



MEMORANDUM

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

FROM: Joanne Marques
Regulatory Planning & Zoning

DATE: September 7, 2023

RE: BPDA Recommendations

Please find attached, for your information, the BPDA's recommendations for the Zoning Board of Appeal's Hearing scheduled for Tuesday, September 12, 2023.

Also included in the recommendations are the Board memos for 521-523 Cambridge St, Allston, Ward 21 and 76 Ashford Street, Allston, Ward 21.

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



Case	BOA1484677
ZBA Hearing Date	2023-09-12
Address	109 Rutherford AV Charlestown 02129
Parcel ID	0203788000
Zoning District & Subdistrict	Charlestown Neighborhood 3F-2000
Zoning Article	Article 62
Project Description	The proposed project is a new three-story, three-family residential home. There is one unit on each floor with designated storage space in the basement. Each unit consists of 1,434 sq/ft of living space with two bedrooms and two and a half bathrooms. On the roof, will be a roof deck with access limited to the third-floor apartment. The roof deck will be accessed by a hatch. Each apartment will have a back deck. The lot is currently used for accessory parking (2 spaces) for an abutting property.
Relief Type	Variance
Violations	Parking Insufficient Additional Lot Area Insufficient Rear Yard Insufficient Usable Open Space Insufficient Height Excessive (ft)

Planning Context:

This project would construct 3 new units, advancing planning goals of increasing housing supply, as detailed in Housing a Changing City, Boston 2030 (September 2018)

This project is within the Original Peninsula area described in PLAN: Charlestown (the draft of which was released in July 2023 and is scheduled to be voted on by the BPDA Board in September 2023). The design guidelines outlined in the PLAN state that new buildings should be of a similar scale and form to those found on the same block. The project site is on a block with multiple triple decker style buildings similar to the proposed project, with 3 story heights and rear yards of 15-18 feet. The PLAN also states that roof decks should be allowed as long as they are set back at least 5 feet (the proposed roof deck is set back exactly 5 feet).

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The PLAN: Charlestown draft also recommends removing off-street parking minimums for structures with 6 or fewer housing units, which means this project (with 3 units and no off-street parking) would be in compliance with parking requirements under the PLAN's zoning recommendations.

The PLAN: Charlestown draft also states that "balconies, terraces, accessible rooftops, green roofs, and other means of providing above-grade amenities are encouraged, as forms of usable open space for its building occupants." This project's inclusion of a roof deck and 3-level back deck fit well with this plan recommendation.

The current use of the lot is accessory parking for an abutting property. The proposed project contains no off-street parking, and so the existing curb cut should be closed in order to reclaim on-street parking. This project would therefore create a net loss of only one parking space.

The Boston Disabilities Commission reviewed the project plans and noted that there is no accessible entrance to the first floor unit or an accessible route to the shared storage area in the basement.

Zoning Analysis:

The project received a violation for insufficient additional lot area. For a 3 unit row house in a 3F-2000 subdistrict, the Zoning Code requires the lot to be 3,000 sq ft (Article 62 Table C). This lot is 2,730 sq ft. Therefore, the violation is minor and a preexisting condition.

The zoning code requires 350 sq ft of usable open space per dwelling unit in this subdistrict (Article 62 Table C). Because of its access to the roof deck, Unit 3 has well over this



requirement, with over 550 sq ft of usable open space between the private roof deck, back deck, and 1/3 of the shared backyard. Units 1 and 2 do not quite meet the usable open space

requirement, as the private decks and 1/3 of the back yard give each unit approximately 315 sq ft of usable open space each. In addition, the project has a violation for insufficient rear yard (the required rear yard is 30 feet per Article 62 Table C and proposed project's rear yard is 18.4 feet). The size of the building could be minimized to mitigate the usable open space and rear yard violations.

The proposed project includes no off-street parking, meaning it does not meet the current zoning requirement of at least 4.5 spaces (1.5 per unit from Article 62 Table E). However, this is a small lot, leaving limited room for off-street parking, and closing the existing curb cut would allow additional on-street parking.

Article 62 Section 25 states that an open roof deck may be erected on a building with a flat roof as long as it meets certain conditions, including having a hatch or bulkhead no more than thirty inches in height. Because the proposed roof hatch is over 30 inches, the project received a height violation. However, the 5 foot setback will reduce the visibility and likely mitigate the impacts of the roof deck.

This project is within a Neighborhood Design Overlay District and proposes erection or extension of a building with a gross floor area of three hundred (300) or more square feet which is visible from a public street. Therefore, it is subject to the Design Component of Small Project Review and plans must be approved by the BPDA (Section 80E-2 of the Zoning Code).

Recommendation:

In reference to BOA1484677, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE applicant should amend plans to 1. minimize building size to mitigate the usable open space and rear yard violations 2. provide an accessible entrance to the



first floor unit and an accessible route to the shared storage area in the basement and 3. close existing curb cut.

Reviewed,

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Director of Planning, BPDA



Case	BOA1498769
ZBA Hearing Date	2023-09-12
Address	38 Allston ST Charlestown 02129
Parcel ID	0201708000
Zoning District & Subdistrict	Charlestown Neighborhood 3F-2000
Zoning Article	Article 62
Project Description	Finish basement extension to add 1 unit, add rear deck, and exterior stairs to existing roof deck.
Relief Type	Variance
Violations	FAR Excessive Rear Yard Insufficient

Planning Context:

The proposed project is located within the 3F-2000 subdistrict and within the Original Peninsula as outlined in Draft PLAN: Charlestown (July 2023). The design guidelines in the plan state that decks are encouraged as forms of usable open space for its building occupants. Additionally, the addition of a rear deck and staircase to the project's roof deck is consistent with the street's built environment as existing dwellings have rear decks. The proposal to convert the basement into an additional dwelling unit is in line with the city's ADU program as it uses existing space and turns it into an additional dwelling unit responding to the neighborhood's need for housing, as identified in Draft PLAN: Charlestown (July 2023).

Zoning Analysis:

The conversion of the basement into a dwelling unit increases the FAR to a number greater than 2.0 but does not change the massing of the existing building. The insufficient rear yard is an existing nonconformity which will not be worsened by the proposed changes.

Recommendation:

In reference to BOA1498769, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review, that no building code relief be granted with attention to increasing the permeable surface area on site. .



Reviewed,

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Director of Planning, BPDA



Case	BOA1443339
ZBA Hearing Date	2023-09-12
Address	228 to 230 Friend ST Boston 02114
Parcel ID	0301659000
Zoning District & Subdistrict	Bulfinch Triangle GENERAL AREA
Zoning Article	Article 25, Article 32, Article 46
Project Description	Demolish existing 2 story building to erect new 7-story, 6-unit building with ground floor commercial.
Relief Type	Variance, Conditional Use
Violations	Groundwater Conservation Overlay District Nonresidential/Pre-Existing (Flood Hazard District) Conditional Use

Planning Context:

This project is within the mixed-use Bulfinch Triangle District. The District largely has residential buildings with ground floor commercial space. While residential use in Bulfinch Triangle is conditional, the area has seen exponential growth in housing density between 2010 and 2020, and is a prime location for new housing with access to North Station and Haymarket Station, a full-service grocery store, local retail amenities, and nearby open space such as the Rose Kennedy Greenway. The creation of housing units advances planning goals of increasing housing stock citywide as detailed in Housing a Changing City, Boston 2030 (September 2018).

Further, Section 46-1 states that the goals and objectives of the Bulfinch Triangle District Plan include promoting commercial, studio, residential, retail, and service uses in the District and preserving the historic and architectural character of the District.

The property is also within the Bulfinch Triangle Historic District, and the building on the site was constructed in 1885. The building is known as the "Benton, Charles W. Locksmiths Building" in the MHC Historic Inventory database, but the architectural character has been determined to be "altered beyond recognition."



Zoning Analysis:

This site is located within the Bulfinch Triangle District, where residential uses are conditional provided they maintain the character of the district and satisfy other dimensional regulations. This proposal complies with dimensional regulations and matches the surrounding context in scale and density.

The project is within a Flood Hazard District and, given the creation of residential units here and the scale of the project, subject to the provisions of Article 25. Approval may be granted if the project is in accordance with the required state regulations defined in Article 25 Section 5.

Additionally, this project is subject to GCOD review as it occupies more than 50 square feet of the lot area.

Plans reviewed are titled "New Mixed Used Development 228-230 Friend Street Boston, MA", prepared by McKay Architects, and dated December 9th, 2022.

Recommendation:

In reference to BOA1443339, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: the plans shall be reviewed and approved by the Boston Water & Sewer Commission due to its location within the Groundwater Conservation Overlay District (GCOD), that plans shall be submitted to the Agency for design review with regard to design conformity in this historic district, and the project must satisfy the required state regulations defined in Article 25 of the Boston Zoning Code.

Reviewed,

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Director of Planning, BPDA



Case	BOA1478073
ZBA Hearing Date	2023-09-12
Address	526 E Seventh ST South Boston 02127
Parcel ID	0702200000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	Article 68
Project Description	Install new roof deck
Relief Type	Variance, Conditional Use
Violations	Side Yard Insufficient Roof Structure Restrictions

Planning Context:

The proposed project is consistent with neighboring dwellings' roof decks. The roof deck is setback from the roof edge so it will not be visible from the street. Additionally, the existing roof already has a headhouse so the change to the roof is minimal and will increase usable open space.

Zoning Analysis:

Article 68 Section 29 outlines that an open roof deck may be erected on the main roof of a Building if it has a flat roof. However, the roof like is being altered with the addition of the deck, thus requiring a conditional use permit. The insufficient side yard is an existing nonconformity and is not being affected by the addition of a roof deck.

Recommendation:

In reference to BOA1478073, The Boston Planning & Development Agency recommends APPROVAL .



Reviewed,

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Director of Planning, BPDA



Case	BOA1512482
ZBA Hearing Date	2023-09-12
Address	244 L St South Boston 02127
Parcel ID	0702465000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	Article 68, Article 29
Project Description	The construction of a new building containing seven dwelling units with below ground car parking 14) on a 10,970 sqft parcel located at 244 L st, South Boston. There is an existing single-family dwelling to be razed on a separate demolition permit.
Relief Type	Variance, Conditional Use
Violations	Rear Yard Insufficient Height Excessive GPOD Applicability; Location of front entrance not facing front lot line

Planning Context:

The lot in question currently houses a single-family dwelling, and the project proposes a multi-family residential development which is in keeping with the existing context of surrounding triple-deckers and six-pack dwellings. New development within the City's residential fabric is in keeping with planning goals related to increasing housing stock, as detailed in Housing a Changing City, Boston 2030 (September 2018). The single-family home that is currently on the site was determined to be NOT significant by the City's Landmarks Commission on 8/25/2023.

Zoning Analysis:

While the proposed development was flagged for location of front entrance under Art 68 Sec 8, the proposed development is located on a corner lot. Although all the entrances to the building do not face the front lot line, they do all face the public right of way, either on L Street or on Columbia Road, ensuring that they will be clearly visible from either street. The proposed rear setback of 10' is less than the 20' minimum depth stipulated by zoning, but is a similar depth to the rear setbacks of surrounding developments and is necessary to successfully implement the proposed scope of the project. Due to the fact that many of the surrounding multi-family buildings do not comply with the rear setback minimum of 20', it is clear that this setback dimension is too large for a multi-family subdistrict. Similarly, the proposed height of 54.6', while

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greater than the 40' maximum per zoning, is contextual to its surroundings. The dwellings immediately next door, across the street, and behind the proposed dwelling have roof peaks of 57.26', 54.41', and 52.69' respectively.

