



Planning Department

CITY of BOSTON

MEMORANDUM

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

FROM: Joanne Marques
Regulatory Planning & Zoning

DATE: December 02, 2024

RE: Planning Department Recommendations

Please find attached, for your information, Planning Department recommendations for the December 03, 2024, Board of Appeals Hearing.

Also attached are two Board Memos for: 55 Belgrade AV Roslindale 02131.

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



Case	BOA1542657
ZBA Submitted Date	2023-11-03
ZBA Hearing Date	2024-12-03
Address	548 E Third ST South Boston 02127
Parcel ID	0603284000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Construct three unit residential building with on site parking
Relief Type	Variance
Violations	Roof Structure Restrictions Lot Area Insufficient FAR Excessive Usable Open Space Insufficient Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient Additional Lot Area Insufficient Parking design and maneuverability Parking or Loading Insufficient

Planning Context:

This project was last heard by the Zoning Board of Appeal on March 26, 2024. As no new plans have been submitted, the Planning Department recommendation remains the same.

The proponent seeks to demolish an existing two-story, detached single-family residential building, and erect a three-story, three-family residential building that will have a garage on the ground floor.

The project is located within a MFR subdistrict in the South Boston Neighborhood District. MFR subdistricts encourage medium-density multifamily development. The project lies within the South Boston Transportation Action Plan's (SBTAP) study area. The goal of SBTAP is to evaluate transportation challenges in South Boston and to recommend improvements that can be implemented immediately. Some of the challenges identified through this plan include the increasing demand for parking due to increasing population growth and limited transportation options available in South Boston.

This project's creation of two parking spaces for three housing units aligns with the goals of SBTAP to reduce parking and reliance on cars, and improving access and reliability of other



forms of transportation (e.g. buses, bikes). The project site's surrounding area largely consists of three-story, and some four-story residential buildings. Within the block of E Third St. that the project site sits, there is a mix of condominium, apartment buildings, single-family homes, with three condo developments across the street from the proposed project. The increased housing units proposed in this project aligns with the City's goals to develop more housing, per Imagine Boston 2030 and Housing a Changing City: Boston 2030 (2018).

Due to the still limited transportation options available for this area, car usage is high. A few buildings have ground-floor garages (e.g. 543 and 545 E. Third St.) and driveways (e.g. 549 E. Third St.), but most residents rely on street parking. The development of additional curb cuts for ground floor garages will interrupt the largely continuous sidewalk on the block.

Zoning Analysis:

Much of the violations that were raised were due to the existing conditions of the site and structure on the parcel. The existing property is less than 1,280 sf; which is less than the minimum lot area of the South Boston MFR district (2,000 sf). Given that the existing building will be torn down, the new building would require variances given the lot size and existing neighborhood context.

Other violations raised are due to the proposed project's new density. The new project intends to be built at an FAR of 2.9, greatly exceeding the 2.0 FAR limit for MFR subdistricts, and is out of context with other adjacent properties, including: 524 E Third St. (2.1 FAR), 540 E. Third Street (1.8 FAR), 207 K Street (1.2 FAR).

The new project will take up a larger building footprint than the existing building structure, partially due to the addition of an outdoor porch on all four future floors. The new building footprint will reduce the amount of open space due to its expansion into the rear and side yard, which challenges open space requirements per unit. The new project will also replace the existing mansard roof with a flat roof to accommodate the fourth floor, which will require Board of Appeal review.

Lastly, the proposed project raises violations due to insufficient parking. The project is proposing a first floor garage that will accommodate two cars, which is less than the five parking spaces that the project would require for three units under current zoning. While the proposed project supports planning goals of reducing car reliance, the proposal still faces challenges due to the narrowness of the parcel, creating maneuverability challenges for the proposed garage. The



garage should be adjusted so that it can adequately support the appropriate number of parking spaces or be removed altogether.

The plans entitled NEW THREE UNIT BUILDING, 548 EAST THIRD STREET - BOSTON, MASSACHUSETTS prepared by AESTHETIC IMAGES on April 12, 2022 were used in preparation of this recommendation.

Recommendation:

In reference to BOA1542657, The Planning Department recommends DENIAL WITHOUT PREJUDICE While the use is appropriate for the MFR district and the small lot size makes zoning relief appropriate, the proponent should consider a project that reduces building massing and area devoted to parking in order to improve parking maneuverability and increase usable open space.

Reviewed,

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Planning and Zoning Director, Planning Department



Case	BOA1606952
ZBA Submitted Date	2024-05-29
ZBA Hearing Date	2024-12-03
Address	160 to 170 State ST Boston 02109
Parcel ID	0303756000
Zoning District & Subdistrict	Government Center/Markets State Street Protection Area
Zoning Article	45
Project Description	The proponent is seeking to add a live entertainment use to the current restaurant (The Black Rose).
Relief Type	Variance
Violations	Use: forbidden (live entertainment)

Planning Context:

The proponent is seeking to add live entertainment to the current restaurant (The Black Rose). The chairs and tables would be removed to accommodate this change in the evening. The restaurant is located at the corner of Commercial Street and State Street, a block south of Faneuil Hall. This location is in a busy commercial area with retail and other restaurants isolated from primarily residential neighborhoods. This makes the site a better match for a live entertainment use.

Zoning Analysis:

The project received one citation for a forbidden use. The proposed use falls under Use Item 38A, which is live entertainment where entry to the establishment is age-restricted. Since Use Item 38A is forbidden in this district, a variance would be required to move forward.

Based on the restaurant's website, this venue already offers live entertainment. This would mean that the project will legalize an existing use. In terms of meeting the standards for a variance, that existing use could be considered a special circumstance. Additionally, the project is in line with the general intent of the code in that an active ground floor is a defining feature in this district. Finally, no apparent harm would be caused to the neighborhood or the general public from allowing this venue to continue to offer live entertainment (Section 7-3).



Planning Department

CITY of BOSTON

Recommendation:

In reference to BOA1606952, The Planning Department recommends APPROVAL.

Reviewed,

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Planning and Zoning Director, Planning Department



Case	BOA1652033
ZBA Submitted Date	2024-09-12
ZBA Hearing Date	2024-12-03
Address	526 E Third ST South Boston 02127
Parcel ID	0603255000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	This proposal seeks to build a four-story three-unit dwelling with a garage and roof deck on a currently vacant lot.
Relief Type	Variance
Violations	Side Yard Insufficient FAR Excessive Parking or Loading Insufficient Lot Area Insufficient Front Yard Insufficient Additional Lot Area Insufficient Usable Open Space Insufficient

Planning Context:

The proposed project sits on a currently vacant 20' x 51' plot of land in South Boston on the corner of E Third ST and Emmet ST. The lot on which the property sits is thin and rectangular with perpendicular lot lines that are slightly askew however this shape is consistent in comparison to other rowhouses of a similar scale. The neighborhood has a diversity of housing types including other 3- and 4-story rowhouses, and large multi-unit apartment complexes. The proposal includes the construction of a new 4-story, 3-unit residential building with a ground floor parking garage suitable for three (3) cars and a roof deck. The creation of new infill housing on empty lots throughout the City is in keeping with planning goals of increasing housing availability and density, as detailed in Housing a Changing City, Boston 2030 (September 2018). The proposed size and siting of the project is in keeping with the existing surroundings.

Zoning Analysis:

This project is a case for zoning reform to create dimensional regulation requirements that better match the scale of the building and surrounding area. The subject property was cited for



seven (7) violations in total, six (6) of which are dimensional in nature (insufficient side yard, insufficient front yard, lot area insufficient, insufficient usable open space, and additional lot area insufficient).

In the MFR district (Article 68, Table D) a minimum lot area of 2,000 square feet and additional lot area per dwelling required is 1,000 square feet are required yet the parcel is 1,020 feet. These are specific hardships to the site and can not be met so this would be recommended for relief. The open space required is 200 square feet per dwelling unit while the proposal includes approximately 144 square feet in total (the roof deck). In the MFR district, a front yard setback of five (5) feet is required; however the proposal includes a front yard setback of 0.5 feet. A side yard of three (3) feet is required but the property is proposing a side yard setback of three (0.3) inches on the left side and zero (0) feet on the right side of the property. Although both the front and side yard setbacks were cited as violations, they are contextual with the surrounding rowhouses in the neighborhood. It should be noted, the proposal includes a 1.3 foot overhang over the public sidewalk. The building can not have an overhang over a public sidewalk without permission of the Public Improvement Commission. This is not recommended due to the impact of public domain and possible disturbance for future improvements of the sidewalk and road. Any revision of design must stay within the parcel lines and explore opportunities to reduce the floorplate of the building to increase the front yard and eliminate the encroachment.

The final dimensional violation pertains to FAR. A FAR of 2.0 is permitted in the MFR district, however the proposal includes a FAR of 2.9. This can be recommended for relief due to the context having similar or higher FAR.

Lastly, this project is a case for zoning reform to reduce parking minimums. The proposal was cited for insufficient parking. According to Article 68 Table G (South Boston Neighborhood District Off-Street Parking Requirements) 1.5 spaces per dwelling unit with 1 + bedrooms are required. As such, a total of 4.5 spaces are required at the property. This proposal includes three (3) parking spaces. However, the BTM parking ratios map recommends 0.5 (rental) and 0.75 (condo) spaces per dwelling unit for the area, meaning a range of 1.25- 2.25 parking spaces would be considered appropriate at the property. Given the size constraints of the parcel and insufficient dimensional requirements for the proposed parking spaces, the proponent should consider removal of one (1) of the three (3) proposed parking spaces. This would put the parking in closer alignment with BTM's parking ratios and dramatically increase the



maneuverability and design of the parking garage. Additionally, the proponent should remove the existing, oversized curb cut on Emmett Street.

Recommendation:

In reference to BOA1652033, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with special attention to the front and side yard overhang, parking design and maneuverability, and public realm improvements. .

Reviewed,

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Planning and Zoning Director, Planning Department



Case	BOA1623815
ZBA Submitted Date	2024-07-08
ZBA Hearing Date	2024-12-03
Address	440 E Eighth ST South Boston 02127
Parcel ID	0701573000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Add two new units to an existing four-unit building by converting existing storage space.
Relief Type	Variance
Violations	Additional Lot Area Insufficient

Planning Context:

The proposed project is in an existing four-story building that contains parking on the first story, storage on the second story, and two dwelling units on each of the third and fourth stories. The project proposes converting the second story storage space into two units, increasing the building from four units to six units.

Most existing buildings on the block contain 1-3 units, which is fewer than the proposed project. This is partially due to the fact that this building is on a lot which is about twice the width of the average lot in the area, allowing room for a wider building with more units (while maintaining the average side yards in the area). The building is also larger than others in the area in terms of height (4 stories vs a typical 2-3 stories) and building depth (94 ft vs about 45-65 ft).

Zoning Analysis:

The only zoning violation for this project is insufficient additional lot area. This is because the zoning requires an additional 1,000 sq ft of lot area per unit, in addition to the minimum lot size of 2,000 sq ft. This means that the zoning requires the lot to be at least 7,000 sq ft for six units. This lot is 5,340 sq ft. However, the proposed project does not have any other zoning violations related to the size of the lot (such as insufficient usable open space), the number of units is allowed by zoning, and the proposed project does not change the massing of the existing building. This is a case for zoning reform to better align zoning to common physical dimensions.



Recommendation:

In reference to BOA1623815, The Planning Department recommends APPROVAL.

Reviewed,

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Planning and Zoning Director, Planning Department



Case	BOA1629989
ZBA Submitted Date	2024-07-22
ZBA Hearing Date	2024-12-03
Address	44 Creighton ST Jamaica Plain 02130
Parcel ID	1001980000
Zoning District & Subdistrict	Jamaica Plain Neighborhood 3F-4000
Zoning Article	55
Project Description	Change use from existing one-unit building to a three-unit building by fully renovating the existing building, extending structure to the rear, and constructing a full second and third floor addition.
Relief Type	Variance
Violations	Lot Width Insufficient Lot Frontage Insufficient Usable Open Space Insufficient Front Yard Insufficient Side Yard Insufficient Lot Area Insufficient

Planning Context:

This site is located 0.5 miles away from the Jackson Square MBTA Orange Line Station in a residential area between Centre Street and Mission Hill. The existing property has a one-unit, 1.5-story building; the proposal renovates the existing building, fully builds out the second floor, adds a third floor, and extends the structure further to the rear. The proposal increases residential units from one to three. The surrounding area is comprised primarily of three-decker buildings, including immediately abutting the site to the rear and to one side, and a mix of one- and two-story residences. The lot sizes and shapes on this same block are relatively inconsistent, but are generally at least 35' wide and 110' deep; this parcel is generally narrower than the surrounding context, at 30' wide. This property is outside of the boundary for both PLAN: JP/Rox and the Jackson Square Planning Initiative, and is not located within the Jamaica Plain Neighborhood Design Overlay District. However, the proposal to maintain the existing building by renovating and adding additional units is in line with the goals of Housing A Changing City (2018) for preserving housing stock and increasing housing supply. Given that



this site is located within a context of three-unit buildings and proximate to high-quality rapid transit, the proposed use for the site is appropriate.

Zoning Analysis:

There are several zoning violations related to the size of the lot. The lot area is insufficient (4,000 sf required, 3,225 sf existing), the lot width is insufficient (45' required, 29.15' existing), and the lot frontage is insufficient (45' required, 30' existing). The majority of other three-unit buildings on this same block also violate each of these requirements. Specifically, there is a row of five three-deckers to the rear of the site that are all nonconforming with regards to these dimensional requirements. This presents a case for zoning reform, where the lot size requirements do not accurately reflect the composition of parcel dimensions in the neighborhood.

The proposed project is also cited for violating the front yard and side yard requirements. The required front yard is 15' and the proposed/existing nonconforming front yard is 5'. The second and third-floor addition does not worsen the front yard, but does extend this nonconformity vertically. However, nearly every property on this block has a similar 5' front yard, which presents a case for zoning reform.

The side yard requirements in this 3F-4000 subdistrict require a minimum aggregate side yard of 17', with a minimum of 7' from the lot line and 10' from structures on abutting properties. The existing building is currently nonconforming on both side yards; the northeast side yard is currently 3.5' and within 6' of the neighboring structure, and the southwest side yard is currently 5.5' and greater than 10' from the neighboring structure. The proposed project also does not worsen the side yard nonconformity, but rather extends straight back to the rear of the site. However, with this extension into the rear, the proposed building would now be within 10' of the neighboring structure to the southwest, which is set back nearly 50' from its front property line. These side yard nonconformities are typical in the surrounding context, with many abutting structures being within 10' of each other. Again, this presents a case for zoning reform to update dimensional regulations to more appropriately match the existing context. However, given the narrowness of the property and the newly shortened distance between the building and its neighbor, attention should be given to ensuring adequate separation for light and air between these structures.



Finally, the required usable open space is 800 sf, and the proposed project provides 574 sf. The provided open space is achieved through private decks for each of the three units and some unspecified space in the rear yard, exclusive of a small garage. Given the small size of the lot, it may be difficult to achieve a full 800 sf of open space. However, given the other dimensional nonconformities, design review should address strategies to improving the usable open space.

Plans reviewed are titled "Renovation/Extension of Living Space Change of Occupancy From Single Family to 3 Family Dwelling 44 Creighton St Boston MA 02130", prepared by Rosa Design + Construction LLC, and dated July 21, 2022.

