



# 734 DUDLEY STREET

## DORCHESTER, MA 02125

Application for Article 80 Small Project Review

Submitted to

**Boston Planning and Development Agency**

<b>Prepared By:</b> Law Office of Derric Small 15 Broad Street, Suite 610 Boston, MA 02109	<b>Submitted by:</b> Valdomiro DePina 734 Dudley Street Dorchester, Ma 02125	<b>In Association With:</b> Vargas Dasilveira, Builder 11 Virginia Street Dorchester, MA 02125
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Law Office of Derric Small  
15 Broad Street, Suite 610  
Boston, MA 02109

April 24, 2017

Brian Golden, Director  
Boston Planning and Development Agency  
Boston City Hall, 9<sup>th</sup> Floor  
Boston, MA 02201

Dear Mr. Golden:

It is my pleasure to submit this application for Small Project Review pursuant to Article 80 of the Boston Zoning Code, for the 734 Dudley Street.

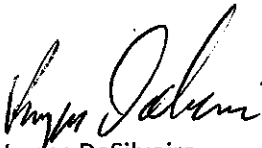
The proposed project is to consist of 20 new residential units and 3 retail spaces, primarily market-rate, with 3 affordable units in accordance with the Mayor's executive order on inclusionary development, served by 11 accessory parking spaces located in a ground-level and bike racks.

The applicant and developer, is Valdomiro DePina of Boston in association with Vargas DaSilveira as the Builder.

Architectural services are being provided by Urban Designer, Vern Woodworth, AIA.

On behalf of the applicant and the development team, I wish to thank the BRA for its guidance and assistance to date in this matter. We look forward to continuing our strong working relationship with the BRA as we move towards final approval of this project.

Very truly yours,



Vargas DaSilveira

Cc: John Campbell, Project Manager

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## **1.0 Project Summary / Overview**

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### **1.1 Introduction**

This package is being submitted on behalf of Valdemiro Pina (the “Proponent”) for a new mixed-use development that is approximately 26,357 gross square feet in size, and includes twenty residential units, 3032 square feet of retail space and twelve parking spaces. The proposed project, which is located at 734 Dudley St. & 4 Wendover St., Will include eleven associated parking spaces and a 200-square foot bike room at the ground level. (Please see **Figure 1.1. Project Locus.**)

The project Site comprises approximately 4000 square feet of underutilized commercial space on Dudley Street and approximately 2000 square feet of underutilized residential space. The project will include combining three existing parcels into one lot. The Proposed Project includes a redevelopment of the Project Site by replacing the existing facilities of ground floor retail stores with new mixed-use building, landscape design, vehicular and pedestrian access measures and improvements. The current estimated cost of this Project, based upon the most recent plans, is approximately \$5,000,000.00

The vision of the Project is to revitalize the neighborhood by replacing the existing retail spaces with a mix use residential and retail building that will add new housing units and commercial spaces to the increasingly popular Dorchester community. As part of the community benefits related to the Proposed Project, the existing and unsightly commercial buildings will be demolished, and will be replaced with a new mix use residential and commercial energy efficient building.

The Proposed Project will exceed the 20,000-square foot total building-out requirement for a project in a Boston neighborhood, and therefore required the preparation of filing(s) under the small Project Review regulations, pursuant to Article 80 of the Boston Zoning Code. The Proponent will also seek zoning dimensional relief from the Code from the Boston Zoning Board of Appeal related to the size and change of use for the Proposed Project.

### **1.2 Detailed Project Description**

The Proposed Project sits on approximately 6,956 square feet of underutilized land along Dudley Street and Wendover Street. The location lies within a commercial section of Dorchester along Dudley Street, but also a residential neighborhood along Wendover Street. The developers came up with a project that is conducive to the neighborhood, and integrated both commercial and residential uses into their building. The Dudley Street portion of the project lies within a Neighborhood Shopping Sub district (NS-.5), and the Wendover Street portion of the Project lies within a three-family Sub district (3F-5000). The current site contains retail stores, and offices. As part of the community benefits related to this Project, the old commercial buildings will be demolished, and new market rate residential housing with neighborhood commercial space will be developed. The Proposed Project will serve to invigorate this section of Dorchester and bring residential foot traffic to the neighborhood. The retail address will be 734 through 742 Dudley Street, the residential address will be 4 Wendover Street

The Proposed Project will be constructed as a five-story residential market rate development with ground-floor retail and commercial space. The building will be ideally situated within close proximity to several bus routes and the Upham’s Corner T Station, making it convenient for future resident commuters. The Project will be near Ryan Park, which will give residents access to usable open green

space to utilize. The project will also be located from the Ray Kroc Athletic and Community Center. The Project will be walking distance to many neighborhood shops and restaurants that will service the new residents of the development and will contribute to the local economy. The Developers are proposing a project that would include both residential units and neighborhood commercial space that will revitalize an otherwise underutilized site, and will take advantage of its ideal location.