Finally, the proposed development is located in a Greenbelt Protection Overlay District, which requires a conditional use permit provided that a development provides adequate vehicular access and off-street parking that does not have a significant adverse impact to traffic or adjacent streets; landscaping treatment that natural and aesthetic quality of the Greenbelt Roadway area; and compatible design of all structures. The plans satisfy all conditions of the GPOD.

The plans reviewed are titled "Proposed Seven-Unit Building," and prepared by Vance Architects, dated July 10, 2023.

Recommendation:

In reference to BOA1512482, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review with attention to CFROD and GPOD compliance.

Reviewed,

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Director of Planning, BPDA



Case	BOA1404028
ZBA Hearing Date	2023-09-12
Address	30 Juniper St., Roxbury 02119
Parcel ID	0903747000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	Article 50
Project Description	Project proposes converting attic space to extended living area in existing an existing building. The existing building is a two-family home, with one unit on the first floor and a 2nd unit on the second floor. Unit 2 is owner-occupied. The project would convert the attic to living area to extend unit 2. The extended living area would have a kitchen, living area, full bathroom, 1 bedroom, office, laundry, and have a dedicated entrance from a common stairwell.
Relief Type	Variance
Violations	FAR Excessive Front Yard Insufficient Lot Frontage Insufficient Off-Street Parking & Loading Req

Planning Context:

Adding more living space to existing dwellings is in keeping with planning goals of preserving housing stock and increasing housing availability and flexibility for growing living arrangements. In addition, because the extended living area contains a kitchen, living area, full bathroom, bedroom, and dedicated entrance, it can also be easily converted to a separate unit in the future. This would also contribute to planning goals of increasing housing stock. These goals are detailed in Housing a Changing City, Boston 2030 (September 2018).

This project falls within the Highland Park Architectural Conservation District. However, because the proposed project would not make any exterior alterations, it will not be subject to review from the Highland Park Architectural Conservation District Commission.

Zoning Analysis:

The project violates FAR restrictions because it turns the existing attic into habitable space, therefore expanding the gross floor area. However, the visible massing (which is appropriate for

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the location) will remain the same. In addition, this project does not intensify the residential use by adding additional units.

Article 50 Section 45 of the Zoning Code states that "A Building or use existing on the effective date of this Article and not conforming to the applicable dimensional requirements specified in other provisions of this Article may nevertheless be altered or enlarged, provided that such nonconformity is not increased and that any enlargement itself conforms to such dimensional requirements." This building was constructed in 1905, before Article 50 was adopted. The front yard and lot frontage nonconformities are pre-existing and the project does not increase the nonconformity.

This project includes no off-street parking and therefore does not meet the off-street parking requirement of 2 spaces (1 space per unit per Article 50 Table H). This is a pre-existing nonconformity which the project does not increase, as the project does not remove parking spaces or increase the required number of spaces by adding units.

This project is within a Neighborhood Design Overlay District. However, because it would not make any exterior alterations visible from a public street, it is not subject to the Design Component of Small Project Review and plans are not required to be approved by the BPDA (Section 80E-2 of the Zoning Code).

Recommendation:

In reference to BOA1404028, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

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Director of Planning, BPDA



Case	BOA1446356
ZBA Hearing Date	2023-09-12
Address	22 to 24 Albion St., Hyde Park 02136
Parcel ID	1810687000
Zoning District & Subdistrict	Hyde Park Neighborhood 1F-6000
Zoning Article	Article 9
Project Description	Construct new roof deck to existing low roof
Relief Type	Conditional Use
Violations	Extension of nonconforming use

Planning Context:

The proposed project is located within a single-family zoned district and is a three-dwelling unit and three stories tall. The addition of the roof deck is proposed for the back of the house on the second floor (one floor lower than the main section of the building which is three stories tall). The addition of the roof deck on the second floor is not visible from the street given the 3-story building in front of it. The addition will not have an impact on the streetscape.

Zoning Analysis:

Article 9 Section 1 outlines that whenever land is being lawfully used for a use not conforming to this code such use may be extended provided that the use as extended shall not exceed by more than twenty-five percent either in volume or in area. The proposed roof deck does not exceed more than 25% of the volume or area of the project.

Recommendation:

In reference to BOA1446356, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed.

Director of Planning, BPDA



Case	BOA1416018
ZBA Hearing Date	2023-09-12
Address	1955 to 1975 Beacon ST Brighton 02467
Parcel ID	2102427000
Zoning District & Subdistrict	Allston/Brighton Neighborhood NS-1
Zoning Article	Article 51
Project Description	Change occupancy from Restaurant with #37 and #36A to a Cannabis Establishment. Scope of work also includes renovations.
Relief Type	Conditional Use
Violations	Use Regulations: conditional use cannabis establishment cannabis accessory storage (basement level).

Planning Context:

In November 2019, the Mayor's Office signed an Ordinance Establishing Equitable Regulation of the Cannabis Industry in the City of Boston. The goal of this ordinance is to ensure Boston is a model for how to create a system that fosters racial equity and inclusion in the new cannabis industry and to bring the benefit of this industry to all Boston communities. As part of the ordinance, the Boston Cannabis Board was established. This independent board is charged with reviewing all applicants for a cannabis license.

The proposed project is located in Cleveland Circle, one of Brighton's main commercial areas. The location makes it an appropriate location for a retail use such as a cannabis establishment.

Zoning Analysis:

Cannabis establishment is a conditional use in the Allston-Brighton Neighborhood Shopping zoning subdistrict. The conditional allowance of this use is contingent on approval from the Boston Cannabis Board. The Boston Cannabis Board voted on July 19, 2023 to grant a Recreational Retail Cannabis Dispensary License to the applicant.

The plans reviewed are untitled and dated 10/7/2022, prepared by Scott Griffin Architects.

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Recommendation:

In reference to BOA1416018, The Boston Planning & Development Agency recommends
APPROVAL .

Reviewed,

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Director of Planning, BPDA



Case	BOA1406273
ZBA Hearing Date	2023-09-12
Address	6 Brooks ST East Boston 02128
Parcel ID	0106343000
Zoning District & Subdistrict	East Boston Neighborhood Three-Family Residential (3F-2000)
Zoning Article	Art. 9 - Sec. 1, Art. 27T-5, Art. 32 - Sec. 4, Art. 53 - Sec. 8, Art. 53 - Sec. 9, Art. 53 - Sec. 56,
Project Description	Renovate and erect additions above the existing attached structures on the parcel: a three-story residential building with a one-story retail building attached at the side. Additions will change the whole structure to four stories in height and change the occupancy of the structure from three (3) dwelling units and one (1) retail space to six (6) dwelling units and one (1) retail space.
Relief Type	Variance, Conditional Use
Violations	Parking Insufficient Additional Lot Area Insufficient Usable Open Space Insufficient FAR Excessive Height Excessive Side Yard Insufficient Rear Yard Insufficient Front Yard Insufficient Reconstruction/Extension of Nonconforming Building Ground Water Conservation Overlay District (GCOD) Applicability Use: Forbidden East Boston Interim Planning Overlay District (IPOD) Applicability

Planning Context:

The project proposes the renovation and construction of additions above two existing, attached structures on this parcel in East Boston: a three-story residential building with a one-story retail building attached at the side. The proposed additions will change the whole structure to four (4) stories in height and change the occupancy of the structure from three (3) dwelling units and one (1) retail space to six (6) dwelling units and one (1) retail space. The fourth story addition will be set back further from the front than the first three stories.



The dimensions and uses of the proposed project align with the land use and lot area usage of existing adjacent buildings in the neighborhood, while the setback fourth-story addition does not produce a drastic change to the street frontage. The property is also within proximity of the Airport MBTA T stop. The proposal to increase to six (6) dwelling units on the property aligns with the City's goals of increasing residential density and housing stock, especially within proximity to transit nodes, as detailed in *Housing a Changing City, Boston 2030* (September 2018).

The project is within the Squares and Corridors Character area of PLAN: East Boston along the Bremen Street corridor between Maverick Square and Day Square. The project is consistent with PLAN: East Boston's (2023) zoning recommendations which detail increased density of up to four (4) or five (5) stories in Squares and Corridors areas where there are active ground-floor uses, an active pedestrian right-of-way, and nearby transit. This project aligns with each of these recommendations in terms of height, retention of a ground-floor retail use, exclusion of off-street parking spaces, and proximity to the T stop.

By not providing parking spaces, the project adheres to the parking freeze zone restrictions that cap the number of off-street parking spaces as mandated by the City's Environment Department. The lack of parking also aligns with the City's goal to reduce dependence on private vehicles, as detailed in *Go Boston 2030* (March 2017).

The property is next to Bremen Street Community Park and thus triggers Parks Design Review.

Zoning Analysis:

The East Boston Interim Planning Overlay District in which this site is located declares a need for interim zoning in this area and that interim zoning focuses on promoting mixed-use development along major commercial and transit corridors that preserves and introduces height and residential density to the neighborhood character. As described in the planning context and in relation to the zoning violations below, this project aligns with the zoning recommendations of PLAN: East Boston (2023) which outlines these interim zoning goals.

The proposed project is in the East Boston Neighborhood District (Art. 53) within a Three-Family Residential (3F-2000) subdistrict. The parcel has a structure with two attached buildings that make it a mixed-use property due to their different land uses: a three-family residential building and an attached one-story retail building. The residential building on its own conforms with the use regulations for the subdistrict, but because of the attached nonconforming retail building it

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has the existing use violation. This project better aligns the buildings on the property to the surrounding three-family residential uses and building designs with the addition of residential units above the retail building, thus improving the conditions related to its use violations (Art. 9 - Sec. 1, Art. 53 - Sec. 8).

The existing non-compliant front yard (0.2 feet), rear yard (0.2 feet), and side yard setbacks (right - 0 feet; left - 0.9 feet) will remain the same with these residential additions because the additions above the existing buildings will not extend further into the lot's front, rear or side. The existing non-compliant FAR of 1.53 is a unique condition due to these two buildings sharing one parcel. The proposed increase in FAR to 2.94 for this project is necessary to produce the proposed residential units without reducing the existing building footprints. The dimensional violations (Art. 53 - Sec. 9) are existing conditions of the property and these conditions will be improved by the productive use of the existing lot area for increased density and by the design towards alignment with nearby residential use and height. The insufficient parking violation (Art. 53 - Sec. 56) is an existing condition of the site and the project's continuation of this violation protects the active pedestrian use of the sidewalk by not introducing off-street parking.

This parcel is subject to the impacts of present-day and future coastal flooding as it is located within a FEMA Special Flood Hazard Area and the City of Boston's Coastal Flood Resilience Overlay District (CFROD). The proponent should be mindful of the Coastal Flood Resilience Design Guidelines (Article 25A) in its construction of these additions. The proponent also plans for the extension of a structure that occupies more than fifty (50) square feet of the lot area within a Groundwater Conservation Overlay District (GCOD; Art. 32 - Sec. 4), so the parcel is subject to GCOD review from the Boston Water and Sewer Commission.

