



City of Boston  
Board of Appeal



Tuesday, May 7, 2019

BOARD OF APPEALS

Room 801

Revised Agenda

The board will hold a hearing on May 7, 2019 starting at 9:30 a.m.

**APPROVAL OF HEARING MINUTES:**

April 30, 2019 and revised minutes March 26, 2019

**EXTENSIONS: 9:30a.m.**

**Case:** BOA-389047 **Address:** 98-102 White Street **Ward 1 Applicant:** Richard Lynds, Esq

**HEARING: 9:30 a.m.**

**Case:** BOA-918868 **Address:** 80 Cottage Street **Ward 1 Applicant:** Douglas Stefanov

**Article(s):** 53(53-9) 53(53-52) 27G

**Purpose:** Amendment to ALT856444. Revised plans to create additional bathroom on mezzanine level and new private roof deck for top living Unit.

**Case:** BOA-920147 **Address:** 216 Brooks Street **Ward 1 Applicant:** John Savilonis

**Article(s):** 53(53-9: Floor area ratio is excessive, Height is excessive, Required side yard is insufficient & Required rear yard setback is insufficient) 27G

**Purpose:** Modify roof line, changing a few interior wall layouts.

**Case:** BOA-916236 **Address:** 198 Byron Street **Ward 1 Applicant:** Frank Delmuto

**Article(s):** 27G

**Purpose:** Build a 2 story 19 x 15 addition (no basement). Addition to contain one bedroom at 2nd floor level and a study/office at the 1st floor level. Current 1st floor rear egress to grade level shall be maintained /renovated within the new addition. All new work to conform to current zoning codes.

**Case:** BOA-929259 **Address:** 73-75 Maverick Square **Ward 1 Applicant:** Nestor Limas

**Article(s):** 27T 53(53-56) 53(53-12: Insufficient rear yard setback, Excessive F.A.R., Excessive height & Insufficient open space/unit)

**Purpose:** Change Occupancy from 2 Units to 6 Units. Adding 4 Residential Units at 3rd floor: 2 Bedroom, including new roof. Enclosing 1st floor commercial space. Conventional wood construction, interior open floor layouts including: Kitchens, Bathrooms, Closets & Laundry areas. Upgrade and bring to date {Within scope of work} MEP, FP, Sprinkler.  
\* Clarification: Change occupancy from a 2 family and store top a 6 family and store, then construct two additional stories to existing two story structure (4 story total).

**Case:** BOA-918764 **Address:** 783 East Broadway **Ward 6 Applicant:** Anthony Virgilio

**Article(s):** 27S(27S-5)

**Purpose:** Legalize extended living space to basement for Unit 1 in existing two-family dwelling. (No work to be done).

**Case:** BOA-921174 **Address:** 71-75 West Broadway **Ward 6 Applicant:** Douglas Stefanov

**Article(s):** 27S(27S-9) 68(68-8: Floor area ratio excessive, Building height excessive, Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient) 68(68-33)

**Purpose:** Demolish existing Building. Erect a new 6 story, Mixed-Use Building with a Ground Floor Commercial space and Nine (9) Residential Units above.

**Case:** BOA938099- **Address:** 105 West First **Ward 6 Applicant:** Eli Long

**Article(s):** 21(21-1)

**Purpose:** Demolition of an existing warehouse building to allow for new construction of a ground up 7 story office building with one level of parking/basement space. retail space on 1st floor. (Note back to BOA for one additional violation part of original scope).

**Case:** BOA-824773 **Address:** 19-23 C lapp Street **Ward 7 Applicant:** Timothy Johnson

**Article(s):** 65(65-8) 65(65-9: Floor area ratio excessive, Bldg height excessive (stories), Bldg height excessive (feet), Front yard insufficient, Side yard insufficient & Rear yard insufficient) 65(65-41)

**Purpose:** Erect new 5 story, 12 unit building w/20 car garage and front, side and roof decks as per plans submitted.

**Case:** BOA-896463 **Address:** 30 Preble Street **Ward 7 Applicant:** Patrick Mahoney, Esq

**Article(s):** 27S(27S-5) 68(68-33) 68(68-8: Floor area ratio excessive, Usable open space insufficient, Front yard insufficient & Rear yard insufficient)

**Purpose:** Erect new three family dwelling building with four parking spaces and roof deck.

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

**Case:** BOA-874938 **Address:** 197-201 Green Street **Ward 11 Applicant:** Green Craven Washington Realty Trust  
**Article(s):** 55(55-19) 55(55-20: Floor area ratio excessive, Height excessive & Usable open space insufficient) 55(55-40: Off street parking insufficient & Off street loading insufficient)  
**Purpose:** Seeking to consolidate Parcel ID 1102579000 and Parcel ID 1102580000 to create one new lot. Also to raze the existing structure and erect a four-story mixed use building with twenty-three residential units, one retail space, and six parking spaces. See ALT860172.

