



City of Boston  
Board of Appeal

TUESDAY, OCTOBER 20, 2020

BOARD OF APPEAL

CITY HALL, ROOM 801

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## **HEARING MINUTES**

Board Acting Chair Erlich called the meeting to order promptly at 9:30 AM and commenced with a brief description of the hearing process and, pursuant to the Massachusetts Open Meeting Law, advised those in attendance that the hearings would be broadcast and recorded and hearing minutes would be kept. The Chair announced that the hearing was being conducted remotely via an online meeting platform and subject to the below advisory which was part of the publicly posted hearing agenda. The Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Mark Fortune:

**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON OCTOBER 20, 2020 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS OCTOBER 20, 2020 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

**PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:**

**THE OCTOBER 20, 2020 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE WEBEX EVENT PLATFORM.**

Interested persons can participate in the hearing REMOTELY by going to <http://bit.ly/zbaOct20hearing> or by calling 1-617-315-0704 and entering access code 173 725 6461.

If you wish to offer testimony on an appeal, please click <http://bit.ly/zbaOct20comment> to sign up. Please provide your name, address, the address and/or BOA number of the appeal on which you wish to speak, and if you wish to speak in support of or opposition to the project.

For individuals who need translation assistance, please notify the Board at least **48 HOURS** in advance either by signing up at <http://bit.ly/zbaOct20comment>, calling 617-635-4775 or emailing [isdboardofappeal@boston.gov](mailto:isdboardofappeal@boston.gov).



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**The ZBA Ambassador will be available within the WebEx Event from at 8:30 AM to 9:30 AM to answer questions about ZBA procedures and offer instructions on how to participate in the hearing via WebEx. Questions and/or concerns can also be emailed to the ZBA Ambassador at [zba.ambassador@boston.gov](mailto:zba.ambassador@boston.gov).**

**If you wish to offer comment within the meeting platform, please use the “raise hand” function, if connected by video, or dial \*3, if connected by phone. The requester will be administratively unmuted and asked to state their name, address and comment. Comments will be limited as time requires.**

**IF YOU WISH TO OFFER TESTIMONY ON AN APPEAL, PLEASE LOG IN TO THE HEARING NO LATER THAN 9:00 AM TO ENSURE YOUR CONNECTION IS PROPERLY FUNCTIONING.**

**The hearing can also be viewed via live-stream on the City’s website at <https://www.boston.gov/departments/broadband-and-cable/watch-boston-city-tv>. Closed captioning is available.**

**Interested persons who are unable to participate in the hearing remotely may make an appointment to appear in person at City Hall, in the BPDA board room, 9th Floor, Room 900. Please notify the Board at least 48 HOURS in advance either by calling 617-635-4775 or emailing [isdboardofappeal@boston.gov](mailto:isdboardofappeal@boston.gov) for accommodations to be made. Individuals appearing at City Hall without an appointment will not be permitted to enter.**

**MEMBERS OF THE COMMUNITY ARE STRONGLY ENCOURAGED TO HELP FACILITATE THE VIRTUAL HEARING PROCESS BY EMAILING LETTERS IN SUPPORT OF OR OPPOSITION TO AN APPEAL TO [isdboardofappeal@boston.gov](mailto:isdboardofappeal@boston.gov) IN LIEU OF OFFERING TESTIMONY ONLINE OR FROM BPDA BOARD ROOM. IT IS STRONGLY ENCOURAGED THAT WRITTEN COMMENTS BE SUBMITTED TO THE BOARD AT LEAST 48 HOURS PRIOR TO THE HEARING.**



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**EXTENSION: 9:30 AM**

**Case: BOA-787903 Address: 29 Pinehurst Street Ward 20 Applicant: Leandrea Brantle**

**Discussion:** The applicant requested an extension of zoning relief previously granted by the Board relative to the above application.

**Vote:** Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

**Case: BZC-32903 Address: 188 High Street Ward 3 Applicant: Chris Elsey**

**Discussion:** The applicant requested an extension of zoning relief previously granted by the Board relative to the above application.

**Vote:** Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

**Case: BOA-694031 Address: 31 Woodlawn Street Ward 11 Applicant: Richard Lynds, Esq**

**Discussion:** The applicant requested an extension of zoning relief previously granted by the Board relative to the above application.

**Vote:** Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

**Case: BOA- 694028 Address: 33 Woodlawn Street Ward 11 Applicant: Richard Lynds, Esq**

**Discussion:** The applicant requested an extension of zoning relief previously granted by the Board relative to the above application.

**Vote:** Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

**Case: BOA- 835828 Address: 277 Border Street Ward 1 Applicant: Ricchard Lynds, Esq**

**Discussion:** The applicant requested an extension of zoning relief previously granted by the Board relative to the above application.

**Vote:** Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

**Case: BOA-819243 Address: 806 Saratoga Street Ward 1 Applicant: Richard Lynds, Esq**

**Discussion:** The applicant requested an extension of zoning relief previously granted by the Board relative to the above application.

**Vote:** Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.



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**Case: BOA- 819227 Address: 96 Wordsworth Street Ward 1 Applicant: Richard Lynds, Esq**

**Discussion:** The applicant requested an extension of zoning relief previously granted by the Board relative to the above application.

**Vote:** Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

### **BOARD FINAL ARBITER: 9:30 AM**

**Case: BOA-1037843 Address: 4 Payne Street Ward 16 Applicant: Marc LaCasse, Esq**

**Discussion:** The applicant requested approval of minor changes to the plans relative to zoning relief previously granted by the Board for the above application.

**Vote:** Upon a Motion and second, the Board voted unanimously to approve the request.

### **HEARING: 9:30 AM**

**Case: BOA-1056755 Address: 141 Falcon Street Ward 1 Applicant: Crespo Holdings, LLC**

**Articles: Article 27TEast Boston IPOD Art. 53 Sec. 52 Roof Structure Restrictions**

**Art. 53 Sec. 09 Floor Area Ratio Excessive Article 53, Section 9 Bldg Height Excessive (Stories)**

**Article 53, Section 9 Rear Yard Insufficient Article 53, Section 9 Side Yard Insufficient**

**Art. 53 Sec. 56 Off street parking insufficient Art. 53, Section 8 Use: Forbidden**

**Purpose: Change occupancy from a Two Family to a Three family residential dwelling. Erect addition, erect two dormers, and extend living space into basement.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy from a two-family to three-family dwelling. No off-street parking provided.