The Developers are proposing a mixed-use project that will include twenty residential units and 3,032 square feet of retail and commercial space along the ground floor of the building. The units will have a variety of different sizes and bedrooms, which will accommodate Dorchester's diverse and growing population. The units will be comprised of four, one-bedroom units, twelve, two-bedroom units, and four three-bedroom units. The Developers understand that parking is always a concern to the neighborhood residents, and therefore are proposing a ground level interior parking facility that will house eleven parking spaces and bike racks for bike storage. Furthermore, a separate bike room has been proposed, which will accommodate additional bicycle space and encourage residents to use alternative means of transportation. The Proposed Project's proximity to the Upham's Corner MBTA station and bus lines will minimize community impact from resident/patron parking for the Proposed Project.

The second component of the Proposed Project will include 3,032 square feet of commercial space along the Dudley Street side of the building. The commercial space will accommodate the needs of Dorchester's growing population. The Dorchester community has been looking to add more commercial space to new projects to ensure that residents can both live and have access for neighborhood retail opportunities.

The Proposed Project is subject to Small Project Review under Article 80 of the Boston Zoning Code. In conjunction with this application, the Proposed Project will seek zoning relief from the Boston Zoning Code at the Boston Zoning Board of Appeal related to the size and change of use of the land and structures that currently sit on them.

The Proposed Project will completely revitalize this section of Dudley Street and will bring necessary residential housing to an underutilized corridor. The site is attractive due to its proximity to public transportation and all of the many shops and restaurants along Dudley Street and Columbia Road.

1.3 Existing Condition Images





## 2.0 General Information

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### 2.1 Project Schedule

Project Schedule: 734 Dudley Street Project	
Construction Commencement:	Summer/Fall 2017
Construction Completion:	Spring 2018
Status of Project Design:	Schematic

### 2.2 Project Proponent

Owner; Valdemiro Pina owns many properties in greater Boston area and is vested in this community. Valdemiro Pina has a passionate interest in seeing his neighborhood grow and has a strong desire to play an integral role in Dorchester's development. Valdemiro has an interest in this project and will pursue other projects in the area in the coming years.

Vargas Dasilveira, the builder, has been in the Dorchester community nearly forty years and has almost three decades of experience building in the City of Boston. Vargas has completed well over three hundred projects in the City of Boston and surrounding communities in Massachusetts. Vargas has an excellent track record of building and developing properties around the City of Boston and has completed both commercial and residential projects.

### 2.3 Public Benefits

The proposed project will provide substantial benefits to the City of Boston and the Dorchester community. The proposed project will generate both direct and indirect economic and social benefits to the Dorchester neighborhood. The Proposed Project provides for:

- Creating much needed market rate residential housing in the Dorchester Neighborhood.
- Creating on-site affordable rental units, which will meet the Boston Redevelopment Authority affordable housing standards
- Revitalizing underutilized properties, store fronts and office space.
- Creating commercial retail space along Dudley Street to accommodate Dorchester's growing population of residents, which will allow residents to not only live, but also shop and have access to amenities in the neighborhood.
- Constructing a ground level parking facility that will accommodate parking spaces for the unit residents.
- Encouraging alternative modes of transportation through the use of bicycling and walking, due to the close proximity of the bus lines and the MBTA at Upham's Corner Station; and the high number of bicycle stations on the ground floor.
- Creating bike racks and a dedicated bike room for storage of bikes within the building to encourage bicycling as a mode a transportation, allowing for less vehicular traffic.
- Adding revenue in the form of property taxes to the City of Boston.
- Creating full-time jobs (commercial and retail).
- Creating temporary construction and labor jobs



## 2.4 Inspectional Services Department Letter



Martin J. Walsh  
Mayor

### Boston Inspectional Services Department Planning and Zoning Division

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

#### ZONING CODE REFUSAL

Sean Lydon  
Inspector of Buildings

VARGAS DASILVEIRA  
11 VIRGINIA ST  
DORCHESTER, MA 02125

June 21, 2016

**Location:** 734-742 DUDLEY ST DORCHESTER MA 02125  
**Ward:** 07  
**Zoning District:** Dorchester Neighborhood  
**Zoning Subdistrict:** NS  
**Appl. # :** ERT580730  
**Date Filed:** June 01, 2016  
**Purpose:** Raze existing structures on lot and erect new 5 stories 20 units and 3 stores with 36a take out

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

<u>Violation</u>	<u>Violation Description</u>	<u>Violation Comments</u>
Art. 65 Sec. 41	Off street parking requirements	Off street parking requirement is insufficient
Art. 65 Sec. 41*	Off-St. Loading Req'mnts	Off street loading requirement is insufficient
Article 65, Section 16 **	Dimensional Regualtions	Rear yard setback is insufficient
Article 65, Section 16 **	Dimensional Regualtions	Floor area ratio is excessive
Article 65, Section 16 **	Dimensional Regualtions	Height is excessive (35ft max. allowed)
Article 65, Section 16 **	Dimensional Regualtions	Height is excessive (3stories max. allowed)
Article 65, Section 16 **	Dimensional Regualtions	Usable open space is insufficient
Notes		Art.80 Sec.80E-1 Small Project Review Applicability

