



City of Boston
Board of Appeal

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By City Clerk at 9:59 am, Feb 18, 2021

TUESDAY, FEBRUARY 23, 2021

BOARD OF APPEAL

CITY HALL, ROOM 801

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON FEBRUARY 23, 2021 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS FEBRUARY 23, 2021 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE FEBRUARY 23, 2021 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE WEBEX EVENT PLATFORM.

Interested persons can participate in the hearing **REMOTELY** by going to <http://bit.ly/zbaFeb23hearing> or by calling 1-617-315-0704 and entering access code 129 006 7579.

If you wish to offer testimony on an appeal, please click <http://bit.ly/zbaFeb23comment> to 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 <http://bit.ly/zbaFeb23comment>, calling 617-635-4775 or emailing isdboardofappeal@boston.gov.

The ZBA Ambassador will be available within the WebEx Event from at 8:30 AM to 9:30 AM to answer questions about ZBA procedures and offer instructions on how to participate in the hearing via WebEx. Questions and/or concerns can also be emailed to the ZBA Ambassador at zba.ambassador@boston.gov.



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If you wish to offer comment within the meeting platform, please use the “raise hand” function, if connected by video, or dial *3, if connected by phone. The requester will be administratively unmuted and 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 9:00 AM 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 appear in person at City Hall, in the BPDA board room, 9th Floor, Room 900. 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. Individuals appearing at City Hall without an appointment will not be permitted to enter.

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 isdboardofappeal@boston.gov IN LIEU OF OFFERING TESTIMONY ONLINE OR FROM BPDA BOARD ROOM. IT IS STRONGLY ENCOURAGED THAT WRITTEN COMMENTS BE SUBMITTED TO THE BOARD AT LEAST 48 HOURS PRIOR TO THE HEARING. WHEN DOING SO, PLEASE INCLUDE IN THE SUBJECT LINE THE BOA NUMBER, THE ADDRESS OF THE PROPOSED PROJECT AND THE DATE OF THE HEARING.



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EXTENSIONS: 9:30 AM

Case: BOA- 754552 Address: 34-36 William Avenue Ward 18 Applicant: Rauny Baez

Case: BOA- 754553 Address: 38 Williams Avenue Ward 18 Applicant: Rauny Baez

Case: BOA-908276 Address: 872 Morton Street Ward 17 Applicant: John Pulgini

Case: BOA-382897 Address: 104 Canal Street Ward 3 Applicant: Ruth Silman

Case: BOA-897316 Address: 534-538 Dorchester Avenue Ward 7 Applicant: George Morancy, Esa

Case: BOA- 784986 Address: 534R Dorchester Avenue Ward 7 Applicant: George Morancy, Esq

BOARD FINAL ARBITER: 9:30 AM

Case: BOA-1029694 Address: 35 Brookley Road Ward 11 Applicant: John Pulgini

Requesting to appear before the Board as Final Arbiter relative to the Board's proviso on its prior decision "Subject to design review by BPDA with attention to reducing density and massing and for compliance with the rear yard setback requirement" on this matter, originally noticed for July 21, 2020, for which the Board granted relief in part on the original appeal.

Articles: Article 55 Section 19 Use Regs in Local Industrial Multi family dwelling (forbidden) Article 55 Section 20 Dimensional Regulations in LI Floor Area Ratio excessive Article 55 Section 20 Dimensional Regulations in LI Height excessive Article 55 Section 20 Dimensional Regulations in LI Rear Yard insufficient Article 55, Section 40 Off Street Parking & Loading Req Off street parking insufficient Article 55 section 40 Off Street Parking & Loading Req 55 40.5 Off street parking, design

Purpose: Demo existing structure to erect a new 46 unit residential development. Revised on 3/4/20 to 45 units, FAR from 2.38 to 2.32. GFA 40890sf to 39858sf and parking from 21 spaces to 19 spaces.

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

Case: BOA- 896586 Address: 509R East Fifth Street Ward 6 Applicant: George Morancy, Esq



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GCOD: 9:30 AM

Case: BOA-1150982 Address: 134 Arlington Street Ward 5 Applicant: Jonathan Lee

Article: Art. 32 Sec. 04 GCOD Applicability

Purpose: New construction of a 1,730 single family attached residence. 3 story structure with rear patio. Existing parcel will be subdivided into two Lots. This Lot to be known as 134 Arlington Street and will be 868 square feet. Nominal fee requested per attached letter for zoning review.

