



Michelle Wu
Mayor

Boston Inspectional Services Department Planning and Zoning Division

1010 Massachusetts Avenue Boston, MA 02118 Telephone: (617) 635-5300

ZONING CODE REFUSAL

Marc A. Joseph
Inspector of Buildings

March 17, 2023


JOHN PULGINI
10 FORBES ROAD
STE #410
BRAINTREE, MA 02184

Location: 34 OAK ST HYDE PARK, MA 02136
Ward: 18
Zoning District: Hyde Park Neighborhood
Zoning Subdistrict: NS-2
Appl. #: **ERT1444728**
Date Filed: February 28, 2023
Purpose: Construct new 15 unit residential building with 15 parking spaces at ground level on a 9747 sq. ft. lot. Raze existing structure on separate (SF) permit.

YOUR APPLICATION REQUIRES RELIEF FROM THE BOARD OF APPEAL AS SAME WOULD BE IN VIOLATION OF THE BOSTON ZONING CODE TO WIT: CHAPTER 665, ACTS OF 1956 AS AMENDED:

<u>Violation</u>	<u>Violation Description</u>	<u>Violation Comments</u>
Art. 69 Sec.23	Neighborhood Design O.D.	You need relief from the BOA for the said violations

THIS DECISION MAY BE APPEALED TO THE BOARD OF APPEAL WITHIN FORTY-FIVE (45) DAYS PURSUANT TO CHAPTER 665 OF THE ACTS OF 1956, AS AMENDED. APPLICATIONS NOT APPEALED WITHIN THAT TIME PERIOD WILL BE DEEMED ABANDONED. IF YOU HAVE INQUIRIES REGARDING THE NEIGHBORHOOD PROCESS AND PUBLIC PARTICIPATION, PLEASE CONTACT THE MAYOR'S OFFICE OF NEIGHBORHOOD SERVICES AT 617-635-3485. For more information visit boston.gov/zba-appeal.


Darell Boyd
darell.boyd@boston.gov / (617)961-3235
for the Commissioner

Refusal of a permit may be appealed to the Board of Appeal within 45 days. Chapter 802, Acts of 1972, and Chapter 656, Acts of 1956, Section 19.

34 OAK STREET

BOSTON, MA 02136

FEBRUARY 17, 2023

ISSUED FOR CONSTRUCTION

ARCHITECT
EMBARC

580 HARRISON AVE, SUITE 2W
BOSTON, MA 02118
O: 617.766.8330
www.embarcdesign.com

OWNER

Diarmuid McGregor

CONSULTANTS

ABBREVIATIONS

A.F.F.	ABOVE FINISHED FLOOR
ACT	ACOUSTIC CEILING TILE
ADA	AMERICANS WITH DISABILITIES ACT
APPROX	APPROXIMATE
ARCH	ARCHITECTURAL
AV	AUDIO VISUAL
BLDG	BUILDING
BLKG	BLOCKING
B.O.	BOTTOM OF
CAB	CABINET
C.H.	CEILING HEIGHT
CLR.	CLEAR
CL	CENTERLINE
COL	COLUMN
CONT.	CONTINUOUS
CMU	CONCRETE MASONRY UNIT
C.J.	CONTROL JOINT
DTL	DETAIL
DIA.	DIAMETER
DIM.	DIMENSION
DN	DOWN
DWG.	DRAWING
(E)	EXISTING
EL	ELEVATION
ELEC.	ELECTRICAL
EQ	EQUAL
FD.	FLOOR DRAIN
F.O.F.	FACE OF CONCRETE
F.O.F.	FACE OF FINISH
F.O.S.	FACE OF STUD
GFC	GROUND FAULT INTERCEPTOR CIRCUIT
GSM.	GALVANIZED SHEET METAL
GWB	GYPSONUM WALL BOARD
H OR HVAC	HEATING, VENTILATING, AND AIR CONDITIONING
H.B.	HOSE BIB
HM	HOLLOW METAL
MAX	MAXIMUM
M.O.	MASONRY OPENING
MECH.	MECHANICAL
MEP	MECHANICAL, ELECTRICAL, PLUMBING
MIN	MINIMUM
MISC	MISCELLANEOUS
MTL	METAL
N.I.C.	NOT IN CONTRACT
NO.	NUMBER
N.T.S.	NOT TO SCALE
O.	OVER
O.C.	ON CENTER
O.D.	OUTSIDE DIAMETER
OPNG.	OPENING
OPP.	OPPOSITE
P.G.	PAINT GRADE
PLYWD.	PLYWOOD
PTD.	PAINTED
R.D.	ROOF DRAIN
REQD.	REQUIRED
R.O.	ROUGH OPENING
SCHED.	SCHEDULE
S.G.	STAIN GRADE
SIM.	SIMILAR
S.L.D.	SEE LANDSCAPE DRAWINGS
SQ.	SQUARE
SPEC.	SPECIFICATION
S.S.D.	SEE STRUCTURAL DRAWINGS
SSIL	STAINLESS STEEL
STL.	STEEL
STOR.	STORAGE
STRUCT.	STRUCTURAL
SYM.	SYMMETRICAL
T.	TEMPERED
T&G	TONGUE AND GROOVE
THK.	THICKNESS
T.O.	TOP OF
T.O.S.	TOP OF SLAB
T.S.	TUBULAR STEEL
TYP.	TYPICAL
U.O.N.	UNLESS OTHERWISE NOTED
V.I.F.	VERIFY IN FIELD
W/	WITH
W/O	WITHOUT
WD	WOOD
WPM.	WATERPROOFING MEMBRANE

