



City of Boston
Board of Appeal

Tuesday, July 27, 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 JULY 27, 2021 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS JULY 13, 2021 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

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

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE JULY 27, 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 <https://bit.ly/zbaJuly27Hearing> or by calling 1-617-315-0704 and entering access code 179 924 0691.

If you wish to offer testimony on an appeal, please click <https://bit.ly/zbaJuly27comment> 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.



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For individuals who need translation assistance, please notify the Board at least 48 HOURS in advance either by signing up at <https://bit.ly/zbaJuly27comment> 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 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 zbapublicinput@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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APPROVAL OF THE HEARING MINUTES 9:30AM

December 1, 2020; December 8, 2020

Board Member Erlich moved to approve the hearing minutes, and Member Ruggiero seconded. The Board voted unanimously to approve.

EXTENSIONS: 9:30AM

Case: BOA-943624 Address: 118 Marcella Street Ward 11 Applicant: Joseph Feaster, Jr, 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-810158 Address: 25 Everett 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- 909790 Address: 33 Mayfield Street Ward 13 Applicant: Mai Phung

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-938001 Address: 4-8 Lakeside Avenue Ward 18 Applicant: Derric Small, 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-616977 Address: 25-27 Hillsboro Street Ward 7 Applicant: My Lam

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 from the date of the hearing.



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Case: BOA-746305 Address: 4-8 Tileston Street Ward 18 Applicant: Robert Burk

Discussion: The applicant failed to show for their extension request.

Vote: Upon a Motion and second, the Board voted unanimously to defer the request to the August 10, 2021 hearing.

Case: BOA-843335 Address: 42 Chestnut Street Ward 5 Applicant: Ian Urquhart

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-942790 Address: 2 Starling Street Ward 20 Applicant: CAD Builders, LLC

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-942791 Address: 3 Starling Street Ward 20 Applicant: CAD Builders, LLC

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-942793 Address: 4 Starling Street Ward 20 Applicant: CAD Builders, LLC

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-942794 Address: 5 Starling Street Ward 20 Applicant: CAD Builders, LLC

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-942795 Address: 6 Starling Street Ward 20 Applicant: CAD Builders, LLC

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-942797 Address: 7 Starling Street Ward 20 Applicant: CAD Builders, LLC

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-942798 Address: 8 Starling Street Ward 20 Applicant: CAD Builders, LLC

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-942799 Address: 9 Starling Street Ward 20 Applicant: CAD Builders, LLC

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-942806 Address: 10 Starling Street Ward 20 Applicant: CAD Builders, LLC

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-942808 Address: 11 Starling Street Ward 20 Applicant: CAD Builders, LLC

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-942809 Address: 12 Starling Street Ward 20 Applicant: CAD Builders, LLC

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-942811 Address: 13 Starling Street Ward 20 Applicant: CAD Builders, LLC

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-942812 Address: 14 Starling Street Ward 20 Applicant: CAD Builders, LLC

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-942813 Address: 15 Starling Street Ward 20 Applicant: CAD Builders, LLC

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-942814 Address: 16 Starling Street Ward 20 Applicant: CAD Builders, LLC

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-942815 Address: 17 Starling Street Ward 20 Applicant: CAD Builders, LLC

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-942816 Address: 2 Toucan Road Ward 20 Applicant: CAD Builders, LLC

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-942818 Address: 4 Toucan Road Ward 20 Applicant: CAD Builders, LLC

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-942819 Address: 6 Toucan Road Ward 20 Applicant: CAD Builders, LLC

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-942821 Address: 8 Toucan Road Ward 20 Applicant: CAD Builders, LLC

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-942823 Address: 10 Toucan Road Ward 20 Applicant: CAD Builders, LLC

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-942824 Address: 12 Toucan Road Ward 20 Applicant: CAD Builders, LLC

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-942825 Address: 14 Toucan Road Ward 20 Applicant: CAD Builders, LLC

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.

BOARD FINAL ARBITER: 9:30AM

Case: BOA-1160818 Address: 53 Tyndale Street Ward 20 Applicant: James Zigmont

Discussion: The applicant informed the Board that this project initially received zoning relief to convert a garage into an art studio but needs updated relief to reflect the correct address of the property.

Documents/Exhibits: Building Plans

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

Case: BOA-1112586 Address: 66 Alban Street Ward 17 Applicant: Tim Johnson

Discussion: The applicant informed the Board that this project initially received zoning relief to convert a single family dwelling into a two family but now would like to retain the variances previously granted but keep the occupancy of the dwelling as a single family.

Documents/Exhibits: Building Plans

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



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HEARINGS: 9:30AM

Case: BOA -1207934 Address: 217 Lexington Street Ward 1 Applicant: Appleton Grove, LLC

Articles: Art. 53 Sec. 09 Side yard insufficient Article 53, Section 9 Rear Yard Insufficient

Purpose: Amend ALT1098813 to include rear roof deck exclusive to Unit 3.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a roof deck and rear deck to the property.

Board Members asked about plans and the side yard setback.

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 Barraza moved to approve with BPDA design review and Ruggiero seconded. The Board voted unanimously to approve.

Case: BOA -1171725 Address: 25 Isabella Street Ward 5 Applicant: 25 Isabella Street LLC

Articles: Art. 32 Sec. 4 Ground Water District GCOD Applicability Art. 63 Sec. 8 Floor Area Ratio is excessive

Art. 63 Sec. 8 Height is excessive (3 stories max allowed) Art. 63 Sec. 8 Height is excessive (35 FT max allowed)

Art. 63 Sec. 8 Usable Open Space is insufficient Art. 63 Sec. 8 Rear yard setback is insufficient Art. 63 Sec. 20

Roof structures restricted district Art. 63 Sec. 24 Off Street Parking req is insufficient Art. 63 Sec. 24 Off Street

Parking design (access drive & mane) Art. 63. Sec. 24 Off Street Loading req is insufficient

Art. 63 Sec. 25 Front modal building alignment

Purpose: Convert existing church into 26 unit residential building per plans and specs.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to convert an existing church structure into residential condos.

Board Members asked about access to the garage, private roof decks, preservation of the existing structure, and the building penthouse.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilors Flynn and Essaibi-George, and the Back Bay Neighborhood Association and Carpenter's Union are in support. An abutter is opposed.

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

Votes: Board Member Barraza moved to approve with BPDA design review and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA -1205518 Address: 186-188 H Street Ward 7 Applicant: Phillip Wallace

Articles: Article 68, Section 8 Rear Yard Insufficient Article 68, Section 29 Roof Structure Restrictions

Purpose: Confirm as existing 3 family. Proposed new roof deck for unit three exclusive use only, as per plans.

