



City of Boston
Board of Appeal

TUESDAY, JUNE 29, 2021

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 JUNE 29, 2021 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS JUNE 29, 2021 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE JUNE 29, 2021 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/zbaJune29Hearing> or by calling 1-617-315-0704 and entering access code 173 240 8070 If you wish to offer testimony on an appeal, please click <https://bit.ly/zbaJune29comment> 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/zbaJune29comment>, calling 617-635-5300 or emailing zba.ambassador@boston.gov.



City of Boston
Board of Appeal

The ZBA Ambassador will be available within the WebEx Event from 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 ZBAPublicInput@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. WHEN DOING SO, PLEASE INCLUDE IN THE SUBJECT LINE THE BOA NUMBER, THE ADDRESS OF THE PROPOSED PROJECT AND THE DATE OF THE HEARING.



City of Boston
Board of Appeal

EXTENSIONS: 9:30AM

Case: BOA-897041 Address: 204 West Seventh Street Ward 7 Applicant: Patrick Mahoney, 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-897036 Address: 209-213 Tudor Street Ward 7 Applicant: Patrick Mahoney, 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-914030 Address: 5 Parkway Street Ward 5 Applicant: Hezekiah Pratt, AIA

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-914035 Address: 7 Parkway Street Ward 5 Applicant: Hezekiah Pratt, AIA

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-874670 Address: 10 O Street Ward 6 Applicant: Nancy Minucci

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.



City of Boston
Board of Appeal

HEARINGS: 9:30AM

Case: BOA-1194252 Address: 119 Addison Street Ward 1 Applicant: DCM Realty, LLC

Articles: Art. 09 Sec. 02 Nonconforming Use Change ERT permit of record is still under construction with a proposed use change >25% Article 27T 5 East Boston IPOD Applicability ERT of record is still under construction Article 53 Section 25 Use Regulations MFR USE FORBIDDEN Article 53 Section 25 Use Regulations Accessory parking ground floor Forbidden Art. 53 Sec. 56 Off Street Parking Insufficient parking 16 spaces req.

Purpose: Amend ERT881709 to change occupancy from 9 Executive Suites to 9 residential Units (Multifamily). No additional work to be done, all work shown on existing building permit.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to change the occupancy to residential units from executive suites

Board Members asked about plans and roof decks, executive suites, and style.

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

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

Votes: Board Member Erlich moved to deny, Ruggiero seconded and the motion carried 6-1.

Case: BOA-1183730 Address: 437 Frankfort Street Ward 1 Applicant: 441 Frankfort Street, LLC

Articles: Article 27T 5 East Boston IPOD Applicability Article 53 Section 56 Off Street Parking & Loading Req Insufficient parking 1.5/unit req.

Purpose: Erect a four (4) unit residential with five (5) parking spaces.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to build a new 4 unit building with 5 proposed parking spaces.

Board Members asked about an elevator, accessibility, roof deck access, parking and plans.

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

Documents/Exhibits: Building Plans, letters in support and letters in opposition.

Votes: Board Member Erlich moved to deny without prejudice. Fortune seconded, Ruggiero recused, Ligris recused and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1184868 Address: 289 Sumner Street Ward 1 Applicant: 289 Sumner, LLC

Articles: Article 27T 5 East Boston IPOD Applicability 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 (Feet) Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Front Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 52 Roof Structure Restrictions Article 53 Section 8 Use Regulations Multi Family Dwelling Use : Forbidden

Purpose: Combine parcel numbers 0104867000 and 0104866000 to create one lot consisting of 2,813 s.f., renovate the existing structure, confirm occupancy as three (3) family. Change occupancy to four (4) residential units and construct rear addition with deck and vertical 1 story addition with roof decks.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to renovate and change a 3 family to a 4 family with a 1 story addition.

Board Members asked about basement occupancy and the plans.

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

Documents/Exhibits: Building Plans and letters of support.

Votes: Board Member Ligris moved to approve with BPDA design review and no bedrooms in the basement. Robinson seconded, and the motion carried unanimously.

