



City of Boston  
Board of Appeal

**RECEIVED**

*By City Clerk at 11:10 am, Apr 02, 2025*

**Tuesday, April 8, 2025**

**BOARD OF APPEALS**

**City Hall Room 801**

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### **HEARING AGENDA**

**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON April 8, 2025 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS APRIL 8, 2025 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

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

**THE April 8, 2025 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/ZBATuesHearings2025>. You may also participate by phone by calling into the Zoom Webinar at (301) 715 8592 and entering the Webinar ID: 857 3265 6216 followed by # when prompted.**

**If you wish to offer testimony on an appeal, please click <https://bit.ly/April82025ZBA> 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/April82025ZBA> 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- 1359819 Address: 21 Capen Street Ward 17 Applicant: Jeanette Reynosa**

**Case: BOA-1255410 Address: 19 Bennington Street Ward 1 Applicant: Michael Ford**

**Case: BOA-1426452 Address: 68 Terrace Street Ward 10 Applicant: Michael P. Ross, ESQ**

**Case: BOA- 1419403 Address: 5 Nancia Street Ward 1 Applicant: Derric Small, ESQ**

**Case: BOA-1419403 Address: 127 Saint Andrew Road Ward 1 Applicant: Derric Small, ESQ**

**Case: BOA- 768729 Address: 79-89 West Broadway Ward 6 Applicant: Derric Small, ESQ**

**Case: BOA- 1434919 Address: 122 Saratoga Street Ward 1 Applicant: Richard Lynds, ESQ**

**Case: BOA- 1383661 Address: 329-329A Columbus Avenue Ward 4 Applicant: Michael P. Ross, ESQ**

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

**Case: BOA- 667111 Address: 151 Liverpool Street Ward 1 Applicant: City Point Liverpool, LLC**

**Case: BOA- 1279801 Address: 120 Braintree Street Ward 22 Applicant: Nicholas Zozula, ESQ**

**HEARINGS: 9:30AM**

**Case: BOA- 1691234 Address: 9 Oak Square Avenue Ward 22 Applicant: George Morancy, ESQ**

**Article(s)** Art. 09 Sec. 02 Nonconforming Use Change Change in a nonconforming use >25% -Forbidden  
Art. 51 Sec. 08 Use Regulations MFR use- Forbidden Art. 51 Sec. 08 Use Regulations Basement unit forbidden Art. 51  
Sec. 09 Dimensional Regulations Insufficient front yard setback Art. 51 Sec. 09 Dimensional Regulations  
Insufficient side yard setback

**Purpose:** Renovate and extend existing 4-unit dwelling building and change legal occupancy to 6 dwelling units, with 6  
standard accessory off-street parking spaces at grade plus one van-accessible ADA space

**Case: BOA- 1690509 Address: 23-25 N Beacon Street Ward 22 Applicant: Nora LLC-ARTICLE 80**

**Article(s)** Article 51, Section 8 Use: Forbidden Multi Family Dwelling Forbidden Article 51 Section 9.4 Dim Reg:  
Location of Main Entrance Units 101 & 102 Article 51, Section 9 Add'l 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 Usable Open Space Insufficient Article 51, Section 9 Side Yard Insufficient Article 51,  
Section 57.2 Conformity Exist Bldg Alignment Article 51, Section 56 Off Street Parking Insufficient

**Purpose:** ERECT A SIX (6) STORY MULTI FAMILY BUILDING WITH TWENTY FIVE (25) DWELLING UNITS.  
THE GROUND FLOOR WILL CONTAIN A RESIDENTIAL LOBBY WITH OPEN WORK AREA AND MAIL  
ROOM, BIKE STORAGE ROOM, TRASH AND UTILITY SPACES AND TWO (2) DWELLING UNITS WITH  
PRIVATE EXTERIOR SIDE ENTRIES. THE PROJECT WILL INCLUDE ZERO (0) PARKING SPACES, AN OFF  
STREET VEHICLE TURNAROUND AREA (LOADING) AND THIRTY (30) SECURE AND VISITOR BIKE  
PARKING SPACES. DEMOLISH AN EXISTING THREE (3) STORY MULTI FAMILY BUILDING ON  
SEPARATE PERMIT.