Discussion: The applicant requested to withdraw their appeal.

Votes: Secretary Fortune moved to deny the appeal with prejudice and Erlich seconded. The Board voted unanimously to deny without prejudice.



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Case: BOA-1207470 Address: 603 Massachusetts Avenue Ward 9 Applicant: LDRE Corporation

Article: Art. 50 Sec. 43 Off street parking insufficient

Purpose: Change occupancy from one office, one retail and three (3) residential units to one office and four (4) residential units

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to change occupancy to include an additional residential unit.

Board Members asked about plans and the grade level in the rear.

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 Barraza moved to approve and Dong seconded. The Board voted unanimously to approve.

Case: BOA -1097311 Address: 14 Schuyler Street Ward 12 Applicant: EJS Investments, INC

Articles: Art. 50, Section 28 Use: Forbidden Multi family dwelling unit (9 units) building is forbidden

Art. 50, Section 29 Lot area for the add'l dwelling units is insufficient Art. 50, Section 29 Lot width requirement is

insufficient Art. 50, Section 29 Lot frontage requirement is insufficient Art. 50, Section 29 Floor area ratio is excessive

Art. 50, Section 29 Usable open space requirement is insufficient Art. 50 Sec. 44.2 Existing Bldg Alignment Front yard

modal alignment Art. 50, Section 29 Side yard requirement is insufficient Art. 50, Section 29 Rear yard setback

requirement is insufficient

Purpose: Seeking to raze the existing structure and erect a nine unit residential dwelling with nine parking spaces. E Plans Attached. ZBA. Nominal Fee.

Discussion/Votes: The applicant requested to defer their appeal. Upon a motion and second, the Board voted unanimously to defer the matter until September 28, 2021 at 12:30PM.

Case: BOA -1209343 Address: 5 Winston Road Ward 14 Applicant: Whiteacre Properties

Articles: Art. 60 Sec. 08 Use Regs appl in Res Subdistr Use is forbidden (4 family use) Article 60, Section 9 Lot size

minimum to build a dwelling: Insufficient Article 60, Section 9 Lot area for the add'l dwelling units: Insufficient

Article 60, Section 9 Floor Area Ratio: Excessive Article 60, Section 9 Height: Excessive (ft) Article 60, Section 9

Usable open space: Insufficient Article 60, Section 9 Front yard setback requirement: Insufficient Article 60, Section 9

Side yard setback requirement: Insufficient Article 60, Section 9 Rear yard setback requirement: Insufficient Art. 60

Sec. 40 Off street parking insufficient Off street parking requirement: Insufficient Article 60, Section 9 Height is

Excessive (stories)

Purpose: Erect a new 4 story Multi Family Dwelling (4 units). No elevator. Building will have an automatic fire protection system at all levels. Propose (4) off street parking.

Discussion/Votes: The applicant requested to defer their appeal. Upon a motion and second, the Board voted unanimously to defer the matter until October 5, 2021 at 12:30PM.



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Case: BOA-1192242 Address: 473 Harvard Street Ward 14 Applicant: Edgar Carrere

Article : Article 60, Section 11 Use: Conditional Multi family residential is a Conditional use in an Enterprise Protection Sub district.

Purpose: Construct a 2 story, wood framed 2088 sf four family dwelling on a 7800 sf lot.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a two-story, four family affordable building.

Board Members asked about basement occupancy, involvement with the Department of Mental Health, and the small size of the unit.

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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review and Erlich seconded. The Board voted unanimously to approve.

Case: BOA -1166821 Address: 27 Mallon Road Ward 14 Applicant: Ralph Parent

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 Building Height (# of Stories) Excessive Article 65, Section 9 Front Yard Insufficient

Purpose: Subdivide lot (Parcel ID: 1401230000) into two lots. Erect new semi attached single family dwelling (townhouse style) to ERT1112163. Propose one (1) off street parking. Project is part of the Department of Neighborhood Development Neighborhood Homes Initiative (NHI).

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a new affordable single-family home.

Board Members asked about parking, roof decks, basement occupancy, plans, and accessibility

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

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

Votes: Board Member Barraza moved to approve with BPDA design review attention to accessibility and the preservation of mature trees and Erlich seconded. The Board voted unanimously to approve.

Case: BOA -1166817 Address: 154 Rosseter Street Ward 14 Applicant: Ralph Parent

Articles: Article 10, Section 1 Limitation of Area Limitation of Area of Accessory Uses 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 Building Height (# of Stories) Excessive Article 65, Section 9 Front Yard Insufficient Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Design / Maneuverability (Tandem Parking)

Purpose: Erect new detached 2 family residential dwelling Propose one (1) off street parking. Project is part of the Neighborhood Homes Initiative (NHI).

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a new affordable two-family home.

Board Members asked about plans, unit sizes, and accessibility.



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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review attention to accessibility and the preservation of mature trees and Erlich seconded. The Board voted unanimously to approve.

Case: BOA -1166816 Address: 29 Rosseter Street Ward 14 Applicant: Ralph Parent

Articles: Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Insufficient Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Design / Maneuverability (Tandem Parking)

Purpose: Erect new detached 2 family residential dwelling Propose one (1) off street parking. Project is part of the Neighborhood Homes Initiative (NHI).

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a new affordable two-family home.

Board Members asked about plans, unit sizes, and accessibility.

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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review attention to accessibility and the preservation of mature trees and Erlich seconded. The Board voted unanimously to approve.

Case: BOA 1166813 Address: 41 Mount Bowdoin Terrace Ward 14 Applicant: Ralph Parent

Articles: Article 10, Section 1 Limitation of Area Limitation of Area of Accessory Uses 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 Front Yard Insufficient

Purpose : Subdivide lot (Parcel ID: 1401250000) into two lots. Erect new semi attached single family dwelling (townhouse style) to ERT1112192. Propose one (1) off street parking. Project is part of the Department of Neighborhood Development Neighborhood Homes Initiative (NHI).

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect two semi-attached single-family townhouses.

Board Members asked about plans, change in the street character, and parking.

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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review attention to the preservation of mature trees and Erlich seconded. The Board voted unanimously to approve.



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Case: BOA -1166815 Address: 24 Mount Bowdoin Terrace Ward 14 Applicant: Ralph Parent

Article: Article 65, Section 9 Lot Frontage Insufficient

Purpose: Erect new single family residential dwelling. Propose one (1) off street parking. Project is part of the Department of Neighborhood Development Neighborhood Homes Initiative (NHI).