Case: BOA-1183162 Address: 173-177 Maverick Street Ward 1 Applicant: Maverick Orleans, LLC

Articles: Art. 53 Sec. 08 Forbidden Multi family dwelling unit is a forbidden use (9 units) Art. 53 Sec. 08 Forbidden Restaurant use is a forbidden use Art. 53 Sec. 09 Lot area for the add'l dwelling units is insufficient Art. 53 Sec. 09 Floor area ratio is excessive Art. 53 Sec. 09 Usable open space is insufficient Art. 53 Sec. 09 Front yard setback requirements is insufficient Art. 53 Sec. 09 Side yard setback requirements is insufficient Art. 53 Sec. 09 Rear yard setback requirements is insufficient Art. 53 Sec. 56 Off Street Parking Parking requirements is insufficient Article 27T 5 East Boston IPOD Applicability Art. 53 Sec. 09

Height requirements is excessive (stories) Art. 53 Sec. 09 Height requirements is excessive (ft)

Purpose: Combine Parcels 0105340000, 0105341000, and 0105342000 (See ALT1164486) and erect a mixed-use building consisting of nine (9) residential units and one (1) restaurant space.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect new mixed use 9 unit building with ground floor retail.

Board Members asked about unit breakdown, plans, affordability and parking.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved to approve with BPDA design review. Ligris seconded, and the motion carried 5-2.



City of Boston
Board of Appeal

Case: BOA- 1187855 Address: 61 Horace Street Ward 1 Applicant: Richard Raimondi

Articles: Article 53 Section 8 Use Regulations Three Family Dwelling: Forbidden Use Article 53, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Bldg Height Excessive (Feet) Article 10, Section 1 Limitation of Area Off Street Parking shall be located not less than 5' 0" from Side Lot Line. Article 27T 5 East Boston IPOD Applicability

Purpose: Erect a new three (3) family dwelling on newly created lot as per plans. See ALT1143477 for subdivision.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to build a new 3 family building on combined lots.

Board Members asked about plans and the parking area.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Ruggiero moved to approve with BPDA design review for the dormer and landscaping, and BTM for maneuverability. Ligris seconded and the motion carried unanimously.

Case: BOA- 1187853 Address: 63 Horace Street Ward 1 Applicant: Richard Raimondi

Articles: Article 53, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 53, Section 9 Floor Area Ratio Excessive

Purpose: Subdivide and combine parcel numbers 0101148000 and 0101149000. 63 Horace to then contain 2,640 square feet and 61 Horace to contain 4,735 square feet. Demo partial structure (foyer) on existing two-family dwelling. See ERT1143479 for new three family dwelling.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to build a new 3 family building on combined lots.

Board Members asked about plans and the parking area.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Ruggiero moved to approve with BPDA design review for the dormer and landscaping, and BTM for maneuverability. Ligris seconded and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1132691 Address: 116 Cambridge Street Ward 2 Applicant: Adenike John

Articles: Article 62, Section 17 Use Regulations Cannabis Establishment Use: Conditional Article 62, Section 13 Use Regulations Cannabis Establishment Use: Conditional

Purpose: Change of occupancy from retail use to Cannabis Establishment. Modify existing layout and conditions of building Interior.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to convert into a cannabis establishment.

Board Members asked about security, hours of operation, exits, staff parking and plans.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services and a neighbor are in support. The Sullivan Square Neighborhood Association are opposed. Councilor Edwards left it up to the discretion of the Board.

Documents/Exhibits: Building Plans letters of support and opposition.

Votes: Board Member Ruggiero moved to approve with the following provisos. 1) BPDA design review for signage, screening and buffering. 2) This is only for this applicant only. 3) The applicant must return to the BOA in one year for hours of operation. 4) They will close Sunday after 6:00pm and Saturday after 9:00pm. Erlich seconded and the motion carried unanimously.

Case: BOA-1185727 Address: 204 W Brookline Ward 4 Applicant: Timothy Burke

Article: Article 64, Section 9.4 Town House/Row House Extension

Purpose: At Unit #4 construct new bracket mounted balcony at Third Floor level on rear wall. Remove window and enlarge masonry opening to install new door to balcony. Work includes new finishes and electrical work.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to build a new bracket supported 3rd floor balcony.

