



Planning Department

CITY of BOSTON

MEMORANDUM

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

FROM: Joanne Marques
Regulatory Planning & Zoning

DATE: August 21, 2024

RE: Planning Department Recommendations

Please find attached, for your information, The Planning Department recommendations for the August 27, 2024 Board of Appeals Hearing.

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



Case	BOA1611722
ZBA Submitted Date	2024-06-05
ZBA Hearing Date	2024-08-27
Address	17 Linden ST Allston 02134
Parcel ID	2100689000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 3F-4000
Zoning Article	51
Project Description	Demolish existing 3-unit building and construct a new 5-story, 14-unit building.
Relief Type	Variance, Conditional Use
Violations	Usable Open Space Insufficient Parking design and maneuverability Existing Building Alignment Parking or Loading Insufficient Additional Lot Area Insufficient FAR Excessive Height Excessive (stories) Height Excessive (ft) Front Yard Insufficient Side Yard Insufficient Rear Yard Insufficient Use: Forbidden (MFR)

Planning Context:

17 Linden Street sits within a residential portion of Allston, one block away from the Allston Village Main Streets Area. The site is one block away from the high-frequency MBTA 66 Bus Route, and within 1/2 mile of the MBTA Worcester Commuter Rail Line and the B Branch of the Green Line. Given its location proximate to transit and the recommendations from the Allston-Brighton Mobility Study (2021), a parking ratio lower than the required 2 spaces/unit is appropriate here.

The existing 3-unit building on this site is set to the rear of the lot with the entire front yard paved over. The property is also larger than the typical properties in this neighborhood, sitting at 59' wide and 110' deep (typical condition is closer to 45' wide and 100' deep). The nearby existing properties are a mix of apartment buildings with over 4 units, and 1-, 2-, and 3-unit buildings. Immediately to the north of the site is a series of connected row homes spanning several lots,



and immediately to the south is a detached 3-unit building. Also within 1 block of this site are approved and/or under construction Article 80 projects at Allston Square, 20 Linden Street, and 22-24 Pratt Street, totaling over 900 residential units.

There are several planning initiatives either completed, underway, or forthcoming in Allston-Brighton. There has not been a recent planning study in this exact area of Allston, but the Allston-Brighton Needs Assessment (2024) identified needing better access to more high-quality housing in the neighborhood and more affordable housing. The proposed project is 14 units, so it would be subject to affordability requirements under the Inclusionary Development Policy and will require a Housing Agreement. The project will also be subject to accessibility requirements under building code due to the project size.

Given the size of this parcel and currently underutilized land, location proximate to transit and the commercial center of Allston Village, and density of existing and proposed housing in the immediate vicinity, additional housing density is appropriate at this location.

Zoning Analysis:

Multifamily use is forbidden in 3F subdistricts in Allston-Brighton; within this same block and 3F subdistrict, there are 9 multifamily properties. Given the size of the lot as well as the surrounding context, multifamily is an appropriate use here. This is also an area for future planning and zoning reform, to update residential unit allowances to better match existing conditions.

The project is cited for 11 dimensional zoning violations. Three violations are related to off-street parking; the proposed number of parking spaces is 6, and the required number of spaces is 28. However, given the location of this site proximate to transit, this lower parking ratio is acceptable. The parking is accessed through an open-air pass-through underneath the building along the southern side yard, and the spaces are partially covered underneath the building to the rear of the site. The other parking violations are related to design; all six spaces are proposed to be compact spaces at 7.5' wide and 18' deep. Pursuant to Section 51-56.5d, no more than 50% of spaces may be between 7'-8.5' wide and 18'-20' deep. This noncompliance is cited in two different violations: one for parking space dimensions and one stating that all spaces are compact spaces.

The required lot area for this proposed project is 28,000 square feet, but the lot is 6,490 square feet. However, given the number of proximate multifamily buildings on lots of a similar or smaller



size, this dimensional regulation is out of date. The project is also cited for several massing-related dimensional violations, including excessive FAR (0.8 allowed, 2.96 proposed) and excessive height in feet (35' allowed, 52' proposed) and stories (3 allowed, 5 proposed). The FAR and height of the surrounding buildings and blocks generally exceed the zoning allowance, with many buildings having an FAR between 2 and 3, and heights between 35' and 45'. These zoning requirements are misaligned with the existing context, and are an area for future zoning reform.

Finally, this proposed project has several violations related to setbacks and open space. The project violates front yard (20' required, 2' proposed), rear yard (30' required, 8.7' proposed), and side yard (10' from existing structure, 9.2' proposed; 5' from side lot line, 4' proposed; 15' aggregate, 10.1' proposed). Nearby properties generally comply with the side yard and rear yard requirements, with rear yard space primarily used for parking or open space. For the front yard, this project also violates Section 51-57.2 Conformity with Existing Building Alignment. Many of the properties along this block do not have a 20' front yard setback, but rather are set closer to the street within a range of 4'-15'. The plans themselves were cited for not providing enough information to verify conformity with existing building alignment.

The proposed project is not compliant with minimum required open space (9,100 square feet required, 675 square feet proposed). 9,100 square feet of open space is infeasible due to the lot only being 6,590 square feet. However, the proposed 675 square feet is only achieved through one private deck and the landscaped side yard buffers. The existing site is currently covered entirely by the existing structure and pavement across the entire yard. A new project at this location presents an opportunity to provide usable open space for future building residents. This project could be improved by increasing usable open space and increasing side and rear setbacks to create a more contextually sensitive building, keeping in mind that some of the dimensional regulations in Article 51 are out of date and do not match the existing context.

Plans reviewed are titled "Linden Street Residences", prepared by KDI Architecture, and dated May 28th, 2024.

Recommendation:

In reference to BOA1611722, The Planning Department recommends DENIAL WITHOUT PREJUDICE While the proposed use is generally appropriate here, the proponent should consider a new project that increases usable open space, increases side and rear yard



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setbacks, improves the design of off-street parking, and provides detail for conformity with existing building alignment.

Reviewed,

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Planning and Zoning Director, Planning Department



Case	BOA1599867
ZBA Submitted Date	2024-05-08
ZBA Hearing Date	2024-08-27
Address	750 to 754A Adams ST Dorchester 02122
Parcel ID	1603617000
Zoning District & Subdistrict	Dorchester Neighborhood LC
Zoning Article	65
Project Description	Expanding capacity for existing restaurant with takeout from 151 to 180 seats and adding Live Entertainment after 10:30 PM as a use.
Relief Type	Variance, Conditional Use
Violations	Parking or Loading Insufficient Extension of Nonconforming Use Use: Forbidden (Restaurant with Live Entertainment after 10:30 PM) Use: Conditional (Restaurant with Takeout)

Planning Context:

The applicant seeks to increase the capacity for an existing restaurant with takeout and add live entertainment after 10:30 PM, without any changes to the exterior of the building. This site is located within the Adams Village area of Dorchester, along a commercial street with restaurants, retail, and consumer services. The site is within 1/2 mile of the Ashmont Red Line Station and within 1/4 mile of 3 MBTA Bus Routes. The existing restaurant occupies the entirety of the parcel and does not provide off-street parking, similar to many of the commercial properties in this area. The proposed live entertainment is indicated as an acoustic musician area on the project plans, set near the front entrance to the restaurant. The buildings on either side of the restaurant and across the street include commercial businesses.

Zoning Analysis:

The project is cited for not providing the required 37 parking spaces pursuant to Table F of Article 65. Although no structural changes are proposed for the building itself, parking minimums for restaurants are determined on a per-seat basis, so the increase in seating capacity increases the minimum required parking spaces. The existing use does not provide parking and



the building occupies the entirety of the lot; there is no feasible way to provide parking on-site without demolishing part of the existing structure.

Restaurant with takeout is a conditional use in Local Convenience subdistricts in Dorchester. The extension of this nonconforming use does not increase the volume or area of the nonconforming use. Pursuant to Section 9-1, such use may be extended if the Board of Appeal grants permission for such extension in accordance with Section 6-2, 6-3, and 6-4. This restaurant with takeout use will not ostensibly adversely affect the neighborhood, be a hazard to vehicles or pedestrians, or create a nuisance.

Finally, restaurant with live entertainment after 10:30 PM is a forbidden use in Local Convenience subdistricts in Dorchester. However, the only subdistricts in Dorchester where this is allowed is Local Industrial, and the only subdistricts where this is conditional is community commercial. These subdistricts exist mostly on the periphery of Dorchester, and not within many of the commercial centers. Given this lack of opportunity for late-night entertainment within the neighborhood commercial centers and the active uses in this particular area, it may be appropriate to reform the zoning for this area to better reflect existing conditions. The operator will also be required to receive a live entertainment license through the Boston Licensing Board, which will include additional community engagement to ensure that the specifics of the live entertainment proposed (including hours of operation) are appropriate.

Plans reviewed are titled "Chubs Taco & Tequila Bar", dated January 11th, 2024, and prepared by SOUSA Design Architects.

Recommendation:

In reference to BOA1599867, The Planning Department recommends APPROVAL.

Reviewed,

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Planning and Zoning Director, Planning Department



Case	BOA1598937
ZBA Submitted Date	2024-05-06
ZBA Hearing Date	2024-08-27
Address	2 to 6 Readfield PL Roxbury 02119
Parcel ID	0803075000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-5000
Zoning Article	50
Project Description	Erect a new three-story, seven-unit, residential building with a two-car garage, and six surface parking spaces.
Relief Type	Variance
Violations	Additional Lot Area Insufficient Lot Frontage Insufficient Lot Width Insufficient FAR Excessive Usable Open Space Insufficient Rear Yard Insufficient Side Yard Insufficient Front Yard Insufficient Limitation of Area for accessory use (parking) Use: forbidden (MFR)

Planning Context:

The proposed project is located on a flat, U-shaped parcel that wraps around the end of an approximately 150 foot, dead-end private way. The private way extends northward from West Cottage Street. The proposed building is a 3-story, L-shaped building sited on the western and northern portions of the parcel, and the six surface parking spaces extend along the eastern portion of the parcel. There is a two-car garage on the southwest end of the building resulting in a total of eight parking spaces. Currently, the site has a vacant outbuilding and substantial tree cover and is assessed as "Residential Land."

Abutting the proposed site to the south are two 3-story, 3-family residential buildings and one 2.-5 story residential building that faces West Cottage Street. To the east are 2- and 2.5-story



residential buildings along Brook Avenue, to the west are 2.5- and 3-story residential buildings, and to the north is a vacant lot with access off of Woodville Terrace.

The Roxbury Strategic Master Plan (RSMP) adopted in 2004 establishes four housing goals for the neighborhood, including to “Design and plan innovative housing,” consistent with the creative approach to infill housing proposed by this project. The RSMP also establishes urban design principles for new housing, including “New building types should be compatible with the predominant character of the existing housing in each sub-neighborhood,” requiring close attention to the neighborhood context, as well as the zoning context for the proposed site.

Zoning Analysis:

The zoning violations can be organized into three main categories related to the siting of the building, density, use, and parking.

In terms of siting, the proposed project is cited for violations related to minimum additional lot area (2,500 sf required, 788 sf proposed); minimum lot frontage (50' required, 12' proposed), minimum useable open space per unit (650 sf required, 381 sf proposed), minimum front yard (20' required, 4' proposed); minimum side yard (10' required, 3' proposed); and minimum rear yard (30' required, 15' proposed). The shape of the proposed site is unique with relatively long, slender buildable areas that surround the private way. This shape creates constraints that rationalize zoning relief - if the project were to meet the setback requirements, the buildable area would be very limited and potentially prohibit reasonable use. In addition, under current conditions, the proposed building is mostly surrounded by the back yards of abutting properties. The nearest building, the westernmost, 3-story residential building fronting West Cottage Street, would be approximately 16 feet away from the proposed building. The existing abutting building has a small, non-compliant rear yard that contributes to this proximity. In addition, the existing buildings to the west of the proposed site along Woodville Street have approximately 5-10 feet between them, significantly less than is required by zoning. Similarly, the buildings along West Cottage Street have narrower side yards than are required. Zoning relief is recommended.

In terms of density, the proposed project is cited for violations related to maximum FAR (0.8 required, 1.26 proposed). Given that the height is zoning compliant and the front and rear setbacks are appropriate, subsequent to a shift in the side yard setback will yield an appropriate FAR. In addition, there are several abutting properties with FAR greater than 0.8. Two of the three residential buildings that front West Cottage Street have FAR greater than 1.1. Zoning relief for FAR is recommended.



In terms of use, the project proposes Multifamily Residential in a 3-family subdistrict. The proposed use only increases the availability of housing to more households and does not introduce new incompatibilities between uses, such as an industrial use next to a residential use. Given the City's citywide goals to increase housing options, zoning relief for the proposed use is recommended.

The project is also cited for a violation of Article 10, Section 1, requiring that off-street parking be located more than five feet from the side lot line. The side lot line in question is the eastern edge of the proposal which abuts the approximately 100-foot deep rear yards of existing residential buildings. The proposed project includes a 6' privacy fence separating this lot line from the existing yards. The exact distance between the proposed surface parking and the side lot line is unclear based on the materials provided, however, one of the surface parking spaces seems to extend directly to the lot line. Given the unique condition of this side lot line abutting relatively deep rear yards, zoning relief is recommended for the off-street parking located less than five feet from the side lot line. However, staff recommend Planning Department design review to shift the location of the surface parking southward to create more open space near the building entry and to improve the safety and design of the walkway from the surface parking to the front entry.

Recommendation:

In reference to BOA1598937, the Planning Department recommends APPROVAL WITH PROVISIO: plans should be submitted to the Planning Department for design review with special attention to reducing or shifting the surface parking southward to create open space near the building entry and to improving the safety and design of the walkway from the surface parking to the front entry.



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Reviewed,

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Planning and Zoning Director, Planning Department



Case	BOA1621504
ZBA Submitted Date	2024-07-01
ZBA Hearing Date	2024-08-27
Address	29 Jenkins ST South Boston 02127
Parcel ID	0700594000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Erect a rear addition with new rear balconies and a roofdeck. Change the legal occupancy from three-family to four-family dwelling.
Relief Type	Variance, Conditional Use
Violations	Roof Structure Restrictions Height Excessive FAR Excessive Parking or Loading Insufficient Rear Yard Insufficient Residential use extensions in rear yard

Planning Context:

The proposed project is located on a residential street in South Boston lined with 4-story, 3-story, and 2-1/2-story dwellings. The project is located 0.3 miles from the Andrew MBTA T-stop and 0.2 miles from the MBTA bus network on Dorchester St. The project's location is also situated less than 0.5 miles from Andrew Square which has restaurants, retail stores, and services.

The proposed project includes a rear addition to the existing semi-detached dwelling, rear decks, and a roof deck, changing the occupancy of the dwelling from a three to four family dwelling.

This project was filed in conjunction with BOA1621505 – the adjacent semi-detached dwelling is proposing the same rear addition. The proposed massing and use changes are consistent with the existing neighborhood context.

The proposed project retains and adapts existing structures for ongoing residential use, thereby supporting density near transit and commercial services as outlined in GO Boston (September 2017) and Imagine Boston (September 2017). In addition, the proposal retains the existing



building, decreasing the embodied carbon of the project aligning with Boston's Climate goals of decreasing carbon emissions as outlined in the City's 2019 Climate Action Plan.

Zoning Analysis:

The project does not comply with Article 68's maximum FAR. The required maximum FAR is 2.0 and the proposed project has an FAR of 2.9 due to the proposed rear addition. Additionally, the proposed addition triggers the conditional use outlined in Section 68-8.4 (Residential Use Extensions in Rear Yards), as it increases the GFA by more than 1,000 square feet. As outlined in the planning context, the proposed addition is consistent with the existing context as adjacent buildings have added additions to their rear yards. This is a case for zoning reform to have dimensional regulations that reflect the existing built context.

The project is not compliant with Article 68's maximum height. The proposed project is marginally greater than the maximum required height of 40' at 44'. This is an existing nonconformity that is not being exacerbated by the proposed changes.

The proposed project does not meet the minimum street parking requirement of 1.5 spaces per unit, with 0 spaces per unit. Adding parking spaces would not be feasible as the existing structure covers the entire lot frontage so the site could not accommodate a driveway. The proposed number of parking spaces align with Boston Transportation Department's maximum parking ratio of no more than 0.75 per unit. Additionally, this reduction aligns with GO Boston 2030's goal of reducing reliance on private vehicles. This is a case for zoning reform to align parking requirements with city mobility policies.

The proposed roof deck triggers Section 68-29's Roof Structure Restrictions as the roof deck is being erected on an existing residential building and alters the profile and configuration of the roof. However, the proposed roof deck minimally alters the roof line and is located at the rear of the building so is not visible from the street. Additionally, many of the dwellings on the street have roof decks so the proposal is in keeping with the existing neighborhood context.

The proposed addition in the rear yard also triggers the conditional use outlined in Section 68-8.4 Residential Use Extensions in Rear Yard as the proposal is increasing the GFA by more than 1,000 square feet. As outlined in the planning context, the proposed addition is consistent with the existing context as adjacent buildings have added additions to their rear yards. This is also a case for zoning reform to have dimensional regulations that reflect the existing built context.



Recommendation:

In reference to BOA1621504, The Planning Department recommends APPROVAL.

Reviewed,

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Planning and Zoning Director, Planning Department



Case	BOA1608544
ZBA Submitted Date	2024-06-03
ZBA Hearing Date	2024-08-27
Address	1271 Boylston ST Boston 02215
Parcel ID	0504208000
Zoning District & Subdistrict	Fenway Neighborhood North Boylston NS-2
Zoning Article	66
Project Description	Proponent is seeking to extend existing zoning relief for open air parking lot for a fee use.
Relief Type	Conditional Use, Variance
Violations	Forbidden Use Conditional Use

Planning Context:

The site is a two-story hotel with a restaurant and two open air parking lots. The parking lots that are used for public ancillary parking exist on opposite ends of the hotel building accessible through Boylston St. The proponents are seeking to extend the long-standing zoning relief they presently have, which grants parking up to 80 spaces, but with a decrease to 35 spaces for this use. The site is located across the street from the Fenway Park stadium. The prominent uses across the neighborhood include high density housing, restaurants, retail, and ancillary parking for Fenway Park when events are held.

Zoning Analysis:

Since 2002 the property has had approval from the Zoning Board of Appeal (BOA) for use of paid public parking on site which may be used for events in Fenway Park. In 2018 the BOA authorized the use for public parking of 80 vehicles for an additional 5 years which was set to expire on April 10, 2023. This deadline was automatically extended to July 15,2024 by the Massachusetts State Legislature’s “COVID Act”. The BOA Voted to confirm this extension on July 26, 2022. The proponent is now seeking further renewal of this relief, which would allow the use of paid public parking to continue at a reduced number of 35 parking spaces due to recently added camping truck modular structures for hotel use on former parking spaces. The proponent is not seeking to change any uses or make any improvements to the existing site with this application. This site has a violation of forbidden use in commercial open air parking lot for a fee



use. Although this use is forbidden under the zoning code there has been a long standing relief granted by the BOA allowing it. This relief can be extended for the number of 35 parking spaces rather than the former 80 spaces. The site also needs extension of a conditional use for open air parking for a fee parking. This has also been granted by a longstanding relief and can continue to be extended for 35 parking spaces rather than the former relief of 80 spaces.

Recommendation:

In reference to BOA1608544, The Planning Department recommends APPROVAL.