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**Case: BOA- 1691967 Address: 434 Washington Street Ward 22 Applicant: Peninsula Capital Group LLC-  
ARTICLE 80**

**Article(s)** Article 51 Section 17 Dimensional Regulations Max. f.a.r. allowed has been exceeded Article 51 Section 17 Dimensional RegulationsMax allowed building height has been exceeded Article 51 Section 17Dimensional Regulations Insufficient open space/ dwelling unit Article 51 Section 17 Dimensional RegulationsInsufficient side yard setback where the parcel abuts a residential sub district Article 51 Section 17 Dimensional RegulationsInsufficient rear yard setback ARTICLE 51 ALLSTON BRIGHTONSection 52.1 Street Wall Continuity; street Modal NEIGHBORHOOD DISTRICT Alignment not met (i.e. Insufficient front yard setback) Art.51 Sec.53Screening & Buffering Req None proposed Art.51 Sec.56 Off St Parking DesignDesign/ free Maneuvering areas (Automated parking conveyor/stacker system) Article 51, Section 56 Off Street Parking Insufficient

**Purpose:** To erect a four story mixed use structure with eighteen dwelling units and one ground floor retail space, and an enclosed garage with eleven off street parking spaces in a semi automated stacker system.

**Case: BOA- 1677709 Address: 50 Bradeen Street Ward 19 Applicant: John Walsh**

**Article(s)** Article 67 Section 32 Off-Street Parking & Loading Req Insufficient parking per # of units Article 67 Section 33 Application of Dimensional Req Insufficient rear yard setback of shallow lot -32' required Article 67, Section 9 Lot Area Insufficient 4,000sf min required Article 67, Section 9 Add'l Lot Area Insufficient 2,000sf/unit required Article 67, Section 9 Floor Area Ratio Excessive .8 max Article 67, Section 9 Usable Open Space Insufficient 800sf/unit required Article 67, Section 9 Side Yard Insufficient 10' required

**Purpose:** Construct three family dwelling at 50 Bradeen Street

**Case: BOA- 1654474 Address: 36-38 Wyvern Street Ward 19 Applicant: Andry Rezende**

**Article(s)** Article 55, Section 9 Front Yard Insufficient Article 55, Section 9 Rear Yard Insufficient Article 55, Section 9 Bldg Height Excessive (Stories)

**Purpose:** Finish attic and add master bedroom, full bathroom and utility closet. Frame 2 new dormers

**Case: BOA-1659168 Address: 312 Talbot Avenue Ward 17 Applicant: DeFarias Investments LLC**

**Article(s)** Article 65 Section 7 Establishment of Res SubdistrictsApplicant will need to seek relief for the use of a FOUR Family to be located in a Three family zone. Art. 65 Sec. 08 ForbiddenApplicant will need to seek relief for the proposed basement unit of the proposed Four family. Article 65, Section 9 Lot Area InsufficientThe applicant will need to seek relief for the lot area being insufficient 4474 SF, not the required 6000 SF.Article 65, Section 9 Lot Width Insufficient The applicant will need to seek relief for insufficient lot width, required to be 50' (feet).Article 65, Section 9 Floor Area Ratio ExcessiveThe applicant will need to seek relief for an excessive Floor Area Ratio (F.A.R.) of 1.07, required to have 0.4.Article 65, Section 9 Bldg Height Excessive (Stories)The applicant will need to seek relief for excessive story height of 3, required to have 2.5 stories.Article 65, Section 9 Front Yard InsufficientThe applicant will need to seek relief for the required front yard set back of 15' (feet). Article 65, Section 9 Side Yard Insufficient The applicant will need to seek relief for the required side yard setback of 10' (feet). Article 65, Section 39Screening & Buffering Req The applicant will need to seek relief for screening & buffering of the proposed parking via an easement for 29 Southern AVE.Art. 65 Sec. 41 Off street parking requirementsThe applicant will need to seek relief for the required number of parking spaces. The submitted plan shows only two spaces not the required five as required for 312 Talbot AVE. The applicant will need to file for an ALTERATION PERMIT for the proposed easement for parking of four vehicles at 29 Southern AVE.