Case: BOA-1150980 Address: 130-132 Arlington Street Ward 5 Applicant: Jonathan Lee

Article: Art. 32 Sec. 04 GCOD Applicability

Purpose: New construction of a two unit dwelling (condominium), totaling 3,278 square feet. 3 story structure with rear patio. Existing parcel will be subdivided into two lots. Lot to be known as 130 132 Arlington Street, and will be 1,640 square feet. Nominal Fee requested per attached letter for zoning review.

Case: BOA-1150983 Address: 10 Edgerly Place Ward 5 Applicant: Jonathan Lee

Article: Art. 32 Sec. 04 GCOD Applicability

Purpose: New construction of an attached two unit condominium family, totaling 2,700 square feet. 3 story structure with a deck and patio. Nominal Fee requested per attached letter for zoning review.

BUILDING CODE: 9:30 AM

Case: BOA-1137440 Address: 40 Beacon Street Ward 5 Applicant: Karen Anne Kames

Purpose: Modify 4th floor Unit 5 to isolate space to be transferred to 2nd Floor Unit 3. Create egress vestibule and move one door. Work is related to Permit No ALT267828 issued 4/3/15 and A889440 issued 11/13/18. Currently Building is Occupied per Temp COO942959.

Violations: Violation Description Violation Comments 9th 780 CMR 1006 Number of Exits and Exit Access Doorway 1006.1 General. The number of exits or exit access doorways required within the means of egress system shall comply with the provisions of Section 1006.2 for spaces and Section 1006.3 for stories.

HEARING: 9:30 AM

Case: BOA-1145521 Address: 35 Eutaw Street Ward 1 Applicant: Brian Markarian Construction LLC

Articles: Art. 27G E Boston IPOD Art. 52, Section 8 Use: Forbidden Art. 53 Sec. 09 Floor Area Ratio Excessive Art. 53 Sec. 56 Off street parking insufficient Art. 53 Section 9 Open space insufficient

Purpose: Change occupancy from a legal 2 family to 3 family. Complete gut rehab ,new siding, replace some windows, reframe floors, build new porches, new fire protection systems (see sf1070472 for partial cost of work \$356,400). Eplan



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Case: BOA-1055809 Address: 167 Lexington Street Ward 1 Applicant: 88 Holdings, LLC
Articles: Article 53, Section 9 Floor Area Ratio Excessive Max. allowed: 0.8 Proposed: 1.22 Article 53, Section 9 Bldg Height Excessive (Stories) Allowed: 2.5 Proposed: 3 Art. 27G E Boston IPOD Article 53 Section 8 Use Regulations 3 family use: Forbidden Article 53 Section 56 Off Street Parking & Loading Req spaces required: 1 Proposed: 0
Purpose: Seeking to confirm the occupancy as a two family residential dwelling and change to a three family residential dwelling and renovate. BOA

Case: BOA-1024228 Address: 137 Leyden Street Ward 1 Applicant: John Flaherty
Articles: Article 53 Section 8 Use Regulations Use: Multifamily Dwelling: Forbidden Article 53 Section 8 Use Regulations Use: Accessory Parking: Forbidden Article 53 Section 9 Dimensional Regulations Floor Area Ratio Excessive Article 53 Section 9 Dimensional Regulations Building Height Excessive Article 53 Section 9 Dimensional Regulations Building Height (# of Stories) Excessive Article 53 Section 9 Dimensional Regulations Front Yard Insufficient Article 53 Section 9 Dimensional Regulations Side Yard Insufficient Article 53 Section 9 Dimensional Regulations Rear Yard Insufficient Article 53 Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 53 Section 57 Application of Dimensional Req Conformity with Existing Building Alignment Article 27T Section 9 IPOD Enforcement East Boston IPOD Applicability
Purpose: Erect a new 5 story Nine (9) Unit Residential Dwelling. There will be Off Street Parking located under Building and in Rear Yard as per plans. Existing house to be razed under a separate permit. Construction Plans to be submitted upon ZBA approval.

