



City of Boston
Board of Appeal

TUESDAY, JANUARY 12, 2021

BOARD OF APPEAL

CITY HALL, ROOM 801

HEARING MINUTES

Board Chair Araujo called the meeting to order promptly at 9:30 AM and commenced with a brief description of the hearing process and, pursuant to the Massachusetts Open Meeting Law, advised those in attendance that the hearings would be broadcast and recorded and hearing minutes would be kept. The Chair announced that the hearing was being conducted remotely via an online meeting platform and subject to the below advisory which was part of the publicly posted hearing agenda. The Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Mark Fortune:

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON JANUARY 12, 2021 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS JANUARY 12, 2021 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE JANUARY 12, 2021 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE WEBEX EVENT PLATFORM.

Interested persons can participate in the hearing REMOTELY by going to <http://bit.ly/zbaJan12hearing> or by calling 1-617-315-0704 and entering access code 179 728 0812.

If you wish to offer testimony on an appeal, please click <http://bit.ly/zbaJan12comment> 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 <http://bit.ly/zbaJan12comment>, calling 617-635-4775 or emailing 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



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participate in the hearing via WebEx. Questions and/or concerns can also be emailed to the ZBA Ambassador at zba.ambassador@boston.gov.

If you wish to offer comment within the meeting platform, please use the “raise hand” function, if connected by video, or dial *3, if connected by phone. The requester will be administratively unmuted and asked to state their name, address and comment. Comments will be limited as time requires.

IF YOU WISH TO OFFER TESTIMONY ON AN APPEAL, PLEASE LOG IN TO THE HEARING NO LATER THAN 9:00 AM TO ENSURE YOUR CONNECTION IS PROPERLY FUNCTIONING.

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

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

MEMBERS OF THE COMMUNITY ARE STRONGLY ENCOURAGED TO HELP FACILITATE THE VIRTUAL HEARING PROCESS BY EMAILING LETTERS IN SUPPORT OF OR OPPOSITION TO AN APPEAL TO 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. WHEN DOING SO, PLEASE INCLUDE IN THE SUBJECT LINE THE BOA NUMBER, THE ADDRESS OF THE PROPOSED PROJECT AND THE DATE OF THE HEARING



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EXTENSIONS: 9:30 AM

Case: BOA-696299 Address: 250 Centre Street Ward 11 Applicant: David Aiken

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

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

Case: BOA-895155 Address: 150 Kneeland Street Ward 3 Applicant: Donald W. Wiest

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

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

Case: BOA-791775 Address: 1208D VFW Parkway Ward 20 Applicant: Donald W. Wiest

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

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

Case: BOA- 791768 Address:1208C VFW Parkway Ward 20 Applicant: Donald W. Wiest

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

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

Case: BOA-881055 Address: 126 Lexington Street Ward 1 Applicant: John Moran

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

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

Case: BOA-725224 Address: 37-41 Bowdoin Street Ward 3 Applicant: John Moran

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

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



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Case: BOA-889510 Address: 155 Porter Street Ward 1 Applicant: Richard Lynds, Esq

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

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

Case: BOA-890701 Address: 656 Saratoga Street Ward 1 Applicant: Richard Lynds, Esq

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

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

Case: BOA-821726 Address: 74A-74 Lexington Street Ward 1 Applicant: Jeffrey Drago, Esq

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

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

Case: BOA-701484 Address: 331 Columbia Road Ward 15 Applicant: Robert Nichols

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

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

Case: BOA-898191 Address: 40 Mt Hood Road Ward 21 Applicant: Jared Eigerman

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

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



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HEARINGS: 9:30 AM

**Case: BOA-1102410 Address: 220 William F McClellan Highway Ward 1 Applicant: HVV Massachusetts, Inc
Article: Article 53 Section 15 Use Regulations Cannabis establishment, Conditional**

Purpose: Seeking to change the occupancy from Medical Marijuana to Cannabis Establishment. The Medical Use was approved and issued with ALT623669 and BOA632206 Permit issued August 6, 2018 work is ongoing. All costs reflected on same Alteration Permit. See Attached Documents.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting an adult use cannabis establishment with 42 parking spaces.

Board members asked if they were operating as medial currently? No BCB approval? What are the proposed hours?

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Edwards, The Carpenters Union, and Senator J. Boncore are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval, Fortune seconded, Ligris recused. The Board voted 6-0 for approval.

Case: BOA-1119326 Address: 51 Jeffries Street Ward 1 Applicant: Claudia Sierra

Articles: Article 53 Section 9 Insufficient side yard setback 2.5' req. Article 53 Section 9 Excessive F.A.R. 1.0 max Article 53 Section 9 Insufficient rear yard setback 10' min. Article 53, Section 52 Roof Structure Restrictions Roof Access Article 53, Section 52 Roof Structure Restrictions 555sf +/- Roof structure >33% of existing roof

Purpose: Perform interior full gut renovations including: Framing for 4 bathrooms. Installation of roof deck for unit #3, replace existing fire escape with new 3 story porch system with egress stairs to ground to include extension of living space into basement.

Discussion/Vote: The applicant requested a deferral and it was unanimously approved. The next hearing for this BOA will be March 9th, 2021



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Case: BOA-1057383 Address: 73 Falcon Street Ward 1 Applicant: Mary Zaluski, Trustee of Falcon Nominee Trust

Articles: Article 27T-5 East Boston IPOD Applicability, Article 53 Section 8 Use Regulations Three Family Dwelling: Forbidden Use Article 53, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient, Article 53, Section 9 Floor Area Ratio Excessive, Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 9 Front Yard Insufficient, Article 53, Section 9 Side Yard Insufficient, Article 53, Section 9 Rear Yard Insufficient

Purpose: Erect a three-family residential dwelling with rear deck.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a 3 family dwelling, new construction with 3 parking spaces.

Board members asked if they have a roof deck proposed, they asked about a head house, and wanted to know if they would need a curb cut?

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

Documents/Exhibits: Building Plans, 1 letter of support, 1 letter of opposition.