Reviewed,

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Planning and Zoning Director, Planning Department



Case	BOA1577880
ZBA Submitted Date	2024-03-07
ZBA Hearing Date	2024-08-27
Address	61 Gladstone ST East Boston 02128
Parcel ID	0101950000
Zoning District & Subdistrict	East Boston Neighborhood 2F-7000
Zoning Article	53
Project Description	Change use from two units to three units, add a new rear exterior stair connecting to the third level, and make life safety upgrades to the existing building.
Relief Type	Variance
Violations	Off-Street Parking Insufficient Use: Forbidden

Planning Context:

The property is located in Orient Heights, a residential area on the north side of East Boston that was recently comprehensively rezoned to implement the recommendations of PLAN: East Boston, which was adopted by the BPDA Board on January 18, 2024. PLAN: East Boston recommends that most of Orient Heights is consolidated as a subdistrict with a low maximum lot coverage requirement, larger setback requirements, and smaller maximum building dimensions to affirm the existing built character of Orient Heights. Modest increases in height and density would be concentrated only near the Suffolk Downs and Orient Heights MBTA stations.

This property is located just outside of the areas that were designated for a modest increase in density. It falls within the new EBR-2.5 district, which allows a maximum of two units per lot. Prior to rezoning, this property was within the 2F-7000 zoning subdistrict.

The proponent is also seeking to make life safety upgrades to the existing building, which help improve the safety of all housing and help avoid displacement and damage that may result from fires.

Zoning Analysis:

This proposal was submitted in March 2024 under the previous zoning, and this parcel was



designated under the 2F-7000 subdistrict. The East Boston zoning amendment was adopted by the Boston Zoning Commission on April 24, 2024, and now this parcel is designated under the EBR-2.5 zoning district.

The zoning amendment consolidated subdistricts 1- and 2F-7000, 1F-5000, 1F-4000, and portions of 2F-5000 and -7000 subdistricts into a single sub district (EBR-2.5) that would allow up to two units per lot and a maximum building height of 2.5 stories covering most of the area's uphill geography. Only the southeastern portions of the area, closer to the Blue Line stations, were designated for a modest increase in density and height, becoming part of the EBR-3, where buildings with up to three units are now permitted, and EBR-4 subdistricts, where multi-family is permitted.

The proponent is seeking to change use from two units to three units. Both under the previous zoning for the 2F-7000 subdistrict and under the updated zoning for the EBR-2.5 subdistrict adopted by the Zoning Commission in April 2024, and according to Article 53 Table A, three dwelling units are forbidden. The mapping of zoning districts, including limiting the area where 3 units are allowed, in Orient Heights was a focus of intense community interest and participation during PLAN: East Boston, and it is important to uphold both these planning and zoning recommendations.

Even though insufficient off-street parking was a violation for subdistrict 2F-7000 under the previous zoning, it would no longer represent a violation under the updated zoning. According to Article 53 Table L, no off-street parking spaces are required for residential buildings with 1 to 3 units.

Recommendation:

In reference to BOA1577880, The Planning Department recommends DENIAL.



Reviewed,

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Planning and Zoning Director, Planning Department



Case	BOA1622887
ZBA Submitted Date	2024-07-05
ZBA Hearing Date	2024-08-27
Address	246 Bremen St East Boston 02128
Parcel ID	0106355000
Zoning District & Subdistrict	East Boston Neighborhood 3F-2000
Zoning Article	53
Project Description	This project proposes an addition on the top and rear of an existing 2-unit, 3-story building. The addition would add living space to the rear of all 3 existing floors and add a 4th floor. The units would be reconfigured so the building would become 4-units. The rear addition would also include a deck attached to each unit that will serve as an additional means of egress.
Relief Type	Variance, Conditional Use
Violations	GCOD Applicability FAR Excessive Side Yard Insufficient Additional Lot Area Insufficient Height Excessive (ft) Height Excessive (stories) Usable Open Space Insufficient Rear Yard Insufficient Parking or Loading Insufficient Use: forbidden (MFR) Floor Hazard District (Article 25)

Planning Context:

Plan: East Boston, which was adopted by the BPDA Board on March 14, 2024, states that in the area where this project is located, Eagle Hill and Paris Flats, "Many buildings... are three stories tall and contain up to three units. Rear-yard additions, like enclosed rear decks, are common. Examples of fourth story additions exist in the area but are much less common. Most buildings are close to the sidewalk edge, if not immediately abutting it, and are close to each other." The area immediately surrounding this project has a very consistent built form, with heights of 3 stories, front yards of around 3 ft (with bay windows encroaching 0 ft from the front lot line), side yards of around 1-3 ft, and rear yards of around 25 ft.



PLAN: East Boston identifies this area as one where greater heights are appropriate, as Bremen St as one of three main corridors which connect the neighborhood's squares (Bremen St specifically connects Maverick Square and Day Square). The plan's recommendations for the Squares and Corridors areas includes concentrating added height and density in these areas near transit. The plan states that "directing added height and density to East Boston's Squares and Corridors is related to preserving low-scale development in neighborhood residential areas. Added height and density are appropriate in Squares and Corridors for two reasons. First, all Squares and Corridors in East Boston are well-served by transit. Promoting height, density, and a walkable and inviting public realm near transit is referred to as "transit-oriented development." Increased density near transit, in coordination with decreased parking requirements, helps reduce an overreliance on cars, a critical strategy for achieving safety, sustainability, and climate resilience goals." Because of its location in a Squares and Corridors area, the plan recommends rezoning 246 Bremen St in an EBR-4 district, which allows heights of 4 stories.

This project is located in the Coastal Flood Resilience Overlay District (CFROD). PLAN: East Boston states that "Climate change threatens existing housing in low-lying areas. Large portions of the Paris Flats, Maverick Central, and Harbor View are at particular risk of flooding—although nearly every part of East Boston has at least some portion located within the Coastal Flood Resilience Overlay District (CFROD)... The CFROD plays an important role in shaping new development. Proposed projects within the CFROD are subject to resilience review, which looks at the siting of mechanical systems, access, and ground floor elevation. For proposed projects in the CFROD, new or extended living space must be located above the Sea Level Rise - Design Flood Elevation." The plans do not show the lot's grade in relation to the Sea Level Rise-Design Flood Elevation, so it is not clear whether the proposed extension of living space would be under the SLR-DFE.

It is also not clear whether the project complies with the PLAN: East Boston recommended zoning required for permeable area of lot (30%) because a landscaping plan is not provided. It is especially crucial that this project has adequate permeable area because of its location in the Coastal Flood Resiliency Overlay District and Groundwater Protection Overlay District. PLAN: East Boston states that "permeable areas are needed to support groundwater recharge and limit stormwater runoff that contributes to neighborhood flooding and worsens water quality" and



that infill development in Neighborhood Residential areas should preserve privately-owned open space and increase permeable areas.

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

Zoning Analysis:

New zoning for this area to codify the recommendations of PLAN: East Boston was adopted on April 24, 2024. The notice for this new zoning was advertised on April 1, 2024, therefore projects that applied before this date were reviewed under the zoning in effect at the time. This project applied on February 13, 2024, and therefore the old zoning applies; however the updated zoning provides important planning context.

Under the 3F-2000 zoning in effect at the time of filing, the fourth story addition brings the building out of conformance with the height maximum of 3 stories / 35 ft. The increased floor area from the 4th story and rear addition increase the FAR to 1.88, which is over the maximum of 1.0. The rear addition and back deck also means the project is not compliant with the rear yard requirement of 30 ft, as there is only a 16.6 ft rear yard proposed. The addition of the fourth unit also means the project is also not compliant with the use regulations, which does not allow multi-family in this 3F district. Also, due to the additional unit, the project does not comply with the requirements for usable open space, parking, and additional lot area. The project also does not comply with the required side yard because of the existing non-conformity.

New Article 53 zoning places this project in an EBR-4 district, which allows 4 stories and has no limit on the number of allowed units, which means the project complies with new zoning in terms of height and use. The project does not, however, comply with the new Article 32 zoning for the rear yard setback, which is 26.7 ft for this lot (1/3 of the 80 ft lot), while the project proposes a rear yard of only 16.5 ft. As noted in the planning context, this is also not in alignment in the surrounding context.

New zoning does not restrict FAR, lot area, or usable open space, and instead regulates building width and depth, building lot coverage, building floor plate, and permeable area of lot. The project seems to comply with all of these dimensional requirements except for the permeable area of lot, which is not shown clearly in the plans. As noted in the planning context of this recommendation, adequate permeable area is vital for mitigating flooding in this area.



The project also does not comply with new Article 53 zoning for off-street parking, as one new parking space would be required for the new 4th unit. However, due to the narrow shape of the lot, there is no room for a driveway, and therefore a variance would be appropriate.

The project is located in the Groundwater Conservation Overlay District (GCOD). The purpose of the GCOD is to protect wood pile foundations of buildings from being damaged by lowered groundwater levels. Projects that fall within GCOD and involve the erection or extension of any structure designed or used for human occupancy or access, mechanical equipment, or laundry or storage facilities, including garage space, if such construction involves the excavation below grade to a depth equal to or below eight (8) feet above Boston City Base, are required to obtain a conditional use permit.

The project is also flagged for Article 25 (flood hazard district). It appears the project is not in a flood hazard district, but is in the Coastal Flood Resiliency Overlay District (Article 25A), which means that the addition or extension of Residential Uses below the Sea Level Rise-Design Flood Elevation (SLR-DFE) (21.5 ft in this case) would be prohibited under new East Boston zoning. The plans do not show the lot's grade in relation to the Sea Level Rise-Design Flood Elevation, so it is not clear whether the proposed extension of living space would be under the SLR-DFE.

Recommendation:

In reference to BOA1622887, The Planning Department recommends DENIAL WITHOUT PREJUDICE the proponent should consider a project which increases the rear yard to comply with updated Article 53 zoning regulations for rear yard and permeable area of lot. Project should also not extend the living area below the Sea Level Rise-Design Flood Elevation.

Reviewed,

Planning and Zoning Director, Planning Department



Case	BOA1613252
ZBA Submitted Date	2024-06-10
ZBA Hearing Date	2024-08-27
Address	13 to 17 Tanglewood RD Mattapan 02126
Parcel ID	1709750000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-6000
Zoning Article	65
Project Description	Construct four (4) three-story townhouses and a 12' driveway easement on a newly-created parcel.
Relief Type	Variance
Violations	NDOD Applicability FAR Excessive Height Excessive (ft) Height Excessive (stories) Usable Open Space Insufficient Side Yard Insufficient Rear Yard Insufficient Use: Forbidden (Rowhouse) Dimensional Regulations: Location of Main Entrance

Planning Context:

The proposed project intends to develop four connected townhomes and a 12' driveway easement on a 5,652 SF parcel. This project is proposed in conjunction with a separate Board of Appeal case to subdivide the existing 12,953 SF parcel at 1111-1113 Washington Street to create a 7,291 SF parcel at 1111-1113 Washington Street and a 5,652 SF parcel at 13-17 Tanglewood Road. The proposed project is located in an area with a mix of residential and commercial uses in the southern area of the Dorchester Neighborhood, near the town of Milton. The project site is approximately one and one-half miles south of Codman Square, and one-half mile south of the edge of the Codman Square Squares and Streets plan area. The project lies just outside the boundary of the PLAN: Mattapan plan area.



The proposed project introduces four housing units to a vibrant area with a mix of residential and commercial units. The site is located close to a variety of transit options (one block from four bus lines and one-quarter mile to the Red Line).

The following recommendation considers only the proposed townhouses on the new parcel at 13-17 Tanglewood Road. This recommendation does not consider the subdivision of parcels addressed in a separate Board of Appeal request (BOA1613247). This proposed subdivision and addition of parking to the 1111-1113 Washington Street parcel will also be considered in the August 27, 2024 Board of Appeal meeting.

Zoning Analysis:

The proposed project is located in the Dorchester Neighborhood District, in a Two-Family Residential (2F-6000) subdistrict pursuant to Article 65 of the Zoning Code. The refusal letter responds to eight zoning violations as well as the applicability of the Neighborhood Design Overlay District (NDOD): FAR Excessive, Height Excessive (ft), Height Excessive (stories), Usable Open Space Insufficient, Side Yard Insufficient, Rear Yard Insufficient, Use: Forbidden (Rowhouse), and Dimensional Regulations: Location of Main Entrance.

The violations for FAR, location of main entrance, and use are interrelated with respect to the proposed project. The 2F-6000 subdistrict implies that residential uses are limited to single-family and two-family residential structures. The required FAR is based on the development of these types of structures on lots measuring 6,000+ SF. The proposed development type, rowhouse/townhouse, is appropriate for the property given the need for infill housing development across the city, and units that can provide housing options for larger families, per goals addressed in *Housing a Changing City: Boston 2030*. Due to the location of this project in a Neighborhood Design Overlay District, the project will need to undergo design review at the Planning Department. Through the process of design review, the proponent and the Planning Department should also address the fenestration of the southern facade of the townhouse development to address the main entrance violation, and ensure that the design of the townhouses meets the context of the neighborhood. The insufficient open space on site is also tied to the use restrictions of the subdistrict. Due to the proximity of the project to the Neponset River Trail and Riverwalk, access to open space is still provided, and thus relief is recommended for this violation.



The proposed height of the development exceeds what is allowed by the zoning subdistrict by one story, at three and half stories. It is recommended that zoning relief be granted for this height as it allows the townhouses to provide additional bedrooms within each unit, creating units tailored to larger family sizes.

The side yard dimensions for this project should be reviewed in conjunction with the associated Board of Appeal case at 1111-1113 Washington Street. The proposed development may need to reduce the unit count by one unit to extend the side yard setback to a more compliant dimension. The rear yard of the parcel abuts a vacant lot at the end of the dead end Tanglewood Road. Zoning relief is recommended for this dimension given this unique circumstance.

The proposed project at 13-17 Tanglewood Road merits zoning relief based on the project and neighborhood context. However, the abutting parcel and project at 1111-1113 Washington Street contains violations that do not merit relief. Changes to the proposed project at 1111-1113 Washington Street, which shares a driveway easement with 13-17 Tanglewood Road, may affect this project and should be considered in conjunction with this case.

Recommendation:

In reference to BOA1613252, The Planning Department recommends APPROVAL WITH PROVISIO: plans should be submitted to the Planning Department for design review with consideration for the revisions required for the subdivision of the existing parcel at 1111-1113 Washington Street and addition of parking spaces. Proposed project at 13-17 Tanglewood Road may need to be changed to accommodate changes to the 1111-1113 Washington Street project.

Reviewed,

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

Planning and Zoning Director, Planning Department



Case	BOA1613247
ZBA Submitted Date	2024-06-10
ZBA Hearing Date	2024-08-27
Address	1111 to 1113 Washington ST Mattapan 02124
Parcel ID	1703750000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-6000
Zoning Article	65
Project Description	Existing 12,953 SF lot to be subdivided into two parcels 7,291 SF (1111-1113 Washington Street) and 5,662 SF (13-17 Tanglewood Road). Add four parking spaces on the lot at 1111-1113 Washington Street. Filed in conjunction with ERT1576571 to construct four townhouses on 5,662 SF lot with new address at 13-17 Tanglewood Road.
Relief Type	Variance
Violations	Limitation of Area for accessory use (parking) Parking or Loading Insufficient Rear Yard Insufficient Parking in the Front Yard

Planning Context:

The proposed project intends to subdivide an existing oversized parcel into two lots. The first lot, at 1111-1113 Washington Street, will measure approximately 7,301 SF, and the second lot, at 13-17 Tanglewood Road, will measure approximately 5,652 SF. This project is proposed in conjunction with a separate Board of Appeal case to construct four townhomes on the new lot at 13-17 Tanglewood Road. The portion of the lot to retain the address at 1111-1113 Washington Street contains an existing lodging house. Only this parcel will contain lot frontage on Washington Street. The parcel at 1111-1113 Washington Street will contain 88'-6" of frontage on Tanglewood Road. The newly created parcel at 13-17 Tanglewood Road will contain 68'-6" of frontage on Tanglewood Road. This project also includes the addition of four parking spaces on the 1111-1113 Washington Street parcel, two spaces to the north of the existing lodging house, and two spaces to the south. The proposed project is located in an area with a mix of residential and commercial uses in the southern area of the Dorchester Neighborhood, near the town of Milton.



The following recommendation does not consider the proposed development, only the subdivision and proposed addition of parking associated with this Board of Appeal request. The proposed construction at 13-17 Tanglewood Road will also be considered in the August 27, 2024 Board of Appeal meeting.

Zoning Analysis:

The proposed parcel division and addition of parking is located in the Dorchester Neighborhood District, in a Two-Family Residential (2F-6000) subdistrict pursuant to Article 65 of the Zoning Code. The refusal letter responds to four zoning violations: limitation on area of accessory use for parking, parking or loading insufficient, parking in the front yard, and rear yard insufficient. Given the location of the property at 1111-1113 Washington Street as a corner lot, with frontage on both Washington Street and Tanglewood Road, this parcel is considered to have two front yards. The placement of the two parking spaces to the south of the existing structure violates the zoning provision restricting parking in the front yard of a property. The existing structure at 1111-1113 Washington Street is a lodging house with 18 bedrooms and two two-bedroom units. There are 11 existing parking spaces to the rear of the site in what is proposed to become 13-17 Tanglewood Road.

The proposed project is located close to a variety of transit options (one block from four bus lines and one-quarter mile to the Red Line), and thus merits a reduced parking condition. However, a revised design is required to remove parking from the front yard of the property along Tanglewood Road.

Upon the proposed subdivision of the lot, the rear yard setback will measure 7.9' at its lowest dimension. The required rear yard setback for the subdistrict is 30'. The rear yard will abut a 12' driveway easement located on the parcel being established at 13-17 Tanglewood Road. This easement provides additional depth between the existing building and the new proposed structures on the divided parcel.

Recommendation:

In reference to BOA1613247, The Planning Department recommends DENIAL WITHOUT PREJUDICE. The proponent should consider a project that redesigns the parking location or remove parking so that parking is not located in the front yard.



Planning Department

CITY of BOSTON

Reviewed,

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

Planning and Zoning Director, Planning Department



Case	BOA1423752
ZBA Submitted Date	2022-12-15
ZBA Hearing Date	2024-08-27
Address	3 Half Moon ST Dorchester 02125
Parcel ID	1301036000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-5000
Zoning Article	50
Project Description	Convert an existing unoccupied basement into an ADU in an existing three-unit building.
Relief Type	Variance
Violations	Lot Area Insufficient FAR Excessive Parking or Loading Insufficient Use Regulations

Planning Context:

The property is located in Dorchester in a residential area with several surrounding multifamily buildings, and less than a 10 minute walk to the Uphams Corner station on the MBTA commuter rail. This property currently has a 3-unit building and the proponent is seeking to convert the existing unoccupied basement into an ADU (Accessory Building Unit), to increase the total unit count from three units to three units plus an ADU.

The proposed project intends to change use from three to four units. More housing is needed in this area close to transit and close to Uphams Corner. It is also important to highlight that the proponent is seeking to create an Accessory Dwelling unit or ADU, and that these are allowed citywide provided that there is no exterior change and that they are owner-occupied. Since the building is located on a hill, there is potential to convert the basement into an ADU with appropriate doors and windows. The converted basement would make a good living space because it can be adapted to include windows in every bedroom, an appropriate floor to ceiling height, and two doors: one leading to the side yard and the other one leading to a common entry hall on the ground floor.



The site currently has a driveway that fits two tandem parking spots, and therefore already has off-street parking. Moreover, since this property is located so close to transit, additional off-street parking spots are not essential. The Boston Transportation Department parking maximum policy indicates that this lot has a mobility score of 61 and therefore it is appropriate not to exceed 0 to 1 parking spot per dwelling unit for residential uses. The mobility score is based on the lot's proximity to transportation options, grocery stores, job accessibility, and walkability.

Zoning Analysis:

According to Article 50 Table H, residential uses require one parking spot per dwelling unit, which is less than what is currently available on the parcel. The parcel currently has two parking spaces, which is nonconforming relative to the three spaces required for the existing three units. Four spaces would be required for four units. However, due to the parcel's location close to transit, this amount of parking is unnecessary, presenting a case for zoning reform.

The lot area is 4,800 square feet. According to Article 50 Table F, 5,000 square feet are required for two dwelling units, and an additional 2,500 square feet are required for each additional unit. This means that 10,000 square feet would be required for four dwelling units. Most of the lots in this area are similar in size to the 3 Half Moon lot, which means that current zoning does not align with existing patterns and supports the need for zoning reform.