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

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Marc Joseph  
(617)961-3233  
for the Commissioner

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

**Table 2.4.1. Approximate Project Dimensions of 734 Dudley Street**

<b>Lot Area:</b>	6,956
<b>Gross Building Footprint Area:</b>	6,956
<b>Gross Square Feet:</b>	26,357
<b>FAR:</b>	3.9
<b>Floors:</b>	5
<b>Height:</b>	48'

## **2.5 Compliance with Boston Zoning Code-Use and Dimensional Requirements**

The Site is located in a Neighborhood shopping sub district (NS)/Three-Family Sub district (3F-5,000) in the Dorchester Neighborhood District, Article 65 of the Boston Zoning Code (the “Code”). (See **Table 2.1 and Table 2.2. 734 Dudley Street –Zoning Compliance**). It is likely that the City of Boston Inspectional Services Department will view the site as being in a Neighborhood Shopping sub district, as much of the property lies within the sub district. However, since the site is bounded by two different zoning sub districts it is necessary to view the proposal under each classification independently.

### **Three-Family Sub district (3F-5,000)**

Multi-family dwellings are a Forbidden use under Article 65. Table A. Therefore, a use variance would need to be obtained from the City of Boston Zoning Board of Appeals. Additionally, the proposed retail use is a Forbidden use as well. The Proposed Project also seeks relief from several requirements of the existing zoning outlined in Article 65. The proposed structure exceeds the maximum allowable floor-area-ratio (“FAR”). It also exceeds the height limitations for the district and will require relief from the zoning Board of Appeal. Other likely zoning violations include additional lot area per dwelling unit and various dimensional regulations such as front setback, and rear setback.

For a project of the size, 1.5 parking spaces would be required per dwelling unit. Therefore, per code, thirty parking spaces would be required. An additional variance would be required for the parking violation.

### **Neighborhood Shopping Sub district (NS)**

Multi-family dwellings are an Allowed Use under Article 65. Table B. Therefore, a use Variance would not be necessary from the City of Boston Zoning Board of Appeals. Local Retail Uses and Restaurants are an Allowed use on the first floor in a Neighborhood Shopping Sub district, so no Variance would be required for this proposed use. The Proposed Project also seeks relief from several requirements of the existing zoning outlined in Article 65. The proposed structure exceeds the maximum allowable floor-area-ratio (“FAR”). It also exceeds the height limitations for the district and will require relief from the Zoning Board of Appeal. Other likely zoning violations may include dimensional regulations, such as rear setback.

For a project of this size, 1.5 parking spaces would be required per dwelling unit. Therefore, per code, thirty parking spaces would be required. An additional Variance would be required for the parking violation.

Regardless of what sub district the size is viewed as, the Site will consist of 6,956 square feet of land. The site is located in an area that contains residential and commercial uses. The design team feels that given this location, and the structures influencing the design, as well as comparable developments in the neighborhood, that the proposed building's height, mass and scale are appropriate for this location and conducive to the Dorchester neighborhood.

**Table 2.5.1. 734 Dudley Street-Zoning Compliance**

<b>Categories</b>	<b>Neighborhood Shopping Sub district</b>	<b>Proposed Project</b>
Minimum Lot Area (Square feet)	None	6,956 S.F
Floor Area Ratio	1.0	3.9
Minimum Lot Width	None	65 Feet
Minimum Lot Frontage	None	65 Feet
Minimum Front Yard	None	.5 Feet
Minimum Side Yard	None	5 Feet
Minimum Rear Yard	20 Feet	4 Feet
Minimum Building Height	40	48 Feet
Minimum Usable Open Space Per Dwelling Unit (Square Feet)	50 S.F. Per Unit	23 S.F. Per Unit
Off-Street Parking Spaces	1.5 Spaces Per Unit (30)	12 Spaces
Rear Yard Maximum Occupancy by Accessory Building (Percent)	N/A	N/A

**Table 2.5.2. 734 Dudley Street-Zoning Compliance**

<b>Categories</b>	<b>Three-Family Sub district</b>	<b>Proposed Project</b>
Minimum Lot Area (Square-Feet)	5,000 S.F. for 1 or 2 units	23,325 S.F.
Additional Lot Area Per Dwelling Unit	2,500 S.F. Per Unit	S.F. Per Unit
Floor Area Ratio	.5	3.9
Minimum Lot Width	40 Feet	65 Feet
Minimum Lot Frontage	40 Feet	65 Feet
Minimum Front Yard	20 Feet	4 Feet
Minimum Side Yard	10 Feet	5 Feet
Minimum Rear	20 Feet	4 Feet
Maximum Building Height	35 Feet	48 Feet
Minimum Useable Open Space Per Dwelling Unit (Square Feet)	750 S.F. Per Unit	23 S. F. Per Unit
Off-Street Parking Spaces	1.5 Spaces Per Unit (30)	12 Spaces
Rear Yard Maximum Occupancy by Accessory Building (Percent)	N/A	N/A

## **2.6 Public Review Process and Agency Coordination**

The 734 Dudley Street development team has provided extensive community outreach efforts for the proposed project, including several community meetings in the Dorchester neighborhood, and presentations before the elected officials. As part of the process, the development team has held many meetings to explain the project to surrounding neighbors that will be directly impacted during and after construction. The Proponent received positive feedback from the neighbors, and has made design changes accordingly. The development team also appeared before the Upham's Corner Main Streets and will continue to work with Dorchester Bay NDC.

