



City of Boston  
Board of Appeal

**RECEIVED**

By City Clerk at 8:56 am, Jul 21, 2021

Tuesday, July 27, 2021

BOARD OF APPEAL

Room 801

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**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON JULY 27, 2021 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS JULY 13, 2021 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

**SOME MATTERS LISTED ON THIS AGENDA MAY HAVE BEEN SCHEDULED AND NOTICED FOR PRIOR HEARINGS WHICH WERE THEN DEFERRED TO A LATER HEARING DUE TO THE PUBLIC HEALTH EMERGENCY. ANY SUCH APPEALS ON THIS AGENDA HAVE BEEN RE-NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

**PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:**

**THE JULY 27, 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 <https://bit.ly/zbaJuly27Hearing> or by calling 1-617-315-0704 and entering access code 179 924 0691.**

**If you wish to offer testimony on an appeal, please click <https://bit.ly/zbaJuly27comment> 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 <https://bit.ly/zbaJuly27comment> calling 617-635-4775 or emailing [isdboardofappeal@boston.gov](mailto: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**



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participate in the hearing via WebEx. Questions and/or concerns can also be emailed to the ZBA Ambassador at [zba.ambassador@boston.gov](mailto: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.**

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](mailto: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 [zbapublicinput@boston.gov](mailto:zbapublicinput@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.**



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**APPROVAL OF THE HEARING MINUTES 9:30AM**

**December 1, 2020; December 8, 2020**

**EXTENSIONS: 9:30AM**

**Case: BOA-943624 Address: 118 Marcella Street Ward 11 Applicant: Joseph Feaster, Jr, Esq**

**Case: BOA-810158 Address: 25 Everett Street Ward 1 Applicant: Richard Lynds, Esq**

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

**Case: BOA-938001 Address: 4-8 Lakeside Avenue Ward 18 Applicant: Derric Small, Esq**

**Case: BOA-616977 Address: 25-27 Hillsboro Street Ward 7 Applicant: My Lam**

**Case: BOA-746305 Address: 4-8 Tileston Street Ward 18 Applicant: Robert Burk**

**Case: BOA-843335 Address: 42 Chestnut Street Ward 5 Applicant: Ian Urquhart**

**Case: BOA-942790 Address: 2 Starling Street Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942791 Address: 3 Starling Street Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942793 Address: 4 Starling Street Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942794 Address: 5 Starling Street Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942795 Address: 6 Starling Street Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942797 Address: 7 Starling Street Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942798 Address: 8 Starling Street Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942799 Address: 9 Starling Street Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942806 Address: 10 Starling Street Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942808 Address: 11 Starling Street Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942809 Address: 12 Starling Street Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942811 Address: 13 Starling Street Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942812 Address: 14 Starling Street Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942813 Address: 15 Starling Street Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942814 Address: 16 Starling Street Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942815 Address: 17 Starling Street Ward 20 Applicant: CAD Builders, LLC**



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**Case: BOA-942816 Address: 2 Toucan Road Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942818 Address: 4 Toucan Road Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942819 Address: 6 Toucan Road Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942821 Address: 8 Toucan Road Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942823 Address: 10 Toucan Road Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942824 Address: 12 Toucan Road Ward 20 Applicant: CAD Builders, LLC**

**Case: BOA-942825 Address: 14 Toucan Road Ward 20 Applicant: CAD Builders, LLC**

**BOARD FINAL ARBITER: 9:30AM**

**Case: BOA-1160818 Address: 53 Tyndale Street Ward 20 Applicant: James Zigmont**

**Case: BOA-1112586 Address: 66 Alban Street Ward 17 Applicant: Tim Johnson**

**HEARINGS: 9:30AM**

**Case: BOA -1207934 Address: 217 Lexington Street Ward 1 Applicant: Appleton Grove, LLC**

**Articles:** Art. 53 Sec. 09 Side yard insufficient Article 53, Section 9 Rear Yard Insufficient

**Purpose:** Amend ALT1098813 to include rear roof deck exclusive to Unit 3.

**Case: BOA -1171725 Address: 25 Isabella Street Ward 5 Applicant: 25 Isabella Street LLC**

**Articles:** Art. 32 Sec. 4 Ground Water District GCOD Applicability Art. 63 Sec. 8 Floor Area Ratio is excessive

Art. 63 Sec. 8 Height is excessive (3 stories max allowed) Art. 63 Sec. 8 Height is excessive (35 FT max allowed)