**Case:** BOA-916653 **Address:** 2837-2839 Washington Street **Ward 11 Applicant:** Scott Kirkwood  
**Article(s):** 50(50-29: Lot width is insufficient to accommodate the three buildings & Lot frontage is insufficient)  
**Purpose:** Erect new four (4) units residential townhouse dwelling with roof decks on vacant lot. Propose four (4) off-street parking.

**Case:** BOA-923818 **Address:** 1 Maple Street **Ward 12 Applicant:** David Gerrie  
**Article(s):** 50(50-29: Add'l lot area insufficient, Floor area ratio excessive & Usable open space insufficient)  
**Purpose:** Change occupancy from a two to a three family. Please see U49874243 for parking spots as well.

**Case:** BOA-923819 **Address:** 1 Maple Street **Ward 12 Applicant:** David Gerrie  
**Article(s):** 50(50-43)  
**Purpose:** Parking for 2 vehicles behind home.

**Case:** BOA-929131 **Address:** 4 Hartford Street **Ward 13 Applicant:** Brodrick Egodogbare  
**Article(s):** 50(50-29)  
**Purpose:** Change Occupancy from a One Family to a Two Family by closing off dining room and turning it to room 1st floor, creating access to living room, 2nd floor turning dining to kitchen, adding master bathroom, 3rd floor adding bedroom off the living area and extending the right side of the roof and moving bathroom from the right to the left side. up-grade.

**Case:** BOA-904387 **Address:** 123-125 Centre Street **Ward 16 Applicant:** Patrick Mahoney, Esq  
**Article(s):** 65(65-8) 65(65-9: Main entrance access location shall face the front lot line, Floor area ratio is excessive, Front yard setback is insufficient, Height is excessive (stories) & Height excessive (ft))  
**Purpose:** Erect nine unit building with 11 parking spaces.

**Case:** BOA-931125 **Address:** 1854 Dorchester Avenue **Ward 16 Applicant:** Patrick Mahoney, Esq  
**Article(s):** 65(65-9: Lot area for the add'l dwelling units is insufficient, Floor area ratio is excessive, Height is excessive (stories), Height is excessive (ft), Front yard setback requirement is insufficient, Side yard setback requirement is insufficient & Rear yard setback requirement is insufficient) 65(65-42)  
**Purpose:** Construction of 9 dwelling units with parking on bottom floor.

**Case:** BOA-938927 **Address:** 1876-1876A Dorchester Avenue **Ward 16 Applicant:** James Christopher  
**Article(s):** 65(65-9: Floor area ratio excessive & Front yard insufficient)  
**Purpose:** Change of occupancy from 9 Apts, Hair Salon & Day Spa, Day Care to 9 Apts, Hair Salon & Day Spa, Professional Office, and Local Retail. Construct new 2nd and 3rd story addition to the existing building as per the attached plans.

**Case:** BOA-892908 **Address:** 80 Minot Street **Ward 16 Applicant:** Patrick Mahoney, Esq  
**Article(s):** 65(65-9: Excessive F.A.R., Insufficient side yard setback (L/Side 10' min. req.), Insufficient lot size (5,000sf req.), Insufficient lot width (40' req.), Insufficient lot width frontage (40' req.) & Insufficient open space (750/unit req.)) 65(65-41) 10(10-1)  
**Purpose:** Subdivide lot (Parcel ID: 1604114000) into two lots: Lot 1 (5,933 SF) and Lot 2 (2,979 SF). Existing two-family dwelling remains under Lot 2: 80 Minot Street. No work to be done. Separate three-family dwelling filed under ERT856339 for 82 Minot Street. ZBA.

**Case:** BOA-892915 **Address:** 82 Minot Street **Ward 16 Applicant:** Patrick Mahoney, Esq  
**Article(s):** 10(10-1) 65(65-8) 65(65-9: Excessive F.A.R. (.5 max.), # of allowed stories has been exceeded (2.5 max.), Insufficient side yard (L/Side 10' min. req.) & (2) Location of main entrance (unit # 3)) 65(65-39) 65(65-41)  
**Purpose:** Erect new three-family dwelling with three off-street parking on newly created Lot 1: 5,933 SF. Filed in conjunction with ALT856334 for subdivision. ZBA.

**Case:** BOA-922385 **Address:** 481-487 Geneva Avenue **Ward 17 Applicant:** Marianny Baez  
**Article(s):** 65(65-8)  
**Purpose:** Change of Occupancy From Restaurant #36A, Offices, Store to Restaurant #36A, Offices, Nail Salon - ventilation system, tables and chairs existing in space.

**Case:** BOA-878988 **Address:** 822 Canterbury Street **Ward 18 Applicant:** Edwin Solano  
**Article(s):** 67(67-8: 2 Family is a forbidden use & Basement units are forbidden for this location) 67(67-9: Insufficient usable open space, Insufficient rear yard setback & Excessive F.A.R.) 67(67-32)  
**Purpose:** Add new basement unit and change occupancy from single family to two family per submitted plans.

