



MEMORANDUM

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

FROM: Jeff Hampton
Senior Zoning Planner

DATE: August 24, 2023

RE: BPDA Recommendations

Please find attached, for your information, the BPDA's recommendations for the Zoning Board of Appeal Hearings scheduled for Tuesday, August 29, 2023.

Also included in the recommendations is the Board memo for 1523-1525 Blue Hill Avenue, Ward 18.

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



Case	BOA1462119
ZBA Hearing Date	2023-08-29
Address	1742 Dorchester Av Dorchester 02124
Parcel ID	1601622000
Zoning District & Subdistrict	Dorchester Neighborhood MFR/LS
Zoning Article	Article 65
Project Description	Demolish existing single story gas station and automotive shop and construct a 4-story mixed-use building with a restaurant on the ground floor and residential uses on the 2+ floors (14 units).
Relief Type	Variance, Conditional Use
Violations	Height Excessive FAR Excessive Height Excessive (stories) Lot Area Insufficient Rear Yard Insufficient Side Yard Insufficient Usable Open Space Insufficient Limitation of parking areas; Insufficient parking for restaurant; insufficient parking maneuverability; insufficient parking for residential uses; restaurant conditional use; traffic visibility

Planning Context:

The proposed project is located on Dorchester Avenue, a mixed-use corridor, and 0.4 miles away from the MBTA's Shawmut station. The project's proposed density and use is consistent with existing context (triple deckers) and appropriate given its proximity to a transit stop, as outlined in Imagine Boston 2030's (2017) recommendations for transit-oriented development.

Zoning Analysis:

Article 65 MFR/LS's required usable open space is 400 SF for each dwelling unit which would require the project to provide 5,600 SF given the proposed 14 residential units. The proposed project's parcel area is smaller than 5,600 sf. As a result, the usable open space number is not feasible given the parcel size. Additionally, the required FAR and height in the zoning code does not reflect the existing built environment along Dorchester Avenue whereas the proposed project does more closely match the existing built environment.

BOA1462119

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1 Boston Planning & Development Agency



Recommendation:

In reference to BOA1462119, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review .

Reviewed,

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Director of Planning, BPDA



Case	BOA1493596
ZBA Hearing Date	2023-08-29
Address	5 Grayfield AVE West Roxbury 02132
Parcel ID	2006679000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-8000
Zoning Article	Article 56
Project Description	Addition of large shed dormer to existing 1 family dwelling.
Relief Type	Variance
Violations	FAR Excessive Height Excessive (stories) Rear Yard Insufficient

Planning Context:

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

Zoning Analysis:

This project is within a Neighborhood Design Overlay District and would make an alteration changing the roof shape which is visible from a public street. Therefore, it is subject to the Design Component of Small Project Review and plans must be approved by the BPDA (Section 80E-2 of the Zoning Code).

Article 56 Section 41 of the Zoning Code states that "A Building or use existing on the effective date of this Article and not conforming to the applicable dimensional requirements specified in other provisions of this Article may nevertheless be altered or enlarged, provided that such nonconformity is not increased and that any enlargement itself conforms to such dimensional requirements." This building was constructed in 1915, before the West Roxbury Neighborhood District Article was adopted. The rear yard nonconformity is pre-existing and the project does not increase the nonconformity.



The FAR and height violations also pre-existing. These violations would be marginally increased by this project and would not bring the building out of alignment with existing neighborhood context.

Plans issued: 10/24/2022

Plans by: Fergal D. Brennock

Recommendation:

In reference to BOA1493596, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review .

Reviewed,

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Director of Planning, BPDA



Case	BOA1439377
ZBA Hearing Date	2023-08-29
Address	31 Rodman ST Jamaica Plain 02130
Parcel ID	1904895000
Zoning District & Subdistrict	Jamaica Plain Neighborhood One-Family Residential (1F-4000)
Zoning Article	Art. 9 - Sec. 1, Art. 55 - Sec. 9
Project Description	Create a through lot by combining two adjacent parcels (#1904895000 and #19048970000) and expand livable space of an existing two-family dwelling by way of a rear addition. Renovate the existing two-family dwelling to convert to condominiums and add a ground level parking garage for two vehicles.
Relief Type	Variance, Conditional Use
Violations	FAR Excessive Lot Area Insufficient Height Excessive (stories) Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient Extension of Nonconforming Use

Planning Context:

This project proposes the creation of a through lot by merging a vacant rear parcel that faces Eldridge Road into the parcel with an existing dwelling that faces Rodman Street. The resulting through lot will have frontage on both Rodman Street and Eldridge Streets. The project also proposes a rear addition to the existing building to increase the living space of the current units and convert them into condominiums. The conversion to condos aligns with the City's goal of increasing homeownership units and opportunity, as detailed in Housing a Changing City, Boston 2030 (September 2018).

The existing two-family residential dwelling is a nonconforming use in the one-family residential subdistrict. However, the existing structure and proposed designs align with the form and height of existing adjacent buildings.

The property is in a Boston MHC Historic Inventory Area. The alterations should be responsive to the historic character of the existing building and surrounding area.

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The proposal plans do not clearly identify the impact of the rear addition on an existing mature tree currently located in the vacant parcel facing Eldridge Road. The removal of mature trees and permeable green space to create impermeable surface parking is not consistent with the Parks and Recreation Department's goals of proactive care and preservation of trees, as detailed in the Urban Forest Plan (September 2022).

The proposal of a garage addition with two parking spaces poses concerns because it creates a front yard garage, driveway and curb cut facing Eldridge Road that would impact the existing on-street parking spaces and public right-of-way. These parking space additions do not align with the City's goals of reducing dependence on private vehicles, as detailed in Go Boston 2030 (March 2017), especially considering that the site is within close proximity to public transit options along Hyde Park Avenue. Further mitigation is necessary for the design of this garage and its components facing Eldridge Road to reduce the impact of this condition.

Zoning Analysis:

This proposed project is in the Jamaica Plain Neighborhood District (Art. 55) within a One-Family Residential (1F-4000) subdistrict. The dimensional and use violations (Art. 55 - Sec. 9; Art. 9 - Sec. 1) are existing nonconformities for this property as it is already used as a two-family dwelling. The proposal to convert the two existing units into condominiums is supportive of increasing homeownership opportunities in the area. The proposed lot combination into a through lot improves the existing nonconformity and condition of the rear yard and lot area. Sec. 55-41 of the Code requires that the rear yard of through lots adhere to the front yard requirements of Art. 55, so the proposed driveway and garage conditions are reviewed with those requirements in mind. The continuing and any new dimensional violations in the lot area based on the current plans are necessary for the proposed condominiums to be created with greater living space while still aligning with the heights of buildings in the surrounding context.

Project plans titled "31 Rodman Street Additions & Alterations" prepared by Thomas Rovero, RA on 09/14/2022. Plot survey plan titled "Certified Plot Plan" prepared by Boston Survey, Inc. on 07/25/2023.

Recommendation:

In reference to BOA1439377, The Boston Planning & Development Agency recommends **APPROVAL WITH PROVISOS**: that plans shall be submitted to the Agency for design review with special attention paid to the preservation of historic architecture with the rear addition,



mitigation of the loss of tree canopy, and the impact of the proposed front yard garage, curb cut, and driveway design on the public right-of-way facing Eldridge Road.

