



City of Boston
Board of Appeal

TUESDAY, DECEMBER 1, 2020

BOARD OF APPEAL

CITY HALL, ROOM 801

HEARING MINUTES

Board Chair Araujo 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 DECEMBER 1, 2020 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS DECEMBER 1, 2020 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE DECEMBER 1, 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 <https://bit.ly/zbaDec1hearing> or by calling 1-617-315-0704 and entering access code 179 429 6784.

If you wish to offer testimony on an appeal, please click <https://bit.ly/zbaDec1comment> 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 <https://bit.ly/zbaDec1comment>, calling 617-635-4775 or emailing 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.

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 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 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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EXTENSIONS: 9:30 AM

Case: BOA-727018 Address: 331A-333 Newbury Street Ward 5 Applicant: Dennis Quilty

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-849594 Address: 80 Marion Street Ward 1 Applicant: Jeffrey Drago, 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- 675434 Address:211 Green Street Ward 11 Applicant: Michael P Ross

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-848572 Address: 3-3G Walley 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.

Case: BOA-764048 Address: 5 Jerusalem Place Ward 3 Applicant: William Ferullo, 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-764051 Address: 7 Jerusalem Place Ward 3 Applicant: William Ferullo, 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-764043 Address: 9 Jerusalem Place Ward 3 Applicant: William Ferullo, 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-579098 Address: 3 Ardee Street Ward 1 Applicant: Marc LaCasse, Esq

Discussion/Vote: The applicant appeared before the Board looking for approval.
Upon a motion and a second, the Board voted unanimously to approve.

Case: BOA-827054 Address: 623-625 Dorchester Avenue Ward 7 Applicant: Michael P. Welsh, Esq

Discussion/Vote: The applicant appeared before the Board and requested approval
Upon a motion and a second, the Board voted unanimously to approve.

HEARINGS: 9:30 AM

Case: BOA- 1040938 Address: 231 Saratoga Street Ward 1 Applicant: Alba Madrigal

Articles: Article 53 Section 8 Use Regulations MFR is a forbidden use in a 3F 2000 sub district, Article 53, Section 9 Add'l Lot Area Insufficient Article 53, Section 9 Floor Area Ratio Excessive, Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 56 Off Street Parking & Loading Req Off street parking is insufficient

Purpose: Seeking to change the occupancy from a three-family dwelling to a four-family dwelling and to renovate the structure.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to change a 3 family to a 4 family.

Board Members asked the rationale for needing a 4th unit. They asked the ceiling height of the new unit, the utilities, unit size, and the relation of the unit to grade.

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

Documents/Exhibits: Building Plans, 9 letters of support.

Votes: Board Member Ruggiero moved for approval with BPDA design review for the reconfiguration of the 4th unit layout. It was seconded by Ligris and approved 6-1.



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Case: BOA-1071312 Address: 226-228 Princeton Street Ward1 Applicant: Lolastar, LLC

Articles: Article 53 Section 8 Use Regulations Use: Multi family Dwelling: Forbidden Article 53 Section 8 Use Regulations Use: Accessory Parking: 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 56 Off Street Parking & Loading Req Off Street Parking Insufficient, Article 53, Section 56 Off Street Parking & Loading Req Off Street Parking Design / Maneuverability Article 9, Section 2 Change in Non-Conforming Use Article 27T 5 East Boston IPOD Applicability

Purpose: Change the Occupancy of the building from a Five (5) Family Dwelling to an Eight (8) Family Dwelling. Also, to construct a new 4th story addition onto existing building and renovate. Building will be fully sprinklered. ZBA

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to change a 5 family to a 7 family with 5 parking spaces. The 4th floor has been removed from the proposal.

Board Members asked if this would change the violations, and the parking requirements.

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

Documents/Exhibits: Building Plans, 32 letters of support.

Votes: Board Member Ruggiero moved for approval with BPDA design review. Ligris recused, seconded by Ruggiero, and approved 6-1.

Case: BOA- 1110007 Address: 47 Condor Street Ward 1 Applicant: 47 Condor Street, LLC

Articles: Article 27T Section 9 IPOD Enforcement East Boston IPOD Applicability Article 53, Section 56 Off-Street Parking & Loading Req Off-Street Parking Insufficient Article 53, Section 56 Off-Street Parking & Loading Req Off-Street Parking Design/Maneuverability (Car Stacking Machine to be installed) Article 53, Section 8 Use Regulations Use: Multifamily Dwelling: Forbidden Article 53, Section 8 Use Regulations Use: Commercial Space: Forbidden, 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 Front Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient Purpose: Raze existing building. Erect a 4 story, Mixed Use Building consisting of one (1) Commercial Space on the Ground Floor, and an Eight (8) Unit Residential Dwelling above. There will be a Ground Level Parking Garage with Eleven (11) Parking spaces. Building will be fully Sprinklered.

Discussion/Vote: The applicant requested a deferral and the Board voted for approval unanimously. This was deferred until January 18, 2021.



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Case: BOA-1072508 Address: 154 Faywood Avenue Ward 1 Applicant: Kihwan Cho
Articles: Article 10, Section 1 Limitation of Area Limitation of Area of Accessory Uses Article 27T-5 East Boston IPOD Applicability Article 53, Section 56 Off Street Parking & Loading Req Location of Off-Street Parking
Purpose: We would like to expand our driveway/parking space.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to expand a driveway to accommodate 2 cars.

Board Members asked about front yard parking.

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

Documents/Exhibits: Building Plans, 32 letters of support.

Votes: Board Member Fortune moved to deny (after hearing BTM advised denial due to front yard parking), Pinado seconded, the motion carried 5-1.