Votes: Board Member Erlich moved for approval with BPDA design review, Fortune seconded, Deveau recused. The Board voted unanimously for approval.



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Case: BOA-1132440 Address: 133 Boardman Street Ward1 Applicant: Ricky Beliveau

Articles: Article 27T-5 East Boston IPOD Applicability Art. 10 Sec. 01 Limitation of off street parking areas Off street parking located on side yard, less than 5 feet from lot line. Art. 53, Section 8 Use: Forbidden 7 unit building > 2 family max Article 53, Section 9 Floor Area Ratio Excessive 2.3 > 0.8max Article 53, Section 9 Bldg Height Excessive (Stories) 4 > 2 1/2max Article 53, Section 9 Bldg Height Excessive (Feet) 46.6' > 35'max Article 53, Section 9 Front Yard Insufficient 0' < 15'min Article 53, Section 9 Side Yard Insufficient 3.3' < 7'min Article 53, Section 9 Rear Yard Insufficient 10' < 40'min Article 53, Section 52 Roof Structure Restrictions 1. Deck exceeds building height. 2. Two (2) private stairway headhouses, nine (9) feet above roof. 3. Stairway headhouse does not meet horizontal setback, from building edge facing street, of two (2) feet for each foot of height. Art. 53, Section 56 Off Street Parking Insufficient 7 provided < 12 req'd

Purpose: New 7 Unit residential building with 7 parking spaces. Fully sprinkled with no elevator. Private roof decks.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting a 7 unit dwelling with 7 parking spaces and roof decks.

Board members asked about the roof decks and the head houses.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, and abutters are in support. Councilor Edwards left it up to the discretion of the Board.

Documents/Exhibits: Building Plans, 15 letters of support.

Votes: Board Member Erlich moved for approval with BPDA design review looking at access to the roof decks, and Fortune seconded. Both Ruggiero and Ligris recused themselves. The Board voted unanimously for approval.

Case: BOA-1069135 Address: 280 Eagle Street Ward 1 Applicant: Clafco Builders Corp

Articles: Art. 09 Sec. 01 Extension of Non Conforming Use Article 27T- 5 East Boston IPOD Applicability, Article 53 Section 8 Use Regulations Conditional, Article 53 Section 9 Excessive f.a.r. Article 53 Section 9 Insufficient side yard setback, Article 53, Section 56 Off Street Parking & Loading Req Insufficient off street parking, Article 53, Section 52 Roof Structure Restrictions Access; roof deck

Purpose: Change occupancy to a 4-unit residential dwelling and erect a roof deck.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change occupancy to a 4 unit dwelling with a basement unit. The roof deck has been removed from the original proposal.

Board members asked about the basement ceiling height and the utilities.

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

Documents/Exhibits: Building Plans, 14 letters of support, 1 letter of opposition.

Votes: Board Member Erlich moved for approval, Fortune seconded. The Board voted unanimously for approval.



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Case: BOA- 1133745 Address: 49 Eutaw Street Ward 1 Applicant: Nathaniel Brevard
Articles: Article 9 Section 1 Extension of Nonconforming Use Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient Article 53, Section 52 Roof Structure Restrictions Article 27T-5 East Boston IPOD Applicability Due to exterior alteration
Purpose: Amend ALT1049820. Construct new roof deck addition for third floor unit. Includes framing, decking, and minimal electrical work. [ZBA ePlan]

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting a roof deck for the 3rd floor unit, built on top of the 2nd floor roof.

Board members asked about the current occupancy, this is a 3 family.

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

Documents/Exhibits: Building Plans, 1 letter of support.

Votes: Board Member Erlich moved for approval, Fortune seconded. The Board voted unanimously for approval.

Case: BOA-1090432 Address: 11 HF Claremont Park Ward 4 Applicant: The Newt, LLC
Article: Article 64, Section 36 Off-St. Parking Requirements Maneuvering and access areas
Purpose: Off-Street parking for two motor vehicles, for use by building residents. This is legalizing an existing condition of over 50 years. Reference ALT1043959. Per site plan submitted.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to add 2 parking spaces at the rear of the dwelling, this has been the existing condition for 50 years.

Board members asked about the number of units? There are 2.

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 Erlich moved for approval, Fortune seconded. The Board voted unanimously for approval.



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**Case: BOA-1117413 Address: 294 Columbus Avenue Ward 4 Applicant: Jonathan Chung and Phuong Vu
Articles: Article 64, Section 8.2 Basement Units Forbidden Article 64, Section 36 Off Street Parking Insufficient required 1**

Purpose: Change of Occupancy from 4 to 5 residential units. Demolish existing spiral stair. Infill former in unit stair opening with one hour ceiling assembly. Install base & wall cabinets, counter top, sink and faucet in basement common function area A.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change a 4 unit building to a 5 unit building by dividing 1 unit into 2.

Board members asked about the size of the basement unit, the size of the first-floor units, and the measurements of the proposed unit? They also asked about accessibility to the basement unit.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Ruggiero moved for approval, Fortune seconded. The Board voted 6-1 for approval.

**Case: BOA-1051295 Address: 332-340 Summer Street Ward 6 Applicant: Beck South End Carriage LLC
William Bec, Agent of the Member c/o Edward A. Gottlieb
Article: Article 6 Section 4 Other Cond Necc as Protection Change in Previous Decision of the Zoning Board of Appeal**

Purpose: The Applicant seeks to continue to use the Premises as a public parking lot for a fee capacity forty (40) vehicles under Permit For Use of Premises #U49687516 which expires December 31, 2020 under BOA Decision #698464.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to continue the parking lot use with 40 spaces.

Board members asked about the entrance to the lot, and the cleaning and lighting of the lot?

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

Documents/Exhibits: Building Plans, 1 letter of support.

Votes: Board Member Ruggiero moved for approval with BPDA design review, Fortune seconded. The Board voted unanimously for approval.



