



City of Boston  
Board of Appeal

**RECEIVED**

By City Clerk at 11:42 am, Jun 13, 2023

Tuesday, June 27, 2023

BOARD OF APPEAL

Room 801

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## HEARING AGENDA

**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON JUNE 27, 2023 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS JUNE 27, 2023 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

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

**THE JUNE 27, 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/ZBA2023Hearings>. You may also participate by phone by calling into the Zoom Webinar at (301) 715-8592 and entering the Webinar ID: 821 8044 0527 followed by # when prompted.**

**If you wish to offer testimony on an appeal, please click <https://bit.ly/June27Comment> 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/June27Comment>, 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 8:30 AM to 9:30 AM 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).**



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**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 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 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.**



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### **EXTENSIONS: 9:30AM**

**Case: BOA-1187855 Address: 61 Horace Street Ward 1 Applicant: Richard Lynds, Esq**

**Case: BOA- 1187853 Address: 63 Horace Street Ward 1 Applicant: Richard Lynds, Esq**

**Case: BOA-962337 Address: 15 Mercer Street Ward 7 Applicant: Matthew Eckel, Esq**

**Case: BOA-1107041 Address: 1201 Saratoga Street Ward 1 Applicant: Derric Small, Esq**

**Case: BOA-1044720 Address: 3326-3328 Washington Street Ward 11 Applicant: Wyatt Komarin**

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

**Case: BOA-1411317 Address: 16-18A Warren Place Ward 12 Applicant: Bond Worthington**

### **GROUNDWATER CONSERVATION OVERLAY DISTRICT ONLY: 9:30AM**

**Case: BOA-1466902 Address: 440 Tremont Street Ward 5 Applicant: Eva White Redevelopment Limited**

**Article:** Art. 32 Sec. 04 GCOD Applicability

**Purpose:** Nonstructural unit renovations to residential building including but not limited to the following: bathrooms, kitchens, windows, interior finishes, mechanical upgrades. 53 apartments #alt1176837.

**Case: BOA-1466921 Address: 450 Tremont Street Ward 5 Applicant: Eva White Redevelopment Limited**

**Article:** Art. 32 Sec. 04 GCOD Applicability

**Purpose:** Nonstructural unit renovations to residential building including but not limited to the following: bathrooms, kitchens, windows, interior finishes, mechanical upgrades.

**Case: BOA-1363981 Address: 20 Holyoke Street Ward 4 Applicant: Stefano Granata**

**Article** Art. 32 Sec. 32 4 Groundwater Conservation Overlay District, Applicability

**Purpose:** Renovation of the back yard with the addition of a new car port.

**Case: BOA-1466403 Address: 18 Rutland Square Ward 4 Applicant: Bradley Apone**

**Article:** Article 32, Section 4. GCOD, Applicability

**Purpose:** Full Interior renovations, changing layout, new plumbing, HVAC, electrical, new elevator, no exterior work in front of the building, no roof deck.

### **HEARINGS:9:30AM**

**Case: BOA-1448465 Address: 78 Julian Street Ward 13 Applicant: Derrick Hobson**

**Article(s):** Article 50, Section 44.2Conformity Ex Bldg Alignment - Exiting Building Alignment

Article 50 Section 29 Lot Area Insufficient Art. 50, Section 29 Additional lot area for Each unit Insufficient

Art. 50, Section 29 Lot Width Insufficient Art. 50, Section 29 Lot Frontage Insufficient Article 50, Section 29Floor Area

Ratio Excessive - FAR Excessive Article 50, Section 29Usable Open Space Insufficient - Open space insufficient

Art. 50, Section 29 Side yard setback insufficient

**Purpose:** Erect new 3 family dwelling wit parking for 3 cars.

**Case: BOA-1398805 Address: 46 Mayhew Street Ward 7 Applicant: Gledson De Sousa**

**Article(s):** Art. 65 Sec. 9 Excessive f.a.r. Art. 65 Sec. 9 # of allowed habitable stories has been exceeded

**Purpose:** Build new cases steps and build three rooms in full bathroom basement Extend living space into basement for a home office, entertainment room, private gym and family room to include a full bathroom per plans submitted.



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**Case: BOA- 1360901 Address: 88 Maverick Street Ward 1 Applicant: Michael Stuchins**

**Article(s):** Article 53, Section 9 Rear Yard Insufficient Article 53, Section 9 Front Yard Insufficient  
Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Bldg Height Excessive (Feet)  
Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Floor Area Ratio Excessive  
Article 53, Section 9 Lot Area Insufficient Article 53, Section 56 Off Street Parking & Loading Req  
Article 53 Section 8 Use Regulations Art. 27G E Boston IPOD Art. 32 Sec. 32 4 Groundwater Conservation Overlay  
District, Applicability

**Purpose:** No Record of Occupancy, confirm occupancy as 3 family dwelling and to change to a 4 family dwelling. Also, to renovate the building, erect a rear and fourth story addition per e-plans.