Board Members asked about the brackets in the plans.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved to approve. Ligris seconded, and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1183248 Address: 2 Harbor Street Ward 6 Applicant: BCG-CG HARBOR PROPERTY, LLC

Articles: Art. 06 Sec. 03A Additional Conditions in Restricted Parking District Art. 25 Sec. 5 Flood Hazard Districts Storage of Flammables in Flood Hazard District Art. 24 Section 1 Off Street Loading Insufficient 4 required Art. 21, Section 1 Setback of Parapet Insufficient Northern Avenue. Required: 41' 7" Proposed: 0' Art. 21, Section 1 Setback of Parapet Insufficient Harbor Street. Required: 49' 4" Provided: 25' 5"

Purpose: To combine lot ID 0602674115 (area: 142,434sqft) with lot ID 0602674110 (area: 47,553sqft) resulting lot: 189,987sqft to construct an approximately 380,800 square foot mixed use lab and office building with 325 parking spaces and associated driveway areas and open space.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to build a 380,000 square foot lab and office building.

Board Members asked about article 80 review, the subdistrict, water requirements, fuel storage, plans, the lab, and the occupant.

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

Documents/Exhibits: Building Plans, letter of support.

Votes: Board Member Robinson moved to approve the project. Erlich seconded, and the motion carried unanimously.

Case: BOA-1180183 Address: 2173-2189 Washington Street Ward 9 Applicant: Roxbury Prep

Article: Art. 50, Section 10 Use: Conditional

Purpose: Change occupancy. On the ground floor at secondary address 2177 Washington St, change the use of the 2200 sf former retail space "New York Fashions" to extend Charter School use, adding it (as 3 new classrooms) to the existing Charter School (on floors 1,2&3) at secondary address 2179 Washington St.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to change the occupancy from retail to a charter school.

Board Members asked about Roxbury prep, cafeteria space, and City on a Hill.

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 Robinson moved to approve with BPDA design review for signage, Erlich seconded, and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1130507 Address: 120 Hancock Street Ward 13 Applicant: Vernon Woodworth

Articles: Article 65, Section 8 Use Regulations Use: Accessory Parking: Forbidden Article 65, Section 8 Use Regulations Use: Multifamily Dwelling: Forbidden Article 65, Section 9 Lot Area for Additional Dwelling Units Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Building Height Excessive Article 65, Section 9 Building Height (# of Stories) Excessive Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Insufficient Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Design / Maneuverability Article 65, Section 41 Off Street Parking & Loading Req Off Street Loading Insufficient

Purpose: Erect 15 dwelling units. Nominal fee requested pending ZBA approval. Correct address is 120- 122 Hancock Street in Dorchester (address not available at ISD portal).

Discussion/Vote: The applicant requested a deferral. Erlich moved to defer, Ruggiero seconded, and the motion carried unanimously.

Case: BOA- 1159425 Address: 9 Fayston Street Ward 14 Applicant: Jose Lopez

Articles: Article 50, Section 29 Rear Yard Insufficient 18' < 25.3'min (Shallow Lot) Article 50, Section 29 Side Yard Insufficient 2.7' < 5'min Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Floor Area Ratio Excessive 1.1 < 0.8max

Purpose: 1st/2nd floor bathroom and kitchen renovation, opening space on with new Harwood floors, prime and paint walls. 1st floor rebuild exterior deck to a 3-season enclosed deck. Exterior egress for 1 2 3 floor. Finish basement as living space to 1st floor. see drawings. V530519 ON FILE

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to convert basement for living space, renovate floors, and add a deck.

Board Members asked about the dimensions of the deck, plans, and occupancy.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Robinson moved to approve with BPDA design review. Ligris seconded and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1068840 Address: 29 Tylesboro Street Ward 16 Applicant: Brendan O'Shea

Articles: Article 65, Section 8 Use Regulations Multi Family Dwelling: Forbidden Article 65, Section 42.3 Traffic Visibility Across Corner Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Bldg Height Excessive (Feet) Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

Purpose: Erect new building for 6 units as per plan, 12 parking spaces on grade Raze existing structure.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a new 5-unit residential building with garage parking.

Board Members asked about traffic visibility and plans.

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

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

Votes: Board Member Erlich moved to approve with BPDA design review to reduce the traffic visibility violation as much as possible. Ligris seconded and the motion carried unanimously.

