

MEMORANDUM

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

FROM: Joanne Marques
Planning Department

DATE: March 11, 2026

RE: BPDA Recommendations

Please find attached, for your information, BPDA recommendations for the March 19, 2026 Board of Appeals Hearing.

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



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| Case | BOA1733276 |
| ZBA Submitted Date | 2025-06-12 |
| ZBA Hearing Date | 2026-03-19 |
| Address | 29 Elm ST Charlestown 02129 |
| Parcel ID | 0200355000 |
| Zoning District & Subdistrict | Charlestown Neighborhood 3F-2000 |
| Zoning Article | 62 |
| Project Description | Construct a new front dormer and rear roof addition on the existing 2.5-story, two-family dwelling, along with a new roof deck above the two-story rear addition. The rear addition does not increase the overall building height and serves solely to provide access to the proposed roof deck. All work is contained to the upper-story unit. |
| Relief Type | Variance, Conditional Use |
| Violations | Side Yard Insufficient Roof Structure Restrictions |

Planning Context:

29 Elm Street is located within a 3F-2000 Subdistrict of the Charlestown Neighborhood Zoning District. This subdistrict supports a mix of single-, two-, and three-family dwellings, typically situated on long and exceptionally narrow lots. The subject property is a 2.5-story, two-family dwelling featuring a small front and rear dormer, consistent with other gable-roofed homes in the area and reflective of the established urban form throughout the subdistrict. Within the immediate vicinity, side yards are frequently paved and utilized for driveways or parking. Many residences along Elm Street are spaced to accommodate adequately sized driveways on both sides of the structure, often prioritizing on-site parking over side setbacks relative to lot lines. 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:

This project incurs one dimensional violation pursuant to Article 62-7 for insufficient side yard and requires a Conditional Use Permit under Article 62-25. The 3F-2000 Subdistrict requires a 2.5' setback on both sides of a structure. The existing dwelling at 29 Elm Street provides a 0' setback to the north and a 4.1' setback to the south. This nonconformity results from the placement of the existing structure exactly on a lot line. While inconsistent with the dimensional requirements outlined by the subdistrict, this side yard condition is common throughout the neighborhood, where narrow lots and paved side yards are frequently utilized to accommodate driveway access and on-site parking. The proposed scope of work does not alter the existing side setbacks. Adequate separation remains between 29 Elm Street and adjacent properties, particularly at the rear addition that will support the proposed roof deck. Given that the nonconforming side yard is pre-existing, falls outside this scope of work, and reflects a pattern seen throughout the immediate vicinity, relief 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 rear roof addition and deck meet these criteria, as they do not impact building height, do not adversely affect adjacent structures or the public way, and are consistent with rooftop elements seen in the surrounding area. The proposed front dormer, however, represents a more substantial alteration to the existing roof form. Unlike the small, singular or paired dormers commonly seen throughout the neighborhood, including those currently present on 29 Elm Street, the proposed dormer occupies a majority of the front roof plane and is out of scale with the established pattern. Revised plans further expand the dormer beyond the initial proposal, extending an additional two feet across the width of the front roof plane and occupying a greater portion of its height. While the revised design still does not increase the overall building height, it results in a front dormer that is even more disproportionate to the existing roof form and surrounding context. Pursuant to the Charlestown NDOD, Planning Department Design Review is required for this project, and should focus on the size and scale of the proposed front dormer to ensure it remains contextual with the surrounding homes and neighborhood character.

Revised plans reviewed are titled "Proposed Renovations 29 Elm Street Charlestown, MA.", prepared by Timothy Sheehan Architect and dated 03/06/2026.



Recommendation:

In reference to BOA1733276, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review focused on the size and scale of the proposed front dormer.

Reviewed,

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Deputy Director of Zoning



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| Case | BOA1803304 |
| ZBA Submitted Date | 2025-12-02 |
| ZBA Hearing Date | 2026-03-19 |
| Address | 661 E Broadway South Boston 02127 |
| Parcel ID | 0602309000 |
| Zoning District & Subdistrict | South Boston Neighborhood MFR/LS |
| Zoning Article | 68 |
| Project Description | Change the use of a long-time hair salon to include body art. |
| Relief Type | Variance |
| Violations | Forbidden Use (Body Art) |

Planning Context:

The proposed project is located along South Boston's East Broadway corridor. Its surroundings consist of a mix of one- to four-story mixed-use structures, with ground-floor commercial uses and residential units above. These commercial uses include a variety of restaurants, barbershops / beauty salons, and retail establishments.

The project site is currently occupied by one of these one-story commercial structures, and has an existing beauty salon use. The proposed project seeks to add a body art component to the existing beauty salon use. No additional interior or exterior work is proposed by the project. This scope aligns with the stated purpose of the site's zoning, "to encourage medium-density multifamily areas with... ground floor retail and commercial uses" (Section 68-9, 2014). It is also supported by Imagine Boston 2030's core economic development goal of encouraging citywide job and small business growth (2018).