Board members asked about extension of the rear of the building, use in the basement, basement egress and access to utilities.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support.

**Documents/Exhibits:** Building Plans, letters in support

**Votes:** Board Member Kindell moved for approval with BPDA design review and Ruggiero seconded and the Board voted unanimously to approve.



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**Case: BOA-1069147 Address: 235 Condor Street Ward 1 Applicant: Condorhosdav Trust**  
**Articles: Article 27T-5 East Boston IPOD Article 53 Section 56 Off-Street Parking & Loading Req Proposed off street parking is insufficient Article 53 Section 8 MFR is a forbidden use in a 2F-2000 sub-district Article 53 Section 9 Floor Area Ratio Excessiven Article 53 Section 9 Bldg Height Excessive (Stories) Article 53 Section 9 Bldg Height Excessive (Feet) Article 53 Section 9 Side Yard Insufficient Article 53 Section 9 Rear Yard Insufficient**  
**Purpose: Combine lots with parcel numbers 0103325010 and 0103325020 to create a new lot consisting of 4,375 s.f. (See ALT1037462) and erect a 6 unit residential dwelling with parking for 6 vehicles.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to combine lots and erect a six unit multifamily residential dwelling with six off-street parking spaces.

Board members asked about parking access and building height.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, letters in support

**Votes:** Board Member Kindell moved for approval with BPDA design review and Logue seconded and the Board voted 5 to 1 to approve. Board Member Ruggiero was in opposition.

**Case: BOA- 1069837 Address: 159-165 Everett Street Ward 1 Applicant: Joseph Vitale**  
**Articles: Article 27T 5 East Boston IPOD Applicability Article 53 Section 8 Use Forbidden Article 53 Section 9 Insufficient additional lot area per unit Article 53 Section 9 Excessive F.A.R. Article 53 Section 9 # of allowed stories Exceeded Article 53 Section 9 Max. allowed height Exceeded Article 53 Section 9 Insufficient open space per unit Art. 53 Sec. 573) Traffic visibility across a corner lot Art. 53 Sec. 56 Off Street Parking Insufficient Off street parking Art. 53 Sec. 56\* Off St.Parking Requirements DESIGN a) Maneuvering areas Article 53 Section 9 Dim Reg Applic in Res Sub Dist 3) Location of Main Entrance Article 53 Section 9 Insufficient rear yard setback**  
**Purpose: Combine lots per ALT1065172 to create one lot. Raze existing building and erect a 7 unit residential dwelling with roof decks and parking for 8 vehicles. \*Existing building to be razed on a separate permit.**

**Discussion:** At the applicant's request, the matter was deferred to the January 12, 2021 hearing.

**Case: BOA- 1097299 Address: 323 Maverick Street Ward 1 Applicant: Boston Building Company, LLC**  
**Articles: Article 27T 5 East Boston IPOD Applicability Article 53 Section 8 Use Regulations Forbidden Article 53 Section 9 Insufficient additional lot area per unit Article 53 Section 9 # of allowed stories has been exceeded Article 53 Section 9 Max allowed height exceeded Article 53 Section 9 Excessive F.A.R. Article 53 Section 9 Insufficient side yard setback Article 53 Section 9 Insufficient open space per unit Article 53 Section 9 Insufficient rear yard setback Article 53 Section 56 Off Street Parking & Loading Req Insufficient parking**  
**Purpose: Seeking to raze the existing structure and erect a four story, four family residential dwelling with no parking. Nominal Fee Letter and E Plans Attached. ZBA Required. (new scope 7.16.20).**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a four-story, four-unit multifamily residential dwelling.



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Board members asked about use of the basement and access to utilities.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilors Edwards and Essaibi-George and an abutter are in support. The Jeffries Point Neighborhood Association and an abutter are in opposition.

**Documents/Exhibits:** Building Plans, letter of support

**Votes:** Board Member Fortune moved for approval with BPDA design review and Logue seconded, however, the motion failed due to lack of a quorum, with 4 votes in favor, one in opposition and one recusal. Board Member Ruggiero was opposed to the motion and Board Member Kindell was recused from the matter. Therefore, the Board entered a decision of denial.

**Case: BOA-1065890 Address: 333 Maverick Street Ward 1 Applicant: Crespo Holdings, LLC**  
**Articles: Article 27T-5 East Boston IPOD Applicability Article 53 Section 8 Use: Basement Apartment: Forbidden Article 53 Section 8 Use: Multifamily Dwelling: Forbidden Article 53 Section 9 Lot Area for Additional Dwelling Units Insufficient Article 53 Section 9 Floor Area Ratio Excessive Article 53 Section 9 Building Height Excessive Article 53 Section 9 Building Height (# of Stories) Excessive Article 53 Section 9 Usable Open Space Insufficient Article 53 Section 9 Side Yard Insufficient Article 53 Section 52 Roof Structures Restrictions Article 53 Section 56 Off-Street Parking & Loading Req Off-Street Parking Insufficient**  
**Purpose: Change Occupancy from a Three Family Dwelling to a Four Family Dwelling. Reconfigure Living Space in existing building. Rear stair has been replaced with decks. Create Apartment in Basement. Construct a new Roof Deck exclusive to 3rd floor Unit.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to a three-family dwelling to a four-unit multifamily residential dwelling with a vertical addition, extend living space to the basement and a roof deck with hatch access.

Board members asked about the flood zone, if there was a proposed basement unit, and basement ceiling height.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Edwards and an abutter are in support. The Jeffries Point Neighborhood Association is in opposition.

**Documents/Exhibits:** Building Plans, letters in support, letter in opposition

**Votes:** Board Member Kindell moved for approval with BPDA design review and Logue seconded and the Board voted unanimously to approve.



