



City of Boston
Board of Appeal

Tuesday, April 9, 2019

BOARD OF APPEALS

Room 801

HEARING MINUTES

Board Chair Christine Araujo 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 Board members then commenced with discussion of the following Agenda items which were announced on the record by Acting Board Secretary Craig Galvin:

APPROVAL OF HEARING MINUTES:

Upon a motion and second, the Board voted unanimously to approve the March 26, 2019 Hearing. Minutes

EXTENSIONS: 9:30a.m.

Case: BOA-500504 **Address:** 10-18 Bowdoin Street **Ward** 14 **Applicant:** Joseph Feaster

Vote: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

Case: BOA-500502 **Address:** 100-104 Bowdoin Street **Ward** 14 **Applicant:** Joseph Feaster

Vote: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

Case: BOA-699598 **Address:** 289 Walk Hill **Ward** 18 **Applicant:** Nabil Boghos

Vote: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

Case: BOA-558788 **Address:** 1012-1016 Bennington Street **Ward** 1 **Applicant:** Jeffrey Drago

Vote: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

GCOD 9:30a.m.

Case: BOA-928032 **Address:** 113-115 Marlborough Street **Ward** 5 **Applicant:** Gabriel Sunshine

Article(s): 32(32-9)

Purpose: Interior renovations including structural, fire alarm, all new finished and proposed new roof deck.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail, and requested a conditional use permit under Article 32 GCOD Applicability. The Board noted that BWSC approval letter is on file.

Testimony: The Board then requested testimony from neighbors and elected officials.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval, the motion was seconded and the Board voted unanimously to approve the applicant's request.

HEARING: 9:30 a.m.

Case: BOA-906217 **Address:** 181 Bennington Street **Ward 1 Applicant:** Brad Cangiamila
Article(s): 27T(27T-5) 53(53-8) 53(53-9: Lot area insufficient, Floor area ratio excessive, Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient) 53(53-56)
Purpose: Raze existing Building. Erect a new 3 story, five (5) Unit Residential Dwelling with a 3 car Parking Garage under.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to raze an existing Building, Erect a new 3 story, five (5) Unit Residential Dwelling with a 3 car Parking Garage under.

Board Members asked about a roof deck, parking and unit sizes and the applicant stated no roof deck is planned. Two off street parking spaces will be provided and the condo units will be 635-870 sq ft.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-900553 **Address:** 74-76 Brooks Street **Ward 1 Applicant:** 74-76 Brooks Street, LLC
Article(s): 53(53-9: Insufficient usable open space/unit, Insufficient rear yard setback, Insufficient additional lot area per unit, # of allowed stories exceeded, Max allowed height exceeded & Excessive F.A.R.) 53(53-56) 53(53-52)
Purpose: Renovate existing mixed use building and add a 4th story and roof deck. Expand living space into the basement for unit # 1. Remaining basement space to be used for storage for the retail space and mechanical space for the building. Proposed occupancy to be 4 residential units and one retail space.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about basement use, ceiling heights and roof height and the applicant stated a laundry and family rooms are proposed with 9 ft basement ceiling height and the building height will be 43.5 feet.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilor Edwards are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA Design Review and Galvin seconded and the Board voted unanimously to approve.

Case: BOA-917862 **Address:** 249 Lexington Street **Ward 1 Applicant:** Lexington Prescott, LLC

Article(s): 53(53-9)

Purpose: Erect roof deck exclusive to unit 3.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked if a head house is proposed and the applicant stated no.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA Design Review and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-927663 **Address:** 89 Morris Street **Ward 1 Applicant:** Stan Klebaner

Article(s): 53(53-9: Floor area ratio is excessive & Usable open space is insufficient)

Purpose: Seeking to erect a rear addition and renovate the building.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about FAR and usable open space and the applicant described the proposed dimensions and calculations.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA Design and Erlich seconded and the Board voted unanimously to approve.

Case: BOA-910090 **Address:** 91 Trenton Street **Ward 1 Applicant:** Ian Fox

Article(s): 53(53-9: Side yard insufficient & Rear yard insufficient) 9(9-1)

Purpose: Interior renovation of existing three-family dwelling. Installation of new fire alarm and fire sprinkler system. Reconstruct and extend new rear deck with exterior stairway. Partial work and cost under SF746254.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about the total number of units and the applicant stated 3 are proposed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval and Logue seconded and the Board voted unanimously to approve.

Case: BOA-922807 **Address:** 440-458 Rutherford Avenue **Ward 2 Applicant:** Christine McMahon

Article(s): 62(62-17)

Purpose: Change of Occupancy to add Research Lab. Interior fit out and new rooftop mechanical equipment. Per Plans.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about proposed square footage and the current conditions and the applicant stated 5,000 sq feet and that she occupies the abutting building. .

