



MEMORANDUM

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

FROM: Joanne Marques
Regulatory Planning & Zoning

DATE: February 2, 2023

RE: BPDA Recommendations(Revised)

Please find attached, for your information, the BPDA's recommendations for the Zoning Board of Appeal's Hearing scheduled for Tuesday February 6, 2024.

Also included are the Board Memos for: 519 E Second ST South Boston 02127 and 27 to 29 Farragut RD South Boston 02127.

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



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| Case | BOA1539319 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 76 Webster St., East Boston 02128 |
| Parcel ID | 0104831000 |
| Zoning District & Subdistrict | East Boston Neighborhood 3F-2000 |
| Zoning Article | Art. 32 |
| Project Description | Renovate an existing three-story, three-family building, including reconfiguration of existing units, replacement of exterior materials and roofing, and construction of new exterior rear stairs. |
| Relief Type | Conditional Use |
| Violations | GCOD Applicability |

Planning Context:

This project will renovate the interior and exterior of an existing three-story, three-family building with the construction of exterior stairs in the northeastern rear of the building. The new exterior stairs will be constructed with a base that is 4 feet below grade.

This project will not change the exterior dimensional height and depth of the existing building. The proposed exterior stairs will not be visible from the public realm. The project does not propose changes to the existing basement.

Zoning Analysis:

This property is located within the 3F-2000 (Three-Family Residential) subdistrict of the East Boston Neighborhood District (Art. 53). This property is within the Groundwater Conservation Overlay District (GCOD). GCOD review is applicable to this project because the proposed exterior stairs will have a base that extends 4 feet below grade and would require below grade excavation

Project plans completed by Bloom Architecture on June 1, 2023. Stair structure engineering plan completed by Nazeih Hammouri, PE on April 21, 2023.

Recommendation:



In reference to BOA1539319, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO: the plans shall be reviewed and approved by the Boston Water & Sewer Commission due to its location within the Groundwater Conservation Overlay District (GCOD).

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1550055 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 89 Condor St., East Boston 02128 |
| Parcel ID | 0103572000 |
| Zoning District & Subdistrict | East Boston Neighborhood 2F-2000 |
| Zoning Article | Article 53, Article 27T |
| Project Description | Erect a new four (4) story four (4) unit residential dwelling. |
| Relief Type | Variance, IPOD Permit |
| Violations | FAR Excessive Height Excessive (stories) Height Excessive (ft) Side Yard Insufficient Rear Yard Insufficient Existing Building Alignment IPOD Applicability Parking or Loading Insufficient Forbidden Use (MFR) |

Planning Context:

The proposed project is a 4 unit, 4 story multifamily residence that will replace an existing 2.5 story single-family residential dwelling. It is located along Condor Street. To the south, it is surrounded by a mix of structures ranging from 2.5 to 4 stories in height, and with single-family to multifamily residential uses. The site abuts a mixed-use commercial district to the north. In addition, the lot lies within a quarter mile walk of the Condor Street Overlook, South Shore Plaza Park, and East Boston High School. The proposed project is not within immediate proximity to an MBTA Blue Line station, but does fall along the 114, 116, and 117 MBTA bus routes.

The proposed project's scope is supported by the housing goals for neighborhood residential outlined in PLAN: East Boston, adopted in January 2024. These call for the development of contextually sensitive and appropriately scaled residential infill projects, especially on underdeveloped lots, as a means of increasing the number of safe, affordable, and accessible housing options available to East Boston residents.

PLAN: East Boston's draft zoning, which is pending Zoning Commission consideration, places the parcel within an EBR-4 residential subdistrict. EBR-4 subdistricts permit a maximum building height of 4 stories and 50' and allow for the by-right development of multifamily residential land



uses, both of which this project proposes. However, the project's side and rear yard setbacks, building lot coverage, and permeable area of lot figures do not comply with the dimensional requirements of the recommended zoning. The site's proposed parking is also deviates from the recommended 1:1 parking minimum recommended in PLAN: East Boston for 4+ unit residential structures.

Zoning Analysis:

The proposed project currently sits in a 2F-2000 (two-family residential) Subdistrict in the East Boston Neighborhood District. It has been cited with 9 zoning violations. Many of these violations stem from a proposed building scale misaligned with its surroundings.

The project's proposed FAR (2.67) is more than both what is required by the Code (0.8) and the area's average (between 0.7-1.0). Its side yard (7") and rear yard (10') dimensions too exceed the area's typical figures (3'-5' and 25'-40', respectively). In addition, the project proposes a zero-lot line condition in the front yard (0' setback) which violates the lot's required setback (5') and is out of context with the area's predominate existing building alignment (3').

The project's proposed height (4 stories) and use (4 family) are contextual to its surroundings.

This project requires an IPOD permit for two reasons: first, it was submitted in September 2022, before the sunset date of the IPOD in November 2023; and second, because it seeks to erect a structure over 1,000 square feet of gross floor area (Section 27T-5).

Article 27T Section 8 states that The Board of Appeal shall grant an IPOD permit if it finds that “(a) the Proposed Project's benefits outweigh any burdens imposed; and (b) the Proposed Project is in substantial accord with the applicable provisions of Article 27T.” Applicable provisions of Article 27T include Section 7, which states that “Proposed Projects within the East Boston IPOD Study Area should be consistent with the following elements that contribute to the special character of the area: (a) block and street patterns; (b) existing densities; (c) existing building types; (d) predominant setbacks and heights; and (e) open space and off-street parking patterns.”

Due to the project's incontextual setbacks and building scale, the proposal does not meet the issuance standards for an IPOD permit.



Recommendation:

In reference to BOA1550055, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. The proponent should consider a project that reduces building lot coverage to 60% and increases the permeable area of the lot to at least 30%. In addition, such a project should increase the site's side and rear yard setbacks to 5' and 25', respectively, and meet the area's existing building alignment.

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1530534 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 41 Wordsworth ST East Boston 02128 |
| Parcel ID | 0100660000 |
| Zoning District & Subdistrict | East Boston Neighborhood 2F - 3000 |
| Zoning Article | Article 53 |
| Project Description | Addition of rear stairs and roof deck as part of rehab for a fire gutted property |
| Relief Type | Variance |
| Violations | Roof Structure Restrictions Side Yard Insufficient |

Planning Context:

The previously proposed project was launched in order to restore a triple decker that was gutted by a fire. The new plans include the addition of a outside stair case and roof deck

PLAN: East Boston, still in draft form, recommends allowing for "a mix of housing types within a limited range" as well as a rezoning of the proposed development area. The project is located within the area of the East Boston Interim Planning Overlay District (IPOD). The intention of this overlay is to ensure that planning and zoning protections were in place during the development of PLAN: East Boston, recommending that continuity of neighborhood character be prioritized throughout the development process. While this parcel is zoned for 2.5 stories, as it is a restoration of a previously standing building, the additional height fits in to the neighborhood fabric.

The IPOD was in place when this project application was submitted, but has since expired as of November 11, 2023. The draft zoning and strategic plan for PLAN: East Boston continue to recommend this area for a two-story maximum height.

Zoning Analysis:

This parcel is zoned for 2F - 3000 within the East Boston sub district of the zoning code. While the building is too tall and dense according to current zoning, as it was previously erected building, these violations have been established and have already been accepted under the former building.



The current zoning code forbids roof decks of any sort in this area. However, Plan: East Boston is currently anticipated to be added to the zoning code but for the moment we can use its recommendations as a guideline for current development. The Plan currently recommends that roof decks are permitted if they are set back from the front of the property. As it is currently proposed, the roof deck would be situated to the front of the property, allowing noise and potential trash to enter Wordsworth Street.

The side yard also triggers an additional violation as it creates too small of a setback. Neighborhood context points in the opposite direction with many of the triple deckers along the street having similar alleyways in-between developments. In addition, this violation would have applied to the previously constructed building. This points to the need for reformation of the zoning code, which is underway through PLAN: East Boston

Recommendation:

In reference to BOA1530534, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE.

Reviewed,

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Director of Planning, BPDA

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| Case | BOA1528615 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 158 Athens St., South Boston 02127 |
| Parcel ID | 0601391004 |
| Zoning District & Subdistrict | South Boston Neighborhood MFR |
| Zoning Article | Art 68 Sec 29 Roof Structure Restrictions, Art 68 Sec 8 Dimensional Regulations Applicable in Residential Subdistricts |
| Project Description | Project proposes to construct an approx. 14 x12 roof deck on a 2-family building for the exclusive use of one unit with access via an existing headhouse. |
| Relief Type | Variance, Conditional use |
| Violations | Roof Structure Restrictions Rear Yard Insufficient |

Planning Context:

The proposed project is located in a residential area of South Boston on Athens Street, a narrow, approximately 12-foot-wide street connecting B and C Streets, one block northeast of West Broadway. The street is lined on both sides with three-story residential units with no front yards.

The existing use of the site is a 3-story, 2-family residential unit similar to all other buildings on the block. There are no apparent roof decks on parcels adjacent to the proposed project, however, there are approximately four roof decks on other 3-story building on the same block.

The site is located within both the planning boundaries of the South Boston Seaport Strategic Transit Plan (BPDA approved December 2023) and the ongoing South Boston Transportation Action Plan, both of which are related to improving mobility and accessibility and are not particularly relevant to the case.

Zoning Analysis:

Section 68-29 Roof Structure Restrictions allows for an open roof deck given certain conditions and dimensional requirements.



Specifically, Section 68-29 requires the BOA to grant permission for access to a roof deck via a stairway headhouse, after public notice and hearing. The existing condition of the site includes a 10-foot tall headhouse, which is proposed to provide access to the new roof deck. Given that the headhouse is existing, no new impacts from the proposal are expected.

Section 68-29 Roof Structure Restrictions requires "the total height of the building, including such deck, does not exceed the maximum Building Height allowed by this Article for the location of the Building". The maximum Building Height per Art 68 Table D South Boston Neighborhood District Residential Subdistrict Dimensional Regulations is 40 feet. The existing roof structure including the headhouse is 50 feet, and the proposed height with the roof deck railing is 44 feet, 4 inches. However, the roof structure height is already out of compliance due to the two existing headhouses and the existing roof deck on the other residential unit. Therefore, the proposed condition would extend an existing non-conformity.

Similarly, non-compliance with the rear yard setback is an existing non-conformity that would not be extended or worsened by this proposal.

Recommendation:

In reference to BOA1528615, the Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1536310 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 18 Gardner St Roxbury 02119 |
| Parcel ID | 1100045000 and 1100044000 |
| Zoning District & Subdistrict | Roxbury Neighborhood 3F-4000 |
| Zoning Article | 50 |
| Project Description | Demolish a home on one lot, replace it with a new 4-unit dwelling, combine the adjoining empty lot and convert it into parking for the new 4-unit dwelling. |
| Relief Type | Variance |
| Violations | Parking or Loading Insufficient Additional Lot Area Insufficient FAR Excessive Height Excessive (ft) Height Excessive (stories) Usable Open Space Insufficient Front Yard Insufficient Rear Yard Insufficient Side Yard Insufficient |

Planning Context:

16-18 Gardner Street is currently a two-family dwelling and would be demolished to make way for the new 4-unit, 4-story building. The property as it stands now is a two-tone (KO, in response to your note- in terms of color - RE), 3.5 story home with an entrance facing Gardner Street and a covered extension. It is located on a significant slope, so any height changes would be less impactful to neighbors, and to those looking up at the block from Roxbury Street to the north. While the house is listed in MACRIS, it is not mentioned in the long-form description of the Historic District found in the register. This section is typically reserved for the homes that best exemplify the architectural styles and features that the District seeks to preserve. The home has little architectural articulation or ornamentation that is visible from the exterior.

The project proposes to erect a 4-unit building on one lot (16-18 Gardner Street), with the second lot used for parking (22 Gardner Street). 22 Gardner Street is vacant and classified by the assessor as unusable land. The BPDA has reached out to the Mayor's Office of Housing to determine whether there is an expired deed restriction in relation to the vacant lot. As proposed,



the project would develop the currently vacant parcel into a small accessory parking area that would include two off-street parking spaces.

The site is located within the Highland Park Architectural Conservation District, and the property owner did undergo an advisory review of these plans with the ACD Commission. However, the applicant would likely face significant difficulties moving through the ACD Commission in an official capacity, since this proposal does not adhere to the Highland Park Standards & Criteria published by the District (April 2022). The applicant has not included any design details, articulation, or materials in the new design that reflect the historic character of the architectural district.

The parcel is located in the Fort Hill neighborhood, about two blocks from the Roxbury Crossing T station, serviced by the Orange Line. In the few blocks surrounding the parcels in question, it is a primarily residential area with several mixed-use buildings. Most of the dwellings are three to four stories high, and the area surrounding the parcels are mainly triple deckers, two-family homes, and larger condo buildings. In addition to the very close proximity to transit, the parcels are also within a block of an elementary school, a community college, an Islamic cultural center, and a small park. Within about two blocks, there are several small businesses: a halal restaurant, a pharmacy, a car repair shop, and an inn. It is also near other proposed residential projects, including 1 Elmwood Place, and is a fifteen-minute walk away from Jackson Square.

In an area with this variety of existing and future development, it makes sense to encourage contextually appropriate transit-oriented development. This aligns with the goal to expand transit-oriented development laid out in the “Overall Goals for Transportation/Smart Growth” section of the Roxbury Strategic Master Plan (RSMP) (January 2004). By adding housing options near transit and close to institutions and small businesses, this project supports that aim. Additionally, the proposal would add four units of new housing, modestly supporting the city’s goal to increase the supply of market-rate units as described in Housing a Changing City: Boston 2030 during this critical shortage (September 2018).

Zoning Analysis:

All of the violations for the proposed project are dimensional in nature and are a result of the project massing and scale not being aligned with the code. However, the project is mostly dimensionally appropriate given the scale of longstanding and future development surrounding the parcels. This makes the project a case for zoning reform.



In this subdistrict, maximum FAR is .8, and the proposed project FAR is 1.64. While this is a substantial violation, the proposed FAR is reasonable given the number of dwelling units that will be provided and the building footprints of the residential buildings across the street from the site. Along these same lines, the proposed project has about half of the required additional lot area. In terms of usable open space, there is about 9 square feet less per dwelling unit than required. The reduction in additional lot area and in usable open space is appropriate here. The parcels are not located in a flood zone, and there are four accessible green spaces and one play area located within two blocks of the site.

The proposed building is one story and six feet over what is currently allowed. This block contains many other examples of four-story buildings, indicating that the current zoning does not align with the existing physical context. The front, rear and side yards of the proposed project are each about half of what is required by the code. However, while there are a few detached homes on the same side of the block as the parcels, the prevailing physical pattern is one of attached and semi-attached buildings with minimal yards, very much in line with the proposal.

However, it appears from the plans that the proponent plans to extend the current curb cut. Even if development of the currently vacant parcel is allowed, this presents an issue since it effectively reduces currently available off-street parking for the public and degrades the pedestrian environment.

The proponent is also proposing a four-unit dwelling within a three-family subdistrict. BPDA has reached out to the plan examiner for an updated refusal letter.

Recommendation:

In reference to BOA1536310, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. The proponent should resubmit plans without an extension of the current curb cut, with proof that development of the vacant parcel is allowed, and with significant attention paid to better aligning the plans with the Highland Park Standards and Criteria. They may also consider a reduction in FAR given the standards of the Architectural Conservation District.



Reviewed,

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Director of Planning, BPDA



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| Case | BOA1545997 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 472 to 474 Western Av Brighton 02135 |
| Parcel ID | 2200618000 |
| Zoning District & Subdistrict | Allston/Brighton Neighborhood CC-1 |
| Zoning Article | 51 |
| Project Description | Proponent seeks to demolish two-family home and replace with 14 units of housing. |
| Relief Type | Variance, Conditional Use |
| Violations | FAR Excessive Height Excessive (ft) Usable Open Space Insufficient Rear Yard Insufficient Parking or Loading Insufficient Front Yard Insufficient Use: conditional (residential accessory uses in basement and 1st fl); screening/buffering; traffic visibility around corner |

Planning Context:

This project proposes to demolish a two-family dwelling situated on the corner of Kelley Court and Western Avenue and replace it with a five-story, 14-unit dwelling on a 3,759 sq. ft lot. The proposed building has a space-efficient design with a mixed-material exterior and nine balconies. Three entrances face Kelley Court: one on each side of the building for two ground-floor units, and a third door in the middle that serves as the main building entrance. There is a mix of landscaping and permeable pavers on both the Western Avenue and Kelley Court sides of the building. The proposal also includes a widening of the existing concrete sidewalk along Western Avenue.

The portion of Western Avenue near the proposed project is an auto-oriented mixed-use block. It is surrounded by businesses: a large medical testing center, a pre-kindergarten with a fenced playground, and the Charles River Community Health Center. Beyond the southern edge of the parcel, the subdistrict is 3F-4000 and on the Kelley Court side, the block is wholly residential, mainly made up of two- and three-family homes. It is between a 15- and 20-minute walk to the nearest station at Boston Landing, which is served by commuter rail.



The parcel in question is also situated in the Western Ave Corridor Study Area. Adopted by the Board in October 2022, the Western Ave Corridor Study Area and Rezoning Report includes several important goals that this project addresses. Many of those aims have to do with building more residential units and increasing housing density. For example, the Report calls for “enough density to support an active streetscape, services, and retail that serve the neighborhood along all of Western Avenue”; “additional income-restricted housing with a density bonus throughout the study area”; and in general, redevelopment aimed at creating “significant new housing”. In the Report, strong incentives are proposed for housing developments that include IDP units.

The Allston-Brighton Needs Assessment, adopted by the board in January 2024, cites a lack of affordable housing as a central finding and need. On a citywide scale, Housing a Changing City lays out another production-related goal- the addition of 69,000 new units by 2030. (September 2018). With 14 added residential units along Western Avenue (which the Report specifically identifies as an ideal area for increased density), this project works towards all of these planning goals. In terms of other larger residential projects, there is also an Article 80 prefile at 470 Western Avenue, directly adjacent to the proposed project. The increase in denser development largely fits with the Report’s proposed zoning for the Everett-Telford area. The lot would be in the proposed 1B zone, which calls a new maximum FAR of 2.5 and a building height cap of 65’ for PDA projects. Lot coverage for the parcel under these proposed changes would be 60%.

The project is similarly aligned with the Report’s mobility goals, which include promoting bicycling as a safe commuting option through a new bikeway along Western Avenue and increasing transit use with a dedicated transitway for buses. When complete, the Western Ave. Transitway (currently in the RFP phase), will run from the Leo Birmingham Parkway to Soldiers Field Road and will include the stretch of the Avenue fronted by the parcel. While not yet codified into zoning, front setbacks of 10’ (3’ more than the currently required 7’ front setback for this subdistrict) are encouraged to make room for larger sidewalks and the new sidewalk-level bike lane. The Report also calls for development that improves the public realm, including using greater setbacks to increase sidewalk size. This project provides a 10’ front setback, which helps improve the pedestrian experience (another Report goal) and facilitates the future transitway and bike lane.



A mix of building heights and styles is also called for in the Report to avoid visual monotony. The proposed building delivers on this, offering both a rear stepdown for a better transition into the residential district that begins on the Kelley Court side and a slight height contrast to the immediately adjacent buildings.

In terms of environmental concerns, the Report recommends the prioritization of pervious open space over parking to help manage stormwater flooding. The project has taken this into account with the addition of pervious pavers. Significantly, the proposal does not include any parking. That is appropriate given the need to mitigate stormwater flooding and the ease of accessing transit and other nearby neighborhood amenities from the site. In addition to supporting the recommendations of the Report, limiting parking in this area is consistent with the goals of Go Boston 2030, which aims to reduce car use and emissions.

Zoning Analysis:

In a Community Commercial subdistrict, residential accessory uses in the basement and first floor are conditional. Section 6-3 lays out the standards for granting a conditional use permit, and we believe granting it is appropriate in this instance. This block has other buildings with residential uses on the ground floor. There is no indication that the use would adversely affect the neighborhood or that the facility is inadequate for the use— from the plans, the residential accessory uses on the basement and first floor appear to be for shared storage or mechanicals. No apparent nuisance or hazard would be caused by the accessory use to pedestrians or vehicles.

Most of the project's other violations are dimensional in nature, beginning with the FAR. Allowed FAR is 1.0, and the proposed FAR is 2.8. The report proposed maximum for the draft 1B zone is 2.5. However, these figures were drafted for larger lots and PDAs, not much smaller lots like this one. Given this much smaller lot and the alignment with the goals of the Report, an FAR of 2.8 is reasonable.

The proposed project's height, while triggering a violation (allowed is 35' and proposed is 52'6"), would be similar to the lot directly across the street, making it roughly equivalent with the surrounding physical context. There is also a shorter neighboring property, which addressed the Report's concern about visual monotony caused by no variation in building heights. The project is well within the Report's proposed height maximums for the area, capped at 65'. It would not



be sited in a single-family residential district and the allowed height should be considered accordingly. There are also significant rear yard, screening, and usable open space violations, but this is mainly due to the lot's relatively small size.

Finally, the code requires 28 parking spaces for this project, and no spaces are proposed. However, 28 spaces is an unreasonably high amount of parking for this area and indicates a need for zoning reform. Also, given the Report's aims to reduce impervious surfaces like parking lots and increase the use of non-car modes of transportation, it is appropriate to have no parking for this development.

This project will require execution of an affordable housing agreement with the Mayor's Office of Housing to provide at least one IDP unit.

Recommendation:

In reference to BOA1545997, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISOS: Design review

Reviewed,

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Director of Planning, BPDA





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| Case | BOA1546075 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 1853 Commonwealth Ave., Brighton 02135 |
| Parcel ID | 2102535000 |
| Zoning District & Subdistrict | Allston/Brighton Neighborhood 3F-5000 |
| Zoning Article | 51 |
| Project Description | Convert first and second floor office use to residential, adding four residential units to building, maintain existing top floor and basement containing two residential units. No exterior alterations to building proposed. |
| Relief Type | Variance |
| Violations | Additional Lot Area Insufficient Usable Open Space Insufficient Parking or Loading Insufficient Use: Forbidden (Multi-family Residential) Screening and Buffering Requirement |

Planning Context:

The proposed project intends to convert two floors of office space to four additional residential units, such that the existing building will total six residential units. In October 2023, the BPDA launched a residential conversion incentive program to incentivize developers to convert office buildings to housing. While this pilot program focuses on conversion of housing in the downtown neighborhood, the low stock of available housing is an issue faced across the city. With post-pandemic shifts in office work patterns, it is important to recognize how needs shift from office space to additional housing. These conversion incentives are intended to primarily focus on affordable housing developments, however an increase in housing citywide can help to accommodate city population growth, as outlined in Housing Boston 2030.

Housing Boston 2030 supports more as-of-right housing development citywide. The plan suggests a need for 20,000 additional middle-income units from plan adoption to the year 2030. Housing Boston recognizes the challenges posed by the cost of new construction to the production of housing. The proposed development circumvents this issue through the conversion of existing building stock to housing units.



The addition of two units to the existing building is contextual with existing neighborhood housing stock. Within the same zoning subdistrict, the two abutting properties on either side of the proposed development site are also listed as 4–6-unit apartments on the Boston Tax Parcel Viewer. The lack of change in the building exterior will also help to maintain continuity with existing neighborhood context.

Zoning Analysis:

The proposed development site is located within the Allston/Brighton neighborhood district, in a 3F-5000, three-family residential subdistrict, governed by Article 51 of the Zoning Code. While multi-family use is listed as forbidden for this subdistrict, it is in line with neighborhood context. Both the buildings on either side of the proposed development are located within the same zoning subdistrict and are listed as 4–6-unit apartment buildings. To the immediate rear of the proposed development site is a Multi-family Residential subdistrict with buildings of similar context on similarly sized lots and reduced lot size and open space requirements for additional dwelling units. This condition supports the case for updates to the zoning map to better sign districts to existing context and uses.

While the parking ratio is insufficient as per the Zoning Code, the proposed development is located proximate to transit options including direct adjacency to the Chestnut Hill stop on the Green Line. BTD Parking Maximums for this location recommend an upper limit of one parking space per residential unit. The proposal meets this recommendation with the lower ratio of 0.67 parking spaces/unit. Within the context of other developments adjacent to this site, the usable open space provided by this proposal is sufficient, despite not meeting zoning minimums.

Limited screen and buffering through planted shrubs exist on the site. In response to the Screening and Buffering Requirements posed by Section 51-53 of the Zoning Code, it is suggested that the proponent add additional screening elements as suggested by Design Review to comply with this section of the Code.

Recommendation:

In reference to BOA1546075, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO: that plans shall be submitted to the Agency for design review.