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**Case: BOA-1027055 Address: 655 Saratoga Street Ward 1 Applicant: Eric Zachrison**  
**Articles: Article 53 Section 8 Multi Family Dwelling Use : Forbidden Article 53, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 52 Roof Structure Restrictions Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 9 Front Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient Article 27T 5 East Boston IPOD Applicability Article 9, Section 2 Change in Non Conforming Use**  
**Purpose: Change of Occupancy from Retail Space to Four Residential Units and Retail Space. Construct two story addition with roof deck above existing first floor footprint. Renovation to existing garage.**

**Discussion:** At the applicant's request, the matter was deferred to the January 12, 2021 hearing.

**Case: BOA- 1050291 Address: 32 Orleans Street Ward 1 Applicant: 32 Orleans Street, LLC**  
**Articles: Article 27T 5 East Boston IPOD Applicability Article 53 Section 8 Use Regulations 6 unit dwelling Forbidden Article 53 Section 9 Excessive F.A.R. 1.0 max. Article 53 Section 9 # of allowed stories exceeded 3 story max. Article 53 Section 9 Max allowed height exceeded 35' max Article 53 Section 9 Insufficient side yard setback 2.5' min Article 53 Section 9 Insufficient additional lot area per unit 1,000sf/unit req. Article 53 Section 9 Insufficient open space per unit 300sf/unit req. Article 53 Section 56 Off Street Parking & Loading Req Insufficient parking 1.5/unit req. Article 53 Section 56.5.a Parking maneuverability Article 53, Section 56 Off Street Parking & Loading Req (d) Design Dimensional Size of spaces provided undersized**  
**Purpose: Raze existing structure at 32 Orleans Street, combine lots 0105385000 & 0105384000, new lot to be 2,076 square feet of land (See ALT1008506). Erect five (5) story multifamily dwelling with parking for 4 vehicles. Plans are submitted for Zoning Refusal/Nominal Fee. Full CDs upon ZBA approval. \*SEE LT1022166/combining lots.**

**Discussion:** At the applicant's request, the matter was deferred to the January 12, 2021 hearing.

**Case: BOA-1068478 Address: 324 Sumner Street Ward 1 Applicant: Bobby Gerasimidis**  
**Articles : Article 53, Section 9 Add'l Lot Area Insufficient 2,250 sqft; 3,000 sqft req'd Article 53, Section 9 Floor Area Ratio Excessive 1.45; 1.0 max Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 9 Side Yard Insufficient 1.67'; 2.5' min req'd Article 53, Section 52 Roof Structure Restrictions Article 27T East Boston IPOD Art. 53, Section 56 Off Street Parking Insufficient 0 provided; 1 min req'd for add'l dwelling.**  
**Purpose: Renovate, erect vertical addition with roof deck, change occupancy from a One (1) Family and Beauty salon to a three (3) unit residential dwelling as per plans. Seeking ZBA relief.**

**Discussion:** At the applicant's request, the matter was deferred to the January 12, 2021 hearing.



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**Case:** BOA- 1106912 **Address:** 243 Princeton Street **Ward** 1 **Applicant:** LG Princeton, LLC

**Articles:** Article 27T 5 East Boston IPOD Applicability Article 53 Section 8 Use Regulations MFR Forbidden Article 53 Section 9 Insufficient additional lot area/unit 1,000/unit req. Article 53 Section 9 Excessive F.A.R. 1.0 max. Article 53 Section 9# of allowed stories exceeded 3 story max. Article 53 Section 9 Max allowed height exceeded 35' max. Article 53 Section 9 Insufficient open space per unit 300sf/unit req. Article 53 Section 9 Insufficient rear yard setback 30' req. Article 53 Section 9 Front entrance Does not face front lot line Article 53 Section 56 Off Street Parking & Loading Req Insufficient parking 16 spaces req. Article 53 Section 56.5.a Parking maneuverability Clear maneuvering areas Article 53, Section 56 Off Street Parking & Loading Req Parking space size .50/8.5 x 20' min. Art. 10 Sec. 01 Limitation of parking areas Parking buffer from side yard 5' Req.

**Purpose:** Seeking to combine Parcel ID's 0107028000 and 0107029000 to form one new lot with 5,000 SF lot to be known as "243 Princeton Street." Also, to raze the existing structure at 243 Princeton Street and erect a residential building with nine units and nine parking spaces.

**Discussion:** At the applicant's request, the matter was deferred to the January 12, 2021 hearing.

**Case:** BOA- 1105134 **Address:** 292 Princeton Street **Ward** 1 **Applicant:** Lolastar, LLC

**Articles:** Article 27T 5 East Boston IPOD Applicability Article 53 Section 8 Use : Basement Apartment: Forbidden Article 53 Section 8 Use: Multifamily Dwelling: Forbidden Article 53 Section 9 Lot Area for Additional Dwelling Units Insufficient Article 53 Section 9 Floor Area Ratio Excessive Article 53 Section 9 Building Height Excessive Article 53 Section 9 Side Yard Insufficient Article 53 Section 9 Rear Yard Insufficient Article 53, Section 52 Roof Structure Restrictions Article 53, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient

**Purpose:** Change the Occupancy from a Single Family Dwelling to a Four (4) Family Dwelling. Also, to renovate existing building, including new additions. Building will be fully Sprinklered. ZBA.E Plans and Nominal Fee Letter attached.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy of both 292 and 294 Princeton Street from single-family dwelling to three-family dwellings (reduced from two four-unit dwelling proposals), both with vertical and rear additions.

Board members asked about basement use, basement windows and basement egress.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Edwards and an abutter are in support. Two abutters are in opposition.

**Documents/Exhibits:** Building Plans, letters in support, letter in opposition

**Votes:** Board Member Kindell moved for approval with BPDA design review and Logue seconded and the Board voted unanimously to approve.





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**Case: BOA- 1115528 Address: 294 Princeton Street Ward 1 Applicant: Loloastar, LLC**  
**Articles: Article 27T 5 East Boston IPOD Applicability Article 53, Section 52 Roof Structure Restrictions**  
**Article 53, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 53, Section 9**  
**\*Add'l Lot Area Insufficient Article 53, Section 9 \* \*\*\* Floor Area Ratio Excessive Article 53, Section 9 \*\* Bldg**  
**Height Excessive (Stories) Article 53, Section 9 \*\* \* Bldg Height Excessive (Feet) Article 53, Section 9 \*\***  
**\*\*\*Front Yard Insufficient Article 53, Section 9 \*\*\* Side Yard Insufficient Article 53, Section 9 \*\*\*\*Rear Yard**  
**Insufficient**

**Purpose: Confirm the occupancy as a one family residential dwelling. Change of occupancy to a three family residential dwelling. Propose addition above existing, rear addition, and deck. Extend living space to basement. [ZBA ePlan]**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy of both 292 and 294 Princeton Street from single-family dwelling to three-family dwellings (reduced from two four-unit dwelling proposals), both with vertical and rear additions.