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect two semi-attached single-family townhouses.

Board Members asked about plans, change in the street character, and parking.

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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review attention to the preservation of mature trees and Erlich seconded. The Board voted unanimously to approve.

Case: BOA-1166911 Address: 20 Mount Bowdoin Terrace Ward 14 Applicant: Ralph Parent

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 41 Off Street Parking & Loading Req Off Street Parking Insufficient Article 65, Section 9 Floor Area Ratio Excessive

Purpose: Subdivide lot (Parcel ID: 1401285000) into two lots. Erect new semi attached single family dwelling (townhouse style) to ERT1122018. Propose one (1) off street parking. Project is part of the Department of Neighborhood Development Neighborhood Homes Initiative (NHI).

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect two semi-attached single-family townhouses.

Board Members asked about plans, change in the street character, and parking.

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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review attention to the preservation of mature trees and Erlich seconded. The Board voted unanimously to approve.

Case: BOA1166808 Address: 18 Mount Bowdoin Terrace Ward 14 Applicant: Ralph Parent

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 41 Off Street Parking & Loading Req Off Street Parking Insufficient

Purpose: Subdivide lot (Parcel ID: 1401285000) into two lots. Erect new semi attached single family dwelling (townhouse style) to ERT112057. Propose one (1) off street parking. Project is part of the Department of Neighborhood Development Neighborhood Homes Initiative (NHI).

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect two semi-attached single-family townhouses.

Board Members asked about plans, change in the street character, and parking.



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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review attention to the preservation of mature trees and Erlich seconded. The Board voted unanimously to approve.

Case: BOA -1166811 Address: 39 Mount Bowdoin Terrace Ward 14 Applicant: Ralph Parent

Articles: Article 10, Section 1 Limitation of Area Limitation of Area of Accessory Uses 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 Front Yard Insufficient Article 65, Section 9 Dimensional Regulations

Purpose: Subdivide lot (Parcel ID: 1401250000) into two lots. Erect new semi attached single family dwelling (townhouse style) to ERT1112200. Propose one (1) off street parking. Project is part of the Department of Neighborhood Development Neighborhood Homes Initiative (NHI).

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect two semi-attached single-family townhouses.

Board Members asked about plans, change in the street character, and parking.

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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review attention to the preservation of mature trees and Erlich seconded. The Board voted unanimously to approve.

Case: BOA-1166798 Address: 81 Bowdoin Avenue Ward 14 Applicant: Ralph Parent

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 Front Yard Insufficient Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Insufficient Article 65, Section 9 Side Yard Insufficient

Purpose: Erect new detached 2 family residential dwelling Propose one (1) off street parking. Project is part of the Neighborhood Homes Initiative (NHI).

Case: BOA-1194924 Address: 18 Evans Street Ward 17 Applicant: Timothy Johnson

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

Purpose: On a Vacant parcel erect a 3-story, 3 family building w/front balconies and rear on-grade parking as per plans submitted.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a semi-detached two family dwelling.

Board Members asked about plans.

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



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Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review attention to accessibility and the preservation of mature trees and Erlich seconded. The Board voted unanimously to approve.

Case: BOA-1192873 Address: 23 Newton Street Ward 22 Applicant: Scott Marder

Articles: Art. 51 Sec. 09 Insufficient additional lot area per unit Art. 51 Sec. 09 Insufficient open space per unit

Purpose: Add public electrical meter, sprinklers and alarm. change occupancy to 3 family.

Change occupancy from a two to a three family and then renovate per the requirements of 780CMR. (A nominal fee and a basic set of preliminary plans has been submitted at this time due to anticipated ZBA relief and Sprinkler and fire alarm drawings shall be provided subject to a favorable decision from the BOA. This application has been filed in conjunction with UOP491180210, u491180294, alt1174556/54.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to bring two properties up to code and add three parking spaces to 23 Newton St. and 5 parking spaces to 25 Newton St.

Board Members asked about basement occupancy, floor to ceiling height in the basement, plans, and screening and buffering.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilors Breadon and Essaibi-George and the Brighton Allston Improvement Association are in support. BTB recommended 2 spaces for 23 and 25 Newton.

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review attention to screening and buffering and for limiting parking at the three family dwelling to two spaces and Erlich seconded. The Board voted unanimously to approve.

Case: BOA 1192893 Address: 23 Newton Street Ward 22 Applicant: Scott Marder

Articles: Art. 10 Sec. 01 Limitation of parking areas Art. 51 Sec. 56 Off St Parking Design

Purpose: Verify current and proposed parking; in correlation with permit ALT1174554.

Proposed parking of three motor vehicles in rear yard per plan submitted.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to bring two properties up to code and add three parking spaces to 23 Newton St. and 5 parking spaces to 25 Newton St.

Board Members asked about basement occupancy, floor to ceiling height in the basement, plans, and screening and buffering.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilors Breadon and Essaibi-George and the Brighton Allston Improvement Association are in support. BTB recommended 2 spaces for 23 and 25 Newton.

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review attention to screening and buffering and for limiting parking at the three family dwelling to two spaces and Erlich seconded. The Board voted unanimously to approve.



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Case: BOA-1192938 Address: 25 Newton Street Ward 22 Applicant: Scott Marder

Articles: Art. 51 Sec. 09 Insufficient lot area per unit Art. 51 Sec. 09 Insufficient open space per unit

Purpose: Change occupancy from a two to a three family and then renovate per the requirements of 780CMR. (A nominal fee and a basic set of preliminary plans has been submitted at this time due to anticipated ZBA relief and Sprinkler and fire alarm drawings shall be provided subject to a favorable decision from the BOA. This application has been filed in conjunction with UOP491180210, u491180294, alt1174554/56.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to bring two properties up to code and add three parking spaces to 23 Newton St. and 5 parking spaces to 25 Newton St.

Board Members asked about basement occupancy, floor to ceiling height in the basement, plans, and screening and buffering.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilors Breadon and Essaibi-George and the Brighton Allston Improvement Association are in support. BTB recommended 2 spaces for 23 and 25 Newton.

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review attention to screening and buffering and for limiting parking at the three family dwelling to two spaces and Erlich seconded. The Board voted unanimously to approve.