SYMBOLS

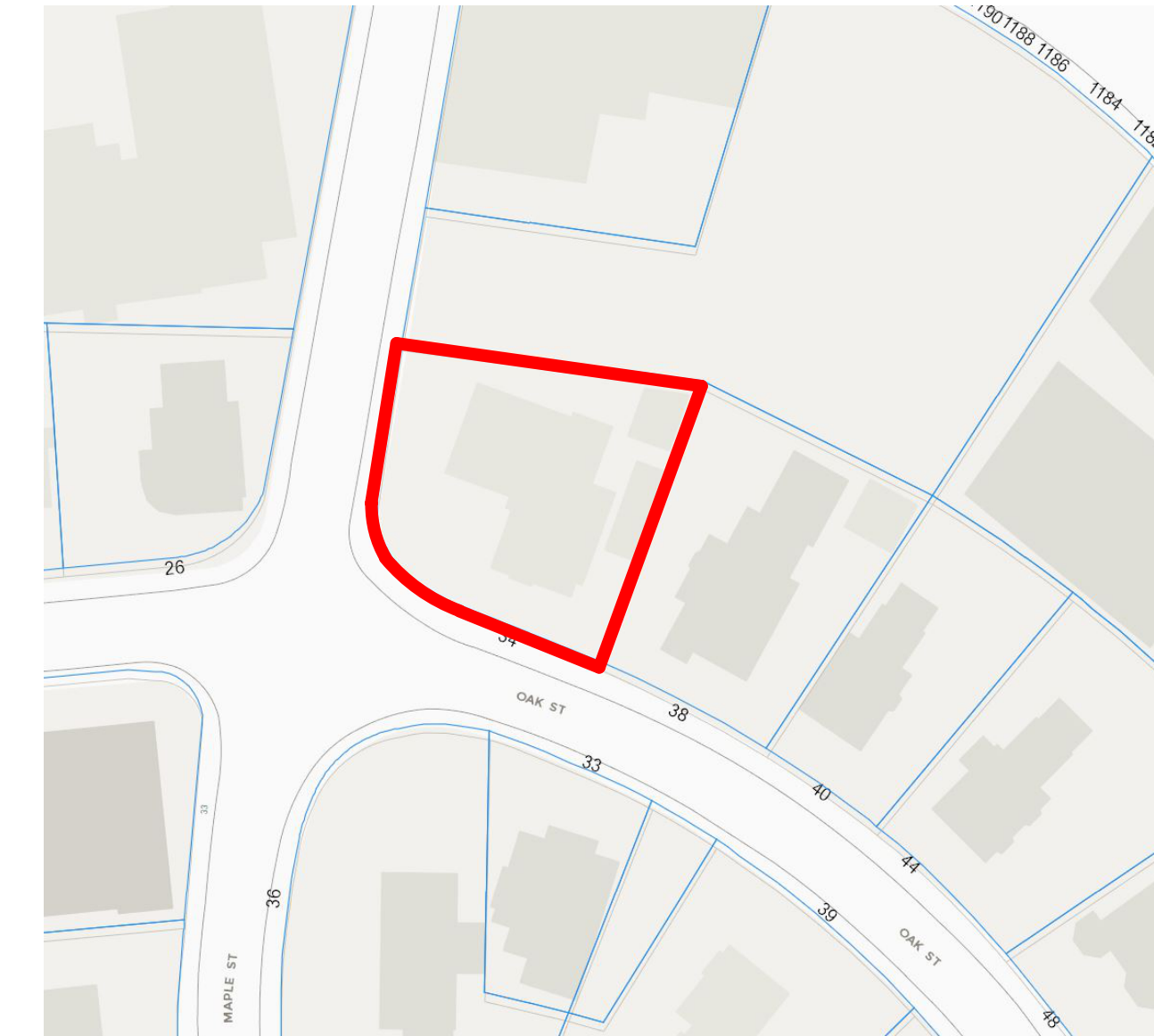
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	REFERENCE NUMBER WALL SECTION DRAWING SHEET
	REFERENCE NUMBER DETAIL DRAWING SHEET
	REFERENCE NUMBER DRAWING DRAWING SHEET
	REFERENCE NUMBER INTERIOR ELEVATION DRAWING SHEET
	REFERENCE NUMBER EXTERIOR ELEVATION DRAWING SHEET
	NORTH ARROW
	WINDOW TAG
	DOOR TAG
	INTERIOR WALL TYPE TAG
	APPLIANCE TAG
	REVISION TAG
	CENTER LINE
	ROOM TAG 101
	FINISH ROOM TAG RT
	EXTERIOR WALL TYPE TAG BVS-1
	BATH AND KITCHEN TYPE TAG TYPE X

SHEET LIST

A000	COVER SHEET
CIVIL	
	EXISTING CONDITIONS PLAN
	MODAL CALCULATION PLAN
	PROPOSED PLOT PLAN
ARCHITECTURAL	
D100	DEMO PLAN
A101	PROPOSED FLOOR PLANS
A102	PROPOSED FLOOR PLANS
A103	ROOF PLAN
A201	BUILDING ELEVATIONS
A301	BUILDING SECTIONS
A900	PERSPECTIVES



VICINITY MAP



PROJECT DATA

- A. DEMOLITION OF EXISTING FUNERAL HOME; ERECTION OF A NEW CONSTRUCTION 14-UNIT RESIDENTIAL BUILDING CONSISTING OF 3 STORIES OF RESIDENTIAL OVER PARKING AT GROUND LEVEL.
- B. USE GROUP: RESIDENTIAL
- C. CONSTRUCTION CLASSIFICATION: TYPE 5-B CONSTRUCTION
- D. FULLY SPRINKLERED

ZONING REVIEW

HYDE PARK ZONING DISTRICT/ NS-2 SUB-DISTRICT			
	ALLOWABLE	EXISTING	PROPOSED
LOT SIZE	NONE	9,747 S.F.	NO CHANGE
LOT WIDTH	NONE		NO CHANGE
F.A.R.	19,494 S.F. (2.0)	17,238 S.F. (1.75)	
BUILDING HEIGHT	40'-0"		39'-11"
OPEN SPACE	N/A		
FRONT YARD	0'-0"		OAK ST: AVG = 22'-6" CLOSEST POINT = 21'-7" MAPLE ST: 2'-8"
SIDE YARD	0'-0"		10'-3"
REAR YARD	10'-0"		10'-1"
PARKING	1/UNIT (14)		14 SPACES

***69-30.1 Conformity with Existing Building Alignment.** If at any time in the same Block as a lot required by this Article to have a minimum Front Yard there exist two or more Buildings fronting on the same side of the same Street as such Lot, instead of the minimum Front Yard depth specified in this Article, the minimum Front Yard depth shall be in conformity with the Existing Building Alignment of the Block.

***69-30.3 Front Wall of Building Not Parallel to Front Lot Line.** If the front wall of a Building is not parallel to the Front Lot Line, but the average distance between such wall and such Lot Line is no less than the minimum Front Yard depth otherwise required by this Article, and the distance between such wall and such Lot Line is at no point less than three fourths (3/4) of the minimum Front Yard depth so otherwise required, the Front Yard requirements of this Article shall be deemed to be met.

Oak Street Modal Alignment Calc (See Sheet titled Modal Plan): **22.5'**

3/4 Front Setback: $.75 \times 22.5 = 16.9'$

****TABLE E - Footnote 4.** In a Neighborhood Business Subdistrict, no side yard is required except in the case of a lot with a side lot line abutting a Residential Subdistrict, which shall have side yards as if it were in such abutting district. Every side yard so required that does not abut a street line shall, along every lot line on which such yard abuts, be at a level no higher than that of the lowest window sill of the lowest room designed for human occupancy or so occupied, and relying upon natural light or natural ventilation from windows opening on such yard.

