



City of Boston
Board of Appeal

Tuesday, September 11, 2018

BOARD OF APPEALS

Room 801

Hearing Minutes

Board Chairperson 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 Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Mark Fortune:

APPROVAL OF HEARING MINUTES:

August 14, 2018 & August 28, 2018

Extension: 9:30a.m.

Case: BOA-478235, **Address:** 57R Sedgwick Street, **Ward 19 Applicant:** Amy Murrell & Minai Kam

Case: BOA-478232, **Address:** 57 Sedgwick Street, **Ward 19 Applicant:** Amy Murrell & Minai Kam

Case: BOA-541506 **Address:** 392 Cambridge Street, **Ward 21 Applicant:** Marc LaCasse

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

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

BOARD FINAL ARBITER: 9:30a.m.

Case: BOA-498302 **Address:** 51 Silver Street , **Ward 6 Applicant:** George Morancy, Esq

Discussion: The applicant requested approval of *de minimus* design changes to a proposed project at 51 Silver Street which was previously granted relief.

Votes: Upon a motion and a second, the Board voted to unanimously approve the requested changes.

GCOD: 9:30 a.m.

Case: BOA-860179 **Address:** 362 Marlborough Street , **Ward 5 Applicant:** Christine McMahon
Article(s): 32(32-9)

Purpose: Change occupancy to single family dwelling. Erect rear addition, with deck atop the addition and roof deck with access hatch. Repair brick. Complete Interior renovation all floors,

replacing all MEPs; new piles, stairs and elevator, reconstruction and raising of brick garden wall. per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail to change occupancy to single family dwelling. Erect rear addition, with deck atop the addition and roof deck with access hatch. Repair brick. Complete Interior renovation all floors, replacing all MEPs; new piles, stairs and elevator, reconstruction and raising of brick garden wall. per plans. GCOD enforcement

Board Members asked if BW&SC letter received. Applicant stated BW&SC letter received.

Testimony: The Board then requested testimony from neighbors and elected officials.

Documents/Exhibits: Building Plans

Votes: Board Member St. Fleur moved for approval, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-860183 **Address:** 352 Marlborough Street , **Ward** 5 **Applicant:** Christine McMahon
Article(s): 32(32-9)

Purpose: Exterior renovations per plans: addition of a penthouse structure, repair exterior brick and stone, windows, underground utilities and groundwater recharge system. Change of occupancy from a 1 family and a lodging house to a 1 family.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating Exterior renovations , addition of penthouse structure, repair exterior brick and stone, windows, underground utilities and GCOD enforcement. Change of occupancy from 1 family and lodging house to a 1 family.

Board Members asked if BW&SC letter received. Applicant stated BW&SC letter received.

Testimony: The Board then requested testimony from neighbors and elected officials.

Documents/Exhibits: Building Plans

Votes: Board Member St. Fleur moved for approval, Bickerstaff seconded and the Board voted unanimously to approve.

HEARINGS: 9:30 a.m.

Case: BOA-849225 **Address:** 10 Trenton Street , **Ward** 2 **Applicant:** Steven Petitpas
Article(s): 9(9-1) 62(62-8) 62(62-8) 62(62-25)

Purpose: Build new third floor addition in accordance with plans.

Purpose: Exterior renovations per plans: addition of a penthouse structure, repair exterior brick and stone, windows, underground utilities and groundwater recharge system. Change of occupancy from a 1 family and a lodging house to a 1 family.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail to construct 3rd floor addition, existing nonconforming building, adding dormer on both sides of roof. Two (2) family building,

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

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval, member Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-858259 **Address:** 51 Chappie Street , **Ward 2 Applicant:** Mark Chardavoyne
Article(s): 9(9-1) 9(9-1) 62(62-7) 62(62-7) 62(62-8) 62(62-8) 62(62-8) 62(62-8) 62(62-29) 62(62-29) 62(62-30) **Purpose:** Demolition of existing two-family home. Construct new three unit building.

Discussion: At the request of the applicant **this case has been deferred to 11/13/2018**

Votes: Upon a Motion and second, the Board voted unanimously to defer.