Case: BOA-1135699 Address: 25 Atlantic Avenue Ward 3 Applicant: Richard Walsh
Articles: Article 32, Section 4 GCOD, Applicability Groundwater Conservation Overlay District Applicability Article 54, Section 18 Roof Structure Restrictions Height of proposed new construction exceeds the prior height of existing building
Purpose: Proposed new construction of a 5 story, Six (6) Unit Residential Building. Project includes 4 single story flat style Units and 2 duplex style Units. All Units are three bedroom units. There will be a common Roof Deck for all tenants. Building will be fully sprinklered. E Plans

Case: BOA-937968 Address: 1112-1116 Boylston Street Ward 4 Applicant: Cypress Tree Management, Inc
Articles: Article 66, Section 14 Use Regulations in NB Cannabis Establishment Use: Conditional Article 66, Section 14 Use Regulations in NB Location is within 1/2 mile of another cannabis establishment
Purpose: Change of occupancy to include cannabis establishment and associated renovations.

Case: BOA-927849 Address: 48-62 Brookline Avenue Ward 5 Applicant: Travis Blake, for Dana Van Fleet
Articles: Article 66, Section 11 Use Regulations in NDA Cannabis Establishment is a Conditional use in the Fenway Triangle NDA Sub District Article 66, Section 11 Use Regulations in NDA Table A, fn15, Location is within 1/2 mile of another cannabis establishment.
Purpose: CHANGE OF OCCUPANCY from Restaurant , Restaurant Lounge, Art Supplies and Health Club to Restaurant , Restaurant Lounge, Art Supplies and Retail Cannabis Sales.



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Case: BOA-1066438 Address: 1-59 Saint James Avenue Ward 5 Applicant: Capital Properties
Article: Art. 8, Section 7 Use: Conditional College or University classroom
Purpose: 31 Saint James Avenue Suite 123 Bay State College. Renovations to include, flooring, paint, millwork, ceilings, electrical upgrade, HVAC, sprinkler, fire alarm, glass & shades as per plans dated 1 8 2020 from Beacon Architectural Associates.

Case: BOA-1146198 Address: 407 East Seventh Street Ward 7 Applicant: Chris Drew
Articles: Article 68, Section 8 Side Yard Insufficient 0ft < 3ft min. req'd Article 68, Section 33 Off Street Parking & Loading Req 1. 2 provided < 3 min req'd 2. Maneuverability not provided (Tandem Parking)
Art. 10 Sec. 01 Limitation of off street parking areas Parking located less than 5ft from side lot line
Purpose: To rebuild existing 2 family due to fire. Construct new rear addition & decks for egress. Both units will be bi level units (unit 1 basement & first floor / unit 2: second & third floor) Add a new curb cut for 2 tandem parking spaces per plans *Nominal Fee for the Filing see attached letter*** [ePlan]**

Case: BOA-1143458 Address: 3371-3375 Washington Street Ward 11 Applicant: Brian Goldson
Articles: Article 55 Section 19 Use Regs in Local Industrial Use: Elderly Housing: Forbidden
Article 55 Section 20 Dimensional Regulations in LI Floor Area Ratio Excessive Article 55 Section 20 Dimensional Regulations in LI Building Height Excessive Article 55 Section 20 Dimensional Regulations in LI Rear Yard Insufficient Article 55, Section 40 Off Street Parking & Loading Req Off Street Parking (Restaurant) Insufficient Article 55, Section 40 Off Street Parking & Loading Req Off Street Parking (Residential) Insufficient Article 55, Section 40 Off Street Parking & Loading Req Off Street Loading Insufficient
Purpose: Construct a new five story mixed use building as depicted on the attached drawings. The structure will consist of a total of 39 residential senior rental units ("Elderly Housing"), and 770 SF of commercial space ("Restaurant"). No parking spaces or loading area will be provided. The new building will be constructed on a parcel created by combining parcels 1102584000, and 1102583002. It is understood that zoning relief will be required for this Project.

Case: BOA-1145470 Address: 31 Regent Street Ward 12 Applicant: Charles Janey
Articles: Article 50, Section 43 Off Street Parking & Loading Req
Purpose: Change of Occupancy from a one to a two family. Has been being used as a two family for many years. Existing condition. EPLAN

Case: BOA-976351 Address: 25 Fountain Street Ward 12 Applicant: OFR Dev LLC
Articles: 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 Front Yard Insufficient Article 50, Section 43 Off Street Parking & Loading Req Off Street Loading Insufficient
Purpose: New 42 40 unit 5 story multi family building. level 1 is concrete podium consisting of an open air parking and common area. Levels 2 5 is wood frame construction consisting of residential units. Site includes a common driveway and parking to be shared with a new 9 unit 3 story bldg at 50 Regent St filed under ERT958426. [ZBA ePlan]



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Case: BOA-1120246 Address: 655 Morton Street Ward 14 Applicant: Alfonso Sira
Articles: Art. 60 Sec. 08 Use Regs appl in Res Subdistr Dwelling unit is forbidden in basement Art. 60 Sec. 08 Use Regs appl in Res Subdistr Lodging house use is a forbidden use Art. 60 Sec. 60 9 Additional Lot Area Insuff Lot area for the add'l unit is insufficient Article 60 Section 9 Dimensional Regulations Floor area ratio is excessive Article 60 Section 9 Dimensional Regulations Usable open required is insufficient Article 60, Section 37 Off Street Parking Insufficient Off street parking requirement is insufficient
Purpose: Renovation of basement into apartment and change of occupancy to a boarding house.