Case: BOA- 1123523 Address: 58 Everett Street Ward 1 Applicant: Stage RE Holdings
Articles: Article 53 Section 9# of allowed habitable stories has been exceeded 3 story max. Article 53 Section 9 Excessive F.A.R.
Purpose: To extend living space into the basement. Application submitted with corresponding elevation certificate evidencing property is not in a special flood hazard area. ZBA. E Plans. Nominal Fee.

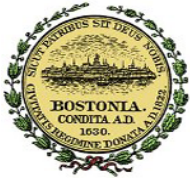
Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to extend unit 1 living space into the basement.

Board Members asked about the basement ceiling height, and access to mechanicals.

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

Documents/Exhibits: Building Plans, 1 letter of support.

Votes: Board Member Ruggiero moved for approval with a proviso stating no bedrooms in the basement. Ligris seconded and the motion was approved unanimously.



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Case: BOA- 1050315 Address: 2 Swift Terrace Ward 1 Applicant: Peter Lyons

Articles: Article 53 Section 36 Use Regulations Storage of construction equipment and materials is forbidden in a CE district. Article 53 Section 37 Rear yard is insufficient

Purpose: Pertains to Swift St Parcel 0104273001* not listed on ISD database, subdivide this lot into 2 lots. Lot 1 to be known as 2 Swift Terr. with a three-family dwelling and lot 2 to be known as 150 Swift St. See permit number Alt946498 to correct violation (current violation V443332) previous violation V99254 (CLOSED), Parcel 0104273001 from 2 Swift Terrace Parcel 0104273000.**

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to subsidize a lot with 3 family on 2 Swift Terrace.

Board Members asked if this would change the violations, and the parking requirements.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, Councilor Edwards, and an abutter are in support. 1 abutter in opposition.

Documents/Exhibits: Building Plans, 16 letters of support, 6 letters in opposition.

Votes: Board Member Ruggiero moved for approval with BPDA design review for screening and buffering, and modify fence for code compliance. It was seconded by Erlich, and approved unanimously.

Case: BOA - 1050279 Address: 150 Swift Street Ward 1 Applicant: Peter Lyons

Articles: Article 53 Section 36 Use Regulations Storage of construction equipment and materials is forbidden in a CE District. Article 53 Section 37 Rear yard is insufficient.

Purpose: Confirm existing 4 bay flat roof storage structure (current violation V443332) code 031. Legalize land use for commercial construction equipment/materials.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to subsidize a lot with 3 family on 2 Swift Terrace.

Board Members asked if this would change the violations, and the parking requirements.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, Councilor Edwards, and an abutter are in support. 1 abutter in opposition.

Documents/Exhibits: Building Plans, 16 letters of support, 6 letters in opposition.

Votes: Board Member Ruggiero moved for approval with BPDA design review with no storage of hazardous materials or construction equipment, only for applicant vehicles, and BPDA for fencing. It was seconded by Erlich, and approved unanimously.



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Case: BOA- 1080208 Address: 108-110 Orleans Street Ward 1 Applicant: Yolanda Ghergurovich
Articles: Article 9 Section 1 Extension of Nonconforming Use 5 unit dwelling in a 3-family subdistrict (<25%)
Article 53 Section 9 Insufficient side yard setback
Purpose: Make repairs to roof on attached garage. Install roof deck onto garage drawings.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a roof deck above the garage .

Board Members asked if it was currently being used as a roof deck, if not currently was it in the past? No.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Ruggiero moved for approval, Erlich seconded, it was approved unanimously.

Case: BOA-1090187 Address: 99 Trenton Street Ward 1 Applicant: Margaret Grady
Articles: Art. 27G E Boston IPOD Article 53, Section 9 Floor Area Ratio Excessive max. allowed: 0.8 Proposed: 1.07, Article 53, Section 9 Front Yard Insufficient required: 5' (dormer) Article 53, Section 9 Side Yard Insufficient Required: 2.5' (Left side of dormer) Article 53, Section 9 Rear Yard Insufficient Required: 30' (deck and stairs) Article 53, Section 52 Roof Structure Restrictions Article 53, Section 9 Bldg. Height Excessive (Stories) Max. allowed: 2.5 Proposed: 3, Article 53, Section 9 Bldg. Height Excessive (Feet) Max. allowed: 35. Proposed: 36' 7.5"

Purpose: Nominal Fee Zoning Review Only Review plans for replacing existing decks as they are not to code, and making them larger, and adding dormers to existing third floor. Interior renovations include building new staircase to meet code to third floor and full height door out basement. eplan > BOA

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add dormers to 3rd floor and to enlarge decks.

Board Members asked if they can reconfigure their floor plans to lessen the code violations.

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

Documents/Exhibits: Building Plans, 20 letters in support.

Votes: Board Member Erlich moved to deny due to building code, Ruggiero seconded, the motion failed. Erlich then moved to approve with BPDA design review, and it was seconded by Ligris. The motion carried and was approved unanimously.



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Case: BOA#1090188 Address: 99 Trenton Street Ward 1 Applicant: Margaret Grady

Purpose: Nominal Fee Zoning Review Only Review plans for replacing existing decks as they are not to code, and making them larger, and adding dormers to existing third floor. Interior renovations include building new staircase to meet code to third floor and full height door out basement. eplan > BOA Violation

9th 780 CMR R302 Fire Resistant Construction Wall openings (windows) are not allowed inside lot line for insufficient distance between lot line and wall. Violation can be eliminated moving the side lot line openings into the front and rear facades. 9th 780 CMR R310 Emergency Escape and Rescue Openings Rescue openings from bedrooms shall open directly into a public way or yard or court that opens to a public way. Violation can be eliminated moving the side lot line openings from bedrooms into the front and rear facades.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add dormers to 3rd floor and to enlarge decks.