Case: BOA -1192843 Address: 25 Newton Street Ward 22 Applicant: Scott Marder

Articles :Art. 10 Sec. 01 Limitation of parking areas Art. 10 Sec. 01Limitation of parking areas Side yard buffer/rear yard area Article 51, Section 56.Off Street Parking & Loading Req Parking clear access, design, maneuvering areas, size...

Purpose: Current and proposed parking for 25 Newton Street as part of ALT1174556. Parking for 5 vehicles filed in conjunction with ALT1174556.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to bring two properties up to code and add three parking spaces to 23 Newton St. and 5 parking spaces to 25 Newton St.

Board Members asked about basement occupancy, floor to ceiling height in the basement, plans, and screening and buffering.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilors Breadon and Essaibi-George and the Brighton Allston Improvement Association are in support. BTB recommended 2 spaces for 23 and 25 Newton.

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review attention to screening and buffering and for limiting parking at the three family dwelling to two spaces and Erlich seconded. The Board voted unanimously to approve.



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HEARINGS:11:00AM

Case: BOA-1173700 Address: 9 West School Street Ward 2 Applicant: Kevin Joyce

Articles: Article 62, Section 13 Use Regulations Elderly Housing (Apartment for seniors) Use: Conditional Article 9, Section 2 Change in Non Conforming Use

Purpose: Change occupancy from 66 units of assisted living housing to 48 affordable (income restricted) apartments for seniors with services. Then completely renovate building as per plans filed herewith. Building to be used for 48 affordable income restricted apartments for seniors after renovation.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to convert the facility into 100% affordable housing for seniors operated by third party providers.

Board Members asked about assisted living and available support.

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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve and Erlich seconded. The Board voted unanimously to approve.

Case: BOA -1190262 Address: 51 North Margin Street Ward 3 Applicant: 51 North Margin Realty Trust

Articles: Art. 09 Sec. 02 Nonconforming Use Change Art. 32 Sec. 32 4 Groundwater Conservation Overlay District, Applicability Art. 54 Section 18 Roof Structure and Building Height Restrictions Reconfiguration of existing roof profile

Purpose: To build additional 4 units as per plan, we are filing for a refusal letter to go to ZBA with nominal fee letter attached. Clarification: CHANGE OF OCCUPANCY FROM Private Club on 2nd Floor, Garage on 1st Floor to a six story MFR 4 unit dwelling by constructing four additional stories over existing structure per plans provided.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a four story vertical addition and four parking spaces.

Board Members asked about commercial spaces, parking, and decks.

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

Documents/Exhibits: Building Plans, letters of support

Votes: Board Member Barraza moved to approve with BPDA design review attention to garage door, building materials, roof line, exterior roof, and the top floor setback and Ruggiero seconded. The Board voted unanimously to approve.

Case: BOA-1203994 Address: 331-335A Newbury Street Ward 5 Applicant: Rooted In, LLC

Articles: Article 8 Section 7 Use Regulations Cannabis Establishment (Recreational) Use: Conditional Article 8 Section 7 Use Regulations Cannabis Establishment Location shall be sited at least one half mile or 2,640 feet from another existing cannabis establishment.

Purpose: Change Occupancy from Retail to Cannabis Establishment (Recreational).

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to open a Cannabis Establishment.

Board Members asked about the compelling reason for the location, other nearby Cannabis Establishments in operation, capacity, handicap accessibility, and online ordering.



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Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and the Back Bay Neighborhood Association are in support. Councilor Bok is not opposed.

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

Votes: Board Member Ruggiero moved to approve with BPDA design review attention to signage and for the decision to be limited to this applicant only and Erlich seconded. The Board voted unanimously to approve.

Case: BOA -1183042 Address: 16 Preble Street Ward 7 Applicant: David Winick

Articles: Art. 16, Section 8 Restricted Roof Structure District Head house to be removed. Roof deck area proposed including hatch: 371sqft > allowed 330sqft Art. 13 Sec. 13 1Building heigh max. allowed: 40' Proposed deck and hatch exceeds 40'

Purpose: Install roof deck to access from hatch. Roof deck for exclusive use of top floor unit.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a roof deck.

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

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved to approve the building code relief for 16 and 18 Preble St and Baraza seconded. The Board voted unanimously approve the building code relief. Board Member Barraza moved to approve the zoning code relief for 16 and 18 Preble St. with BPDA design review and Erlich seconded. The Board voted unanimously to approve to zoning code relief.

Case: BOA# 1183040 Address: 16 Preble Street Ward 7 Applicant: David Winick

Purpose: Install roof deck to access from hatch. Roof deck for exclusive use of top floor unit.

Violation Violation Description Violation Comments 9th 780 CMR 1011 StairwaysArt. 1011.12 Access to an occupied roof in buildings 4 stories or more shall be through a penthouse.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a roof deck.

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

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved to approve the building code relief for 16 and 18 Preble St and Baraza seconded. The Board voted unanimously approve the building code relief. Board Member Barraza moved to approve the zoning code relief for 16 and 18 Preble.

Case: BOA -1183045 Address: 18 Preble Street Ward 7 Applicant: David Winick

Article: Article 13, Section 1 Bldg Height Excessive (Feet)

Purpose: Install roof deck to access from hatch. Roof deck for exclusive use of top floor unit.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a roof deck.

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



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Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved to approve the building code relief for 16 and 18 Preble St and Baraza seconded. The Board voted unanimously approve the building code relief. Board Member Barraza moved to approve the zoning code relief for 16 and 18 Preble.

Case: BOA #1183050 Address: 18 Preble Street Ward 7 Applicant: David Winick

Purpose: Install roof deck to access from hatch. Roof deck for exclusive use of top floor unit.

Violation Violation Description Violation Comments 9th 780 CMR 1011 Stairways1011.12.2 Roof access. Where a stairway is provided to a roof, access to the roof shall be provided through a penthouse complying with Section 1510.2.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a roof deck.

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

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved to approve the building code relief for 16 and 18 Preble St and Baraza seconded. The Board voted unanimously approve the building code relief. Board Member Barraza moved to approve the zoning code relief for 16 and 18 Preble.

Case: BOA -1209559 Address: 1426 Columbia Road Ward 7 Applicant: George Morancy

Articles: Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. Existing FAR is non conforming. Proposed additional FAR will extend the non conformance Article 68, Section 8 Floor Area Ratio Excessive Additional Floor area in basement further exceeds the existing non conformance

Purpose: Rebuild house completely after fire, including all new electrical, plumbing, HVAC, sprinkler, fire alarm, roof, framing etc. Structural, Architectural, and civil drawings being submitted. FEE ALREADY PAID ON AT RISK PERMIT SF1149515.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to update and renovate a home after a fire.

