



City of Boston  
Board of Appeal

**RECEIVED**

By City Clerk at 3:36 pm, Sep 15, 2021

Tuesday, September 28, 2021

BOARD OF APPEAL

City Hall Room 801

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**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON SEPTEMBER 28, 2021 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS SEPTEMBER 28, 2021 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

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

**THE SEPTEMBER 28, 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/zbaSeptember28Hearing> or by calling 1-617-315-0704 and entering access code 2343 185 5669. If you wish to offer testimony on an appeal, please click <https://bit.ly/zbaSeptember28Comment>, 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/zbaSeptember28Comment>, calling 617-635-5300 or emailing [zba.ambassador@boston.gov](mailto:zba.ambassador@boston.gov).

The ZBA Ambassador will be available within the WebEx Event from 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](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.



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**IF YOU WISH TO OFFER TESTIMONY ON AN APPEAL, PLEASE LOG IN TO THE HEARING NO LATER THAN 5:00 PM 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 1010 Mass Ave. 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 1010 Mass Ave 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. 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: 9:30AM**

**Case: BOA-905438 Address: 64 Nelson Street Ward 17 Applicant: Kevin Cloutier**

**Case: BOA- 959349 Address: 2005 Dorchester Avenue Ward 17 Applicant: Francine Tymes**

### **HEARINGS: 9:30AM**

**Case: BOA- 1221651 Address: 1 Merrimac Street Ward 3 Applicant: Boston Haymarket Acquisitions, LLC, c/o The Cincotta Company**

**Articles:**Art. 06 Sec. 04 Other Protectional Conditions - Other protectional conditions and restrictions are required.

**Purpose :** No work is to be performed. The applicant is seeking an extension of a conditional use permit to provide 16, for fee, open air parking spaces on part of the property. Relief was granted by the ZBA on August 13, 2019 with a proviso that the stated relief would expire in 2 years.

**Case: BOA-1238052 Address: 145 Worcester Street Ward 4 Applicant: Marc LaCasse**

**Articles:** Art. 64 Sec. 09 Town House/Row House Extensions into Rear Yard - Decks above the first story

Art. 32 Sec. 04 GCOD Applicability

**Purpose :**To amend ALT1121294. Construct 2 new cantilever decks, new sliding door system on garden level, new paving for parking at rear, and roof deck; per plans filed herewith.

**Case: BOA# 1238039 Address: 145 Worcester Street Ward 4 Applicant: Marc LaCasse**

**Purpose:** To amend ALT1121294. Construct 2 new cantilever decks, new sliding door system on garden level, new paving for parking at rear, and roof deck; per plans filed herewith.

**Violation** Violation Description Violation Comments 9th 780 CMR 1011 Stairways1011.12.2 (Roof access) access to roof, above fourth story, shall be provided through a penthouse.

**Case: BOA- 1237273 Address: 248 Gold Street Ward 7 Applicant: 248 Gold St., LLC**

**Articles:** Art.68 Sec 29 Roof Structure Restrictions Article 68, Section 8 Excessive F.A.R. Article 68, Section 8

Insufficient side yard set back 3' req.Article 68, Section 33Off Street Parking & Loading Req - Insufficient parking

**Purpose :** Expand existing unit 1 into basement and a full 3rd floor addition to unit 2. Add a roof deck for Unit 2 only.

Gut and reconfigure the entire interior layout. Building footprint to remain & use remains 2 family. Remove rear escape ladder and sprinkler building per NFPA 13R. Confirm as two family.

**Case: BOA-1235197 Address: 104-104B Jamaica Street Ward 11 Applicant: Derric Small**

**Articles:**Article 55, Section 40 Off-Street Parking & Loading Req Off-Street Parking Design (Access to Parking is

over a Common Passageway) Article 55, Section 41 Dimensional Req Traffic - Visibility Across a Corner Lot

Article 55, Section 8 Use Regulatios - Use:Three Family Townhouse Dwelling:Forbidden Article 55, Section 9

Lot Area Insufficient Article 55, Section 9 Floor Area Ratio ExcessiveArticle 55, Section 9 Building Height ( # of

Stories ) Excessive Article 55, Section 9 Usable Open Space Insufficient Article 55, Section 9 Front Yard Insufficient

Article 55, Section 9 Side Yard Insufficient

**Purpose :** Erect a 3 story, Three Unit Townhouse style Dwelling. There will be Off Street Parking located at grade in Rear Yard. Building will be fully Sprinklered.