Board Members asked if they can reconfigure their floor plans to lessen the code violations.

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

Documents/Exhibits: Building Plans, 20 letters in support.

Votes: Board Member Erlich moved to deny due to building code, Ruggiero seconded, the motion failed. Erlich then moved to approve with BPDA design review, and it was seconded by Ligris. The motion carried and was approved unanimously.

Case: BOA-1067117 Address: 6 Kelley Court Ward 2 Applicant: Timothy Sheehan

Articles: Article 62, Section 8 Lot Area Insufficient Article 62, Section 8 Usable Open Space Insufficient, Article 62, Section 8 Rear Yard Insufficient Article 62, Section 8 Lot Frontage Insufficient, Article 62, Section 30.12 Two or More Dwelling Same Lot A Dwelling shall not be built to the rear of another Dwelling

Purpose: Erect a single-family dwelling in the rear of 46 Cook Street in newly subdivided lot. Subdivided lot filed under ALT1058785. [ePlan]

Discussion/ Vote: The applicant requested a deferral from the Board and one was granted unanimously. The next hearing date will be January 18, 2021.



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Case: BOA- 1121204 Address: 604 East Broadway Ward 6 Applicant: Sing Ming Chan

Articles: Art. 68 Sec.08 Floor area ratio is insufficient Art. 68 Sec.08 Height requirement is excessive, Art. 68 Sec.08 Front yard setback requirement is insufficient (E Broadway Street), Art. 68 Sec.08 Front yard setback requirement is insufficient (I Street side)Art. 68 Sec.08 Side yard setback requirement is insufficient, Art. 68 Sec.08 Rear yard setback requirement is insufficient Art. 68 Sec.08 Usable open space is insufficient, Art. 68 Sec. 33 Off Street parking Req. Off street parking requirement is insufficient, Article 68, Section 29 Roof Structure Restrictions Roof structures restricted district

Purpose: Proposed three story addition above existing local retail space to create 6 new residential units and renovate as per plans. Change occupancy from local retail space to local retail space and 6 dwelling units. Permit set to be submitted upon ZBA approval.

Discussion/Vote: The applicant requested a deferral from the Board. One was granted and the new hearing date will be January 18, 2021

Case: BOA- 1066047 Address: 546 East Fourth Street Ward 6 Applicant: Gary Mendoza

Articles: Article 68, Section 8 Excessive F.A.R. Article 68, Section 8 Insufficient rear yard setback Article 68, Section 8 Insufficient side yard setback Article 68, Section 8 Max allowed Building height exceeded Purpose: Renovate 3rd floor Add 4th floor penthouse addition Add Private Residential Elevator Renovate and add egress stair.

Discussion/Vote: The applicant requested a deferral from the Board. One was granted unanimously, and the next hearing date will be January 18, 2021.

Case: BOA- 1066050 Address: 548 East Fourth Street Ward 6 Applicant: Gary Mendoza

Articles: Article 68, Section 8 Excessive F.A.R Article 68, Section 8 Excessive Height Article 68, Section 8 Insufficient rear yard setback.

Purpose: Renovate 3rd Floor unit and expand up to New 4th Floor Penthouse Addition. Add Private Residential Elevator at Rear and reconfigure rear decks into egress stair for all units.

Discussion/Vote: The applicant requested a deferral from the Board. One was granted unanimously, and the next hearing date will be January 18, 2021.



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Case: BOA- 999856 Address: 527 East Seventh Street Ward 7 Applicant: Timothy Johnson

Article: Article 27S, Section 5 South Boston IPOD Applicability

Purpose: Demolish existing buildings and erect 4 story, 8-unit residential building w/12 off-street parking spaces. Front, rear and roof decks as per plans submitted.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to combine lots and erect a 4 story, 8 unit dwelling with 12 parking spaces.

Board Members asked the unit sizes, parking proposed, as well as the screening and buffering. They mentioned the basement unit being below grade, and asked if the roof decks were enclosed.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services and an abutter are in support. Councilor Essaibi-George and Councilor Flynn are in opposition.

Documents/Exhibits: Building Plans, 4 letters in opposition.

Votes: Board Member Erlich moved to approve with BPDA design review to eliminate bedrooms in the basement, as well as a focus on screening and buffering. Ligris seconded and the motion carried unanimously.

HEARINGS: 12:30 PM

Case: BOA-1049460 Address: 82 Winthrop Street Ward 8 Applicant: John Moran

Articles: Article 50 Section 28 Use Regulations 4 Family use Forbidden, Article 50 , Section 43 Off Street Parking & Loading Req 1 parking space required Article 50, Section 29 Floor Area Ratio Excessive maximum allowed: 0.8

Article 50, Section 29 Usable Open Space Insufficient Required: 2,600 sqft. Provided: + 1975 sqft

Purpose: Change of Occupancy from three dwelling units to four dwelling units; expand living space into basement per plans filed herewith. Amendment to ALT 968676.

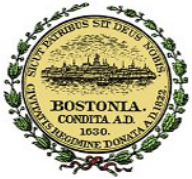
Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to change a 3 family to a 4 family and extend the living space into the basement.

Board Members asked if they had been to the Board previously. Were they going to dig out the basement? They also wanted to know the floor to grade height.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services is in support. Councilor Janey, Councilor Essaibi-George, 3 abutters, and the Roxbury Path Forward Neighborhood Association are in opposition.

Documents/Exhibits: Building Plans, 23 letters of support, 13 letters in opposition.

Votes: Board Member Erlich moved to deny, Ruggiero seconded, Ligris recused. The board voted unanimously and it was denied.



