



City of Boston
Board of Appeal

TUESDAY, MARCH 23, 2021

BOARD OF APPEAL

CITY HALL, ROOM 801

HEARING MINUTES

Board Chair 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 Chair announced that the hearing was being conducted remotely via an online meeting platform and subject to the below advisory which was part of the publicly posted hearing agenda. The Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Mark Fortune:

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

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

**PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:
THE MARCH 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/zbaMar23hearing> or by calling 1-617-315-0704 and entering access code 129 148 9350.

If you wish to offer testimony on an appeal, please click <http://bit.ly/zbaMar23comment> 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/zbaMar23comment>, calling 617-635-5300 or emailing zba.ambassador@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. 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.**



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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- 826857 Address: 92 Maple Street Ward 12 Applicant: Jeffrey Drago, Esq

Discussion: The applicant requested an extension of zoning relief previously granted by the Board relative to the above application.

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

HEARINGS: 9:30 AM

Case: BOA-1157605 Address: 44 Cottage Street Ward 1 Applicant: The Marion R. Milo Trust

Articles: Art. 10 Sec. 01 Limitation of parking areas 5' side yard buffer Article 27T-5 East Boston IPOD Applicability Article 53 Section 56 Off-Street Parking & Loading Req Insufficient parking – 6 spaces required Article 53 Section 56.5.a Parking maneuverability Access/design/maneuvering areas Article 53 Section 8 Use Regulations MFR-Forbidden Article 53 Section 9 Insufficient addition lot area per unit – 1000sf/unit required Article 53 Section 9 Excessive F.A.R. – 1.0 max. Article 53 Section 9 # of allowed stories exceeded – 3 story max. Article 53 Section 9 Max allowed height exceeded – 35' max. Article 53 Section 9 Insufficient side yard setback – 2.5' required Article 53 Section 9 Insufficient rear yard setback – 30' min required Article 53 Section 9 Insufficient open space per unit – 300sf/unit required

Purpose: Combine parcel numbers 0104891000 and 0104892000 (See ALT1099347), raze existing structures, and erect a four (4) unit residential dwelling with a roof deck and parking for four (4) vehicles.

Discussion: At the applicant's request, the matter was deferred to the June 8, 2021 Hearing.

Case: BOA-1068596- Address: 1088 Saratoga Street Ward 1 Applicant: John Bauer

Articles: Article 27T 5 East Boston IPOD Applicability Article 53 Section 8 Use Regulations 5units in a 2f subdistrict FORBIDDEN Article 53 Section 8 Use Regulations 3. Basement units forbidden Article 53 Section 9 Excessive F.A.R. Article 53 Section 9 # of allowed stories exceeded Article 53, Section 52 Roof Structure Restrictions Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. Article 53, Section 56 Off Street Parking & Loading Req Insufficient parking Article 53, Section 57.2 Conformity Ex Bldg Alignment Front yard of corner lot Article 53 Section 8 Use Regulations 3. Basement units Forbidden Article 53 Section 56. 5 Off Street Parking Design Size/maneuverability Article 53 Section 9 Max allowed height exceeded Article 53 Section 9 Insufficient rear yard setback

Purpose: Erect addition and change occupancy to a 5 unit residential dwelling with parking for 3 vehicles.

Discussion: At the applicant's request, the matter was deferred to the May 18, 2021 Hearing.



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Case: BOA-1159723 Address: 180-190 Hyde Park Avenue Ward 19 Applicant: Brian Oicle
Article: Article 55, Section 8 Use Regulations #182: Café / food service use: Conditional#184: Church / Community center / legal office: Allowed / Conditional / Forbidden
Purpose: Building at 180 190 Hyde Park Ave was 4 commercial spaces, currently is 3, we will convert back to 4 and change the use of space: #180 remain retail; #182 change retail to food service/cafe; #184 change retail to church with gatherings, legal services, and community outreach; and #188 remain retail/salon.

Discussion: At the applicant's request, the matter was deferred to the May 18, 2021 Hearing.

Case: BOA-1038331 Address: 151 Spencer Street Ward 17 Applicant: Jessica Graf
Articles: Article 65, Section 8 Use Regulations Use: Multi family Dwelling: Forbidden Article 65, Section 8 Use Regulations Use: Accessory Parking: Forbidden Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Building Height Excessive Article 65, Section 9 Building Height (# of Stories) Excessive Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Insufficient
Purpose: Construct a new 4 story Multi family Residential Building consisting of 19 Affordable Rental Housing Units. This will be a joint venture between Codman Square NDC Corporation and TLee Development to create 2 new Multi family Residential Housing Buildings where TLee will have 1 new Building fronting on Talbot Ave and CSNDC will have another new Building fronting on Spencer St.

Discussion: At the applicant's request, the matter was deferred to the April 27, 2021 Hearing.

Case: BOA-1038330 Address: 25 New England Avenue Ward 17 Applicant: Jessica Graf
Articles: Article 60, Section 19 Use Regulations Use: Multi family Dwelling: Forbidden Article 60, Section 19 Use Regulations Use: Accessory Parking: Forbidden Article 60, Section 20 Building Height Excessive Article 60, Section 20 Rear Yard Insufficient Article 60 Section 40 Off Street Parking & Loading Req Off Street Parking Insufficient Article 60 Section 40 Off Street Parking & Loading Req Off Street Loading Insufficient
Purpose: Combine existing parcels which includes demolition of structures at 5, 9, 21 and 23 New England Avenue. Construct a new 4 story Multi family Residential Dwelling. This new structure will include 23 Affordable Rental Units.

Discussion: At the applicant's request, the matter was deferred to the April 27, 2021 Hearing.



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**Case: BOA- 1157791 Address: 63 Monmouth Street Ward 1 Applicant: Michael and Erin Rohr
Articles: Art. 09 Sec. 01 Extension of Non Conforming Use Article 53, Section 9 Floor Area Ratio
Excessive Max. allowed 0.8
Purpose: Extend living space of Unit 1 into basement as per plans.**

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to extend living space to the basement for office and storage.

Board members asked about basement ceiling height, utilities, and stoves.