Recommendation:

In reference to BOA1629989, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with attention to ensuring adequate distance with neighboring structures and increasing the amount of usable open space on the site.

Reviewed,

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Planning and Zoning Director, Planning Department



Case	BOA1663221
ZBA Submitted Date	2024-10-18
ZBA Hearing Date	2024-12-03
Address	36 Wildwood ST Dorchester 02124
Parcel ID	1403443000
Zoning District & Subdistrict	Greater Mattapan Neighborhood 3F-6000
Zoning Article	60
Project Description	The proponent is seeking to convert the existing basement into an additional residential unit.
Relief Type	Variance
Violations	Parking or Loading Insufficient Lot Area Insufficient Additional Lot Area Insufficient FAR Excessive Usable Open Space Insufficient Use: forbidden (4F)

Planning Context:

The proponent is seeking a change of occupancy: from a three-unit house to a four-unit house. The house itself is a triple-decker on a non-sloping lot attached to a second triple-decker with a different owner. In terms of the existing physical context, there are several other small multifamily buildings on the block. The proposed fourth unit is a conversion of the existing basement, with a ceiling height of 7.5’.

The existing basement is only partially below grade- there are four existing windows that are all above grade. The proposed design would replace one of these windows with a larger 32x60” casement egress window that would also be above grade. With these four windows, the design would provide adequate light and air.

The site is within the Morton Street focus area of the Fairmount-Indigo Corridor Plan, which calls for "higher density housing opportunities to support Station Area vitality and rail ridership" (September 2014). The site is an eight minute walk from Morton Street Station. This close proximity to the station could increase the likelihood that a potential new resident would opt for transit instead of driving.



Zoning Analysis:

The proposed basement unit triggers insufficient usable open space, insufficient lot area, insufficient additional lot area, excessive FAR, and an insufficient parking violation. However, this project would not change the building footprint or exterior, with the exception of a three foot awning over the side entrance to the proposed unit.

The project also received a forbidden use citation, since multifamily dwellings are forbidden in this 3F subdistrict. A variance is needed to overcome the dimensional violations and the forbidden use (Article 60, Table A). This parcel's attached triple-decker configuration is unique to the block and there is no side yard on the attached side, which contributes to the lot area and open space violations.

The plans are dated January 21, 2024 and were prepared by T Design, LLC.

Recommendation:

In reference to BOA1663221, The Planning Department recommends APPROVAL.

Reviewed,

Reviewed,

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Planning and Zoning Director, Planning Department



Case	BOA1496202
ZBA Submitted Date	2023-07-13
ZBA Hearing Date	2024-12-03
Address	57 Samoset ST Dorchester 02124
Parcel ID	1601370000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-5000
Zoning Article	65
Project Description	Construct a new 2.5-story, 1-unit home on a vacant lot.
Relief Type	Variance
Violations	Lot Area Insufficient Lot Width Insufficient Lot Frontage Insufficient FAR Excessive Side Yard Insufficient

Planning Context:

The proposed project would construct a new single family home on an undeveloped, partially vegetated lot. The lot itself is a regular rectangular shape that is in line with its neighbors. However, the lot is only two thirds of the size of the other parcels in the area. This has contributed to the amount of violations the project was cited for.

The project site, located between the Fields Corner and Ashmont areas of Dorchester, sits within a quarter-mile of the MBTA's Shawmut Red Line Station as well as several bus stops (servicing the MBTA's 15, 18, 19, 22, 23, 45, 201, 210, and 215 routes). The Ashmont MBTA Red Line Station sits a half-mile from the project site. Several public open spaces - including the Fannie Lou Hammer Community Garden, Lucy Stone Schoolyard Park, Mothers Rest at Four Corners Park, Wellesley Park, Nightingale Community Garden, and Doherty-Gibson Playground - also sit within walking distance (quarter-mile) of the project.

The currently vacant project site sits within an established residential area, with a broad mix of housing, including single-family homes, three-deckers, and multifamily apartment buildings. The proximity of the project's site to multiple public transit options, several publicly accessible open



spaces, and two robust commercial corridors make it an appropriate location for more housing density even though the lot is undersized for the area.

Zoning Analysis:

There are five total violations that this proposed project would trigger. The first group of three are in regards to the size of the lot for the proposed project. The overall lot area is insufficient according to the zoning for the proposed project. The zoning requires a minimum lot size of 5,000 square feet. The proposed project is located on a lot that is only around 4,500 Square feet in area. The "Lot Width Insufficient" and "Lot Frontage Insufficient" are also directly related to the overall lot shape and size, as well as the previous violation. The proposed project has identical width and frontage, which are both 38 feet. The zoning code requires a lot width and a lot frontage of 40 feet, just two more than what the parcel is.

One of the side yards of the proposed project has also been flagged as a violation. The zoning code requires a side yard of at least 10 feet. While the Northern side yard on the plans is 10 feet, the Southern side yard is only 5 feet total.

However, all of these violations relate to a concrete hardship that the parcel faces unlike its nearby neighbors. The lot is around only two-thirds the width of the neighboring parcels. Due to the restricted width, nothing could be constructed on the parcel in its current condition. In this case, the proposed project is a residential building almost identical to its neighborhood context. The only material difference is the overall lot width which places an undue burden on development that attempts to follow the zoning code.

The next violation is "Excessive FAR". The proposed project has a FAR of 0.85. The zoning code requires a maximum FAR of 0.5. This violation is also being triggered by the smaller lot size of the project. If the lot were a similar size to its neighbors, this violation would not be triggered. This restriction would also stop almost any potential development on the property as the size of a 0.5 FAR building on this lot would be too small to be of practical use.

The final violation is in regards to insufficient off-street parking and loading. The shape of the lot only allows space for the three parking spots to the rear of the building. While there are enough parking spaces provided, the maneuverability of the site triggers the violation. If the lot were a regular size, the violation would not be triggered. In addition, the proposed project is a single family home that is providing three parking spaces. BTD parking guidelines would suggest



reducing the number of parking spaces, which would further reduce the paved area and increase usable open space.

Recommendation:

In reference to BOA1496202, The Planning Department recommends APPROVAL WITH PROVISIO to reduce parking to two spaces provided in a driveway.

Reviewed,

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Planning and Zoning Director, Planning Department



Case	BOA1602037
ZBA Submitted Date	2024-05-14
ZBA Hearing Date	2024-12-03
Address	1159 to 1161 Washington ST Mattapan 02126
Parcel ID	1704052000
Zoning District & Subdistrict	Dorchester Neighborhood NS
Zoning Article	65
Project Description	Building a new 4-story, mixed-use building. The first floor would have a restaurant, a residential entry lobby, and 6 enclosed residential parking spaces. The upper three stories would have 14 dwelling units. The lot currently contains a single-story restaurant (currently Spukies N' Pizza) to be demolished.
Relief Type	Variance, Conditional Use
Violations	FAR Excessive Height Excessive (ft) Side Yard Insufficient Usable Open Space Insufficient Parking or Loading Insufficient (parking) Parking or Loading Insufficient (loading) Use: conditional (take-out)

Planning Context:

This project is within the study area of PLAN: Mattapan, which was adopted by the BPDA Board in May 2023. The goals of the plan were implemented through changes to the Greater Mattapan Neighborhood zoning district, which were adopted in February and May 2024. Although it is within the PLAN: Mattapan study area, this project falls within the Dorchester Neighborhood zoning district and not the Greater Mattapan Neighborhood zoning district. This means that this parcel was not included in the zoning updates made to implement the recommendations of PLAN: Mattapan.

This section of Washington St is a crucial connection to River St and Morton St, which are identified in PLAN: Mattapan as two of the neighborhood's primary corridors. The plan states that "Mattapan's corridors link residents to jobs, school, and places for gathering or recreation. The proposals for corridors described in PLAN: Mattapan focus on safer, more efficient travel,



as well as increased capacity for mixed-use development and space for cultural connection... Corridors are well-connected to bus and rapid transit, making them prime locations for denser multi-family residential developments as well as amenities like restaurants, pharmacies, fitness centers, community centers, and other neighborhood establishments." The proposed use (14-units with ground floor commercial) is therefore very appropriate given planning goals of PLAN: Mattapan to create mixed-use and multi-family development along the neighborhood corridors. It is also aligned with the existing mixed-use and multi-family character of the area.

PLAN: Mattapan also states that "corridors should provide an accessible, safe, and reliable experience for all travel modes." The curb cut and access to the enclosed parking area on the first story is proposed on Washington st, which is not in alignment with this goal, as it would create additional conflict between vehicles and pedestrians traveling on this corridor. If possible, the parking should be reconfigured so it is accessed by Miller Lane (a private lane used primarily for parking as opposed to pedestrian travel). This would create less impact on the public realm.

Although the proposed parking ratio (0.4 spaces per unit) does not meet the current zoning minimum, this area is well served by public transportation amenities, as it is within a 5 minute walk of at least 5 different bus lines and the Mattapan Trolley. This area will also further benefit from the transit service improvements outlined in PLAN: Mattapan. A lower parking ratio is therefore appropriate for this location.

Because this project contains at least 10 units and requires zoning relief, it must include Affordable Units (or contribute to the creation of off-site units) in compliance with the Inclusionary Development Policy (IDP). This means that the applicant will need to execute an agreement with the Mayor's Office of Housing to comply with the policy.

Zoning Analysis:

The project requires a conditional use permit for the proposed take-out use. This use is appropriate, as it would continue the take-out use that already exists on this lot, align with the existing commercial conditions of the surrounding area, and help achieve the planning goals of PLAN: Mattapan to allow for amenities like restaurants along neighborhood corridors.



This project does not meet the zoning requirement for parking of 1.5 spaces per unit. However, as discussed in the planning context, a lower parking ratio is appropriate at this location.

Because the project is over 15,000 sq ft total, it requires one loading bay per Article 65 (Dorchester Neighborhood District). Article 24 of the Zoning Code regulates the loading in all citywide districts and was updated earlier this year to reflect modern loading bay design standards. Although Article 24 does not apply in the Dorchester Neighborhood District (where this project is located), it can provide more updated guidance on loading needs (as it was updated more recently). Unlike the Article 65 loading requirements, Article 24 differentiates loading requirements by use, and does not require loading for residential projects. Because the commercial space for this project is significantly less than 15,000 sq ft, a loading bay is not needed.

The project is not compliant with the zoning side yard requirement because Article 65 requires that in the case of a lot with a side lot line abutting a Residential Subdistrict, that lot line shall have the side yard requirement as if it were in such abutting district. Because this lot abuts an MFR district, that side of the lot is required to have a 10 ft side yard. However, this side of the lot is separated from the nearest MFR parcel by a private way (Miller Lane). This means a 10 ft side yard is not necessary.

Due to its larger size, the project requires variances for FAR and height. The maximum FAR for this subdistrict is 1.0 while the project proposes 2.92, and maximum allowed height is 40 ft while the project proposed 48.3 ft. However, this greater density aligns with the goals of PLAN: Mattapan to allow for denser multi-family residential developments along the neighborhood's corridors. Additionally, a number of other buildings in the area also have FAR's greater than 1.0, indicating that the zoning for this area may need to be updated to better reflect building conditions.

This project is also flagged for insufficient usable open space. The zoning requires 50 sq ft of usable open space per unit in this subdistrict. This project provides all usable open space on private balconies, which are 33 to 121 sq ft each. Although the total amount of usable open space is greater than 700 sq ft (50*the number of units), three of the units (201, 301, and 402) would not have balconies, and would therefore not have access to any usable open space. For these units, the only accessible "usable open space" shown on the plans are two small spaces (40 sq ft and 62 sq ft) in the corners of the lot, one of which is under the overhang of the balconies. This space is not suitable for recreational or household service activities and is not at

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2024-12-03

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least 75% open to the sky, and is therefore not Usable Open Space as defined in Article 2. This means that the units that do not have private balconies have 0 sq ft of Usable Open Space. Unit 41 also has a balcony which is only 40 sq ft. The access to the balconies should be reconfigured so that each unit has access to at least 50 sq ft of usable open space.

This recommendation was written using plans prepared by Derek A. Rubinoff, titled "1159-1171 Washington St", and dated 2/28/2024. These plans were reviewed by ISD on 5/9/2024.

Recommendation:

In reference to BOA1602037, The Planning Department recommends APPROVAL WITH PROVISIO/S: that a housing agreement be issued prior to issuing permits and that plans be submitted to the Planning Department for design review with attention to providing adequate and accessible usable open space of at least 50 sq ft to each unit and moving parking entrance to Miller Lane to minimize impact on public realm.

Reviewed,

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Planning and Zoning Director, Planning Department

MEMORANDUM**AUGUST 15, 2024**

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

FROM: NUPOOR MONANI, DEPUTY DIRECTOR FOR DEVELOPMENT REVIEW
CASEY HINES, DEPUTY DIRECTOR FOR DEVELOPMENT REVIEW
JILL ZICK, ASSISTANT DEPUTY DIRECTOR OF PUBLIC REALM DESIGN
MEGHAN RICHARD, SENIOR URBAN DESIGNER
LYDIA HAUSLE, SENIOR TRANSPORTATION PLANNER
CAMILLE PLATT, PROJECT MANAGER
FORD DELVECCHIO, ZONING COMPLAINTS PLANNER

SUBJECT: 55-57 BELGRADE AVENUE, ROSLINDALE

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 55-57 Belgrade Avenue in Roslindale (the “Proposed Project”), in accordance with Article 80E, Small Project Review, of the Boston Zoning Code (the “Code”); and (2) enter into an Affordable Housing Agreement in connection with the Proposed Project, and take any other actions and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The Project Site includes the redevelopment and new construction of 55-57 Belgrade Avenue in Roslindale. It contains two parcels: 55 Belgrade Avenue currently consists of a two-story residential building on 3,564 square feet of land, and 57 Belgrade Avenue, which consists of a two and a half story vacant medical office building on 4,455 square feet of land as one contiguous parcel.

DEVELOPMENT TEAM

Proponent: JMM Residential
3 Allied Drive, Suite 303
Dedham, MA 02026

Legal Counsel: Dean Plakias, ESQ
Hill & Plakias
888 Washington Street
Dedham, MA 02026

Architect: Zephyr Architects
315 A Street, Suite A
Boston, MA 02482
(617) 960-0796

PROPOSED PROJECT

The Proposed Project contemplates the demolition of two existing two and one-half story buildings in order to construct a 4-story fifteen (15)-unit residential condominium building with up to eleven (11) vehicle parking spaces and nineteen (19) bike parking spaces. The Proposed Project will include fifteen (15) two-bedroom units. The existing structures have no historic or architectural significance to the surrounding neighborhood. The proposed structure will contain approximately 15,800 square feet of gross floor area (FAR), with 15 residential units located on four levels. Two (2) of the units will be designated affordable (13%) pursuant to the City of Boston Inclusionary Development Policy. The building has been designed and modified with input from the neighbors through community outreach. The Project Site is also located approximately 0.2 miles southwest of MBTA's Roslindale Village Commuter Rail Station and is directly served by three MBTA bus routes on Belgrade Avenue. The project is located within the MBTA's Zone of Influence (ZOI). The MBTA requires that the development team obtain an MBTA license prior to entering and/or performing any work on or over MBTA property or within the MBTA's ZOI.