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards and Flaherty are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval and Logue seconded and the Board voted unanimously to approve.

Case: BOA-913601 **Address:** 74 Tremont Street **Ward 2 Applicant:** Timothy Sheehan

Article(s): 62(62-30) 62(62-8: Insufficient side yard setback & insufficient lot size (2,000sf min. required))

Purpose: This permit application is for a single family residence. The residence will be 2,060 g.s.f. The house will have a garage in the basement accessed from behind (via Lowney way). There will be three total floors as well as a roof deck. Clarification: Construct two main detached dwellings as shown on ERT897160 (1f) and ERT897191 (2f townhouse design) on same lot as created via ALT899351 for combining of lots.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the dimensional zoning relief required for this proposal.

Board Members asked about the number of off street parking spaces, roof deck access and driveway grade and the applicant stated 1 space per unit will be provided, roof deck access will be through a hatch and stairs and 3-4% graded driveway. .

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support. One abutter spoke in favor and 3 Abutters opposed the request.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA Design Review and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-913606 **Address:** 76-78 Tremont Street **Ward 2 Applicant:** Timothy Sheehan
Article(s): 62(62-30) 62(62-8: Insufficient side yard setback, Insufficient open space per unit, Excessive height (35' max.) & # of allowed stories has been exceeded (3 story max))

Purpose: This is for the construction of two single attached family residences. See ERT 897160 for full description. Four lots will be combined into one lot with all three houses (both ERT's). Clarification: Construct two main detached dwellings as shown on ERT897160 (1 family) and ERT897191 (2 family duplex, townhouse design) on same lot as created via ALT899351 for combining of lots.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the dimensional zoning relief required for this proposal.

Board Members asked about the number of off street parking spaces, roof deck access and driveway grade and the applicant stated 1 space per unit will be provided, roof deck access will be through a hatch and stairs and 3-4% graded driveway.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilor Edwards are in support. One abutter spoke in favor and 3 Abutters opposed the request.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA Design Review and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-918229 **Address:** 2 Snelling Place **Ward 3 Applicant:** Mirchandani Bharat

Article(s): 54(54-10: Floor area ratio excessive & Rear yard insufficient) 54(54-18)

Purpose: Seeking to construct a 4th floor addition and roof decks and extend living space into the basement for Unit #1.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the dimensional zoning relief required for this proposal.

Board Members asked about the extent of dimensional relief requested and the applicant stated that the required FAR is 3.0 and the request is for 4.3 and 12 ft setbacks are required and 6.5 foot setbacks are proposed.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and one abutter spoke in favor. Councilor Edwards and 1 Abutter opposed the request.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA Design Review and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-921129 **Address:** 33 Mount Vernon Street **Ward 5 Applicant:** Alpine Advisory Services

Article(s): 15(15-15-1)

Purpose: Change occupancy from Office to three dwellings; interior demolition and rehabilitation with roof deck and rear decks per plans filed herewith. Full construction drawing will be filed after zoning relief.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the dimensional zoning relief required for this proposal.

Board Members asked about the extent of dimensional relief requested and unit sizes and the applicant stated that the existing FAR does not change and that the units 1, 2, and 3 will be 1994 sq ft, 972 sq ft and 1659 sq feet respectively.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and one abutter spoke in favor.

Documents/Exhibits: Building Plans

Votes: Board Member Bickerstaff moved for approval and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-924595 **Address:** 103-105 Newbury Street **Ward 5 Applicant:** Frazer 103 Holdings LP
Article(s): 8(8-3)

Purpose: Add outdoor patio seating for 18 seats in connection with ALT914412 *one set of plan both applications.

Case: BOA-922966 **Address:** 103-105 Newbury Street **Ward 5 Applicant:** Frazer 103 Holdings LP
Article(s): 8(8-3)

Purpose: Add one restaurant with use item 37 with take-out use 36A, and outdoor patio seating. Interior occupant load of 49 persons. Outdoor seating requires a UOP permit application to be filed separately.

(These two appeals were incorporated into one presentation)

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about hours of operation and menu and the applicant responded 7 am to 9 pm and that primarily coffee and pastries would be served.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with take out language, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-909779 **Address:** 68-70 Phillips Street **Ward 5 Applicant:** Douglas Stefanov
Article(s): 19(19-1)

Purpose: Rebuild and expand roof decks as per plans.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked if the head house was pre-existing and the applicant indicated that it was.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services is in support. The Carpenter's Union also spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval and Galvin seconded and the Board voted unanimously to approve.