Reviewed,

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Director of Planning, BPDA



Case	BOA1405151
ZBA Hearing Date	2023-08-29
Address	84 Marine Rd., South Boston 02127
Parcel ID	072388000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	Article 68
Project Description	Adding 2 off street parking spaces and new curb cut.
Relief Type	Variance
Violations	Off Street Parking Maneuvering Insufficient Open Space

Planning Context:

Introducing additional off-street parking may encourage more single occupancy vehicle ownership which is contrary to the goals of Go Boston 2030 and the ongoing South Boston Transportation Action Plan. Further, maintaining open space for Boston residents is a key citywide goal.

Zoning Analysis:

With respect to vehicle maneuverability, the narrow one-way street and limited maneuverability on the parcel itself will likely cause a nuisance in the public realm and require removal of an on-street public parking space. Further, the mature street tree proximate to the proposed curb cut would have to be significantly trimmed to allow for vehicle maneuverability into and out of the proposed parking spaces. Due to the impacts on this mature street tree and on-street parking space, this proposal would produce negative consequences in the public right-of-way.

Additionally, the loss of open space for each unit due to this parking area is also inconsistent with the other parcels along this block that provide open space on their properties in the rear or side of the parcel. There are also concerns regarding the manhole cover in the sidewalk that indicates the presence of utilities.

BOA1405151

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Plans reviewed are titled "Certified Plot Plan Located at 84 Marine Road South Boston, MA", prepared by Boston Survey, Inc., and dated April 4th, 2023.

Recommendation:

In reference to BOA1405151, The Boston Planning & Development Agency recommends

DENIAL.

Reviewed,

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Director of Planning, BPDA



Case	BOA1480955
ZBA Hearing Date	2023-08-29
Address	9 Taylor St., South End 02118
Parcel ID	0305805000
Zoning District & Subdistrict	South End Neighborhood MFR
Zoning Article	Article 64
Project Description	Construct a one-story addition above an existing one-story projection on the rear of a single-family house
Relief Type	Variance, Conditional Use
Violations	FAR Excessive Rear Yard Insufficient Town/Rowhouse Extension into Rear

Planning Context:

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

Zoning Analysis:

The nonconforming rear yard setback is a pre-existing condition of this parcel and dwelling. The proposed project is a one-story addition to an existing one-story rear projection, and the dimensions of the rear setback will remain unchanged by the proposed addition as all work will be performed within this existing footprint. The existing dwelling has a nonconforming FAR of 2.4, which is more than the 2.0 maximum required by zoning. The FAR will change nominally to 2.5 with the proposed addition. Due to this rear yard addition of 100 sf, which is a continuation of a rear yard extension, the project requires a conditional use permit, as long as the proposed project meets other applicable use and dimensional requirements.

The plans reviewed are untitled and prepared by Timothy Burke Architecture and Boston Survey, Inc., and are dated 3/30/2023.

Recommendation:

In reference to BOA1480955, The Boston Planning & Development Agency recommends **APPROVAL**.

BOA1480955
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Reviewed,

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Director of Planning, BPDA



Case	BOA1400132
ZBA Hearing Date	2023-08-29
Address	219 Saratoga St East Boston 02128
Parcel ID	0106711000
Zoning District & Subdistrict	East Boston Neighborhood 3F-2000
Zoning Article	Article 27, Article 32, Article 53
Project Description	Erect 4-story, 4-unit building.
Relief Type	Variance, Conditional Use, IPOD Permit
Violations	Groundwater Conservation Overlay District FAR Excessive Parking Insufficient Existing Building Alignment Additional Lot Area Insufficient Height Excessive (ft) Height Excessive (stories) Side Yard Insufficient East Boston IPOD Roof Structure Restrictions Forbidden Use

Planning Context:

The creation of housing units on this currently vacant parcel is consistent with the ongoing PLAN: East Boston. The zoning recommendations of PLAN: East Boston (2023) detail dimensional standards setting caps on new development in the neighborhood's residential fabric. These standards include maximum units (3), maximum height (3 stories), maximum lot coverage (60%), minimum permeable surface area (30%), minimum front yard setbacks (2.5 ft), minimum side yard setbacks (2.5 ft), minimum rear yard setbacks (1/3 lot depth), maximum building width (50 ft), and maximum building depth (70 ft).

Zoning Analysis:

The East Boston Interim Planning Overlay District in which this site is located declares a need for interim zoning in this area and that interim zoning focuses on promoting residential development that is sensitive in scale, form, and density to the neighborhood character.



The proposed project exceeds the recommendations of PLAN: East Boston including a maximum number of units (4 proposed), maximum height (4 stories proposed), and side yard (0 ft proposed), thus rendering it non-compliant with the recommendations of PLAN: East Boston.

Plans reviewed are titled "219 Saratoga Street Boston, MA 02128", prepared by Zephyr Architects, and dated June 6th, 2022.

Recommendation:

In reference to BOA1400132, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE .

Reviewed,

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Director of Planning, BPDA



Case	BOA1497967
ZBA Hearing Date	2023-08-29
Address	56 Murdock ST Brighton 02135
Parcel ID	2202261000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 2F-5000
Zoning Article	Article 51
Project Description	Erect 3-story, 3-unit building on same lot as another new 3-story, 3-unit building.
Relief Type	Variance
Violations	Existing Building Alignment Parking Insufficient Lot Frontage Insufficient Side Yard Insufficient Dimensional Regulation Location of Main Entrance Two or More Dwellings on Same Lot Forbidden Use

Planning Context:

Infill development on underutilized parcels within the City's residential fabric is in keeping with planning goals related to increasing housing stock, as detailed in Housing a Changing City, Boston 2030 (September 2018). Further, the lower-than-required off-street parking decreases a reliance on single occupancy vehicles, in line with Go Boston 2030 and citywide goals of reducing off-street parking requirements. The proposal here is of comparable size to surrounding existing structures and other infill projects in 2F-5000 Allston-Brighton sub-districts.

Zoning Analysis:

This proposal is in conjunction with BOA1497973, a nearly identify 3-story, 3-unit building also proposed on this site. This parcel is notably larger than those surrounding it at nearly twice the lot frontage and nearly 1/3 deeper than the adjacent properties. Two dwellings on this lot with the existing 93.5' lot frontage are appropriate when compared to neighboring lots with an average of 40'-50' frontages.

The proposed side yard of 7.1' is short of the required 10'; the 10' side yard requirement is greater than the existing condition of the surrounding context where many buildings are pushed to one side of the lot to accommodate driveway access. Further, the distance between both

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buildings proposed on the lot is 17', which, if divided into two lots, would create side yards of 8.5' for each. These dimensions are consistent with the surrounding context despite requiring a variance from an inappropriately matched zoning requirement.

3-family use is forbidden within the 2F-5000 subdistrict, but many other properties on the block and within the 2F-5000 subdistrict are also nonconforming; density of this scale is appropriate.

Off-street parking is insufficient, but the provision of 4 spaces (8 total across both buildings) instead of 5.25 spaces (10.5 total across both buildings) reduces the amount of impermeable surfaces on the site.

Although the main entrance of the building is not located along the lot frontage per Article 57 Section 9.4, the frontage design includes a porch and sliding doors to mimic a front entrance. The front yard setback must conform with neighboring properties; the provided 20' is consistent with neighboring lots of 18'-20'. Additionally, the driveway in between both buildings creates an undesirable condition from an urban design perspective where units will be overlooking the driveway and limiting usable open space. Design review is recommended to address each of these issues.

Plans reviewed are titled "New (2) 3 Family Buildings at 56-58 Murdock Street, Boston Submitted for #56 Murdock", prepared by GCD Architects, and dated December 15th, 2022.

Recommendation:

In reference to BOA1497967, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review to explore alternatives in the driveway placement to improve usability of open space and confirm design for the doors facing the lot frontage.