Board Members asked about prior occupancy, plans, bedrooms, egress, and clearance.

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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review and to have the BFD review the decks and building access and Erlich seconded. The Board voted unanimously to approve



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Case: BOA -1209563 Address: 1428 Columbia Road Ward 7 Applicant: George Morancy

Articles: Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. Existing FAR is non conforming. Proposed additional FAR will extend the non conformance Article 68, Section 8 Floor Area Ratio Excessive Proposed additional floor area exceeds allowed FAR.

Purpose: Rebuild house completely after fire, including all new electrical, plumbing, HVAC, sprinkler, fire alarm, roof, framing etc. Structural, Architectural, and civil drawings being submitted.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to update and renovate a home after a fire.

Board Members asked about prior occupancy, plans, bedrooms, egress, and clearance.

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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review and to have the BFD review the decks and building access and Erlich seconded. The Board voted unanimously to approve

Case: BOA -1191388 Address: 11 Senator Bolling Circle Ward 14 Applicant: Edger Carrere

Article: Article 60, Section 11 Use: Conditional Detached Single Family dwelling is a Conditional use in an Enterprise Protection sub district

Purpose: Construct a 2 Story, wood framed 2088 sf single family dwelling on a 5655 sf lot.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to building several two story single family homes.

Board Members asked about affordability, largest home, plans, and basement occupancy.

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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review and with no living room and kitchen in the basement of 35 Senator Bolling Circle and Erlich seconded. The Board voted unanimously to approve.

Case: BOA -1191398 Address: 35 Senator Bolling Circle Ward 14 Applicant: Edger Carrere

Article: Article 60, Section 11 Use: Conditional Detached single family dwelling is a Conditional use in an Enterprise Protection sub district.

Purpose: Construct a 2 Story, wood frame, 2133 sf single family dwelling on a 7015 sf lot.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to building several two story single family homes.

Board Members asked about affordability, largest home, plans, and basement occupancy.

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

Documents/Exhibits: Building Plans



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Votes: Board Member Barraza moved to approve with BPDA design review and with no living room and kitchen in the basement of 35 Senator Bolling Circle and Erlich seconded. The Board voted unanimously to approve.

Case: BOA -1191391 Address: 24 Senator Bolling Circle Ward 14 Applicant: Edger Carrere

Article: Article 60, Section 11 Use: Conditional Detached single family dwelling is a Conditional use in an Enterprise Protection Sub district

Purpose: Construct a 2 Story, wood frame, 2268 sf single family dwelling on a 7,015 sf lot.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to building several two story single family homes.

Board Members asked about affordability, largest home, plans, and basement occupancy.

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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review and with no living room and kitchen in the basement of 35 Senator Bolling Circle and Erlich seconded. The Board voted unanimously to approve.

Case: BOA -1191393 Address: 27 Senator Bolling Circle Ward 14 Applicant: Edger Carrere

Article: Article 60, Section 11 Use: Conditional Detached single family dwelling is a conditional use in an Enterprise Protection sub district

Purpose: Construct a 2 Story, wood frame, 2300 sf single family dwelling on a 8165 sf lot
ert1121488 ert1121295.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to building several two story single family homes.

Board Members asked about affordability, largest home, plans, and basement occupancy.

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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review and with no living room and kitchen in the basement of 35 Senator Bolling Circle and Erlich seconded. The Board voted unanimously to approve.

Case: BOA 1192361 Address: 30 Snowden Way Ward 14 Applicant: Edger Carrere

Articles: Article 60, Section 11 Use: Conditional Detached single family dwelling is a Conditional use in an Enterprise protection sub district. Article 60, Section 12 Front Yard is insufficient

Purpose: Construct a 2 Story, wood frame, 2100 sf single family dwelling on a 7925 sf lot.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to building several two story single family homes.

Board Members asked about affordability, largest home, plans, and basement occupancy.

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



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Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review and with no living room and kitchen in the basement of 35 Senator Bolling Circle and Erlich seconded. The Board voted unanimously to approve.

Case: BOA-1195087 Address: 110R Belle Avenue Ward 20 Applicant: Charles Brothers
Articles: Article 56, Section 8 Side Yard Insufficient Side setback allowed is 15 feet & you have 4.7 feet
Article 56, Section 8 Rear Yard Insufficient Rear set back allowed is 40 feet & you have 10.5 feet
Purpose: Construction a 20'x20' detached standard garage, along with associated site work.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to building a 20 x 20 garage.

Board Members asked about single family occupancy and prior Board appearances.

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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review and Ruggiero seconded. The Board voted unanimously to approve.

Case: BOA -1177020 Address: 120 Bellevue Street Ward 20 Applicant: John Halloran
Articles: Article 56 Section 40 Two or More Dwellings on the Same Lot
Purpose: Application filed in conjunction with ALT1144069 (120R) for zoning code relief. No work to be performed at 120 Bellevue St see existing plans for square footage. For this one of 2 building on one (1) lot.

Discussion/Vote: The applicant requested a deferral. Upon a motion and second, the Board voted unanimously to defer this matter until the hearing on October, 5, 2021 at 12:30PM.

Case: BOA -1177024 Address: 120R Bellevue Street Ward 20 Applicant: John Holloran
Articles: Article 56 Section 40 Conformity with Existing Building Alignment Article 56 Section 40 Two or More Dwellings on the Same Lot Article 56, Section 39 Off Street Parking & Loading Req (4) Location of Off Street Parking. Off Street Parking located in Front Yard is Forbidden
Purpose: Renovate and convert circa 1880's existing Carriage House (BARN) into a Single Family Dwelling. Retain architectural details as practical, move building 11' from side yard, to new to building code compliant construction foundation; extend foundation at rear to construct 2 car garage as per plans. No work @ 120 Bellevue St ALT1152240.

Discussion/Vote: The applicant requested a deferral. Upon a motion and second, the Board voted unanimously to defer this matter until the hearing on October, 5, 2021 at 12:30PM.



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RECOMMENDATIONS: 11:30 AM

Discussion/Vote: Secretary Fortune called for a vote on whether to adopt the recommendation of the Board's advisory subcommittee from July 22, 2021. Board Member Erlich moved to adopt them in full and Ruggiero seconded. The Board voted unanimously to adopt the below recommendations.