The Floor Area Ratio (FAR) is excessive, with the required maximum FAR being 0.8. The existing and proposed FAR is 0.86. Since the proposed alteration is not increasing the existing massing of the building, just converting basement storage space to living area, this should be considered acceptable.

According to Article 50 Table B, in a 3F subdistrict, the maximum number of dwelling units allowed in a single building is three; a greater number, up to four, is conditional. Because the parcel is located close to transit and Uphams Corner, and given the general need for more housing in this area, increasing the unit count to four is acceptable. This aligns with one of Fairmount Indigo Planning Initiative's key goals: expand & improve housing for a variety of socioeconomic and age groups

Recommendation:



In reference to BOA1423752, The Planning Department recommends APPROVAL WITH PROVISIO/S: that no building code relief be granted.

Reviewed,

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

Planning and Zoning Director, Planning Department



Case	BOA1599310
ZBA Submitted Date	2024-05-07
ZBA Hearing Date	2024-08-27
Address	157 O ST South Boston 02127
Parcel ID	0604140000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	The proponent seeks to convert an existing two-family dwelling to a single-family dwelling, and add a roof deck and headhouse. The basement will be finished and included as part of the proposed living space.
Relief Type	Variance
Violations	Side Yard Insufficient Roof Structure Restrictions

Planning Context:

BOA1599310 exists in a dense, residential area and is surrounded by all two-and-a-half story buildings with flat roofs. There are approximately nine properties surrounding this particular parcel with roof decks (adjacent and across the street). The neighborhood also has very minimal, to none at all, side yard allotments. The proponent seeks to convert the existing two-family dwelling (with a flat roof) to a single-family dwelling, and add a roof deck and headhouse. The basement will be finished and included as part of the proposed living space.

Zoning Analysis:

The current proposal currently has two zoning violations for minimum side yard requirements and roof structure restrictions. The minimum side yard requirement in the South Boston neighborhood district is three feet. While the existing north side setback meets the requirement, the south side setback only allocated 1.2 feet. This is an existing non-conformity and will not be extended or worsened by the proposed renovations. Additionally, the majority of the surrounding homes are built up against their lot lines as well for similar reasoning. This would be an example of zoning not reflecting the common zero lot line dimension of many existing structures. Given the goal of retaining existing and historic residential structures, this is a case for zoning reform



to better reflect existing neighborhood patterns. The second violation is for roof structure restrictions. According to the code, an appurtenant handrail, balustrade, hatch, or bulkhead must be set back horizontally, two feet for each foot of height of such appurtenant structure, from a roof edge that faces a street more than twenty feet wide. The handrail is 3 feet and 11 inches high and is set back 25 feet and 6 ¾ inches from the front of the building, and 8 feet and 2 ½ feet from the back of the building.

Recommendation:

In reference to BOA1599310, The Planning Department recommends APPROVAL WITH PROVISIO/S: that no building code relief be granted.

Reviewed,

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

Planning and Zoning Director, Planning Department



Case	BOA1595753
ZBA Submitted Date	2024-04-25
ZBA Hearing Date	2024-08-27
Address	549 Columbus AVE Roxbury 02118
Parcel ID	0402529010
Zoning District & Subdistrict	South End Neighborhood MFR/LS
Zoning Article	64
Project Description	Change occupancy from bookstore to office and include office space on the 2nd floor of the building.
Relief Type	Variance
Violations	FAR Excessive Use: Forbidden (Office on 2nd Floor)

Planning Context:

The proposed project at 549 Columbus Avenue is seeking to change the occupancy for the ground floor commercial space from bookstore to general office. 549 Columbus Avenue is a mixed-use building with one commercial unit located at the ground floor. This unit is currently vacant and was previously occupied by a coworking space and event venue space and a bookstore. The general office use will accommodate the Longfellow Design Build which is an architect and builder for the Greater Boston, Cape Cod, and New Hampshire area. While they have a few offices and showrooms throughout the region, mostly focused in Cape Cod, this will be one of their Boston offices. The basement will have space for a staff area, while the ground floor will have a conference room, meeting room, and kitchen to meet with clients. This commercial unit currently has a loft that takes up around 1/3 of the current floor plate that will be expanded to create a second floor to increase the amount of usable office space and add workstations.

The proposed project sits at the border of Roxbury and the South End and this portion of Columbus Avenue is filled with a combination of mixed-use row house buildings with ground floor commercial units that range from restaurants, real estate offices, and social service organizations such as ABCD South End and multifamily residential buildings.



Because this project sits a block outside the study area of the Roxbury Strategic Master Plan (January 2004), it would support the goals in Imagine Boston 2030 (July 2017) as it would help a small business expand and grow in Boston.

Zoning Analysis:

The refusal letter states two violations: one for a forbidden use and one for excessive FAR. Under Article 64, for an area zoned as MFR/LS, general office use is only allowed on the basement and first floor and is forbidden on the second floor. This is a case for zoning reform to allow commercial uses on different floors in more mixed-use settings to accommodate various types of configurations to support a wider range of businesses. As the first floor of the building will have space allocated for a conference and meeting room, the second floor space will be used to accommodate workstations for the staff.

The second violation involves exceeding the maximum allowed FAR due to the extension of the office gross area. Under Article 64, the maximum allowed FAR is 2.0. Without the floor plan for the residential unit, it would be difficult to calculate the overall FAR for the entire building. However, for the commercial unit, the FAR would be around 1.2. With the addition of 662 square foot for the new second-story workspace due to the expansion of the existing loft, along with the usable space in both the basement and the first floor, the overall FAR for the building is likely to exceed the maximum allowed 2.0 even though the massing of the building is not changing. However, relief should still be granted as the office space expansion allows for the small business to grow and accommodate additional staff members.

The plans reviewed are titled 549 Columbus Avenue and were prepared by Longfellow Design Build. They are dated March 1, 2024.

Recommendation:

In reference to BOA1595753, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

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Planning and Zoning Director, Planning Department



Case	BOA1624853
ZBA Submitted Date	2024-07-10
ZBA Hearing Date	2024-08-27
Address	53 to 85 Canal ST Boston 02114
Parcel ID	0301568000
Zoning District & Subdistrict	Central Artery Special Bullfinch Triangle
Zoning Article	11, 49
Project Description	Replace an existing billboard with an updated version whose structure takes up less space.
Relief Type	Variance
Violations	Signs Non-Residential District Billboard Signs

Planning Context:

The proposed project would replace an existing billboard structure with a new billboard structure. The project is located at the intersection of Canal St. and Valenti Way, one block south of the TD Garden. The area surrounding the project is occupied mainly by dense residential and commercial buildings. The area has extremely high pedestrian and automobile traffic, located at the nexus of the North End, Government Center, and Charlestown to the north. In addition, MBTA North Station is located directly adjacent to the project, where MTA Commuter Rail, Green Line, and Orange Line service attracts thousands of pedestrians during rush hour and TD Garden game days.

City policy does not allow for the construction of any new billboards. Billboards clutter the streetscape and worsen both the pedestrian and automobile experience by creating distractions and detracting from the visual landscape of the skyline and neighborhood.

Zoning Analysis:

The proposed project triggers two violations. The first is the Restriction on signs in a residential district. The sign is both too tall for the location, as well as occupying too much area to be compliant with zoning regulations.



The second violation is titled "Billboard Signs" under article 11 section 6. This section forbids the construction of billboards and signboards within the district. In addition, it is within 660 feet of a federally funded highway which is another trigger for this violation.

Recommendation:

In reference to BOA1624853, The Planning Department recommends DENIAL.

Reviewed,

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

Planning and Zoning Director, Planning Department



Case	BOA1555168
ZBA Submitted Date	2023-12-20
ZBA Hearing Date	2024-08-27
Address	8 Webster AVE East Boston 02128
Parcel ID	0104809000
Zoning District & Subdistrict	East Boston Neighborhood 3F-2000
Zoning Article	69
Project Description	The proposal seeks to add a roof deck and rear porches to an existing single-family house.
Relief Type	Conditional Use, Variance
Violations	Rear Yard Insufficient Side Yard Insufficient Front Yard Insufficient Roof Structure Restrictions

Planning Context:

The proposal seeks to make internal and external renovations to an existing single-family, three-story house. Internal renovations include finishing an existing basement into a family room, with external renovations including two new porches at the rear of building (one on the second floor and one on the third floor), a roof deck, which includes outdoor stairs connecting between the two porches below, and a window well for the newly finished basement. No other significant external additions are proposed.

The site is located on a primarily residential block of Webster Street in the Jeffries Point area of East Boston. The site also falls within the study area of PLAN: East Boston. PLAN: East Boston was adopted by the BPDA Board in January 2024, and the zoning amendments were adopted by the Boston Zoning Commission in April 2024. The plan emphasizes several goals, including guiding neighborhood growth that is predictable and contextual and contributes to public spaces that are active and connected. As it relates to decks, the plan recommends that homeowners be allowed to make small changes to their houses that align with the existing context and add to the neighborhood character.

The site does not fall within a Coastal Flood Resilience Overlay District (CFROD), which aims to promote adapting buildings to limit the damage and displacement related to the impacts of sea level rise.



Zoning Analysis:

The proposed project is located in an EBR-3 subdistrict, and has existing nonconformities that raise violations due to the parcel's very small size, and the addition of the roof deck which requires conditional use. This project does not trigger the East Boston Interim Planning Overlay District (IPOD) applicability as the proposed addition is not greater than 1,000 square feet.

The existing building has no front yard as it is built to the lot line (required 5 feet), abutting the sidewalk, and no side yard (required 3 feet) due to it being built to the full width of the parcel and sharing a common party wall with the adjacent 6 Webster Ave property. These represent existing nonconformities that are not worsened by the proposed changes, and would be impossible to remedy without demolishing the existing structure.

The existing property has a roughly 17 foot rear yard depth, based on lot depth and building footprint. Based on the zoning code, the building would have to provide a rear yard of at least 15 feet (a minimum of $\frac{1}{3}$ of total parcel depth). The new porches proposed would add 7 feet to the existing building, reducing the rear yard to about 10 feet in depth, falling short of the requirement by 5 feet. The proposed project should work to reduce the impact the porch will have on the rear yard, limiting any extension to no more than 2 feet in order to maintain a rear yard of 15 feet and meeting the updated zoning requirement.

Article 53 requires Board of Appeal conditional use approval if roof structures alter the profile of the uniformity of architectural character of buildings in the immediate vicinity. Roof decks are not unique to this area with 11-15 Webster Ave and 154 Webster Ave and having roof decks. The proposed roof deck has a roughly 8 foot setback from the roof edge facing the public right of way, and Article 53 requires that roof structures be setback a minimum of 10 feet. The proponent should seek to move the roof deck further back away from the roof edge to meet this requirement.

Given that the proposed project aligns with the goals of PLAN: East Boston and does not seek to make significant changes to the existing building, the project should move forward.

The plans entitled RENOVIATION AND ROOF DECK CONSTRUCTION 8 WEBSTER ST, EAST BOSTON, MA prepared by T DESIGN, LLC on DECEMBER 7, 2023 were used in preparation of this recommendation.



Recommendation:

In reference to BOA1555168, The Planning Department recommends DENIAL WITHOUT PREJUDICE: The proponent should consider a project with reduced rear addition to maintain a minimum rear yard depth of 15 feet, and that the roof deck be moved at least 10 feet away from the roof edge facing the public right of way

Reviewed,

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

Planning and Zoning Director, Planning Department



Planning Department

Case	BOA1353108
ZBA Submitted Date	7/1/2022
ZBA Hearing Date	2024-07-30
Address	6 Dana AVE Hyde Park 02136
Parcel ID	0305794000
Zoning District & Subdistrict	Hyde Park Neighborhood NS-2
Zoning Article	69
Project Description	Confirm change of occupancy from commercial to residential for the unit located in the basement. Construction is already completed. Previous owner passed away before it could be legalized on paper.
Relief Type	Variance
Violations	FAR Excessive Parking design and maneuverability Limitation of Area for accessory use (parking) Parking or Loading Insufficient Use: Forbidden

Planning Context:

The proposed project would legalize the parking and use of an already-constructed project. The current proponent has inherited this situation from the previous proponent, who passed away before the project completed the request for zoning relief.

The proposed project would change the use of the basement unit from commercial space to a new residential unit. This ZBA case proposes no new work as the project has already been constructed. The previous proponent passed away while going through the process to legalize the change in use. The original building was constructed in 2002 and is owned under a condo trust. The condo trust previously considered the change in the basement unit but withdrew their application in 2011. As planning efforts have led to an increased focus on density in the area around Hyde Park Ave, this increase in unit count helps achieve city goals.



Planning Department

The proposed project is located at 6 Dana Ave, in Hyde Park. This area has an abundance of residential uses including triple deckers and larger multifamily buildings. The building was originally constructed as a 7 unit residential, 1 unit commercial building which is very typical amongst nearby construction. Dana Street, like many of the side roads off of Hyde Park Ave, has multiple buildings with basement units that have smaller ground level windows.

The parcel is located directly adjacent to the Hyde Park MBTA commuter rail station, and is a tenth of a mile from the Fairmont MBTA commuter rail station. The proposed project is not located in any flood focused mapping efforts. It is not within CFROD or listed on the FEMA flood maps for Boston. This information helps to mitigate the risk that a basement unit may entail.

Zoning Analysis:

There are four violations that this project triggers that would have to receive a variance and one forbidden use that would need approval. The first four violations are in regards to parking. The parking proposed by the project is 6 spaces less than required by zoning. The zoning calls for a 2 spaces:1 dwelling unit minimum parking ratio, or for 14 total parking spaces in this case, while 6 Dana Ave only proposes 8 spaces. BTD parking policy points to the reduction in spaces being appropriate. The parking design and placement also both require variances in order to be approved, however, there are no changes being made to the positioning or dimensioning of these parking spaces. They have already been constructed but not legalized under ISD purview due to the untimely passing of the previous proponent, and there are no concerns about further impacts on safety or maneuverability.

The other violation is in regards to the dimensions of the project. The change in use from commercial to residential will trigger the FAR to be above the allowed dimensions again. The FAR was already in excess when originally constructed in 2002; this change in use retriggers the violation. There will be no actual construction and no change to the actual FAR of 6 Dana Ave.

The building also triggers a forbidden use due to a restriction on housing in basement units. However, this is not in line with the neighborhood at large. Many of the nearby residences have basement units with high set windows apparent on the outside. In addition, the project is located

BOA1353108

2024-07-30

2 Planning Department



Planning Department

far from any floodplain area. When conditions allow, housing should be allowed in order to help achieve city planning goals. The basement unit is an appropriate fit for the area.

Recommendation:

In reference to BOA1353108, The Planning Department recommends APPROVAL.

Reviewed,

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Planning and Zoning Director, Planning Department



Case	BOA1304433
ZBA Submitted Date	2022-03-07
ZBA Hearing Date	2024-08-27
Address	10 Thompson Sq Charlestown 02129
Parcel ID	0203685000
Zoning District & Subdistrict	Charlestown Neighborhood NS
Zoning Article	62
Project Description	Erect a new mixed use building with commercial ground floor retail and 12 dwellings units. Existing building to be razed under separate permit.
Relief Type	Variance, Conditional Use
Violations	Usable Open Space Insufficient Height Excessive Parking or Loading Insufficient FAR Excessive

Planning Context:

The previous proposal for this site was deferred from ZBA hearings on 10/31/2023, 2/6/2024, and 3/26/2024. The current proposal differs from the previous one in that it does not retain the existing single-story structure. Instead, it proposes razing the existing structure and constructing a new ground-floor structure, which continues to maintain the original building lot coverage and ground floor commercial use, as well as the same massing on the second floor and above. Consequently, the project's violations and recommendations have not changed given that the massing, height, and use remain the same.

The proposed project is located within the Original Peninsula, as identified in PLAN: Charlestown (2023). It is located at the intersection of two commercial avenues, has street frontage on 3 of the 4 lot lines, and shares party walls with the two adjacent properties on the "rear" of the site. This is a unique case of parcelization, where the side yards of both neighboring properties abut the same rear lot line of the property in question. Given this unique condition, the rear yard may be considered a side yard.

The site is an existing retail space covering the entirety of the lot, with a proposal of razing the existing structure and constructing a 4 story structure with ground floor retail and 12 residential



units above. The project promotes a mixed-use corridor in this NS subdistrict by maintaining the retail use on the ground floor and increasing housing stock near a transit stop (0.4 miles from Community College T Station). Preserving retail space is consistent with the PLAN's recommendations of preserving local businesses.

PLAN: Charlestown recommended an expansion of affordable housing opportunities that allow existing and future residents to grow up, stay, and age within the community. The proposed 12-unit project will require a Housing Agreement under the City of Boston's Inclusionary Development Policy, thereby increasing affordable housing options in Charlestown. The violations cited here are dimensional in nature; the proposed multifamily use is allowed under zoning and this is an appropriate location for multifamily based on recommendations from PLAN: Charlestown.

PLAN: Charlestown outlined specific design guidelines for additions in the Original Peninsula, stating that massing must be composed in a manner that does not overwhelm the scale of the neighborhood and must maintain regularity or complement its neighbors. The site is surrounded by a range of building types, including 2-story to 5-story mixed-use buildings. Both neighboring properties are 3 stories tall, but one of them has dormers of a scale and cadence that makes the building be perceived as 4 stories.

The existing commercial space covers the entirety of the lot and the proposed ground floor commercial space maintains the existing building lot coverage thereby providing no usable open space at-grade. However, PLAN: Charlestown encourages the use of balconies, terraces, accessible rooftops, green roofs, and other means of providing above-grade amenities as a form of usable open space for its building occupants.

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

Zoning Analysis:

In October 2023, updated Charlestown zoning was adopted per PLAN: Charlestown's recommendations. The recommended dimensional changes were largely focused on the industrial area and at the request of the community only minimal changes were proposed in the Original Peninsula. No zoning changes were proposed to the parcel where this project is located.



The project proposes extending the existing rear setback nonconformity; the required rear setback is 20' and the existing setback is 0'. Achieving the required rear yard setback would make the parcel unbuildable. Further, the unique condition of having 3 frontages means the rear lot line reads as side lot lines connected to the neighboring buildings. In this NS subdistrict, the minimum side yard requirement is 0'.

The maximum height in this subdistrict is 35' and the proposed height is 41'. The tallest neighboring building has dormers that are taller than 41'. The maximum FAR is 2.0 and the proposed FAR is 4.0. The existing building covers the entirety of the lot, resulting in an FAR 1.0. Adhering to the maximum FAR of 2.0 would result in only one additional story the same size as the current building floorplate. More than one additional story could be built within this 2.0 FAR maximum if such stories have smaller floorplates.

With regards to the insufficient usable space requirement, the project should increase its usable open space through the addition of spaces like balconies or roof decks.

Recommendation:

In reference to BOA1304433, The Planning Department recommends DENIAL WITHOUT PREJUDICE. Proponent should consider a project that aligns the height and FAR with the Zoning Code, increases usable open space, and ensures that a housing agreement be executed with the Mayor's Office of Housing.

Reviewed,

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

Planning and Zoning Director, Planning Department



Case	BOA1322135
ZBA Submitted Date	2022-04-15
ZBA Hearing Date	2024-08-27
Address	25 Hendry ST Dorchester 02122
Parcel ID	1502870000
Zoning District & Subdistrict	Dorchester Neighborhood 3F-5000
Zoning Article	65
Project Description	The proposed project will construct a new three-story house and a new three-car driveway on a vacant lot.
Relief Type	Variance
Violations	Limitation of Area for accessory use (parking) Lot Area Insufficient Additional Lot Area Insufficient Lot Width Insufficient FAR Excessive Usable Open Space Insufficient Height Excessive (ft) Side Yard Insufficient Lot Frontage Insufficient

Planning Context:

25 Hendry Street is a vacant parcel on an entirely residential block where three-deckers are the predominant housing typology. Surrounding off-street parking configurations are varied, ranging from no spaces to up to four or five spaces. In terms of lot dimensions, the parcel is fairly narrow (35'), which is in context with other nearby lots. The proposed project is a three-story house with a partially-covered three-car driveway, and the parcel is not within any neighborhood plan areas. There is an existing curb cut, suggesting a house was here before.