**Case: BOA-1459061 Address: 74 Horace Street Ward 1 Applicant: Hao Quann & Jason Krupp**

**Article(s):** Article 27T – 5 East Boston IPOD Applicability Article 53, Section 9 Floor Area Ratio Excessive  
Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Side Yard Insufficient Article 53, Section 9  
Rear Yard Insufficient Article 53, Section 56 Off Street Parking & Loading Req - Insufficient off-street parking. 9  
required, 6 provided. Art. 53 Sec. 08 Forbidden - MFR is forbidden in a 2F 2000 Sub district  
Article 53 Section 56.5.a Parking maneuverability Some of the provided parking has insufficient maneuverability.

**Purpose:** Raze existing building (on separate permit) and erect a six (6) unit residential dwelling with six (6) parking spaces

**Case: BOA-1464017 Address: 76 Frankfort Street Ward 1 Applicant: Frank Marchione**

**Article(s):** Article 53, Section 9 Floor Area Ratio Excessive Art. 27G E Boston IPOD  
Art. 32 Sec. 32 4 Groundwater Conservation Overlay District, Applicability

**Purpose:** Change occupancy from 6 family to 5-unit residential building. Interior renovation of all 5 units to include opening the wall up between the existing dwelling and enclosed porch to increase living space & reworking the unit layouts. Note, increasing living space into the existing enclosed rear porches will not change the existing footprint of the existing building as per plans.

**Case: BOA-1368388 Address: 1222 Washington Street Ward 3 Applicant: Rebecca Rutenberg-CANNABIS**

**Article:** Article 64, Section 12 Use: Conditional - Cannabis establishment

**Purpose:** Change of occupancy to Cannabis Establishment.

## **HEARINGS:11:00AM**

**Case: BOA-1258624 Address: 21 Holton Street Ward 22 Applicant: Peninsula Capital Group, Wesley Leung**

**Article(s):** Article 51, Section 57.2 Conformity Exist Bldg Alignment - 8.5' provided Article 51, Section 8 Use:  
Forbidden - MFR in 3F Zone Article 51, Section 9 Add'l Lot Area Insufficient Article 51, Section 9 Floor Area Ratio  
Excessive Article 51, Section 9 Usable Open Space Insufficient Article 51, Section 56 Off Street Parking Insufficient -  
16 spaces with safe accessible path req'd

**Purpose:** Erect a new 3 story residential building with 9 units, side/rear balconies, and 9 parking spaces at the rear.

**Case: BOA-1468139 Address: 1789 Commonwealth Avenue Ward 21 Applicant: 1789 Commonwealth Realty Trust -ARTICLE 80**

**Article(s):** Art. 51 Sec. 09 Insufficient additional lot area per unit Art. 51 Sec. 09 Excessive f.a.r. Art. 51 Sec. 09  
# of allowed stories exceeded Art. 51 Sec. 09 Insufficient open space per unit Art. 51 Sec. 09 Insufficient side yard  
setback Art. 51 Sec. 09 Insufficient rear yard setback Art. 51 Sec. 09 Maximum allowed height exceeded Art. 51 Sec. 09  
Front yard setback Article 51 Section 8 Use Regulations - USE- Forbidden Article 51, Section 53 Screening & Buffering  
Req Article 51, Section 56 Off-Street Parking & Loading Req - Insufficient parking

**Purpose:** Renovate the existing residential structure and change occupancy from 3 family to 39 units and Parking. erect a 5 story rear addition for a total of 39 units and 17 parking spaces.



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**Case: BOA- 1444863 Address: 272-276 Hyde Park Avenue Ward 19 Applicant: Juan Rojas**

**Article(s):** Art. 55 Sec. 09 Excessive height- 35' max. Art. 55 Sec. 09 Excessive f.a.r- 1.0 Max. Art. 55 Sec. 09 Insufficient side yard- Insufficient aggregate side yard requirement due to abutting 3f subdistrict  
Art.55 Sec.40 Off-St. Parking/Loading Req'mnt - Insufficient parking spaces Article 55, Section 40.5a Parking Maneuverability - Access on very own lot Article 55, Section 40.5d Parking space sizes  
**Purpose:** Build 6 residential units above commercial space, retail store.