Reviewed,

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Director of Planning, BPDA



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| Case | BOA1552790 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 226 to 228 Washington St., Brighton 02135 |
| Parcel ID | 2205360000 |
| Zoning District & Subdistrict | Allston/Brighton Neighborhood 2F-5000(A) |
| Zoning Article | Article 51 |
| Project Description | Constructing a new 3 story, 6-unit dwelling (razing existing 2 unit dwelling on a separate application). |
| Relief Type | Variance |
| Violations | Parking or Loading Insufficient Lot Area Insufficient FAR Excessive Usable Open Space Insufficient Side Yard Insufficient Rear Yard Insufficient Use: forbidden (MFR) |

Planning Context:

The proposed project is on a residential street characterized mostly by 2–3-unit buildings, but with some higher density, 4-6 unit buildings (7 and 11 Snow St). There is significant variability in the area in terms of parcel shapes and resulting yard sizes. The two homes abutting the proposed project have widths around 45 ft, and depths around 50-60 ft. The proposed project is 6 units, with a width of 48 ft, and depth of 65 ft and 5 inches. There is therefore precedent in the area for the proposed multifamily use, but the proposed scale is slightly larger than the existing context. However, the proposed project would result in a net gain of 4 new units, which is in line with the recommendations outlined in the Allston-Brighton Needs Assessment (2024), which identified housing as a high priority need and highlighted that community survey participants “promoted supply-side solutions to the housing crisis, recommending an end to parking minimums, relaxation of zoning rules, and other measures to increase housing production in the neighborhood.”

This project is a 9-minute walk from Washington St MBTA station, which means it meets the BTD criteria for projects near an MBTA station. The Guidelines by the Boston Transportation Department for use by the Zoning Board of Appeal recommends 0.75-1.25 spaces per unit for



residential projects in Allston/Brighton near MBTA stations. This means 4.5-7.5 spaces for 6 units, and so the proposed 6 spaces is well within this recommended range.

This project is within one hundred (100') feet of a park. This means that it requires review and approval from the Parks and Recreation Commission (City of Boston Municipal Code 7-4.11).

Zoning Analysis:

The minimum lot area requirement for this parcel is 5,000 sq ft for 1 or 2 units and 1,500 sq ft for every additional unit. Because this parcel is 7,815 sq ft, this means that the maximum number of dwelling units that could be built on this parcel while complying with the lot area regulation is 3. However, there is precedent in this area for 4–6-unit buildings on similarly sized or smaller parcels (7 and 11 Snow St).

The project does not meet the zoning requirement of 10.5 parking spaces for 6 units. However, as discussed in the planning context, the project's parking does comply with current BTB recommendations, indicating that there is a need to update the zoning to also reflect these current best practices.

The project has approximately 1,180 sq ft of usable open space (summing the private decks and patio and 970 sq ft rear yard). This is far below the requirement of 4,800 sq ft (800 sq ft per dwelling unit). Given that the lot size is 7,815 sq ft and the proposed building footprint is approximately 2,460 sq ft, there is about 5,300 sq ft of potential usable open space (without reducing the building size). Therefore, the project could feasibly comply (or come much closer to complying) with the usable open space requirement by reducing the parking, reducing the scale of the building, and/or increasing the size of the balcony spaces. The parking can also be reduced from 6 to 5 spaces while still meeting the BTB recommendation of 0.75-1.25 spaces per unit.

Recommendation:

In reference to BOA1552790, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. While the use is appropriate, the proponent should consider revising project to increase usable open space.



Reviewed,

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Director of Planning, BPDA



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| Case | BOA1413004 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 560 to 562 Washington St. Brighton 02135 |
| Parcel ID | 2204806001 |
| Zoning District & Subdistrict | Allston/Brighton Neighborhood 3F-4000 |
| Zoning Article | Article 51 |
| Project Description | Erect a new 14-unit residential building with 9 parking spaces. Existing structure to be razed. |
| Relief Type | Variance |
| Violations | Usable Open Space Insufficient Parking or Loading Insufficient Lot Area Insufficient FAR Excessive Height Excessive (ft) Height Excessive (stories) Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient Forbidden use; MFR Conformity existing building alignment; |

Planning Context:

The Proposed Project is located on a mixed-use street serviced by an MBTA bus route. The North side of the street is lined with ground-floor retail and residential units on the second floor and above. The south side of the street, upon which the project is located, is populated with triple-deckers and 3 1/2-story dwellings operating as multifamily uses. The proposed project is consistent in scale and use with the existing neighborhood context.

The project is located within the Allston-Brighton Needs Assessment Plan (January 2024) and the Allston-Brighton Mobility Plan (May 2021). The Needs Assessment identifies affordable and quality housing as a priority for the area. This project requires a Housing Agreement under the City of Boston's Inclusionary Development Policy because it includes more than 10 units. Consequently, the proposal is consistent with the plan as it will provide affordable housing and increase housing options thereby responding to the identified need for affordable housing.

Zoning Analysis:



The proposed project's use does not conform with the parcel's designated allowed 3-family use. However, the project is adjacent to existing multifamily dwellings and a multifamily-mixed-use corridor thereby aligning with the neighborhood context. This is a case for zoning reform to include the property in a district that allows contextual infill and MFR uses through a zoning map amendment.

The project is proposing 8 parking spaces and is required to build 28 parking spaces per the Zoning Code. The reduction of parking spaces is consistent with the Allston Brighton Mobility Plan (May 2021) which seeks to encourage alternative travel modes within the Allston-Brighton neighborhood.

Article 51 requires a minimum of 650 SF of usable open space per dwelling unit. Given that the project is proposing 14 units, the required minimum usable open space is 9,100 SF. However, the project's lot size is 7,139 sq and consequently could not feasibly accommodate that much open space. The project could substantially increase its usable space by constructing a roof deck on its proposed flat roof or change the building dimensions since it is new construction that is also not compliant with the setback requirements.

The project does not provide its street's modal calculation and is thus not compliant with the existing building alignment requirement. The proposed project should work with the BPDA's urban design review staff during the design review process to ensure consistency with the existing building alignment.

The required additional lot area is 28,000 SF and the existing lot is 7,117 SF. Given the evident constraints of the lot size, the project cannot address the required additional lot area nonconformity. This is an opportunity for zoning reform to reduce existing nonconformities and match the existing built context.

The required min front yard setback is 20' and the proposed front yard setback is 5'8". The proposed project should ensure it is consistent with the existing building alignment (see above).

The max allowed FAR is 0.8 and the proposed FAR is 2.15. The max allowed height is 35' and the proposed height is 41'.6". Both nonconformities are consistent with the existing neighborhood fabric as the majority of the buildings on the street are greater in height than 35' and 0.8 FAR.



The required minimum side yard is at least 5' from a side lot line and 10' from an existing structure and the proposed side yard is 7.5'. Consequently, the proposed side yard is equal to the aggregate of the required side yard setbacks.

Lastly, the minimum required rear yard setback is 30' and the proposed rear yard setback is 16'3". The proponent should work with the BPDA's Urban Design Staff to match the modal rear yard setback.

Recommendation:

In reference to BOA1413004, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISOS: that plans shall be submitted to the Agency for design review with attention to ensuring consistency with the existing building alignment in both the front yard and rear yard.

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1514378 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 3915 Washington St., Roslindale 02131 |
| Parcel ID | 1902884000 |
| Zoning District & Subdistrict | Jamaica Plain Neighborhood 3F-4000 |
| Zoning Article | Article 55 |
| Project Description | Erect new 6-unit multi-family unit |
| Relief Type | Variance |
| Violations | FAR Excessive Lot Width Insufficient Lot Frontage Insufficient Parking or Loading Insufficient Use: Forbidden (Multifamily) |

Planning Context:

The parcel is a 4000 square foot lot located in the Jamaica Plain neighborhood article area at the edge of the Jamaica Plain/Roslindale district boundary, in a 3F-4000 subdistrict. Parcel is approximately half a mile south of the MBTA Forest Hills orange line and commuter rail station, and along Washington Street, a major multimodal corridor between Jamaica Plain and Roslindale. This corridor serves 11 bus lines including the 30, 34, 35, and 39. There is also a small commercial district north of this site along Washington Street that includes a gas station, a monument engraving store, and restaurants. While not specifically contemplated by PLAN: JP/ROX, or in Imagine Boston 2030 or Housing a Changing City, this site combines adjacency to the MBTA bus and a dedicated bike lane, close proximity to multiple forms of rail, and abuts multiple areas undergoing other transformation as Forest Hills continues its substantive development into a major transit-oriented node.

This site faces south along Washington Street. Most lots on the Washington Street southern side of the block are ~3400 square feet, and are abutted by lots on the northern side of the block against Kitson Rd. Unlike those lots, the rear 600 square feet of this lot are designated as a no-build zone, for the benefit of 43 Lochdale Rd, one of those northern abutting lots. This effectively makes the buildable portion of this 4000 square foot parcel similar to its neighbors up and down the block.



The key question to address with this project is whether it is appropriate to allow a six-unit multifamily development on a currently vacant parcel near a commuter and heavy rail station, when the immediate context generally consists of three-family triple-deckers. A larger multifamily project has been approved abutting this parcel. While this parcel does have proximity to denser commercial areas in need of additional foot traffic as well, and there are larger multifamily housing projects two blocks away, closer to Forest Hills station.

The current as-built neighborhood context of this parcel is generally limited to triple-deckers, though the in-process contextual density does include multi-family residential at a scale much higher than this proposed project.

Zoning Analysis:

This project was previously reviewed by the BPDA for the ZBA hearing on December 12, 2023. Because no new plans have been submitted, the BPDA's recommendation has remained the same.

The site is located in a 3F-4000 subdistrict within the Article 55 Jamaica Plain Neighborhood District.

The proposed site has violations that include its use, minimum lot width, minimum lot frontage, and FAR. Under Article 55, multi-family dwellings are not permitted in a three-family residential district. While multi-family residential dwellings are not new to Washington Street, the proposed massing of the site would not fit in with the built environment of the three-family buildings abutting this property along this block of the corridor. Given the application's use, both lot width and frontage must be a minimum of 45' under Article 55. This site has a lot width and frontage of 40', which is insufficient leading to the violation.

Given the application's forbidden use, the FAR in this subdistrict for "any other use" is 0.7. Applicant proposes an FAR of 1.23, 175% the zoning's maximum. For context, A typical triple decker in this area of JP/Roslindale might have a living area of 3000-3500 square feet. The proposed building is 5000 square feet, which is closer to 140% the typical living area dimensions. While some of this discrepancy reflects the nonconformity of existing three-family buildings relative to what zoning would allow as-of-right, this still does convey a substantial increase from any other property on the corridor.



Finally, in the Jamaica Plain district, off-street parking must be provided at a rate of 1.25 spaces per dwelling unit for developments of 4-9 units. At six units, this would require 8 spaces. This proposal provides 0 spaces, which is insufficient. The project does provide outdoor bike parking and an indoor bike room, is close to multiple Blue Bikes docks, it includes regular MBTA bus service along Washington Street, sits along a dedicated bike lane that leads to the Southwest Corridor, and is within easy walking distance of the Commuter Rail and Orange Line terminus at Forest Hills. Given existing parking options along and around Washington Street, this project meets all criteria for development without off-street parking..

Recommendation:

In reference to BOA1514378, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. Applicant should propose a housing development that matches the three-family scale of its immediate context..

Reviewed,

A handwritten signature in blue ink, appearing to read "Anne Rando", is written over a light blue circular stamp.

Director of Planning, BPDA



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| Case | BOA1473941 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 820 Hyde Park Ave., Hyde Park 02136 |
| Parcel ID | 1807907000 |
| Zoning District & Subdistrict | Hyde Park Neighborhood 1F-6000 |
| Zoning Article | Article 69 |
| Project Description | Erect a new structure, and demolish existing, with eight (8) condominium units and eight (8) rear parking spaces. |
| Relief Type | Variance |
| Violations | FAR Excessive Lot Frontage Insufficient Lot Area Insufficient Height Excessive (ft) Height Excessive (stories) Rear Yard Insufficient Side Yard Insufficient Front Yard Insufficient Usable Open Space Insufficient Forbidden Use (MFR) |

Planning Context:

This project was previously recommended by the BPDA for Denial without Prejudice on 10/23/2023 and 12/12/23, and was deferred by the ZBA at each hearing. The most recent plans reviewed by ISD for this project are dated 11/28/23. They have been revised from the sets reviewed for the two initial hearings, although only minimally.

While certain changes made to the overall building design (such as an updated material pallet and the inclusion of off-suite balconies and bike parking) are appreciated, these updates do not address the comments detailed in the project's previous Denial without Prejudice recommendations. Specifically, the drawings avoid addressing requests to decrease parking and impervious surface area upon the lot, and, in fact, worsen each (by adding an additional parking space and replacing a dwelling unit with additional impervious surface for relocated trash collection). The overall scale of the building, which was previously recommended to be reduced, also remains largely unchanged. Because of this, the projects' previous recommendation, as detailed below, remains almost entirely the same (with changes made to account for updated unit/parking count and slight reduction in proposed FAR).



The proposed project sits in a one-family residential subdistrict in Hyde Park. The surrounding context includes a mix of residential uses (from single-family to multi-family) and housing typologies.

The project's creation of 8 dwelling units is in keeping with planning goals of increasing housing availability, as detailed in *Housing a Changing City, Boston 2030* (September 2018). It's parking, however, does not. The 8 proposed spaces, and paving necessary to accommodate them, remove approximately 3,500 square feet of permeable surface area and several mature plantings. The City does not support the removal of healthy and mature trees and plantings, and open space to accommodate the development of off-street parking. The planning goals of *Climate Ready Boston* (addressing permeability, heat island effect, and increase tree canopy, 2016) and *Boston's Urban Forest Plan* (preserving healthy and mature trees, 2022) outline this point.

Zoning Analysis:

While the project's proposed use aligns with its surrounding context (which features several adjacent MFR structures), its scale does not. This is evidenced by an FAR almost three times the maximum allowed (previously 1.51, now $1.39 > 0.5$ required); insufficient setbacks for each of the front, side, and rear yards; and a building height greater than its surroundings, in both feet and stories.

The project's parcel also falls below the required size threshold (5,759 sq ft < 6,000 sq ft) to develop as of right.

As discussed in this recommendation's planning context, the project also proposes to remove almost all of its usable open space and replace it with off-street parking and impervious paving. This triggers another zoning violation for the project, as the proposal falls almost fifteen (15) times short of the amount of open space required by zoning for the 8 unit use (973 sq ft < 14,400 sq ft).

A future iteration of this project should reduce the scale of the proposed building (in height, building lot coverage, or both) and remove parking spaces to retain permeable surface area and open space.



Further planning efforts are needed for the area to match zoning with the area's existing context. These efforts should focus on relaxing allowed residential land uses and re-calibrating dimensional requirements (including FAR maximums and lot size minimums).

Recommendation:

In reference to BOA1473941, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. Proponent should pursue an MFR project that reduces the scale of the proposed building (in height, building lot coverage, or both) and removes parking spaces to retain permeable surface area and open space.

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1304433 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 10 Thompson Sq., Charlestown 02129 |
| Parcel ID | 0203685000 |
| Zoning District & Subdistrict | Charlestown Neighborhood NS |
| Zoning Article | Article 62 |
| Project Description | Construct 12 residential units on top of existing ground floor commercial space. |
| Relief Type | Variance |
| Violations | FAR Excessive Usable Open Space Insufficient Height Excessive Parking or Loading Insufficient Rear Yard Insufficient |

Planning Context:

This project was deferred from its initial hearing date of 10/31/2023. The planning context, zoning analysis, and recommendation remain the same as the project has not changed since its first proposal.

The proposed project is located within the Original Peninsula, as identified in PLAN: Charlestown (2023). It is located at the intersection of two commercial avenues and flanked by a range of building types (i.e. 2-story to 5-story mixed use buildings). The project promotes a mixed-used corridor in the NS subdistrict by maintaining the retail use on the ground floor and increasing the housing stock near a transit stop (0.4 miles from Community College T-stop) which is consistent with PLAN: Charlestown. Additionally, the proposed project preserves the existing retail space which is consistent with the PLAN's recommendations of preserving and supporting local businesses.

While the project does not meet the minimum parking requirement outlined in the existing zoning regulations, the project's parking number aligns with the City's goal of reducing dependence on private vehicles, as detailed in Go Boston 2030 (March 2017), particularly near a transit stop and within mixed-use areas.



This project requires a Housing Agreement under the City of Boston's Inclusionary Development Policy because it includes more than 10 units.

Zoning Analysis:

In October 2023, new Charlestown zoning was adopted per PLAN: Charlestown's recommendations. The recommended dimensional changes were largely focused on the industrial area and at the request of the community only minimal changes were proposed in the Original Peninsula. No zoning changes were proposed to the parcel upon which this project is located. Consequently, in light of the recently approved amendments to the Charlestown zoning code and planning initiatives, it is suggested that the proposed project align its height and FAR with the Zoning Code. However, this area is an opportunity for zoning reform at the request of the proponent to update the zoning. Alternatively, the proponent could request a map amendment.

The required zoning height is 35' and the proposed height is 41'. The maximum FAR is 2.0 and the proposed FAR is 4.0. The project should reduce its height and FAR to be consistent with the Zoning Code.

The insufficient rear yard setback is an existing nonconformity. Achieving the required rear yard setback would require changing the existing retail space on the ground floor.

The insufficient usable open space violation is an existing nonconformity as the existing ground floor commercial space covers the entire lot. The project should increase its usable open space through the addition of spaces like balconies or roof decks. 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 in PLAN: Charlestown (September, 2023).

Recommendation:

In reference to BOA1304433, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. Proponent should realign the height and FAR with the Zoning Code, increase usable open space, and that an IDP housing agreement be issued prior to issuing permits.



Reviewed,

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Director of Planning, BPDA



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| Case | BOA1448246 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 24 Common St., Charlestown 02129 |
| Parcel ID | 0203457010 |
| Zoning District & Subdistrict | Charlestown Neighborhood 3F-2000 |
| Zoning Article | 62 |
| Project Description | Addition of a parking spot for residential use |
| Relief Type | Variance |
| Violations | Front Yard Insufficient |

Planning Context:

The project is located in the Original Peninsula, as identified by PLAN: Charlestown (September 2023). The project's parcel is a through lot, located between Common Street and Ellwood Street. The proposed parking space is located on the Ellwood Street side. One of the existing Common Street-fronting dwellings has a parking space along Ellwood, similarly designed to the proposed parking area. PLAN: Charlestown recognizes that while limiting parking is important to reducing single-occupancy vehicle travel, parking availability remains a necessity. The proposal to place the curb-cut along Ellwood Street in lieu of on Common Street aligns with the goals of the Plan to reduce curb cuts on major streets. Ellwood Street does not allow for on-street parking, and thus the addition of a curb cut would not impact existing on-street parking. This property sits within Winthrop Square, a historic architecturally-significant area.

Zoning Analysis:

This project was previously reviewed by the BPDA for the ZBA hearing on November 14, 2023. At that time, the project was deferred. Because no new plans have been submitted, the BPDA's recommendation has remained the same.

Section 62-30 of the Code states that the front yard requirements shall apply to that part of a rear yard which is also a street line except in the case of a rear yard which abuts a street less than twenty feet in width. Given that Ellwood Street has a width of ~12 ft, the proposed parking area is located in the rear yard of the parcel and thus does not have an impact on the front yard setback.



Plans reviewed are titled "Certified Plot Plan located at 24 Common Street Charlestown, MA", prepared by Boston Survey, Inc., and dated April 1st, 2022.

Recommendation:

In reference to BOA1448246, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1460666 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 61 Brooks ST East Boston 02128 |
| Parcel ID | 0106768000 |
| Zoning District & Subdistrict | East Boston Neighborhood 3F-2000 |
| Zoning Article | Art. 53, Art. 27T |
| Project Description | Change occupancy from a three-family residential dwelling to a multifamily residential dwelling with four units and a new roof deck above the third floor. |
| Relief Type | Variance, Conditional Use |
| Violations | FAR Excessive Roof Structure Restrictions Parking or Loading Insufficient IPOD Applicability Additional Lot Area Insufficient Usable Open Space Insufficient Rear Yard Insufficient Use: Forbidden (Multifamily) |

Planning Context:

This project will change the occupancy of an existing three-story building from three-family residential to multifamily residential through the addition of a basement unit. The project will also include the addition of a roof deck above the third floor. This property is within an area subject to the impacts of present-day and future coastal flooding, therefore the proposed basement addition conflicts with City goals to reduce risk of life in basement areas susceptible to flooding.

The existing building is on a side street (Brooks Street) that intersects with Bennington Street (a major transit corridor) to the northwest and the property is less than 200 ft from the intersection. The proposed multifamily building increases the number of housing units on an existing property without demolishing that property, which aligns with City goals increasing housing opportunity and density, as detailed in Housing a Changing City, Boston 2030 (September 2018). The addition of residential units within proximity of a major transit corridor also aligns with City goals of increasing transit-oriented development and bringing residents closer to transit options.

PLAN: East Boston (approved January 2024) includes updated zoning that was recommended by the BPDA Board on January 24, 2024 and is pending approval from the Boston Zoning



Commission. As part of the updated zoning from PLAN: East Boston recommendations, this area of Brooks Street will be rezoned to an EBR-4 zoning subdistrict which allows multifamily residential dwellings up to four stories to reflect patterns of land use, existing building form, and access to transit. Additionally, this existing property and the proposed project would conform with the proposed EBR-4 zoning subdistrict in terms of dimensional and land use regulations. While this project's intent to introduce a multifamily residential use near transit resources aligns with the zoning land use recommendations for this area in PLAN: East Boston, the proposed basement unit introduces living space in an area with a risk of flooding that threatens housing safety in low-lying areas, which the plan warns against.

The existing property does not have an off-street parking space and the proposed project will not introduce a new off-street parking space, which aligns with City goals to reduce reliance on private vehicles, especially near major transit resources, as detailed in Go Boston 2030 (March 2017).

Two nearby buildings (59 and 57 Brooks Street) appear to have roof structures of similar scale to that proposed for this project and are located at varying distances from the building front yard lot line. They do not seem visible from the public realm and would not damage the uniformity of height or architectural character of the immediate area.

Zoning Analysis:

This property is located within the 3F-2000 (Three-Family Residential) subdistrict of the East Boston Neighborhood District (Art. 53). This property is within the Groundwater Conservation Overlay District (GCOD) as well as the Coastal Flood Resilience Overlay District (CFROD). As highlighted in the Planning Context, this property is within an area of increased flood risk and, as such, would require review of the project in alignment with CFROD guidelines as well as require that any new living space be located above the Sea Level Rise - Design Flood Elevation. The proposed basement unit would pose significant risk to occupants due to this flood risk and would not align with those guidelines.

The 3F-2000 subdistrict forbids multifamily residential uses in this area (Art. 53 – Sec. 8), but the context is appropriate for multifamily housing due to its proximity to a major transit corridor. As mentioned in the Planning Context, PLAN: East Boston recommends that the zoning in this area allow multifamily residential uses so this land use would be allowed within the future EBR-4 zoning subdistrict.



The proposed project is in violation of the current 3F-2000 subdistrict's dimensional regulations (Art. 53 – Sec. 9) for maximum FAR, minimum additional lot area per unit, and minimum usable open space per unit. These are existing non-conformities for this site that would be exacerbated by the addition of this new unit. This property has an existing rear yard nonconformity (Art. 53 – Sec. 9) and this proposed alteration would extend that nonconformity. However, this extension of the nonconformity would not encroach further than the rear yard depth that is currently established by the existing nonconformity. Within the future EBR-4 zoning subdistrict, maximum FAR, minimum additional lot area per unit, and minimum usable open space per unit would not be required dimensional regulations, so this project would be exempt from those regulations within this future zoning.

Within the future EBR-4 zoning subdistrict, this project would be regulated by a maximum building lot coverage requirement of 60%, a maximum building depth of 70 ft, and a minimum permeable area of lot at or above 30%. The project would have a building lot coverage of about 59%, building depth of about 55 ft, and permeable area of lot of about 41%, thus conforming to the future zoning and aligning with the existing and recommended building scales for the area. The existing rear yard would not conform with the future zoning's minimum rear yard requirement of one-third of the lot depth because the existing rear yard depth is 27% of the lot depth. However, as mentioned, this extension of the nonconformity would not encroach further than the depth of the existing nonconformity.

Additionally, the proposed vertical addition of the roof deck would not extend beyond the building's maximum height as allowed in this subdistrict. This project has a roof structure restriction violation (Art. 53 – Sec. 52) but the proposed roof deck would not damage the uniformity of height or architectural character of the immediate area as it would not be visible from the public realm and adjacent buildings have similar roof structures in character. Within the future Roof Structure Restrictions (proposed Section 53-25 of for Art. 53), an open roof deck as this project proposes would be allowed based on the designs outlined in these plans.

The existing property does not have any off-street parking spaces and is required to have 1.5 off-street parking spaces per unit for a dwelling with 4-6 units in the current off-street parking regulations (Art. 53 – Sec. 56). Within the future Off-Street Parking and Loading regulations (proposed Section 53-28 of Art. 53), a dwelling with 4+ units would be required to have 1 off-street parking space per unit. As stated in the Planning Context, the lack of parking spaces for this project supports City goals of reducing reliance on private vehicles in a transit-rich area.