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Case: BOA-1122487 Address: 100 N Street Ward 6 Applicant: Glen Hoffman

Articles: Article 68, Section 7 Use Regulations Day Care Center use: Forbidden

Article 68, Section 33 Off Street Parking & Loading Req Application is proposing the required number of spaces for this use on this building but is not considering the other uses within the same lot (for the rest of the buildings) which had already pre existing off street parking spaces.

Purpose: Level 3 Alteration/Change of Occupancy of an existing 13,995 SF convent into a proposed Early Childhood Center (Day Care Center) for the South Boston Catholic Academy. Project includes a 938 SF entry and 2nd floor corridor addition. New LULA elevator and Fire protection system are included in the scope of work.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change occupancy from a convenient store to an Early Childhood Education Center. There will be no change to the footprint, and this will have 15 parking spaces.

Board members asked about the number of students as well as the number of the staff?

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

Documents/Exhibits: Building Plans, 3 letters of support.

Votes: Board Member Erlich moved for approval with BPDA design review, Fortune seconded. The Board voted unanimously for approval.

Case: BOA- 897174 Address: 520 Dorchester Avenue Ward 7 Applicant: George Morancy

Articles: Article 16 Section 1 Building Height Excessive Height is excessive (# of stories), Article 16 Section 1 Building Height Excessive Height is excessive (# of ft), Article 15 Section 1 Floor Area Ratio Floor area ratio is excessive

Purpose: Amendment to issued permit ERT606497 reviewed by MJ. Add roof deck (previously approved at ZBA) as per plan. Permit set to be submitted upon Building Code approval. Cost reflected on issued permit ERT606497.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail stating the roof deck was already approved by the ZBA + built' penthouses and an elevator. After approved ISD required 2 penthouses under building code.

Board members asked about the number of units, was this 8 stories, and what was the height of the 4th and 3rd floor penthouses.

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 Erlich moved for approval, Ruggiero seconded. The Board voted unanimously for approval.



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HEARINGS: 12:30 PM

**Case: BOA-1123442 Address: 22-28 Blue Hill Avenue Ward 8 Applicant: BMF III, LLC
Article: Article 50 Section 19 Uses Regulations Use: Repair Garage (2 Shops): Conditional
Purpose: Change of Occupancy of 22 28 Blue Hill Ave from Storage, Distribution, and Public Garage to Repair Garage (two). File with ALT 1116736 and ALT 1118522.**

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change occupancy to repair garage for custom auto dealing and motorcycles. The fitness use will be for personal training.

Board members asked about the parking and the specific use.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved for approval with BPDA design review with special focus on the signage, Kindell Jr seconded. The Board voted for approval 6-0.

**Case: BOA-1123448 Address: 14-16 Partridge Place Ward 8 Applicant: BMF III, LLC
Articles: Article 50 Section 19 Uses Regulations Use: Health Club: Conditional, Article 50 Section 19 Uses Regulations Use: Storage: Forbidden
Purpose: Change Occupancy of 14 16 Partridge Lane from Auto Body Repair Shop to Storage and Health Club <50 Occupants Filed along with ALT 1118519 and ALT 1116736.**

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change occupancy to repair garage for custom auto dealing and motorcycles. The fitness use will be for personal training.

Board members asked about the parking and the specific use.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved for approval with BPDA design review with special focus on the signage, Kindell Jr seconded. The Board voted unanimously.



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Case: BOA- 1130252 Address: 98 Forbes Street Ward 10 Applicant: Gregory Aloe
Articles: Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Front Yard Insufficient
Purpose: Construct new mudroom addition, single story wood frame construction, to existing single family dwelling. [ZBA ePlan]

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting construct a new mudroom addition.

Board members asked about square footage of the mudroom.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Essaibi-George, and Councilor O'Malley are in support. 1 Abutter in opposition.

Documents/Exhibits: Building Plans, 1 letter of support.

Votes: Board Member Erlich moved for approval with BPDA review, Fortune seconded. The Board voted for approval 6-0.

Case: BOA-1094620 Address: 139 Thornton Street Ward 11 Applicant: Jose Flores
Article: Article 50, Section 29 Floor Area Ratio Excessive Max. allowed: 0.8 Existing: 1.0 Proposed: 1.2
Purpose: Add living space to the first floor by extending the space into the basement area and adding two bedrooms, a bathroom & a family room as per plans to be submitted. eplan >BOA

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to extend living space to the basement for the 1st floor unit.

Board members asked about the number of units, the 3rd floor ceiling height, and the window wells.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved for approval, Fortune seconded, it was approved unanimously.



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Case: BOA-1131644 Address: 97 Williams Street Ward 11 Applicant: Joseph Federico
Articles: Art. 55 Sec. 09 Lot size requirements is insufficient to support the existing building, due to subdivision
Art. 55 Sec. 09 Floor area ratio is excessive, due to subdivision Art. 55 Sec. 09 Usable open space is insufficient,
due to subdivision Art. 55, Section 9 Rear yard setback requirements is insufficient
Purpose: Subdividing 680 sf of land from 97 Williams St to 99 Williams St. See ERT1087525.

Discussion/Vote: Per the applicants request this case was deferred from January 12, 2021 to March 30, 2021. The Board voted unanimously.

Case: BOA-1116715 Address: 99 Williams Street Ward 11 Applicant: Joseph Federico
Articles: Article 55, Section 8 Use Regulations Multi family dwelling unit use (6) is forbidden,
Article 55, Section 9 Lot area for the add'l dwelling unit is insufficient, Article 55, Section 9 Floor area ratio is
excessive, Article 55, Section 9 Side yard setback requirement is insufficient, Art. 55, Section 40 ** Off Street
Parking Insufficient Off street parking requirement is insufficient
Purpose: Erect a new 6 unit residential building on two combined vacant lots. EP

Discussion/Vote: Per the applicants request this case was deferred from January 12, 2021 to March 30, 2021. The Board voted unanimously.