Finally, the development team has met individually with all of Dorchester's elected officials and their staff members, including: Representative Evandro Carvalho, City Councilor Frank Baker, and Mayor's Office of Neighborhood Services Liaison for Dorchester, Flavio DeVeiga, Dorchester's elected officials have had input during the community outreach process, and have had staff presence at all community meetings.

The Proponent has also discussed the Proposed Project with representatives of the Boston Planning and Development Agency ("BPDA") prior to filling this Briefing Package in order to identify issues/concerns as well as design requirements related to the Proposed Project. Meetings have based upon the feedback received.

The Proponent will continue to meet with public agencies, neighborhood representatives, local business organizations, abutting property owners, and other interested parties, and will follow the requirements of Article 80 pertaining to the public review process.

## **1.0 Urban Design And Sustainability**

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### **3.1 Site and Surroundings**

The Project Site is located in Dorchester, and is bounded by Dudley Street, Wendover Street and Dudley Terrace. The Proposed Site sits on approximately 6,956 square feet of underutilized commercial and retail space along Dudley Street. The current site has been used as retail stores and offices. As part of the proposal the existing buildings, will be demolished. The Project Site sits across from other single-story retail shops located on Dudley Street. The Site is primarily abutted in the rear and side by two and three-family residential buildings. The remainder of the abutting buildings are comprised of commercial buildings and Condominium dwelling and apartment complexes.

### **3.2 Urban Design Concept**

The Proposed Project is a mixed-use development spanning a city block along Dudley Street in Dorchester. We have located the residential lobby and 3,032 square feet of commercial space at grade along Dudley Street to add to the public street scape. We are proposing public benches and bike parking, and street trees along Dudley Street. Through multiple meetings with the community we have modified the massing of the building to step away from Dudley Street in height from seven stories 30 units and 3 stores to five stories 20 units and 3 stores.

### **3.3 Materials and Finishes**

Along Dudley Street the proposed building incorporates a mixture of large glass fronts, metals, design cinder blocks and clapboard siding, taking inspiration from the context along Dudley Street extending towards Upham's Corner. As the building turns the corner of Wendover Street, the materials transition to predominately clapboard siding to fill into the neighborhood context of Wendover Street. All clapboard will be durable fiber cement to maintain quality of finish. All building materials will be sustainable sourced and environmentally friendly when possible.

### **3.4 Urban Design Drawings**

The Proposed Project's urban design drawings and perspectives are contained in **Appendix A** and include:

	Plot Plan
	Boston Planning & Development Map
A-1	Proposed Floor Plans-Ground Floor Plan
A-2	Proposed Floor Plans-Second Floor
A-3	Proposed Floor Plans-Third Floor
A-4	Proposed Floor Plans-Fourth Floor
A-5	Proposed Floor Plans-Fifth Floor/Roof
A-6	Proposed Elevations

## 4.0 Additional Project Information

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### 4.1 Preliminary List of Permits or Other Approvals Which May Be Sought

Agency Name	
Local Agencies	
Boston Planning & Development Agency	Article 80 Review and Execution of Related Agreements; Section 80B Certificate of Compliance
Boston Transportation Department	Transportation Access Plan Agreement; Construction Management Plan
Boston Department of Public Works, Public Improvement Commission	Possible Sidewalk Repair Plan; Curb-Cut Permit' Street/Sidewalk Occupancy Permit; Other
Boston Zoning Board of Appeals	Possible Variances and Dimensional Relief from Existing Zoning Code Requirements
Boston Fire Department	Approval of Fire Safety Equipment
Boston Water and Sewer	Approval for Sewer and Water Connections; Construction Site Dewatering; and Storm Drainage
Boston Parks Department	Building Permits; Certificates of Occupancy; Other Construction-Related Permits