Site plans completed by Boston Survey, Inc. on November 15, 2022. Project plans completed by Joy Street Design, Inc. on September 27, 2022.

Recommendation:

In reference to BOA1460666, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE: The proponent should propose a renovation that does not introduce living space into the basement due to flood risk and that takes broader CRFOD and GCOD guidelines into account.

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1548361 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 27 Mystic St., Charlestown 02129 |
| Parcel ID | 0200070000 |
| Zoning District & Subdistrict | Charlestown Neighborhood 3F-2000 |
| Zoning Article | Article 62 |
| Project Description | Project is proposing new extensions for every floor of an existing three (3) story, three (3) unit residential building, and the creation of a new roof deck. |
| Relief Type | Variance, Conditional Use |
| Violations | FAR Excessive Roof Structure Restrictions Side Yard Insufficient |

Planning Context:

The project sits in the middle of Mystic Street and shares a common wall with 25 Mystic Street. The project is in the Charlestown Neighborhood District, within a Three-Family Residential (“3F”) Subdistrict. 3F subdistricts are established to preserve low density three-family areas. This project is also located in the Original Peninsula area of the neighborhood, where urban design guidelines from PLAN: Charlestown apply. PLAN: Charlestown recognizes Charlestown’s identity as Boston’s oldest neighborhood and the distinct character as a result of the neighborhood’s history and vibrant community. The plan recommends projects “toward forms that are appropriate to the neighborhood context and city’s climate and urban context”. PLAN: Charlestown also recognizes that housing needs will become more pressing in the future and that more “affordable, sustainable, and diverse housing opportunities” will be required. This project also triggers Neighborhood Design Overlay District (“NDOD”) review as it intends to extend the existing building by more than 300 square feet.

Zoning Analysis:

The project is located in a residential area, largely consisting of rowhomes. The existing building on the property is a rowhome, sharing a common wall with 25 Mystic Street. The project



consists of an existing 3-story, three unit residential building. Each floor consists of one unit. The project is proposing to increase the size of each of these units and develop decks for each floor and a roof deck which would only be accessible via the third floor unit. The existing building has three units with varying units: one (1) studio, one (1) 1-bedroom, and one (1) 2-bedroom. The proposed project would make all units 2-bedroom units, reducing the diversity of units available.

The proposed project raises three types of violations: Roof Structure Restrictions, Dimensional Regulation violations, and Usable Open Space minimum (per dwelling unit) violations.

Open roof decks are permissible by conditional use. Currently, several properties with similar building features (3-story structures with flat roofs) in the vicinity have roof decks. These include 29 Mystic Street, 31 Mystic Street, and 35 Mystic Street. PLAN: Charlestown recommends that all roof decks be located in the rear of the rooftop and be offset a minimum of five (5) feet from all roof edges to reduce visibility from the public right-of-way and ensure a more cohesive visual experience for the entire block. While the proposed roof deck of the project is set to be at the rear portion of the building, it does not meet the 5' buffer from the sides and rear of the roof edge.

The proposed project triggers several dimensional regulation violations that relate to density and yard requirements. The proposed project greatly exceeds the allowable FAR of the 3F residential subdistrict. 3F subdistricts allow a maximum of 2.0 FAR. The proposed project will add roughly 1,200 square feet, pushing the property's existing FAR from 1.9 to 2.8. The proposed project's massing will be a stark contrast to the project's immediate neighbors, where most properties fall near the 2.0 FAR limit. These include: 23 Mystic Street (1.8 FAR), 25 Mystic Street (1.8 FAR), 32 Mystic Street (2.2 FAR), and 42 Mystic Street (2.0 FAR). The proposed project's massing would have significant impacts on the existing context of the neighborhood block.

The proposed project will also affect the amount of Usable Open Space that is available to each dwelling unit. Properties within the 3F subdistrict must provide a minimum of 350 square feet of open space per dwelling unit. The project's proposed additions will build to nearly the full footprint of the parcel. While decks are being installed onto every floor, the amount of open space afforded to each unit will fall far below the 350 square feet requirement (first floor and second floor units will have a 45 square feet deck), with the largest open deck (at 220 square feet) being exclusively available to the third floor unit.

The existing conditions of the property present challenges to meeting yard requirements. As a row house in a dense residential neighborhood, the existing building experiences hardship to

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2 Boston Planning & Development Agency



meet the side yard requirements of a minimum of 2.5 feet due to its shared wall with 25 Mystic Street and close proximity to 29 Mystic Street. Similarly, a front yard minimum depth requirement of four (4) feet also proves a challenge to meet as the property was built to the front lot line.

While existing nonconforming conditions do present hardship to meeting yard requirements, the proposed development further exacerbates some of these characteristics. The proposed project intends to build to nearly the full footprint of the parcel, leaving very little to no area for the rear yard, which is required to be at a minimum of 20 feet in depth. A portion of the existing building is built nearly to the full length of the parcel, leaving just 0.2 feet between the farthest point of the main building and the end of the lot. However, if the proposed project were to be developed, it would further reduce the rear yard depth between the rest of the building to the lot line.

In reference to BOA1548361, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. The proposed project would have significant impacts on the existing character of the neighborhood block. The high FAR would stand in stark contrast with the massing of neighboring properties. The applicant should consider reducing the size of the addition that is being proposed to better contextualize the massing of the building with neighboring buildings. Additionally, the applicant should offset the roof deck to a minimum of 5 feet from all roof edges, and reduce the loss of rear yard depth as a result of the deck additions.

Reviewed,

A handwritten signature in blue ink, appearing to read "Anne Rade", is written over a light blue circular stamp.

Director of Planning, BPDA



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| Case | BOA1552194 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 457 to 469A W. Broadway, South Boston 02127 |
| Parcel ID | 0601960000 |
| Zoning District & Subdistrict | South Boston Neighborhood MFR/LS |
| Zoning Article | Article 68 |
| Project Description | Interior work to create urgent care clinic (professional office/medical use) |
| Relief Type | Conditional Use |
| Violations | Conditional Use: Professional Office |

Planning Context:

The project proposes a new urgent care clinic in a pre-existing but untenanted first floor space along West Broadway in South Boston. The project scope will also include associated interior renovation and associated mechanical, electrical, plumbing, and fire access system work.

West Broadway is South Boston's primary commercial and local service corridor. This corridor -- which spans the neighborhood and is divided into West Broadway and East Broadway as it splits across Dorchester Street -- is home to a diverse array of local services and neighborhood shopping establishments, including a health center, dental offices, restaurants, fitness studios, salons, and retail stores. The corridor is also well-served by public transit, including the Red Line and the Route 9 and 10 buses. The proposed use of an urgent care clinic at this location would fit the existing character of West Broadway, which offers South Boston residents access to critical local services.

This proposed location is particularly well-sited for an urgent care clinic, as it is an approximate 2-minute walk from the South Boston Community Health Center and an approximate 10-minute walk from multiple nearby dental establishments, therefore reinforcing this W and E Broadway as an important destination servicing South Boston residents' health needs. The proposed clinic would be well-served by public transit, both within a 15-minute walk from the Broadway MBTA station and less than 500 feet away from the Route 9 and 10 bus stops.



Zoning Analysis:

The proposed project site is located in a Multi-Family Residential / Local Services (MFR/LS) subdistrict. Per the refusal letter, the proposed use is coded under Professional Office, which is a Conditional Use within the MFR/LS subdistrict, provided that such use is located on the ground floor or in a basement with a separate entrance. This proposed use would be located on the ground floor of 457-469A West Broadway.

As outlined in Section 6-3 of the zoning code, the conditions for granting appeal of a Conditional Use are as follows:

- (a) the specific site is an appropriate location for such use or, in the case of a substitute nonconforming use under Section 9-2, such substitute nonconforming use will not be more objectionable nor more detrimental to the neighborhood than the nonconforming use for which it is being substituted;
- (b) the use will not adversely affect the neighborhood;
- (c) there will be no serious hazard to vehicles or pedestrians from the use;
- (d) no nuisance will be created by the use;
- (e) adequate and appropriate facilities will be provided for the proper operation of the use.

As described in the Planning Context, the specific site that the clinic is proposed is particularly appropriate for such a use, as it is sited on West Broadway, a diverse commercial and community service corridor within South Boston, and is nearby other healthcare service establishments, including a health center and several dentist offices. Patients will access the clinic either by public transit, walking, or private vehicle, thus avoiding any serious hazard to pedestrians or vehicles from this use. Adverse effects and nuisance from the clinic are deemed minimal to none, and the plans show appropriate and adequate facilities supporting proper operation of the use.

The plans reviewed for this case are titled "Interior Fit Out for American Family Care at South Boston, MA" and were prepared by USA Architects. They are dated 9/6/23.



Recommendation:

In reference to BOA1552194, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1540339 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 675 E Fourth St., South Boston 02127 |
| Parcel ID | 0602280000 |
| Zoning District & Subdistrict | South Boston Neighborhood MFR |
| Zoning Article | Article 68 |
| Project Description | Install new ramp on the exterior of existing building. |
| Relief Type | Variance |
| Violations | Rear Yard Insufficient Side Yard Insufficient |

Planning Context:

The existing building is currently used for a nonprofit agency which provides substance abuse education, prevention and treatment programs. There is currently no accessible entrance into this facility. It is unclear from the plans whether the door will be installed to provide a 32 inch wide opening as required by 521 CMR. However, if the door opening does meet this specification (and the ramp is installed to meet all other specifications of 521 CMR), the proposed ramp would allow the building to meet the 521 CMR code requirement for an accessible entrance.

Zoning Analysis:

Article 2 of the Zoning Code states that "Within the required Side Yard [or Front Yard], no Structure shall be erected except... (b) Steps, terraces, open porches without roofs, and the like, that do not extend more than three (3) feet above the floor of the first story." Although access ramps are not named specifically in the Code, it can be reasonably interpreted that this type of structure is like steps and open porches without roofs and falls under "the like" named in this provision. Therefore, this structure should be allowed within the side and front yards as long as it is not 3 feet above the floor of the first story. The proposed ramp has a railing that is 3 feet and 8 inches tall, and so a minor variance is required. However, this project demonstrates a need to update the Zoning Code to align with current accessibility codes and allow for accessibility updates without the need for zoning variances.

Recommendation:

BOA1540339

2024-02-06

1 Boston Planning & Development Agency



In reference to BOA1540339, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

A handwritten signature in blue ink, appearing to read "Annee Rand", with a long, sweeping flourish extending to the right.

Director of Planning, BPDA

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| Case | BOA 1369883 |
| BPDA Referral Date | Thursday, October 13, 2022 |
| ZBOA Hearing Date | Tuesday, November 1, 2022 |
| Applicant | Mark Little |
| Address | 8-10 Mercer Street South Boston |
| Parcel | 071143000 |
| Use | Multi |
| Zoning Subdistrict | MFR |
| Purpose of Appeal | Erect new four story building with five dwelling units two fourth decks rear balconies second third stories 10 accessory off street parking spaces 5 stackers 1 1 parking access to be provided driveway shared 12 mercer street 8 lot being combined under alt1056673 purpose this application is convert issued permit numbered alt1056666 revoked an ert as previously existing structure was damaged during reconstruction razed all zoning relief granted boa1066911 active valid zoning u491056686 boa1066917 not yet. |
| Violations | Roof structure restrictions Excessive FAR, height Insufficient open space, lot area |

Recommendations:

In reference to BOA 1369883, Mark Little, 8-10 Mercer Street, South Boston, for 5 violations to demolish existing structure and erect new four story building with five dwelling units roof decks rear balconies, 10 accessory off street parking spaces in a MFR, The Boston Planning & Development Agency recommends **DENIAL WITHOUT PREJUDICE**: the proposal is excessive. Proposal should reduce parking ratio to no more than 1.0 spaces/unit and widen driveway; eliminate headhouses; identify additional means of exterior egress from basement living space; and reduce FAR.



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| Case | BOA1530363 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 28 Evergreen St., Jamaica Plain 02130 |
| Parcel ID | 1002071000 |
| Zoning District & Subdistrict | Jamaica Plain Neighborhood 2F-5000 |
| Zoning Article | Article 55, Article 9 |
| Project Description | Existing property is made up of a 2.5-story residential building and a 2-story barn at the rear of the lot. The applicant is seeking to increase the number of units on the property from three (3) units to four (4) units. The applicant seeks to do this by demolishing the existing, detached 2-story barn in the rear of the lot, and replacing it with a 3-story addition, which will share a common wall with the existing main building on the lot, and have a new side entry via a first floor addition, connecting the two buildings. The proposed project also seeks to add new decks in the rear. |
| Relief Type | Variance, Conditional Use |
| Violations | Parking or Loading Insufficient FAR Excessive Height Excessive (ft) Height Excessive (stories) Side Yard Insufficient Rear Yard Insufficient Use: Forbidden Change in Non-Conforming Use |

Planning Context:

The property is located in the Jamaica Plain Neighborhood and is located in a “2F-5000” subdistrict. 2F subdistricts are established to preserve, maintain, and promote low density two-family neighborhoods, and limit the height of buildings to 2.5 stories and 35 feet. The area of the neighborhood where this project is located is largely residential. On the site’s east side, it is within close proximity to Hyde Square along Centre Street, an active commercial and mixed-use corridor; one block west of the site is Huntington Avenue, a major multimodal corridor where there are a number of institutional and residential buildings. While the project is located in close proximity to these corridors,



the immediate abutters to the project are residential in nature, made up of a mix of single-family (19 & 21 Evergreen St.) two-family (20-22, 25, & 33 Evergreen St.), and three-family (23, 29, 34 & 36 Evergreen St.) residential properties.

Zoning Analysis:

The project is proposing to demolish an existing detached barn in the rear of the property and utilizing this space to build a three-story addition that would share a common wall with the existing building on the site. The project raises several violations around dimensional regulations: excessive Floor Area Ratio, excessive building height (feet) due to the new addition, excessive building height (stories) due to the new addition, and rear and side yard insufficiency. Additionally, due to the increase in number of units, the project would be insufficient in providing the appropriate number of off-street parking space and require a variance to allow for four dwelling units, which is currently forbidden in 2F zoning subdistricts.

The project is seeking to build an estimated additional 3,000 square feet. 2F subdistricts only allow 0.6 FAR. Currently, the existing building structure on the project site amounts to roughly 0.48 FAR. The proposed addition with existing building structure would be roughly 1.0 FAR, doubling its existing floor area, to accommodate the additional unit. This would stand in significant contrast with neighboring buildings: 19 Evergreen Street (0.27 FAR), 21 Evergreen Street (0.36 FAR), 25 Evergreen St (0.7 FAR), 34 Evergreen St (0.49 FAR), and 29 Evergreen St (0.37 FAR). The proposed addition is 3.0 stories, which exceeds the allowable building height of 2.5 stories in 2F subdistricts.

The proposed additions trigger yard violations given the footprint of the development. Art. 55, Sec. 9 requires that buildings in the 2F subdistrict have a sideyard at least 10 feet in width. Art. 2 defines a side yard as “open space along the side line of a lot, extending from the front yard line to the rear yard line”. With the addition of the new building on the back of the existing building, parts of the side yard will not meet this requirement, with some areas at the narrowest at less than 8 feet. The proposed project would also not meet the minimum requirement of having at least 20 feet in rear yard depth, reducing the existing roughly 30 feet of rear yard depth to roughly 10 feet in some parts, a challenge further exacerbated by the addition of the rear yard deck.



The project site has existing nonconformities which have been further magnified under the proposed changes. The existing structure is zoned for two-family residence, but the building currently houses three units. While other properties in the near vicinity also share this quality, including 29 Evergreen Street (3-family dwelling), 34 Evergreen Street (3-family dwelling), and 36-38 Evergreen Street (3-family dwelling), the proposed project is requesting four units, a use that is forbidden in 2F zoning. The discrepancy between the existing nonconformities of many of the residential properties may be a case for zoning reform.

The current number of off-street parking is also insufficient per Article 55, Sec. 40. Under current zoning, residential properties with 1 to 3 units must have 1.0 off-street parking spaces per unit. The existing driveway on the property allows for two off-street parking spaces, despite the property having three existing units, and the proposed addition would further exacerbate this as more dwelling units will be added, but the available off-street parking spaces will not have changed. The existing building also exceeds the 35 feet height limit for buildings in the 2F subdistrict, a violation that is further challenged by the additional height of the rear addition, which intends to have a roofline higher than the existing building.

The plans entitled 28 EVERGREEN STREET, JAMAICA PLAIN, MASSACHUSETTS prepared by BRUCE MILLER ARCHITECT on June 29, 2023 were used in preparation of this recommendation.

Recommendation:

In reference to BOA1530363, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. The proponent should consider a project that does not exceed the building height/roofline of the existing structure and proposes dimensions more in line with surrounding context.

Reviewed,

A handwritten signature in blue ink, appearing to read "Anne Rando", is written over a light blue circular stamp.

Director of Planning, BPDA



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| Case | BOA1486752 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 16R Mather St., Dorchester 02124 |
| Parcel ID | 1601249000 |
| Zoning District & Subdistrict | Dorchester Neighborhood 2F-5000 |
| Zoning Article | Art 65 Sec 42.13, Art 65 Sec 9, Art 65 Sec 9.2 |
| Project Description | Convert existing carriage house into accessory dwelling unit, resulting in a two units on the lot |
| Relief Type | Variance |
| Violations | Lot Frontage Insufficient Usable Open Space Insufficient Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient Two or More Dwellings on Same Lot Location of Main Entrance |

Planning Context:

The existing condition of the site is a two-story single family residential unit, a driveway, and a two-story carriage house in the rear. The lot is almost a half-acre in size, and the existing dwelling is setback approximately 26 feet from Mather Street, a residential street lined with similar housing units.

The site is a 5-minute walk from Shawmut MBTA station, a 12 minute walk from Fields Corner MBTA station, and just a block west of Dorchester Avenue. Dorchester Avenue has a mix of residential, commercial, and service uses in this area, while the side streets near the proposed project consist mostly of one or two-household units.

The 2018 update to Housing Boston 2030 documents the citywide need for more housing - the demand is outpacing supply, resulting in rising housing costs and displacement pressures. Based on this, the 2018 update increases the City's goal to produce 69,000 new housing units at a range of incomes by 2030.

Guided by this goal to expand housing choices, the City of Boston launched an ADU Pilot Program to support homeowners to build accessory units within their homes. Based on that Pilot, the City launched "ADU 2.0" to support homeowners in turning existing exterior structures into accessory units, as this project proposes.



The proposed project will reuse an existing building without any proposed expansion to create new housing, directly advancing the priorities of the City, as established in the 2018 update to Housing Boston 2030.

Zoning Analysis:

The proposed two-family use is allowed under zoning. The zoning violations relate to dimensional requirements, including restrictions on two buildings on the same lot.

Section 65-42.13 requires that the distance between a dwelling and an additional dwelling be at least twice the minimum side yard depth; that the additional dwelling not be to the rear of another dwelling; and that dimensional requirements for yards and lot width apply to the additional dwelling, as if it were on its own lot, except the Board of Appeal may grant permission excepting these requirements "if it finds that open space for all occupants, and light and air for all rooms designed for human occupancy, will not be less than would be provided if the requirements" of the section were met. Given that the useable open space of the lot (8,930 square feet) far exceeds the minimum amount (1,500 for two dwelling units), the BPDA recommends the BOA consider permission after public notice and hearing per Section 62-42.13 and compliance with 527 CMR for Fire Truck access.

The existing carriage house is located in the rear corner of the lot, behind the existing dwelling unit, 3.5 feet at the closest point to the nearest side lot line, and 5.9 feet at the closest point to the nearest rear lot line. These existing conditions trigger dimensional violations related to lot frontage, usable open space, front yard, side yard, and rear yard. The potential physical impacts of the building's footprint and mass in the rear corner of the lot are existing and will not be exacerbated.

Section 65-9 Dimensional Regulations Applicable in Residential Subdistricts also require that main entrances to dwellings face the front lot line. Given that the proposed new dwelling is in the rear of the existing dwelling, the location of the main entrance will have no impact on the public realm, and therefore relief should be granted.

This proposal is an example of the need for zoning reform to allow by right conversions of an existing building to an ADU.

Recommendation:

BOA1486752
2024-02-06
2 Boston Planning & Development Agency



In reference to BOA1486752, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1552468 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 42 Waverly St., Brighton 02135 |
| Parcel ID | 2200645000 |
| Zoning District & Subdistrict | Allston/Brighton Neighborhood 3F-4000 |
| Zoning Article | Article 51 |
| Project Description | Demolish the single-family houses on 40 and 42 Waverly Street and build a new 14-unit multi-family building with underground parking. |
| Relief Type | Variance |
| Violations | Usable Open Space Insufficient Additional Lot Area Insufficient FAR Excessive Front Yard Insufficient Rear Yard Insufficient Conformity with Existing Building Alignment Off Street Loading Insufficient Off Street Parking Design Use: Forbidden (Multifamily) |

Planning Context:

The proposed project plans to demolish the existing single-family dwellings on 40 and 42 Waverly Street and build a new 14-unit residential building with underground parking spaces. 42 Waverly Street is located in Brighton and is currently zoned for 3F-4000. Waverly Street contains a mix of single-family, two-family, three-family units as well as one multi-family residential dwelling. This section of Waverly Street also abuts properties on Kelley Court and Richardson Street.

The proposed project is a 3-story multi-family building that would hold 14 units. It would contain a mix of 1-bedroom and 2-bedroom units. Along with the parking spaces in the basement, it would also include an amenity space and a bike room. A yard area with a patio would also be included at the back of the proposed property. Each unit would also have its own deck. This project would be significantly larger than the surrounding properties as the abutting properties are either single-family homes or a 3-family home.

The proposed project would help further the goals set forth in Housing a Changing City, Boston 2030 (September 2018) by increasing the housing stock as instead of two single-family homes,



there would now be 14 units, with one unit dedicated to affordability due to the Inclusionary Development Policy, to support a range of people. This project would also help meet the needs that the Allston-Brighton community identified in the Allston-Brighton Needs Assessment (January 2024) as it would create access to housing that is accessible and affordable. However, the scale of the proposed project would not align with the built environment with the proposed massing.

Zoning Analysis:

The proposed project is non-compliant with the amount of usable open space, additional lot area, FAR, front and rear setbacks, and the off-street parking and loading amount and design. Due to the non-conformity with the front setback, it also creates a non-conformity with the alignment of the abutting properties. Under Article 51, which regulates the zoning for Allston-Brighton, multi-family residential dwellings are forbidden as the area is zoned as 3F-4000.

Within the 3F-4000 subdistrict, the amount of usable open space must be 650 square feet per dwelling unit. Currently the proposed project is offering 473 square feet per dwelling unit for its 14 units with the use of decks, patio, and lawn areas. This is not compliant due to the number of units. Reducing the number of units would help meet this requirement. This is also the case for the additional lot area as reducing the number of units will help make it compliant. The proposed FAR is 1.29 which is higher than the maximum FAR of 0.8 for the area. While the proposed FAR exceeds the maximum, this is considered reasonable given that the proposed project is planning for a multi-family residential dwelling in an area zoned for 3F-4000. However, reducing the massing of the proposed building would help bring the FAR closer to the max of 0.8.

With the front yard, Article 51 requires a minimum of 20' while the project is proposing 15'. Because of this, it also creates a non-conformity with the alignment of the abutting properties. The issue with the rear setback is due to the abutting property on Kelley Court. Due to the proximity, it would be best to reduce the massing of the proposed project to meet both the minimum front and rear setback requirements.

The off-street parking and loading is also insufficient. The project proposes an underground parking with space for 14 cars. However, the parking ratio, as per the zoning code, would require 2 per unit, requiring the building to have 28 parking spaces. While a variance is recommended for the number of parking spaces, it would be best for the project to reduce the number of units to help reduce the number of parking spaces created.



There is a need for zoning reform as it would help align new projects with the existing conditions of Waverly Street. A multi-family residential building already exists on Waverly Street, three houses down from the proposed project site. Because of this, erecting a new multi-family residential building would not be out of place on this street. Zoning reform would also address issues of excessive FAR and the ratio for off-street parking not aligning with the current conditions of Waverly Street. However, the proposed project, under its current conditions, would still not align with the built environment even if the zoning was changed. This is because the proposed massing is larger than the built environment. This can be seen with the rear yard as it would extend further into the rear yard than the abutting properties. It would be best for the applicant to reduce the number of units and massing of the proposed building to match the built environment.

The plans reviewed are titled 42 Waverly St and were prepared by Choo & Company Inc. on August 23, 2023.

Recommendation:

In reference to BOA1552468, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. Applicant should reduce the number of units and massing of proposed building to match the built environment.