Art. 63 Sec. 8 Usable Open Space is insufficient Art. 63 Sec. 8 Rear yard setback is insufficient Art. 63 Sec. 20

Roof structures restricted district Art. 63 Sec. 24 Off Street Parking req is insufficient Art. 63 Sec. 24 Off Street

Parking design (access drive & mane) Art. 63. Sec. 24 Off Street Loading req is insufficient

Art. 63 Sec. 25 Front modal building alignment

**Purpose:** Convert existing church into 26 unit residential building per plans and specs.

**Case: BOA -1205518 Address: 186-188 H Street Ward 7 Applicant: Phillip Wallace**

**Articles:** Article 68, Section 8 Rear Yard Insufficient Article 68, Section 29 Roof Structure Restrictions

**Purpose:** Confirm as existing 3 family. Proposed new roof deck for unit three exclusive use only, as per plans.

**Case: BOA-1207470 Address: 603 Massachusetts Avenue Ward 9 Applicant: LDRE Corporation**

**Article:** Art. 50 Sec. 43 Off street parking insufficient

**Purpose:** Change occupancy from one office, one retail and three (3) residential units to one office and four (4) residential units.



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**Case: BOA -1097311 Address: 14 Schuyler Street Ward 12 Applicant: EJS Investments, INC**

**Articles:** Art. 50, Section 28 Use: Forbidden Multi family dwelling unit (9 units) building is forbidden  
Art. 50, Section 29 Lot area for the add'l dwelling units is insufficient Art. 50, Section 29 Lot width requirement is insufficient Art. 50, Section 29 Lot frontage requirement is insufficient Art. 50, Section 29 Floor area ratio is excessive  
Art. 50, Section 29 Usable open space requirement is insufficient Art. 50 Sec. 44.2 Existing Bldg Alignment Front yard modal alignment Art. 50, Section 29 Side yard requirement is insufficient Art. 50, Section 29 Rear yard setback requirement is insufficient

**Purpose:** Seeking to raze the existing structure and erect a nine unit residential dwelling with nine parking spaces. E Plans Attached. ZBA. Nominal Fee.

**Case: BOA -1209343 Address: 5 Winston Road Ward 14 Applicant: Whiteacre Properties**

**Articles:** Art. 60 Sec. 08 Use Regs appl in Res Subdistr Use is forbidden (4 family use) Article 60, Section 9 Lot size minimum to build a dwelling: Insufficient Article 60, Section 9 Lot area for the add'l dwelling units: Insufficient Article 60, Section 9 Floor Area Ratio: Excessive Article 60, Section 9 Height: Excessive (ft) Article 60, Section 9 Usable open space: Insufficient Article 60, Section 9 Front yard setback requirement: Insufficient Article 60, Section 9 Side yard setback requirement: Insufficient Article 60, Section 9 Rear yard setback requirement: Insufficient Art. 60 Sec. 40 Off street parking insufficient Off street parking requirement: Insufficient Article 60, Section 9 Height is Excessive (stories)

**Purpose:** Erect a new 4 story Multi Family Dwelling (4 units). No elevator. Building will have an automatic fire protection system at all levels. Propose (4) off street parking.

**Case: BOA -1192242 Address: 473 Harvard Street Ward 14 Applicant: Edgar Carrere**

**Article :** Article 60, Section 11 Use: Conditional Multi family residential is a Conditional use in an Enterprise Protection Sub district.

**Purpose:** Construct a 2 story, wood framed 2088 sf four family dwelling on a 7800 sf lot.

**Case: BOA -1166821 Address: 27 Mallon Road Ward 14 Applicant: Ralph Parent**

**Articles:** Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Building Height (# of Stories) Excessive Article 65, Section 9 Front Yard Insufficient

**Purpose:** Subdivide lot (Parcel ID: 1401230000) into two lots. Erect new semi attached single family dwelling (townhouse style) to ERT1112163. Propose one (1) off street parking. Project is part of the Department of Neighborhood Development Neighborhood Homes Initiative (NHI).

**Case: BOA -1166817 Address: 154 Rosseter Street Ward 14 Applicant: Ralph Parent**

**Articles:** Article 10, Section 1 Limitation of Area Limitation of Area of Accessory Uses Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Building Height (# of Stories) Excessive Article 65, Section 9 Front Yard Insufficient Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Design / Maneuverability (Tandem Parking)

**Purpose:** Erect new detached 2 family residential dwelling Propose one (1) off street parking. Project is part of the Neighborhood Homes Initiative (NHI).