**Purpose:** Construction of new four family residential building.

**Case: BOA- 1690119 Address: 11 Capen Street Ward 17 Applicant: Welcome Home, Boston Phase II-  
Capen/Norfolk-MOH**

**Article(s)** Art. 65 Sec. 08 Forbidden MFR use Forbidden Art. 65 Sec. 41Off street parking requirements Insufficient parking Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Lot Area Insufficient Article 65, Section 9Dimensional Regulations Number of allowed stories has been exceeded

**Purpose:** MOH New 3 story residential building containing 6 dwelling units with shared parking on site (6) spaces. This Building C is associated with ERT 1653827 (270 Norfolk St) and ERT 1653828 (262 Norfolk St). This project is an MOH Welcome Home Boston project.



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**Case: BOA- 1690082 Address: 270 Norfolk Street Ward 17 Applicant: Welcome Home, Boston Phase II- Capen/Norfolk-MOH**

**Article(s)** Art. 65 Sec. 08 Forbidden MFR use forbidden Article 65, Section 9 Dimensional Regulations Insufficient lot size Article 65, Section 9 Dimensional Regulations Insufficient lot width 50' req. Art. 65 Sec. 9 Residential Dimensional Reg.s Insufficient lot width frontage 50' req. Article 65, Section 9 Dimensional Regulations Excessive f.a.r. Article 65, Section 9 Dimensional Regulations Number of allowed stories has been exceeded Article 65, Section 9 Dimensional Regulations Insufficient front yard setback Article 65, Section 9 Dimensional Regulations Insufficient side yard setback Article 65, Section 9 Dimensional Regulations Insufficient rear yard setback Article 65, Section 41 Off Street Parking & Loading Req Insufficient parking Article 65, Section 41 Off Street Parking Regulations Insufficient clear access and maneuvering areas on own lot. (note: Access via 11 Capen street with no easment or right of way shown on Stamped land survey.)

**Purpose:** MOH New 3 story residential building with 6 dwelling units with shared parking onsite. This building A is associated with ERT for 262 Norfolk Street and ERT for 11 Capen Street. This permit application is part of the MOH Welcome Home Boston project.

**Case: BOA- 1690111 Address: 262 Norfolk Street Ward 17 Applicant: Welcome Home, Boston Phase II- Capen/Norfolk-MOH**

**Article(s)** Art. 65 Sec. 41 Off street parking requirements Insufficient parking Art. 65 Sec. 41 Off street parking requirements Design: Access and maneuvering areas on own lot Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Rear Yard Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Dimensional Regulations # of allowed stories exceeded

**Purpose:** MOH New 3 story residential building containing 2 dwelling units with shared parking on site (6) parking spaces. This building B is associated with ERT 1653827 (270 Norfolk St) and ERT for 11 Capen St. This project is an MOH Welcome Home Boston project.

**Case: BOA-1631598 Address: 32 Dewey Street Ward 13 Applicant: Vernon Woodworth**

**Article(s)** Article 50, Section 29 Lot Area Insufficient Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Lot Width Insufficient Article 50, Section 29 Lot Frontage Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Front Yard Insufficient Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Rear Yard Insufficient Article 50, Section 43 Off Street Parking & Loading Req Off street parking is insufficient 3 spaces are required and only 2 are provided

**Purpose :** New 3 family. Nominal fee requested pending ZBA approval.

**Case: BOA- 1631601 Address: 34 Dewey Street Ward 13 Applicant: Vernon Woodworth**

**Article(s)** Article 50, Section 29 Lot Area Insufficient Article 50, Section 29 Lot Width Insufficient Article 50, Section 29 Lot Frontage Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Front Yard Insufficient Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Rear Yard Insufficient Article 50, Section 43 Off Street Parking & Loading Req Off street parking is insufficient. 2 spaces are required and none are provided

**Purpose:** New 2 family. Nominal fee requested pending ZBA approval.





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**Case: BOA- 1644751 Address: 5 Lark Street Ward 7 Applicant: Timothy Burke**