34 OAK STREET
BOSTON, MA 02136

ISSUED FOR CONSTRUCTION

REVISIONS

NO.	ISSUE	DATE
1	Revision 1	3.27.23



DRAWING INFORMATION

ISSUE: ISSUED FOR CONSTRUCTION
DATE: FEBRUARY 17, 2023
PROJECT #: 21004
SCALE: As indicated

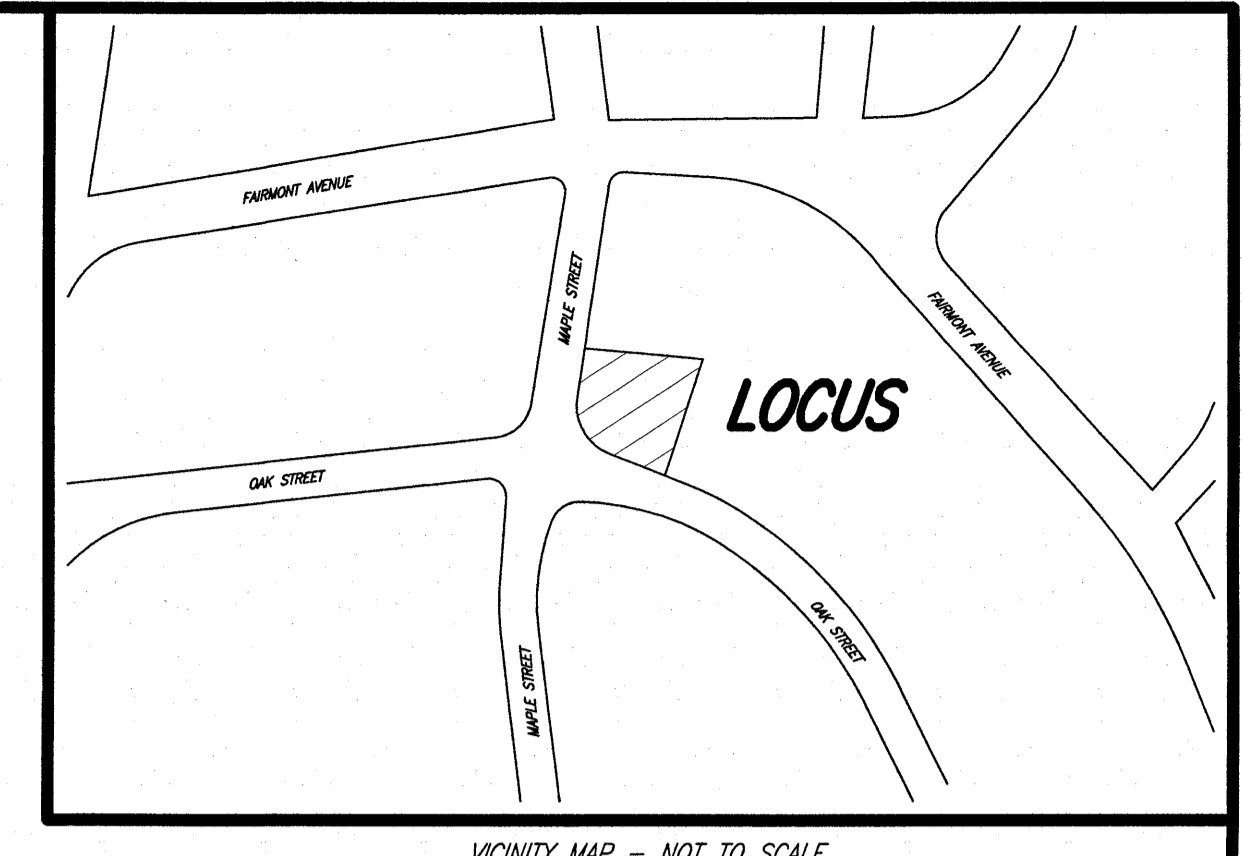
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COVER

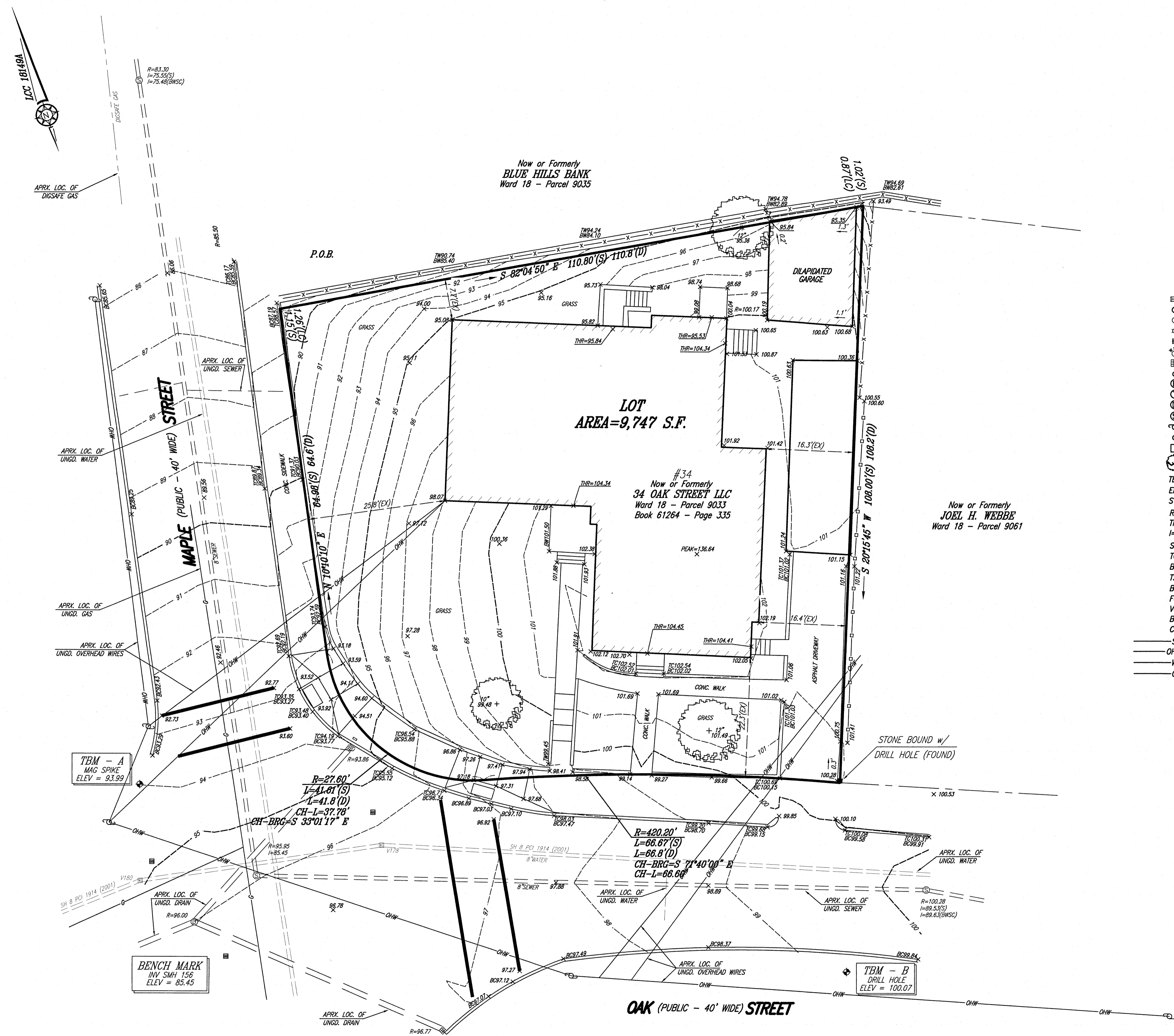
DRAWING NUMBER

A000

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VICINITY MAP - NOT TO SCALE



Now or Formerly
BLUE HILLS BANK
Ward 18 - Parcel 9035

LOT
AREA=9,747 S.F.

#34
Now or Formerly
34 OAK STREET LLC
Ward 18 - Parcel 9033
Book 61264 - Page 335

Now or Formerly
JOEL H. WEBBE
Ward 18 - Parcel 9061

- LEGEND:**
- ⊠ ELECTRIC HANDHOLD
 - ⊙ AREA DRAIN
 - ⊙ WATERGATE
 - ⊙ METAL LIGHTPOLE
 - ⊙ GAS SHUTOFF
 - ⊙ WATER SHUTOFF
 - ⊙ CATCHBASIN
 - ⊙ COAL CHUTE
 - ⊙ ELECTRIC MANHOLE
 - ⊙ TELEPHONE MANHOLE
 - ⊙ DRAIN MANHOLE
 - ⊙ SEWER MANHOLE
 - ⊙ UTILITY POLE
 - ⊙ AD ROOF DRAIN
 - ⊙ AIR CONDITIONING UNIT
 - ⊙ DECIDUOUS TREE
 - TBM TEMPORARY BENCH MARK
 - ENT ENTRANCE
 - STF STOCKADE FENCE
 - R RIM ELEVATION
 - TR CENTERLINE OF TROUGH
 - I INVERT ELEVATION
 - S.F. SQUARE FEET
 - TC TOP OF CURB
 - BC BOTTOM OF CURB
 - TS TOP OF STEPS
 - BS BOTTOM OF STEPS
 - FGC FLUSH GRANITE CURB
 - VGC VERTICAL GRANITE CURB
 - BIT BITUMINOUS
 - CONC. CONCRETE
 - S SEWER
 - OHW OVERHEAD WIRES
 - W WATER
 - G GAS