**Case: BOA -1166816 Address: 29 Rosseter Street Ward 14 Applicant: Ralph Parent**

**Articles:** Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Insufficient Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Design / Maneuverability ( Tandem Parking)

**Purpose:** Erect new detached 2 family residential dwelling Propose one (1) off street parking. Project is part of the Neighborhood Homes Initiative (NHI).



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**Case: BOA 1166813 Address: 41 Mount Bowdoin Terrace Ward 14 Applicant: Ralph Parent**

**Articles:** Article 10, Section 1 Limitation of Area Limitation of Area of Accessory Uses Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Front Yard Insufficient

**Purpose :** Subdivide lot (Parcel ID: 1401250000) into two lots. Erect new semi attached single family dwelling (townhouse style) to ERT1112192. Propose one (1) off street parking. Project is part of the Department of Neighborhood Development Neighborhood Homes Initiative (NHI).

**Case: BOA -1166815 Address: 24 Mount Bowdoin Terrace Ward 14 Applicant: Ralph Parent**

**Article:** Article 65, Section 9 Lot Frontage Insufficient

**Purpose:** Erect new single family residential dwelling. Propose one (1) off street parking. Project is part of the Department of Neighborhood Development Neighborhood Homes Initiative (NHI).

**Case: BOA-1166911 Address: 20 Mount Bowdoin Terrace Ward 14 Applicant: Ralph Parent**

**Articles:** Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Insufficient Article 65, Section 9 Floor Area Ratio Excessive

**Purpose:** Subdivide lot (Parcel ID: 1401285000) into two lots. Erect new semi attached single family dwelling (townhouse style) to ERT11122018. Propose one (1) off street parking. Project is part of the Department of Neighborhood Development Neighborhood Homes Initiative (NHI).

**Case: BOA1166808 Address: 18 Mount Bowdoin Terrace Ward 14 Applicant: Ralph Parent**

**Articles:** Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Insufficient

**Purpose:** Subdivide lot (Parcel ID: 1401285000) into two lots. Erect new semi attached single family dwelling (townhouse style) to ERT1112057. Propose one (1) off street parking. Project is part of the Department of Neighborhood Development Neighborhood Homes Initiative (NHI).

**Case: BOA -1166811 Address: 39 Mount Bowdoin Terrace Ward 14 Applicant: Ralph Parent**

**Articles:** Article 10, Section 1 Limitation of Area Limitation of Area of Accessory Uses Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient 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 Dimensional Regulations

**Purpose:** Subdivide lot (Parcel ID: 1401250000) into two lots. Erect new semi attached single family dwelling (townhouse style) to ERT1112200. Propose one (1) off street parking. Project is part of the Department of Neighborhood Development Neighborhood Homes Initiative (NHI).

**Case: BOA-1166798 Address: 81 Bowdoin Avenue Ward 14 Applicant: Ralph Parent**

**Articles:** Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient 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 41 Off Street Parking & Loading Req Off Street Parking Insufficient Article 65, Section 9 Side Yard Insufficient

**Purpose:** Erect new detached 2 family residential dwelling Propose one (1) off street parking. Project is part of the Neighborhood Homes Initiative (NHI).

**Case: BOA-1194924 Address: 18 Evans Street Ward 17 Applicant: Timothy Johnson**

**Articles:** Article 65, Section 8 Use Regulations Three Family Dwelling Use: Forbidden Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories)

**Purpose:** On a Vacant parcel erect a 3-story, 3 family building w/front balconies and rear on-grade parking as per plans submitted.





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**Case: BOA-1192873 Address: 23 Newton Street Ward 22 Applicant: Scott Marder**

**Articles:** Art. 51 Sec. 09 Insufficient additional lot area per unit Art. 51 Sec. 09 Insufficient open space per unit

**Purpose:** Add public electrical meter, sprinklers and alarm. change occupancy to 3 family.

Change occupancy from a two to a three family and then renovate per the requirements of 780CMR. (A nominal fee and a basic set of preliminary plans has been submitted at this time due to anticipated ZBA relief and Sprinkler and fire alarm drawings shall be provided subject to a favorable decision from the BOA. This application has been filed in conjunction with UOP491180210, u491180294, alt1174556/54.

