



HEARING MINUTES

Revised Agenda

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON JUNE 4, 2024 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS JUNE 4, 2024 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE JUNE 4, 2024 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/ZBAHearings2024>. You may also participate by phone by calling into the Zoom Webinar at (301) 715-8592 and entering the Webinar ID: 819 2218 4516 followed by # when prompted.

If you wish to offer testimony on an appeal, please click <https://bit.ly/June4Comment> 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/June4Comment617-635-4775>, or emailing 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



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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 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 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 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-1163709 Address: 60-84 Saint Botolph Street Ward 4 Applicant: Joe Bamberg

Discussion/Votes: Upon a motion and a second, the Board voted unanimously to grant an extension until June 4, 2024.

Case: BOA-1318050 Address: 90 Braintree Street Ward 22 Applicant: Jared Eigerman, Esq

Discussion/Votes: Upon a motion and a second, the Board voted unanimously to grant an extension until June 4, 2024.

**DISCUSSION OF OPEN MEETING LAW COMPLAINT APRIL 30, 2024 HEARING ON
100 SAINT ALPHONSUS BOA1570022/ERT1559532 APPEAL**

BOARD FINAL ARBITER: 9:30AM

Case: BOA-1332095 Address: 130 Marginal Street Ward 1 Applicant: Matthew Eckel, ESQ

Discussion/Votes: Upon a motion and a second, the Board voted unanimously to approve the BFA request.

**GROUNDWATER CONSERVATION OVERLAY DISTRICT & BUILDING CODE:
9:30AM**

Case: BOA-1576263 Address: 14 Claremont Park Ward 4 Applicant: Joseph Holland

Article(s): Art. 32 Sec. 04 GCOD Applicability- located above fourth story

Purpose: Restore occupancy back to a legal single family. Full gut remodel of existing building, Demo rear addition and parlor balcony, Reconfigure rear of building (no expansion of GSF). reconfigure parlor deck. New fire suppression system. New GCOD system. Install a new roof deck.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy to a one family dwelling, new GCOD system with a full gut remodel.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Barraza moved to approve but the motion didn't carry. Then the Board moved to defer until July 20th which was seconded and carried unanimously.



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Case: BOA#1576262 Address: 14 Claremont Park Ward 4 Applicant: Joseph Holland

Purpose: Restore occupancy back to a legal single family. Full gut remodel of existing building, Demo rear addition and parlor balcony, Reconfigure rear of building (no expansion of GSF). reconfigure parlor deck. New fire suppression system. New GCOD system. Install a new roof deck.

Violation Violation Description Violation Comments

9th Edition 780 CMR CHPT Chapter 10 Section 1011.12.2 ROOF ACCESS /Egress to an 10 occupied roof located above fourth story

Discussion: At the request of the Board, the applicant presented plans to change the occupancy to a one family dwelling, new GCOD system with a full gut remodel.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Barraza moved to approve but the motion didn't carry. Then the Board moved to defer until July 20th which was seconded and carried unanimously.

GROUNDWATER CONSERVATION OVERLAY DISTRICT ONLY: 9:30AM

Case: BOA-1589398 Address: 25 Gove Street Ward 1 Applicant: East Boston Neighborhood Health Center Corporation

Article(s): Art. 32 Sec. 32 4Groundwater Conservation Overlay District, Applicability - GCOD

Purpose: The development includes the demolition of the current residential structure at 25 Gove Street and the reconfiguring of the existing parking lot on 81, 83, 85, 87 Paris Street, and 21 23 Gove Street Parcels to include the 25 Gove Street Parcel. Demolition permit to be applied for separately.

Discussion: At the request of the Board, the applicant presented plans to pave around d neighborhood health

Board members asked about the plans,

Documents/Exhibits: Building Plans

Votes: Board member Whewell moved to approve with BPDA design review to mitigate the surface parking and add buffers, and BWSC review due to its location in GCOD. Valencia seconded and the motion carried unanimously.



