



City of Boston
Board of Appeal

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BOSTON, MA

Tuesday, March 10, 2020

BOARD OF APPEALS

Room 801

The board will hold a hearing on March 10, 2020 starting at 9:30 a.m.

APPROVAL OF HEARING MINUTES:

February 4, 2020

EXTENSION: 9:30 a.m

Case: BOA-768729 Address: 79-89 West Broadway Ward 6 Applicant: Moawed Properties LLC (by Kevin Kerr, Esq)

Case: BOA-746305 Address: 4-8 Tileston Street Ward 6 Applicant: David O'Sullivan

Case: BOA-675434 Address: 211 Green Street Ward 11 Applicant: Michael P. Ross, Esq

BOARD FINAL ARBITER: 9:30 a.m

Case: BOA-667111 Address: 151 Liverpool Street Ward 1 Applicant: City Point Liverpool, LLC (By Anthony L. Leccese, Esq

GCOD: 9:30 a.m

**Case: BOA-1044504 Address: 288-298 Tremont Street Ward 3 Applicant: 288 Tremont Street Partners LLC
Article(s): 32(32-9)**

Purpose: Parcel P12C - New construction of a 30 story Mixed-Use development of approximately 426,500 square feet. Building will consist of 168 Residential Units which are 100% income-restricted, a new Hotel with up to 200 Rooms, and a Parking Garage for 340 Off-Street Vehicles. On the Ground Floor will be a Retail space, and approximately 10,000 square feet of Community space.

HEARING: 9:30 a.m.

**Case: BOA-1025786 Address: 75-115 Bremen Street Ward 1 Applicant: East Boston Neighborhood Health Center
Article(s): 9(9-2) 7(7-4)**

Purpose: Discontinuation of 83 Ancillary Parking for 20 Maverick Square under Doc#10-0833 and 10 Gove Street under Doc#273-97. See ALT1014148 and ALT1014150.

**Case: BOA-1025793 Address: 10 Gove Street Ward 1 Applicant: East Boston Neighborhood Health Center
Article(s): 7(7-4) 9(9-2) 53(53-56)**

Purpose: Allow for discontinuation of remote off street parking at 75-115 Bremen Street, 151-163 Orleans Street, and 164 Orleans Street. - please see doc#273/1997 and ALT12762/2010. Reference U491014097, U491014099, and U491014100.

**Case: BOA-1025808 Address: 20-30 Maverick Square Ward 1 Applicant: East Boston Neighborhood Health Center
Article(s): 9(9-2) 7(7-4) 53(53-56)**

Purpose: Allow for discontinuation of remote off street parking at 75-115 Bremen Street. - please refer to permit #10-0833 and ALT157406. See U491014100. *Reduction in Ancillary parking consisting of 83 motor vehicles.

**Case: BOA-1025782 Address: 147-149 Orleans Street Ward 1 Applicant: East Boston Neighborhood Health Center
Article(s): 7(7-4) 9(9-2) 53(53-56)**

Purpose: Discontinuation of 8 Ancillary Parking spaces for 10 Gove Street under Doc#273-97. See ALT1014150.

**Case: BOA-1025791 Address: 164 Orleans Street Ward 1 Applicant: East Boston Neighborhood Health Center
Article(s): 9(9-2) 7(7-4) 53(53-56)**

Purpose: Discontinuation of 65 Ancillary Parking for 10 Gove Street under Doc#273-97. See ALT1014150.

**Case: BOA-1043442 Address: 79 Paris Street Ward 1 Applicant: East Boston Neighborhood Health Center
Article(s): 53(53-11: Ancillary use for 10 Gove Street conditional & Ancillary use for 20 Maverick Street conditional)
9(9-2) 7(7-4)**

Purpose: No construction planned. Designate existing parking use as ancillary to 10 Gove Street and Maverick Square - to park 19 motor vehicles.