Zoning Analysis:

While the project's beauty shop use is allowed for the property, its body art component constitutes a forbidden use, thus requiring a variance. Considering there is already precedent for this use along East Broadway (three existing med-spa uses can be found within two blocks of the project), its presence should be minimally invasive to the surrounding area. Future zoning reform for the area should relax commercial use allowances to better match land use regulation with the area's existing context.



Plans reviewed titled "Liz on E, 661 East Broadway, Massachusetts," prepared by WYD LLC. on April 8, 2025.

Recommendation:

In reference to BOA1803304, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



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| Case | BOA1792077 |
| ZBA Submitted Date | 2025-10-27 |
| ZBA Hearing Date | 2026-03-19 |
| Address | 658 E Fifth ST South Boston 02127 |
| Parcel ID | 0602590000 |
| Zoning District & Subdistrict | South Boston Neighborhood MFR |
| Zoning Article | 68 |
| Project Description | Change use from 1-unit to 2-unit dwelling. Add a rear deck with a spiral stair as the second egress for unit two. |
| Relief Type | Variance |
| Violations | Parking or Loading Insufficient Lot Area Insufficient Additional Lot Area Insufficient |

Planning Context:

The proposed project sits just East of L Street, between South Boston's Telegraph Hill and City Point neighborhoods. Its surroundings consist of two- to three-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 7, 9, 10, and 11 bus routes are accessible within the same distance, under a quarter-mile.

The project site is currently occupied by an existing three-story semi-attached structure with a one-unit residential land use. The site is narrow (twenty two feet) and does not have any existing off-street parking. The proposed project seeks to increase the structure's use from one 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 60% above grade and is proposed with several existing and new window openings. This provides the space with more sufficient access to light and air than the typical basement living space in Boston. The site also sits outside the Coastal Flood Resilience Overlay District (CFROD), meaning its basement flood risk is minimal. Outside of the addition of several new window penetrations and 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).

Of note, because the project proposes exterior alterations to a structure (including a new two-story rear deck) sitting within one hundred feet of two City-owned open spaces (Lincoln Square and the Hawes/Union Burying Ground), Parks Design review, under Ordinance 7.4-11, will be required for the project.

Zoning Analysis:

The proposed project's insufficient lot area and off-street parking violations are both 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 (3,000 square feet required, 1,800 square feet proposed) is contextual to its surroundings, representing the second largest lot of the twenty on its block. The majority of these smaller lots already hold either two- or three-unit residential uses. The site's insufficient parking (two spaces required, zero existing/proposed) is another condition shared by the majority of the project's block (16/20 have zero-parking conditions). Due to the site's narrow parcellation (twenty two 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.

A proviso for Parks Design Review has been added to this project for the reasons discussed in the Planning Context portion of this recommendation

Future zoning reform in the area should seek to recalibrate or 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, "659 East Fifth Street, Proposed Two Family Residence, South Boston, MA," prepared by Timothy Sheehan Architect on June 25, 2025.

Recommendation:



In reference to BOA1792077, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Department of Parks and Recreation for review.

Reviewed,

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Deputy Director of Zoning



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| Case | BOA1800210 |
| ZBA Submitted Date | 2025-11-21 |
| ZBA Hearing Date | 2026-03-19 |
| Address | 535 to 545 Dudley ST Roxbury 02119 |
| Parcel ID | 0803166000 |
| Zoning District & Subdistrict | Roxbury Neighborhood MFR/LS |
| Zoning Article | 50 |
| Project Description | Change use from food market to a bakery. |
| Relief Type | Conditional Use |
| Violations | Conditional Use |

Planning Context:

The proposed project would convert an existing food market to a bakery. The conversion includes internal renovations and the addition of a full kitchen space. The neighboring context along this block of Dudley Street is made up of various active ground floor storefront businesses.

Zoning Analysis:

The proposal requires a conditional use permit for a bakery use. The proposal meets the conditions listed in Section 6-3 of the zoning code and would maintain the active storefront character of the immediate context.

“Proposed Bakery” drawn by AVW dated May 13th, 2025

Recommendation:

In reference to BOA1800210, The Planning Department recommends APPROVAL.