Zoning Analysis:

25 Hendry Street is in a 3F-5000 subdistrict within the Dorchester Neighborhood Zoning District, making the proposed 3-unit project an allowed use. Nine violations were issued, and all of them are dimensional in nature. One, the violation for excessive height in feet, appears to be an error-



the plans show the proposed height as 35', the cap in this subdistrict (Article 65, Table C). ISD has been contacted in regards to the issue.

Two of the violations (insufficient side yard and limitation of area for parking as an accessory use) are triggered by the proposed off-street parking configuration. Using the existing curb cut, cars would pass through a cutaway of the first floor that serves as a partially-covered driveway. That driveway leads to an uncovered 26'x44' parking lot with three parking spaces.

This project is proposing a 3'2" side yard instead of the required 10' in order to meet the required three minimum parking spaces for this project (Table F). Additionally, a limitation of area for accessory parking use violation is created because the buffer between parking and the lot line is less than 5' (Section 10-1).

While the project has also received violations for insufficient lot area, additional lot area, lot width, usable open space, and lot frontage, it largely conforms with existing lot patterns of three-deckers on the block. Five front balconies and two rear balconies to help to mitigate these violations and provide outdoor amenity space.

The project also received a citation for excessive FAR. Conservative estimates of surrounding FARs can be found within a property's Assessor's Report by dividing the living area by the lot area. 19 Hendry Street is .93, while 22 Hendry Street is 1.3. Although the FAR cap in this subdistrict is .5, the proposed FAR of .99 is not out of character with this block. In fact, it is a closer match to existing FARs in this area than the current zoning Code.

Given that the Code does not accurately reflect existing dimensional standards on the block (including FAR, side yards, and lot frontage), this project represents a case for zoning reform to better align dimensional regulations with existing context.

Recommendation:

In reference to BOA1322135, The Planning Department recommends APPROVAL with PROVISIO/s: that plans be submitted to the Planning Department for design review with attention to considering permeable surfaces for the parking and driveway area.



Planning Department

CITY of BOSTON

Reviewed,

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

Planning and Zoning Director, Planning Department

MEMORANDUM

NOVEMBER 16, 2023

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

FROM: MICHAEL CHRISTOPHER, DIRECTOR OF DEVELOPMENT REVIEW
CASEY HINES, DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
STEPHEN HARVEY, SENIOR PROJECT MANAGER
MEGHAN RICHARD, URBAN DESIGNER II
LYDIA HAUSLE, SENIOR TRANSPORTATION PLANNER II
KRISTINA RICCO, SENIOR PLANNER I

SUBJECT: 100 CHARLES PARK ROAD, WEST ROXBURY

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) d/b/a the Boston Planning & Development Agency authorize the Director to: (1) issue a Scoping Determination waiving further review pursuant to Section 80B-5.3(d) of the Boston Zoning Code (the “Code”) for the 100 Charles Park Road project (the “Proposed Project”, defined below) in the West Roxbury neighborhood of Boston; (2) issue a Certification of Compliance under Section 80B-6 of the Code upon successful completion of the Article 80 Large Project review process; (3) enter into an Affordable Rental Housing Agreement and Restriction and a Cooperation 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 Proposed Project is located at 100 Charles Park Road in the West Roxbury section of Boston (the “Project Site”). The Project Site comprises approximately

46,656 square feet of land. The Project Site currently contains a commercial building formerly occupied by Uno Pizzeria’s headquarters with surface parking.

DEVELOPMENT TEAM

The development team includes the following:

- Proponent:** Nora LLC

- Legal Counsel:** Drago + Toscano, LLP
Jeffrey Drago

- Architect:** Sousa Design
Dennis Greenwood

DESCRIPTION AND PROGRAM

The Proponent proposes to construct two five (5)-story residential buildings with approximately 123,905 square feet of gross floor area and a max height of fifty-four (54) feet. The buildings together will contain up to hundred and twenty-one (121) residential rental units. The buildings are connected by a subsurface parking garage containing a maximum of ninety-one (91) vehicle parking spaces. There will be dedicated interior bicycle parking on the ground floor for approximately one hundred twenty-four (124) bicycles. Additionally, there will be approximately twenty (25) exterior post-and-ring bike parking spaces.

The table below summarizes the Proposed Project’s key statistics.

<u>Estimated Project Metrics</u>	Proposed Plan
Gross Square Footage	124,996
Gross Floor Area	123,905
<i>Residential</i>	123,905
<i>Office</i>	0
<i>Retail</i>	0

<i>Lab</i>	0
<i>Medical Clinical</i>	0
<i>Education</i>	0
<i>Hotel</i>	0
<i>Industrial</i>	0
<i>Recreational</i>	0
<i>Cultural</i>	0
<i>Parking</i>	1,091
Development Cost Estimate	\$26,800,000
Residential Units	121
<i>Rental Units</i>	121
<i>Ownership Units</i>	0
<i>IDP/Affordable Units</i>	20
Parking spaces	91

PLANNING CONTEXT

The Proposed Project Site is located in a Community Commercial Subdistrict of the West Roxbury Neighborhood District, governed by Article 56 of the Zoning Code. The Proposed Project Site is immediately adjacent to bus stops serviced by Route 36 and is approximately one mile or a 20 minute walk from West Roxbury Station serviced by the MBTA Needham Line. The Proposed Project Site is close to several retail amenities along VFW Parkway and Spring Street. Low-density commercial uses and vast surface parking lots dominate the area, though other recently-constructed mid-rise residential uses, primarily concentrated in the blocks defined by VFW Parkway, Rivermoor Street and Charles Park Road, contribute to an evolving context.

Staff review focused primarily on adjustments to building massing in an effort to reduce the impact of building length as it appears along Gardner Street, and given the challenging geometry of the site, the configuration of off-street parking, and the creation of active ground floor uses wherever feasible. The Proposed Project would

contribute new publicly accessible open space, and needed public realm improvements along Gardner Street and Charles Park Road, and their intersection with Rivermoor Street.

ARTICLE 80 REVIEW PROCESS

On March 28, 2023, the Proponent filed a Project Notification Form (“PNF”) with the BPDA pursuant to Article 80B of the Zoning Code. The BPDA hosted a virtual Impact Advisory Group (“IAG”) meeting on May 16, 2023, a virtual public meeting was held on May 23, 2023, and a joint IAG/public meeting was held on October 23, 2023.

The IAG meeting and the public meetings were posted on the BPDA calendar and website, and email notifications were sent to all subscribers of the BPDA’s West Roxbury neighborhood email update list. Local elected officials and their staff were also notified of all meetings.

ZONING

The Project Site is situated in a Community Commercial Subdistrict in the West Roxbury Neighborhood Zoning District, governed by Article 56 of the Zoning Code. As part of the permitting and approval process, the Project team will be required to appear before the Zoning Board of Appeal to obtain variances. Under Article 56, Table B of the Zoning Code, Multifamily Dwellings are a Conditional Use in Community Commercial Subdistricts, therefore a conditional permit would need to be obtained. Under Article 56, Table F of the Zoning Code which governs dimensional regulations in Community Commercial Subdistricts, the Maximum Floor Area Ratio is 2.0 and the Maximum Building Height is 45 feet, therefore the Project will need to seek variances for those two requirements. There are no Zoning Overlays at the Project Site.

INCLUSIONARY DEVELOPMENT POLICY (“IDP”)

The Proposed Project is subject to the Inclusionary Development Policy, dated December 9, 2015 (“IDP”), and is located within Zone C as defined by the IDP. The IDP requires that 13% of the total number of units within the development be designated as IDP units. In this case, the Proponent has agreed to exceed that requirement and create within the Proposed Project approximately twenty (20) IDP

compliant rental units (the “IDP Units”). Of these IDP Units, one (1) unit will be made affordable to households with incomes not exceeding 30% Area Median Income (“**AMI**”) as based on data from the United States Department of Housing and Urban Development “HUD” and published by the BPDA, one (1) unit will be made affordable to households earning not more than 40% AMI, three (3) units will be made affordable to households earning not more than 50% AMI, five (5) units will be made affordable to households earning not more than 60% AMI, six (6) units will be made affordable to households earning not more than 70% AMI, and the remaining four (4) units will be made affordable to households earning not more than 100% AMI.

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

Unit Number	Number of Bedrooms	Square Footage	Percent of Area Median Income	Rent	ADA/Group 2 Designation (if any)
111B	Two-bedroom	854	60%	\$1499	
202A	Three-bedroom	992	100%	\$2880	
204A	One-bedroom	635	50%	\$1091	
207A	One-bedroom	627	30%	\$625	
212B	Two-bedroom	837	40%	\$964	Group-2
214B	One-bedroom	626	50%	\$1091	
221B	One-bedroom	720	60%	\$1325	
301A	Two-bedroom	994	70%	\$1766	Group-2

305A	One-bedroom	655	100%	\$2261	
310A	Two-bedroom	867	60%	\$1499	
318B	One-bedroom	603	50%	\$1091	
320B	Two-bedroom	895	60%	\$1499	
406A	One-bedroom	620	60%	\$1325	
409A	Two-bedroom	786	100%	\$2567	
412B	Two-bedroom	837	100%	\$2567	
417B	One-bedroom	620	70%	\$1559	
424B	One-bedroom	671	70%	\$1559	
506A	Three-bedroom	957	70%	\$1978	
512B	One-bedroom	640	70%	\$1559	Group-2
514B	One-bedroom	606	70%	\$1559	

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

The ARHAR must be executed along with, or prior to, the issuance of the Certification of Compliance for the Proposed Project. The Proponent must also

submit an Affirmative Marketing Plan (the “**Plan**”) to the Boston Fair Housing Commission and the BPDA.

Preference will be given to applicants who meet the following criteria, weighted in the order below:

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

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

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

AFFIRMATIVE FURTHERING FAIR HOUSING (“AFFH”)

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

Article 80 Interventions

- Provide an additional percentage of IDP units than required, by agreeing to restrict approximately 16.5% of units as IDP units.
- Provide all IDP units on-site
- Provide an additional percentage of Group-2 units than required, at approximately 6% of total units within the Proposed Project

- Deepen affordability more than the requirements of the IDP by offering units at a range of AMIs from 30% to 100% AMI, at an effective average of approximately 67% AMI across the income and rent limits for the income-restricted units.

Marketing and Housing Access Interventions

- Agree to follow best practices related to the use of CORI, evictions, and credit records in the tenant screening and selection process
- Agree to best practices in marketing the market-rate units that are inclusive of and welcoming to members of protected classes

COMMUNITY BENEFITS

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

- The Proposed Project will create a minimum of twenty (20) affordable units, which will exceed the City's IDP requirements.
- The Proposed Project will include public realm improvements to both Charles Park Road and Gardner Street. All sidewalk improvements are subject to design review and may require approval for a Specific Repairs Action with the Public Improvement Commission (PIC). The proponent should expect to enter into a maintenance agreement with the PIC. PIC approvals for proposed improvements shall be completed before building permit issuance for the Proposed Project.
 - Charles Park Road will maintain a minimum of 7 foot sidewalks clear of vertical obstructions with a landscape/furniture zone of at least 5.5 feet. All sidewalks will be made of concrete monolithic sidewalk space. All sidewalk improvements are subject to design review and approval by the Public Improvement Commission (PIC)
 - Gardner Streets will maintain a minimum of 7.5 foot sidewalks, inclusive of a setback on the project site. All sidewalks will be made of concrete monolithic sidewalk space. All sidewalk setbacks are subject

to design review and will require approval for a Pedestrian Easement with the Public Improvement Commission (PIC).

- The Proponent will install at least eleven (11) street trees in and around the Project Site as part of the Project Site improvements and mitigation associated with the Proposed Project. The tree plantings shall be coordinated and approved by the BPDA, and other applicable City departments/agencies completed before the issuance of the Certificate of Occupancy for the Proposed Project.
- The Proponent will provide and maintain two (2) trash receptacles for the public on the Project Site within the bounds of the sidewalk setback on Gardner Street (not on the public right-of-way).
- The Proponent shall make a hundred thousand dollars (\$100,000.00) contribution to the City's Fund for Parks:

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

Use: The contribution will be used to fund efforts to maintain green space and facilities at Millennium Park near this Proposed Project in West Roxbury.

Amount: \$100,000.00

Timeline: The \$100,000.00 contribution is due upon issuance of the Certificate of Compliance.

- The Project has committed to LEED Gold certifiable performance, achieving 61 points, with all-efficient electric systems. It will achieve a 48.9% energy reduction compared to ASHRAE 90.1-2010 baseline, with a modeled Building 2035 pCEI of 1.7 kg CO₂e/sf-yr, and includes installation of a 50-kW solar PV system. Throughout the demolition of the existing site building the Proponent has committed to a waste diversion of at least 75% of demolition materials. The Project will explore purchasing all-renewable electricity for common area loads and setting up new tenant unit meters using the Boston's Community Choice Electricity "Green 100" option, informing

residents of the benefits of using renewable electricity and their ability to opt down or out at any time at no cost, and will provide an update in its Design Filing.

- The Proponent commits to equipping electric vehicle charging infrastructure at a rate of 25% installed, or twenty-three (23) charging stations, and the remaining sixty-eight (68) parking spaces to be EV-ready for future installation.
- Upon issuance of the full Building Permit, the Proponent will make a one-time “bikeshare” contribution of \$49,000.00 to Boston Transportation Department (“BTD”) per the City’s Bike Parking Guidelines as well as provide space for one (1) 15-dock bike share station onsite upon issuance of Certificate of Occupancy. The proponent will work with BTD and the BPDA to site the station appropriately. Bike share stations may require Administrative Review by PIC.
- The Proponent will work with the BPDA, BTD, and PIC on the redesign and construction of the Charles Park Road, Rivermoor Street, and Gardner Street intersection. This mitigation measure is subject to BPDA, BTD, PWD, and other city or state agency review as needed. PIC approvals for proposed improvements shall be completed before building permit issuance for the Proposed Project. The physical mitigation improvements must be completed upon Certificate of Occupancy. This mitigation measure is subject to design review and BPDA discretion. The estimated value of this mitigation is \$100,000.00. In the event that circumstances change regarding this mitigation, the BPDA and the City will work with the Proponent to identify an alternative solution with comparable impact and estimated value.
- The project will comply with the Boston Transportation Department Transportation Demand Management Points System. The selected strategies will be specified and codified in the Transportation Access Plan Agreement (“TAPA”). For this project, minimum expected requirements include 70 TDM points.

The community benefits described above will be set forth in the Cooperation Agreement for the Proposed Project. The community benefits contribution

payments shall be made to the BRA upon issuance of the initial building permit by the City of Boston Inspectional Services Department (“ISD”) and will be distributed as outlined above.

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

The Proposed Project, private and public realm improvements are subject to Design Review.

RECOMMENDATIONS

Based on the foregoing, staff recommends that the BPDA approve the Proposed Project and authorize the Director to: (1) issue a Scoping Determination waiving the requirement of further review pursuant to Section 80B-5.3(d) of the Code; (2) issue a Certification of Compliance for the Proposed Project pursuant to Section 80B-6 of the Code, upon successful completion of design review as part of the Article 80 Large Project Review process; and (3) execute and deliver a Cooperation Agreement, an Affordable Rental Housing Agreement and Restriction, and any and all 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 Preliminary Adequacy Determination under Section 80B-5.3(d) of the City of Boston Zoning Code (the “Code”), which (i) finds that the Project Notification Form (“PNF”) together with any additional material and comments received by the BPDA adequately describes the potential impacts arising from the proposed 100 Charles Park Road project (the

"Proposed Project"), and provides sufficient mitigation measures to minimize these impacts, and (ii) waives further review of the Proposed Project under subsection 3 of Section 80B-5 of the Code, subject to continuing design review by the Boston Redevelopment Authority ("BRA") d/b/a the Boston Planning & Development Agency ("BPDA"); and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Compliance for the Proposed Project upon the successful completion of all Article 80 processes; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute an Affordable Rental Housing Agreement and Restriction for the creation of 20 Inclusionary Development Units and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute a Cooperation Agreement, and any and all other agreements and documents which the Director deems appropriate and necessary in connection with the Proposed Project, all upon terms and conditions determined to be in the best interests of the BPDA.

100 Charles Park Road



1:800



100 Charles Park Road



1:800



MEMORANDUM**April 11, 2024**

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

FROM: CASEY HINES, DEPUTY DIRECTOR OF DEVELOPMENT REVIEW
DANIEL POLANCO, PROJECT MANAGER

SUBJECT: 115-121 BOSTON STREET, DORCHESTER

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) d/b/a the Boston Planning & Development Agency authorize the Director to: (1) issue a Scoping Determination waiving further review pursuant to Article 80, Large Project Review of the Boston Zoning Code (the “Code”) for the 115-121 Boston Street Large Project (the “Proposed Project”, defined below) in the Dorchester neighborhood of Boston; (2) issue a Certification of Compliance under Section 80B-6 of the Code upon successful completion of the Article 80 review process; (3) enter into an Affordable Rental Housing Agreement and Restriction, and a Cooperation Agreement, in connection with the Proposed Project; and (4) provide recommendations to the Board of Appeal in support of the conditional use permits and zoning relief required for 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 is located at 115-121 Boston Street in the Dorchester Neighborhood of Boston and consists of two existing one- and two-story commercial buildings situated on four parcels of land, totaling approximately 32,423 square feet of land, bounded to the east by Boston Street (City of Boston

public way); to the south by a three-story dwelling numbered 123 Boston Street and by West Howell Street (City of Boston public way); to the west by the ScrubaDub Car Wash site; and to the north by Boston Street Extension (MassDOT public way). Much of the site consists of unimproved and impervious surfaces, excessive curb-cuts, and no open space or vegetation (the "Project Site" or "Site"). While a commercial use in a commercial zoning subdistrict, the Project Site is located in a transition zone from lower-density predominantly three-story residential buildings on Boston Street and nearby side streets, and the higher density mixed-use and commercial area proximate to Jan Karski Way and South Bay Center, with quick and easy access to I-93.

Surrounded by West Howell Street and Boston Street & Boston Street Extension on three sides, the Project Site is characterized by pervasive asphalt surface paving and aging warehouse-style buildings in its current state, with a busy car wash facility to its rear. As a commercial site populated by single-and two-story prefabricated buildings, the Project Site represents a unique opportunity to provide additional housing and greenspace in this otherwise predominantly residential neighborhood.

DEVELOPMENT TEAM

The Project Team consists of the following entities:

Property Owner/ Developer	Boston 115 Development LLC 599 East Broadway South Boston, MA 02127 Adam Burns, Principal John Beatty, Jr., Vice President, Development
Legal Counsel/Outreach	Adams & Morancy, P.C. 350 West Broadway South Boston, MA 02127 George Morancy, Esq.
Article 80 Permitting Consultant	Mitchell L. Fischman Consulting LLC 41 Brush Hill Road

Newton, MA 02461

Mitchell Fischman

Architect:

Khalsa Design, Inc.

17 Ivaloo Street, Suite 400

Somerville, MA 02143

William Chalfant

Transportation Planner
/Engineer

Howard Stein Hudson

11 Beacon Street, Suite 1010

Boston, MA 02108

Ian McKinnon

Christa Lucas

Civil Engineer

Howard Stein Hudson

11 Beacon Street, Suite 1010

Boston, MA 02108

George Mihov

Landscape Architect

Verdant Landscape Architecture

318 Harvard St #25,

Brookline MA, 02446

Katya Podsiadlo

Noise and Air
Consultant

Tech Environmental, Inc.

