to construct a second building/dwelling to the side of the primary building without demolishing a portion of the existing building. Therefore, the existing location of the rear dwelling maximizes light and air on the site.

Dimensional Standards: Article 53, Section 29, No. 13 states that "If on one Lot there are two or more Main Buildings or Dwellings, including temporary Dwellings, the yard requirements...shall apply at each actual Lot line and not as if each Building were on a separate Lot." Per Table F, referred to in Section 5, a minimum side yard of three feet and rear yard of 1/3 the lot depth are required. The existing garage structure is located within these required setbacks; however, the garage was permitted and constructed 1992, prior to existing dimensional standards. The



proposed balcony and staircase will worsen this side yard encroachment, but these improvements are proposed to bring the dwelling unit into compliance with the Building Code, providing a second means of egress.

Plans reviewed are titled "The Residences at 33 Princeton Street" prepared by LUNA Design Group, and dated April of 2024.

Recommendation:

In reference to BOA1642295, The Planning Department recommends DENIAL: due to the fact that records are not able to prove how long the structure has been used as a dwelling unit and the City's interest in not allowing unpermitted work.

Reviewed,

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

Deputy Director of Zoning



Case	BOA1703445
ZBA Submitted Date	2025-03-26
ZBA Hearing Date	2026-04-07
Address	100 Huntington AV J5 Boston 02116
Parcel ID	0400985010
Zoning District & Subdistrict	Huntington Avenue/Prudential Center Huntington Avenue/Prudential Center General Area
Zoning Article	11
Project Description	Add window decals for advertisements on both sides of a skybridge over Huntington Avenue, with each occupying 480 square feet.
Relief Type	Conditional Use
Violations	On-Premise Signs in Non-Residential Districts

Planning Context:

These plans are identical to those submitted for ZBA hearings on October 7, 2025, November 25, 2025, and January 27, 2026, where this project was deferred. No changes to the proposed project have been made, and therefore the recommendation of denial still holds.

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

Zoning Analysis:

The proposed signage is cited for violating provisions in Section 11-2 for "On-Premise Signs in Non-Residential Districts." Window decals such as this are only referenced in subsection (c), which states "A permanent non-illuminated sign on the inside of the glass of a window, provided that the total area of the sign does not exceed thirty percent of the total glass area of windows appurtenant to the use to which the sign is accessory, and provided that signs on ground floor



windows be included in calculating the total area of signs on a sign frontage." The proposed signage would not occupy more than thirty percent of the windows; however, it is not apparent that these window decals are accessory to a specific use that they are providing advertisement for.

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

This presents a case for zoning reform, where the signage regulations are difficult to interpret in unique cases like this.

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

Recommendation:

In reference to BOA1703445, The Planning Department recommends DENIAL.

Reviewed,

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

Deputy Director of Zoning

November 13th, 2025

MEMORANDUM

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

FROM: NUPOOR MONANI, CO-DIRECTOR OF DEVELOPMENT REVIEW
CASEY HINES, CO-DIRECTOR OF DEVELOPMENT REVIEW
DYLAN NORRIS, PROJECT MANAGER
JASON MCDONALD, PLANNING AND ZONING REVIEWER
ALEXA PINARD, ASSISTANT DEPUTY DIRECTOR OF DESIGN REVIEW
PRISCILLA CUEVAS, TRANSPORTATION PLANNER
MARCO SANCHEZ, LANDSCAPE ARCHITECT
AMBER GALKO, RESILIENCY REVIEWER

SUBJECT: 52 PLYMPTON STREET, SOUTH END

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority ("BRA") d/b/a Boston Planning & Development Agency ("BPDA") authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 52 Plympton Street in the South End neighborhood (the "Proposed Project"), in accordance with Article 80E, Small Project Review, of the Boston Zoning Code (the "Code"); (2) enter into a Community Benefits Agreement in connection with the Proposed Project, and any other agreements and documents or take any other actions that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The Proposed Project is located on three (3) adjacent parcels of land totaling approximately 11,098 square feet located in the South End ("Project Site"). The Project Site currently has two underutilized structures, one (1) three-story timber-and-brick building constructed circa 1895, and a single-story brick service garage constructed circa 1920.

The Project Site is well served by public transportation using the Massachusetts Bay Transportation Authority ("MBTA") system, including the following MBTA bus routes: Route 47 at Albany and Wareham Streets (approximately 450' from the site), Routes 8 and 10 at Harrison Ave and Plympton Street, and Routes 15, SL4 and SL5 at Washington Street at Union Park. Additionally, the Project Site is located in the Protection Area of the South End Landmark District.

DEVELOPMENT TEAM

The development team consists of:

Owner/Developer: 52 Plympton St MKJB, LLC
555 East Second Street,
Boston MA, 02127
Attn: Josh Brandt

Architect: Stack Architecture, LLC
555 East 2nd St.
Boston, MA 02127
800-265-9740
Attn: Catriel Tulian AIA.

Legal Counsel: Dalton & Finegold, L.L.P
Christopher R. Vaccaro
34 Essex Street
Andover MA, 01810

PROPOSED PROJECT

52 Plympton St MKJB, LLC (the "Proponent") proposes to construct a new approximately seven (7) story mixed use building including approximately forty-four (44) homeownership residential units and approximately 1,135 square feet of ground floor gallery and arts space, resulting in approximately 42,820 square feet of total Gross Floor Area on the Project Site ("Proposed Project"). The approximately forty-four (44) units will be composed of approximately five (5) three-bedroom units, seven (7) two-bedroom units, sixteen (16) one-bedroom units, eight (8) loft units, and eight (8) studio units, with a residential entry lobby and rear courtyard

amenity space. Eight (8) loft units, featured on the ground floor of the Proposed Project, are proposed as income-restricted live/work artist units in order to support neighborhood cultural production.

Up to approximately 19 accessory vehicular parking spaces will be provided in a sub-grade parking garage. One space will be intended for the gallery/arts use and the remainder will be for the use of building residents. Approximately, 44 resident bicycle parking spaces and 10 visitor bike parking spaces will be provided as a result of the development.

PLANNING AND ZONING CONTEXT

The Proposed Project is located in the EDA South Subdistrict of the South End Neighborhood regulated by Article 64 of the zoning code. The site is located in the Coastal Flood Resilience Overlay District (CFROD) and the Groundwater Conservation Overlay District (GCOD). CFROD provides requirements to ensure prevention of dangerous impacts from sea level rise which the project must meet. GCOD ensures the preservation of the groundwater reserves in the neighborhood and due to the size of the proposed project a conditional use permit would be required with review and approval by Boston Water and Sewer Commission (BWSC). The site is within the Harrison-Albany Corridor Strategic Plan passed in 2012. In the Plan the sub-area where the site is located is identified as the Back Streets. The vision for the Back Streets is to continue light industrial uses while encouraging complementary commercial uses that create new jobs. Plympton Street is specifically identified to be developed in a way to support creative economic uses.

The proposed project is seeking zoning relief for off-street parking and conditional-use permits for Artist Mixed Use and Multi-family Dwelling. With careful work during the review process, the proposed project has been shaped to be reflective of the goals identified for the neighborhood while being contextually appropriate. Based on this successful collaboration, staff recommend BPDA Board Approval with further review from the BWSC as needed.

URBAN DESIGN

The project is subject to ongoing design review with the Planning Department and is subject to final approval by the South End Landmark District Commission.

ARTICLE 80 REVIEW PROCESS

On June 27th 2025, the Proponent filed a Small Project Review Application (“SPRA”) pursuant to Article 80E of the City of Boston Zoning Code (“the Code”). The BPDA hosted a virtual public meeting for the Proposed Project on August 23rd, 2025. The public comment period in connection with the Proponent’s submission of the SPRA ended on August 28, 2025.

The virtual public meeting was advertised in the relevant neighborhood newspapers and posted to the BPDA’s website, and a calendar notification was sent to all subscribers of the BPDA’s South End neighborhood updates. Local city and state elected officials received notification of the public meeting via email. The presentation and a recording of the virtual public meeting was published to the 52 Plympton Street project webpage on the BPDA website.