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Case: BOA-1576714 Address: 323 Commonwealth Avenue Ward 5 Applicant: 323 Commonwealth Avenue LLC

Article(s): Article 32, Section 4. GCOD, Applicability

Purpose: Change of occupancy from 10 to 2 units. Scope includes framing new floor systems/walls, plumbing, electrical, HVAC, fire protection, fire alarm, elevator for unit 2, board and plaster, tile, hardwood floor, millwork, and painting. No exterior work. No Rebuilding, just occupancy will be changing from 10 units to 2.

Discussion: At the request of the Board, the applicant presented plans to reduce from 10 units to 2 units and not rebuild- only to change the occupancy.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Barraza moved to approve. Stembridge seconded and the motion carried unanimously.

HEARINGS: 9:30AM

Case: BOA-1589719 Address: 66 Homer Street Ward 1 Applicant: Trichilo Development LLC

Article(s): Art. 53, Section 8 - Use: Forbidden Multifamily Dwelling Forbidden Article 53, Section 9Rear Yard Insufficient Article 53, Section 9 Side Yard 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 57.2 Conformity Ex Bldg Alignment Article 53, Section 56.5(a) Off Street Pkg Maneuverability Art. 53, Section 56 Off Street Parking Insufficient

Purpose: Erect a three (3) story, five (5) unit residential dwelling, with five (5) garage parking spaces and two (2) private roof decks. Raze the existing building on a separate permit.

Discussion: At the request of the Board, the applicant presented plans to erect a 3 story 5 unit dwelling with 5 off street parking spaces. A 3 story is in context with the neighborhood. The roof deck height is compliant.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Abutters are in support.

Votes: Board member Barraza moved to approve with BPDA design review with attention to the exterior to work with the massing and its context, and that parking space #5 is eliminated. Stembridge seconded, Whewell opposed and the motion carried 1-5.



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Case: BOA-1563643 Address: 181 Maverick Street Ward 1 Applicant: 91-93 Orleans Street, LLC

Article(s): Article 53, Section 9 Add'l Lot Area Insufficient - You need relief from the BOA for the said violations Article 53, Section 56 Off Street Parking & Loading Req - You need relief from the BOA for the said violations Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Rear Yard Insufficient - You need relief from the BOA for the said violations Art.53 Sec. 08 Use: Forbidden - Art. 27 GE Boston IPOD - Art. 32 Sec. 32 4 Groundwater Conservation Overlay District, Applicability - You need relief from the BOA for the said violations Article 25A Section 4 CFROD Applicability

Purpose: Erect a four (4) story four (4) unit residential dwelling NOMINAL FEE REQUESTED

Discussion: At the request of the Board, the applicant presented plans to erect a new 4 story 4 unit dwelling with no habitable space in the basement. The basement was used for storage only. The new zoning allows for 4 stories or higher on a corner condition.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Barraza moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.

Case: BOA-1589704 Address: 117 Addison Street Ward 1 Applicant: Francis Gomes

Article(s): Art. 53, Section 25 Use: Forbidden - MFR Forbidden Article 53 Section 26 Dimensional Regulations - Rear Yard Insufficient Transitional Zone Article 53, Section 56.5(a) Off Street Pkg Maneuverability Art. 53, Section 56 Off Street Parking Insufficient

Purpose: Erect a 4 story, six (6) unit, residential dwelling with four (4) parking spaces, as per plans. Raze the existing building on a separate permit.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy to add a liquor store inside an already existing store use. Currently has beer and wine, but looking to add hard liquor.

Board members asked about the plans, parking proposal, accessibility

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Coletta is in opposition.

Votes: Board member Barraza moved to approve with the provisos to remove one space, accessible lift for 2 units, and BPDA design review for the overall site plan and increase setbacks to allow for the building to be contextual. Valencia seconded and the motion carried unanimously.



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Case: BOA-1581050 Address: 6 Nearen Row Ward 2 Applicant: Fraser Allan

Article(s): Art. 62 Sec. 25 Roof Structure Restrictions - Roof structure restriction Article 62, Section 8 Rear Yard Insufficient - Rear yard insufficient.