The Proposed Project will provide a maximum of 11 vehicle parking spaces within a below-grade garage. Nineteen secure bike parking spaces will be provided in a ground floor bike room. The Proposed Project will comply with the Boston Transportation Department ("BTD") Electric Vehicle Readiness Policy for New Developments, requiring 25% of the parking spaces to be equipped with electric vehicle charging stations and the remaining 75% to be ready for future installation.

ARTICLE 80 REVIEW PROCESS

On February 23, 2024, 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 virtual public meeting was held on March 26, 2024. The meeting was duly advertised in the West Roxbury/Roslindale Bulletin and circulated to the Roslindale email list. The BPDA comment period concluded on April 9, 2024.

PLANNING AND ZONING CONTEXT

The Proposed Project is located at the nexus of Roslindale's residential fabric and Roslindale Village's mix of professional offices, restaurants, and neighborhood retail. Roslindale Village is also the location of the Planning Department's ongoing Squares and Street planning study. The rear of the Proposed Project site directly abuts the MBTA's Needham Line right of way. The site and the surrounding neighborhood are within walking distance of transit including the Roslindale Village Commuter Rail station and MBTA bus routes #25, #35, #36, and #37.

The Proposed Project is located in the Roslindale Neighborhood Zoning District, Neighborhood Shopping subdistrict. There are no applicable overlay districts. Staff review sought to ensure a contextual scale, massing, and design. The Proponent anticipates obtaining appropriate zoning relief for the Proposed Project from the Zoning Board of Appeal.

PUBLIC BENEFITS & MITIGATION

- Transportation & Public Realm
 - A commitment of \$4,125.00 to the BTD to be contributed upon issuance of Certificate of Occupancy for the Proposed Project to support the bikeshare system.
 - The Proposed Project will make improvements described below to the public realm along the project frontage. All modifications to the public right-of-way are subject to Public Improvement Commission ("PIC") review and approval. All PIC approvals for proposed improvements shall be completed before building permit issuance for the Proposed Project. All physical mitigation improvements must be completed upon Certificate of Occupancy.
 - The Proposed Project will close an existing curb cut on Belgrade Avenue and restore a continuous sidewalk.

- Along the property frontage, the Proposed Project will install one new street tree and install two bicycle racks in compliance with Boston Transportation Department Bicycle Parking Guidelines.
- To access the proposed garage, an existing curb cut will be modestly widened to a maximum of 20 feet to create a shared driveway between abutting properties. The Proposed Project will include an audio and visual notification system(s) to notify pedestrians of vehicles entering and exiting the off-street vehicle parking accommodations throughout the Project Site.

INCLUSIONARY DEVELOPMENT POLICY

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 (“IDP”), and is located within Zone B, as defined by the IDP. The IDP requires that 13% of the total number of units within the development be designated as IDP units. In this case, one (1) unit will be made affordable to households earning not more than 80% of Area Median Income (“AMI”), as published annually by the BPDA and based upon data from the United States Department of Housing and Urban Development (“HUD”), and one (1) unit will be made affordable to households earning not less than 80% of AMI but not more than 100% of AMI.

The proposed sizes, location, and sales prices for the IDP Units are as follows:

Unit Number	Number of Bedrooms	Location	Square Footage	Percent of AMI	Sales Price
15	Two-bedroom	First Floor	1162	80%	\$258,500
10	Two-bedroom	Third Floor	971	100%	\$334,700

The location of the IDP Units will be finalized in conjunction with BPDA and Mayor’s Office of Housing (“MOH”) staff and outlined in the Affordable Housing Agreement (“AHA”), and sales price and income limits will be adjusted according to BPDA published maximum purchase price and income limits, as based on HUD AMIs, available at the time of the initial sale of the IDP Units. IDP Units must be comparable in size, design, and quality to the market rate units in the Proposed Project, cannot be stacked or concentrated on the same floors, and must be consistent in bedroom count with the entire Proposed Project.

The AHA must be executed along with, or prior to, the issuance of the Certification of Approval for the Proposed Project. The Proponent must also submit an Affirmative Marketing Plan (the "Plan") to the Boston Fair Housing Commission and the BPDA. The IDP Units will not be marketed prior to the submission and approval of the Plan. 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); and
- (3) First-time homebuyer.

An affordability covenant will be placed on each IDP Unit 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 and sales price of the IDP Units during this fifty (50) year period must fall within the applicable income and resale price limit for each IDP Unit. IDP Units may not be rented out by the developer prior to sale to an income eligible household, and the BPDA or its assigns or successors will monitor the ongoing affordability of the IDP Units.

RECOMMENDATIONS

The Proposed Project complies with the requirements set forth in Section 80E of the Code for Small Project Review. Therefore, staff recommends that the Director be authorized to: (1) issue a Certification of Approval for the Proposed Project; and (2) enter into an AHA and take any other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

Appropriate votes follow:

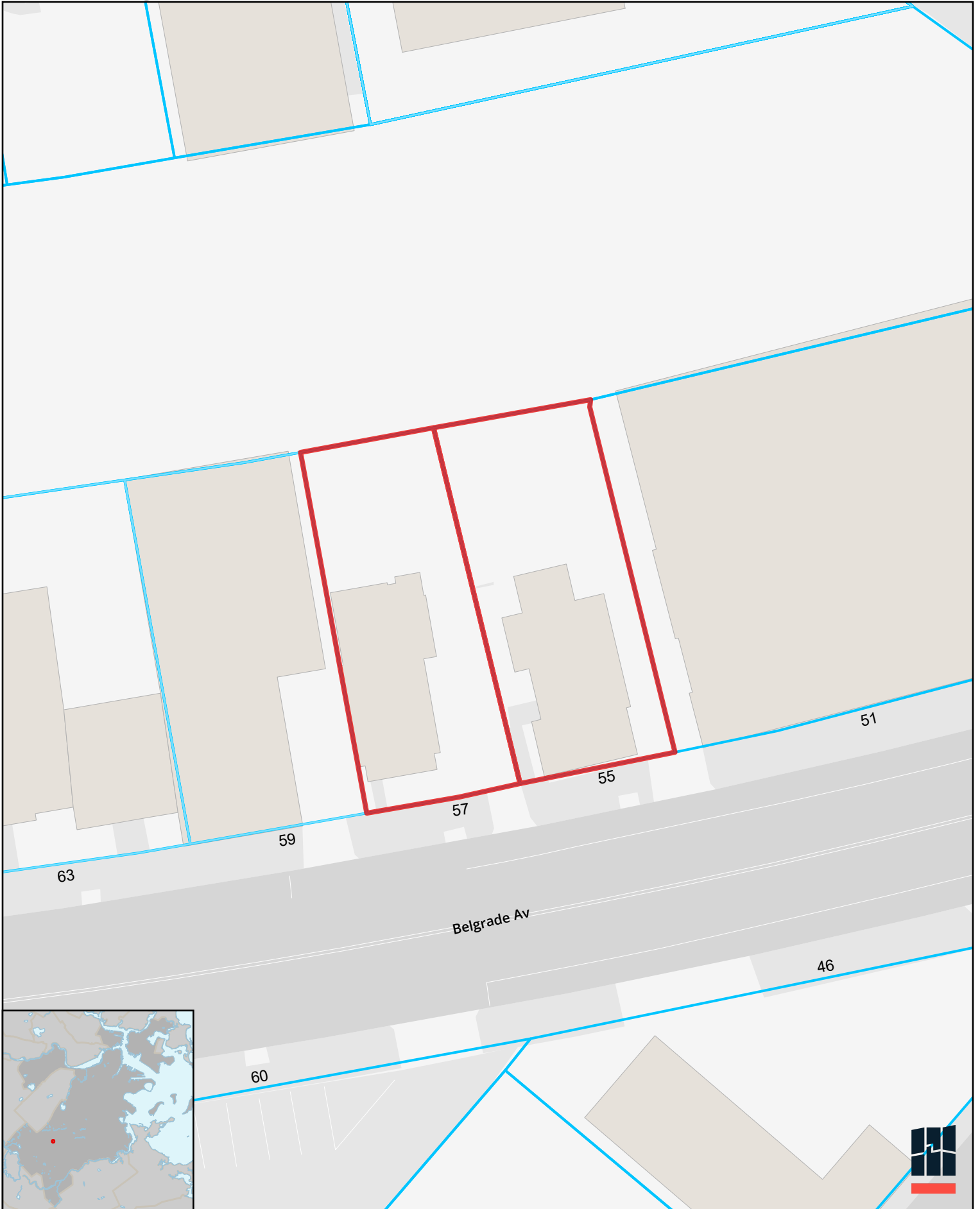
VOTED: That the Director be, and hereby is, authorized to issue a Certification of Approval pursuant to Section 80E-6 of the Boston Zoning Code (the "Code"), approving the development consisting of a four-story residential building containing fifteen (15) homeownership units and eleven (11) parking spaces at 55-57 Belgrade Avenue in Roslindale (the "Proposed Project") in accordance with the requirements of Small Project Review, Article 80E, of the Code, subject to continuing design review by the Boston Redevelopment Authority ("BRA"); and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute an Affordable Housing Agreement for the creation of two (2) on-site homeownership Inclusionary Development Policy Units and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

55-57 Belgrade Avenue

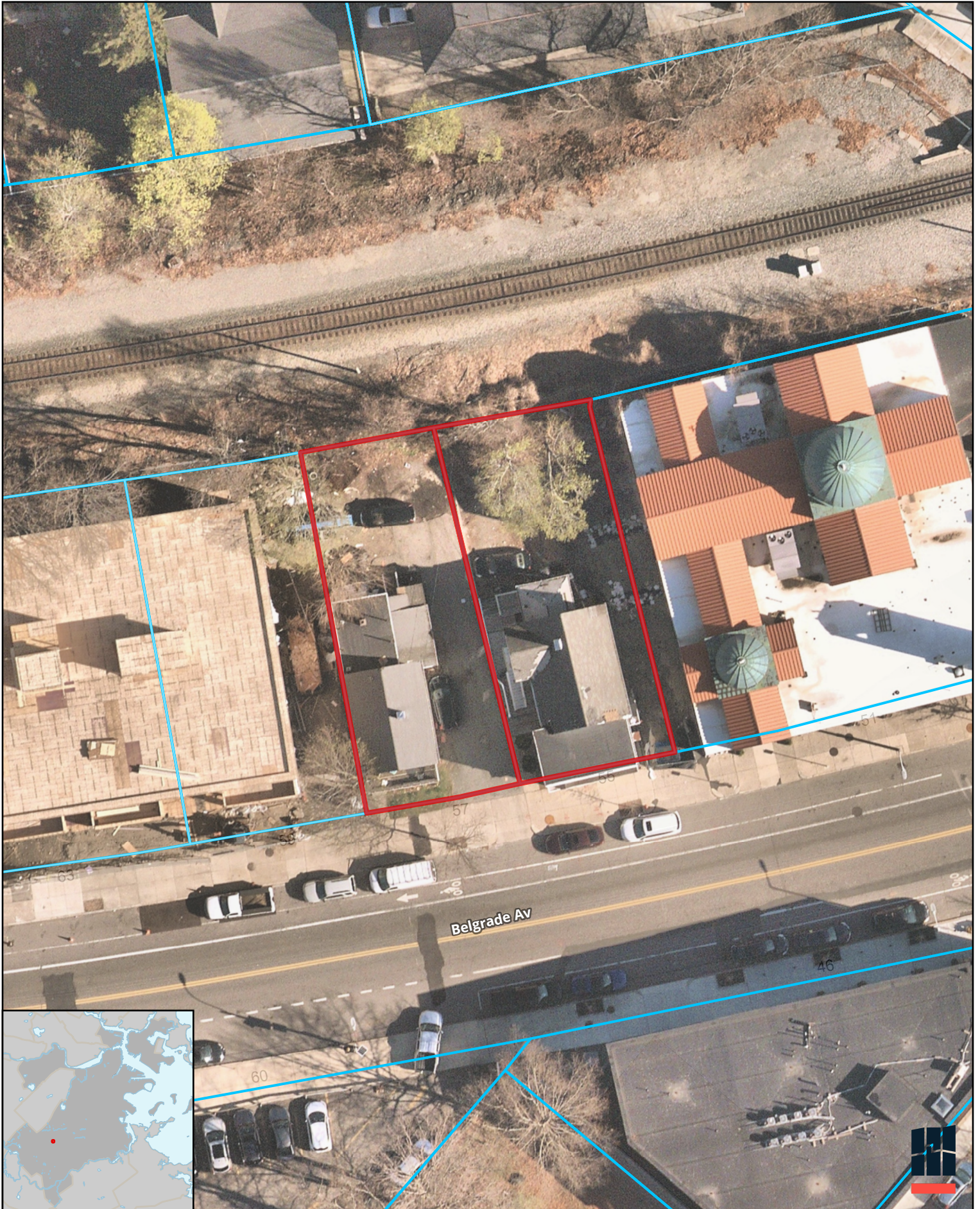
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55-57 Belgrade Avenue



1:400





Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Gina Fiandaca, Secretary & CEO
Phillip Eng, General Manager & CEO



April 9, 2024

Boston Planning and Development Agency
One City Hall Plaza, Ninth Floor
Boston, Massachusetts 02201

Attention: Camille Platt

**RE: 55-57 Belgrade Ave SPRA
Boston, MA 02131**

Dear Camille,

The MBTA encourages and supports transit-oriented development, a proven strategy for smart, sustainable growth, reducing traffic congestion, and increasing transit ridership. In creating successful transit-oriented projects, development immediately adjacent to MBTA property, which falls under the MBTA's Zone of Influence (ZOI) policy, must be carefully considered to ensure safety, sustained operations, and resiliency of the public transportation system.

The MBTA has reviewed the 55-57 Belgrade Avenue Small Project Review Application and has concerns related to safety, setbacks, operations, fencing, and licensing. This letter includes comments made by the MBTA Rail Operations, Transit-Oriented Development and Real Estate teams.

Setbacks for MBTA Operations and Safety

The project abuts MBTA property, and has been noted for adjacent projects, maintaining adequate setbacks from MBTA property to allow for construction activities and to minimize permanent impacts to MBTA operations is essential to safety. Concerns raised by constructing along the ROW include:

- Damage to MBTA property and infrastructure;
- Fouling the ROW with construction equipment which poses a safety hazard to rail operations;
- Damage to transit infrastructure and disruption of service;
- Track and bush fires caused by users on abutting sites disposing cigarettes or other items into the ROW; and
- Injury and potential death from unauthorized access to MBTA property and ROW areas.

The Proponent should consider how future residents will impact, or be impacted by, adjacent infrastructure, promoting their safety and MBTA operations. To address and mitigate these potential concerns, the MBTA reviews and comments on projects, and coordinates required support activities during construction.

The submissions to the BPDA for 55-57 Belgrade indicate the structure is set back from the lot line by over 11 feet. There appears to be a slope on the property line, with the ROW area on the high side of the elevation. Further documentation of proposed treatment for this slope will be required for review as part of the MBTA license process. The development team should review this design with their contractor to confirm that construction activities can be conducted without impacting the fence or existing grades on the property line with the MBTA.