Case: BOA-1158994 Address: 296 Princeton Street Ward: 1 Applicant: Andrea Vilanova

Articles: Article 53, Section 9 Floor Area Ratio Excessive 1.2 > 1.0max Article 53, Section 9 Side Yard Insufficient 0' < 2.5'min Article 53, Section 9 Rear Yard Insufficient 21.5' < 40'min Article 53, Section 52 Roof Structure Restrictions Article 27T 5 East Boston IPOD Applicability

Purpose: Amending ALT1128721. Entry adding a green roof to playroom area. Basement completing bathroom (plumbing existing) and finishing space for additional storage. First Floor Relocation of kitchen and bathroom on existing footprint. Second floor Bedroom and bathroom remodel (adding sf).

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to renovate a property.

Board Members asked about one or two family, a roof change, floor to ceiling height in the basement, community process, basement windows, and egress.

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

Documents/Exhibits: Building Plans, 24 letters of support

Votes: Board Member Barraza moved to approve with BPDA design review and with no bedrooms in the basement and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA-1141788 Address: 1187 Saratoga Street Ward: 1 Applicant: Ang Sherpa

Article: Article 53 Section 9 Excessive F.A.R.

Purpose: Correct existing code violation of basement Unit by removing basement kitchen and door unit separations between unit 1 and basement and then extend living space into the basement area from unit #1 to connect directly into the first 1st floor unit and remove rear second floor interior stairs and construct new exterior stair from the existing rear porch per plans provided.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add basement living space to first floor unit and remove a kitchen.

Board Members asked about one or two family, floor to ceiling height, bedrooms in the basement.

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

Documents/Exhibits: Building Plans, letter of support, 4 letters of opposition

Votes: Board Member Barraza moved to approve with BPDA design review and without a violation on the interconnecting stairs and Secretary Fortune seconded. The Board voted unanimously to approve.



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Case: BOA -122647 Address: 89 Russell Street Ward: 2 Applicant: Sean George

Article: Article 62, Section 8 Floor Area Ratio Excessive

Purpose: Finishing of existing basement to create livable space, increasing ceiling height and adding to the buildings GSF by, lowering basement slab, framing level as shown, adding an additional bedroom with bathroom & window well as second means of egress.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to renovate a basement.

Board Members asked about floor to ceiling height.

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 Barraza moved to approve with BPDA design review and with no bedroom in the rear of the basement and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA -1166630 Address: 6 Wall Street Ward: 2 Applicant: Timothy Sheehan

Article: Article 62, Section 25 Roof Structure Restrictions Per request of applicant

Purpose: A new 20' x 20' roof deck along with new rooftop access stairs and a hatch to access said deck. ZBA relief will be required. We request the nominal fee since we will be going through the ZBA (see attached letter).

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to build a 20x20 roof deck.

Board Members asked about dwelling occupancy and if the deck is viewable from the street.

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 Barraza moved to approve and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA -1164273 Address: 2 Lawnwood Place Ward: 2 Applicant: Timothy Sheehan

Articles: Article 62, Section 8 Bldg Height Excessive (Feet) Proposed roof deck exceeds allowed building height.

Article 62, Section 8 Bldg Height Excessive (Feet)

Purpose: This is for a new private roof deck for unit 2 accessed through a hatch and a new set of stairs.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a roof deck.

Board Members asked about if the deck is viewable from the street.

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



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Votes: Board Member Barraza moved to approve with BPDA design review attention to the decks setback from roof and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA 1184808 Address: 10 Claremont Park Ward: 4 Applicant: 10 Claremont Park, LLC

Article: Article 64, Section 9.4 Town House/Row House Extension Townhouse / Rowhouse Extensions into the Rear Yard

Purpose: In conjunction with ALT1079204. Construct a new steel balcony off 3rd Floor Level per building plans at kitchen of Unit # 2.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a roof deck.

Board Members asked about deck bracket supports and deck access.

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

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

Votes: Board Member Barraza moved to approve with BPDA design review attention to the exterior and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA -1166359 Address: 555 East Fifth Street Ward: 6 Applicant: Bob Weisenberger

Articles: Article 68, Section 8 Side Yard Insufficient

Purpose: Proposed additions, new rear decks and renovate existing two family, as per plans. Construction set to be submitted upon ZBA approval.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to expand the first floor into the basement and enclose decks.

Board Members asked about one or two family occupancy, cohesive unit sizes, and plans.

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 Barraza moved to approve with BPDA design review and with no bedrooms in the basement and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA -1200790 Address: 707 East Fourth Street Ward: 6 Applicant: Ben Gallagher/Katelyn Burke

Article: Article 68, Section 29 Roof Structure Restrictions

Purpose: Proposed new roof deck to build off of the top level of Unit 2. The Deck/Porch would be supported by roof covering a room on our unit's lower level.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a roof deck.

Board Members asked about plans, current problems with property owners.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services is in support. Councilor Flynn, an abutter, and the Gate of Heaven Neighborhood Association are opposed.



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Documents/Exhibits: Building Plans, 2 letters of opposition

Votes: Board Member Barraza moved to approve with BPDA design review attention to rear setback of deck and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA -1191538 Address: 10 Saint Margaret Street Ward: 7 Applicant: Chris Drew

Articles: Art. 65 Sec. 9 Insufficient rear yard setback Article 65, Section 9 Insufficient side yard setback Article 65, Section 9 Excessive F.A.R. Art. 65 Sec. 9 # of allowed stories has been exceeded Article 65, Section 9 Insufficient usable open space

Purpose: Confirm as existing single family, then add a 3rd floor addition with roof deck & 2 story addition w/ garage on the left side of the house to include extension of living space into the basement as per plans.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a third floor addition with a roof deck on the garage.

Board Members asked about floor to ceiling height, plans, and the side yard setback.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilors Baker, Essaibi-George, and Flaherty, a neighbor, and the BPDA are in support.

Documents/Exhibits: Building Plans, letters of support

Votes: Board Member Barraza moved to approve with BPDA design review attention to eliminating the side yard violation and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA -1173224 Address: 169 O Street Ward: 7 Applicant: Recover Green Roofs

Articles: Article 68, Section 29 Roof Structure Restrictions Article 68, Section 8 Front Yard Insufficient Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient

Purpose: New decking, green roof, pergola, and planters on existing roof deck area.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a green roof deck accessed via head house.

Board Members asked about roof structure restrictions and plans.

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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review attention to the setback of the deck and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA-1175313 Address: 2-4 Wakullah Street Ward: 12 Applicant: Jose Lopez

Article: Article 50, Section 29 Floor Area Ratio Excessive

Purpose: Extend the first floor living space into basement to accommodate mother in law who will provide childcare to, her grandchild, our child.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add renovate a basement.