Purpose: Amendment to long form ALT 1526818, proposed dormers

Discussion: At the request of the Board, the applicant presented plans to add two shed dormers on an existing colonial style dwelling that adds bedroom height.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Valencia moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.

Case: BOA-1535146 Address: 23 Clark Street Ward 3 Applicant: Michael DelloRusso

Article(s): Article 54, Section 10 Usable Open Space Insufficient Art. 54 Section 21 Off Street Parking Insufficient

Purpose: Amending ALT1404102. Change of occupancy from nine apartments and store to ten apartments.

Reconfiguration of ground floor to add new unit. New ground floor windows with adjustment to front façade. Fire protection and cost reflected on ALT1404102

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a 9 unit and a store to a 10 unit dwelling.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Whewell moved to approve. Stembridge seconded and the motion carried unanimously.



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Case: BOA-1572734 Address: 36-38 Elm Hill Park Ward 12 Applicant: Mike Loffredo

Article(s): Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Front Yard Insufficient Art. 50, Section 43 Off Street Parking Insufficient

Purpose: New curb cut and driveway. Existing structures remain as is.

Discussion: At the request of the Board, the applicant presented plans to add a curb cut to allow for an off street parking space.

Board members asked about the plans, handicap spot.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Valencia moved to Deny. Whewell seconded, Stembridge was in opposition, and the motion carried 5-1.

Case: BOA-1557204 Address: 26 Winthrop Street Ward 12 Applicant: Mekane Hiwot St. Michael Ethiopian Orthodox Tewahido Church

Article(s): Art. 50 Sec. 44 Dimensional Requirements - Insufficient side yard setback

Purpose: Make a computer room legal. Structure is already built and are trying to get it approved. Clarification: Proposed legalization/Installation of a 377SF (13' x 29') detached accessory building in rear yard for the proposed legal use as an accessory computer room with an 8' 3" ceiling. *Legal use of the main building/Counter#1 CHURCH #ALT1407700/2022

Discussion: At the request of the Board, the applicant presented plans to change the occupancy to add a liquor store inside an already existing store use. Currently has beer and wine, but looking to add hard liquor.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Valencia moved to approve. Stembridge seconded and the motion carried unanimously.



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HEARINGS: 11:00AM

Case: BOA#1565805 Address: 40 Concord Square Ward 4 Applicant: Alpine Advisory Services

Purpose: Change occupancy to two units. Renovate per plans.to include roof deck/ rear decks as per plans

Violation Violation Description Violation Comments

1009.12.1 Roof Access 9th 780 CMR 1011.12.2 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 Exception: In buildings without an occupied roof, access shall be permitted to be a roof hatch or trap door not less than 16 square feet (1.5 m2) in an area and having a minimum dimension of 2 feet

Discussion: At the request of the Board, the applicant presented plans to change the occupancy to two units and add a roof deck and rear decks included.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Barrza moved to approve. Stembridge seconded and the motion carried unanimously.

Case: BOA-1565797 Address: 40 Concord Square Ward 4 Applicant: Alpine Advisory Services

Article(s): Article 64, Section 34 Roof Structure Restrictions Article 64, Section 8 Use: Conditional

Art. 32 Sec. 04 GCOD Applicability

Purpose: Change occupancy to two units. Renovate per plans.to include roof deck/ rear decks as per plans

Discussion: At the request of the Board, the applicant presented plans to change the occupancy to two units and add a roof deck and rear decks included.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Barrza moved to approve. Stembridge seconded and the motion carried unanimously.

Case: BOA-1568134 Address: 283 Longwood Avenue Ward 4 Applicant: Rachel Alexander

Article(s): Art. 08 Sec. 04 Forbidden Use

Purpose: Request to use a drop off shoulder adjacent to the building for food trucks.

Discussion: At the request of the Board, the applicant presented plans to add a food truck

Board members asked about the plans, proposal

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Stembridge moved to approve. Whewell seconded, the motion carried unanimously.