Case: BOA-1194538 Address: 74 Burt Street Ward 17 Applicant: 74 Burt Street, LLC

Articles: Article 65, Section 8 Use Regulations MFR is a forbidden use in a 1F 7000 sub district Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Bldg Height Excessive (Feet) Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

Purpose: Demolition of existing single-family structure and erection of new five-unit structure with seven parking spaces. Three story building with first floor garage at street grade. Two living levels above first floor garage. This application is for rejection letter to begin ZBA process

Discussion/Vote: The applicant requested a deferral so they have time to engage in more with the community. Erlich moved to defer, Ligris seconded, and the motion carried unanimously. The new hearing date will be August 31, 2021 at 12:30.



City of Boston
Board of Appeal

HEARINGS:11:00AM

Case: BOA-1192263 Address: 335 Chelsea Street Ward 1 Applicant: Norton Point Chelsea Street LLC

Articles: Art. 53, Section 8 Use: Forbidden 4F (MFR) in 3F zone Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Lot Area Insufficient 1,875sqft < 2,000sqft min Article 53, Section 9 Add'l Lot Area Insufficient 1,875sqft < 4,000sqft min Article 53, Section 9 Floor Area Ratio Excessive 3.1 > 1.0max Article 53, Section 9 Bldg Height Excessive (Stories) 4 > 3max Article 53, Section 9 Bldg Height Excessive (Feet) > 35'max Article 53, Section 57.2 Conformity Ex Bldg Alignment 0' provided Article 53, Section 9 Side Yard Insufficient 2.4'/0' < 2.5min (Cornice Line) Article 53, Section 9 Rear Yard Insufficient 1' < 17.5'min (Decks)(Shallow lot) Article 53, Section 52 Roof Structure Restrictions Art. 53, Section 56 ** Off Street Parking Insufficient 0 < 6 min req'd Article 27T 5 East Boston IPOD Applicability Art. 25 Sec. 5 Flood Hazard Districts

Purpose: Raze existing structure and erect a four (4) unit residential dwelling with roof decks.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect new 4 unit building with roof decks.

Board Members asked about elevator buildings, plans, and roof deck setbacks.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, is in support. Edwards left it up to the decision of the Board.

Documents/Exhibits: Building Plans, letter of support.

Votes: Board Member Erlich moved to approve with BPDA design review for neighborhood context and to remove the headhouse for a hatch. Ruggiero seconded, and the motion carried unanimously.

Case: BOA- 1181104 Address: 29 Saint Andrew Road Ward 1 Applicant: JJ Construction

Article: Article 27TEast Boston IPOD You need relief from the BOA (Board of Appeals) for the said violations.

Purpose: Built new back porch, make wider stairs from first floor to second floor, finish the basement according drawings, upgrade the electrical, HAVC and plumbing.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to renovate a 2-family dwelling and finish the basement.

Board Members asked about distance from the floor to sill, occupancy, and plans.

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 Erlich moved to defer the project. Robinson seconded, and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1163285 Address: 229 Maverick Street Ward 1 Applicant: 231 Maverick Street, LLC

Articles: Art. 27G E Boston IPOD exterior alteration proposing headhouse Article 53, Section 52 Roof Structure Restrictions Roof deck extends more than 1 foot above highest point of the roof. Access to deck is not through hatch or bulkhead with no more than 30" above such deck.

Purpose: Construct 14' x 14' roof deck and install spiral staircase for access. Install LVLs and other supports per the recommendations of the attached engineer affidavit. Maintain current building enclosure instead of adding 3rd floor balcony as originally proposed.

Discussion/Vote: The applicant asked to withdraw their project. Board member Fortune moved to deny without prejudice. Ruggiero seconded and the motion carried unanimously.

Case: BOA-947509 Address: 221 Webster Street Ward 1 Applicant: Lyle Bradley

Articles: Article 27T 5 East Boston IPOD Applicability Article 53 Section 9 Excessive F.A.R.