Reviewed,

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Director of Planning, BPDA



Case	BOA1497973
ZBA Hearing Date	2023-08-29
Address	58 Murdock ST Brighton 02135
Parcel ID	2202261000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 2F-5000
Zoning Article	Article 51
Project Description	Erect 3-story, 3-unit building on same lot as another new 3-story, 3-unit building.
Relief Type	Variance
Violations	Existing Building Alignment Parking Insufficient Lot Frontage Insufficient Side Yard Insufficient Dimensional Regulation Location of Main Entrance Two or More Dwellings on Same Lot Forbidden Use

Planning Context:

Infill development on underutilized parcels within the City's residential fabric is in keeping with planning goals related to increasing housing stock, as detailed in Housing a Changing City, Boston 2030 (September 2018). Further, the lower-than-required off-street parking decreases a reliance on single occupancy vehicles, in line with Go Boston 2030 and citywide goals of reducing off-street parking requirements. The proposal here is of comparable size to surrounding existing structures and other infill projects in 2F-5000 Allston-Brighton sub-districts.

Zoning Analysis:

This proposal is in conjunction with BOA1497967, a nearly identical 3-story, 3-unit building also proposed on this site. This parcel is notably larger than those surrounding it at nearly twice the lot frontage and nearly 1/3 deeper than the adjacent properties. Two dwellings on this lot with the existing 93.5' lot frontage are appropriate when compared to neighboring lots with an average of 40'-50' frontages.

The proposed side yard of 6.9' is short of the required 10'; the 10' side yard requirement is greater than the existing condition of the surrounding context where many buildings are pushed

BOA1497973

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to one side of the lot to accommodate driveway access. Further, the distance between both buildings proposed on the lot is 17', which creates a side yard of 8.5' for each. These dimensions are consistent with the surrounding context despite requiring a variance from an inappropriately matched zoning requirement.

3-family use is forbidden within the 2F-5000 subdistrict, but many other properties on the block and within the 2F-5000 subdistrict are also nonconforming; density of this scale is appropriate.

Off-street parking is insufficient, but the provision of 4 spaces (8 total across both buildings) instead of 5.25 spaces (10.5 total across both buildings) reduces the amount of impermeable surfaces on the site.

Although the main entrance of the building is not located along the lot frontage per Article 57 Section 9.4, the frontage design includes a porch and sliding doors to mimic a front entrance. The front yard setback must conform with neighboring properties; the provided 20' is consistent with neighboring lots of 18'-20'. Additionally, the driveway in between both buildings creates an undesirable condition from an urban design perspective where units will be overlooking the driveway and limiting usable open space. Design review is recommended to address each of these issues.

Plans reviewed are titled "New (2) 3 Family Buildings at 56-58 Murdock Street, Boston Submitted for #58 Murdock", prepared by GCD Architects, and dated December 15th, 2022.

Recommendation:

In reference to BOA1497973, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review to explore alternatives in the driveway placement to improve usability of open space and confirm design for the doors facing the lot frontage.



Reviewed,

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Case	BOA1493812
ZBA Hearing Date	2023-08-29
Address	94 Perham ST West Roxbury 02132
Parcel ID	2008392000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	Article 56
Project Description	Demolish and rebuild rear portion of dwelling (2.5 stories) and add an elevator within space. The project maintains the existing footprint of the building.
Relief Type	Variance
Violations	Side Yard Insufficient

Planning Context:

The addition of an elevator supports planning goals of improving housing options for people with mobility challenges and creating opportunities for families to age in place. This project also does not change the footprint or massing of the building.

Zoning Analysis:

Article 50 Section 41 of the Zoning Code states that "A Building or use existing on the effective date of this Article and not conforming to the applicable dimensional requirements specified in other provisions of this Article may nevertheless be altered or enlarged, provided that such nonconformity is not increased and that any enlargement itself conforms to such dimensional requirements." This building was constructed in 1880, before the West Roxbury Neighborhood District Article was adopted. The side yard nonconformity is pre-existing and the project does not increase the nonconformity.

Plans by: John Karavolas

Plans issued: 8/18/2022

Recommendation:

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In reference to BOA1493812, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

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Case	BOA1475509
ZBA Hearing Date	2023-08-29
Address	9 Ashfield St., Roslindale 02131
Parcel ID	2005374000
Zoning District & Subdistrict	Roslindale Neighborhood 2F-5000
Zoning Article	Article 67
Project Description	Addition to extend kitchen in rear of house.
Relief Type	Variance
Violations	Side Yard Insufficient Rear Yard Insufficient

Planning Context:

This single-family home is in a residential area of Roslindale. This addition at the rear of the house is in line with the 2007 Roslindale Neighborhood Strategic Plan, which states that any additions or rehabilitation of existing residential structures must maintain architectural characteristics that are consistent with the surrounding context.

Zoning Analysis:

The property is currently nonconforming with regard to side yard (currently 7.4' with a 10' minimum) and rear yard (currently 35.4' with a 40' minimum). The proposed addition will nominally worsen these nonconformities by 0.1' to the side and 5.5' to the rear. Additionally, the mature trees in the rear yard of this property will provide some screening to neighboring properties.

Plans reviewed are titled "Certified Plot Plan Located at 9 Ashfield Street Roslindale, MA", prepared by Richard B. Levey Architects, and dated April 20th, 2023.

Recommendation:

In reference to BOA1475509, The Boston Planning & Development Agency recommends APPROVAL.



Reviewed,

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Director of Planning, BPDA



Case	BOA1037246
ZBA Hearing Date	2023-08-29
Address	59 to 59A Hancock ST Boston 02114
Parcel ID	0501638002
Zoning District & Subdistrict	Boston Proper Apartment Residential (H-2-65)
Zoning Article	Art. 20 - Sec. 1
Project Description	Legalize the existing open rear roof deck (measuring approximately 11' by 12') on the top story. Deeded roof rights related to roof deck construction are included in the application materials.
Relief Type	Variance
Violations	Rear Yard Insufficient

Planning Context:

The proposed legalization of an existing, nonconforming rear roof deck poses no significant change to the public realm and is a compact addition between buildings. The property is located in the Historic Beacon Hill District and in a Boston MHC Historic Inventory Area. The roof deck should be responsive to the historic character of the existing building and surrounding area, but is not required to undergo Landmarks Commission review because the deck is not within the public realm.

Zoning Analysis:

This proposed project is in Boston Proper within an Apartment Residential (H-2-65) subdistrict and is thus subject to the rear yard requirements of the citywide zoning code (Art. 20 - Sec. 1). A variance is recommended for the dimensional violation of rear yard insufficiency because the roof deck does not impact the public realm or pose structural harms to adjacent properties in the rear. Project plans titled "59 Hancock Street" prepared by ASB design group, LLC on 06/20/2016. Plot survey plan titled "Plan Showing Existing Roof Deck" prepared by Northpoint Survey Services, Inc. on 10/17/2019.

Recommendation:

In reference to BOA1037246, The Boston Planning & Development Agency recommends

APPROVAL.

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Reviewed,

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Case	BOA1397652
ZBA Hearing Date	2023-08-29
Address	36 Milford ST Roxbury 02118
Parcel ID	305851000
Zoning District & Subdistrict	South End Neighborhood MFR
Zoning Article	Article 32, Article 64
Project Description	Change occupancy from 2 family with accessory office to two family, gut renovation, groundwater recharge system, rear addition, rear balconies, roof deck.
Relief Type	Conditional Use, Variance
Violations	Groundwater Conservation Overlay District FAR Excessive Rear Yard Insufficient Town/Rowhouse Extension into Rear Restricted Roof Structure District

Planning Context:

The proposed addition of balconies and a roof deck improves the quality of the existing residential building.