Case: BOA-897172 **Address:** 509 East Fifth Street **Ward 6 Applicant:** George Morancy

Article(s): 68(68-8: Floor area ratio is excessive, Usable open space is insufficient, Front yard setback requirement is insufficient, Side yard setback requirement is insufficient & Rear yard setback requirement is insufficient) 68(68-34) 68(68-33) 27P(27P-5)

Purpose: Lot 509A East Fifth to be subdivided from 509 East Fifth Street under separate ALT886824. Demo existing building at 509R East Fifth and erect new four-story, four-unit dwelling with four grade-level covered parking spaces accessed via I Street by means of existing recorded easement. Nominal fee requested should this application require zoning relief.

(These appeals were incorporated into one presentation)

Case: BOA-898586 **Address:** 509R East Fifth Street **Ward 6 Applicant:** George Morancy

Article(s): 68(68-33) 68(68-8: Lot frontage minimum is insufficient & Floor area ratio is insufficient)

Purpose: Subdivide parcel 0602154000 into two parcels, shown as Lot A and Lot B on submitted plan. New parcel identified as Lot A, with assigned street number of 509 East Fifth Street, with existing structure thereupon, to contain 3,167 square feet of land. New parcel identified as Lot B, with assigned street number of 509R East Fifth Street, with existing structure thereupon, to contain 1,445 square feet of land. All fees to be collected on ERT885769. No work to be performed under this application.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the dimensional zoning relief required for this proposal.

Board Members asked about, parking, the extent of dimensional relief requested and the sizes of the proposed units and the applicant attributed the dimensional violations to pre-existing conditions at 509R which we will remain unchanged and described 4 units ranging from 687 to 729 Sq ft with off street parking for 4 vehicles.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Flynn and Essabi-George spoke in favor.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA Design Review and Logue seconded and the Board voted unanimously to approve.

Case: BOA-881411 **Address:** 48-54 Saint Margaret Street **Ward 7 Applicant:** Alexander Kowalczyk

Article(s): 9(9-1) 65(65-9)

Purpose: ERT 372820 Add four spiral staircases to access attic space. Extend living space into attic.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about the number of bedrooms per unit and the applicant indicated that 2 bedroom units.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilor Baker and an abutter are in support. One abutter opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval for 2 BR units only and Bickerstaff seconded and the Board voted unanimously to approve.

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.

Discussion: At the applicant's request the matter was deferred to the May 7, 2019 Hearing.

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.

Discussion: At the applicant's request the matter was deferred to the May 7, 2019 Hearing.

Case: BOA-927270 **Address:** 17 West Belflower Street **Ward 7 Applicant:** George Morancy

Article(s): 65(65-9: Add'l lot area insufficient, Floor area ratio excessive, Bldg height excessive (stories), Usable open space insufficient & Bldg height excessive (feet)) 65(65-41: Off-street parking & loading req. Design. Insufficient maneuvering area and shared driveway is less than 10'-0" wide & Off-street parking & loading req. Location. Off-street parking facilities shall be provided on the same Lot as the main use to which they are accessory)

Purpose: Erect a three-family dwelling unit with finished basement. Proposed (3) off-street parking.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about the size of the units, ceiling heights, building height and the applicant responded that he was proposing two 1200 sq ft units and one 900 sq ft unit, ceiling heights of 9 ft 3 inch basement ceiling height and 35 ft building height with no roof deck.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilor Baker are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA Design Review and Galvin seconded and the Board voted unanimously to approve.

HEARINGS: 10:30 a.m.

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.

Discussion: At the applicant's request the matter was deferred to the May 7, 2019 Hearing.

Case: BOA-914617 **Address:** 319-329 Centre Street **Ward 10 Applicant:** Timothy Burke

Article(s): 55(55-16)

Purpose: Change Occupancy to Massage Therapy office by renovating the existing office space for new massage therapy use. *18 apts, retail, parking, insurance office doc#alt20549.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about the existing square footage and hours of operation and the applicant indicated that 900 square feet and 9 am to 8 pm.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services, Councilor O'Malley and an abutter are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-903629 **Address:** 21-23 Wyman Street **Ward 10 Applicant:** Timothy Burke

Article(s): 55(55-8) 55(55-40)

Purpose: Change occupancy from a three-family dwelling to a lodging house with 13 bedrooms.

Discussion: At the applicant's request the matter was deferred to the May 21, 2019 Hearing.

Case: BOA-890331 **Address:** 50 Stedman Street **Ward 11 Applicant:** Lucio Trabucco

Article(s): 55(55-55-40) 55(55-19) 55(55-20) 55(55-9)

Purpose: Erect a wood frame residential structure to house 21 units.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about the number of affordable units, parking spaces, FAR and whether there are common use roof decks and the applicant indicated that the lot is 4 affordable units, 21 parking spaces, FAR in excess of the allowed 2.0 and common use decks.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilor O'Malley and the Carpenter's union are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA Design Review, Kindell seconded and the Board voted unanimously to approve.