NOTES:

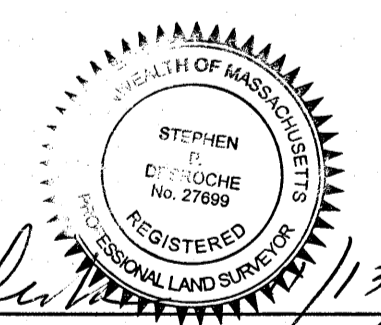
- 1) BENCH MARK USED
INVERT OF SEWER MANHOLE NO. 156 AS SHOWN ON BOSTON WATER
AND SEWER PLAN SHOWN HEREON.
ELEVATION=85.45

TEMPORARY BENCH MARKS USED:

TBM-A: MAG SPIKE ON THE WESTERLY SIDE OF MAPLE STREET.
ELEVATION=93.99

TBM-B: DRILL HOLE SET IN SIDEWALK
ELEVATION=100.07
- 2) UNDERGROUND UTILITIES SHOWN ARE FROM FIELD OBSERVATIONS AN
RECORD INFORMATION AND ARE NOT WARRANTED TO BE EXACT IT'S SIZE,
LOCATION, OR PLANNING FUTURE CONNECTIONS, THE PROPER UTILIT
ENGINEERING DEPTH NOR IS IT WARRANTED THAT ALL UNDERGROUND
DEPARTMENT SHOULD BE CONSULTED AND THE ACTUAL LOCATION OF PIPES
OR STRUCTURES ARE SHOWN. SUB-SURFACE STRUCTURES SHOULD B
DETERMINED IN THE FIELD. CALL, TOLL FREE, THE DIG SAFE CALL CENTER
AT 1-888-344-7233 SEVENTY TWO HOURS PRIOR TO EXCAVATION.
- 3) THIS DOCUMENT IS AN INSTRUMENT OF SERVICE OF FRAMINGHAM
SURVEY CONSULTANTS ISSUED TO OUR CLIENT FOR PURPOSES RELATED
DIRECTLY AND SOLELY TO FRAMINGHAM SURVEY CONSULTANTS SCOPE OF
SERVICES UNDER CONTRACT TO OUR CLIENT FOR THIS PROJECT.
- 4) RECORD UNDERGROUND TELEPHONE AND CABLE WERE NOT AVAILABLE AT
TIME OF SURVEY.

I HEREBY CERTIFY THAT THIS IS A TRUE PLOT PLAN BASED UPON AN ACTUAL
FIELD SURVEY AND INFORMATION OF RECORD.



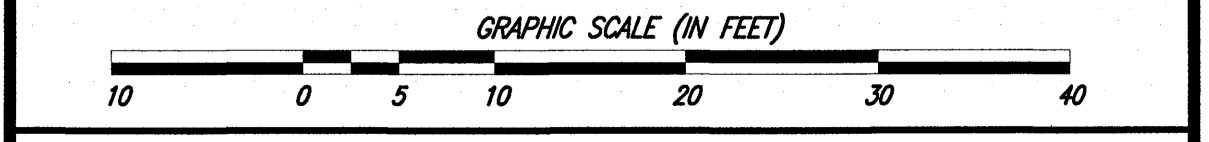
Stephen P. DesRoche
PLS # 27699



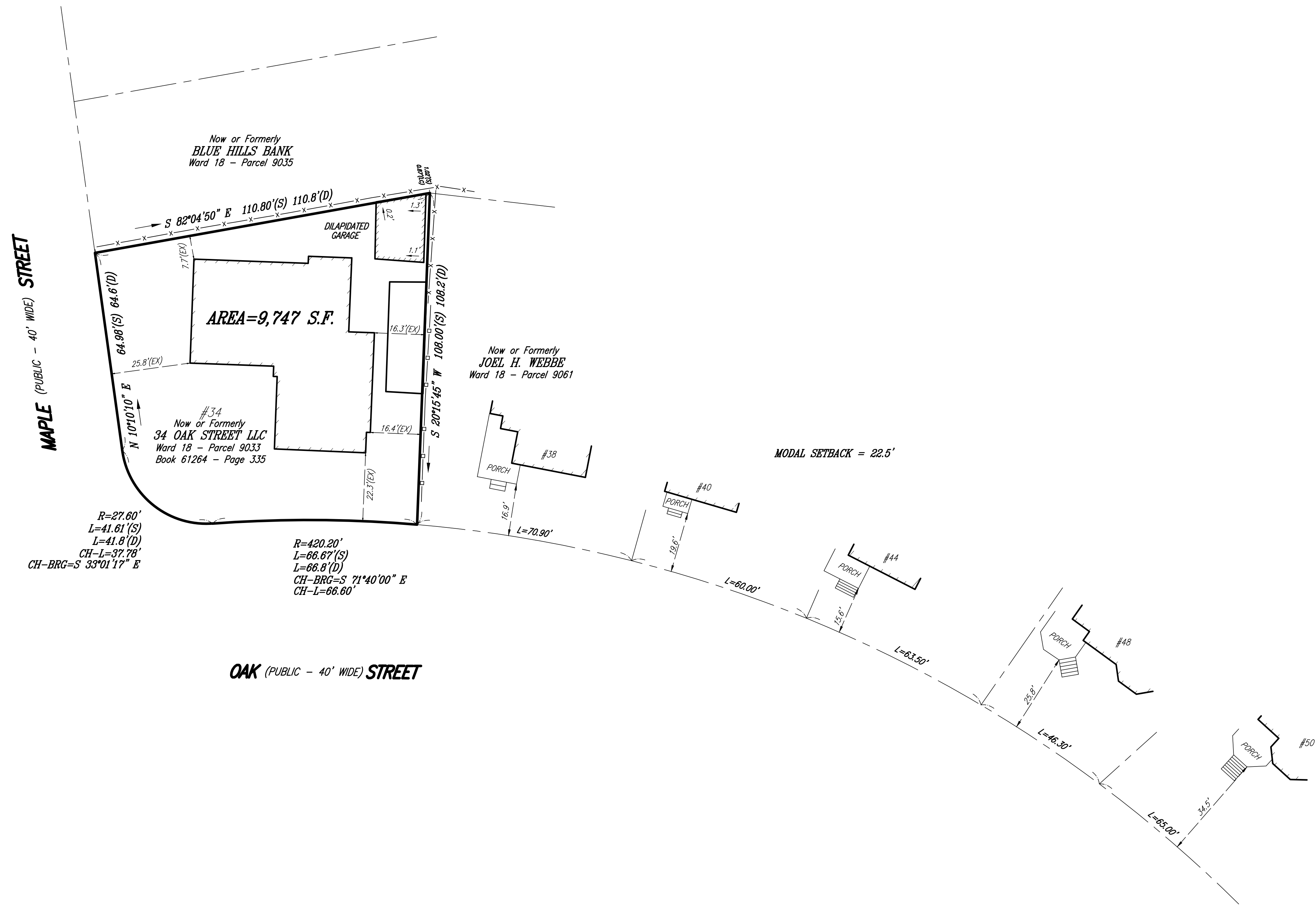
TOPOGRAPHIC PLAN
34 OAK STREET
HYDE PARK, MASSACHUSETTS

FRAMINGHAM SURVEY CONSULTANTS INC.
P.O. BOX 1190 FRAMINGHAM, MA 01701
PH: 508-628-1444 FAX: 508-879-9292
WWW.FRAMINGHAMSURVEY.COM

SCALE: 1"=10'	DRAWN BY: RDN	DWG: 4105_19
DATE: JUNE 14, 2019	CHECKED BY: SPD	JOB NO: 4105_19



IN ASSOCIATION WITH NEPONSET VALLEY SURVEY ASSOCIATES, INC.