Zoning Analysis:

The proposed garden level addition increases the nonconforming rear yard by reducing it from 17' 3" to 13' 3". The FAR violation is an existing nonconformity and this project would introduce a nominal increase from 3.04 to 3.12.

The rowhouse rear extension increases the gross floor area greater than 50 square feet, which is conditional if the dimensional requirements are satisfied; in this case, the rear yard violation requires a variance.

The roof deck with a hatch is subject to conditional use and can be granted if the Board of Appeal considers the roof structure to be conforming with the height and architectural character of the immediate vicinity.

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GCOD applicability is subject to conditional use. The proposed project incorporates a groundwater recharge system and permeable pavers in the rear yard, but must still be confirmed for GCOD compliance.

Further, this site is within the South End Landmark District and may be subject to landmarks review if it is determined that the proposed roof deck will be visible from the public right-of-way.

Plans reviewed are titled "36 Milford Street Boston, MA, 02118 March 4, 2022 Issued For Construction", prepared by Embarc, dated March 4th, 2022, and amended on July 28th, 2023.

Recommendation:

In reference to BOA1397652, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: the plans shall be reviewed and approved by the Boston Water & Sewer Commission due to its location within the Groundwater Conservation Overlay District (GCOD), that plans shall be submitted to the Boston Landmarks Commission for design review .

Reviewed,

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Director of Planning, BPDA



Case	BOA1448731
ZBA Hearing Date	2023-08-17
Address	150 Chestnut AVE Jamaica Plain 02130
Parcel ID	1900062020
Zoning District & Subdistrict	Jamaica Plain Neighborhood 3F-5000
Zoning Article	Article 10 - Section 1
Project Description	Relocate and modify the existing walkway, add a parking space to the side yard of the building, and construct a ten foot (10') curb cut for the parking space. Project is in conjunction with application U491433551: relocation, reduction, and legalization of two existing parking spaces in the front yard.
Relief Type	Variance
Violations	Limitation of Parking Areas

Planning Context:

The proposed construction of a curb cut and modification of the walkway is in conjunction with an application for 152/152H Chestnut Avenue (Application #: U491433551) that proposes relocating two existing parking spaces in a constrained space. While the walkway modifications on the property pose no negative impact to the public realm, the curb cut and parking space construction in conjunction with the 152/152H Chestnut Avenue property will cause the creation of two curb cuts and three parking spaces immediately next to a street pole that pose safety concerns and disrupt sidewalk conditions for pedestrians.

The project site is within a five-minute walk of the Stony Brook T stop in Jamaica Plain, therefore it is in proximity to public transit options. The addition of a parking space to the side yard is inconsistent with Go Boston 2030's (Oct. 2021) recommendation to reduce dependence on private vehicles.

Zoning Analysis:

The proposed project is located within a residential subdistrict of Jamaica Plain. The proposed addition of a parking space is a nonconformity with the Zoning Code because it places the space within less than five feet (5') of the side yard lot line (Article 10 - Section 1). The reduced

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side yard for parking would pose safety concerns and the overall curb cut and off-street parking additions would reduce pedestrian accessibility.

--Proposed project plans titled "Certified Plot Plan" were issued on 12/22/2022 and prepared by Boston Survey, Inc.

Recommendation:

In reference to BOA1448731, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE with the suggestion that the proponent consider relocating the walkway without the addition of a new parking space and curb cut.

Reviewed,

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Director of Planning, BPDA



Case	BOA1448704
ZBA Hearing Date	2023-08-17
Address	152 to 152H Chestnut AV Jamaica Plain 02130
Parcel ID	1900062010
Zoning District & Subdistrict	Jamaica Plain Neighborhood 3F-5000
Zoning Article	Article 55 - Section 40
Project Description	Relocation, reduction, and legalization of two existing parking spaces in the front yard. Project is in conjunction with application U491433544: the relocation of a front walkway and addition of a new parking space in the front yard.
Relief Type	Variance
Violations	Off-Street Parking & Loading Req

Planning Context:

The proposed relocation of two existing parking spaces is in conjunction with an application for 150 Chestnut Avenue (Application #: U491433544) that proposes creating a curb cut and adding a new parking space next to that residence. This relocation to a tighter space poses safety concerns and its connection to an application that adds an adjacent parking space makes this proposal inconsistent with Go Boston 2030's (Oct. 2021) recommendation to reduce dependence on private vehicles.

Zoning Analysis:

The proposed project is located within a residential subdistrict of Jamaica Plain. The existing parking spaces are a nonconformity with the Zoning Code because they are front yard parking spaces of greater than ten feet (10') in width (Article 55 - Section 40). This existing spaces are within a constrained space that is already nonconforming as it is above the ten foot (10') maximum width for off-street residential parking. The proposal reduces that space further while not resolving that nonconformity with regards to width. The proposed changes to the existing area devretains that nonconformity despite reducing the amount of parking space. The reduced parking spaces would pose safety concerns and the alteration does little to reduce the existing nonconformity.



--Proposed project plans titled "Certified Plot Plan" were issued on 12/22/2022 and prepared by Boston Survey, Inc.

Recommendation:

In reference to BOA1448704, The Boston Planning & Development Agency recommends DENIAL .

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rand". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Director of Planning, BPDA



Case	BOA1473283
ZBA Hearing Date	2023-08-29
Address	604 Metropolitan Av Hyde Park 02136
Parcel ID	1807636004
Zoning District & Subdistrict	Hyde Park Neighborhood 1F-6000
Zoning Article	Article 69
Project Description	Erect a three-family dwelling
Relief Type	Variance
Violations	FAR Excessive Side Yard Insufficient Rear Yard Insufficient Lot Frontage Insufficient Front Yard Insufficient Lot width insufficient; forbidden use;

Planning Context:

The proposed project is located within a single-family residential neighborhood on a vacant lot 0.2 miles away from a retail corridor — Hyde Park Ave. The height of the proposed building is consistent with the existing neighborhood fabric. The 3 three-family use is inconsistent with the existing neighborhood fabric. However, the introduction of additional density near a retail corridor is consistent with the planning principles outlined in Imagine Boston 2030 (2017).

Zoning Analysis:

Given the limited size and corner lot-configuration of the proposed project's parcel, Article 69 1F-6000's required front yard setback (25 feet), rear yard setback (40 feet), and side yard setback (10 feet) are not feasible and would make the parcel unbuildable — the width of the parcel, on its longest side, is 77 feet which would only allow a project to be 12 feet in depth (lot width - (front yard setback + rear yard setback)). Similarly, the zoning code's required FAR (0.5) does not accommodate/anticipate a smaller lot therefore the proposed FAR (1.1) does not comply with existing zoning despite the fact that the proposed building is consistent in height and scale with adjacent buildings.

Recommendation:



In reference to BOA1473283, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review with attention to consolidating the parking spaces to the Safford Street entrance, reducing proposed curb cuts to 1, and reducing impervious surface area, and integrating the Disabilities Commissions comments regarding creating an accessible entrance to the building. .