Case: BOA- 1151935 Address: 20 Glenway Street Ward 14 Applicant: Tyrus Cartwright
Articles: Article 60, Section 8 Use: Forbidden Multi family dwelling is a forbidden use Article 60, Section 9 Lot size to erect a building is insufficient Article 60, Section 9 Lot area for the add'l dwelling unit is insufficient Article 60, Section 9 Lot width required is insufficient Article 60, Section 9 Lot frontage required is insufficient Article 60, Section 9 Floor area ratio is excessive Article 60, Section 9 Height requirement is excessive Article 60, Section 40 Off Street Parking & Loading Req Off street parking requirement is insufficient Art. 60 Sec. 09 Usable open space insufficient Usable open space requirement is insufficient Art. 60 Sec. 09 Side yard insufficient Side yard setback requirement is insufficient Art. 60 Sec. 09 Rear yard insufficient Rear yard setback requirement is insufficient Article 60 Section 9 Front yard setback requirement is insufficient
Purpose: Erect a 4 unit multi family dwelling, including 4 parking spaces at the rear of the property. The first and second floors are 2 virtually identical units of 3 bedrooms 2 baths. The third and fourth floors are 2 town house style units of 3 bedrooms 2 baths and 2 bedrooms 1.5 baths. [ZBA ePlan]

Case: BOA-1071906 Address: 93 Barry Street Ward 15 Applicant: David Choi
Articles: Article 65, Section 9 Dimensional Regulations Floor area ratio is excessive Article 65, Section 9 Dimensional Regulations Side yard setback is insufficient Article 65, Section 9 Dimensional Regulations Usable open space required is insufficient Art. 65 Sec. 41 Off street parking requirements Off street parking requirement is insufficient
Purpose: Change occupancy from Church to a single family dwelling unit. Add 2 dormers as 2nd floor.

Case: BOA-1144252 Address: 2-20 Fairmount Avenue Ward 18 Applicant: Christ Stamatatos
Article: Article 69 Section 11 Use Regulations Restaurant with take out use: Conditional
Purpose: To remove proviso from take out restaurant to "this petitioner only." Eplan

Case: BOA-1139021 Address: 76 Fawndale Road Ward 19 Applicant: Falcucci
Articles: Article 67, Section 9 Lot size to erect a dwelling building is insufficient Article 67, Section 9 Front yard setback requires is insufficient Article 67, Section 9 Side yard setback requires is insufficient Article 67, Section 9 Rear yard setback requires is insufficient
Purpose: Combine parcels 1903234000,1903235000 and 1903233000 for a combined total of 2908 +/- sf lot to erect a new single family house as per plans. Permit set to be submitted upon ZBA approval.



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Case: BOA-1126884 Address: 79 Ballou Avenue Ward 14 Applicant: Courtney Avery II
Articles: Article 60, Section 9 Add'l Lot Area Insufficient Article 60, Section 9 Floor Area Ratio Excessive
Article 60, Section 9 Usable Open Space Insufficient Article 60, Section 9 Side Yard Insufficient
Purpose: Subdivide Lot per the plans

Case: BOA- 1126886 Address: 81 Ballou Avenue Ward 14 Applicant: Courtney Avery II
Articles: Article 60, Section 8 Use: Forbidden MFR is a Forbidden use in a 3F 5000 Sub district Article 60, Section 9 Lot Area Insufficient Article 60, Section 9 Add'l Lot Area Insufficient Article 60, Section 9 Floor Area Ratio Excessive Article 60, Section 9 Usable Open Space Insufficient Article 60, Section 9 Front Yard Insufficient Article 60, Section 9 Side Yard Insufficient Article 60, Section 9 Rear Yard Insufficient Article 60 Section 40 Off Street Parking & Loading Req Proposed off street parking is insufficient. None proposed.
Purpose: Erect new construction 4 family dwelling per the plans. [ePlan]

RECOMMENDATIONS: 11:30 AM

Case: BOA-970452 Address: 1 Brigham Street Ward: 1 Applicant: Lily Zhuang
Articles: Article 53 Section 9 Dimensional Regulations Open Space Article 53 Section 57 Application of Dimensional Req (5) Visibility across a corner lot Article 53 Section 56.5.a Parking maneuverability Design
Purpose: Parking for 1 car.