Reviewed,

A handwritten signature in blue ink, appearing to read "Ames Rand", is written over a faint, larger version of the same signature.

Director of Planning, BPDA

MEMORANDUM

OCTOBER 12, 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
STEPHEN HARVEY, SENIOR PROJECT MANAGER
MATTHEW MARTIN, URBAN DESIGNER II
SAM ROY, SENIOR TRANSPORTATION PLANNER
EILEEN MICHAUD, PLANNER I

SUBJECT: 27 FARRAGUT ROAD, SOUTH BOSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority d/b/a Boston Planning & Development Agency ("BPDA") authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 27 Farragut Road in South Boston (as defined below, the "Proposed Project"), in accordance with Article 80E, Small Project Review of the Boston Zoning Code (the "Code"); and (2) execute and deliver an Affordable Rental Housing Agreement and Restriction ("ARHAR") in connection with the Proposed Project; and (3) enter into a Community Benefits Agreement and any and all other agreements and documents, and to take any and all other actions that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The Proposed Project is located on an approximately 9,401 square foot parcel of land at 27 Farragut Road in the City Point section of the South Boston neighborhood of Boston (the "Project Site"). The Project Site currently is occupied by a mixed-use building with surface parking and is within the vicinity of MBTA bus

service, which provides access to MBTA Red Line Subway service at Broadway Station, Andrew Station and South Station.

DEVELOPMENT TEAM

The development team includes:

Proponent: 27 Farragut Road Realty Trust
Chris Anderson, Kurt Stenhouse

Development Management: RISE
Raul Duverge, David Anderson

Construction Management: RISE
Brian Regan, James Grossmann

Architect: Monte French Design Studio (MFDS)
Monte French, Alex Yoon, Emily Driscoll

Legal Counsel: Adams & Morancy, P.C.
George Morancy, Esq.

Land Survey: Feldman Geospatial
Tim Agurkis

PROPOSED PROJECT

27 Farragut Road Realty Trust (the “Proponent”) seeks to demolish the existing structure occupying the Project Site and construct a four (4) story, approximately forty-seven (47) foot maximum height, approximately 30,434 gross square foot residential building that will include up to twenty-one (21) rental housing units, including four (4) IDP units, and up to twenty (21) off-street vehicle parking spaces (the “Proposed Project”). The Proposed Project also will include an interior bicycle storage room with space for twenty-one (21) bicycles for residents and up to six (6) exterior bicycle storage spaces for the public.

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

| Estimated Project Metrics | Proposed Plan |
|----------------------------------|----------------------|
| Gross Square Footage | 30,434 |
| Gross Floor Area | 23,917 |
| <i>Residential</i> | 23,917 |
| <i>Office</i> | 0 |
| <i>Retail</i> | 0 |
| <i>Lab</i> | 0 |
| <i>Medical Clinical</i> | 0 |
| <i>Education</i> | 0 |
| <i>Hotel</i> | 0 |
| <i>Industrial</i> | 0 |
| <i>Recreational</i> | 0 |
| <i>Back of House</i> | 1,659 |
| <i>Parking</i> | 4,858 |
| Development Cost Estimate | \$12,000,000 |
| Residential Units | 21 |
| <i>Rental Units</i> | 21 |
| <i>Ownership Units</i> | 0 |
| <i>IDP/Affordable Units</i> | 4 |
| Parking spaces | 21 |

PLANNING CONTEXT

The Proposed Project at 27 Farragut Road is not located within the boundaries of a recent planning initiative, but it is subject to the forthcoming South Boston Transportation Action Plan (SBTAP), to be released in Winter 2024. The zoning designation for the Project Site is a Multifamily Residential subdistrict within Article 68, the South Boston Neighborhood District. The Proposed Project is moderately taller and denser than required by zoning, while responding to the existing

multifamily residential scale and dense block structure. The Proposed Project is located on an MBTA bus route serving the 7,9,10, and 11 buses, making this an ideal location for transit-oriented development.

During the course of project review, the building was reduced in height from five (5) to four (4) stories to more closely conform to existing zoning requirements and to allow adequate light and air to units in the new building and existing residential buildings. New curb extensions and crosswalks at the intersection of Farragut and East Second Street will allow for safer access to the public open space, recreational amenities, and waterfront across the street, advancing a key goal of the SBTAP to improve safety for all modes of travel.

ARTICLE 80 REVIEW PROCESS

On June 5, 2023, the Proponent filed an Application for Small Project Review with the BPDA for the Proposed Project, pursuant to Article 80E of the Code (the “Code”). The BPDA sponsored and held a virtual public meeting on June 28, 2023, and September 6, 2023, via Zoom. The meetings were advertised in the local newspapers, posted on the BPDA website and a notification was emailed to all subscribers of the BPDA’s South Boston neighborhood update lists. The public comment period ended on July 14, 2023.

ZONING

The Project Site is in the South Boston Neighborhood District governed by Article 68 of the Code and more specifically within the Multi-Family Residential (MFR) Subdistrict, and Restricted Parking District. The Proponent expects that zoning variances will be needed for the following: floor area ratio, building height, minimum lot area per dwelling unit, minimum useable open space, insufficient side and rear yard setbacks, and insufficient off-street parking and loading.

MITIGATION AND COMMUNITY BENEFITS

The Proposed Project will include mitigation measures and community benefits to the neighborhood and the City of Boston (the “City”), including:

- The Proponent will make a one-time “bikeshare” contribution of Five Thousand Seven Hundred Seventy-Five dollars (\$5,775.00) to the Boston

Transportation Department (“BTD”) per the City’s Bike Parking Guidelines. The \$5,775.00 contribution to the Boston Transportation Department is due upon issuance of the Certificate of Approval.

- As part of the site design of the Proposed Project, the Proponent will design and implement in-kind pedestrian safety improvements to the intersection of Farragut Road and East Second Street. The Proponent shall complete the requested mitigation improvements before the issuance of the Certificate of Occupancy for the Proposed Project. All sidewalk improvements are subject to BPDA design review and may require approval for a Specific Repairs Action with the Public Improvement Commission. The dollar value of the in-kind improvements shall not exceed Thirty Thousand dollars (\$30,000.00). In the event that circumstances change regarding this mitigation, the BPDA and the City will work with the Proponent to provide an alternate mitigation of a similar nature with a value not to exceed \$30,000.00. The in-kind improvements shall be completed as currently contemplated in their proposed design.
- The Proponent will provide and maintain a trash receptacle for the public on the Project Site within the bounds of the sidewalk setback on Farragut Road (not on the public right-of-way).
- The Proponent will install at least two (2) street trees in and around the Project Site, and protect one (1) existing street tree. The tree plantings shall be coordinated and approved by the BPDA, and other applicable City departments/agencies and completed before the issuance of the Certificate of Occupancy for the Proposed Project.
- The Proponent shall make a Ten Thousand dollar (\$10,000.00) contribution to City’s Fund for Parks:

Recipient: City’s Fund for Parks
Boston Parks and Recreation Department
1010 Massachusetts Avenue, 3rd Floor
Boston, MA 02118

Use: The contribution will be used to fund efforts to maintain green space and facilities at Christopher F. Lee

Playground located near this Proposed Project in South Boston.

Amount: \$10,000.00

Timeline: The \$10,000.00 contribution is due upon issuance of the Certificate of Approval.

- The Proponent shall make a Ten Thousand Five Hundred dollar (\$10,500.00) contribution to a local nonprofit:

Recipient: South Boston Neighborhood House, Inc.
136 H Street
South Boston, MA 02117

Use: The contribution will be used to fund and/or further advance STEM studies at the South Boston Neighborhood House located near this Proposed Project in South Boston.

Amount: \$10,500.00

Timeline: The \$10,500.00 contribution is due upon issuance of the Certificate of Approval.

- The Proponent commits to equipping electric vehicle charging infrastructure at a rate of 25% installed, or five (5) charging stations, and the remaining sixteen (16) parking spaces to be EV Ready for future installation.
- In support of Boston’s green building and carbon neutral goals, the Proposed Project will be designed to meet LEED Gold performance standards.
- The Proponent will share the final proposal and design with the City Point Neighborhood Association before issuance of the Certificate of Approval.
- The Proposed Project will create approximately fifty (50) temporary construction related jobs.
- Additional property tax revenue for the City.

The community benefits described above will be set forth in the Community Benefit Contribution Agreement for the Proposed Project. The community benefits contribution payments shall be made to the BRA upon issuance of the initial

building permit by the City of Boston Inspectional Services Department (“ISD”) and will be distributed as outlined above.

The proposed scope of any in-kind work agreed to by the Proponent shall be developed in consultation with the BPDA and appropriate city agencies, departments, and commissions and the allocation of any financial contributions shall first be provided to the BPDA for disbursement to the specified entity or organization. The details of any in-kind work and the allocation of any financial contributions shall be incorporated into the Community Benefit Contribution Agreement, between the Proponent and the BPDA. To the greatest extent possible, the Proponent will provide the BPDA with evidence indicating that the above-referenced mitigation and community benefits have been satisfied.

INCLUSIONARY DEVELOPMENT POLICY

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 (the “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, four (4) units-or approximately 19.1% of the total number of units within the Proposed Project will be created as IDP rental units (the “IDP Units”), exceeding the requirements of the IDP. Three (3) units will be made affordable to households earning not more than 70% of AMI and one (1) unit will made affordable to households earning not more than 100% 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 # | # of Bedrooms | Square Footage | % of AMI | Rent | ADA/Group 2 Designation (if any) |
|--------|---------------|----------------|----------|---------|----------------------------------|
| 202 | Studio | 636 SF | 70% AMI | \$1,330 | Yes |
| 205 | Three | 1,021 SF | 70% AMI | \$1,978 | |
| 402 | Studio | 636 SF | 100% AMI | \$1,932 | |
| 306 | Two | 1,047 SF | 70% AMI | \$1,766 | |

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 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:

- (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.

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; (2) execute and deliver an Affordable Rental Housing Agreement and Restriction (“ARHAR”) in connection with the Proposed Project; and (3) enter into a Community Benefits Agreement, and any and all other agreements and documents, and to take any and all other actions that the Director deems appropriate and necessary in connection with the Proposed Project.

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 at 27 Farragut Road in the South Boston neighborhood, proposed by 27 Farragut Road Realty Trust (the “Proponent”), for the construction of a four (4) story, approximately forty-seven (47) foot maximum height, approximately 30,434 gross square foot residential building that will include up to twenty one (21) rental housing units, including four (4) IDP units, and up to twenty (21) off-street vehicle parking spaces (the “Proposed Project”), in accordance with the requirements of Small Project Review, Article 80E, of the Code, subject to continuing design review by the BPDA; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute and deliver an Affordable Rental Housing Agreement and Restriction for the creation of four (4) IDP Units in connection with the Proposed Project; and

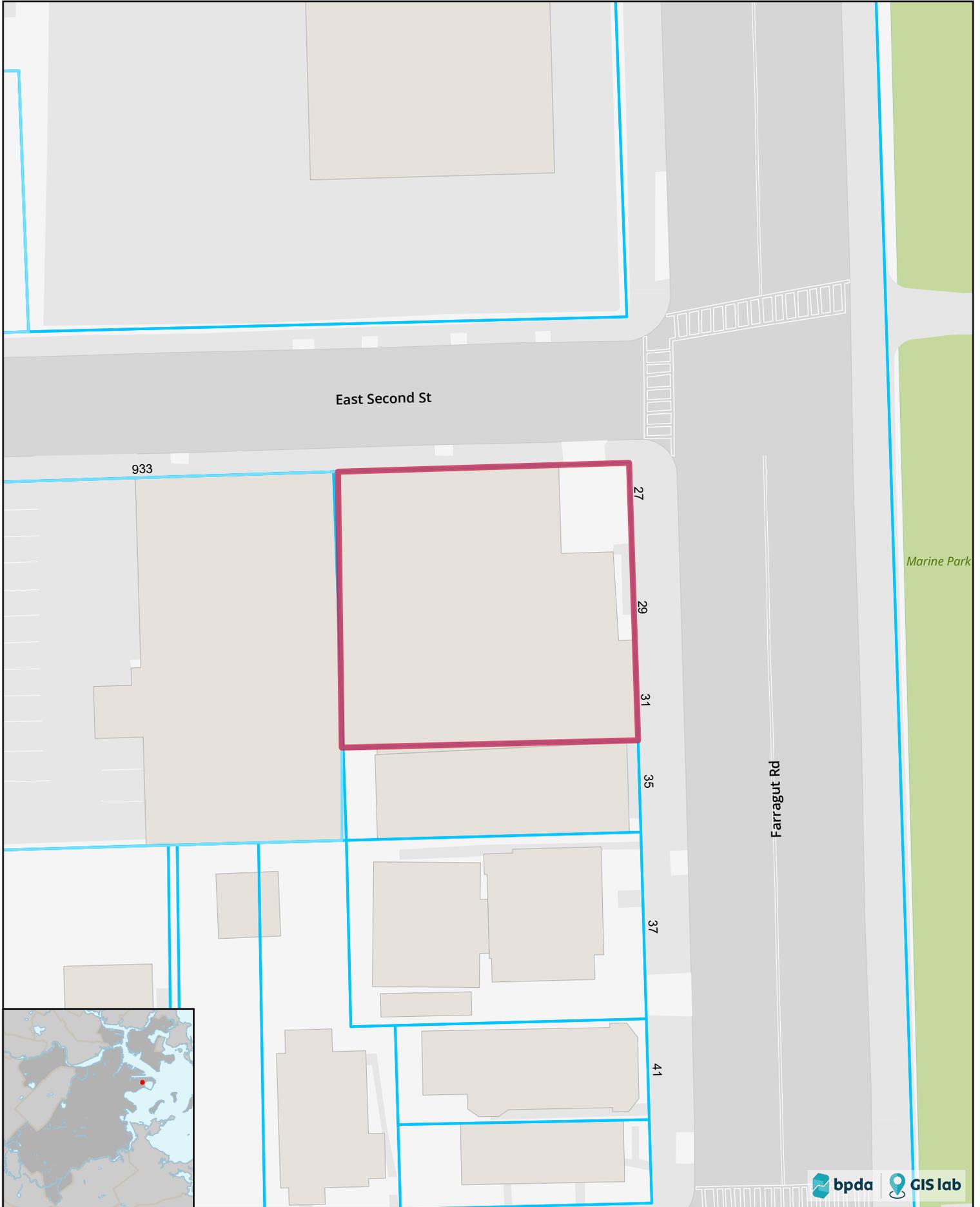
FURTHER

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

27 Farragut Road



1:500



27 Farragut Road



1:500



MEMORANDUM

FEBRUARY 10, 2022

TO: **BOSTON REDEVELOPMENT AUTHORITY**
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY^{1*}
AND BRIAN P. GOLDEN, DIRECTOR

FROM: MICHAEL CHRISTOPHER, DIRECTOR OF DEVELOPMENT REVIEW
CASEY HINES, DEPUTY DIRECTOR FOR DEVELOPMENT REVIEW
AISLING KERR, SENIOR PROJECT MANAGER

SUBJECT: CHANGE OF OWNERSHIP
515 – 519 EAST SECOND STREET, SOUTH BOSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) d/b/a Boston Planning & Development Agency (“BPDA”) authorize the Director to: (i) issue a Certification of Approval to 519 East Second Street LLC, the new Proponent of the 515 – 519 East Second Street project in South Boston; and (ii) enter into an Affordable Housing Agreement (“AHA”) and Community Benefit Contribution Agreement with 519 East Second Street LLC, and take any other actions and execute any and all other documents or agreements that the Director deems appropriate and necessary in connection with the Project.

PROJECT SITE

Located at 515 – 519 East Second Street in South Boston, the approximately 12,890 square foot Project Site consists of one (1) parcel of land bound by H Street to the east and Dorchester Street to the west (the “Project Site”). The Project Site is a paved surface lot presently occupied by an automotive repair garage and trolley storage facility.

DEVELOPMENT TEAM

Proponent: 519 East Second Street, LLC

^{1*} Effective October 20, 2016, the BRA commenced doing business as BPDA.

Thomas Noto and Patricia Gannon

Legal Counsel: McCue, Lee & Greene, LLP
Brendan Greene, Esq.

Architect: O'Sullivan Architects, Inc.
David O'Sullivan and Donnie Garrity

PROJECT BACKGROUND

On December 17, 2020 the BPDA Board approved the Proposed Project at 515 – 519 East Second Street in South Boston. As approved, the Project calls for the demolition of the existing structures on the Project Site and the construction of a new five (5)-story residential building totaling approximately 39,750 square feet.

The Project will include approximately thirty (30) condominium units, four (4) of which will be provided as Inclusionary Development Policy (“IDP”) Units. Approximately thirty-four (34) vehicular parking spaces will be provided through an at-grade garage with access from East Second Street (collectively, the “Project”).

CHANGE OF OWNERSHIP

On January 18, 2022 the BPDA received written notice from 519 East Second Street, LLC (the “Proponent”) that the Project had been transferred to its ownership from the original project applicant, 515 East 2nd Street, LLC (the “Original Proponent”).

The Proponent has not made any changes to the Project as approved by the BPDA Board in December of 2020. BPDA Board authorization is required for the Director to enter into and execute the necessary Article 80 documents and approvals with the Proponent, which were not completed prior to the Project’s change of ownership.

ZONING

Following the BPDA Board’s approval of the Project in December of 2020, the Project received approval from the City of Boston Zoning Board of Appeal (“ZBA”) on April 12, 2021.

COMMUNITY BENEFITS & MITIGATION MEASURES

The Proponent remains committed to the community benefits and mitigation measures included in the BPDA Board's approval of the Project.

The Proponent shall enter into a Community Benefit Contribution Agreement with the BPDA for the disbursement of thirty-thousand dollars (\$30,000), payable at the time of issuance of the Project's initial building permit by the Inspectional Services Department ("ISD"), for pedestrian safety improvements at the intersection of East Broadway, West Broadway, and Dorchester Street. Upon receipt, these funds shall be transferred to the Boston Transportation Department ("BTD") for safety improvements such as pedestrian beacons, crosswalk enhancements, and other pedestrian safety and public realm improvements at the intersection.

RECOMMENDATIONS

Based on the foregoing, BPDA staff recommend that the Board authorize the Director to: (i) issue a Certification of Approval to 519 East Second Street LLC, the new Proponent of the 515 – 519 East Second Street project in South Boston; and (ii) enter into an Affordable Housing Agreement ("AHA") and Community Benefit Contribution Agreement with 519 East Second Street LLC, and take any other actions and execute any and all other documents or agreements that the Director deems appropriate and necessary in connection with the Project.

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Approval to 519 East Second Street LLC for the construction of the 515 – 519 East Second Street project in South Boston; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to enter into and execute an Affordable Housing Agreement, Community Benefit Contribution Agreement, and any and all other agreements and documents that the Director deems appropriate and necessary in connection with the 515 – 519 East Second Street project with 519 East Second Street LLC.

MEMORANDUM

DECEMBER 17, 2020

TO: BOSTON REDEVELOPMENT AUTHORITY
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY (BPDA)*
AND BRIAN P. GOLDEN, DIRECTOR

FROM: JONATHAN GREELEY, DIRECTOR OF DEVELOPMENT REVIEW
MICHAEL CHRISTOPHER, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW/GOVERNMENT AFFAIRS
JOHN CAMPBELL, PROJECT MANAGER
MATTHEW MARTIN, URBAN DESIGNER II
MARY KNASAS, SENIOR PLANNER III
MARK MCGONAGLE, COMMUNITY AFFAIRS LIAISON

SUBJECT: 515-519 EAST SECOND STREET, SOUTH BOSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 515-519 East Second Street in South Boston (the “Proposed Project”), in accordance with Article 80E, Small Project Review of the Boston Zoning Code (the “Code”); (2) enter into an Affordable Housing Agreement in connection with the Proposed Project; (3) enter into a Community Benefit Contribution Agreement and take any other actions and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project; and (4) recommend approval to the City of Boston Zoning Board of Appeal on Petition BOA - 1046403 for zoning relief necessary to construct the Proposed Project.

PROJECT SITE

The Proposed Project is located at 515-519 East Second Street in South Boston situated between H Street to the east and Dorchester Street to the west (the “Project Site”).

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

The Project Site consists of one (1) parcel that is approximately 12,890 square feet of land. The Project Site consists of an existing non-conforming automotive repair garage and trolley storage facility, surrounded by an asphalt surface lot.

The Project Site is also located 1.0 mile southeast of the MBTA Red Line Broadway station and multiple bus line service to Downtown Boston.

DEVELOPMENT TEAM

Proponent: 515 East 2nd Street, LLC
Edward Doherty and Thomas Noto

Legal Counsel: McDermott, Quilty & Miller, LLP
Joseph P. Hanley, Esq. and Nicholas J. Zolula, Esq.

Architect: O'Sullivan Architect Inc.
David O'Sullivan and Donnie Garrity

Civil Engineering: Bohler Engineering
Zachary Richards

PROPOSED PROJECT

515 East 2nd Street, LLC (the "Proponent") proposes to construct a five-story, residential building totaling approximately 39,750 square feet. The building will contain thirty (30) homeownership units including four (4) Inclusionary Development Policy Units ("IDP Units") and thirty-five (35) on-site/off-street garage parking spaces at-grade with vehicular access via East Second Street. Bicycle storage and a trash/recycling room will be located within the ground level of the building (the "Proposed Project").

As currently proposed, the thirty (30) homeownership condominium units will consist of twenty-six (26) market-rate units and four (4) IDP units. The thirty (30) units will consist of twelve (12) one-bedroom units, twelve (12) two-bedroom units, and six (6) three-bedroom units.

The Proponent plans to commence construction of the Proposed Project in 2021. There are an estimated 40+/- construction jobs contributing to the Proposed Project and the total development cost is approximately \$10,000,000.

PUBLIC PROCESS

On February 24, 2020, the Proponent filed a Small Project Review application with the BPDA for the Proposed Project, pursuant to Article 80E of the Boston Zoning Code. A BPDA sponsored Virtual Public Meeting was held on August 31, 2020 on Zoom. The meeting was advertised in *South Boston Today* and *South Boston Online* newspapers on August 13, 2020. The Virtual Public Meeting was also posted on the BPDA website, and distributed to the BPDA South Boston email list. The BPDA comment period concluded on September 11, 2020.

ZONING

The Project Site is situated within an MFR (Multifamily Residential) subdistrict of the South Boston Neighborhood Zoning District, Article 68 of the Boston Zoning Code. The Proposed Project will require zoning relief from the following: Forbidden Use, Excessive Floor Area Ratio, Insufficient Lot Size, Insufficient Lot Area Per Unit, Excessive Building Height, Insufficient Usable Open Space, Insufficient Rear Yard, Insufficient Side Yard, Off-Street Parking Insufficient, and Off-Street Parking Size & Design.

MITIGATION & COMMUNITY BENEFITS

The Proposed Project will provide many community benefits for the South Boston neighborhood and the City of Boston. The Proponent has committed to a total of thirty-thousand dollars (\$30,000.00) towards community benefits, which are described below.

- The Proponent has made a commitment of Thirty Thousand Dollars (\$30,000.00) to be contributed to the BPDA upon issuance of an initial building permit for the Proposed Project for improvements to the East Broadway / West Broadway / Dorchester Street intersection commonly known as Perkins Square. The BPDA will transfer this contribution to the Boston Transportation Department (BTD) to use for pedestrian beacons, crosswalk enhancements, and other improvements to enhance pedestrian safety in the public realm.

In connection with the community benefits described above, the Proponent will enter into a Community Benefit Contribution Agreement with the BPDA. The community benefits contribution payments shall be made to the BPDA upon

issuance of the initial building permit by the City of Boston Inspectional Services Department ("ISD") and the BPDA will distribute as outlined above.

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. In this case, four (4) units within the Proposed Project will be created as IDP homeownership units (the "IDP Units"), of which two (2) units will be made affordable to households earning not more than 80% of the Area Median Income as based upon the United States Department of Housing and Urban Development ("HUD") ("AMI"), and two (2) units will be made affordable to households earning greater than 80% of AMI but not more than 100% of AMI. The proposed sizes, location and sale prices for the IDP Units are as follows:

| Unit Number and Location | Number of Bedrooms | Square Feet | ADA/Group 2 Designation | Percentage of Median Income | Sale Price |
|---------------------------------|---------------------------|--------------------|--------------------------------|------------------------------------|-------------------|
| Unit 203, Floor 2 | 2 Bedroom | 1,477 | | 80% of AMI | \$221,900 |
| Unit 306, Floor 3 | 1 Bedroom | 701 | | 80% of AMI | \$186,400 |
| Unit 308, Floor 3 | 2 Bedroom | 1,483 | | 100% of AMI | \$221,900 |
| Unit 404, Floor 4 | 1 Bedroom | 875 | | 100% of AMI | \$248,600 |

The location of the IDP Units will be finalized in conjunction with BPDA staff and outlined in the Affordable Housing Agreement ("AHA"), and sales prices and income limits will be adjusted according to BPDA published maximum sales prices and income limits, as based on HUD AMIs, available at the time of the initial sale 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 AHA must be executed along with, or prior to, the issuance of the Certification of Approval for the Proposed Project. The Proponent must also submit an Affirmative Marketing Plan (the "Plan") to the Boston Fair Housing Commission 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); and
- (3) First-Time Homebuyer

The IDP Units will not be marketed prior to the submission and approval of the Plan. 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 the buyer and sales price of any subsequent sale of the IDP Units during this fifty (50) year period must fall within the applicable income and sales price limits for each IDP Unit. IDP Units may not be rented out by the Proponent prior to sale to an income eligible buyer, and the BPDA or its successors or assigns will monitor the ongoing affordability of the IDP Units.