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rand". The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Director of Planning, BPDA



Case	BOA1361964
ZBA Hearing Date	2023-08-29
Address	34 Cobden St Roxbury 02119
Parcel ID	1101689000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	Article 50
Project Description	Erect new three family dwelling on a vacant lot.
Relief Type	Variance
Violations	Lot Area Insufficient Additional Lot Area Insufficient FAR Excessive Side Yard Insufficient Usable Open Space Insufficient Height Excessive Parking Insufficient Lot Width Insufficient Lot Frontage Insufficient Parking maneuverability insufficient

Planning Context:

The proposed project would construct 3 new units, advancing planning goals of increasing housing supply, as detailed in Housing a Changing City, Boston 2030 (September 2018). In addition, The Roxbury Strategic Master Plan emphasizes the benefits of transit-oriented development. Because this project is located less than 1 mile from the Jackson Square MBTA stop, it's in an area noted in the plan as one with opportunities for higher density housing.

The Roxbury Strategic Master Plan also highlights that new housing should be compatible with the predominant character of the existing housing in the surrounding area. 34 Cobden St is on a street characterized by 2.5-3 story homes. The Plan also states that new construction should respond to existing topography and retain natural features, such as large trees.

The Boston Disabilities Commission also reviewed the project plans and noted that there is no accessible entrance to the building or to the parking garage.



Zoning Analysis:

The 4 tandem parking spaces proposed in this project do not meet the requirement in Article 50 Section 43 of the Zoning Code that off-street parking have maneuvering areas and appropriate means of vehicular access to a street.

Given the small size and narrow shape of this lot, additional lot area and side yard variances will likely be needed to construct a dwelling which is contextually appropriate. This is because the Code requires 10 feet side yards and this lot is about 25 feet wide, leaving only about 15 feet width to build a dwelling that complies with zoning. In addition, zoning requires 2,000 sq ft of lot area for one unit in a Semi-attached Dwelling, Row House Building, or Town House Building or 4,000 sq ft for one or two units in Any other Dwelling or Use, with 2,000 additional sq ft required for each additional unit. Because this lot is 3,561 sq ft, the only dwelling that would be allowed is a single unit in a Semi-attached Dwelling, Row House Building, or Town House Building. However, a 3-family dwelling would be appropriate, both because this is in a 3F subdistrict, and because 3-family is the predominant use on this block.

Lot Width Insufficient, Lot Area Insufficient, and Lot Frontage Insufficient are all pre-existing lot conditions and zoning relief will be required in order to build any detached dwelling on this lot.

This project is out of compliance with the height regulation because the ground floor parking garage raises the project to 4 stories (over the allowed height of 3 stories). The project is also out of compliance with usable open space and FAR regulations because of the large proposed building footprint.

Plans issued: 8/16/2023

Plans by: Miranda Roosevelt

Recommendation:

BOA1361964
2023-08-29
2 Boston Planning & Development Agency



In reference to BOA1361964, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE project plans should be amended to 1. lower project height to 2-3 stories (to align with neighborhood context) 2. demonstrate that mature trees currently in rear yard will be maintained 3. improve parking maneuverability and 4. add an accessible entrance.

Reviewed,

A handwritten signature in black ink, appearing to read "Annee Rando". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Director of Planning, BPDA



Case	BOA1436713
ZBA Hearing Date	2023-08-29
Address	6 Greenwich CT Mission Hill 02120
Parcel ID	0901889000
Zoning District & Subdistrict	Roxbury Neighborhood Row House Residential
Zoning Article	Article 50
Project Description	Construct an addition on the rear of an existing single family rowhouse.
Relief Type	Variance
Violations	FAR Excessive Design Review

Planning Context:

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

Zoning Analysis:

The dwelling is a single-family rowhouse in a subdistrict zoned for rowhouse residential buildings. Its current FAR of 1.39 is a pre-existing nonconformity due to its small lot area, which is characteristic of the majority of lots in this subdistrict. The addition's resulting FAR increase to 1.8 will be an extension of this non-conformity, but is a necessary condition of the work outlined. Finally, the project requires design review due to its location in a NDOD.

The plans reviewed for this project are entitled "6 Greenwich Court, Boston, MA. 02120" and are prepared by Timothy Burke Architecture, dated 11/10/2022.

Recommendation:

In reference to BOA1436713, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review.



Reviewed,

A handwritten signature in black ink, appearing to read 'Annee Rade'. The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Director of Planning, BPDA



Case	BOA1368388
ZBA Hearing Date	2023-08-29
Address	1222 Washington ST Roxbury 02118
Parcel ID	0306393000
Zoning District & Subdistrict	South End Neighborhood NDA
Zoning Article	Article 64
Project Description	Change occupancy to Cannabis Establishment. The parking for this establishment is proposed at an ancillary location (443 Harrison).
Relief Type	Conditional Use
Violations	Conditional use (Cannabis establishment) Conditional use (Ancillary parking)

Planning Context:

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

The site of this project (on Washington Street in the South End) is in a commercial corridor, making it an appropriate location for retail use such as the proposed retail cannabis establishment.

The project proposes a potentially excessive number of parking spaces. However, the parking facility at 443 Harrison is pre-existing, and using this location for ancillary parking (as proposed) supports planning goals of establishing more efficient use of parking facilities.

Zoning Analysis:

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Cannabis establishment is a conditional use in the South End NDA subdistrict (see Article 64 Table B). The conditional allowance of this use is contingent on approval from the Boston Cannabis Board. The Boston Cannabis Board voted on May 4, 2023 to grant a Recreational Retail Cannabis Dispensary License to this applicant.

The Zoning Code also requires that a cannabis establishment be sited at least one-half mile or 2,640 feet from another existing cannabis establishment and at least 500 feet from a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12. The Boston Cannabis Board noted in their review that this project complies with this buffer-zone zoning requirement.

The project also proposes an ancillary use (parking), which is a conditional use in the South End NDA subdistrict (see Article 64 Table B). Per Article 6 Section 3, the Zoning Board of Appeal shall grant appeals for conditional uses if the specific site is an appropriate location for such use, the use will not adversely affect the neighborhood, there will be no serious hazard to vehicles or pedestrians from the use, no nuisance will be created by the use, and adequate and appropriate facilities will be provided for the proper operation of the use.

Plans issued: 5/22/2022

Plans by: Cornelia J. Szustka

Recommendation:

In reference to BOA1368388, The Boston Planning & Development Agency recommends APPROVAL.



Reviewed,

A handwritten signature in black ink, appearing to read 'Aimee Rand'. The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Director of Planning, BPDA



Case	BOA1461351
ZBA Hearing Date	2023-08-29
Address	219 Leyden St East Boston 02128
Parcel ID	101695000
Zoning District & Subdistrict	East Boston Neighborhood 2F-4000
Zoning Article	Article 27T, Article 53
Project Description	Addition to existing structure changing from 2-units to 4-units.
Relief Type	Variance,IPOD Permit
Violations	Parking Insufficient FAR Excessive Height Excessive (ft) Height Excessive (stories) Side Yard Insufficient Forbidden Use 4 Units East Boston IPOD Applicability Basement Units

Planning Context:

The recommendations of PLAN: East Boston (2023) detail new zoning requirements for neighborhood residential areas. In this area of Orient Heights, a maximum of 6 units is proposed for lots at least 50' wide and the maximum height is 3 stories. The addition of housing units on this current 2-unit property is consistent with the ongoing PLAN: East Boston.

Zoning Analysis:

The East Boston Interim Planning Overlay District in which this site is located declares a need for interim zoning in this area and that interim zoning focuses on promoting residential development that is sensitive in scale, form, and density to the neighborhood character.

The side yard violation is an existing nonconformity and will not be worsened by this proposed addition. The maximum allowable FAR is 0.8 and this proposal nominally exceeds that at 0.89. The proposed height is 3 stories which is the maximum recommended by PLAN: East Boston.