**Case:** BOA-933655 **Address:** 288 Washington Street **Ward 22 Applicant:** Enterprise Rent-A-Car Company of Boston, LLC  
**Article(s):** 51(51-16) 51(51-53)  
**Purpose:** Seeking change of occupancy and permitting in order to renovate existing commercial property into auto rental location.

**45 Minute Lunch Break**

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

**Case:** BOA-812800 **Address:** 66R Cambridge Street **Ward 2 Applicant:** Edward Owens

**Article(s):** 11(11-6) 11(11-7) 62(62-18) 62(62-28)

**Purpose:** Fabricate and install 2 Digital Billboards to a height of 90' on-premises.

**Case:** BOA-917597 **Address:** 27 Vinton Street **Ward 7 Applicant:** George Morancy

**Article(s):** 27P 68(68-33) 69(69-9): Rear yard insufficient, Floor area ratio excessive, Open space insufficient & Side yard insufficient)

**Purpose:** Erect four-story side and rear addition to existing three-family dwelling building. Change occupancy from three dwelling units to four dwelling units. Add two at-grade parking spaces at rear of lot, partly located on lot at 33 Jenkins Street, with access to parking provided via Jenkins Street across 33 Jenkins Street lot by easement to be recorded upon ZBA approval in conjunction with u49851536.

**Case:** BOA-917602 **Address:** 33 Jenkins Street **Ward 7 Applicant:** George Morancy

**Article(s):** 68(68-13)

**Purpose:** Add two residential parking spaces to existing residential parking lot. New parking spaces are to be accessory/ancillary to use at 27 Vinton Street. Spaces will be located partly on 27 Vinton Street lot and partly on this lot and will utilize an easement to be recorded upon ZBA approval in conjunction with alt851345.

**Case:** BOA- 845532 **Address:** 605 East Sixth Street **Ward 7 Applicant:** Mark Little

**Article(s):** 68(68-8: Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient) 68(68-34.6) 68(68-7.2) 27S(27S-5)

**Purpose:** Erect new four (4) residential units. Propose four (4) off-street parking.

**Case:** BOA#845528 **Address:** 605 East Sixth Street **Ward 7 Applicant:** Mark Little

**Purpose:** Erect new four (4) residential units. Propose four (4) off-street parking. Section: 521 CMR 10.00 Public and Common Use Spaces. Public use and common use spaces shall include but not be limited to mailboxes, entrances, lobbies and foyers, as well as corridors and stairways leading to dwelling units. 9th 780 CMR 1006 Number of Exits and Exit Access Doorway. Section 1006.3 Egress from stories or occupied roofs. The means of egress system serving any story or occupied roof shall be provided with the number of exits or access to exits based on the aggregate occupant load served in accordance with this section.

**Case:** BOA-921538 **Address:** 92 George Street **Ward 8 Applicant:** Gene Bernstein

**Article(s):** 50(50-32) 50(50-28) 50(50-29: Add'l lot area insufficient, Floor area ratio excessive, Bldg height excessive (stories), Bldg height excessive (feet), Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient)

**Purpose:** Seeking to erect a four story building with nine residential units and nine parking spaces on combined parcel filed under ALT908648.

**Case:** BOA-922614 **Address:** 16R Robeson Street **Ward 11 Applicant:** Ritta Horsley

**Article(s):** 55(55-9) 55(55-9) 55(55-9) 55(55-40) 55(55-41.12)

**Purpose:** Erect a new single-family dwelling with roof deck above two car garage on existing 5,730 sq ft vacant lot. Propose two off-street parking access through 16 Robeson Street proposed driveway filed under U49909413.

**Case:** BOA-893750 **Address:** 10 Ruthven Park **Ward 12 Applicant:** Solmon Chowdhury

**Article(s):** 50(50-29: Lot area insufficient, Lot frontage insufficient, Floor area ratio excessive, Front yard insufficient, Rear yard insufficient & Usable open space insufficient) 50(50-43)

**Purpose:** Combine existing 2 Lots 1 Ruthven Park and 2 Ruthven Park. Create one lot 10 Ruthven Park. Construct a new 3 story, Three (3) Unit Residential building. There will be 3 Off-Street Parking spaces.

**Case:** BOA-907324 **Address:** 1-7 Wilcutt Road **Ward 14 Applicant:** Derric Small

**Article(s):** 65(65-8) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-41)

**Purpose:** We plan to build four - 3 story townhouses and combine two lots for parking. Existing building to be razed.

**Case:** BOA-893819 **Address:** 761 Washington Street **Ward 17 Applicant:** Derric Small

**Article(s):** 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-41)

**Purpose:** Erect a new 3 family house on a vacant lot as per plans. Permit set to be submitted upon ZBA approval.

**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)**