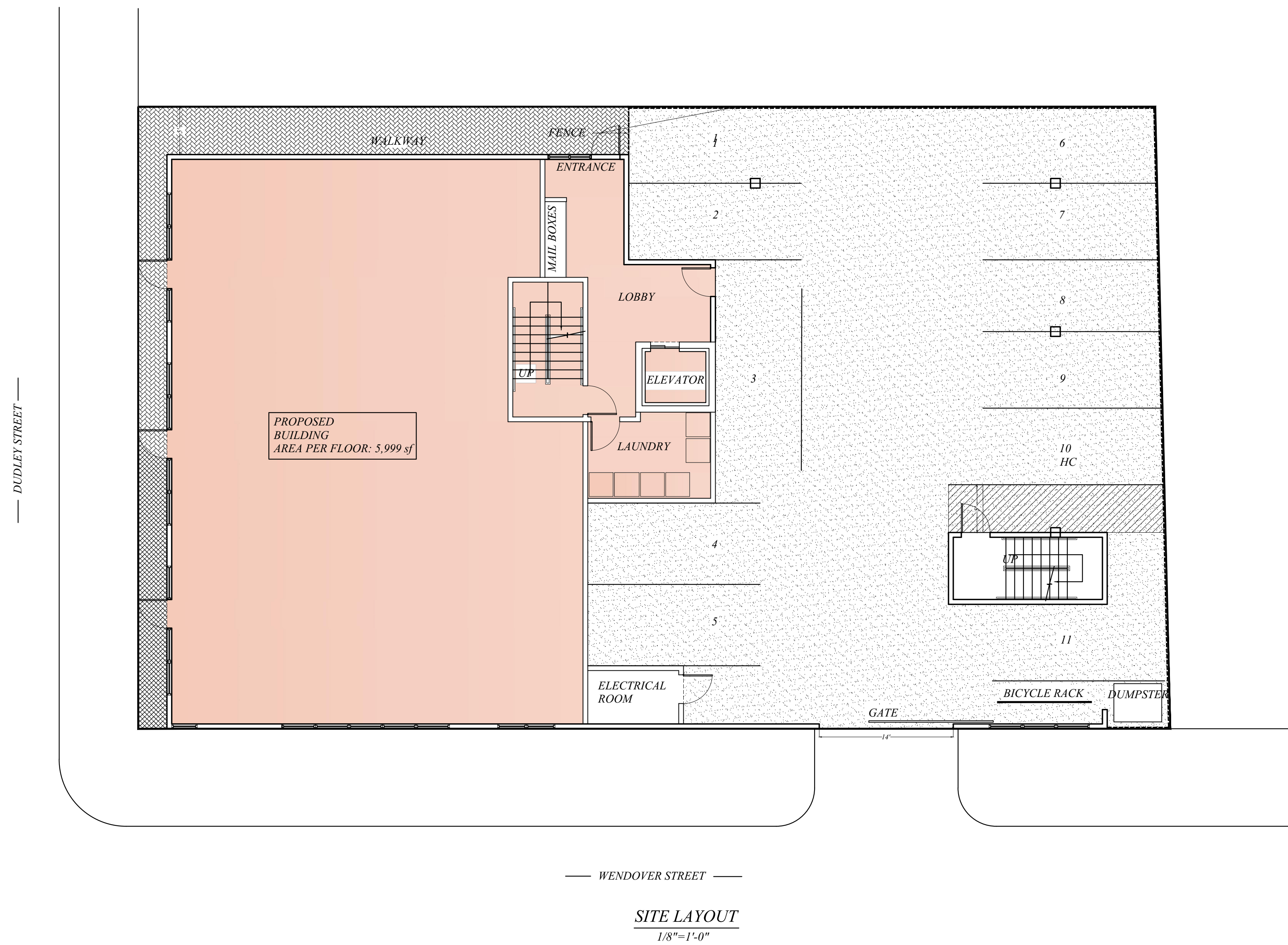
\*This is a preliminary list based on project information currently available. It is possible that not all of these permits or actions will be required, or that additional permits may be needed.

	<u>ZONE: NS</u>
	<u>MIN. LOT SIZE</u>
REQUIRED	NONE S.F.
PROPOSED	6 956 S.F.
	<u>LOT WIDTH &amp; FRONTAGE</u>
REQUIRED	NONE
PROPOSED	65'
	<u>FAR</u>
REQUIRED	1
PROPOSED	3.9
	<u>HEIGHT</u>
REQUIRED	40'
PROPOSED	48'
	<u>OPEN SPACE</u>
REQUIRED	50 S.F./UNIT.
PROPOSED	23 S.F./UNIT
	<u>FRONT YARD</u>
REQUIRED	NONE
PROPOSED	0.5'
	<u>SIDE YARD</u>
REQUIRED	NONE
PROPOSED	5'
	<u>REAR YARD</u>
REQUIRED	20'
PROPOSED	4'