Case: BOA-1043407 Address: 132 Marginal Street **Ward 1 Applicant:** Angelo Scippa
Article(s): 53(53-8) 53(53-9): Lot area for the add'l units is insufficient, Floor area ratio is excessive, Required height is excessive (stories), Required height is excessive (ft), Required front yard setback is insufficient, Required side yard setback is insufficient, Required rear yard setback is insufficient & Usable open space is insufficient) 53(53-56) 53(53-57) 27T(27T-5)
Purpose: Combine parcel 0104590000 of 2813 sf with parcel 0104591000 of 2813sf to create new lot of 5626 sf to be known as 132 Marginal Street and erect a new 6 Unit apartment building with two units per floor.

Case: BOA-1029221 Address: 837 Saratoga Street **Ward 1 Applicant:** 22 Jerome Street, LLC
Article(s): 10(10-1) 53(53-8) 53(53-8) 53(53-52) 53(53-56) 53(53-9): Add'l lot area insufficient, Floor area ratio excessive, Bldg height excessive (stories), Bldg height excessive (feet), Usable open space insufficient, Side yard insufficient & Rear yard insufficient)
Purpose: Change of Occupancy from Three-Family Dwelling to Multi-Family Dwelling (8 units). Erect rear addition and fourth-story addition. Propose (6) spaces.

Case: BOA-1029623 Address: 11 Bradford Street **Ward 3 Applicant:** Nicholas Paolucci
Article(s): 64(64-34) 32(32-4)
Purpose: Change of Occupancy from Two-Family to Single-Family Dwelling. Remove penthouse to construct new stair, head house, and roof deck. Construct new rear bay windows. New kitchen and 2 1/2 bathrooms. New interior partitions, mechanicals, drywall, paint and flooring. Replace Front Windows and Door. New groundwater infiltration. Replace rear siding.

Case: BOA-1002790 Address: 17-33 Winter Street **Ward 3 Applicant:** Sonder USA, Inc
Article(s): 38(38-18)
Purpose: To change occupancy from Health club, fitness center, stores, offices, adult education center and 27 residential units to Health club, fitness center, stores, offices and thirty-four executive suites. Also, to renovate.

Case: BOA-1028892 Address: 435-435A Columbus Avenue **Ward 4 Applicant:** Alpine Advisory Services
Article(s): 64(64-34) 64(64-9)
Purpose: Change the use from one store, hall, 3 apartments to One store, 4 apartments. No work to be done existing condition. (work done without permit).

Case: BOA-1028121 Address: 170 West Brookline Street **Ward 4 Applicant:** Alpine Advisory Services
Article(s): 64(64-9.4)
Purpose: Add two rear balconies and roof deck. Please reference ALT967865 Cost included in our original cost breakdown.

Case: BOA#1028122 Address: 170 West Brookline Street **Ward 4 Applicant:** Alpine Advisory Services
Purpose: Add two rear balconies and roof deck. Please reference ALT967865 Cost included in our original cost breakdown. Section 9th 780 CMR 1011 Stairways. 1011.12.2 Roof access. Where a stairway is provided to a roof, access to the roof shall be provided through a penthouse complying with Section 1510.2. Exception: In buildings without an occupied roof, access to the roof shall be permitted to be a roof hatch or trap door not less than 16 square feet (1.5 m²) in area and having a minimum dimension of 2 feet (610 mm).

Case: BOA-1023280 Address: 130 West Newton Street **Ward 4 Applicant:** Alpine Advisory Services
Article(s): 64(64-9.4) **Purpose:** Adding three (3) decks Location: rear of the building - 1st floor - 2nd floor - 3rd floor Constructing roof deck.

Case: BOA#1023279 Address: 130 West Newton Street **Ward 4 Applicant:** Alpine Advisory Services
Purpose: Adding three (3) decks Location: rear of the building - 1st floor - 2nd floor - 3rd floor Constructing roof deck. Section: 9th 780 CMR 1011 Stairways. 1011.12.2 penthouse/headhouse required.

Case: BOA-1012891 Address: 582 East Broadway **Ward 6 Applicant:** Douglas Stefanov
Article(s): 68(68-29) 68(68-8): Floor area ratio is excessive, Height requirement is insufficient, Usable open space requirement is insufficient & Side yard setback requirement is insufficient) 27S(27S-5) 68(68-33)
Purpose: Renovating existing 3 unit building, adding 2 new units for total of 5 units. Add a new top story, headhouse and roof deck. 4 Parking spaces accessible from back.