**Case: BOA-1436713 Address: 6 Greenwich Court Ward 9 Applicant: Timothy Burke**

**Article(s):** Article 50, Section 29 Floor Area Ratio Excessive Art. 50 Sec. 38 Design Review  
**Purpose:** Construct an addition on the rear of an existing single family rowhouse.

**Case: BOA- 1472384 Address: 330 C Street Ward 6 Applicant: Rise Construction -ARTICLE 80**

**Article(s):** Art 68 Sec 29 Roof Structure Restrictions - Maximum allowed height on parcel exceeded (1 story max)  
Art. 68 Sec. 33 Off Street parking Req. - Insufficient parking Art. 68 Sec.13 Use Regs. - Hotel- Conditional Art. 68 Sec.13 Use Regs - Restaurant use- Conditional Art. 68 Sec.14 Insufficient rear yard setback Art. 68 Sec.14 Insufficient side yard setback Art. 68 Sec.14 Maximum allowed height in the subdistrict exceeded Art. 68 Sec.14 Max. allowed f.a.r. exceeded Art.68 Sec. 33 Off Street Loading Req. - Insufficient loading dock area  
**Purpose:** Erect a 72 room hotel with restaurant/retail space for future tenant. Existing structure to be razed under separate permit. six stories/66' 8"

**Case: BOA-1461403 Address: 9 Russell Street Ward 2 Applicant: 9 Russell Street LLC**

**Article(s):** Article 62, Section 8 Lot Width Insufficient - 25' required. 23.5' proposed Article 62, Section 8 Lot Frontage Insufficient - 25' required. 23.5' proposed  
**Purpose:** Taking down existing structure and erecting two residential units to include 2 garaged parking spots.

**Case: BOA- 1443837 Address: 10 Salem Street Avenue Ward 2 Applicant: Samuel Johnson**

**Article(s):** Art. 62 Sec. 19 Neighborhood Design Overlay Districts - Zoning overlays district: NDOD Art. 62 Sec. 25 Roof Structure Restrictions - Changing existing roof profiles  
**Purpose:** A new roof deck on the second-floor roof accessed from an existing third floor dormer / door.

## **RECOMMENDATIONS: 11:30 AM**

**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 PROVISO  
**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.



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**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.

**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.



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**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.

**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.

### **RE-DISCUSSIONS :11:30 AM**

**Case: BOA-1309386 Address: 75 Maywood Street Ward 12 Applicant: Fred Manigat**

**Article(s):** Violation Description Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Front Yard Insufficient Article 50, Section 29 Side Yard Insufficient Art. 50 Sec. 18 Roof Structure and Building Height Restrictions

**Purpose:** Proposal to erect 6 condo units with 6 parking spaces.

**Reason for Prior Deferral: The applicant requested a deferral to update the plans**

**Case: BOA-1361351 Address: 1617 Tremont Street Ward 10 Applicant: Lubavitch of Cambridge, Inc**

**Article(s):** Article 59, Section 37 Off-Street Parking & Loading Req - Off-Street Parking Insufficient Article 59, Section 37 Off-Street Parking & Loading Req - Off-Street Loading Insufficient Article 59, Section 7 Use Regulations - Use: Community Center on 2nd Floor: Forbidden Article 59, Section 7 Use Regulations - Use: Daycare Center located in Basement: Forbidden Article 59, Section 7 Use Regulations - Use: Transitional Housing: Conditional Article 59, Section 8 Floor Area Ratio Excessive Article 59, Section 8 Building Height Excessive Article 59, Section 8 Usable Open Space Insufficient Article 59, Section 8 Front Yard Insufficient Article 59, Section 8 Side Yard Insufficient Article 59, Section 8 Rear Yard Insufficient

**Purpose:** Demolish existing Buildings. Combine ALT 130939 lot 1615 Tremont Street with ALT 1310943 lot 1617 Tremont for addition to 1615 Tremont ALT1310951. Change Occupancy from a Two (2) Family Dwelling and Hall to become a Jewish Community Education Center & Social Work spaces for parsonage & short-term Hospitality Suites for Families receiving medical treatment. Construct a 4 story addition attached to existing Building. There will be a Daycare Center space located in the Basement. On the 2nd Floor will be a Community Center space. On Floors 3 & 4 will be temporary Lodging Rooms (12 Rooms total). Construct a common Roof Deck.

