



City of Boston
Board of Appeal

RECEIVED

By City Clerk at 4:49 pm, Oct 13, 2021

Tuesday, October 19, 2021

BOARD OF APPEAL

City Hall Room 801

Hearing Agenda

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON OCTOBER 19, 2021 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS OCTOBER 19, 2021 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE OCTOBER 19, 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/zbaOctober19Hearing> or by calling 1-617-315-0704 and entering access code 2339 380 5928. If you wish to offer testimony on an appeal, please click <https://bit.ly/zbaOctober19Comment>, to sign up. Please provide your name, address, the address and/or BOA number of the appeal on which you wish to speak, and if you wish to speak in support of or opposition to the project.

For individuals who need translation assistance, please notify the Board at least 48 HOURS in advance either by signing up at <https://bit.ly/zbaOctober19Comment>, calling 617-635-5300 or emailing zba.ambassador@boston.gov.

The ZBA Ambassador will be available within the WebEx Event from 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



City of Boston
Board of Appeal

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 8:30AM 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 1010 Mass Ave. 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 1010 Mass Ave 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. WHEN DOING SO, PLEASE INCLUDE IN THE SUBJECT LINE THE BOA NUMBER, THE ADDRESS OF THE PROPOSED PROJECT AND THE DATE OF THE HEARING.



City of Boston
Board of Appeal

APPROVAL OF THE HEARING MINUTES 9:30AM

September 21, 2021
September 28, 2021
October 5, 2021

EXTENSIONS: 9:30AM

Case: BZC-30745 Address: 583-583B Ashmont Street , Ward 16 Applicant: Douglas Stefanov

Case: BZC-30746 Address: 585-585B Ashmont Street , Ward 16 Applicant: Douglas Stefanov

Case: BZC-30747 Address: 587-587B Ashmont Street , Ward 16 Applicant: Douglas Stefanov

Case: BOA-957170 Address: 602 Canterbury Street Ward 18 Applicant: Matthew Eckel

Case: BOA-995699 Address: 273 Highland Street Ward 11 Applicant: Joseph Hanley, Esq

Case: BOA-920014 Address: 40 William C. Kelly Square Ward 1 Applicant: Richard Lynds, Esq

Case: BOA- 819243 Address: 806 Saratoga Street Ward 1 Applicant: Richard Lynds, Esq

Case: BOA-819227 Address: 96 Wordsworth Street Ward 1 Applicant: Richard Lynds, Esq

Case: BOA-694031 Address: 31 Woodlawn Street Ward 1 Applicant: Richard Lynds, Esq

Case: BOA-694028 Address: 33 Woodlawn Street Ward 1 Applicant: Richard Lynds, Esq

Case: BOA- 658980 Address: 10 McBride Street Ward 19 Applicant: John Moran

Case: BZC-30642 Address: 340-360 Boylston Street Ward 5 Applicant: Adam Hundley, Esq

GCOD ONLY: 9:30AM

Case: BOA-1228216 Address: 340 Beacon Street Ward 5 Applicant: 340 Beacon, LLC

Article(s): Art. 32 Sec. 32 4 Groundwater Conservation Overlay District

Purpose : All fees are associated with permit ALT1180137. Renovation existing garage at Unit 1. To extend existing accessory garage into Unit 1 courtyard with new deck on the garage roof accessed via bridge to Unit 1 and stairs to Unit 1 courtyard.

HEARINGS: 9:30AM

Case: BOA-1245796 Address: 197 Lexington Street Ward 1 Applicant: Roderick Sembrano

Article(s): Art. 27G E Boston IPOD Art. 53 Sec. 08^ Forbidden - Multifamily use Art. 53 Sec. 09 Floor Area Ratio Excessive Article 53, Section 9 Add'l Lot Area Insufficient Article 53, Section 56 Off Street Parking & Loading Req - Required: 1.5 new parking spaces Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient Art. 53, Section 9 Dimensional Regulations - open space insufficient. Required: 1,200 sqft

Purpose : Change of occupancy from 3 to 4 units by adding 1 unit in the lowest level. Replacing rear stair.