Purpose: Expand existing dormer on rear yard roof from single window gable dormer to wider shed dormer.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to expand third floor dormer to increase the bedroom size

Board Members asked about occupancy and the plans.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Robinson moved to approve the project. Erlich seconded, and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA- 1193016 Address: 8 Lilly Street Ward 6 Applicant: Dare Moynihan

Articles: Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Lot Area Insufficient Article 68, Section 8 Lot Width Insufficient Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 29 Roof Structure Restrictions Article 68, Section 8 Lot Frontage Insufficient Article 68, Section 8 Add'l Lot Area Insufficient

Purpose: Erect a new two-family house as per plans. Existing house to be razed under separate permit.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a new 2 family building with parking and 4 stories.

Board Members asked about plans and the roof structure violation.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, Councilor Flynn, Councilor Essaibi-George, and Senator Collins are in support. A neighbor is opposed. Councilor Flaherty left it up to the discretion of the Board.

Documents/Exhibits: Building Plans.

Votes: Board Member Ruggiero moved to approve with BPDA design review. Robinson seconded, and the motion carried unanimously.

Case: BOA- 1186589 Address: 64 Tolman Street Ward 16 Applicant: Tim Longden

Articles: Article 65, Section 42.3 Traffic Visibility Across Corner Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Insufficient Article 65, Section 9 Lot Area Insufficient Article 65, Section 8 Use Regulations Multi Family Dwelling Use: Forbidden Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Bldg Height Excessive (Feet) Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

Purpose: Raze existing 2 family dwelling and erect new 9-unit residential building with 9 garage under parking spaces and roof deck.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to build a new 9 unit building with 3 stories and ground floor parking.

Board Members asked about the unit breakdown and plans.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved to approve with BPDA design review. Robinson seconded, and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1144121 Address: 405 Washington Street Ward 17 Applicant: Vernon Woodworth

Articles: Art. 65 Sec. 9 Excessive F.A.R. .5 max Art. 65 Sec. 9 # of allowed stories has been exceeded 2.5 stories max Art. 65 Sec. 9 Maximum allowed height has been exceeded 35' max Art. 65 Sec. 65 41.5 Parking Size & Maneuverability Access/Maneuvering areas Art. 65 Sec. 45 Off street parking requirements Insufficient parking Article 65, Section 8 Use Regulations 13 Unit MFR dwelling Forbidden Use Article 65, Section 39 Screening & Buffering Req MFR in a 2f subdistrict Article 65 Section 42.3 Traffic Visibility Across Corner Article 65, Section 9 Insufficient rear yard setback 30' req. Article 65, Section 9 Insufficient front yard setback 15' min. req.(corner lot rule)

Purpose: New 13-unit multi family. Nominal fee requested pending ZBA approval.

Discussion/ Vote: The applicant requested a deferral. Erlich moved to defer, Dong seconded, and the motion carried unanimously. The new hearing date will be August 31, 2021 at 12:30pm.

Case: BOA- 1173515 Address: 765 Washington Street Ward 17 Applicant: Fred Manigat

Articles: Article 65, Section 9 Insufficient lot size Article 65, Section 9 Insufficient lot width Art. 65 Sec. 9 Insufficient lot width frontage Article 65, Section 9 # of allowed habitable stories exceeded Article 65, Section 9 Insufficient side yard setback Article 65, Section 9 Insufficient rear yard setback Article 65, Section 9 Insufficient open space Art. 65 Sec. 42 Appl. of Dimensional Req'mnts (5) Special provisions for corner lots Article 65, Section 42.2 Conformity w Ex Bldg Alignment Insufficient parking Art. 65 Sec. 41 Off street parking requirements Insufficient parking Art. 65 Sec. 42 Appl. of Dimensional Req'mnts (3) Traffic visibility across a corner lot Art. 65 Sec. 9 Excessive F.A.R.

Purpose: New 3 family building.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to build a new 3 family building with parking.

Board Members asked about accessible unit, plans, and adjacent construction.

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

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

Votes: Board Member Robinson moved to approve with BPDA design review, no Building Code relief, and no MAAB relief. Erlich seconded, and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1202082 Address: 1817 River Street Ward 18 Applicant: Antonio Ferrara

Articles: Article 69 Section 29 Off Street Parking & Loading Req 3 Provided < 6 req'd Article 69, Section 9 Usable Open Space Insufficient Art. 09 Sec. 01 Extension of Non-Conforming Use

Purpose: Subdivide the existing parcel at 1817 River Street parcel # 18 12374 into Lots A, B & C. Existing 3 family to remain on newly formed lot A containing 8k sq ft, New Lot B created will have 8156 sq ft and newly formed lot C will have 5172 sq ft. This alt is conjunction with 1811 & 1813 1815 River St. Also see ERT1161578 & ERT1161583

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to subdivide the lot

Board Members asked about relief needed and plans.