Case: BOA- 1145820 Address: 5-5A Franklin Street Ward: 2 Applicant: Jason Raisner
Articles: Article 63, Section 20 Roof Structure Restrictions Access Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg.Extension of Nonconforming Height of structure increase <25% 35' max
Purpose: Adding roof deck and access stair. *2 Family ERT451996/2016

Case: BOA-1129072 Address: 18 Ferrin Street Ward: 2 Applicant: Timothy Sheehan
Articles: Article 62, Section 12 Roof Structure Restrictions Article 62, Section 8 Excessive F.A.R. 2.0 max. Article 62,Section 8 Insufficient rear yard setback 15' max allowed on a shallow lot Article 62,Section 8 Insufficient side yard setback 2.5' min. req.
Purpose: Construct a second floor rear walk in closet addition over an existing first floor plan. [ZBA ePlan]

Case: BOA1128906- Address: 32 Pleasant Street Ward: 2 Applicant: Timothy Sheehan
Article: Article 62, Section 8 Excessive F.A.R
Purpose: This is the conversion of an existing uninhabited basement into habitable space. There will be windows along with egress / light wells along with a bathroom added. ZBA approval will be required because we will exceed allowable F.A.R. with the additional habitable area.

Case: BOA- 1132953 Address: 25 Greenbrier Street Ward: 15 Applicant: Nilton Amando
Articles: Article 65, Section 9 Rear Yard Insufficient Article 65, Section 9 Side Yard Insufficient
Purpose: Adding a deck on the second floor.



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Case: BOA-1143815 Address: 133 Florence Street Ward: 19 Applicant: Kara Bonanni

Article: Article 67, Section 9 Side Yard Insufficient

Purpose: On first floor, add a bathroom and a laundry room, to allow an elderly couple to access easily the bathroom from their first floor bedroom; there is no bathroom on first floor at present.

Case: BOA-1119524 Address: 15-17 Arborough Road Ward: 20 Applicant: Dennis Patch

Article: Article 67, Section 9 Floor Area Ratio Excessive

Purpose: Extend unit one into basement. Finish existing basement with 7'2" ceilings. Remodel Bathroom, remodel 2 existing bedrooms, new finishes, electric, plumbing, HVAC for living room, laundry, Study. Add and expand window and door openings for egress.

Case: BOA- 1143220 Address: 34-36 Guernsey Street Ward: 20 Applicant: Virginia Tierney

Article: Article 67, Section 9 Floor Area Ratio Excessive 0.6 > 0.5max

Purpose: Confirm as Two family condominium with two units. The first floor unit includes a garage which cannot be used as a garage as access is from the back yard. We would like to convert it to a master bedroom / bath with access via stairs in the kitchen without side access to back yard.

Case: BOA-1065948 Address: 44 Worley Street Ward: 20 Applicant: Richard McDermott

Articles: Article 56, Section 7 Use Regulations Extension of non conforming use (2 family) Article 56, Section 8 Bldg Height Excessive (Stories) Allowed: 2.5 Proposed: 3

Purpose: Add a Dormer on left side of the house approx 11' x 11 1/2". Amendment to ALT1019953.

Case: BOA-1142855 Address: 10 Westbourne Street Ward: 20 Applicant: Paul Cronin

Articles: Article 67, Section 9 Insufficient rear yard setback (40' required) Article 67, Section 9 # of allowed stories exceeded (2.5 story max.)

Purpose: Renovate interior of house, renovation of bathrooms, bedrooms and adding shed dormer in rear, Install new siding on House.

Case: BOA-999494 Address: 6 Mount Vernon Avenue Ward: 2 Applicant: Timothy Burke

Article: Article 09-sec 1, Article 62-sec 25, Article 62-sec 8

Purpose Amend permit to construct a new dormer on rear of house with roof deck above. Access to roof deck from new stair and hatch. Work includes new framing, cladding, windows, decking, roof hatch and railings. Work includes associated electrical, plumbing and mechanical work.