Board Members asked about height, intentions to make basement into unit, plans, and grade.



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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 Barraza moved to approve with BPDA design review Secretary Fortune seconded. The Board voted unanimously to approve

Case: BOA-1174564 Address: 59 Chickatawbut Street Ward: 16 Applicant: Marie Prendergast

Articles: 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

Purpose: Renovation of second floor unit including relocation of kitchen and bathroom as well as removal of portion of bearing wall to existing two family dwelling. Expansion of third floor/attic living space by construction of a new roof addition with dormers; an increase of approx. 457 square feet.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to enlarge the second floor into existing attic space with a dormer.

Board Members asked about plans.

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

Documents/Exhibits: Building Plans, letters of support

Votes: Board Member Barraza moved to approve with BPDA design review attention to the exterior and Secretary Fortune seconded. The Board voted unanimously to approve

Case: BOA -1184796 Address: 12R Plain Street Ward: 16 Applicant: David Higgins

Articles: Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient Article 65, Section 42.13 Two or More Dwellings on Same Lot A Dwelling shall not be built to the rear of another Dwelling.

Purpose: Change of Occupancy from Existing Carriage House into a Single Family Dwelling. Construct new exterior stairway and new second floor with new roof structure. The foundation and some of the structure and walls will remain. All systems and utilities will be replaced. The floors and roof will be re framed.

Discussion/Vote: The applicant requested a deferral. Upon a motion and a second, the Board deferred the matter until the full Board hearing on September 28, 2021 at 12:30PM.

Case: BOA -1170623 Address: 95 Wilmington Avenue Ward: 17 Applicant: Michael Nightingale Construction Co.

Articles: Article 65, Section 9 Bldg Height Excessive (Stories) New dormers create an additional story. Article 65, Section 9 Floor Area Ratio Excessive

Purpose: Construct dormer. Install new windows, Install vinyl siding, Install new roofing, frame interior walls only Interior finish to be completed by others No plumbing or electrical included in contract.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to expand living space by adding a dormer to a two family.

Board Members asked about the dwelling and plans.

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



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Documents/Exhibits: Building Plans, letter of support

Votes: Board Member Barraza moved to approve with BPDA design review attention to the roofline and dormer setback and Secretary Fortune seconded. The Board voted unanimously to approve

Case: BOA-1074615 Address: 6 Warren Park Ward: 18 Applicant: David Guimaraes

Article: Article 69, Section 9 Floor Area Ratio Excessive Max. FAR allowed: 0.3 Proposed: 0.35

Purpose: Rehab an existing finished basement using the Owens Corning Basement System to be used as a family room.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to finish a basement.

Board Members asked about a family room, height, and plans.

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, letter of support

Votes: Board Member Barraza moved to approve and Secretary Fortune seconded. The Board voted unanimously to approve

Case: BOA -1167558 Address: 22 Sedgwick Street Ward:19 Applicant: Ivan Hernandez Articles:

Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 9 Bldg Height Excessive (Stories) Purpose: Construct new dormer on right side of dwelling per plans.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to renovate an attic and add a dormer.

Board Members asked about dwelling occupancy and plans.

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 Barraza moved to approve with BPDA design review attention to the size of the dormer and intersection of the existing bridge and new dormer and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA-1176936 Address: 54 Danforth Street Ward: 19 Applicant: Luiza Santos

Articles: Article 55, Section 12 Side Yard Insufficient Article 55, Section 12 Rear Yard Insufficient

Purpose: Dormer over bathroom and renovate bathroom.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail add a dormer above a bedroom.

Board Members asked about occupancy.

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



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Documents/Exhibits: Building Plans, letter of support.

Votes: Board Member Barraza moved to approve and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA -1165935 Address: 56 Lochstead Avenue Ward: 19 Applicant: Frank Schillace

Article: Article 55, Section 12 Side Yard Insufficient

Purpose: Increasing the size of my existing deck.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a fence and deck.

Board Members asked about dimensions and plans.

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 Barraza moved to approve with BPDA design review attention to eliminating the side yard violation and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA-1165245 Address: 41-41A Green Street Ward: 19 Applicant: Stephen H. Payne

Articles: Art. 55 Sec. 09 Front yard setback requirement is insufficient Art. 55 Sec. 09 Side yard setback requirement is insufficient

Purpose: at 43 Green St JP install new deck.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a new deck.

Board Members asked about occupancy and plans.

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 Barraza moved to approve with BPDA design review attention to the new deck and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA-1184652 Address: 4 Cuthbert Road Ward: 20 Applicant: Kevin Foley

Article: Art. 56, Section 8 Rear yard setback requirements is insufficient

Purpose: construct a 14x20 family room addition to the rear of 4 Cuthbert Rd.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a new 14x20 family room.

Board Members asked about dwelling occupancy and plans.

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, letters of support



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Votes: Board Member Barraza moved to approve with BPDA design review and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA -1191994 Address: 49 Martin Street Ward: 20 Applicant: Casey Ngo-Miller and Dan Miller

Article: Article 56, Section 8 Side Yard Insufficient

Purpose: Master bathroom addition above an existing sunroom for an existing owner-occupied single-family dwelling. Closet adjustments to existing second floor. No change to building footprint. Requires zoning relief for side yard.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a master bedroom.

Board Members asked about side yard requirements and plans.

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 Barraza moved to approve with BPDA design review attention to the exterior and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA -1183614 Address: 61 Oakland Street Ward: 22 Applicant: Kevin Yee

Articles: Article 51, Section 9 Bldg Height Excessive (Stories) Article 51, Section 9 Side Yard Insufficient

Purpose: Dormer both sides on half the house for the attic addition of 2 bedrooms and 1 bathroom, with new staircase going up and kitchen reconfiguration on 2nd floor.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to finish an attic and add dormer to the right side.

Board Members asked about dwelling occupancy and plans.

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

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review attention to the size of the dormer and Secretary Fortune seconded. The Board voted unanimously to approve.

Case: BOA -1197685 Address: 111 Arlington Street Ward: 22 Applicant: Karen & Shawn Aylward

Articles: Article 51, Section 9 Rear Yard Insufficient Required: 40' Proposed: 31.8' Article 51, Section 9 Side Yard Insufficient Required: 10' Proposed: 8' (R)

Purpose: Addition to rear of house. New master suite new kitchen new roof new siding.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to build an addition.

Board Members asked about dwelling occupancy and plans.