**Case: BOA- 1193512 Address: 41 Dorr Street Ward 11 Applicant: Marc Abou-Ezzi**

**Articles:** Art. 50 Sec. 38 Design Review Article 50, Section 29 Rear Yard Insufficient Article 50, Section 29 Side Yard

Insufficient Article 50, Section 29 Front Yard Insufficient

**Purpose :** Add a roof deck.



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**Case: BOA- 1211193 Address: 137 Centre Street Ward 11 Applicant: Aaron Barnes**

**Articles:** Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Bldg Height Excessive (Stories)

**Purpose :** Remove/ dispose of appr 1200sf floor, install 2x10 floor joist between existing joist, install 3/4 ply floor, frame 2bedroom bathroom utility room bathroom closets. And complete ceiling in approved plan with 2x4 and 2x6 studs, install 4300sf of 1/2 or 5/8 sheetrock, insulate unit walls and ceilings, install 850sf of vinyl plank 8"x48", install doors, Repair and insulate rear porch ceilings and stairway, and paint complete unit.

**Case: BOA-1202544 Address: 26 Elmore Street Ward 12 Applicant: Delince Louis**

**Articles:** Art. 50 Sec. 29 Lot Size to erect a new dwelling is insufficient Art. 50 Sec. 29 Lot width requirement is insufficient Art. 50 Sec. 29 Lot frontage requirement is insufficient Art. 50 Sec. 29 Floor area ratio requirement is insufficient Art. 50 Sec. 29 Usable open space requirement is insufficient Art. 50 Sec. 29 Front yard setback requirement is insufficient Art. 50 Sec. 29 Side yard setback requirement is insufficient Art. 50 Sec. 29 Rear yard setback requirement is insufficient Art. 50 Sec. 43 Off street parking insufficient - Off street parking requirements is insufficient

**Purpose :** Erect 3 Family Dwelling with roof Deck.

**Case: BOA-1202547 Address: 21 Mayfair Street Ward 12 Applicant: Delince Louis**

**Articles:** Art. 50 Sec. 29 Lot Area Insufficient - Rear yard setback requirement is insufficient

**Purpose :** Application to subdivide the lot at 21 Mayfair Street Roxbury in conjunction with ERT# 1172828 for 26 Elmore Street Roxbury.

**Case: BOA-1161636 Address: 260-266A Bowdoin Street Ward 15 Applicant: Samantha Rivas**

**Articles:** Article 65, Section 15 Use: Conditional - Art & Live Entertainment use is conditional

**Purpose :** Change occupancy to 1 Rest #36a, 37, Rest 36a, 37, 38, Office and Retail/Art with Live entertainment. Work to include putting up new partition to create storage space and painting walls.

**Case: BOA-1189690 Address: 555 Washington Street Ward 22 Applicant: Russell Forsberg**

**Articles:** Article 51 Section 16 Use Regulations - Multifamily use: Conditional Article 51, Section 17 Dimensional Regulations - FAR allowed: 1 Proposed: 3,574/3,500 = 1.02 (plot plan does not show the sqft.

Article 51, Section 56 Off Street Parking Insufficient

**Purpose :** Change legal occupancy from Two Family Dwelling & Chiropractor's Office to Four Family Dwelling. This is an existing condition, no work is intended.

**HEARINGS:11:00AM**

**Case: BOA- 1241551 Address: 15 Crestway Road Ward 4 Applicant: Anthony Pascucci**

**Articles:** Article 53, Section 9 Front Yard Insufficient Article 53, Section 9 Side Yard Insufficient

Article 53, Section 56 Off Street Parking & Loading Req

**Purpose :** Cut 14 ft curb cut and cement driveway.

**Case: BOA-1234384 Address: 14 Thomas Park Ward 7 Applicant: Joseph Lazar**

**Articles:** Article 68, Section 8 Excessive F.A.R. 2.0 max

**Purpose:** Basement renovation.

**Case: BOA-1235689 Address: 37 Wales Street Ward 14 Applicant: Heading Homes, Inc.**

**Articles:** Article 60 Section 40 Off Street Parking & Loading Req Article 60, Section 8 Use Regulations - USE Forbidden in a three family sub district Article 60, Section 9 Insufficient additional lot area per unit Article 60, Section 9 Excessive f.a.r Article 60 Section 9 # of allowed stories has been exceeded Article 60, Section 9 Max. allowed height has been exceeded Article 60, Section 9 Insufficient usable open space Article 60, Section 9 Insufficient rear yard setback

**Purpose :** Construction of a 5 story (54') Low income permanent housing building with 26570sf/GFA that shall consist of 20 low income permanent housing units made up of 17 2 bedroom, 3 3 bedroom units and 1 management office. Demolition of existing building to be performed on a separate permit.