Case: BOA-828534 **Address:** 19-21 Lancaster Street , **Ward 3 Applicant:** Lancaster Parking, LLC

Article(s): 6(6-3A)

Purpose: The Applicant seeks to continue use the premises for a public parking lot for a fee, capacity 17 spaces beyond existing expiration date of December 31, 2018 under Permit # U49600908, in conjunction with use of adjoining premises at 73-75 Causeway Street and 31-39 Lancaster Street.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail to continue use the premises for a public parking lot for a fee, capacity 17 spaces beyond existing expiration date of December 31, 2018.

Board members discussed screening and buffering. Board of Appeal requested the hours of operation. The applicant stated Monday to Friday 6am to close, Saturday and Sunday 8am to close.

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

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, (screening and buffering, 3 year sunset) Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-828537 **Address:** 31-39 Lancaster Street , **Ward 3 Applicant:** Lancaster Parking, LLC

Article(s): 6(6-3A)

Purpose: The Applicant seeks to continue to use the premises for a public parking lot for a fee, capacity 31 spaces beyond existing expiration date of December 31, 2018, under Permit # U49600911, in conjunction with use of adjoining premises at 19-21 Lancaster Street and 73-75 Causeway Street.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail to continue use the premises for a public parking lot for a fee, capacity 31 spaces beyond existing expiration date of December 31, 2018.

Board members discussed screening and buffering. Board of Appeal requested the hours of operation. The applicant stated Monday to Friday 6am to close, Saturday and Sunday 8am to close.

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

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, (screening and buffering, 3 year sunset) Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-828538 **Address:** 73-75 Causeway Street , **Ward 3 Applicant:** Lancaster Parking, LLC

Article(s): 6(6-3A)

Purpose: The Applicant seeks to continue to use the premises for public parking two (2) handicap parking spaces beyond existing expiration date of December 31, 2018, under Permit # U49600905, in conjunction with use of adjoining premises at 19-21 Lancaster Street and 31-39 Lancaster Street.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to continue use the premises for a public parking lot for a fee, capacity 2 handicap spaces beyond existing expiration date of December 31, 2018.

Board members discussed screening and buffering. Board of Appeal requested the hours of operation. The applicant stated Monday to Friday 6am to close, Saturday and Sunday 8am to close.

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

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, (screening and buffering, 3 year sunset) Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-841381 **Address:** 56A-56 Berkeley Street , **Ward 5 Applicant:** Joseph Hanley, Esq
Article(s): 9(9-1)

Purpose: Convert the basement fitness room and most of the first floor front ‘office space’ into guest rooms thereby increasing the total unit count from 12 to 14. Interior fit out with no expansion of existing building envelope and no scope on the existing second, third and fourth floors.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail to convert first floor office space and gym into guest rooms. Total guest room count from 12 to 14 no expansion of foot print.

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

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-846353 **Address:** 6-7 Arlington Street , **Ward 5 Applicant:** Eugene Kelly
Article(s): 15(15-1)

Purpose: Build balcony/ loft area in existing living room (cathedral ceiling) and rework existing stairs keeping existing steel stringers.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail to build new balcony in existing living room, cathedral ceiling, work entirely interior no exterior work.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor’s office of Neighborhood Services stood in support.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval Erlich seconded and the Board voted unanimously to approve.

Case: BOA-820464 **Address:** 137 N Street , **Ward 6 Applicant:** Enda Madigan
Article(s): 68(68-8) 27S(27S-5)

Purpose: Confirm occupancy as a 3 family dwelling. Remodel exiting house all 4 floors, new roof deck, install sprinkler system.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail to confirm occupancy as a three 3-family, remodel all 4 floors with new roof deck.

Board members inquired about the history of the use of occupancy. The Board Members asked why they stopped work. The applicant stated they obtained demo permit and exceeded terms of permit. And began work without permits

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services stood in support. Representatives from Councilor Flynn and Councilor Flaherty's office spoke in opposition. One abutter opposed roof deck in particular.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-838552 **Address:** 422 East Fifth Street , **Ward 7 Applicant:** Douglas Stefanov
Article(s): 68(68-8) 68(68-29)

Purpose: Change of occupancy from two-family to single family dwelling (legalize existing). Remove existing roof to construct new third floor addition with front deck to extend living space to existing building.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to change occupancy from 2 to 1 family dwelling, 3rd floor addition of 500 sf room , stepped back from street.