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

Documents/Exhibits: Building Plans, letters of support.

Votes: Board Member Ruggiero moved to approve the project. Robinson seconded, and the motion carried unanimously.

Case: BOA-1160393 Address: 80 North Beacon Street Ward 21 Applicant: John Walsh

Articles: Article 51, Section 56 Off-Street Parking Insufficient Article 51, Section 8 Use: Forbidden MFR is forbidden in a 1F-3000 Subdistrict Article 51, Section 9 Floor Area Ratio Excessive Article 51, Section 9 Bldg Height Excessive (Stories) Article 51, Section 9 Bldg Height Excessive (Feet) Article 51, Section 9 Front Yard Insufficient Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient

Purpose: Erect new 8-unit building.

Discussion/Vote: The applicant requested a deferral. Board member Fortune moved to defer, Erlich seconded, and the motion carried unanimously. The new date will be August 31, 2021 at 12:30pm.

RE-DISCUSSIONS: 12:30PM

Case: BOA-1173987 Address: 42 Everett Street Ward 1 Applicant: Sunrise Bay, LLC

Articles: Article 27T East Boston IPOD Art. 53 Sec. 09 Insufficient open space Article 53 Section 8 Use Regulations Six units(MFR) – Forbidden Article 53 Section 9 Insufficient additional lot area/unit Article 53 Section 9 Excessive F.A.R. Article 53 Section 9 Excessive # of stories Article 53 Section 9 Rear yard insufficient Article 53 Section 9 Max allowed height exceeded (3.31.20 New plans provided show an increase of two feet height; changed to 38'-7"/37') Article 53, Section 52 Roof Structure Restrictions Article 53, Section 52 Off-Street Loading Reg's Insufficient parking **Purpose:** Change occupancy to a seven (7removed) 6 unit residential dwelling by erecting an addition and adding a unit to the basement. Work description updated 3.8.21

Discussion/Vote: The applicant requested a deferral from the Board. Board member Erlich moved to defer, Robinson seconded, and the motion carried unanimously. The new hearing date is September 21, 2021 at 12:30.



City of Boston
Board of Appeal

Case: BOA-1069141 Address: 61 Boardman Street Ward 1 Applicant: Oliver Ann, LLC

Articles: Article 27T-5 East Boston IPOD Applicability Art. 25 Sec. 5 Flood Hazard Districts Art. 53 Sec. 08 Forbidden Multi family dwelling unit use is a forbidden use Art. 53 Sec. 09 Minimum lot size requirement is insufficient Art. 53 Sec. 09 Floor area ratio is excessive Art. 53 Sec. 09 Height requirement is excessive (ft) Art. 53 Sec. 09 Height requirement is excessive (stories) Art. 53 Sec. 09 Front yard setback requirement is insufficient (Boardman St.) Art. 53 Sec. 09 Side yard setback requirement is insufficient Art. 53 Sec. 09 Front yard setback requirement is insufficient (Ashley St.) Art. 53 Sec. 56 Off street parking insufficient Off street parking requirement is insufficient Art. 53 Sec. 09 In this zoning subdistrict, the main entrance of a dwelling unit shall face the front lot line.

Purpose: Raze the existing building and erect a 7-unit residential dwelling with roof decks and parking for 7 vehicles.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to build a new 3 story 7 unit building with parking.

Board Members asked about plans, traffic, building reinforcement, and neighborhood context.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Robinson moved to approve the project with BPDA design review with attention to the urban context and possible outdoor space. Erlich seconded, Ruggiero recused, Ligris recused, and the motion carried unanimously.

Case: BOA-1134769 Address: 363 Albany Street Ward 3 Applicant: Noah Ziomek Article:

Article 64, Section 35 Sign Regulations Bill board sign installation is forbidden in this zoning sub district

Purpose: We will be removing the existing billboard on the corner of the building and installing a new structure, and 2 20'x60' digital billboards.