Board members asked about basement use, basement windows and basement egress.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Edwards and an abutter are in support. Two abutters are in opposition.

**Documents/Exhibits:** Building Plans, letters in support, letter in opposition

**Votes:** Board Member Kindell moved for approval with BPDA design review and Logue seconded and the Board voted unanimously to approve.

**Case: BOA-1071909 Address: 28 Monument Street Ward 2 Applicant: Timothy Sheehan**

**Article: Article 62, Section 8 Floor Area Ratio Excessive**

**Purpose: This is for the conversion of 1/2 of an existing basement into habitable area which will be part of the existing unit one, first floor within a three family residence. A bathroom and bedroom and more living spaces will be built along with code compliant egress windows. ZBA relief will be required. eplan >BOA**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to extend living space to the basement for unit one.

Board members asked about building code compliance.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support.

**Documents/Exhibits:** Building Plans, letter in support

**Votes:** Board Member Ruggiero moved for approval with no building code relief and Kindell seconded and the Board voted unanimously to approve.



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**Case: BOA- 1080541 Address: 210 Endicott Street Ward 3 Applicant: Robert Dello Russo, Marie Dello Russo**  
**Articles: Article 54, Section 10 Floor Area Ratio Excessive Article 54, Section 18 Roof Structure Restrictions**  
**access shall be by hatch or bulkhead**  
**Purpose: This application is to amend permit# ERT256067. Extend elevator stop to roof for ADA access to roof deck. See Plans. l.s. taken on tracer 11/27/19.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to amend prior permit application to extend elevator stop to the roof for ADA access to the roof deck.

Board members asked about head house height, if the head house is already built and about parking.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Ruggiero moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

**Case: BOA-1064449 Address: 203 West Springfield Street Ward 4 Applicant: Mark Little**  
**Article: Article 64, Section 34 Roof Structure Restrictions**  
**Purpose: Remove and modify the height of the existing roof of the one story rear addition: Install new rubber roof: Install new entrance door in existing window location: Install new landing deck and roof deck tiles.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a rear, one-story addition and roof deck.

Board members asked about approval by the Boston Landmarks Commission.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Kindell moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.



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**Case: BOA- 1064451 Address: 209 West Springfield Street Ward 4 Applicant: Mark Little**

**Article: Article 64, Section 34 Roof Structure Restrictions**

**Purpose: Build a new roof top deck with approved architectural plans. Install steel spiral stairs from lower rear deck for roof top access.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a roof deck with a spiral staircase from lower rear deck for access.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Ruggiero moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

**Case: BOA- 1066035 Address: 67 Appleton Street Ward 5 Applicant: Ronald Romanowski**

**Articles: Article 64, Section 9 Usable Open Space Insufficient Article 9 Section 1 Extension of Nonconforming Use**

**Purpose : Change of Occupancy from Store to Store and 2 Apartments. Renovation to new apartments. [ZBA ePlan]**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy from a store to a store and two dwelling units.

Board members asked about proposed use in the basement and basement ceiling height.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Flynn are in support.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Kindell moved for approval with no building code relief and Logue seconded and the Board voted unanimously to approve.

**Case: BOA-1069771 Address: 4 Marlborough Street Ward 5 Applicant: 4 Marlborough Street Realty Trust**

**Articles: Article 13, Section 1 Bldg Height Excessive (Feet) Article 13, Section 1 Rear Yard Insufficient**

**Article 32, Section 4.GCOD, Applicability**

**Purpose: Change of occupancy from three family to single family dwelling. Addition over existing brick bay, under ground parking structure at rear yard, modifications to existing penthouse, and interior renovations.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy from a three-family dwelling to a single-family dwelling, reduce and reconfigure existing penthouse and extend to the basement for garage parking.

Board members asked about the basement ceiling height.



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**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, letters in support

**Votes:** Board Member Kindell moved for approval and Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA-1098736 **Address:** 14-20 West Broadway **Ward 6 Applicant:** Dennis Gignac

**Articles:** Art. 68 Sec.08 Insufficient additional lot area per unit 1,000sf/unit req. Article 68, Section 33 Off Street Parking & Loading Req Insufficient parking per dwelling unit Article 68, Section 8 Insufficient open space per unit

**Purpose:** Interior renovation of existing 2nd floor Restaurant (shell space). Construct new tenant separation walls and change proposed occupancy to include 4units consisting of 2 studios and 2 one bedroom units.\*Change occupancy from 49 Residential units, restaurant, retail and parking. ERT325051/2015 to 53 Residential units, restaurant, retail and parking.

**Discussion:** At the applicant's request, the matter was deferred to the January 12, 2021 hearing.

**Case:** BOA-1094579 **Address:** 22 Boston Wharf Road **Ward 6 Applicant:** Duck Creek Technologies

**Articles:** Art. 15 Sec. 15 1 Floor Area Ratio Excessive Art. 13 Sec. 13 1 Minimum setback distance of parapet

**Purpose:** Installation of new roof deck and egress from 10th floor on existing structural stub ups.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to install a roof deck and egress from the tenth floor.

Board members asked if the building has an elevator.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Flynn and Essaibi-George are in support.

**Documents/Exhibits:** Building Plans, letter in support

**Votes:** Board Member Kindell moved for approval with BPDA design review and Logue seconded and the Board voted unanimously to approve.

**Case:** BOA-1072412 **Address:** 843 East Fifth Street **Ward 6 Applicant:** Peter McFarland

**Article:** Article 68, Section 33 Off-Street Parking & Loading Req 5. Design/maneuvering

**Purpose:** Propose six (5) off street parking accessed by new driveway and new curb cut.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a rear addition, reduce foundation to allow for a driveway to access parking for five vehicles, and extend unit one to the basement. Roof deck removed from the proposal.

Board members asked about unit sizes and use of the basement space.



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**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilors Flynn and Flaherty and an abutter are in opposition.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Ruggiero moved for denial without prejudice and Logue seconded and the Board voted unanimously to deny without prejudice.