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Case: BOA- 1071445 Address: 152 Hampden Street Ward 8 Applicant: Michael Feldman
Article: Article 50, Section 32 Use Regulations in IDA Use: Brewery/Bar with Live Entertainment operating after 10:30 PM: Conditional
Purpose: Change of Occupancy to include Live Entertainment operating before and after 10:30 pm to existing Brewery and Bar (Tap room). No work to be done.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to increase the occupancy of the taproom from 120 to 180 to provide live entertainment.

Board Members asked about outdoor space and seating. 100 indoor seats, 80 parking spaces? No parking.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, Councilor Flaherty, Councilor Janey and an abutter are in support. The Orchard Gardens Association, and the Newmarket Business Association are also in support.

Documents/Exhibits: Building Plans, 1 letter of support.

Votes: Board Member Erlich moved to approve with the proviso that this was only applicable to this petitioner only. Fortune seconded, the motion carried, it was approved unanimously.

Case: BOA-1071418 Address: 152 Hampden Street Ward 8 Applicant: Michael Feldman
Articles: Article 50, Section 32 Use Regulations in IDA Bar use Conditional Article 50, Section 32 Use Regulations in IDA Incl. Section 50 31 Performance standards (proposed outdoor seating)
Purpose: Minor renovation and to increase occupancy to the building/lower level bar / tap room from 120 to 180 persons.*ZBA REQUIRED. increase >25% eplan

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to increase the occupancy of the taproom from 120 to 180 to provide live entertainment.

Board Members asked about outdoor space and seating. 100 indoor seats, 80 parking spaces? No parking.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, Councilor Flaherty, Councilor Janey and an abutter are in support. The Orchard Gardens Association, and the Newmarket Business Association are also in support.

Documents/Exhibits: Building Plans, 1 letter of support.

Votes: Board Member Erlich moved to approve with the proviso that this was only applicable to this petitioner only. Fortune seconded, the motion carried, it was approved unanimously.



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Case: BOA- 1087759 Address: 541 Massachusetts Avenue Ward 9 Applicant: KJ Capital 541 Mass Ave, LLC
Articles: Article 50 Section 26 Establish of Res. Subdistricts 50 26.3 Maximum number of dwelling units in a row or town house shall be 4. Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Rear Yard Insufficient Article 50, Section 43 Off Street Parking & Loading Req There is no proposed off street parking
Purpose: Seeking to change the occupancy from a lodging house and church to seven residential units and renovate. ZBA. E Plans Attached. Nominal Fee.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add dormers to change the occupancy from a lodging house and church to a 5 unit dwelling (which is reduced from 7).

Board Members asked the unit breakdowns and sizes, the basement ceiling height, as well as the elevations.

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

Documents/Exhibits: Building Plans, 2 letters of support.

Votes: Board Member Erlich moved to approve, Fortune seconded, it was approved unanimously.

Case: BOA-1096278 Address: 220 West Springfield Street Ward 9 Applicant: Freddy Lima
Article: Art 64.9.4 Town/Rowhouse extension into rear
Purpose: Remove existing wood deck at second floor and install new metal deck. Install new metal deck at first floor. Install metal spiral staircase from ground to second floor.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to remove the deck and replace with a metal deck on the first and second floors with a spiral staircase.

Board Members asked about the dimensions of the deck, and the type of metal.

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

Documents/Exhibits: Building Plans, 1 letter of support.

Votes: Board Member Erlich moved to approve with the BPDA review focusing and making sure it is to the fire escape only and not to use as decks. Ruggiero seconded, and it was approved unanimously.



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Case: BOA-1112574 Address: 62 Hutchings Street, Ward 12 Applicant: William A. Thompson
Articles: Article 50, Section 43 Off-Street Parking & Loading Req Off-Street Parking Insufficient, Article 50, Section 29 Lot Area for Additional Dwelling Units Insufficient, Article 50, Section 29 Floor Area Ratio Excessive, Article 50, Section 29 Open Space Insufficient
Purpose: Change Occupancy from a Two-Family Dwelling to a Three Family Dwelling; Frame/ renovate Basement. Install electrical, Install new plumbing, HVAC and windows. Re work rear stairs, Install new kitchenette. Do all finish work. Install sprinkler system. ZBA approval required.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to change a 2 family to a 3 family with addition of a basement unit studio.

Board Members asked about the basement ceiling height and access to utilities.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Fortune moved for approval, Ligris seconded. The motion carried and was approved 5-7.

Case: BOA-1068918 Address: 30 Copeland Street Ward 12 Applicant: Michael Griffin
Article: Art. 50 Sec. 29 # of allowed stories has been exceeded (3 story max.)
Purpose: Full interior/Exterior renovation as per drawings Additional costs to reflect on short form SF982562 and SF1001731 to correct V471883 Sprinkler, plumbing, gas, electric work to be done. Clarification: Full gut, construct 3 story addition with decks, extended living space into basement area for unit#1 and full rehab per plans to include Sprinkler, plumbing, gas, electric work to be done.*Off street parking to be applied for on a separate UOP permit.

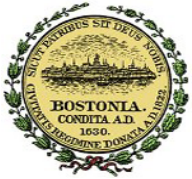
Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a 3-story addition to an existing 3 family with an extension to the basement for unit 1. Also proposing 2 bedrooms in the basement.

Board Members asked about the basement space in relation to grade.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved to approve with the BPDA review, Ruggiero seconded, the motion carried and was approved unanimously.