**Case: BOA 1192893 Address: 23 Newton Street Ward 22 Applicant: Scott Marder**

**Articles:** Art. 10 Sec. 01 Limitation of parking areas Art. 51 Sec. 56 Off St Parking Design

**Purpose:** Verify current and proposed parking; in correlation with permit ALT1174554.

Proposed parking of three motor vehicles in rear yard per plan submitted.

**Case: BOA-1192938 Address: 25 Newton Street Ward 22 Applicant: Scott Marder**

**Articles:** Art. 51 Sec. 09 Insufficient lot area per unit Art. 51 Sec. 09 Insufficient open space per unit

**Purpose:** Change occupancy from a two to a three family and then renovate per the requirements of 780CMR. (A nominal fee

and a basic set of preliminary plans has been submitted at this time due to anticipated ZBA relief and Sprinkler and fire alarm drawings shall be provided subject to a favorable decision from the BOA. This application has been filed in conjunction with UOP491180210, u491180294, alt1174554/56.

**Case: BOA -1192843 Address: 25 Newton Street Ward 22 Applicant: Scott Marder**

**Articles :** Art. 10 Sec. 01 Limitation of parking areas Art. 10 Sec. 01 Limitation of parking areas Side yard buffer/rear yard area Article 51, Section 56. Off Street Parking & Loading Req Parking clear access, design, maneuvering areas, size...

**Purpose:** Current and proposed parking for 25 Newton Street as part of ALT1174556. Parking for 5 vehicles filed in conjunction with ALT1174556.

**HEARINGS: 11:00AM**

**Case: BOA-1173700 Address: 9 West School Street Ward 2 Applicant: Kevin Joyce**

**Articles:** Article 62, Section 13 Use Regulations Elderly Housing (Apartment for seniors) Use: Conditional

Article 9, Section 2 Change in Non Conforming Use

**Purpose:** Change occupancy from 66 units of assisted living housing to 48 affordable (income restricted) apartments for seniors with services. Then completely renovate building as per plans filed herewith. Building to be used for 48 affordable income restricted apartments for seniors after renovation.

**Case: BOA -1190262 Address: 51 North Margin Street Ward 3 Applicant: 51 North Margin Realty Trust**

**Articles:** Art. 09 Sec. 02 Nonconforming Use Change Art. 32 Sec. 32.4 Groundwater Conservation Overlay District, Applicability Art. 54 Section 18 Roof Structure and Building Height Restrictions Reconfiguration of existing roof profile

**Purpose:** To build additional 4 units as per plan, we are filing for a refusal letter to go to ZBA with nominal fee letter attached. Clarification: CHANGE OF OCCUPANCY FROM Private Club on 2nd Floor, Garage on 1st Floor to a six story MFR 4 unit dwelling by constructing four additional stories over existing structure per plans provided.

**Case: BOA-1203994 Address: 331-335A Newbury Street Ward 5 Applicant: Rooted In, LLC**

**Articles:** Article 8 Section 7 Use Regulations Cannabis Establishment (Recreational) Use: Conditional Article 8 Section 7 Use Regulations Cannabis Establishment Location shall be sited at least one half mile or 2,640 feet from another existing cannabis establishment.

**Purpose:** Change Occupancy from Retail to Cannabis Establishment (Recreational).



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**Case: BOA -1183042 Address: 16 Preble Street Ward 7 Applicant: David Winick**

**Articles:** Art. 16, Section 8 Restricted Roof Structure District Head house to be removed. Roof deck area proposed including hatch: 371sqft > allowed 330sqft Art. 13 Sec. 13 Building height max. allowed: 40' Proposed deck and hatch exceeds 40'

**Purpose:** Install roof deck to access from hatch. Roof deck for exclusive use of top floor unit.

**Case: BOA# 1183040 Address: 16 Preble Street Ward 7 Applicant: David Winick**

**Purpose:** Install roof deck to access from hatch. Roof deck for exclusive use of top floor unit.

**Violation** Violation Description Violation Comments 9th 780 CMR 1011 Stairways Art. 1011.12 Access to an occupied roof in buildings 4 stories or more shall be through a penthouse.

**Case: BOA -1183045 Address: 18 Preble Street Ward 7 Applicant: David Winick**

**Article:** Article 13, Section 1 Bldg Height Excessive (Feet)

**Purpose:** Install roof deck to access from hatch. Roof deck for exclusive use of top floor unit.

**Case: BOA #1183050 Address: 18 Preble Street Ward 7 Applicant: David Winick**

**Purpose:** Install roof deck to access from hatch. Roof deck for exclusive use of top floor unit.

**Violation** Violation Description Violation Comments 9th 780 CMR 1011 Stairways 1011.12.2 Roof access. Where a stairway is provided to a roof, access to the roof shall be provided through a penthouse complying with Section 1510.2.