Case:BOA-1057679 Address: 18 Birchcroft Road Ward 18 Applicant: Said Ennaya

Article: Article 69, Section 9 Building Height Excessive (stories), Side & Rear Yard Insufficient)

Purpose: Legalize all work not permit #SF890899, add third floor, and front deck conforming to the new Drawings Submitted, new electric and heating system.



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HEARING: 12:30 PM

Case: BOA-991361 Address: 533 Washington Street Ward 17 Applicant: Stephen Siuda
For re-hearing of the appeal originally noticed for January 12, 2021 due to technical difficulty in the virtual hearing which prevented all sitting members of the Board from hearing and voting on the appeal in reference.
Articles: Article 65 Section 15 Use Regulations Use: Retail Cannabis Establishment: Forbidden (Table B Footnote # 25) Article 65, Section 15 Use: Conditional Retail Cannabis Establishment: Conditional
Purpose: Change Occupancy to include a Recreational Cannabis Retail Establishment. Remodel the interior of the Building.

Case: BOA-1091923 Address: 1870 Centre Street Ward 20 Applicant: Centre Trust, LLC
For re-hearing of the appeal originally noticed for January 12, 2021 due to technical difficulty in the virtual hearing which prevented all sitting members of the Board from hearing and voting on the appeal in reference.
From the terms of the Boston Zoning Code (see Acts of 1956, c.665) in the following respects:
Articles: Article 56, Section 39 Off Street Parking & Loading Req Off Street parking is insufficient 63 required, 25 proposed Article 2A, Section 2A 1 Definitions Entertainment uses including fitness centers shall not operate past 10:30pm.
Purpose: Interior build out, new tenant, Change of Use to include 24hr fitness center. Eplan

Case: BOA- 1131442 Address: 7 Sunnyside Street Ward 18 Applicant: Beth McDougal
Articles: Article 69, Section 8 Use Regulations Multi Family Use : Forbidden Article 69, Section 9 Lot Frontage Insufficient Article 69, Section 9 Bldg Height Excessive (Stories) Article 69, Section 9 Usable Open Space Insufficient Article 69, Section 9 Rear Yard Insufficient Article 69 Section 29 Off Street Parking & Loading Req Off Street Parking Insufficient Article 69, Section 9.2 Dim Regs: Lot Frontage Minimum frontage on a street shall not be less than minimum lot width
Purpose: Building A: Erect a Multi Family Dwelling (4 unit) and parking on ground floor. This is one of 2 building on same lot. In conjunction with ERT1116915. [ZBA ePlan]

Case: BOA-1131893 Address: 7 Sunnyside Street Ward 18 Applicant: Beth McDougal
Purpose: Building A: Erect a Multi Family Dwelling (4 unit) and parking on ground floor. This is one of 2 building on same lot. In conjunction with ERT1116915.
Violation Description Violation Comments 521 CMR 9.00 Multiple Dwellings 9.2 Applicability. New Construction: Multiple dwellings shall meet the requirement of 521 CMR 9.3 Group 1 Dwelling Units. 521 CMR 10.00 Public and Common Use Spaces 10.1 General. Public use and common use spaces of multiple dwellings in new construction consisting of three or more units shall comply with 521 CMR.



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Case: BOA-1131456 Address: 9 Sunnyside Street Ward 18 Applicant: Beth McDougal

Articles: Article 69, Section 30.12 Two or More Dwellings on Same Lot A dwelling shall not be built to the rear of another dwelling Article 69, Section 8 Use Regulations Multi Family Use : Forbidden Article 69, Section 9 Lot Frontage Insufficient 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 9.2 Dim Regs: Lot Frontage Minimum frontage on a street shall not be less than minimum lot width Article 69 Section 29 Off Street Parking & Loading Req Off Street Parking Insufficient

Purpose: Building B: Erect a Multi Family Dwelling (8 unit) and parking on ground floor. This is one of 2 building on same lot. In conjunction with ERT1096844. [ZBA ePlan]

Case: BOA-1131900 Address: 9 Sunnyside Street Ward 18 Applicant: Beth McDougal

Purpose: Building B: Erect a Multi Family Dwelling (8 unit) and parking on ground floor. This is one of 2 building on same lot. In conjunction with ERT1096844.

Violation Description Violation Comments 521 CMR 10.00 Public and Common Use Spaces 10.1 General. Public use and common use spaces of multiple dwellings in new construction consisting of three or more units shall comply with 521 CMR. 521 CMR 9.00 Multiple Dwellings 9.2 Applicability. New Construction: Multiple dwellings shall meet the requirements of 521 CMR 9.3 Group 1 Dwelling Units.