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



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Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review and Secretary Fortune seconded. The Board voted unanimously to approve.

RE-DISCUSSIONS: 12:30PM

Case: BOA-1055809 Address: 167 Lexington Street Ward 1 Applicant: 88 Holdings, LLC

Articles: Article 53, Section 9 Floor Area Ratio Excessive Max. allowed: 0.8 Proposed: 1.22 Article 53, Section 9 Bldg Height Excessive (Stories) Allowed: 2.5 Proposed: 3 Art. 27G E Boston IPOD Article 53 Section 8 Use Regulations 3 family use: Forbidden Article 53 Section 56 Off Street Parking & Loading Req spaces required: 1 Proposed: 0

Purpose: Seeking to confirm the occupancy as a two family residential dwelling and change to a three family residential dwelling and renovate. BOA

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to change occupancy from a two to a three family with renovations.

Board Members asked about basement occupancy, height, and plans.

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, letters of support

Votes: Board Member Barraza moved to approve with BPDA design review and Erlich seconded. The Board voted unanimously to approve.

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

Articles: Art 68, Sec 8 Insufficient additional lot area per unit – 400 sf reg Art 68, Sec. 27S-5 IPOD Applicability Art 68, Sec. 33 Off Street Parking & Loading Req. Insufficient parking Art 68, Sec. 8 Insufficient side yard setbacks Art 68, Sec. 8 Insufficient open space per unit Art 68, Sec. 8 Excessive F.A.R. Art. 68, Sec. 8 Insufficient rear yard set back

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

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a rear addition to a single family dwelling.

Board Members asked about window wells, egresses, plans, and grade.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilors Flynn and Flaherty are opposed.

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

Votes: Board Member Barraza moved to deny without prejudice and Erlich seconded. The Board voted unanimously to deny without prejudice.



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Case: BOA -1053337 Address: 64 Clarkwood Street Ward 14 Applicant: Brodrick Egodogbare

Article: Article 60, Section 9 Lot Area Insufficient

Purpose: Construction of a 3 family dwelling

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a three family dwelling.

Board Members asked about plans.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services, Councilor Arroyo, and an abutter are opposed.

Documents/Exhibits: Building Plans, letters of opposition.

Votes: Board Member Barraza moved deny without prejudice and Erlich seconded. The Board voted unanimously to deny without prejudice.

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.

Discussion/Vote: The applicant requested to withdraw their appeal. Upon a motion and a second, the Board voted unanimously to deny without prejudice.

Votes: Board Member Barraza moved to approve with BPDA design review attention to the size of the dormer and intersection of the existing bridge and new dormer and Secretary Fortune seconded. The Board voted unanimously to approve.

HEARINGS:1:00PM

Case: BOA -1143574 Address: 449 Cambridge Street Ward 22 Applicant: ALP Cambridge Cambridge Owned, LLC

Articles: Article 51, Section 19 Use: Forbidden MFR Is a forbidden use in a LI 1 sub district Article 51, Section 16 Use Regulations MFR is conditional in a CC 1 sub district Article 51, Section 56 Off Street Parking & Loading Req Off street parking and loading is insufficient Article 51 Section 17 Floor Area Ratio is excessive Article 51, Section 17 Building height in feet is excessive Article 51, Section 17 Usable open space is insufficient Article 51 Section 17 Rear yard is insufficient

Purpose: Demolish existing structure; construct new multi family residential building, with 127 units and approximately 80 parking spaces. Includes ground floor retail. Associated with 2 Emery Road project. Nominal fee requested.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect two new buildings with 78 condos and 171 rental units and 80 parking spaces with dedicated artist units, usable open space, and indoor space.

Board Members asked about plans, distance to property line, height, whether the project would accommodate all stages of life, floor area ratio, roof, unit target market, how building would complement Allston.



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Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services, Councilors Breadon, Flaherty, and Essaibi-George, abutters, the Ironworkers' Local 7 Union, and the Allston Civic Association are in support. The Brighton Allston Improvement Association is opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review and Erlich seconded. The Board voted unanimously to approve.

Case: BOA-1143565 Address: 2 Emery Road Ward 22 Applicant: ALP Cambridge Cambridge Owned, LLC
Articles: Article 51, Section 19 Use: Forbidden MFR is forbidden in a LI 1 sub district Article 51, Section 20 Floor Area Ratio is excessive Article 51, Section 20 Building height in feet is excessive Article 51, Section 20 Usable open space is insufficient Article 51, Section 20 Rear yard is insufficient Article 51, Section 56 Off Street Parking & Loading Req Off street parking and loading is insufficient
Purpose: Demolish existing; construct new multi family residential building, with 39 units. Associated with 449 Cambridge Street, ERT1123317. Nominal fee requested.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect two new buildings with 78 condos and 171 rental units and 80 parking spaces with dedicated artist units, usable open space, and indoor space.

Board Members asked about plans, distance to property line, height, whether the project would accommodate all stages of life, floor area ratio, roof, unit target market, how building would complement Allston.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services, Councilors Breadon, Flaherty, and Essaibi-George, abutters, the Ironworkers' Local 7 Union, and the Allston Civic Association are in support. The Brighton Allston Improvement Association is opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Barraza moved to approve with BPDA design review and Erlich seconded. The Board voted unanimously to approve.

CALL OF THE CHAIR:1:00PM

Case: BOA-1150574 Address: 153-155 Blue Hill Avenue Ward 12 Applicant: Loretta Sparrow Et al
Purpose: The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the permit# ALT1067111. The permit was issued as an allowed use.

Discussion/Vote: Upon a motion and a second, the Board voted unanimously to defer this case until September 21, 2021 at 1:00PM for further review.

DISCUSSION OF OPEN LAW COMPLAINT RESOLUTION:1:00PM

On July 15, 2021, the Office of the Attorney General submitted its decision on the Open Meeting Law Complaint filed by Joseph Harter to the Board. The Attorney General's Office found that the Board did not violate the Open Meeting Law on April 6, 2021 when Mr. Harter was unable to offer testimony at the Board hearing.

Discussion: The Board's Executive Secretary read the facts of the matter into the record and explained that the complaint was resolved in the Board's favor and the Attorney General concluded that there was no OML violation when the Mr. Harter was not called upon to testify after waving his hands in the front his computer screen.



City of Boston
Board of Appeal

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BOARD OF APPEAL
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TYRONE KINDELL, JR

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 July 27, 2021 Board of Appeal Hearing please go to: https://www.cityofboston.gov/cable/video_library.asp.