I HEREBY CERTIFY THAT THIS IS A TRUE PLOT PLAN BASED UPON AN ACTUAL FIELD SURVEY AND INFORMATION OF RECORD.

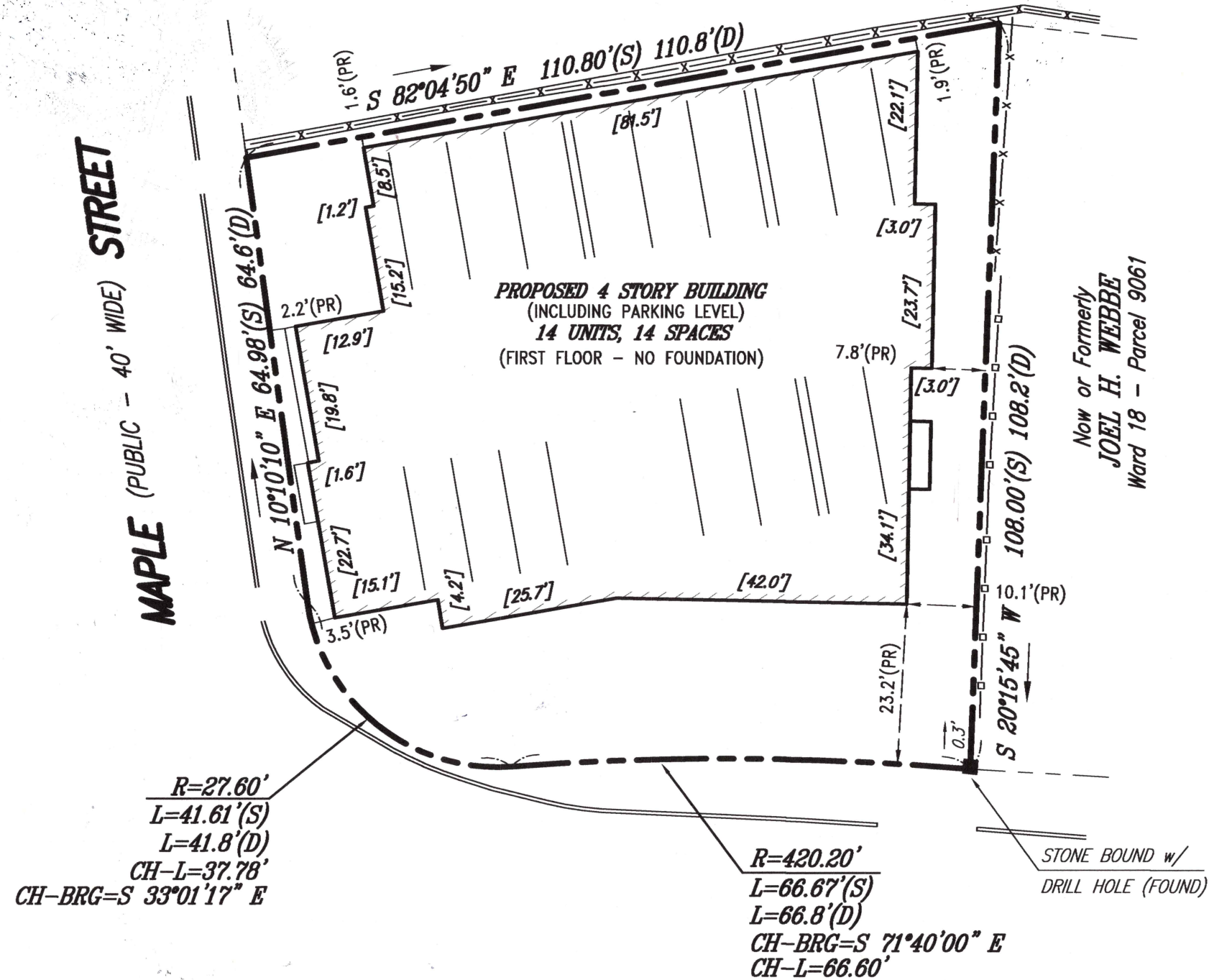
WILLIAM E. TIRRELL, PLS (MA #49930) _____ DATE _____

	MODAL PLAN 34 OAK STREET BOSTON, MASSACHUSETTS		
	FRAMINGHAM SURVEY CONSULTANTS INC. P.O. BOX 1190 FRAMINGHAM, MA 01701 PH: 508-628-1444 FAX: 508-879-9292 WWW.FRAMINGHAMSURVEY.COM		
SCALE: 1"=20'	DRAWN BY: RDN	DWG: 4105_19_MODAL	
DATE: APRIL 19, 2021	CHECKED BY: WET	JOB NO: 4105_19	
GRAPHIC SCALE (IN FEET)			

Now or Formerly
34 OAK STREET LLC
 Ward 18 - Parcel 9033
 Book 61264 - Page 335
AREA=9,747 S.F.

Now or Formerly
BLUE HILLS BANK
 Ward 18 - Parcel 9035

MAPLE (PUBLIC - 40' WIDE) STREET



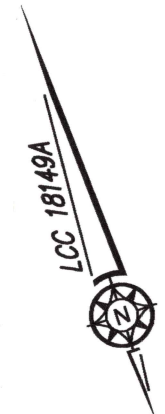
$R=27.60'$
 $L=41.61'(S)$
 $L=41.8'(D)$
 $CH-L=37.78'$
 $CH-BRG=S 33°01'17\" E$

$R=420.20'$
 $L=66.67'(S)$
 $L=66.8'(D)$
 $CH-BRG=S 71°40'00\" E$
 $CH-L=66.60'$

STONE BOUND w/
 DRILL HOLE (FOUND)

OAK (PUBLIC - 40' WIDE) STREET

Now or Formerly
JOEL H. WEBBE
 Ward 18 - Parcel 9061



LEGEND
 (PR) - PROPOSED OFFSET
 [20.0'] - PROPOSED DIMENSION
 (S) - SURVEY DIMENSION
 (D) - DEED DIMENSION

I CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY, PLANS AND DEEDS OF RECORD.



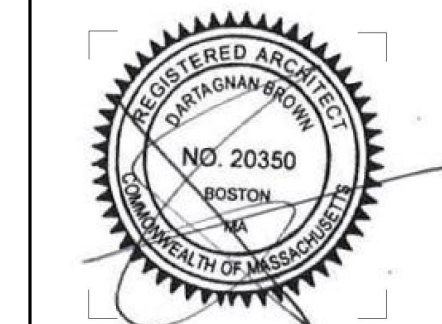
William E. Tirrell 3/31/23
 WILLIAM E. TIRRELL, PLS (MA# 49930) DATE

FS&C	PLAN FOR PROPOSED BUILDING	
	34 OAK STREET	
	BOSTON, (HYDE PARK) MASSACHUSETTS	
FRAMINGHAM SURVEY CONSULTANTS INC.		
P.O. BOX 1190 FRAMINGHAM, MA 01701		
PH: 508-628-1444 FAX: 508-879-9292		
WWW.FRAMINGHAMSURVEY.COM		
SCALE: 1"=20'	DRAWN BY: RDN	DWG: 4105_19 PPPFR r4
DATE: FEBRUARY 17, 2023	CHECKED BY: WET	JOB NO: 4105_19
GRAPHIC SCALE (IN FEET)		