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 Ruggiero moved for approval with no dwelling unit in the basement and Ligris seconded. The Board voted unanimously to approve

**Case: BOA-1071307 Address: 211 East Eagle Street Ward 1 Applicant: East Street Development, LLC
Articles: Article 53, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 53, Section 9 Add'l Lot Area Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Front Yard Insufficient Article 27T 5 East Boston IPOD Applicability Article 52 Section 8 Use Regulations Multi Family Dwelling Use: Forbidden**

Purpose: Seeking to erect a new eight-unit residential dwelling with seven parking spaces in newly created lot of 6, 250 SF. Combined lot filed under ALT1058914. Raze existing structure.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a new three story, six unit building with 6 parking spaces.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Essaibi-George and Edwards are in support. BTM recommended adding a window alarm and re-sizing parking spaces.

Documents/Exhibits: Building Plans, 16 letters of support

Votes: Board Member Ruggiero moved for approval with BPDA and BTM review and Robinson seconded. The Board voted unanimously to approve.



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Case: BOA-1145326 Address: 19 Lamson Street Ward 1 Applicant: John Hall
Articles: Art. 53 Sec. 09 Floor Area Ratio Excessive Article 27T 5 East Boston IPOD Applicability
Purpose: Gut renovation, new kitchens and baths, adding living space in basement, replacing roof deck, new plumbing and electric, fire systems and sprinklers.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to expand living space to basement and replace roof deck.

Board members asked about the roof deck.

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

Documents/Exhibits: Building Plans, 1 letter of support, 1 letter of opposition

Votes: Board Member Ruggiero moved for approval with BPDA design review and Ligris seconded. The Board voted unanimously to approve.

Case: BOA-1159189 Address: 90 Ashley Street Ward 1 Applicant: Derric Small
Articles: Article 27T 5 East Boston IPOD Applicability East Boston IPOD Applicability Article 53 Section 9 Floor Area Ratio Excessive Article 53 Section 9 Side Yard Insufficient Article 53 Section 9 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 Art. 25 Sec. 5 Flood Hazard Districts Regulations in a Flood Hazard District Article 53 Section 9 Lot Frontage Insufficient
Purpose: Building a 3 story, Two (2) Family duplex on existing 4409 sf vacant Lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a new two family duplex dwelling.

Board members asked about parking, curb cut, side yard, and rear yard.

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

Documents/Exhibits: Building Plans, 4 letters of support, 2 letter of opposition

Votes: Board Member Ruggiero moved for approval with BPDA design review, no relief for side yard setback, and no flood hazard relief, and was seconded. The Board voted unanimously to approve



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Case: BOA-1159282 Address: 97A Horace Street Ward 1 Applicant: Trichilo Development, LLC
Articles: Art. 27T-5 E Boston IPOD Article 53, Section 57.2 Conformity Ex Bldg Alignment Modal: 2.5' Proposed alignment: 4' Article 53, Section 9 Bldg Height Excessive (Stories) Max. allowed: 2.5 Proposed: 3 Article 53, Section 9 Side Yard Insufficient Required: 5' Proposed: 3' Article 53, Section 9 Rear Yard Insufficient Required: 30' Proposed: 23.5' Article 53, Section 56 Off Street Parking & Loading Req Required 2 spaces. Proposed is ancillary not yet approved on 97 Horace St. (U491155704) Article 53, Section 9 Floor Area Ratio Excessive Max. allowed: 0.8 Proposed: 1.73 Article 53 Section 8 Use Regulations Ancillary Parking use: Conditional
Purpose: Erect a two (2) unit residential dwelling with roof deck and ancillary parking for 2 vehicles as per plans. Lot subdivision approved under ALT1090460. Ancillary parking under U491155704.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a new two family with a roof deck and ancillary parking at 97 Horace Street.

Board members asked about roof deck access, basement bedroom, side yard setback, and proposed parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, and Councilor Edwards are in support. BTB recommended reducing to three parking spaces because of maneuverability.

Documents/Exhibits: Building Plans

Votes: Board Member Ruggiero moved for approval with BPDA and BTB review and no bedrooms in the basement and Erlich seconded. The Board voted unanimously to approve.

Case: BOA- 1159269 Address: 97 Horace Street Ward 1 Applicant: Trichilo Development, LLC
Articles: Article 27T 5 East Boston IPOD Applicability East Boston IPOD Applicability Article 53 Section 8 Use Regulations Use: Ancillary Parking: Conditional Article 53 Section 9 Dimensional Regulations Usable Open Space Insufficient Article 53 Section 56 Off Street Parking & Loading Req Off Street Parking Design / Maneuverability
Purpose: Parking for 4 vehicles in rear. With two spaces reserved for 97a Horace see ERT1125223 Ancillary parking.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a new two family with a roof deck and ancillary parking at 97 Horace Street.

Board members asked about roof deck access, basement bedroom, side yard setback, and proposed parking.



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Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, and Councilor Edwards are in support. BTB recommended reducing to three parking spaces because of maneuverability.

Documents/Exhibits: Building Plans

Votes: Board Member Ruggiero moved for approval with BPDA and BTB review and no bedrooms in the basement and Erlich seconded. The Board voted unanimously to approve.

Case: BOA-1142426 Address: 81-81A Prince Street Ward 3 Applicant: Jennifer Sandlin
Articles: Article 54, Section 10 Floor Area Ratio Excessive Article 54, Section 10 Rear Yard Insufficient Article 55 Sect 40 Off Street Parking & Loading Req Off Street Parking Insufficient
Purpose: Change Occupancy from Four Apartments and One Store to Five Apartments. Condo Unit #C: Renovate Ground Floor Commercial space and convert to a 2 bedroom Residential Unit. Structural repairs to create Code compliant Ceiling Height in Basement. Construct new Roof Deck for Unit #1 above building ell.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change commercial space to dwelling unit and change occupancy of building to five units.

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

Documents/Exhibits: Building Plans, 2 letters of support

Votes: Board Member Robinson moved for approval with BPDA design review and Fortune seconded.. The Board voted unanimously to approve.

Case: BOA-1123439 Address: 26 Howell Street Ward 7 Applicant: Steven Crisman
Articles: Article 65, Section 9 Floor Area Ratio Excessive 1.3 > 0.5 max Article 65, Section 9 Side Yard Insufficient 2.1' < 8.5' min (narrow rule) & 5' absolute minimum
Purpose: Enclose (3) Rear Porches, turning into office area accessed from the bedroom. Replace a window with a new door to access office area. Add new exposed rear decks at each level.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to enclose three rear porches and new rear decks.