**Case:** BOA- 1072413 **Address:** 843 East Fifth Street Ward 6 **Applicant:** Peter McFarland

**Article:** Art. 68 Sec 29 **Roof Structure Restrictions**

**Purpose:** Cut back right side existing foundation and first story for 10' driveway access for new parking of 5 motor vehicles (see files UOP#49994039); renovate entire 3 family structure by constructing addition in rear, extend unit 1 into basement and new private roof deck with hatch. \* Additional: 3 stories (22'-4" x 25'-6").

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a rear addition, reduce foundation to allow for a driveway to access parking for five vehicles, and extend unit one to the basement. Roof deck removed from the proposal.

Board members asked about unit sizes and use of the basement space.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilors Flynn and Flaherty and an abutter are in opposition.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Ruggiero moved for denial without prejudice and Logue seconded and the Board voted unanimously to deny without prejudice.

### **RE-DISCUSSION: 11:30 AM**

**Case:** BOA- 1055807 **Address:** 116 Waldemar Avenue Ward 1 **Applicant:** Thomas Falcucci

**Article(s):** 27T(27-5) 53(53-9: Excessive F.A.R., # of allowed stories exceeded, Max allowed height exceeded &

**Insufficient rear yard setback) 53(53-56) 53(53-8: Accessory parking forbidden & MFR forbidden) Purpose:** Seeking to raze existing structure on one of the lots; to erect a four-story residential dwelling with nine units and nine parking spaces. Combine two lots parcel ID 0102206000 and ID 0102207000 into one lot for 116 Waldemar Avenue.

**Discussion:** The applicant requested to withdraw the appeal for zoning relief.

**Votes:** Board Member Fortune moved for denial without prejudice and Ruggiero seconded and the Board voted unanimously to deny without prejudice.



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**Case: BOA-956971 Address: 118 Harrishof Street Ward 12 Applicant: Prince Kallon**  
**Article(s): 50(50-28) 50(50-29: Add'l lot area insufficient, Floor area ratio excessive, Usable open space insufficient, Side yard insufficient & Rear yard insufficient) 50(50-43)**  
**Purpose: Change Occupancy from a Three Family dwelling to a Four Family dwelling by adding the new apt into the basement. Renovate existing basement according to plans - Remove and replace staircase from first floor foyer to basement at the same location install half bath in basement. Construct new dormer addition.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy from a three-family dwelling to a four-unit multifamily residential dwelling with the new unit to be located in the basement. Dormers are no proposed for the project.

Board members asked about the basement unit.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, letters in support, letters in opposition

**Votes:** Board Member Kindell moved for approval with BPDA design review and Ruggiero seconded and the Board voted unanimously to approve.

### **HEARING: 1:00 PM**

**Case: BOA-1054309 Address: 1902A-1904 Washington Street Ward 8 Applicant: Scott Kirkwood**  
**Articles: Art. 50 Sec. 29 Floor area ratio is excessive Art. 50 Sec. 29 Rear yard setback requirements is excessive Art. 50 Sec. 29 Side yard requirement is insufficient**  
**Purpose: Create 2 story addition at the rear of the property.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a two-story rear addition.

Board members asked if the property had previously been granted relief by the Board.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, letter of support

**Votes:** Board Member Kindell moved for approval with BPDA design review and Ruggiero seconded and the Board voted unanimously to approve.



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**Case: BOA-1070775 Address: 54 Newmarket Square Ward 8 Applicant: Phoenix Multisport, Inc**  
**Articles: Art. 09 Sec. 01 Extension of Non Conforming Use**  
**Purpose: Remove 3 offices at grade. Add Mezzanine level containing 3 new offices. Add steel stairs, new insulated glass, alter FP and FA. board, paint, carpet. E PLAN CONVERSION**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to expand fitness center to mezzanine level.

Board members asked about safety procedures.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Ruggiero moved for approval and Kindell seconded and the Board voted unanimously to approve.

**Case: BOA-1078892 Address: 789-793 Tremont Ward 9 Applicant: Michael Sauvageau**  
**Articles: Article 50, Section 29 Usable Open Space Insufficient Extension of non conformance. Building already has insufficient open space. Article 50, Section 43 Off Street Parking & Loading Req Change in occupancy will create insufficient off street parking.**  
**Purpose: Change occupancy FROM: multifamily, uses, 14, 17, 34, 35, 37, 38,39, 46, 48, glassblowing, neon sign, mfg, 68, welding TO: Residential Apartments (Adding 13 apartments to existing D building space).**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy to multifamily residential building and add 13 apartment units.

Board members asked if the building will be 100 percent residential use, about unit sizes and affordable units.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support. Councilor Janey is in opposition.

**Documents/Exhibits:** Building Plans, letters of opposition

**Votes:** Board Member Kindell moved for approval with a proviso that one unit must be an affordable unit and Logue seconded and the Board voted unanimously to approve.

**Case: BOA-1060119 Address: 30 Mayfield Street Ward 13 Applicant: John Roche AIA**  
**Articles: Article 65, Section 8 Use Regulations Executive Suites Use: Forbidden Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Usable Open Space Insufficient Article 65, Section 9 Side Yard Insufficient**  
**Purpose: Change of Occupancy from single family home to 3 executive suites. Extend living space into the basement. Add kitchens second and third floor plans. Construct new dormers. Install sprinkler/fire alarm system per plans.**

**Discussion:** At the applicant's request, the matter was deferred to the January 26, 2021 hearing.



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**Case: BOA- 1070676 Address: 12 Bowdoin Avenue Ward 14 Applicant: Centerline Development & Services Inc**  
**Articles: Article 65, Section 8 Use Regulations Use Forbidden Article 65, Section 9 Insufficient lot width Article 65, Section 9 Insufficient lot frontage Article 65, Section 9 Insufficient lot size Article 65, Section 9 Insufficient rear yard setback Article 65, Section 9 Insufficient side yard setback Article 65, Section 9 Height exceeded Article 65, Section 9# of allowed stories exceeded Article 65, Section 41 \*\* Off Street Parking & Loading Req Access/Maneuvering areas on own lot (No easement proposed on stamped land survey) Article 65, Section 9 Access/Maneuvering areas on own lot Article 65, Section 41 \*\* Off Street Parking & Loading Req Insufficient off street parking. (None shown on lot)**  
**Purpose: Proposing four unit with four parking residential structure on a vacant lot. [ePlan]**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a four-unit multifamily dwelling with five off-street parking spaces at 12 Bowdoin and renovate the existing four-unit multifamily dwelling with extension of living space to the basement and five parking spaces at 14 Bowdoin.

