

MEMORANDUM**DECEMBER 11, 2025**

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

FROM: KATHLEEN ONUFER, DEPUTY DIRECTOR OF ZONING
JEFFREY HAMPTON, SENIOR ZONING PLANNER
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SUBJECT: REPORT ON PLANNING DEPARTMENT ZONING BOARD OF APPEAL
RECOMMENDATIONS BETWEEN 04/1/2025 AND 09/31/2025

SUMMARY: This Memorandum informs the Board of the Boston Redevelopment Authority (“BRA”) of trends in the recommendations written by BPDA planners to the Zoning Board of Appeal between 04/01/25 and 09/31/2025.

BACKGROUND

The Zoning Board of Appeal (“ZBA”) is a quasi-judicial body of seven members who are appointed by the Mayor. The ZBA hears requests for conditional use permits, variances, and similar zoning relief. While the ZBA is housed in the Inspectional Services Department (“ISD”) of the City of Boston, the Director provides non-binding recommendations to the ZBA for their consideration. Each recommendation is provided in a letter which includes basic information about the project, the planning context surrounding the project, and an analysis of the zoning implications (such as the applicability and/or obsolescence of the provisions of the Boston Zoning Code (the “Code”). These letters can now be found online by scheduled ZBA hearing date at bostonplans.org/zoning/zoning-board-of-appeals.

On June 15, 2023, the BPDA Board voted to grant authorization to permit the Director to make these recommendations on behalf of the BPDA. As part of this change, the BPDA Board requested that Planning staff present quarterly reports which summarize and highlight trends in the recommendations and ZBA cases. This seventh report includes data from the ZBA hearings in the time period between

April 1, 2025, and September 31, 2025. Since planners do not currently write separate recommendations for Article 80 cases as part of this process, they are excluded from this report.

PLANNING DEPARTMENT RECOMMENDATIONS AND ZBA DECISIONS

Overall, the Planning Department wrote 267 recommendations (excluding two deferral recommendations) over this time period, and the ZBA issued 329 decisions (including cases deferred from previous hearings). The ZBA issued decisions on 595 cases in 2024; the 267 cases in this six-month period of 2025 represent ~44% of the previous year’s volume of cases. Overall, this represents a continued decrease in the volume of cases coming before the Board of Appeal over recent years, likely attributed to broader economic conditions as well as the incremental progress of zoning reform.

**Total Recommendations and Decisions (No Repeats)
between the Planning Department and the ZBA**

<i>Decision</i>	<i>April – September Planning Department Recommendations (6 Months)</i>	<i>April – September ZBA Decisions (6 Months)</i>	<i>2024 ZBA Decisions (12 Months)</i>
Withdrawn	N/A	2	9
Approved	144	187	313
Approved with Proviso	101	68	221
Denied	6	2	11
Denied without Prejudice	16	9	41
Total	267	268	595

**Excluding two deferred recommendations from Planning Department and 1 reconsideration from ZBA*

This table does not include the 49 Article 80 cases that came before the ZBA over the time period. The Planning Department recommends approval for all Board-approved Article 80 cases and includes the BPDA Board memo for the project in the materials sent to the ZBA. Of the 49 Article 80 projects, the ZBA approved 36, deferred 10, denied 1 without prejudice, and marked 1 as withdrawn.

In the 6-month time period (April – September), the Planning Department recommended approval for 245 cases (53% Approvals and 37% Approved with Proviso. During the selected 6-month period, the ZBA confirmed decisions for 266 of 329 cases. The Planning Department and the ZBA had the same recommendation and decision for 188 cases (~70% agreement rate), excluding

deferred cases that did not receive a decision. The breakdown of all 329 cases (similarities and differences between the ZBA and Planning Department) can be found below.