**Reason for Prior Deferral: The applicant requested a deferral**

**Case: BOA- 1034997 Address:120 Minden Street Ward 10 Applicant: Morat Kiani**

**Article(s):** Article 55, Section 8 Use Regulations - 4 family use Forbidden Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 9 Usable Open Space Insufficient

**Purpose:** Change of occupancy from a 3 family to a 4 family. Existing condition, no work to be done.

**Reason for Prior Deferral: The Board suggested a deferral for the applicant to revise the plans and provide necessary information. Specifically the basement information.**



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**Case: BOA-1395189 Address: 16 Dunmore Street Ward 8 Applicant: Alfonso Sira**

**Article(s):** Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Bldg Height Excessive (Feet) Article 50, Section 29 Rear Yard Insufficient Article 50, Section 29 Side Yard Insufficient Art. 50 Sec. 38 Design Review - Art.38.1(d) Design Review Art. 50 Sec. 29 Usable open space insufficient Art. 50 Sec. 43 Off street parking requirements - Parking Location and Parking Design not meet requirement (Art 50.43.6(d) Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. - Extension of Nonconforming Building

**Purpose:** Confirm as one family and change to a three-family building. Add a three-story addition in the rear of the existing building add three parking spaces on site as per plan filed herewith. Building to be used as a dwelling for three families after the renovations are completed

**Reason for Prior Deferral: The applicant requested a deferral to have a surveyor review the plans.**

**Case: BOA-1366165 Address: 1 Harvard Place Ward 2 Applicant: Terry Caddell**

**Article(s):** Article 62, Section 8 Rear Yard Insufficient Article 62, Section 8 Front Yard Insufficient Article 62, Section 8 Bldg Height Excessive (Feet) Article 62, Section 25 Roof Structure Restrictions - Also Building Code Violation IBC 1011.12 Art. 62 Sec. 30.1 Conformity of Bldg.Alignmnt

**Purpose:** Add interior stair and roof deck.

**Reason for Prior Deferral: The applicant requested a deferral to re-notice due to a new violation.**

**Case: BOA-1267825 Address: 295 Webster Street Ward 1 Applicant: Aaron Daigneault**

**Article(s):** Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Add'l Lot Area Insufficient Article 53, Section 56 Off Street Parking & Loading Req - Off Street Parking Insufficient

**Purpose:** Change of occupancy from single family to three family dwelling. Extend living space to basement for additional unit. Renovate and upgrade M.E.P.

**Reason for Prior Deferral: The applicant requested a deferral to allow more time to include information.**

## **HEARINGS: 1:00PM**

**Case: BOA-1466225 Address: 95 Everett Street Ward 22 Applicant: Braintree Street Realty LLC, Michael Blank President**

**Article(s):** Article 51, Section 8 Use: Forbidden – MFR Article 51, Section 8 Use: Forbidden - Local Retail Article 51, Section 57.3 Traffic Visibility Across Corner Article 51, Section 9 Add'l Lot Area Insufficient Article 51, Section 9 Bldg Height Excessive (Stories) Article 51, Section 9 Bldg Height Excessive (Feet) Article 51, Section 9 Usable Open Space Insufficient Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient - Through Lot Bldg Alignment at Blaine St Req'd Art. 51 Sec. 57.2 Exst'g Bldg Algnmnt Conformity Article 51, Section 9 Floor Area Ratio Excessive

**Purpose:** Combine parcel IDs: 2201774000, 2201702000, 2201703000, 220170400, 2201705000, 2201770010, 2201772000, 2201773000. Construct a new 7 Story mixed use building for multifamily dwelling, and ground floor local retail space (core/shell). The proposed development will include 88 units of mixed income housing and 1,200 square feet of local retail space. The site is currently used for surface parking and a 1950s 1 story gym structure.

**Case: BOA-1456857 Address: 93-129 Braintree Street Ward 22 Applicant: Braintree Street Realty LLC**

**Article(s):** Article 51, Section 20 Floor Area Ratio Excessive Article 51, Section 20 Building Height Excessive Article 51, Section 20 Rear Yard Insufficient Article 51, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 51, Section 56 Off Street Loading Insufficient Off Street Parking Insufficient Article 51, Section 19 Use Regulations Office Use Excessive (Exceeds 40% of Gross Floor Area Allowed within Lot)

**Purpose:** Erect 12 story laboratory/ office building with ground floor retail core and shell space and 2 levels of underground parking Permit to raze existing structure to be secured separately.