ZONING

The Project Site is located within the South End Neighborhood District governed by Article 64 of the Zoning Code, more specifically in the Economic Development Area South. It is also located in the Restricted Parking, Groundwater Conservation, and Coastal Flood Resilience Overlay Districts. The Proposed Project will be seeking zoning relief from the Zoning Board of Appeal for the following:

- Conditional uses
- Multi-Family Dwelling
- Artist Mixed Use
- Off-Street Parking—relief from the minimum required number and dimensions of off-street parking
- Off Street loading—relief from required off-street loading bay

Overlay districts:

- Restricted Parking District—conditional use permit for parking accessory to gallery/arts use

- Groundwater Conservation Overlay District—conditional use permit for on-site stormwater infiltration

INCLUSIONARY ZONING

The Proposed Project is subject to Zoning Code Article 79 Inclusionary Zoning, dated October 1, 2024 (“IZ”) and is located within Zone A, as defined by IZ. IZ requires that 17% of the total number of units or Usable Square Footage (as defined in Article 2-1 of the Code) within Article 80E Small Project developments are designated as IZ units. In this case, zero (0) dwelling units, and eight (8) live/work units, or approximately 19.22% of Usable Square Footage, within the project will be designated as income-restricted artist live/work units (the “IZ Units”), of which four (4) units will be made available to households with incomes not more than 80% of the Area Median Income (“AMI”), and four (4) units will be made available to households with incomes greater than 80% of AMI but not more than 100% of 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 sales price limits.

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

Unit Number	Number of Bedrooms	Unit Size (Sq Ft)	Percent of AMI	Sales Price
101	Loft	808	80%	\$241,977
102	Loft	907	80%	\$241,977
103	Loft	915	100%	\$316,830
104	Loft	934	100%	\$316,830
105	Loft	700	80%	\$241,977
106	Loft	877	80%	\$241,977
107	Loft	924	100%	\$316,830
108	Loft	982	100%	\$316,830

The location of the IZ Units will be finalized in conjunction with MOH staff and outlined in an Affordable Housing Agreement (“AHA”) with MOH. Sales prices and income limits will be adjusted according to MOH published maximum sales prices

and income limits, as based on HUD AMIs, available at the time of the initial sale of the IZ Units.

The AHA 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:

- (1) Boston resident; and
- (2) First-time homebuyer.

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

A minimum of one (1) person in each eligible household must have an artist certification from the Mayor’s Office of Arts and Culture valid at the time of purchase of each IZ Unit.

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

MITIGATION & COMMUNITY BENEFITS

The Proposed Project will provide community benefits for the South End neighborhood and the City of Boston. The Proponent has made the following commitments:

- Creating 44 additional homeownership units in the City of Boston, of which 8 will be income-restricted artist live-work units.

- Creating a ground floor gallery and community arts space
- Prior to issuance of the certificate of occupancy the proponent will make a financial contribution of twelve thousand and one hundred dollars (\$12,100) to the Boston Transportation Department (“BTD”) to support the Blue Bikes network in South End.
- Creating temporary construction jobs.
- Prior to issuance of the certificate of occupancy the Proponent will construct a new public sidewalk along the building frontage meeting Complete Streets standards, including (3) new street trees and new street lighting.
- Prior to the issuance of the certificate of occupancy the Proponent will construct a new concrete sidewalk along Plympton street from the southeast corner of the site to Albany street (approximately 165 linear feet). The new sidewalk will be created on one side of Plympton street only. Scope of work will include removal of existing asphalt sidewalk material; re-setting of existing granite curbing (where possible) and furnish and install of new granite curbing (where necessary); new broom finish concrete sidewalk panels; Additionally resetting and replacing, where needed, the existing electrical conduits and wiring for the existing streetlights to ensure the existing streetlights functionality. The scope of work within this approximately 165 linear foot section specifically excludes new street trees; new bike racks; furnish and install of light poles or bases.

All improvements and work conducted in the public right of way are subject to continued design review with the Planning Department, Public Works Department and the Public Improvement Commission. The Proponent should anticipate returning to the Planning Department following BPDA Board approval to review updates with the Article 80 Development Review team prior to submitting materials to PIC.

RECOMMENDATION

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 pursuant to Section 80E-6 of the Code in connection with the Proposed Project (2) enter into a Community Benefits Agreement, and all other agreements and documents and

take any and all other actions that the Director deems necessary and appropriate in connection with the Proposed Project.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Approval pursuant to Section 80E-6 of the Boston Zoning Code (the "Code"), approving 52 Plympton MKJB LLC's proposed development consisting of a seven story, mixed use building consisting of approximately 44 homeownership units, approximately 1,135 square feet of ground floor gallery/arts space, approximately 44 bicycle parking spaces and approximately 19 vehicular parking spaces located at 52 Plympton Street in the South End neighborhood of Boston in accordance with the requirements of Small Project Review, Article 80E, of the Code, subject to continuing design review; and

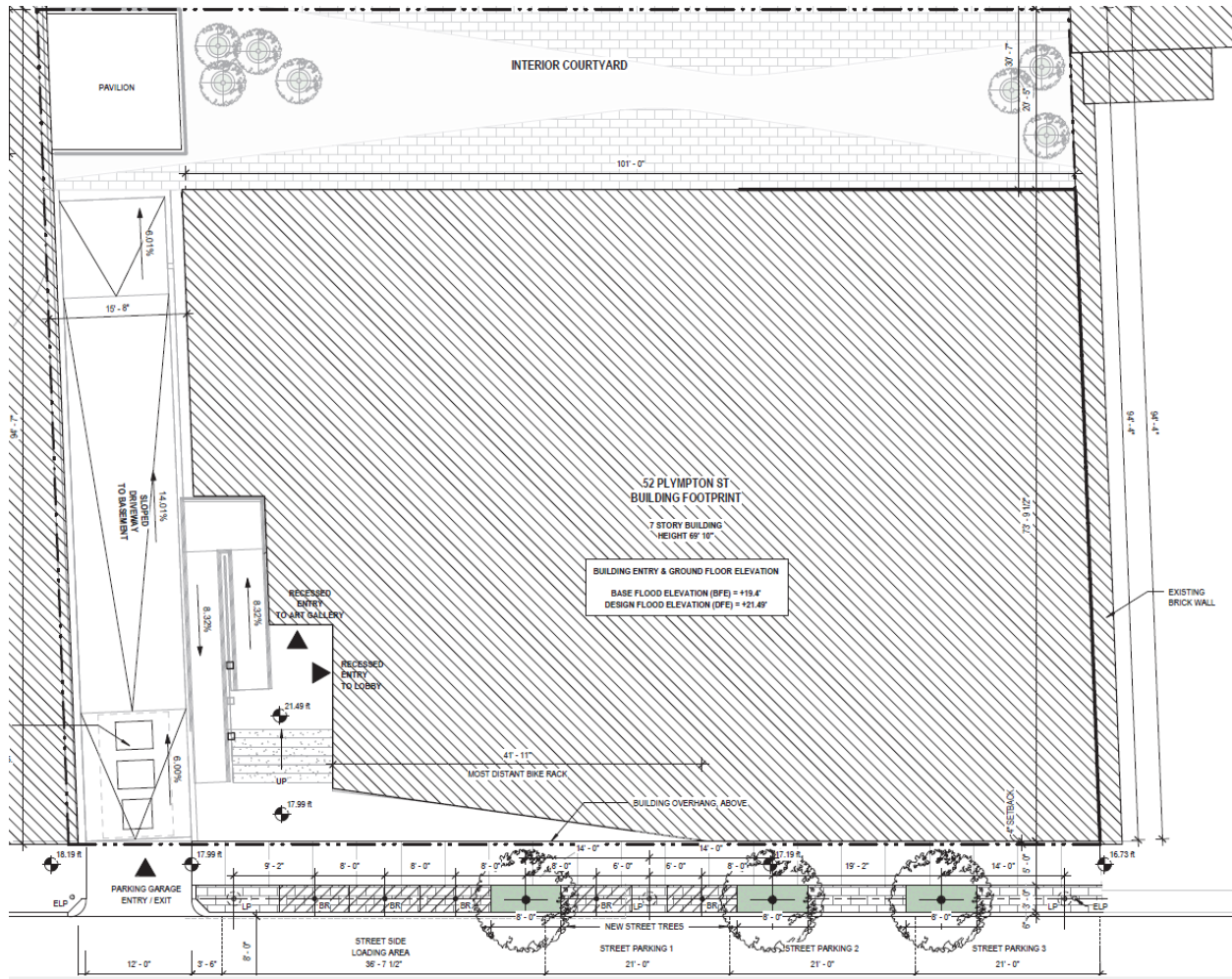
FURTHER

VOTED: That the Director be, and hereby is, authorized to execute and deliver a Community Benefits Agreement and to execute and deliver any and all other agreements and documents and take any and all other actions that the Director deems appropriate and necessary in connection with the Proposed Project.