Case: BOA-844016 **Address:** 95-97 West Walnut Park **Ward** 11 **Applicant:** Lolastar, LLC

Article(s): 55(55-8) 55(55-9: Add'l lot area insufficient, Floor area ratio excessive, Bldg height excessive (stories), Front yard insufficient & Side yard insufficient)

Purpose: To change occupancy from a two family dwelling to a four family dwelling. Also to add dormers, a rear addition which will include a garage with three parking spaces and renovate the building.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about the total number of bedrooms in the units, FAR and whether there are common use roof decks and the applicant indicated that 1 two bedroom unit and two 3 bedroom units, and FAR .6 above the allowed maximum.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services is in support. Councilor O'Malley is opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA Design Review, Kindell seconded and the Board voted unanimously to approve.

Case: BOA-909985 **Address:** 140 Harrishof Street **Ward** 12 **Applicant:** Imstar, LLC

Article(s): 50(50-28) 50(50-29)

Purpose: Confirm occupancy as a three-family residential dwelling and Change from 3 to 4-family residential dwelling. Project will include renovating the building and installing fire alarm and sprinkler system.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about the unit at garden level and the applicant responded accordingly.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilor Janey are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA Design Review for screening and buffering, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-925529 **Address:** 173 Magnolia Street **Ward** 13 **Applicant:** Stephen Siuda

Article(s): 50(50-28) 50(50-29: Lot area for additional dwelling units insufficient, Floor area ratio excessive, Building height excessive, Building height (# of stories) excessive, Usable open space insufficient, Front yard insufficient & Rear yard insufficient) 50(50-44)

Purpose: Erect a new 4 story, Nine (9) Unit Residential Building with (12) Off-street Parking spaces. Raze existing building under separate permit. ZBA.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about the applicable and proposed FAR and lot size and the applicant responded that an FAR of 0.8 is allowed and 1.6 is proposed and the lot size is 12000 sq ft.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA Design Review for screening and buffering, Logue seconded and the Board voted unanimously to approve.

Case: BOA-909790 **Address:** 33 Mayfield Street **Ward** 13 **Applicant:** Mai Phung

Article(s): 65(65-8) 65(65-9: Floor area ratio excessive, Bldg height excessive (stories) & Usable open space insufficient)

Purpose: Change occupancy from a two-family to a three-family dwelling. Extend living space to attic for third unit. Construct new exterior side deck and stairway. Propose two (2) additional off-street parking.

Discussion: At the applicant's request the matter was deferred to the May 21, 2019 Hearing.

Case: BOA-906174 **Address:** 50 Moseley Street **Ward** 13 **Applicant:** Roxbury Dreams III, LLC

Article(s): 65(65-9: Lot area insufficient, Floor area ratio excessive, Building height (# of stories) excessive, Side yard insufficient & Rear yard insufficient) 65(65-41)

Purpose: Change Occupancy from a Two (2) Family Dwelling to a Three (3) Family Dwelling. Renovate the interior with new Kitchens/Bathrooms, all new finishes, plumbing, HVAC, electrical, and sprinkler systems. Apply new exterior wall siding, windows. Construct a new Rear Egress stair.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about parking, rear deck egress and whether these units were to be sold as condominiums and the applicant responded that one space is provided, the rear decks are used as egress that condominiums are intended.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services is in support. An abutter and Council Baker opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Kindell moved for approval, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-926064 **Address:** 200 Savin Hill Avenue **Ward** 13 **Applicant:** Nick Le

Article(s): 65(65-8) 65(65-9: Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive & Bldg height excessive (stories)) 65(65-9.2) 65(65-32)

Purpose: Erect building for a Two Family dwelling - see ALT865936 to subdivide one lot into two lots.

Discussion: At the applicant's request the matter was deferred to the July 30, 2019 Hearing.

Case: BOA-926056 **Address:** 202 Savin Hill Avenue **Ward** 13 **Applicant:** Nick Le

Article(s): 9(9-1)

Purpose: Subdivide this existing parcel from one into two parcels; existing building is at #202 Savin Hill Avenue; at 200 Savin Hill Avenue it will have new building - please see ERT865923 to erect two family dwelling.

Discussion: At the applicant's request the matter was deferred to the July 30, 2019 Hearing.