Board members asked about rear yard setback.

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



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Documents/Exhibits: Building Plans

Votes: Board Member Ruggiero moved for approval and Robinson seconded. The Board voted unanimously to approve.

Case: BOA-1159025 **Address:** 34 East Springfield Street **Ward 8 Applicant:** Boston Housing Authority
Articles: Article 64, Section 9 Usable Open Space Insufficient **Required:** 1,000 sqft **Proposed:** 408.5 sqft
Article 64, Section 36 Off Street Parking & Loading Req Parking spaces insufficient. **Required 0.7 spaces**
for units qualified as affordable housing Article 64, Section 8.2 Basement Units Forbidden **proposed 1**
unit on basement Article 64, Section 9 Floor Area Ratio Excessive **Max. allowed: 2.0 Proposed: 2.51**
Article 64, Section 34 Roof Structure Restrictions Enlarged dormer **Art. 32 Sec. 32 4 Groundwater**
Conservation Overlay District, Applicability 32.4.c and 32.4.d Article 64, Section 10 Density Limitation
Regulations

Purpose: Rehab of existing four story row house into five (5) one bedroom affordable rental apartments.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to renovate an existing four unit dwelling into a five unit dwelling.

Board members asked about no harm letters on file.

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

Documents/Exhibits: Building Plans

Votes: Board Member Ruggiero moved for approval and Erlich seconded. The Board voted to approve with Secretary Fortune recused.

Case: BOA-1158387 **Address:** 122 West Ninth Street **Ward 7 Applicant:** Amanda Kaplan
Articles: Art 68 Sec 8 Dim reg app in res sub dist Insufficient side yard setback Article 68, Section 29 Roof
Structure Restrictions

Purpose: Build a new roof deck as per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a roof deck.

Board members asked about head house, roof deck exclusivity.

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

Documents/Exhibits: Building Plans. 1 letter of support



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Votes: Board Member Erlich moved for approval with BPDA design review and head house must be replaced with a hatch and Robinson seconded. The Board voted unanimously to approve.

Case: BOA-1137716 Address: 1750-1758 Dorchester Avenue Ward 16 Applicant: Dimitrios Gerasimidis Article: Article 65, Section 8 Use Regulations Hair Salon is a Conditional use in a MFR/LS Sub District. Purpose: No work planned. Need to complete an abandoned Change of Occupancy long form permit from 25 years ago. Had been operating as a Hair Salon for 25 years, became vacant and now the new Hair Salon requires change of legal occupancy.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy to a hair salon without new work.

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

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval BPDA design review for frontage and grate removal and relief for this applicant only and Fortune seconded. The Board voted to approve with Robinson recused.

Case: BOA- 1082468 Address: 1515 River Street Ward 18 Applicant: CBC Design Articles: Article 69, Section 8 Use: Forbidden Basement units are forbidden 3 family use is forbidden Article 69, Section 9 Lot Area Insufficient Required: 8,000 sqft Provided: 6,170 sqft Article 69, Section 9 Usable Open Space Insufficient Required: 5,250 sqft Purpose: Conversion of basement into livable space, change from 2 family into 3 family residential.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change a two family to a three family dwelling by adding a basement unit.

Board members asked about curb cuts, and basement bedrooms.

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

Documents/Exhibits: Building Plans

Votes: Board Member Ruggiero moved for approval with no building code relief and Ligris seconded. The Board voted to approve 5-2 with Erlich and Araujo opposed.



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Case: BOA-1149583 Address: 73-75 De Soto Road Ward 20 Applicant: 77 DeSoto Road, LLC
Articles: Article 56, Section 7 Use Regulations Two family is a forbidden use in a 1F 6000 Sub district
Article 56, Section 8 Lot Area Insufficient Article 56, Section 8 Floor Area Ratio Excessive Article 56,
Section 8 Usable Open Space Insufficient Art. 10 Sec. 01 Limitation of off street parking areas Proposed
parking is within 5 feet of side lot line

Purpose: Subdivide parcel 2011986000 into two, with a new two family dwelling to be constructed on the
portion of the parcel known as combo of lots 136 & 137 (to be #73 & #75 DeSoto). For remaining portion
of parcel known as lot 138, see companion ALT1137075 for minor work to ext'g house at 77 DeSoto.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a new two family dwelling.

Board members asked about character of the neighborhood, curb cut, and parking. BTD explained the current plants result in front yard parking.

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

Documents/Exhibits: Building Plans, 2 letters of opposition.

Votes: Board Member Robinson moved for approval with BPDA and BTDA review and was seconded. The Board voted unanimously to approve.

Case: BOA-1149574 Address: 77 De Soto Road Ward 20 Applicant: 77 DeSoto Road, LLC
Articles: Article 56, Section 8 Lot Area Insufficient Article 56, Section 8 Lot Width Insufficient
Article 56, Section 8 Lot Frontage Insufficient Article 56, Section 8 Floor Area Ratio Excessive Article 56,
Section 8 Usable Open Space Insufficient Article 56. Section 8 Side Yard Insufficient
Purpose: Subdivide parcel 2011986000 into two, with existing house #77 DeSoto to remain on one
portion (historical lot 138) and a new portion to consist of historical lots 136 & 137 (see companion ERT
application for the construction of 73 & 75 DeSoto). Make minor improvements to the interior of #77
DeSoto.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a new two family dwelling.

Board members asked about character of the neighborhood, curb cut, and parking. BTDA explained the current plants result in front yard parking.

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

Documents/Exhibits: Building Plans, 2 letters of opposition.



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Votes: Board Member Ligris moved for approval and Robinson seconded. The Board voted unanimously to approve.

Case: BOA-1122507 **Address:** 100-102 Brooks Street Ward 22 **Applicant:** George Morancy
Articles: Article 51, Section 9 Floor Area Ratio Excessive Article 51, Section 9 Bldg Height Excessive (Stories) Article 51, Section 9 Side Yard Insufficient Article 9 Section 1 Extension of Nonconforming Use
Purpose: Construct new two story vertical addition with shed dormers on existing footprint. Construct new exterior front porch and rear deck. Full interior and exterior renovations; building to be fully sprinklered; three existing off street parking spaces approved per use of premises permit 4117/2004.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add two stories with dormers. Building will remain a three family.

Board members asked about change in unit sizes, parking, basement occupancy, ceiling height, and sill height.