Board members asked about the width of the driveway, curb cut, roof decks and access to roof decks.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Essaibi-George and Campbell are in support.

**Documents/Exhibits:** Building Plans, letters in support

**Votes:** Board Member Ruggiero moved for approval with BPDA design review for head houses to be replaced with hatches and Fortune seconded and the Board voted unanimously to approve.

**Case: BOA-1070689 Address: 14 Bowdoin Avenue Ward 14 Applicant: Centerline Development & Services Inc**  
**Articles: Article 65, Section 8 Use Regulations Extending non conforming use. (2F) 4 dwelling units Article 65, Section 9 Floor Area Ratio Excessive Max. allowed: 0.4 Proposed: 0.6 Article 65, Section 9 Bldg Height Excessive (Stories) Max. allowed: 2.5 Proposed: 3 Article 65, Section 9 Side Yard Insufficient Requirement: 10' Proposed: 8' (R) Article 65, Section 41 Off Street Parking & Loading Req access to the parking spaces is through the neighbor's curb cut**  
**Purpose: Gut renovation of existing four unit building. Building is currently gutted to studs on sf permit. Will propose additional living space in basement and altering roof line to increase livable area on third floor per plans to include (M.E.P.S. and sprinkler)**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a four-unit multifamily dwelling with five off-street parking spaces at 12 Bowdoin and renovate the existing four-unit multifamily dwelling with extension of living space to the basement and five parking spaces at 14 Bowdoin.

Board members asked about the width of the driveway, curb cut, roof decks and access to roof decks.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Essaibi-George and Campbell are in support.





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**Documents/Exhibits:** Building Plans, letters in support

**Votes:** Board Member Ruggiero moved for approval with BPDA design review for head houses to be replaced with hatches and Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA- 1087144 **Address:** 725 William T Morrissey BLVD **Ward 16 Applicant:** Austin Turner  
**Articles:** Article 65 Section 41 Off Street Parking and Loading Required 165 off street parking spaces. **Proposed:** 102 parking spaces **Article 65, Section 39 Screening & Buffering Req Article 65, Section 15 Use:** Conditional Ancillary parking (not in the same lot but on adjacent lots)  
**Purpose:** The proposed project includes renovations to the interior and facade of the existing building (while maintaining the footprint of the existing building), resurfacing and reconfiguration of the existing on site parking area, landscape area, and upgrades to the existing storm water system. eplan >BOA

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to renovate the interior and façade of existing building for Floor & Décor retail store and to reconfigure the parking lot.

Board members asked about parking lot finishes and green space.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Baker are in support.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Ruggiero moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve.

**Case:** BOA- 1065591 **Address:** 10 Centre Avenue **Ward 16 Applicant:** Marc LaCasse  
**Articles:** Art. 65 Sec. 65 8 Lot Area Insufficient Art.65 Sec. 8 Use: Forbidden **Article 65, Section 9 Usable Open Space Insufficient**  
**Purpose:** Change occupancy from 3F to MFR [6 units] by dividing previously combined units; no additional floor area being added. Removing walls, renovating kitchens and baths.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy from a three-family dwelling to a six-unit multifamily residential dwelling to restore the historic use of the dwelling by separating previously combined units.

Board members asked about unit sizes, restoration of partitions and parking.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Campbell are in support.

**Documents/Exhibits:** Building Plans



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**Votes:** Board Member Erlich moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA-1073904 **Address:** 96-98 Wellsmere Road **Ward** 18 **Applicant:** Laura and Markian Kolinsky  
**Articles:** Article 67, Section 8 Use: Forbidden 3F, in 2F zone. Article 67, Section 9 Lot Area Insufficient 5,550; 8,000 min. Req'd Article 67, Section 9 Floor Area Ratio Excessive 0.8; 0.5 max Article 67, Section 9 Bldg Height Excessive (Stories) 3 stories; 2.5 max Article 67, Section 9 Usable Open Space Insufficient 2,796; 5,250 min. req'd Article 67, Section 9 Front Yard Insufficient 19.77'; 20' min req'd Article 67, Section 9 Side Yard Insufficient 1.84'; 10' min req'd Article 67, Section 9 Rear Yard Insufficient 33.5'; 40' min req'd Article 67, Section 32 Off Street Parking 2 provided; 4 min req'd  
**Purpose:** Add full third story to existing 2 1/2 storey 2 family condominium building and change use to be 3 family condominium. Add full height addition for stair.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy from a two-family to a three-family dwelling with the addition of a full third floor and side addition.

Board members asked about parking, the third-story addition and the roof line.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and two abutters are in support. An abutter is in opposition.

**Documents/Exhibits:** Building Plans, letters in support, letters in opposition

**Votes:** Board Member Kindell moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA-1076707 **Address:** 24 Gardenside Street **Ward** 19 **Applicant:** John D Barry, Esq  
**Articles:** Article 67 Section 32 Off Street Parking & Loading Req Off street parking is insufficient Article 67, Section 8 Use: Forbidden 3 Family is a Forbidden use in a 2F 5000 Sub district Article 67, Section 9 Lot Area Insufficient Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Bldg Height Excessive (Stories) Article 67, Section 9 Usable Open Space Insufficient Article 67, Section 9 Side Yard Insufficient  
**Purpose:** Confirm occupancy as 2 family and change to 3 family. Add 3rd unit to existing 2 family via roof dormers.

**Discussion:** At the applicant's request, the matter was deferred to the January 26, 2021 hearing.



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**Case: BOA- 1095372 Address: 22 Conway Street Ward 20 Applicant: Kimberly Patch**  
**Articles: Art. 09 Sec. 01 Extension of Non Conforming Use Article 67, Section 9 Rear Yard Insufficient**  
**Purpose: Roof deck above the first floor in the left side of the house as shown per plans.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add a roof deck above the first-story roof.

Board members asked about existing conditions and the rear yard setback.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, letter in support

**Votes:** Board Member Kindell moved for approval with BPDA design review and Ruggiero seconded and the Board voted unanimously to approve.