APPENDIX A
EXHIBIT A "Project Metric Table"

Estimated Project Metrics	Proposed Plan
Gross Square Footage	54,216
Gross Floor Area	42,820
<i>Residential</i>	42,820
<i>Office</i>	0
<i>Retail</i>	0
<i>Lab</i>	0
<i>Medical Clinical</i>	0
<i>Education</i>	0
<i>Hotel</i>	0
<i>Industrial</i>	0
<i>Recreational</i>	0
<i>Cultural</i>	1,135
<i>Parking</i>	7,808
Development Cost Estimate	\$41,000,000
Residential Units	44
<i>Rental Units</i>	0
<i>Ownership Units</i>	44
<i>IDP/Affordable Units</i>	8
Maximum Parking spaces	19
<i>Long-term Bicycle Parking</i>	44
<i>Short-term Bicycle Parking</i>	10
<i>Location of Bike Room</i>	Sub Grade Garage
<i>Bluebike Docks</i>	0
<i>Bluebike Stations</i>	0
<i>Minimum Monetary Bluebike Contribution</i>	\$12,100
<i>Loading Bays</i>	0

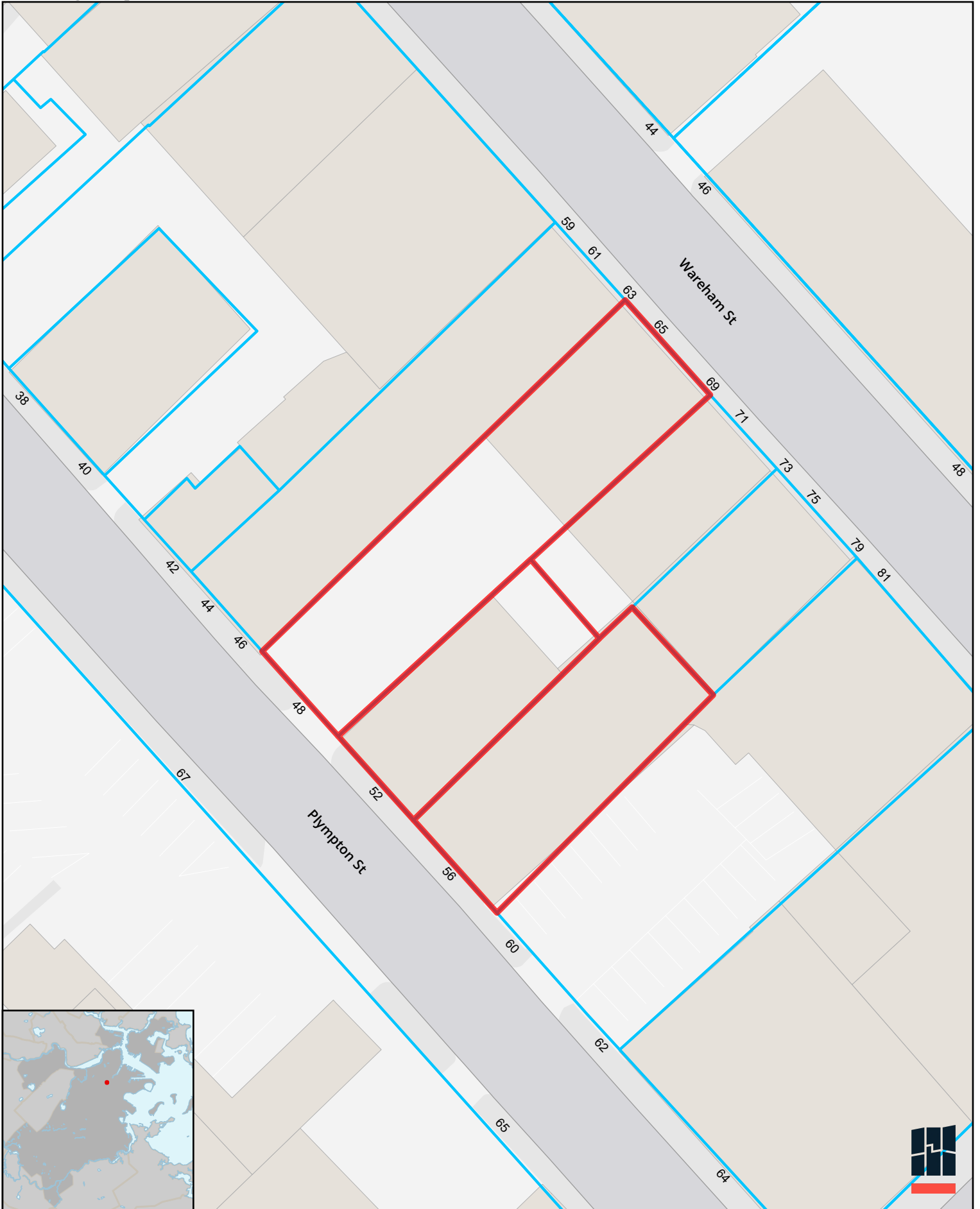
Appendix B
Exhibit B "Open Space Plan"



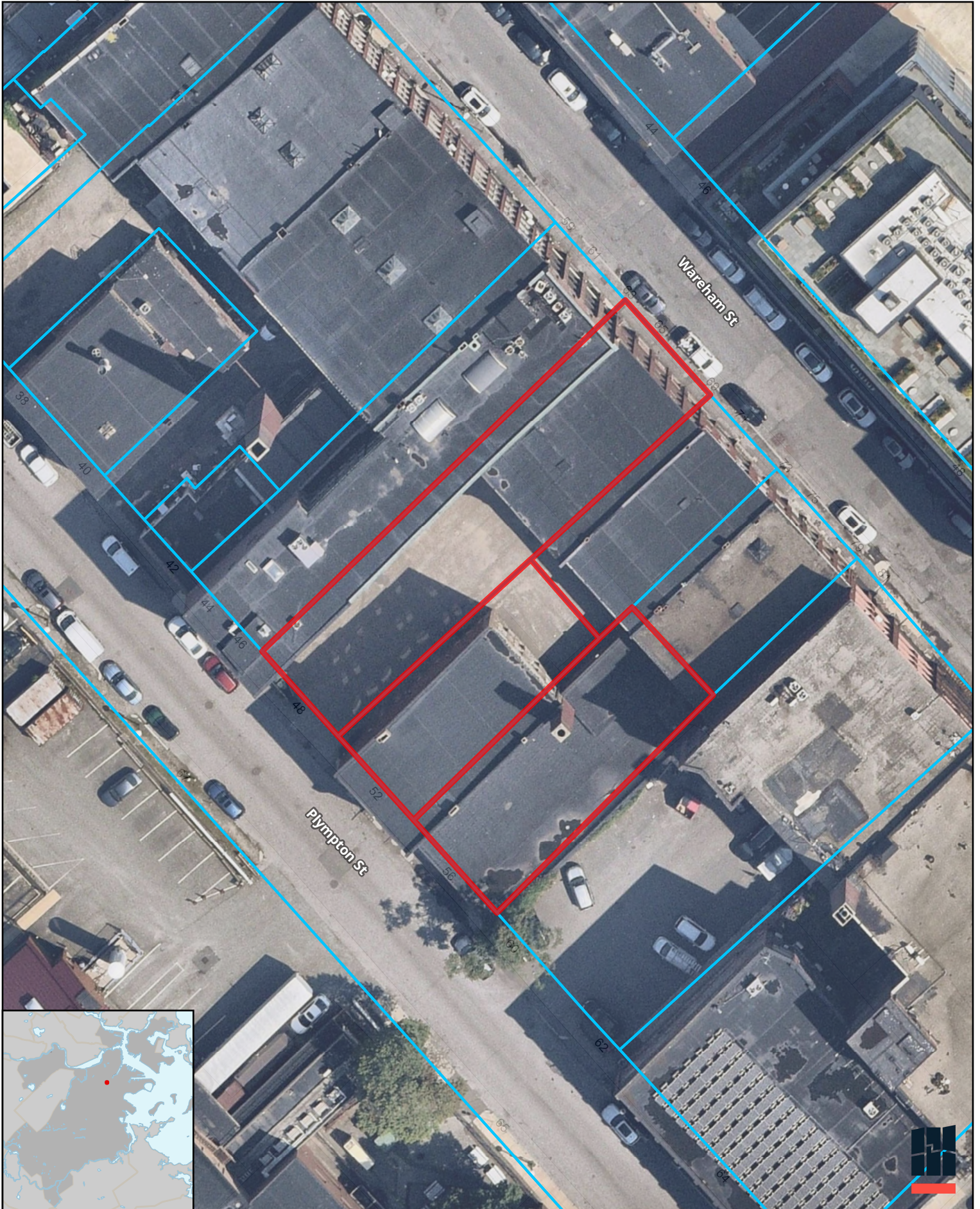
52 Plympton Street



1:500



52 Plympton Street





Boston City Council
ED FLYNN
Councillor - District 2

November 13th, 2025

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

RE: Support for 52 Plympton Street

Dear Members of the BPDA Board,

I'm writing in support of the proposal at 52 Plympton Street, which includes 44 residential homeownership units, (8) live/work artist units, and 19 parking spaces.