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**Case: BOA- 1224334 Address: 18 Armandine Street Ward 17 Applicant: Eric Zachrison**  
**Articles:** Article 65, Section 9 Building Height Excessive Article 65, Section 9 Side Yard Insufficient  
**Purpose :** To construct a new rear exterior Spiral stair and a Roof Deck with a Pergola.

### **RECOMMENDATIONS: 11:30 AM**

**Case: BOA-1215905 Address: 34 High Street Ward: 2 Applicant: Kendall Miller and Jefferson Miller**  
**Article(s):** Article 62,Section 8 Rear Yard Insufficient Article 62,Section 8 Usable Open Space Insufficient  
Article 62, Section 29 Off Street Parking Insufficient -Off Street Parking Design / Maneuverability ( Minimum  
Conforming Parking Space must be 7' x 18' in this Zoning District )  
**Purpose :** Construct a new 2 story addition onto existing Dwelling. Addition will feature a 2 level oriel window. There  
will be a new Deck built into Rear Yard which will cover existing Parking spaces. Building will be fully sprinklered.

**Case: BOA- 1225487 Address: 777 East Broadway Ward: 6 Applicant: George Morancy**  
**Article(s):** Art. 68 Sec.31 Screening and Buffering Article 68, Section 8 Side Yard Insufficient  
Article 68, Section 34.6 Side Yard of Certain Narrow Lots  
**Purpose :** Pave portions of side and rear yards with permeable pavers and create two off street parking spaces accessory  
to 777 East Broadway, with access provided by side driveway accessed by existing curb cut; widen curb cut  
approximately 5.2 feet; remove or modify existing side bay for access.

**Case: BOA- 1190195 Address: 683 East Seventh Street Ward: 7 Applicant: Tremont Construction Management**  
**Article(s):**Article 68, Section 7.2 Basement Units Forbidden Article 68, Section 8 Add'l Lot Area Insufficient  
Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Usable Open Space Insufficient  
Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8.3 Dim  
Regs: Location of Main Entrance Article 68, Section 33 Off Street Parking & Loading Req - 0 < 1 req'd (Studio)  
**Purpose :** Change of occupancy to 2 family at 683 E 7th St. Convert basement of single family residence to a second  
unit. New finishes and fixtures throughout basement. New and reworked MEP's to accommodate added unit. Replace  
rear bulkhead with new unit entrance as shown.

**Case: BOA-1087142 Address: 15 Nottingham Street Ward: 14 Applicant: Rubem Gomes**  
**Article(s):**Art. 65 Sec. 9 Floor area ratio is excessive  
**Purpose:** Extend living space in basement add 2 bedroom and bathroom per attached drawing.

**Case: BOA- 1206766 Address: 99 Woodrow Avenue Ward: 14 Applicant: Melissa King**  
**Article(s):** Article 60, Section 9 Side Yard Insufficient  
**Purpose:** Confirm occupancy as existing single family. Changing permit from short form to long form permit.  
Extending existing dormer to the right side of the home 5ft by 8ft. Adding 1 lolly column to the basement. Digging 3  
footings for the front porch.

**Case: BOA-1228701 Address: 9 Blake Street Ward: 18 Applicant: Romano Silva**  
**Article(s):**Article 69, Section 9 Side Yard Insufficient Article 69, Section 9 Bldg Height Excessive (Stories)  
Art. 69 Sec.23 Neighborhood Design O.D.  
**Purpose :** Construct 3rd Story bedroom addition.