Board members inquired about number of bedrooms and count

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services stood in support. Representatives from Councilor Flynn's office spoke in opposition.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-865908 **Address:** 522 East Seventh Street , **Ward 7 Applicant:** George Morancy
Article(s): 67(67-7) 27S(27S-5)

Purpose: Combine lots to contain approximately 9,058 square feet, and add 27 residential surface parking spaces. Refer to ALT783090.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to combine lots and add 27 parking spaces.

Board members discussed IPOD violation , erroneous, no structure. Board members asked whose parking spaces.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services stood in support. Representatives from Councilor Flynn's and Councilor Flaherty's office are in support. Abutters (Evans Family) are neutral; shared concerns re: storm water management drainage lighting (Evans family)

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval with BRA,(screening and buffering) Bickerstaff seconded and the Board voted unanimously to approve.

HEARINGS: 10:30 a.m.

Case: BOA-831638 **Address:** 90 West Springfield Street , **Ward 9 Applicant:** Craig Griffin
Article(s): 64(64-9)

Purpose: Replace existing window with door and spiral stairs to patio.
use in detail, stating to change occupancy from 2 to 1 family dwelling, 3rd floor addition of 500 sf room , stepped back from street.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating replace window with door and spiral stair to patio. First floor to grade.

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

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-857077 **Address:** 77 Romsey Street, **Ward 13 Applicant:** James Christopher
Article(s): 65(65-9) 65(65-9) 65(65-9)

Purpose: To construct a new rear third story addition to create additional living space, no change to existing occupancy; as per attached plans

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating new third story rear addition, 2 shed dormers, 897sf addition with no change to existing 3 family occupancy.

Board Members inquired about how many bedrooms in top unit. The applicant stated three (3).

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

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-834505 **Address:** 7-9 Ceylon Street , **Ward 13 Applicant:** Kendra Roe
Article(s): 50(50-29)

Purpose: Erect a new 2 Family House on vacant lot .

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to erect a new 2 family dwelling on a vacant lot. Twelve (12) units total, 2 units, 4 units are market rate

Board members inquired about number, size and break down of units. The applicant stated 2400 sf for two bedroom (2br) and 3200 for 3 bedroom (3br). The Board Members asked why the architect wasn't employed. DND provided designs to developers, as part of program. The Board Members ask if prefabricated. The applicant stated, no. Board Members are concerned with 170 and 23 Magnolia because they have the most violations

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Representatives from Councilor Janey office spoke in support.

Documents/Exhibits: Building Plans

Board members inquired about number, size and break down of units. The applicant stated 2400 sf for two bedroom (2br) and 3200 for 3 bedroom (3br). The Board Members asked why the architect wasn't employed. DND provided designs to developers, as part of program. The Board Members ask if prefabricated. The applicant stated, no. Board Members are concerned with 170 and 23 Magnolia because they have the most violations

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-834541 **Address:** 4 Chamblet Street , **Ward** 13 **Applicant:** Kendra Roe

Article(s): 50(50-29)

Purpose: Erect a new 1 Family House on vacant lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to erect a new 2 family dwelling on a vacant lot. Twelve (12) units total, 2 units, 4 units are market rate

Board members inquired about number, size and break down of units. The applicant stated 2400 sf for two bedroom (2br) and 3200 for 3 bedroom (3br). The Board Members asked why the architect wasn't employed. DND provided designs to developers, as part of program. The Board Members ask if prefabricated. The applicant stated, no. Board Members are concerned with 170 and 23 Magnolia because they have the most violations

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Representatives from Councilor Janey office spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-834537 **Address:** 7 Half Moon Street , **Ward** 13 **Applicant:** Kendra Roe

Article(s): 50(50-29)

Purpose: Erect a new Semi-Attached 1 Family House on vacant lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to erect a new 2 family dwelling on a vacant lot. Twelve (12) units total, 2 units, 4 units are market rate

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Representatives from Councilor Janey office spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-834563 **Address:** 8 Woodford Street , **Ward** 13 **Applicant:** Kendra Roe

Article(s): 50(50-29)

Purpose: Erect a new Semi-Attached 1 Family House.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to erect a new 2 family dwelling on a vacant lot. Twelve (12) units total, 2 units, 4 units are market rate