Hobbs Brook Office Park

303 Wyman Street, Suite 295

Waltham, MA 02451

Marc C. Wallace

Sustainability/
LEED Consultant

Soden Sustainability Consulting

19 Richardson Street

Winchester, MA 01890

Colleen Ryan Soden

Arran French

Environmental/

McPhail Associates

Geotechnical Engineer	2269 Massachusetts Avenue Cambridge, MA 02140 Ambrose Donovan Fatima Babic-Konjic Kevin Martin (Prelim. Geotechnical Report)
Hazardous Waste/21E	EBI Consulting 21 B Street Burlington, MA 01803
Daylight Consultant	VHB, Inc. 101 Walnut Street Watertown, MA 02471 Lauren DeVoe Win Hagen

DESCRIPTION AND PROGRAM

The Proponent proposes to redevelop the 33,423 square foot Project Site, which is currently occupied by a 1-2 story commercial building, with accessory surface parking, into a new five-story mixed-use building, with mezzanine, consisting of approximately 90 new residential Compact Living units, with approximately 8,400 square feet of ground-level commercial space, totaling approximately 88,339 square feet of gross floor area. The new building will be served by 57 garaged motor vehicle parking spaces, including 41 residential and 16 commercial spaces, 122 resident bicycle spaces within the building, and visitor bicycle spaces in conformance with Boston Transportation Department (“BTD”) guidelines, with provided residential amenities including a meeting and recreation room on the ground floor, a common lounge at the rooftop mezzanine level, a pet washing and grooming station, generous landscaped open space areas, and other private and public site improvements occurring across the Project Site.

Additionally, the Proposed Project will replace and upgrade the Site’s perimeter sidewalks, impervious surfaces, and lack of open space, with improved connectivity, new street tree canopies, and new public realm, including but not limited to, inclusion of a public pocket park at the front of the Site along Boston Street, and

completion of pedestrian connection from Boston via West Howell Street to Jan Karski Way.

The building will contain thirty-five (35) studio units, twenty-nine (29) one-bedroom units, and twenty-six (26) two-bedroom units.

The Proponent plans to commence construction of the Proposed Project in 2024, with the resulting creation of an estimated over one hundred (100) construction jobs contributing to the Proposed Project. The total development cost is approximately Twenty-Seven Million Dollars (\$27,000,000).

The table below summarizes the Proposed Project's key statistics.

<u>Estimated Project Metrics</u>	Proposed Plan
Gross Square Footage	113,513
Gross Floor Area	86,954
<i>Residential</i>	78,478
<i>Office</i>	0
<i>Retail</i>	8,476
<i>Lab</i>	0
<i>Medical Clinical</i>	0
<i>Education</i>	0
<i>Hotel</i>	0
<i>Industrial</i>	0
<i>Recreational</i>	0
<i>Cultural</i>	0
<i>Parking</i>	23,870
Development Cost Estimate	\$27,000,000
Residential Units	90
<i>Rental Units</i>	90
<i>Ownership Units</i>	0
<i>IDP/Affordable Units</i>	15
Parking spaces	57

ARTICLE 80 REVIEW PROCESS

On January 12, 2023, the Proponent filed a Letter of Intent (“LOI”) in accordance with the BPDA’s policy regarding the Provision of Mitigation by Development Projects in Boston. On January 13, 2023, letters soliciting nominations for the Impact Advisory Group (“IAG”) were delivered to local and state elected officials. On March 7, 2023, the IAG was finalized with 5 members.

The Proponent filed a Project Notification Form (“PNF”) for the Proposed Project on April 6, 2023, which initiated a thirty-(30) day public comment period which was subsequently extended to close, and did close, on June 16, 2023. Notice of the receipt of the PNF by the BPDA was published in the Boston Herald on April 6, 2023. The notice and PNF were sent to the City’s public agencies/departments and elected officials.

The BPDA held a virtual public meeting and two (2) virtual IAG meetings via Zoom for the Proposed Project. The IAG meetings were held on May 17, 2023, and September 26, 2023, while the public meeting was held on June 6, 2023. The IAG meeting was advertised in local newspapers and on the BPDA website and distributed to the BPDA’s Dorchester email list.

In addition to the previously mentioned virtual public meetings, the Proponent also conducted extensive community outreach and attended a series of meetings before and during the Article 80 review process with their abutters, local elected officials, the McCormack Civic Association, and other interested parties, to discuss and process the Proposed Project and solicit neighborhood feedback.

PLANNING CONTEXT

The proposed development project is located in the Dorchester Neighborhood district, within a Community Commercial (CC) subdistrict, pursuant to Article 65 of the Zoning Code. The project site is located within the Coastal Flood Resilience Overlay District (CFROD), which requires new construction to meet resilient design standards. These standards include elevating the ground floor of the building above Base Flood Elevation (BFE) for the year 2070, and limiting the

uses that can be located below the Design Flood Elevation (DFE). The design proposal sites the ground floor at 21.0' BCB, in alignment with the CFROD requirements.

There are no recent local planning initiatives for the site at 115-121 Boston Street. The proposed development is located outside the boundaries of the study area for the PLAN: South Boston, Dorchester Avenue study area, for which the southern edge is located approximately one-quarter mile north of the site.

The Proposed Project was designed in accordance with the Compact Living Policy, for which a pilot program was in effect from 2018 to 2023. The design guidelines prioritize available open space, natural light, and community spaces.

The Proposed Project is located at the nexus of several planning neighborhood contexts. Across Boston Street, to the east, the neighborhood is predominated by the traditional three story buildings that comprise much of the three-family residential fabric of the Dorchester neighborhood. The area west of the site is anchored by the South Bay Center, a retail and residential district established in phases over the preceding decades.

The most recent phase of the South Bay Center, Board-approved in 2016, established a new network of public streets and mixed-use building typologies on the eastern edge of the shopping center. While industrial and commercial uses predominate the adjacent area, developments including Jan Karski Way Extension Project, Board-approved in 2021, will connect the streets and residential fabric of recent phases of the South Bay Center with the existing neighborhood east of Boston Street. Staff review of 115-121 Boston Street aligned the use, form, and public realm of the Proposed Project to ensure a meaningful contribution to the ongoing evolution and integration of this former industrial area into the fabric of Dorchester.

ZONING

The Project site is entirely within a CC (Community Commercial) zoning subdistrict in an area where the zoning varies, transitioning from CC on the Project Site, to 3F-

D-2000 on the opposite side of Boston Street. The Project Site is also within a Coastal Flood Resilience Overlay District (Article 25A of the Code).

The Proposed Project will require zoning relief from the Zoning Board of Appeal as follows: Conditional Use Permit (MFR second story & above); Conditional Use Permit (Juice Bar/Small Take-Out Use); Variance (Excessive Floor Area Ratio); Variance (Excessive Building Height). The Proposed Project will be in full compliance with CFROD requirements.

As the Proposed Project is subject to Large Project Review, its required off-street parking and off-street loading requirements have been set by the BPDA through the Large Project Review process, in accordance with the provisions of Article 80 of the Code. Design elements of the Proposed Project will also be subject to Large Project Review.

MITIGATION AND COMMUNITY BENEFITS

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

- The Proponent will design and construct a 3,585-square-foot public pocket park along Boston Street and pedestrian walkway connecting Boston Street to West Howell Street. Public pocket park, expanded sidewalk, and street trees will significantly improve the pedestrian experiences along Boston Street.
- The Proposed Project will provide various amenity spaces in compliance with the Compact Living Guidelines, including 1,028 square feet of ground floor Community Room, 3,960 square feet of Resident Common on the 2nd floor terrace, 1,200 square feet of Resident Rooftop Lounge with outdoor decks. Additionally, an outdoor dog park, pet washing station, 900 square feet of Patio in the rear yard, and E bike and 122 bicycle storage spaces will be provided to accommodate a range of resident activities.
- The Proponent will include a twenty and one-half (20.5) foot overall setback along Boston Street, which will be programmed with long-term pedestrian improvements, green stormwater infrastructure (wherever possible), and landscaping.
- The Proposed Project will make improvements to the neighborhood sidewalk network along West Howell and Boston Streets. The Proponent will

coordinate with the BPDA and City to relocate, or add as necessary, utility/light poles for improved and continuous pedestrian circulation on the public sidewalk at Boston Street, West Howell Street, and Boston Street Extension.

- The Proponent will plant and maintain twenty-one (21) new trees in and around the Site, including approximately ten (10) deciduous shade and seven (7) evergreen trees.
- Upon issuance of the full Building Permit, the Proponent will make a one-time “bikeshare” contribution of Twenty-Four Thousand Seven-Hundred Fifty Dollars (\$24,750.00) to Boston Transportation Department (“BTD”) per the City’s Bike Parking Guidelines.
- The Proposed Project will include a new neighborhood-serving fitness center of approximately 8,400 sf.
- The Proposed Project will grant approximately 4,112 square feet of an easement to the owner of the adjacent car wash property in order to allow for a re-designed car wash facility. This easement will allow car wash-related queuing to occur on the private parcel rather than on West Howell Street, which will produce great benefits for the neighborhood and for vehicles and pedestrians using Boston Street and West Howell. In the event that construction of the new car wash facility is unexpectedly delayed, the Proponent will ensure that the easement area is properly maintained for public view and restricted from any unanticipated uses until construction of the planned queuing lanes commences within this easement area.
- The Proponent will provide funds to the Boston Parks and Recreation Department (“BPRD”) with said funds to be used for the maintenance and upkeep of the City’s parks within 0.5 miles of the Project Site, specifically Joe Moakley Park, by contributing \$50,000 at the issuance of a Certificate of Occupancy from ISD.
- The Proponent will also make a \$7,500 contribution to the Polish Club and a \$7,500 contribution to the Boston Collegiate Charter School.

SUSTAINABILITY AND RESILIENCY

- Project as proposed is LEED Gold certifiable, all-efficient electric and Passive House building with a modeled Building 2035 CEI 1.50 kg CO₂e/sf-yr and a

rooftop mounted solar PV array. The PV system size, approximately 30 kW, will be finalized prior to the Design Filing. The Proposed Project is a model for sustainability for multifamily housing projects in the City of Boston for the future.

- Ongoing review of stormwater retention and/or management over the impervious area and confirmed on updated USP, that the proposed infrastructure does not conflict with other utilities.
- Ongoing review of trees, permeable paving, and other green infrastructure features on the right-of-way, where applicable based on the scope of work (to be reviewed as part of on-going review processes with Urban Design and PIC).
- Verification of compliance with the City of Boston EV Readiness Policy for New Developments, including EV chargers and needed infrastructure. Project shall provide 25% of total parking EV charging space on site. The proponent will outfit the remaining 75% of parking spaces to be EV ready as defined by the BTM EV Readiness Policy for New Large Developments.
- A Utility Site plan showing the infrastructure in the bullets above, as well as all other relevant utility infrastructure, as needed in on-going future reviews with Urban Design and PIC, including electric connection for streetlights.
- A plan to address relevant conflicts reported through COBUCS if/as relevant. Project team and the contractor will continue to work with BTM and Smart Utilities, as needed.

The proposed scope of any in-kind work agreed to by the Proponent shall be developed in consultation with the BPDA and appropriate city agencies, departments, and commissions and the allocation of any financial contributions shall first be provided to the BPDA for disbursement to the specified entity or organization. The details of any in-kind work and the allocation of any financial contributions shall be incorporated into the Cooperation Agreement between the Proponent and the BPDA. To the greatest extent possible, the Proponent will provide the BPDA with evidence indicating that the previously referenced mitigation and community benefits have been satisfied. BPDA-approved construction signage must be installed at the project construction site before and during the construction of the Proposed Project. The signage must be in the form of panels at highly visible locations at the construction site or around the construction site perimeter and must be adjacent to each other. The BPDA will work with the

Proponent to provide high-resolution graphics that must be printed at a large scale (minimum of 8 feet by 12 feet).

AFFIRMATIVELY FURTHERING FAIR HOUSING

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

Article 80 Interventions

- Provide an additional percentage of IDP Units than required;
- Provide a higher proportion of two-bedroom IDP Units than required;
- Provide all IDP Units on-site; and
- Provide deeper IDP affordability by providing units at a range of AMI levels from 60% through 80% AMI, and by complying with the requirements of the Compact Living Pilot (“CLP”).

Marketing and Housing Access Interventions

- The Proponent has committed to review feasibility and allowability to provide two (2) units for Rental Voucher Holders;
- Develop and abide by a tenant screening policy for market rate units requiring that CORI, credit scores, and eviction history be assessed on an individualized basis rather than implementing a blanket policy that excludes applicants with CORIs, certain credit scores, and/or eviction histories;
- Work exclusively with local, multilingual, and culturally competent leasing agents;
- Market all units in all of Boston’s dominant languages;
- Include in the marketing program that units will also be considered for rent to rental voucher-holders; and
- Market all units across media types (print, social, audio, digital, etc.); and
- Describe IDP units and link to MetroList and/or other listings for IDP units on the Project’s marketing website.

Further, the Proponent has agreed to review feasibility of marketing two of the IDP units with a tenant selection preference for households who qualify as voucher-holders. Applicability of this preference will be subject to review for feasibility and allowability with BPDA and Mayor’s Office of Housing (“MOH”) staff in the process of reviewing the Affirmative Fair Housing Marketing Plan.

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

INCLUSIONARY DEVELOPMENT POLICY COMMITMENT

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 (“IDP”), and is located within Zone C, as defined by the IDP. The IDP requires that 13% of the total number of units within the development be designated as IDP units. In this case, fifteen (15) units within the Proposed Project will be created as IDP rental units (the “IDP Units”) or approximately 16.7%. The fifteen (15) IDP Units will be approximately 16.95% of residential square footage within the Project. Of the IDP Units, two (2) units will be made affordable to households earning not more than 60% of the Area Median Income (“AMI”), as determined by the U.S. Department of Housing and Urban Development, and published by the BPDA, twelve (12) units will be made affordable to households earning not more than 70% of AMI, and one (1) unit will be made affordable to households earning not more than 80% of AMI.

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

Unit Number	Number of Bedrooms	Square Footage	Percentage of AMI	Maximum Rent	ADA/Group 2 Designation
206B	Compact One-bedroom	600	70%	\$1,403.00	
213B *	Compact One-bedroom	580	70%	\$1,192.00	Group-2
214A	Compact One-bedroom	580	60%	\$1,192.00	

217A	Compact Two-bedroom	680	70%	\$1,589.00	
304B *	Compact Two-bedroom	640	70%	\$1,589.00	
310B	Compact Two-bedroom	711	70%	\$1,589.00	
315A	Compact Studio	431	60%	\$1,016.00	
322A	Compact One-bedroom	540	70%	\$1,403.00	
403B	Compact Studio	364	70%	\$1,196.00	
412B	Compact One-bedroom	600	70%	\$1,403.00	
417A	Compact One-bedroom	525	70%	\$1,403.00	
420A	Compact Studio	395	70%	\$1,196.00	Group-2
502B	Compact Studio	364	70%	\$1,196.00	
504B	Compact Two-bedroom	650	80%	\$1,830.00	

514A	Compact Two-bedroom	710	70%	\$1,589.00	
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* The Proponent has proposed that Units 213B and 304B are the two units to be reviewed in for the voucher-holder tenant selection preference.

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 Rental Housing Agreement and Restriction (“AHRAR”) and rents and income limits will be adjusted according to BPDA published maximum sales prices and income limits, as based on HUD AMIs, available at the time of the initial sale of the IDP Units. IDP Units must be comparable in size, design, and quality to the market-rate units in the Proposed Project, cannot be stacked or concentrated on the same floors, and must be consistent in bedroom count with the entire Proposed Project.

The ARHAR must be executed along with, or prior to, the issuance of the Certification of Approval for the Proposed Project. The Proponent must also submit a draft Affirmative Marketing Plan (the “Plan”) to the Boston Fair Housing Commission at the time the building permit is issued. Preference will be given to applicants who meet the following criteria, weighted in the order below:

- (1) Households with a housing voucher (where applicable, subject to the final Marketing Plan); and
- (2) Boston resident; and
- (3) Household size (a minimum of one (1) person per bedroom).

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

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

income eligible household, and the BPDA or its assigns or successors will monitor the ongoing affordability of the IDP Units.

No partial unit payment is required, as the fifteen (15) on-site IDP Units fully satisfy the IDP requirements pursuant to the December 10, 2015, IDP.

RECOMMENDATIONS

Approvals have been requested of the BPDA pursuant to Article 80, Section 80B of the Code for the issuance of a Scoping Determination waiving further review pursuant to Article 80, Section 80B-5.3(d) of the Code, and for the issuance of a Certification of Compliance under Section 80B-6 upon successful completion of the Article 80 review process.

BPDA staff believes that the PNF meets the criteria for issuance of a Scoping Determination waiving further review. It is therefore recommended that the BPDA approve the Proposed Project and authorize the Director to: (1) issue a Scoping Determination waiving further review pursuant to Article 80, Section 80B-5.3(d) of the Code; (2) issue a Certification of Compliance under Section 80B-6 upon successful completion of the Article 80 review process; (3) enter into an Affordable Rental Housing Agreement and Restriction; (4) execute and deliver a Cooperation Agreement (referencing, among other things, the Boston Residents Construction Employment Plan ordinance), and any and all other agreements and documents upon terms and conditions deemed to be in the best interest of the BPDA; and (5) recommend approval to the City of Boston Zoning Board of Appeal for the conditional use permits and zoning relief necessary to construct the Proposed Project.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to issue a Scoping Determination waiving further review under Section 80B-5.3(d) of the City of Boston Zoning Code (the "Code"), which (i) finds that the Project Notification Form ("PNF") together with any additional material and comments received by the BPDA adequately describes the potential impacts arising from the proposed 115-121 Boston Street project (the "Proposed Project"), and provides sufficient mitigation measures to minimize these impacts, and (ii) waives further review of the Proposed Project under subsection 3 of Section 80B-5 of the Code, subject to continuing design review by the Boston Redevelopment

Authority (“BRA”) d/b/a the Boston Planning and Development Agency (“BPDA”); and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Compliance for the Proposed Project upon the successful completion of all Article 80 processes; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute an Affordable Rental Housing Agreement and Restriction for the creation of fifteen (15) on-site IDP Units and execute any and all other agreements and documents which the Director deems appropriate and necessary in connection with the Proposed Project; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute a Cooperation Agreement, and any and all other agreements and documents which the Director deems appropriate and necessary in connection with the Proposed Project, all upon terms and conditions determined to be in the best interests of the BPDA; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to recommend approval to the City of Boston Zoning Board of Appeal for the conditional use permits and zoning relief necessary to construct the Proposed Project.