The project would replace two underutilized buildings with a seven-story multi-family residential building in the protection area of the South End Landmark District. The project includes a fully accessible ground floor artist live-work component comprising (8) affordable live-work units designed specifically to support artists, paired with a multi-purpose gallery and workshop space with direct access to a rear courtyard. A below-grade parking garage will include approximately 19 parking spaces for residents and 9 curbside bike spaces for visitors.

This project will help to address Boston's housing crisis and include (8) affordable units. The proposal received the support of both neighbors and the Blackstone/Franklin Square Neighborhood Association. I respectfully request that the Board please provide every consideration to this proposal. 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 Councillor, District 2

**Boston Water and
Sewer Commission**



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

July 8, 2025

Mr. Dylan Norris
Project Manager
Planning Department
One City Hall Square
Boston, MA 02201

Re: 52 Plympton St, South End
Small Project Review Application

Dear Mr. Norris:

The Boston Water and Sewer Commission (Commission, BWSC) has reviewed the Small Project Review Application (SPRA) for the proposed 52 Plympton St project located at 52 Plympton Street in the South End neighborhood of Boston.

The proposed project is located on an approximately 11,098 square foot (sf) site currently occupied by one single-story building and one 3-story building. The project proponent, 52 Plympton MKJB, LLC, proposes to redevelop the site with the construction of a 7-story mixed use building occupying 43,621 sf of gross floor area. The project will include 44 residential units including several affordable live-work artist units, a communal workshop and gallery space, 44 bike parking spaces, and 19 vehicle parking spaces.

Water, sewer, and storm drain service for the project site is provided by the Boston Water and Sewer Commission. Water demand estimates were not provided in the SPRA. For water service, the project site is served in Plympton Street by a 10-inch Southern Low PCI water main installed in 1903 and relined in 1999.

Estimated sewage flow was not stated in the SPRA. For sanitary sewage service, the site is served by a 12-inch sanitary sewer in Plympton Street. For drainage service, the site is served by a 24-inch storm drain in Plympton Street.

The Commission has the following comments regarding the SPRA:



General

1. Prior to the initial phase of the site plan development, 52 Plympton MKJB, LLC should meet with the Commission's Design and Engineering Customer Services to review water main, sewer and storm drainage system availability and potential upgrades that could impact the development.
2. Prior to demolition of any buildings, all water, sewer and storm drain connections to the buildings must be cut and capped at the main pipe in accordance with the Commission's requirements. 52 Plympton MKJB, LLC 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 52 Plympton MKJB, LLC's expense. They must be designed and constructed in conformance with the Commission's design standards, Water Distribution System and Sewer Use regulations, and Requirements for Site Plans. The site plan should include the locations of new, relocated and existing water mains, sewers and drains which serve the site, proposed service connections, water meter locations, as well as backflow prevention devices in the facilities that will require inspection. A General Service Application must also be submitted to the Commission with the site plan.
4. The 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 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. 52 Plympton MKJB, LLC 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 stated in the SPRA. The Commission requires that these values be calculated and submitted with the Site Plan. 52 Plympton MKJB, LLC 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. 52 Plympton MKJB, LLC should also provide the methodology used to estimate water demand for the proposed project.
7. For any proposed masonry repair and cleaning, 52 Plympton MKJB, LLC will be required to obtain from the Boston Air Pollution Control Commission a permit for Abrasive Blasting or Chemical Cleaning. In accordance with this permit, the proponent will be required to provide a detailed description as to how chemical mist and run-off will be contained and either treated before discharge to the sewer or drainage system or collected and disposed of lawfully off site. A copy of the description and any related site plans must be provided to the Commission's Engineering Customer Service Department for review before masonry repair and cleaning commences. 52 Plympton MKJB, LLC is advised that the Commission may impose additional conditions and requirements before permitting the discharge of the treated wash water to enter the sewer or drainage system.
8. The Commission will require 52 Plympton MKJB, LLC to undertake all necessary precautions to prevent damage or disruption of the existing active water and sewer lines on, or adjacent to, the project site during construction. As a condition of the site plan approval, the Commission will require the proponent to inspect the existing sewer lines by CCTV after site construction is complete, to confirm that the lines were not damaged from construction activity.
9. It is 52 Plympton MKJB, LLC's responsibility to evaluate the capacity of the water, sewer and storm drain systems serving the project site to determine if the systems are adequate to meet future project demands. With the site plan, 52 Plympton MKJB, LLC must include a detailed capacity analysis for the water, sewer and storm drain systems serving the project site, as well as an analysis of the impacts the proposed project will have on the Commission's water, sewer and storm drainage systems.



10. The project sites are located within Boston's Groundwater Conservation Overlay District (GCOD). The district is intended to promote the restoration of groundwater and reduce the impact of surface runoff. Projects constructed within the GCOD are required to include provisions for retaining stormwater and directing the stormwater to the groundwater table for recharge.

Water

1. 52 Plympton MKJB, LLC must provide separate estimates of peak and continuous maximum water demand for residential, commercial, industrial, irrigation of landscaped areas, and air-conditioning make-up water for the project with the site plan. Estimates should be based on full-site build-out of the proposed project. 52 Plympton MKJB, LLC should also provide the methodology used to estimate water demand for the proposed project.
2. The proponent should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular, 52 Plympton MKJB, LLC should consider outdoor landscaping which requires minimal use of water to maintain. If 52 Plympton MKJB, LLC plans to install in-ground sprinkler systems, the Commission recommends that timers, soil moisture indicators and rainfall sensors be installed. The use of sensor-operated faucets and toilets in common areas of buildings should be considered.
3. 52 Plympton MKJB, LLC is required to obtain a Hydrant Permit for use of any hydrant during the construction phase of this project. The water used from the hydrant must be metered. 52 Plympton MKJB LLC should contact the Commission's Meter Department for information on and to obtain a Hydrant Permit.
4. 52 Plympton MKJB, LLC will be required to install approved backflow prevention devices on the water services for fire protection, vehicle wash, mechanical and any irrigation systems. 52 Plympton MKJB, LLC is advised to consult with the Commission's Manager of Engineering Code Enforcement, with regards to backflow prevention.
5. The Commission is utilizing a Fixed Radio Meter Reading System to obtain water meter readings. For new water meters, the Commission will provide a Meter Transmitter Unit (MTU) and connect the device to the meter. For information regarding the installation of MTUs, 52 Plympton MKJB, LLC should contact the Commission's Meter Department.



Sewage / Drainage

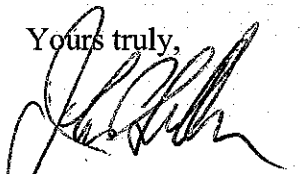
1. In conjunction with the Site Plan and the General Service Application, 52 Plympton MKJB, LLC will be required to submit a Stormwater Pollution Prevention Plan. The plan must:
 - Identify best management practices for controlling erosion and for preventing the discharge of sediment and contaminated groundwater or stormwater runoff to the Commission's drainage system when the construction is underway.
 - Include a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control or treatment structures to be utilized during construction.
 - Provide a stormwater management plan in compliance with the DEP standards mentioned above. The plan should include a description of the measures to control pollutants after construction is completed.
2. The Commission encourages 52 Plympton MKJB, LLC to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.
3. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission. 52 Plympton MKJB, LLC is advised that the discharge of any dewatering drainage to the storm drainage system requires a Drainage Discharge Permit from the Commission. If the dewatering drainage is contaminated with petroleum products, 52 Plympton MKJB, LLC will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.
4. The proponent 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, 52 Plympton MKJB, LLC will be required to meet MassDEP Stormwater Management Standards.



6. Sanitary sewage must be kept separate from stormwater and separate sanitary sewer and storm drain service connections must be provided. The Commission requires that existing stormwater and sanitary sewer service connections, which are to be re-used by the proposed project, be dye tested to confirm they are connected to the appropriate system.
7. The Commission requests that the proponent 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. 52 Plympton MKJB, LLC should contact the Commission's Operations Division for information regarding the purchase of the castings.
8. The enclosed floors of a parking garage must drain through oil separators into the sewer system in accordance with the Commission's Sewer Use Regulations. The Commission's Requirements for Site Plans, available by contacting the Engineering Services Department, include requirements for separators.