City of Boston
Board of Appeal

Case: BOA-1245852 Address: 218 Brooks Street Ward 1 Applicant: 218 Brook Street Realty Trust

Article(s): Art. 53 Sec. 09 Floor Area Ratio Excessive Art. 53 Sec. 09 Side yard insufficient Article 27T 5 East Boston IPOD Applicability Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Rear Yard Insufficient Art. 53 Sec. 08 Forbidden - 3 Family is a Forbidden use in a 2F 2000 sub district Art. 53 Sec. 56 Off Street Parking - Off street parking is insufficient.

Purpose: Erect an addition with roof deck and change occupancy to a three unit residential dwelling as per plans.

Case: BOA-1193863 Address: 683 Columbia Road Ward 7 Applicant: James Christopher

Article(s): Art. 65 Sec. 08 Forbidden - Multifamily use Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient Art. 65 Sec. 41 Off street parking requirements - Insufficient. Required spaces: $7 \times 1.25 = 8.75$ Article 65, Section 9.2 Dim Regs: Location of Main Entrance - Shall face the front lot line

Purpose : To construct a new rear addition to the single family home at 683 Columbia Rd. and attached to the existing rear barn. The new building will change the use from lodging house to seven residential units as per the attached plans.

Case: BOA- 1101370 Address: 16 Baker Court Ward 7 Applicant: Willow Baker, LLC

Article(s): Article 65, Section 16 Floor Area Ratio Excessive Article 65, Section 16 Building Height Excessive Article 65, Section 15 Use Regulations - Multi Family Dwelling Use: Conditional Article 65, Section 41 Off Street Parking & Loading Req - Off Street Parking Insufficient

Purpose : Erect 4 story multi family building with 12 residential units, no parking, private roof decks and 12 bike racks (1 in each unit). The existing building to be razed on separate permit.

Case: BOA- 1101366 Address: 75 Willow Court Ward 7 Applicant: Willow Baker, LLC

Article(s): Article 65, Section 15 Use Regulations - Multi Family Dwelling Use: Conditional Article 65, Section 16 Floor Area Ratio Excessive Article 65, Section 16 Building Height Excessive Article 65, Section 16 Rear Yard Setback Insufficient

Purpose : Erect 7 story multi family building with 118 residential units, 19 parking spaces, racks for 120 bicycles, balconies on all levels and roof deck. Existing buildings to be razed on separate permit. File in conjunction with ALT1071028, ALT1071032, ALT1071048, ALT1071050, ALT1071058

Case: BOA-1101368 Address: 78 Willow Court Ward 7 Applicant: Willow Baker, LLC

Article(s): Article 65, Section 15 Use Regulations - Professional School Use : Conditional Article 65, Section 15 Use Regulations - Trade School Use : Conditional Article 65, Section 15 Use Regulations - Multi Family Dwelling Use : Conditional Article 65, Section 16 Floor Area Ratio Excessive Article 65, Section 16 Building Height Excessive Article 65, Section 16 Rear Yard Setback Insufficient

Purpose : Erect 7 story mixed use building with 106 residential units, 40 parking spaces, racks for 125 bicycles, balconies and roof decks on each level per plan. On 1st & 2nd floors construct 20,700 sf of office, retail, professional school & trade school use (core & shell). Existing building to be razed on separate permit. File in conjunction with ALT1070833, ALT1070925, ALT1070928.

Case: BOA- 1242756 Address: 23 East Concord Street Ward 8 Applicant: Timothy Burke

Article(s): Article 64, Section 9.4 Town House/Row House Extension

Purpose : Construct two new bracket supported balconies projecting 6' on the rear of the building at the Third and Fourth floors.

