



City of Boston  
Board of Appeal

**RECEIVED**

*By City Clerk at 3:03 pm, Jun 06, 2023*

THURSDAY, JUNE 15, 2023

BOARD OF APPEAL

1010 MASS. AVE, 5th FLOOR

---

**ZONING ADVISORY SUBCOMMITTEE**  
**HEARING AGENDA**

**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON JUNE 15, 2023 BEGINNING AT 5:00PM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS JUNE 15, 2023 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

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

**THE JUNE 15, 2023 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE ZOOM WEBINAR EVENT PLATFORM.**

**Interested persons can participate in the hearing REMOTELY by going to <https://bit.ly/SubcommitteeZBA>. You may also participate by phone by calling into the Zoom Webinar at (301) 715-8592 and entering the Webinar ID: 832 9388 9736 followed by # when prompted.**

**If you wish to offer testimony on an appeal, please click <https://bit.ly/June15Comment> 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/June15Comment>, calling 617-635-4775, or emailing [zba.ambassador@boston.gov](mailto:zba.ambassador@boston.gov).**

**The ZBA Ambassador will be available within the Zoom Webinar Event from 4:00PM to 5:00PM to answer questions about ZBA procedures and offer instructions on how to participate in the hearing via Zoom. Questions and/or**

**concerns can also be emailed to the ZBA Ambassador at [zba.ambassador@boston.gov](mailto:zba.ambassador@boston.gov).**



City of Boston  
Board of Appeal

**If you wish to offer comment within the meeting platform, please use the “Raise Hand” function that should appear on the bottom of your screen, if connected by computer or device, or dial \*9, if connected by phone. On a computer or device, you will receive a request to unmute yourself from the event host. You must select yes before you can speak. On a phone, you will hear a prompt that the event host is asking you to unmute yourself. You must press \*6 to unmute yourself before you can speak. Commenters will be 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 4:00PM TO ENSURE YOUR CONNECTION IS PROPERLY FUNCTIONING.**

**Interested persons who are unable to participate in the hearing remotely may make an appointment to offer testimony. Please notify the Board at least 48 HOURS in advance either by calling 617-635-4775 or emailing [isdboardofappeal@boston.gov](mailto:isdboardofappeal@boston.gov) for accommodations to be made.**

**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](mailto:ZBAPublicInput@boston.gov) IN LIEU OF OFFERING TESTIMONY ONLINE. 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

**HEARINGS: 5:00 P.M**

**Case: BOA-1422737 Address: 166-168 Bayswater Street Ward: 1 Applicant: Adrinne Salerno**

**Articles (s):** Article 53, Section 52 Roof Structure Restrictions – Reconfiguration of the roof

Article 27T 5 East Boston IPOD Applicability

**Purpose :** Convert an unfinished attic into a living space with two bedrooms, full bathroom, laundry, open kitchen/dry bar. Demolish existing hip asphalt roof. build new gable roof with two dormers Open deck on front of attic level. Add new front porch on 1st and 2nd levels.

**Case: BOA-1455532 Address: 530-532 Commonwealth Avenue Ward: 5 Applicant: Beantown Donuts, LLC**

**Articles (s):** Art. 08 Sec. 03 Conditional Uses - 36A REMOVE PROVISIO

**Purpose:** Remove "proviso" granted to this petitioner only and grant to "Beantown Donuts LLC.

**Case: BOA-1463331 Address: 761 East Broadway Ward: 6 Applicant: Todd & Alexis Anzlovar**

**Articles (s):** Art 68 Sec 29 Roof Structure Restrictions - Reconfiguration of existing roof profile

Art 68 Sec 8 Dim reg app in res sub dist - Insufficient side yard setback

**Purpose:** Renovations/ redesign with dormers; reconstruction and enlargement of existing rear addition with deck, all as shown on plans filed herewith.

**Case: BOA-1412546 Address: 36 G Street Ward: 6 Applicant: James Christopher**

**Articles (s):** Art 68 Sec 29 Roof Structure Restrictions - Reconfiguration of existing structures roof profile Art 68 Sec 8

Dim reg app in res sub dist - Extensions into rear >1,000GSF Conditional Art 68 Sec 8 Dim reg app in res sub dist -

Extension of dimensional in an undersized lot 25% Insufficient lot size

**Purpose:** Confirm Occupancy as a One family dwelling and erect a rear addition as per the attached plans with no change to occupancy.

**Case: BOA-1438281 Address: 155 Dorchester Street Ward: 7 Applicant: Frank Knippenberg**

**Articles (s):** Art 68 Sec 8 Dim reg app in res sub dist - Insufficient additional lot area

Art. 68 Sec. 07 Use Regs. - Basement unit forbidden Art.68 Sec. 33 Off Street Loading Req. - Insufficient parking

**Purpose :** Change occupancy to a two family. Remove the existing internal stair to the basement, add new unit door, add kitchen, and separate electrical service. \*BASEMENT UNIT PROPOSED 1 Family #3706/1997

**Case: BOA-1419756 Address: 11 Plainfield Street Ward: 11 Applicant: Tom Malone**

**Articles (s):** Article 55, Section 9 Side Yard Insufficient Article 55, Section 9 Floor Area Ratio Excessive

**Purpose:** Addition of shed dormer to right side rear of 3rd floor, expanding bedroom into area currently occupied by flat roof.