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Case: BOA-1113704 Address: 42-44 Glenrose Road Ward 16 Applicant: Edward Waters
Articles: Article 65, Section 9 Side Yard Insufficient 6.45' provided < 10' min req'd Article 65, Section 9 Floor Area Ratio Excessive 0.63 > 0.5 max Article 65, Section 9 Bldg Height Excessive (Stories) 3 stories > 2.5 stories max
Purpose: Extending living space of existing attic with addition of new dormer. Kitchen and bathroom remodel reflected on SF1091802.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to extend living space to attic with addition of a dormer.

Board Members asked about the occupancy, was it a 1 or 2 family, and is the attic currently used.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, Councilor Essaibi-George, and Councilor Baker are in support.

Documents/Exhibits: Building Plans, 5 letters of support.

Votes: Board Member Ligris moved to approve with the BPDA review, Erlich seconded, the motion carried and was approved unanimously.

Case: BOA- 1056272 Address: 19 West Tremlett Street Ward 17 Applicant: John Barry
Articles: Article 65, Section 8 Use Regulations MFR is forbidden in a 3F 6000 sub district, Article 65, Section 9 Floor Area Ratio Excessive, Article 65, Section 9 Bldg Height Excessive (Stories), Article 65, Section 9 Front Yard Insufficient, Article 65, Section 9 Rear Yard Insufficient
Purpose: Construct new structure for new 6 units. New structure will have rear decks. Add eight (8) parking spaces on the owners private lot. Construction of structure will be consistent with look, aesthetic and feel of the current neighborhood. Demolish existing structure on separate.

Discussion/Vote: The applicant requested a deferral from the Board. One was granted unanimously, and the next hearing date will be January 18, 2021.

Case: BOA- 1112785 Address: 2149-2151 Dorchester Avenue Ward 17 Applicant: John Barry
Articles: Art. 65 Sec. 08 Forbidden Multi family dwelling unit use (6) is a forbidden use Art. 65 Sec. 9 Residential Dimensional Reg.s Usable open space is insufficient Art. 65 Sec. 41 Off street parking requirements Off street parking requirement is insufficient
Purpose: Change Occupancy from 4 family to 6 unit building. Add 2 kitchens and 2 new entrances on second and third floor.

Discussion/Vote: The applicant requested a deferral from the Board. One was granted unanimously, and the next hearing date will be January 18, 2021.



City of Boston
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Case: BOA- 859866 Address: 3995-3997 Washington Street Ward 19 Applicant: Massachusetts Citizens for Social Equity, LLC

Article: Article 67, Section 11 Use Regulations Cannabis establishment is a conditional use in a LC Sub district Purpose: Change occupancy to cannabis dispensary retail.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add an adult use cannabis establishment.

Board Members asked about the hours of operation, walk-ins, line-ups, and online ordering.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services and 2 abutters are in support.

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved to approve with the provisos that this was for this petitioner only, and BPDA for signage. Ruggiero seconded, the motion carried and was approved 6-1

Case: BOA- 940718 Address: 1524 VFW Parkway Ward 20 Applicant: Beacon Compassion Inc

Article: Article 56 section 15 Use Regulations USE: Cannabis Establishment (Conditional)

Purpose: The Applicant proposes a Change of Occupancy to include a Cannabis Establishment. The Applicant also proposes to modify the existing layout and conditions of a portion of the interior of the Building. Please see the submitted plans for additional detail.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to propose a cannabis establishment (medical dispensary), with 26 parking spaces for all businesses in the building.

Board Members asked is this would be by appointment only? No. How many people would they expect daily, would there be security, and what would the other businesses in the building be.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services and Councilor O'Malley are in support.

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved to approve with the proviso that this could go to this petitioner only, and BPDA review for the signage and design. Pinado seconded, the motion carried and was approved 5-2.



City of Boston
Board of Appeal

Case: BOA-1096127 Address: 123 Nottinghill Road Ward 21 Applicant: Alexander Kogan
Articles: Art.51 Sec.56 Off St Parking Design 5' buffer Article 51 Section 9 Excessive F.A.R. Article 51 Section 9# of allowed stories exceeded Article 51 Section 9 Insufficient rear yard setback Article 51, Section 56 Off Street Parking & Loading Req Insufficient parking
Purpose: Demolition of 1 family dwelling. Construction of a new building consisting of two residential dwelling units on the same lot.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a 3 story 2 family dwelling.

Board Members asked about curb cuts, parking configuration, and the bedroom counts.

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

Documents/Exhibits: Building Plans, 2 letters in opposition.

Votes: Board Member Ligris moved to approve with the BPDA review, Erilich seconded, Ruggiero recused himself. The motion carried and was approved unanimously.

Case: BOA- 1085225 Address: 3 Westford Street Ward 22 Applicant: Greg Hemetet
Articles: Article 51 Section 7 Accessory Buildings Height Excessive Article 51 Section 7 Accessory Buildings Insufficient side yard set back
Purpose: I have a detached garage beyond repair and would like to rebuild within the same footprint. I work from home so I would like to add a second floor with a bathroom to be used as an Accessory Home office residential use.

RE-DISCUSSIONS: 1:00 PM

Case: BOA- 1067375 Address: 28 Geneva Street Ward 1 Applicant: Joel DeLuca
Article: 27T(27T-5) 53(53-8) 53(53-9): # of allowed stories exceeded, Height exceeded, Insufficient open space per unit, Front yard requirements, Insufficient rear yard setback, Insufficient additional lot area per unit & Excessive F.A.R.) 53(53-56.5.a) 53(53-56)
Purpose: Seeking to combine two lots with Parcel ID #'s 0104084000 and 0104083000 to create one new parcel with a total area of 8,240 SF. Also, to raze the existing structures and erect a new residential building with twenty-six units and nineteen parking spaces. See ALT1055719 for combining lots - address to be known as 28-30 Geneva Avenue. *AE Flood Zone. *Existing structures to be razed under a separate permit.