The project documents also indicate balconies projecting from the rear of the building toward the shared property line and overlooking the MBTA ROW. The balconies are shown as approximately 6 feet from the property line. Again, the development team should review constructability with their contractor. A work plan outlining how these will be installed will be required as part of the construction phase project support. Additionally, there have been instances on the system where cigarettes tossed from adjacent balconies have been known to have caused fires on MBTA property and track. It is strongly recommended that the development team institute a no-smoking policy for balconies facing MBTA property.

Lot Line Fencing

Due to the project immediately abutting MBTA property, the MBTA would strongly encourage the proponent to place their proposed chain link fence on the property line and not MBTA property. The MBTA intends to maintain its current fencing in its present location. This will allow the MBTA the ability to be move or replace its fence without interfering with the proponent's property. Such improvements are pertinent to the MBTA pursuing possible future improvements to the Needham Line for safety or operations, including ROW track changes and electrification.

Licensing Requirement

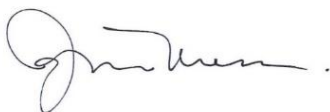
Due to the shared property line with the MBTA and proximity to the Needham Commuter Rail Line, the Authority's Zone of Influence policy will apply to this project. This may include review of design and construction plans, canvassing internal departments on potential impacts, and supporting projects during construction, including operations, field staff and flagging support when deemed necessary to maintain a safe work site and operations. All support costs will be borne by the project through the execution of a force account agreement, and in areas adjacent to Commuter Rail ROW, a Keolis PI agreement. License applications and further information on the MBTA's policy may be obtained at mbtarealty.com/licenses.

Crane & Aerial Lift Use

The project may require the support of a crane and/or aerial lifts, and placement to prevent the fouling of the Right of Way (ROW) will be a requirement. The project will need to plan around these safety concerns accordingly, and so the MBTA will need to review and accept work plans for lifts before construction starts.

The MBTA appreciates the opportunity to provide comments on the 55-57 Belgrade Avenue SPRA and looks forward to continuing to work with the project team to move the project forward with MBTA technical review, licensing, and construction. If you have any questions regarding these issues, please feel free to contact the TOD project manager, Fabiola Alikpokou, at falikipokou@MBTA.com.

Sincerely,



Jennifer Mecca
Deputy Chief, Transit-Oriented Development

Cc: R. Henderson, Chief of Real Estate
Casey Ann Hines, Deputy Director for Development Review
J. Fitzgerald, Deputy Director of Transportation Planning

**Boston Water and
Sewer Commission**



980 Harrison Avenue
Boston, MA 02119-2540
.617-989-7000

April 8, 2024

Ms. Camille Platt, Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02210

Re: 55-57 Belgrade Avenue, Roslindale
Small Project Review Application

Dear Ms. Platt:

The Boston Water and Sewer Commission (Commission) has reviewed the Small Project Review Application (SPRA) for the proposed redevelopment project located at 55-57 Belgrade Avenue in the Roslindale neighborhood of Boston. This letter provides the Commission's comments on the SPRA.

The proposed project is located on two parcels of land containing approximately 8,019 square feet (sf). The project proponent, JMM Residential (JMM), proposes to construct a four-story, residential building having approximately 19,400 square feet of livable area. The development will contain 11 below grade automobile parking spaces, and 19 bicycle parking spaces.

The subject site is served by a commission owned and maintained 12-inch pit cast iron water main that was installed in 1905 and cement lined in 1997. The water main is part of the Commission's Southern High-Pressure Zone.

Commission wastewater facilities serving the facility include are a 10-inch sanitary sewer constructed directly below a 12-inch storm drain located in the north side of Belgrade Avenue. Another 10-inch sanitary sewer constructed directly below a 12-inch storm drain is located in the south side of Belgrade Avenue. All of the wastewater facilities were installed in 1904.

The Commission has the following comments regarding the proposed project.



General

1. Prior to the initial phase of the site plan development, JMM should meet with the Commission's Design and Engineering Customer Services to review water main, sewer and storm drainage system availability and potential upgrades that could impact the development.
2. Prior to demolition of any buildings, all water, sewer and storm drain connections to the buildings must be cut and capped at the main pipe in accordance with the Commission's requirements. The proponent must complete a Cut and Cap General Services Application, available from the Commission.
3. All new or relocated water mains, sewers and storm drains must be designed and constructed at JMM's expense. They must be designed and constructed in conformance with the Commission's design standards, Water Distribution System and Sewer Use regulations, and Requirements for Site Plans. The site plan should include the locations of new, relocated and existing water mains, sewers and drains which serve the site, proposed service connections, water meter locations, as well as backflow prevention devices in the facilities that will require inspection. A General Service Application must also be submitted to the Commission with the site plan.
4. The Department of Environmental Protection (DEP), in cooperation with the Massachusetts Water Resources Authority (MWRA) and its member communities, has implemented a coordinated approach to flow control in the MWRA regional wastewater system, particularly the removal of extraneous clean water (e.g., infiltration/inflow (I/I)) in the system. The Commission has a National Pollutant Discharge Elimination System (NPDES) Permit for its combined sewer overflows and is subject to these new regulations [314 CMR 12.00, section 12.04(2)(d)]. This section requires all new sewer connections with design flows exceeding 15,000 gpd to mitigate the impacts of the development by removing four gallons of (I/I) for each new gallon of wastewater flow. In this regard, any new connection or expansion of an existing connection that exceeds 15,000 gallons per day of wastewater shall assist in the I/I reduction effort to ensure that the additional wastewater flows are offset by the removal of I/I. Currently, a minimum ratio of 4:1 for I/I removal to new wastewater flow added is used. The Commission will require proponent to develop a consistent inflow reduction plan. The 4:1 requirement should be addressed at least 90 days prior to activation of water service and will be based on the estimated sewage generation provided on the project site plan.
5. The design of the project should comply with the City of Boston's Complete Streets Initiative, which requires incorporation of "green infrastructure" into street designs. Green infrastructure includes greenscapes, such as trees, shrubs, grasses and other landscape plantings, as well as rain gardens and vegetative swales, infiltration basins, and paving materials and permeable surfaces. The proponent must develop a



maintenance plan for the proposed green infrastructure. For more information on the Complete Streets Initiative see the City's website at <http://bostoncompletestreets.org/>

6. The water use and sewage generation estimates were not stated in the SPRA. The Commission requires that these values be calculated and submitted with the Site Plan. JMM should provide separate estimates of peak and continuous maximum water demand for residential, irrigation and air-conditioning make-up water for the project. Estimates should be based on full-site build-out of the proposed project. JMM should also provide the methodology used to estimate water demand for the proposed project.
7. JMM should be aware that the US Environmental Protection Agency issued the Remediation General Permit (RGP) for Groundwater Remediation, Contaminated Construction Dewatering, and Miscellaneous Surface Water Discharges. If groundwater contaminated with petroleum products, for example, is encountered, JMM will be required to apply for a RGP to cover these discharges.
8. The Commission will require JMM to undertake all necessary precautions to prevent damage or disruption of the existing active water and sewer lines on, or adjacent to, the project site during construction. As a condition of the site plan approval, the Commission will require JMM to inspect the existing sewer lines by CCTV after site construction is complete, to confirm that the lines were not damaged from construction activity.
9. It is JMM's responsibility to evaluate the capacity of the water, sewer and storm drain systems serving the project site to determine if the systems are adequate to meet future project demands. With the site plan, JMM must include a detailed capacity analysis for the water, sewer and storm drain systems serving the project site, as well as an analysis of the impacts the proposed project will have on the Commission's water, sewer and storm drainage systems.

Water

1. JMM must provide separate estimates of peak and continuous maximum water demand for residential, commercial, industrial, irrigation of landscaped areas, and air-conditioning make-up water for the project with the site plan. Estimates should be based on full-site build-out of the proposed project. JMM should also provide the methodology used to estimate water demand for the proposed project.



2. JMM should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular JMM should consider outdoor landscaping which requires minimal use of water to maintain. If JMM plans to install in-ground sprinkler systems, the Commission recommends that timers, soil moisture indicators and rainfall sensors be installed. The use of sensor-operated faucets and toilets in common areas of buildings should be considered.
3. JMM is required to obtain a Hydrant Permit for use of any hydrant during the construction phase of this project. The water used from the hydrant must be metered. JMM should contact the Commission's Meter Department for information on and to obtain a Hydrant Permit.
4. JMM will be required to install approved backflow prevention devices on the water services for fire protection, mechanical and any irrigation systems. JMM is advised to consult with Mr. Larry Healy, Manager of Engineering Code Enforcement, with regards to backflow prevention.
5. The Commission is utilizing a Fixed Radio Meter Reading System to obtain water meter readings. For new water meters, the Commission will provide a Meter Transmitter Unit (MTU) and connect the device to the meter. For information regarding the installation of MTUs, JMM should contact the Commission's Meter Department.

Sewage / Drainage

1. In conjunction with the Site Plan and the General Service Application JMM will be required to submit a Stormwater Pollution Prevention Plan. The plan must:
 - Identify specific best management measures for controlling erosion and preventing the discharge of sediment, contaminated stormwater or construction debris to the Commission's drainage system when construction is underway.
 - Include a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control structures or treatment structures to be utilized during the construction.
 - Specifically identify how the project will comply with the Department of Environmental Protection's Performance Standards for Stormwater Management both during construction and after construction is complete.



2. The Commission encourages JMM to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.
3. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission. JMM is advised that the discharge of any dewatering drainage to the storm drainage system requires a Drainage Discharge Permit from the Commission. If the dewatering drainage is contaminated with petroleum products, JMM will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.
4. JMM must fully investigate methods for retaining stormwater on-site before the Commission will consider a request to discharge stormwater to the Commission's system. The site plan should indicate how storm drainage from roof drains will be handled and the feasibility of retaining their stormwater discharge on-site. All are to retain, on site, a volume of runoff equal to 1.00 inches of rainfall times the impervious area. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer.
5. The Massachusetts Department of Environmental Protection (MassDEP) established Stormwater Management Standards. The standards address water quality, water quantity and recharge. In addition to Commission standards, JMM will be required to meet MassDEP Stormwater Management Standards.
6. Sanitary sewage must be kept separate from stormwater and separate sanitary sewer and storm drain service connections must be provided. The Commission requires that existing stormwater and sanitary sewer service connections, which are to be re-used by the proposed project, be dye tested to confirm they are connected to the appropriate system.
7. The Commission requests that JMM install a permanent casting stating "Don't Dump: Drains to Charles River" next to any catch basin created or modified as part of this project. JMM should contact the Commission's Operations Division for information regarding the purchase of the castings.
8. If a cafeteria or food service facility is built as part of this project, grease traps will be required in accordance with the Commission's Sewer Use Regulations. JMM is advised to consult with the Commission's Operations Department with regards to grease traps.
9. The enclosed floors of a parking garage must drain through oil separators into the sewer system in accordance with the Commission's Sewer Use Regulations. The Commission's Requirements for Site Plans, available by contacting the Engineering Services Department, include requirements for separators.



10. The Commission requires installation of particle separators on all new parking lots greater than 7,500 square feet in size. If it is determined that it is not possible to infiltrate all of the runoff from the new parking lot, the Commission will require the installation of a particle separator or a standard Type 5 catch basin with an outlet tee for the parking lot. Specifications for particle separators are provided in the Commission's requirements for Site Plans.

Thank you for the opportunity to comment on this project.

Yours truly,

John P. Sullivan, P.E.
Chief Engineer

JPS/rja

cc: K. Ronan, MWRA via e-mail
P. Larocque, BWSC via e-mail
P. Salvatore, BWSC via e-mail



To: [Camille Platt]
From: [Hayden Budofsky], PWD
Date: [2/26/2024]
Subject: [55-57 Belgrade Avenue] - Boston Public Works Department Comments

Included here are Boston Public Works (PWD) comments for the 55-57 Belgrade Avenue SPRA.

Project Coordination:

The developer should coordinate with BTM regarding a proposed “no parking” zone. The developer should also coordinate with Parks and Recreation department in regards to the relocation of a street tree box and planting of new street trees on Belgrade Avenue. Any proposed tree removal will require a public tree hearing, and if a tree is to remain it must be protected during construction.

Project Specific Scope Considerations:

The developer should coordinate with BTM and PWD to develop safety and accessibility improvements for pedestrians and cyclists in the area.

Pedestrian Access:

The developer should consider extending the scope of sidewalk improvements along the site frontage.

Site Plan:

Developer must provide an engineer’s site plan at an appropriate engineering scale that shows curb functionality on both sides of all streets that abut the property.

Construction Within The Public vs Private Right-of- Way:

All work within the public way shall conform to Boston Public Works Department (PWD) standards. Any non-standard materials proposed within the public way (i.e. pavers, landscaping, bike racks, etc.) will require approval through the Public Improvement Commission (PIC) process and a fully executed License, Maintenance and Indemnification (LM&I) Agreement with the PIC.

Sidewalks:

The developer is responsible for the reconstruction of the sidewalks abutting the project and, wherever possible, to extend the limits to the nearest intersection to encourage and compliment pedestrian improvements and travel along all sidewalks within the ROW within and beyond the project limits. The reconstruction effort also must meet current American’s with Disabilities Act (ADA)/ Massachusetts Architectural Access Board (AAB) guidelines, including the installation of new or reconstruction of existing pedestrian ramps at all corners of all intersections abutting the project site if not already constructed to ADA/AAB compliance per Code of Massachusetts Regulations Title 521, Section 21 (<https://www.mass.gov/regulations/521-CMR-21-curb-cuts>). This includes converting apex ramps to perpendicular ramps at intersection corners and constructing or reconstructing reciprocal pedestrian ramps where applicable. Plans showing the extents of the proposed sidewalk improvements associated with this project must be submitted to the PWD Engineering Division for review and approval. Changes to any curb geometry will need to be reviewed and approved through the PIC.

Please note that at signalized intersections, any alteration to pedestrian ramps may also require upgrading the traffic signal equipment to ensure that the signal post and pedestrian push button locations meet current ADA and Manual on Uniform Traffic Control Devices (MUTCD) requirements. Any changes to the traffic signal system must be coordinated and approved by BTM.

All proposed sidewalk widths and cross-slopes must comply to both City of Boston and ADA/AAB standards.

The developer is encouraged to contact the City’s Disabilities Commission to confirm compliant accessibility within the Public ROW.



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(617) 635-4900



Green Infrastructure:

The developer shall work with PWD, the Green Infrastructure Division, and the Boston Water and Sewer Commission (BWSC) to determine appropriate methods of green infrastructure and stormwater management systems within the Public ROW. The ongoing maintenance of such systems shall require an LM&I Agreement with the PIC.

Driveway Curb Cuts

Any proposed driveway curb cuts within the Public ROW will need to be reviewed and approved by the PIC. All existing curb cuts that will no longer be utilized shall be closed.

Discontinuances

Any discontinuances (sub-surface, surface or above surface) within the Public ROW must be processed through the PIC.

Easements

Any easements within the Public ROW associated with this project must be processed through the PIC.

Landscaping

The developer must seek approval from the Chief Landscape Architect with the Parks and Recreation Department for all landscape elements within the Public ROW. The landscaping program must accompany a LM&I with the PIC.