Case: BOA-1129263 Address: 116 Alexander Street Ward 13 Applicant: Enis Shehu
Articles: Article 50, Section 29 Lot Area Insufficient Article 50, Section 29 Lot Width Insufficient
Article 50, Section 29 Lot Frontage Insufficient Article 50, Section 29 Floor Area Ratio Excessive
Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Front Yard Insufficient
Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Rear Yard Insufficient
Article 10, Section 1 Limitation of Area Off street parking shall not be located on the side lot line less than 5' 0"
Purpose: Erect new 3 story Two Family Dwelling. Propose (2) off street parking. [ZBA ePlan]

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a 3 story 2 family dwelling.

Board members asked about the vacant lot, was there basement living space, and was there no parking?

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

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved for approval with BPDA design review, Ruggiero seconded. The Board voted unanimously.



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Case: BOA- 1070492 **Address:** 17-19 Playstead Road Ward 13 **Applicant:** Perpetual LLC
Articles: Article 65, Section 8 Use Regulations 3 family use: Forbidden Article 65, Section 8.2 Use Regulations:
Basement Units unit 1 extends into the basement which previously was not a living space area, Article 65, Section 9 **Floor Area Ratio Excessive** Max. allowed: 0.5 **Proposed:** 0.73 **Article 65 Section 41 Off Street Parking and Loading Design:** insufficient 50% parking space dimensions of 8.5' x 20'
Purpose: Change occupancy from 2 family dwelling to (4) 3 family dwelling. Eplan > BOA

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change occupancy from a 2 family to a 3 family.

Board members asked about the basement ceiling height, and the utilities?

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Baker, Councilor Flaherty, and abutters are in opposition.

Documents/Exhibits: Building Plans, 1 letter of support, 1 letter of opposition.

Votes: Board Member Erlich moved to deny, Ruggiero seconded, this was denied. The Board voted unanimously.



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Case: BOA-1053701 **Address:** 1463-1467 Dorchester Avenue Ward 15 **Applicant:** Travis Lee
Articles: Article 65, Section 15 Use Regulations Residential unit in first floor is a forbidden use, Article 65, Section 16 Floor area ratio is excessive, Article 65, Section 16 Height requirement is excessive, Article 65, Section 16 Rear yard setback requirement is insufficient, Article 65 Section 42.3 Traffic Visibility Across Corner, Article 65, Section 41 Off Street Parking & Loading Req Off street parking requirement is insufficient, Art. 65 Sec. 41 Off St. Loading Req'mnts Off street loading is insufficient
Purpose: Build new 5 story building with ground floor retail and office space, ground floor apartment and 28 apartments on floors 2 5. No parking. This is a nominal fee application to commence ZBA process. Applicant took ERT plans with him because he needed to apply for alt to combine lots and did not have proper documents with him.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to contain 21 studio units, retail space, 8 1 bedrooms, and no parking. Outdoor/outdoor community space, an elevator, and laundry.

Board members asked about the size of the studio units, the affordable units, the common living areas, and

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

Documents/Exhibits: Building Plans, 1 letter of support, 1 letter of opposition.

Votes: Board Member Erlich moved for approval with BPDA design review, Ligris seconded. The Board voted for approval 6-1



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Case: BOA-1087157 Address: 19-33 Ashland Street Ward 16 Applicant: 19 Ashland, LLC
Articles: Article 65, Section 41 Off Street Parking & Loading Req Maneuvering areas, Article 65, Section 8 Use Regulations Forbidden, Article 65, Section 9 Excessive F.A.R., Article 65, Section 9# of allowed stories exceeded, Article 65, Section 9 Insufficient front yard setback (Modal setback/street wall continuity), Article 65, Section 9 Insufficient rear yard setback
Purpose: Erect an 8 UNIT DWELLING new townhouse design, as per plans. Permit set to be submitted upon ZBA approval. Existing house to be razed under a separate permit. (EPLAN)

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to rise existing structure, to build 8 new townhouse family style units with 10 parking spaces.

Board members asked about the parking garages and how they are accessed. Also inquired about width of driveway, and asked who the left abutter was. Roof decks? Asked if this has been to landmarks.

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

Documents/Exhibits: Building Plans, 3 letters of opposition.

Votes: Board Member Erlich moved for deferral, Deveau seconded, The Board voted unanimously for deferral until May 4th at 12:30.

Case: BOA- 1130340 Address: 86 Bloomfield Street Ward 17 Applicant: Stephen Siuda
Articles: Article 65, Section 8 Use Regulations Use: Three (3) Family Dwelling: Forbidden
Article 65, Section 9 Floor Area Ratio Excessive Article 65 Section 41 Off Street Parking and Loading Off Street Parking Insufficient
Purpose: Confirm Occupancy as an existing 1 Family Dwelling. Change Occupancy to become a Three (3) Family Dwelling.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change a 1 family to a 3 family and construct dormers.

Board members asked about the unit sizes, parking, utilities, and what is the basement in relation to the grade?

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support, Councilor Campbell is in opposition.

Documents/Exhibits: Building Plans, 7 letters of support, 1 letter of opposition.

Votes: Board Member Erlich moved to deny without prejudice, Ruggiero seconded. The Board voted unanimously.



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Case: BOA- 1131478 Address: 19 Torrey Street Ward 17 Applicant: Stephen Siuda
Articles: Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient
Article 65, Section 9 Lot Frontage Insufficient 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 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient
Purpose: Erect a new 3 story Three Family Dwelling. Propose three (3) off street parking. [ZBA ePlan]

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to construct a new 3 family with 3 parking spaces.

Board members asked about zoning subdistrict, those abutting, the size of the 3 family, and would there be any basement occupancy?

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services was in support, and Councilor Campbell and 3 abutters are in opposition.

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved to deny without prejudice, Fortune seconded. The Board voted unanimously.

