



City of Boston  
Board of Appeal

**RECEIVED**

By City Clerk at 11:59 am, Nov 24, 2020

**REVISED**

11:59 am, Nov 24, 2020

TUESDAY, DECEMBER 1, 2020

BOARD OF APPEAL

CITY HALL, ROOM 801

**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON DECEMBER 1, 2020 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

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

**PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:**

**THE DECEMBER 1, 2020 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE WEBEX EVENT PLATFORM.**

**Interested persons can participate in the hearing REMOTELY by going to <https://bit.ly/zbaDec1hearing> or by calling 1-617-315-0704 and entering access code 179 429 6784.**

**If you wish to offer testimony on an appeal, please click <https://bit.ly/zbaDec1comment> to sign up. Please provide your name, address, the address and/or BOA number of the appeal on which you wish to speak, and if you wish to speak in support of or opposition to the project.**

**For individuals who need translation assistance, please notify the Board at least 48 HOURS in advance either by signing up at <https://bit.ly/zbaDec1comment>, calling 617-635-4775 or emailing [isdboardofappeal@boston.gov](mailto:isdboardofappeal@boston.gov).**

**The ZBA Ambassador will be available within the WebEx Event from at 8:30 AM to 9:30 AM to answer questions about ZBA procedures and offer instructions on how to participate in the hearing via WebEx. Questions and/or concerns can also be emailed to the ZBA Ambassador at [zba.ambassador@boston.gov](mailto:zba.ambassador@boston.gov).**



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**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](mailto: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](mailto:isdboardofappeal@boston.gov) IN LIEU OF OFFERING TESTIMONY ONLINE OR FROM BPDA BOARD ROOM. IT IS STRONGLY ENCOURAGED THAT WRITTEN COMMENTS BE SUBMITTED TO THE BOARD AT LEAST 48 HOURS PRIOR TO THE HEARING.**



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**EXTENSIONS: 9:30 AM**

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

**Case: BOA-849594 Address: 80 Marion Street Ward 1 Applicant: Jeffrey Drago, Esq**

**Case: BOA- 675434 Address:211 Green Street Ward 11 Applicant: Michael P Ross**

**Case: BOA-848572 Address: 3-3G Walley Street Ward 1 Applicant: Richard Lynds, Esq**

**Case: BOA-764048 Address: 5 Jerusalem Place Ward 3 Applicant: William Ferullo, Esq**

**Case: BOA-764051 Address: 7 Jerusalem Place Ward 3 Applicant: William Ferullo, Esq**

**Case: BOA-764043 Address: 9 Jerusalem Place Ward 3 Applicant: William Ferullo, Esq**

**BOARD FINAL ARBITER: 9:30 AM**

**Case: BOA-579098 Address:3 Ardee Street Ward 1 Applicant: Marc LaCasse, Esq**

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

**HEARINGS: 9:30 AM**

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

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

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

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

**Articles: Article 53 Section 8 Use Regulations Use: Multi family Dwelling: Forbidden Article 53 Section 8 Use Regulations Use: Accessory Parking: Forbidden Article 53 Section 9 Lot Area for Additional Dwelling Units Insufficient, Article 53 Section 9 Floor Area Ratio Excessive Article 53 Section 9 Building Height Excessive Article 53 Section 9 Building Height (# of Stories) Excessive Article 53 Section 9 Usable Open Space Insufficient Article 53 Section 9 Side Yard Insufficient Article 53, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient, Article 53, Section 56 Off Street Parking & Loading Req Off Street Parking Design / Maneuverability Article 9, Section 2 Change in Non-Conforming Use Article 27T 5 East Boston IPOD Applicability**



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

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

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

**Case:** BOA-1072508 **Address:** 154 Faywood Avenue Ward 1 **Applicant:** Kihwan Cho

**Articles:** Article 10, Section 1 Limitation of Area Limitation of Area of Accessory Uses Article 27T-5 East Boston IPOD Applicability Article 53, Section 56 Off Street Parking & Loading Req Location of Off-Street Parking  
**Purpose:** We would like to expand our driveway/parking space.