Case: BOA-1018299 Address: 620-622 East Eighth Street **Ward 7 Applicant:** Mark Terranova and Deanna Terranova
Article(s): 27P(27P-5) 68(68-7) 68(68-33) 68(68-8)
Purpose: Change Occupancy from 2 Family (#2750/2000) to 3 Family by extending into basement and remodeling for the third unit, some electrical, some plumbing work.

Case: BOA-991073 Address: 443 East Seventh Street **Ward 7 Applicant:** Mark Little
Article(s): 68(68-29)
Purpose: Remove existing deck and replace with new deck.

Case: BOA-1026200 Address: 233 L Street **Ward 7 Applicant:** John Shaughnessy
Article(s): 68(68-8): Floor area ratio excessive & Bldg height excessive (feet) 68(68-29)
Purpose: Increased living space in the basement, addition to the roof of a master bedroom/bathroom, and renovation to each floor.

Case: BOA-1044130 Address: 218-220 Old Colony Avenue **Ward 7 Applicant:** George Morancy
Article(s): 8(8-7) 13(13-1: Add'l lot area insufficient, Floor area ratio excessive, Bldg height excessive (feet), Usable open space insufficient, Front yard insufficient, Side yard insufficient, Rear yard insufficient & Bldg height excessive (stories)) 23(23-1) 23(23-9)

Purpose: Erect a new mixed use building with 1 commercial space and 32 dwelling units with parking below as per plans. Existing Building at 15 Gustin St to be razed under separate permit.

HEARINGS: 10:30 a.m.

Case: BOA-1046569 Address: 152 Hampden Street **Ward 8 Applicant:** Michael Feldman
Article(s): 50(50-32)

Purpose: Proposed outdoor seating for 100 to existing Brewery.

Case: BOA-1029311 Address: 7 Woodville Street **Ward 8 Applicant:** Tim Longden
Article(s): 50(50-29: Lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Usable open space insufficient, Front yard insufficient & Side yard insufficient) 50(50-43)

Purpose: Erect 3 family residential building on vacant parcel with 3 exterior parking spaces in rear of building.

Case: BOA-1029309 Address: 9 Woodville Street **Ward 8 Applicant:** Tim Longden
Article(s): 50(50-29) 50(50-43)

Purpose: Propose Easement between 7 and 9 Woodville Street. There will be a 10 foot wide shared driveway 5 ft on both sides. 3 Parking Spaces. See ERT1016631 for 7 Woodville application.

Case: BOA-1000945 Address: 17-19 Sunset Street **Ward 10 Applicant:** Patrick Mahoney Esq
Article(s): 10(10-1) 59(59-8) 59(59-37) 59(59-38.6)

Purpose: Repave existing four parking spaces and add one new parking spaces in rear yard.

Case: BOA-1029694 Address: 35 Brookley Road **Ward 11 Applicant:** John Pulgini
Article(s): 55(55-19) 55(55-20: Floor area ratio excessive, Height excessive & Rear yard insufficient) 55(55-40: 55-40.5 off street parking design & Off street parking insufficient)

Purpose: Demo existing structure to erect a new 46 unit residential development.

Case: BOA-1046244 Address: 3305-3307 Washington Street **Ward 11 Applicant:** Timothy Johnson
Article(s): 55(55-40: Off-street parking insufficient & Off-street loading insufficient) 55(55-40.5a) 55(55-41) 55(55-8: Use multifamily dwelling forbidden, Use commercial space forbidden & Use accessory parking forbidden) 55(55-9: Lot area for additional dwelling units insufficient, Floor area ratio excessive, Building height excessive, Building height (# of stories) excessive, Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient)

Purpose: Combine existing Lot 2257 & Lot 2258 into One 9,378 sq ft Lot. Addition / renovation to create a 4 story Mixed-Use Building. Change Occupancy from Office, One Apartment and Intern Overnight Accommodation to a Commercial space, Multifamily Dwelling (14 Units), and Garage (12 Vehicles). Upper Floor Units will have individual Roof Decks. Building will be fully Sprinklered. Application will require ZBA approval.