Case: BOA- 1245167 Address: 89 Munroe Street Ward 12 Applicant: Derric Small

Article(s): Article 50, Section 29 Floor Area Ratio Excessive

Purpose : Legalization of living space extension into the attic of a three family dwelling. V419013



City of Boston
Board of Appeal

Case: BOA-1246894 Address: 135 Dudley Street Ward 12 Applicant: Edgar Carrere

Article(s): Article 50, Section 11 Floor Area Ratio Excessive Article 50, Section 11 Building Height Excessive
Article 50, Section 11 Rear Yard Insufficient

Purpose : Construct a 6 story building consisting of (60) residential units with ground level commercial area as Phase 2 of the 135 145 Dudley Street Project master plan with (140) existing Phase 1 lower level parking spaces to accommodate the complete project.

Case: BOA-1246900 Address: 145 Dudley Street Ward 12 Applicant: Edgar Carrere

Article(s): Article 50, Section 11 Floor Area Ratio Excessive Article 50, Section 11 Building Height Excessive
Article 50, Section 11 Rear Yard Insufficient

Purpose : Construct a 10 story building consisting of (110) residential units (152,823 sf) with 140 space parking garage (51,721sf) below. This building to be considered phase 1 of the 135 145 Dudley Street Project master plan.

Case: BOA- 1223021 Address: 27 Bradshaw Street Ward 14 Applicant: Tom Cooney

Article(s): Article 60, Section 9 Floor Area Ratio Excessive Article 9 Section 1 Extension of Nonconforming Use

Purpose : Enclose existing porch on first and second floor, kitchen and two bathroom renovation, finish with patch and paint.

Case: BOA- 1216057 Address: 9 Joseph Street Ward 16 Applicant: James Uddin

Article(s): Article 9 Section 1 Extension of Nonconforming Use Article 68, Section 8 Rear Yard Insufficient
Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Bldg Height Excessive (Stories) Article 68, Section 8
Floor Area Ratio Excessive

Purpose: Construct new dormers to the roof to make attic livable and extend living space to basement for Unit #1 to existing three family dwelling. We will also be adding sprinklers and making alterations to the second unit.

Case: BOA-1141110 Address: 565 American Legion Highway Ward 18 Applicant: Solli Engineering

Article(s): Art. 09 Sec. 01 Extension of Non Conforming Use - Car wash use is Conditional.

Purpose: The project proposes to maintain the existing building and provide minor architectural upgrades to the exterior. The proposed site improvements include new site drives, parking, drainage structures, payment station, curbing, pavement and vacuum stations. The approval of this application is conditional to the approval of sister application ALT1130629.

Case: BOA- 1141111 Address: 569 American Legion Highway Ward 18 Applicant: Solli Engineering

Article(s): Article 67, Section 11 Use Regulations - Car wash use: Conditional

Purpose: Change occupancy from Liquor Store to Car Wash and Site improvements including the construction of new pavement, site drive, drive aisles, vacuum stations, landscape islands, security fencing and dumpster pad with enclosure.

HEARINGS: 11:00AM

Case: BOA-1203114 Address: 396-398 Hanover Street Ward 3 Applicant: Table by Jen Royle, LLC

Article(s): Article 6, Section 4 Other Cond Necc as Protection - Change in previous decision of ZBA

Purpose: Removal of existing proviso "take out granted to this petitioner only"

Case: BOA-1248286 Address: 663 East Sixth Street Ward 6 Applicant: Ryan M Macpherson

Article(s): Art 68 Sec 29 Roof Structure Restrictions - Building extension into the rear yard Article 68. Section 8.4 Dim
Regs: Extension in Rear Yard Article 68, Section 33 Off Street Parking & Loading Req - Insufficient parking .Article
68, Section 33 Off Street Parking & Loading Req -Design. Insufficient driveway width Article 68, Section 8 Usable
Open Space Insufficient Article 68, Section 8 Side Yard Insufficient

Purpose: Change of occupancy from a 2 family to a 3 family dwelling via addition. Renovate an existing carriage house and connect the carriage house to the existing structure with conditioned garage.



