



City of Boston
Board of Appeal

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By City Clerk at 2:45 pm, Jun 26, 2020

TUESDAY, JULY 7, 2020

BOARD OF APPEAL

CITY HALL, ROOM 801

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON JULY 7, 2020 AT 10:00 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS JULY 7, 2020 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

SOME MATTERS LISTED ON THIS AGENDA MAY HAVE BEEN SCHEDULED AND NOTICED FOR PRIOR HEARINGS WHICH WERE THEN DEFERRED TO A LATER HEARING DUE TO THE PUBLIC HEALTH EMERGENCY. ANY SUCH APPEALS ON THIS AGENDA HAVE BEEN RE-NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE JULY 7, 2020 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE WEBEX EVENT PLATFORM.

Interested persons can participate in the hearing REMOTELY by going to <https://bit.ly/zbaJuly7hearing> or by calling 1-617-315-0704 and entering access code 129 962 0019.

If you wish to offer testimony on an appeal, please click <https://bit.ly/zbaJuly7comment> 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/zbaJuly7comment>, calling 617-635-4775 or emailing isdboardofappeal@boston.gov.



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The ZBA Ambassador will be available within the WebEx Event from at 9:00 AM to 10:00 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.

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

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

MEMBERS OF THE COMMUNITY ARE STRONGLY ENCOURAGED TO HELP FACILITATE THE VIRTUAL HEARING PROCESS BY EMAILING LETTERS IN SUPPORT OF OR OPPOSITION TO AN APPEAL TO isdboardofappeal@boston.gov IN LIEU OF OFFERING TESTIMONY ONLINE OR FROM BPDA BOARD ROOM



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BOARD FINAL ARBITER: 10:00 AM

Case: BOA- 828747 Address: 198 Hanover Street Ward 3 Applicant: Rebecca Lee, Esq

HEARINGS: 10:00 AM

**Case: BOA- 1035808 Address: 65 Gove Street Ward 1 Applicant: Gove on the Green, LLC
Article(s): 27T(27T-9) 53(53-56) 53(53-9: Floor Area Ratio Excessive, Usable Open Space Insufficient, Side Yard Insufficient & Rear Yard Insufficient)
Purpose: Amendment of Permit # ERT160207 as per plans. Applicant seeks to amend plans to alter interior and exterior of approved Two (2) Family Dwelling and reduce Off-Street Parking from 2 spaces down to 1 space and amend prior ZBA Decision. Cost of work reflected on ERT160207.**

**Case: BOA-959516 Address: 139 Everett Street Ward 1 Applicant: Anthony Del Vecchio
Article(s): 53(53-9) 27T(27T-5)
Purpose: Confirm the Occupancy as a One Family Dwelling and Change to a Two Family Dwelling to include combining of lots, roof deck with new exterior rear egress per plans submitted. All interior work and full construction costs for project are filed under SF944100 issued 4/22/19**

**Case: BOA- 1028707 Address: 597 Saratoga Street Ward: 1 Applicant: Leakhena Chan
Article(s): 9(9-1)
Purpose: Install new first floor and second floor rear decks.**

**Case: BOA- 1051275 Address: 14 Falcon Street Ward: 1 Applicant: Eileen Brito-Rosa
Article(s): 53(53-9: Floor area ratio excessive; Front yard insufficient)
Purpose: Rebuild existing front porch on first floor and enclose on top of porch to enlarge bedroom on second floor.**

**Case: BOA- 1051994 Address: 236 Lexington Street Ward: 1 Applicant: William Mohan
Article(s): 27G(27G-E) 53(53-52) 53(53-9: Floor area ratio excessive; Side yard and rear yard insufficient)
Purpose: Renovate existing third floor, addition on third floor. ALT1023878.**

**Case: BOA-1051753 Address: 7 Wallace Ct Ward: 3 Applicant: Brian Heneghan
Article(s): 62(62-25)
Purpose: New gut renovation of residence. New electrical, plumbing, HVAC, and sprinkler. Exxterior renovations include new siding and deck. New insulation and wallboard. New bathrooms and kitchen. Build new interior stairs and finish trim.**

**Case: BOA-1071229 Address: 1 Financial CN Ward 3 Applicant: Brittany Walsh
Article(s): 40(40-12) Use: Conditional Restaurant with take-out (Fast Food Restaurant)
Purpose: Change of occupancy from Restaurant to Restaurant with take out. No work to be done.**



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Case: BOA- 1038709 Address: 81 Warren Avenue Ward: 4 Applicant: Eben Kunz

Article(s): 64(64-9.4)

Purpose: Amendment to ALT983435. Cost of work reflected on original permit. Install roof deck with access hatch. Install bracketed rear deck.