Thank you for the opportunity to comment on this project.

Yours truly,



John P. Sullivan, P.E.
Chief Engineer

JPS/ihh

cc: 52 Plympton MKJB, LLC
C. Rizzi, MWRA via e-mail
S. McFee, BWSC via e-mail



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CONSOLIDATED FEEDBACK SUMMARY

After reviewing the 52 Plympton Street Small Project Review Application (SPRA) filed 6/27/25, the Planning Department requests the following revisions to the project proposal prior to consideration by the BPDA board. A Supplemental Information filing that includes additional design studies, described below, is also requested to allow the department to conduct a full review of the proposed project. Additional feedback has also been provided to set expectations for further design development after board approval and prior to the issuance of a building permit.

REQUESTED REVISIONS

- 1. Redesign the parking configuration to achieve compliance with CFROD resiliency requirements & guidelines. Below-grade, dry floodproofed residential-use parking is not supported per FEMA, NFIP, and ASCE guidance**
 - a. Possible design solutions to this issue include:
 - i. Changing the garage use to be mixed use
 - ii. Raising the parking level to be at-grade
 - iii. Removing the parking
- 2. Redesign the entry so the ADA accessible entrance is located at the primary entrance of the building**
 - a. The Planning Department recommends consolidating the ADA and primary entrances so that the front door access from the stairs and ramp face the street.
- 3. Increasing the width of the proposed ROW by 4” to achieve minimum required dimensions**
 - a. A minimum 5’ pedestrian path and 3’ furnishing/planting zone is required. See Pedestrian Zone Feedback for explanation and proposed options



SUPPLEMENTAL INFORMATION & FEEDBACK

The following informational requests and directional project feedback must be provided and/or responded to prior to consideration by the BPDA Board

REQUESTED INFORMATION

1. Updated Site Utility/Streetlighting plan (in coordination with the Streetlighting Division).
2. An Existing Conditions Plan showing adjacent parcels and all utilities.
3. A Grading Plan for the proposed site, ROW, private outdoor space, and ground floor plans
4. Property line diagram in section
5. An updated, dimensioned, conceptual site & ground floor plan for confirmation of the quantity, size and viability of the proposed private residential open space
6. Updated zoning calculations for open space per dwelling unit pending any changes to the calculation
7. Updated Building Massing/Elevation Diagrams in BFE +2'
8. Dimensioned elevator plan
9. Updated resiliency strategy/diagrams in compliance with CFROD
10. Dimensioned garage plan, including swept path analysis for garage parking spaces 1,2,3,10 & 11
11. Structural report for the building at 65 Wareham St
12. Amended Accessibility checklist
13. A written narrative on the viability of the transformer as proposed

FEEDBACK

1. Pedestrian Zone/Roadbeds/Curbs/Sidewalks

- a. In order to achieve the necessary dimensions for *minimally* compliant sidewalks (5' pedestrian path w/3' furnishing zones), the Planning Department recommends that the proponent team consider the following options:
 - i. Shift the proposed curb alignment further into the existing right of way and consider the implications that may have for the proposed streetscape design



1. In addition to the above referenced curb shift, Planning and City Staff recommend the proponent team consider a no on-street parking scenario (consistent with the current parking regulations for this section of Plympton St.) which would allow for a larger curb extension creating a more generous pedestrian experience and a more viable furnishing zone
 - ii. Shift the ground floor of the project 4” off the property line in order to achieve the necessary 5’ pedestrian path and 3’ furnishing zones. Planning staff is not recommending the proponent shift the overall massing 4” back from the property line, only the ground floor.
 - b. Specific design of streetscape, furnishing zone, location of proposed street trees, visitor bike racks, and other infrastructure improvements will require an updated utility/streetlighting plan and coordination with the Public Works Department (PWD) Street Lighting Division
 - c. Final design/furnishing of the proposed ROW will require approvals from the Planning Department, South End Landmarks District Commission (SELDC) and Public Improvement Commission (PIC).
2. **Street Trees / Furnishing Zone/Infrastructure design/Location**
- a. The location and conceptual design of all street trees & tree pits, visitor bike racks, utilities, streetlighting and other infrastructure improvements in the ROW of the site needs to be further clarified with updated utility/street lighting plans.
 - i. Per *Boston Complete Streets Design Guidelines* and Planning staff review, proposed street tree pits will need to be 3’x8’ and provide at least 120 cubic feet of engineered soil per tree. Providing structural soil beneath the sidewalk would be another opportunity to increase tree health and longevity.
 - ii. Per *BTD Bike Parking Guidelines*, the proponent will be required to and should anticipate the incorporation of eight (8) visitor bike racks in the design of the proposed public right of way.
 - iii. Please confirm the location of the existing globe street light on Plympton Street within updated street lighting/utility/plan.

**Final approval of the design and materiality is subject to Planning Department, SELDC and PIC review.*

*** "As provided in Section 4, St. 1975, C.772, as amended, the only items subject to design review in the Protection Area are: Demolition; Land Coverage; Height of Structures; Landscape; and Topography." However, should the SELDC vote to demolish the existing structure then the building is subject to the following policy: "If demolition*



is approved, the Commission could review new construction using the same criteria that applies within the District.” Note that this is a highly likely outcome.

3. Building and Open Space - relationship between proposed building, existing buildings and sidewalks

- a. The Planning Department has concerns about the stability of the existing properties along Wareham street based on the proposed parking garage plans. A structural report for the building at 65 Wareham St is requested and should be submitted pre-Board so that staff can determine what additional studies or drawings will be needed to protect 65 Wareham during construction.

4. Outdoor Amenity Space

- a. Prior to Board consideration the Planning Department is requesting a concept-level, updated, dimensioned site & ground floor plan for the private residential open spaces. The plan should illustrate the conceptual design intent for the major design features such as materiality of patio and walking surfaces, furnishings and plantings and confirming the ability of the space to qualify as open space
- b. The Planning Department also requests that this updated open space / site diagram be accompanied by a written narrative that provides a clear understanding of the comfortability and initial conceptual programming of the rear yard outdoor space.

5. Off-street Vehicle Parking

- a. Staff supports a zero-parking program to comply with Article 25A, the Coastal Flood Resilience Overlay District (CFROD). If the Proponent chooses to include off-street parking, staff has the following recommendations:
 - i. Van accessible parking shall have an 8ft access aisle. Accessibility Checklist in SPRA currently notes a 5’ft access aisle.
 - ii. Confirm that there is a minimum 8'2" clearance in the garage
 - iii. Garage parking spots 1,2,3,10 & 11 require a swept path analysis to demonstrate maneuverability.

6. Infrastructure/Utilities

- a. The Transformer location appears infeasible. The Planning Department staff recommend the proponent team relocate the transformer into a below grade vault on the project site, potentially in the driveway. Not only would it be a more feasible option it would also help further maximize the potential open space in the rear yards

**Please note that while transformers can be vaulted below the CFROD DFE’, Switchgears are forbidden below the designed flood elevation of the building*



per FEMA, NFIP, and ASCE guidance.

**Please note SELDC has purview over the location and visibility of mechanical equipment.*

7. Building Scale and Form

- a. **Building height:** Building height should be measured from Base Flood Elevation +2'
- b. **Roof form/Access/Deck/Mechanical screening:** Planning staff recommend the proponent team set back any proposed rooftop mechanicals as to not be visible from the ROW. If any mechanicals are expected to be visible, they should be screened. Information on the extent, design, materiality of screening will need to be provided during the post board design review of the project
- c. **Finished Floor Elevations:** Please note that the finished floor elevation of floor 1 is appropriate, all residential uses are located at the design flood elevation (DFE). However, the finished floor elevation (FFE) of the parking garage is below grade which is not supported for residential parking structures in a flood zone.

8. Ground floor plan

- a. Planning and City staff strongly recommend the proponent team explore alternate layouts of the entry way and accessible entrance. The goal should be to ensure that the ADA accessible ramp accesses the primary entrance to the Project.
- b. One scheme to consider would be flipping the gallery amenity space with the current residential lobby/entranceway.
- c. One of the ground floor units has a stair in front of a window. Please confirm if this is the intended final configuration.

9. Indoor bike parking design and configuration/Bikeshare system support

- a. Please provide a dimensioned elevator plan to confirm maneuverability to the bike parking room given there is no direct street access. Please note the minimum elevator dimensions are 6'8" X 4'6".
- b. In compliance with the City's Bike Parking Guidelines, based on the current development program, the project should contribute \$12,100 to support the City's Bikeshare network.

