



City of Boston  
Board of Appeal

Tuesday, February 27, 2018

BOARD OF APPEALS

Room 801

The board will hold a hearing on February 27, 2018 starting at 9:30 a.m.

**APPROVAL OF HEARING MINUTES:**

January 30, 2018 & January 18, 2018

**BOARD FINAL ARBITER 9:30a.m.**

**Case:** BOA-682855, **Address:** 13 Shefland Street , **Ward 8 Applicant:** Joseph Holland

**GCOD: 9:30a.m.**

**Case:** BOA-792717, **Address:** 262 Commonwealth Avenue , **Ward 5 Applicant:** Adam Gilmore

**Article(s):** 32(32-4)

**Purpose:** The project proposes the combination of two multi-family apartment buildings (260 and 262 Commonwealth Avenue) into one for a total of 5 dwelling units and to be known as 262 Commonwealth Ave. The proposal includes new MEPFP systems, sprinkler, installation of groundwater mitigation system, an elevator, floors, walls, ceilings, doors, windows, bathrooms, kitchens and insulation. The proposed project also in-cludes the construction of a new penthouse/roof deck and rear addition with garden area. Note: See Alt767562.

**HEARINGS: 9:30 a.m.**

**Case:** BOA-772648, **Address:** 46 Hichborn Street , **Ward 22 Applicant:** Hichborn Partners LLC

**Article(s):** 51(51-19: Use Multifamily Dwelling Forbidden & Use Accessory Parking Forbidden) 51(51-20: Floor area ratio excessive, Building height excessive & Rear yard insufficient) 51(51-56: Off-Street Parking Insufficient & Off-Street Loading Insufficient)

**Purpose:** Seeking to combine three existing lot; parcel ID 2201893000, parcel ID 2201894000 and parcel ID 2201895000 into one parcel of 15,253 square feet. Also, to demolish the three existing structures and erect a 5-story residential building with 46 units and 50 parking spaces. (Alt750917-Alt750919-Alt750929).

**Case:** BOA-794741, **Address:** 88-94 Lincoln Street , **Ward 22 Applicant:** Derric Small, Esq

**Article(s):** 11(11-7) 51(51-55) 51(51-17)

**Purpose:** Erect a monopole and 14'x48, double sided, electronic Billboard.

**Case:** BOA-777271, **Address:** 606 Cambridge Street , **Ward 21 Applicant:** Nicholas Bouritsas

**Article(s):** 51(51-9) 51(51-56) 10(10-1)

**Purpose:** Open a new drive way for 2 car parking as per plan. (filed as e plan now paper).

**Case:** BOA-777449, **Address:** 606-610 Cambridge Street , **Ward 19 Applicant:** George Wong, Trustee of the Wong Nominee Trust

**Article(s):** 69(69-11)

**Purpose:** Amend the occupancy from 1 x Retail, 1 x Laundry and 1 x Doggie Day Care with Accessory Retail Services to 1 x Doggie Day Care, 1 x Nail Salon, 1 x Laundry and 1 x Doggie Day Care with Accessory Retail Services. New doggie day care space requires no work and will function solely as a play space for the dogs. All dog washing and retail services will remain in the existing doggie day care space. Work to be done under SF721679. ZBA.

**Case:** BOA-792532, **Address:** 23-25 Chestnut Square , **Ward 19 Applicant:** Wim Dekok and Andrew Schiff

**Article(s):** 55(55-8) 55(55-40) 10(10-1)

**Purpose:** Creating 1 Parking Space on the Premises. This was a condition by the neighborhood when a new two family was approved and built. The request seeks relief on the zoning dimensional requirements, parking location and use regulations. A curb cut has been approved on the condition of change of use of premises. Half of the Parking area, is located on 19-21 Chestnut Square and this relief has been granted by the Board of appeal October 4, 2016, BOA606476.

**Case:** BOA-786872, **Address:** 53 Orchardfield Street , **Ward 15 Applicant:** Kim Nguyen

**Article(s):** 50(50-29) 65(65-9)

**Purpose:** To enclose existing rear porch on second floor for a room and incorporate the attic area - some electrical, plumbing, windows, sheetrock wall, new bathroom.