**Case: BOA -1209559 Address: 1426 Columbia Road Ward 7 Applicant: George Morancy**

**Articles:** Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. Existing FAR is non conforming. Proposed additional FAR will extend the non conformance Article 68, Section 8 Floor Area Ratio Excessive Additional Floor area in basement further exceeds the existing non conformance

**Purpose:** Rebuild house completely after fire, including all new electrical, plumbing, HVAC, sprinkler, fire alarm, roof, framing etc. Structural, Architectural, and civil drawings being submitted. FEE ALREADY PAID ON AT RISK PERMIT SF1149515.

**Case: BOA -1209563 Address: 1428 Columbia Road Ward 7 Applicant: George Morancy**

**Articles:** Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. Existing FAR is non conforming. Proposed additional FAR will extend the non conformance Article 68, Section 8 Floor Area Ratio Excessive Proposed additional floor area exceeds allowed FAR.

**Purpose:** Rebuild house completely after fire, including all new electrical, plumbing, HVAC, sprinkler, fire alarm, roof, framing etc. Structural, Architectural, and civil drawings being submitted.

**Case: BOA -1191388 Address: 11 Senator Bolling Circle Ward 14 Applicant: Edger Carrere**

**Article:** Article 60, Section 11 Use: Conditional Detached Single Family dwelling is a Conditional use in an Enterprise Protection sub district

**Purpose:** Construct a 2 Story, wood framed 2088 sf single family dwelling on a 5655 sf lot.

**Case: BOA -1191398 Address: 35 Senator Bolling Circle Ward 14 Applicant: Edger Carrere**

**Article:** Article 60, Section 11 Use: Conditional Detached single family dwelling is a Conditional use in an Enterprise Protection sub district.

**Purpose:** Construct a 2 Story, wood frame, 2133 sf single family dwelling on a 7015 sf lot.

**Case: BOA -1191391 Address: 24 Senator Bolling Circle Ward 14 Applicant: Edger Carrere**

**Article:** Article 60, Section 11 Use: Conditional Detached single family dwelling is a Conditional use in an Enterprise Protection Sub district

**Purpose:** Construct a 2 Story, wood frame, 2268 sf single family dwelling on a 7,015 sf lot.





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**Case: BOA -1191393 Address: 27 Senator Bolling Circle Ward 14 Applicant: Edger Carrere**

**Article:** Article 60, Section 11 Use: Conditional Detached single family dwelling is a conditional use in an Enterprise Protection sub district

**Purpose:** Construct a 2 Story, wood frame, 2300 sf single family dwelling on a 8165 sf lot ert1121488 ert1121295.

**Case: BOA 1192361 Address: 30 Snowden Way Ward 14 Applicant: Edger Carrere**

**Articles:** Article 60, Section 11 Use: Conditional Detached single family dwelling is a Conditional use in an Enterprise protection sub district. Article 60, Section 12 Front Yard is insufficient

**Purpose:** Construct a 2 Story, wood frame, 2100 sf single family dwelling on a 7925 sf lot.

**Case: BOA-1195087 Address: 110R Belle Avenue Ward 20 Applicant: Charles Brothers**

**Articles:** Article 56. Section 8 Side Yard Insufficient Side setback allowed is 15 feet & you have 4.7 feet

Article 56, Section 8 Rear Yard Insufficient Rear set back allowed is 40 feet & you have 10.5 feet

**Purpose:** Construction a 20'x20' detached standard garage, along with associated site work.

**Case: BOA -1177020 Address: 120 Bellevue Street Ward 20 Applicant: John Halloran**

**Articles:** Article 56 Section 40 Two or More Dwellings on the Same Lot

**Purpose:** Application filed in conjunction with ALT1144069 (120R) for zoning code relief. No work to be performed at 120 Bellevue St see existing plans for square footage. For this one of 2 building on one (1) lot.