10. Resiliency and Coastal Flood Resilience Overlay district

- a. While the resilience strategy of floor 1 is appropriate, and all residential uses are located at the DFE, the FFE of the parking garage is below grade which is not supported for residential parking structures in a flood zone. Below-grade, dry floodproofed residential-use parking is not supported per FEMA, NFIP, and ASCE guidance. Possible design solutions to this issue include:
 - b. Changing the garage use to be mixed use



- c. Raising the parking level to be at-grade
- d. Removing the parking

MITIGATION

The Project will be adding much needed housing to the neighborhood, however, the sidewalks for much of Plympton Street are in poor condition/non-existent, and lacking accessible materials. Improving the sidewalks beyond the site frontage is requested. Ideally, this would include extending the sidewalk improvements beyond the site to Albany Street (~165' linear feet of new concrete sidewalk), where the City will be upgrading the pedestrian ramps on Albany Street that serve the Plympton Street crosswalk.

Acknowledging that the unknown presence of “area-ways” under the sidewalks from abutting properties may make this prohibitive, a similar level of effort to improve other segments of sidewalk on this block of Plympton Street can be considered.

POST BOARD REVIEW

The following additional information and studies will need to be addressed during the post board design review. The general directional feedback will be important to consider/address for the review of the proposed project by SELDC, PIC, BWSC and other relevant commissions and reviewing parties.

REQUESTED INFORMATION

1. A written narrative in response to the comment letter from Boston Water and Sewer Commission which outlines a pathway to compliance with Boston Water and Sewer Commission regulations and requirements where applicable at this stage of review.
2. Clarification on any architectural lighting as proposed by the project
3. Plans/Elevations showing all proposed roof deck railings and more information on the design and programming of the 6th floor roof decks. SELDC will need sections understanding the design of the railings and roof decks as proposed to be installed
4. A roof plan showing the extents of proposed rooftop mechanical screening Building elevations should also show proposed screening with materials noted

FEEDBACK

1. **PEDESTRIAN ZONE/ROADBEDS/CURBS/SIDEWALKS -Sidewalk/ROW/Curb design**



- a. Planning and City staff recommend use of granite curbs and concrete paving for the materials of the proposed ROW.

**Please note that while this list serves to identify some of the materials and considerations needed during the post-board design review process, additional materials, studies and analyses not listed above may be requested and required to provide to complete the design review of the project.*

**Final approval of the design and materiality is subject to Planning Department, SELDC and PIC review.*

2. INFRASTRUCTURE /UTILITIES - Stormwater management

- a. Please see the attached comment letter in Appendix A from the Boston Water and Sewer Commission for your review and consideration. Be sure to identify a pathway to compliance with the Boston Water and Sewer Commission regulations and requirements where applicable at this stage of review.
- b. For the proposed outdoor spaces to be a valuable residential amenity the Planning department recommends that the proponent should incorporate, where possible, as much greenscape/plantings/private trees. Planning recommends the team engage a landscape architect for this scope of work as the final schematic design for the open space and landscaping details of the project will be reviewed prior to issuance of a building permit during continued planning department design review.

**SELDC will have design purview over the extent of upper-story setbacks on upper stories including the placement of any railings and mechanicals*

3. SCALE AND FORM Upper-story set backs

- a. Please note that SELDC will have design purview over the extent of upper-story setbacks including the placement of any railings and mechanicals.
- b. Based on SELDC advisory review, Planning staff recommend an increased step back of the top floor from the front facade. Please also show extents and materials for any rooftop mechanical screening and a description of roof deck and balcony railing design and materials.

4. Finished Detailed Floor Elevations

- a. At the August 5th SELDC Hearing, Commissioners commented that additional design details and finishes (including soffit) will require further development.

5. Roof form/Access/Deck/Mechanical screening

- a. According to the SELDC Standards and Criteria, under E.5, "visible roofs, such as mansards and gables, shall be of slate or of composition shingle similar in appearance to slate. Metal may be allowed if subdued in color and detail; white or shiny metal other than copper is unacceptable."



- b. At the August 5th SELDC Hearing, Commissioners commented that rooftop features including cladding should reflect the historic context of the neighborhood and contrast with the material of the lower stories.
 - c. At the August 5th SELDC Hearing, Commissioners commented that roof deck railing design and materials should be in compliance with SELDC roof deck guidelines which includes minimal visibility for roof deck railings.
- 6. Building Articulation**
- a. Planning Department staff supports the feedback given to the proponent by the SELDC at its August 5th advisory review.
 - b. Staff recommends assessing surrounding buildings for design points -- including 62 Plympton Street. In addition, staff suggests incorporating elements of the existing building such as the brick chimney stack.
- 7. Façade**
- a. Composition**
 - i. SELDC will review based on the Standards and Criteria for the district. More information is requested regarding the proposed brick shingle. There is also concern regarding corner and window return treatments.
 - b. Fenestration**
 - i. Contributing buildings in this neighborhood have a clear vertical alignment. The ground floor windows do not relate in their pattern or rhythm with the upper-floor fenestration. Please study centering or aligning the ground floor windows with the windows above.
 - ii. According to the Standards and Criteria: "The Landmark Commission shall determine the required degree of conformity of the new construction to the architecture of adjacent buildings, according to the strength of the existing neighborhood design and the configuration of the parcels to be developed."
 - iii. At the August 5th SELDC Hearing, Commissioners requested more information regarding materials. Staff requests shop drawings of all proposed windows during SELDC review.
 - c. Mechanical Penetrations**
 - i. SELDC will review based on the Standards and Criteria for the district. Staff recommends more clarity on the location of the mechanical penetrations.
- 8. Building systems**
- a. Planning Staff recommends that Utility meters and equipment such as transformers, switchgear, and gas assemblies are located away from view along the primary building frontage. Mechanical equipment and accessories are either located away from the primary facade or well-integrated with the finishes and layout of the facades.
 - i. Staff recommends that for the SELDC review the proponent provides more details regarding the placement of building systems.
- 9. Building materials**
- a. SELDC will review the building materials based on the Standards and Criteria



for the district.

At the August 5th SELDC Hearing, Commissioners commented that more information is requested regarding the proposed brick shingle as well as examples for where the materials has been previously installed. There is also concern regarding corner and window return treatments when utilizing this material.

- b. The SELDC has purview over materials listed under section 2. "New Construction" in part E titled "Building Materials":
 - i. Walls shall be of masonry construction similar in color and texture to the majority of adjacent buildings. In general, smooth-textured red brick in standard size and coursing is acceptable; a standard brick being defined as 2 ¼" x 4"x8", nominal dimension. Other materials will be judged on their own merits and the neighborhood design context.
 - ii. Exterior steps shall be of stone, or concrete having the appearance of stone on exposed surfaces. Lintels and sills, if expressed, shall be of similar material.
 - iii. Cornices, if expressed, shall be of brick, wood or a combination thereof. If metal is used as a flashing or covering, it shall be of an appropriate finish or color; white or shiny metal other than copper is unacceptable.
 - iv. Windows, storm sash and trim shall be wood or anodized aluminum in appropriate colors and finishes; white or shiny metal is unacceptable.
 - v. Visible roofs, such as mansards and gables, shall be of slate or of composition shingle similar in appearance to slate. Metal may be allowed if subdued in color and detail; white or shiny metal other than copper is unacceptable

10. Architectural lighting

- i. Planning staff request and additional information on any street lighting proposed, soffit lighting and any building uplighting.

ZONING & PLANNING OVERVIEW

The proposed project is located in the EDA South Zoning Subdistrict within the South End Neighborhood District governed by Article 64. The site is within the Coastal Resilience Overlay District (CFROD), designated to protect against the heightened potential of flooding from sea level rise, and the Groundwater Conservation Overlay District (GCOD) focused on the preservation of Boston's groundwater. A proposal within CFROD must meet the standards set by Article 25A. When a new structure is erected within the GCOD boundaries a conditional use permit and review from the Boston Water and Sewer Commission are required. The South End Neighborhood is a Historic District identified as the "South End Protection Area" and review from the South End Landmarks Commission is required to make sure the project will not detrimentally impact the neighboring historical environment. The proposal is also within the area of the Harrison Albany Corridor Strategic Plan. This plan brought about the current zoning which encourages a mix of uses



consistent with what is seen in the proposal. The plan also encourages creating “complete streets” with improvements to the sidewalk conditions and introducing a tree canopy.

Presently the project will require one zoning variance for insufficient off-street parking. It is recommended that the proponent remove the underground parking or adapt it in other forms that would be CFROD compliant. Lastly the proponents will require a conditional use permit for the Residential use and Artists Mixed use along with a conditional use permit for GCOD as previously mentioned. The proposed uses are in line with City recommendations for this neighborhood and context and would not produce adverse impacts to the area.