**Case:** BOA-787985, **Address:** 12 Carson Street , **Ward 13 Applicant:** Ace One Investments, LLC by Eric Zachrison  
**Article(s):** 1065(65-9: Insufficient front yard setback, Insufficient lot size, Insufficient lot width, Insufficient lot width frontage, Excessive F.A.R., # allowed stories exceeded, Insufficient side yard setback & Insufficient rear yard setback) 10(10-1)

**Purpose:** Demolish existing single family building to erect a new three-family residential dwelling with two-off street parking. ZBA.

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2018 FEB 22 P 1:00  
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**Case:** BOA#787986, **Address:** 12 Carson Street , **Ward** 13 **Applicant:** Ace One Investments, LLC by Eric Zachrison  
**Purpose:** Demolish existing single family building to erect a new three family residential dwelling with two off street parking. ZBA. Section 780 CMR 8th Edition 101.4.7 Reference Codes, 521 CMR AA.

**Case:** BOA-793541 **Address:** 21 Peverell Street , **Ward** 13 **Applicant:** Matthew St Peter  
**Article(s):** 65(65-9: Height is excessive, Rear yard setback is insufficient & Side yard setback requirements is insufficient) 66(66-9) 80(80-80E)  
**Purpose:** Add a new roof deck and spiral stair as per plans. Permit set to be submitted upon ZBA approval.

**Case:** BOA-757560, **Address:** 27-31 Woodford Street , **Ward** 13 **Applicant:** Alfonseca Ledys  
**Article(s):** 50(50-29: Add'l Lot Area Insufficient, Front yard insufficient, Side yard insufficient, Rear yard insufficient, Building height excessive (Feet), Usable open space insufficient & Floor area ratio excessive)  
**Purpose:** Erect a new (3) unit townhouse building with parking beneath.

**Case:** BOA-796764, **Address:** 137 Amory Street , **Ward** 11 **Applicant:** Urban Edge Housing Corporation (by Frank Shea, CEO)  
**Article(s):** 29(29-4) 55(55-9: Lot area for additional dwelling units, usable open space and front yard setback required is insufficient; floor area ration, height (35' high max allowed), height (3stories high max allowed) excessive) 80(80B-2)  
**Purpose:** The construction of a new residential building on a parcel to be subdivided (see ALT788395). This new structure shall be detached MFR, four stories in height from street grade. The bottom story will be Type 1A construction, with four stories of Type VA construction over it. The building will have 62 units. ZBA.

**Case:** BOA-756999, **Address:** 71-73 Brookley Road , **Ward** 11 **Applicant:** Laura Sylvan  
**Article(s):** 55(55-9: Floor area ratio excessive & Side yard insufficient)  
**Purpose:** Subdivide existing lot of 8886 square feet to two separate lots Lot 1 - 4,422 square feet with existing three family to remain and Lot 2 - to be vacant 4,464 square feet. See U49726581.

**Case:** BOA-781676, **Address:** 1027 Tremont Street , **Ward** 9 **Applicant:** Daniel Toscano  
**Article(s):** 50(50-43) 50(50-11: Floor area ratio excessive, Usable open space insufficient & Rear yard insufficient)  
**Purpose:** To change the occupancy from two residential units and a store to three residential units and a restaurant with take out. Also to erect a fourth story addition with a roof deck.

#### **HEARINGS: 10:30 a.m.**

**Case:** BOA-781815, **Address:** 50 Clapp Street , **Ward** 7 **Applicant:** NS AJO Holdings, Inc.  
**Article(s):** 65(65-15)  
**Purpose:** Change of use for an existing building to medicinal Marijuana treatment center. Interior only renovation for a new business, no structural work.

**Case:** BOA-787244, **Address:** 1410 Columbia Road , **Ward** 7 **Applicant:** 5528-1410 Columbia Road Boston LLC  
**Article(s):** 27S(27S-5)  
**Purpose:** Renovate public spaces on first and third floors, as well as, 137 units out of 153 (consisting of misc. one, two and three bedroom units per plans).

**Case:** BOA-778326, **Address:** 8 Deady's Ln , **Ward** 7 **Applicant:** Timothy Johnson  
**Article(s):** 27S(27S-5) 29(29-4)  
**Purpose:** Erect new 4-story, single-family dwelling w/garage, rear stair, front and roof decks on newly created lot as per plans submitted.