**Case: BOA-1069212 Address: 4395-4407 Washington Street Ward 20 Applicant: Josef Porteleki, Port Realty Trust**

**Articles: Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. Article 67 Section 33 Conformity with existing street alignment (Modal) Article 67 Sect 12 # of allowed stories exceeded (2 1/2 story max) Article 67 Section 32 Off Street Parking & Loading Req Insufficient residential parking (2.0/unit) Article 67 Section 32 Off Street Parking & Loading Req Insufficient commercial parking (2.0/1000sf) Article 67, Section 30 Screening & Buffering Req Article 67, Section 12 Excessive F.A.R. (.5 max) Article 67, Section 12 Excessive Height (35' max.) Article 67, Section 12 Insufficient side yard setback (10' min.)**

**Purpose: Clarified scope of work: Combine parcels PID #2000412000 with PID#200041100 to equal 10,306sf, then change occupancy from: Retail stores, Restaurant use #36A, Restaurant, Laundromat, to include, 14 Residential Units by constructing 3 stories above (adding 15,232sf on top of existing). \* Alt1068545 and Alt1068546 has been filed in conjunction with this permit.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy to include 14 residential dwelling units with three-story addition above existing building with 14 parking spaces.

Board members asked about parking and the commercial spaces.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilors Arroyo, Wu, Essaibi-George and Flaherty and an abutter are in support. Three abutters are in opposition.

**Documents/Exhibits:** Building Plans, letter in support

**Votes:** Board Member Ruggiero moved for approval with BPDA design review to expand parking and review the curb cut and Fortune seconded and the Board voted unanimously to approve.



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**Case: BOA-1065868 Address: 254-256 Washington Street Ward 22 Applicant: Touloupakis Family Trust  
Articles: Article 51, Section 8 Multi Family Dwelling : Forbidden Use Article 51, Section 9 \* Add'l Lot Area  
Insufficient Article 51, Section 9 \* \*\*\*Floor Area Ratio Excessive Article 51, Section 9 \*\* \*\*\* Usable Open Space  
Insufficient Article 51, Section 9 \*\*\*Front Yard Insufficient Article 51, Section 9 \*\*\*\*Rear Yard Insufficient  
Article 51, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 9, Section  
2Change in Non Conforming Use**

**Purpose: Change of Occupancy from two family and restaurant with take out to six units multi family dwelling  
and restaurant with take out. Demolish two family to construct new addition for 6 residential units. Take out  
restaurant and kitchen to be renovated. ZBA**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail  
requesting zoning relief required to a six-unit multifamily dwelling and restaurant with takeout restaurant.

Board members asked about unit sizes and bedroom counts, about the restaurant and about parking.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood  
Services and the Brighton-Allston Improvement Association are in support. Councilor Breadon is in opposition.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Kindell moved for approval with BPDA design review and Ruggiero seconded and the Board  
voted unanimously to approve.

### **RECOMMENDATION/HEARINGS:**

**Case: BOA-1035585 Address: 90 Princeton Street Ward: 1 Applicant: Anthony Bellanti  
Articles: Art. 15 Sec. 01 Floor Area Ratio excessive Art. 20 Sec. 20 8 Rear Yard Insufficient Art. 53 Sec. 12  
\*Height Excessive**

**Purpose: Change occupancy from a 1 to a 2 family. New plumbing, new electrical, new HVAC, blue board,  
plaster, insulation, new flooring, interior trim and doors, new windows, interior painting.**

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in  
detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted  
to recommend approval.

**Documents/Exhibits:** Building plans



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**Case: BOA- 1096330 Address: 37 Soley Street Ward: 2 Applicant: Nick Schiffer**  
**Articles: Article 62, Section 25 Roof Structure Restrictions Article 62, Section 8 Dimensional Regulation Excessive F.A.R. Article 62, Section 8 Dimensional Regulations Insufficient rear yard setback**  
**Purpose: Replace existing deck with an addition to expand the first floor and remodel the first floor and kitchen. No basement. Remove the rear section of the roof to install a dormer to allow for additional living space on the third floor.**

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

**Documents/Exhibits:** Building plans

**Case: BOA- 1093721 Address: 78 Washington Street Ward: 2 Applicant: Patrick Myers**  
**Articles: Article 62, Section 8 Excessive F.A.R. Article 62, Section 25 Roof Structure Restrictions**  
**Purpose: Change occupancy from a two family to a one family. The proposed project includes the renovation & expansion of an existing garage and mudroom, while incorporating a new roof deck above the garage, a kitchen extension above the mudroom and a new staircase to connect first floor and garden level. (Previously separate apartments).**

**Discussion:** At the applicant's request, the matter was deferred to the November 19, 2020 subcommittee hearing.

**Case: BOA- 1090161 Address: 161 West Newton Street Ward: 4 Applicant: Urike Sitter**  
**Article: Article 64 Section 8 Use: Oilseed Processing Operation: Forbidden**  
**Purpose: Allow a tiny oilpress in the Garden Level of our Single-Family Townhouse. For food and beauty oil. Tiniest scale. No noise, no smell, no delivery disturbance of neighbors. I am a stay at home mum. Existing double sink, extra entrance, window, ventilation system, own bathroom, separate door in place. E Plans**

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with provisos.

**Documents/Exhibits:** Building plans

**Case: BOA-1109230 Address: 460 East Third Street Ward: 6 Applicant: Brian Boucher**  
**Articles: Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient**  
**Purpose: Proposed new second story rear deck as per plans. Permit set to be submitted upon ZBA approval.**

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with BPDA design review.

**Documents/Exhibits:** Building plans



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**Case: BOA-1051891 Address: 14 Linden Street Ward: 7 Applicant: Peter Vanko**  
**Articles: Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Side Yard Insufficient**  
**Article 68, Section 29 Roof Structure Restrictions No roofed structure shall be enlarged on the roof of an existing building**  
**Purpose: Construct dormer/flat roof in line with existing ridge. Create additional living space on 3rd floor. Preserve front facade and limit new dormer to within 3' 0" of front wall.**

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with BPDA design review.

**Documents/Exhibits:** Building plans

**Case: BOA- 1112646 Address: 355 Savin Hill Avenue Ward: 13 Applicant: Chris Drew**  
**Articles: Art. 18 Sec. 01 Front Yard Insufficient Art. 19 Sec. 01 Side Yard Insufficient Art. 20 Sec. 01 Rear Yard Insufficient**  
**Purpose: Renovate existing single-family home. Add rear addition on the second floor over the first-floor single story structure. Add 2 new dormers to the third floor to increase living space. Create a common easement with (351 Savin Hill Ave. same owner) for a driveway for 355 Savin Hill Ave as per plans.**

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with BPDA design review.