**Case: BOA -1177024 Address: 120R Bellevue Street Ward 20 Applicant: John Holloran**

**Articles:** Article 56 Section 40 Conformity with Existing Building Alignment Article 56 Section 40 Two or More Dwellings on the Same Lot Article 56, Section 39 Off Street Parking & Loading Req (4) Location of Off Street Parking. Off Street Parking located in Front Yard is Forbidden

**Purpose:** Renovate and convert circa 1880's existing Carriage House (BARN) into a Single Family Dwelling. Retain architectural details as practical, move building 11' from side yard, to new to building code compliant construction foundation; extend foundation at rear to construct 2 car garage as per plans. No work @ 120 Bellevue St ALT1152240.

**RECOMMENDATIONS: 11:30 AM**

**Case: BOA-1158994 Address: 296 Princeton Street Ward: 1 Applicant: Andrea Vilanova**

**Articles:** Article 53, Section 9 Floor Area Ratio Excessive 1.2 > 1.0max Article 53, Section 9 Side Yard Insufficient 0' < 2.5'min Article 53, Section 9 Rear Yard Insufficient 21.5' < 40'min Article 53, Section 52 Roof Structure Restrictions Article 27T 5 East Boston IPOD Applicability

**Purpose:** Amending ALT1128721. Entry adding a green roof to playroom area. Basement completing bathroom (plumbing existing) and finishing space for additional storage. First Floor Relocation of kitchen and bathroom on existing footprint. Second floor Bedroom and bathroom remodel (adding sf).

**Case: BOA-1141788 Address: 1187 Saratoga Street Ward: 1 Applicant: Ang Sherpa**

**Article:** Article 53 Section 9 Excessive F.A.R.

**Purpose:** Correct existing code violation of basement Unit by removing basement kitchen and door unit separations between unit 1 and basement and then extend living space into the basement area from unit #1 to connect directly into the first 1st floor unit and remove rear second floor interior stairs and construct new exterior stair from the existing rear porch per plans provided.

**Case: BOA -122647 Address: 89 Russell Street Ward: 2 Applicant: Sean George**

**Article:** Article 62, Section 8 Floor Area Ratio Excessive

**Purpose:** Finishing of existing basement to create livable space, increasing ceiling height and adding to the buildings GSF by, lowering basement slab, framing level as shown, adding an additional bedroom with bathroom & window well as second means of egress.



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**Case: BOA -1166630 Address: 6 Wall Street Ward: 2 Applicant: Timothy Sheehan**

**Article:** Article 62, Section 25 Roof Structure Restrictions Per request of applicant

**Purpose:** A new 20' x 20' roof deck along with new rooftop access stairs and a hatch to access said deck. ZBA relief will be required. We request the nominal fee since we will be going through the ZBA (see attached letter).

**Case: BOA -1164273 Address: 2 Lawnwood Place Ward: 2 Applicant: Timothy Sheehan**

**Articles:** Article 62, Section 8 Bldg Height Excessive (Feet) Proposed roof deck exceeds allowed building height.  
Article 62, Section 8 Bldg Height Excessive (Feet)

**Purpose:** This is for a new private roof deck for unit 2 accessed through a hatch and a new set of stairs.

**Case: BOA 1184808 Address: 10 Claremont Park Ward: 4 Applicant: 10 Claremont Park, LLC**

**Article:** Article 64, Section 9.4 Town House/Row House Extension Townhouse / Rowhouse Extensions into the Rear Yard

**Purpose:** In conjunction with ALT1079204. Construct a new steel balcony off 3rd Floor Level per building plans at kitchen of Unit # 2.

**Case: BOA -1166359 Address: 555 East Fifth Street Ward: 6 Applicant: Bob Weisenberger**

**Articles:** Article 68, Section 8 Side Yard Insufficient

**Purpose:** Proposed additions, new rear decks and renovate existing two family, as per plans. Construction set to be submitted upon ZBA approval.

**Case: BOA -1200790 Address: 707 East Fourth Street Ward: 6 Applicant: Ben Gallagher/Katelyn Burke**

**Article:** Article 68, Section 29 Roof Structure Restrictions

**Purpose:** Proposed new roof deck to build off of the top level of Unit 2. The Deck/Porch would be supported by roof covering a room on our unit's lower level.

**Case: BOA -1191538 Address: 10 Saint Margaret Street Ward: 7 Applicant: Chris Drew**

**Articles:** Art. 65 Sec. 9 Insufficient rear yard setback Article 65, Section 9 Insufficient side yard setback Article 65, Section 9 Excessive F.A.R. Art. 65 Sec. 9 # of allowed stories has been exceeded Article 65, Section 9 Insufficient usable open space

**Purpose:** Confirm as existing single family, then add a 3rd floor addition with roof deck & 2 story addition w/ garage on the left side of the house to include extension of living space into the basement as per plans.