City of Boston
Board of Appeal

Case: BOA-1249236 Address: 40-42 Terrace Street Ward 10 Applicant: Terrace Bravo, LLC, Kirby Liu
Article(s): Article 59, Section 18 Use Regulations - Use : Multifamily Dwelling : Forbidden
Purpose: Property is currently being built and permitted as affordable artist live/work housing under existing zoning. We are pursuing a zoning relief change to multifamily residential to allow the units to be sold to the wider affordable housing pool.

Case: BOA- 1249238 Address: 132 Terrace Street Ward 10 Applicant: Terrace Bravo, LLC, Kirby Liu
Article(s): Article 59, Section 18 Use Regulations - Use : Multifamily Dwelling : Forbidden
Purpose: Property is currently being built and permitted as affordable artist live/work housing under existing zoning. We are pursuing a zoning relief change to multifamily residential to allow the units to be sold to the wider affordable housing pool.

Case: BOA- 1243079 Address: 202 Savin Hill Avenue Ward 13 Applicant: Michael Chavez
Article(s): Art. 09 Sec. 01 Extension of Non Conforming Use
Purpose: Build a new addition to the existing 2 bed 2 bat condo unit . The new addition will include an expand living room foot print on the first floor and an additional second floor above the existing and expanded living room .

Case: BOA-1136987 Address: 1403-1405 Dorchester Avenue Ward 15 Applicant: Mai Phung
Article(s): Article 65, Section 8 Use Regulations - Restaurant (>1,000 sqft) with take out use: Forbidden
Purpose: Proposed to change occupancy of an existing commercial space into a restaurant with take out.

Case: BOA- 1215768 Address: 26 Hichborn Street Ward 22 Applicant: Philmor Hichborn Property, LLC
Article(s): Article 51, Section 56 Off Street Parking & Loading Req - Off Street Parking Insufficient
Purpose: Change occupancy from 23 dwelling units and 36 parking spaces to 23 dwelling units and 24 parking spaces; reconfigure HP parking space; expand bike storage area on upper garage level resulting in reduction of 2 parking spaces; eliminate 10 stacker spaces as previously approved [not feasible].

Case: BOA-1194502 Address: 26 Arlington Street Ward 22 Applicant: Pulgini & Norton, LLP
Article(s): Article 51, Section 8 Use: Forbidden Article 51, Section 9 Lot Area Insufficient Article 51, Section 9 Floor Area Ratio Excessive Article 51, Section 9 Bldg Height Excessive (Stories) Article 51, Section 9 Bldg Height Excessive (Feet) Article 51, Section 9 Front Yard Insufficient Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient Art. 10 Sec. 01 Limitation of off street parking areas - Parking less than 5ft from side lot line. Article 51, Section 56 Off Street Parking & Loading Req - 3 < 4min add'l parking req'd
Purpose: Confirm occupancy as a single family building and change to a 3 family residential building with 3 parking spaces. Addition to the rear of the structure.

RE-DISCUSSIONS: 12:30PM

Case: BOA-1222307 Address: 70 Shawsheen Road Ward 1 Applicant: Trichilo Development, LLC
Articles: Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Lot Frontage Insufficient Article 53, Section 9 Lot Width Insufficient Article 53, Section 9 Lot Area Insufficient Article 53, Section 56 Off Street Parking & Loading Req - Off Street Parking Insufficient Article 53 Section 8 Use Regulations -Multi Family Dwelling Use : Forbidden Article 27T 5 East Boston IPOD Applicability
Purpose: Erect a 5 unit dwelling and 6 parking spaces.