MEMORANDUM

October 13, 2022

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

FROM: MICHAEL CHRISTOPHER, DIRECTOR OF DEVELOPMENT REVIEW
CASEY HINES, DEPUTY DIRECTOR FOR DEVELOPMENT REVIEW
DANIEL POLANCO, PROJECT MANAGER

SUBJECT: 65 WAREHAM STREET, SOUTH END

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) d/b/a Boston Planning & Development Agency (“BPDA”) authorize the Director to: (1) issue a Scoping Determination waiving further review pursuant to Article 80, Large Project Review of the Boston Zoning Code (the “Code”) for the 65 Wareham Street project (the “Proposed Project”, defined below) in the South End neighborhood of Boston; (2) issue a Certification of Compliance under Section 80B-6 of the Code upon successful completion of the Article 80 review process; (3) execute and deliver a Cooperation Agreement and any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project; and (4) recommend approval to the City of Boston Zoning Board of Appeal for the zoning relief necessary to construct the Proposed Project.

PROJECT SITE

The properties at 65-69, 71-73 & 75-79 Wareham Street and 52-56 Plympton Street are located between Harrison Avenue and Albany Street. The Project Site is bounded by Plympton Street to the south, Wareham Street to the north, and existing commercial buildings to the east and west.

The property consists of five connected buildings and a parking lot. The five (5) buildings consist of 52 Plympton Street, 56 Plympton Street, 65 Wareham Street, 71

* Effective October 20, 2016, the BRA commenced doing business as BPDA.

Wareham Street, and 75 Wareham Street as well as a surface parking lot containing approximately twenty (20) parking spaces. The buildings vary between one and four stories and have one (1) level of below-grade space.

The Project Site is located near public transit, including multiple bus routes along Albany Street and Harrison Avenue and is within walking distance of MBTA Orange line and Red line stations.

DEVELOPMENT TEAM

Property Owner/
Developer:

WCTV – Wareham St, LLC
1 International Pl, Suite 1440
Boston, MA 02110
David Wilkinson
Peter Spellios
Tucker Kelton

Legal Counsel:

LaCasse Law, LLC
Marc LaCasse
75 Arlington Street, Suite 500
Boston, MA 02116

Architect:

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Boston, MA 02110
John Sullivan
TJ Stokes
Rick Almeida

Article 80

Permitting
Consultant:

VHB
99 High Street, 10th Floor
Boston, MA 02110
Lauren DeVoe
Michael Rooney

Landscape

Architect: VHB
99 High Street, 10th Floor
Boston, MA 02110
Michael Kluchman

Transportation
Planner/ Engineer: VHB
99 High Street, 10th Floor
Boston, MA. 02110
Sean Manning
Chelsea Bouchard

Civil Engineer and
Surveyor: VHB
99 High Street, 10th Floor
Boston, MA 02110
Howard Moshier

Sustainability/
LEED Consultant: Thornton Tomasetti
27 Wormwood Street, Suite 200
Boston, MA 02210
Lam Pang

Historic Consultants: William Young; and
Structures North
60 Washington Street
Lynn, MA 01902
John Wathne

DEI Consultant: T.H. McLory, LLC
Taidgh McLory
Milton Benjamin

Noise and Air
Consultant: Acentech

33 Moulton Street
Cambridge, MA 02138

DESCRIPTION AND PROGRAM

The Proposed Project entails saving the existing historic façade along Wareham Street and constructing a new approximately 79,600 square foot building, that will include 77,600 square feet of lab/office space, 2,000 square feet of retail space, and forty-four (44) parking spaces.

ARTICLE 80 REVIEW PROCESS

On May 6, 2022, the Proponent filed a Letter of Intent (“LOI”) in accordance with the BPDA’s policy regarding Provision of Mitigation by Development Projects in Boston. On May 27, 2022, letters soliciting nominations for the Impact Advisory Group (“IAG”) were delivered to local and state elected officials. On June 27, 2022 the IAG was finalized with six (6) members.

The Proponent filed a Project Notification Form (“PNF”) for the Proposed Project on June 29, 2022, which initiated a thirty (30) day public comment period which closed on August 16, 2022. Notice of the receipt of the PNF by the BPDA was published in the *Boston Herald* on July 6, 2022. The notice and PNF were sent to the City’s public agencies/departments and elected officials. Additionally, copies of the PNF were sent to all IAG members.

The BPDA subsequently sponsored and held two (2) virtual IAG meetings via Zoom on August 8, 2022, and August 30, 2022, and a general virtual public meeting via Zoom on August 9, 2022, to solicit feedback and review the Proposed Project.

The IAG meetings were advertised on the BPDA website and distributed to the South End email list. The public meeting was also advertised on the BPDA website, distributed to the South End email list and also advertised in the local newspapers ads.

Pursuant to Section 80B-5.3 of the Code, a Scoping Session was held on July 15, 2022, with the City’s public agencies and elected officials to review and discuss the Proposed Project. A meeting was held with BPDA staff on August 16, 2022 to discuss various department and agency comments to the PNF.

In addition to the above-mentioned meetings, the Proponent also conducted extensive community outreach and attended a series of meetings before and during the Article 80 review process with abutters, local elected officials, and made presentations to the East Berkeley Street Neighborhood Association and the Board of Directors of Washington Gateway Main Street. The Proposed Project was also twice presented to the South End Landmark District Commission on an advisory review basis.

As a result of this extensive community outreach and the Article 80 Review process detailed above, the Proponent made some minor modifications to the Proposed Project in review and in response to IAG and public comments.

Article 37

- The building will be designed and constructed to meet LEED v4 BD +C Core and Shell with 60 points and presently has a Building 2035 pCEI 6.3 kg CO₂e/sf-yr.
- The building design will prioritize efficiency and electrification strategies and target a 91% reduction in fossil fuel consumption.
- The Proponent has committed to a 55 kW solar pv array, the Cooperation Agreement will contain details on the Proponent's obligations with respect to coordinating building planning and design to optimize solar renewable energy output and providing a preliminary system(s) design including system size, layout, output in the Article 37 Design Filing. To the extent feasible, the Proponent shall support the installation of the system prior to final occupancy.
- The Proponent will provide Article 37 Design and Construction Filings.

ARTICLE 37 COMPLIANCE

The project proponent provided a formal response to the IGBC Project Notification Form (PNF) Comment Letter and has agreed to:

- Maximize LEED credits / achieve LEED Platinum: The project team will continue to evaluate LEED credits and identify opportunities to increase the project points. However, the project team does not believe that LEED Platinum is feasible for this project, due to the preservation of the historic façade, the project typology, and the limited site area available.
- Increase Heat Pump Capacity: The project team will explore options to increase heat pump capacity and is studying further with the MEP Engineer BR+A. Roof

area is a consistent constraint in these projects, as area for tenant equipment must also be reviewed. Please note more heat pumps does not necessarily mean a lower carbon footprint as the extra heat pumps will increase the project embodied carbon. The project team's goal to optimize heat pump capacity is a holistic consideration of project needs and environmental benefit.

- Contact Utility/DOE Reps: Camber Development will open a dialogue with these groups to pursue funding/support for additional energy efficiency / renewable energy support for the project.
- BERDO: The carbon emission intensity (CEI) in the PNF of 6.3 kg CO₂e/ft²/yr is based on the BPDA 2035 grid emission factor. The project team is aware of BERDO and is evaluating opportunities, including renewable energy purchases to meet the 2040 targets.
- Break out pCEI for retail portion:
 - Lab Elec = 6.1 kg CO₂e/ft²/yr
 - Lab Gas = 0.6 kg CO₂e/ ft²/yr
 - Retail Elec = 1.1 kg CO₂e/ft²/yr
 - Retail Gas = 0.2 kg CO₂e/ft²/yr
 - Building CEI = 6.3 kg CO₂e/ft²/yr

Optimize Roof Design and commit to installing PV systems: The project roof is anticipated to be fully utilized by base building and tenant equipment which limits availability of area for PV. The project team will commit to installing a façade mounted PV array on a portion of the south facing penthouse façade.