Case: BOA-924393 **Address:** 1117-1125 Blue Hill Avenue **Ward** 14 **Applicant:** Kay Chambers

Article(s): 60(60-16)

Purpose: Change of occupancy to include bar with live entertainment to existing function hall,. No work to be done.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about the type of live entertainment proposed, off street parking and if there were grates on the front window and the applicant responded primarily a DJ, 30 spaces and acknowledged that there were grates on the front.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilors Campbell, Essaibi-George, Wu and Flaherty and several abutters are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval limited to this petitioner only, Kindell seconded and the Board voted unanimously to approve.

Case: BOA-919279 **Address:** 100 Intervale Street **Ward** 14 **Applicant:** Alpine Advisory Services

Article(s): 50(50-29: Floor area ratio is excessive, Side yard requirement is insufficient & Required usable open space is insufficient)

Purpose: Construct a vertical addition per plans filed herewith-zoning relief needed. Full construction plans to be filed after grant of zoning relief.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about the vertical addition to add a bedroom to each unit, square footage and the number of bedrooms per unit and the applicant responded approximately 1037 square feet and 1 two bedroom and 2 three bedroom units.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilor Campbell and an abutter are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA Design Review for screening and buffering, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-896383 **Address:** 24 Norwood Street **Ward** 16 **Applicant:** Ted Ahern
Article(s): 65(65-15) 65(65-16: Floor area ratio is excessive, Usable open space is insufficient & Rear yard setback is insufficient) 65(65-41) 29(29-4)
Purpose: Erect nine new units per plan.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked for clarification regarding the total number of units proposed and the applicant responded 8 units as shown on the plans.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilors Baker and Flaherty are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA Design Review, Kindell seconded and the Board voted unanimously to approve.

Case: BOA-902477 **Address:** 6 Paisley Park **Ward** 16 **Applicant:** William Boardman
Article(s): 65(65-8) 65(65-9: Insufficient front yard setback, insufficient side yard setback, insufficient rear yard setback & Max allowed # of stories exceeded)
Purpose: Change occupancy from single family to 2 family. Dormers on roof, finish attic and replace front porch.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked for the square footage and number of bedrooms proposed and the applicant responded One 2 bedroom with 907 square feet and one 4 bedroom unit 1598 square feet as shown on the plans.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilors Baker and Flaherty are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA Design Review subject to submission of stamped plans, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-882119 **Address:** 18 Thane Street **Ward** 17 **Applicant:** JPNDC Pitts LLC
Article(s): 9(9-1)
Purpose: Create 6 parking spaces, striping, wheel stops, curb cut (will submit curb application to PWD). Also see alt788316.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about access to the parking lot and dimensions of the spaces and the applicant responded that access will be on Thane Street, which is one way with parking on the same side of the street as the lot and the spaces will be 9 feet wide and 16-24 feet long as shown on the plans.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilor Campbell are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-924131 **Address:** 11 Clare Avenue **Ward** 18 **Applicant:** Emeasures LLC

Article(s): 67(67-32) 67(67-33) 67(67-9: Insufficient additional lot area/dwelling unit (8,000sf), Excessive F.A.R., Insufficient rear yard setback (deck projections) & # of allowed stories has been exceeded)

Purpose: Erect new two family dwelling per attached drawings.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about parking, number of stories and basement living space and the applicant responded that there will be two garage spaces, 2 and ½ stories and no living space in the basement as shown on the plans.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilor McCarthy are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA Design Review, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-900954 **Address:** 4 Pond Street **Ward** 18 **Applicant:** Yongle Lin

Article(s): 69(69-29)

Purpose: Paving front lawn with asphalt, 6" to 8" gravel base, then apply 3" asphalt for 2 parking spaces.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about parking and driveway access and the applicant responded that two existing spaces will be accessed from an existing narrow driveway as shown on the plans.

Testimony: The Board then requested testimony from neighbors and elected officials and none was provided.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for Denial, Bickerstaff seconded and the Board voted unanimously to deny the requested relief.

Case: BOA-910016 **Address:** 17 Standard Street **Ward** 18 **Applicant:** Tim Longden

Article(s): 60(60-8) 60(60-9: Floor area ratio excessive, Bldg height excessive (stories), Usable open space insufficient, Front yard insufficient & Rear yard insufficient)

Purpose: Erect new 4-unit residential building on 6814 SF vacant land with propose 5 garage parking spaces.

Discussion: At the request of the applicant, a motion to defer the matter to the June 25, 2019 hearing was seconded and unanimously approved by the Board.

Case: BOA-916848 **Address:** 1545 VFW Parkway **Ward** 20 **Applicant:** Lincolnton Parkway, LLC
Article(s): 25(25-5) 56(56-40) 56(56-15)

Purpose: Erect a new four story residential building totaling 135 units and 387 parking spaces. Total development consists of two buildings on one lot, total building FAR square feet equals 357,040, with 258 units and 387 parking spaces total. Associated with permit ERT888725. ZBA.