# PROPOSED NEW BUILDING

734 DUDLEY STREET, BOSTON, MA

3 STORES ON THE 1ST FLOOR  
 20 RESIDENTIAL UNITS ON THE UPPER FLOORS  
 5 UNITS PER FLOOR



DASILVERIA BUILDERS INC  
 DORCHESTER, MA. 02125  
 P.O. BOX 255244  
 TEL: (617) 524-5300  
 FAX: (866) 230-2364

PROPOSED NEW BUILDING  
 734 DUDLEY STREET  
 BOSTON, MA

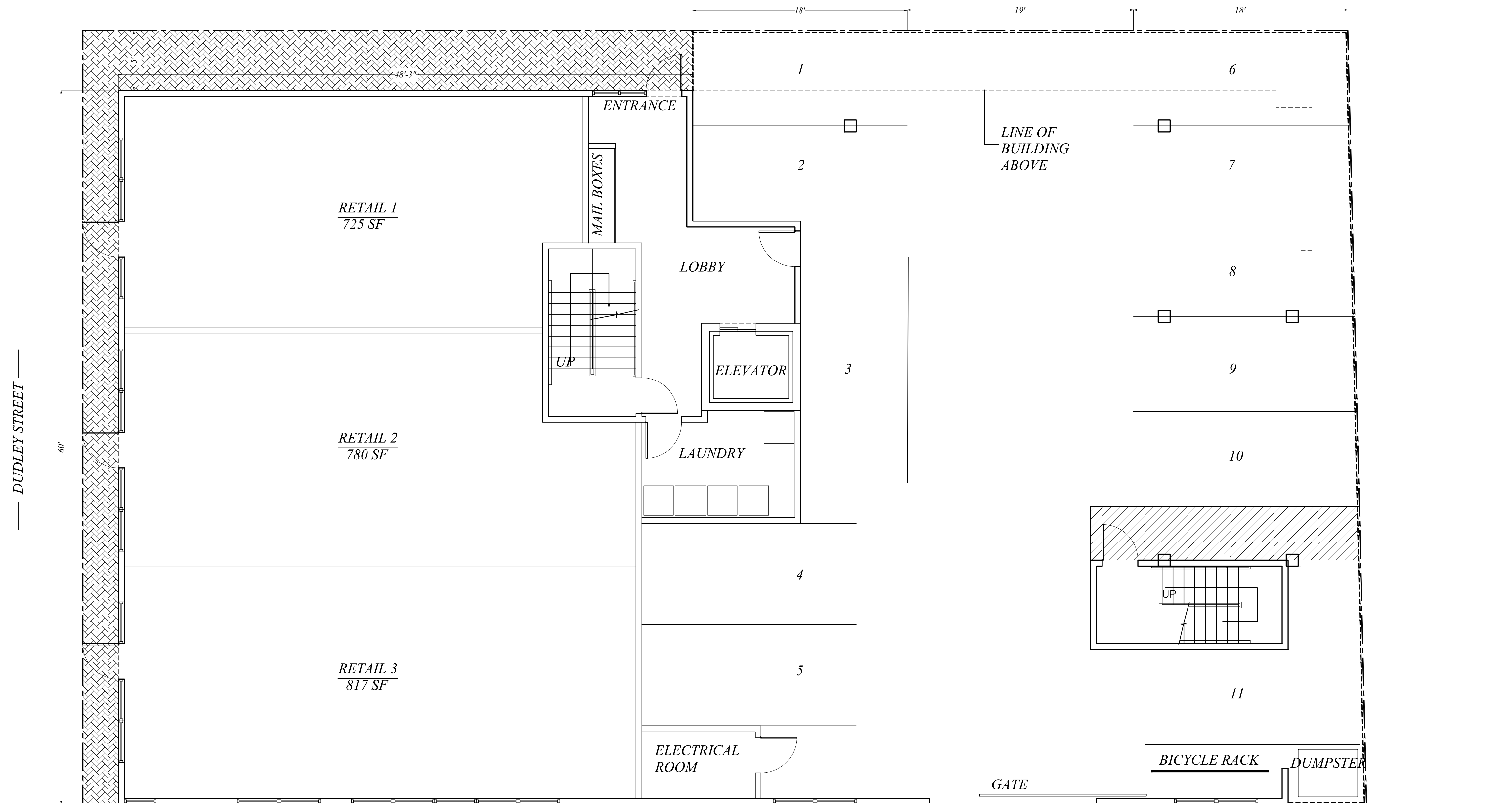
DATE 11-28-14  
 REVISION 07-08-15

SITE LAYOUT

DRAWING NUMBER:

**A-1**





FIRST FLOOR PLAN  
3/16"=1'-0"