Case: BOA-1151358 Address: 1200 Soldiers Field Ward 22 Applicant: 1700 SFR Associated, LLC

Articles: Art. 29 Sec. 04 Greenbelt Protection Overlay District Applicability Article 51, Section 17 Height Excessive 35' Max.

Purpose: CONSTRUCT a 63,000GSF Television Broadcasting Studio (WBZ) per plans submitted. *ALT1145839 and ALT1145481 has been filed in conjunction with this ERT to create new subdivided lot.

RE-DISCUSSION: 12:30 PM

Case: BOA-1067117 Address: 6 Kelley Court Ward 2 Applicant: Timothy Sheehan

Articles: Article 62, Section 8 Lot Area Insufficient Article 62, Section 8 Usable Open Space Insufficient, Article 62, Section 8 Rear Yard Insufficient Article 62, Section 8 Lot Frontage Insufficient, Article 62, Section 30.12 Two or More Dwelling Same Lot A Dwelling shall not be built to the rear of another Dwelling

Purpose: Erect a single-family dwelling in the rear of 46 Cook Street in newly subdivided lot. Subdivided lot filed under ALT1058785. [ePlan]

Case: BOA- 1066047 Address: 546 East Fourth Street Ward 6 Applicant: Gary Mendoza

Articles: Article 68, Section 8 Excessive F.A.R. Article 68, Section 8 Insufficient rear yard setback Article 68, Section 8 Insufficient side yard setback Article 68, Section 8 Max allowed Building height exceeded

Purpose: Renovate 3rd floor Add 4th floor penthouse addition Add Private Residential Elevator Renovate and add egress stair.



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Case: BOA- 1066050 Address: 548 East Fourth Street Ward 6 Applicant: Gary Mendoza

Articles: Article 68, Section 8 Excessive F.A.R Article 68, Section 8 Excessive Height Article 68, Section 8 Insufficient rear yard setback.

Purpose: Renovate 3rd Floor unit and expand up to New 4th Floor Penthouse Addition. Add Private Residential Elevator at Rear and reconfigure rear decks into egress stair for all units.

Case: BOA-1066736 Address: 1-2 Church Avenue, Ward 6 Applicant: American Boiler & Cooling, Inc

Articles: Article 68, Section 29 Roof Structure Restrictions, Article 68, Section 33 Off Street Parking & Loading Req Off Street Parking Insufficient, Article 68, Section 8 Floor Area Ratio Excessive, Article 68, Section 8 Bldg Height Excessive (Feet), Article 68, Section 8 Usable Open Space Insufficient, Article 68, Section 8 Front Yard Insufficient, Article 68, Section 8 Side Yard Insufficient, Article 68, Section 8 Rear Yard Insufficient, Article 68, Section 8 Add'l Lot Area Insufficient

Purpose: Change of occupancy from Single Family to 6 Unit Multi Family Dwelling. Construct two story vertical addition on existing footprint with rear deck. Extend living space to basement. This application has been filed in conjunction with ALT1048373 and ALT1048381 to combine lots into one lot to be known as 2 Church Avenue for this ALT1049550.

Case: BOA-1082341 Address: 8 Reddy Avenue Ward 18 Applicant: Paul Britton

Articles: Article 69, Section 8 Use: Forbidden Article 69, Section 9 * * Add'l Lot Area Insufficient Article 69, Section 9 ** Floor Area Ratio Excessive 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 8 ** Use Regulations Basement units are not allowed Article 69 Section 29 Off Street Parking & Loading Req Off street parking is insufficient**

Purpose: Change occupancy from 2 family to 3 family. Interior renovations of existing basement & conversion into a 2 bedroom apartment with living, dining, kitchen, and bathroom 2 new remote egress doors provided and egress windows at each bedroom.