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Case: BOA-1589854 Address: 26 Roseclair Street Ward 7 Applicant: Bond Worthington

Article(s): Article 65, Section 32 Neighborhood Design Overlay Districts Art.65 Sec. 8 Use: Forbidden - Multifamily Article 65, Section 9 Lot Width Insufficient - Min required: 50' Proposed: 44.13' Article 65, Section 9 Lot Frontage Insufficient - Min required: 50' Proposed: 44.13' Article 65, Section 9 Floor Area Ratio Excessive - Max. allowed: 0.5 Existing: 0.77 Proposed: 0.9 Article 65, Section 9 Bldg Height Excessive (Stories) - Max. allowed: 2.5 Existing: 2 Proposed: 3 Article 65, Section 9 Front Yard Insufficient - Min. required: 15' Proposing a 3rd floor front deck. Article 65, Section 9 Side Yard Insufficient - Min. required: 10' Proposed: 8.8' (R) and 5.5' (L) Article 65, Section 39 Screening & Buffering Req - Roof mounted mechanical equipment shall be located in the center of the roof.

Purpose: Convert two family to three family dwelling. Remove existing roof and half story to construct full third floor addition. Remove existing two story rear deck and construct new three story rear deck with exterior stair. New third floor deck facing Roseclair street.

Discussion: At the request of the Board, the applicant presented plans to erect a 2 family on a vacant lot.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services and Councilor Fitzgerald deferred judgement to the Board.

Votes: Board member Barrza moved to approve. Stembridge seconded and the motion carried unanimously.

Case: BOA-1596026 Address: 104 Norwell Street Ward 14 Applicant: Dorchester Design Collaborative-MOH

Article(s): Art. 65 Sec. 08 Forbidden - MFR-Forbidden Art.65 Sec. 42 Two or more dwelling on the same lot - Three proposed/Non-compliant Article 65, Section 41 Off-Street Parking & Loading Req - Insufficient parking Article 65, Section 9 Insufficient lot size -5000sf req./building Article 65, Section 9 Excessive f.a.r- .5 max Article 65, Section 9 Max allowed height has been exceeded -35'max Article 65, Section 9 Insufficient front yard setback -15' min req. Article 65, Section 9 Insufficient side yard setback -10'L/s and 20' R/s required

Purpose: This submission is part of the Welcome Home Boston RFP. We have combined lots 104,106, and 108 Norwell St. Please reference ALT1567565 for the lot consolidation application. On the combined lots we will build three separate buildings that each have 4 residential units.

Discussion: The applicant requested a deferral to modify the plans.

Votes: Upon a motion and a second the Board moved to defer until July 16th, 2024.

Case: BOA-1596034 Address: 108 Norwell Street Ward 14 Applicant: Dorchester Design Collaborative-MOH

Article(s): Art. 65 Sec. 41 - Off street parking requirements Insufficient parking Art. 65 Sec. 08 Forbidden - MFR forbidden Article 65, Section 42 Application of Dimensional Req - Two or more dwellings on one lot Art. 65 Sec. 9 Residential Dimensional Reg.s - Insufficient lot size Art. 65 Sec. 9 Residential Dimensional Reg.s - Excessive f.a.r. Article 65, Section 9 Dimensional Regulations - max height exceeded Art. 65 Sec. 9 Residential Dimensional Reg.s - Insufficient front yard setback Art. 65 Sec. 9 Residential Dimensional Reg.s - Insufficient side yard setback

Purpose: This application is part of Welcome Home Boston's Affordable housing development. We are building (3) 4 unit buildings on (3) adjacent lots. Please file this ERT in conjunction with ERT1567569, ERT1595579, and ALT1567565. Please use documents filed with ERT1567569 as part of this application.

Discussion: The applicant requested a deferral to modify the plans.

Votes: Upon a motion and a second the Board moved to defer until July 16th, 2024.