As there is no partial unit payment required, the four (4) designated IDP Units fully satisfies the IDP requirements pursuant to the December 10, 2015 IDP.

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; (2) enter into an AHA in connection with the Proposed Project; (3) enter into a Community Benefit Contribution 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; and (4) recommend approval to the Boston Zoning Board of Appeal on Petition BOA - 1046403 for zoning relief necessary to construct the Proposed Project with the proviso that the plans be submitted to the BPDA for design review approval.

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 five-story residential building containing 30 homeownership condominium units, and 35 garage parking spaces at 515-519 East Second Street in South

Boston (the "Proposed Project") in accordance with the requirements of Small Project Review, Article 80E, of the Code, subject to continuing design review by the Boston Redevelopment Authority; and

**FURTHER
VOTED:**

That the Director be, and hereby is, authorized to execute an Affordable Housing Agreement for the creation of four (4) on-site IDP Units in connection with the Proposed Project; and

**FURTHER
VOTED:**

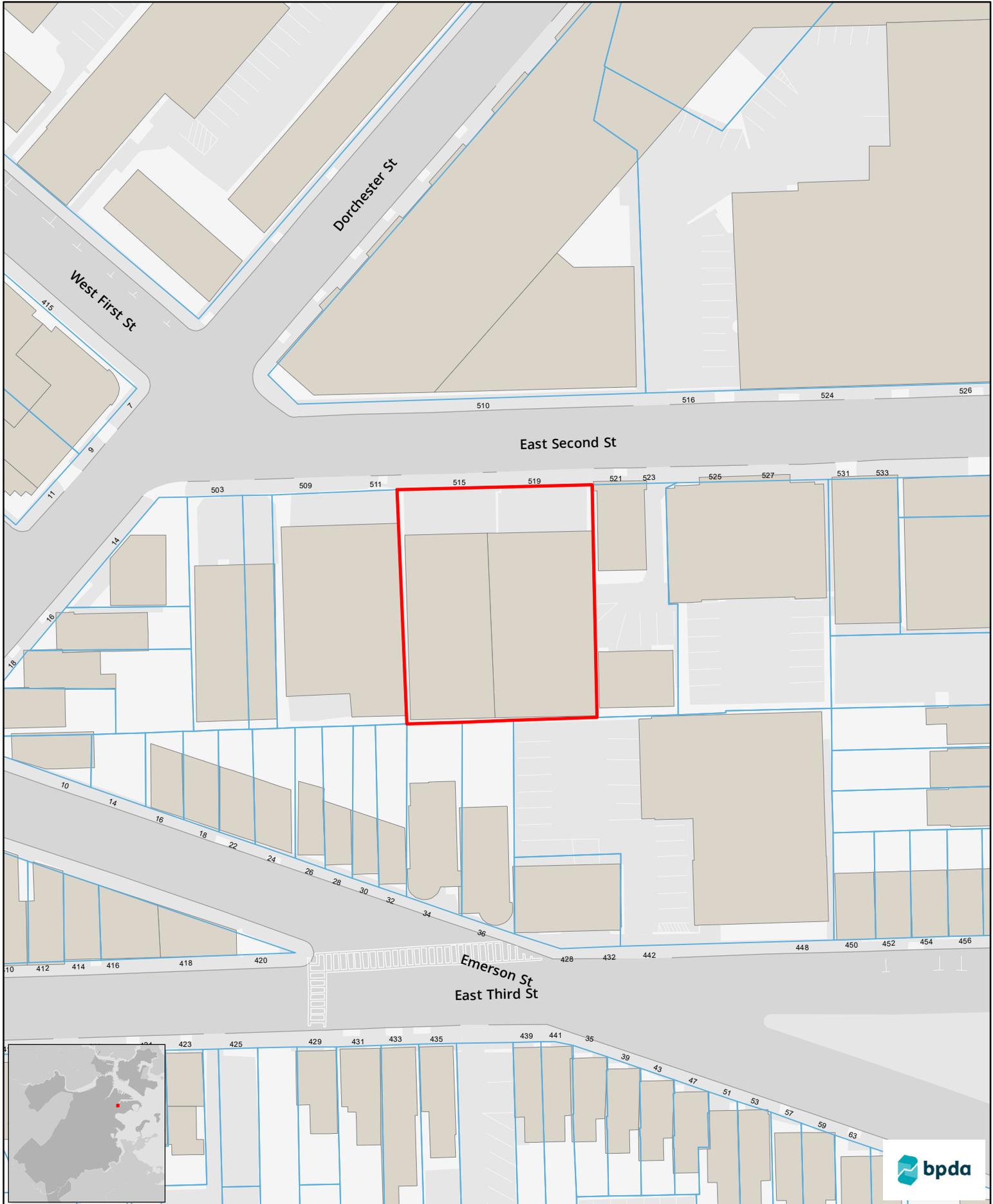
That the Director be, and hereby is, authorized to execute a Community Benefit Contribution Agreement and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project; and

**FURTHER
VOTED:**

That the Director be, and hereby is authorized to issue the following recommendation to the City of Boston Zoning Board of Appeal on Petition BOA - 1046403 for zoning relief necessary in connection with the Proposed Project: APPROVAL WITH PROVISIO: that plans are submitted to the BRA for design review approval.

515-519 East Second Street, South Boston

1:800



515-519 East Second Street, South Boston

1:800



AP Alexandra Properties, LLC

January 18, 2022

Via Email

Mr. Brian Golden
Director
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

Re: Request for Transfer of Property Ownership

Location: 515-519 East Second Street, South Boston, MA
Board Approval Date: December 17, 2020
Project: Demolition of existing one story building and erect new 5 story multi-family building containing 30 units with associated parking on the first floor of the building (the "Project")

Dear Director Golden:

I am representing 519 East Second Street LLC, (the "Applicant") the owner applicant of the Project. The Applicant recently completed the transfer of ownership from the original project proponent, 515 East 2nd Street, LLC. Two of the three original partners from the original proponent are partners with the controlling ownership interest in the current ownership LLC, the Applicant. The remaining interest is controlled by a group of investors in the development.

We request a BPDA Board vote to authorize the execution of the Article 80 approval documents with the new entity, 519 East 2nd Street, LLC.

Thank you for your attention to this matter.

Sincerely,



Gregory Clark

Email: gregclark@alexandrapropertiesllc.com



MEMORANDUM

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

FROM: Joanne Marques
Regulatory Planning & Zoning

DATE: February 2, 2023

RE: BPDA Recommendations(Revised)

Please find attached, for your information, the BPDA's recommendations for the Zoning Board of Appeal's Hearing scheduled for Tuesday February 6, 2024.

Also included are the Board Memos for: 519 E Second ST South Boston 02127 and 27 to 29 Farragut RD South Boston 02127.

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



| | |
|--|--|
| Case | BOA1539319 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 76 Webster St., East Boston 02128 |
| Parcel ID | 0104831000 |
| Zoning District & Subdistrict | East Boston Neighborhood 3F-2000 |
| Zoning Article | Art. 32 |
| Project Description | Renovate an existing three-story, three-family building, including reconfiguration of existing units, replacement of exterior materials and roofing, and construction of new exterior rear stairs. |
| Relief Type | Conditional Use |
| Violations | GCOD Applicability |

Planning Context:

This project will renovate the interior and exterior of an existing three-story, three-family building with the construction of exterior stairs in the northeastern rear of the building. The new exterior stairs will be constructed with a base that is 4 feet below grade.

This project will not change the exterior dimensional height and depth of the existing building. The proposed exterior stairs will not be visible from the public realm. The project does not propose changes to the existing basement.

Zoning Analysis:

This property is located within the 3F-2000 (Three-Family Residential) subdistrict of the East Boston Neighborhood District (Art. 53). This property is within the Groundwater Conservation Overlay District (GCOD). GCOD review is applicable to this project because the proposed exterior stairs will have a base that extends 4 feet below grade and would require below grade excavation

Project plans completed by Bloom Architecture on June 1, 2023. Stair structure engineering plan completed by Nazeih Hammouri, PE on April 21, 2023.

Recommendation:



In reference to BOA1539319, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO: the plans shall be reviewed and approved by the Boston Water & Sewer Commission due to its location within the Groundwater Conservation Overlay District (GCOD).

Reviewed,

A handwritten signature in blue ink, appearing to read "Anne Kane", is written in a cursive style.

Director of Planning, BPDA



| | |
|--|---|
| Case | BOA1550055 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 89 Condor St., East Boston 02128 |
| Parcel ID | 0103572000 |
| Zoning District & Subdistrict | East Boston Neighborhood 2F-2000 |
| Zoning Article | Article 53, Article 27T |
| Project Description | Erect a new four (4) story four (4) unit residential dwelling. |
| Relief Type | Variance, IPOD Permit |
| Violations | FAR Excessive Height Excessive (stories) Height Excessive (ft) Side Yard Insufficient Rear Yard Insufficient Existing Building Alignment IPOD Applicability Parking or Loading Insufficient Forbidden Use (MFR) |

Planning Context:

The proposed project is a 4 unit, 4 story multifamily residence that will replace an existing 2.5 story single-family residential dwelling. It is located along Condor Street. To the south, it is surrounded by a mix of structures ranging from 2.5 to 4 stories in height, and with single-family to multifamily residential uses. The site abuts a mixed-use commercial district to the north. In addition, the lot lies within a quarter mile walk of the Condor Street Overlook, South Shore Plaza Park, and East Boston High School. The proposed project is not within immediate proximity to an MBTA Blue Line station, but does fall along the 114, 116, and 117 MBTA bus routes.

The proposed project's scope is supported by the housing goals for neighborhood residential outlined in PLAN: East Boston, adopted in January 2024. These call for the development of contextually sensitive and appropriately scaled residential infill projects, especially on underdeveloped lots, as a means of increasing the number of safe, affordable, and accessible housing options available to East Boston residents.

PLAN: East Boston's draft zoning, which is pending Zoning Commission consideration, places the parcel within an EBR-4 residential subdistrict. EBR-4 subdistricts permit a maximum building height of 4 stories and 50' and allow for the by-right development of multifamily residential land



uses, both of which this project proposes. However, the project's side and rear yard setbacks, building lot coverage, and permeable area of lot figures do not comply with the dimensional requirements of the recommended zoning. The site's proposed parking is also deviates from the recommended 1:1 parking minimum recommended in PLAN: East Boston for 4+ unit residential structures.

Zoning Analysis:

The proposed project currently sits in a 2F-2000 (two-family residential) Subdistrict in the East Boston Neighborhood District. It has been cited with 9 zoning violations. Many of these violations stem from a proposed building scale misaligned with its surroundings.

The project's proposed FAR (2.67) is more than both what is required by the Code (0.8) and the area's average (between 0.7-1.0). Its side yard (7") and rear yard (10') dimensions too exceed the area's typical figures (3'-5' and 25'-40', respectively). In addition, the project proposes a zero-lot line condition in the front yard (0' setback) which violates the lot's required setback (5') and is out of context with the area's predominate existing building alignment (3').

The project's proposed height (4 stories) and use (4 family) are contextual to its surroundings.

This project requires an IPOD permit for two reasons: first, it was submitted in September 2022, before the sunset date of the IPOD in November 2023; and second, because it seeks to erect a structure over 1,000 square feet of gross floor area (Section 27T-5).

Article 27T Section 8 states that The Board of Appeal shall grant an IPOD permit if it finds that “(a) the Proposed Project's benefits outweigh any burdens imposed; and (b) the Proposed Project is in substantial accord with the applicable provisions of Article 27T.” Applicable provisions of Article 27T include Section 7, which states that “Proposed Projects within the East Boston IPOD Study Area should be consistent with the following elements that contribute to the special character of the area: (a) block and street patterns; (b) existing densities; (c) existing building types; (d) predominant setbacks and heights; and (e) open space and off-street parking patterns.”

Due to the project's incontextual setbacks and building scale, the proposal does not meet the issuance standards for an IPOD permit.



Recommendation:

In reference to BOA1550055, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. The proponent should consider a project that reduces building lot coverage to 60% and increases the permeable area of the lot to at least 30%. In addition, such a project should increase the site's side and rear yard setbacks to 5' and 25', respectively, and meet the area's existing building alignment.

Reviewed,

A handwritten signature in blue ink, appearing to read "Anne Rade", is written over a light blue circular stamp.

Director of Planning, BPDA



| | |
|--|---|
| Case | BOA1530534 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 41 Wordsworth ST East Boston 02128 |
| Parcel ID | 0100660000 |
| Zoning District & Subdistrict | East Boston Neighborhood 2F - 3000 |
| Zoning Article | Article 53 |
| Project Description | Addition of rear stairs and roof deck as part of rehab for a fire gutted property |
| Relief Type | Variance |
| Violations | Roof Structure Restrictions Side Yard Insufficient |

Planning Context:

The previously proposed project was launched in order to restore a triple decker that was gutted by a fire. The new plans include the addition of a outside stair case and roof deck

PLAN: East Boston, still in draft form, recommends allowing for "a mix of housing types within a limited range" as well as a rezoning of the proposed development area. The project is located within the area of the East Boston Interim Planning Overlay District (IPOD). The intention of this overlay is to ensure that planning and zoning protections were in place during the development of PLAN: East Boston, recommending that continuity of neighborhood character be prioritized throughout the development process. While this parcel is zoned for 2.5 stories, as it is a restoration of a previously standing building, the additional height fits in to the neighborhood fabric.

The IPOD was in place when this project application was submitted, but has since expired as of November 11, 2023. The draft zoning and strategic plan for PLAN: East Boston continue to recommend this area for a two-story maximum height.

Zoning Analysis:

This parcel is zoned for 2F - 3000 within the East Boston sub district of the zoning code. While the building is too tall and dense according to current zoning, as it was previously erected building, these violations have been established and have already been accepted under the former building.



The current zoning code forbids roof decks of any sort in this area. However, Plan: East Boston is currently anticipated to be added to the zoning code but for the moment we can use its recommendations as a guideline for current development. The Plan currently recommends that roof decks are permitted if they are set back from the front of the property. As it is currently proposed, the roof deck would be situated to the front of the property, allowing noise and potential trash to enter Wordsworth Street.

The side yard also triggers an additional violation as it creates too small of a setback. Neighborhood context points in the opposite direction with many of the triple deckers along the street having similar alleyways in-between developments. In addition, this violation would have applied to the previously constructed building. This points to the need for reformation of the zoning code, which is underway through PLAN: East Boston

Recommendation:

In reference to BOA1530534, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE.

Reviewed,

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Director of Planning, BPDA

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| Case | BOA1528615 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 158 Athens St., South Boston 02127 |
| Parcel ID | 0601391004 |
| Zoning District & Subdistrict | South Boston Neighborhood MFR |
| Zoning Article | Art 68 Sec 29 Roof Structure Restrictions, Art 68 Sec 8 Dimensional Regulations Applicable in Residential Subdistricts |
| Project Description | Project proposes to construct an approx. 14 x12 roof deck on a 2-family building for the exclusive use of one unit with access via an existing headhouse. |
| Relief Type | Variance, Conditional use |
| Violations | Roof Structure Restrictions Rear Yard Insufficient |

Planning Context:

The proposed project is located in a residential area of South Boston on Athens Street, a narrow, approximately 12-foot-wide street connecting B and C Streets, one block northeast of West Broadway. The street is lined on both sides with three-story residential units with no front yards.

The existing use of the site is a 3-story, 2-family residential unit similar to all other buildings on the block. There are no apparent roof decks on parcels adjacent to the proposed project, however, there are approximately four roof decks on other 3-story building on the same block.

The site is located within both the planning boundaries of the South Boston Seaport Strategic Transit Plan (BPDA approved December 2023) and the ongoing South Boston Transportation Action Plan, both of which are related to improving mobility and accessibility and are not particularly relevant to the case.

Zoning Analysis:

Section 68-29 Roof Structure Restrictions allows for an open roof deck given certain conditions and dimensional requirements.



Specifically, Section 68-29 requires the BOA to grant permission for access to a roof deck via a stairway headhouse, after public notice and hearing. The existing condition of the site includes a 10-foot tall headhouse, which is proposed to provide access to the new roof deck. Given that the headhouse is existing, no new impacts from the proposal are expected.

Section 68-29 Roof Structure Restrictions requires "the total height of the building, including such deck, does not exceed the maximum Building Height allowed by this Article for the location of the Building". The maximum Building Height per Art 68 Table D South Boston Neighborhood District Residential Subdistrict Dimensional Regulations is 40 feet. The existing roof structure including the headhouse is 50 feet, and the proposed height with the roof deck railing is 44 feet, 4 inches. However, the roof structure height is already out of compliance due to the two existing headhouses and the existing roof deck on the other residential unit. Therefore, the proposed condition would extend an existing non-conformity.

Similarly, non-compliance with the rear yard setback is an existing non-conformity that would not be extended or worsened by this proposal.

Recommendation:

In reference to BOA1528615, the Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

A handwritten signature in blue ink, appearing to read "Anne Rane", written in a cursive style.

Director of Planning, BPDA



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| Case | BOA1546075 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 1853 Commonwealth Ave., Brighton 02135 |
| Parcel ID | 2102535000 |
| Zoning District & Subdistrict | Allston/Brighton Neighborhood 3F-5000 |
| Zoning Article | 51 |
| Project Description | Convert first and second floor office use to residential, adding four residential units to building, maintain existing top floor and basement containing two residential units. No exterior alterations to building proposed. |
| Relief Type | Variance |
| Violations | Additional Lot Area Insufficient Usable Open Space Insufficient Parking or Loading Insufficient Use: Forbidden (Multi-family Residential) Screening and Buffering Requirement |

Planning Context:

The proposed project intends to convert two floors of office space to four additional residential units, such that the existing building will total six residential units. In October 2023, the BPDA launched a residential conversion incentive program to incentivize developers to convert office buildings to housing. While this pilot program focuses on conversion of housing in the downtown neighborhood, the low stock of available housing is an issue faced across the city. With post-pandemic shifts in office work patterns, it is important to recognize how needs shift from office space to additional housing. These conversion incentives are intended to primarily focus on affordable housing developments, however an increase in housing citywide can help to accommodate city population growth, as outlined in Housing Boston 2030.

Housing Boston 2030 supports more as-of-right housing development citywide. The plan suggests a need for 20,000 additional middle-income units from plan adoption to the year 2030. Housing Boston recognizes the challenges posed by the cost of new construction to the production of housing. The proposed development circumvents this issue through the conversion of existing building stock to housing units.



The addition of two units to the existing building is contextual with existing neighborhood housing stock. Within the same zoning subdistrict, the two abutting properties on either side of the proposed development site are also listed as 4–6-unit apartments on the Boston Tax Parcel Viewer. The lack of change in the building exterior will also help to maintain continuity with existing neighborhood context.

Zoning Analysis:

The proposed development site is located within the Allston/Brighton neighborhood district, in a 3F-5000, three-family residential subdistrict, governed by Article 51 of the Zoning Code. While multi-family use is listed as forbidden for this subdistrict, it is in line with neighborhood context. Both the buildings on either side of the proposed development are located within the same zoning subdistrict and are listed as 4–6-unit apartment buildings. To the immediate rear of the proposed development site is a Multi-family Residential subdistrict with buildings of similar context on similarly sized lots and reduced lot size and open space requirements for additional dwelling units. This condition supports the case for updates to the zoning map to better sign districts to existing context and uses.

While the parking ratio is insufficient as per the Zoning Code, the proposed development is located proximate to transit options including direct adjacency to the Chestnut Hill stop on the Green Line. BTD Parking Maximums for this location recommend an upper limit of one parking space per residential unit. The proposal meets this recommendation with the lower ratio of 0.67 parking spaces/unit. Within the context of other developments adjacent to this site, the usable open space provided by this proposal is sufficient, despite not meeting zoning minimums.

Limited screen and buffering through planted shrubs exist on the site. In response to the Screening and Buffering Requirements posed by Section 51-53 of the Zoning Code, it is suggested that the proponent add additional screening elements as suggested by Design Review to comply with this section of the Code.

Recommendation:

In reference to BOA1546075, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO: that plans shall be submitted to the Agency for design review.



Reviewed,

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Director of Planning, BPDA



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| Case | BOA1552790 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 226 to 228 Washington St., Brighton 02135 |
| Parcel ID | 2205360000 |
| Zoning District & Subdistrict | Allston/Brighton Neighborhood 2F-5000(A) |
| Zoning Article | Article 51 |
| Project Description | Constructing a new 3 story, 6-unit dwelling (razing existing 2 unit dwelling on a separate application). |
| Relief Type | Variance |
| Violations | Parking or Loading Insufficient Lot Area Insufficient FAR Excessive Usable Open Space Insufficient Side Yard Insufficient Rear Yard Insufficient Use: forbidden (MFR) |

Planning Context:

The proposed project is on a residential street characterized mostly by 2–3-unit buildings, but with some higher density, 4-6 unit buildings (7 and 11 Snow St). There is significant variability in the area in terms of parcel shapes and resulting yard sizes. The two homes abutting the proposed project have widths around 45 ft, and depths around 50-60 ft. The proposed project is 6 units, with a width of 48 ft, and depth of 65 ft and 5 inches. There is therefore precedent in the area for the proposed multifamily use, but the proposed scale is slightly larger than the existing context. However, the proposed project would result in a net gain of 4 new units, which is in line with the recommendations outlined in the Allston-Brighton Needs Assessment (2024), which identified housing as a high priority need and highlighted that community survey participants “promoted supply-side solutions to the housing crisis, recommending an end to parking minimums, relaxation of zoning rules, and other measures to increase housing production in the neighborhood.”

This project is a 9-minute walk from Washington St MBTA station, which means it meets the BTD criteria for projects near an MBTA station. The Guidelines by the Boston Transportation Department for use by the Zoning Board of Appeal recommends 0.75-1.25 spaces per unit for



residential projects in Allston/Brighton near MBTA stations. This means 4.5-7.5 spaces for 6 units, and so the proposed 6 spaces is well within this recommended range.

This project is within one hundred (100') feet of a park. This means that it requires review and approval from the Parks and Recreation Commission (City of Boston Municipal Code 7-4.11).

Zoning Analysis:

The minimum lot area requirement for this parcel is 5,000 sq ft for 1 or 2 units and 1,500 sq ft for every additional unit. Because this parcel is 7,815 sq ft, this means that the maximum number of dwelling units that could be built on this parcel while complying with the lot area regulation is 3. However, there is precedent in this area for 4–6-unit buildings on similarly sized or smaller parcels (7 and 11 Snow St).

The project does not meet the zoning requirement of 10.5 parking spaces for 6 units. However, as discussed in the planning context, the project's parking does comply with current BTB recommendations, indicating that there is a need to update the zoning to also reflect these current best practices.

The project has approximately 1,180 sq ft of usable open space (summing the private decks and patio and 970 sq ft rear yard). This is far below the requirement of 4,800 sq ft (800 sq ft per dwelling unit). Given that the lot size is 7,815 sq ft and the proposed building footprint is approximately 2,460 sq ft, there is about 5,300 sq ft of potential usable open space (without reducing the building size). Therefore, the project could feasibly comply (or come much closer to complying) with the usable open space requirement by reducing the parking, reducing the scale of the building, and/or increasing the size of the balcony spaces. The parking can also be reduced from 6 to 5 spaces while still meeting the BTB recommendation of 0.75-1.25 spaces per unit.

Recommendation:

In reference to BOA1552790, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. While the use is appropriate, the proponent should consider revising project to increase usable open space.



Reviewed,

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Director of Planning, BPDA



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| Case | BOA1413004 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 560 to 562 Washington St. Brighton 02135 |
| Parcel ID | 2204806001 |
| Zoning District & Subdistrict | Allston/Brighton Neighborhood 3F-4000 |
| Zoning Article | Article 51 |
| Project Description | Erect a new 14-unit residential building with 9 parking spaces. Existing structure to be razed. |
| Relief Type | Variance |
| Violations | Usable Open Space Insufficient Parking or Loading Insufficient Lot Area Insufficient FAR Excessive Height Excessive (ft) Height Excessive (stories) Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient Forbidden use; MFR Conformity existing building alignment; |

Planning Context:

The Proposed Project is located on a mixed-use street serviced by an MBTA bus route. The North side of the street is lined with ground-floor retail and residential units on the second floor and above. The south side of the street, upon which the project is located, is populated with triple-deckers and 3 1/2-story dwellings operating as multifamily uses. The proposed project is consistent in scale and use with the existing neighborhood context.