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

Documents/Exhibits: Building Plans, 1 letter of opposition.

Votes: Board Member Robinson moved for approval with BPDA design review and was seconded. The Board voted to approve 6-0 with Ligris recused.

Case: BOA-1152875 **Address:** 35 Hunnewell Avenue Ward 22 **Applicant:** Robert Manley
Articles: Article 51, Section 8 Use Regulations Three Family in a two family subdistrict – Forbidden Article 51, Section 8 Use Regulations TABLE A Footnote #5 – Basement units are forbidden Article 51, Section 9 Excessive F.A.R. - .6 max Article 51, Section 9 # of allowed stories exceeded – 2.5 story max Article 51, Section 9 Insufficient front yard setback – 20' req. Article 51, Section 9 Insufficient rear yard setback – 30' req. Art. 09 Sec. 01 Reconstruction/Extension Conditional Dimensional – Existing F.A.R. is nonconforming of Nonconforming Bldg Art. 51 Sec. 56 Off street parking requirements Location: footnote (4) No parking allowed in required front yard two spaces (other parking shown are pre-existing) Art. 51 Sec. 56 Off street parking requirements 5' buffer requirement
Purpose: Convert from a two family to a three family, enclose second floor porch, and create additional living space in the basement and on the second and third floors to include third floor addition with decks per plans submitted.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change a two family to a three family, extend living space to the basement, and add a third floor with roof decks.

Documents/Exhibits: Building Plans



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Votes: Board Member Fortune moved to defer the matter to the June 8, 2021 hearing and Erlich seconded. The Board voted unanimously to defer.

Case: BOA1159371- Address: 185 Beech Street Ward 20 Applicant: Kathleen Flinton
Article: Article 67, Section 9 Side Yard Insufficient
Purpose: Kitchen addition at rear and select interior renovations.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a kitchen addition at the rear of the property.

Board members asked about the size of the addition.

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

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval and Fortune seconded. The Board voted unanimously to approve.

RECOMMENDATIONS: 11:30 AM

Case: BOA-1130472 Address: 754-756 East Sixth Street Ward: 6 Applicant: Kevin Platt
Articles: Art 68 Sec 08 Rear yard setback is insufficient
Purpose: Erect a deck at rear of property according to plans attached.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with a proviso for BPDA design review.

Documents/Exhibits: Building plans

Case: BOA-1151698 Address: 252 West Third Street Ward: 6 Applicant: Drew Lloyd
Articles: Art 68 Sec 29 Roof Structure Restrictions Roof structures restricted district Art 68 Sec 8 Rear yard setback requirement is insufficient
Purpose: To erect a roof deck.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with a proviso for BPDA design review.

Documents/Exhibits: Building plans



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Case: BOA-1157542 Address: 6 Viking Street Ward: 7 Applicant: Jeremy Sears

Articles: Art. 68 Sec. 33 Off Street Parking Req. Off street parking required for the new unit is insufficient Art. 68 Sec. 08 Side yard setback requirements is insufficient Art. 68 Sec. 08 Rear yard setback requirements is insufficient Art. 68 Sec. 08 Usable open space requirements is insufficient Art. 68 Sec. 08 Floor area ratio is excessive Art. 68 Sec. 08 Lot area for the add'l dwelling unit is insufficient Purpose: Full renovation 2 families. Legal occupancy is single family. Change occupancy to a 2 family.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with provisos for BPDA design review and for no bedrooms in the basement.

Documents/Exhibits: Building plans

Case: BOA-1111651 Address: 165 Harvard Street Ward: 14 Applicant: Willston Johnson

**Article: Article 60, Section 9 Rear Yard Insufficient Required: 30' Proposed: 7.5'
Purpose: Floor addition (extension of bedroom and addition of bathroom).**

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with a proviso for BPDA design review.

Documents/Exhibits: Building plans

Case: BOA- 1118842 Address: 28 Hill Top Street Ward: 16 Applicant: Deborah Nee

Articles: Art. 09 Sec. 01 Extension of Non Conforming Use Existing non conforming 2 family in a 1F 5000 district Article 65, Section 9 Floor Area Ratio Excessive Max. allowed: 0.5 Existing: 0.69 Proposed: 0.76 Article 65, Section 9 Front Yard Insufficient Required: 15' Existing 9.6' but enclosing front decks Article 65, Section 9 Side Yard Insufficient Required: 10' Proposed:5.5' (Backyard decks) Article 65, Section 9 Rear Yard Insufficient Required: 20' Proposed: 15.1' (Backyard decks) Article 65, Section 9 Bldg Height Excessive (Stories) Max. allowed: 2.5 Proposed: 3 Purpose: Remodel kitchens and baths, remove and replace some windows and doors. Repair or replace deck as needed with existing footprint.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with a proviso for BPDA design review.

Documents/Exhibits: Building plans



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Case: BOA-1149775 Address: 7 Mather Street Ward: 16 Applicant: Mardai Buchan
Articles: Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient
Purpose: Demo Existing Front Porch and build new 2 level front porch in same footprint.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with a proviso for BPDA design review.

Documents/Exhibits: Building plans

Case: BOA-1153476 Address: 27 Lenoxdale Avenue Ward:16 Applicant: Michelle Clough
Articles: Art. 65 Sec. 9 Floor Area Ratio: Excessive Art. 65 Sec. 9 Height: Excessive Art. 65 Sec. 9 Front yard: Insufficient Art. 65 Sec. 9 Side yard: Insufficient
Purpose: Attic expansion and dormer addition to an existing 1,324 SF house. The new space in the attic will include two (2) bedrooms and a new bathroom.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with a proviso for BPDA design review.

Documents/Exhibits: Building plans

Case: BOA- 1158667 Address: 1616 Dorchester Avenue Ward: 16 Applicant: 1616 Dorchester Avenue, LLC
Article: Article 6, Section 4. Other Cond Necc as Protection
Purpose: File to remove Proviso for Tri Seafood only (BOA461010) to the new operator Yong Shun, Inc. dba Shaking Seafood. No work to be done.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with provisos for BPDA design review for the exterior and signage, for relief granted to this petitioner only, to imprint logo on all paper products, to provide and maintain trash receptacle on sidewalk in front of premises, and that garbage be stored in a rodent proof facility and put out one half hour before pickup

Documents/Exhibits: Building plans



City of Boston
Board of Appeal

Case: BOA- 1131843 Address: 35 Roslin Street Ward: 17 Applicant: Shawn Duhamel and Nicole Duhamel

Article: Article 65, Section 9 Rear Yard Insufficient

Purpose: Move Garden shed to new location as laid out in the drawings, build new one story addition as per plans, upgrade kitchen cabinets and countertops upgrade plumbing and electrical fixtures.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with a proviso for BPDA design review.