Case: BOA-1098890 Address: 35 Avalon Road Ward 20 Applicant: John Pulgini

Articles: Article 56, Section 8 Lot Area Insufficient 4710sqft < 6000sqft min. Article 56, Section 8 Lot Width Insufficient 50' < 60' min. Article 56, Section 8 Lot Frontage Insufficient 50' < 60'min Article 56, Section 8 Floor Area Ratio Excessive 0.6 > 0.4max Article 56, Section 8 Front Yard Insufficient 15' < 20'min

Purpose: Erect single family 2 story house with garage on vacant lot. [ePlan]



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Case: BOA-1024095 Address: 11 Faneuil Street Ward 22 Applicant: CRM Property Corp
Articles: Article 51 Section 16 Use Regulations Use: Multifamily Dwelling: Conditional Article 51 Section 16 Use Regulations Use: Accessory Parking: Conditional Article 51 Section 17 Floor Area Ratio Excessive Article 51 Section 17 Building Height Excessive Article 51 Section 17 Side Yard Insufficient Article 51 Section 17 Rear Yard Insufficient Article 51, Section 53 Screening & Buffering Req Screening and Buffering Insufficient Article 51, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 51, Section 56 Off Street Parking & Loading Req Off Street Loading Insufficient Article 51, Section 56. Off Street Parking & Loading Req Off Street Parking Design / Maneuverability Article 51, Section 57 Application of Dimensional Req Conformity with Existing Building Alignment
Purpose: Raze the existing Commercial structure. Erect a new 4 story Residential Building with 42 Dwelling Units and a 51 space Parking Garage built underneath. Construct new Private Roof Decks. E Plans

RE-DISCUSSION: 1:00 PM

Case: BOA-1019220 Address: 645 River Street Ward 18 Applicant: Christian Louisworld
Articles: Art. 69 Sec. 8 Forbidden Self service laundry use is a forbidden use Art. 69 Sec. 8 Forbidden Multi family dwelling is a forbidden use Art. 69 Sec. 09 Lot size to erect a dwelling is insufficient Art. 69 Sec. 09 Floor area ratio is excessive Art. 69 Sec. 09 Height is excessive (stories) Art. 69 Sec. 09 Height is excessive (ft) Art. 69 Sec. 09 Usable open space requirement is insufficient Art. 69 Sec. 09 Front yard requirement is insufficient Art. 69 Sec. 09 Side yard requirement is insufficient Art. 69 Sec. 09 Rear yard requirement is insufficient Art. 69 Sec. 29 Off St.Prk'g/Load'g Off street parking requirement is insufficient
Purpose: Tear down of existing grocery store building to construct a new 3 story building with self service laundry of approximately 2,000 sf. in the first floor and 4 residential units in the floors above at 2 units per floor

Case: BOA-1043402 Address: 5 Orlando Street Ward 18 Applicant: Brian Holland
Articles: Article 60, Section 8 Use Regulations Use: Basement Apartment: Forbidden Article 60, Section 9 Floor Area Ratio Excessive Article 60, Section 9 Usable Open Space Insufficient Article 60, Section 37 Off Street Parking & Loading Req Off Street Parking Insufficient Article 9, Section 2 Change in Non Conforming Use
Purpose: Change Occupancy from 11 Apartments to 12 Apartments. Renovate existing storage area and convert to Unit #3 in accordance with plans submitted, in compliance with 780 CMR ninth edition Mass. Building Code. No structural changes.

Case: BOA-1071651 Address: 6 Magdala Street Ward 16 Applicant: Daniel Rubin
Articles: Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient
Purpose: Erect three unit building with two garage parking spots and one surface parking spot



City of Boston
Board of Appeal

Case: BOA-1075915 Address: 68 Armandine Street Ward 17 Applicant: Andrew Schena
Articles: Article 65, Section 8 Use Regulations 5 Family use: Forbidden Article 65, Section 9 Floor Area Ratio Excessive Max. allowed: 0.5 Proposed: 0.87 Article 65, Section 9 Bldg Height Excessive (Stories) Allowed: 2.5 Proposed: 3 Article 65, Section 9.2 Dim Regs: Location of Main Entrance Location of the main entrance shall be on the front façade. Article 65, Section 9 Front Yard Insufficient Required: 15' Proposed: 12'. Otherwise provide modal certified by land surveyor Article 65, Section 9 Side Yard Insufficient Required: 10' Proposed: 5' (R)
Purpose: Currently a vacant lot. Proposed new construction of a three story, six unit five unit residential building with six eleven off street parking spaces behind the proposed building, accessed through the existing curb cut for the lot. New building to meet Stretch Energy Code and current MA State Building Code.

CALL OF THE CHAIR: 1:00 PM

Case: BOA-1046898 Address: 34-42 Warren Street Ward 2 Applicant: Kenneth Flynn
Purpose: The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the permit # ALT1019933. The permit was issued as an allowed use

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

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For the complete text of the Boston Zoning Code Articles and definitions of terms in this agenda, please go to https://www.municode.com/library/ma/boston/codes/redevelopment_authority.