Street Lighting

The developer must seek approval from the PWD Street Lighting Division, where needed, for all proposed street lighting to be installed by the developer. All proposed lighting within the Public ROW must be compatible with the area lighting to provide a consistent urban design. The developer should coordinate with the PWD Street Lighting Division for an assessment of any additional street lighting upgrades that are to be considered in conjunction with this project. All existing metal street light pull box covers within the limits of sidewalk construction to remain shall be replaced with new composite covers per PWD Street Lighting standards. Metal covers should remain for pull box covers in the roadway. For all sections of sidewalk that are to be reconstructed in the Public ROW that contain or are proposed to contain a City-owned street light system with underground conduit, the developer shall be responsible for installing shadow conduit adjacent to the street lighting system. Installation of shadow conduit and limits should be coordinated through the BPDA Smart Utilities team.

Roadway

Based on the extent of construction activity, including utility connections and taps, the developer will be responsible for the full restoration of the roadway sections that immediately abut the property and, in some cases, to extend the limits of roadway restoration to the nearest intersection. A plan showing the extents and methods for roadway restoration shall be submitted to the PWD Engineering Division for review and approval.

Additional Project Coordination

All projects must be entered into the City of Boston Utility Coordination Software (COBUCS) to review for any conflicts with other proposed projects within the Public ROW. The developer must coordinate with any existing projects within the same limits and receive clearance from PWD before commencing work.



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Resiliency:

Proposed designs should follow the Boston Public Works Climate Resilient Design Guidelines (<https://www.boston.gov/environment-and-energy/climate-resilient-design-guidelines>) where applicable.

Please note that these are the general standard and somewhat specific PWD requirements. More detailed comments may follow and will be addressed during the PIC review process. If you have any questions, please feel free to contact me at jeffrey.alexis@boston.gov or at 617-635-4966.

Sincerely,

Jeffrey Alexis
Principal Civil Engineer
Boston Public Works Department
Engineering Division

CC: Para Jayasinghe, PWD
Todd Liming, PIC



PUBLIC WORKS DEPARTMENT

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(617) 635-4900



Enrique Pepen <enrique.pepen@boston.gov>

Mon, Mar 25, 2024 at 9:20 AM

To: Camille Platt <camille.platt@boston.gov>, Arthur Jemison <arthur.jemison@boston.gov>
Cc: Dianna Bronchuk <dianna.bronchuk@boston.gov>

Good morning Chief Jemison and Camille,

I hope this email finds you well. I am writing regarding the proposed project at [55-57 Belgrade Ave.](#) I understand that this project is going to the BPDA Board tomorrow, and I wanted to voice some concerns I have regarding the water mitigation plans, the height of the building, the plans for the shared driveway with the church, and agreement on the parking in front of the building.

I also would like to know what conversations this development team has had with the community. I recently met with the St. Nectario's Church and they haven't had much, if any, communication with their next door neighbor.

Please let me know if there's a time to speak about this.

Thank you,

--

Enrique J. Pepen
Boston City Councilor, District 5
[1 City Hall Square, Suite 550](#)
[Boston, MA 02201](#)
Follow the D5 Office: [Instagram](#) | [Facebook](#)
Office: 617-635-4212

For scheduling, please copy my Chief of Staff, Dianna Bronchuk, at dianna.bronchuk@boston.gov

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Camille Platt <camille.platt@boston.gov>

Mon, Mar 25, 2024 at 4:59 PM

To: Enrique Pepen <enrique.pepen@boston.gov>

Good afternoon Enrique,

I hope you're well.

I wanted to confirm with you that this project is **not** going to the BPDA board tomorrow. We are hosting their first public meeting now that they have begun the Article 80 process with us. Again, this will be their first public meeting. I have sent your questions and concerns to the Development team, and will make sure they have responses either tomorrow during the meeting, or in writing this week.

Let me know if you would like to schedule some time to speak on this topic as well.

Thank you,

Camille

[Quoted text hidden]

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Camille Platt



Case	BOA1663380
ZBA Submitted Date	2024-10-19
ZBA Hearing Date	2024-12-03
Address	35 Wellsmere RD Roslindale 02131
Parcel ID	2000493000
Zoning District & Subdistrict	Roslindale Neighborhood 2F-5000
Zoning Article	67
Project Description	Subdivide an existing 13,200 sq ft lot into three lots; this lot will be 4,400 sq ft. Erect a 3-unit dwelling with 6 compact parking spaces in the rear. Demolish the existing rear garage. This application is in conjunction with 37 Wellsmere Rd (ERT1603129 / BOA1663381) and 39 Wellsmere Rd (ALT1603134 / BOA1663382).
Relief Type	Variance
Violations	Parking design and maneuverability Lot Area Insufficient Lot Width Insufficient FAR Excessive Height Excessive (ft) Usable Open Space Insufficient Side Yard Insufficient Lot Frontage Insufficient Use: Forbidden (Three family detached dwelling)

Planning Context:

This project proposes to subdivide an existing 13,200 sq ft lot evenly into three lots, each 4,400 sq ft in lot area. This subdivided lot at 35 Wellsmere Rd will take up the space of the northwesternmost portion of the existing lot. On this subdivided lot, the project proposes to erect a 3-unit dwelling with 6 compact parking spaces in the rear. It also proposes to demolish an existing rear garage that currently holds at least six vehicles based on the number of garage doors on the current structure. The proposed 3-unit dwelling will have both front and rear porches.

The existing 13,200 sq ft lot currently holds a 2.5-story, 2-unit dwelling with an insulation business, thus having both residential and trade primary uses. The dwelling is located on the easternmost corner of the lot facing Wellsmere Rd. This block of Wellsmere Rd between



Washington St and Roslindale Ave where the lot is located consists of a mix of 1-, 2-, 2.5- and 3-story residential buildings. There are 1-unit, 2-unit and 3-unit residential dwellings on this block, showing a diversity of housing types. Additionally, these properties vary in their front and side yard setback depths, their lot area, and their height due to elevation grade changes on the street. These factors make for a varied, predominantly residential character that the proposed project would fit into appropriately as a new 3-unit dwelling. This type of infill housing proposal aligns with the City of Boston's goals as outlined in *Housing a Changing City, Imagine Boston 2030* (2018) to promote infill development that increases housing opportunity.

The existing rear garage is on the southwestern portion of the lot and it has a large building lot coverage. The proposed demolition will create a significant amount of rear yard space and potential usable open space for this proposed dwelling. Additionally, most of the northwestern segment of the lot (aside from the existing two-unit dwelling) is currently used as a paved off-street parking and loading area. There is an existing curb cut that is about 25 ft wide on Wellsmere Rd that provides access to this paved parking area and the rear garage. This segment of Wellsmere Rd has two-way curbside parking allowance and this property is within a 5-minute walk to multiple MBTA bus options along Washington St, thus making it an area with on-street parking capacity and high transit accessibility.

To access the proposed parking spaces, this project proposes a 12 ft shared driveway with the property on the subdivided lot abutting it to the southeast (37 Wellsmere Rd; detailed in ERT1603129 / BOA1663381). The shared driveway will be accessible from a proposed new 10 ft curb cut on Wellsmere Rd. The existing 25 ft curb cut would become a filled in curb. The abutting proposed building at 37 Wellsmere Rd will also be a 3-unit dwelling with 6 compact off-street parking spaces, creating access to a total of 12 off-street parking spaces between the two lots. Additionally, the third subdivided lot (39 Wellsmere Rd; detailed in ALT1603134 / BOA1663382) would have the same 3-unit dwelling and 6 parking space uses for a total of 18 off-street parking spaces across the three properties. Due to this property's adjacency to both on-street parking capacity and several bus options, the proposed number of parking spaces per building and total are excessive for the area.

Additionally, the proposed parking design for this project would reduce the amount of usable open space for the dwelling due to the amount of pavement needed to provide access to the 6 parking spaces. The same is true for the other two subdivided lots that have similar driveway, paving, and parking space designs. Additionally, the proposed parking space design for this lot as well as the other two projects do not include a landscaped buffer between the parking spaces and the southwestern rear yard line that directly abuts the rear yard of two residential properties

BOA1663380

2024-12-03

2 Planning Department



(243 Cornell St and 237-239 Cornell St). This specific subdivided lot also lacks a landscaped buffer between the parking spaces and the northwestern side yard line that directly abuts the residential property at 29 Wellsmere Rd. This project would benefit from additional landscaped buffering along the property lines that abut residential properties and an increase in usable open space available to tenants of these dwellings as the current design lacks any usable open space in the rear.

Zoning Analysis:

The proposed project has received 9 violations specific to land use standards (residential uses), lot standards (lot area, lot width, usable open space, side yard, and lot frontage), building standards (floor area ratio and building height), and design standards (parking design).

An 8,000 sq ft lot area minimum is required within this subdistrict for any residential uses other than a “1 Family Detached or Semi-Attached or 2 Family Detached” building (Art. 67, Sec. 9); this property has an insufficient lot area of 4,400 sq ft. Additionally, a 50 ft lot width minimum and 50 ft lot frontage minimum are required (Art. 67, Sec. 9); this property has an insufficient lot width and lot frontage of 40 ft. As stated in the Planning Context, this block of Wellsmere Rd between Washington St and Roslindale Ave has properties with a diversity of lot areas, lot widths, and lot depths, thus making the existing zoning incongruent with the variety of lot types in the area and making the proposed subdivided lot typology more commonplace in this mix of lot scales. This indicates a need for zoning reform for this residential area in Roslindale to provide greater relief for differing residential lot types since a level of variability has allowed for a dynamic design character in this area.

A 0.5 floor area ratio (FAR) maximum and a 35 ft height maximum are required within this subdistrict (Art. 67, Sec. 9). The 2F-5000 subdistrict also forbids “Three family detached dwelling” uses (Art. 67, Sec. 8). As stated in the Planning Context, this block includes a variety of building types in terms of height, scale, and density of residential units, including properties that are of similar height and 3-unit dwellings. The proposed residential use and related building scale are appropriate when considering the precedents and diversity of buildings in the surrounding context. This indicates a need for zoning reform for this residential area in Roslindale to provide greater relief for the denser residential land uses, especially if the proposed scale of those land uses is in keeping with the variety of scales present in the area or that align with the broader public realm.



As stated in the Planning Context, the proposed off-street parking design would result in a significant loss in potential usable open space that would come from the demolition of the existing rear garage. In addition, the proposed parking spaces of this property abutt the other residential properties along the northwestern side yard line and southwestern rear yard line. A 10 ft side yard minimum and a 1,750 sq ft usable open space minimum per dwelling unit are required within this subdistrict (Art. 67, Sec. 9). This project has insufficient side yards of 6 ft on both sides and an insufficient usable open space per dwelling unit of 355.15 sq ft as indicated in the project plans.

Due to the paved driveway and rear parking area to maneuver into six parking spaces, an excessive amount of paved space is proposed and requires further site review to reduce its impact on adjacent residential properties as well as increase the amount of usable, preferably landscaped or permeable open space. Additionally, the Roslindale Neighborhood District encourages that “Any off-street parking facility or lot, off-street loading area, or accessory storage area that abuts [...] (c) a Residential Subdistrict or Residential Use [...] shall be screened from view [...] Such screening shall consist of trees and shrubs densely planted in a strip at least five (5) feet wide on the inside edge of a steel-picket or stockade or board-type wooden fence” (Art. 67, Sec. 30-2). As such, the proponent should consider a redesign of their proposed parking, landscaping, and rear yard plans to better accommodate the stated needs.

Lastly, this project was flagged for an off-street parking violation (Art. 67, Sec. 32) due to the overall parking design. As mentioned, site review is needed to improve the parking plan in relation to how it abuts other residential properties and in how it can better accommodate usable open space. The Planning Department Transportation Planning Team recommends site review of the parking design for this lot and the properties submitted in conjunction with it – 37 Wellsmere Rd (ERT1603129 / BOA1663381) and 39 Wellsmere Rd (ALT1603134 / BOA1663382) – to consider an alternative that creates a shared driveway and rear parking area for all three properties rather than the existing plan which requires a curb cut for 35 and 37 Wellsmere Rd and a separate curb cut for 39 Wellsmere Rd. Such site review would potentially offer an alternative to creating two curb cuts rather than having one.

Recommendation:



In reference to BOA1663380, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with attention to an increase in side yard to accommodate landscaped buffering or screening, an adjustment to the parking design to accommodate a greater amount of usable open space that is not dedicated to parking maneuvering, potential adjustment of the shared driveway plan to access all three abutting lots, and greater detail in the landscaping plan for the site.

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rana".

Planning and Zoning Director, Planning Department



Case	BOA1663381
ZBA Submitted Date	2024-10-19
ZBA Hearing Date	2024-12-03
Address	37 Wellsmere RD Roslindale 02131
Parcel ID	2000493000
Zoning District & Subdistrict	Roslindale Neighborhood 2F-5000
Zoning Article	Art. 67
Project Description	Subdivide an existing 13,200 sq ft lot into 3 lots; this lot will be 4,400 sq ft. Erect a 3-unit dwelling with 6 compact parking spaces in the rear. Demolish the existing rear garage. This application is in conjunction with 35 Wellsmere Rd (ERT1603126 / BOA1663380) and 39 Wellsmere Rd (ALT1603134 / BOA1663382).
Relief Type	Variance
Violations	Parking design and maneuverability Lot Area Insufficient Lot Width Insufficient FAR Excessive Height Excessive (ft) Usable Open Space Insufficient Side Yard Insufficient Lot Frontage Insufficient Use: Forbidden (Three family detached dwelling)

Planning Context:

This project proposes to subdivide an existing 13,200 sq ft lot evenly into 3 lots, each 4,400 sq ft in lot area. This subdivided lot at 37 Wellsmere Rd will take up the space of the center portion of the existing lot between the northwesternmost subdivided lot and the southeasternmost subdivided lot. On this subdivided lot, the project proposes to erect a 3-unit dwelling with 6 compact parking spaces in the rear. It also proposes to demolish an existing rear garage that currently holds at least 6 vehicles based on the number of garage doors on the current structure. The proposed 3-unit dwelling will have both front and rear porches.

The existing 13,200 sq ft lot currently holds a 2.5-story, 2-unit dwelling with an insulation business, thus having both residential and trade primary uses. The dwelling is located on the easternmost corner of the lot facing Wellsmere Rd. This block of Wellsmere Rd between



Washington St and Roslindale Ave where the lot is located consists of a mix of 1-, 2-, 2.5- and 3-story residential buildings. There are 1-unit, 2-unit and 3-unit residential dwellings on this block, showing a diversity of housing types. Additionally, these properties vary in their front and side yard setback depths, their lot area, and their height due to elevation grade changes on the street. These factors make for a varied, predominantly residential character that the proposed project would fit into appropriately as a new 3-unit dwelling. This type of infill housing proposal aligns with the City of Boston's goals as outlined in *Housing a Changing City, Imagine Boston 2030* (2018) to promote infill development that increases housing opportunity.

The existing rear garage is on the southwestern portion of the lot and it has a large building lot coverage. The proposed demolition will create a significant amount of rear yard space and potential usable open space for this proposed dwelling. Additionally, most of the northwestern segment of the lot (aside from the existing 2-unit dwelling) is currently used as a paved off-street parking and loading area. There is an existing curb cut that is about 25 ft wide on Wellsmere Rd that provides access to this paved parking area and the rear garage. This segment of Wellsmere Rd has two-way curbside parking allowance and this property is within a 5-minute walk to multiple MBTA bus options along Washington St, thus making it an area with on-street parking capacity and high transit accessibility.