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Case: BOA-1596032 Address: 106 Norwell Street Ward 14 Applicant: Dorchester Design Collaborative-MOH
Article(s): Art. 65 Sec. 08 Forbidden - MFR Forbidden Article 65, Section 42 Application of Dimensional Req - Two or more dwellings on one lot Art. 65 Sec. 41 Off street parking requirements - Insufficient parking Art. 65 Sec. 9 Residential Dimensional Reg.s - Insufficient lot size Art. 65 Sec. 9 Residential Dimensional Reg.s - Excessive f.a.r. Art. 65 Sec. 9 Residential Dimensional Reg.s - Max height exceeded Art. 65 Sec. 9 Residential Dimensional Reg.s - Insufficient front yard setback Art. 65 Sec. 9 Residential Dimensional Reg.s - Insufficient side yard setback

Purpose: This application is part of Welcome Home Boston's affordable housing program. We are building (3) 4 unit buildings on (3) adjacent lots. This application is filed in conjunction with ERT1567569 and ALT1567565. Please use documents uploaded with ERT1567569.

Discussion: The applicant requested a deferral to modify the plans.

Votes: Upon a motion and a second the Board moved to defer until July 16th, 2024.

Case: BOA-1592271 Address: 120-124 Babson Street Ward 18 Applicant: James Christopher

Article(s): Article 60, Section 9 Rear Yard Insufficient - Required 30 feet. Proposed 22'-3"

Purpose: Applicant seeks to subdivide the existing 55, 854 lot into two new lots LOT A will consist of 43,704 SF and include the existing building on 120 Babson St. LOT B 43 47 Fremont St will consist of 12,150 SF

Discussion: At the request of the Board, the applicant presented plans to erect a 2 family on a vacant lot.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services and Councilor Fitzgerald deferred judgement to the Board.

Votes: Board member Barrza moved to approve. Stembridge seconded and the motion carried unanimously.

Case: BOA-1572056 Address: 91 Radcliffe Road Ward 18 Applicant: Angelo Scippa

Article(s): Article 69, Section 9 Lot Width Insufficient Article 69, Section 9 Floor Area Ratio Excessive

Article 69, Section 9 Usable Open Space Insufficient Article 69, Section 9 Front Yard Insufficient Article 69, Section 9

Side Yard Insufficient Article 69, Section 9 Rear Yard Insufficient Article 69, Section 9 Lot Area Insufficient

Article 69 Section 29 Off Street Parking & Loading Req

Purpose: Erect a two family dwelling on a vacant lot.

Discussion: The applicant requested a deferral.

Votes: Upon a motion and a second the Board moved to defer until July 30th, 2024.



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Case: BOA-1582882 Address: 305 Chestnut Avenue Ward 19 Applicant: Colm O'Shea

Article(s): Article 55 Sect 40 Off Street Parking & Loading Req - Basement units are forbidden in the basement
Article 55, Section 9 Floor Area Ratio Excessive - Basement units are forbidden in the basement Art. 55, Section 8 Use:
Forbidden - Basement units are forbidden in the basement Art. 55, Section 8 Use: Forbidden - Multifamily is a forbidden
use

Purpose: Change of occupancy from two family dwelling to six (6) residential units & 6 parking spaces. Right side,
rear addition approx. 15' x 38' 3", 2.5 stories infill rear left corner approx. 10' 6" x 8' 2". Add 3 gable dormers on left side
11' wide, large gable dormer on right side 30' 3" wide. Nominal fee requested, ZBA required

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a 2
family to a 6 family residential unit and add dormers and increase the height in the rear with 6 off street
parking spaces. Abutting dwellings are longer.

Board members asked about the plans, proposal, context, basement,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Abutters are in
opposition.

Votes: Board member Stembridge moved to approve. The motion was seconded by Langham and approved
unanimously.