A variance and conditional use permit are recommended to provide relief for the construction of these additional dwelling units above the existing buildings on this parcel as it uses context-conscious infill development to further the City's housing goals. Design review is needed to determine the best alignment of the multi-story additions to the surrounding context.

Plot plan prepared by Peter Nolan & Associates LLC on 08/24/2021. Plans titled "Proposed Two Family" prepared by GCD Architects on 06/23/2022.

Recommendation:

In reference to BOA1406273, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: the plans shall be reviewed and approved by the Boston Water



& Sewer Commission due to its location within the Groundwater Conservation Overlay District (GCOD), that plans shall be submitted to the Agency for design review with attention to alignment of the multi-story additions to the surrounding context, and that plans shall be submitted to the Department of Parks and Recreation for review.

Reviewed,

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Director of Planning, BPDA



Case	BOA1482748
ZBA Hearing Date	2023-09-12
Address	247 Shawmut AVE Roxbury 02118
Parcel ID	0305826008
Zoning District & Subdistrict	South End Neighborhood MFR/LS
Zoning Article	Article 64
Project Description	Project proposes adding a dormer to an existing building. The existing building is a 4 story row house containing 4 units. The top unit is contained completely within a converted attic/half story level with sloped ceilings. The proposed project is to install a dormer in the rear of the building in order to raise the ceiling height and add two windows in the bedroom of this unit.
Relief Type	Variance, Conditional Use
Violations	FAR Excessive Town House/Row House Extensions into Rear Yard

Planning Context:

The size and location of the dormer would not bring the building out of alignment with the other buildings on this block. Because the dormer is in the rear facing Taylor St, it would only be visible from Milford St and Taylor St and not from Shawmut Ave. Because of the sloped roof, the existing building reads as 3 stories, while there is precedent for larger heights on this block (251 and 245 Shawmut Ave both read as 4 stories), and so the slightly taller roofline created by the dormer would still fit within the neighborhood context.

This project is within hundred (100') feet of park (Watson Park I) and proposes altering a building. This means that it requires review and approval from the Parks and Recreation Commission (City of Boston Municipal Code 7-4.11). This project is also within the South End Landmark District and proposes an exterior alteration which is visible from a public right of way (Taylor St and Milford St). This means that it requires design review and approval from the Landmarks Commission.

Zoning Analysis:



This project is flagged for the violation "Town House/Row House Extensions into Rear Yard." This provision comes from Article 64 Section 9 of the Zoning Code and states that "any Proposed Project that otherwise meets the applicable use and dimensional requirements of this Article shall be conditional if such Proposed Project involves the extension of a Town House or Row House into a rear yard, where such extension: (a) increases the gross floor area of such Town House or Row House by fifty (50) or more square feet; or (b) involves the addition of a porch or balcony, other than a roof deck, above the first story." This project does not increase the gross floor area or add a porch or balcony.

This project also received a violation for excessive FAR. Article 64 Section 38 of the Zoning Code states that "A Building or use existing on the effective date of this Article and not conforming to the applicable dimensional requirements specified in other provisions of this Article may nevertheless be altered or enlarged, provided that such nonconformity is not increased and that any enlargement itself conforms to such dimensional requirements." This building was constructed in 1900, before Article 64 was adopted. The FAR nonconformity is pre-existing and the project does not increase the nonconformity.

Recommendation:

In reference to BOA1482748, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Department of Parks and Recreation and the Boston Landmarks Commission for review.

Reviewed,

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Director of Planning, BPDA



Case	BOA1513036
ZBA Hearing Date	2023-09-12
Address	25 Colebrook ST South Boston 02127
Parcel ID	0701621000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	Article 68
Project Description	Erect a 3 story structure on top of an existing grade-level parking pad and lower level basement. With interior parking at grade and two living levels above.
Relief Type	Variance
Violations	FAR Excessive Rear Yard Insufficient Front Yard Insufficient Side Yard Insufficient Lot Area Insufficient

Planning Context:

The project's scope, which converts an existing surface level parking pad into housing, is consistent with both Neighborhood and City planning goals: to encourage appropriately-scaled residential infill development (Zoning Code Section 68-6, 2011) and create new housing (Imagine Boston 2030, 2016).

Zoning Analysis:

The project's setback violations are existing conditions, stemming from the lot's narrow width. The proposed dimensions fall within those of the existing parking pad and lower level basement upon which the structure is being built. The project's lot size and FAR figures, while noncompliant with the Code, are consistent with what exists in the surrounding area. The project is minimally invasive and contextual to the site, which is surrounded by similar building typologies and a mix of single family to multifamily residential uses. A proviso for BPDA Design Review has been added to address façade treatment and articulation.

Proposed project plans - titled "25 Colebrook Street, South Boston, MA 02127" - were prepared by 686 Architects on 7/11/2022.

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Recommendation:

In reference to BOA1513036, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review .

Reviewed,

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Director of Planning, BPDA



Case	BOA1419819
ZBA Hearing Date	2023-09-12
Address	30 Dimock St., Roxbury 02119
Parcel ID	1100947200
Zoning District & Subdistrict	Roxbury Neighborhood DIMOCK STREET CF
Zoning Article	Article 50, Article 9
Project Description	Project proposes changing use of basement from Daycare to Clinic Vaccination Center.
Relief Type	Conditional Use
Violations	Use: Conditional Change in Non-Conforming Use

Planning Context:

This clinic would operate as part of the Dimock Center on their nine-acre campus in Roxbury. The Dimock Center has been providing health services to communities in Boston and across the state since 1862 and serves more than 19,000 people annually.

Zoning Analysis:

This project is proposed in a Community Facilities subdistrict in Roxbury. Article 50 Section 23 states that community facilities subdistricts "are established to encourage the development and expansion of important community-based facilities in the Roxbury Neighborhood District, which provide health, educational, and cultural services to the community and are an important part of the institutional fabric of the Roxbury community."

The project proposes adding a clinic, which is a conditional use in a Roxbury Community Facilities Subdistrict (see Article 50 Table A). Per Article 6 Section 3, the Zoning Board of Appeal shall grant appeals for conditional uses if the specific site is an appropriate location for such use, the use will not adversely affect the neighborhood, there will be no serious hazard to vehicles or pedestrians from the use, no nuisance will be created by the use, and adequate and appropriate facilities will be provided for the proper operation of the use.



The project also required a conditional use permit because of "change in nonconforming use." This is because the property currently contains office space, which is forbidden in Roxbury CF subdistricts (Article 50 Table A) and will be remaining.

Recommendation:

In reference to BOA1419819, The Boston Planning & Development Agency recommends **APPROVAL**.

Reviewed,

A handwritten signature in black ink, appearing to read "Anne Lamb". The signature is fluid and cursive, written in a professional style.

Director of Planning, BPDA



Case	BOA1291555
ZBA Hearing Date	2023-09-12
Address	18 Birchcroft RD Boston 02136
Parcel ID	1804218000
Zoning District & Subdistrict	Hyde Park Neighborhood Two-Family Residential (2F-5000)
Zoning Article	Art. 69 - Sec. 9
Project Description	Demolish an existing two-story, one-family dwelling and erect a new three-story, two-family dwelling on a through lot. Remove an existing curb cut in the front yard and construct a new curb cut and driveway for four (4) parking spaces in the rear yard.
Relief Type	Variance
Violations	Lot Area Insufficient FAR Excessive Height Excessive (stories) Usable Open Space Insufficient Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient

Planning Context:

The project proposes the demolition of an existing two-story, one-family residential building and the construction of a new three-story, two-family residential building on a through lot in Hyde Park. The proposal includes the removal of an existing curb cut in the front yard facing Birchcroft Road and the construction of a new curb cut and pervious paver driveway for four (4) parking spaces in the rear yard facing George Street. The proposal also includes a first-story deck in the right-side yard and a second-story deck in the rear yard. The dimensions and use of the proposed project align with the land use, height, and lot area usage of existing adjacent buildings in the neighborhood. The property is also within proximity of River Street where there are several MBTA bus stops. The proposal to increase to two dwelling units on the property aligns with the City's goals of increasing residential density and housing stock, especially within proximity to transit nodes, as detailed in Housing a Changing City, Boston 2030 (September 2018).

While the proposed driveway and parking spaces conform with existing zoning regulations for the neighborhood district, they do not align with the City's goal of reducing dependence on

BOA1291555
2023-09-12



private vehicles, as detailed in Go Boston 2030 (March 2017). The project also proposes an eighteen (18') feet wide driveway and curb cut that does not comply with the maximum driveway width for a residential use of twelve (12') feet, as outlined by the Boston Transportation Department's parking guidelines.

Zoning Analysis:

The proposed project is in the Hyde Park Neighborhood District (Art. 69) within a Two-Family Residential (2F-5000) subdistrict. The parcel is located immediately next to a One-Family Residential (1F-6000) subdistrict, so adjacent buildings in the area vary between conforming one- and two-family dwellings of up to 2.5 stories and nonconforming dwellings of 3 stories. Therefore, the proposed height is in line with the variety of existing adjacent buildings in the neighborhood.

The front and rear yard dimensional violations (Art. 69 - Sec. 9) are a result of the parcel having an existing insufficient lot area (4,000 sqft) and the proposed project using more of the front and rear yard for livable space than the existing dwelling currently uses. The usable space violation (Art. 69 - Sec. 9) is partially mitigated by the first-story and second-story decks but worsened by the size of the driveway and parking spaces in the rear yard. Design review is needed to further mitigate this insufficiency in usable open space and to determine amendments to the livable space design as needed that relate to any open space design recommendations. A variance is recommended to provide relief for the creation of this two-family residential dwelling as it is an allowed use (2F-5000) and furthers the City's housing goals.

Plot plan prepared by Peter Nolan & Associates LLC on 08/02/2023. Plans titled "Proposed Two Family" prepared by GCD Architects on 06/12/2023.

Recommendation:

In reference to BOA1291555, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review with attention to the usable open space and the livable space design in relation to the open space.



Reviewed,

A handwritten signature in black ink, appearing to read 'Anne Roubicek'. The signature is fluid and cursive.

Director of Planning, BPDA



Case	BOA1477573
ZBA Hearing Date	2023-09-12
Address	28A Ridlon Rd Mattapan 02126
Parcel ID	1803590000
Zoning District & Subdistrict	Hyde Park Neighborhood 1F-6000
Zoning Article	Article 69
Project Description	Erect a one-family dwelling with two rear parking spaces.
Relief Type	Variance
Violations	Lot Frontage Insufficient Side Yard Insufficient FAR Excessive Application of Dimensional Requirements; Lot Width Insufficient

Planning Context:

The proposed project is located in a single-family residential subdistrict. The creation of contextually sensitive infill housing aligns with both Neighborhood and City planning goals, as detailed in Housing a Changing City, Boston 2030 (September, 2018) and the Hyde Park Neighborhood Strategic Plan (November, 2011).