**Case: BOA-1213068 Address: 18 Prescott Street Ward: 18 Applicant: Fitzroy L Brown**  
**Article(s):**Article 69, Section 9 Usable Open Space Insufficient Article 69, Section 9 Bldg Height Excessive (Stories)  
Article 69, Section 9 Floor Area Ratio Excessive Article 69, Section 8 Two Family Dwelling Use:Forbidden  
Article 69 Section 29Off Street Parking & Loading Req - Off Street Parking Insufficient  
**Purpose:** Confirm as single family dwelling. Change occupancy from a single to a two family dwelling.  
Legalize two family dwelling and extension of living space to attic. Correct violation # V508957 and work associated  
with SF1157238 (all cost on this permit).



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**Case: BOA-1180850 Address: 302 Lamartine Street Ward: 19 Applicant: Willard Simmons**

**Article(s):** Art. 55 Sec. 09 Side yard setback requirement is insufficient Art. 55 Sec. 09 Rear yard setback requirement is insufficient Art. 55 Sec. 41 Appl of Dimensional Req - Front modal alignment with the existing block

**Purpose :** Demolish the existing front and rear decks. Construct new front and rear porches. Replace existing slate on the mansard roof with new slate. Install a new window in the Dining Room.

**Case: BOA- 1203875 Address: 73 Pershing Road Ward: 19 Applicant: Robert Cohen**

**Article(s):** Article 55, Section 9 Floor Area Ratio Excessive

**Purpose :** Extend living space to basement for Unit #1. The finishing of 632 sq. ft. of unfinished basement space to increase the livable area for unit 1. Project scope to include new access stair from unit 1, children's playroom, game room, full bath & kitchenette. No changes to the building footprint or existing exterior.

**Case: BOA- 1213674 Address: 26 Bertson Avenue Ward: 20 Applicant: Shane O'Neil**

**Article(s):** Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg Article 56, Section 8 Floor Area Ratio Excessive

**Purpose :** Confirm occupancy as single fam and add Addition of second storey and rear deck to existing single storey house. Proposed house will have 3bedroom, 2full baths, 1half bath open floor plan kitchen dining living room, access to basement. Lot is non conforming at 4006.80 sf in a min.lot size 6000sf zoning area.

**Case: BOA- 1234261 Address: 34 Morey Road Ward: 20 Applicant: John Melo**

**Article(s):** Article 56, Section 8 Insufficient front yard setback to the special provisions for a corner lot – 20' min setback req.

**Purpose :** Remove existing masonry stairs and replace with wood frame porch and stairs.

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

**Case: BOA-1161771 Address: 168 Gove Street Ward 1 Applicant: 168 Gove Street, LLC**

**Articles:** Article 27T-5 E. Boston IPOD Applicability Article 53 Section 8 Use Regulations Use Table footnote (7) – Basement units Forbidden 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. allowed Article 53 Section 9. Insufficient open space per unit – 200sf/unit required Article 53 Section 9 Insufficient rear yard – 30' required Article 53 Section 9 Insufficient side yard – 5' required Article 53 Section 9 Insufficient additional lot area per unit – 1000s/unit req. Article 53, Section 52 Roof Structure Restrictions Article 53, Section 56 Off-Street Parking & Loading Req Insufficient parking spaces – 1.75/unit required Article 53, Section 56.5(a) Off Street Pkg Maneuverability. Article 9, Section 1 Extension of Nonconforming Building Dimensional – <25% Conditional

**Purpose:** Change of occupancy from four (4) unit residential dwelling to eight (8) unit residential dwelling. Construct new fifth story addition with roof deck. Full renovation as per plans.

**Case: BOA- 1173654 Address: 9 Russell Street Ward 2 Applicant: 9 Russell Street, LLC**

**Articles:** Article 62, Section 25 Roof Structure Restrictions Article 62, Section 8 Bldg Height Excessive (Stories) Article 62, Section 8 Bldg Height Excessive (Feet) Article 62, Section 8 Side Yard Insufficient Article 62, Section 8 Rear Yard Insufficient Article 62, Section 29 Off Street Prkg and Loading Req-Off Street Parking Insufficient

**Purpose :** Confirm occupancy as existing single. To consolidate Parcel ID 0200675000, Parcel ID 0200682000, and Parcel ID 0200681000 to form one new lot containing 3,523 SF. Also, to change the occupancy from a one family to a three family, renovate, and erect front, side and vertical additions

**Case: BOA- 1210389 Address: 16 South Russell Street Ward 3 Applicant: Kevin Joyce**

**Articles:** Art. 17 Sec 01 Usable open space Insufficient

**Purpose:** Legalize ground level dwelling unit to correct occupancy from a store and 4 dwelling units to 5 dwelling units. No work to be done.