RE-DISCUSSIONS: 11:30 AM

Case: BOA-1304433 Address: 10 Thompson Square Ward 2 Applicant: Sing Ming Chan

Article(s): Art. 62 Sec. 14 Usable open space insufficient Article 62, Section 14 Excessive f.a.r.
Article 62, Section 14 Excessive height Article 62, Section 14 Insufficient rear yard setback Article 62, Section 29 Off-
Street Loading Insufficient - None proposed Art. 62 Sec. 62-29 Off street parking requirements - None proposed

Purpose: Erect a new mixed use building with commercial space (RETAIL) on first floor and 12 dwelling units above.
Existing building to be razed under separate permit. *4.10.23: Reduced project scope at ZBA to 12 units and 4 stories

Reason for Prior Deferral: To continue community process

Discussion: The applicant requested a deferral to look at the plans.

Votes: Upon a motion and a second the Board moved to defer until August 27th, 2024.



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Case: BOA-1341015 Address: 146 M Street Ward 6 Applicant: Samuel Sterling

Article(s): Art 68 Sec 29 Roof Structure Restrictions - Roof deck is more than 1 foot above the highest point of roof. Article 68, Section 8 Bldg Height Excessive (Feet) - Max. allowed: 40' Proposed roof deck exceeds it. Article 68, Section 8 Rear Yard Insufficient - Min. requested: 20' Proposed stair at 14'

Purpose: Add roof deck and stair for exclusive use of unit 3.

Reason for Prior Deferral: The applicant requested a deferral to meet with the community.

Discussion: At the request of the Board, the applicant presented plans to add a private roof deck for the exclusive use of the 3rd unit

Board members asked about the plans, proposal

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Coletta is in support of the proposal. Councilor Flynn is in opposition. The City Point association is in support,

Votes: Board member Stembridge moved to approve. The motion was seconded by Valencia and approved unanimously.

Case: BOA-1563584 Address: 2 Hillsboro Street Ward 7 Applicant: Brian Goldson-MOH

Article(s): Art. 65 Sec. 08 Forbidden - MFR use- Forbidden Art. 65 Sec. 08 Forbidden - Basement units Art. 65 Sec. 08 Forbidden - Accessory use parking Art. 65 Sec. 41 Off street parking requirements - Proposed parking in front yard and area >10' Art. 65 Sec. 41 Off street parking requirements - Insufficient parking per Article 65 Zoning regulation Art. 65 Sec. 41 Off-St. Loading Req'mnts - No loading bay area proposed Art. 65 Sec. 9 Residential Dimensional Reg. - Excessive f.a.r Art. 65 Sec. 9 Residential Dimensional Reg. - # of allowed stories has been exceeded Art. 65 Sec. 9 Residential Dimensional Reg. - # of allowed stories has been exceeded Art. 65 Sec. 9 Residential Dimensional Reg. - Lot frontage width Art. 65 Sec. 9 Residential Dimensional Reg. - Rear yard max occupancy >25% requested Art.65 Sec. 42 Appl of Dimensional Reqs - Accessory building Insufficient rear yard setback Article 65, Section 42 Application of Dimensional Req - 4) front wall of building not parallel < 3/4 of required front yard depth Article 65, Section 8 Use Regulations - Artist use -Forbidden

Purpose: MOH PROJECT Construct a new five story residential building on a parcel created by combining parcels 0703656000 and 0703657000. Building consists of a total of 21 affordable, residential, home ownership units. Six parking spaces will be provided. No loading area will be provided. Zoning relief will be required. (1.9.2024 Updated scope of work to include, Industrial Use: Artist Mixed Use/18 of the 21 units preference for CITY certified artists)

Discussion: At the request of the Board, the applicant presented plans to add 21 affordable units that are MBTA accessible and 100% electric.

Board members asked about the plans, proposal

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Fitzgerald is in support of the proposal.

Votes: Board member Stembridge moved to approve. The motion was seconded by Langham and approved unanimously.