Board members inquired about number, size and break down of units. The applicant stated 2400 sf for two bedroom (2br) and 3200 for 3 bedroom (3br). The Board Members asked why the architect wasn't employed. DND provided designs to developers, as part of program. The Board Members ask if prefabricated. The applicant stated, no. Board Members are concerned with 170 and 23 Magnolia because they have the most violations

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Representatives from Councilor Janey office spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-834539 **Address:** 23 Magnolia Street , **Ward** 13 **Applicant:** Kendra Roe

Article(s): 50(50-29) 50(50-29) 50(50-29) 50(50-29)

Purpose: Erect a new Two (2) Family House on vacant lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to erect a new 2 family dwelling on a vacant lot. Twelve (12) units total, 2 units, 4 units are market rate

Board members inquired about number, size and break down of units. The applicant stated 2400 sf for two bedroom (2br) and 3200 for 3 bedroom (3br). The Board Members asked why the architect

wasn't employed. DND provided designs to developers, as part of program. The Board Members ask if prefabricated. The applicant stated, no. Board Members are concerned with 170 and 23 Magnolia because they have the most violations

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Representatives from Councilor Janey office spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-834542 **Address:** 162 Magnolia Street , **Ward 13 Applicant:** Kendra Roe

Article(s): 50(50-29)

Purpose: Erect a new Semi-Attached 1 Family House on vacant lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to erect a new 2 family dwelling on a vacant lot. Twelve (12) units total, 2 units, 4 units are market rate

Board members inquired about number, size and break down of units. The applicant stated 2400 sf for two bedroom (2br) and 3200 for 3 bedroom (3br). The Board Members asked why the architect wasn't employed. DND provided designs to developers, as part of program. The Board Members ask if prefabricated. The applicant stated, no. Board Members are concerned with 170 and 23 Magnolia because they have the most violations

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Representatives from Councilor Janey office spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-834493 **Address:** 164 Magnolia Street , **Ward 13 Applicant:** Kendra Roe

Article(s): 10(10-1) 50(50-29)

Purpose: Erect a new Semi-Attached 1 Family House on vacant lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to erect a new 2 family dwelling on a vacant lot. Twelve (12) units total, 2 units, 4 units are market rate

Board members inquired about number, size and break down of units. The applicant stated 2400 sf for two bedroom (2br) and 3200 for 3 bedroom (3br). The Board Members asked why the architect wasn't employed. DND provided designs to developers, as part of program. The Board Members

ask if prefabricated. The applicant stated, no. Board Members are concerned with 170 and 23 Magnolia because they have the most violations

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Representatives from Councilor Janey office spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-834501 **Address:** 170 Magnolia Street , **Ward** 13 **Applicant:** Kendra Roe

Article(s): 50(50-29) 50(50-29) 50(50-29) 50(50-29)

Purpose: Erect a new 1 Family House on vacant lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to erect a new 2 family dwelling on a vacant lot. Twelve (12) units total, 2 units, 4 units are market rate

Board members inquired about number, size and break down of units. The applicant stated 2400 sf for two bedroom (2br) and 3200 for 3 bedroom (3br). The Board Members asked why the architect wasn't employed. DND provided designs to developers, as part of program. The Board Members ask if prefabricated. The applicant stated, no. Board Members are concerned with 170 and 23 Magnolia because they have the most violations

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Representatives from Councilor Janey office spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-834511 **Address:** 100 Magnolia Street , **Ward** 13 **Applicant:** Kendra Roe

Article(s): 50(50-29)

Purpose: Erect a new 2 Family House on vacant lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to erect a new 2 family dwelling on a vacant lot. Twelve (12) units total, 2 units, 4 units are market rate

Board members inquired about number, size and break down of units. The applicant stated 2400 sf for two bedroom (2br) and 3200 for 3 bedroom (3br). The Board Members asked why the architect wasn't employed. DND provided designs to developers, as part of program. The Board Members ask if prefabricated. The applicant stated, no. Board Members are concerned with 170 and 23 Magnolia because they have the most violations

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Representatives from Councilor Janey office spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-834506 **Address:** 98 Magnolia Street , **Ward** 13 **Applicant:** Kendra Roe

Article(s): 50(50-29)

Purpose: Erect a new 2 Family House on vacant lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to erect a new 2 family dwelling on a vacant lot. Twelve (12) units total, 2 units, 4 units are market rate

Board members inquired about number, size and break down of units. The applicant stated 2400 sf for two bedroom (2br) and 3200 for 3 bedroom (3br). The Board Members asked why the architect wasn't employed. DND provided designs to developers, as part of program. The Board Members ask if prefabricated. The applicant stated, no. Board Members are concerned with 170 and 23 Magnolia because they have the most violations

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Representatives from Councilor Janey office spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-693386 **Address:** 13 Sagamore Street , **Ward** 13 **Applicant:** Ted Ahern

Article(s): 65(65-41) 65(65-9) 65(65-9) 65(65-9)

Purpose: Erect new single family per plans.