Zoning Analysis:

The site's lot width and lot frontage violations are existing conditions; the bounds of the lot were established in 1894. Its side yard violation can be attributed to the lot's narrow bounds and irregular shape, which are also dimensionally consistent with that of the adjacent lot. The project's proposed FAR nearly meets the required threshold for compliance (delta of 0.04), and produces a contextually sensitive and minimally intrusive building footprint. A proviso for BPDA Design Review has been added to address inconsistencies in materiality and window sizing and placement.

Proposed Project Plans - Titled "Single Family Home, 28A Ridlon Road, Hyde Park, MA) were prepared by AD Architect on 1/31/2023.

Recommendation:

BOA1477573
2023-09-12



In reference to BOA1477573, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review .

Reviewed,

A handwritten signature in cursive script, appearing to read 'Anne Santoro'.

Director of Planning, BPDA



Case	BOA1483633
ZBA Hearing Date	2023-09-12
Address	753 American Legion HW Roslindale 02131
Parcel ID	1806273000
Zoning District & Subdistrict	Roslindale Neighborhood Two-Family Residential (2F-5000)
Zoning Article	Art. 67 - Sec. 9
Project Description	Install a 346-square foot concrete block retaining wall along parts of the rear and side yard of a parcel with an existing gas station and auto repair shop.
Relief Type	Variance
Violations	Rear Yard Insufficient Side Yard Insufficient

Planning Context:

The project proposes the construction of a 346-square foot concrete block retaining wall along parts of the rear and side yard of a parcel with an existing gas station and auto repair shop on the corner of American Legion Highway and Mt. Hope Street in Roslindale. There is an existing wooden fence where the retaining wall will be constructed that faces the right side yard of an abutting residential dwelling. The whole side yard of the proponent's parcel is currently used for the gas station and auto shop's off-street parking spaces.

The proposed retaining wall will be 48' in length. It will have two sections: one with a maximum height of ten feet and eight inches (10' 8") and the other with a maximum height of six feet and eight inches (6' 8"). The entirety of the wall will not be in any part of the front yard and will not impact the public realm. The retaining wall will be attached to the left-side exterior wall of the shop's garage and extend to the left of the garage along the narrowest section of the rear yard.

The plans do not clearly identify the purpose of the retaining wall in relation to the proponent's parcel and to the abutting residential dwelling. The plans also do not clearly identify the extent of grade changes on and adjacent to the property that necessitate a retaining wall. Without the information regarding grade change, it is difficult to determine the actual height above grade of this wall, the impact of the wall on the abutting residential dwelling, and the need for a retaining condition. Additionally, it is unclear if the retaining wall will replace the existing wooden fence



and, if so, if that replacement would produce an equal or better design condition facing the abutting residential dwelling than the fence.

The property is near several cemeteries and thus triggers Parks Design Review.

Zoning Analysis:

The project's dimensional violations (Art. 67 - Sec. 9) are existing conditions of the parcel with an insufficient rear yard of 0.9' and an excessive side yard of 16'. Within the required Side Yard or Rear Yard, no Structure shall be erected except: (a) fences and walls not over six (6) feet in height above the average natural grade of the Rear Yard or Side Yard (Art. 2 - Sec. 1).

However, the proposed retaining wall plans do not provide enough information on the grade change and effective height above grade for this structure to make a determination on its appropriateness at this site in the context of its zoning regulations. Additionally, the depth of the proposed blocks for the retaining wall are between 24" and 45" which would further reduce the rear and side yard setbacks in a way that worsens the existing non-compliant yard conditions.

The parcel is in a Greenbelt Protection Overlay District (Art. 29), but not subject to restrictions defined in Article 29 due to square footage and permeable surface.

Site plan prepared by Vineyard Engineering & Environmental Services, Inc. on 07/12/2021.
Project plans titled "751-753 American Legion Highway Boston, MA Recon Wall Design Drawing" prepared by Shea Concrete Products on 05/25/2022.

Recommendation:

In reference to BOA1483633, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE: the proponent should provide more detailed elevation, grade change, site design, and project description materials to clarify the need and above grade height of the proposed retaining wall system.

Reviewed,

A handwritten signature in cursive script, appearing to read 'Anne Leung', written in black ink.

Director of Planning, BPDA



Case	BOA1435105
ZBA Hearing Date	2023-09-12
Address	5 Swift TER East Boston 02128
Parcel ID	0100383000
Zoning District & Subdistrict	East Boston Neighborhood Corridor Enhancement (CE)
Zoning Article	Article 53, Article 27T
Project Description	Construct new 5 unit dwelling with 5 parking spaces, 2 private roof decks, and basement storage. Demolish existing structures on separate permit.
Relief Type	Variance
Violations	FAR Excessive Rear Yard Insufficient Parking Insufficient East Boston IPOD Applicability

Planning Context:

The property is located in a Corridor Enhancement subdistrict. PLAN: East Boston recommends adjustments to the Corridor Enhancement subdistrict that would remove property along Frankfort Street, Swift Street and Swift Terrace from the subdistrict and include it in a Residential zoning subdistrict. The PLAN recommends infill development in this area be consistent with adjacent residential context.

The zoning recommendations of PLAN: East Boston (2023) detail dimensional standards setting caps on new development in the neighborhood's residential fabric. These standards include a maximum lot coverage (60%), minimum permeable surface area (30%), minimum rear yard setbacks (1/3 lot depth), and maximum building width (50ft). The proposed project exceeds each of these recommended figures.

Zoning Analysis:

The proposed project sits within the East Boston IPOD. The IPOD was implemented in 2018, at the start of the PLAN: East Boston process. This was done to ensure that, during the development of the neighborhood's new strategic plan, adequate planning and zoning protections were in place to guide and regulate new construction in the area. The IPOD's

BOA1435105

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1 Boston Planning & Development Agency



provisions apply to all projects proposing the erection or extension of a structure greater than 1,000 square feet. Applicable projects must receive an IPOD permit to move forward with development. As detailed in Article 27T of the Code, proposed projects within the IPOD should be consistent with existing block patterns, densities, building typologies, setbacks and heights, and open space and off-street patterns.

The 5 Swift Terrace project proposes a scale of building larger than what currently exists surrounding. Its proposed dimensions are in violation of the area's current standards relating to both maximum FAR (1.0) and minimum rear yard depth (20'). This renders the project non-compliant with both existing and future zoning.

While the project's parking also exceeds the current minimum requirements for the lot (1.75 spaces/dwelling), its proposed scheme (1 space/dwelling) complies with both BTM's TDM maximums and future zoning regulations for the site.

Recommendation:

In reference to BOA1435105, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. The proponent should consider a project aligned with the proposed future zoning in PLAN: East Boston - including a rear yard setback of at least 25' and a maximum building width of 50'.

Reviewed,

A handwritten signature in black ink, appearing to read "Anne Kaut". The signature is fluid and cursive, written over a light gray horizontal line.

Director of Planning, BPDA



Case	BOA1481099
ZBA Hearing Date	2023-09-12
Address	222 Bowen ST South Boston 02127
Parcel ID	0600998000, 0600999000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	Article 68
Project Description	Combine Parcel #'s 0600999000 and 0600998000 and erect a new four story, 4 unit residential building with 2 full parking spots per plans on the newly created lot consisting of 2,289sf. Existing structures to be razed on a separate permit demolition application with Article 85 approval.
Relief Type	Variance
Violations	FAR Excessive Usable Open Space Insufficient Front Yard Insufficient Parking Insufficient Additional Lot Area Insufficient Rear Yard Insufficient Maneuvering area

Planning Context:

The project would add 3 new units of housing in the place of the current single-family home, thus advancing planning goals of increasing housing supply as detailed in Housing a Changing City, Boston 2030 (September 2018). The project introduces a parking ratio of .5/unit as opposed to the 1.5/unit ratio stipulated in zoning, which is consistent with City goals of reducing dependency on private vehicles, as outlined in Go Boston 2030 (March 2017).

Zoning Analysis:

The proposed FAR of 2.38 is larger than the maximum of 2.0 that is stipulated by zoning, but nominally so, and is otherwise necessary to facilitate the project and the number of units proposed.

The rear yard setback of 7' is contextual to several surrounding dwellings and is necessary to facilitate the project scope, although smaller than the minimum rear yard setback of 20' dictated by zoning.



The total lot area is 2,324 sf, yet the zoning code requires 1,000 sf of lot space for each additional unit. This would mean that in order to comply with this zoning requirement, the total lot area would need to be at least 6,000 sf in order to build a 4-unit dwelling. This zoning requirement would therefore render this lot entirely unbuildable in its current form - even unable to house a single family home, which would require a minimum lot area of 3,000 sf.

The small lot size therefore makes it difficult to both build apartments that provide comfortable dwelling space and simultaneously satisfy the usable open space requirements of at least 200 sf/dwelling unit (a total of 800 sf for this 4-unit project). The lot itself has a larger area than many of the other lots surrounding it, which all house multi-family dwellings and have similar nonconformities with the zoning code.

As the project proposes a multi-family dwelling, and is clearly within a multi-family zoning subdistrict, the zoning code's lot area minimums and usable open space requirements do not reflect the actual physical conditions of existing lots in this area, nor does it actually support the development of multi-family housing.

The proposed project was reviewed in July of 2023, and the BPDA issued a recommendation of denial without prejudice due to an insufficient front yard setback of 0'. The current plans have changed the project, including an increased rear setback from 5' to 7', the removal of proposed roof decks, a reduction in building height from 45' to 40', and a reduction in gross square footage. However, the dimensions of the front setback were not addressed. The zoning code requires at least 5' of front yard setback and the project proposes 0', which would negatively impact the public realm and safe parking maneuvering in and out of the site.

The project plans reviewed, entitled "220-222 Bowen Street" by Context are dated 7/10/2023.

Recommendation:

In reference to BOA1481099, The Boston Planning & Development Agency recommends

DENIAL WITHOUT PREJUDICE: due to insufficient front yard setback of 0'. Proponent should consider project redesign with front yard setback of at least 5'.



Reviewed.

A handwritten signature in black ink, appearing to read 'Anne Lewis'.

Director of Planning, BPDA



Case	1391838
BPDA Referral Date	Thursday, June 15, 2023
ZBOA Hearing Date	Tuesday, July 11, 2023
Applicant	David Higgins
Address	18R Plain Street Dorchester
Parcel	1603580001
Use	One-Family Dwelling
Zoning Subdistrict	1F-5000
Purpose of Appeal	Erect new single-family home.
Violations	Two or more dwellings on same lot Insufficient rear yard, side yard, front yard, lot frontage, and lot width Excessive height.

Recommendations:

In reference to BOA 1391838, David Higgins, 18R Plain St., Dorchester, for 7 violations to erect a one-family dwelling to the rear of another one-family dwelling in a 1F-5000 district, the Boston Planning & Development Agency recommends **APPROVAL WITH PROVISIO**: that plans shall be submitted to the Agency for design review.