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Case: BOA-1515203 Address: 40-42 Temple Street Ward 17 Applicant: Hau Thi Minh Nguyen

Article(s): Art.65 Sec. 8 Use: Forbidden - Townhouse Forbidden Art.65 Sec. 8 Use: Forbidden - MFR Forbidden Article 65, Section 9.2 Dim Regs: Location of Main Entrance Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 42.2 Conformity w Ex Bldg Alignment Art. 10 Sec. 01 Limitation of off street parking areas Parking less than 5ft from side lot line

Purpose: Construct a 3 story attached Five Unit Townhouse. Building to have side porches and will be fully sprinklered. The lot will have 5 new on grade parking spaces at rear and 5 garages (one for each townhouse). Demolish existing Two family building and Single family building on lot (Raze on a separate permits). This lot to be known as 40 46B Temple Street.

Discussion: The applicant requested a deferral to work with the local associations.

Votes: Upon a motion and a second the Board moved to defer until August 13, 2024.

Case: BOA- 1538686 Address: 86 Astoria Street Ward 18 Applicant: Natalyn Francis

Article(s): Article 60, Section 8 Use: Forbidden - Basement Unit Forbidden Article 60, Section 9.3Dim Regs: Location of Main Entrance - Basement unit Article 60, Section 9 Rear Yard Insufficient Article 60, Section 9Floor Area Ratio Excessive Article 60, Section 9 Usable Open Space Insufficient

Purpose: Correct Violations V582833 and V582855. Renovate and reconfigure existing 3 family with addition & extension of living space to attic & basement. Scope includes relocating 3rd unit (previously at second story) to the basement; extending living space. Renovate basement into habitable space as the 3rd unit & renovate attic. Also, enclose rear porches and provide a 2 story addition to the rear, per attached plans. FA/FP included.

Discussion: The applicant requested a deferral to meet with the community.

Votes: Upon a motion and a second the Board moved to defer until July 30th, 2024.

Case: BOA-#1538740 Address: 86 Astoria Street Ward 18 Applicant: Natalyn Francis

Violations V582833 and V582855. Renovate and reconfigure existing 3 family with addition & extension of living space to attic & basement. Scope includes relocating 3rd unit (previously at second story) to the basement; extending living space. Renovate basement into habitable space as the 3rd unit & renovates attic. Also, enclose rear porches and provide a 2 story addition to the rear, per attached plans. FA/FP included Violation Violation Description Violation Comments 9th 780 CMR 1007Exit and Exit Access Doorway Configuration1007.1.1 Two exits or exit access doorways. Where two exits, exit access doorways, exit access stairways or ramps, or any combination thereof, are required from any portion of the exit access, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between them. Interlocking or scissor stairways shall be counted as one exit stairway. [Basement unit with less than half the required exit separation; only a NFPA 13D sprinkler system provided] 9th 780 CMR 1028 Exit Discharge1028.5 Access to a public way. The exit discharge shall provide a direct and unobstructed access to a public way. [Main entry encroaching onto driveway, not providing a dedicated 36" wide obstructed path to the public way.]

Discussion: The applicant requested a deferral to work with the local associations.

Votes: Upon a motion and a second the Board moved to defer until August 13, 2024.



City of Boston
Board of Appeal

HEARINGS: 1:00PM

Case: BOA-1578504 Address: 217 Paris Street Ward 1 Applicant: Marco Castro

Article(s): Art. 53 Sec. 52 Roof structure restrictions Article 53, Section 9 Bldg Height Excessive (Feet)
Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg.

Purpose: Seeking to erect a roof deck. Roof deck to be accessed by internal stairs and hatch.

Discussion: At the request of the Board, the applicant presented plans to erect a 16x16 deck with internal stair access for a roof deck with a hatch included.

Board members asked about the plans, proposal

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Coletta is in support of the proposal.

Votes: Board member Stembridge moved to approve. The motion was seconded and approved unanimously.

Case: BOA-#1578505 Address: 217 Paris Street Ward 1 Applicant: Marco Castro

Purpose: Seeking to erect a roof deck. Roof deck to be accessed by internal stairs and hatch

Violation Violation Description Violation Comments

9th 780 CMR 1011 Stairways 1011.12.2 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 [Hatches provided in lieu of penthouses]

Discussion: At the request of the Board, the applicant presented plans to erect a 16x16 deck with internal stair access for a roof deck with a hatch included.