Discussion: At the request of the applicant **this case has been deferred to 11/13/2018**

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

Case: BOA-857070 **Address:** 10 Davitt Street , **Ward** 13 **Applicant:** James Christopher

Article(s): 65(65-9) 65(65-9) 65(65-9)

Purpose: To construct a new rear third story addition to create additional living space, no change to existing occupancy; as per attached plans

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to erect a new 3 story rear addition with new living space.

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

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-831647 **Address:** 10-12 Ashton Street , **Ward 14 Applicant:** Ralph Parent

Article(s): 60(60-9) 60(60-9)

Purpose: Erect a new Two-Family Residential Dwelling. Propose two (2) off-street parking.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating 4 lots, three (2) family's and 1 single family

Board Members inquired about off street parking. The applicant stated tandem parking Board Members discussed the number, size and break down of units. Board Members ask why didn't DND design these homes, similar to Magnolia Street development.

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

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-852742 **Address:** 49 Stratton Street , **Ward 14 Applicant:** Ralph Parent

Article(s): 60(60-9)

Purpose: Erect a new 3 story, Single Family Dwelling on existing 4,863 sq ft Lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating 4 lots, three (2) family's and 1 single family

Board Members inquired about off street parking. The applicant stated tandem parking Board Members discussed the number, size and break down of units. Board Members ask why didn't DND design these homes, similar to Magnolia Street development.

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

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-831646 **Address:** 108-110 Lucerne Street , **Ward 14 Applicant:** Ralph Parent

Article(s): 60(60-9) 60(60-9) 60(60-9) 60(60-9)

Purpose: Erect a new Two-Family Residential Dwelling. Propose two (2) off-street parking.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating 4 lots, three (2) family's and 1 single family

Board Members inquired about off street parking. The applicant stated tandem parking
Board Members discussed the number, size and break down of units. Board Members ask why didn't DND design these homes, similar to Magnolia Street development.

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

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-831648 **Address:** 133-135 Callender Street , **Ward** 14 **Applicant:** Ralph Parent
Article(s): 10(10-1) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-40)
Purpose: Erect a new Two-Family Residential Dwelling. Propose two (2) off-street parking.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating 4 lots, three (2) family's and 1 single family

Board Members inquired about off street parking. The applicant stated tandem parking
Board Members discussed the number, size and break down of units. Board Members ask why didn't DND design these homes, similar to Magnolia Street development.

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

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-736215 **Address:** 93 King Street , **Ward** 16 **Applicant:** Rocky Huynh
Article(s): 09(9-1) 65(65-9) 65(65-9)
Purpose: Install back decking for second floor with same size as existing first floor 18x8'4".

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to install back decking for 2nd floor

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

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-816890 **Address:** 96 Milton Avenue , **Ward 17 Applicant:** Last Year Realty LLC
Article(s): 9(9-1) 65(65-9)

Purpose: Legalizing enclosed exterior porches, work already done.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to legalize existing enclosed porches , exterior porches enclosed illegally 20 years ago. Confirm occupancy as a three family. Family aid to purchase property.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor’s office of Neighborhood Services oppose. Representative from Councilor Essabi-George and Councilor Campbell spoke in opposition. Four (4) abutters oppose.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for DENY, Galvin seconded and the Board voted unanimously to approve.

Case: BOA-837788 **Address:** 4623 Washington Street , **Ward 20 Applicant:** John Lydon
Article(s): 67(67-8) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-33)

Purpose: Construction of three-unit residential structure. Each unit to consist of three (3) bedrooms, two bathrooms, a kitchen and living room area, and a front porch. Underlying lots to be combined and parking to be provided via twenty-eight unit auxiliary parking lot (See. U49814415). Sprinkler System to be installed. combine Parcels shown as 2000660000, 2000661000, 2000662000, 2000663000 and 2000672000. This is to be one of three buildings on the same lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to construct three (3) family structures on vacant land in Roslindale. Properties to be sold as condo units. Properties to be consistent with surrounding neighborhoods.