34 OAK STREET
 BOSTON, MA 02136
ISSUED FOR CONSTRUCTION

REVISIONS

NO.	DESCRIPTION	DATE
1	Revision 1	3.27.23



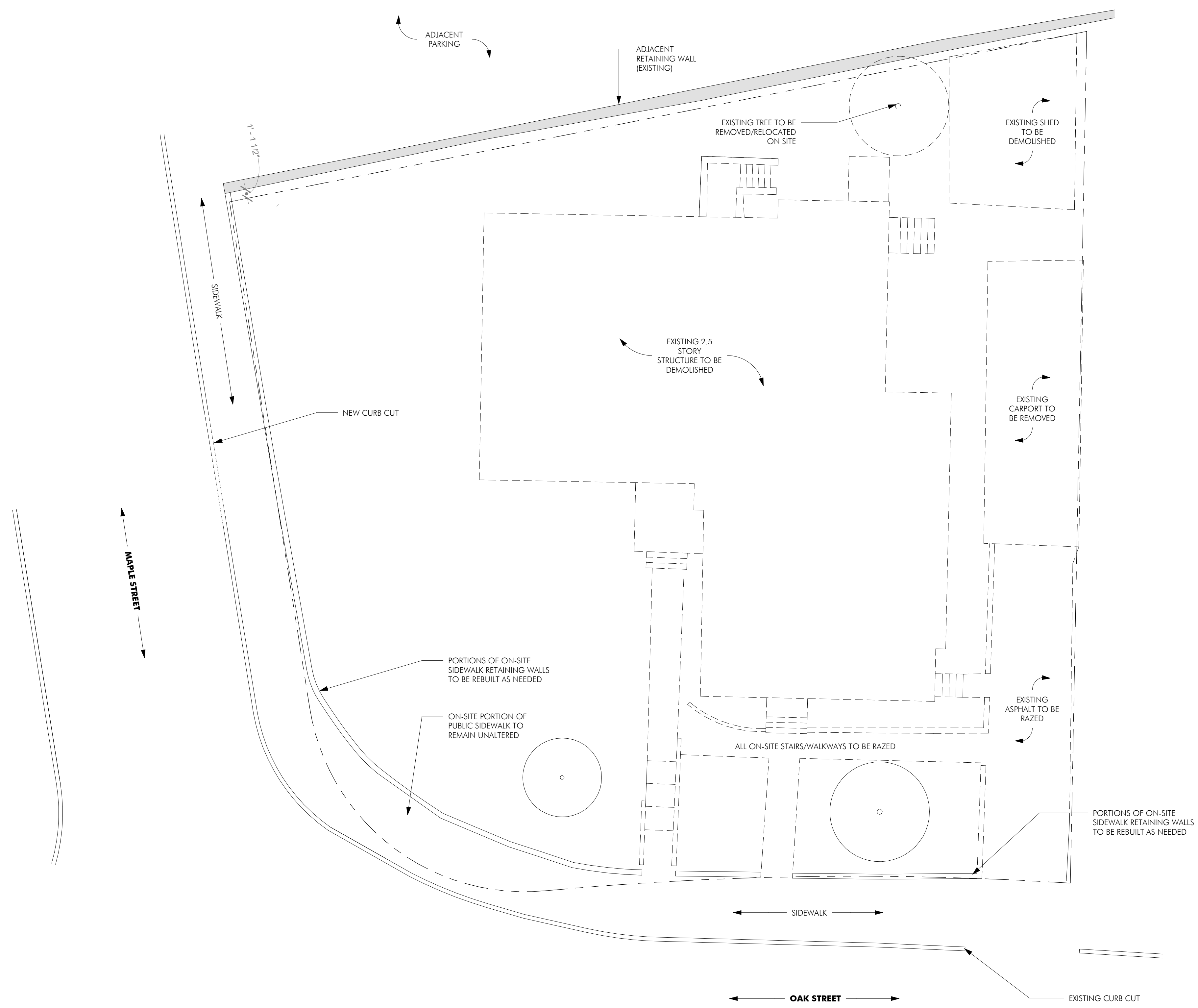
DRAWING INFORMATION

ISSUE: ISSUED FOR CONSTRUCTION
 DATE: FEBRUARY 17, 2023
 PROJECT #: 21004
 SCALE: 1/8" = 1'-0"

DRAWING TITLE
**SITE DEMOLITION
 PLAN**

DRAWING NUMBER

D100



1 DEMO PLAN
 1/8" = 1'-0"

REVISIONS

NO.	DATE	DESCRIPTION
1	3.27.23	Revision 1



DRAWING INFORMATION

ISSUE: ISSUED FOR CONSTRUCTION
DATE: FEBRUARY 17, 2023
PROJECT #: 21004
SCALE: 1/8" = 1'-0"

DRAWING TITLE
PROPOSED PLANS

DRAWING NUMBER

A102



1 THIRD FLOOR
1/8" = 1'-0"



2 FOURTH FLOOR
1/8" = 1'-0"

REVISIONS

MARK	DESCRIPTION	DATE
1	Revision 1	3.27.23



DRAWING INFORMATION

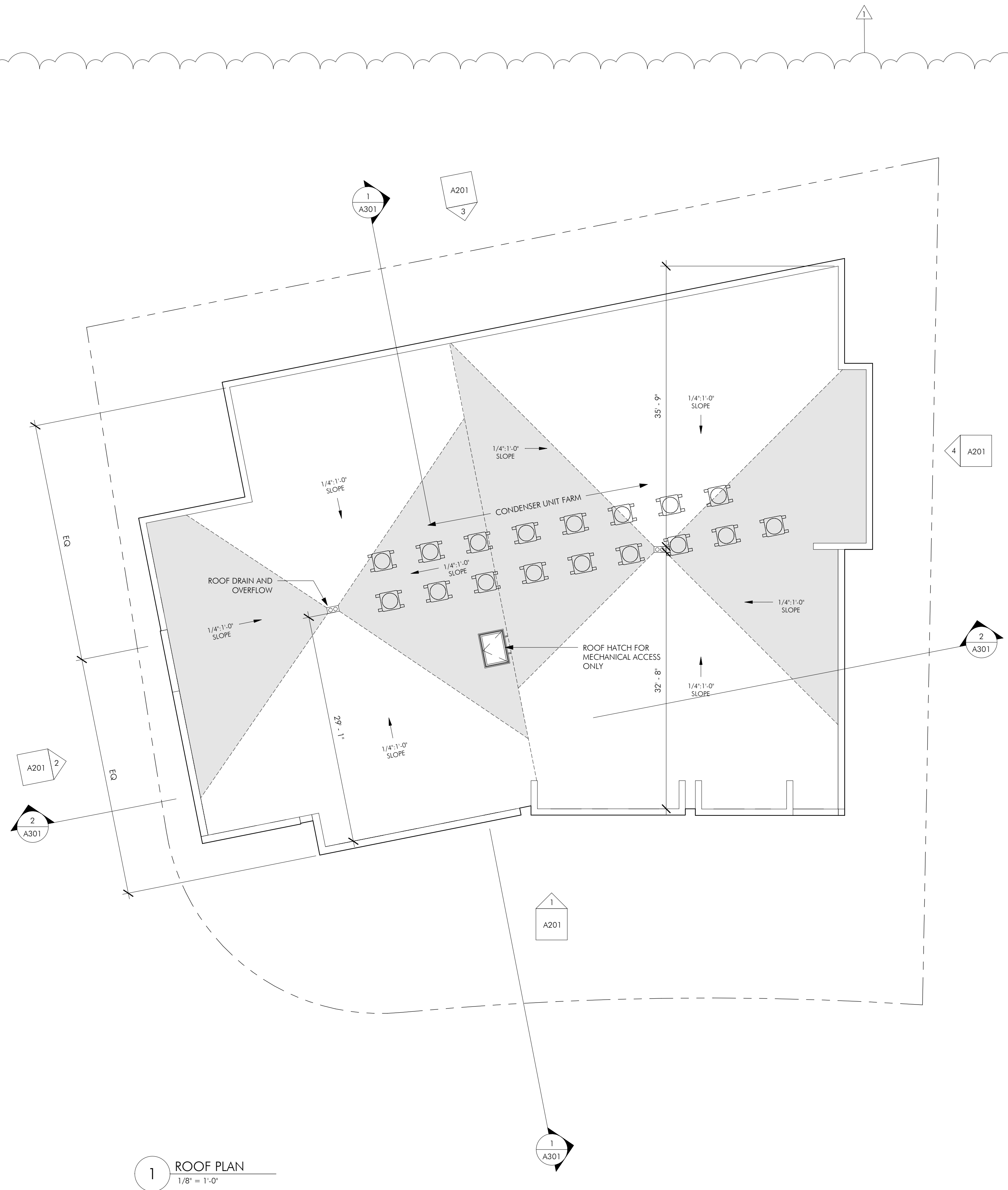
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DATE: FEBRUARY 17, 2023
PROJECT #: 21004
SCALE: 1/8" = 1'-0"