Documents/Exhibits: Building plans

Case: BOA-1135712 Address: 26 Orchard Street Ward: 18 Applicant: Matthew Veerman

Articles: Article 69, Section 9 Front Yard Insufficient Article 69, Section 9 Side Yard Insufficient

Purpose: Proposed construction is converting a 1 1/2 story single family cape to a 2 1/2 story single family cape. First floor alterations include the removal of two walls. Second floor consist of 3 beds 1 bath. The attic floor will contain a bedroom and a family room. Exterior comprises a rear porch.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with a proviso for BPDA design review.

Documents/Exhibits: Building plans

Case: BOA- 1151329 Address: 64 Radcliffe Road Ward: 18 Applicant: Vanessa Denaud

Articles: Article 69 Section 9 Lot Area for Additional Dwelling Units Insufficient Article 69 Section 9 Usable Open Space Insufficient Article 69 Section 29 Off Street Parking & Loading Req Off Street Parking Insufficient

Purpose: Change of Occupancy from a Single Family Dwelling to a Two (2) Family Dwelling.

Renovation is completed, one floor added with 3 bedroom, 2 bathroom to the existing floor, the existing permit Number of the alteration #ALT 893962.

Discussion: At the request of the Appellant, the Board deferred this matter until the May 13, 2021 subcommittee.



City of Boston
Board of Appeal

Case: BOA- 1155715 Address: 28 Rosebery Road Ward: 18 Applicant: Derric Small
Articles: Article 69 Section 29 Off Street Parking & Loading Req Off street parking is insufficient.
Article 69, Section 9 Lot Area Insufficient Article 69, Section 9 Usable Open Space Insufficient Article 69
Section 9 Floor area ratio is excessive
Purpose: Change of Occupancy from a one family dwelling to a two family dwelling.

Discussion: At the request of the Appellant, the Board deferred this matter until the April 15, 2021 subcommittee.

Case: BOA-1152298 Address: 59-61 Archdale Road Ward: 19 Applicant: Fatiha Rakeb
Article: Article 67, Section 9 Usable open space is insufficient
Purpose: To create 1 off street parking at the backyard, pave. A company will do the curve. Waiting for your approval.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to deny the appeal without prejudice.

Documents/Exhibits: Building plans

Case: BOA- 1153363 Address: 36 Miami Avenue Ward: 20 Applicant: Brian Carlson
Articles: Article 56, Section 8 Excessive F.A.R. Article 56, Section 8 Insufficient rear yard setback
Purpose: Proposed second story addition at rear for new master suite, as per plans. Permit set to be submitted upon ZBA approval.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with a proviso for BPDA design review.

Documents/Exhibits: Building plans



City of Boston
Board of Appeal

Case: BOA- 1149440 Address: 59 Dwinell Street Ward: 20 Applicant: Emily Ryan

Article: Article 56, Section 8 # of allowed habitable stories exceeded

Purpose: Cut off existing roof and frame new walls and roof for third floor addition according to drawings. Wire new bedroom and bathroom. Run new cooling and heating system for the new space. Insulate all walls and roof rafters. Provide new windows according to drawings. New rake boards and vinyl siding.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with a proviso for BPDA design review.

Documents/Exhibits: Building plans

Case: BOA-1157053 Address: 58 Montclair Avenue Ward: 20 Applicant: Kathleen & James Henry

Articles: Art. 09 Sec. 01 **Extension of Non Conforming Use Extension of non conforming use is conditional Art. 56 Sec. 8 Left Side Yard insufficient Required side yard setback is insufficient

Purpose: Addition of a family room at the rear of the property as well as a remodel of the existing kitchen and half bath. The current residence is already existing non conforming and sits in the side setback. The addition will as well and we will need a variance.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with a proviso for BPDA design review.

Documents/Exhibits: Building plans

Case: BOA-1065297 Address: 16 Dustin Street Ward: 22 Applicant: Alex Norman

Article: Article 51, Section 9 Floor Area Ratio Excessive

Purpose: Amendment to ALT399170. Built out basement according to submitted floor plan.

Discussion: At the request of the Appellant, the Board deferred this matter until the April 15, 2021 subcommittee.

Case: BOA-1124052 Address: 181 Maple Street Ward: 20 Applicant: Kendall Dacey

Articles: Article 56, Section 8 Front Yard Insufficient Article 56, Section 8 Side Yard Insufficient

Purpose: Single Family Building; adding front porch and rear addition to the existing building in order to create another bedroom and bathroom in the home. EPLAN

Discussion: At the request of the Appellant, the Board deferred this matter until the May 13, 2021 subcommittee.



City of Boston
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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.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with provisos for BPDA design review and for no basement living space.

Documents/Exhibits: Building plans

HEARINGS: 12:30 PM

Case: BOA-907098 Address: 130 Bowdoin Street Ward 15 Applicant: 617 Therapeutic Health Care
Article: Article 64 14Neighborhood Bus. Use Regs. Cannabis Establishment Conditional
Purpose: Changing occupancy from retail drug store to cannabis dispensary. No work to be done. Recreational Marijuana Dispensary.

Discussion: At the applicant's request, the matter was deferred to the May 4, 2021 Hearing.

Case: BOA-1125045 Address: 258-262 Washington Street Ward 14 Applicant: Urban Guild, Inc
Articles: Article 65, Section 15 Use: Forbidden Food pantry Article 65, Section 15 Use: Conditional General Office, Community Center
Purpose: Correct Violation V509297. Change occupancy from assembling of metal products to food pantry, offices, community center and accessory cultural spaces and seating area.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy to a food pantry, offices, community center, and accessory cultural spaces.

Board members asked about the hours of operation.

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

Documents/Exhibits: Building Plans, two letters of support

Votes: Board Member Erlich moved for approval and Robinson seconded. The Board voted unanimously to approve.