Case	BOA1465504
ZBA Hearing Date	2023-09-12
Address	9 Armory St Charlestown 02129
Parcel ID	0201157000
Zoning District & Subdistrict	Charlestown Neighborhood 3F-2000
Zoning Article	Article 62
Project Description	Construct a single-family 3-story attached building on a vacant lot
Relief Type	Variance
Violations	Usable Open Space Insufficient Side Yard Insufficient Rear Yard Insufficient Insufficient lot width; insufficient lot width frontage;

Planning Context:

The proposed project is located within the Original Peninsula, as outlined in Draft PLAN: Charlestown (July 2023). The proposed project is consistent in massing, scale, roof structure, and front yard setback with the existing neighborhood context, as detailed in the PLAN's design guidelines for infill projects. However, the project's proposed location of the garage is not consistent with the draft PLAN: Charlestown's (2023) recommendations to remove garage entrances facing public streets.

Zoning Analysis:

Article 62 3F-2000's required minimum lot width and lot frontage is 20 feet. The proposed project's lot frontage and width is marginally smaller at 19.95' feet.

Article 62 3F-2000's required side yard setback is 2-½. While the portion of the building that is attached to the neighboring building does not have a required side yard setback, the detached portion of the building is required to have a minimum 2-½ setback and the current proposal does not have any side yard setback.

The proposed project does not meet the minimum 350 SF per dwelling with a 288 SF open space proposal. Lastly, the required rear yard setback is 20' and the project proposes a 12' setback. Given the length of the lot (49.97) and that it is a new construction, the project could increase the rear yard setback and in turn, increase the total open space.

BOA1465504
2023-09-12



Recommendation:

In reference to BOA1465504, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE with attention to increasing the rear yard setback, increasing open space with emphasis on increasing permeable surface area, increasing side yard setback on the detached side of the building, and relocating the garage entrance off of the public street. .

Reviewed,

A handwritten signature in black ink, appearing to read "Anne Hunt". The signature is written in a cursive, flowing style.

Director of Planning, BPDA



Case	BOA1484079
ZBA Hearing Date	2023-09-12
Address	46 Montgomery ST Roxbury 02116
Parcel ID	0400247000
Zoning District & Subdistrict	South End Neighborhood MFR
Zoning Article	Article 64, Article 32
Project Description	Change occupancy from two family to single family dwelling, add a roof deck, and renovate per plans.
Relief Type	Variance
Violations	Groundwater Conservation Overlay District Town/Rowhouse extension into rear

Planning Context:

Adding more living space and making necessary repairs to existing dwellings is in keeping with planning goals of preserving housing stock and increasing housing availability for growing living arrangements, as detailed in Housing a Changing City, Boston 2030 (September 2018).

Zoning Analysis:

Due to the proposed 2nd floor deck extension into the rear yard, the project requires a conditional use permit, as long as the proposed project meets other applicable use and dimensional requirements. The proposed project is located in a GCOD, which requires review by BWSC.

The plans reviewed are titled "46 MONTGOMERY STREET, LLC.

SINGLE FAMILY DEVELOPMENT" and prepared by Pitman & Wardley. They are dated March 7, 2023.

Recommendation:

In reference to BOA1484079, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: the plans shall be reviewed and approved by the Boston Water & Sewer Commission due to its location within the Groundwater Conservation Overlay District (GCOD) .

BOA1484079
2023-09-12



Reviewed,

A handwritten signature in black ink, appearing to read 'Anne Gauthier'. The signature is fluid and cursive, written over a light grey background.

Director of Planning, BPDA



Case	BOA1480829
ZBA Hearing Date	2023-09-12
Address	15 Revere ST Boston 02114
Parcel ID	0502150000
Zoning District & Subdistrict	Boston Proper H-2-65
Zoning Article	Article 13, Article 23
Project Description	Converting vacant ground floor office and commercial space within a 10-unit building to 2 units (Now 12 total units).
Relief Type	Variance
Violations	Parking Insufficient Usable Open Space Insufficient

Planning Context:

The project proposes converting vacant commercial and office space on the ground floor of an apartment building to residential units. The creation of these two new housing units advances planning goals of increasing housing stock as detailed in Housing a Changing City, Boston 2030 (September 2018). This area of Beacon Hill has access to multimodal transportation options and not providing parking advances citywide goals of reducing single-occupancy vehicles, as detailed in Go Boston 2030. Additionally, properties in this neighborhood do not typically provide off-street parking or open space, which is appropriate given the proximity to significant open space with the nearby Boston Common and multimodal transportation options.

Zoning Analysis:

The existing building occupies the entire area of this corner lot and does not provide parking for the 10 existing units. While these conditions are worsened by adding two units, the insufficient parking and insufficient usable open space are existing nonconformities that have no feasible options to meet the criteria. The surrounding context includes dense residential buildings occupying the entirety of the corner lot in this area of Beacon Hill that similarly do not provide parking or sufficient open space as regulated by the zoning code.



Any exterior work must be approved by the Beacon Hill Architectural Commission. Additionally, this 12-unit project is subject to IDP and must enter a housing agreement with the BPDA.

Plans reviewed are prepared by National Floor Plans and dated April 2023.

Recommendation:

In reference to BOA1480829, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that a housing agreement be issued prior to issuing permits and any exterior work be approved by the Beacon Hill Architectural Commission.

Reviewed,

A handwritten signature in black ink, appearing to read "Anne Lantieri". The signature is fluid and cursive, written in a professional style.

Director of Planning, BPDA



Case	BOA1447612
ZBA Hearing Date	2023-09-12
Address	591 Albany ST Roxbury 02118
Parcel ID	0801174000
Zoning District & Subdistrict	South End Neighborhood EDA SOUTH
Zoning Article	Article 64
Project Description	Change occupancy from Medical Marijuana Treatment Center to Cannabis Establishment Medical Recreational.
Relief Type	Conditional Use
Violations	Use: Conditional

Planning Context:

In November 2019, the Mayor's Office signed an Ordinance Establishing Equitable Regulation of the Cannabis Industry in the City of Boston. The goal of this ordinance is to ensure Boston is a model for how to create a system that fosters racial equity and inclusion in the new cannabis industry and to bring the benefit of this industry to all Boston communities. As part of the ordinance, the Boston Cannabis Board was established. This independent board is charged with reviewing all applicants for a cannabis license.

This site is an existing Medical Marijuana Treatment Center along the commercial and institutional corridor of Albany Street, making it an appropriate location for retail use such as this.

Zoning Analysis:

Cannabis Establishment is a conditional use in the South End EDA sub-district and an existing use on this site.

The Boston Cannabis Board voted on July 19, 2023 to grant a Co-located Medical and Recreational Retail Cannabis Dispensary (the "License") to the Applicant. The Applicant is already open and operating at this location.



Plans reviewed are titled "Liberty Compassion Boston Dispensary, prepared by ZDS inc., and dated August 9th 2019.

Recommendation:

In reference to BOA1447612, The Boston Planning & Development Agency recommends APPROVAL .

Reviewed,

A handwritten signature in black ink, appearing to read "Anne Gault". The signature is fluid and cursive, with a long, sweeping underline.

Director of Planning, BPDA

MEMORANDUM

June 15, 2023

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
CAMILLE PLATT, PROJECT MANAGER
JOSEPH BLANKENSHIP, SENIOR TRANSPORTATION PLANNER II
SCOTT SLARSKY, SENIOR ARCHITECT
YARISAMAR CORTEZ, PLANNER I
CAMILLE PLATT, PROJECT MANAGER

SUBJECT: 521-523 CAMBRIDGE STREET, ALLSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) d/b/a the Boston Planning & Development Agency (“BPDA”) authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 521-523 Cambridge Street in Allston (the “Proposed Project”), in accordance with Article 80E, Small Project Review of the Boston Zoning Code (the “Code”); (2) enter into an Affordable Rental Housing Agreement and Restriction in connection with the Proposed Project; (3) execute and deliver a Community Benefits Agreement; and take any other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The Proposed Project is located at 521-523 Cambridge Street in the Allston-Brighton Neighborhood of Boston, just west of the intersection of Cambridge Street and North Beacon Street. It is bounded to the north by a Kentucky Fried Chicken fast food restaurant and surface parking lot, to the east by a Dunkin Donuts, and to the west by a Forty-Four (44) unit condominium building (the “Project Site”). The Project Site is comprised of two parcels containing approximately 9,045 square feet of land.

BOARD APPROVED

The Project Site is well-served by public transportation, with numerous MBTA bus line stops within a 5-minute walk, and several MBTA Green Line stops and the Boston Landing Commuter Rail station within .5 miles.

DEVELOPMENT TEAM

The Development Team for the Proposed Project consists of:

Developer: Five Twenty One Five Twenty Three Cambridge, LLC
Milad Farahani and Mani Farahani

Legal Counsel: Hemenway & Barnes
Johanna Schneider, Esq.

Architect: Embarc Design
Robert Del Savio
Ryan Spragg

Landscape Architect: MDLA, Inc.
Michael D'Angelo

Community Relations: Jay Walsh

PROPOSED PROJECT

The Proposed Project includes demolition of an existing 2-story structure presently used for office space, demolition of an existing one-story repair and service garage and the termination of use of a used car lot that spans across the majority of the property. New construction will include the creation of a new 6-story Thirty-Three (33)-unit residential building. The project includes Six (6) Studios, Eighteen (18) 1-Bedroom Units, Seven (7) 2-Bedroom Units, Two (2) 3-Bedroom Units, and approximately 1,021 square feet of residential amenity space, divided between the ground and 6th floors of the building. Taking advantage of its transit-rich location, the Proposed Project will provide zero onsite parking spaces.

The Proposed Project will feature a significant increase in landscaped / pervious area with the introduction of green space fronting on Cambridge Street and along

BOARD APPROVED

the western edge of the Project Site. All existing curb cuts on Cambridge Street will be eliminated.

<u>Estimated Project Metrics</u>	Proposed Plan
Gross Square Footage	31,550
Gross Floor Area	30,900
<i>Residential</i>	30,200
<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>	700
<i>Cultural</i>	0
<i>Parking</i>	0
Development Cost Estimate	\$5,000,000
Residential Units	33
<i>Rental Units</i>	33
<i>Ownership Units</i>	0
<i>IDP/Affordable Units</i>	5
Parking spaces	0

PUBLIC PROCESS

BOARD APPROVED

On January 6, 2023, the Proponent filed a Small Project Review Application with the BPDA for the Proposed Project pursuant to Article 80E of the Boston Zoning Code. The BPDA held a virtual public meeting for the Project on February 27, 2023, which was noticed in local papers, posted on the BPDA website and distributed to BPDA email lists and social media. In addition, the Project Team met with the Allston Civic Association Executive Board on August 9, 2023 and February 1, 2023 and with the full membership of the Allston Civic Association on February 15, 2023.

COMMUNITY BENEFITS AND MITIGATION

The Proposed Project will provide a number of benefits to the Allston-Brighton neighborhood and the City of Boston as a whole, including the following:

- Encouraging alternative modes of transportation through the use of bicycling and walking, due to the close proximity of MBTA and bus lines and improved accessibility;
- Compliant with the City of Boston's Bike Parking Guidelines, creating a dedicated bike room for storage of bikes within the building to encourage bicycling as a mode of transportation, allowing for less vehicular traffic;
- Providing a robust Transportation Demand Management Program, which will include installation of a transit screen in the building lobby; providing each new tenant at lease signing a \$300 voucher to the mode of transportation of their choice (e.g., MBTA passes, Blue Bikes Membership or car share program); participating in the Allston-Brighton TMA and Neighborhood Transit Link Program;
- An in-kind contribution toward the implementation of the City's Route 57 study - a recommendation from the Allston-Brighton Mobility Study, including temporary painting and striping of a dedicated bike and bus area during project construction and finished paint and striping of that same area upon completion of the project in coordination with BTM and subject to their review and approval;
- Providing all-electric building systems; and
- Creating approximately 145 temporary construction and labor jobs.