**Case:** BOA- 1123523 **Address:** 58 Everett Street Ward 1 **Applicant:** Stage RE Holdings

**Articles:** Article 53 Section 9# of allowed habitable stories has been exceeded 3 story max. Article 53 Section 9 Excessive F.A.R.

**Purpose:** To extend living space into the basement. Application submitted with corresponding elevation certificate evidencing property is not in a special flood hazard area. ZBA. E Plans. Nominal Fee.

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

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

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

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

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

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



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

**Case: BOA-1090187 Address: 99 Trenton Street Ward 1 Applicant: Margaret Grady**  
**Articles: Art. 27G E Boston IPOD Article 53, Section 9 Floor Area Ratio Excessive max. allowed: 0.8 Proposed: 1.07, Article 53, Section 9 Front Yard Insufficient required: 5' (dormer) Article 53, Section 9 Side Yard Insufficient Required: 2.5' (Left side of dormer) Article 53, Section 9 Rear Yard Insufficient Required: 30' (deck and stairs) Article 53, Section 52 Roof Structure Restrictions Article 53, Section 9 Bldg. Height Excessive (Stories) Max. allowed: 2.5 Proposed: 3, Article 53, Section 9 Bldg. Height Excessive (Feet) Max. allowed: 35. Proposed: 36' 7.5"**  
**Purpose: Nominal Fee Zoning Review Only Review plans for replacing existing decks as they are not to code, and making them larger, and adding dormers to existing third floor. Interior renovations include building new staircase to meet code to third floor and full height door out basement. eplan > BOA**

**Case: BOA#1090188 Address: 99 Trenton Street Ward 1 Applicant: Margaret Grady**  
**Purpose: Nominal Fee Zoning Review Only Review plans for replacing existing decks as they are not to code, and making them larger, and adding dormers to existing third floor. Interior renovations include building new staircase to meet code to third floor and full height door out basement. eplan > BOA Violation**  
**9th 780 CMR R302 Fire Resistant Construction Wall openings (windows) are not allowed inside lot line for insufficient distance between lot line and wall. Violation can be eliminated moving the side lot line openings into the front and rear facades. 9th 780 CMR R310 Emergency Escape and Rescue Openings Rescue openings from bedrooms shall open directly into a public way or yard or court that opens to a public way. Violation can be eliminated moving the side lot line openings from bedrooms into the front and rear facades.**

**Case: BOA-1067117 Address: 6 Kelley Court Ward 2 Applicant: Timothy Sheehan**  
**Articles: Article 62, Section 8 Lot Area Insufficient Article 62, Section 8 Usable Open Space Insufficient, Article 62, Section 8 Rear Yard Insufficient Article 62, Section 8 Lot Frontage Insufficient, Article 62, Section 30.12 Two or More Dwelling Same Lot A Dwelling shall not be built to the rear of another Dwelling**  
**Purpose: Erect a single-family dwelling in the rear of 46 Cook Street in newly subdivided lot. Subdivided lot filed under ALT1058785. [ePlan]**

**Case: BOA- 1121204 Address: 604 East Broadway Ward 6 Applicant: Sing Ming Chan**  
**Articles: Art. 68 Sec.08 Floor area ratio is insufficient Art. 68 Sec.08 Height requirement is excessive, Art. 68 Sec.08 Front yard setback requirement is insufficient (E Broadway Street), Art. 68 Sec.08 Front yard setback requirement is insufficient ( I Street side ) Art. 68 Sec.08 Side yard setback requirement is insufficient, Art. 68 Sec.08 Rear yard setback requirement is insufficient Art. 68 Sec.08 Usable open space is insufficient, Art. 68 Sec. 33 Off Street parking Req. Off street parking requirement is insufficient, Article 68, Section 29 Roof Structure Restrictions Roof structures restricted district**



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

**Case:** BOA- 1066047 **Address:** 546 East Fourth Street Ward 6 **Applicant:** Gary Mendoza  
**Articles:** Article 68, Section 8 Excessive F.A.R. Article 68, Section 8 Insufficient rear yard setback  
Article 68, Section 8 Insufficient side yard setback Article 68, Section 8 Max allowed Building height exceeded  
**Purpose:** Renovate 3rd floor Add 4th floor penthouse addition Add Private Residential Elevator Renovate and add egress stair.

