City of Boston
Board of Appeal

Tuesday, October 6, 2026 BOARD OF APPEALS City Hall Room 801

HEARING MINUTES

Board Chair Dong called the meeting to order promptly at 9:30 AM and commenced with a brief description of the hearing process and, pursuant to the Massachusetts Open Meeting Law, advised those in attendance that the hearings would be broadcast and recorded, and hearing minutes would be kept. The Chair announced that the hearing was being conducted remotely via an online meeting platform and subject to the below advisory which was part of the publicly posted hearing agenda. The Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Norm Stembridge:

Please be advised of the following appeals to be heard on October 6, 2026 beginning at 9:30 am and related announcements.

All matters listed on this October 6, 2026 Hearing agenda have been noticed in accordance with the enabling act. please be advised of the following participation instructions:

The October 6, 2026 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/2026ZBAHearings. You may also participate by phone by calling into the Zoom Webinar at 1-646-828-7666 and entering the Webinar ID: 160 422 3767 followed by # when prompted.
If you wish to offer testimony on an appeal, please click https://bit.ly/October62026ZBAComments 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/October62026ZBAComments 617-635-4775, 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 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**

APPROVAL OF HEARING MINUTES: 9:30AM

September 17, 2026 & September 22, 2026

Discussion/Votes: The Board moved to unanimously approve Hearing minutes.

EXTENSIONS: 9:30AM

Case: BOA- 773858 Address: 6 Evelyn Street Ward 14 Applicant: Michael P Ross, Esq

Discussion/Votes: The Board moved to unanimously approve the extension request to November 21, 2027

Case: BOA-1322135 Address: 25 Hendry Street Ward 15 Applicant: Matt Mueller, AIA, CPHC
Discussion/Votes: The Board moved to unanimously approve the extension request to September 20, 2028.

Case: BOA-1605743 Address: 25 West Howell Street Ward 7 Applicant: Ryan Spitz, Esq
Discussion/Votes: The Board moved to unanimously approve the extension request to November 8, 2028.

Case: BOA-1622321 Address: 751-757 Dudley Street Ward 13 Applicant: Joseph Feaster, Jr, Esq
Discussion/Votes: The Board moved to unanimously approve the extension request to October 25, 2028.

Case: BOA-1140239 Address: 50 Rogers Street Ward 7 Applicant: Nicholas Zozula, Esq
Discussion/Votes: The Board moved to unanimously approve the extension request to March 24, 2027.

BOARD FINAL ARBITER: 9:30 AM

Case: BOA-1044720 Address: 3326-3328 Washington Street Ward 11 Applicant: Jeffrey Drago, Esq
Upon a motion and a second, Board members voted unanimously to grant the Board Final Arbiter request.

Case: BOA-1545096 Address: 80 Shawsheen Road Ward 1 Applicant: Jeffrey Drago, Esq
Upon a motion and a second, Board members voted unanimously to grant the Board Final Arbiter request.

Case: BOA-1545111 Address: 82 Shawsheen Road Ward 1 Applicant: Jeffrey Drago, Esq
Upon a motion and a second, Board members voted unanimously to grant the Board Final Arbiter request.

HEARINGS: 9:30AM

Case: BOA-1895717 Address: 239-245 Causeway Street Ward 3 Applicant: Jackelin Jimenez Article(s)
Art. 08 Sec.07 Use: Conditional
Purpose: Remove proviso for takeout granted to this petitioner only # BOA140085
Discussion: At the request of the Board, the applicant presented plans to remove a previously granted proviso for takeout. Board members asked about the plans.
Documents/Exhibits: Building Plans
Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Durkin was in support of the project.
Votes: Board member Whewell motioned for approval. Board member Turner seconded and the motion carried unanimously.