Discussion/Vote: The applicant requested a deferral from the Board. One was granted unanimously, and the next hearing date will be January 18, 2021.



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**Case: BOA-921545 Address: 176 Gladstone Street Ward 1 Applicant: Joseph Fagone
Article: 9(9-1) 53(53-9): Lot size for the dwelling is insufficient, Floor area ratio is excessive & Side yard requirement is insufficient) 53(53-56) 53(53-53-57)
Purpose: This will be one of two dwellings on the same lot. No work to be done. See ERT910842.**

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a 3 story 4 unit building with 4 parking spaces. There is a 4 unit dwelling existing on the lot.

Board Members asked if there would be roof decks, and there will not.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services and Councilor Edwards are in support. An abutter is in opposition.

Documents/Exhibits: Building Plans, 21 letters of support, 14 letters in opposition.

Votes: Board Member Ligris moved to approve with BPDA design review, Erlich seconded, and it was approved unanimously.

**Case: BOA- 921544 Address: 170 Gladstone Street Ward 1 Applicant: Joseph Fagone
Article: 53(53-8) 53(53-9): Lot size to erect new dwelling is insufficient, Floor area ratio is excessive, Height is excessive (stories), Height is excessive (ft), Required front yard setback is insufficient (Gladstone Street), Required front yard setback is insufficient (Breed Street) & Side yard setback requirement is insufficient) 53(53-56.5.a) 53(53-56) 53(53-53-57)
Purpose: Seeking to erect a residential building with eight (8) units and four (4) parking spaces. This will be one of two dwellings on one lot. See ALT910843.**

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a 3 story 4 unit building with 4 parking spaces. There is a 4 unit dwelling existing on the lot.

Board Members asked if there would be roof decks, and there will not.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services and Councilor Edwards are in support. An abutter is in opposition.

Documents/Exhibits: Building Plans, 21 letters of support, 14 letters in opposition.

Votes: Board Member Ligris moved to approve with BPDA design review, Erlich seconded, and it was approved unanimously.



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Case: BOA- 1020204 Address: 112 Myrtle Street Ward 5 Applicant: Alpine Advisory Service

Article: 15(15-1)

Purpose: Confirm Occupancy as Ten (10) Residential Apartments. Full gut interior renovation of entire Building. Replace all plumbing, electrical and mechanical; Installation of a new Fire Alarm and Sprinkler system with a dedicated water line; Build a new Roof Deck; Replace all windows; Repoint and restore exterior brick and thin metal facade. No Change of Occupancy.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to confirm the occupancy as a 10-unit residential dwelling, a full renovation.

Board Members asked about roof decks.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services is in support, and an abutter is in opposition.

Documents/Exhibits: Building Plans, 1 letter of support, 2 letters in opposition.

Votes: Board Member Erlich moved for approval, Ruggiero seconded, the motion was approved unanimously.

Case: BOA-1056729 Address: 171 Newbury Street Ward 5 Applicant: Jason Zube

Article(s): 8(8-7)

Purpose: Changing from a retail store to tattoo parlor.

Discussion/Vote: The applicant requested a deferral from the Board. One was granted unanimously, and the next hearing date will be January 18, 2021.

Case: BOA-993501 Address: 11 Pacific ST Ward: 7 Applicant: John Barry

Article: 68(68-27S-5) 68(68-8: Insufficient side yard setbacks, Insufficient open space per unit & Excessive f.a.r.) 68(68-33)

Purpose: To construct a new rear addition and confirm occupancy as a single family and change to a three-family residential building.

Discussion/Vote: The applicant requested a deferral from the Board. One was granted unanimously, and the next hearing date will be January 18, 2021.

Case: BOA-1092866 Address: 16 Preble Street Ward 7 Applicant: George Morancy

Article(s): Article 16 Section 1 Building Height Excessive

Purpose: Install roof deck to access from existing head house. Roof deck for exclusive use of top floor unit. Roof decking to be existing rubber roof pavers, no change in height. [e-Plan]

Discussion/Vote: At the request of the board, the applicant presented plans and described the proposed project in detail to request a withdrawal, the head houses were constructed without a permit. They will remove the head houses. Board Member Fortune moved to deny without prejudice, Erlich seconded, and the motion carried unanimously.



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Case: BOA- 1098228 Address: 18 Preble Street Ward 7 Applicant: George Morancy
Article(s): Art. 15 Sec. 01 Floor Area Ratio Excessive Art. 19 Sec. 01 Side yard insufficient Article 16 Section 1 Building Height Excessive
Purpose: Install roof deck to access from existing head house. Roof deck for exclusive use of top floor unit. Roof decking to be existing rubber roof pavers, no change in height. [e-Plan]

Discussion/Vote: At the request of the board, the applicant presented plans and described the proposed project in detail to request a withdrawal, the head houses were constructed without a permit. They will remove the head houses. Board Member Fortune moved to deny without prejudice, Erlich seconded, and the motion carried unanimously.

Case: BOA- 1078073 Address: 92-92C Lambert Avenue Ward 9 Applicant: Armando Hernandez
Article: 50(50-28) 50(50-29: Lot area for the add'l units is insufficient, Floor area ratio is excessive, Usable open space requirement is insufficient, Front yard setback requirement is insufficient, Side yard setback requirement is insufficient & Rear yard setback is insufficient) 50(50-44) 50(50-43: Off street parking requirement is insufficient & Off-street parking & loading req – Off street parking locations. All car spaces shall be entirely located on the same lot of the dwelling they serve. Ancillary off-street parking is conditional)
Purpose: Erect new 4 unit townhouse condominium buildings, for this is one of 2 buildings on same lot, and off street ancillary parking to be at 88 Lambert Ave. Subdivide this existing lot into 2 lots, this lot to be known as lot 2 92-92C Lambert Ave. and 92R-92R-C Lambert Ave. with 2 house on same lot. Injunction with Alt971317.