115-121 Boston Street



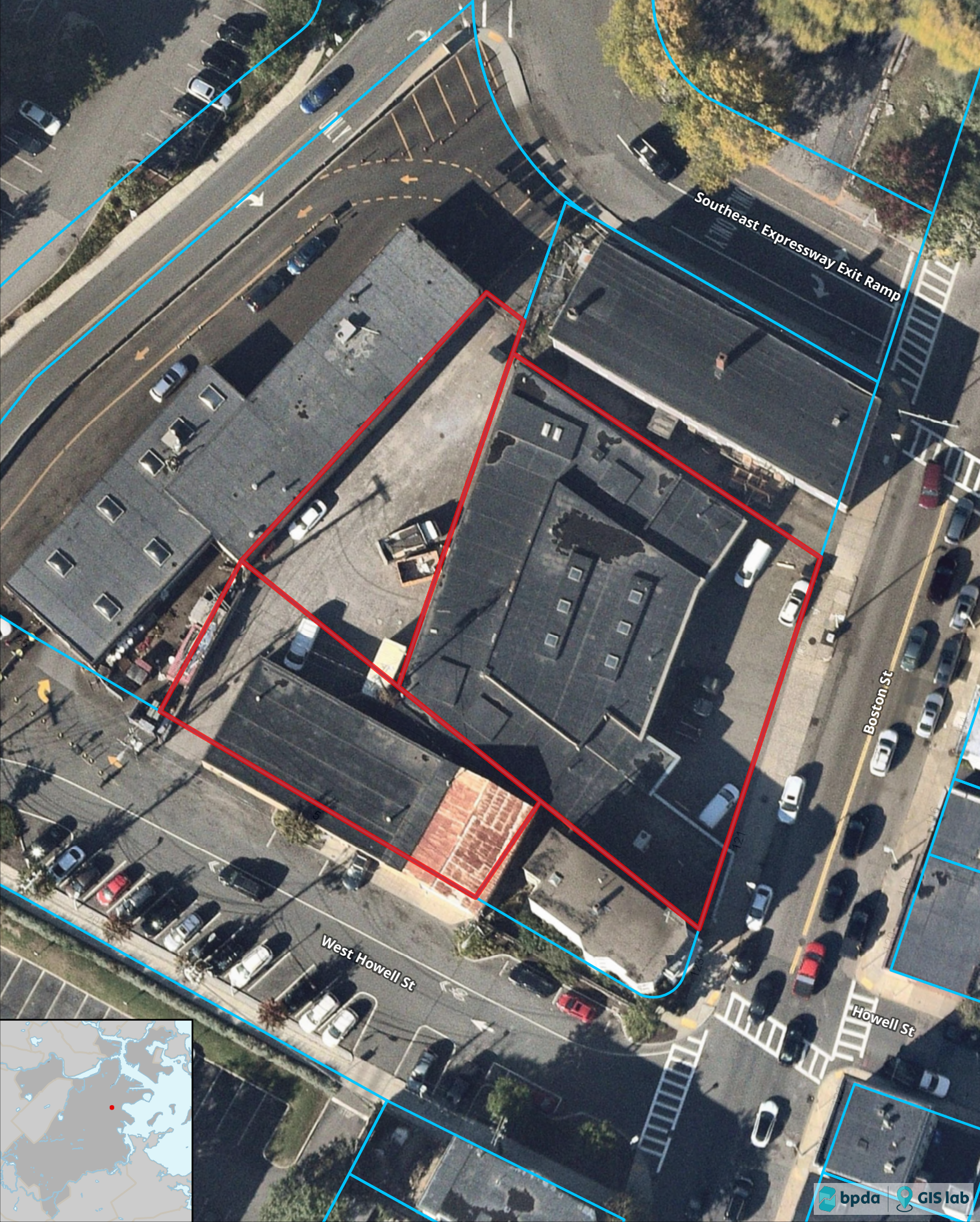
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115-121 Boston Street



1:500





To: Micheal Sinatra
From: Ohene Boahen, PWD
Date: April 24, 2023
Subject: 115-121 Boston Street- Boston Public Works Department Comments

Included here are Boston Public Works Department comments for 115-121 Boston Street Project Notification Form .

Project Specific Scope Considerations:

The developer should coordinate with BTM and PWD to develop safety and accessibility improvements for pedestrians in the area. Coordinate with the Parks Department regarding tree planting.

Site Plan:

The 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 Right-of- Way (ROW):

All proposed design and construction within the Public ROW shall conform to PWD Design Standards (<https://www.boston.gov/departments/public-works/public-works-design-standards>). Any non-standard materials (i.e. pavers, landscaping, bike racks, etc.) proposed within the Public ROW will require approval through the Public Improvement Commission (PIC) process and a fully executed License, Maintenance and Indemnification (LM&I) Agreement with the PIC. Please note that the comments below are specific to proposed work within the Public ROW.

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 Americans 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.





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.

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. Effects of water infiltration with respect to the adjacent underpass structure and underground MBTA tunnels that may be negatively impacted by infiltration may impact the ability to install such systems and should be considered. Coordination with PWD and MBTA will be required.



PUBLIC WORKS DEPARTMENT

Boston City Hall • 1 City Hall Sq Rm 714 • Boston MA 02201-2024
The Office of the Streets, Transportation, and Sanitation
(617) 635-4900



CITY *of* BOSTON

Michelle Wu, Mayor

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

Boston City Hall • 1 City Hall Sq Rm 714 • Boston MA 02201-2024
The Office of the Streets, Transportation, and Sanitation
(617) 635-4900



To: Michael Sinatra
Project Manager
Boston Planning and Development Agency

Re: 115-121 Boston Street

Date: June 16, 2023

Dear Mr. Sinatra,

The City of Boston's Age Strong Commission is submitting the following comments on the PNF for the 115-121 Boston Street project currently proposed by Burns Realty. Age Strong supports the development of residential units at this underutilized site. The combination of compact living units and a suite of open and common space amenities will support older adults to age in place. We believe that a residential community with units that match the smaller space requirement of many older adults while bolstering access to amenities and transportation will fulfill their needs while supporting social connectedness. Our team looks forward to learning more about how the development will support residents to age in place. We request the proponent consider the following recommendations as the design progresses.

A. Inclusive Residential Design

Employ [universal design](#) standards in the units and common spaces. Universal design makes the building accessible for all residents, caregivers, and visitors. It often proves more affordable than retrofitting in future years. Designing for all types of users will support residents to age in place.

B. Pickup/Dropoff

Many older adults need rides because of mobility challenges. Locate the passenger pickup/dropoff site close to building entrances. This increases safety and minimizes potential conflict with other transportation modes. If passengers will need to cross a bike lane to enter/exit the vehicle, provide a buffer (painted or island) with enough space to check for oncoming bikes before crossing and to load/unload mobility aids.

C. Open Space

The public pocket park, open spaces surrounding the buildings, and the common roof decks have the potential to support community connection and physical and mental health. We encourage thoughtful consideration of elements that invite older adults into the space.

a. Weather



Design for year-round usage by planning for various types of weather. For example, installing shade coverage and electrical hookups for heating elements to maintain use in both hot and cold weather.

b. Seating

Places to rest allow older adults to enjoy the outdoor space. Incorporate age-friendly seating along pedestrian paths, corridors, and open spaces. Age-friendly seating includes armrests for ease of access and vertical backrests for support. When citing benches, place them under an overhang, awning, or tree to provide shade. Consider a variety of moveable furniture for flexible seating arrangements.

c. Trees

Trees are essential for physical and mental health. Older adults are more vulnerable to the adverse effects of high heat. We would like to see details about the design of tree pits, which should maintain accessibility while preserving the health of the tree. Provide maintenance plans for plantings to ensure the health of the trees and the surrounding area is safe and accessible.

D. Wayfinding and Dementia Friendly Features

We recommend wayfinding signs that include both words and universal icons. The placement of signs should be eye-level, in clear contrast to the white or light background on a matte surface, which is resistant to glare. Include signs for the sidewalk that connects Boston Street and West Howell, exits and entrances, restrooms, and other public spaces. Install visual landmarks at important intersections and complex junctions. Ensure these areas are well-lit. Avoid using black designs on concrete as black paint on the ground can create an illusion of a black hole for someone living with dementia or cognitive impairment.

E. Parking Entrance/Exit

Design clear lines of sight for safe entrance and exit of the parking garage. We recommend yellow detectable warning strips and the installation of audio warning cues in front of parking entrances for the safety of low-vision pedestrians. The design should prioritize the responsibility of drivers to check for pedestrians.

Thank you for your consideration of these comments and recommendations.

Best,

Andrea Burns, Age-Friendly Boston
The Age Strong Commission

**Boston Water and
Sewer Commission**



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

May 12, 2023

Michael Sinatra
Senior Project Manager
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201

Re: 115-121 Boston Street, Dorchester
Project Notification Form

Dear Mr. Sinatra:

The Boston Water and Sewer Commission (Commission) has reviewed the Project Notification Form (PNF) for the proposed redevelopment located at 115-121 Boston Street in the Dorchester neighborhood of Boston. This letter provides the Commission's comments on the SPRA.

The proposed project site consists of a 33,423 square foot (sf) lot, improved with a two story industrial/commercial building. The project proponent, Boston 115 Development LLC, proposes to construct a five-story building totaling approximately 88,339 gross square feet and consisting of 90 residential units, ground floor commercial spaces, and 57 off-street parking spaces.

The Commission owns and maintains an 8-inch cement lined cast iron Southern Low water main installed in 1956 and a 12-inch cement lined cast iron Southern High water main installed in 1965 in West Howell Street, and a 12-inch pit cast iron Southern Low water main installed in 1883, a 20-inch pit cast iron Southern Low water main installed in 1876, and a 16-inch pit cast iron Southern High water main installed in 1896 in Boston Street.

The Commission owns and maintains a 12-inch VCP combined sewer installed in 1956 in West Howell Street, a 10-inch VCP sanitary sewer and a 10-inch VCP storm drain installed in 1966 in Boston Street to the north of the site, and a 20x26-inch brick combined sewer installed in 1885 in Boston Street to the east of the site. Commission records also show a private sanitary sewer and private storm drain in West Howell Street.

Water usage and sewage generation estimates were not provided in the SPRA.

The Commission has the following comments regarding the SPRA:



General

1. Prior to the initial phase of the site plan development, Boston 115 Development LLC 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 Boston 115 Development LLC'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 back flow 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 and its member communities, is implementing 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. In April of 2014, the Massachusetts DEP promulgated new regulations regarding wastewater. 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 infiltration and inflow (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 supports the policy and 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 submitted with the SPRA. The Commission requires that these values be calculated and submitted with the Site Plan. Boston 115 Development LLC 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. Boston 115 Development LLC should also provide the methodology used to estimate water demand for the proposed project.
7. Boston 115 Development LLC 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, Boston 115 Development LLC will be required to apply for a RGP to cover these discharges.
8. It is Boston 115 Development LLC'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, Boston 115 Development LLC 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. Boston 115 Development LLC 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. Boston 115 Development LLC should also provide the methodology used to estimate water demand for the proposed project.
2. Boston 115 Development LLC should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular, Boston 115 Development LLC should consider outdoor landscaping which requires minimal use of water to maintain. If Boston 115 Development LLC 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. Boston 115 Development LLC 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. Boston 115 Development LLC should contact the Commission's Meter Department for information on and to obtain a Hydrant Permit.
4. 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, Boston 115 Development LLC should contact the Commission's Meter Department.

Sewage / Drainage

1. In conjunction with the Site Plan and the General Service Application Boston 115 Development LLC 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 Boston 115 Development LLC to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.



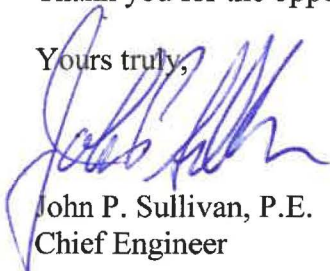
3. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission. Boston 115 Development LLC is advised that the discharge of any dewatering drainage to the storm drainage system requires a Drainage Discharge Permit from the Commission. If the dewatering drainage is contaminated with petroleum products, Boston 115 Development LLC will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.
4. 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, Boston 115 Development LLC will be required to meet MassDEP Stormwater Management Standards.
5. 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 to be re-used by the proposed project be dye tested to confirm they are connected to the appropriate system.
6. The Commission requests that Boston 115 Development LLC install a permanent casting stating “Don’t Dump: Drains to Boston Harbor” next to any catch basin created or modified as part of this project. Boston 115 Development LLC should contact the Commission’s Operations Division for information regarding the purchase of the castings.
7. 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. Boston 115 Development LLC is advised to consult with the Commission’s Operations Department with regards to grease traps.
8. 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.



9. 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/apm

cc: Adam Burns, Burns Realty via e-mail
John Beatty, Burns Realty via e-mail
K. Ronan, MWRA via e-mail
M. Zlody, BED via e-mail
P. Larocque, BWSC via e-mail

TO: Mike Sinatra, Project Manager
FROM: Travis Anderson, Senior Infrastructure & Energy Planner
Eliza Sollers, Smart Utilities Program - Associate
DATE: June 16th, 2023
SUBJECT: 115-121 Boston St – Smart Utilities Comments – PNF

Comments and requests for additional information:

Certain parts of the Boston Smart Utilities Policy are applicable for this project since the project is being reviewed under Article 80B. Below you will find our requests for information necessary for the on-going Smart Utilities review. Please send any information to Travis Anderson via smartutilities@boston.gov and include it in your future filings.

- 1) Utility Site Plan: Thank you for submitting a USP showing utility connections, in addition please submit the USP showing the following:
 - a) Green Infrastructure:
 - i) Please show the proposed location of Green Infrastructure and stormwater management assets on the site and the ROW, including trees and permeable pavers and make sure there are no conflicts with the existing and proposed utility connections.
 - ii) Please confirm the impervious area and volume of stormwater that will be retained on the site, via filling Part 4 of [Smart Utilities Checklist](#) as well as by showing it on the Utility Site Plan.
 - b) Smart Street Lights: Please show the following:
 - i) The location of the electrical conduit(s) that will power the street lights along your project and where this conduit will receive or already receives power from (i.e., direct connection to the utility in the ROW, connected to street light electrical conduit in adjacent parcel/building).
 - ii) If any significant sidewalk reconstruction is planned, we are asking you to include two separate conduits, one for extra electrical and one for extra fiber, running along the street light conduit on sidewalks. Note: PIC is

Cc: PM, BPDA

Richard E. McGuinness, Deputy Director for Climate Change and Environmental Planning, BPDA

currently recommending one dual handhole for these conduits; the handhole should be different from the handhole for street lights.

- iii) Where this extra electrical conduit and extra fiber conduit would receive power/fiber from the electrical utility and telecom utility on the ROW, respectively. Note: a) the actual tie into the utility is not required, but we need to know where the utilities would allow for service to come into the sidewalk shadow conduit; b) the tie-into electric service should not be the power pull box used for the street light, but a separate direct connection to the utility.
 - iv) Where the handholes for these two conduits would be located. Handholes should be located at least at the nodes of the conduit, where the conduit will connect to the utility service or to an existing conduit in an adjacent parcel, and at the base of any pertinent street lights.
 - c) Electrical Transformers: Please include the proposed location of any electrical transformers on site.
 - d) Electric Vehicles:
 - i) Please include in your USP any infrastructure needed to comply with the City of Boston EV Readiness Policy for New Developments. This may include EV chargers, additional electrical services, transformers, empty conduit, etc.
- 2) Report of Potential Conflicts:
- a) Please provide the report of potential conflicts generated by entering your project into the City of Boston Utility Coordination Software (COBUCS). If any conflicts are identified, we would then request information on how the team plans to address these conflicts with the relevant entities.
- 3) Smart Utilities Checklist:
- a) After receiving and reviewing the information requested above, we may ask that some of the design elements are memorialized as an update to the Smart Utilities Checklist. We can guide the team more efficiently towards the section(s) of the Checklist that would be necessary after the information above has been received and reviewed
 - b) After submission you will receive:
 - i) A confirmation email with a PDF of your completed checklist. Please include a copy of this document with your next filing with the BPDA.
 - ii) A separate email with a link to update your initial submission. Please use ONLY this link for updating the Checklist associated with a specific project..

If you have any questions regarding these comments or would like to arrange a meeting to discuss the policy please feel free to contact Travis Anderson via travis.anderson@boston.gov or smartutilities@boston.gov

Note: Any documents submitted via email to Travis.Anderson@Boston.gov will not be attached to the PDF form generated after submission, but are available upon request.

CHAIR STATEMENT

April 11, 2024

This is a public hearing before the Boston Redevelopment Authority doing business as the Boston Planning & Development Agency, being held in conformance with Articles 80A-2 and 80B-5 of the Boston Zoning Code to consider the proposed Notice of Project Change for the Stanhope Hotel project located at 39 Stanhope Street in the Back Bay.

The hearing was duly advertised on March 28, 2024 in the [Boston Herald](#).

This is a BPDA hearing on a proposed petition by the Agency. Staff members will first present their case and are subject to questioning by members of the Agency. Thereafter, anyone who wishes to testify about the proposed project will be afforded an opportunity. We are taking support and opposition at the same time. If you are planning to testify, please take the time now to verify that your computer microphone is active and click the hand icon on your Zoom control panel. This will signal to staff that you would like to speak. When your hand is raised, it will be blue. If you are calling in to the meeting and would like to testify, please dial *9 to raise your hand. When I call for all testimony, staff will announce your name and allow you to talk. You must unmute your microphone, your webcam will not be active.

In an effort to accommodate all who would like to speak about this proposal, each person will be given up to two minutes to comment. BPDA staff will indicate when thirty seconds remain. At that time, please conclude your remarks so that the hearing may continue, and others may be heard. Finally, the proponents are allowed a period of five to ten minutes for rebuttal if they so desire.

Quinn, please begin the presentation.

MEMORANDUM

APRIL 11, 2024

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

FROM: CASEY HINES, DEPUTY DIRECTOR FOR DEVELOPMENT REVIEW
NUPOOR MONANI, DEPUTY DIRECTOR OF MASTER PLANNING AND
POLICY
QUINN VALCICH, SENIOR PROJECT MANAGER
TED SCHWARTZBERG, ASSISTANT DEPUTY DIRECTOR FOR ZONING
COMPLIANCE

SUBJECT: PUBLIC HEARING TO CONSIDER A DEVELOPMENT IMPACT PROJECT
LOCATED AT 39 STANHOPE STREET IN BACK BAY

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) d/b/a the Boston Planning & Development Agency (“BPDA”): (i) authorize the Director to issue a Director’s Determination, pursuant to Section 80A-6 of the Code in connection with the Notice of Project Change (the “NPC”) filed by Stanhope Hotel Holdings LLC (the “Proponent”) on December 27, 2023 for the Stanhope Hotel project (the “Project”) (ii) authorize the Director to issue a Scoping Determination waiving the requirement of further review pursuant to Section 80B-5.3(d) of the Code in connection with the NPC for the Project; (iii) authorize the Director to issue a Certification of Compliance for the Project pursuant to Section 80B-6 of the Code, upon successful completion of the Article 80 Large Project Review process; (iv) approve the Project as a Development Impact Project within the meaning of Section 80B-7 of the Code; and (v) authorize the Director to take any and all actions and execute and deliver any and all documents and agreements that the Director deems appropriate and necessary in connection with the Project including without limitation, a Cooperation Agreement that will include a provision requiring compliance with the Boston Residents Jobs Policy and a Development Impact Project Agreement.

PROJECT SITE

The Proposed Project is located on an approximately 7,110 square foot site that is situated mid-block on Stanhope Street between Stuart Street and the Massachusetts Turnpike, and to the north of Frieda Garcia Park, in the Stuart Street District of the Back Bay neighborhood of Boston (the “Project Site”). The site is generally bounded by existing commercial properties to the east and west, Alley No. 559 to the north, and Stanhope Street to the south. There is an existing two-story, red brick structure located on the site, which was originally constructed as a stables building, and which recently housed the now-closed Red Lantern restaurant.

DEVELOPMENT TEAM

The Development Team for the Project consists of:

Proponent/Applicant:	<u>Stanhope Hotel Holdings LLC</u> A joint venture between affiliates of H.N. Gorin, Inc. (Rosalind Gorin, Principal), and Masterworks Development Co., LLC (William J. Lovejoy and Thomas Jencks, Principals)
Architect:	<u>Group One Partners</u> Harry Wheeler Rob Festa
Permitting Counsel:	<u>Dain, Torpy, Le Ray, Wiest & Garner, P.C.</u> Donald Wiest

BACKGROUND

The Originally Approved Project, approved by the BPDA Board on July 13, 2023, proposed an approximately 21-story, Three Hundred (300) room hotel, which would include typical accessory hotel uses and an independently operated ground floor restaurant or retail space (collectively, the “Proposed Project”). The design of the new hotel will incorporate the façade of the former stables building.

The Originally Approved Project also included Twenty-Six (26) interior covered and secure bike parking spaces, as well as showers and lockers, and Eight (8) exterior visitor post-and-ring bike parking spaces in compliance with the City’s Bike Parking Guidelines. The Proposed Project also provided a financial contribution and was to identify a space off-site for One (1) 19-dock bike-share station.