Case: BOA-1873436 Address: 125 Newbury Street Ward 5 Applicant: UMNV 125 Newbury LLC
Article(s) Art. 08 Sec.07 Use: Conditional Art. 09 Sec. 01 Extension of Non-Conforming Use Art. 08 Sec.07 Use:
Conditional Restaurant use 36A and #37. Remove Proviso for this petitioner only
Purpose: Seasonal outdoor seating with 16 seats on existing patio for restaurant/cafe.
Remove the proviso for this petitioner only from the august 28, 2018, board of appeals decision u49831189
Discussion: At the request of the Board, the applicant presented plans for outdoor seasonal dining on an existing patio. Board members asked about the plans.
Documents/Exhibits: Building Plans
Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Durkin was in support of the project.
Votes: Board member Whewell motioned for approval. Board member Langham seconded and the motion carried unanimously.

Case: BOA- 187 3434 Address: 125 Newbury Street Ward 5 Applicant: UMNV 125 Newbury LLC Article(s)
Art. 08 Sec.07 Use: Conditional Restaurant use #36A Remove proviso for this petitioner only.
Art. 08 Sec.07 Use: Conditional Restaurant use #37 Remove proviso for this petitioner only Art. 08 Sec.07Use:

Conditional
Purpose: For new restaurant/cafe with takeout (Use Items 37 and 36A), remove the proviso "for this petitioner only" from the August 28, 2018 Board of Appeal decision BOA841385.
Discussion: At the request of the Board, the applicant presented plans to remove a previously granted proviso for takeout. Board members asked about the plans.
Documents/Exhibits: Building Plans
Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Durkin was in support of the project.
Votes: Board member Whewell motioned for approval. Board member Langham seconded and the motion carried unanimously.

Case: BOA-1865063 Address: 90-94 Revere Street Ward 5 Applicant: 90 Revere Street LLC
Article(s) Art. 13 Sec. 13 1 Dimensional Regulations Excessive f.a.r. Article 20 Section 4Rear Yards in H Districts Insufficient rear yard setback 30' req.
Purpose: Revisions to the previously permitted design include the addition of a roof deck, ground floor and entry layout revisions as shown on the attached drawings.
Discussion: At the request of the Board, the applicant presented plans to change the buildings occupancy to a five unit dwelling with interior renovations and the addition of a roof deck. Board members asked about the plans.
Documents/Exhibits: Building Plans
Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Durkin offered no opposition to the project.
Votes: Board member Barraza motioned for approval with the provisos that the project be reviewed by the Beacon Hill Architecture Commission for exterior work. Board member Turner seconded and the motion carried unanimously.

Case: BOA-1714931 Address: 31 Millmont Street Ward 9 Applicant: Ethan Dow
Article(s) Article 50, Section 44 Application of Dimensional Req Consider relief for a pergola within 4ft of the lot line.
Purpose: 7.25' x 13.5' pergola in backyard that is 8' tall. Made of hardwood with open slatted roof.
Discussion: At the request of the Board, the applicant presented plans to construct a hardwood pergola with an open slated roof. 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 motioned for approval. Board member Turner seconded and the motion carried unanimously.

Case: BOA- 1846937 Address: 5 Lawn Street Ward 10 Applicant: Eileen Rosa
Article(s) Article 59, Section 8 Floor Area Ratio Excessive Requesting relief for excessive floor area ratio
Purpose: Add addition and deck per attached drawing
Discussion: At the request of the Board, the applicant presented plans to extend the living space of a single-family dwelling with a rear addition and deck. 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 Turner motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA-1895407 Address: 269 East Cottage Street Ward 13 Applicant: 269 East Cottage LLC
Article(s) Art. 65 Sec. 08 Forbidden Hotel Use Art. 65 Sec. 08 Forbidden Restaurant Use Art. 65 Sec. 41 Off street parking requirements Insufficient Parking Art. 65 Sec. 9 Residential Dimensional Reg.s Insufficient side yard setback Article 65, Sec 65-41 Off-Street Loading Req. None proposed Article 65, Section 9 Dimensional Regulations Excessive f.a.r. Article 65, Section 9 Dimensional Regulations Max allowed height exceeded Article 65, Section 9-Dimensional Regulations Max allowed # of stories has been exceeded