To access the proposed parking spaces, this project proposes a 12 ft shared driveway with the property on the subdivided lot abutting it to the northwest (35 Wellsmere Rd; detailed in ERT1603126 / BOA1663380). The shared driveway will be accessible from a proposed new 10 ft curb cut on Wellsmere Rd. The existing 25 ft curb cut would become a filled in curb. The abutting proposed building at 35 Wellsmere Rd will also be a 3-unit dwelling with 6 compact off-street parking spaces, creating access to a total of 12 off-street parking spaces between the two lots. Additionally, the third subdivided lot (39 Wellsmere Rd; detailed in ALT1603134 / BOA1663382) would have the same 3-unit dwelling and 6 parking space uses for a total of 18 off-street parking spaces across the 3 properties. Due to this property's adjacency to both on-street parking capacity and several bus options, the proposed number of parking spaces per building and total are excessive for the area.

Additionally, the proposed parking design for this project would reduce the amount of usable open space for the dwelling due to the amount of pavement needed to provide access to the 6 parking spaces. The same is true for the other two subdivided lots that have similar driveway, paving, and parking space designs. Additionally, the proposed parking space design for this lot as well as the other 2 projects do not include a landscaped buffer between the parking spaces and the southwestern rear yard line that directly abuts the rear yard of 2 residential properties



(243 Cornell St and 237-239 Cornell St). This specific subdivided lot also lacks a landscaped buffer between the parking spaces and the southeastern side yard line that directly abuts the proposed residential property at 39 Wellsmere Rd. This project would benefit from additional landscaped buffering along the property lines that abut residential properties and an increase in usable open space available to tenants of these dwellings as the current design lacks any usable open space in the rear.

Zoning Analysis:

This property is in the 2F-5000 (Two-Family Residential) zoning subdistrict of the Roslindale Neighborhood District (Art. 67). The proposed project has received 9 violations specific to land use standards (residential uses), lot standards (lot area, lot width, usable open space, side yard, and lot frontage), building standards (floor area ratio and building height), and design standards (parking design).

An 8,000 sq ft lot area minimum is required within this subdistrict for any residential uses other than a “1 Family Detached or Semi-Attached or 2 Family Detached” building (Art. 67, Sec. 9); this property has an insufficient lot area of 4,400 sq ft. Additionally, a 50 ft lot width minimum and 50 ft lot frontage minimum are required (Art. 67, Sec. 9); this property has an insufficient lot width and lot frontage of 40 ft. As stated in the Planning Context, this block of Wellsmere Rd between Washington St and Roslindale Ave has properties with a diversity of lot areas, lot widths, and lot depths, thus making the existing zoning incongruent with the variety of lot types in the area and making the proposed subdivided lot typology more commonplace in this mix of lot scales. This indicates a need for zoning reform for this residential area in Roslindale to provide greater relief for differing residential lot types since a level of variability has allowed for a dynamic design character in this area.

A 0.5 floor area ratio (FAR) maximum and a 35 ft height maximum are required within this subdistrict (Art. 67, Sec. 9). The 2F-5000 subdistrict also forbids “Three family detached dwelling” uses (Art. 67, Sec. 8). As stated in the Planning Context, this block includes a variety of building types in terms of height, scale, and density of residential units, including properties that are of similar height and 3-unit dwellings. The proposed residential use and related building scale are appropriate when considering the precedents and diversity of buildings in the surrounding context. This indicates a need for zoning reform for this residential area in Roslindale to provide greater relief for the denser residential land uses, especially if the proposed scale of those land uses is in keeping with the variety of scales present in the area or that align with the broader public realm.



As stated in the Planning Context, the proposed off-street parking design would result in a significant loss in potential usable open space that would come from the demolition of the existing rear garage. In addition, the proposed parking spaces of this property abutt the other residential properties along the southeastern side yard line and southwestern rear yard line. A 10 ft side yard minimum and a 1,750 sq ft usable open space minimum per dwelling unit are required within this subdistrict (Art. 67, Sec. 9). This project has insufficient side yards of 6 ft on both sides and an insufficient usable open space per dwelling unit of 355.15 sq ft as indicated in the project plans.

Due to the paved driveway and rear parking area to maneuver into 6 parking spaces, an excessive amount of paved space is proposed and requires further site review to reduce its impact on adjacent residential properties as well as increase the amount of usable, preferably landscaped or permeable open space. Additionally, the Roslindale Neighborhood District encourages that “Any off-street parking facility or lot, off-street loading area, or accessory storage area that abuts [...] (c) a Residential Subdistrict or Residential Use [...] shall be screened from view [...] Such screening shall consist of trees and shrubs densely planted in a strip at least five (5) feet wide on the inside edge of a steel-picket or stockade or board-type wooden fence” (Art. 67, Sec. 30-2). As such, the proponent should consider a redesign of their proposed parking, landscaping, and rear yard plans to better accommodate the stated needs.

Lastly, this project was flagged for an off-street parking violation (Art. 67, Sec. 32) due to the overall parking design. As mentioned, site review is needed to improve the parking plan in relation to how it abuts other residential properties and in how it can better accommodate usable open space. The Planning Department Transportation Planning Team recommends site review of the parking design for this lot and the properties submitted in conjunction with it – 35 Wellsmere Rd (ERT1603126 / BOA1663380) and 39 Wellsmere Rd (ALT1603134 / BOA1663382) – to consider an alternative that creates a shared driveway and rear parking area for all three properties rather than the existing plan which requires a curb cut for 35 and 37 Wellsmere Rd and a separate curb cut for 39 Wellsmere Rd. Such site review would potentially offer an alternative to creating two curb cuts rather than having one.

Recommendation:

In reference to BOA1663381, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with attention to an increase in side yard to accommodate landscaped buffering or screening, an



adjustment to the parking design to accommodate a greater amount of usable open space that is not dedicated to parking maneuvering, potential adjustment of the shared driveway plan to access all three abutting lots, and greater detail in the landscaping plan for the site.

Reviewed,

A handwritten signature in blue ink, appearing to read "Anne Rando".

Planning and Zoning Director, Planning Department



Case	BOA1663382
ZBA Submitted Date	2024-10-19
ZBA Hearing Date	2024-12-03
Address	39 Wellsmere RD Roslindale 02131
Parcel ID	2000493000
Zoning District & Subdistrict	Roslindale Neighborhood 2F-5000
Zoning Article	Art. 67
Project Description	Subdivide an existing 13,200 sq ft lot into 3 lots; this lot will be 4,400 sq ft. Move the existing 2-unit dwelling by approximately 10 ft to the northwest to accommodate a new 10 ft driveway. Alter the existing 2-unit dwelling into a 3-unit dwelling with new dormers. Add 6 compact parking spaces in the rear. Demolish the existing rear garage. This application is in conjunction with 35 Wellsmere Rd (ERT1603126 / BOA1663380) and 37 Wellsmere Rd (ERT1603129 / BOA1663381).
Relief Type	Variance
Violations	Lot Area Insufficient Lot Width Insufficient FAR Excessive Height Excessive (ft) Usable Open Space Insufficient Side Yard Insufficient Lot Frontage Insufficient Use: Forbidden (Three family detached dwelling)

Planning Context:

This project proposes to subdivide an existing 13,200 sq ft lot evenly into 3 lots, each 4,400 sq ft in lot area. This subdivided lot at 39 Wellsmere Rd will take up the space of the southeasternmost portion of the existing lot. On this subdivided lot, the project proposes to move an existing 2.5-story, 2-unit dwelling to the northwest by approximately 10 ft and alter the existing dwelling to be a 3-unit dwelling with 6 compact parking spaces in the rear. It also proposes to demolish an existing rear garage that currently holds at least 6 vehicles based on the number of garage doors on the current structure. The proposed 3-unit dwelling will have both front and rear porches and will be adding dormers to the existing structure.



The existing 13,200 sq ft lot currently holds a 2.5-story, 2-unit dwelling with an insulation business, thus having both residential and trade primary uses. The dwelling is located on the easternmost corner of the lot facing Wellsmere Rd. This block of Wellsmere Rd between Washington St and Roslindale Ave where the lot is located consists of a mix of 1-, 2-, 2.5- and 3-story residential buildings. There are 1-unit, 2-unit and 3-unit residential dwellings on this block, showing a diversity of housing types. Additionally, these properties vary in their front and side yard setback depths, their lot area, and their height due to elevation grade changes on the street. These factors make for a varied, predominantly residential character that the proposed project would fit into appropriately as a new 3-unit dwelling. This type of infill housing proposal aligns with the City of Boston's goals as outlined in *Housing a Changing City, Imagine Boston 2030* (2018) to promote infill development that increases housing opportunity.

The existing rear garage is on the southwestern portion of the lot and it has a large building lot coverage. The proposed demolition will create a significant amount of rear yard space and potential usable open space for this proposed dwelling. Additionally, most of the northwestern segment of the lot (aside from the existing 2-unit dwelling) is currently used as a paved off-street parking and loading area. There is an existing curb cut that is about 25 ft wide on Wellsmere Rd that provides access to this paved parking area and the rear garage. This segment of Wellsmere Rd has two-way curbside parking allowance and this property is within a 5-minute walk to multiple MBTA bus options along Washington St, thus making it an area with on-street parking capacity and high transit accessibility.

To access the proposed parking spaces, this project proposes a 10 ft driveway that will be accessible from a proposed new 10 ft curb cut on Wellsmere Rd. The existing 25 ft curb cut would become a filled in curb. The abutting proposed building at 37 Wellsmere Rd will also be a 3-unit dwelling with 6 compact off-street parking spaces and will have a shared driveway with the building at 35 Wellsmere Rd, meaning this property at 39 Wellsmere Rd will have separate parking area and access. Due to this property's adjacency to both on-street parking capacity and several bus options, the proposed number of parking spaces per building and total are excessive for the area.

Additionally, the proposed parking design for this project would reduce the amount of usable open space for the dwelling due to the amount of pavement needed to provide access to the 6 parking spaces. The same is true for the other two subdivided lots that have similar driveway, paving, and parking space designs. Additionally, the proposed parking space design for this lot as well as the other 2 projects do not include a landscaped buffer between the parking spaces and the southwestern rear yard line that directly abuts the rear yard of 2 residential properties



(243 Cornell St and 237-239 Cornell St). This specific subdivided lot also lacks a landscaped buffer between the parking spaces and the northwestern side yard line that directly abuts the proposed residential property at 37 Wellsmere Rd. This project would benefit from additional landscaped buffering along the property lines that abut residential properties and an increase in usable open space available to tenants of these dwellings as the current design lacks in any usable open space in the rear.

Zoning Analysis:

This property is in the 2F-5000 (Two-Family Residential) zoning subdistrict of the Roslindale Neighborhood District (Art. 67). The proposed project has received 9 violations specific to land use standards (residential uses), lot standards (lot area, lot width, usable open space, side yard, and lot frontage), and building standards (floor area ratio and building height).

An 8,000 sq ft lot area minimum is required within this subdistrict for any residential uses other than a “1 Family Detached or Semi-Attached or 2 Family Detached” building (Art. 67, Sec. 9); this property has an insufficient lot area of 4,400 sq ft. Additionally, a 50 ft lot width minimum and 50 ft lot frontage minimum are required (Art. 67, Sec. 9); this property has an insufficient lot width and lot frontage of 40 ft. As stated in the Planning Context, this block of Wellsmere Rd between Washington St and Roslindale Ave has properties with a diversity of lot areas, lot widths, and lot depths, thus making the existing zoning incongruent with the variety of lot types in the area and making the proposed subdivided lot typology more commonplace in this mix of lot scales. This indicates a need for zoning reform for this residential area in Roslindale to provide greater relief for differing residential lot types since a level of variability has allowed for a dynamic design character in this area.

A 0.5 floor area ratio (FAR) maximum and a 35 ft height maximum are required within this subdistrict (Art. 67, Sec. 9). The 2F-5000 subdistrict also forbids “Three family detached dwelling” uses (Art. 67, Sec. 8). As stated in the Planning Context, this block includes a variety of building types in terms of height, scale, and density of residential units, including properties that are of similar height and 3-unit dwellings. The proposed residential use and related building scale are appropriate when considering the precedents and diversity of buildings in the surrounding context. This indicates a need for zoning reform for this residential area in Roslindale to provide greater relief for the denser residential land uses, especially if the proposed scale of those land uses is in keeping with the variety of scales present in the area or that align with the broader public realm.



As stated in the Planning Context, the proposed off-street parking design would result in a significant loss in potential usable open space that would come from the demolition of the existing rear garage. In addition, the proposed parking spaces of this property abutt the other residential properties along the northwestern side yard line and southwestern rear yard line. A 10 ft side yard minimum and a 1,750 sq ft usable open space minimum per dwelling unit are required within this subdistrict (Art. 67, Sec. 9). This project has an insufficient side yard of 3.3 ft on the northwestern side of the lot and an insufficient usable open space per dwelling unit of 236 sq ft as indicated in the project plans.

Due to the paved driveway and rear parking area to maneuver into 6 parking spaces, an excessive amount of paved space is proposed and requires further site review to reduce its impact on adjacent residential properties as well as increase the amount of usable, preferably landscaped or permeable open space. Additionally, the Roslindale Neighborhood District encourages that “Any off-street parking facility or lot, off-street loading area, or accessory storage area that abuts [...] (c) a Residential Subdistrict or Residential Use [...] shall be screened from view [...] Such screening shall consist of trees and shrubs densely planted in a strip at least five (5) feet wide on the inside edge of a steel-picket or stockade or board-type wooden fence” (Art. 67, Sec. 30-2). As such, the proponent should consider a redesign of their proposed parking, landscaping, and rear yard plans to better accommodate the stated needs.

The Planning Department Transportation Planning Team also recommends site review of the parking design for this lot and the properties submitted in conjunction with it – 35 Wellsmere Rd (ERT1603126 / BOA1663380) and 39 Wellsmere Rd (ALT1603134 / BOA1663382) – to consider an alternative that creates a shared driveway and rear parking area for all three properties rather than the existing plan which requires a curb cut for 35 and 37 Wellsmere Rd and a separate curb cut for 39 Wellsmere Rd. Such site review would potentially offer an alternative to creating two curb cuts rather than having one. It would also potentially provide an opportunity to consider a large northwestern side yard setback for this property if there is a singular driveway rather than this property creating a new driveway and curb cut.

Recommendation:

In reference to BOA1663382, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with attention to an increase in side yard to accommodate landscaped buffering or screening, an adjustment to the parking design to accommodate a greater amount of usable open space that



is not dedicated to parking maneuvering, potential adjustment of the shared driveway plan to access all three abutting lots, and greater detail in the landscaping plan for the site.

Reviewed,

A handwritten signature in blue ink, appearing to read "Annee Rando".