DASILVERIA BUILDERS INC  
DORCHESTER, MA. 02125  
P.O. BOX 255244  
TEL. (617) 524-5300  
FAX. (866) 230-2364

PROPOSED NEW BUILDING  
734 DUDLEY STREET  
BOSTON, MA

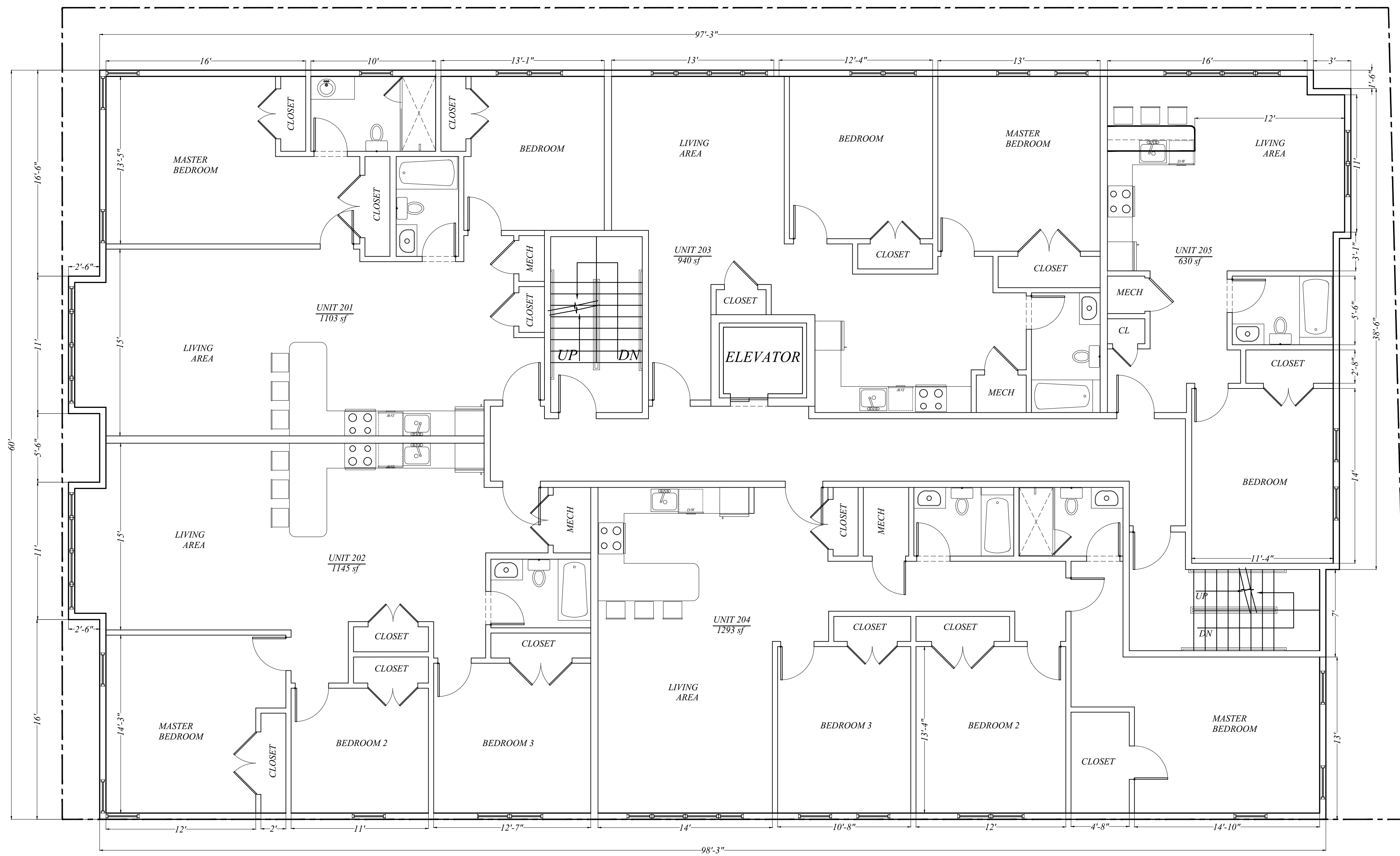
DATE 11-28-14  
REVISION 07-08-15

1ST FLOOR PLAN

DRAWING NUMBER:

A-2

DUDLEY STREET



SECOND TO FOURTH FLOOR PLAN  
3/16"=1'-0"