Purpose: Construct a 6 Story Hotel Commercial mixed use blg of 40,923 SqFt. 42 Hotel& Extended Stay suites w/ kitchenettes. 1stFl-Gym/Fitness and Comm use, and Restaurant. top floor restaurant for dining and patron service. 2 onsite parking. New building connecting to 951-959 Dot Ave on ground floor
Discussion: At the request of the Board, the applicant presented plans to construct a six-story hotel with a first-floor gym, restaurant and two onsite parking spaces. Board members asked about the plans.
Documents/Exhibits: Building Plans
Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Santana was in support of the project and seven abutters were in support of the project
Votes: Board member Stembridge motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA-1894474 Address: 722 Truman Highway Ward 18 Applicant: 722 Truman Realty, LLC
Article(s) Art. 69 Sec. 29 Off St.Prk'g/Load'g Article 69, Section 9 Floor Area Ratio Excessive Article 69, Section 9 Bldg Height Excessive (Stories) 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 8 Use Regulations in Res District
Purpose: Raze existing dwelling and erect a six (6) unit residential dwelling with six (6) parking spaces.
Discussion/Votes: Upon a motion and a second, the Board moved to defer until November 17, 2026.

Case: BOA- 1871370 Address: 4012 Washington Street Ward 19 Applicant: Andreas Hwang
Article(s) Art. 67 Sec. 11 Use Regulations The use is condition and needs relief from the BOA for the said violation
Purpose: Vertical and rear addition on existing 6-family residential building adding 7 additional residential dwelling units. Install fire protection (sprinkler system) and fire alarm. Install elevator. New occupancy: 13 residential apartments. S2 zone in Squares and Streets – Roslindale (Article 26).
Discussion/Votes: Upon a motion and a second, the Board moved to defer until November 10, 2026.

RE-DISCUSSION: 9:30AM

Case: BOA- 1862710 Address: 196 Maverick Street Ward 1 Applicant: Michael Stuchins
Article(s): Art. 53 Sec.25 Roof Structure Restrictions New story changed the profile. Article 53 Section 5.3 EB Neighborhood Residential Front yard is insufficient Dimensional Regulations Article 53 Section 5.3 EB Neighborhood Residential Side yard is insufficient Dimensional Regulations Article 53 Section 28 Table L EB Neighborhood Off Street Off street parking is insufficient. One space is required Parking Regulations per dwelling unit. Art. 32 Sec. 04 GCOD Applicability
Purpose: Change of occupancy from a 3 unit to a 7-unit residential building, by way of interior renovations, including a rear addition and vertical expansion (new 4th story), the building will be fully sprinkled at 196 Maverick St, East Boston, MA, 02128.
Discussion: At the request of the Board, the applicant presented plans to change the buildings occupancy from a three-story, three unit to a seven-unit dwelling with interior renovations and the construction of a fourth floor. Board members asked about the plans.
Documents/Exhibits: Building Plans
Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Christin Simonelli of the Boston Ground Water Trust stated the applicant submitted both GCOD letters. Councilor Coletta was in support of the project.
Votes: Board member Barraza motioned for approval. Board member Turner seconded and the motion carried unanimously.

Case: BOA-1827083 Address: 350 Athens Street Ward 6 Applicant: Luke Fallon
Articles Art 68 Sec 29 Roof Structure Restrictions Max allowed height on parcel has been exceeded Art 68 Sec 8 app in res sub dist. Insufficient additional lot area per unit Art 68 Sec 8 app in res sub dist. Excessive f.a.r. Art 68 Sec 8 app in res sub dist. Max allowed height in the subdistrict has been exceeded Art 68 Sec 8 app in res sub dist. Insufficient usable open space per unit Art 68 Sec 8 app in res sub dist. Insufficient front yard setback Art 68 Sec 8 app in res sub dist.