Case: BOA- 1076226 Address: 34 Temple Street Ward 17 Applicant: John Roche AIA
Articles: Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Building Height (# of Stories)
Excessive Article 65, Section 42.13 Two or More Dwellings on Same Lot
Purpose: Proposed Single Family Condominium Home *Permit to be filed in conjunction with 34A, 36 36A, 38
38A, and 40 40A Temple St. (1 5 building on same lot ERT1040999, ERT10410007, ERT 1041013, ERT1041019,
and ERT1041024).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting 5 buildings on a 1 lot, 2 1 families and 3 duplexes, 8 total units.

Board members asked about the unit sizes and the parking

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support, Councilor Campbell and an abutter are in opposition.

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

Votes: Board Member Ruggiero moved for approval with BPDA design review, Kindell Jr. seconded. The Board voted 5-2.



City of Boston
Board of Appeal

Case: BOA-1076231 Address: 34A Temple Street Ward 17 Applicant: John Roche AIA

**Articles: Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Building Height (# of Stories)
Excessive Article 65, Section 42.13 Two or More Dwellings on Same Lot**

**Purpose: Proposed Single Family Condominium Home *Permit to be filed in conjunction with 34, 36 36A, 38
38A, and 40 40A Temple St. *(1 5 building on same lot ERT1040999, ERT10410007, ERT 1041013, ERT1041019,
and ERT1041024).**

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting 5 buildings on a 1 lot, 2 1 families and 3 duplexes, 8 total units.

Board members asked about the unit sizes and the parking

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support, Councilor Campbell and an abutter are in opposition.

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

Votes: Board Member Ruggiero moved for approval with BPDA design review, Kindell Jr. seconded. The Board voted 5-2.



City of Boston
Board of Appeal

Case: BOA- 1076244 Address: 36-36A Temple Street Ward 17 Applicant: John Roche AIA

Articles: Article 65, Section 8 Use Regulations Use: Two Family Dwelling: Forbidden

Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Building Height (# of Stories) Excessive Article 65, Section 42.2 Conformity with Existing Building Alignment Article 65, Section 42.13 Two or More Dwellings on Same Lot

Purpose: Proposed 2 Family Attached Townhouse design per plan. Permit to be filed in conjunction with 34, 34A, 38 38A, and 40 40A Temple St (1 5 building on same lot ERT1040999, ERT10410007, ERT 1041013, ERT1041019, and ERT1041024).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting 5 buildings on a 1 lot, 2 1 families and 3 duplexes, 8 total units.

Board members asked about the unit sizes and the parking

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support, Councilor Campbell and an abutter are in opposition.

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

Votes: Board Member Ruggiero moved for approval with BPDA design review, Kindell Jr. seconded. The Board voted 5-2.

Case: BOA- 1076239 Address: 38-38A Temple Street Ward 17 Applicant: John Roche AIA

Articles: Article 65, Section 8 Use Regulations Use: Two Family Dwelling: Forbidden Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Building Height (# of Stories) Excessive Article 65, Section 9 Rear Yard Insufficient Article 65, Section 42.13 Two or More Dwellings on Same Lot Article 65, Section 42.2 Conformity with Existing Building Alignment

Purpose: Proposed Two Family Attached Townhouse design per drawings. Permit to be filed in conjunction with 34, 34A, 36 36A, and 40 40A Temple St (1 5 building on same lot ERT1040999, ERT10410007, ERT 1041013, ERT1041019, and ERT1041024).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting 5 buildings on a 1 lot, 2 1 families and 3 duplexes, 8 total units.

Board members asked about the unit sizes and the parking

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support, Councilor Campbell and an abutter are in opposition.

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

Votes: Board Member Ruggiero moved for approval with BPDA design review, Kindell Jr. seconded. The Board voted 5-2.



City of Boston
Board of Appeal

Case: BOA- 1076235 Address: 40-40A Temple Street Ward 17 Applicant: John Roche AIA
Articles: Article 65, Section 8 Use Regulations Use: Two Family Dwelling: Forbidden Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Building Height (# of Stories) Excessive Article 65, Section 42.13 Two or More Dwellings on Same Lot Article 65, Section 42.2 Conformity with Existing Building Alignment
Purpose: Proposed two family Attached home per plan. Permit to be filed in conjunction with 34, 34A, 36 36A and 38 38A, Temple St. (1 5 building on same lot ERT1040999, ERT10410007, ERT 1041013, ERT1041019, and ERT1041024).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting 5 buildings on a 1 lot, 2 1 families and 3 duplexes, 8 total units.

Board members asked about the unit sizes and the parking

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support, Councilor Campbell and an abutter are in opposition.

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

Votes: Board Member Ruggiero moved for approval with BPDA design review, Kindell Jr. seconded. The Board voted 5-2.

Case: BOA-991361 Address: 533 Washington Street Ward 17 Applicant: Stephen Siuda
Articles: Article 65 Section 15 Use Regulations Use: Retail Cannabis Establishment: Forbidden (Table B Footnote # 25), Article 65 Section 15 Use: Conditional Retail Cannabis Establishment: Conditional
Purpose: Change Occupancy to include a Recreational Cannabis Retail Establishment. Remodel the interior of the Building.

Discussion: This case was heard on January 12, 2021 due to technical issues we had to re-notice for February 23, 2021



City of Boston
Board of Appeal

Case: BOA- 1130258 Address: 36-38 Murray Hill Road Ward 19 Applicant: Mai Phung
Articles: Article 67, Section 9 Lot size to erect a dwelling is insufficient Article 67, Section 9 Lot area for the add'l dwelling unit is insufficient Article 67, Section 9 Minimum lot width requirement is insufficient Article 67, Section 9 Minimum lot frontage requirement is insufficient Article 67, Section 9 Floor area ratio is excessive Article 67, Section 9 Height requirement (2.5 stories max.) is excessive Article 67, Section 9 Front yard setback requirement is insufficient Article 67, Section 9 Side yard setback requirement is insufficient Article 67, Section 9 Usable Open Space Insufficient Art. 69 Sec. 09 Rear yard setback requires is insufficient
Purpose: Proposed to erect a two family on a vacant lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build a new 2 family.

Board members asked about parking accommodation.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved for approval with BPDA review, Ruggiero seconded. The Board voted unanimously.