DASILVERIA BUILDERS INC  
DORCHESTER, MA. 02125  
P.O. BOX 255244  
TEL. (617) 524-5300  
FAX. (866) 230-2364

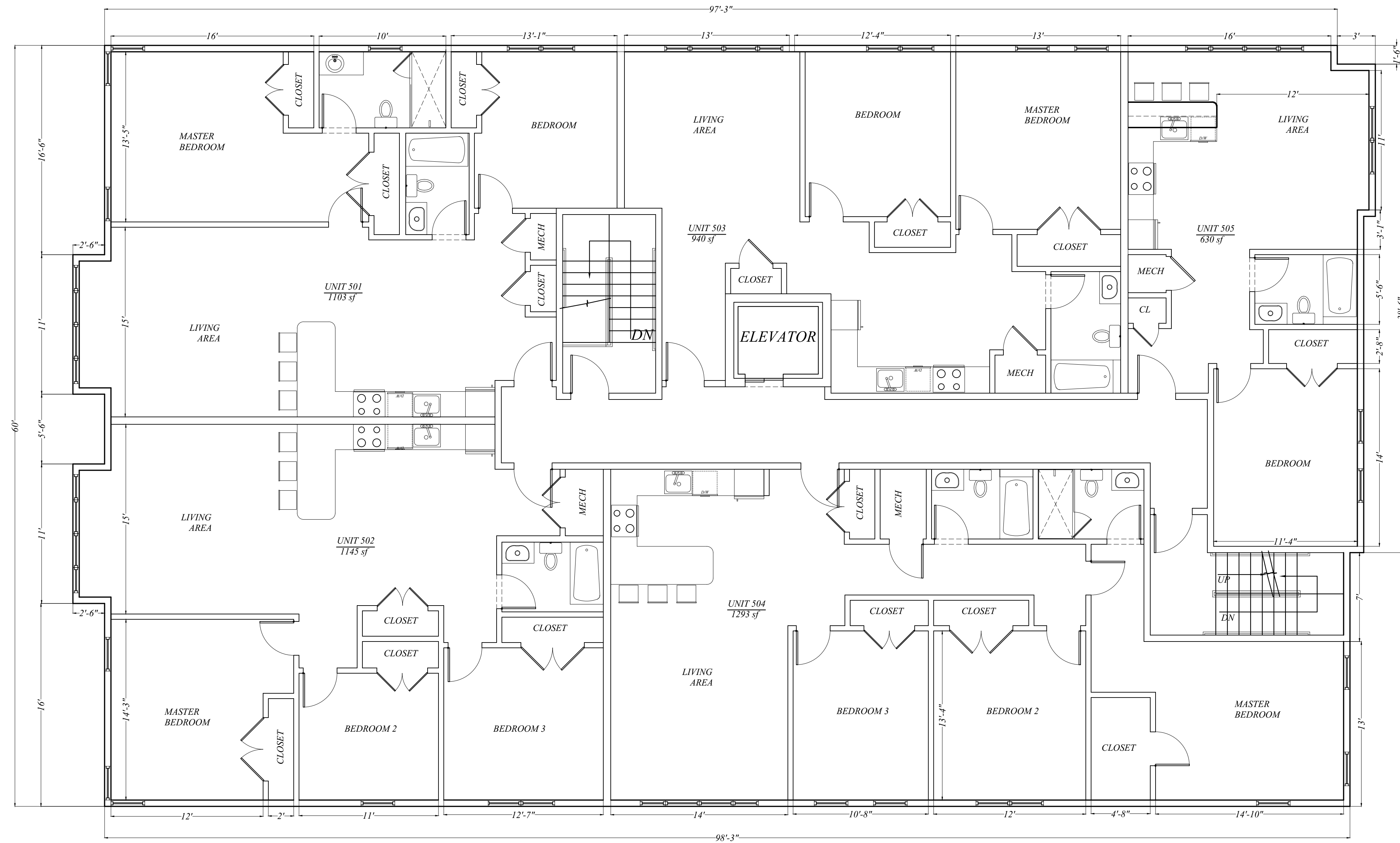
PROPOSED NEW BUILDING  
734 DUDLEY STREET  
BOSTON, MA

DATE 11-28-14  
REVISION 07-08-15

FLOOR PLAN

DRAWING NUMBER:  
**A-3**

DUDLEY STREET



FIFTH FLOOR PLAN  
3/16"=1'-0"

DASILVERIA BUILDERS INC  
DORCHESTER, MA. 02125  
P.O. BOX 255244  
TEL. (617) 524-5300  
FAX. (866) 230-2364

PROPOSED NEW BUILDING  
734 DUDLEY STREET  
BOSTON, MA

DATE 11-28-14  
REVISION 07-08-15

FLOOR PLAN

DRAWING NUMBER:

A-4



*WENDOVER STREET ELEVATION*  
3/16"=1'-0"

*DASILVERIA BUILDERS INC*  
DORCHESTER, MA. 02125  
P.O. BOX 255244  
TEL: (617) 524-5300  
FAX: (866) 230-2364

*PROPOSED NEW BUILDING*  
734 DUDLEY STREET  
BOSTON, MA

DATE	REVISION
11-28-14	07-08-15

*ELEVATION*

DRAWING NUMBER:  
**A-5**



*DUDLEY STREET ELEVATION*  
3/16"=1'-0"

*DASILVERIA BUILDERS INC*  
DORCHESTER, MA. 02125  
P.O. BOX 255244  
TEL. (617) 524-5300  
FAX. (866) 230-2364

*PROPOSED NEW BUILDING*  
734 DUDLEY STREET  
BOSTON, MA

DATE	REVISION
11-28-14	07-08-15

*FRONT ELEVATION*

DRAWING NUMBER:  
**A-6**



*LEFT SIDE ELEVATION*  
3/16"=1'-0"

*DASILVERIA BUILDERS INC*  
DORCHESTER, MA. 02125  
P.O. BOX 255244  
TEL. (617) 524-5300  
FAX. (866) 230-2364

*PROPOSED NEW BUILDING*  
734 DUDLEY STREET  
BOSTON, MA

DATE	REVISION
11-28-14	07-08-15

*SIDE ELEVATION*

DRAWING NUMBER:  
**A-7**



*REAR ELEVATION*  
3/16"=1'-0"

*DASILVERIA BUILDERS INC*  
DORCHESTER, MA. 02125  
P.O. BOX 255244  
TEL. (617) 524-5300  
FAX. (866) 230-2364

*PROPOSED NEW BUILDING*  
734 DUDLEY STREET  
BOSTON, MA

DATE	REVISION
11-28-14	07-08-15

*REAR ELEVATION*

DRAWING NUMBER:

**A-8**