ZONING

The Project Site is situated within a 1F-3000 subdistrict and CC-1 subdistrict in the Allston-Brighton Neighborhood District and is governed by Article 51 of the Boston Zoning Code. The Proposed Project will require zoning relief from several

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requirements of the existing zoning outlined in Article 51. The Proposed Project will require relief from the Zoning Board of Appeals ("ZBA") for minimum lot width, minimum lot frontage, floor area ratio ("FAR"), minimum rear yard, maximum building height/stories, off-street loading spaces, and off street parking.

PLANNING CONTEXT & CITY STAFF REVIEW

The Proposed Project is located within the Allston-Brighton Mobility Study area which focuses on increasing mobility for all. The Proposed Project contributes to the overall walkability and transit-oriented development described in the Allston-Brighton Mobility Study with particular focus on Cambridge Street and the Allston-Brighton Transit Corridor thorough prioritization of a bike facility, increased furnishing zone for more pleasant pedestrian experience on Cambridge Street, and zero-parking. These actions help meet the goals of the A-B Mobility Study for this area of enhancing pedestrian access to transit, activating public spaces, and improving vehicle traffic and safety.

The Project Site is split between the Harvard Community Commercial (CC-1) and One-Family Residential (1F-3000) subdistricts of the Allston/Brighton Neighborhood zoning district, with a majority lying within the CC-1 subdistrict. While the Project will need relief from the Zoning Board of Appeals, its height and density respond to the site's proximity to the MBTA Green Line (B), several bus routes, and within a half mile of the MBTA Commuter Rail. In addition, the Proposed Project is sited near an intersection and within walking distance of a major neighborhood commercial area. These conditions support many of the City's goals in reducing private vehicle trips, increasing active transportation, and promoting walkable neighborhoods. During the Proponent's review period, City staff focused on affordability, design, streetscape improvements and eliminating parking in light of the Project's location in a walkable, transit-rich location. Pending ZBA approval, the Proponent should continue its conversations with BPDA Urban Design staff.

INCLUSIONARY DEVELOPMENT COMMITMENT

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 ("IDP"), and is located within Zone B, as defined by the IDP. The IDP requires that 13% of the total number of units within the development be designated as IDP units. Here the Proposed Project will provide Five (5) units as IDP Units. Five (5) IDP Units will be made affordable to households earning not more than 70% of the Area Median Income ("AMI"), as published by the BPDA and based

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upon data from the United States Department of Housing and Urban Development ("HUD").

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

Unit Number	Bedroom Size	Square Footage	Percentage of Median Income	Rental Amounts
104	2 BR	1029	70% of AMI	\$1,668
205	3 BR	1191	70% of AMI	\$1,869
302	1 BR	726	70% of AMI	\$1,473
403*	1 BR	735	70% of AMI	\$1,473
505	1 BR	577	70% of AMI	\$1,473

*Group 2 unit

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

The ARHAR must be executed along with, or prior to, the issuance of the Certification of 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 IDP Units will not be marketed prior to the submission and approval of an Affirmative Marketing Plan to the BFHC and the BPDA. Preference will be given to applicants who meet the following criteria, weighted in the order below:

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- (1) Boston resident; and
- (2) Household size (a minimum of one (1) person per bedroom); and

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 deed restriction will be placed on the IDP Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with a BPDA option to extend for an additional period of twenty (20) years). The household income of any subsequent renter of the IDP Units during this fifty (50) year period must fall within the applicable income limit for each IDP Unit. IDP Units may not be rented out by the developer prior to rental to an income eligible household, and the BPDA or its assigns or successors will monitor the ongoing affordability of the IDP Units.

RECOMMENDATIONS

The Proposed Project complies with the requirements set forth in Section 80E of the Code for Small Project Review. Therefore, BPDA staff recommends that the Director be authorized to: (1) issue a Certification of Approval for the Proposed Project located at 521-523 Cambridge Street in Allston; (2) enter into an Affordable Rental Housing Agreement and Restriction; and (3) execute and deliver a Community Benefits Agreement and take any other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

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 the development consisting of a new multifamily residential development on a 9,045 square foot site to include approximately 33,000 square feet of floor area, and contain up to Thirty-Three (33) residential apartment units and approximately 1,021 square feet of tenant amenity space, in a Six (6) story building, with zero parking spaces (the "Proposed Project"), in accordance with the requirements of Small Project Review, Article 80E, of the Code, subject

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to continuing design review by the Boston Redevelopment Authority;
and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute an Affordable Rental Housing Agreement and Restriction for the creation of Five (5) on-site IDP Units and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project; and

FURTHER

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

MEMORANDUM

JULY 13, 2023

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
NICK CARTER, SENIOR PROJECT MANAGER
MATTHEW MARTIN, URBAN DESIGNER II
JOSEPH BLANKENSHIP, TRANSPORTATION PLANNER II
YARISAMAR CORTEZ, PLANNER I

SUBJECT: 76 ASHFORD STREET, ALLSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) d/b/a Boston Planning & Development Agency (“BPDA”) authorize the Director to: (1) authorize the Director to issue a Preliminary Adequacy Determination waiving the requirement of further review pursuant to Section 80B-5.4(c)(iv) of the Boston Zoning Code (the “Code”) for the 76 Ashford Street project (the “Proposed Project”, defined below) in the Allston 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) enter into an Affordable Rental Housing Agreement and Restriction (“ARHAR”); and (4) 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.

PROJECT SITE

The Proposed Project is located on an approximately 35,806 square foot parcel of land located at 76 Ashford Street in the Allston neighborhood of Boston (the “Project Site”). The Project Site is currently occupied by a single-story commercial

building and surface parking and loading area and directly abuts the Boston University Track & Tennis Center facility. The Project Site is located within an approximately seven (7) minute walk (0.3 miles) of MBTA Green Line and bus service (Babcock Street Station).

DEVELOPMENT TEAM

The development team includes:

Proponent: 76 Ashford Street Realty Trust c/o Allston Development LLC, affiliates of City Realty and RISE
Fred Starikov, Steve Whalen, Josh Fetterman, Brian Anderson, David Anderson, Raul Duverge

Construction: RISE Construction Management
Management James Grossmann, Brian Regan

Architect: Embarc
Dartagnan Brown, Dan Artiges

Permitting: Mitchell L. Fischman Consulting
Mitch Fischman

Landscape Architect: MDLA
Michael D'Angelo

Legal Counsel: Drago + Toscano LLP
Jeffrey Drago, Esq.

Surveying: RJ O'Connell & Associates, Inc.
Brian Timm

Sustainability: Soden Sustainability
Consultant Colleen Soden

Energy: EnviEnergy Studio
Modeling Samira Ahmadi

Civil & Transportation: Howard Stein Hudson

Engineering

Brian Beisel, George Mihov

DESCRIPTION AND PROGRAM

76 Ashford Street Realty Trust c/o Allston Development LLC, affiliates of City Realty and RISE (the “Proponent”) seek to demolish the existing building occupying the Project Site and construct a seventeen (17) story, approximately 254,785 gross square foot mixed-use building that that will include up to two hundred fifty four (254) rental housing units, approximately 1,875 square feet of retail space, up to three hundred five (305) bicycle storage spaces (51 exterior and 254 interior), and a maximum of sixty three (63) off-street vehicle parking spaces (the “Proposed Project”).

As part of the Proposed Project, the Proponent will be designating approximately 16,545 square feet of the land which comprises the Project Site as a staging area for a future roadway to be constructed by the Massachusetts Department of Transportation (“MassDOT”) and the Massachusetts Bay Transportation Authority (“MBTA”) as part of the Allston Multimodal Project (also known as the I-90 Interchange Project).

The table below summarizes the Proposed Project’s key development metrics.

<u>Estimated Project Metrics</u>	Proposed Plan
Gross Square Footage	254,785
Gross Floor Area	223,025
<i>Residential</i>	221,150
<i>Office</i>	0
<i>Retail</i>	1,875
<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>BOH</i>	13,540
<i>Parking</i>	18,220
Development Cost Estimate	\$150,000,000

Residential Units	254
<i>Rental Units</i>	254
<i>Ownership Units</i>	0
<i>IDP/Affordable Units</i>	36
Parking spaces	63

PLANNING CONTEXT

The Proposed Project is located within the Allston-Brighton Mobility Study area which focuses on increasing mobility for all. During review, BPDA staff considered future conditions proposed in the Allston Multimodal Project (also known as the I-90 Interchange Project) by the Massachusetts Department of Transportation (MassDOT), which includes the creation of a commuter rail station known as West Station. Due to the site’s proximity to and prime access to the future West Station, it is imperative that a primarily residential project be developed to support multimodal infrastructure.

The Proposed Project contributes to the overall walkability and creation of transit-oriented development described in the Allston-Brighton Mobility Study and the Allston Multimodal Project by offering the necessary easements to connect the future West Station to Brighton Avenue and Commonwealth Avenue through Malvern Street. Also, BPDA staff recommended that the interim condition of the future easement to West Station to the west of the proposed project not stray far from the site's long-term use with the goal of minimizing community disruption in the future.

Additionally, during review staff considered the proposed project’s zoning context. The proposed project is in the Ashford Street Local Industrial (LI-1) subdistrict of the Allston/Brighton Neighborhood zoning district and is neighbor to the Boston University Institutional Master Plan (IMP) and a 3F-4000 subdistrict. While the Project will need relief from the Zoning Board of Appeals, the proposed project provides major multimodal infrastructure improvements that will benefit the Allston-Brighton neighborhoods. The proponent team should continue coordination with the City of Boston, MassDOT, and the MBTA to ensure alignment with ongoing planning efforts in the area.

ARTICLE 80 REVIEW PROCESS

On September 1, 2020, 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 September 1, 2020, the BPDA sent letters to local elected officials soliciting nominations for the Impact Advisory Group (“IAG”) and was finalized with seven (7) members.

The Proponent filed a Project Notification Form (“PNF”) for the Proposed Project on February 18, 2021, which initiated a public comment period that concluded on November 22, 2021. Notice of the receipt of the PNF by the BPDA was published in the Boston Herald on February 24, 2021. The PNF was sent to City of Boston (the “City”) agencies/departments and local elected officials pursuant to Section 80A-2 of the Code. In addition, copies of the PNF were sent to all IAG members.

On October 29, 2021, the BPDA issued a Scoping Determination on the PNF. The Proponent subsequently filed a Draft Project Impact Report (“DPIR”) on September 8, 2022, which initiated a public comment period which concluded on November 11, 2022. Notice of the receipt of the DPIR by the BPDA was published in the Boston Herald on September 8, 2022. The DPIR was sent to the City’s public agencies/departments and elected officials pursuant to Section 80A-2 of the Code. Copies of the DPIR were also sent to the IAG members.