Discussion/Vote: The applicant requested a deferral from the Board. One was granted unanimously, and the next hearing date will be January 18, 2021.

Case: BOA- 1078077 Address: 92R-92R-C Lambert Avenue Ward 9 Applicant: Armando Hernandez
Article: 50(50-28) 50(50-29: Lot area for the add'l units is insufficient, Floor area ratio is excessive, Usable open space requirement is insufficient, Front yard setback requirement is insufficient, Side yard setback requirement is insufficient & Rear yard setback requirement is insufficient) 50(50-44.13) 50(50-43)
Purpose: Erect new 4 unit townhouse condominium buildings, for this is one of 2 buildings on same lot Subdivide this existing lot into 2 lots, this lot to be known as lot 2 92-92C Lambert Ave. and 92R-92R-C Lambert Ave. with 2 house on same lo; and off street parking provided is located at 88 Lambert Ave as ancillary off street parking injunction with Alt971317 and ERT971313 with MJ.

Discussion/Vote: The applicant requested a deferral from the Board. One was granted unanimously, and the next hearing date will be January 18, 2021.



City of Boston
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RECOMMENDATIONS/HEARINGS:

Case: BOA-1110114 Address: 7-9 Putnam Street Ward: 2 Applicant: Jeffrey M. Wolf
Articles: Article 62, Section 8 Insufficient rear yard setback 15' min required Article 62, Section 8 # of allowed stories has been exceeded 3 habitable stories max Article 62, Section 25 Roof Structure Restrictions " Dormers" creating a 3 1/2 story structure
Purpose: Work at Unit 9: Renovate entire home according to attached plans and contract: New wall, insulation, electrical and plumbing, HVAC, Appliances, Floors, Fixtures, Paint, Windows and Doors, Bathrooms and Kitchen.

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.

Case: BOA-1112796 Address: 43 Cook Street Ward: 2 Applicant: Matthew Wicker
Articles: Art. 62 Sec. 08 Insufficient rear yard setback 15' Min setback req. on a shallow lot (2nd story porch) Art. 62 Sec. 08 Insufficient side yard setback 2.5' setback req.
Purpose: Install dormer in the rear and patio/deck in the rear yard 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.

Case: BOA-1115015 Address: 7 Claremont Park Ward: 4 Applicant: Gerad Allen
Article: Article 64, Section 9 Town House/Row House Extension into Rear Yard Row house extension into rear yard is conditional
Purpose: This is a request to Amend permit number ALT1082116. More specifically, we are requesting that the approval of two 16' x 3' steel balconies be increased to 16' x 5' (4th level) and 16' x 6' (third level) and reconnect said fire escape decks to the adjacent building 5 Claremont Pk. The cost is reflected on permit number SF1041290, which has been paid.

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.

Case: BOA-1097582 Address: 11 HF Claremont Park Ward: 4 Applicant: The Newt, LLC
Article: Article 64, Section 9.4 Town House/Row House Extension 2nd occupied story above street grade/3rd story above rear grade
Purpose: AMEND ALT1043959 to construct a Rear deck (2nd story above street grade).

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.



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Case: BOA-1070834 Address: 537 East First Street Ward: 6 Applicant: Kerri Slavin
Article: Art. 68 Sec. 07 Use Regs. Hair salon use is a forbidden use in this MFR zoning subdistrict
Purpose: Change occupancy to Beauty Shop per First Street NDA. No work to be done. E PLAN

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.

Case: BOA-1117419 Address: 28 Woodward Street Ward: 7 Applicant: Zuren Tai Zhang
Articles: Art 68 Sec 29 Roof Structure Restrictions Roof structures restricted district Art 68 Sec 8 Side yard setback is insufficient Art 68 Sec 8 Rear yard setback is insufficient Art 68 Sec 8 Height requirement is excessive
Purpose: Roof deck

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.

Case: BOA-1114533 Address: 1A Cottage Street Ward: 7 Applicant: Ran Long
Article: Article 68, Section 29 Roof Structure Restrictions Exceeding prior building height: 2 story. Proposing: 4 story Purpose: Proposed 2 story addition and renovate as per plans. [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.

Case: BOA-1123936 Address: 13 Fox Point Road Ward: 13 Applicant: James Giordani
Articles: Article 65, Section 9 Insufficient lot size 7,000sf req. (New dwelling as "other use" on vacant lot), Article 65, Section 9 Insufficient lot width 70' req., Article 65, Section 9 Insufficient lot width frontage 70' req., Article 65, Section 9 Insufficient front yard setback 15' req., Article 65, Section 9 Insufficient side yard setback 12' Req., Article 65, Section 9 Insufficient rear yard setback 15' req.
Purpose: Construct a 2 car garage on accessory/2nd lot. [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.



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Case: BOA-1122443 Address: 11 Hartford Street Ward: 13 Applicant: Benjamin Ha
Articles: Article 50, Section 29 Bldg Height Excessive (Feet) Article 50, Section 29 Side Yard Insufficient Article 50, Section 43 Off-Street Parking & Loading Req
Purpose: Changing a single family to a two family residence. The changes to the building include a small addition and additional egress at the rear of the building. Also, the basement will be finished and we will perform other interior special alterations. BOA

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 denial without prejudice.

Case: BOA-1051271 Address: 654 Washington Street Ward: 17 Applicant: Caridad M. Sanchez
Article: Article 65 Section 15 Use Regulations Beauty Salon: Conditional use
Purpose: Change Occupancy to Beauty Salon, all work done in SF1036978.