Case: BOA-916852 **Address:** 1555 VFW Parkway **Ward** 20 **Applicant:** Lincoln Parkway, LLC
Article(s): 25(25-5) 56(56-40) 56(56-15)

Purpose: Erect a new four story residential building totaling 123 units. Total development consists of two buildings on one lot, total building FAR square feet equals 357,040, with 258 units and 387 parking spaces total, per plans. Associated with permit ERT888715. ZBA.

(The preceding two appeals were heard as companion cases).

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about the total number and size of units, number of affordable units and bedrooms in each unit, and the applicant responded 258 total units, including 760 square foot 1 bedroom units, 1100-1200 square foot 2 bedroom units and 33 affordable units as shown on the plans.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilors O'Malley and Essabi-George and the Carpenter's Union are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA Design Review, Galvin seconded and the Board voted unanimously to approve.

RE-DISCUSSIONS: 11:30a.m.

Case: BOA-922475 **Address:** 69-71 Maverick Square **Ward** 1 **Applicant:** Julius Sokol
Article(s): 53(53-11)

Purpose: Change Occupancy from a Dry Cleaning Store w/accy Storage to 6 Apartments and a Registered Marijuana Dispensary.

Discussion: At the request of the applicant, a motion to defer the matter to the July 9, 2019 hearing was seconded and unanimously approved by the Board.

Case: BOA-878715 **Address:** 631 Saratoga Street **Ward** 1 **Applicant:** Labrador Real Estate

Article(s): 53(53-8) 53(53-9: Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Bldg height excessive (stories), Front yard insufficient, Side yard insufficient & Rear yard insufficient) 53(53-56)

Purpose: Seeking to demolish the existing structure and erect a three-story building with four residential units.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about dimensional violations and the square footage and number of bedrooms in the units and the applicant responded that an FAR of 1.89 is proposed (1.0 allowed), 3 stories allowed (2 and ½ allowed) and units would 1330 square foot 2 bedroom, 540 and 750 square foot 1 Bedrooms, and 900 square foot 3 bedroom unit as shown on the plans.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor’s Office of Neighborhood Services and Councilor Edwards are in support. Two direct abutters spoke in opposition.

Documents/Exhibits: Building Plans

Notes: Board Member Galvin moved for approval with BPDA Design Review and “3 contractual parking spaces”, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-871937 **Address:** 1A Barnard Place **Ward** 6 **Applicant:** Patrick Cibotti
Article(s): 27S(27S-5) 68(68-8: Front yard insufficient & Rear yard insufficient) 68(68-33) 10(10-1)
Purpose: Erect a new two-family dwelling and propose 4 off-street parking as per plans.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about the total number of parking spaces and the dimensional violations, and the applicant responded two parking spaces per unit, the front yard is modal and the rear yard is 4 feet (20 feet required) as shown on the plans.

Testimony: The Board then requested testimony from neighbors and elected officials. No one spoke in favor. The Mayor’s Office of Neighborhood Services and Councilors Flynn, Flaherty, Wu and Essabi-George, Senator Nick Collin’s office and several abutters spoke in opposition.

Documents/Exhibits: Building Plans

Notes: Board Member Erlich moved to Deny, Logue seconded and the Board voted unanimously to deny the request for relief.

Case: BOA-912627, **Address:** 733-733A East Fifth Street **Ward:** 6 **Applicant:** John Barry
Article(s): 27S(27S-5) 68(68-8)
Purpose: Construct a new third story addition and rear addition with decks. Extend living space to basement to existing two-family dwelling.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about the dimensional violations and roof deck and the applicant responded that the side yard setback is pre-existing and that no roof deck is proposed as shown on the plans. The dwelling will remain a two family.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor’s Office of Neighborhood Services and Councilor Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA Design Review, Kindell seconded and the Board voted unanimously to approve.

Case: BOA-784573 **Address:** 107 Buttonwood Street **Ward 7 Applicant:** Thanh Nguyen

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

Purpose: Interior and exterior renovation to existing single family dwelling. Work to include Kitchen and bath remodeling. Remove chimney and partition and load bearing wall as per plan. Repair chimney penetration on roof. Replace rear decking on first floor. Propose new roof deck on second floor. Extend living space to basement.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about the basement plans and ceiling height and the applicant responded that the basement will include a media room, bathroom and storage. The dwelling will remain a one family.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilor Baker are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval subject to the project architect's signature on the plans, Galvin seconded and the Board voted unanimously to approve.