**Article(s)** Art 68 Sec 29 Roof Structure Restrictions Max pre-existing allowed height on parcel exceeded-Two stories existing Art 68 Sec 8 Dim reg app in res sub dist Insufficient lot size -2000sf min. req Art 68 Sec 8 Dim reg app in res sub dist Insufficient additional lot area per unit - 1000sf/unit req. Art 68 Sec 8 Dim reg app in res sub dist Excessive f.a.r. -2.0 max allowed Art 68 Sec 8 Dim reg app in res sub dist Insufficient open space- 200sf/dwelling unit req. Art. 68 Sec. 33 Off Street parking Req. Design: Location, design and clear maneuvering areas Art.68 Sec. 34 Appl. of Dim. Reqs. Insufficient rear yard setback on shallow lot -15' min setback req. (2.5.25 revised BOA set reviewed) Article 68, Section 33 Off-Street Parking & Loading Req Insufficient minimum access drive width- 10' req. Article 68, Section 33 Off-Street Parking & Loading Req insufficient parking

**Purpose:** 2.5.25 SCOPE OF WORK MODIFIED AT BOA: Demolish an existing house and construct a new four story building with three dwelling units as shown on the drawings with three off street parking spaces with zero setback with roof deck removed from project.

**Case: BOA- 1688563 Address: 15 Cawfield Street Ward 7 Applicant: Vazberg Properties**

**Article(s)** Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient Article 65, Section 9 Bldg Height Excessive (Feet) Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Area Insufficient Art. 65 Sec. 60 37Off Street parking insufficient

**Purpose:** To erect a three story rear addition to the existing three family dwelling

**Case: BOA- 1692919 Address: 36-42 West Broadway Ward 6 Applicant: 32-42 West Broadway Realty Trust**

**Article(s)** Article 68, Section 7 Use Regulations-Proposed light manufacturing use on the 2nd floor is forbidden under Article 68, Section 7, Table A. Proposed professional office space on the 3rd floor is forbidden under Article 68, Section 7, Table A. Per footnote 1, professional office space is only permitted on the ground floor or in a basement with a separate entrance.

**Purpose:** Confirm occupancy of light manufacture on second floor .36 West Broadway, 3rd floor, current use Yoga Studio, proposed use professional Office.

**Case: BOA- 1694094 Address: 457-469A West Broadway Ward 6 Applicant: Sean George**

**Article(s)** Art.68 Sec.13 Use Regs.Restaurant with take out use is conditional

**Purpose:** Full Interior Fit out of 457 469A West Broadway to build out a Anna's Taqueria (Restaurant) With Takeout. Space is currently vacant and the Use is conditional so ZBA is required. Operating Hours 10AM 10PM (7 days) No Alcohol.

**Case: BOA-1689340 Address: 230 Marlborough Street Ward 5 Applicant: Austin Roberts Construction**

**Article(s)** Article 13, Section 1 Rear Yard Insufficient

**Purpose :** Construct a roof deck with wood framed masonry walls on top of existing Garden Level roof structure. Replace existing window with door for roof deck access.

**Case: BOA-1556711 Address: 138 Arlington Street Ward 5 Applicant: Lawrence DiCara**

**Article(s)**Art. 32 Sec. 32 4Groundwater Conservation Overlay District, Applicability Art. 25 Sec. 5Flood Hazard Districts Art. 63, Section 8 Dimensional RegulationsFront door shall face the front lot line. Art. 63, Section 8 Dimensional RegulationsLot width minimum required: 15' Proposed: 14.6' for Melrose St. Art. 63, Section 8 Dimensional RegulationsLot frontage minimum required: 15' Proposed: 14.6' for Melrose St. Article 63, Section 8 Floor Area Ratio Excessive Max. allowed: 2 Proposed: 4.05Article 63, Section 8 Bldg Height Excessive (Stories) Max. allowed: 3 Proposed: 4 Article 63, Section 8 Bldg Height Excessive (Feet)Max. allowed: 35' Proposed: 40' Article 63, Section 8 Usable Open Space InsufficientMin. required: 150 sqft Proposed: 40 sqft (roof deck) Article 63, Section 8 Rear Yard Insufficient Min. required: 12' Proposed: 0' Art. 63, Section 25Applications of dimensional requirements 63.25.2 Traffic visibility across corner lot.

