



City of Boston  
Board of Appeal

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By City Clerk at 3:26 pm, Oct 28, 2021

TUESDAY, NOVEMBER 9, 2021

BOARD OF APPEAL

CITY HALL ROOM 801

**HEARING AGENDA**

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

**ALL MATTERS LISTED ON THIS NOVEMBER 9, 2021 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

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

**THE NOVEMBER 9, 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/November9zbaHearing> or by calling 1-617-315-0704 and entering access code 2338 205 3605. If you wish to offer testimony on an appeal, please click <https://bit.ly/zbaNovember9Comment>, 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/zbaNovember9Comment>, 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).**



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**If you wish to offer comment within the meeting platform, please use the “raise hand” function, if connected by video, or dial \*3, if connected by phone. The requester will be administratively unmuted and asked to state their name, address and comment. Comments will be limited as time requires.**

**IF YOU WISH TO OFFER TESTIMONY ON AN APPEAL, PLEASE LOG IN TO THE HEARING NO LATER THAN 8:30AM 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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### **APPROVAL OF THE HEARING MINUTES: 9:30AM**

October 19, 2021

### **APPROVAL OF THE BOARD POLICY AND PROCEDURES MANUAL: 9:30AM**

The Board will vote on whether to officially adopt the draft Board Policies and Procedures Manual. If adopted, the manual will become available online at the Board's website.

### **EXTENSIONS: 9:30AM**

**Case: BOA-940063 Address: 3 Aspinwall Road Ward 17 Applicant: Michael P Ross, Esq**

**Case: BOA-810882 Address: 40 Harding Road Ward 18 Applicant: Alex Burk**

**Case: BOA-975774 Address: 9 Leyland Street Ward 8 Applicant: Sharon Cho**

**Case: BOA-823589 Address: 73 Rutland Street Ward 9 Applicant: Timothy Burke, AIA**

**Case: BOA-938002 Address: 208 Harold Street Ward 12 Applicant: Derric Small, Esq**

**Case: BOA-1023631 Address: 1599 Columbus Avenue Ward 11 Applicant: Emily Loomis**

**Case: BOA-946259 Address: 30 Cumberland Street Ward 4 Applicant: Hezekiah Pratt, AIA**

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

**Case: BOA-1151928 Address: 194-200 Shawmut Avenue Ward 3 Applicant: David A. Gottlieb**

**Case: BOA-1082468 Address: 1515 River Street Ward 18 Applicant: Michael P. Ross, Esq**

### **BUILDING CODE ONLY: 9:30AM**

**Case: BOA#1194413 Address: 319 Marlborough Street Ward 5 Applicant: Doug Anderson**

**Purpose:** Remove fire balconies at front and back of 319 Marlborough shared with 321 Marlborough as noted on drawings. All costs associated with ALT1161074. Filed in conjunction with A1180141 (321 Marlborough Street).

**Violation** Violation Description Violation Comments 9th 780 CMR IEBC 805 Means of Egress 805.3.1 Minimum number. Every story utilized for human occupancy on which there is a work area that includes exits or corridors shared by more than one tenant within the work area shall be provided with the minimum number of exits based on the occupancy and occupant load in accordance with the International Building Code.

9th 780 CMR 1016 Exit Access 1016.2 Egress through intervening spaces. Means of egress from dwelling units or sleeping areas shall not lead through other sleeping areas, toilet rooms or bathrooms.

**Case: BOA#1251685 Address: 353 Beacon Street Ward 5 Applicant: Michael and Julie Durbin**

**Purpose:** Build a new BBAC approved roof deck per architectural plans and replace the rubber roof. Interior work to achieve new stair to roof.

**Violation** Violation Description Violation Comments 9th 780 CMR 1011 Stairways 1011.2 (Width and capacity) 34" < 36" min width stairway req'd 9th 780 CMR 1011 Stairways 10.11.12.2 (Roof access) Roof hatch provided; penthouse req'd.



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

### **Case: BOA-1101473 Address: 473 Meridian Street Ward 1 Applicant: Bianca Darcangelo**

**Article(s):** Article 27T 5 East Boston IPOD Applicability Article 53 Section 56 Off Street Parking & Loading Req - Insufficient parking Article 53, Section 52 Roof Structure Restrictions - Existing Roof line/ roof profile reconfiguration Article 53 Section 8 Use Forbidden (MFR in a two family zone) Article 53 Section 9 Excessive F.A.R. (.6 ratio max) Article 53 Section 9 # of allowed stories has been exceeded (2.5 stories max) Article 53 Section 9 Maximum allowed height has been exceeded (35' max.) Article 53 Section 9 Insufficient side yard setback (10' req.) Article 53 Section 9 Insufficient rear yard setback (40' req.)