Case: BOA- 1115286 Address: 17 Kingsboro Park Ward 19 Applicant: David Yassa
Articles: Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 9 Side Yard Insufficient
Purpose: Proposal is for renovation of third floor space to add additional conditioned/livable space for second story condo Seeking expedited denial to begin appeals process. Eplan

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to add living space to the 3rd floor.

Board members asked about the ceiling height.

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

Documents/Exhibits: Building Plans, 6 letters of support.

Votes: Board Member Erlich moved for approval with BPDA design review, Ruggiero seconded. The board voted unanimously, the motion carried.



City of Boston
Board of Appeal

Case: BOA- 1068506 Address: 12 Rock Hill Road Ward 19 Applicant: Matthew Hayes
Articles: Article 55, Section 40.5a Parking Maneuverability 3 spaces are on tandem spaces, Article 55, Section 40.5d Parking space sizes 1 space should be accessible according to 521 CMR, Article 55, Section 41.1 Conformity Ex Bldg Alignment, Article 55, Section 8 Use Regulations 12 residential unit use: forbidden, Article 56, Section 8 Floor Area Ratio Excessive Max. allowed: 0.6 Proposed: 1.82, Article 56, Section 8 Bldg Height Excessive (Stories) Max. allowed: 3 Proposed: 4, Article 56, Section 8 Bldg Height Excessive (Feet) Max. allowed: 35' Proposed: 36', Article 55, Section 9 Side Yard Insufficient Required: 7' and 10' Proposed: Right: 5.8' and Left: 4.5', Article 55, Section 9 Rear Yard Insufficient Required: '20 Proposed: 15.4'
Purpose: Combine 3 existing Lots into one 10,138 sq ft Lot of land, Lot A 29 Rock Hill Rd. Parcel#1900258000 with Lot B, 31 Rock Hill Rd Parcel#1900258001 and Lot C Parcel #1900258002. This Lot to be known as 12 Rock Hill Rd. Erect a new 4 story, 12 Unit Residential Building (2 affordable rental units) with 20 19 parking spaces. There will be a full Sprinkler system being installed. Propose (10) ancillary parking from 29 Rock Hill Road (ALT1060818).

Discussion/Vote: Per the applicants request this case was deferred from January 12, 2021 to March 30, 2021. The Board voted unanimously.

Case: BOA-1068509 Address: 29 Rock Hill Road Ward 19 Applicant: Matthew Hayes
Articles: Article 55, Section 8 Use Regulations Ancillary parking use: Conditional Article 55, Section 9 Front Yard Insufficient Required: 15' Proposed: 2' Article 55, Section 9 Floor Area Ratio Excessive Max. allowed: 0.6 Article 55, Section 9 Rear Yard Insufficient Required: 20' Proposed: 2' Article 55, Section 9 Usable Open Space Insufficient Article 55, Section 40 Off Street Parking & Loading Req Design. Maneuvering of tandem parking
Purpose: Erect an addition as per plans. Provide ten (10) ancillary parking to 12 Rock Hill Road (ERT1060820).

Discussion/Vote: Per the applicants request this case was deferred from January 12, 2021 to March 30, 2021. The Board voted unanimously.

Case: BOA- 1091923 Address: 1870 Centre Street Ward 20 Applicant: Center Trust, LLC
Articles: Article 56, Section 39 Off Street Parking & Loading Req Off Street parking is insufficient 63 required, 25 proposed Article 2A, Section 2A 1 Definitions Entertainment uses including fitness centers shall not operate past 10:30pm.
Purpose: Interior build out, new tenant, Change of Use to include 24hr fitness center. Eplan

Discussion/Vote: This case has to be re-advertised to February 23, 2021 for a full member vote



City of Boston
Board of Appeal

Case: BOA-1097293 Address: 14 Mount Hood Road Ward 21 Applicant: Leovofs, LLC

Articles: Article 51 Section 8 Use Regulations Use Table A Footnote #5 Basement Units Forbidden, Art. 51 Sec. 09 Insufficient additional lot area per unit, Art. 51 Sec. 09 Excessive F.A.R. (Basement Unit), Art. 51 Sec. 09 Insufficient open space per unit, Art. 51 Sec. 09 # of habitable stories exceeded (4 habitable stories), Art. 51 Sec. 56 Off street parking requirements Insufficient parking (No proposed parking)

Purpose: Seeking to change the occupancy of the existing three family residential dwelling to a seven family residential dwelling and renovate. ZBA. Nominal Fee. E Plans Attached.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change a 3 family to a 6-unit dwelling.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, the Brighton Allston Improvement Association, and an abutter were in support. Councilor Breadon and Councilor Essaibi-George are in opposition.

Documents/Exhibits: Building Plans, 14 letters of support.

Votes: Board Member Erlich moved for approval with BPDA design review, Ruggiero seconded, Ligris recused. The Board voted 5-1, motion carried.



City of Boston
Board of Appeal

RE-DISCUSSIONS: 12:30 PM

Case: BOA-1050291 **Address:** 32 Orleans Street **Ward 1 Applicant:** 32 Orleans Street, LLC

Articles: Article 27T-5 East Boston IPOD Applicability Article 53 Section 56 Off-Street Parking & Loading Req
Insufficient parking – 1.5/unit req. Article 53 Section 56.5.a Parking maneuverability Article 53 Section 8 Use Regulations 6 unit dwelling – Forbidden Article 53 Section 9 Excessive F.A.R. – 1.0 max., Article 53 Section 9 # of allowed stories exceeded – 3 story max. Article 53 Section 9 Max allowed height exceeded – 35’ max Article 53 Section 9 Insufficient side yard setback – 2.5’ min Article 53 Section 9 Insufficient additional lot area per unit – 1,000sf/unit req. Article 53 Section 9 Insufficient open space per unit – 300sf/unit req. Article 53 Section 9 Insufficient rear yard setback Article 53 Section 56 Off-Street Parking & Loading Req (d) Design – Dimensional Size of spaces provided undersized

Purpose: Raze existing structure at 32 Orleans Street, combine lots 0105385000 & 0105384000, new lot to be 2,076 square feet of land (See ALT1008506). Erect five (5) story multifamily dwelling with parking for 4 vehicles. Plans are submitted for Zoning Refusal/Nominal Fee. Full CDs upon ZBA approval. *SEE ALT1022166/combining lots

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting a 5 story, 6 unit dwelling, with parking for 4 cars.