Case: BOA-1053181 Address: 661-661A Tremont Street Ward 4 Applicant: James Christopher
Articles: Article 64, Section 9.4 Town House/Row House Extension Article 64, Section 9Rear Yard Insufficient Article 64, Section 9 Building Height Excessive Article 64, Section 9 Floor Area Ratio Excessive Article 64 Section 9 Insufficient side yard setback Article 64, Section 34 Roof Structure Restrictions Proposed penthouse with wet bar and roof deck Article 64 Section 9 Insufficient usable open space Art. 32 Sec. 04 GCOD Applicability
Purpose: To construct a rear addition, and head house as per the attached plans. No change to occupancy.



City of Boston
Board of Appeal

Case: BOA-1035651 Address: 215 West Newton Street Ward 4 Applicant: Peter Jones

Articles: Article 64 Section 8 Lodging house use Conditional

Purpose: Change Occupancy from Multi Family to Lodging House. Lodging house is a Conditional Use. ZBA review required. If approved, new fire alarm and sprinkler system will be installed.

Case: BOA- 1190195 Address: 683 East Seventh Street Ward: 7 Applicant: Tremont Construction Management

Article(s): Article 68, Section 7.2 Basement Units Forbidden Article 68, Section 8 Add'l Lot Area Insufficient Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8.3 Dim Regs: Location of Main Entrance Article 68, Section 33 Off Street Parking & Loading Req - 0 < 1 req'd (Studio)

Purpose : Change of occupancy to 2 family at 683 E 7th St. Convert basement of single family residence to a second unit. New finishes and fixtures throughout basement. New and reworked MEP's to accommodate added unit. Replace rear bulkhead with new unit entrance as shown.

Case: BOA-1152401 Address: 87-89 West Walnut Park Ward 11 Applicant: James Christopher

Articles: Article 55, Section 8 Three Family Dwelling Use : Forbidden Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 9 Usable Open Space Insufficient Article 55, Section 9.3 Dim Reg: Location of Main Entrance Article 55, Section 40 Off Street Parking & Loading Req-Off Street Parking Insufficient

Purpose: Change occupancy from two-family to three family dwelling. Extend living space into the existing basement, and create a walk out unit in the basement

Case: BOA-1212283 Address: 150 Quincy Street Ward 13 Applicant: Laura Palmer

Articles: Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Front Yard Insufficient Article 50, Section 29 Side Yard Insufficient

Purpose : Erect new three family dwelling with proposed (3) off street parking on a vacant lot

Case: BOA-1170542 Address: 9 Downer Court Ward 15 Applicant: Joseph Feaster

Articles: Art. 65 Sec. 08 Forbidden - MFR is a Forbidden Use in a three family subdistrict Art. 65 Sec. 9# of allowed stories has been exceeded 2.5 stories max Art. 65 Sec. 9 Allowed Height exceeded 35' max. Art. 65 Sec. 9 Excessive F.A.R. .5 max. Art. 65 Sec. 9 Insufficient front yard setback 15' req. Art. 65 Sec. 9 Insufficient side yard setback 10' min. req. Art. 65 Sec. 9 Insufficient rear yard setback 30' req. Article 65, Section 41 Off Street Parking & Loading Req - Design/space size min req. Article 65, Section 39 Screening & Buffering Req -None proposed

Purpose : Construction of new (4) story, (12) unit apartments with on grade garage parking.

Case: BOA- 1185823 Address: 35 Foster Street Ward: 22 Applicant: Marc LaCasse

Articles: Article 51, Section 9 Floor Area Ratio Excessive

Purpose : Add living space into the basement for 2nd floor only (access through the front of main entrance for the 2nd floor only and not passing through a unit)



City of Boston
Board of Appeal

STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775

BOARD MEMBERS:

CHRISTINE ARAUJO- CHAIR
MARK FORTUNE-SECRETARY
MARK ERLICH
SHERRY DONG
JOSEPH RUGGIERO
ERIC ROBINSON

SUBSTITUTE MEMBERS:

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