**Case:** BOA-786275, **Address:** 53 G Street , **Ward** 7 **Applicant:** Douglas Drohan  
**Article(s):** 68(68-8)  
**Purpose:** Interior renovation to include new kitchen, new exterior doors, opening of interior walls, new master bathroom, patch and paint. Construct new rear deck.

**Case:** BOA-774880, **Address:** 123 G Street , **Ward** 7 **Applicant:** David Arrowsmith  
**Article(s):** 68(68-29) 68(68-8)  
**Purpose:** Construction of (196 square foot) Roof Deck as per original plan (See attached Plans.) Installation of Structural Steel beams with steel tubes and plates. 4X4 posts to be installed with 6" carriage bolts. Deck frame to be constructed from 2x12 pressure treated lumber. Installation of Simpson joist hangers at all locations. Installations of Trex decking, post sleeves, railings and baluster systems. New salter spiral staircase o installed as per plan.

**Case:** BOA-,774887 **Address:** 4 Jason Terrace , **Ward** 7 **Applicant:** Steven Carreiro  
**Article(s):** 68(68-9) 68(68-8: Rear yard insufficient & Side yard insufficient)  
**Purpose:** Kitchen and Roof Deck Install (393 square feet) with Spiral Staircase As Per Plans (See Attached). Sliding Door and Window install. Removal of existing deck boards at back deck location. Installation of (3) 10" Concrete footings. structural steel tubes and plates for roof deck. Deck Frame to be constructed of 2x10 PT. Joist hangers at all Joist locations. 4x4 posts with 6" carriage bolts. Fiberon Decking and Trex Rail and Baluster Systems. Salter staircase installed. New door and window frame to be constructed. Installation of Anderson gliding door and Harvey classic window.

**Case:** BOA-779357, **Address:**29-31 Ward Street , **Ward** 7 **Applicant:** 29-31 Ward Street LLC  
**Article(s):** 68(68-27S-5)  
**Purpose:** Erect new 4-story, 9-unit residential building with 12 parking spaces at grade and roof deck. Building to contain 3 one bedroom units and 6 two bedroom units with 10,451 SF. Existing structure's to be razed on a separate permit.

**Case:** BOA#779358, **Address:** 29-31 Ward Street , **Ward 7 Applicant:** 29-31 Ward Street LLC  
**Purpose:** Erect new 4-story, 9-unit residential building with parking spaces at grade and roof deck. Building to contain 3 one bedroom units and 6 two bedroom units with 10,451 SF. Existing structure's to be razed on a separate permit. Section 8th 780 CMR 1009.13.1 Roof access. Where a stairway is provided through a penthouse complying with section 1509.2.

**Case:** BOA-768730, **Address:** 844-846 East Third Street , **Ward 6 Applicant:** Patrick Mahoney, Esq  
**Article(s):** 27S(27S-5)  
**Purpose:** To raze existing structure & erect new 4 story building with 7 residential units & 10 parking spaces in garage at grade as per plans, (zoning only).

**Case:** BOA-782775, **Address:** 28 F Street , **Ward 6 Applicant:** Douglas Stefanov  
**Article(s):** 27S(27S-5)  
**Purpose:** Raze rear shed, add a roof deck, and create new two story addition in rear. Renovate existing interior.

**Case:** BOA-692075, **Address:** 37 Farragut Road , **Ward 6 Applicant:** George Morancy, Esq  
**Article(s):** 29(29-4)  
**Purpose:** Nominal fee application to demo existing two family and erect eight residential units. Permit will require ZBA approval for Greenbelt Protection Overlay District only. All other aspects of plans are zoning and building code compliant.

**Case:** BOA-754380, **Address:** 55-57 Brimmer Street , **Ward 5 Applicant:** John Pulgini  
**Article(s):** 8(8-7) 32(32-9)  
**Purpose:** Alterations of an existing two-story single-family residence into use as an elementary school. Includes reconstruction of the rear one-story structure, accessibility improvements, adding second means of egress and interior modifications. Provide automatic sprinklers. Requires Conditional Use Permit for GCOD and change in use.

**Case:** BOA-754388, **Address:** 63-69 Brimmer Street , **Ward 5 Applicant:** John Pulgini  
**Article(s):** 9(9-1) 15(15-1)  
**Purpose:** Add three story addition to exterior courtyard above second floor roof and develop the remaining courtyard space for outdoor use. Extends existing elementary school use and requires variance for FAR increase of 0.14 from existing FAR of 3.54 proposed FAR of 3.68.