**Purpose :** Permit to erect one family home. Separate demolition permit to be filed to demo existing structure



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**Case: BOA-1674746 Address: 33-41 West Street Ward 3 Applicant: ETR 33 West LLC**

**Article(s)** Article 38, Section 18 Use Regulations Escape room/Puzzle room use forbidden

**Purpose:** Change occupancy to include "escape room" on the second and third floors per plans.

**Case: BOA- 1656048 Address: 255 Webster Street Ward 1 Applicant: Steven Leaf**

**Article(s)** ARTICLE 53; SECTION 53 5Dimensional Regulations (Table F) Minimum Side Yard

**Purpose:** building a dormer at the front side of the house to extend living space

**HEARINGS: 11:00 AM**

**Case: BOA- 1640127 Address: 517-519 Metropolitan Avenue Ward 19 Applicant: Matthew Mueller**

**Article(s)** Art. 69 Sec. 29.4 Off-St.Prk'g:Location parking spaces located on the side shall be separated 5 feet from the side lot line. Art. 69 Sec. 30.1 Bldg.Alignmnt Conformity Street modal calculation not provided to verify its compliance.

Art. 69 Sec. 9 Location of Main Entrance Entrances shall face front lot line Article 69 Section 29 Off-Street Parking & Loading Req Insufficient parking spaces. Required: 12 Proposed: 11 Article 69, Section 8 Use: Forbidden

Multifamily use Article 69, Section 9 Floor Area Ratio Excessive Max. allowed: 0.5 Proposed: .77 Article 69, Section 9

Bldg Height Excessive (Stories) Max. allowed: 2.5 Proposed: 3 Article 69, Section 9 Usable Open Space Insufficient

Min. required: 10,800 sqft Article 69, Section 9 Front Yard Insufficient Min. required: 25' Proposed: 15' Article 69,

Section 9 Rear Yard Insufficient Min. required: 40' Proposed: 19'

**Purpose:** Demolish existing home and build 6 Unit townhouse development with 6 garage parking spaces and 5 on-grade parking spaces.

**Case: BOA-1685237 Address: 25 Denton TE Ward 18 Applicant: Alex Domenighini & Julia Martiz**

**Article(s)** Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Side Yard Insufficient

**Purpose:** Construct a full-length dormer addition to the existing attic of a detached 1-family home. Scope includes renovating the existing finished attic into a master suite and adding a reconstructed stair to the attic from the second floor. No work on the lower floor or change to the building footprint.

**Case: BOA-1674858 Address: 9 Perrin Street Ward 12 Applicant: Eric Zachrison**

**Article(s)** Art. 50 Sec. 29^ Lot Area Insufficient Applicant will need to seek relief for insufficient lot area. Art. 50

Sec. 38 Design Review Applicant will need to seek relief from Neighborhood Design Overlay District. Article 50,

Section 29 Lot Width Insufficient Applicant will need to seek relief for insufficient lot width. Article 50, Section 29

Lot Frontage Insufficient Applicant will need to seek relief for insufficient lot frontage. Article 50, Section 29

Usable Open Space Insufficient Applicant will need to seek relief for insufficient usable open space. Article 50, Section

29 Side Yard Insufficient Applicant will need to seek relief for insufficient side yard setback. Article 50, Section 29

Rear Yard Insufficient Applicant will need to seek relief for insufficient rear yard setback. Article 50, Section 44.13

Two or More Dwellings on Same Lot Applicant will need to seek relief for two dwelling on the same lot.

**Purpose:** Confirm occupancy as existing carriage house and change occupancy to a 2 family. Subdivide lot into 2 lots and renovate as per plans. Nominal Fee requested.

**Case: BOA- 1674857 Address: 93 Moreland Street Ward 12 Applicant: Eric Zachrison**

**Article(s):** Art. 50, Section 28 Use: Conditional Applicant will need to seek relief for change of use from a single

family to a four family . The use of a four family is conditional. Article 50, Section 29 Side Yard Insufficient Applicant

will need to seek relief for insufficient side yard setbacks. Article 50, Section 29 Rear Yard Insufficient Applicant will

need to seek relief for insufficient rear yard setback. Article 50, Section 44.13 Two or More Dwellings on Same Lot

Applicant will need to seek relief for two dwellings units on the same lot (9 Perrin ST).

**Purpose:** Confirm occupancy as a single family and change to a 4 family. Subdivide lot into 2 lots and renovate as per plans. Nominal fee requested.