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Case: BOA- 1107041 Address: 1201 Saratoga Street Ward 1 Applicant: Ashley Tan
Articles: Article 27T 5 East Boston IPOD Applicability Article 53 Section 8 Use Regulations 9 units/MFR
Forbidden Article 53 Section 8 Use Regulations Accessory parking use Forbidden Article 53 Section 56
Off Street Parking & Loading Req Insufficient parking for requested # of units Article 53 Section 9
Excessive F.A.R. Article 53 Section 9 Height exceeded Article 53 Section 9# of allowed stories exceeded
Article 53 Section 9 Insufficient side yard setback Article 53 Section 9 Insufficient rear yard setback
Article 53 Section 9 Insufficient front yard setback/street alignment
Purpose: Current vacant structure to be razed and a new 9 unit multi family to be constructed, with 10
parking spaces.

Discussion: At the applicant's request, the matter was deferred to the June 8, 2021 Hearing.

RE-DISCUSSIONS: 12:30 PM

Case: BOA-1113813 Address: 200 L Street Ward 7 Applicant: George Morancy
Articles: Article 68, Section 34.1 Conformity Ex Bldg Alignment Article 68, Section 29 Roof Structure
Restrictions Article 68, Section 33 Off Street Parking & Loading Req Design and insufficient off street
parking, total required 4 spaces, provided 2 Article 68, Section 8 Floor Area Ratio Excessive exceeding
1.5 Article 68, Section 8 Add'l Lot Area Insufficient total lot area required: 6,000 sqft Proposed: 2,465
sqft Article 68, Section 8 Usable Open Space Insufficient Required: 600 sqft Proposed: 0 Article 68,
Section 8 Side Yard Insufficient Required: 3' Proposed: 0 Article 68, Section 8 Rear Yard Insufficient
Required: 20' Proposed: 0
Purpose: Change occupancy from two dwelling units and restaurant to three dwelling units; erect two
story rear addition over existing garage, with rear porches off second and third floors; expand garage;
extend living space to basement. Building to be fully sprinklered. [ZBA ePlan]

Discussion: The Board voted to deny without prejudice as the Appellant withdrew their appeal.

Case: BOA-1023262 Address: 26-28 Perrin Street Ward 12 Applicant: Thomas Rovero
Articles: Article 50(50-28) Article 50 (50-29: Floor area ratio excessive, Building height excessive, Usable
open space insufficient & Side yard insufficient) Article 50(50-44)
Purpose: Erect a new 2 ½ story, 4 Family Dwelling w/3 Bedrooms and 2 full Baths in all 4 Units. Building
will be fully Sprinklered. There will be a 4 Car Garage built at-grade behind Dwelling (ERT994197).

Discussion: The Appellant requested a deferral for the fifth time. Board Member Ligris moved to deny without prejudice rather than defer again and Ruggiero seconded. The Board voted unanimously to deny without prejudice.



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Case: BOA- 1023265 Address: 26R Perrin Street Ward 12 Applicant: Thomas Rovero
Articles: Article 50(50-28) Article 50(50-29) Article 50(50-44)
Purpose: Construct a 22' x 38' Four (4) Car Garage behind proposed Four (4) Family Dwelling @ 26-28 Perrin Street (ERT965942).

Discussion: The Appellant requested a deferral for the fifth time. Board Member Ligris moved to deny without prejudice rather than defer again and Ruggiero seconded. The Board voted unanimously to deny without prejudice.

Case: BOA-1039457 Address: 1R Lorenzo Street Ward 16 Applicant: Timothy Johnson
Article(s): Article 65, Section 42 Application of Dimensional Req – 2. Conformity with existing Building Alignment Article 65, Section 9 # of allowed habitable stories has been exceeded
Purpose: Combine parcels 274 & 2727 and erect new 2-1/2 story, 2 family dwelling w/rear decks and 4 off street parking spaces as per plans submitted

Discussion: At the applicant's request, the matter was deferred to the June 8, 2021 Hearing.

Case: BOA-1054245 Address: 32 Brent Street Ward 17 Applicant: RB Brent St, LLC
Articles: Art. 10 Sec. 01 Limitation of Area of Accessory Uses Article 65, Section 8 Use Regulations Three family dwelling (forbidden) Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient Article 65, Section 41 Off Street Parking & Loading Req 65 41.4 Off street parking, Location Article 65, Section 41 Off Street Parking & Loading Req Off street parking, Design
Purpose: Change from 2 to 3 family /demo, frame new third floor addition for change to 3 stories, roof, exterior trim, siding, windows, three story deck on side of building, demolish garage and add 6 (six) parking spaces including one on the front of the building, modify front façade to accommodate addition. footing, landscape, extend driveway to rear and front of property. Interior / plumbing, electric, HVAC, Sprinkler system, Spray foam insulation, Blue Board/Plaster/trim, doors, stairs, hwf, tile, kitchen cabinet, paint. LPR

Discussion: The Board voted to deny without prejudice as the Appellant withdrew their appeal. Ruggiero recused.



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Case: BOA-1014112 Address: 59A Strathmore Road Ward 21 Applicant: A Limited Liability Company, LLC

Article(s): Article 51 Section 9 Insufficient additional lot area/unit Article 51 Section 9 Excessive F.A.R. Article 51 Section 9 Excessive height Article 51 Section 9 Insufficient open space/unit Article 51 Section 9 # of allowed stories exceeded Article 51 Section 9 Insufficient side yard setback Article 51 Section 9 Insufficient rear yard setback Article 51, Section 56 Off Street Parking Insufficient

Purpose: Seeking to change the occupancy from four residential units to five residential units. Also, to add a fifth floor addition and renovate.

Discussion: At the applicant's request, the matter was deferred to the June 29, 2021 Hearing. Ligris recused.

Case: BOA-1150412 Address: 780 William T Morrissey Bl Ward 16 Applicant: Bay Colon Associates, LLC

Articles: Art. 29, Section 4 Greenbelt Protection Overlay District Article 65 Section 15 Use Regulations MFR is a conditional use in a CC Sub district Article 65 Section 16 Dimensional Regulations Floor area Ratio is excessive Article 65 Section 16 Dimensional Regulations Building Height in feet is excessive Article 65 Section 16 Dimensional Regulations Rear yard is insufficient Article 65, Section 41 Off Street Parking & Loading Req Off street parking is insufficient

Purpose: Erect new 6 story multifamily structure with approximately 206 residential units and approximately 136 accessory off street parking spaces and additional bike storage. An Expanded PNF for the project was filed with the BPDA on February 3, 2020.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a 216 unit, 6 story residential building with 136 parking spaces.