Total Recommendations and Decisions between the Planning Department and the ZBA

<i>Planning Department Recommendations</i>	<i>ZBA Decisions</i>	<i>Count</i>
Approved	Approved	134
	Approved with Proviso	6
	Denied without Prejudice	1
	Denied	0
	Reconsideration	11
	Deferred	1
	Withdrawn	2
Approved with Proviso	Approved	45
	Approved with Proviso	51
	Denied without Prejudice	4
	Denied	1
	Deferred	18
	Withdrawn	0
Denied without Prejudice	Approved	4
	Approved with Proviso	10
	Denied without Prejudice	2
	Denied	0
	Deferred	18
	Withdrawn	0
Denied	Approved	3
	Approved with Proviso	0
	Denied without Prejudice	2
	Denied	1
	Deferred	12
	Withdrawn	0
Deferred	Approved	1
	Approved with Proviso	1
	Denied without Prejudice	0
	Denied	0
	Deferred	1
	Withdrawn	0

The biggest difference within this chart is that when the Planning Department recommends “Denial” or “Denial without Prejudice”, the ZBA is more likely to defer the project.

OTHER ZBA TRENDS

Zoning District Cases for April to September 2025

<i>Zoning Districts</i>	<i>Conditional Uses Permit Only</i>	<i>Permits that Include Variance Permit</i>	<i>Total Cases without Deferrals</i>
Allston/Brighton	1	14	16
Boston Proper	2	18	21
Bulfinch Triangle	1	2	3
Charlestown	2	10	12
Chinatown	-	2	2
Dorchester	6	22	32
East Boston	3	8	14
Fenway	1	1	2
Greater Mattapan	1	12	14
Hyde Park	2	20	23
Jamaica Plain	3	16	19
North End	1	3	4
Roslindale	1	17	19
Roxbury	2	17	22
South Boston	5	19	25
South End	3	12	16
West Roxbury	3	18	23

The top five violations of all the cases were: Parking or Loading Insufficient, FAR Excessive, Usable Open Space Insufficiencies, Rear Yard insufficient, and Side Yard Insufficient.

YEAR IN REVIEW: PLAN: MATTAPAN

PLAN: Mattapan was adopted by the BPDA Board on May 11, 2023, with new residential zoning based on the plan adopted by the Zoning Commission on February 7, 2024. The new residential zoning modernizes Mattapan’s residential zoning, align dimensional regulations to the neighborhood’s existing character, and allows the construction of additional dwelling units (ADUs). On May 30, 2024, Mattapan Squares + Streets Zoning was adopted to increase housing density,

encourage mixed-use development, and support small businesses within the neighborhood.

By-Right Projects in Mattapan

<i>Purpose</i>	<i>By-Right</i>	<i>In ZBA Process</i>
Extension of Living Space / Additional Footprint	3	1
Additional Dwelling Unit (ADU)	7	-
Retaining Wall	1	-
Handicap Accessibility	2	-
Combining Parcels	1	-
Rehabilitation	1	-
Exterior Renovation	2	-
Structural Renovation	3	-
New Construction	-	1

**Does not include zoning exempt projects such as fire alarms, and solar panels*

After the rezoning, 90% (20 out of 22 projects between February 2024 – September 2025) of small-scale residential projects were allowed in Mattapan - this number is up from 60% prior to rezoning. After the rezoning, there were nineteen allowed projects, including seven ADU conversions, nineteen by-right projects, totaling twelve years of administrative waiting time saved.

Out of the 22 cases that received permits after the rezoning, two projects were not by-right. One of the projects is to create a new three-unit dwelling with two parking spaces and a bike space. However, this project was flagged for the ZBA process due to a violation of “Off Street Parking and Loading Requirement.” The noted issue with the project was because of tandem spaces and concerns of maneuverability.

CONCLUSION

As noted in earlier reports, we continue to strive to make significant changes to Boston’s zoning code through zoning reform. We hope that through this reform the Code will better reflect the current built conditions of Boston and allow more important projects to our residents be built as-of-right. Future reports will continue to feature preliminary data from other rezoning and modernization efforts as we continue to track our progress towards reducing reliance on the Zoning Board of Appeal.