The project is located within the Allston-Brighton Needs Assessment Plan (January 2024) and the Allston-Brighton Mobility Plan (May 2021). The Needs Assessment identifies affordable and quality housing as a priority for the area. This project requires a Housing Agreement under the City of Boston's Inclusionary Development Policy because it includes more than 10 units. Consequently, the proposal is consistent with the plan as it will provide affordable housing and increase housing options thereby responding to the identified need for affordable housing.

Zoning Analysis:



The proposed project's use does not conform with the parcel's designated allowed 3-family use. However, the project is adjacent to existing multifamily dwellings and a multifamily-mixed-use corridor thereby aligning with the neighborhood context. This is a case for zoning reform to include the property in a district that allows contextual infill and MFR uses through a zoning map amendment.

The project is proposing 8 parking spaces and is required to build 28 parking spaces per the Zoning Code. The reduction of parking spaces is consistent with the Allston Brighton Mobility Plan (May 2021) which seeks to encourage alternative travel modes within the Allston-Brighton neighborhood.

Article 51 requires a minimum of 650 SF of usable open space per dwelling unit. Given that the project is proposing 14 units, the required minimum usable open space is 9,100 SF. However, the project's lot size is 7,139 sq and consequently could not feasibly accommodate that much open space. The project could substantially increase its usable space by constructing a roof deck on its proposed flat roof or change the building dimensions since it is new construction that is also not compliant with the setback requirements.

The project does not provide its street's modal calculation and is thus not compliant with the existing building alignment requirement. The proposed project should work with the BPDA's urban design review staff during the design review process to ensure consistency with the existing building alignment.

The required additional lot area is 28,000 SF and the existing lot is 7,117 SF. Given the evident constraints of the lot size, the project cannot address the required additional lot area nonconformity. This is an opportunity for zoning reform to reduce existing nonconformities and match the existing built context.

The required min front yard setback is 20' and the proposed front yard setback is 5'8". The proposed project should ensure it is consistent with the existing building alignment (see above).

The max allowed FAR is 0.8 and the proposed FAR is 2.15. The max allowed height is 35' and the proposed height is 41'.6". Both nonconformities are consistent with the existing neighborhood fabric as the majority of the buildings on the street are greater in height than 35' and 0.8 FAR.



The required minimum side yard is at least 5' from a side lot line and 10' from an existing structure and the proposed side yard is 7.5'. Consequently, the proposed side yard is equal to the aggregate of the required side yard setbacks.

Lastly, the minimum required rear yard setback is 30' and the proposed rear yard setback is 16'3". The proponent should work with the BPDA's Urban Design Staff to match the modal rear yard setback.

Recommendation:

In reference to BOA1413004, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISOS: that plans shall be submitted to the Agency for design review with attention to ensuring consistency with the existing building alignment in both the front yard and rear yard.

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1514378 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 3915 Washington St., Roslindale 02131 |
| Parcel ID | 1902884000 |
| Zoning District & Subdistrict | Jamaica Plain Neighborhood 3F-4000 |
| Zoning Article | Article 55 |
| Project Description | Erect new 6-unit multi-family unit |
| Relief Type | Variance |
| Violations | FAR Excessive Lot Width Insufficient Lot Frontage Insufficient Parking or Loading Insufficient Use: Forbidden (Multifamily) |

Planning Context:

The parcel is a 4000 square foot lot located in the Jamaica Plain neighborhood article area at the edge of the Jamaica Plain/Roslindale district boundary, in a 3F-4000 subdistrict. Parcel is approximately half a mile south of the MBTA Forest Hills orange line and commuter rail station, and along Washington Street, a major multimodal corridor between Jamaica Plain and Roslindale. This corridor serves 11 bus lines including the 30, 34, 35, and 39. There is also a small commercial district north of this site along Washington Street that includes a gas station, a monument engraving store, and restaurants. While not specifically contemplated by PLAN: JP/ROX, or in Imagine Boston 2030 or Housing a Changing City, this site combines adjacency to the MBTA bus and a dedicated bike lane, close proximity to multiple forms of rail, and abuts multiple areas undergoing other transformation as Forest Hills continues its substantive development into a major transit-oriented node.

This site faces south along Washington Street. Most lots on the Washington Street southern side of the block are ~3400 square feet, and are abutted by lots on the northern side of the block against Kitson Rd. Unlike those lots, the rear 600 square feet of this lot are designated as a no-build zone, for the benefit of 43 Lochdale Rd, one of those northern abutting lots. This effectively makes the buildable portion of this 4000 square foot parcel similar to its neighbors up and down the block.



The key question to address with this project is whether it is appropriate to allow a six-unit multifamily development on a currently vacant parcel near a commuter and heavy rail station, when the immediate context generally consists of three-family triple-deckers. A larger multifamily project has been approved abutting this parcel. While this parcel does have proximity to denser commercial areas in need of additional foot traffic as well, and there are larger multifamily housing projects two blocks away, closer to Forest Hills station.

The current as-built neighborhood context of this parcel is generally limited to triple-deckers, though the in-process contextual density does include multi-family residential at a scale much higher than this proposed project.

Zoning Analysis:

This project was previously reviewed by the BPDA for the ZBA hearing on December 12, 2023. Because no new plans have been submitted, the BPDA's recommendation has remained the same.

The site is located in a 3F-4000 subdistrict within the Article 55 Jamaica Plain Neighborhood District.

The proposed site has violations that include its use, minimum lot width, minimum lot frontage, and FAR. Under Article 55, multi-family dwellings are not permitted in a three-family residential district. While multi-family residential dwellings are not new to Washington Street, the proposed massing of the site would not fit in with the built environment of the three-family buildings abutting this property along this block of the corridor. Given the application's use, both lot width and frontage must be a minimum of 45' under Article 55. This site has a lot width and frontage of 40', which is insufficient leading to the violation.

Given the application's forbidden use, the FAR in this subdistrict for "any other use" is 0.7. Applicant proposes an FAR of 1.23, 175% the zoning's maximum. For context, A typical triple decker in this area of JP/Roslindale might have a living area of 3000-3500 square feet. The proposed building is 5000 square feet, which is closer to 140% the typical living area dimensions. While some of this discrepancy reflects the nonconformity of existing three-family buildings relative to what zoning would allow as-of-right, this still does convey a substantial increase from any other property on the corridor.



Finally, in the Jamaica Plain district, off-street parking must be provided at a rate of 1.25 spaces per dwelling unit for developments of 4-9 units. At six units, this would require 8 spaces. This proposal provides 0 spaces, which is insufficient. The project does provide outdoor bike parking and an indoor bike room, is close to multiple Blue Bikes docks, it includes regular MBTA bus service along Washington Street, sits along a dedicated bike lane that leads to the Southwest Corridor, and is within easy walking distance of the Commuter Rail and Orange Line terminus at Forest Hills. Given existing parking options along and around Washington Street, this project meets all criteria for development without off-street parking..

Recommendation:

In reference to BOA1514378, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. Applicant should propose a housing development that matches the three-family scale of its immediate context..

Reviewed,

A handwritten signature in blue ink, appearing to read "Anne Rando", is written over a light blue circular stamp.

Director of Planning, BPDA



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| Case | BOA1473941 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 820 Hyde Park Ave., Hyde Park 02136 |
| Parcel ID | 1807907000 |
| Zoning District & Subdistrict | Hyde Park Neighborhood 1F-6000 |
| Zoning Article | Article 69 |
| Project Description | Erect a new structure, and demolish existing, with eight (8) condominium units and eight (8) rear parking spaces. |
| Relief Type | Variance |
| Violations | FAR Excessive Lot Frontage Insufficient Lot Area Insufficient Height Excessive (ft) Height Excessive (stories) Rear Yard Insufficient Side Yard Insufficient Front Yard Insufficient Usable Open Space Insufficient Forbidden Use (MFR) |

Planning Context:

This project was previously recommended by the BPDA for Denial without Prejudice on 10/23/2023 and 12/12/23, and was deferred by the ZBA at each hearing. The most recent plans reviewed by ISD for this project are dated 11/28/23. They have been revised from the sets reviewed for the two initial hearings, although only minimally.

While certain changes made to the overall building design (such as an updated material pallet and the inclusion of off-suite balconies and bike parking) are appreciated, these updates do not address the comments detailed in the project's previous Denial without Prejudice recommendations. Specifically, the drawings avoid addressing requests to decrease parking and impervious surface area upon the lot, and, in fact, worsen each (by adding an additional parking space and replacing a dwelling unit with additional impervious surface for relocated trash collection). The overall scale of the building, which was previously recommended to be reduced, also remains largely unchanged. Because of this, the projects' previous recommendation, as detailed below, remains almost entirely the same (with changes made to account for updated unit/parking count and slight reduction in proposed FAR).



The proposed project sits in a one-family residential subdistrict in Hyde Park. The surrounding context includes a mix of residential uses (from single-family to multi-family) and housing typologies.

The project's creation of 8 dwelling units is in keeping with planning goals of increasing housing availability, as detailed in *Housing a Changing City, Boston 2030* (September 2018). It's parking, however, does not. The 8 proposed spaces, and paving necessary to accommodate them, remove approximately 3,500 square feet of permeable surface area and several mature plantings. The City does not support the removal of healthy and mature trees and plantings, and open space to accommodate the development of off-street parking. The planning goals of *Climate Ready Boston* (addressing permeability, heat island effect, and increase tree canopy, 2016) and *Boston's Urban Forest Plan* (preserving healthy and mature trees, 2022) outline this point.

Zoning Analysis:

While the project's proposed use aligns with its surrounding context (which features several adjacent MFR structures), its scale does not. This is evidenced by an FAR almost three times the maximum allowed (previously 1.51, now $1.39 > 0.5$ required); insufficient setbacks for each of the front, side, and rear yards; and a building height greater than its surroundings, in both feet and stories.

The project's parcel also falls below the required size threshold (5,759 sq ft < 6,000 sq ft) to develop as of right.

As discussed in this recommendation's planning context, the project also proposes to remove almost all of its usable open space and replace it with off-street parking and impervious paving. This triggers another zoning violation for the project, as the proposal falls almost fifteen (15) times short of the amount of open space required by zoning for the 8 unit use (973 sq ft < 14,400 sq ft).

A future iteration of this project should reduce the scale of the proposed building (in height, building lot coverage, or both) and remove parking spaces to retain permeable surface area and open space.



Further planning efforts are needed for the area to match zoning with the area's existing context. These efforts should focus on relaxing allowed residential land uses and re-calibrating dimensional requirements (including FAR maximums and lot size minimums).

Recommendation:

In reference to BOA1473941, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. Proponent should pursue an MFR project that reduces the scale of the proposed building (in height, building lot coverage, or both) and removes parking spaces to retain permeable surface area and open space.

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1448246 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 24 Common St., Charlestown 02129 |
| Parcel ID | 0203457010 |
| Zoning District & Subdistrict | Charlestown Neighborhood 3F-2000 |
| Zoning Article | 62 |
| Project Description | Addition of a parking spot for residential use |
| Relief Type | Variance |
| Violations | Front Yard Insufficient |

Planning Context:

The project is located in the Original Peninsula, as identified by PLAN: Charlestown (September 2023). The project's parcel is a through lot, located between Common Street and Ellwood Street. The proposed parking space is located on the Ellwood Street side. One of the existing Common Street-fronting dwellings has a parking space along Ellwood, similarly designed to the proposed parking area. PLAN: Charlestown recognizes that while limiting parking is important to reducing single-occupancy vehicle travel, parking availability remains a necessity. The proposal to place the curb-cut along Ellwood Street in lieu of on Common Street aligns with the goals of the Plan to reduce curb cuts on major streets. Ellwood Street does not allow for on-street parking, and thus the addition of a curb cut would not impact existing on-street parking. This property sits within Winthrop Square, a historic architecturally-significant area.

Zoning Analysis:

This project was previously reviewed by the BPDA for the ZBA hearing on November 14, 2023. At that time, the project was deferred. Because no new plans have been submitted, the BPDA's recommendation has remained the same.

Section 62-30 of the Code states that the front yard requirements shall apply to that part of a rear yard which is also a street line except in the case of a rear yard which abuts a street less than twenty feet in width. Given that Ellwood Street has a width of ~12 ft, the proposed parking area is located in the rear yard of the parcel and thus does not have an impact on the front yard setback.



Plans reviewed are titled "Certified Plot Plan located at 24 Common Street Charlestown, MA", prepared by Boston Survey, Inc., and dated April 1st, 2022.

Recommendation:

In reference to BOA1448246, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1460666 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 61 Brooks ST East Boston 02128 |
| Parcel ID | 0106768000 |
| Zoning District & Subdistrict | East Boston Neighborhood 3F-2000 |
| Zoning Article | Art. 53, Art. 27T |
| Project Description | Change occupancy from a three-family residential dwelling to a multifamily residential dwelling with four units and a new roof deck above the third floor. |
| Relief Type | Variance, Conditional Use |
| Violations | FAR Excessive Roof Structure Restrictions Parking or Loading Insufficient IPOD Applicability Additional Lot Area Insufficient Usable Open Space Insufficient Rear Yard Insufficient Use: Forbidden (Multifamily) |

Planning Context:

This project will change the occupancy of an existing three-story building from three-family residential to multifamily residential through the addition of a basement unit. The project will also include the addition of a roof deck above the third floor. This property is within an area subject to the impacts of present-day and future coastal flooding, therefore the proposed basement addition conflicts with City goals to reduce risk of life in basement areas susceptible to flooding.

The existing building is on a side street (Brooks Street) that intersects with Bennington Street (a major transit corridor) to the northwest and the property is less than 200 ft from the intersection. The proposed multifamily building increases the number of housing units on an existing property without demolishing that property, which aligns with City goals increasing housing opportunity and density, as detailed in Housing a Changing City, Boston 2030 (September 2018). The addition of residential units within proximity of a major transit corridor also aligns with City goals of increasing transit-oriented development and bringing residents closer to transit options.

PLAN: East Boston (approved January 2024) includes updated zoning that was recommended by the BPDA Board on January 24, 2024 and is pending approval from the Boston Zoning



Commission. As part of the updated zoning from PLAN: East Boston recommendations, this area of Brooks Street will be rezoned to an EBR-4 zoning subdistrict which allows multifamily residential dwellings up to four stories to reflect patterns of land use, existing building form, and access to transit. Additionally, this existing property and the proposed project would conform with the proposed EBR-4 zoning subdistrict in terms of dimensional and land use regulations. While this project's intent to introduce a multifamily residential use near transit resources aligns with the zoning land use recommendations for this area in PLAN: East Boston, the proposed basement unit introduces living space in an area with a risk of flooding that threatens housing safety in low-lying areas, which the plan warns against.

The existing property does not have an off-street parking space and the proposed project will not introduce a new off-street parking space, which aligns with City goals to reduce reliance on private vehicles, especially near major transit resources, as detailed in Go Boston 2030 (March 2017).

Two nearby buildings (59 and 57 Brooks Street) appear to have roof structures of similar scale to that proposed for this project and are located at varying distances from the building front yard lot line. They do not seem visible from the public realm and would not damage the uniformity of height or architectural character of the immediate area.

Zoning Analysis:

This property is located within the 3F-2000 (Three-Family Residential) subdistrict of the East Boston Neighborhood District (Art. 53). This property is within the Groundwater Conservation Overlay District (GCOD) as well as the Coastal Flood Resilience Overlay District (CFROD). As highlighted in the Planning Context, this property is within an area of increased flood risk and, as such, would require review of the project in alignment with CFROD guidelines as well as require that any new living space be located above the Sea Level Rise - Design Flood Elevation. The proposed basement unit would pose significant risk to occupants due to this flood risk and would not align with those guidelines.

The 3F-2000 subdistrict forbids multifamily residential uses in this area (Art. 53 – Sec. 8), but the context is appropriate for multifamily housing due to its proximity to a major transit corridor. As mentioned in the Planning Context, PLAN: East Boston recommends that the zoning in this area allow multifamily residential uses so this land use would be allowed within the future EBR-4 zoning subdistrict.



The proposed project is in violation of the current 3F-2000 subdistrict's dimensional regulations (Art. 53 – Sec. 9) for maximum FAR, minimum additional lot area per unit, and minimum usable open space per unit. These are existing non-conformities for this site that would be exacerbated by the addition of this new unit. This property has an existing rear yard nonconformity (Art. 53 – Sec. 9) and this proposed alteration would extend that nonconformity. However, this extension of the nonconformity would not encroach further than the rear yard depth that is currently established by the existing nonconformity. Within the future EBR-4 zoning subdistrict, maximum FAR, minimum additional lot area per unit, and minimum usable open space per unit would not be required dimensional regulations, so this project would be exempt from those regulations within this future zoning.

Within the future EBR-4 zoning subdistrict, this project would be regulated by a maximum building lot coverage requirement of 60%, a maximum building depth of 70 ft, and a minimum permeable area of lot at or above 30%. The project would have a building lot coverage of about 59%, building depth of about 55 ft, and permeable area of lot of about 41%, thus conforming to the future zoning and aligning with the existing and recommended building scales for the area. The existing rear yard would not conform with the future zoning's minimum rear yard requirement of one-third of the lot depth because the existing rear yard depth is 27% of the lot depth. However, as mentioned, this extension of the nonconformity would not encroach further than the depth of the existing nonconformity.

Additionally, the proposed vertical addition of the roof deck would not extend beyond the building's maximum height as allowed in this subdistrict. This project has a roof structure restriction violation (Art. 53 – Sec. 52) but the proposed roof deck would not damage the uniformity of height or architectural character of the immediate area as it would not be visible from the public realm and adjacent buildings have similar roof structures in character. Within the future Roof Structure Restrictions (proposed Section 53-25 of for Art. 53), an open roof deck as this project proposes would be allowed based on the designs outlined in these plans.

The existing property does not have any off-street parking spaces and is required to have 1.5 off-street parking spaces per unit for a dwelling with 4-6 units in the current off-street parking regulations (Art. 53 – Sec. 56). Within the future Off-Street Parking and Loading regulations (proposed Section 53-28 of Art. 53), a dwelling with 4+ units would be required to have 1 off-street parking space per unit. As stated in the Planning Context, the lack of parking spaces for this project supports City goals of reducing reliance on private vehicles in a transit-rich area.



Site plans completed by Boston Survey, Inc. on November 15, 2022. Project plans completed by Joy Street Design, Inc. on September 27, 2022.

Recommendation:

In reference to BOA1460666, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE: The proponent should propose a renovation that does not introduce living space into the basement due to flood risk and that takes broader CRFOD and GCOD guidelines into account.

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1548361 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 27 Mystic St., Charlestown 02129 |
| Parcel ID | 0200070000 |
| Zoning District & Subdistrict | Charlestown Neighborhood 3F-2000 |
| Zoning Article | Article 62 |
| Project Description | Project is proposing new extensions for every floor of an existing three (3) story, three (3) unit residential building, and the creation of a new roof deck. |
| Relief Type | Variance, Conditional Use |
| Violations | FAR Excessive Roof Structure Restrictions Side Yard Insufficient |

Planning Context:

The project sits in the middle of Mystic Street and shares a common wall with 25 Mystic Street. The project is in the Charlestown Neighborhood District, within a Three-Family Residential (“3F”) Subdistrict. 3F subdistricts are established to preserve low density three-family areas. This project is also located in the Original Peninsula area of the neighborhood, where urban design guidelines from PLAN: Charlestown apply. PLAN: Charlestown recognizes Charlestown’s identity as Boston’s oldest neighborhood and the distinct character as a result of the neighborhood’s history and vibrant community. The plan recommends projects “toward forms that are appropriate to the neighborhood context and city’s climate and urban context”. PLAN: Charlestown also recognizes that housing needs will become more pressing in the future and that more “affordable, sustainable, and diverse housing opportunities” will be required. This project also triggers Neighborhood Design Overlay District (“NDOD”) review as it intends to extend the existing building by more than 300 square feet.

Zoning Analysis:

The project is located in a residential area, largely consisting of rowhomes. The existing building on the property is a rowhome, sharing a common wall with 25 Mystic Street. The project



consists of an existing 3-story, three unit residential building. Each floor consists of one unit. The project is proposing to increase the size of each of these units and develop decks for each floor and a roof deck which would only be accessible via the third floor unit. The existing building has three units with varying units: one (1) studio, one (1) 1-bedroom, and one (1) 2-bedroom. The proposed project would make all units 2-bedroom units, reducing the diversity of units available.

The proposed project raises three types of violations: Roof Structure Restrictions, Dimensional Regulation violations, and Usable Open Space minimum (per dwelling unit) violations.

Open roof decks are permissible by conditional use. Currently, several properties with similar building features (3-story structures with flat roofs) in the vicinity have roof decks. These include 29 Mystic Street, 31 Mystic Street, and 35 Mystic Street. PLAN: Charlestown recommends that all roof decks be located in the rear of the rooftop and be offset a minimum of five (5) feet from all roof edges to reduce visibility from the public right-of-way and ensure a more cohesive visual experience for the entire block. While the proposed roof deck of the project is set to be at the rear portion of the building, it does not meet the 5' buffer from the sides and rear of the roof edge.

The proposed project triggers several dimensional regulation violations that relate to density and yard requirements. The proposed project greatly exceeds the allowable FAR of the 3F residential subdistrict. 3F subdistricts allow a maximum of 2.0 FAR. The proposed project will add roughly 1,200 square feet, pushing the property's existing FAR from 1.9 to 2.8. The proposed project's massing will be a stark contrast to the project's immediate neighbors, where most properties fall near the 2.0 FAR limit. These include: 23 Mystic Street (1.8 FAR), 25 Mystic Street (1.8 FAR), 32 Mystic Street (2.2 FAR), and 42 Mystic Street (2.0 FAR). The proposed project's massing would have significant impacts on the existing context of the neighborhood block.

The proposed project will also affect the amount of Usable Open Space that is available to each dwelling unit. Properties within the 3F subdistrict must provide a minimum of 350 square feet of open space per dwelling unit. The project's proposed additions will build to nearly the full footprint of the parcel. While decks are being installed onto every floor, the amount of open space afforded to each unit will fall far below the 350 square feet requirement (first floor and second floor units will have a 45 square feet deck), with the largest open deck (at 220 square feet) being exclusively available to the third floor unit.

The existing conditions of the property present challenges to meeting yard requirements. As a row house in a dense residential neighborhood, the existing building experiences hardship to

BOA1548361

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2 Boston Planning & Development Agency



meet the side yard requirements of a minimum of 2.5 feet due to its shared wall with 25 Mystic Street and close proximity to 29 Mystic Street. Similarly, a front yard minimum depth requirement of four (4) feet also proves a challenge to meet as the property was built to the front lot line.

While existing nonconforming conditions do present hardship to meeting yard requirements, the proposed development further exacerbates some of these characteristics. The proposed project intends to build to nearly the full footprint of the parcel, leaving very little to no area for the rear yard, which is required to be at a minimum of 20 feet in depth. A portion of the existing building is built nearly to the full length of the parcel, leaving just 0.2 feet between the farthest point of the main building and the end of the lot. However, if the proposed project were to be developed, it would further reduce the rear yard depth between the rest of the building to the lot line.

In reference to BOA1548361, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. The proposed project would have significant impacts on the existing character of the neighborhood block. The high FAR would stand in stark contrast with the massing of neighboring properties. The applicant should consider reducing the size of the addition that is being proposed to better contextualize the massing of the building with neighboring buildings. Additionally, the applicant should offset the roof deck to a minimum of 5 feet from all roof edges, and reduce the loss of rear yard depth as a result of the deck additions.

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1552194 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 457 to 469A W. Broadway, South Boston 02127 |
| Parcel ID | 0601960000 |
| Zoning District & Subdistrict | South Boston Neighborhood MFR/LS |
| Zoning Article | Article 68 |
| Project Description | Interior work to create urgent care clinic (professional office/medical use) |
| Relief Type | Conditional Use |
| Violations | Conditional Use: Professional Office |

Planning Context:

The project proposes a new urgent care clinic in a pre-existing but untenanted first floor space along West Broadway in South Boston. The project scope will also include associated interior renovation and associated mechanical, electrical, plumbing, and fire access system work.

West Broadway is South Boston's primary commercial and local service corridor. This corridor -- which spans the neighborhood and is divided into West Broadway and East Broadway as it splits across Dorchester Street -- is home to a diverse array of local services and neighborhood shopping establishments, including a health center, dental offices, restaurants, fitness studios, salons, and retail stores. The corridor is also well-served by public transit, including the Red Line and the Route 9 and 10 buses. The proposed use of an urgent care clinic at this location would fit the existing character of West Broadway, which offers South Boston residents access to critical local services.