**Case: BOA -1173224 Address: 169 O Street Ward: 7 Applicant: Recover Green Roofs**

**Articles:** Article 68, Section 29 Roof Structure Restrictions Article 68, Section 8 Front Yard Insufficient Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient

**Purpose:** New decking, green roof, pergola, and planters on existing roof deck area.

**Case: BOA-1175313 Address: 2-4 Wakullah Street Ward: 12 Applicant: Jose Lopez**

**Article:** Article 50, Section 29 Floor Area Ratio Excessive

**Purpose:** Extend the first floor living space into basement to accommodate mother in law who will provide childcare to, her grandchild, our child.

**Case: BOA-1174564 Address: 59 Chickatawbut Street Ward: 16 Applicant: Marie Prendergast**

**Articles:** 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

**Purpose:** Renovation of second floor unit including relocation of kitchen and bathroom as well as removal of portion of bearing wall to existing two family dwelling. Expansion of third floor/attic living space by construction of a new roof addition with dormers; an increase of approx. 457 square feet.



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**Case: BOA -1184796 Address: 12R Plain Street Ward: 16 Applicant: David Higgins**

**Articles:** Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient Article 65, Section 42.13 Two or More Dwellings on Same Lot A Dwelling shall not be built to the rear of another Dwelling.

**Purpose:** Change of Occupancy from Existing Carriage House into a Single Family Dwelling. Construct new exterior stairway and new second floor with new roof structure. The foundation and some of the structure and walls will remain. All systems and utilities will be replaced. The floors and roof will be re framed.

**Case: BOA -1170623 Address: 95 Wilmington Avenue Ward: 17 Applicant: Michael Nightingale Construction Co.**

**Articles:** Article 65, Section 9 Bldg Height Excessive (Stories) New dormers create an additional story. Article 65, Section 9 Floor Area Ratio Excessive

**Purpose:** Construct dormer. Install new windows, Install vinyl siding, Install new roofing, frame interior walls only Interior finish to be completed by others No plumbing or electrical included in contract.

**Case: BOA-1074615 Address: 6 Warren Park Ward: 18 Applicant: David Guimaraes**

**Article:** Article 69, Section 9 Floor Area Ratio Excessive Max. FAR allowed: 0.3 Proposed: 0.35

**Purpose:** Rehab an existing finished basement using the Owens Corning Basement System to be used as a family room.

**Case: BOA -1167558 Address: 22 Sedgwick Street Ward: 19 Applicant: Ivan Hernandez Articles:**

**Article 55, Section 9** Floor Area Ratio Excessive Article 55, Section 9 Bldg Height Excessive (Stories) Purpose: Construct new dormer on right side of dwelling per plans.

**Case: BOA-1176936 Address: 54 Danforth Street Ward: 19 Applicant: Luiza Santos**

**Articles:** Article 55, Section 12 Side Yard Insufficient Article 55, Section 12 Rear Yard Insufficient

**Purpose:** Dormer over bathroom and renovate bathroom.

**Case: BOA -1165935 Address: 56 Lochstead Avenue Ward: 19 Applicant: Frank Schillace**

**Article:** Article 55, Section 12 Side Yard Insufficient

**Purpose:** Increasing the size of my existing deck.

**Case: BOA-1165245 Address: 41-41A Green Street Ward: 19 Applicant: Stephen H. Payne**

**Articles:** Art. 55 Sec. 09 Front yard setback requirement is insufficient Art. 55 Sec. 09 Side yard setback requirement is insufficient

**Purpose:** at 43 Green St JP install new deck.

**Case: BOA-1184652 Address: 4 Cuthbert Road Ward: 20 Applicant: Kevin Foley**

**Article:** Art. 56, Section 8 Rear yard setback requirements is insufficient

**Purpose:** construct a 14x20 family room addition to the rear of 4 Cuthbert Rd.

**Case: BOA -1191994 Address: 49 Martin Street Ward: 20 Applicant: Casey Ngo-Miller and Dan Miller**

**Article:** Article 56. Section 8 Side Yard Insufficient

**Purpose:** Master bathroom addition above an existing sunroom for an existing owner-occupied single-family dwelling. Closet adjustments to existing second floor. No change to building footprint. Requires zoning relief for side yard.