**Purpose :** Change occupancy from a 2 family(2 1/2 story) to a four family(4 story) residential dwelling by erecting an addition and new rear decks as per plans.

### **Case: BOA-1244731 Address: 6 Chelsea Terrace Ward 1 Applicant: Alex Graora**

**Article(s):** Article 27T 5 East Boston IPOD Applicability Article 32, Section 4. GCOD, Applicability Article 89, Section 4 Urban Farm, Ground Level -All Farm Structure (Greenhouse) shall be set back five (5) feet from all property lines in all Districts and Subdistricts. Article 53, Section 56 Off Street Parking & Loading Req -Off Street Parking Insufficient Article 53, Section 9 Rear Yard Insufficient

**Purpose :** Construction of a single-story greenhouse and associated electrical and water services, with ground loop geothermal as sole source of heating/cooling.

### **Case: BOA-1238232 Address: 17 Upton Street Ward 3 Applicant: Marc LaCasse**

**Article(s):**Article 64, Section 9.4Town House/Row House Extension -Proposed deck projects into rear yard.

**Purpose:** Exterior work as per plan to include construction of 2 rear decks and roof deck. Amendment to ALT1115705.

### **Case: BOA-#1238235 Address: 17 Upton Street Ward 3 Applicant: Marc LaCasse**

**Purpose:** Exterior work as per plan to include construction of 2 rear decks and roof deck. Amendment to ALT1115705.

**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-1247948 Address: 80-104 West Broadway Ward 6 Applicant: 80 West Broadway LLC**

**Article(s):** Article 68, Section 7 Restaurant #37 Conditional Article 68, Section 7 General office Forbidden Art. 68 Sec. 07 Use Regs. - R&D product/prototype Forbidden Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Bldg Height Excessive (Feet) Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 29 Roof Structure Restrictions Article 68, Section 34.1 Conformity Ex Bldg Alignment Article 68, Section 34.2 Traffic Visibility Across Corner

**Purpose :** Preserve the façade of the existing Amrheins building, demolishing existing building and construct new five story office R&D building (general office and product development or prototype development), with ground floor restaurant & retail uses and below grade parking, per plans. Combining parcels: 0600111000, 0600110000, 0600109000, 0600108000, 0600108001, 0600107000, 0600106000, 0600106001, 0600105000, 0600104000, 0600101000, 0600093010. Takedown on separate permit. Also see ALT1245011, ALT1245017, ALT1245019, ALT1245021, ALT1245025, ALT1245029.

### **Case: BOA- 1215337 Address: 12-14 Porter Street Ward 11 Applicant: K & K Development**

**Article(s):** Art. 55 Sec. 09 Insufficient lot size 3000sf req. Art. 55 Sec. 09 Insufficient additional lot area per unit 1,000/unit Art. 55 Sec. 09 excessive f.a.r. .7 max. Art. 55 Sec. 09 Insufficient lot width 45' req. Art. 55 Sec. 09 Insufficient lot width frontage 45' req. Art. 10 Sec. 01 Limitation of parking areas -side yard buffering/side yard open space required areas

**Purpose :** Seeking to erect a two family dwelling with two parking spaces.



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**Case: BOA- 1252191 Address: 25R-31R Ashland Street Ward 16 Applicant: 19 Ashland LLC, by its Atty Marc LaCasse**

**Article(s):** Article 65, Section 32 NDOD Review Required Article 65, Section 42 2 buildings on the same lot Article 65, Section 42 front wall not parallel to front lot line Article 65, Section 42 Side wall not parallel to side lot line Article 65, Section 9 Dimensional Regulations -Location of main entrances not facing the front lot line 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 Art.65 Sec. 8 Use: Forbidden -Townhouse

**Purpose :** This structure is one of two main structures on the same lot as 19 23 Ashland to construct a new 3 story, four unit residential building (townhouse design) with enclosed parking for each unit per plan submitted.

New building shall be known as 25R 31R Ashland Street(See ALT1203097 filed in conjunction with this permit application.)

**Case: BOA- 1252200 Address: 19-23 Ashland Street Ward 16 Applicant: 19 Ashland LLC, by its Atty Marc LaCasse**

**Article(s):** Art. 65 Sec. 02 Conformity with Existing Building Alignment Street modal not provided to verify compliance Art. 65 Sec. 43 Ext. of non conforming use -Townhouse use forbidden. Extended 1 more unit Art.65 Sec. 42 Appl of Dimensional Reqs -Front wall not parallel to front lot line Article 65, Section 42 Application of Dimensional Req -Side wall not parallel to side lot line Article 65, Section 42 Application of Dimensional Req -Two buildings on the same lot Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Rear Yard Insufficient Article 65, Section 32 NDOD Review Required

**Purpose :**Change of Occupancy on 19 23 Ashland street from a two family to a 3 story, three family residential dwelling (townhouse design) with four enclosed garage spaces and one surface parking space. This application has been filed in conjunction with ERT1203099 for the proposal of two buildings on the same lot.