Planning and Zoning Director, Planning Department



Case	BOA1575584
ZBA Submitted Date	2024-02-28
ZBA Hearing Date	2024-12-03
Address	81 Lexington ST East Boston 02128
Parcel ID	0102918000
Zoning District & Subdistrict	East Boston Neighborhood 2F-2000
Zoning Article	53
Project Description	Erect a 3-story mixed-used building on a newly created 3,706 square foot lot. Building will consist of 1 local retail space at grade with 8 residential units above. The project scope includes basement units, balconies, and a common roof deck. Proposed demolition of the existing building is tied to a separate permit.
Relief Type	Variance
Violations	FAR Excessive Height Excessive (ft) Height Excessive (stories) Rear Yard Insufficient Side Yard Insufficient Existing Building Alignment Parking or Loading Insufficient Forbidden Use (MFR); Forbidden Use (Local Retail); Forbidden Use (Basement Units)

Planning Context:

The proposed project has its ZBA hearing deferred twice: first on 9/24/24 and then again on 10/29/24. The BPDA provided recommendations for denial without prejudice for both project iterations, citing design concerns relating to the project's proposed scale, setbacks, and excessive unit count as grounds for the denial. While the proponent has shared their intent to update the proposed project's designs to resolve that stated condition, those updates have yet to be submitted to/reviewed by ISD. Because of this, the BPDA's initial recommendation project remains here, unchanged.

The proposed project sits in an established residential area in the Eagle Hill area of East Boston. Its surroundings consist of 2.5-story to 4-story structures with single-family to multi-family residential uses and limited retail, restaurant, and commercial uses on the ground floors of several nearby corner lots. The site sits within a quarter-mile of several bus stops - including



those for the MBTA's 114, 116, 117, 120, and 121 routes - and is a half-mile from the MBTA's Airport Blue Line Station. It is also close (within a quarter-mile walk) to two community child care centers, Hugh R. O'Donnell Elementary, Mario Umana Academy K-8, Central Square Park, Eastie Farms, and East Boston's Shaw's grocery store.

The proposed project is sited on a corner parcel currently occupied by a 2.5-story three-family residential structure and a 38' x 50' surface parking lot. It seeks to demolish the site's existing structure and surface parking to erect a new 3-story mixed-use building, consisting of 8 dwelling units (including basement units and a common roof deck) and 1 ground-level local retail space. The recommendations of PLAN: East Boston (adopted January 2024) outline a need to improve access to neighborhood-serving retail and service amenities in residential areas, and support the development of small-scale commercial spaces on corner parcels within East Boston's neighborhood fabric (to support uses such as coffee shops, laundromats, etc.). The proposed project aligns with these planning goals.

The recommendations of PLAN: East Boston also promote the development of appropriately-scaled low-density residential infill, as a way to expand housing opportunities for East Boston residents and affirm the neighborhood's existing built character. Where possible, however, the PLAN recommends that preservation / renovation of the neighborhood's existing housing stock be utilized to accomplish these goals. While the proposed project does expand residential uses on the site (3 dwelling units existing, 8 dwelling units proposed), it does so in a way that exceeds the area's typical scale of building, with an occupancy greater than what currently exists in the site's surroundings (the area's largest residential structures have occupancies ranging from 4-6 dwelling units), and includes the razing of an existing residential structure. As a result, the proposed project creates a built scale that is out of scale with the area's existing urban form, and ultimately deviates from PLAN: East Boston's planning recommendations for residential areas.

Zoning Analysis:

The proposed project has been cited with 10 zoning violations relating to use, scale, and parking regulations. These citations are listed upon the project's most recent refusal letter, dated 2/27/24. Since that initial filing, updated zoning for the East Boston neighborhood was adopted by the Zoning Commission (on 4/24/24).



East Boston's updated zoning places the proposed project within an EBR-3 subdistrict. EBR-3 subdistricts allow a maximum building height of 3 stories/35' and permit residential uses up to 6 dwelling units on lots like 81 Lexington St that have a lot frontage greater than 55'. The proposed project does exceeds the updated zoning at a height of 3 stories/40' building height and 8 dwelling units proposed).

Updated zoning for the area also removes previously present dimensional regulations (such as maximum FAR, minimum lot area, and minimum usable open space) and replaces them with updated dimensional regulations based on building form and environmental performance items (including maximum building lot coverage, maximum building floor plate, maximum building width, maximum building depth, and minimum permeable area of lot). The zoning also recalibrates the requirements for previously present dimensional regulators (including for front, rear, and side yard setbacks) to better reflect the East Boston context.

In addition to its noncompliance with maximum building height and residential units, the project also proposes a built scale in excess of the majority of the updated dimensional regulations. Under new zoning, the project's violations would include excessive building lot coverage (75% permitted, 80% proposed), excessive building width (50' permitted, 75' proposed), insufficient permeable surface area of lot (15% required, ~10% proposed), insufficient front and side yards (3' required, 0' proposed), and insufficient rear yard (20.5' required, 20' proposed). The project's proposed building depth (70' permitted, 54' proposed) and building floor plate (3,000 square feet permitted, 2,938 square feet proposed) are the only dimensional figures in compliance with the updated East Boston zoning. These violations, together, result in an excessive building scale, out of context with the built character of the surrounding neighborhood.

Updated zoning for East Boston relaxes previously present use restrictions on basement dwelling units, when properties are not vulnerable to flooding (the proposed project does not sit in the City's Coastal Flood Resilience Overlay District), and allows ground floor retail on corner parcels like 141 Lexington. These conditions are commonly found throughout the site's surrounding area and East Boston, generally. The site's insufficient parking violation relates to the project's proposed zero-parking condition. While in violation of the area's zoning requirements (1:1 dwelling/space parking ratio required, totaling 8 required off-street spaces for the project), this condition is one commonly found throughout the Eagle Hill area, including on ~85% of the lots on the proposed project's immediately surrounding blocks.



While the project's proposed basement units, ground floor retail use, and lack of off-street parking are common neighborhood conditions contextual to the site, its dimensional violations (and the extent of their noncompliance - under both past and present zoning) point to a proposed building scale that significantly exceeds the site's surrounding built context. In this sense, the proposed structure is deemed an inappropriate addition to East Boston's Eagle Hill area.

Plans reviewed titled, "81 Lexington Street, Boston, MA 02128," prepared by 686 Architects on 9/11/23.

Recommendation:

In reference to BOA1575584, The Planning Department recommends DENIAL WITHOUT PREJUDICE. The proponent should consider a mixed-used project that maintains the proposal's ground floor retail space, but reduces its residential occupancy to no more than six dwelling units. Such a project should also amend the proposed structure's height, footprint, and setbacks to better align with the dimensional regulations of East Boston's updated zoning. .

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rana".

Planning and Zoning Director, Planning Department



Case	BOA1599326
ZBA Submitted Date	2024-05-07
ZBA Hearing Date	2024-12-03
Address	46 High ST Charlestown 02129
Parcel ID	0200419000
Zoning District & Subdistrict	Charlestown Neighborhood 3F-2000
Zoning Article	9, 62
Project Description	Add 3 units to an existing 5-unit building through a 3.5-story addition to the rear and side of the existing structure.
Relief Type	Conditional Use, Variance
Violations	Roof Structure Restrictions Parking or Loading Insufficient Height Excessive (stories) Height Excessive (ft) Usable Open Space Insufficient Nonconforming Use Change Use: Forbidden (MFR)

Planning Context:

This project was originally scheduled to go before the Zoning Board of Appeal on August 13, 2024. The Proponent filed revised plans and a new refusal letter was issued on October 1, 2024. The Planning Department then prepared an updated recommendation based on those updated plans in preparation for a ZBA hearing on October 8, 2024, but the Proponent requested a continuance until December 3, 2024. The Planning Department’s recommendation has not changed from the updated recommendation for the October 8, 2024 hearing.

This site is located within the Original Peninsula of Charlestown, and on a predominantly residential block, with a mix of 1- to 3-dwelling buildings. The proposed project is also within 0.5 miles of the Community College Green Line Stop and one block away from MBTA bus service along Main Street. High Street itself is an emerging mixed-use corridor, and the site is 500 feet away from Thompson Square, a key commercial and mixed-use destination in the neighborhood.



The site slopes down in grade by 13' from the front property line to the rear property line. Areas of the existing property not occupied by the building footprint is currently permeable surface with several well-established trees.

The proposal includes an addition to the existing 5-unit building, resulting in a total of eight units (for a net increase of three units). There are four 2-bedroom and four 3-bedroom units; PLAN: Charlestown (2023) recommended the creation of large housing units with 3+ bedrooms to create opportunities for families in addition to creating smaller units. PLAN: Charlestown focused on several areas for new development, including housing growth in Sullivan Square and along Rutherford Avenue and contextually within the Original Peninsula. Zoning updates in the Original Peninsula were very limited in scope.

The existing building does not have an official historic designation, but is in the MACRIS inventory; it was constructed in 1850 in the Greek Revival style. The proposal maintains this existing structure and advances goals from PLAN: Charlestown around preservation within the Original Peninsula.

This parcel is substantially larger than much of the surrounding context and the existing building adjoins a residential building with 10 condominium units. This neighboring building is also historic and has a 2-story addition to the rear. Given the slope of the site downward from the front to the rear, the proposed addition for this project is effectively four stories in the rear of the site, which is one story taller than the neighboring addition.

Additional recommendations for the Original Peninsula in PLAN: Charlestown include urban design guidelines. Some of these guidelines include: making the massing for proposed buildings similar to the surrounding buildings, avoiding partially covered parking, maximizing permeable surfaces and preserving existing on-site trees, and using material and massing differentiation to break down the scale of substantial additions. The proposed addition to the side of the building is substantially set back from the frontage along High Street, which maintains the appearance of the existing building on High Street. The addition to the rear steps down with the topography of the site and is of similar height and scale to the neighboring Abraham Lincoln Post 11 Memorial Hall and the Church to the rear of the site.

This site and existing building is appropriate for additional housing units due to the size of the parcel and the immediate surrounding context. However, some project elements are not in line with the urban design guidelines from PLAN: Charlestown, including the partially covered parking and the removal of existing trees.

Zoning Analysis:



Table A of Article 62 states that multi-family dwelling is a forbidden use in 3F subdistricts in Charlestown. The existing use of the site is multi-family (five units) and the proposed use is multi-family (eight units). Pursuant to Article 9 Section 2, a change in nonconforming use may be allowed provided that the Board of Appeal grants permission in accordance with the conditional use approval procedures in Article 6. These conditions include that the use will not adversely affect the neighborhood, there will be no serious hazard to vehicles or pedestrians from the use, no nuisance is created by the use, and adequate and appropriate facilities will be provided for the proper operation of the use.

Table F of Article 62 requires 1.0 loading bay for projects between 15,001 and 49,999 square feet; this proposed project is 18,042 square feet. Given the provided parking in the rear and the use of this site as only residential, it is not clear that a designated loading bay is essential for the functioning of the building. This is a case for zoning reform, where loading bays should not be required for residential uses, which is the case for areas regulated by Base Code. Neighborhood articles still largely require these loading bays for residential uses.

The project is cited for excessive height in both feet and stories. As proposed, the building is 52' (35' maximum) and 4 stories (3 stories maximum), which is the same as the existing condition. The neighboring property has a building with a similar form of a rear addition to a historic 4-story building, and similarly steps down in height along with the slope of the site. The proposed project is generally 1 story taller than this neighboring building as it steps down towards the rear. A portion of the building to the rear is also supported on columns above part of the parking area.

The applicant proposes 2 private roof decks; Article 62 Section 25 states that an open roof deck may not be constructed if the building height exceeds the maximum allowable building height. Many properties along this block and within the same zoning district also have roof decks while their height exceeds the maximum allowable building height.

The required usable open space is 4,906 square feet, and proposed is 3,819 square feet. The proposed open space is achieved through private patios and roofdecks for each unit. A common condition in this 3F subdistrict is a building occupying the majority of the property with leftover space devoted to parking, with usable open space through roof decks or patios.

Finally, parking is required at a 1:1 ratio for over 7 units in Charlestown. This parking requirement necessitates paving over the existing permeable surface on the site and removing



the existing trees, but the proposal does include permeable pavers for the parking area. However, Section 62-28 states that only "the additional number of dwelling units shall be counted in computing the offstreet parking facilities required." Given this provision, the project would only be required to construct three parking spaces, leaving additional room for preserving existing trees and providing ample usable open space.

The updated plans are titled "46 High Street Residences", prepared by Khalsa Design Inc., and dated September 24, 2024.

Recommendation:

In reference to BOA1599326, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review to reduce the number of parking spaces to the minimum required three spaces, fully enclose the provided parking, and preserve existing trees on the site.

Reviewed,

A handwritten signature in blue ink that reads "Amee Rana".

Planning and Zoning Director, Planning Department



Case	BOA1633160
ZBA Submitted Date	2024-07-29
ZBA Hearing Date	2024-12-03
Address	125 B ST South Boston 02127
Parcel ID	0601360000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	86
Project Description	Install a wireless rooftop cellular antenna and associated equipment on top of an existing penthouse.
Relief Type	Conditional Use, Variance
Violations	Use and Dimensional Regulations

Planning Context:

This project was previously reviewed by the Planning Department for the ZBA hearing on 11/19/24. Because no new plans have been submitted, the Planning Department’s recommendation has remained the same.

The proposed project seeks to install a wireless cellular antenna and associated equipment on the roof of an existing multifamily residential building at 125 B Street in South Boston. 125 B Street is a three-story multifamily residential building. The equipment will be placed on the roof of the rooftop penthouse to minimize issues with existing mechanicals on the roof. Although this area is zoned as MFR, this section of B Street contains a mix of uses that range from industrial, open space with Flaherty Park, and a range of residential uses of generally two to three stories.

Zoning Analysis:

The violation letter states a violation in regards to the use and dimensional regulations. Under Article 86, in a residential district, a rooftop or facade-mounted antenna is considered a conditional use, and it must also comply with the dimensional requirements in Section 86-6.

Specifically, the section requires that a roof-mounted antenna be set back 10 feet, or 10% of the roof depth (whichever is greater), from the roof edge.

However, the rooftop penthouse where the equipment will be installed is approximately 10’ by 10’ in size, which means it cannot meet the required 10-foot setback. Given this, a conditional



use permit and zoning relief should be granted. The penthouse is one of the furthest points from the street, which will help minimize its visibility from the public view. Additionally, design review will ensure that the antenna blends in with the existing building, following the guidelines in Section 86-4 to minimize its visual impact.

The plans reviewed are titled ALT1556264 Zoning Refusal Set 7-23-24.pdf and are dated 7/23/24. They were prepared by DISH Wireless and NB+C Engineering Services, LLC.

Recommendation:

In reference to BOA1633160, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review to ensure that the visibility of the equipment is minimized.

Reviewed,

A handwritten signature in blue ink, appearing to read "Amee Rana".

Planning and Zoning Director, Planning Department



Case	BOA1552298
ZBA Submitted Date	2023-12-08
ZBA Hearing Date	2024-12-03
Address	27 Dudley ST Roxbury 02119
Parcel ID	0903293000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	Article 50
Project Description	This project proposes converting an existing 6 unit building (3 stories plus a basement) into 7 units by splitting the existing Unit 3 into 2 units. The plans also show part of Unit 1 becoming part of Unit 2. All changes are internal.
Relief Type	Variance
Violations	FAR Excessive Lot Area Insufficient Additional Lot Area Insufficient Usable Open Space Insufficient Use: forbidden (MFR)

Planning Context:

This project was previously reviewed by the Planning Department for the ZBA hearings on 9/10/2024, 10/8/2024, and 11/19/2024. Because no new plans have been submitted, the Planning Department's recommendation has remained the same.