Insufficient rear yard setback Art 68 Sec 8 app in res sub dist. Insufficient Side yard setback Art. 68 Sec. 33 Off Street parking Req. Insufficient parking Art. 68 Sec. 33 Off Street parking Req. 5. Design and clear maneuvering areas (tandem)
Purpose: A new construction, six (6) unit residential condominium building w/elevator, including: • Residential lobby • Bicycle parking and mechanical space • Ground floor parking garage for six (6) vehicles • Dedicated private outdoor deck space for each condominium unit
Discussion: At the request of the Board, the applicant presented plans to construct a six unit dwelling with garage parking spaces for six vehicles and private outdoor decks for each unit. Board members asked about the plans.
Documents/Exhibits: Building Plans
Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flynn was in support of the project along with two abutters while five abutters were opposed to the project.
Votes: Board member Barraza motioned for approval with the proviso of Planning Department Design Review with attention to whether the setback needs to increase further or whether there needs to be windows added on to the blank façade. Board member Collins seconded and the motion carried unanimously.

Case: BOA-1857936 Address: 151 Lenox Street Ward 9 Applicant: Tenant Development Corporation - ARTICLE 80
Article(s): Art. 50, Section 43 Off Street Loading Insufficient Art. 50, Section 43 Off Street Parking Insufficient Article 32, Section 4. GCOD, Applicability Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Bldg Height Excessive (Stories) Article 50, Section 29 Bldg Height Excessive (Feet) 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 41 Screening and Buffering Req None provided. Article 50, Section 44.3Traffic Visibility Across Corner
Purpose: Erect a new 7 story Multifamily Dwelling for 38 units on vacant land. Building is approximately 30,715 gross square foot building to contain 38 units of affordable senior housing. The residential program includes 6 studios and 32 one bedrooms. Building features bike storage and some amenity spaces. [ePlan] SPR, CFROD
Discussion/Votes: Upon a motion and a second, the Board moved to have the case withdrawn.

Case: BOA-1836310 Address: 44 Granger Street Ward 15 Applicant: Jen Lam
Article(s) Art. 09 Sec. 02 Nonconforming Use Change 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 Side Yard Insufficient
Purpose: Erect new three family house!
Discussion: At the request of the Board, the applicant presented plans to erect a three-family 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 Barraza motioned for approval with the provisos that the plans have an accessible entry and that the applicant resubmit a revised plan showing parking at the rear. Board member Turner seconded and the motion carried unanimously.

Case: BOA- 1749423 Address: 26 Burt Street Ward 17 Applicant: David Allen
Article (s): 65, Section 41Off Street Parking Regulations Insufficient parking Art. 65 Sec. 08 Forbidden8 unit dwelling forbidden in a 1 family subdistrict Art. 65 Sec. 9Residential Dimensional Reg.s Insufficient lot size Article 65, Section 9 Dimensional Regulations Excessive f.a.r Article 65, Section 9 Dimensional Regulations Number of allowed stories has been exceeded Art. 65 Sec. 9 Residential Dimensional Reg.s Insufficient front yard setback Art. 65 Sec. 9Residential Dimensional Reg.s Insufficient side yard setback Article 65, Section 9 Dimensional Regulations Insufficient rear yard setback Article 65, Section 41 Off Street Parking Regulations Design: Space size and clear maneuvering areas
Purpose: To build a three level eight-unit apartment with eight parking spaces at the rear of the building. Nominal fee *This application has been filed in conjunction with application # ALT1684492 to combine 26 and 30 Burt street into one 6918sf lot existing structure to be razed on a separately filed and issued demolition permit application. **Application re/assigned to FD by PZ Department Head PW on 6/14/25

Discussion: At the request of the Board, the applicant presented plans to construct a three-level, eight unit dwelling with eight rear parking spaces. 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 motioned for approval with the proviso of that the applicant enter into a housing agreement with the Mayor's Office of Housing. Board member Turner seconded and the motion carried unanimously.

STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775

BOARD MEMBERS:
SHERRY DONG-CHAIR
NORMAN STEMBRIDGE-SECRETARY
SHAMAIAH TURNER
HANSY BETTER BARRAZA
KATIE WHEWELL
ALAN LANGHAM

SUBSTITUTE MEMBERS
DAVID COLLINS

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