NOTICE OF PROJECT CHANGE

On December 27, 2023, the Proponent submitted a Notice of Project Change (the “NPC”) to the BPDA pursuant to Article 80A-6 of the Code.

The NPC proposes to add approximately 10,000 square feet of Gross Floor Area (“GFA”) to the previously approved total of approximately 124,400 square feet through the creation of one additional building floor. The hotel will remain at the original approximate 300-key room count and there are no proposed changes to the height of the building in feet. The subsequent increase in proposed Floor Area Ratio (“FAR”) from approximately 17.5 to approximately 19 will trigger the need for zoning relief, and thus lead to Development Impact Project (“DIP”) exactions.

<u>Estimated Project Metrics</u>	Jul 2023 Approval	Revised Plan	Net Change
Gross Square Footage	124,400	134,400	+10,000
Gross Floor Area	124,400	134,400	+10,000
<i>Residential</i>	0	0	0
<i>Office</i>	0	0	0
<i>Retail</i>	5,500	5,500	0
<i>Lab</i>	0	0	0
<i>Medical Clinical</i>	0	0	0
<i>Education</i>	0	0	0
<i>Hotel</i>	118,900	128,900	+10,000
<i>Industrial</i>	0	0	0
<i>Recreational</i>	0	0	0
<i>Cultural</i>	0	0	0
<i>Parking</i>	0	0	0
Development Cost Est.	\$76,000,000	\$76,000,000	\$0
Residential Units	0	0	0
<i>Rental Units</i>	0	0	0
<i>Ownership Units</i>	0	0	0
<i>IDP/Affordable Units</i>	0	0	0
Parking spaces	0	0	0

*The BPDA uses this estimated cost to gain an understanding of the development environment in Boston. It is not necessary for you to project an exact cost, just the best estimate at this time. If you have have no realistic estimate and instead submit obvious placeholder data (e.g., \$1 million), the BPDA reserves the right to replace that with an estimate based on a formula generated by the agency Research Department.

PLANNING AND ZONING CONTEXT

The Stuart Street Planning Study (2015) and the accompanying Stuart Street District zoning article (2016) establish the planning context for the Proposed Project, and its surrounding neighborhood. Key planning goals for the Stuart Street corridor, which BPDA staff applied in their review of the Proposed Project, include: contextually appropriate growth, public realm improvement, and provision of active ground floor uses to animate the streetscape.

The area south of Boylston Street is an appropriate geography for Back Bay to grow due to: the existing context of the built environment, its location outside of the Back Bay Architectural District, and its proximity to transportation resources including two MBTA subway lines, the MBTA's Commuter Rail, and Amtrak's Northeast Corridor. Accordingly, district scale planning guidelines and zoning regulations encourage the high and mid-rise building typologies, which is consistent with the dimensions of the Proposed Project.

At a parcel scale, the planning context calls for a balance of growth and retention of historic assets through the preservation of buildings that meet National Register for Historic Places criteria for eligibility. After extensive study of preservation strategies, the Proponent's original design was modified to preserve and incorporate the existing stables into the final hotel design.

Most significantly, as a result of staff input, the Proposed Project will support future public realm improvements in a manner that follows from planning guidelines and zoning regulations that require new development to support public realm or public art. (See "Stanhope Pedestrianization Study" below.) Further enhancing the pedestrian experience, hotel use in this location is directly responsive to the planning goal of active ground floor uses throughout the Stuart Street corridor.

The Proposed Project site is located in "Area 3" within the Stuart Street District, as designated by Article 48 Map 1S of the Boston Zoning Code (the "Code"). As originally approved by the BRA Board on July 13, 2023, the Proposed Project was designed to comply with the use, dimensional, and other requirements of the Code. Planning staff have determined that proposed design updates which would cause the proposed floor area to exceed the maximum permitted by existing zoning are

appropriate. Because the proposed design does not change any other dimensions, is it consistent with the intent of the Stuart Street Planning Study, Section 7-3 of the Code.

ARTICLE 80 AND PUBLIC REVIEW PROCESS

A Notice of Project Change (“NPC”) for the Project was filed on December 27, 2023, which initiated a review of the Proposed Project in accordance with Article 80B Large Project Review of the Code. Notice of the receipt by the BPDA of the PNF was published in the *Boston Herald*, initiating a thirty (30) day public comment period. The comment period was extended to March 12, 2024.

A joint Impact Advisory Group (“IAG”) and Public Meeting was held on March 5, 2024. The meeting was advertised in the local paper, posted on the BPDA website, and was distributed to the BPDA Back Bay email list.

STANHOPE STREET PEDESTRIANIZATION STUDY

During the review process for the Originally Approved Project, BPDA and Boston Transportation Department asked the Proponent to engage its landscape architects to explore designs for a car-free Stanhope Street that would enhance the pedestrian experience and use of the public park and ground floor uses along this block of Stanhope Street. The pedestrian-only plaza would occupy the footprint of Stanhope Street between Clarendon Street and Cahners Place. The proposed design would limit vehicular access to emergency vehicles and will include sufficient space for vehicle pick-up/drop-off for three (3) passenger vehicles.

Zoning Code section 48-6.6(a) provides that Proposed Projects “shall contribute to a Transportation Improvement Fund” to be used for certain specified purposes, and that such contributions shall be of a value equal to or greater than one half of one (0.50%) percent of the cost of building construction. The estimated cost of construction of the Proposed Project is Seventy-Six Million Dollars (\$76,000,000), and 0.5% of this sum is Three-Hundred and Eighty Thousand Dollars (\$380,000). The Proponent will commit to paying Four-Hundred and Fifty Thousand Dollars (\$450,000) into the Transportation Improvement Fund in connection with public realm improvements.

The Proponent will share all existing, pertinent design files, surveys and traffic study information that has been completed to this point with the Boston Transportation Department. The Boston Transportation Department shall be responsible for advancing the design and implementation of this improvement, including engaging adjacent community members. The Stanhope Pedestrianization project being

undertaken by the Boston Transportation Department is separate and distinct from the Stanhope Hotel project being undertaken by The Proponent. Any changes made to Stanhope Street will be subject to prior review and approval by the City of Boston's Public Improvement Commission.

MITIGATION & COMMUNITY BENEFITS

The mitigation and community benefits from the Originally Approve Project carry on to this NPC approval, and include the following:

- Providing much-needed hotel space to address the growing hospitality needs of Boston, including from the commercial and office sectors in the Back Bay and surrounding neighborhoods, as well as the rebounding local tourism sector;
- Creating an estimated 350 construction jobs;
- Creating an estimated 80 permanent jobs;
- Creating a new restaurant destination in the Back Bay;
- Improving the urban design characteristics and aesthetic character of the Project Site and its surroundings through the introduction of a landmark new high-rise work of architecture that draws upon and updates the elegant commercial design heritage of the Back Bay;
- Increasing property and hotel tax revenues to the City of Boston to support the public school system, open space, public safety, and other critical municipal initiatives;
- A commitment to incorporate the façade of the existing two-story, red brick stables building at the site into the new hotel building. The Proponent estimates the cost of retaining and repairing this altered façade while constructing the new hotel building within it to be Three-Million Dollars (\$3,000,000); and
- Contributing Four-Hundred and Fifty Thousand Dollars (\$450,000) into the City of Boston's Transportation Improvement Fund. Payment will be due upon issuance of building permits for the hotel. Upon issuance of a Certificate of Occupancy, the BPDA will confirm with the Inspectional Services Department (ISD) that the \$450,000 represents, at a minimum, 0.5% of the total final construction cost. In the event that the final construction cost is higher than \$90,000,000 the proponent shall make an additional payment into the City of Boston's Transportation Improvement Fund representing the difference between \$450,000 and .5% of the final construction cost as confirmed by ISD.
- Contributing Seventy-Five Thousand Dollars (\$75,000) to Boston Transportation Department ("BTD") per the City's Bike Parking Guidelines as

well as providing space for one (1) 19- dock bikeshare station offsite nearby upon issuance of Certificate of Occupancy. The proponent will work with BTM and the BPDA to site the station appropriately. Bikeshare stations may require Administrative Review by PIC.

- Compliance with the BTM Transportation Demand Management (“TDM”) Points System. The selected strategies will be specified and codified in the Transportation Access Plan Agreement (“TAPA”).

DEVELOPMENT IMPACT PROJECT EXACTION

The Project constitutes a Development Impact Project under Article 80, Section 80B-7 of the Code. Based upon the current plans for the Project, which calls for the construction of a building containing approximately 134,000 square feet of DIP Uses in the aggregate, the Proponent is anticipated to provide a Neighborhood Housing Trust (“NHT”) payment contribution of up to approximately Four Hundred and Forty Two Thousand and 00/100 Dollars (\$442,000) and a Neighborhoods Jobs Trust (“NJT”) payment contribution of up to approximately Eighty One Thousand, Two Hundred and Sixty and 00/100 Dollars (\$81,260), or equivalent job and/or housing creation programs as approved by the BPDA and the NHT or NJT, as applicable.

These estimated linkage amounts are calculated as follows:

Housing Linkage:

DIP Uses	134,000 square feet
Exclusion	<u>- 100,000</u>
	34,000
X	<u>\$ 13.00/square foot</u>
	\$442,000

Jobs Linkage:

DIP Uses	134,000 square feet
Exclusion	<u>- 100,000</u>
	34,000
X	<u>\$2.39/square foot</u>
	\$81,260

The DIP gross floor area for the Project is subject to final calculation based upon the final design plans and applicable provisions of the Development Impact Project Agreement to be entered into by the Proponent and the BPDA.

RECOMMENDATION

Based on the foregoing, BPDA staff recommends that the Board, after due consideration of the Proponent filings, written and oral comments received, and meetings held regarding the Project: (i) authorize the Director to issue a Director's Determination, pursuant to Section 80A-6 of the Code in connection with the Notice of Project Change (the "NPC") filed by Stanhope Hotel Holdings LLC (the "Proponent") on December 27, 2023 for the Stanhope Hotel project (the "Project") (ii) authorize the Director to issue a Scoping Determination waiving the requirement of further review pursuant to Section 80B-5.3(d) of the Code in connection with the NPC for the Project; (iii) authorize the Director to issue a Certification of Compliance for the Project pursuant to Section 80B-6 of the Code, upon successful completion of the Article 80 Large Project Review process; (iv) approve the Project as a Development Impact Project within the meaning of Section 80B-7 of the Code; and (v) authorize the Director to take any and all actions and execute and deliver any and all documents and agreements that the Director deems appropriate and necessary in connection with the Project including without limitation, a Cooperation Agreement that will include a provision requiring compliance with the Boston Residents Jobs Policy and a Development Impact Project Agreement.

Appropriate votes follow:

VOTED: That the Director of the Boston Redevelopment Authority (the "BRA") be, and hereby is, authorized to issue a Determination pursuant to Section 80A-6 of the Boston Zoning Code (the "Code"), which (i) finds that the program revisions described in the Notice of Project change submitted on December 27, 2023 ("NPC") do not significantly increase the potential impacts arising from the for the Stanhope Hotel project, located at 39 Stanhope Street in the Back Bay neighborhood (the "Proposed Project") that are within the scope of required review, and provides sufficient mitigation measures to minimize these impacts; and (ii) waives further review of the Proposed Project under Section 80A-6 of the Code, subject to continuing design review by the BRA; and

FURTHER

VOTED: That, pursuant to Section 80B-5.3(d) of the Code, the Director be, and hereby is, authorized to issue a Scoping Determination Waiving Further Review finding that the Project Notification Form, together with any supplemental filings received by the BRA prior to the issuance of the Scoping Determination Waiving Further Review, adequately describes the potential impacts arising from the Project and provides

sufficient mitigation measures to minimize these impacts, and waiving any requirement for further review of the Project subject to BRA design review; and;

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Compliance for the Project thereof pursuant to Section 80B-6 of the Code upon successful completion of the Article 80 Large Project Review process; and

FURTHER

VOTED: That the BRA hereby finds and determines in accordance with 80B-4.3 of the Code that the Project, as described in the Article 80 Filings, conforms to the general plan for the City as a whole, and that nothing in the Project will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens, and therefore approves the Proposed Project as a Development Impact Project within the meaning of Section 80B-7 of the Code; and

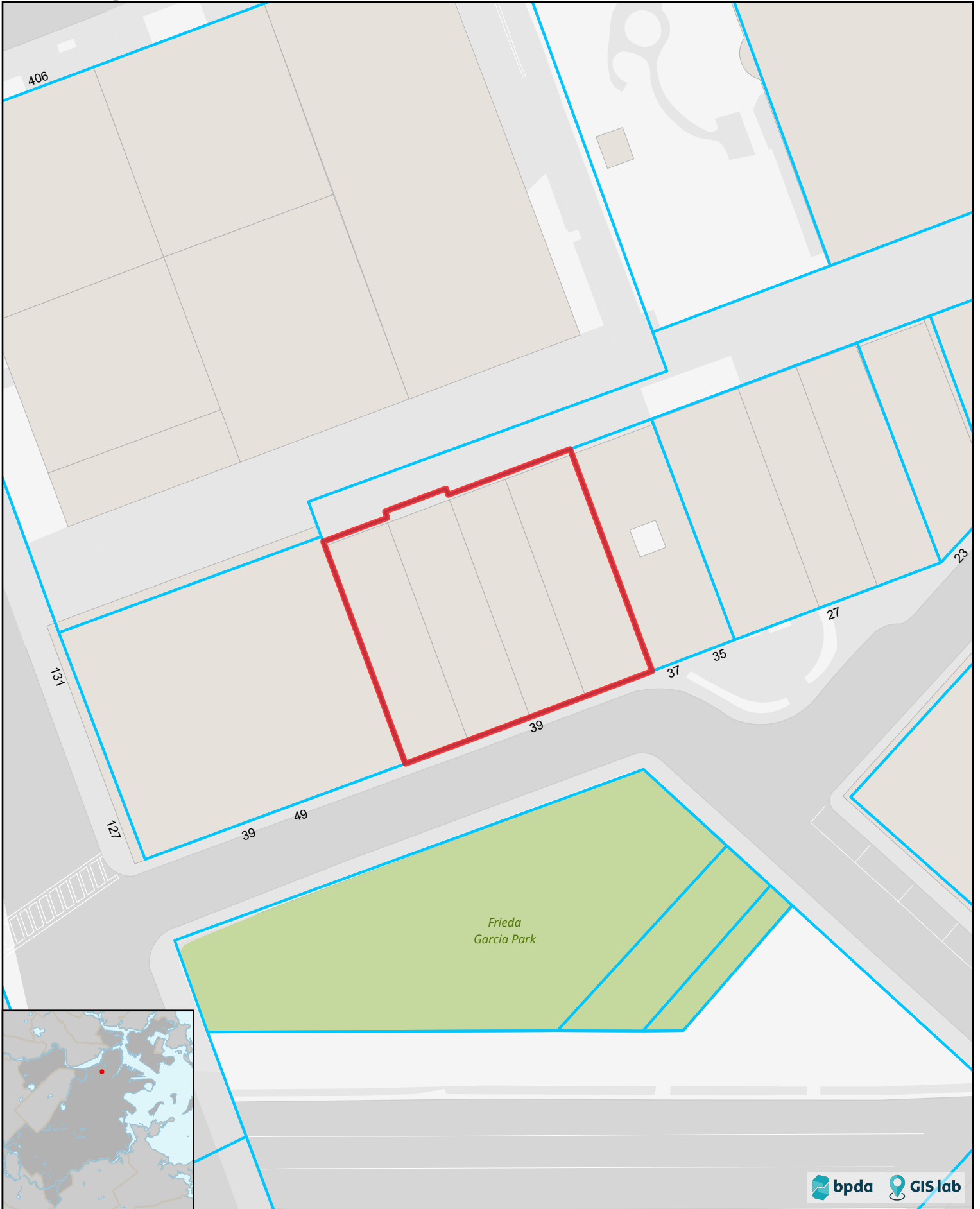
FURTHER

VOTED: That the Director be, and hereby is, authorized to take any and all actions and execute any and all documents and agreements deemed necessary and appropriate by the Director in connection with the foregoing, including, without limitation, executing and delivering a Cooperation Agreement which will include a provision requiring compliance with the Boston Residents Jobs Policy, and a Development Impact Project Agreement, along with any and all other documents, certificates and agreements that the Director deems appropriate and necessary in connection with the Project and the Development Plan.

Stanhope Hotel



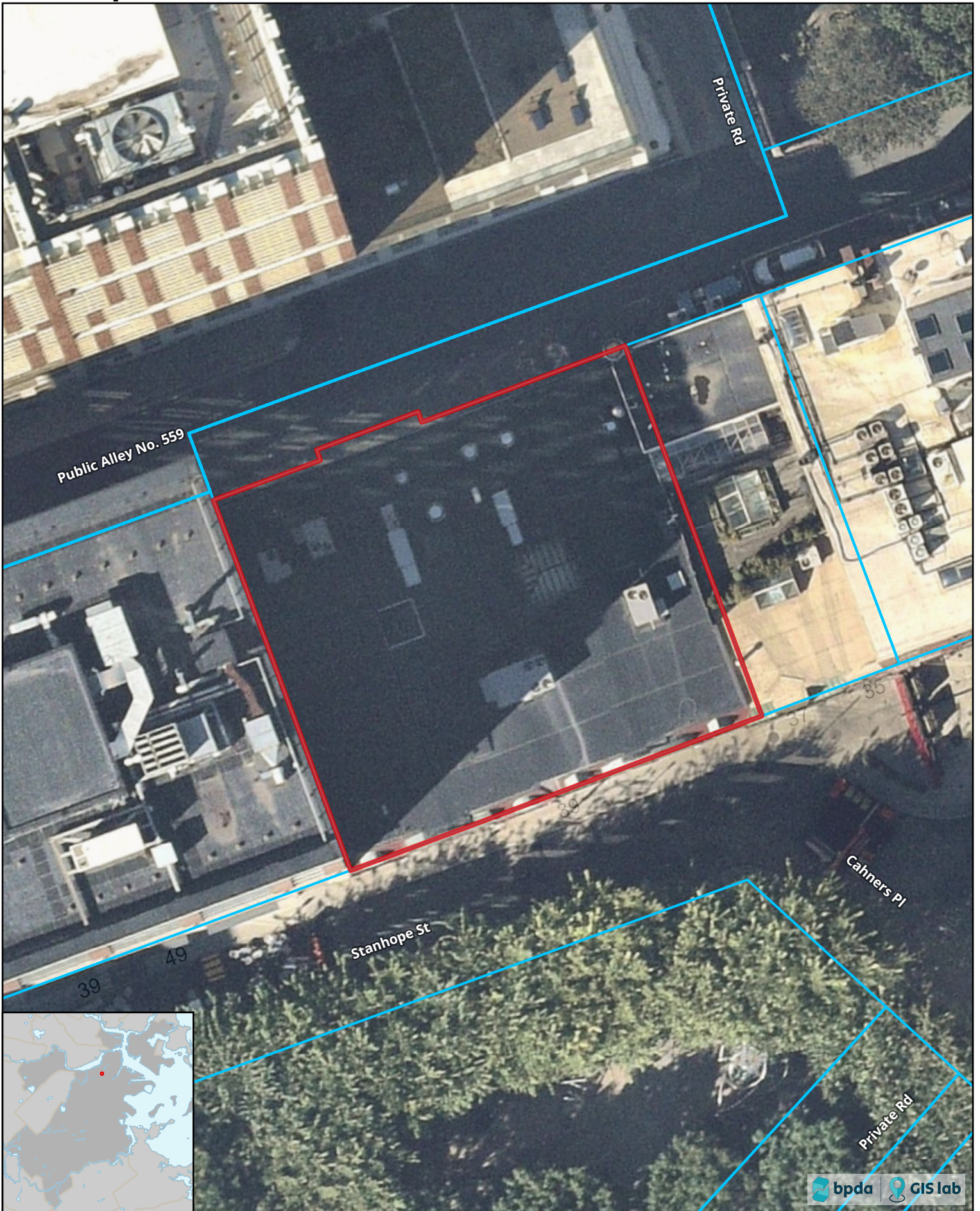
1:500



Stanhope Hotel



1:300





Boston City Council
ED FLYNN
Councillor - District 2

April 11, 2024

Boston Planning & Development Agency Board
One City Hall Square, Room 900
Boston, MA 02201

RE: Letter of support for Stanhope Hotel, 39 Stanhope Street

Dear Members of the BPDA Board,

I'm writing in support of the Stanhope Hotel proposed at 39 Stanhope Street in the Back Bay neighborhood that is before the BPDA Board today. I hope that the Board will take the action necessary to approve this project.