This project proposes converting an existing 6 units building (which is 3 stories plus a basement) into 7 units by splitting the existing Unit 3, which is split between the first and second story, into two units. The first story portion would become a studio unit and the second story portion would become a 1-bedroom unit.

There are also changes to Unit 1 and Unit 2 shown in the plans, but there are inconsistencies which make this aspect of this project unclear. In the plans which show the existing floor plan, both units are 3 bedrooms each with 2 bedrooms in the basement level and 1 bedroom on the first level. Both units have their own private stairwells to access the two levels of the units. In the plans which show the proposed project, the first level section of Unit 1 becomes part of Unit 2. This creates a few contradictions. Firstly, Unit 1 is still labeled as having 3 bedrooms, even



though there are only two bedrooms in the plan. Unit 2 is also labeled as 3 bedrooms even though it's shown as 4 bedrooms. Second, the private stairwell Unit 1 is still shown on in the basement level (making now a stairwell to nowhere). And finally, there is no way to access this new part of Unit 2 except through the common hallway, and so it acts as a separate unit and not part of Unit 2. It's important to clarify this because this new Unit 2 section appears to be potentially a separate unit, which changes the variance being requested. This change would also mean that Unit 1 loses access to sunlight, which decreases the quality of the unit.

The project is in a primarily residential area adjacent to the Campus High Community Facilities Subdistrict, which contains important community-based facilities such as Madison Park High. 27 Dudley ST is also well served by public open space amenities, with multiple parks, plazas, and urban wilds within a half mile.

One of the recommendations of the Roxbury Strategic Master Plan is to take advantage of opportunities for Transit-Oriented Development (placing higher density housing and mixed-use development near transit stations). As this project is less than half a mile from the Roxbury Crossing MBTA station, increasing the residential density at this location is in alignment with the recommendations of the plan.

This project is also in the Highland Park Architectural Conservation District. However, because all proposed changes are internal, landmarks review is not required.

Zoning Analysis:

The building is an existing non-conforming MFR use with 6 units in a 3F district. The proposed project would further the non-conformity by increasing the units to 7. However, as noted in the planning context, higher residential density is appropriate for this location.

It is not clear from the plans how the proposed project affects the FAR, as there are inconsistencies in the proposed gross floor area noted in the plan. If the project does have an FAR violation, it is minor. In addition, the visible height and massing would remain the same.

The project extends and worsens the existing usable open space requirement, as the zoning requires 650 sq ft of usable open space per unit (which would be 3,900 sq ft for the existing building and 4,550 sq ft for the proposed project). The project provides approximately 1,600 sq



ft of usable open space. However, as noted in the planning context, this area is well served by public open space amenity.

The project is also flagged for a lot size violation. The zoning requires 4,000 sq ft for 2 units and 2,000 sq ft for each additional unit, which would mean a 12,000 sq ft lot is required for the existing 6 unit use, and a 14,000 sq ft lot is required for the proposed 7 unit use. The lot however is 8,241 sq ft. However, the lot has sufficient space for 7 parking spaces (which complies with zoning) and some open space. Zoning reform may be needed to amend this zoning requirement.

This project is also in a Neighborhood Design Overlay District and a Boulevard Planning District. However, because all proposed changes are internal, design review is not required.

This recommendation was written using plans titled "ZBA Refusal Set - Revised Plan Submission," prepared by J. Peter Vanko. These plans were submitted and reviewed by ISD on 10/20/2023.

Recommendation:

In reference to BOA1552298, The Planning Department recommends DEFERRAL: adequate plans must be submitted for review.

Reviewed,

A handwritten signature in blue ink that reads "Amee Rando".

Planning and Zoning Director, Planning Department



Case	BOA1591933
ZBA Submitted Date	2024-04-19
ZBA Hearing Date	2024-12-03
Address	36 Akron ST 12 Roxbury MA 02119
Parcel ID	1201332000, 1201331000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	Article 50
Project Description	Combine two lots, demolish an abandoned 1-unit building, and construct a 5-story, 9-unit residential building.
Relief Type	Conditional Use, Variance
Violations	Additional Lot Area Insufficient FAR Excessive Height Excessive (stories) Height Excessive (ft) Usable Open Space Insufficient Front Yard Insufficient Parking or Loading Insufficient Use: Forbidden (MFR) NDOD Applicability

Planning Context:

This project was previously scheduled for the October 29, 2024 Zoning Board of Appeal hearing. The project has not changed, and the zoning violations remain the same. As such, the Planning Department recommendation from the deferred date is duplicated below.

This site is within a residential neighborhood of Roxbury, just over 1/4 mile south of Nubian Square, a key mixed-use transit hub for the City. The surrounding area is composed primarily of one-, two-, and three-unit buildings, with a handful of larger apartment buildings nearby. The site is just one block away from the PLAN: Nubian Square boundary, so it was not included in any recommendations from that planning initiative. However, the Roxbury Strategic Master Plan (“RSMP,” 2004) identifies transit oriented development as a key strategy for the neighborhood for both housing



opportunities and economic activity. Specifically, the plan cites that “Transit-Oriented Development offers the collateral benefit of lowering the need for parking and reducing traffic,” so a lower than 1:1 parking ratio is appropriate for this area. Additionally, the location of this site near a vibrant mixed-use hub, additional housing units are appropriate here.

The two parcels, if combined, would be larger than many in the area; the site would be 6,556 square feet. However, the parcelization within this same zoning district is relatively inconsistent, with sizes ranging from 800 square feet to over 10,000 square feet. Given the large parcel size here, a multi-unit development is appropriate.

The typical building typology in this neighborhood is a mix of one-, two-, and three-unit buildings, built to a maximum of three stories. However, there are several apartment buildings within two blocks of the site that range between six and fourteen units, each of which are built to four stories. The proposed project would be four stories along Akron Street, but the grade of the site drops more than ten feet from the Akron Street side to the rear/side, resulting in a five story building towards the rear/side. As a result of this height, the building includes an elevator, which increases accessibility to the housing units, particularly for senior citizens and people with disabilities. The RSMP specifically identifies for housing that “it is a priority for Roxbury residents that neighborhood housing strategies also take into consideration the requirements of elderly and disabled persons.”

There are several large trees on the site, many that buffer between the existing properties and the neighboring building along Regent Street, and one prominent tree at the corner of the parcel on Regent Street and Akron Street. The RSMP calls for new construction to respond to the existing topography and retain natural features like large trees, so this should be a continued consideration in future design review of the project.

Finally, while Inclusionary Zoning took effect for all new projects with 7 or more units on October 1st, 2024, this project was originally filed before that date, when the City’s Inclusionary Development Policy applied to projects with 10 or more units.



Zoning Analysis:

Multifamily Residential is a forbidden use in this 3F-4000 subdistrict of Roxbury. However, there are small apartment buildings within this same subdistrict containing between 6 and 14 units. Given the location of the site and the size of the parcel, multifamily residential is an appropriate use for the site.

The proposed nine units require an additional 14,000 square feet of lot area (2,000 per additional unit over two units). The additional area available on the lot is 2,556 square feet, meaning only three units could be built as-of-right. Additionally, many of the surrounding parcels three or more units would be in nonconformity with this requirement. This is an area for zoning reform, where additional lot area is not reflective of the existing conditions for the area.

The proposed FAR for this building is 1.79, and the maximum allowed in this 3F-4000 subdistrict is 0.8. Many properties in the same subdistrict and near this site exceed the maximum FAR of 0.8, and are typically under 2.0. The proposed project exceeds the allowable height in both feet (35' max, 38' proposed) and stories (3 max, 4 proposed). The majority of nearby properties with one-, two-, and three-unit buildings comply with both height requirements. However, two apartment buildings in the same subdistrict and several others within two blocks of the site are built to four stories. The excessive height for this proposed project is further exacerbated because of the slope of the site. Along Akron Street (front of the property), the building is four stories and 38' tall, but to the rear of the site and visible from Regent St (side/front of the property) the building is five stories and 47' tall. This site is a corner parcel, so additional height may be appropriate at such a prominent location. There is precedent in the surrounding two blocks of corner parcels occupying a larger area of the lot, buildings with 0' setbacks at front lot lines, and exceeding the allowable height at four stories.

This site sits within a Neighborhood Design Overlay District, so design review by the Planning Department is recommended. Design review should look closely at the fenestration and materiality to minimize the impact of the building's height, particularly on the sloped-down side.



The minimum usable open space required for this project is 650 sf/unit, resulting in a total of 5,850 square feet. However, the proposed combined parcel is just over 6,500 square feet. The proposed project includes 348 sf of open space per unit through a combination of some private balconies and a large rooftop open space. There are also some landscaped open space areas at grade level, but the usability of these spaces is questionable because of the slope of the site and the retaining walls to manage the change in topography. Again, there are several large trees on the site, and further design review should confirm that they are maintained and that an appropriate landscaped buffer is provided to screen from the neighboring building on Regent Street.

The minimum front yard setback is 20' and the project proposes 13.5' along Akron Street and 10' along Regent Street. A rear yard setback is not indicated on the plans because this is a lot bounded by public ways on three sides of the parcel. Front yard setbacks in the surrounding area are typically closer to 5', clearly indicating a need to update zoning to reflect the built context.

The project is required to provide ten parking spaces (one per dwelling unit), but proposes seven parking spaces. Given the proximity to the nearby Nubian Square transit hub, this lower-than-required parking ratio is appropriate.

Plans reviewed are titled "36 Akron Street Boston MA 02119," prepared by Melton Ferre LLC, and dated October 15, 2024.

Recommendation:

In reference to BOA1591933, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review that plans be submitted to the Planning Department for design review with attention to fenestration and screening to minimize the impact of building height and to look at landscaping and retention of existing trees on the site.



Planning Department

CITY of BOSTON

Reviewed,

A handwritten signature in blue ink, appearing to read "Anne Rando".

Planning and Zoning Director, Planning Department



Case	BOA1643116
ZBA Submitted Date	2024-08-21
ZBA Hearing Date	2024-12-03
Address	13 Winship ST Brighton 02135
Parcel ID	2205507000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 2F-5000 (A)
Zoning Article	51
Project Description	Renovate an existing single-family residential building to change use to two-family by adding additional living space through a rear addition and by raising the roof to create an additional floor.
Relief Type	Variance
Violations	FAR Excessive Height Excessive (stories) Front Yard Insufficient Side Yard Insufficient

Planning Context:

This project was previously reviewed by the Planning Department for the ZBA hearing on 10/29/24. Because no new plans have been submitted, the Planning Department's recommendation has remained the same.

The proposed project seeks to renovate the existing single-family residential dwelling at 13 Winship Street in Brighton. The renovation includes adding living space through a rear addition and raising the roof to create a third floor. This will also convert the occupancy from single-family to two-family. The current structure is a two-story building situated on a narrow lot measuring 20 feet by 124.5 feet. The property is bordered by a public parking lot and three multi-family residential buildings at 7, 9, and 9R Winship Street that share a large parcel. Winship Street primarily consists of two-family and single-family homes. This project would further the goals outlined in Allston-Brighton Needs Assessment (January 2024) as it would create housing that is accessible as this site is accessible to the #57 and #65 bus routes, is an allowed use, and retains and improves an existing structure.

Zoning Analysis:



The refusal letter for this project states 4 violations: excessive FAR, excessive height in stories, insufficient front yard, and insufficient side yard.

Regarding the FAR, the maximum allowed FAR in a 2F-5000 (A) subdistrict is 0.8. This project proposes an FAR of 1.3, which exceeds the limit. Relief should be granted due to two factors: the creation of additional living space and the unusually narrow lot. The parcel measures approximately 20 feet by 124.5 feet, which is significantly narrower than the typical lot width of at least 30 feet for two-family residential buildings in this area. As the project is proposing the creation of living space similar in size to the existing two-family residential buildings on a smaller parcel, the proposed FAR is reasonable, and relief is warranted.

Regarding the height, the maximum allowed height in a 2F-5000 (A) subdistrict is 3 stories or 35 feet. This project proposes a height of 3 stories and 32 feet 10 inches. Since the proposed height is below the maximum allowed, this dimension complies with the zoning requirements and should not be considered a violation.

Regarding the front yard and side yard, the minimum front yard is 20 feet or conform with the existing building alignment and the minimum side yard is 10 feet. This project proposes a front yard of 1 foot, a west side yard of 2.1 feet, and an east side yard of 0.8 feet. However, these are existing non-conformities as the proposed project is an extension of the original structure. The building width will remain the same with the proposed changes. This is also a case for zoning reform to allow the extension of non-conformities, when the structure otherwise conforms to dimensional requirements and the existing non-conformities are not increasing, to incentivize retention and improvement of existing structures.

The plans reviewed are titled ZBA REFUSED EPLANS_13 WINSHIP ST_ALT1590805 and are dated 3/21/24. They were prepared by JCBT Architect.

Recommendation:

In reference to BOA1643116, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

A handwritten signature in blue ink, appearing to read "Anne Rando".

Planning and Zoning Director, Planning Department



Case	BOA1602742
ZBA Submitted Date	2024-05-15
ZBA Hearing Date	2024-12-03
Address	123 to 125 Broad ST Boston 02110
Parcel ID	0304041000
Zoning District & Subdistrict	Government Center/Markets Broad Street Protection Area
Zoning Article	32
Project Description	Change occupancy from brewery/restaurant, beauty salon, and offices to restaurant on the lower level with six (6) Residential units above. Scope includes reconfiguring floors 2 through 7 with new walls, finishes, kitchen/bathrooms, and FA/FP.
Relief Type	Conditional Use
Violations	GCOD Applicability

Planning Context:

The proposed project has been deferred by the ZBA three (3) times: first on 7/30/24, then on 9/24/24, and again on 10/29/24. Because no additional materials have been submitted to / reviewed by ISD since the project's initial Planning Department recommendation, the contents of this recommendation remain unchanged.

The proposed project sits in the Board Street Protection Area within the Government Center / Markets District, Downtown. The project site immediately abuts the Rose Kennedy Greenway and also lies within the City's Groundwater Conservation Overlay District (GCOD), Coastal Flood Resilience Overlay District (CFROD, Greenway Overlay District, and a Restricted Parking District.

The proposed project's scope of work includes a change of use - from a mix of office, retail, and service uses to residential uses with a ground floor restaurant - and full renovation of the site's upper stories (floors 2-7) - to install the necessary accommodations for the six proposed dwelling units. This project scope constitutes a "substantial rehabilitation" - which is germane to the regulations of the GCOD - and is supported by the planning goals of PLAN: Downtown (adopted December 2023): (1) to enhance access to housing Downtown; (2) to preserve

BOA1602742

2024-12-03

1 Planning Department



Downtown's historic building fabric; and (3) to promote active ground floor uses. No exterior alterations to the existing structure are proposed by the project.

Zoning Analysis:

The proposed project sits within the Groundwater Conservation Overlay District (GCOD) and has a project scope categorized by a Commissioner's Bulletin as a "substantial rehabilitation." This classification satisfies the applicability requirements of the GCOD, as set for in Section 35-5 of the Zoning Code, thus triggering a required GCOD review for the project. A proviso for GCOD review has been added to the recommendation on that basis.

Recommendation:

In reference to BOA1602742, The Planning Department 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).

Reviewed,

A handwritten signature in blue ink, appearing to read "Annee Rando".

Planning and Zoning Director, Planning Department