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.

Case: BOA-1050234 Address: 25 Larchmont Street Ward: 17 Applicant: Neville Walker
Articles: Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient
Purpose: Remove and replace 1st Floor Front Porch and construct a new 2nd Floor Front Porch 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.

Case: BOA1112586 Address: 66 Alban Street Ward: 17 Applicant: Timothy Johnson
Articles: Article 65, Section 8 Use Regulations 2 family use: Forbidden Article 65, Section 9 Lot Width Insufficient required: 70' Existing: 60' Article 65, Section 9 Lot Frontage Insufficient required: 70' Existing: 60' Article 65, Section 9 Rear Yard Insufficient Required: 50' Proposed: 37.7'
Purpose: Change occupancy from 1-Family to 2 Family Dwelling. Owner Occupied and Erect new garage addition as per plans submitted. *eplan >BOA

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.



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Case: BOA-1110887 Address: 5 Crandall Street Ward: 18 Applicant: Tom R Counts
Articles: Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Bldg Height Excessive (Stories)
Article 67, Section 9 Side Yard Insufficient Article 67, Section 9 Rear Yard Insufficient
Purpose: Confirm occupancy as single family dwelling and extend living space to attic by renovating attic to master bedroom with a bathroom as per plans. Homeowner Waiver

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.

Case: BOA-1016610 Address: 22 Hopewell Road Ward: 18 Applicant: Laurel Prentice
Articles: Article 10, Section 1 Limitation of Area Limitation of Area of Accessory Uses Article 69 Section 29.4 Off Street Parking Location Location of Off Street Parking
Purpose: Off Street Parking for Two Vehicles. 4 City of Boston Board of Appeal

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 denial.

Case: BOA-1120997 Address: 16 Faraday Street Ward: 18 Applicant: Sean Smith
Article: Article 69 Section 9 Insufficient side yard setback 10' required
Purpose: Remove existing roof and construct a new floor and new roof, per attached drawings.

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.

Case: BOA-1097598 Address: 491 Metropolitan Avenue Ward: 18 Applicant: Pulgini & Norton, LLP
Articles: Article 69, Section 8 Use: Forbidden 2F in 1F Zone Article 69, Section 9 Floor Area Ratio Excessive 0.7; 0.5 max Article 69, Section 9 Usable Open Space Insufficient 3600sqft req'd Article 69, Section 9 Side Yard Insufficient 8.5' at dormer; 8.75' req'd (Narrow Lot) Article 69, Section 9 Rear Yard Insufficient 28.1' avg; 40' avg req'd. 24.6'; 30'min (Non Parallel Lot Line) Article 69 Section 29 Off Street Parking & Loading Req 2 add'l req'd plus maneuverability.
Purpose: Change of occupancy from single family to two family dwelling. Proposed renovations with building additions to rear and side. New deck above existing front enclosed porch foot print. [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 no bedrooms in the basement.



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Case: BOA-1092526 Address: 354 Belgrade Avenue Ward: 20 Applicant: Wellington Rossi
Articles: Article 67, Section 9 Floor Area Ratio Excessive 0.6; 0.5 max Article 67, Section 9 Side Yard Insufficient 5.3'; 10' min Article 67, Section 9 Rear Yard Insufficient
Purpose: The contractor shall provide the labor and material for an addition over the existing first floor living room. Demo and renovate the existing kitchen, expand the existing living room area, and build a new exterior deck with set of stairs. This includes mechanical work, finish carpentry, and exterior

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.

Case: BOA-1101787 Address: 34 Cass Street Ward: 20 Applicant: Dermot Power
Article: Article 56. Section 8 Side Yard Insufficient
Purpose: Construct new rear dormer in an existing single family dwelling. Add new bedroom and bathroom. [ZBA 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.

Case: BOA-1110053 Address: 29R Meredith Street Ward: 20 Applicant: William Roberts
Article: Article 56, Section 8 Article 2a , 8 ft min from accessory structure
Purpose: Amend ERT507225. Construct a portion of exterior deck measuring approximately 6ft x 8ft between existing rear door landing and exterior deck on top of accessory building (garage). See attached letter to ISD dated July 1, 2020. [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.

Case: BOA-1092470 Address: 49 Undine Road Ward: 22 Applicant: Boris Aronchik
Articles: Article 51 Section 9 Front Yard Insufficient Article 51 Section 9 Side Yard Insufficient Article 51, Section 57 Application of Dimensional Req Conformity with Existing Building Alignment
Purpose: To put an Accessory Building in the form of a Carport / Garage on the existing driveway. 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 denial without prejudice.



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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/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 denial without prejudice.

Case: BOA- 1057679 Address: 18 Birchcroft Road Ward: 18 Applicant: Said Ennaya
Article: 69(69-9: Bldg Height excessive (stories), Side yard insufficient & Rear yard insufficient)
Purpose: Legalize all work not on permit # SF 890899, add third floor, and front deck conforming to the new drawings submitted, new electric and heating system.

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 deferral until February 11, 2021.

Case: BOA-1095049 Address: 223-227A Bowdoin Street Ward 15 Applicant: Rosa Design and Construction, LLC
Article: Art. 09 Sec. 02 Nonconforming Use Change
Purpose: Install carpet, paint walls, and sign to change occupancy from dry cleaner to retail store. [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.



City of Boston
Board of Appeal

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

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SUBSTITUTE MEMBERS:

**JEANNE PINADO
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.

For a video recording of the December 1, 2020 Board of Appeal Hearing please go to: https://www.cityofboston.gov/cable/video_library.asp.