Board members asked about the plans, proposal

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Coletta is in support of the proposal.

Votes: Board member Stembridge moved to approve. The motion was seconded and approved unanimously.



City of Boston
Board of Appeal

Case: BOA-1584736 Address: 7-13 Faunce Road Ward 18 Applicant: Sam Shoneye

Article(s): Article 60, Section 8 Use: Forbidden - MFR is forbidden in a 2F 6000 sub district Article 60, Section 9 Floor Area Ratio Excessive Article 60, Section 9 Bldg Height Excessive (Stories) Article 60, Section 9 Usable Open Space Insufficient Article 60, Section 9 Front Yard Insufficient Article 60, Section 9 Side Yard Insufficient Article 60, Section 9 Rear Yard Insufficient Article 60, Section 9.3Dim Regs: Location of Main Entrance

Purpose: Demolish existing structure, erect nine (9) townhouse style residential units with nine parking spaces.

Discussion: At the request of the Board, the applicant presented plans to erect a 9 unit dwelling with 9 off-street parking spaces and raze what is currently there. These will be townhouse style dwellings. The Board noted that the variances were excessive.

Board members asked about the plans, proposal

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Whewell moved to deny without prejudice. The motion was seconded and approved unanimously.

Case: BOA-1581075 Address: 21 Holbrook Street Ward 19 Applicant: Laureen Sena

Article(s): Article 9 Section 1 Extension of Nonconforming Use Article 55, Section 9 Side Yard Insufficient Article 55, Section 9 Bldg Height Excessive (Stories) Article 55, Section 9 Bldg Height Excessive (Feet) Article 55, Section 9 Floor Area Ratio Excessive

Purpose: Unit #3: Extension of living space into attic which includes the addition of a roof dormer to accommodate a family room, bathroom, laundry room, and stairs; refer to plans.

Discussion: At the request of the Board, the applicant presented plans to remove the dormer on the right hand side of the property and add a closet, gym space, bathroom and family room.

Board members asked about the plans, proposal

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Coletta is in support of the proposal.

Votes: Board member Valencia moved to approve. The motion was seconded and approved unanimously.



City of Boston
Board of Appeal

Case: BOA-1590418 Address: 358 Chestnut Hill Avenue Ward 21 Applicant: Josh Fetterman

Article(s): Article 51, Section 16 Use Regulations - Multi family Dwelling (Bsmt. & First Story) Conditional Article 51, Section 17 Dimensional Regulations - Floor Area Ratio Excessive Article 51, Section 17 Dimensional Regulations - Usable Open Space Insufficient Art. 51.52 Specific Design Requirements - 51 52.1 Street Wall Continuity in Neighborhood Business Subdistricts Article 51, Section 56 Off Street Parking Insufficient Article 51, Section 56 Off Street Loading Insufficient Art.51 Sec.56 Off St Parking Design - 51 56 .5(a) (Tandem Parking) Maneuvering areas

Purpose: NEW CONSTRUCTION OF A SIX (6) STORY BUILDING WITH THIRTY (30) DWELLING UNITS, GROUND FLOOR LOCAL RETAIL (CORE/SHELL), AND NINETEEN (19) REAR GROUND PARKING SPACES. PROPOSED STRUCTURE TO BE WITHIN THE EXISTING BUILDING'S FOOTPRINT. SEPARATE PERMIT TO BE FILED FOR THE DEMOLITION OF EXISTING BUILDING.

Discussion: At the request of the Board, the applicant presented plans to erect a 6 story mixed use dwelling with 30 dwelling units and ground floor retail and enlarge the rear green space. MBTA accessible with 5 IDP units. No tandem parking ,19 accessory parking spaces.

Board members asked about the plans, proposal

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Coletta is in support of the proposal. The BAIA, abutters and carpenter's union are in support.

Votes: Board member Whewell moved to approve. The motion was seconded and approved unanimously.



City of Boston
Board of Appeal

STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775

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SUBSTITUTE MEMBERS:

ALAA MUKAHHAL

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