Board Members discussed proposed dimensions and violations. Board Members inquired about parking. Applicant stated combine parcels, 28 parking spaces accessed from Schubert St. All ground floor unit to be handicap accessible. Board Members asked, “you sued us, right”?

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor’s office of Neighborhood Services are in support. Representative from Councilor Essabi-George and Councilor McCarthy spoke in support. One (1) abutters oppose from 71 Schubert St, driveway issues.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, (resolve parking issued) Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-837793 **Address:** 4625 Washington Street , **Ward 20 Applicant:** John Lydon
Article(s): 67(67-8) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9)
67(67-33)

Purpose: Construction of three-unit residential structure. Each unit to consist of three (3) bedrooms, two bathrooms, a kitchen and living room area, and a front porch. Underlying lots to be combined and parking to be provided via twenty-eight unit auxiliary parking lot (See. U49814415). Sprinkler System to be installed. combine Parcels shown as 2000660000, 2000661000, 2000662000, 2000663000 and 2000672000.

This is to be one of three buildings on the same lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to construct three (3) family structures on vacant land in Roslindale. Properties to be sold as condo units. Properties to be consistent with surrounding neighborhoods.

Board Members discussed proposed dimensions and violations. Board Members inquired about parking. Applicant stated combine parcels, 28 parking spaces accessed from Schubert St. All ground floor unit to be handicap accessible. Board Members asked, “you sued us, right”?

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor’s office of Neighborhood Services are in support. Representative from Councilor Essabi-George and Councilor McCarthy spoke in support. One (1) abutters oppose from 71 Schubert St, driveway issues.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, (resolve parking issued) Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-837789 **Address:** 4627 Washington Street , **Ward 20 Applicant:** John Lydon
Article(s): 67(67-8) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9)
67(67-33)

Purpose: Construction of three-unit residential structure. Each unit to consist of three (3) bedrooms, two bathrooms, a kitchen and living room area, and a front porch. Underlying lots to be combined and parking to be provided via twenty-eight unit auxiliary parking lot (See. U49814415). Sprinkler System to be installed. combine Parcels shown as 2000660000, 2000661000, 2000662000, 2000663000 and 2000672000. This is to be one of three buildings on the same lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to construct three (3) family structures on vacant land in Roslindale. Properties to be sold as condo units. Properties to be consistent with surrounding neighborhoods.

Board Members discussed proposed dimensions and violations. Board Members inquired about parking. Applicant stated combine parcels, 28 parking spaces accessed from Schubert St. All ground floor unit to be handicap accessible. Board Members asked, “you sued us, right”?

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Representative from Councilor Essabi-George and Councilor McCarthy spoke in support. One (1) abutters oppose from 71 Schubert St, driveway issues.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, (resolve parking issued) Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-847012 **Address:** 214 Lincoln Street , **Ward 22 Applicant:** The Church of Scientology of Boston Inc

Article(s): 11(11-1) 51(51-56) 51(51-56)

Purpose: Renovations to existing 5 story building for the Church of Scientology. Renovations to include offices, below grade parking, adult education, reception & public information, cafe & small gym.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to renovate existing 5 story building for Church of Scientology with offices, parking, adult education, café and gym.

Board Members asked how many members. Applicant stated 90 members with occasional special events. Board members inquired about signage and hours of operations

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Representative from Councilor Essabi-George and Councilor Cuommo spoke in support. Allston Civic Association in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, (signage) Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-847013 **Address:** 226 Lincoln Street , **Ward 22 Applicant:** The Church of Scientology of Boston, Inc.

Article(s): 11(11-1) 51(51-56) 51(51-56)

Purpose: Renovations to the Church of Scientology's 1 story building to include new offices, auditorium, child care, classrooms & warming kitchen. Work is associated with permit number ALT793962.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to renovate existing 5 story building for Church of Scientology with offices, parking, adult education, café and gym.