The parcel's elevation drops 13 feet from the front lot line to the back lot line. Because of this condition, the existing unit on the lowest level is considered a basement unit but has an egress at ground level. This condition will not change with the proposed addition. Any exterior changes to the building should go through BPDA design review.

Plans reviewed are titled "217 Leyden Street East Boston, Massachusetts," prepared by Context: A Collaborative Design Workshop, and dated July 3rd, 2023.

Recommendation:

In reference to BOA1461351, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review .

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rana". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Director of Planning, BPDA



Case	BOA1468696
ZBA Hearing Date	2023-08-29
Address	82 Baxter St., South Boston 02127
Parcel ID	0600752000
Zoning District & Subdistrict	South Boston Neighborhood Multifamily Residential
Zoning Article	Article 68
Project Description	Erect a 4 story, 2-Family Dwelling with Parking under building. There will be a Roof Deck exclusive to Unit # 2
Relief Type	Variance
Violations	Parking Insufficient Usable Open Space Insufficient Lot Area Insufficient Lot Frontage Insufficient FAR Excessive Side Yard Insufficient Rear Yard Insufficient Lot width insufficient; Off-Street Parking Design/Maneuverability

Planning Context:

This project proposes new construction of a two-family residential building with roof deck within a neighborhood context where the existing adjacent buildings align with that proposed use, height, and lot usage. The property is within proximity of the Andrew and Broadway MBTA T stops. The proposal of infill development on a vacant parcel aligns with the City's goal of increasing residential density and housing stock, especially within proximity to transit nodes, as detailed in Housing a Changing City, Boston 2030 (September 2018). The project is consistent with City goals of reducing dependency on private vehicles, as outlined in Go Boston 2030 (March 2017).

Zoning Analysis:

The zoning violations of lot size, lot width, lot frontage, and usable open space are all results of the pre-existing dimensions of the very narrow lot that this project is proposed upon. However, the proposed yard setbacks, and especially the side yard setback of 0.6' is too small and would potentially result in a violation of building code. The project proponent should consider a redesign of the project with more generous yard setbacks, which meet building separation guidelines at the minimum.



The plans reviewed are titled "Proposed 2 Family House," by Choo & Company and dated 01/15/23.

Recommendation:

In reference to BOA1468696, The Boston Planning & Development Agency recommends **DENIAL WITHOUT PREJUDICE** so that the applicant can redesign the project to meet the minimum building separation with increased side yard setbacks.

Reviewed,

A handwritten signature in black ink, appearing to read "Annee Paul". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Director of Planning, BPDA



Case	BOA1493135
ZBA Hearing Date	2023-08-29
Address	80 Baxter St South Boston 02127
Parcel ID	0600753000
Zoning District & Subdistrict	South Boston Neighborhood Multifamily Residential (MFR)
Zoning Article	Art. 68 - Sec. 33, Art. 68 - Sec. 34.1, Art. 68 - Sec. 8
Project Description	Erect a new three-family home on a vacant parcel (#0600753000) with rear decks.
Relief Type	Variance
Violations	Existing Building Alignment FAR Excessive Lot Frontage Insufficient Usable Open Space Insufficient Side Yard Insufficient Rear Yard Insufficient Lot Area Insufficient Additional Lot Area Insufficient Off-Street Parking Requirements Lot Width Insufficient

Planning Context:

This project proposes new construction of a three-family residential building with rear decks within a neighborhood context where the existing adjacent buildings align with that proposed use, height, and lot usage. The property is within proximity of the Andrew and Broadway MBTA T stops. The proposal of infill development on a vacant parcel aligns with the City's goal of increasing residential density and housing stock, especially within proximity to transit nodes, as detailed in Housing a Changing City, Boston 2030 (September 2018).

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

The proposal plans do not clearly identify the status and impact on the existing mature trees in the side yard where the property would be constructed. The removal of mature trees is not consistent with the Parks and Recreation Department's goals of proactive care and preservation of trees, as detailed in the Urban Forest Plan (September 2022).

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Zoning Analysis:

This proposed project is in the South Boston Neighborhood District (Art. 68) within a Multifamily Residential (MFR) subdistrict. The dimensional violations (Art. 68 - Sec. 8) are a result of the existing narrow layout of the lot. A variance is recommended to provide relief for the creation of new housing units that are an allowed use (MFR) and that would support the City's housing goals.

A variance is recommended to provide relief for the off-street parking insufficiency violation (Art. 68 - Sec. 33) because the lack of parking in the proposal aligns with planning goals for the neighborhood. The violation for conformity to existing buildings (Art. 68 - Sec. 34-1) does not reflect the existing built conditions of adjacent properties that are similarly built right up to the sidewalk. A variance is recommended because the infill development aims to add a building that aligns with design standards of adjacent buildings, though further design review on this condition is needed.

The property is located within the Coastal Flood Resilience Overlay District (CFROD) and is subject to the impacts of present-day and future coastal flooding as it is located within the City of Boston's Coastal Flood Resilience Overlay District (CFROD). The proponent should be mindful of the Coastal Flood Resilience Design Guidelines (Article 25A) for this new construction project.

Further BPDA design review is needed to determine an appropriate construction of this project in regard to features described above and in the provisos.

Project plans titled "Proposed Three-Family" prepared by Vance Architects on 06/01/2023. Plot survey plans titled "Certified Plot Plan" prepared by Boston Survey, Inc. on 06/05/2023.

Recommendation:

In reference to BOA1493135, The Boston Planning & Development Agency recommends **APPROVAL WITH PROVISOS**: that plans shall be submitted to the Agency for design review with special attention paid to the mitigation of the loss of tree canopy and permeable green space, the impact of the front yard setbacks on the public realm, and the City of Boston's Coastal Flood Resilience Design Guidelines.



Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rand". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Director of Planning, BPDA



Case	BOA1493138
ZBA Hearing Date	2023-08-29
Address	84 Baxter St., South Boston 02127
Parcel ID	0600751000
Zoning District & Subdistrict	South Boston Neighborhood Multifamily Residential (MFR)
Zoning Article	Art. 68 - Sec. 33, Art. 68 - Sec. 34.1, Art. 68 - Sec. 8
Project Description	Erect a new three-family home on a vacant parcel (#0600751000) with rear decks.
Relief Type	Variance
Violations	Existing Building Alignment FAR Excessive Usable Open Space Insufficient Side Yard Insufficient Rear Yard Insufficient Lot Area Insufficient Additional Lot Area Insufficient Off-Street Parking Requirements

Planning Context:

This project proposes new construction of a three-family residential building with rear decks within a neighborhood context where the existing adjacent buildings align with that proposed use, height, and lot usage. The property is within proximity of the Andrew and Broadway MBTA T stops. The proposal of infill development on a vacant parcel aligns with the City's goal of increasing residential density and housing stock, especially within proximity to transit nodes, as detailed in Housing a Changing City, Boston 2030 (September 2018).

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

Zoning Analysis:

This proposed project is in the South Boston Neighborhood District (Art. 68) within a Multifamily Residential (MFR) subdistrict. The dimensional violations (Art. 68 - Sec. 8) are a result of the existing narrow layout of the lot. A variance is recommended to provide relief for the creation of

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1 Boston Planning & Development Agency



new housing units that are an allowed use (MFR) and that would support the City's housing goals.

A variance is recommended to provide relief for the off-street parking insufficiency violation (Art. 68 - Sec. 33) because the lack of parking in the proposal aligns with planning goals for the neighborhood.

The violation for conformity to existing buildings (Art. 68 - Sec. 34-1) does not reflect the existing built conditions of adjacent properties that are similarly built right up to the sidewalk. A variance is recommended because the infill development aims to add a building that aligns with design standards of adjacent buildings, though further design review on this condition is needed.