Board members asked about the unit breakdown, unit sizes, roof decks, and flood hazard.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Baker and the Carpenter's Union are in support. Maria Lyons is opposed.

Documents/Exhibits: Building Plans, 1 letter of opposition

Votes: Board Member Ruggiero moved for approval with BPDA design review and Robinson seconded. The Board voted unanimously to approve.



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Case: BOA-1161387 Address: 8 Dacy Street Ward 18 Applicant: David Higgins

Articles: Article 69 Section 30 Application of Dimensional Req Two or more buildings on one lot Article 69 Section 9 Insufficient additional lot area per dwelling unit Article 69 Section 9 Insufficient usable open space/dwelling unit Article 69 Section 9 Insufficient lot width Article Section 9 Insufficient lot width frontage

Purpose: This alteration permit has been filed as one of two structures on same lot in conjunction with ALT895405 (A.K.A 1449 1453 Hyde Park Avenue) to change the existing occupancy of the neighboring structure to an 11 unit dwelling via an addition. (No work to be done to 8 Dacy street under this specific application). ZBA relief required FD *NOTE: Plans are filed with ALT895405.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add seven new units on one lot with 11 parking spaces.

Board members asked about total units (11), traffic circulation, and how the new building would work with each other on the same lot.

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

Documents/Exhibits: Building Plans, five letters of opposition

Votes: Board Member Erlich moved for approval with BPDA design review and for no bedrooms in the basement and Robinson seconded. The Board voted unanimously to approve.

Case: BOA-937921 Address: 1449-1453 Hyde Park Avenue Ward 18 Applicant: 1449 LLC

Articles: Article 69(69-29) Article 69(69-30) Article 69(69-8) Article 69(69-9: Insufficient rear yard setback – (1449 Hyde Park Ave.), Insufficient lot size – (1449 Hyde Park Ave.), Excessive F.A.R. – (1449 Hyde Park Ave.), Number of allowed stories exceeded – (1449 Hyde Park Ave.) & Insufficient usable open space – (1449 Hyde Park Ave.)

Purpose: Change occupancy of two family into an 11 unit MFR dwelling and construct addition per plan submitted. (This is one of two structures on the same lot, other structure is a two family (a.k.a. 8 Dacy Street)).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add seven new units on one lot with 11 parking spaces.

Board members asked about total units (11), traffic circulation, and how the new buildings would work with each other on the same lot.

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



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Documents/Exhibits: Building Plans, five letters of opposition

Votes: Board Member Erlich moved for approval with BPDA design review and for no bedrooms in the basement and Robinson seconded. The Board voted unanimously to approve.

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 Art. 09 Sec. 01 Reconstruction/Extension of Non-Conforming Bldg Reduction of open space in sf 11.25.20 revision

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

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add a fourth floor to two attached dwellings and add a private elevator to each.

Board members asked about parking, roof decks, and elevators.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilors Flaherty, Essaibi-George and Flynn and an abutter are opposed. None are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved to deny without prejudice and Ruggiero seconded. The Board voted unanimously to deny without prejudice.

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 Art. 09 Sec. 01 Reconstruction/Extension of Non-Conforming Bldg Reduction of open space <25% (Elevator)

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.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add a fourth floor to two attached dwellings and add a private elevator to each.

Board members asked about parking, roof decks, and elevators.



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Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilors Flaherty, Essaibi-George and Flynn and an abutter are opposed. None are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved to deny without prejudice and Ruggiero seconded. The Board voted unanimously to deny without prejudice

Case: BOA-1125719 Address: 69 Readville Street Ward 18 Applicant: Terry O'Reilly
Articles: Article 69 Section 8 Use Regulations in Res District 6 unit MFR forbidden Article 69 Section Excessive f.a.r. Article 69 Section 9 Insufficient open space per unit Article 69 Section 9 (3) Location of main entrance Article 69 Section 29 Off Street Parking & Loading Req 5. (e) Design /Size of spaces
Purpose: Revised work description: Construct a two story 6 unit dwelling with 12 off street parking spaces per plans submitted.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a six unit dwelling with 12 parking spaces.

Board members asked about the bedroom count, unit sizes, basement occupancy, and location of main entrance.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and an abutter are opposed. None are in support.

Documents/Exhibits: Building Plans, 2 letters from State Representatives in opposition

Votes: Board Member Erlich moved to deny without prejudice and Ruggiero seconded. The Board voted 6-1 to deny without prejudice with Ligris opposed.

Case: BOA- 1099054 Address: 95-97 Addison Street Ward 1 Applicant: Ashley Tan
Articles: Article 27T 5 East Boston IPOD Applicability Article 53 Section 25 Use Regulations MFR is a forbidden use in the McClellan Highway EDA. Article 53 Section 56 Off Street Parking & Loading Req Off street parking is insufficient. 24 Spaces required, 12 Provided. Art. 53, Section 26 Floor area ratio is excessive.

Purpose: The Applicant proposes to demolish the existing one family detached dwelling and erect a new multi family dwelling structure with four (4) stories, twelve (12) units and twelve (12) parking spaces.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a 10 unit building with 9 parking spaces.

Board members asked about building height, basement living space, and parking.



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Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilors Edwards and Essaibi-George, and an attorney for abutters are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Ruggiero moved for approval with BPDA design review and Ligris seconded. The Board voted unanimously to approve.

Case: BOA-1122790 **Address:** 8 Ashton Street Ward 14 **Applicant:** Peter Vanko

Articles: Article 60, Section 41.1 Conformity Ex Bldg Alignment Article 60, Section 8 Use: Forbidden 6 family use Article 60, Section 9 Lot Area Insufficient Required: 6,000 sqft Proposed: 5,100 sqft Article 60, Section 9 Add'l Lot Area Insufficient Required: 18,000 sqft Proposed: 5,100 sqft Article 60, Section 9 Floor Area Ratio Excessive Max. allowed: 0.8 Proposed: 1.58 Article 60, Section 9 Bldg Height Excessive (Feet) Max. allowed: 35' Proposed: 39' 9" Article 60, Section 9 Usable Open Space Insufficient Required: 3,600 sqft Proposed: + 1,000 sqft Article 60, Section 9 Rear Yard Insufficient Required: 22.5' Proposed: + 10'

Purpose: Erect new (6) family building with parking below grade. Provide (2) accessible units accessed via wheelchair lift (pending MAAB variance).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a 6 unit residence with 2 accessible units.