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**Case: BOA-1211917 Address: 69 Montgomery Street Ward 4 Applicant: Alpine Advisory Services, Agent for Owner**

**Articles:** Art 64.9.4 Town/Rowhouse extension into rear -Balconies additions Art. 32 Sec. 32 4 Groundwater Conservation Overlay District, Applicability Art. 64 Sec. 34 Restricted Roof Structure Regs Article 64, Section 9 Usable Open Space Insufficient

**Purpose :** Change of Occupancy from 2F&5 lodger to a 3 family. Full gut renovation of the entire building. New kitchens, baths, electrical, plumbing, Hvac, etc. eplan > BOA (Notes: Demo GARAGE, construct roof decks, widen dormer, redesign fire escape egress paths.)

**Case: BOA#1212100 Address: 69 Montgomery Street Ward 4 Applicant: Alpine Advisory Services, Agent for Owner**

**Purpose:** Change of Occupancy from 2F&5 lodger to a 3 family. Full gut renovation of the entire building. New kitchens, baths, electrical, plumbing, Hvac, etc. eplan > BOA (Notes: Demo GARAGE, construct roof decks, widen dormer, redesign fire escape egress paths.) Violation Violation Description Violation Comments 9th 780 CMR 1011 Stairways 1011.11.12.2 Roof access through a penthouse 9th 780 CMR 1021 Egress Balconies Fire escape down to garage's roof eliminated. Instead, ladder proposed.

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

**Articles:** Art. 50, Section 28Use: 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 29Lot width requirement is insufficient Art. 50, Section 29 Lot frontage requirement is insufficient Art. 50, Section 29Floor area ratio is excessive Art. 50, Section 29 Usable open space requirement is insufficient Art. 50 Sec. 44.2Existing Bldg Alignment Front yard modal alignment Art. 50, Section 29Side yard requirement is insufficient Art. 50, Section 29Rear 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 -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-1194924 Address: 18 Evans Street Ward 17 Applicant: Timothy Johnson**

**Articles:** Article 65, Section 8Use 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.

**Case: BOA- 1185582 Address: 12 George Street Ward 18 Applicant: Derric Small**

**Articles:** Article 69 Section 29 Off Street Parking & Loading Req Off Street Parking Insufficient Article 69, Section 9 Rear Yard Insufficient Article 69, Section 9.3 Dim Regs: Location of Main Entrance Within the Residential Subdistricts, the main entrance of a Dwelling shall face the Front Lot Line. Article 69, Section 8 Use Regulations Townhouse (3 units) Use : Forbidden

**Purpose:** Confirm occupancy as existing single family. Change occupancy to Townhouse (three residential units). Erect two residential unit addition to the rear of the current structure.



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**Case: BOA-1080192 Address: 10 Woodhaven Street Ward 18 Applicant: Valentine Watson**

**Articles:** Article 60, Section 9 # of allowed stories has been exceeded Article 60, Section 9 Insufficient lot frontage width Article 60, Section 8 Use Regulations Forbidden Article 60, Section 9 Insufficient additional lot area per unit Article 60 Section 40 Off Street Parking & Loading Req (d) Design Article 60 Section 37 Street Wall Continuity Front yard Modal alignment calc. not shown

**Purpose:** Erect two family dwelling. Propose (2) off street parking.

**RECONSIDERATION: 1:00PM**

**Case: BOA- 990440 Address: 195 Dudley Street Ward 12 Applicant: Rooted In, LLC**

For reconsideration of the Board's August 10, 2021 vote 5-1 to deny the relief requested below. Per Article 5, Section 5-3of the Zoning Code, the applicant has requested to reopen the record to address alleged procedural and substantive errors that impacted the Board's decision.

**Articles:** Article 50, Section 10 Use: Forbidden - Cannabis establishment located less than 2640 ft away from another one is forbidden. Note that this proposed cannabis use is located less than 2640ft from an existing cannabis establishment Article 50, Section 10 Use: Conditional - Cannabis establishment use is a conditional use  
Purpose : Change of occupancy to add Recreational Cannabis Dispensary to existing occupancy.

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

**BOARD MEMBERS:**

**MARK ERLICH-ACTING CHAIR  
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**KERRY LOGUE  
HANSY BETTER BARRAZA**

**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)**