**Case:** BOA-754021, **Address:** 13 Concord Square , **Ward 4 Applicant:** Kamer Minassian  
**Article(s):** 64(64-9) 64(64-36)  
**Purpose:** Within private garden add short retaining wall and back fill to create two parking spaces.

**Case:** BOA-725224, **Address:** 37 Bowdoin Street , **Ward 3 Applicant:** Verizon Wireless  
**Article(s):** 86(86-6)  
**Purpose:** Change of Occupancy to include Wireless Communication Facility: Work to include add Wireless Communication Equipment, construct two fiberglass enclosures [3'x4'x7'8" high] concealing two [2] antennas, two [2] remote radio heads "RRHs" and a junction box in each of the two proposed fiberglass concealing boxes and one [1] GPS antenna on a steel frame for two equipment boxes; PPC automatic switch and gas generator mounted thereon with cable trays connecting same with power/telco in basement.

**Case:** BOA-791476, **Address:** 91-99 Causeway Street , **Ward 3 Applicant:** Smitesh Patel  
**Article(s):** 46(46-9)  
**Purpose:** Build out approx. 1000 sq. ft. existing retail unit space on first floor street level. Space is proposed to be a coffee Shop. \*AE Flood Zone \*EPLAN attachments.

**Case:** BOA-784142, **Address:** 283-285 Hanover Street , **Ward 3 Applicant:** Daniel Toscano  
**Article(s):** 54(54-12)  
**Purpose:** Change occupancy from three-family dwelling and take-out restaurant to three-family dwelling and restaurant with seating # 37.

**RE-DISCUSSIONS: 11:30a.m.**

**Case:** BOA-773964, **Address:** 145 Corey Street **Ward:** 20 , **Applicant:** Kevin Dowd  
**Article(s):** 56(56-7)  
**Purpose:** Chicken Coop on existing 4'x6' shed.

**Case:** BOA-786629, **Address:** 40 Westmoreland Street, **Ward 16 Applicant:** Codman Square Neighborhood Development Corporation  
**Article(s):** 65(65-8) 65(65-9): Lot frontage insufficient, Floor area ratio excessive, Front yard insufficient, Rear yard insufficient & Building height excessive (Stories))  
**Purpose:** Combine vacant lots PID 1603448000 (1026 sf), PID 1603415000 (5046 sf) and PID 1603416000 with 40 Westmoreland Street for a total of 15,823 sf. Erect a new 12 unit residential building with parking at ground level as per plans. Permit set to be submitted upon ZBA approval. Existing house to be razed under separate permit.

**Case:** BOA-683450, **Address:** 15 Woolson Street , **Ward 14 Applicant:** Cecil Hansel  
**Article(s):** 60(60-40) 60(60-8)  
**Purpose:** Change occupancy from a three family to a four family and renovate and install sprinkler. Legalize existing condition

**Case:** BOA-617813, **Address:** 173 Humboldt Avenue, **Ward** 12 **Applicant:** John Samaan  
**Article(s):** 50(50-28)

**Purpose:** Increase lodging from 10 to 20 persons, no work to be done, changing beds from one bed to two per room (previous drawings submitted to indicate building systems)

**Case:** BOA-698906, **Address:** 9 Chelsea Street , **Ward** 1 **Applicant:** Linear Retail #18, LLC  
**Article(s):** 53(53-12) 53(53-56) 53(53-11) 10(10-1) 53(53-57)

**Purpose:** Erect 2 story commercial local retailing building on newly created 18,795 sf lot. See ALT685902 for subdivision.

**Case:** BOA-780523, **Address:** 28 Brier Road **Ward:** 20, **Applicant:** Ivan Hernandez  
**Article(s):** 56(56-8: Floor area ratio excessive, Front yard insufficient & Side yard insufficient)

**Purpose:** Construct new second floor addition on existing footprint of existing single family dwelling.

**Case:** BOA-777937, **Address:** 62 Durnell Avenue **Ward:** 20, **Applicant:** Charles Donovan  
**Article(s):** 67(67-9: Floor area ratio excessive & Side yard insufficient)

**Purpose:** Adding dormer to provide code compliant access to existing bonus room. Adding LVL beams to first floor to open rooms, posting down to basement to carry load. Adding shed dormer over basement door, renovating front and rear porches and roof deck, replacing all windows in house to meet egress. Openings, replace roof shingles, replace siding, Remodel Kitchen, Baths, Electrical, Plumbing, HVAC, Insulation. Price of work to reflected on sf737692.