Board members asked about the garage doors, curb cuts and parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support, an abutter is in opposition. Councilor Edwards left it up to the Board, and BTB says the parking area is undersized for 4 spaces.

Documents/Exhibits: Building Plans, 14 letters of support, 1 letter of opposition.

Votes: Board Member Ruggiero moved for approval, Ligris seconded, Deveau recused. The Board voted 6-1 the motion carried.



City of Boston
Board of Appeal

Case: BOA-1068478 Address: 324 Sumner Street Ward 1 Applicant: Bobby Gerasimidis

Articles: Article 27T-5 East Boston IPOD Applicability, Article 53 Section 56 Off-Street Parking Insufficient 0 provided < 1 req'd for add'l dwelling, Article 53 Section 52 Roof Structure Restrictions, Article 53 Section 8 Use Regulations 6 unit dwelling – Forbidden, Article 53 Section 9 Add'l Lot Area Insufficient 2,250sqft < 3,000 sqft min req'd, Article 53 Section 9 Floor Area Ratio Excessive 1.0 > 1.0 max Article 53 Section 9 Bldg Height Excessive (Feet) 39.75' > 35' max, Article 53 Section 9 Side Yard Insufficient 1.7' < 2.5' min req'd

Purpose: Renovate, erect vertical addition with roof deck, change occupancy from a One (1) Family and Beauty salon to a three (3) unit residential dwelling as per plans. Seeking ZBA relief. 10/07/2020 - Extension of living space into basement added to scope of work.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change the occupancy to a 3 family with vertical addition to extend into the basement.

Board members asked about the basement space, and the window to the basement.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved for approval with provisions, Ligris seconded. It was approved unanimously, with BPDA review, and with no bedroom in the front part of the basement.

Case: BOA-10 12022 Address: 14 North Bennet Street Ward 3 Applicant: Epsilon Partners

Articles: Article 54, Section 10 Usable Open Space Insufficient, Article 54, Section 10 Floor Area Ratio Excessive Article 54, Section 10 Rear Yard Insufficient Article 54, Section 21 Off Street Parking & Loading Req Off street parking is insufficient. Article 54, Section 18 Roof Structure Restrictions

Purpose: Seeking to change the occupancy from a rectory to six residential units. Also, to erect a one story addition and complete renovations.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change occupancy from a rectory to a 6-unit dwelling

Board members asked about the unit sizes and the bedroom counts, they wanted to know if there were units in the basement/ Unit 1B a duplex with space in the basement.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and abutters are in support, abutters are also in opposition. Councilor Edwards left this to the discretion of the Board.

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

Votes: Board Member Ruggiero moved for approval with BPDA design review, Fortune seconded, Ligris recused. The Board voted unanimously.



City of Boston
Board of Appeal

Case: BOA-1121041 Address: 36 Gaston Street Ward 12 Applicant: Amenyonah Bossman

Article: Article 50, Section 28 Use regulations Transitional Housing is a conditional use in a 3F 4000 sub district

Purpose: Construction renovations to change use from 1 family to a Residential house for re-entry for women being released from prison. Work consists of demolition, waterproofing, Fire Sprinkler, Fire Escape, Fire Alarm, Interior Framing and two bathroom renovations. ADA bathroom and Wheelchair lift. Interior finishes.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change a 1 family to a residential house for recovery for re-entry of women being released from prison.

Board members asked about the number of occupants, 15 members staff, staff member overnight, will there be children occupants, and parking.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services, State Representative Miranda, abutters, Families for Justice and Healing, and the Black & Pink Organization are in support. Abutters, Project Right, and the Crime Association are in opposition.

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

Votes: Board Member Ruggiero moved for approval with BPDA provisos, Fortune seconded. This would apply to the petitioner only, and the relief is valid for 1 year. The Board voted for unanimously and the motion carried.



City of Boston
Board of Appeal

RE-DISCUSSIONS: 1:00 PM

Case: BOA- 1037522 **Address:** 437 Frankfort Street Ward 1 **Applicant:** 441 Frankfort Street, LLC
Articles: Article 27T-5 East Boston IPOD Applicability, Article 53 Section 37 Excessive F.A.R. 1.0 max,
Article 53 Section 56 Off Street Parking & Loading Req
Purpose: Erect a 4 unit residential dwelling.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build a 4 unit residential unit.

Board members asked about the roof deck, and the plans. They also asked about the maneuverability of the parking spaces.

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

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

Votes: Board Member Erlich moved to deny without prejudice, Fortune seconded. The Board voted for unanimously.

Case: BOA- 1069837 **Address:** 159-165 Everett Street Ward 1 **Applicant:** Joseph Vitale
Articles: Article 27T 5 East Boston IPOD Applicability Article 53 Section 8 Use Forbidden Article 53 Section 9 Insufficient additional lot area per unit Article 53 Section 9 Excessive F.A.R. Article 53 Section 9 # of allowed stories Exceeded Article 53 Section 9 Max. allowed height Exceeded Article 53 Section 9 Insufficient open space per unit Art. 53 Sec. 573) Traffic visibility across a corner lot Art. 53 Sec. 56 Off Street Parking Insufficient Off street parking Art. 53 Sec. 56* Off St.Parking Requirements DESIGN a) Maneuvering areas Article 53 Section 9 Dim Reg Applic in Res Sub Dist 3) Location of Main Entrance Article 53 Section 9 Insufficient rear yard setback
Purpose: Combine lots per ALT1065172 to create one lot. Raze existing building and erect a 7 unit residential dwelling with roof decks and parking for 8 vehicles. *Existing building to be razed on a separate permit.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail stating 7 unit dwelling with roof decks and parking for 8 cars.