**Case:** BOA- 1066050 **Address:** 548 East Fourth Street Ward 6 **Applicant:** Gary Mendoza  
**Articles:** Article 68, Section 8 Excessive F.A.R Article 68, Section 8 Excessive Height  
Article 68, Section 8 Insufficient rear yard setback.  
**Purpose:** Renovate 3rd Floor unit and expand up to New 4th Floor Penthouse Addition. Add Private Residential Elevator at Rear and reconfigure rear decks into egress stair for all units.

**Case:** BOA- 999856 **Address:** 527 East Seventh Street Ward 7 **Applicant:** Timothy Johnson  
**Article:** Article 27S, Section 5 South Boston IPOD Applicability  
**Purpose:** Demolish existing buildings and erect 4 story, 8-unit residential building w/12 off-street parking spaces. Front, rear and roof decks as per plans submitted.

### **HEARINGS: 12:30 PM**

**Case:** BOA-1049460 **Address:** 82 Winthrop Street Ward 8 **Applicant:** John Moran  
**Articles:** Article 50 Section 28 Use Regulations 4 Family use Forbidden, Article 50 , Section 43 Off Street Parking & Loading Req 1 parking space required Article 50, Section 29 Floor Area Ratio Excessive maximum allowed: 0.8  
Article 50, Section 29 Usable Open Space Insufficient Required: 2,600 sqft. Provided: + 1975 sqft  
**Purpose:** Change of Occupancy from three dwelling units to four dwelling units; expand living space into basement per plans filed herewith. Amendment to ALT 968676.

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

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





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

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

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

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

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



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**Case: BOA- 1056272 Address: 19 West Tremlett Street Ward 17 Applicant: John Barry**

**Articles: Article 65, Section 8 Use Regulations MFR is forbidden in a 3F 6000 sub district, Article 65, Section 9 Floor Area Ratio Excessive, Article 65, Section 9 Bldg Height Excessive (Stories), Article 65, Section 9 Front Yard Insufficient, Article 65, Section 9 Rear Yard Insufficient**

**Purpose: Construct new structure for new 6 units. New structure will have rear decks. Add eight (8) parking spaces on the owners private lot. Construction of structure will be consistent with look, aesthetic and feel of the current neighborhood. Demolish existing structure on separate.**

**Case: BOA- 1112785 Address: 2149-2151 Dorchester Avenue Ward 17 Applicant: John Barry**

**Articles: Art. 65 Sec. 08 Forbidden Multi family dwelling unit use (6) is a forbidden use Art. 65 Sec. 9 Residential Dimensional Reg.s Usable open space is insufficient Art. 65 Sec. 41 Off street parking requirements Off street parking requirement is insufficient**

**Purpose: Change Occupancy from 4 family to 6 unit building. Add 2 kitchens and 2 new entrances on second and third floor.**

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

**Article: Article 67, Section 11 Use Regulations Cannabis establishment is a conditional use in a LC Sub district**

**Purpose: Change occupancy to cannabis dispensary retail.**

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

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

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

**Case: BOA-1096127 Address: 123 Nottinghill Road Ward 21 Applicant: Alexander Kogan**

**Articles: Art.51 Sec.56 Off St Parking Design 5' buffer Article 51 Section 9 Excessive F.A.R. Article 51 Section 9# of allowed stories exceeded Article 51 Section 9 Insufficient rear yard setback Article 51, Section 56 Off Street Parking & Loading Req Insufficient parking**

**Purpose: Demolition of 1 family dwelling. Construction of a new building consisting of two residential dwelling units on the same lot.**

**Case: BOA- 1085225 Address: 3 Westford Street Ward 22 Applicant: Greg Hemetet**

**Articles: Article 51 Section 7 Accessory Buildings Height Excessive Article 51 Section 7 Accessory Buildings Insufficient side yard set back**

**Purpose: I have a detached garage beyond repair and would like to rebuild within the same footprint. I work from home so I would like to add a second floor with a bathroom to be used as an Accessory Home office residential use.**