Case: BOA-1043023 Address: 3368 Washington Street **Ward 11 Applicant:** Lydia Scott

Article(s): 55(55-20: Floor area ratio is excessive, Height requirement is excessive & Minimum rear yard setback requirement is insufficient) 55(55-19)

Purpose: New construction, mixed use development (multi-family residential, office uses, community center, parking in basement level). 143,761 sf (1-5) + 20,230 sf basement. Demolition of existing 27,000 sf 1-story building.

Case: BOA-1023262 Address: 26-28 Perrin Street **Ward 12 Applicant:** Thomas Rovero
Article(s): 50(50-28) 50(50-29: Floor area ratio excessive, Building height excessive, Usable open space insufficient & Side yard insufficient) 50(50-44)

Purpose: Erect a new 2 1/2 story, 4 Family Dwelling w/3 Bedrooms and 2 full Baths in all 4 Units. Building will be fully Sprinklered. There will be a 4 Car Garage built at-grade behind Dwelling (ERT994197).

Case: BOA-1023265 Address: 26R Perrin Street **Ward 12 Applicant:** Thomas Rovero

Article(s): 50(50-28) 50(50-29) 50(50-44)

Purpose: Construct a 22' x 38' Four (4) Car Garage behind proposed Four (4) Family Dwelling @ 26-28 Perrin Street (ERT965942).

Case: BOA-1042670 Address: 15 Hinckley Street **Ward 13 Applicant:** Mark Porter

Article(s): 65(65-9)

Purpose: Extension of living space into the basement; install an office wet bar, enclose laundry room, install new stair between basement and 1st floor.

Case: BOA-1044035 Address: 51 Sawyer Avenue **Ward 13 Applicant:** Dao Construction Inc

Article(s): 9(9-1)

Purpose: Removed existing third floor deck approximately 6' wide by 11' long. Built new third floor deck approximately 11' wide by 11' long.

Case: BOA-1033189 Address: 15 Ashland Street **Ward 16 Applicant:** John Roche AIA

Article(s): 15(15-1) 17(17-1)

Purpose: Renovation/extension of an existing non-confirming two family home. Extend living space into the basement and extend dormer on third floor. The building will have a full sprinkler system. FILE IN CONJUNCTION WITH 17 Ashland St. (ALT 1024379).

Case: BOA-1033194 Address: 17 Ashland Street **Ward 16 Applicant:** John Roche AIA

Article(s): 15(15-1) 17(17-1)

Purpose: Renovation/extension of an existing non-confirming two family home. Extend living space into the basement and extend dormer on third floor. The building will have a full sprinkler system. FILE IN CONJUNCTION WITH 15 Ashland St- ALT1024376.

Case: BOA-1035755 Address: 20 Norwood Street **Ward 16 Applicant:** Cambridge Street Realty, LLC

Article(s): 25(25-5) 29(29-4) 65(65-15) 65(65-42) 65(65-41) 65(65-16)

Purpose: Seeking to raze the existing structure and erect a eight unit residential dwelling with associated parking.

Case: BOA-1035609 Address: 820 William T Morrissey Blvd **Ward 16 Applicant:** Out Front Media, LLC

Article(s): 11(11-17) 11(11-16) 65(65-40)

Purpose: The replacement of both sides/faces of existing 48 feet wide by 14 feet high billboard, one side currently static and the other side currently tri-vision, with new digital signage cabinets. The applicant would also replace existing steel structures in kind and change occupancy to include billboard.

Case: BOA-1004006 Address: 10R Burr Street **Ward 19 Applicant:** Greg Shores

Article(s): 55(55-41)

Purpose: Build a detached 1 car Garage.