Board members asked about the parking construction and maneuverability, curb cuts, and roof deck access.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support. 1 abutter in opposition.

Documents/Exhibits: Building Plans.

Votes: Board Member Ruggiero moved for approval with BPDA review, Erlich seconded, the board voted unanimously and the motion carried.



City of Boston
Board of Appeal

Case: BOA-1027055 Address: 655 Saratoga Street Ward 1 Applicant: Eric Zachrison
Articles: Article 53 Section 8 Multi Family Dwelling Use : Forbidden Article 53, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 52 Roof Structure Restrictions Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 9 Front Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient Article 27T 5 East Boston IPOD Applicability Article 9, Section 2 Change in Non Conforming Use
Purpose: Change of Occupancy from Retail Space to Four Residential Units and Retail Space. Construct two story addition with roof deck above existing first floor footprint. Renovation to existing garage.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change the occupancy from commercial to commercial with 4 residential units with a 2 story addition with roof deck. 5 interior parking spaces included.

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

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

Votes: Board Member Erlich moved for approval with BPDA review, Fortune seconded. The Board voted unanimously and the motion carried.



City of Boston
Board of Appeal

Case: BOA- 1106912 **Address:** 243 Princeton Street Ward 1 **Applicant:** LG Princeton, LLC
Articles: Article 27T 5 East Boston IPOD Applicability Article 53 Section 8 Use Regulations MFR Forbidden Article 53 Section 9 Insufficient additional lot area/unit 1,000/unit req. Article 53 Section 9 Excessive F.A.R. 1.0 max. Article 53 Section 9# of allowed stories exceeded 3 story max. Article 53 Section 9 Max allowed height exceeded 35' max. Article 53 Section 9 Insufficient open space per unit 300sf/unit req. Article 53 Section 9 Insufficient rear yard setback 30' req. Article 53 Section 9 Front entrance Does not face front lot line Article 53 Section 56 Off Street Parking & Loading Req Insufficient parking 16 spaces req. Article 53 Section 56.5.a Parking maneuverability Clear maneuvering areas Article 53, Section 56 Off Street Parking & Loading Req Parking space size .50/8.5 x 20' min. Art. 10 Sec. 01 Limitation of parking areas Parking buffer from side yard 5' Req.
Purpose: Seeking to combine Parcel ID's 0107028000 and 0107029000 to form one new lot with 5,000 SF lot to be known as "243 Princeton Street." Also, to raze the existing structure at 243 Princeton Street and erect a residential building with nine units and nine parking spaces.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect 7 unit dwelling with 7 parking spaces. The 4th floor and roof decks will be removed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Edwards, and Senator Boncore are in support.

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved for approval with BPDA , Fortune seconded, Ligris recused. The Board voted unanimously, the motion carried.

Case: BOA-1048915 **Address:** 229-231 Bunker Hill Street Ward 2 **Applicant:** Patrick Mahoney
Article(s): Article 62, Section 13 Main use – Three family detached dwelling - Conditional
Article 62, Section 13 Accessory use first story – Conditional (= to proposed main use)
Article 62, Section 14 Excessive F.A.R. – 2.0 max Article 62, Section 14 Max allowed height exceeded – 35' max Article 62, Section 14 Insufficient usable open space per unit – 50f/unit req. Article 62, Section 14 Insufficient rear yard setback – 15' min. setback req./shallow lot Article 62, Section 14 Insufficient side yard setback – 2.5'/footnote (4) Article 62, Section 30 Conformity with existing street wall alignment – Modal Article 62, Section 29 Off Street Parking Insufficient – 1.5/unit req. Article 62, Section 29 Off Street Parking Insufficient – Design; -size and clear maneuvering areas Art. 62 Sec. 62 27 Screening and Buffering Required
Purpose: Demolish existing one story restaurant and erect a new 4 story 3 unit residential building with enclosed garage and roof deck. *Private roof deck

Discussion/Vote: Per the applicants request this case was deferred from January 12, 2021 to March 30, 2021. The Board voted unanimously.



City of Boston
Board of Appeal

Case: BOA- 1038178 Address: 30-36 Battery March Street Ward 3 Applicant: Sonder USA, Inc

Article(s): 45(45-14) Use Regulations Conditional

Purpose: To change the occupancy from commercial spaces and 26 residential units to commercial spaces and 26 Executive suites. Also, to complete interior renovations. *Stores, Restaurant#36A, Medical Office, 26 Executive Suites & restaurant; renovations to unit 5A

Discussion/Vote: Per the applicants request this case was deferred from January 12, 2021 to March 30, 2021. The Board voted unanimously.

Case: BOA-1098736 Address: 14-20 West Broadway Ward 6 Applicant: Dennis Gignac

Articles: Art. 68 Sec.08 Insufficient additional lot area per unit 1,000sf/unit req. Article 68, Section 33 Off Street Parking & Loading Req Insufficient parking per dwelling unit Article 68, Section 8 Insufficient open space per Unit

Purpose: Interior renovation of existing 2nd floor Restaurant (shell space). Construct new tenant separation walls and change proposed occupancy to include 4units consisting of 2 studios and 2 one bedroom units.*Change occupancy from 49 Residential units, restaurant, retail and parking. ERT325051/2015 to 53 Residential units, restaurant, retail and parking.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to convert the 2nd floor commercial space to 4 residential units.

Board members asked about unit breakdown, the size, and the parking.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved for approval, Fortune seconded, it carried unanimously.



City of Boston
Board of Appeal

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

BOARD MEMBERS:

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EDWARD DEVEAU**

For the complete text of the Boston Zoning Code Articles and definitions of terms in this agenda, please go to https://www.municode.com/library/ma/boston/codes/redevelopment_authority.

For a video recording of the January 12, 2021 Board of Appeal Hearing please go to: https://cityofboston.gov/cable/video_library.asp.