**Case:** BOA784868-, **Address:** 10 Newburg Street **Ward:** 20, **Applicant:** Michael Forde

**Article(s):** 69(69-9: Side yard requirement is excessive, Height is excessive (21/2 stories max allowed) & Floor area ratio is excessive)

**Purpose:** Addition and alteration to an existing 2 Family dwelling. Add 1 dormer and extend existing dormer. Demolish rear porch and build addition with full foundation to the rear of building. Extend living space of basement for first floor unit. ZBA.

**Case:** BOA-773840, **Address:** 25 Alaric Street **Ward:** 20, **Applicant:** Jack Rojas

**Article(s):** 56(56-8)

**Purpose:** Demo half of existing roof and install shed dormer.

**COURT REMAND:12:00Noon.**

**Case:** BOA-719810, **Address:** 874 East Sixth Street , **Ward** 6 **Applicant:** George Morancy

**Article(s):** 68(68-8) 68(68-34) 68(68-29) 29(29-4)

**Purpose:** Construct a new 3 story residential building comprising of 6 units and underground parking for 9 vehicles.

**CALL OF THE CHAIR:12:00Noon.**

**Case:** BOA-732946, **Address:** 38 P Street, **Ward** 6 **Applicant:** Nick Zaferakis

**Purpose:** The petitioner's seek a determination that the Inspectional Services Department erred in issuing the permit ERT705883. The permit was issued as an allowed use.

**RECOMMENDATIONS:**

**Case:** BOA-780322, **Address:** 55 McBride Street **Ward:**11 , **Applicant:** Mark Collins  
**Article(s):** 55(55-9)  
**Purpose:** Construct side addition to add two bedrooms, one bath, kitchen and garage.

**Case:** BOA-787555, **Address:** 1300-1304 Hyde Park Avenue **Ward:** 18, **Applicant:** Toward Independent Learning and Living, Inc  
**Article(s):** 69(69-11: Caterer's establishment is conditional use & Restaurant with take-out is conditional use)  
**Purpose:** Change of Occupancy from Restaurant to Caterer's Establishment and Restaurant with take-out.

**Case:** BOA-770524, **Address:** 253 Huntington Avenue **Ward:** 18, **Applicant:** Carmen D. Cabreja  
**Article(s):** 9(9-1) 69(69-9)  
**Purpose:** Construct two shed dormers per attached drawings.

**Case:** BOA-774270, **Address:** 11 Prince Street **Ward:**19 , **Applicant:** Lee Silverstone  
**Article(s):** 55(55-9: Floor area ratio excessive, Building height (# of stories) excessive & Rear yard insufficient (addition cannot be closer than 8' to an Accessory building)  
**Purpose:** Renovate existing Kitchen and existing Attic space. Construct new Dormers in Attic and expand Living Space to 3rd Floor.

**Case:** BOA-785316, **Address:** 19 Burard Street **Ward:** 20, **Applicant:** Anthony Debenedictis  
**Article(s):** 56(56-8: Floor area ratio excessive & side yard insufficient)  
**Purpose:** Kitchen remodel, enclose and enlarge existing porch to accommodate Mudroom and Half Bath.

**Case:** BOA-794683, **Address:** 15 Gilmore Terrace **Ward:** 20, **Applicant:** Jay Walsh  
**Article(s):** 56(56-8: Floor area ratio excessive & Side yard insufficient)  
**Purpose:** Construct a new 2-1/2 story 12x20 addition to existing single family dwelling.

**Case:** BOA-787403, **Address:** 15 Macullar Road **Ward:** 20, **Applicant:** Robert Wall  
**Article(s):** 56(56-8)  
**Purpose:** Add family room and install new kitchen.

**Case:** BOA-790013, **Address:** 31 Willers Street **Ward:** 20, **Applicant:** Marc Joseph  
**Article(s):** 56(56-8)  
**Purpose:** Erect an attached 1 car garage on the right side of the property.

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

**BOARD MEMBERS:**

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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)**