All of the above noted project filings triggered a series of BPDA-sponsored meetings with both the public and IAG in which the Proposed Project and its related components were discussed and reviewed. Below is a list of the BPDA-sponsored public meetings that have been held to date on the Proposed Project:

- IAG Meeting: April 5, 2021
- Public Meeting: April 14, 2021
- IAG Meeting: August 12, 2021
- IAG Meeting: October 26, 2022
- Public Meeting: November 2, 2022
- IAG Meeting: May 1, 2023

The Proposed Project also underwent review by the Boston Civic Design Commission (“BCDC”) pursuant to Article 28 of the Code. On June 6, 2023, the Proposed Project was approved by BCDC.

In addition to the above-mentioned meetings, the Proponent and BPDA also undertook community outreach efforts and participated in a series of meetings

before and during the Article 80 review process with abutters, neighborhood residents, neighborhood civic associations, and local elected officials to discuss the Proposed Project and solicit feedback.

ZONING

The Project Site is in the Allston/Brighton Neighborhood District governed by Article 51 of the Code and more specifically within the Ashford Street Local Industrial (LI)-1 Subdistrict. The Proposed Project anticipates that zoning variances will be needed for the following: Excessive floor area ratio, excessive building height, use (multi-family dwelling).

MITIGATION & COMMUNITY BENEFITS

MITIGATION

The Proposed Project will provide mitigation and community benefits for the Allston neighborhood and the City as a whole, including:

- **Smart Growth/Transit-Oriented Development**
 - ☐ The Proposed Project is consistent with smart-growth and transit-oriented development principles. The Project Site is within an approximately seven (7) minute walk of MBTA Green Line and bus service (Babcock Street Station) and is located immediately adjacent to the future MBTA/MassDOT West Station transportation hub.

- **Community Oriented & Affordable Retail Space**
 - ☐ The Proposed Project includes two (2) ground floor retail spaces that collectively comprise approximately 1,875 square feet. One (1) of the retail spaces will be made available to a local, community based retail tenant at a below market-rate rent.

- **MassDOT/MBTA West Station Roadway Connection**
 - ☐ MassDOT has been leading a multi-agency planning effort for the Allston Multimodal Project. The proposed infrastructure project creates an opportunity to dramatically improve livability and connectivity for residents of the Allston neighborhood while preserving and enhancing regional mobility through improvements to I-90 and its abutting interchange and the creation of a new stop on the Worcester/Framingham Commuter Line to be known as West Station.

MassDOT's I-90 task force identified the Project Site as a vital part of the plan for the proposed infrastructure project. This parcel, directly abutting the future proposed location of West Station, is a key access point for pedestrian, bicycle, and bus traffic from the existing neighborhood. The Project Site is the only parcel abutting the planned station that would not require the removal of residential property or existing properties that are integral parts of the Boston University campus. Soon after acquiring the Project Site, the Proponent approached the MassDOT I-90 task force members and subsequently spent years working with them to incorporate the proposed multimodal connection into the Proposed Project plans. After multiple rounds of revisions to the plans, the current scheme for the Proposed Project includes an allocation of an approximately 16,545 square foot portion of the lot for this connection and constrained the Proposed Project to the remaining portion of the lot.

- ☐ As an interim condition, while MassDOT, MBTA, and other applicable agencies, complete their infrastructure plans and obtain the necessary funding, the Proponent shall design and construct the approximately 16,545 square foot portion of the Project Site as a staging area for the future roadway. Upon MassDOT's (or another state entity) acquisition of the 16,545 square foot Project Site, MassDOT, MBTA, or other applicable agency will be responsible for final the design and construction of the permanent roadway condition.

- **Additional Affordable Housing Creation**

- ☐ In addition to the thirty six (36) on-site IDP units, the Proponent shall make a voluntary financial contribution of up to \$4.5 million with the exact amount to be determined by the final Purchase and Sale Agreement of an approximately 16,545 square foot portion of the Project Site or equivalent thereof with MassDOT and/or other related entities, to the City's Special IDP Fund. The financial contribution will be derived from the land transaction with MassDOT which consists of the sale of an approximately 16,545 square foot portion of the Project Site. Based on an appraisal done for that portion of the Project Site, the sale amount is anticipated to yield the creation of up to fifteen (15) additional income-restricted units (using the off-site housing contribution calculation outlined in the 2015 City IDP, as the basis), which would raise the project's IDP unit creation from thirty-six (36) on-site IDP units (14.2%) to up to fifty-one (51) income-restricted units (36 on-site IDP units and up to 15 off-site

IDP units), resulting in twenty percent (20%) affordability being generated by the Proposed Project through a combination of on-site IDP units and an off-site housing contribution payment. The financial contribution shall be made to appropriate fund or entity within sixty (60) days of the transaction closing between the Proponent and MassDOT or the applicable state agency or department.

- ☐ If at any point, MassDOT decides they no longer require this portion of the Project Site for their Allston Multimodal Project/I-90-West Station plans and they provide a release of their reservation in writing, the Proponent will work with the BPDA to determine the next steps for that portion of the Project Site. The next steps may include disposition of that portion of the Project Site.

- **Improved Street and Pedestrian Environment**

- ☐ The Proposed Project will activate an underutilized site, currently used by a moving and storage company with enhanced streetscapes that will include increased pedestrian activity and an upgraded public realm around the Project Site, which includes new lighting, landscaping, street furniture, and street trees consistent with City's Complete Street Guidelines.
- ☐ The Proponent has committed to installing at least six (6) permanent street trees in and around the Project Site as part of the site plan improvements associated with the Proposed Project. The installation of the permanent street trees shall be completed before Certificate of Occupancy issuance for the Proposed Project.

- **Sustainable Design/Green Building**

- ☐ The Proposed Project is committed to the advancement of sustainable and environmentally conscious design and construction. To that end, the Proposed Project is being designed to be all electric and meet LEED Gold certifiability standards under the USGBC LEED v4 rating system.
- ☐ To further reduce the Proposed Project's environmental impact, the Proponent has also committed to installing photovoltaic solar arrays on the building roof.

- **Employment Opportunities**

- ☐ The Proposed Project will create over four hundred (400) construction jobs and additional full-time and part-time retail jobs.

- **Water and Sewage Infrastructure Mitigation**
 - ▣ The Proposed Project is anticipated to make a financial contribution to the Boston Water and Sewer Commission (BWSC) for infiltration/inflow mitigation fund at a rate of 4:1 for new wastewater flows added to the BWSC system.

- **Transportation Demand Management (“TDM”) Measures**
 - ▣ The Proposed Project will provide mobility related public realm improvements and incorporates various TDM measures as required through the Transportation Access Plan Agreement (TAPA) process with BTM, including:
 - A financial contribution of seventy five thousand dollars (\$75,000) to support the funding and installation of one (1) new BlueBikes station in or around the Project Site, subject to review and approval by the applicable city agencies and departments. The \$75,000.00 contribution is due upon issuance of the building permit for the Proposed Project;
 - On-site exterior and interior secured bicycle storage space that will include a bike repair station and electrical infrastructure to allow for charging of e-bikes;
 - Real time transit displays to be included in the building lobby and other common areas inside of the Proposed Project; and
 - 25% of the vehicle parking spaces within the Proposed Project will have electric vehicle (EV) charging stations and the remaining 75% of the parking spaces will be made EV ready, consistent with the City's EV Readiness Policy for New Developments.

- **Additional Property Taxes**
 - ▣ The Proposed Project will generate additional property tax revenue for the City.

COMMUNITY BENEFITS

In addition to the mitigation, the Proposed Project includes the following community benefit commitments:

- The Proponent shall make a financial contribution of one hundred thousand dollars (\$100,000) to the City of Boston Parks and Recreation Department to support Penniman Park near the Proposed Project:

- Recipient: Fund for Parks and Recreation
c/o Boston Parks and Recreation Department
1010 Massachusetts Avenue, 3rd Floor
Boston, MA 02118.
Amount: \$100,000.00
Timeline: The \$100,000.00 contribution is due upon issuance of the building permit.
- The Proponent shall make a financial contribution of seventy five thousand dollars (\$75,000) to the BPDA and/or City of Boston Transportation Department (“BTD”) to support and implement improvements developed as part of the BPDA’s Allston-Brighton Mobility Study:
 - Recipient: Boston Redevelopment Authority
1 City Hall Square- 9th floor
Boston, MA 02201
Amount: \$75,000.00
Timeline: The \$75,000.00 contribution is due upon issuance of the building permit.
- The Proponent shall make a financial contribution of twenty five thousand dollars (\$25,000) to the Mayor’s Office of Arts and Culture for distribution to advance the goals outlined in the Allston-Brighton Arts, Culture, and Placekeeping Report:
 - Recipient: Mayor’s Office of Arts and Culture
1 City Hall Square- Room 802
Boston, MA 02201
Amount: \$25,000.00
Timeline: The \$25,000.00 contribution is due upon issuance of the building permit.
- The Proponent shall make financial contributions totaling fifty thousand dollars (\$50,000) to the following local non-profit organizations that provide services to the Allston-Brighton neighborhood:
 - Recipient: Allston Brighton Health Collaborative
20 Linden St Suite 288 Allston, MA 02134
Amount: \$5,000

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- Timeline: The \$5,000 contribution is due upon issuance of the Certificate of Occupancy.
- Recipient: Oak Square YMCA
615 Washington St Brighton, MA 02135
Amount: \$5,000
Timeline: The \$5,000 contribution is due upon issuance of the Certificate of Occupancy
 - Recipient: West End House
105 Allston St Allston, MA 02134
Amount: \$5,000
Timeline: The \$5,000 contribution is due upon issuance of the Certificate of Occupancy
 - Recipient: Mass Bike
50 Milk St 16th Floor Boston, MA 02109
Amount: \$5,000
Timeline: The \$5,000 contribution is due upon issuance of the Certificate of Occupancy
 - Recipient: Veronica B Smith Senior Center
20 Chestnut Hill Ave Brighton, MA 02135
Boston, MA
Amount: \$5,000
Timeline: The \$5,000 contribution is due upon issuance of the Certificate of Occupancy
 - Recipient: Artisans Asylum
96 Holton St Brighton, MA 02135
Amount: \$5,000
Timeline: The \$5,000 contribution is due upon issuance of the Certificate of Occupancy
 - Recipient: Brighton Main Streets
358 Washington St Brighton, MA 02135
Amount: \$5,000
Timeline: The \$5,000 contribution is due upon issuance of the Certificate of Occupancy

- Recipient: Allston Village Main Streets
161 Harvard Ave #11 Allston, MA 02134
Amount: \$5,000
Timeline: The \$5,000 contribution is due upon issuance of the Certificate of Occupancy

- Recipient: Common Wheels
59 Aldie St #1 Allston, MA 02134
Amount: \$5,000
Timeline: The \$5,000 contribution is due upon issuance of the Certificate of Occupancy

- Recipient: Boston Bulldogs Running
3 Village Green North #311 PMB 703 Plymouth, MA 02360
Amount: \$5,000
Timeline: The \$5,000 contribution is due upon issuance of the Certificate of Occupancy

AFFIRMATIVELY FURTHERING FAIR HOUSING

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

Article 80 Interventions

- Provide an additional percentage of IDP Units than required;
- Deepen the affordability of IDP units; and
- Provide all IDP Units on-site.