Case: BOA-844566 **Address:** 35 Dade Street **Ward 9 Applicant:** Peter Vanko

Article(s): 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-44)

Purpose: New 4 story, (2) family dwelling to be known as "35 Dade St". The lots for the proposed building are the product of lot subdivisions produced under companion projects ALT812352 (38 Williams), ALT812353 (40 Williams).

Discussion: The applicant has withdrawn this appeal.

Votes: Board Member Galvin moved for Dismissal without Prejudice, Erlich seconded and the Board voted unanimously to Dismiss without Prejudice.

Case: BOA-897977 **Address:** 40 Williams Street **Ward 9 Applicant:** Peter Vanko

Article(s): 50(50-29) 50(50-29) 50(50-29) 50(50-29)

Purpose: Subdivision of lot, resulting in two distinct parcels. One parcel will contain the existing building. The second parcel to be combined with new lot obtained from 38 Williams (same ownership).

Discussion: The applicant has withdrawn this appeal.

Votes: Board Member Galvin moved for Dismissal without Prejudice, Erlich seconded and the Board voted unanimously to Dismiss without Prejudice.

Case: BOA-897975 **Address:** 38 Williams Street **Ward 9 Applicant:** Peter Vanko

Article(s): 50(50-29) 50(50-29) 50(50-29) 50(50-29)

Purpose: Subdivision of lot, resulting in two distinct parcels. One parcel will contain the existing building. The second parcel to be combined with new lot obtained from 40 Williams (same ownership).

Discussion: The applicant has withdrawn this appeal.

Votes: Board Member Galvin moved for Dismissal without Prejudice, Erlich seconded and the Board voted unanimously to Dismiss without Prejudice.

Case: BOA-848024, **Address:** 109-117A Blue Hill Avenue **Ward:** 12 **Applicant:** Domingo De La Paz
Article(s): 50(50-28)
Purpose: Change Occupancy to include Coffee Shop.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about takeout, hours of operation and whether the building had grates and the applicant responded no take-out, 5 am to 9 pm daily and that the building has grates.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval subject to BPDA Design Review for grates and the project architect's signature on the plans, Galvin seconded and the Board voted unanimously to approve.

Case: BOA-869948 **Address:** 67R Sanford Street **Ward** 17 **Applicant:** Michael Liu
Article(s): 65(65-42.2) 65(65-9)
Purpose: Erect new detached single-family dwelling with (2) off-street parking to the rear of the existing 67-69 Sanford Street (two family). This application has been filed in conjunction with ALT865344 for subdivision, ALT851810 for addition, to include, U49865310 for proposed (4) off-street parking for #67-69 Sanford.

Discussion: The applicant has withdrawn this appeal.

Votes: Board Member Galvin moved for Dismissal without Prejudice, Logue seconded and the Board voted unanimously to Dismiss without Prejudice.

Case: BOA-869954 **Address:** 67-69 Sanford Street **Ward** 17 **Applicant:** Michael Liu
Article(s): 9(9-1) 65(65-9: Insufficient lot width, Insufficient lot size & Excessive F.A.R.)
Purpose: Subdivide Lot into two lots. Lot A: 67-69 Sanford St (5,154 SF) and Lot B: 67R Sanford St (6,362 SF). File in conjunction with ALT851810, U49865310, ERT865353.

Discussion: The applicant has withdrawn this appeal.

Votes: Board Member Galvin moved for Dismissal without Prejudice, Logue seconded and the Board voted unanimously to Dismiss without Prejudice.

Case: BOA-869960 **Address:** 67-69 Sanford Street **Ward** 17 **Applicant:** Michael Liu
Article(s): 10(10-1) 65(65-42)
Purpose: Propose (4) off-street parking for the existing two-family dwelling filed in accordance with the submitted plans. File in conjunction with ALT851810, ALT865344, ERT865353.

Discussion: The applicant has withdrawn this appeal.

Votes: Board Member Galvin moved for Dismissal without Prejudice, Logue seconded and the Board voted unanimously to Dismiss without Prejudice.

Case: BOA-869984 **Address:** 67-69 Sanford Street **Ward** 17 **Applicant:** Michael Liu
Article(s): 9(9-1) 65(65-9: Insufficient front yard setback, Excessive F.A.R. & # of allowed stories has been exceeded) **Purpose:** In existing two family construct a rear addition on the #67 side, to include, a half shed dormer, the addition of a 1.5 bath (each side) as well as, replace roof, siding, and windows in accordance with the submitted plans. (This application has been filed in conjunction with ERT865353 (new 1 family dwelling to rear), U49865310 (4 car parking) and Alt865344 (Subdivision).

Discussion: The applicant has withdrawn this appeal.