Board members asked about parking, curb cut, lift vs. elevator, roof decks, and neighborhood context.

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

Documents/Exhibits: Building Plans

Votes: Board Member Better Barraza moved for approval with BPDA design review to remove the garage door and attention on side massing and Ligris seconded. The Board voted 6-0 to approve with Robinson recused.



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Case: BOA-1072612 Address: 16 Tanglewood Road Ward 17 Applicant: William Callahan
Articles: Article 65 Section 41 Off Street Parking and Loading Location: Off street parking facility shall be provided on the same lot as the main use to which they are accessory Article 65, Section 8 Use Regulations Three family dwelling: Forbidden Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Bldg Height Excessive (Stories)
Purpose: Change of Occupancy from Two Family Dwelling to Three Family Dwelling (Legalize three family). Construct new addition and proposed (3) off street parking. Please attached to proposed subdivision ALT1071270 and proposed 6 unit new construction ERT1071265. [ePlan]

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change two family to a three family with an addition, subdivide a lot and erect a new 6 unit dwelling at 21 Tanglewood with 9 parking spaces.

Board members asked about square footage of lot after subdivision, parking, rear yard, and head house.

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

Documents/Exhibits: Building Plans

Votes: Board Member Ruggiero moved for approval with BPDA design review and no head house and Ligris seconded. The Board voted unanimously to approve.

Case: BOA-1072609 Address: 16 Tanglewood Road Ward 17 Applicant: William Callahan
Article: Article 65, Section 9 Lot Area Insufficient
Purpose: Subdividing the existing lot into 2 parcels. The existing 2 family home is now a proposed 3 unit alteration (ALT1071262) and a 6 unit new construction residential building is proposed on the other side of the new lot line (ERT1071265). **All 3 application are going to the ZBA**

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change two family to a three family with an addition, subdivide a lot and erect a new 6 unit dwelling at 21 Tanglewood with 9 parking spaces.

Board members asked about square footage of lot after subdivision, parking, rear yard, and head house.

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

Documents/Exhibits: Building Plans



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Votes: Board Member Ruggiero moved for approval with BPDA design review and no head house and Ligris seconded. The Board voted unanimously to approve.

Case: BOA-1072607 **Address:** 21 Tanglewood Road Ward 17 **Applicant:** William Callahan
Articles: Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient Article 65, Section 8 Use Regulations Multi Family Dwelling (6 units): Forbidden Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Bldg Height Excessive (Feet) Article 65, Section 9 Front Yard Insufficient

Purpose: Erect new 6 unit residential building with roof deck and 9 parking spaces. Please attach to the 3 unit proposed alteration ALT1071262 and proposed subdivision ALT1071270. [ePlan]

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change two family to a three family with an addition, subdivide a lot and erect a new 6 unit dwelling at 21 Tanglewood with 9 parking spaces.

Board members asked about square footage of lot after subdivision, parking, rear yard, and head house.

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

Documents/Exhibits: Building Plans

Votes: Board Member Ruggiero moved for approval with BPDA design review and no head house and Ligris seconded. The Board voted unanimously to approve.

RECONSIDERATIONS: 1:00 PM

Case: BOA-1143565 **Address:** 2 Emery Road Ward 22 **Applicant:** ALP 449 Cambridge Owner, LLC pursuant to Article 5-3, of the Board's 02/02/2021 Decision to Deny requested relief to demolish existing; construct new multi-family residential building, with 39 units. Associated with 449 Cambridge Street ERT1123317.

Articles: Article 51, Section 19 Use: Forbidden MFR is a Forbidden use in a LI 1 subdistrict Article 51, Section 20 Floor area ration is excessive Article 51, Section 20 Rear yard is insufficient Article 51, Section 20 Building Height in feet is excessive Article 51, Section 20 Open usable space is insufficient Article 51, Section 56 Off Street Parking Insufficient

Purpose: Demolish existing; construct new multi family residential building, with 39 units. Associated with 449 Cambridge Street, ERT1123317.

Discussion: This matter is before the Board on a request for reconsideration. The Appellant submitted that they did not have an adequate opportunity to present their case to the Board at their prior hearing due to technical issues.



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The Board inquired whether the Appellant had altered their plans to include the number of micro-units in their proposed project.

Votes: Board Member Ligris moved to deny the petition but received no second. Board Member Ruggiero moved for reconsideration and Erlich seconded. The Board voted to reconsider the appeal 5-1 with Ligris opposed and Robinson recused.

Case: BOA-1143574 **Address:** 449 Cambridge Street Ward 22 **Applicant:** ALP 449 Cambridge Owner, LLC pursuant to Article 5-3, of the Board's 02/02/2021 Decision to Deny requested relief to demolish existing structure; construct new multi-family residential building, with 127 units and approximately 80 parking spaces. Includes ground floor retail. Associated with 2 Emery Road project.

Articles: Article 51, Section 16 Use Regulations MFR is a conditional use in a CC 1 subdistrict Article 51 Section 17 Floor area ratio is excessive Article 51, Section 17 Rear yard is insufficient Article 51, Section 17 Building height in feet is excessive Article 51, Section 17 Open usable space is insufficient Article 51, Section 56 Off Street Parking Insufficient

Purpose: Demolish existing structure; construct new multi family residential building, with 127 units and approximately 80 parking spaces. Includes ground floor retail. Associated with 2 Emery Road project.

Discussion: This matter is before the Board on a request for reconsideration. The Appellant submitted that they did not have an adequate opportunity to present their case to the Board at their prior hearing due to technical issues.

The Board inquired whether the Appellant had altered their plans to include the number of micro-units in their proposed project.

Votes: Board Member Ligris moved to deny the petition but received no second. Board Member Ruggiero moved for reconsideration and Erlich seconded. The Board voted to reconsider the appeal 5-1 with Ligris opposed and Robinson recused.



City of Boston
Board of Appeal

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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.

For a video recording of the March 23, 2021 Board of Appeal Hearing please go to: https://www.cityofboston.gov/cable/video_library.asp.