Case: BOA-1043497 Address: 4 Hagar Street **Ward 19 Applicant:** Peter Vanko

Article(s): 55(55-9: Floor area ratio excessive & Bldg height excessive (stories)) 9(9-1)

Purpose: Extend Unit 3 living space into existing, sprinkled attic. Modify secondary building egress to accommodate new in-unit access to attic space. Modify floor structure to accommodate access. Maintain (2) means of egress from Unit 3.

Case: BOA-982785 Address: 156 Poplar Street **Ward 19 Applicant:** 156 Poplar Street Realty Trust by Anthony J. Ross, Esq

Article(s): 67(67-8) 67(67-9.1) 67(67-9: Lot size requires to erect a new 3 family dwelling is insufficient & Usable open space is insufficient) 67(67-32) **Purpose:** Raze existing two-family structure and erect new three unit building.

Case: BOA-1035883 Address: 178 Brighton Avenue **Ward 21 Applicant:** Leonid Grosman & Marina Grosman

Article(s): 51(51-17) 9(9-1)

Purpose: Unit #4- Legalize the basement Area as additional living space. Renovations to include but not limited to, replace windows and alterations per plans. To Remove violation # V421430 issued 10/18/2018. Include Plumbing and Electrical Works. ZBA.

RE-DISCUSSIONS: 10:30a.m.

Case: BOA-929763 Address: 21 Rocky Nook Terrace **Ward 11 Applicant:** 18 Robes LLC

Article(s): 55(55-9) 55(55-40)

Purpose: Erect a new Single Family House on newly subdivided Lot, as per plans. See ALT912468 for Lot subdivision. Permit set to be submitted upon ZBA approval.

45 Minute Lunch Break

RE-DISCUSSIONS: 11:30a.m.

Case: BOA-985474 Address: 362 Princeton Street **Ward 1 Applicant:** Brian Foley

Article(s): 53(53-9)

Purpose: Extend living space into basement (first floor unit). Existing condition. No work to be done.

Case: BOA#985475 Address: 362 Princeton Street **Ward 1 Applicant:** Brian Foley

Purpose: Extend living space into basement (first floor unit). Existing condition. No work to be done.

9th Edition 780 CMR CHPT 10 - Section 1011.6 Stairwell width insufficient

9th Edition 780 CMR CHPT 10 - Section 1003.3.1 Protruding objects by beam @ 5'-9 1/4" to include obstructed stair headroom at rear exit way.

9th Edition 780 CMR CHPT 10-Section 1003.2 Ceiling Height insufficient (7' 6" req.)

9th Edition 780 CMR CHPT 10 - Section 1011.6 Stairway landings (1'- 6"proposed)

9th Edition 780 CMR CHPT 10 - Section 1003.6 Means of Egress continuity without obstructions or reduction in width.

9th Edition 780 CMR CHPT 12 - Section 1208.2 Minimum Ceiling heights (proposed 6'-6.5"

Case: BOA-1024770 Address: 130 Everett Street **Ward 1 Applicant:** 130 Everett Street, LLC

Article(s): 53(53-56) 27T 53(53-56.5) 53(53-8) 53(53-9: Insufficient additional dwelling area per dwelling unit - 1000sf/unit req., Excessive F.A.R. - 1.0 max, # of allowed stories exceeded - 3 story max (4 story proposed), Insufficient side yard setback (No penetrations allowed <3' from lot line), Insufficient rear yard setback - 40' req., Insufficient open space per unit & Allowed height exceeded - 35' max)

Purpose: Erect vertical addition, renovate and change occupancy to a 5 unit residential dwelling with parking for 2 vehicles.

Case: BOA-818471 Address: 97 Salem Street **Ward 3 Applicant:** 97 Salem Street Realty Trust

Article(s): 54(54-18) 54(54-21)

54(54-13: open space insufficient, Rear yard insufficient & Floor area ratio excessive)

Purpose: To change occupancy from one real estate office to one retail space and 9 residential units. Also to erect a five story addition above the existing one story building.