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**RE-DISCUSSIONS: 1:00 PM**

**Case: BOA- 1067375 Address: 28 Geneva Street Ward 1 Applicant: Joel DeLuca**

**Article: 27T(27T-5) 53(53-8) 53(53-9): # of allowed stories exceeded, Height exceeded, Insufficient open space per unit, Front yard requirements, Insufficient rear yard setback, Insufficient additional lot area per unit & Excessive F.A.R.) 53(53-56.5.a) 53(53-56)**

**Purpose: Seeking to combine two lots with Parcel ID #'s 0104084000 and 0104083000 to create one new parcel with a total area of 8,240 SF. Also, to raze the existing structures and erect a new residential building with twenty-six units and nineteen parking spaces. See ALT1055719 for combining lots - address to be known as 28-30 Geneva Avenue. \*AE Flood Zone. \*Existing structures to be razed under a separate permit.**

**Case: BOA-921545 Address: 176 Gladstone Street Ward 1 Applicant: Joseph Fagone**

**Article: 9(9-1) 53(53-9: Lot size for the dwelling is insufficient, Floor area ratio is excessive & Side yard requirement is insufficient) 53(53-56) 53(53-53-57)**

**Purpose: This will be one of two dwellings on the same lot. No work to be done. See ERT910842.**

**Case: BOA- 921544 Address: 170 Gladstone Street Ward 1 Applicant: Joseph Fagone**

**Article: 53(53-8) 53(53-9: Lot size to erect new dwelling is insufficient, Floor area ratio is excessive, Height is excessive (stories), Height is excessive (ft), Required front yard setback is insufficient (Gladstone Street), Required front yard setback is insufficient (Breed Street) & Side yard setback requirement is insufficient) 53(53-56.5.a) 53(53-56) 53(53-53-57)**

**Purpose: Seeking to erect a residential building with eight (8) units and four (4) parking spaces. This will be one of two dwellings on one lot. See ALT910843.**

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

**Article: 15(15-1)**

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

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

**Article(s): 8(8-7)**

**Purpose: Changing from a retail store to tattoo parlor.**

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

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

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



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

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

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

**Case: BOA- 1098228 Address: 18 Preble Street Ward 7 Applicant: George Morancy**

**Article(s): Art. 15 Sec. 01 Floor Area Ratio Excessive Art. 19 Sec. 01 Side yard insufficient Article 16 Section 1 Building Height Excessive**

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

**Case: BOA- 1078073 Address: 92-92C Lambert Avenue Ward 9 Applicant: Armando Hernandez**

**Article: 50(50-28) 50(50-29: Lot area for the add'l units is insufficient, Floor area ratio is excessive, Usable open space requirement is insufficient, Front yard setback requirement is insufficient, Side yard setback requirement is insufficient & Rear yard setback is insufficient) 50(50-44) 50(50-43: Off street parking requirement is insufficient & Off-street parking & loading req – Off street parking locations. All car spaces shall be entirely located on the same lot of the dwelling they serve. Ancillary off-street parking is conditional)**

**Purpose: Erect new 4 unit townhouse condominium buildings, for this is one of 2 buildings on same lot, and off street ancillary parking to be at 88 Lambert Ave. Subdivide this existing lot into 2 lots, this lot to be known as lot 2 92-92C Lambert Ave. and 92R-92R-C Lambert Ave. with 2 house on same lot. Injunction with Alt971317.**

**Case: BOA- 1078077 Address: 92R-92R-C Lambert Avenue Ward 9 Applicant: Armando Hernandez**

**Article: 50(50-28) 50(50-29: Lot area for the add'l units is insufficient, Floor area ratio is excessive, Usable open space requirement is insufficient, Front yard setback requirement is insufficient, Side yard setback requirement is insufficient & Rear yard setback requirement is insufficient) 50(50-44.13) 50(50-43)**

**Purpose: Erect new 4 unit townhouse condominium buildings, for this is one of 2 buildings on same lot Subdivide this existing lot into 2 lots, this lot to be known as lot 2 92-92C Lambert Ave. and 92R-92R-C Lambert Ave. with 2 house on same lo; and off street parking provided is located at 88 Lambert Ave as ancillary off street parking injunction with Alt971317 and ERT971313 with MJ.**