DRAWING TITLE

ROOF PLAN

DRAWING NUMBER

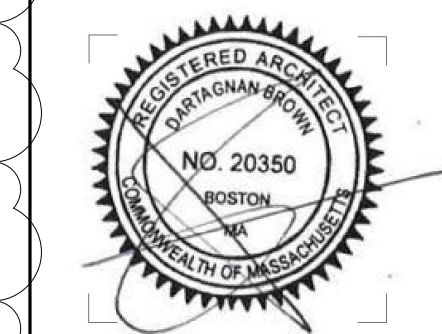
A103



1 ROOF PLAN
1/8" = 1'-0"

REVISIONS

MARK	DESCRIPTION	DATE
1	Revision 1	3.27.23



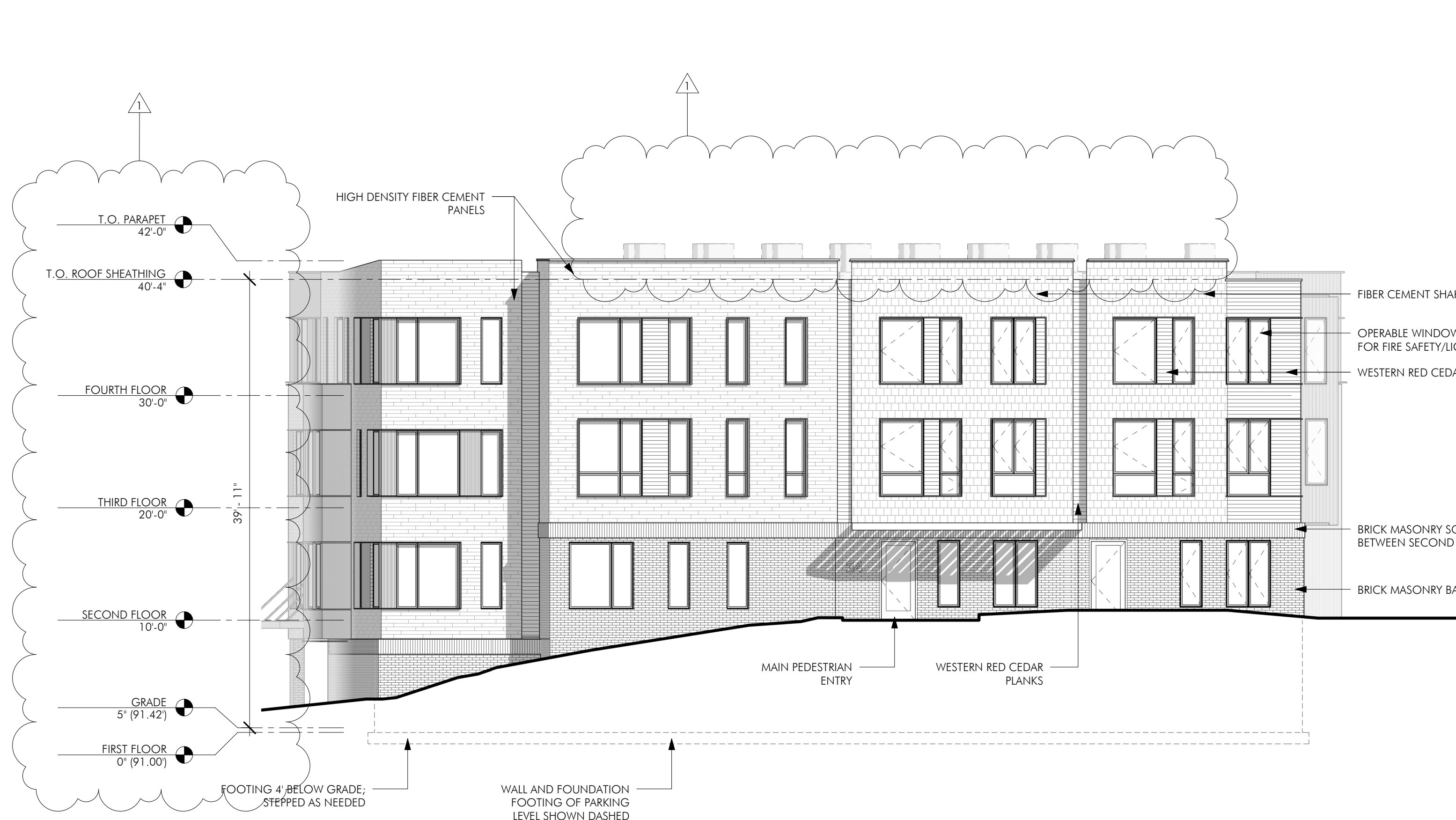
DRAWING INFORMATION

ISSUE: ISSUED FOR CONSTRUCTION
DATE: FEBRUARY 17, 2023
PROJECT #: 21004
SCALE: 1/8" = 1'-0"

DRAWING TITLE
BUILDING
ELEVATIONS

DRAWING NUMBER

A201



1 OAK STREET ELEVATION
1/8" = 1'-0"



2 MAPLE STREET ELEVATION
1/8" = 1'-0"



3 NORTH ELEVATION
1/8" = 1'-0"



4 EAST ELEVATION
1/8" = 1'-0"

\\embarc-61\project\21004_34 Oak Street Hyde Park\Drawings\rev01\004_34 Oak St_AOR_011223_Colour2_d.mxd
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REVISIONS