SMART UTILITIES

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

- On-going review of Stormwater retention over the impervious area and confirmed on updated USP, reviewing that the proposed infrastructure does not conflict with other utilities;
- On-going review of trees, permeable pavers and other green infrastructure features on the right-of-way, where applicable, based on the scope of work (to be

reviewed as part of on-going review processes with Urban Design and the Public Improvement Commission (“PIC”). The project team should coordinate with Landscape design regarding low impact design strategies for stormwater retention;

- Project team to coordinate conduit to support the Smart Streetlight requirement, running along the street light conduit and shadow under the sidewalks on Soldiers Field Place, as applicable, based on scope of sidewalk reconstruction (to be reviewed as part of on-going review processes with Urban Design and PIC);
- Verification of compliance with the City of Boston [EV Readiness Policy for New Developments](#), including EV chargers and needed infrastructure. Project shall have 25% of parking spaces be EVSE-Installed, and the remaining 75% of parking spaces shall be EV-Ready for future installation, to the maximum extent. Transformers are to be sized to accommodate future loads;
- On-going review of a Utility Site plan showing the infrastructure set forth in the bullets above, as well as all other relevant utility infrastructure including utility meter locations, transformer locations, as needed in on-going future reviews with Urban Design and PIC, including electric connection for street lights, transformers, and gas meters; and

A plan to address relevant conflicts reported through COBUCS if/as relevant.

ZONING

The Proposed Project is in the South End Neighborhood District governed by Article 64 of the Boston Zoning Code and the Economic Development Area (EDA) South subdistrict.

The Project’s proposed uses are consistent with the goals articulated in the Plan. The new building will include lab research and development space as well as general office space. The Project is compliant with the South End Neighborhood District zoning with respect to use and all dimensional requirements.

In addition to the South End Neighborhood District Zoning Code, the Project is in three applicable overlay zoning districts: (1) Groundwater Conservation Overlay District established by Article 32; (2) Restricted Parking District established by Article 3-1A(c); and (3) Coastal Flood Resilience Overlay District established by Article 25A.

Use Regulations

The Project's proposed uses – laboratory, office and street level retail space – are all classified as allowed "A" uses under Table C of Article 64.

For avoidance of doubt, the Project will meet the requirements laid out in footnote 4 of Table C of Article 64 with respect to R&D lab space.

Dimensional Requirements

The dimensional requirements for the EDA South are set forth in Table G of Article 64. The Project complies with all the dimensional requirements of Table G: the proposed Floor Area Ratio is 4.0 and the proposed height is 100'. There are no other applicable dimensional requirements, and the rear yard requirement shall be determined by this Article 80 process, pursuant to footnote 11 of Table G.

Off-Street Parking and Loading

Article 64-36 indicates that "[f]or any Proposed Project that is subject to or has elected to comply with Large Project Review, any required off-street parking spaces and off-street loading facilities shall be determined through such review in accordance with the provisions of Article 80." "The provisions of this Table H do not apply to Proposed Projects that are subject to Large Project Review. See Section 64-36 (Off-Street Parking and Loading Requirements)." Accordingly, parking shall be determined by this Article 80 process.

PLANNING CONTEXT & CITY STAFF REVIEW

Harrison Albany Corridor Strategic Plan

In 2009, the BPDA began a comprehensive planning study of the Harrison Avenue/Albany Street corridor. The desired outcome of the planning study was the Harrison Albany Corridor Strategic Plan (the "Plan") to guide future development within the study area so that the corridor maintains its diversity of land uses. Upon completion of the study, the Strategic Plan was adopted by the BPDA Board of Directors in November 2011.

The zoning recommendations in the Plan were then approved by the Boston Zoning Commission in January 2012 and incorporated into Article 64, the South End Neighborhood District Zoning Code.

This Project represents a planning-based development that is zoning compliant with respect to its use and dimensional requirements. The only zoning relief required relates to conditional use permits of an administrative nature for the groundwater recharge system and the restricted parking overlay district. Both the planning principles of the Harrison Albany Corridor Strategic Plan and the South End Neighborhood District Zoning Code are the basis for every aspect of this Project. The Project represents the kind of predictability that is achievable when comprehensive neighborhood planning studies are incorporated into the neighborhood district zoning code.

The planning goals and principles of the Harrison Albany Corridor Strategic Plan include:

- Guide future growth in the corridor over a 15-20 year period
- Attract and maintain jobs
- Preserve existing light industrial uses while accommodating compatible new growth
- Improvement of pedestrian connectivity and circulation
- Improvement of streetscape character

The planning goals and principles of the Back Streets (EDA South) sub-district include:

- Preserve light industrial uses while encouraging complementary commercial and research uses that create jobs
- Architecture should set an example for quality contemporary design in a historic context
- New streetscape that improves the aesthetics and safety for pedestrians and vehicles
- Loading and delivery areas should be clearly marked to maintain pedestrian safety while also reinforcing the character of the Back Streets area
- Type C streets designed to accommodate the needs of businesses while ensuring the safety and quality of the pedestrian environment (both Wareham Street and Plympton Street are designated Type C streets)
- Growth of research and development industry
- Research laboratory uses changed from conditional to allowed use

The Project aligns with the Plan in many significant respects, including:

- Laboratory use is zoning compliant and will create jobs
- Architecture preserves historic facades on Wareham Street and introduces contemporary design for new addition

- Street level retail use will activate Wareham Street side of building
- Lobby cut through will connect Wareham Street to Plympton Street and create safe pedestrian zones
- Project complies with underlying zoning uses and is fully dimensionally compliant
- Underutilized structures will become vibrant and active commercial uses
- Sidewalk and streetscape improvements consistent with DPW plans and existing uses for Wareham Street
- Continuation and expansion of life sciences industry in the corridor

MITIGATION & COMMUNITY BENEFITS

The Proposed Project will provide mitigation and community benefits for the South End neighborhood and the City of Boston as a whole, including:

Parks and Recreation

The Proponent will provide up to **\$25,000** to support parks, recreation, and/or cultural programs within the South End Neighborhood. The proponent will work with the City of Boston Parks Department and the IAG to determine beneficiaries.

Community Benefits for the Local Non-Profits

The Proponent will provide a cash fund up to **\$50,000** to make grants to selected local not-for-profit organizations, including City Lights Performing Arts and the South End Soccer program. The Proponent will work with the Impact Advisory Group (IAG) to determine further future beneficiaries and appropriate allocation.

Cultural Benefits

The Proponent will provide up to **\$25,000** to the City of Boston Affordable Cultural Space Fund to help create new cultural space or fund existing cultural space in the South End Neighborhood of Boston.

Public Realm Improvements

The Proponent will replace all sidewalks on the easterly side of Plympton Street (in addition to curbing and sidewalk adjacent to its property) with new granite curbing and concrete sidewalks to the extent such does not already exist, at a cost not to exceed **\$150,000**.

Blue Bikes

The proponent will provide up to **\$75,000** for Blue Bikes improvements close by the project site, the nature of which is to be determined in consultation with the City but could include a new station or expansion of existing ones

Other Public Realm Enhancements

- Establish lobby through-block connection between Wareham Street and Plympton Street.
- Preservation of historic facades on Wareham Street.
- Street level retail activation on Wareham Street.
- Sidewalk improvements on Wareham Street consistent with existing Public Works design/plan.
- PV installation on façade of building.

RECOMMENDATIONS

BPDA staff believes that the PNF meets the criteria for issuance of a Scoping Determination waiving further review. It is therefore the recommendation of BPDA staff that the BPDA Board authorize the Director to: (1) issue a Scoping Determination waiving further review pursuant to Article 80, Section 80B-5.3(d) of the Code; (2) issue a Certification of Compliance under Section 80B-6 upon successful completion of the Article 80 review process; (3) execute and deliver a Cooperation Agreement (referencing, among other things, the Boston Residents Construction Employment Plan ordinance), and any and all other agreements and documents upon terms and conditions deemed to be in the best interest of the BPDA; and (4) recommend approval to the City of Boston Zoning Board of Appeal for the zoning relief necessary to construct the Proposed Project.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to issue a Scoping Determination waiving further review under Section 80B-5.3(d) of the City of Boston Zoning Code (the "Code"), which (i) finds that the Project Notification Form ("PNF") together with any additional material and comments received by the BPDA adequately describes the potential impacts arising from the proposed 65 Wareham Street project (the "Proposed Project"), and provides sufficient mitigation measures to minimize these impacts, and (ii) waives further review of the Proposed Project under subsection 3 of Section 80B-5 of the Code, subject to

continuing design review by the Boston Redevelopment Authority (“BRA”) d/b/a the Boston Planning and Development Agency (“BPDA”); and

FURTHER

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

FURTHER

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

FURTHER

VOTED: That the Director be, and hereby is, authorized to recommend approval to the Zoning Board of Appeal on for zoning relief necessary to construct the Proposed Project: APPROVAL WITH PROVISIO: that plans be submitted to the BRA for design review approval.