The property is located within the Coastal Flood Resilience Overlay District (CFROD) and is subject to the impacts of present-day and future coastal flooding as it is located within the City of Boston's Coastal Flood Resilience Overlay District (CFROD). The proponent should be mindful of the Coastal Flood Resilience Design Guidelines (Article 25A) for this new construction project.

Further BPDA design review is needed to determine an appropriate construction of this project in regard to features described above and in the provisos.

Project plans titled "Proposed Three-Family" prepared by Vance Architects on 06/01/2023. Plot survey plans titled "Certified Plot Plan" prepared by Boston Survey, Inc. on 06/05/2023.

Recommendation:

In reference to BOA1493138, The Boston Planning & Development Agency recommends **APPROVAL WITH PROVISOS**: that plans shall be submitted to the Agency for design review with special attention paid to the mitigation of the loss of permeable green space, the impact of the front yard setbacks on the public realm, and the City of Boston's Coastal Flood Resilience Design Guidelines.

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rana". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Director of Planning, BPDA



Case	BOA1476094
ZBA Hearing Date	2023-08-29
Address	96 Prince St Boston 02113
Parcel ID	0301312000
Zoning District & Subdistrict	North End Neighborhood Multifamily Residential / Local Services
Zoning Article	Article 54
Project Description	Change occupancy to 19 units and renovate as per plans.
Relief Type	Variance
Violations	FAR Excessive Rear Yard Insufficient Usable Open Space Insufficient Parking Insufficient

Planning Context:

Making necessary repairs to existing dwellings is in keeping with planning goals of preserving housing stock. Additionally, the project proposes adding more units to two existing buildings, which is in keeping with planning goals related to increasing housing stock. Both priorities are detailed in Housing a Changing City, Boston 2030 (September 2018). The project is consistent with City goals of reducing dependency on private vehicles, as outlined in Go Boston 2030 (March 2017).

Zoning Analysis:

The open space, FAR, and rear yard setback violations are all pre-existing nonconformities that the proposed scope of work will not be changing. However, the actual scope of the project is unclear as the refusal letter states that the occupancy change will be to 19 units, while the building plans show 3 existing units and 14 total proposed. The unit count needs to be resolved for consistency between plans and refusal letter scope, but also for determining whether this falls under the domain of Article 80 review (which starts at developments of at least 15 units) or if IDP applies (which applies to projects of 10+ units).

The plans reviewed are titled "Proposed Building Renovation & Addition" and prepared by Choo & Company, Inc., dated 03/13/23.

Recommendation:



In reference to BOA1476095, The Boston Planning & Development Agency recommends DEFERRAL: Resolve inconsistency between refusal letter and plans.

Reviewed,

A handwritten signature in black ink, appearing to read 'Amee Rana'. The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Director of Planning, BPDA



Case	BOA1476095
ZBA Hearing Date	2023-08-29
Address	96 Prince St Boston 02113
Parcel ID	0301312000
Zoning District & Subdistrict	North End Neighborhood Multifamily Residential / Local Services
Zoning Article	Article 54
Project Description	Change occupancy to 19 units and renovate as per plans.
Relief Type	Variance
Violations	FAR Excessive Rear Yard Insufficient Usable Open Space Insufficient Parking Insufficient

Planning Context:

Making necessary repairs to existing dwellings is in keeping with planning goals of preserving housing stock. Additionally, the project proposes adding more units to two existing buildings, which is in keeping with planning goals related to increasing housing stock. Both priorities are detailed in Housing a Changing City, Boston 2030 (September 2018). The project is consistent with City goals of reducing dependency on private vehicles, as outlined in Go Boston 2030 (March 2017).

Zoning Analysis:

The open space, FAR, and rear yard setback violations are all pre-existing nonconformities that the proposed scope of work will not be changing. However, the actual scope of the project is unclear as the refusal letter states that the occupancy change will be to 19 units, while the building plans show 3 existing units and 14 total proposed. The unit count needs to be resolved for consistency between plans and refusal letter scope, but also for determining whether this falls under the domain of Article 80 review (which starts at developments of at least 15 units) or if IDP applies (which applies to projects of 10+ units).

The plans reviewed are titled "Proposed Building Renovation & Addition" and prepared by Choo & Company, Inc., dated 03/13/23.

Recommendation:



In reference to BOA1476095, The Boston Planning & Development Agency recommends DEFERRAL: Resolve inconsistency between refusal letter and plans.

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rana". The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Director of Planning, BPDA



Case	BOA1476097
ZBA Hearing Date	2023-08-29
Address	98 Prince St Boston 02113
Parcel ID	0301311000
Zoning District & Subdistrict	North End Neighborhood Multifamily Residential / Local Services
Zoning Article	Article 54
Project Description	Change occupancy to 19 units and renovate as per plans.
Relief Type	Variance
Violations	FAR Excessive Rear Yard Insufficient Usable Open Space Insufficient Parking Insufficient

Planning Context:

Making necessary repairs to existing dwellings is in keeping with planning goals of preserving housing stock. Additionally, the project proposes adding more units to two existing buildings, which is in keeping with planning goals related to increasing housing stock. Both priorities are detailed in Housing a Changing City, Boston 2030 (September 2018). The project is consistent with City goals of reducing dependency on private vehicles, as outlined in Go Boston 2030 (March 2017).

Zoning Analysis:

The open space, FAR, and rear yard setback violations are all pre-existing nonconformities that the proposed scope of work will not be changing. However, the actual scope of the project is unclear as the refusal letter states that the occupancy change will be to 19 units, while the building plans show 3 existing units and 14 total proposed. The unit count needs to be resolved for consistency between plans and refusal letter scope, but also for determining whether this falls under the domain of Article 80 review (which starts at developments of at least 15 units) or if IDP applies (which applies to projects of 10+ units).

The plans reviewed are titled "Proposed Building Renovation & Addition" and prepared by Choo & Company, Inc., dated 03/13/23.

Recommendation:

In reference to BOA1476095, The Boston Planning & Development Agency recommends

DEFERRAL: Resolve inconsistency between refusal letter and plans.

BOA1476097

2023-08-29

1 Boston Planning & Development Agency



Reviewed,

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Director of Planning, BPDA

MEMORANDUM

June 16, 2022

TO: **BOSTON REDEVELOPMENT AUTHORITY**
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY (BPDA)¹
AND JAMES ARTHUR JEMISON II, DIRECTOR

FROM: MICHAEL CHRISTOPHER, DIRECTOR OF DEVELOPMENT REVIEW
CASEY HINES, DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
MATTHEW MARTIN, URBAN DESIGNER/
SAM ROY, TRANSPORTATION PLANNER
TYLER ROSS, PROJECT ASSISTANT

SUBJECT: 1525 Blue Hill Ave, Mattapan

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) d/b/a Boston Planning & Development Agency authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 1525 Blue Hill Ave in Mattapan (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 and a Community Benefits Agreement in connection with the Proposed Project; and take any other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The Proposed Project is located on two (2) parcels of land at 1525 Blue Hill Ave in Mattapan (the “Project Site”). totaling 7,668 square feet with an existing commercial building that is to be demolished in the proposed redevelopment.

¹Effective October 20, 2016, the BRA commenced doing business as BPDA.