Board Members asked how many members. Applicant stated 90 members with occasional special events. Board members inquired about signage and hours of operations

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Representative from Councilor Essabi-George and Councilor Cuomo spoke in support. Allston Civic Association in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, (signage) Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-843413 **Address:** 26 Hichborn Street , **Ward** 22 **Applicant:** George Morancy

Article(s): 51(51-19) 51(51-56)

Purpose: To change occupancy from 20 residential units with a ground floor retail space with 26 parking space to 23 residential units (change the first floor retail space into 3 studio units on the ground level) and add 10 stacker parking space in the first floor garage to increase parking from 26 spaces to 36 parking spaces as per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to change occupancy from 20 residential units with ground floor retail with 26 parking spaces to 23 units and 10 stacker parking spaces added to garage.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Representative from Councilor Essabi-George, Councilor Cuomo and Councilor Flaherty are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval and Erlich seconded and the Board voted unanimously to approve.

RE-DISCUSSIONS: 11:30a.m.

Case: BOA-843578, **Address:** 128-136 South Street **Ward:** 11 , **Applicant:** JFR Fernandez, Inc

Article(s): 55(55-16: Take out restaurant forbidden & Liquor store conditional)

Purpose: Re-Inforce Column and Install new floors. Repoint Brick, Change occupancy to retail store with liquor sales and take out restaurant.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to change occupancy to retail store with liquor sales and takeout and interior renovations.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. One abutter opposed ,concerns from neighbors regarding noise and sound proofing for exhausts. Anthony Pisani opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval and Erlich seconded and the Board voted unanimously to approve.

Case: BOA-754552, **Address:** 34-36 Williams Avenue, **Ward 18 Applicant:** Rauny Baez
Article(s): 69(69-8: Lot width insufficient & Side yard insufficient)
Purpose: Subdividing lot at 36 Williams Ave, Hyde Park. This lot will have a total of 8,703 S.F. The new subdivided lot 38 Williams Ave will contain a total of 6,585 S.F. to accommodate new construction. Please reference ERT689194.

Discussion: At the request of the applicant **this case has been deferred to 11/13/2018**

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

Case: BOA-754553, **Address:** 38 Williams Avenue, **Ward 18 Applicant:** Rauny Baez
Article(s): 69(69-9: Lot width insufficient & Rear yard insufficient) 69(69-8)
Purpose: Construction of a new 2 family house on lot next to existing single family house. (See alt725398 for subdivision of the lot).

Discussion: At the request of the applicant **this case has been deferred to 11/13/2018**

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

Case: BOA-835790 **Address:** 57 Hemman Street , **Ward 18 Applicant:** Scott Johnson
Article(s): 67(67-9) 67(67-9) 67(67-9)
Purpose: To be filed in conjunction with ERT803437-59 Hemman Street, two buildings on one lot. No work to be done on this permit.

Discussion: At the request of the applicant **this case has been deferred to 11/27/2018**

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

Case: BOA-821722 **Address:** 59 Hemman Street , **Ward 18 Applicant:** Scott Johnson
Article(s): 67(67-8) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-33)
Purpose: Refile abandoned ERT617609 reviewed by FD. Erect a new 2 family on same lot as existing 3 family. Permit set to be submitted upon ZBA approval. ERT617609- (7/27/16)

Discussion: At the request of the applicant **this case has been deferred to 11/27/2018**

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

Case: BOA-765159 **Address:** 139 Walter Street , **Ward 20 Applicant:** Nora Duclos
Article(s): 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-29.5)
69(69-29)

Purpose: Construct new 2-family town house dwelling per plans

Discussion: At the request of the applicant **this case has been deferred to 11/27/2018**

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

INTERPRETATION: 12:00noon

Case: BOA-845078 **Address:** 82 Mount Vernon Street , **Ward 5 Applicant:** 84 Mt Vernon, LLC

Purpose: The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the permit ALT807161.

Discussion: At the request of the applicant **this case has been WITHDRAWN**

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

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

BOARD MEMBERS Present:
CHRISTINE ARAUJO- CHAIR
MARK FORTUNE-SECRETARY
MARIE ST. FLEUR
BRUCE BICKERSTAFF
MARK ERLICH
ANTHONY PISANI
CRAIG GALVIN

SUBSTITUTE MEMBERS: None present.

**For a video recording of the March 6, 2018 Board of Appeal Hearings please go to:
https://www.cityofboston.gov/cable/video_library.asp**

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