MARK	ISSUE	DATE
1	Revision 1	3.27.23



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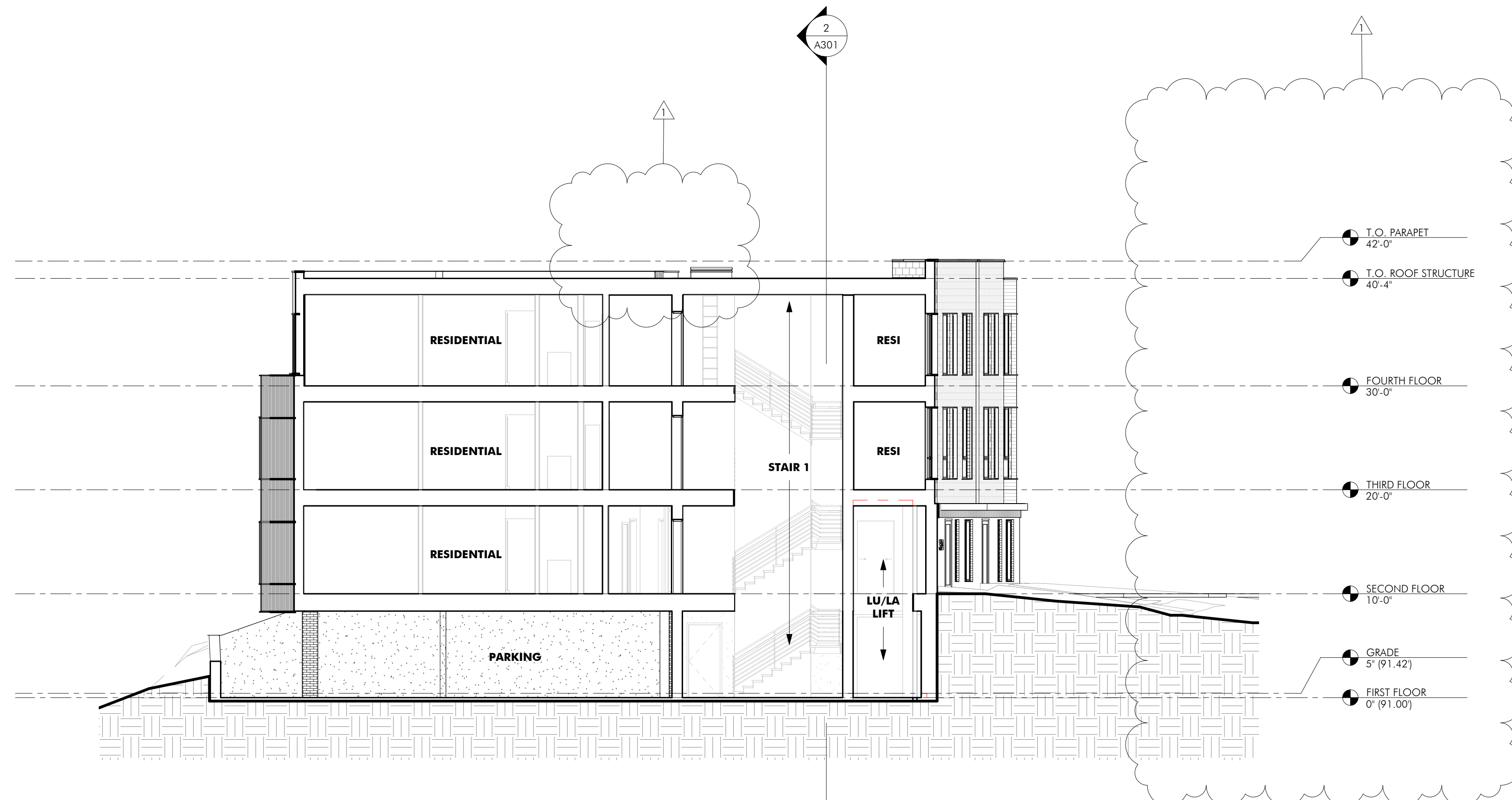
ISSUE: ISSUED FOR CONSTRUCTION
DATE: FEBRUARY 17, 2023
PROJECT #: 21004
SCALE: 1/8" = 1'-0"

DRAWING TITLE

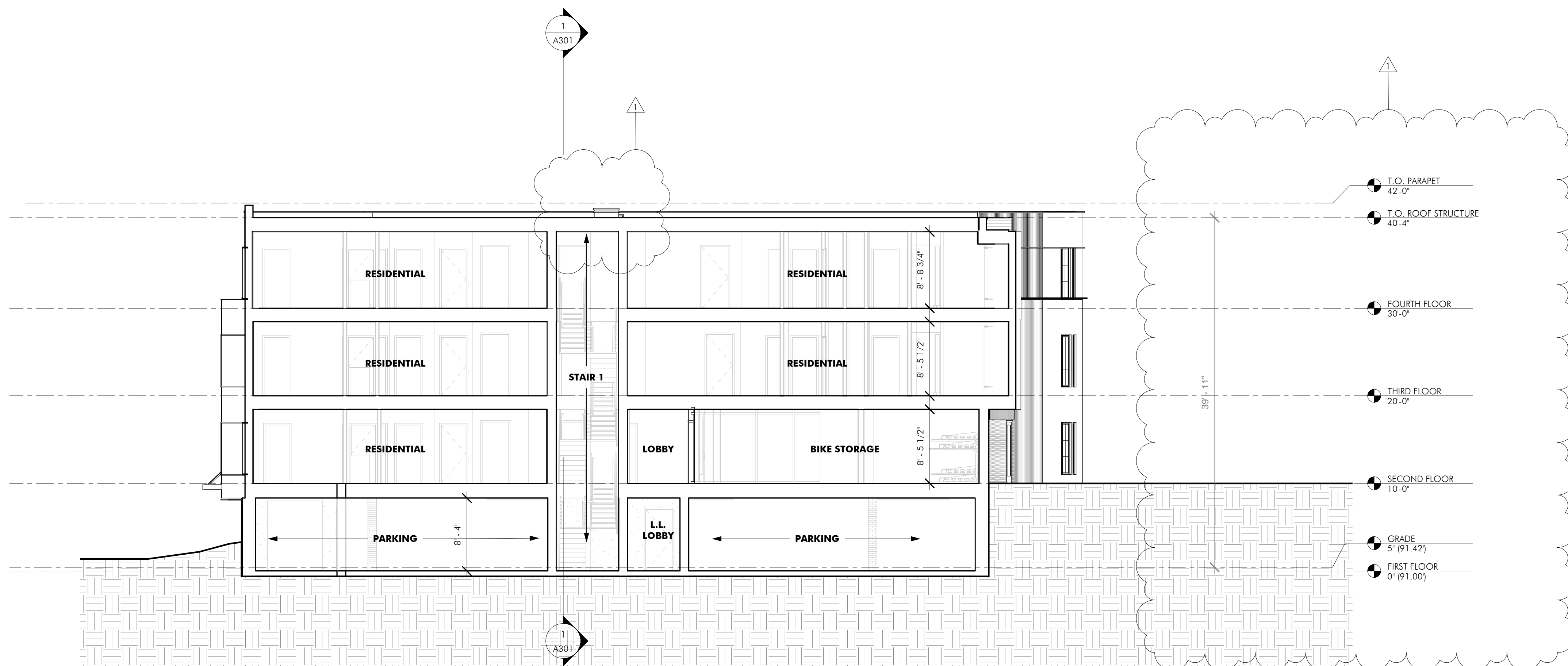
BUILDING SECTIONS

DRAWING NUMBER

A301



1 CROSS SECTION
1/8" = 1'-0"



2 LONG SECTION
1/8" = 1'-0"

ARCHITECT
EMBARC

580 HARRISON AVE, SUITE 2W
BOSTON, MA 02118
O: 617.765.8000
www.embarcdesign.com

OWNER

Diarmaid McGregor

CONSULTANTS



STREET VIEW - CORNER OF OAK AND MAPLE STREET



STREET VIEW - OAK STREET

34 OAK STREET
BOSTON, MA 02136

ISSUED FOR CONSTRUCTION

REVISIONS

MARK	ISSUE	DATE
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DRAWING INFORMATION

ISSUE: ISSUED FOR CONSTRUCTION
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PROJECT #: 21004
SCALE:

DRAWING TITLE
3D VIEWS

DRAWING NUMBER

A900

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