**Case: BOA -1183614 Address: 61 Oakland Street Ward: 22 Applicant: Kevin Yee**

**Articles:** Article 51, Section 9 Bldg Height Excessive (Stories) Article 51, Section 9 Side Yard Insufficient

**Purpose:** Dormer both sides on half the house for the attic addition of 2 bedrooms and 1 bathroom, with new staircase going up and kitchen reconfiguration on 2nd floor.



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**Case: BOA -1197685 Address: 111 Arlington Street Ward: 22 Applicant: Karen & Shawn Aylward**

**Articles:** Article 51, Section 9 Rear Yard Insufficient Required: 40' Proposed: 31.8' Article 51, Section 9 Side Yard Insufficient Required: 10' Proposed: 8' (R)

**Purpose:** Addition to rear of house. New master suite new kitchen new roof new siding.

**RE-DISCUSSIONS: 12:30PM**

**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 -993501 Address: 11 Pacific Street Ward 7 Applicant: John Barry**

**Articles:** Art 68, Sec 8 Insufficient additional lot area per unit – 400 sf reg Art 68, Sec. 27S-5 IPOD Applicability Art 68, Sec. 33 Off Street Parking & Loading Req. Insufficient parking Art 68, Sec. 8 Insufficient side yard setbacks Art 68, Sec. 8 Insufficient open space per unit Art 68, Sec. 8 Excessive F.A.R. Art. 68, Sec. 8 Insufficient rear yard setback

**Purpose:** To construct a new rear addition and confirm occupancy as a single family and change to a three family residential building.

**Case: BOA -1053337 Address: 64 Clarkwood Street Ward 14 Applicant: Brodrick Egodogbare**

**Article:** Article 60, Section 9 Lot Area Insufficient

**Purpose:** Construction of a 3 family dwelling

**Case: BOA- 1112785 Address: 2149-2151 Dorchester Avenue Ward 17 Applicant: John Barry**

**Articles:** Art. 65 Sec. 08 Forbidden Multi family dwelling unit use (6) is a forbidden use Art. 65 Sec. 9 Residential Dimensional Reg.s Usable open space is insufficient Art. 65 Sec. 41 Off street parking requirements Off street parking requirement is insufficient

**Purpose:** Change Occupancy from 4 family to 6 unit building. Add 2 kitchens and 2 new entrances on second and third floor.

**HEARINGS:1:00PM**

**Case: BOA -1143574 Address: 449 Cambridge Street Ward 22 Applicant: ALP Cambridge Cambridge Owned, LLC**

**Articles:** Article 51, Section 19 Use: Forbidden MFR Is a forbidden use in a LI 1 sub district Article 51, Section 16 Use Regulations MFR is conditional in a CC 1 sub district Article 51, Section 56 Off Street Parking & Loading Req Off street parking and loading is insufficient Article 51 Section 17 Floor Area Ratio is excessive Article 51, Section 17 Building height in feet is excessive Article 51, Section 17 Usable open space is insufficient Article 51 Section 17 Rear yard is 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. Nominal fee requested.



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**Case: BOA-1143565 Address: 2 Emery Road Ward 22 Applicant: ALP Cambridge Cambridge Owned, LLC**  
**Articles:** Article 51, Section 19 Use: Forbidden MFR is forbidden in a LI 1 sub district Article 51, Section 20 Floor Area Ratio is excessive Article 51, Section 20 Building height in feet is excessive Article 51, Section 20 Usable open space is insufficient Article 51, Section 20 Rear yard is insufficient Article 51, Section 56 Off Street Parking & Loading Req Off street parking and loading is insufficient  
**Purpose:** Demolish existing; construct new multi family residential building, with 39 units. Associated with 449 Cambridge Street, ERT1123317. Nominal fee requested.

**CALL OF THE CHAIR:1:00PM**

**Case: BOA-1150574 Address: 153-155 Blue Hill Avenue Ward 12 Applicant: Loretta Sparrow Et al**  
**Purpose:** The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the permit# ALT1067111. The permit was issued as an allowed use.

**DISCUSSION OF OPEN LAW COMPLAINT RESOLUTION:1:00PM**

On July 15, 2021, the Office of the Attorney General submitted its decision on the Open Meeting Law Complaint filed by Joseph Harter to the Board. The Attorney General's Office found that the Board did not violate the Open Meeting Law on April 6, 2021 when Mr. Harter was unable to offer testimony at the Board hearing.

**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](https://www.municode.com/library/ma/boston/codes/redevelopment_authority)**