Reviewed,

Deputy Director of Zoning



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| Case | BOA1802841 |
| ZBA Submitted Date | 2026-01-01 |
| ZBA Hearing Date | 2026-03-19 |
| Address | 95 Bynner ST 10 Jamaica Plain MA 02130 |
| Parcel ID | 1001636000 |
| Zoning District & Subdistrict | Jamaica Plain Neighborhood 2F-5000 |
| Zoning Article | 55 |
| Project Description | The project will add a third story to an existing 2.5-story, 3-unit residential structure. |
| Relief Type | Variance |
| Violations | FAR Excessive Height Excessive (stories) Side Yard Insufficient |

Planning Context:

The project is proposed at 95 Bynner Street, Jamaica Plain which connects Huntington Avenue and the Jamaicaway. There are mostly two- and three- residential structures that are 2.5 stories tall on Bynner Street with taller, multifamily structures at each end of the block. The smaller residential structures on the block are closely spaced with deep lots that have driveways on one side for parking in the rear.

The proposed project will convert the structure from 2.5 to 3 stories, removing the existing residential unit in the basement and adding it back in the third story.

Zoning Analysis:

The project is cited for three violations: excessive floor area ratio (FAR), excessive height in stories, and insufficient side yard. The project will increase the FAR from 0.47 to 0.75, above the maximum FAR of 0.6. The height will increase from 2.5 to 3 stories, above the maximum height of 2.5 stories. The 2F-5000 district that includes the subject property stretches south and includes many triple-deckers and a handful of taller multifamily residential structures. This suggests that the zoning is inconsistent with the current built environment and could be updated to allow residential improvements like the one proposed.



The existing side yard is 6.5 feet while the minimum side yard is 10 feet. The increase in the structure's height will increase this nonconformity vertically. The violation is on the narrower side of the property given that the driveway is located on the other side to provide access to the rear of the property. This is consistent with neighboring properties which also have an existing non-conformity for the narrower side yard without the driveway. The proposed improvement will not be injurious to the surrounding neighborhood while allowing the property owner to make a reasonable improvement to the structure.

Plans reviewed "Third Floor Addition" prepared by "Aesthetic Images" dated 10/22/2024.

Recommendation:

In reference to BOA1802841, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



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| Case | BOA1725252 |
| ZBA Submitted Date | 2025-05-27 |
| ZBA Hearing Date | 2026-03-19 |
| Address | 130 Dana AV Hyde Park 02136 |
| Parcel ID | 1810291000 |
| Zoning District & Subdistrict | Hyde Park Neighborhood 1F-6000 |
| Zoning Article | 69 |
| Project Description | Add dormers and make internal improvements to an existing two and a half-story residential building, including a second floor rear addition. |
| Relief Type | Variance |
| Violations | Height Excessive (stories) Side Yard Insufficient |

Planning Context:

The proposed project is located on a residential block in the Hyde Park Neighborhood. The proponent is seeking relief to perform interior work and renovations on the property that make no changes to the footprint of the house. The proposed addition extends a one-story portion of the house upward to two stories. Other houses on this block predominantly have pitched roofs, with a mix of styles of dormer, or a simplified roof line.

Zoning Analysis:

The proposed project contains two violations, excessive height (stories) and insufficient side yard. As neither the side yard nor the total height in feet of the building are changing, relief is recommended for both of these violations. The proposed project will continue to align with the existing neighborhood fabric, while allowing the property owners to make improvements and upgrades.

Recommendation:

In reference to BOA1725252, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

Kathleen Onuf

Deputy Director of Zoning



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| Case | BOA1790093 |
| ZBA Submitted Date | 2025-10-20 |
| ZBA Hearing Date | 2026-03-19 |
| Address | 62 Dunster RD Jamaica Plain 02130 |
| Parcel ID | 1901734000 |
| Zoning District & Subdistrict | Jamaica Plain Neighborhood 2F-5000 |
| Zoning Article | 55 |
| Project Description | The project will create new finished space in an unfinished basement. No new residential units are proposed. |
| Relief Type | Variance |
| Violations | Excessive FAR |

Planning Context:

The project is proposed at 62 Dunster Road, Jamaica Plain, a primarily residential area within the neighborhood. Most of the properties on Dunster Road are one or two unit residential dwelling. The project will convert an existing unfinished basement in a two unit residential dwelling into finished space. No exterior changes are proposed. The property is not in an area at risk for future flooding. It is not mapped in a FEMA Flood Hazard Area, nor the Coastal Flood Resilience Overlay District (CFROD).

Zoning Analysis:

The proposed project is cited for excessive floor area ratio (FAR). The newly finished basement will add approximately 1,024 square feet of finished floor area, increasing the FAR from 1.2 to 1.4, above the 0.6 maximum FAR for the district. This project is an example of the limitations of using FAR to regulate the size of a structure. This is because it prevents the owner from making a contextually appropriate improvement within the existing structure that will have no impact on its exterior, nor unit count. Plans reviewed “Proposed Basement Renovation” prepared by “Helios” dated 7/10/2025.