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**RE-DISCUSSION: 11:30AM**

**Case: BOA- 1564330 Address: 296 Summit Avenue Ward 21 Applicant: Rod Rivera**

**Article(s)** Art. 51 Sec. 08 Use Regulations Proposed Main use Forbidden Art. 51 Sec. 08 Use Regulations Proposed accessory use parking forbidden Art. 51 Sec. 09 Dimensional Regulations Insufficient rear yard setback Art. 51 Sec. 09-Dimensional Regulations Number of allowed habitable stories has been exceeded Art. 51 Sec. 09 Dimensional Regulations Insufficient usable open space per unit Art. 51 Sec. 40 5(a) Off street parking design Clear maneuvering areas Art. 10 Sec. 01 Limitation of parking areas 5' side yard buffer Art. 51 Sec. 09 Dimensional Regulations Insufficient additional lot area per unit Art. 51 Sec. 09 Dimensional Regulations Excessive f.a.r.

**Purpose :** Change Occupancy from a 3 family to a 4 family. Make the Basement into a unit. work to include F/A, Sprinkler, MEP, framing and carpentry PROPOSE 10 9x20 PARKING SPACES IN SIDE AND REAR YARD.

**Case: BOA-1685352 Address: 4471 Washington Street Ward 20 Applicant: Jon Wardwell**

**Article(s)** Art. 67 Sec. 08 Use Regulations Applicable in MFR use - Forbidden Residential Sub Districts Article 67, Section 32 Off-Street Parking Insufficient parking Article 67, Section 9 Dimensional Regulations Insufficient lot area - 8000sf req. Article 67, Section 9 Dimensional Regulations Max allowed F.A.R. exceeded Article 67, Section 9 Dimensional Regulations Max number of stories allowed has been exceeded Article 67, Section 9 Dimensional Regulations Insufficient usable open space per unit Article 67, Section 9 Dimensional Regulations Insufficient rear yard setback

**Purpose :** To erect a new residential building with 8 units and 4 parking spaces

**Case: BOA- 1631614 Address: 679 Cummins Highway Ward 18 Applicant: Jose Valdez**

**Article(s)** Article 60 Section 60-4 - Dim. Regs Applicable in Building lot allowed coverage exceeded- Residential Subdistricts (Table D) 40% max Article 60 Section 60-4 - Dim. Regs Applicable in Permeable Area of Lot minimum insufficient- 25% Residential Subdistricts (Table D) req. Article 60 Section 60-4 - Dim. Regs Applicable in Insufficient side yard setbacks -3' min ,14' cumulative Residential Subdistricts (Table D) Article 60 Section 60-4 - Dim. Regs Applicable in Insufficient rear yard setback -20' min req. Residential Subdistricts (Table D) Article 60 Section 60-4 - Dim. Regs Applicable in \*-#677 Cummins Lot coverage exceeded due to Residential Subdistricts (Table D) reduction of lot size Article 60 Section 60-4 - Dim. Regs Applicable in \*-#677 Cummins insufficient permeable lot area Residential Subdistricts (Table D) due to reduction of lot size Article 60 Section 60-4 - Dim. Regs Applicable in \*-#677 Cummins Insufficient side yard setback Residential Subdistricts (Table D) due to reduction of lots proposed side lot line Location Article 60, Section 60-32 - Off-Street Parking and Loading \*-#677 Insufficient parking Requirements Article 60, Section 60-32 - Off-Street Parking and Loading Insufficient Parking -.75 spaces/ unit required Requirements Article 60, Section 60-32 - Off-Street Parking and Loading LOCATION (4) No parking allowed in a required front yard unless if it is also a side yard to where frontage taken by the parking space does not exceed 10' in width -Article 60, Section 60-33 Special Dimensional Requirements 3) Insufficient front yard setback -10' setback req. For Corner Lots

**Purpose :** Subdivision of existing parcel and create w/ new parcel to have address of 679 Cummins Hwy. This application is for the Erection of new 3-family home with 2 off-street parking spaces & curb cut, basement storage and utilities. 3 bedrooms, 2 bathrooms per unit. Common interior and exterior stairs. Solar-ready.