### **RECOMMENDATIONS/HEARINGS:**

**Case: BOA-1110114 Address: 7-9 Putnam Street Ward: 2 Applicant: Jeffrey M. Wolf**

**Articles: Article 62,Section 8 Insufficient rear yard setback 15' min required Article 62,Section 8 # of allowed stories has been exceeded 3 habitable stories max Article 62, Section 25Roof Structure Restrictions " Dormers" creating a 3 1/2 story structure**

**Purpose: Work at Unit 9: Renovate entire home according to attached plans and contract: New wall, insulation, electrical and plumbing, HVAC, Appliances, Floors, Fixtures, Paint, Windows and Doors, Bathrooms and Kitchen.**



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

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

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

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

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

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

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



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

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

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

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

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

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

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



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**Case: BOA-1097598 Address: 491 Metropolitan Avenue Ward: 18 Applicant: Pulgini & Norton, LLP**  
**Articles: Article 69, Section 8 Use: Forbidden 2F in 1F Zone Article 69, Section 9 Floor Area Ratio Excessive 0.7; 0.5 max Article 69, Section 9 Usable Open Space Insufficient 3600sqft req'd Article 69, Section 9 Side Yard Insufficient 8.5' at dormer; 8.75' req'd (Narrow Lot) Article 69, Section 9 Rear Yard Insufficient 28.1' avg; 40' avg req'd. 24.6'; 30'min (Non Parallel Lot Line) Article 69 Section 29 Off Street Parking & Loading Req 2 add'l req'd plus maneuverability.**

**Purpose: Change of occupancy from single family to two family dwelling. Proposed renovations with building additions to rear and side. New deck above existing front enclosed porch foot print. [eplan]**

**Case: BOA-1092526 Address: 354 Belgrade Avenue Ward: 20 Applicant: Wellington Rossi**  
**Articles: Article 67, Section 9 Floor Area Ratio Excessive 0.6; 0.5 max Article 67, Section 9 Side Yard Insufficient 5.3'; 10' min Article 67, Section 9 Rear Yard Insufficient**

**Purpose: The contractor shall provide the labor and material for an addition over the existing first floor living room. Demo and renovate the existing kitchen, expand the existing living room area, and build a new exterior deck with set of stairs. This includes mechanical work, finish carpentry, and exterior**

**Case: BOA-1101787 Address: 34 Cass Street Ward: 20 Applicant: Dermot Power**  
**Article: Article 56. Section 8 Side Yard Insufficient**

**Purpose: Construct new rear dormer in an existing single family dwelling. Add new bedroom and bathroom. [ZBA ePlan]**

**Case: BOA-1110053 Address: 29R Meredith Street Ward: 20 Applicant: William Roberts**  
**Article: Article 56, Section 8 Article 2a , 8 ft min from accessory structure**

**Purpose: Amend ERT507225. Construct a portion of exterior deck measuring approximately 6ft x 8ft between existing rear door landing and exterior deck on top of accessory building (garage). See attached letter to ISD dated July 1, 2020. [ePlan]**

**Case: BOA-1092470 Address: 49 Undine Road Ward: 22 Applicant: Boris Aronchik**  
**Articles: Article 51 Section 9 Front Yard Insufficient Article 51 Section 9 Side Yard Insufficient Article 51, Section 57 Application of Dimensional Req Conformity with Existing Building Alignment**

**Purpose: To put an Accessory Building in the form of a Carport / Garage on the existing driveway. E Plans**

**Case: BOA- 1093721 Address: 78 Washington Street Ward: 2 Applicant: Patrick Myers**

**Articles: Article 62, Section 8 Excessive F.A.R. Article 62, Section 25 Roof Structure Restrictions**

**Purpose: Change occupancy from a two family to a one family. The proposed project includes the renovation & expansion of an existing garage and mudroom, while incorporating a new roof deck above the garage, a kitchen extension above the mudroom and a new staircase to connect first floor and garden level. (Previously separate apartments).**



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

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

**STEPHANIE HAYNES**  
**BOARD OF APPEAL**  
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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](https://www.municode.com/library/ma/boston/codes/redevelopment_authority).