Discussion/Vote: The applicant requested a deferral. Ligris moved to defer, Fortune seconded, Robinson recused, and the motion carried unanimously. The new hearing date will be September 21, 2021 at 12:30pm.



City of Boston
Board of Appeal

Case: BOA- 1073949 Address: 233 Metropolitan Avenue Ward 18 Applicant: Pamela Bardhi

Article: Article 67, Section 9 Usable Open Space Insufficient

Purpose: In reference to permit #Ert1068572, the property on 233 Metropolitan Avenue is to be split into two lots. Total lot size of the parcel currently is 14,019 SF. The two lots will be split into lot A & lot B. Lot A is 7125 SF and Lot B is 689 No work to be done on existing structure. Just subdivision

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to subdivide lot and build new 1 family.

Board Members asked about access to the rear lot, plans, and new lot size.

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

Documents/Exhibits: Building Plans and letter in opposition.

Votes: Board Member Ruggiero moved to deny the project. Ligris seconded, and the motion carried unanimously.

Case: BOA-1073954 Address: 233R Metropolitan Avenue Ward 18 Applicant: Pamela Bardhi

Articles: Article 67, Section 9 Lot Frontage Insufficient Article 67, Section 28 2.2e Design and Architecture Building orientation to the street. Proposed lot and building are behind another building and lot.

Purpose: Build new construction single family home as of right. [ePlan]

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to subdivide lot and build new 1 family.

Board Members asked about access to the rear lot, plans, and new lot size.

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

Documents/Exhibits: Building Plans and letter in opposition.

Votes: Board Member Ruggiero moved to deny the project. Ligris seconded, and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1014112 Address: 59A Strathmore Road Ward 21 Applicant: A Limited Liability Company, LLC Article(s): Article 51 Section 9 Insufficient additional lot area/unit Article 51 Section 9 Excessive F.A.R. Article 51 Section 9 Excessive height Article 51 Section 9 Insufficient open space/unit Article 51 Section 9 # of allowed stories exceeded Article 51 Section 9 Insufficient side yard setback Article 51 Section 9 Insufficient rear yard setback Article 51, Section 56 Off Street Parking Insufficient
Purpose: Seeking to change the occupancy from four residential units to five residential units. Also, to add a fifth-floor addition and renovate.

Discussion/Vote: The applicant requested a withdrawal. Board member moved to deny without prejudice, Erlich seconded, the motion carried unanimously.

RECONSIDERATION: 1:00PM

Case: BOA-1137459 Address: 19 Hansborough Street Ward 14 Applicant: Hope Whyte
“Request for reconsideration, pursuant to Article 5-3, of the Board’s 03/09/21 Decision to Deny the requested relief for we are seeking approval to cut the sidewalk curb to access our driveway. The driveway fits 2 cars, and has been in place since the home was purchased by our family in the 1970’s. Public Works has already approved our curb cut request. Per
Article 10 Sec. 01: Limitation of off-street parking areas 5’ Buffer requirement of side yard seeking with reference to the premises at: 19 Hansborough Street, Ward 14 From the terms of the Boston Zoning Code (see Acts of 1956, c.665) in the following respects: Variance
Article: Art. 10 Sec. 01 Limitation of off-street parking areas 5’ Buffer requirement of side yard
Purpose: We are seeking approval to cut the sidewalk curb to access our driveway. The driveway fits 2 cars, and has been in place since the home was purchased by our family in the 1970’s. Public Works has already approved our curb cut request.

Discussion/Votes: The applicant requested a reconsideration of their prior denial. Erlich moved to deny the reconsideration, Ruggiero seconded, and the motion carried unanimously.



City of Boston
Board of Appeal

STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775

BOARD MEMBERS:

CHRISTINE ARAUJO-CHAIR
MARK FORTUNE-SECRETARY
MARK ERLICH
JOSEPH RUGGIERO
KOSTA LIGRIS
SHERRY DONG
ERIC ROBINSON

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 June 29, 2021 Board of Appeal Hearing please go to:
https://www.cityofboston.gov/cable/video_library.asp.