Case: BOA-913646 Address: 472 East Fourth Street Ward 6 Applicant: Alpine Advisory Services-Withdrawn Letter Received****

Article(s): 68(68-29) 68(68-7.2) 68(68-8: Insufficient additional lot area per unit, Excessive F.A.R. & Insufficient usable open space per unit)

Purpose: Confirm legal occupancy as 3 dwelling units and change occupancy from 3 to 5 units. Rehabilitation of 5 units with new kitchens and bathroom and reconfigured space, and reconstruction of existing headhouse and existing roof deck, all as shown of plans filed herewith, NO Record of Legal Occupancy.

Case: BOA#913653 Address: 472 East Fourth Street Ward 6 Applicant: Alpine Advisory Services-Withdrawn Letter Received****

Purpose: Confirm legal occupancy as 3 dwelling units and change occupancy from 3 to 5 units. Rehabilitation of 5 units with new kitchens and bathroom and reconfigured space, and reconstruction of existing headhouse and existing roof deck, all as shown of plans filed herewith, NO Record of Legal Occupancy. Section 9th Edition 780 CMR CHPT 10 Chapter 10. Section 1031 Emergency escape window required within the basement bedroom located below grade.

Case: BOA-1026277 Address: 387-397 Dudley Street Ward 8 Applicant: Vila Nova Apartments Inc

Article(s): 50(50-41) 50(50-20: Footnote 2 Section 50-40 1. Street wall continuity, Footnote 2 (Section 50-40) 2. (a) Display area window regulations 60% 2 @ 3'x8' above grade-per request/conditional, Insufficient open space, Insufficient rear yard, Max allowed height exceeded & Excessive F.A.R.) 50(50-19: Residential use on first floor - conditional, Basement floor residential accessory use laundry facility - conditional & Basement floor residential accessory use community room - conditional) 50(50-43: Insufficient commercial parking, Insufficient residential parking & Insufficient loading area)

Purpose: Add 583 sf Parcel B from adjacent Parcel 0802718000 at 383 Dudley Street to this existing Parcel 0802719000. Erect new 5 story mixed use building per plans. New building to be known as 387-397 Dudley Street. Occupancy to be 24 Residential units and 1,894 SQ FT of Core Shell, Raze existing building under separate building permit.

Case: BOA-1026276 Address: 383-385 Dudley Street Ward 8 Applicant: Vila Nova Apartments Inc

Article(s): 50(50-20)

Purpose: Subdivide lot. Take 583 sf from this 1983 sf Parcel 0802718000, resulting in a revised Parcel 0802718000 now totaling 1400 sf. Add the 583 sf to the 7117 sf of existing Parcel 0802719000 at 387-397 Dudley Street which will now total 7700 sf for ERT1005883 (5 story/24 units and 1 core shell retail).

Case: BOA-1026279 Address: 375-385 Dudley Street Ward 8 Applicant: Vila Nova Apartments Inc.

Article(s): 50(50-20)

Purpose: Combine lot and building with lots and buildings at 379-381 Dudley and 383-385 Dudley Street. The resulting lot will total 4946 sf. (See Alt 1005934 and 1005939). The resulting building to be known as 375-385 Dudley Street. Renovate building per plans with one sprinkler system and one fire alarm system. *Subject to ZBA approval on Alt to Subdivide #383-395 to give 583SF to lot 387-397 under ERT1005883, then, in accordance with this application Combine remainder of lot with lot #'s 379-381 and 375-385 Dudley to include changing legal record to change occupancy from 3- 3 family/with commercial to a 9 units dwelling(MFR), store(existing), salon(existing) and tailor shop(existing).

Case: BOA-1015325 Address: 16-18 Playstead Road Ward 13 Applicant: Julie Simmons

Article(s): 65(65-8) 65(65-9: Lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Building height (# of stories) excessive & Side yard insufficient) 65(65-41)

Purpose: Change Occupancy from a Two (2) Family Dwelling to a Three (3) Family Dwelling. Renovate existing Building on all Floors. New Kitchens and Bathrooms. Insulate Building. Expand dormers on 3rd Floor. Add a new Rear Deck to the 3rd Floor. Upgrades to HVAC & MEP systems. Building will be fully Sprinklered.

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

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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