Recommendation:

In reference to BOA1790093, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

Kathleen Onuf

Deputy Director of Zoning



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| Case | BOA1801060 |
| ZBA Submitted Date | 2025-11-25 |
| ZBA Hearing Date | 2026-03-19 |
| Address | 268 Chestnut AVE Jamaica Plain 02130 |
| Parcel ID | 1900548000 |
| Zoning District & Subdistrict | Jamaica Plain Neighborhood 3F-5000 |
| Zoning Article | 55 |
| Project Description | The project will demolish and rebuild an existing wing of the structure. The new wing will be built within the existing footprint and will slightly increase in height. |
| Relief Type | Variance |
| Violations | Rear Yard Insufficient Side Yard Insufficient |

Planning Context:

The project is proposed at 268 Chestnut Avenue, Jamaica Plain, a primarily residential area within the neighborhood. Structures in the area are generally 2.5 to 3 stories tall with deep yards and mature trees. The subject structure is located on a corner lot and is set back from both abutting streets. The proposed project will demolish an existing wing on the structure and rebuild it within the same footprint, slightly increasing the height.

Zoning Analysis:

The project is cited for two violations, insufficient side yard and rear yard. The proposed rear yard (opposite Chestnut Ave.) is zero feet, and the proposed side yard (opposite Biltmore Street) is six feet. The rear and side yard requirements in the subdistrict are seven and twenty feet respectively. The rebuilt structure will not increase the existing footprint, but it will increase the height of the wing by approximately two feet. This triggers a violation because it increases the degree of non-conformity vertically within the required side and rear yard. The conditions of the side and rear yard violations are because the property is a corner lot where the structure is set back from both roads.



The proposed addition meets the requirements for zoning relief in Section 7.3 of the Code in that it will not be injurious to neighborhood while allowing the owner to make a reasonable improvement to their structure.

The property is also with the Neighborhood Design Overlay District: Jamaica Plain Neighborhood. Design review is not recommended because the wing of the structure is essentially being replaced in kind. Plans reviewed "Horvath Residence" prepared by "Bruce Miller Architect" dated 10/6/2024.

Recommendation:

In reference to BOA1801060, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



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| Case | BOA1798926 |
| ZBA Submitted Date | 2025-11-17 |
| ZBA Hearing Date | 2026-03-19 |
| Address | 15 Bertson AV West Roxbury 02132 |
| Parcel ID | 2008230000 |
| Zoning District & Subdistrict | West Roxbury Neighborhood 1F-6000 |
| Zoning Article | 56 |
| Project Description | This project constructs a two-story addition and deck at the rear of an existing home. |
| Relief Type | Variance |
| Violations | FAR Excessive Lot Area Insufficient Lot Width Insufficient Lot Frontage Insufficient Side Yard Insufficient |

Planning Context:

15 Bertson Ave is a single-unit, 1.5 story building located in a residential area of West Roxbury. Existing floor plans show a storage basement; living space on the first level; and three bedrooms on the second level. The proponent seeks to bump out the foundation on the northwest wing with the goal of expanding the kitchen on the first level and adding a primary bedroom to the second level. Plans also show a proposed deck in the rear yard. The renovated house will remain one unit with no change in height.

Lots in this area appear moderate in size, with varying side yards. The homes along this street generally share a similar character to the subject property. The proposed modifications keep with the established character of the neighborhood and are not expected to negatively impact the surrounding community.

Zoning Analysis:

This proposal has triggered five zoning violations: FAR excessive, lot area and width insufficient, lot frontage insufficient, and side yard insufficient.



The current FAR on this property is 0.36 and the maximum allowed for this lot is 0.4. The new FAR after renovations will be 0.6. Based on the City Assessor's data, two abutting properties have FARs beyond the required maximum. Therefore, the proposed project is not misaligned with existing massing in the neighborhood. This addition increases and enhances the livable space without creating any disruption to the neighborhood context or compromise the minimum open space. This is a clear case for zoning reform where homeowners should be allowed to pursue renovation projects that have minimal impact on the surrounding context. Relief is recommended.

The minimum required lot area in this subdistrict is 6,000 square feet and 60 feet for both lot frontage and width. The lot area at 15 Bertson is 3,200 square feet. Lot frontage and width both measure 38 feet. These are existing nonconformities and relief is recommended.

Side yard setbacks are cited as an additional violation. In this subdistrict, 10 feet are required on both sides. While the home has existing nonconforming side yards of 5 and 6 feet, the proposed deck worsens this by leaving only 1.3 feet to the lot line. However, the abutting home sits nearly 50 feet from the property line. Given this considerable distance between structures, relief is recommended.

Plans reviewed are titled "Ryan Residence 15 Bertson Ave - Boston, Massachusetts", are prepared by Aesthetic Images Architects/Planners, and dated July 11, 2025.

Recommendation:

In reference to BOA1798926, The Planning Department recommends APPROVAL.

Reviewed,

Deputy Director of Zoning