Votes: Board Member Galvin moved for Dismissal without Prejudice, Logue seconded and the Board voted unanimously to Dismiss without Prejudice.

Case: BOA-899705, **Address:** 54 Bateman Street **Ward:** 18 **Applicant:** Kira Gagarin
Article(s): 69(69-9)
Purpose: Extend living space to basement for Unit 1 to correct violation V386166.

Discussion: At the request of the applicant, the board moved, seconded and unanimously voted to defer the matter to May 21, 2019.

Case: BOA-890958 **Address:** 7-15 Catherine Street **Ward** 19 **Applicant:** John Lydon
Article(s): 55(55-8) 55(55-9: Excessive F.A.R., Excessive number of stories, Insufficient front yard setback & Insufficient side yard setback)
Purpose: Construction of five (5) adjacent, shared-wall, townhomes. Each home to have four (4) bedrooms, three and one half baths (3.5), kitchen, living room area, front balcony, and a two-car heated and enclosed garage. Units to share access to a 2000 sq. ft. green space located to the rear of proposed structures. (Existing buildings to be razed under a separate permit).

Discussion: The applicant has withdrawn this appeal.

Votes: Board Member Bickerstaff moved for Dismissal without Prejudice, Erlich seconded and the Board voted unanimously to Dismiss without Prejudice.

Case: BOA-765159 **Address:** 139 Walter Street **Ward** 20 **Applicant:** Nora Duclos
Article(s): 67(67-9: Lot area for the add'l dwelling unit is insufficient, Floor area ratio is excessive, Height requirement is excessive (2.5 stories max. allowed), Required front yard setback is insufficient, Required side yard setback is insufficient & Required usable open space is insufficient) 67(67-32: Off-street parking Off-street parking requirement is insufficient & Off-street parking & loading req Off-street parking design (access drive & maneuverabil-ity))
Purpose: Construct new 2-family town house dwelling per plans.

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about the dimensional violations and the applicant responded that the lot is 5847 square feet and 8000 square feet and a 10 foot setback are required.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services is in support. Councilor McCarthy and two abutters spoke in opposition.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval subject to BPDA Design Review and the project architect's signature on the plans, it was not seconded and the motion was withdrawn. Board Member Erlich then moved for dismissal without prejudice, Bickerstaff seconded and the Board voted to dismiss without prejudice which Galvin opposed. The second motion passed.

Case: BOA-896852 **Address:** 17-19 Myrick Street **Ward** 22 **Applicant:** Derric Small

Article(s): 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9)

Purpose: Erect two new townhouses with garage and roof deck on Lot 2: 1,472 SF on a subdivided parcel at 55 Easton Street. Demolish existing one story garage. File in conjunction with ALT787787.

Case: BOA#896851 **Address:** 17-19 Myrick Street **Ward** 22 **Applicant:** Derric Small

Purpose: Erect two new townhouses with garage and roof deck on Lot 2: 1,472 SF on a subdivided parcel at 55 Easton Street. Demolish existing one story garage. File in conjunction with ALT787787.

SECTION: 8th 780CMR R311.1 Means of Egress All dwelling shall be provided with two means of egress as provided in this section.

Case: BOA-896850 **Address:** 55 Easton Street **Ward** 22 **Applicant:** Niles Sutphin

Article(s): 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-56)

Purpose: Subdivide property into two separate parcels Lot 1: 2,669 SF (55 Easton St) and Lot 2: 1,472 SF (17 Myrick Street). Demolish rear decks and garage; Construct new exit stairway at rear of building from first floor down to grade. Existing building to remain three-family dwelling. File in conjunction with ERT786744.

(These appeals were heard as companion cases.)

Discussion: At the request of the Board, the applicant presented plans, described the proposed project in detail and presented grounds for the zoning relief required for this proposal.

Board Members asked about building code relief and the dimensional violations and the applicant responded no building relief is sought, the rear yard set back is 4 feet (40 feet is required) and an FAR of 1.3 is proposed (.8 is allowed).

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and an abutter are in support. Councilor Ciommo and the Allston Civic Association opposed

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved to deny the building and zoning code relief and the motion was seconded but the motion failed as no one voted in favor. Erlich then moved to approve subject to BPDA Design Review, Galvin seconded but the motion failed for lack of 5 concurring votes (Araujo and Bickerstaff opposed). As a result the appeals were denied.

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

BOARD MEMBERS:

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CRAIG GALVIN-ACTING SECRETARY

SUBSTITUTE MEMBERS:

TYRONE KINDELL, JR
KERRY LOGUE

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

For a video recording of the April 9, 2019 Board of Appeal Hearings please go to: https://www.cityofboston.gov/cable/video_library.asp