Case: BOA-1038708 Address: 81 Warren Avenue Ward: 4 Applicant: Eben Kunz

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.

Purpose: Amendment to ALT983435. Cost of work reflected on original permit. Install roof deck with access hatch. Install bracketed rear deck.

Case: BOA-1043251 Address: 190 West Brookline Street Ward: 4 Applicant: Reilly SLR Architecture

Article(s): 64(64-9) 64(64-34)

Purpose: Replacement of existing roof deck with a new roof deck to match existing.

Case: BOA-1043252 Address: 190 West Brookline Street Ward: 4 Applicant: Reilly SLR Architecture

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 (610mm). Section: 9th 780CMR 101 Referenced Codes. 2015 IFC 307.4 Location. The location for open burning shall not be less than 50 feet (15 240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15 240 mm) of any structure Fire Pit is prohibited from Roof Deck space.

Purpose: Replacement of existing Roof Deck with a new Roof Deck to match existing

Case: BOA-992849 Address: 190 Calumet Street Ward 10 Applicant: Timothy Burke

Article(s): 59(59-8)

Purpose: Extend living space for Unit 1 into a portion of the Basement. Work requires ZBA approval for floor to area ratio.

Case: BOA-1041965 Address: 135 Carolina Avenue Ward: 11 Applicant: Cameron Merrill

Article(s): 14(14-1) 14(14-3) 14(14-4) 15(15-1) 18(18-1) 19(19-1)

Purpose: Erect rear addition to existing 2 family house.

Case: BOA-1057829 Address: 53 Oldfields Road Ward: 14 Applicant: Prince Kallon

Articles(s): 50(50-29: Floor area ratio excessive; Usable Open Space Insufficient)

Purpose: Change occupancy from two to three family dwelling and extend existing deck in the rear.



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Case: BOA-1039219 Address: 12 Denvir Street Ward: 16 Applicant: Tony Ngo

Article(s): 15(15-1) 18(18-1) 19(19-1) 53(53-12)

Purpose: Converting single family to 2 family per architect plans. Add addition electric panel, hearing, kitchen, baths, add additional second egress for both units, finish basement.

Case: BOA-1053485 Address: 54 Danforth Street Ward: 19 Applicant: Luiza Santos

Article(s): 10(10-1) 55(55-40) 55(55-9)

Purpose: Off-street parking space and new curb cut.

Case: BOA-1058078 Address: 4403-4407 Washington Street Ward 20 Applicant: Golden House

Article(s): 6(6-4)

Purpose: Remove existing proviso #1 from previous BOA 18390 for previous owner, no work to be done; existing condition. As per property owner's letter allowing the current tenant at 4403 Washing Street, C & L Wok Inc to operate existing restaurant (previously known as Golden House) as the new owners as of 8/16/2019

Case: BOA-1059752 Address: 727 West Roxbury Parkway Ward: 20 Applicant: Margaret Clarke

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

Purpose: 1st floor one story addition of two bedrooms. One bedroom is 15'x18', the other is 16.3'x8'

Case: BOA-1053603 Address: 9 Keswick Street Ward: 21 Applicant: Matthew Calkins

Article(s): 61(61-8)

Purpose: Add living space in basement, no occupancy change. Extension of living space only. 2.19.20 Modified to include rear deck.

Case: BOA-1012912 Address: 46 Bellamy Street Ward: 22 Applicant: Eamon Geoghegan-withdrawn letter received

Article(s): 51(51-9: Front yard insufficient & Side yard insufficient)

Purpose: Add attached 2 car garage with storage, add new front deck, and add covered and open rear deck. Change occupancy to include 2 car garage.



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CALL OF THE CHAIR/INTERPRETATION: 12:00 PM

Case: BOA-1020647 Address: 54 River Street Ward 17 Applicant: Paul Clarke, Et AL

Purpose: The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the Permit # ERT898883. The permit was issued as an allowed use.

BOARD MEMBERS:

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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.w.municode.com/library/ma/boston/codes/redevelopment_authority.