**Documents/Exhibits:** Building plans

**Case: BOA- 1030950 Address: 6 Westmoreland Street Ward: 16 Applicant: Michael Ahern**  
**Articles: Art. 20, Section 1 Rear Yard Insufficient Art. 19 Section 1 Side Yard Insufficient**  
**Purpose: Add an addition with a garage below and two floors above approx 800 sq feet.**

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with BPDA design review.

**Documents/Exhibits:** Building plans

**Case: BOA-1087800 Address: 424 Gallivan BLVD Ward: 16 Applicant: Eric Perschke**  
**Article: Article 65, Section 9 Floor Area Ratio Excessive 0.83; 0.4 max allowed.**  
**Purpose: Extending living space to basement for owner-occupied single-family home Basement renovation. [ePlan].**

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with a proviso for no bedrooms in the basement.



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**Documents/Exhibits:** Building plans

**Case:** BOA-1101025 **Address:** 120 Ruskindale Road **Ward:** 18 **Applicant:** Bernardo Monique Denaud  
**Articles:** Article 69 Section 9 Insufficient additional lot area per dwelling unit Article 69 Section 9 Excessive F.A.R. Article 69 Section 9 Insufficient Usable open space per unit Article 69 Section 9 Insufficient side yard setback

**Purpose:** Change occupancy from a one family to a two family and construct addition per plans. Also see UOP permit for parking ADDITION AS PER PLANS. 5.8.20

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with BPDA design review.

**Documents/Exhibits:** Building plans

**Case:** BOA-1060522 **Address:** 39 Harding Road **Ward:** 18 **Applicant:** Anne Barrett  
**Articles:** Article 67, Section 9 Front Yard Insufficient Required: 20' Proposed: 12.8' Article 67, Section 9 Side Yard Insufficient Required: 10' Proposed dormer, left side at 8.7'

**Purpose:** Add additional 1/2 floor above with 2 new dormers and new mud room addition out front.

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with BPDA design review.

**Documents/Exhibits:** Building plans

**Case:** BOA-1087749 **Address:** 251 Reservation Road **Ward:** 18 **Applicant:** Eric Dutra  
**Articles:** Article 69 Section 9 Insufficient side yard setback Article 69 Section 9 # of allowed stories has been exceeded

**Purpose:** 3rd floor dormer including demolition of existing roof, framing of new dormer, siding, roofing of dormer, interior/exterior trim, insulation at exterior walls/roof to code. Installation/extension of existing staircase up into the attic to replace current staircase leading up at other end. Eplan

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with BPDA design review.

**Documents/Exhibits:** Building plans



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**Case: BOA- 1096119 Address: 20 Vogel Street Ward: 20 Applicant: Nicholas Bruce**  
**Articles: Article 56, Section 8 Floor Area Ratio Excessive Article 56, Section 8 Side Yard Insufficient**  
**Purpose: Add a second floor on to our single-story home. Second floor will consist of 3 bedrooms and 2 bathrooms. \* Expand kitchen Homeowner permit.**

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with BPDA design review.

**Documents/Exhibits:** Building plans

**Case: BOA- 1074617 Address: 34 Furbush Road Ward: 20 Applicant: David Guimaraes**  
**Article: Article 56, Section 8 Floor Area Ratio Excessive Max. FAR allowed: 0.4 Proposed: 0.41**  
**Purpose: Finish a portion of the basement using the Owens Corning Basement Finishing System to be used as a media/family room. eplan > ZBA**

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

**Documents/Exhibits:** Building plans

**Case: BOA-1109995 Address: 16-18 Bradbury Street Ward: 22 Applicant: Mark Handley**  
**Article: Article 51, Section 9 Floor Area Ratio Excessive**  
**Purpose: Interior conversion of existing attic to home office, including new full bathroom, new electrical. No changes to existing structure or roof line.**

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

**Documents/Exhibits:** Building plans

**Case: BOA-1071661 Address: 85 Parsons Street Ward: 22 Applicant: KINSELLABUILT, INC**  
**Articles: Article 51, Section 9 Side Yard Insufficient Required: 10' Proposed: 9' (L) Article 51, Section 9 Rear Yard Insufficient Required: 40' Proposed: 37'**  
**Purpose: Remove 1st floor deck. Extend 2nd floor bedroom over existing family living area. New 3 fixture bathroom and deck on 2nd floor roof. Eplan > ZBA**

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with BPDA design review.

**Documents/Exhibits:** Building plans





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**Case: BOA-1094388 Address: 1 Everett Street Ward: 22 Applicant: Thirty-One North Beacon Street, LLC  
Article: Article 51, Section 8 Use Regulations Restaurant, Nail spa and ATM are all forbidden uses in a 3F 4000  
Sub district.**

**Purpose: Change the occupancy from 20 apartments and retail to 20 apartments, Nails Spa, Deli and ATM. As  
per plans.**

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with proviso.

**Documents/Exhibits:** Building plans

**Case: BOA-1066431 Address: 115-125 Jersey Street Ward: 5 Applicant: Mei Chen  
Article: Article 66 Section 8 Use Regulations Take-out Restaurant (Café) Use: Conditional  
Purpose: Change occupancy from Laundromat to Take-out Restaurant (Café).**

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

**Documents/Exhibits:** Building plans

**STEPHANIE HAYNES  
BOARD OF APPEAL  
617-635-4775**

**BOARD MEMBERS:**

**MARK FORTUNE-SECRETARY  
MARK ERLICH-ACTING CHAIR  
JOSEPH RUGGIERO**

**SUBSTITUTE MEMBERS:**

**KERRY WALSH LOGUE  
TYRONE KINDELL, JR  
EDWARD DEVEAU**

For the complete text of the Boston Zoning Code Articles and definitions of terms in this agenda, please go to [https://www.municode.com/library/ma/boston/codes/redevelopment\\_authority](https://www.municode.com/library/ma/boston/codes/redevelopment_authority).

For a video recording of the October 20, 2020 Board of Appeal Hearing please go to: [https://www.cityofboston.gov/cable/video\\_library.asp](https://www.cityofboston.gov/cable/video_library.asp).