**Case: BOA-1464921 Address: 79 Aldrich Street Ward 20 Applicant: William Bowler**

**Article(s):** Article 67, Section 9 Front Yard Insufficient Article 67, Section 9 Bldg Height Excessive (Stories)

**Purpose:** Build a third floor dormer addition to add a master bedroom and bathroom.





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**Case: BOA-1455955 Address: 84-86 Sherwood Street Ward 19 Applicant: Dong Keach**

**Article(s):** Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Bldg Height Excessive (Stories) Article 67, Section 9 Rear Yard Insufficient Art. 09 Sec. 01 Extension of Non-Conforming Use  
**Purpose:** Shed Dormer, new architectural shingles, siding on dormer, install 2 sliders and 6 windows, build decks, remove two interior partition walls and install steel beam, renovate kitchens and baths, replace hardwood floors where needed and refinish elsewhere,

**Case: BOA-1474749 Address: 10 Melville Avenue Ward 17 Applicant: Oyere Onuma**

**Article(s):** Art. 65 Sec. 42 Off Street Parking Insufficient - Proposed None Parking space. Article 65, Section 42.13 Two or More Dwellings on Same Lot - Additional Unit in the rear Article 65, Section 9 Rear Yard Insufficient - Required 20 feet. Proposed 10 feet Article 65, Section 9.2 Dim Regs: Location of Main Entrance - Main entrance  
**Purpose:** Salvage and reconstruct collapsing historic carriage house, while relocating it 10' from rear and 10' from side property lines Convert to a new dwelling unit.

**Case: BOA-1448924 Address: 176-176F School Street Ward 11 Applicant: Joseph Federico**

**Article(s):** Art.55 Sec.41 Appl of Dimensional Req. - Conformity with the existing building alignment of other buildings on the block Article 55, Section 8 MFR structures- Forbidden  
**Purpose:** Construct a 7 multifamily unit building with covered and off street parking with access via a proposed private way nominal fee only charged at intake. Existing structure on site to be reviewed and razed on a separately applied for and issued SF demolition permit application.

**Case: BOA- 1474157 Address: 1439 Tremont Street Ward 9 Applicant: George Morancy**

**Article(s):** Art. 59, Section 15 Use: Conditional - Rowhouse - 1st Story Art. 59, Section 15 Use: Conditional - Rowhouse - 2nd story & above Art. 59, Section 15 Use: Conditional - MFR - 1st story Art. 59, Section 37 Off-Street Parking Insufficient Article 59, Section 16 FAR excessive  
**Purpose:** Erect a new 4 story rowhouse multifamily building, containing 6 units with a 4th story front facing terrace and stair tower extending to an unoccupied roof. Existing building to be demolished under separate demo permit.

**Case: BOA-1461338 Address: 219A Leyden Street Ward 1 Applicant: Johnathan Sanchez**

**Article(s):** Art. 53 Sec. 56 Off-St.Parking Requirements - Double park/ the width of parking spaces not meet minimum requirement Article 27T - 5 East Boston IPOD Applicability Article 51, Section 53 Screening & Buffering Req Article 53, Section 56.5(a) Off Street Pkg Maneuverability - Tandem parking Article 53, Section 9 Lot Area Insufficient Article 53, Section 9 Lot Width Insufficient Article 53, Section 9 Lot Frontage Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Front Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient  
**Purpose:** Subdivide parcel number 0101695000. Lot 1 to contain 2,693 s.f. of land Lot 2 to contain 2,534 s.f. of land (See ALT1393168) and erect a two unit dwelling with parking for four vehicles. On lot # 2.

**Case: BOA-1461351 Address: 219 Leyden Street Ward 1 Applicant: Jonathan Sanchez**

**Article(s):** Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Front Yard Insufficient Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Lot Frontage Insufficient Article 53, Section 9 Lot Width Insufficient Article 53, Section 9 Lot Area Insufficient Art.53 Sec.08 Use Forbidden - 4 units Art. 53, Section 56 Off Street Parking Insufficient Article 53 Section 62 Basement units Basement Unit 1A: Forbidden Art.53 Sec. 08 Use: Forbidden - Forbidden parking space Art. 53 Sec. 54 Screening/Buffering - Building closure to the property line Article 27T 5 East Boston IPOD Applicability  
**Purpose:** Erect addition on existing structure, renovate and change occupancy to a four-unit dwelling.



City of Boston  
Board of Appeal

**Case: BOA-1461358 Address: 219 Leyden Street Ward 1 Applicant: Jonathan Sanchez**

**Article(s):** Article 53, Section 9 Lot Width Insufficient Required 40' Article 53, Section 9 Lot Frontage Insufficient Required 40' Article 53, Section 9 Lot Area Insufficient Min. 4000 SF Article 27T – 5 East Boston IPOD  
Applicability Interim planning overlay district

**Purpose:** Subdivide parcel number 0101695000. Lot 1 to contain 2,693 sf. of land Lot 2 to contain 2,534 sf. of land and erect a two unit dwelling on lot 2. "Propose to change from 2 units to 4 units on lot 1."

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

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