Marketing and Housing Access Interventions

- Agree to follow best practices in the marketing market-rate units that inclusive of and welcoming to members of protected classes, including the following:
 - Adopt Boston’s Fair Chance Tenant Selection Policy as applicable to market-rate units;
 - Develop and abide by a tenant screening policy requiring that CORI, Credit Score, Eviction History be assessed on an individualized basis rather than implementing a blanket

- policy that excludes applicants with CORIs, certain credit scores, and/or eviction histories;
- o Work exclusively with local, multilingual, and culturally competent leasing/sales agents;
- o Market all units across media types (print, social, audio, digital, etc.) targeting media type specifically consumed by members of protected classes; and
- o Describe IDP units and link to Metrolist on the Proposed Project’s primary marketing website.

The Proponent must submit to the Boston Interagency Fair Housing Development Committee (“BIFDC”) a market-rate unit marketing plan and policy detailing the specific Marketing and Housing Access Interventions stated above.

INCLUSIONARY DEVELOPMENT POLICY

The Proposed Project is subject to the December 10, 2015, IDP, and is located within Zone B, as defined by the IDP. The IDP requires that 13% of the total number of units within the development be designated as IDP units. In this case, thirty six (36) units-or approximately 14.2% of the total number of units within the Proposed Project will be created as on-site IDP rental units (the “IDP Units”). Of the thirty six (36) total IDP Units, two (2) will be made affordable to households earning not more than 40% of the Area Median Income (“AMI”), four (4) will be made affordable to households earning not more than 50% of AMI, nine (9) will be made affordable to households earning not more than 60% of AMI, and twenty one (21) will be made affordable to households earning not more than 70% of AMI, as published by the BPDA and based upon data from the United States Department of Housing and Urban Development (“HUD”).

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

Unit Number	Number of Bedrooms	Square Footage	Percent of Area Median Income	Rent	ADA/Group 2 Designation (if any)
201	1 BR*	485	40% AMI	\$729	
205	1 BR	600	50% AMI	\$1,031	
207	1 BR	800	70% AMI	\$1,473	
303	2 BR	840	70% AMI	\$1,668	

305	1 BR	655	70% AMI	\$1,473	Group 2
307	1 BR	675	50% AMI	\$1,031	
404	Studio*	400	70% AMI	\$1,130	
407	1 BR*	555	60% AMI	\$1,126	
415	2BR	600	70% AMI	\$1,668	
419	3 BR*	845	60% AMI	\$1,427	
506	1 BR*	555	70% AMI	\$1,130	
516	2 BR	835	70% AMI	\$1,668	
518	1 BR	620	70% AMI	\$1,473	
603	2 BR	840	60% AMI	\$1,417	
609	1 BR*	485	60% AMI	\$1,126	
613	1 BR*	505	70% AMI	\$1,326	
615	1 BR	600	70% AMI	\$1,473	
702	1 BR*	535	50% AMI	\$928	
711	2 BR*	695	70% AMI	\$1,502	
714	1 BR*	585	70% AMI	\$1,326	
804	2 BR	790	60% AMI	\$1,417	
806	1 BR*	535	70% AMI	\$1,326	
903	2 BR	810	70% AMI	\$1,668	
908	Studio*	440	60% AMI	\$960	
1003	2 BR	810	70% AMI	\$1,668	Group 2
1006	1 BR*	535	70% AMI	\$1,326	
1010	1 BR	620	40% AMI	\$811	
1015	1 BR*	530	60% AMI	\$1,126	
1104	Studio*	385	60% AMI	\$960	
1118	1 BR	620	70% AMI	\$1,473	
1209	1 BR*	485	50% AMI	\$928	
1217	2 BR*	705	70% AMI	\$1,502	
1308	Studio*	440	60% AMI	\$960	
1315	1 BR*	530	70% AMI	\$1,326	
1409	1 BR*	485	70% AMI	\$1,326	
1504	Studio*	385	70% AMI	\$1,130	

*Compact Unit

The location of the IDP Units will be finalized in conjunction with BPDA staff and outlined in the Affordable Rental Housing Agreement and Restriction ("ARHAR"), and rents and income limits will be adjusted according to BPDA published maximum rents and income limits, as based on HUD AMIs, available at the time of

the initial rental of the IDP Units. IDP Units must be comparable in size, design, and quality to the market-rate units in the Proposed Project, cannot be stacked or concentrated on the same floors, and must be consistent in bedroom count with the entire Proposed Project.

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

- (1) Boston resident; and
- (2) Household size (a minimum of one (1) person per bedroom).

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

An affordability covenant will be placed on the IDP Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with a BPDA option to extend for an additional period of twenty (20) years). The household income of the renter and rent of any subsequent rental of the IDP Units during this fifty (50) year period must fall within the applicable income and rent limits for each IDP Unit. IDP Units may not be rented out by the developer prior to rental to an income eligible household, and the BPDA or its assigns or successors will monitor the ongoing affordability of the IDP Units.

In addition, the Proponent is required to make a partial unit IDP contribution of up to \$4.5 million, with the exact amount to be determined by the final Purchase and Sale Agreement or equivalent thereof with MassDOT and/or other related entities, to either the Allston-Brighton Affordable Housing Fund or into the Inclusionary Development Policy Special Revenue Fund ("IDP Fund"). The BPDA will explore the legality of the option of having the contribution directed to the Allston-Brighton Affordable Housing Fund for the creation of homeownership, housing preservation and affordable housing creation. If the Allston-Brighton Affordable Housing Fund is not an option, the payment will go into the IDP Fund. This payment will be made at

the time of the land disposition to MassDOT and/or other related entities. Combined, this contribution together with the thirty-six (36) designated IDP Units satisfies fully the IDP requirements pursuant to the December 10, 2015 IDP.

RECOMMENDATIONS

Based on the foregoing, BPDA staff recommends that the Board, after due consideration of the filings, written and oral comments received and meetings held regarding the Proposed Project: (1) authorize the Director to issue a Preliminary Adequacy Determination waiving the requirement of further review pursuant to Section 80B-5.4(c)(iv) of the Code for the Proposed Project; (2) issue a Certification of Compliance under Section 80B-6 upon successful completion of the Article 80 review process; (3) enter into an Affordable Rental Housing Agreement and Restriction in connection with the On-Site IDP Units; and (4) 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.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to issue a Preliminary Adequacy Determination waiving the requirement of further review pursuant to Section 80B-5.4(c)(iv) of the Code, in connection with the proposed project located at 76 Ashford Street in the Allston neighborhood of Boston ("Proposed Project"), which: (i) finds that the Project Notification Form for the Proposed Project filed on February 18, 2021 and the Draft Project Impact Report filed on September 8, 2022 (collectively, the "Article 80 Filings") adequately describe the potential impacts arising from the Proposed Project, and provide sufficient mitigation measures to minimize these impacts; and (ii) waives further review of the Proposed Project under Section 80B-5 of the Code, subject to continuing design review by the Boston Redevelopment Authority ("BRA") d/b/a Boston Planning & Development Agency ("BPDA"); and

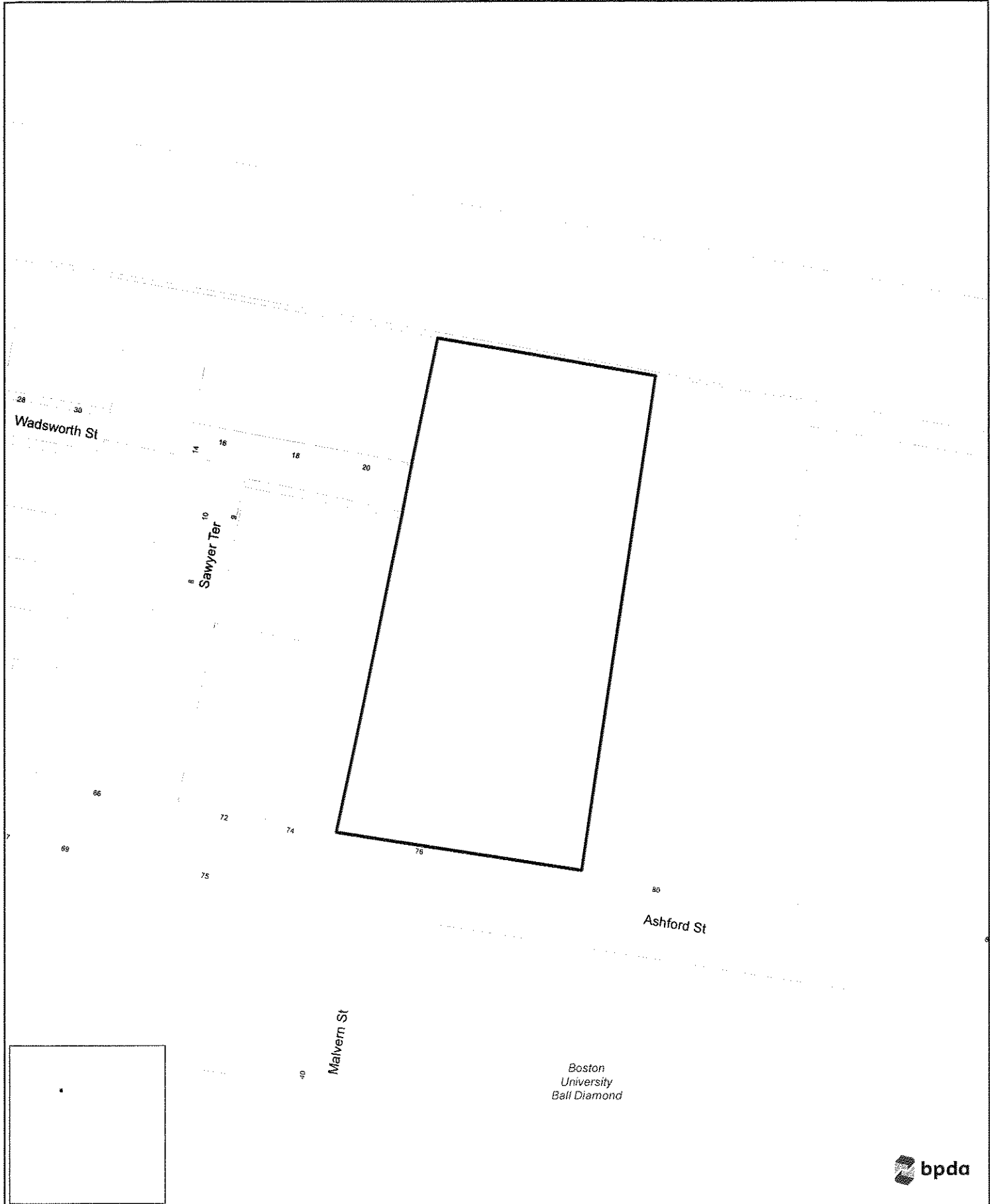
FURTHER

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 enter into an Affordable Rental Housing Agreement and Restriction for the creation of thirty six (36) on-site Inclusionary Development Policy Units and a Cooperation Agreement (referencing, among other things, the Boston Residents Construction Employment Plan ordinance), 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 BRA.

76 Ashford Street

1:800



76 Ashford Street

① 1:800