This proposed location is particularly well-sited for an urgent care clinic, as it is an approximate 2-minute walk from the South Boston Community Health Center and an approximate 10-minute walk from multiple nearby dental establishments, therefore reinforcing this W and E Broadway as an important destination servicing South Boston residents' health needs. The proposed clinic would be well-served by public transit, both within a 15-minute walk from the Broadway MBTA station and less than 500 feet away from the Route 9 and 10 bus stops.



Zoning Analysis:

The proposed project site is located in a Multi-Family Residential / Local Services (MFR/LS) subdistrict. Per the refusal letter, the proposed use is coded under Professional Office, which is a Conditional Use within the MFR/LS subdistrict, provided that such use is located on the ground floor or in a basement with a separate entrance. This proposed use would be located on the ground floor of 457-469A West Broadway.

As outlined in Section 6-3 of the zoning code, the conditions for granting appeal of a Conditional Use are as follows:

- (a) the specific site is an appropriate location for such use or, in the case of a substitute nonconforming use under Section 9-2, such substitute nonconforming use will not be more objectionable nor more detrimental to the neighborhood than the nonconforming use for which it is being substituted;
- (b) the use will not adversely affect the neighborhood;
- (c) there will be no serious hazard to vehicles or pedestrians from the use;
- (d) no nuisance will be created by the use;
- (e) adequate and appropriate facilities will be provided for the proper operation of the use.

As described in the Planning Context, the specific site that the clinic is proposed is particularly appropriate for such a use, as it is sited on West Broadway, a diverse commercial and community service corridor within South Boston, and is nearby other healthcare service establishments, including a health center and several dentist offices. Patients will access the clinic either by public transit, walking, or private vehicle, thus avoiding any serious hazard to pedestrians or vehicles from this use. Adverse effects and nuisance from the clinic are deemed minimal to none, and the plans show appropriate and adequate facilities supporting proper operation of the use.

The plans reviewed for this case are titled "Interior Fit Out for American Family Care at South Boston, MA" and were prepared by USA Architects. They are dated 9/6/23.



Recommendation:

In reference to BOA1552194, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1540339 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 675 E Fourth St., South Boston 02127 |
| Parcel ID | 0602280000 |
| Zoning District & Subdistrict | South Boston Neighborhood MFR |
| Zoning Article | Article 68 |
| Project Description | Install new ramp on the exterior of existing building. |
| Relief Type | Variance |
| Violations | Rear Yard Insufficient Side Yard Insufficient |

Planning Context:

The existing building is currently used for a nonprofit agency which provides substance abuse education, prevention and treatment programs. There is currently no accessible entrance into this facility. It is unclear from the plans whether the door will be installed to provide a 32 inch wide opening as required by 521 CMR. However, if the door opening does meet this specification (and the ramp is installed to meet all other specifications of 521 CMR), the proposed ramp would allow the building to meet the 521 CMR code requirement for an accessible entrance.

Zoning Analysis:

Article 2 of the Zoning Code states that "Within the required Side Yard [or Front Yard], no Structure shall be erected except... (b) Steps, terraces, open porches without roofs, and the like, that do not extend more than three (3) feet above the floor of the first story." Although access ramps are not named specifically in the Code, it can be reasonably interpreted that this type of structure is like steps and open porches without roofs and falls under "the like" named in this provision. Therefore, this structure should be allowed within the side and front yards as long as it is not 3 feet above the floor of the first story. The proposed ramp has a railing that is 3 feet and 8 inches tall, and so a minor variance is required. However, this project demonstrates a need to update the Zoning Code to align with current accessibility codes and allow for accessibility updates without the need for zoning variances.

Recommendation:

BOA1540339

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1 Boston Planning & Development Agency



In reference to BOA1540339, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

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Director of Planning, BPDA

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| Case | BOA 1369883 |
| BPDA Referral Date | Thursday, October 13, 2022 |
| ZBOA Hearing Date | Tuesday, November 1, 2022 |
| Applicant | Mark Little |
| Address | 8-10 Mercer Street South Boston |
| Parcel | 071143000 |
| Use | Multi |
| Zoning Subdistrict | MFR |
| Purpose of Appeal | Erect new four story building with five dwelling units two fourth decks rear balconies second third stories 10 accessory off street parking spaces 5 stackers1 1 parking access to be provided driveway shared 12 mercer street 8 lot being combined under alt1056673 purpose this application is convert issued permit numbered alt1056666 revoked an ert as previously existing structure was damaged during reconstruction razed all zoning relief granted boa1066911 active valid zoning u491056686 boa1066917 not yet. |
| Violations | Roof structure restrictions Excessive FAR, height Insufficient open space, lot area |

Recommendations:

In reference to BOA 1369883, Mark Little, 8-10 Mercer Street, South Boston, for 5 violations to demolish existing structure and erect new four story building with five dwelling units roof decks rear balconies, 10 accessory off street parking spaces in a MFR, The Boston Planning & Development Agency recommends **DENIAL WITHOUT PREJUDICE**: the proposal is excessive. Proposal should reduce parking ratio to no more than 1.0 spaces/unit and widen driveway; eliminate headhouses; identify additional means of exterior egress from basement living space; and reduce FAR.



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| Case | BOA1530363 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 28 Evergreen St., Jamaica Plain 02130 |
| Parcel ID | 1002071000 |
| Zoning District & Subdistrict | Jamaica Plain Neighborhood 2F-5000 |
| Zoning Article | Article 55, Article 9 |
| Project Description | Existing property is made up of a 2.5-story residential building and a 2-story barn at the rear of the lot. The applicant is seeking to increase the number of units on the property from three (3) units to four (4) units. The applicant seeks to do this by demolishing the existing, detached 2-story barn in the rear of the lot, and replacing it with a 3-story addition, which will share a common wall with the existing main building on the lot, and have a new side entry via a first floor addition, connecting the two buildings. The proposed project also seeks to add new decks in the rear. |
| Relief Type | Variance, Conditional Use |
| Violations | Parking or Loading Insufficient FAR Excessive Height Excessive (ft) Height Excessive (stories) Side Yard Insufficient Rear Yard Insufficient Use: Forbidden Change in Non-Conforming Use |

Planning Context:

The property is located in the Jamaica Plain Neighborhood and is located in a “2F-5000” subdistrict. 2F subdistricts are established to preserve, maintain, and promote low density two-family neighborhoods, and limit the height of buildings to 2.5 stories and 35 feet. The area of the neighborhood where this project is located is largely residential. On the site’s east side, it is within close proximity to Hyde Square along Centre Street, an active commercial and mixed-use corridor; one block west of the site is Huntington Avenue, a major multimodal corridor where there are a number of institutional and residential buildings. While the project is located in close proximity to these corridors,



the immediate abutters to the project are residential in nature, made up of a mix of single-family (19 & 21 Evergreen St.) two-family (20-22, 25, & 33 Evergreen St.), and three-family (23, 29, 34 & 36 Evergreen St.) residential properties.

Zoning Analysis:

The project is proposing to demolish an existing detached barn in the rear of the property and utilizing this space to build a three-story addition that would share a common wall with the existing building on the site. The project raises several violations around dimensional regulations: excessive Floor Area Ratio, excessive building height (feet) due to the new addition, excessive building height (stories) due to the new addition, and rear and side yard insufficiency. Additionally, due to the increase in number of units, the project would be insufficient in providing the appropriate number of off-street parking space and require a variance to allow for four dwelling units, which is currently forbidden in 2F zoning subdistricts.

The project is seeking to build an estimated additional 3,000 square feet. 2F subdistricts only allow 0.6 FAR. Currently, the existing building structure on the project site amounts to roughly 0.48 FAR. The proposed addition with existing building structure would be roughly 1.0 FAR, doubling its existing floor area, to accommodate the additional unit. This would stand in significant contrast with neighboring buildings: 19 Evergreen Street (0.27 FAR), 21 Evergreen Street (0.36 FAR), 25 Evergreen St (0.7 FAR), 34 Evergreen St (0.49 FAR), and 29 Evergreen St (0.37 FAR). The proposed addition is 3.0 stories, which exceeds the allowable building height of 2.5 stories in 2F subdistricts.

The proposed additions trigger yard violations given the footprint of the development. Art. 55, Sec. 9 requires that buildings in the 2F subdistrict have a sideyard at least 10 feet in width. Art. 2 defines a side yard as “open space along the side line of a lot, extending from the front yard line to the rear yard line”. With the addition of the new building on the back of the existing building, parts of the side yard will not meet this requirement, with some areas at the narrowest at less than 8 feet. The proposed project would also not meet the minimum requirement of having at least 20 feet in rear yard depth, reducing the existing roughly 30 feet of rear yard depth to roughly 10 feet in some parts, a challenge further exacerbated by the addition of the rear yard deck.



The project site has existing nonconformities which have been further magnified under the proposed changes. The existing structure is zoned for two-family residence, but the building currently houses three units. While other properties in the near vicinity also share this quality, including 29 Evergreen Street (3-family dwelling), 34 Evergreen Street (3-family dwelling), and 36-38 Evergreen Street (3-family dwelling), the proposed project is requesting four units, a use that is forbidden in 2F zoning. The discrepancy between the existing nonconformities of many of the residential properties may be a case for zoning reform.

The current number of off-street parking is also insufficient per Article 55, Sec. 40. Under current zoning, residential properties with 1 to 3 units must have 1.0 off-street parking spaces per unit. The existing driveway on the property allows for two off-street parking spaces, despite the property having three existing units, and the proposed addition would further exacerbate this as more dwelling units will be added, but the available off-street parking spaces will not have changed. The existing building also exceeds the 35 feet height limit for buildings in the 2F subdistrict, a violation that is further challenged by the additional height of the rear addition, which intends to have a roofline higher than the existing building.

The plans entitled 28 EVERGREEN STREET, JAMAICA PLAIN, MASSACHUSETTS prepared by BRUCE MILLER ARCHITECT on June 29, 2023 were used in preparation of this recommendation.

Recommendation:

In reference to BOA1530363, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. The proponent should consider a project that does not exceed the building height/roofline of the existing structure and proposes dimensions more in line with surrounding context.

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1486752 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 16R Mather St., Dorchester 02124 |
| Parcel ID | 1601249000 |
| Zoning District & Subdistrict | Dorchester Neighborhood 2F-5000 |
| Zoning Article | Art 65 Sec 42.13, Art 65 Sec 9, Art 65 Sec 9.2 |
| Project Description | Convert existing carriage house into accessory dwelling unit, resulting in a two units on the lot |
| Relief Type | Variance |
| Violations | Lot Frontage Insufficient Usable Open Space Insufficient Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient Two or More Dwellings on Same Lot Location of Main Entrance |

Planning Context:

The existing condition of the site is a two-story single family residential unit, a driveway, and a two-story carriage house in the rear. The lot is almost a half-acre in size, and the existing dwelling is setback approximately 26 feet from Mather Street, a residential street lined with similar housing units.

The site is a 5-minute walk from Shawmut MBTA station, a 12 minute walk from Fields Corner MBTA station, and just a block west of Dorchester Avenue. Dorchester Avenue has a mix of residential, commercial, and service uses in this area, while the side streets near the proposed project consist mostly of one or two-household units.

The 2018 update to Housing Boston 2030 documents the citywide need for more housing - the demand is outpacing supply, resulting in rising housing costs and displacement pressures. Based on this, the 2018 update increases the City's goal to produce 69,000 new housing units at a range of incomes by 2030.

Guided by this goal to expand housing choices, the City of Boston launched an ADU Pilot Program to support homeowners to build accessory units within their homes. Based on that Pilot, the City launched "ADU 2.0" to support homeowners in turning existing exterior structures into accessory units, as this project proposes.



The proposed project will reuse an existing building without any proposed expansion to create new housing, directly advancing the priorities of the City, as established in the 2018 update to Housing Boston 2030.

Zoning Analysis:

The proposed two-family use is allowed under zoning. The zoning violations relate to dimensional requirements, including restrictions on two buildings on the same lot.

Section 65-42.13 requires that the distance between a dwelling and an additional dwelling be at least twice the minimum side yard depth; that the additional dwelling not be to the rear of another dwelling; and that dimensional requirements for yards and lot width apply to the additional dwelling, as if it were on its own lot, except the Board of Appeal may grant permission excepting these requirements "if it finds that open space for all occupants, and light and air for all rooms designed for human occupancy, will not be less than would be provided if the requirements" of the section were met. Given that the useable open space of the lot (8,930 square feet) far exceeds the minimum amount (1,500 for two dwelling units), the BPDA recommends the BOA consider permission after public notice and hearing per Section 62-42.13 and compliance with 527 CMR for Fire Truck access.

The existing carriage house is located in the rear corner of the lot, behind the existing dwelling unit, 3.5 feet at the closest point to the nearest side lot line, and 5.9 feet at the closest point to the nearest rear lot line. These existing conditions trigger dimensional violations related to lot frontage, usable open space, front yard, side yard, and rear yard. The potential physical impacts of the building's footprint and mass in the rear corner of the lot are existing and will not be exacerbated.

Section 65-9 Dimensional Regulations Applicable in Residential Subdistricts also require that main entrances to dwellings face the front lot line. Given that the proposed new dwelling is in the rear of the existing dwelling, the location of the main entrance will have no impact on the public realm, and therefore relief should be granted.

This proposal is an example of the need for zoning reform to allow by right conversions of an existing building to an ADU.

Recommendation:

BOA1486752
2024-02-06
2 Boston Planning & Development Agency



In reference to BOA1486752, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

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Director of Planning, BPDA



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| Case | BOA1552468 |
| ZBA Hearing Date | 2024-02-06 |
| Address | 42 Waverly St., Brighton 02135 |
| Parcel ID | 2200645000 |
| Zoning District & Subdistrict | Allston/Brighton Neighborhood 3F-4000 |
| Zoning Article | Article 51 |
| Project Description | Demolish the single-family houses on 40 and 42 Waverly Street and build a new 14-unit multi-family building with underground parking. |
| Relief Type | Variance |
| Violations | Usable Open Space Insufficient Additional Lot Area Insufficient FAR Excessive Front Yard Insufficient Rear Yard Insufficient Conformity with Existing Building Alignment Off Street Loading Insufficient Off Street Parking Design Use: Forbidden (Multifamily) |

Planning Context:

The proposed project plans to demolish the existing single-family dwellings on 40 and 42 Waverly Street and build a new 14-unit residential building with underground parking spaces. 42 Waverly Street is located in Brighton and is currently zoned for 3F-4000. Waverly Street contains a mix of single-family, two-family, three-family units as well as one multi-family residential dwelling. This section of Waverly Street also abuts properties on Kelley Court and Richardson Street.

The proposed project is a 3-story multi-family building that would hold 14 units. It would contain a mix of 1-bedroom and 2-bedroom units. Along with the parking spaces in the basement, it would also include an amenity space and a bike room. A yard area with a patio would also be included at the back of the proposed property. Each unit would also have its own deck. This project would be significantly larger than the surrounding properties as the abutting properties are either single-family homes or a 3-family home.

The proposed project would help further the goals set forth in Housing a Changing City, Boston 2030 (September 2018) by increasing the housing stock as instead of two single-family homes,



there would now be 14 units, with one unit dedicated to affordability due to the Inclusionary Development Policy, to support a range of people. This project would also help meet the needs that the Allston-Brighton community identified in the Allston-Brighton Needs Assessment (January 2024) as it would create access to housing that is accessible and affordable. However, the scale of the proposed project would not align with the built environment with the proposed massing.

Zoning Analysis:

The proposed project is non-compliant with the amount of usable open space, additional lot area, FAR, front and rear setbacks, and the off-street parking and loading amount and design. Due to the non-conformity with the front setback, it also creates a non-conformity with the alignment of the abutting properties. Under Article 51, which regulates the zoning for Allston-Brighton, multi-family residential dwellings are forbidden as the area is zoned as 3F-4000.

Within the 3F-4000 subdistrict, the amount of usable open space must be 650 square feet per dwelling unit. Currently the proposed project is offering 473 square feet per dwelling unit for its 14 units with the use of decks, patio, and lawn areas. This is not compliant due to the number of units. Reducing the number of units would help meet this requirement. This is also the case for the additional lot area as reducing the number of units will help make it compliant. The proposed FAR is 1.29 which is higher than the maximum FAR of 0.8 for the area. While the proposed FAR exceeds the maximum, this is considered reasonable given that the proposed project is planning for a multi-family residential dwelling in an area zoned for 3F-4000. However, reducing the massing of the proposed building would help bring the FAR closer to the max of 0.8.

With the front yard, Article 51 requires a minimum of 20' while the project is proposing 15'. Because of this, it also creates a non-conformity with the alignment of the abutting properties. The issue with the rear setback is due to the abutting property on Kelley Court. Due to the proximity, it would be best to reduce the massing of the proposed project to meet both the minimum front and rear setback requirements.

The off-street parking and loading is also insufficient. The project proposes an underground parking with space for 14 cars. However, the parking ratio, as per the zoning code, would require 2 per unit, requiring the building to have 28 parking spaces. While a variance is recommended for the number of parking spaces, it would be best for the project to reduce the number of units to help reduce the number of parking spaces created.



There is a need for zoning reform as it would help align new projects with the existing conditions of Waverly Street. A multi-family residential building already exists on Waverly Street, three houses down from the proposed project site. Because of this, erecting a new multi-family residential building would not be out of place on this street. Zoning reform would also address issues of excessive FAR and the ratio for off-street parking not aligning with the current conditions of Waverly Street. However, the proposed project, under its current conditions, would still not align with the built environment even if the zoning was changed. This is because the proposed massing is larger than the built environment. This can be seen with the rear yard as it would extend further into the rear yard than the abutting properties. It would be best for the applicant to reduce the number of units and massing of the proposed building to match the built environment.

The plans reviewed are titled 42 Waverly St and were prepared by Choo & Company Inc. on August 23, 2023.

Recommendation:

In reference to BOA1552468, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. Applicant should reduce the number of units and massing of proposed building to match the built environment.

Reviewed,

A handwritten signature in blue ink, appearing to read "Ames Rand", is written in a cursive style.

Director of Planning, BPDA

MEMORANDUM

OCTOBER 12, 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
STEPHEN HARVEY, SENIOR PROJECT MANAGER
MATTHEW MARTIN, URBAN DESIGNER II
SAM ROY, SENIOR TRANSPORTATION PLANNER
EILEEN MICHAUD, PLANNER I

SUBJECT: 27 FARRAGUT ROAD, SOUTH BOSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority d/b/a Boston Planning & Development Agency ("BPDA") authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 27 Farragut Road in South Boston (as defined below, the "Proposed Project"), in accordance with Article 80E, Small Project Review of the Boston Zoning Code (the "Code"); and (2) execute and deliver an Affordable Rental Housing Agreement and Restriction ("ARHAR") in connection with the Proposed Project; and (3) enter into a Community Benefits Agreement and any and all other agreements and documents, and to take any and all other actions that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The Proposed Project is located on an approximately 9,401 square foot parcel of land at 27 Farragut Road in the City Point section of the South Boston neighborhood of Boston (the "Project Site"). The Project Site currently is occupied by a mixed-use building with surface parking and is within the vicinity of MBTA bus

service, which provides access to MBTA Red Line Subway service at Broadway Station, Andrew Station and South Station.

DEVELOPMENT TEAM

The development team includes:

Proponent: 27 Farragut Road Realty Trust
Chris Anderson, Kurt Stenhouse

Development Management: RISE
Raul Duverge, David Anderson

Construction Management: RISE
Brian Regan, James Grossmann

Architect: Monte French Design Studio (MFDS)
Monte French, Alex Yoon, Emily Driscoll

Legal Counsel: Adams & Morancy, P.C.
George Morancy, Esq.

Land Survey: Feldman Geospatial
Tim Agurkis

PROPOSED PROJECT

27 Farragut Road Realty Trust (the “Proponent”) seeks to demolish the existing structure occupying the Project Site and construct a four (4) story, approximately forty-seven (47) foot maximum height, approximately 30,434 gross square foot residential building that will include up to twenty-one (21) rental housing units, including four (4) IDP units, and up to twenty (21) off-street vehicle parking spaces (the “Proposed Project”). The Proposed Project also will include an interior bicycle storage room with space for twenty-one (21) bicycles for residents and up to six (6) exterior bicycle storage spaces for the public.

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

| Estimated Project Metrics | Proposed Plan |
|----------------------------------|----------------------|
| Gross Square Footage | 30,434 |
| Gross Floor Area | 23,917 |
| <i>Residential</i> | 23,917 |
| <i>Office</i> | 0 |
| <i>Retail</i> | 0 |
| <i>Lab</i> | 0 |
| <i>Medical Clinical</i> | 0 |
| <i>Education</i> | 0 |
| <i>Hotel</i> | 0 |
| <i>Industrial</i> | 0 |
| <i>Recreational</i> | 0 |
| <i>Back of House</i> | 1,659 |
| <i>Parking</i> | 4,858 |
| Development Cost Estimate | \$12,000,000 |
| Residential Units | 21 |
| <i>Rental Units</i> | 21 |
| <i>Ownership Units</i> | 0 |
| <i>IDP/Affordable Units</i> | 4 |
| Parking spaces | 21 |

PLANNING CONTEXT

The Proposed Project at 27 Farragut Road is not located within the boundaries of a recent planning initiative, but it is subject to the forthcoming South Boston Transportation Action Plan (SBTAP), to be released in Winter 2024. The zoning designation for the Project Site is a Multifamily Residential subdistrict within Article 68, the South Boston Neighborhood District. The Proposed Project is moderately taller and denser than required by zoning, while responding to the existing

multifamily residential scale and dense block structure. The Proposed Project is located on an MBTA bus route serving the 7,9,10, and 11 buses, making this an ideal location for transit-oriented development.

During the course of project review, the building was reduced in height from five (5) to four (4) stories to more closely conform to existing zoning requirements and to allow adequate light and air to units in the new building and existing residential buildings. New curb extensions and crosswalks at the intersection of Farragut and East Second Street will allow for safer access to the public open space, recreational amenities, and waterfront across the street, advancing a key goal of the SBTAP to improve safety for all modes of travel.

ARTICLE 80 REVIEW PROCESS

On June 5, 2023, the Proponent filed an Application for Small Project Review with the BPDA for the Proposed Project, pursuant to Article 80E of the Code (the “Code”). The BPDA sponsored and held a virtual public meeting on June 28, 2023, and September 6, 2023, via Zoom. The meetings were advertised in the local newspapers, posted on the BPDA website and a notification was emailed to all subscribers of the BPDA’s South Boston neighborhood update lists. The public comment period ended on July 14, 2023.

ZONING

The Project Site is in the South Boston Neighborhood District governed by Article 68 of the Code and more specifically within the Multi-Family Residential (MFR) Subdistrict, and Restricted Parking District. The Proponent expects that zoning variances will be needed for the following: floor area ratio, building height, minimum lot area per dwelling unit, minimum useable open space, insufficient side and rear yard setbacks, and insufficient off-street parking and loading.

MITIGATION AND COMMUNITY BENEFITS

The Proposed Project will include mitigation measures and community benefits to the neighborhood and the City of Boston (the “City”), including:

- The Proponent will make a one-time “bikeshare” contribution of Five Thousand Seven Hundred Seventy-Five dollars (\$5,775.00) to the Boston

Transportation Department (“BTD”) per the City’s Bike Parking Guidelines. The \$5,775.00 contribution to the Boston Transportation Department is due upon issuance of the Certificate of Approval.

- As part of the site design of the Proposed Project, the Proponent will design and implement in-kind pedestrian safety improvements to the intersection of Farragut Road and East Second Street. The Proponent shall complete the requested mitigation improvements before the issuance of the Certificate of Occupancy for the Proposed Project. All sidewalk improvements are subject to BPDA design review and may require approval for a Specific Repairs Action with the Public Improvement Commission. The dollar value of the in-kind improvements shall not exceed Thirty Thousand dollars (\$30,000.00). In the event that circumstances change regarding this mitigation, the BPDA and the City will work with the Proponent to provide an alternate mitigation of a similar nature with a value not to exceed \$30,000.00. The in-kind improvements shall be completed as currently contemplated in their proposed design.
- The Proponent will provide and maintain a trash receptacle for the public on the Project Site within the bounds of the sidewalk setback on Farragut Road (not on the public right-of-way).
- The Proponent will install at least two (2) street trees in and around the Project Site, and protect one (1) existing street tree. The tree plantings shall be coordinated and approved by the BPDA, and other applicable City departments/agencies and completed before the issuance of the Certificate of Occupancy for the Proposed Project.
- The Proponent shall make a Ten Thousand dollar (\$10,000.00) contribution to City’s Fund for Parks:

Recipient: City’s Fund for Parks
Boston Parks and Recreation Department
1010 Massachusetts Avenue, 3rd Floor
Boston, MA 02118

Use: The contribution will be used to fund efforts to maintain green space and facilities at Christopher F. Lee

Playground located near this Proposed Project in South Boston.