**Case: BOA-1630352 Address: 77 Bailey Street Ward 17 Applicant: 77 Bailey Street LLC**

**Article(s)** Art. 65 Sec. 41 Off street parking requirements Art. 65 Sec. 65-41.5 Parking Size & Maneuverability Article 65, Section 42.13 Two or More Dwellings on Same Lot Article 65, Section 42.2 Conformity w Ex Bldg Alignment Article 65, Section 8 Use Regulations Multifamily Dwelling - Forbidden Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Bldg Height Excessive (Feet) Article 65, Section Side Yard Insufficient

**Purpose :** Bldg 1 of 2. Erect a 4-Story (3 1/2 per Zoning) multifamily building with six (6) units. Building will have front & rear decks and rear parking spots. We are building two separate (6) unit buildings on the same lot; see ERT1609270 for second building at 79 Bailey St. Demolition of existing building to be filed under a separate permit.





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**Case: BOA- 1632750 Address: 79 Bailey Street Ward 17 Applicant: 77 Bailey Street LLC**

**Article(s)** Art. 65 Sec. 41 Off street parking requirements Art. 65 Sec. 65-41.5 Parking Size & Maneuverability  
Art.65 Sec. 8 Use: Forbidden Multifamily Dwelling - Forbidden Article 65, Section 42.13 Two or More Dwellings on  
Same Lot Article 65, Section 42.2 Conformity w Ex Bldg Alignment Article 65, Section 9 Lot Area Insufficient  
Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9  
Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9  
Bldg Height Excessive (Feet) Article 65, Section 9 Side Yard Insufficient

**Purpose :** Bldg 2 of 2. Erect a 4-Story (3 1/2 per Zoning) multifamily building with six (6) units. Building will have  
front & rear decks and rear parking spots. We are building two separate (6) unit buildings on the same lot; see  
ERT1605980 for second building at 77 Bailey St. Demolition of existing building to be filed under a separate permit.

**Case: BOA- 1658178 Address: 674-676 East Broadway Ward 6 Applicant: Joy Lee Real Estate Trust**

**Article(s)** Article 68, Section 8 Lot Area Insufficient Article 68, Section 8 Add'l Lot Area Insufficient Article 68,  
Section 8 Rear Yard Insufficient Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 8 Bldg Height  
Excessive (Feet) Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 29 Roof Structure Restrictions Art.  
68 Sec. 33 Off Street parking Req.

**Purpose :** Change of occupancy from a restaurant and one residential units to a restaurant and three residential units.  
Vertical addition by adding an additional floor, roof deck, and headhouse.

**Case: BOA-1575584 Address: 81 Lexington Street Ward 1 Applicant: James Christopher**

**Article(s)** Article 53 Section 28 Off Street Parking and Loading Parking Article 53 Section 29.1 Conformity with  
Existing Building Alignment Article 53 Section 29.2 Traffic Visibility Across Corner Article 53 Section 5.1 Use  
Regulations 7 Units – Forbidden Article 53 Section 5.3 Dimensional Regulations Building Height (Stories) Excessive  
Article 53 Section 5.3 Dimensional Regulations Building Height (Feet) Excessive Article 53 Section 5.3  
Dimensional Regulations Building Width Excessive Article 53 Section 5.3 Dimensional Regulations  
Side Yard Insufficient

**Purpose :** Erect a 4-story (3-1/2 Zoning) multi-family dwelling on newly created lot; 3,706sqft. Building consisting 7  
residential units. Scope includes bike storage and rear decks. See ALT1553019 for subdivision. Demolition of existing  
building on separate permit

**Case: BOA-1578094 Address: 218 Bremen Street Ward 1 Applicant: Mohamad Hayek**

**Article(s):** Art. 25 Sec. 5 Flood Hazard Districts Article 32, Section 4.GCOD, Applicability Art. 53, Section 8 Use:  
Forbidden MFR Forbidden Article 53, Section 9 Rear Yard Insufficient Article 53, Section 9 Side 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 Add'l Lot Area Insufficient Article 53, Section 52 Roof Structure Restrictions  
Art. 53, Section 56 Off Street Parking Insufficient

**Purpose:** Change of occupancy to 4 unit dwelling. Scope involves rear and vertical additions to create a 4 story building  
and add a 4th floor apartment with rear decks and front facing balcony at 4th story. New foundation is also included with  
upgrades to life safety (FA/FP).



City of Boston  
Board of Appeal

**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)**