**Case: BOA-1450082 Address: 162-172 South Street Ward: 11 Applicant: Sweet Pea and Sage LLC**

**Articles (s):** Article 55 Section 16 Use Regulations - Conditional

**Purpose:** Change of occupancy to flower shop from office space. (Job Site 166 168 South St. per plans).

**Case: BOA-1448512 Address: 39 Vernon Street Ward: 18 Applicant: RAV & Associates, Inc.**

**Articles (s):** Article 69, Section 9 Front Yard Insufficient Article 69, Section 9 Side Yard Insufficient

**Purpose:** Modify existing attached deck to a three season application and add new deck towards rear.

**Case: BOA-1422723 Address: 26 Ansonia Road Ward: 20 Applicant: Cynthia Weller-Brady**

**Articles (s):** Article 56, Section 8 Front Yard Insufficient

**Purpose :** Adding roof dormers to front & side of home. No extension of living space, attic to remain as unfinished storage space. Remaining interior spaces to remain the same.



City of Boston  
Board of Appeal

**Case: BOA- 1445557 Address: 224 Willow Street Ward: 20 Applicant: James Kim**

**Articles (s):** Article 56, Section 8 Front Yard Insufficient Article 56. Section 8 Side Yard Insufficient

**Purpose :** Extension of living space up to attic. Scope includes attic renovation with addition of a dormer; adding a master bedroom and bathroom.

**Case: BOA-1450701 Address: 33-35 Shaw Street Ward: 20 Applicant: Ruben Rodriguez**

**Articles (s):** Art. 56, Section 8 Excessive f.a.r. Article 56, Section 8 # of occupied stories has been exceeded

Art. 09 Sec. 01 ,Extension of Non Conforming Use - Two family in a one family subdistrict <25% Conditional

**Purpose :** Confirm occupancy as 2 family and then perform extension of living space into attic from unit 2.

**Case: BOA-1450923 Address: 60 Cerdan Avenue Ward: 20 Applicant: Shaun McMahon**

**Articles (s):** Article 56, Section 8 Bldg Height Excessive (Stories)

**Purpose:** Proposed 3rd floor dormer addition as per plans.

**Case: BOA-798718 Address: 38 Hardwick Street Ward: 22 Applicant: Ciaran Mc Evoy**

**Articles (s):** Article 51 Section 9 Floor Area Ratio excessive Article 51 Section 9 Height excessive

Article 51 Section 9 Side Yard insufficient

**Purpose:** Add dormer to back of house.

**Case: BOA- 1446236 Address: 152-154 Brayton Road Ward: 22 Applicant: Edwin Mendez**

**Articles (s):** Art. 51 Sec. 09 # of allowed stories has been exceeded 2.5 max Art. 51 Sec. 09 Insufficient lot width 50'

req Art. 51 Sec. 09 Insufficient side yard setback 10' req. Art. 51 Sec. 09 Insufficient front yard setback 20'

required(enclosure/stairs >36"h)

**Purpose :** Adding 2 dormers. Create master suite in attic. Kitchen and bathroom renovation 2nd floor. Enclosing front porch to make sunroom. Demo and construct new front exterior stairway.

**RE-DISCUSSIONS: 5:00 P.M**

**Case: BOA-1340198 Address: 109-109A Salem Street Ward: 3 Applicant: Warren Mustacchio**

**Article(s);** Art. 09 Sec. 01 Extension of Non-Conforming Use - Increase in volume >25% Conditional Art 54 12

**Purpose:** Change seating capacity from 36 to 49 patrons, no work to be done.

**Case: BOA-1340204 Address: 111-111A Salem Street Ward: 3 Applicant: Warren Mustacchio**

**Article(s):** Art. 09 Sec. 01 Extension of Non Conforming Use - Increase in nonconforming use volume is >25%

Forbidden Art54 12 Art. 54 Section 13 Dimensional Regulations - Excessive f.a.r. (Change occupancy use of lower

accessory kitchen and storage areas to accessory kitchen and sit down for 20 persons)

**Purpose:** Change seating capacity from 40 to 60 patrons, no work to be done.



City of Boston  
Board of Appeal

BOARD MEMBERS:

SHERRY DONG-CHAIR  
NORM STEMBRIDGE-SECRETARY  
KATIE WHEWELL

SUBSTITUTE MEMBER:

**For the complete text of the Boston Zoning Code Articles and definitions of terms in this agenda, please go to [https://www.w.municode.com/library/ma/boston/codes/redevelopment\\_authority](https://www.w.municode.com/library/ma/boston/codes/redevelopment_authority)**