Amount: \$10,000.00

Timeline: The \$10,000.00 contribution is due upon issuance of the Certificate of Approval.

- The Proponent shall make a Ten Thousand Five Hundred dollar (\$10,500.00) contribution to a local nonprofit:

Recipient: South Boston Neighborhood House, Inc.
136 H Street
South Boston, MA 02117

Use: The contribution will be used to fund and/or further advance STEM studies at the South Boston Neighborhood House located near this Proposed Project in South Boston.

Amount: \$10,500.00

Timeline: The \$10,500.00 contribution is due upon issuance of the Certificate of Approval.

- The Proponent commits to equipping electric vehicle charging infrastructure at a rate of 25% installed, or five (5) charging stations, and the remaining sixteen (16) parking spaces to be EV Ready for future installation.
- In support of Boston’s green building and carbon neutral goals, the Proposed Project will be designed to meet LEED Gold performance standards.
- The Proponent will share the final proposal and design with the City Point Neighborhood Association before issuance of the Certificate of Approval.
- The Proposed Project will create approximately fifty (50) temporary construction related jobs.
- Additional property tax revenue for the City.

The community benefits described above will be set forth in the Community Benefit Contribution Agreement for the Proposed Project. The community benefits contribution payments shall be made to the BRA upon issuance of the initial

building permit by the City of Boston Inspectional Services Department (“ISD”) and will be distributed as outlined above.

The proposed scope of any in-kind work agreed to by the Proponent shall be developed in consultation with the BPDA and appropriate city agencies, departments, and commissions and the allocation of any financial contributions shall first be provided to the BPDA for disbursement to the specified entity or organization. The details of any in-kind work and the allocation of any financial contributions shall be incorporated into the Community Benefit Contribution Agreement, between the Proponent and the BPDA. To the greatest extent possible, the Proponent will provide the BPDA with evidence indicating that the above-referenced mitigation and community benefits have been satisfied.

INCLUSIONARY DEVELOPMENT POLICY

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 (the “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, four (4) units-or approximately 19.1% of the total number of units within the Proposed Project will be created as IDP rental units (the “IDP Units”), exceeding the requirements of the IDP. Three (3) units will be made affordable to households earning not more than 70% of AMI and one (1) unit will made affordable to households earning not more than 100% 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 # | # of Bedrooms | Square Footage | % of AMI | Rent | ADA/Group 2 Designation (if any) |
|--------|---------------|----------------|----------|---------|----------------------------------|
| 202 | Studio | 636 SF | 70% AMI | \$1,330 | Yes |
| 205 | Three | 1,021 SF | 70% AMI | \$1,978 | |
| 402 | Studio | 636 SF | 100% AMI | \$1,932 | |
| 306 | Two | 1,047 SF | 70% AMI | \$1,766 | |

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 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:

- (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.

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; (2) execute and deliver an Affordable Rental Housing Agreement and Restriction (“ARHAR”) in connection with the Proposed Project; and (3) enter into a Community Benefits Agreement, and any and all other agreements and documents, and to take any and all other actions that the Director deems appropriate and necessary in connection with the Proposed Project.

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 at 27 Farragut Road in the South Boston neighborhood, proposed by 27 Farragut Road Realty Trust (the “Proponent”), for the construction of a four (4) story, approximately forty-seven (47) foot maximum height, approximately 30,434 gross square foot residential building that will include up to twenty one (21) rental housing units, including four (4) IDP units, and up to twenty (21) off-street vehicle parking spaces (the “Proposed Project”), in accordance with the requirements of Small Project Review, Article 80E, of the Code, subject to continuing design review by the BPDA; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute and deliver an Affordable Rental Housing Agreement and Restriction for the creation of four (4) IDP Units in connection with the Proposed Project; and

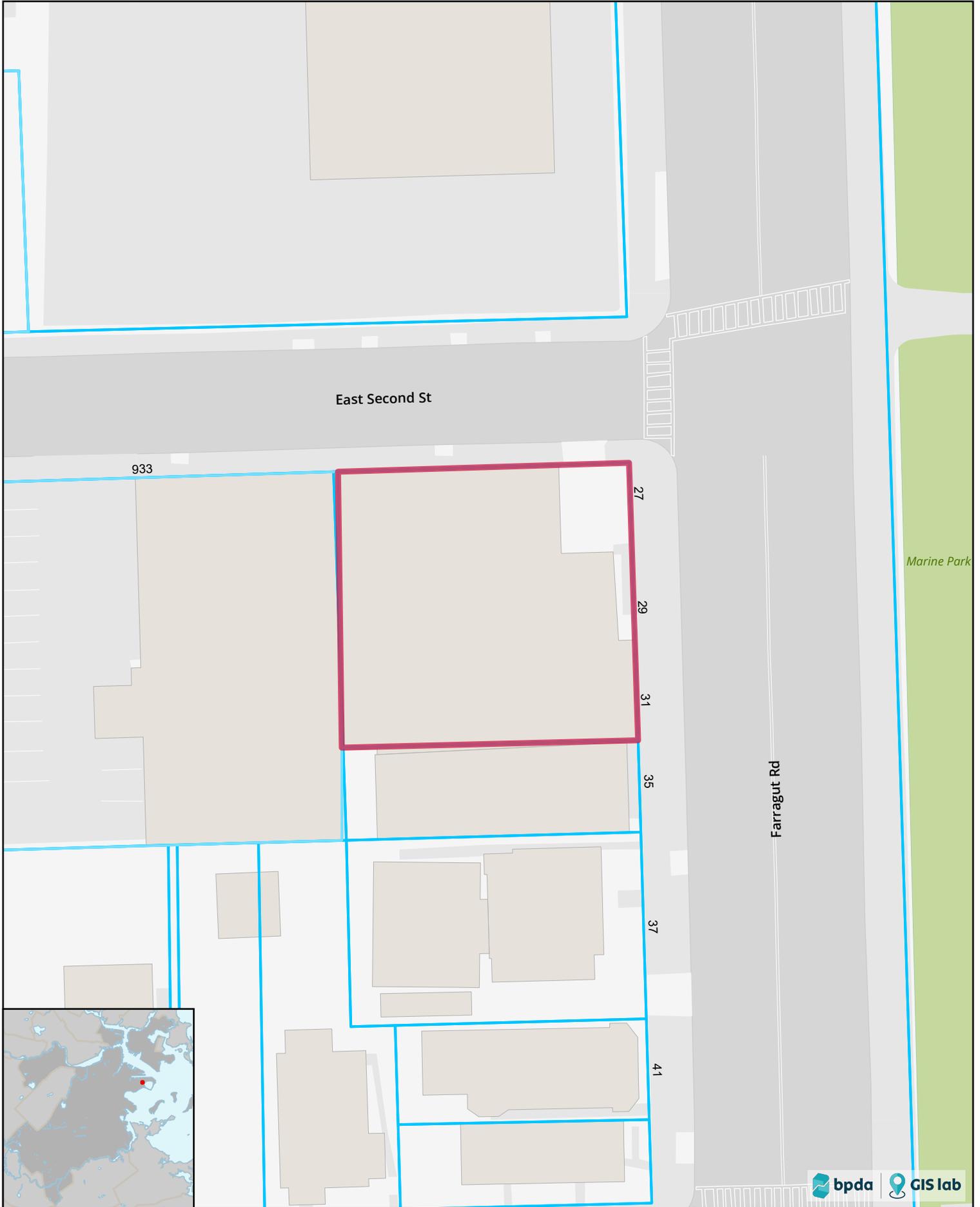
FURTHER

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

27 Farragut Road



1:500



27 Farragut Road



1:500



MEMORANDUM

FEBRUARY 10, 2022

TO: **BOSTON REDEVELOPMENT AUTHORITY**
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY^{1*}
AND BRIAN P. GOLDEN, DIRECTOR

FROM: MICHAEL CHRISTOPHER, DIRECTOR OF DEVELOPMENT REVIEW
CASEY HINES, DEPUTY DIRECTOR FOR DEVELOPMENT REVIEW
AISLING KERR, SENIOR PROJECT MANAGER

SUBJECT: CHANGE OF OWNERSHIP
515 – 519 EAST SECOND STREET, SOUTH BOSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) d/b/a Boston Planning & Development Agency (“BPDA”) authorize the Director to: (i) issue a Certification of Approval to 519 East Second Street LLC, the new Proponent of the 515 – 519 East Second Street project in South Boston; and (ii) enter into an Affordable Housing Agreement (“AHA”) and Community Benefit Contribution Agreement with 519 East Second Street LLC, and take any other actions and execute any and all other documents or agreements that the Director deems appropriate and necessary in connection with the Project.

PROJECT SITE

Located at 515 – 519 East Second Street in South Boston, the approximately 12,890 square foot Project Site consists of one (1) parcel of land bound by H Street to the east and Dorchester Street to the west (the “Project Site”). The Project Site is a paved surface lot presently occupied by an automotive repair garage and trolley storage facility.

DEVELOPMENT TEAM

Proponent: 519 East Second Street, LLC

^{1*} Effective October 20, 2016, the BRA commenced doing business as BPDA.

Thomas Noto and Patricia Gannon

Legal Counsel: McCue, Lee & Greene, LLP
Brendan Greene, Esq.

Architect: O'Sullivan Architects, Inc.
David O'Sullivan and Donnie Garrity

PROJECT BACKGROUND

On December 17, 2020 the BPDA Board approved the Proposed Project at 515 – 519 East Second Street in South Boston. As approved, the Project calls for the demolition of the existing structures on the Project Site and the construction of a new five (5)-story residential building totaling approximately 39,750 square feet.

The Project will include approximately thirty (30) condominium units, four (4) of which will be provided as Inclusionary Development Policy (“IDP”) Units. Approximately thirty-four (34) vehicular parking spaces will be provided through an at-grade garage with access from East Second Street (collectively, the “Project”).

CHANGE OF OWNERSHIP

On January 18, 2022 the BPDA received written notice from 519 East Second Street, LLC (the “Proponent”) that the Project had been transferred to its ownership from the original project applicant, 515 East 2nd Street, LLC (the “Original Proponent”).

The Proponent has not made any changes to the Project as approved by the BPDA Board in December of 2020. BPDA Board authorization is required for the Director to enter into and execute the necessary Article 80 documents and approvals with the Proponent, which were not completed prior to the Project’s change of ownership.

ZONING

Following the BPDA Board’s approval of the Project in December of 2020, the Project received approval from the City of Boston Zoning Board of Appeal (“ZBA”) on April 12, 2021.

COMMUNITY BENEFITS & MITIGATION MEASURES

The Proponent remains committed to the community benefits and mitigation measures included in the BPDA Board's approval of the Project.

The Proponent shall enter into a Community Benefit Contribution Agreement with the BPDA for the disbursement of thirty-thousand dollars (\$30,000), payable at the time of issuance of the Project's initial building permit by the Inspectional Services Department ("ISD"), for pedestrian safety improvements at the intersection of East Broadway, West Broadway, and Dorchester Street. Upon receipt, these funds shall be transferred to the Boston Transportation Department ("BTD") for safety improvements such as pedestrian beacons, crosswalk enhancements, and other pedestrian safety and public realm improvements at the intersection.

RECOMMENDATIONS

Based on the foregoing, BPDA staff recommend that the Board authorize the Director to: (i) issue a Certification of Approval to 519 East Second Street LLC, the new Proponent of the 515 – 519 East Second Street project in South Boston; and (ii) enter into an Affordable Housing Agreement ("AHA") and Community Benefit Contribution Agreement with 519 East Second Street LLC, and take any other actions and execute any and all other documents or agreements that the Director deems appropriate and necessary in connection with the Project.

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Approval to 519 East Second Street LLC for the construction of the 515 – 519 East Second Street project in South Boston; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to enter into and execute an Affordable Housing Agreement, Community Benefit Contribution Agreement, and any and all other agreements and documents that the Director deems appropriate and necessary in connection with the 515 – 519 East Second Street project with 519 East Second Street LLC.

MEMORANDUM

DECEMBER 17, 2020

TO: BOSTON REDEVELOPMENT AUTHORITY
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY (BPDA)*
AND BRIAN P. GOLDEN, DIRECTOR

FROM: JONATHAN GREELEY, DIRECTOR OF DEVELOPMENT REVIEW
MICHAEL CHRISTOPHER, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW/GOVERNMENT AFFAIRS
JOHN CAMPBELL, PROJECT MANAGER
MATTHEW MARTIN, URBAN DESIGNER II
MARY KNASAS, SENIOR PLANNER III
MARK MCGONAGLE, COMMUNITY AFFAIRS LIAISON

SUBJECT: 515-519 EAST SECOND STREET, SOUTH BOSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 515-519 East Second Street in South Boston (the “Proposed Project”), in accordance with Article 80E, Small Project Review of the Boston Zoning Code (the “Code”); (2) enter into an Affordable Housing Agreement in connection with the Proposed Project; (3) enter into a Community Benefit Contribution Agreement and take any other actions and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project; and (4) recommend approval to the City of Boston Zoning Board of Appeal on Petition BOA - 1046403 for zoning relief necessary to construct the Proposed Project.

PROJECT SITE

The Proposed Project is located at 515-519 East Second Street in South Boston situated between H Street to the east and Dorchester Street to the west (the “Project Site”).

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

The Project Site consists of one (1) parcel that is approximately 12,890 square feet of land. The Project Site consists of an existing non-conforming automotive repair garage and trolley storage facility, surrounded by an asphalt surface lot.

The Project Site is also located 1.0 mile southeast of the MBTA Red Line Broadway station and multiple bus line service to Downtown Boston.

DEVELOPMENT TEAM

Proponent: 515 East 2nd Street, LLC
Edward Doherty and Thomas Noto

Legal Counsel: McDermott, Quilty & Miller, LLP
Joseph P. Hanley, Esq. and Nicholas J. Zolula, Esq.

Architect: O'Sullivan Architect Inc.
David O'Sullivan and Donnie Garrity

Civil Engineering: Bohler Engineering
Zachary Richards

PROPOSED PROJECT

515 East 2nd Street, LLC (the "Proponent") proposes to construct a five-story, residential building totaling approximately 39,750 square feet. The building will contain thirty (30) homeownership units including four (4) Inclusionary Development Policy Units ("IDP Units") and thirty-five (35) on-site/off-street garage parking spaces at-grade with vehicular access via East Second Street. Bicycle storage and a trash/recycling room will be located within the ground level of the building (the "Proposed Project").

As currently proposed, the thirty (30) homeownership condominium units will consist of twenty-six (26) market-rate units and four (4) IDP units. The thirty (30) units will consist of twelve (12) one-bedroom units, twelve (12) two-bedroom units, and six (6) three-bedroom units.

The Proponent plans to commence construction of the Proposed Project in 2021. There are an estimated 40+/- construction jobs contributing to the Proposed Project and the total development cost is approximately \$10,000,000.

PUBLIC PROCESS

On February 24, 2020, the Proponent filed a Small Project Review application with the BPDA for the Proposed Project, pursuant to Article 80E of the Boston Zoning Code. A BPDA sponsored Virtual Public Meeting was held on August 31, 2020 on Zoom. The meeting was advertised in *South Boston Today* and *South Boston Online* newspapers on August 13, 2020. The Virtual Public Meeting was also posted on the BPDA website, and distributed to the BPDA South Boston email list. The BPDA comment period concluded on September 11, 2020.

ZONING

The Project Site is situated within an MFR (Multifamily Residential) subdistrict of the South Boston Neighborhood Zoning District, Article 68 of the Boston Zoning Code. The Proposed Project will require zoning relief from the following: Forbidden Use, Excessive Floor Area Ratio, Insufficient Lot Size, Insufficient Lot Area Per Unit, Excessive Building Height, Insufficient Usable Open Space, Insufficient Rear Yard, Insufficient Side Yard, Off-Street Parking Insufficient, and Off-Street Parking Size & Design.

MITIGATION & COMMUNITY BENEFITS

The Proposed Project will provide many community benefits for the South Boston neighborhood and the City of Boston. The Proponent has committed to a total of thirty-thousand dollars (\$30,000.00) towards community benefits, which are described below.

- The Proponent has made a commitment of Thirty Thousand Dollars (\$30,000.00) to be contributed to the BPDA upon issuance of an initial building permit for the Proposed Project for improvements to the East Broadway / West Broadway / Dorchester Street intersection commonly known as Perkins Square. The BPDA will transfer this contribution to the Boston Transportation Department (BTD) to use for pedestrian beacons, crosswalk enhancements, and other improvements to enhance pedestrian safety in the public realm.

In connection with the community benefits described above, the Proponent will enter into a Community Benefit Contribution Agreement with the BPDA. The community benefits contribution payments shall be made to the BPDA upon

issuance of the initial building permit by the City of Boston Inspectional Services Department ("ISD") and the BPDA will distribute as outlined above.

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. In this case, four (4) units within the Proposed Project will be created as IDP homeownership units (the "IDP Units"), of which two (2) units will be made affordable to households earning not more than 80% of the Area Median Income as based upon the United States Department of Housing and Urban Development ("HUD") ("AMI"), and two (2) units will be made affordable to households earning greater than 80% of AMI but not more than 100% of AMI. The proposed sizes, location and sale prices for the IDP Units are as follows:

| Unit Number and Location | Number of Bedrooms | Square Feet | ADA/Group 2 Designation | Percentage of Median Income | Sale Price |
|---------------------------------|---------------------------|--------------------|--------------------------------|------------------------------------|-------------------|
| Unit 203, Floor 2 | 2 Bedroom | 1,477 | | 80% of AMI | \$221,900 |
| Unit 306, Floor 3 | 1 Bedroom | 701 | | 80% of AMI | \$186,400 |
| Unit 308, Floor 3 | 2 Bedroom | 1,483 | | 100% of AMI | \$221,900 |
| Unit 404, Floor 4 | 1 Bedroom | 875 | | 100% of AMI | \$248,600 |

The location of the IDP Units will be finalized in conjunction with BPDA staff and outlined in the Affordable Housing Agreement ("AHA"), and sales prices and income limits will be adjusted according to BPDA published maximum sales prices and income limits, as based on HUD AMIs, available at the time of the initial sale 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 AHA must be executed along with, or prior to, the issuance of the Certification of Approval for the Proposed Project. The Proponent must also submit an Affirmative Marketing Plan (the "Plan") to the Boston Fair Housing Commission 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); and
- (3) First-Time Homebuyer

The IDP Units will not be marketed prior to the submission and approval of the Plan. 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 the buyer and sales price of any subsequent sale of the IDP Units during this fifty (50) year period must fall within the applicable income and sales price limits for each IDP Unit. IDP Units may not be rented out by the Proponent prior to sale to an income eligible buyer, and the BPDA or its successors or assigns will monitor the ongoing affordability of the IDP Units.

As there is no partial unit payment required, the four (4) designated IDP Units fully satisfies the IDP requirements pursuant to the December 10, 2015 IDP.

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; (2) enter into an AHA in connection with the Proposed Project; (3) enter into a Community Benefit Contribution 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; and (4) recommend approval to the Boston Zoning Board of Appeal on Petition BOA - 1046403 for zoning relief necessary to construct the Proposed Project with the proviso that the plans be submitted to the BPDA for design review approval.

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 five-story residential building containing 30 homeownership condominium units, and 35 garage parking spaces at 515-519 East Second Street in South

Boston (the “Proposed Project”) in accordance with the requirements of Small Project Review, Article 80E, of the Code, subject to continuing design review by the Boston Redevelopment Authority; and

**FURTHER
VOTED:**

That the Director be, and hereby is, authorized to execute an Affordable Housing Agreement for the creation of four (4) on-site IDP Units in connection with the Proposed Project; and

**FURTHER
VOTED:**

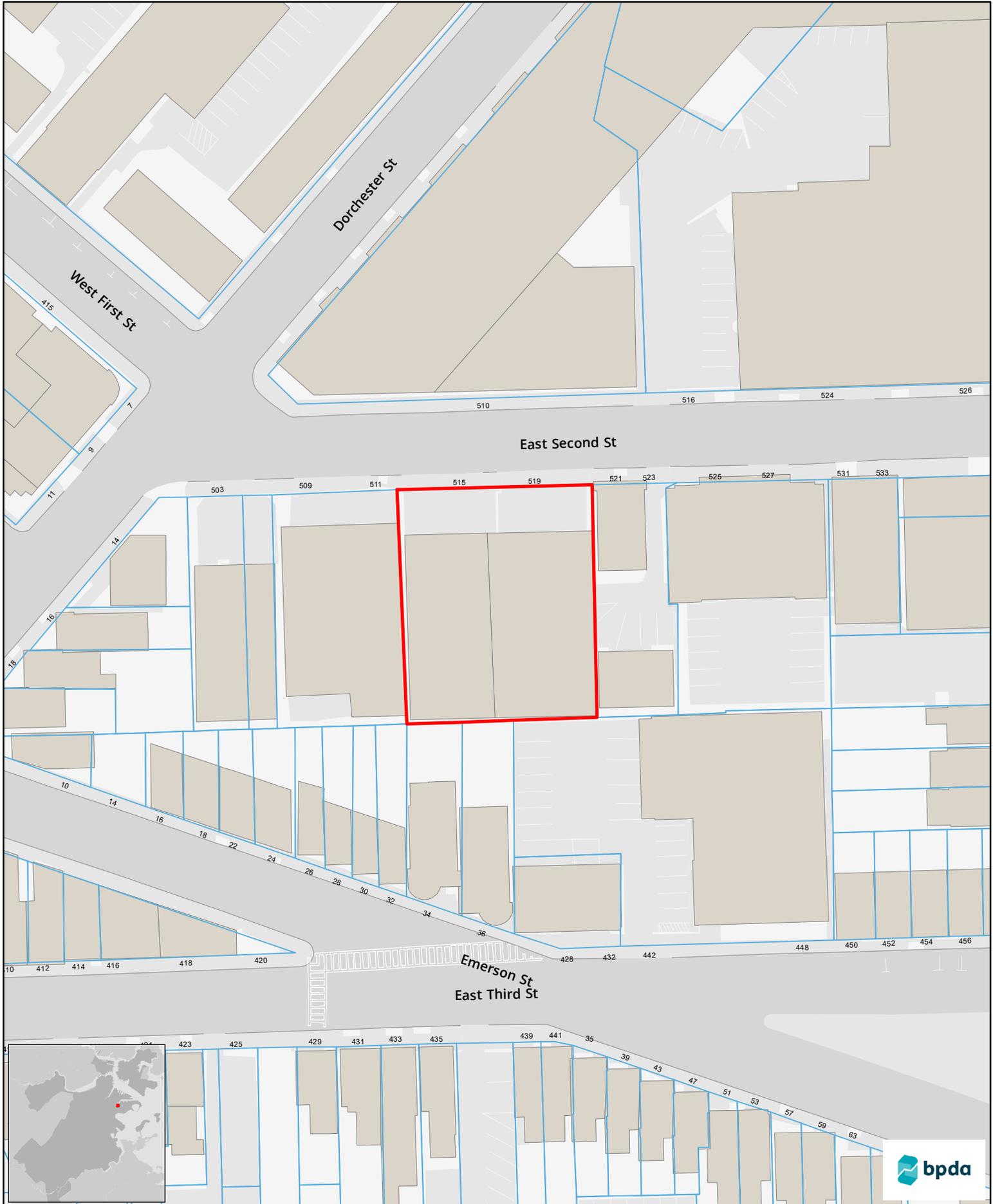
That the Director be, and hereby is, authorized to execute a Community Benefit Contribution Agreement and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project; and

**FURTHER
VOTED:**

That the Director be, and hereby is authorized to issue the following recommendation to the City of Boston Zoning Board of Appeal on Petition BOA - 1046403 for zoning relief necessary in connection with the Proposed Project: APPROVAL WITH PROVISIO: that plans are submitted to the BRA for design review approval.

515-519 East Second Street, South Boston

1:800



515-519 East Second Street, South Boston

1:800



AP Alexandra Properties, LLC

January 18, 2022

Via Email

Mr. Brian Golden
Director
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

Re: Request for Transfer of Property Ownership

Location: 515-519 East Second Street, South Boston, MA
Board Approval Date: December 17, 2020
Project: Demolition of existing one story building and erect new 5 story multi-family building containing 30 units with associated parking on the first floor of the building (the "Project")

Dear Director Golden:

I am representing 519 East Second Street LLC, (the "Applicant") the owner applicant of the Project. The Applicant recently completed the transfer of ownership from the original project proponent, 515 East 2nd Street, LLC. Two of the three original partners from the original proponent are partners with the controlling ownership interest in the current ownership LLC, the Applicant. The remaining interest is controlled by a group of investors in the development.

We request a BPDA Board vote to authorize the execution of the Article 80 approval documents with the new entity, 519 East 2nd Street, LLC.

Thank you for your attention to this matter.

Sincerely,



Gregory Clark

Email: gregclark@alexandrapropertiesllc.com