DEVELOPMENT TEAM

Proponent:

Dimitry Petion
New Millennium, LLC
P.O Box 111, Milton, MA 02186
Email: dpetion@gmail.com
Tel: (781) 964-4313

Legal Counsel:

George Morancy, Esq.
Adams & Morancy, P.C.
350 West Broadway
South Boston, MA 02127
Tel.: 617-269-5800 x101
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Architect:

Cheryl Tougias, Ala, LEED AP
Spalding Tougias Architects, Inc.
46 Waltham Street, Ste. 2A, Boston, MA
02118
Email: ct@sta-inc.com

Landscape Architect:

Surveyor:

Todd Ferguson
Neponset Valley Survey Associates, Inc.
95 White Street, Quincy, MA 02169
Tel: (617) 653-3801
Email: tmf1@comcast.net

DESCRIPTION AND PROGRAM

New Millennium, LLC (the “Proponent”) proposes to construct a five-story building that will contain approximately 21,920 gross square feet, sixteen (16) homeownership units, ground floor commercial space that the Proponent will continue to own, for which they intend to continue to provide health care services from, three (3) Inclusionary Development Policy Units, a maximum of nine (9) surface level parking spaces, sixteen (16) resident bicycle parking spaces indoors, and four (4) visitor bicycle parking spaces outdoors.

ARTICLE 80 REVIEW PROCESS

On March 16, 2022, the Proponent filed a Small Project Review application with the BPDA for the Proposed Project, pursuant to Article 80E of the Code. The BPDA sponsored a public meeting on April 11, 2022, and May 31, 2022, via Zoom. The meeting was advertised in the *Mattapan Reporter* newspaper on March 22, 2022, and May 11, 2022. The public meeting was posted on the BPDA website. The BPDA comment period ended on June 9, 2022.

ZONING

The Property is located within the Mattapan Neighborhood District and is governed by Article 60 of the Code. The 4,550 sf parcel on Blue Hill Avenue is located in the Community Commercial sub-district and the 3,085 sf parcel on Regis Road is in the 2F-6000 sub-district. Multifamily residential use is a conditional use in the Community Commercial sub-district and is a prohibited use in the 2F-6000 sub-district. Variances will be required for parking and loading.

PLANNING CONTEXT & CITY STAFF REVIEW

The Proposed Project is located within the planning boundaries of PLAN: Mattapan, an ongoing planning initiative that began in 2018. The planning team is currently drafting the planning document and its associated recommendations to major corridors such as Blue Hill Avenue and nodes such as Mattapan Square. This site is envisioned to have taller and denser buildings with an active ground floor in exchange for community benefits such as improved greenspace and streetscape, affordable and accessible housing, and access to a range of mobility options.

The Project Site is located within the Community Commercial (CC) Subdistrict of the Greater Mattapan Zoning District. Planning staff worked extensively with the Proposed Project to ensure that it meets the requirements of existing plans such as

Imagine Boston 2030 and Go Boston 2030 and that it meets the preliminary recommendations of PLAN: Mattapan. Through the process, the Proposed Project was able to preserve open space and a mature tree fronting on Blue Hill Avenue, meet housing affordability requirements, and promote an active ground floor. Pending BPDA Board and Zoning Board of Appeals approval, the Proposed Project should continue working with BPDA Urban Design staff.

MITIGATION & COMMUNITY BENEFITS

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

- The proponent has designed the building to preserve an existing mature tree on the project site in an effort to reduce heat island effect, and respect the existing tree canopy supporting the pedestrian experience on Blue Hill Avenue.
- Minimizing the negative urban design impacts of parking by allowing for an active street wall on Blue Hill Avenue, and accessing the parking via Regis Road. The curb cut will be no more than ten (10) feet in order to limit the impedance on the pedestrian experience and reduce any impacts on accessible sidewalk conditions.
- Creating three (3) affordable units, which meets the Boston's Inclusionary Development Policy;
- Encouraging alternative modes of transportation through the use of bicycling and walking, due to the close proximity to MBTA services including the Fairmount Line, Mattapan Trolley, and several bus lines;
- Compliant with the 2021 Bike Parking Guidelines, the proponent will include a dedicated bike storage room for residents with direct access off of Regis Road. The bike room will have storage space for sixteen (16) covered and secure long-term bike parking spaces. A minimum of 25%, or five (5) of the bike parking spaces will be on-ground post-and-ring bike parking spaces. The proponent will also provide a total of three (3) post-and-ring racks installed on the sidewalk to serve as visitor bike parking. The proponent will provide a \$5,059.40 financial contribution for bikeshare made out to the Boston Transportation Department (BTD), encouraging less vehicular traffic;

- In the spirit of the Complete Street Guidelines, the Proponent will make much-needed public realm improvements to Blue Hill Avenue and Regis Road. On Blue Hill Avenue, the proponent will create a minimum of 12' sidewalk through a Pedestrian Easement with the Public Improvement Commission (PIC), subject to Design Review by the BPDA. On Regis Road, the proponent will also provide a 2' setback via a Pedestrian Easement with the PIC, subject to Design Review by the BPDA. The proponent will install new monolithic concrete sidewalks within the extent of the parcel on both Blue Hill Avenue and Regis Road be at the discretion of the BPDA, PWD, and BTB. The proponent will make all efforts to minimize impacts to the existing street tree on Blue Hill Avenue and will replace per caliper inch in the event that any damages occur during construction.
- Creating approximately (30) temporary construction and labor jobs.

INCLUSIONARY DEVELOPMENT COMMITMENT

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 (“IDP”), and is located within Zone C, 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, three (3) units within the Proposed Project will be created as IDP units (the “IDP Units”). Two (2) IDP Units will be made affordable to households earning up to 80 of the Area Median Income (“AMI”) as determined by the United States Department of Housing and Urban Development (“HUD”), and published by the BPDA. One (1) IDP Unit will be made affordable to households earning greater than 80% AMI but not more than 100% AMI.

The propose locations, sizes, income restrictions, and sales prices for the IDP Units are as follows:

Unit Number and Location	Number of Bedrooms	Square Footage	Percentage of Median Income	Sale Price
404 / Fourth Floor	One	640	80%	\$235,900

302 / Third Floor	One	755	80%	\$235,900
203 / Second Floor	Two	860	100%	\$278,700

The location of the IDP Units will be finalized in conjunction with BPDA staff and outlined in the Affordable Housing Agreement (“AHA”) and rents 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 a draft Affirmative Marketing Plan (the “Plan”) to the Boston Fair Housing Commission at the time the building permit is issued. Preference will be given to applicants who meet the following criteria, weighted in the order below:

- (1) Boston resident
- (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.

The IDP Units will not be marketed prior to the submission and approval of the Plan by Fair Housing and the BPDA. A deed restriction will be placed on each of the IDP Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with a BPDA option to extend for an additional period of twenty (20) years. The household income of any subsequent purchaser of the IDP Units during this fifty (50) year period must fall within the applicable income limit for each IDP Unit.

As no partial unit payment is required, the three (3) 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 and a Community Benefits Agreement, and take any other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized on behalf of the Boston Redevelopment Authority (“BRA”) to issue a Certification of Approval pursuant to Section 80E-6 of the Boston Zoning Code (the “Code”), approving the New Millennium, LLC development consisting of a five-story building comprised of sixteen (16) homeownership units, nine (9) motor vehicle parking spaces, sixteen (16) resident bicycle parking spaces, and four (4) visitor bicycle parking spaces at 1525 Blue Hill Ave in the Mattapan neighborhood of Boston (the “Proposed Project”) in accordance with the requirements of Small Project Review, Article 80E, of the Code, subject to continuing design review; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute an Affordable Housing Agreement for the creation of three (3) on-site Inclusionary Development Policy Units, a Community Benefits Agreement, and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.