As I have noted in my letter of support from June 2023, the Stanhope Hotel proposal is a welcome addition to Stanhope Street, a relatively dormant block in the vibrant Back Bay neighborhood. It redevelops the current two-story, historic stables building into a twenty-one story hotel with 300 rooms, while retaining and restoring the stables. At 270 ft in height, the 124,400 square foot project will be compliant with the maximum zoning height of 356 ft and the maximum FAR of 17.5 of the Stuart Street District.

This use is especially pertinent in the Back Bay due to its commercial, office and retail needs. It is also a short walk away from many of Boston's most visited sites such as Copley Square, Trinity Church, the Boston Public Library, Boylston and Newbury Streets, the Prudential Center, and the Hynes Convention Center. The new hotel and its included restaurant and commercial space will add a new urban destination to the neighborhood.

I would like to note that I continue to hear some concerns specifically to traffic and construction mitigation given the narrow and dense nature of Stanhope Street. There are concerns with deliveries and loading to abutting buildings, especially with the site's back-facing proximity to the Clarendon Post Office's loading area, as well as the possible impact of rideshare vehicles with no parking on site. It is important that the developers continue to inform and work with key stakeholders and abutters of the site to proactively communicate these plans ahead of time to mitigate any operational impacts to pick up/drop off, loading zones, and quality of life issues as the construction phase approaches and thereafter.

I believe that the proponent has conducted a good community process with neighbors. They have shown continued commitment to honoring the project site's history and integrating the project into the Back Bay's urban design.



Boston City Council

ED FLYNN

Councilor - District 2

I respectfully ask that the Board provide every consideration as this project will be a valuable addition to my district and the economic vitality of our city. If you have any questions, please feel free to contact me at Ed.Flynn@Boston.gov, or at 617-635-3203.

Sincerely,

A handwritten signature in black ink that reads "Ed Flynn".

Ed Flynn

Boston City Councilor, District 2



Brigitte Martin <brigitte.martin@boston.gov>

Fwd: Support for 39 Stanhope Street

2 messages

Quinn Valcich <quinn.w.valcich@boston.gov>

Mon, Apr 8, 2024 at 4:09 PM

To: Brigitte Martin <brigitte.martin@boston.gov>, Teresa Polhemus <teresa.polhemus@boston.gov>

FYI, for Board

----- Forwarded message -----

From: **Erin Murphy** <erin.murphy@boston.gov>

Date: Mon, Apr 8, 2024 at 2:50 PM

Subject: Support for 39 Stanhope Street

To: Priscilla Rojas <priscilla.rojas@boston.gov>, Quinn Valcich <quinn.w.valcich@boston.gov>

April 8, 2024

Boston Planning & Development Agency
One City Hall Square
Boston, MA 02201

Re: 39 Stanhope Street

Dear Chairwoman Priscilla Rojas and BPDA Board:

I am writing to express my continued support for the proposed hotel development project on [39 Stanhope Street](#). I wrote a letter of support back on June 23, 2023. Due to the project adding 10,000 square feet to allow more back of house space for restaurant and hotel operations, this has triggered a Notice of Project Change (NPC), and I want to be on record of full support.

This project has gone through an extensive community process and worked with Boston Transportation Department, to ensure safe pedestrian walkways, and with the Landmarks Commission to preserve the existing historic facade.

The project has also received significant backing from the local civic associations, neighboring residents, and unions, particularly UNITE HERE Local 26, all of whom recognize the considerable benefits it will bring to this area.

As an At-Large city councilor I listen to and respect the voices of the neighborhoods that are most impacted by a project, and this proposal has gone through a thorough community process. Thank you for your time. If you have any questions or concerns please do not hesitate to contact my office at 617-635-3115.

Sincerely,



Erin Murphy

Boston City Councilor At-Large

Erin J. Murphy
Boston City Councilor At-Large
Office: 617-635-3115

Please note that emails sent to and from this account are public records, and may also be read by members of my staff.

--



Quinn Valcich
Senior Project Manager
617-918-4219

Boston Planning & Development Agency (BPDA)
One City Hall Square | Boston, MA 02201
bostonplans.org

The BPDA is Hiring! *Come join our team and help shape Boston's future with us.*

Brigitte Martin <brigitte.martin@boston.gov>
To: Quinn Valcich <quinn.w.valcich@boston.gov>
Cc: Teresa Polhemus <teresa.polhemus@boston.gov>

Mon, Apr 8, 2024 at 4:11 PM

Thank you, I will place the information in an upcoming Board Update.



Brigitte Martin
Board Governance and Operations Specialist
617.918.4453 (o)

Boston Planning & Development Agency (BPDA)
One City Hall Square | Boston, MA 02201
bostonplans.org

[Quoted text hidden]

MEMORANDUM

June 13, 2024

**TO: BOSTON REDEVELOPMENT AUTHORITY
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY ("BPDA")**

AND JAMES ARTHUR JEMISON II, DIRECTOR AND CHIEF OF PLANNING

FROM: CASEY HINES, DEPUTY DIRECTOR FOR DEVELOPMENT REVIEW
DANIEL POLANCO, PROJECT MANAGER
ALEXA PINARD, Assistant Deputy Director for Design Review
ILANA HAIMES, ZONING COMPLIANCE PLANNER II
NICK SCHMIDT, SENIOR TRANSPORTATION PLANNER II

SUBJECT: 9 GENEVA ST, EAST BOSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority ("BRA") d/b/a Boston Planning & Development Agency ("BPDA") authorize the Director to: (1) issue a Certification of Approval for the proposed development located at 9 Geneva Street in East Boston (the "Proposed Project"), pursuant to Article 80E, Small Project Review of the Boston Zoning Code (the "Code"); and (2) enter into an Affordable Rental Housing Agreement and Restriction ("ARHAR"), in connection with the Proposed Project; and (3) execute and deliver a Community Benefits Agreement; and take any and all other actions and execute and deliver any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The Proposed Project is located on what will be a combination of seven (7) parcels

which, once combined, will contain 14,829 square-feet of land. The Project Site currently includes two (2) buildings (to be razed) including a single-family home and an industrial/commercial building that serves as an autobody and auto repair. The Project Site is within walking distance of both Maverick and Airport stations on the MBTA Blue Line. The Project Site is also within a 5-minute walk to East Boston Memorial Stadium, the East Boston Greenway, and other area amenities.

Estimated Project Metrics	Proposed Plan
Gross Square Footage	41,513
Gross Floor Area	35,541
<i>Residential</i>	35,541
<i>Office</i>	0
<i>Retail</i>	0
<i>Lab</i>	0
<i>Medical Clinical</i>	0
<i>Education</i>	0
<i>Hotel</i>	0
<i>Industrial</i>	0
<i>Recreational</i>	0
<i>Cultural</i>	0
<i>Parking</i>	5,972
* Development Cost Estimate	\$9,500,000
Residential Units	28
<i>Rental Units</i>	28
<i>Ownership Units</i>	0
<i>IDP/Affordable Units</i>	5
Parking spaces	16

*The BPDA uses this estimated cost to gain an understanding of the development environment in Boston. It is not necessary for you to project an exact cost, just the best estimate at this time. If you have no realistic estimate and instead submit obvious placeholder data (e.g., \$1 million), the BPDA reserves the right to replace that with an estimate based on a formula generated by the agency Research Department.

DEVELOPMENT TEAM

Owner/Developer/Applicant

Geneva Street, LLC
14 Sgt. Roode Lane
Middleton, MA 01949
Contact: Nicholas Yebba

Legal Counsel

Richard C. Lynds, Esq.
Law Office of Richard C. Lynds
245 Sumner Street, Suite 110
East Boston, MA 02128
Email: rclyndsesq@gmail.com

Architecture

O'Sullivan Architects
606 Main Street, Suite 3001
Reading, MA 01867
David O'Sullivan, AIA – Principal

Civil Engineer

PJF & Associates
4 Highland Avenue
Wakefield, MA 01880
Paul Finocchio, PLS

DESCRIPTION AND PROGRAM

9 Geneva Street LLC (the "Proponent") proposes to construct a new five (5) story, 28-unit residential apartment building, with on-site motor vehicle and bicycle parking, residential lobby, and utility spaces (the "Proposed Project"). The Proposed Project will be situated on a combined lot of approximately +/-14,829 square feet of land, which will have an address of 9 Geneva Street, in Boston's East Boston neighborhood, between Maverick Street and Gove Street (the "Site" or "Project Site"). The Proposed Project's unit mix will include four (4) one-bedroom, twenty (20) two-bedroom units, and four (4) three-bedroom units. The Proposed Project will include five (5) units, or approximately 17.9% percent of the total residential units, restricted under the City of Boston Inclusionary Development Policy (IDP), which exceeds the minimum requirement of 13%.

The Proposed Project will include a maximum of sixteen (16) on-site motor vehicle parking spaces, including one (1) van-accessible space adjacent to an 8-foot-wide access aisle for residents located at ground level. All motor vehicle parking spaces will be accessed via a single curb cut via Geneva Street. The number of motor vehicle parking spaces approved by the BPDA is a maximum number of spaces, as final decisions on parking supply are codified by the Zoning Commission for Small Projects. The curb cut size will be limited to no wider than 10 feet.

The Proposed Project will include a minimum total of thirty-four (34) interior covered and secured resident bike parking located within the ground floor and directly accessible via Geneva Street. The proposed Project will also include a minimum total of six (6) exterior visitor bike parking spaces using a minimum of three (3) post-and-ring racks in compliance with the City of Boston's Bike Parking Guidelines.

The Proposed Project will include streetscape improvements to Geneva Street consistent with the Boston Complete Streets Design Guidelines. The Proposed Project will create an accessible sidewalk at least 8 feet in width, inclusive of a minimum 5-foot clear pedestrian path of travel and at least six (6) street trees, along the Project Site. The Proposed Project will create an accessible sidewalk, inclusive of a minimum 5-foot clear pedestrian path of travel, from the Project Site to Maverick Street. Together, these improvements will create a continuous and accessible path of travel for residents and visitors between the Proposed Project and Maverick Street (the nearest public way) and MBTA Bus Route 120. Sidewalk setbacks and streetscape improvements will be subject to design review and may require approval by the Public Improvement Commission ("PIC"), including Pedestrian Easement and Specific Repairs actions.

The information below summarizes the Proposed Project's key statistics.

PLANNING CONTEXT

The Proposed Project is located within the East Boston Neighborhood District, within a Multi-Family Residential (MFR) Subdistrict, pursuant to Article 53 of the Zoning Code. The proposed development is also located within the study area of

PLAN: East Boston, adopted by BPDA Board in January 2024, and codified into zoning adopted by the Boston Zoning Commission in April 2024. Given the recent adoption of this PLAN and related zoning, the use and dimensional regulations proposed by PLAN: East Boston are most pertinent to the Proposed Project, and it was reviewed to align with that context.

PLAN: East Boston designates the proposed development site as an EBR-4 subdistrict. Within this area, recommendations from the PLAN include improved transportation and public realm, achieved in this project through the addition of a sidewalk connection to Maverick Street and the addition of street trees along the new sidewalk for shade and pedestrian comfort. This subdistrict also allows for heights of up to four stories for residential buildings. The Proposed Project is located in the Coastal Flood Resilience Overlay District, which requires new construction to meet resilient design standards. These standards include elevating the building above Base Flood Elevation for the year 2070, and limiting the uses that can be located below the Design Flood Elevation. The Base Flood Elevation for the proposed development site is 19.5'. The required freeboard for residential this type of development is 2 feet, requiring a 21.5' Design Flood Elevation. The proposed height of four stories above Design Flood Elevation is consistent with the zoning regulations of the East Boston Neighborhood District (Article 53) and Coastal Flood Resilience Design Guidelines (Article 25a).

Relative to the East Boston Neighborhood District zoning requirements, the Proposed Project will require relief with respect to Building Width, Rear Setback, and Maximum Floor Plate. Due to the irregular shape of the lot, relief is recommended for the rear setback. The rear setback for the deepest areas of the project site has a minimum dimension of 30' and abuts open space at the edge of the Logan Airport property, further supporting the case for zoning relief. Per Section 7.3 - Conditions Required for Variance, a variance for the rear setback is merited due to special circumstances applying to the land of which circumstances or conditions are peculiar to such land or structure but not the neighborhood. The location of the proposed project adjacent to greenspace on both the northern side of the parcel and to the parcel rear creates a condition similar to that of a corner lot, meriting zoning relief for the width and subsequent floorplate size of the building.

ARTICLE 80 REVIEW PROCESS

On January 31, 2024, the Proponent filed a Small Project Review Application (“SPRA”) pursuant to Article 80E of the City of Boston Zoning Code (“the Code”). The BPDA hosted a virtual public meeting for the Proposed Project on February 28, 2024. The public comment period in connection with the Proponent’s submission of the SPRA ended on March 8, 2024.

The virtual public meeting was advertised in the relevant neighborhood newspapers, posted to the BPDA’s website and a calendar notification was sent to all subscribers of the BPDA’s East Boston neighborhood updates. The presentation and a recording of the virtual public meeting was published to the 9 Geneva Street project webpage on the BPDA website.

ZONING

The Project Site is situated within the Multifamily Residential (MFR) subdistrict under the Boston Zoning Code. The site is located within the Groundwater Conservation Overlay District (GCOD) as described in Article 32 and the Coastal Flood Resiliency Overlay District (CFROD) as described in Article 25A.

Under the current provisions of Article 53, the Proposed Project is anticipated to need relief from the Zoning Board of Appeals for the following:

Article 53, Section 9: Floor Area Ratio Excessive

Article 53, Section 9: Rear Yard Insufficient

Article 53, Section 9: Stories and Height Excessive

Article 53, Section 9: Lot Area Insufficient

Article 53, Section 56: Off Street Parking and Loading Insufficient

MITIGATION & COMMUNITY BENEFITS

The Proposed Project will provide community benefits for the East Boston neighborhood and the City of Boston. The Proposed Project will result in an improved pedestrian experience along Geneva Street with the installation of new

sidewalks, street trees, landscaping, and visitor bike parking, consistent with the City of Boston's Complete Streets Design Guidelines. In addition, the Proponent shall agree to the following:

- Proponent shall enter into a Transportation Demand Management (TDM) agreement with the Boston Transportation Department ("BTD") using the City's TDM Points System. An adequate number of Baseline, Impact, and Elective strategies should be selected to achieve 80 Target Points, as required for the Project Site's Mobility Score of 66. The TDM plan shall be completed before building permit issuance for the Proposed Project, with selected strategies in place upon Certificate of Occupancy.
- In-kind or financial contributions totaling up to twenty thousand (\$28,000.00) dollars, to be managed by the BPDA, and which will be allocated to:
 - An in-kind commitment for thirty-five thousand dollars (\$35,000) worth of roadway and public realm improvements to Geneva Street, which is a private way open to public travel, such as advancing engineering and design work and/or leveling or resurfacing all or portions of Geneva Street. This mitigation measure is subject to review by BPDA, BTD, Boston Public Works Department ("PWD"), PIC, and other City departments, as needed. PIC approvals for proposed improvements shall be completed before building permit issuance for the Proposed Project, and physical improvements shall be completed upon Certificate of Occupancy. This mitigation measure is subject to continuing BPDA design review. In the event that circumstances change regarding this mitigation, the BPDA will work with the Proponent to identify an alternative solution with comparable impact and estimated value;
 - A financial contribution to Tree Eastie, a not-for-profit corporation to support the continued expansion of tree canopy East Boston Neighborhood upon issuance of Certificate of Occupancy in the amount of [\$5,000.00]; and
- In support of the priorities of PLAN: East Boston and the Urban Forest Plan the Proponent shall take the following measures to ensure protection of

existing tree canopy and to establish conditions which support healthy establishment of new trees installed by the Proposed Project. Site plans should illustrate proposed conditions should illustrate all existing trees to remain which measure 6-inch caliper DBH or larger, including trees on the Project Site as well as trees on abutting parcels within fifteen feet of the Proponent's property line. The plan should illustrate the extent of each existing tree's canopy, extent of tree protection zone (TPZ) and extent of critical root zone (CRZ) as determined by a certified arborist. A report prepared by a certified arborist should inventory the species, caliper size, canopy extent, TPZ, CRZ, health condition, and tree protection recommendations. The intent of this request is to ensure that consideration is given, and steps taken to protect each tree's stem, branches, and root zone from damage, and to avoid overcompaction and contamination of soil within the tree protection areas during the construction process and through the designed conditions. New plantings of canopy trees shall be provided with sufficient soil volume and resources to support healthy establishment. Street trees should target a minimum soil volume of 1000 cubic feet per tree, assuming a 3-foot max soil depth. A system of structural soil or suspended pavement should be utilized where soil volumes extend below pavement. BPDA staff recommends that the Proponent engage the services of a landscape architect for design and construction phase.

- Plans provided as of May 23, 2024, do not illustrate the Proponent's intent regarding how to manage the existing utility pole and overhead lines, which cross into the site. Proponent shall provide clarification about management of these utilities in future documentation.

INCLUSIONARY DEVELOPMENT COMMITMENT

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 ("IDP"), and is located within Zone C, as defined by the IDP. The IDP requires that 13% of the total number of units within the development be designated as IDP units. In this case, the developer has agreed to make approximately 17.9% of the units at the Project Site comply with IDP. Therefore, five (5) units within the Proposed Project will be created as IDP rental units (the "IDP Units"). All five (5) IDP units will be made

affordable to households earning not more than 70% of Area Median Income (“AMI”), as based on data from the United States Department of Housing and Urban Development (“HUD”) and published by the BPDA.

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

Unit Number	Number of Bedrooms	Square Footage	Percentage of AMI	Rent	Group-2 designation (if any)
202	Two-bedroom	974	70%	\$1,766	
206	Three-bedroom	1,264	70%	\$1,978	Group-2
304	Two-bedroom	974	70%	\$1,766	
401	Two-bedroom	992	70%	\$1,766	
505	One-bedroom	548	70%	\$1,559	

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

The ARHAR for each building must be executed along with, or prior to, the issuance of the Certification of Approval for the Proposed Project. The Proponent must also submit an Affirmative Marketing Plan (the “Plan”) to the Boston Fair Housing Commission and the BPDA. Preference will be given to applicants who meet the following criteria, weighted in the order below:

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

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

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

RECOMMENDATION

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

An appropriate vote follows:

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Approval pursuant to Section 80E-6 of the Boston Zoning Code (the "Code"), approving the development at 9 Geneva Street in the East Boston neighborhood proposed by the Proponent for the construction of a multifamily residential building comprised of a five-story, multifamily residential building, containing twenty-eight (28) residential units, up to

sixteen (16) accessory off-street motor vehicle parking spaces, a minimum of thirty-four (34) bicycle parking spaces, trash and recycling, and building amenities all located at grade within the 5,972 sq.ft. garage; including five (5) Inclusionary Development Policy (“IDP”) units for the building (the “Proposed Project”) in accordance with the requirements of Small Project Review, Article 80E, of the Code, subject to continuing design review; and

**FURTHER
VOTED:**

That the Director be, and hereby is, authorized to execute and deliver one or more Affordable Rental Housing Agreement and Restriction(s) for each building for the creation of a total of Five (5) on-site IDP Units in connection with the Proposed Project; and

**FURTHER
VOTED:**

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

9 Geneva Street



1:500



9 Geneva Street



1:500