**Case: BOA-1203302 Address: 56 Oakridge Street Ward 17 Applicant: Derick D Joyner**

**Article(s):** Art.65 Sec. 8 Use: Forbidden -3F In 1F 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) Article 65, Section 9 Rear Yard Insufficient

**Purpose :** To demolish existing single family and erect 3 family dwelling with 3 parking spaces at rear of building.

**Case: BOA-1203304 Address: 60 Oakridge Street Ward 17 Applicant: Derick D Joyner**

**Article(s):** Art.65 Sec. 8 Use: Forbidden - 3F in 1F 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) Article 65, Section 9 Rear Yard Insufficient

**Purpose :** To erect a three family dwelling with three parking spaces in the rear.

**Case: BOA-1234757 Address: 1230 Soldiers Field Road Ward 22 Applicant: Morrissey Construction Corp.**

**Article(s):** Article 51, Section 16 Use Regulations - Research Laboratory Use:Conditional

**Purpose:** Change of occupancy to include research laboratory. Project scope includes construction of new non-structural interior partitions including glass and paint, doors and frames, flooring, ceiling and lights, plumbing, cabinetry and any MEP/FP work as needed.

**Case: BOA-1039521 Address: 100 Leo M Birmingham Parkway Ward 22 Applicant: John Pulgini**

**Article(s):** Article 51, Section 16 Use Regulations - Marijuana Retailer (Cannabis Establishment) Use: Conditional Article 51, Section 16 Use Regulations - Marijuana Product Manufacturer Use Forbidden Article 51, Section 16 Use Regulations - Cannabis establishment shall be sited at least one half mile or 2,640 feet from another existing cannabis establishment

**Purpose :**Change of Occupancy from Offices to Marijuana Retailer and Marijuana Product Manufacturer.



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### **HEARINGS:11:00AM**

**Case: BOA-1202676 Address: 3 Ardee Street Ward 1 Applicant: Garrett Riddle**

**Article(s):** Article 53, Section 9 Rear Yard Insufficient Article 53, Section 9 Bldg Height Excessive (Feet)  
Article 53, Section 52 Roof Structure Restrictions

**Purpose:** Add stairs and roof deck

**Case: BOA-1248170 Address: 1154-1160 Washington Street Ward 3 Applicant: Boston City Lights Foundation, Inc**

**Article(s):** Art. 65 Sec. 64 34 Restricted Roof Structure District -Conditional Article 64, Section 19 Max allowed height exceeded Conditional Article 64, Section 19 Extension of nonconforming f.a.r. 3.0 max. (Article 9 1 inclusive Conditional)

**Purpose :**Combine existing roof storage structure with Unit 8 by use of internal staircase.

**Case: BOA-1252953 Address: 595-603 Newbury Street Ward 5 Applicant: Thibeault Development**

**Article(s):** Article 32, Section 4. GCOD, Applicability Article 13, Section 1 Rear Yard Insufficient Article 13, Section 1 Front Yard Insufficient Article 13, Section 1 Usable Open Space Insufficient Article 13, Section 1 Floor Area Ratio Excessive Article 24, Section 1 Off Street Loading Bay Req - Off Street Loading Insufficient Article 23, Section 1 Off Street Parking Req - Off Street Parking Insufficient

**Purpose :**Seeking to change the occupancy from a commercial building to a residential building, which will include seventy one units. Also, to renovate the existing structure and construct a four story addition.

**Case: BOA-1241057 Address: 99 Williams Street Ward 11 Applicant: Joseph Federico**

**Article(s):**Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 9 Rear Yard Insufficient Article 55, Section 9 Add'l Lot Area Insufficient Article 55, Section 8 Use Regulations - Multi Family Dwelling Use:Forbidden Article 55, Section 40 Off Street Parking & Loading Req Off Street Parking Insufficient

**Purpose:** Combine two lots (Parcel ID 1102781000 & 1102782000) into a newly created single lot to be 7,200 SF. Erect a new Multi Family Dwelling (6 units).

**Case: BOA- 1246949 Address: 903 Beacon Street Ward 21 Applicant: 903 Beacon LLC**

**Article(s):** Article 61, Section 8 Side yard is insufficient Article 61, Section 8 Rear yard is insufficient Article 61, Section 8 Additional lot area is insufficient

**Purpose :**Change building from 1 unit to 3 units to reflect past and current use. Addition of 128 SF rear balcony. Addition of 330 SF roof deck with 30" tall roof hatch. Change existing garage structure to carport in same dimensions. Addition of NFPA 13D automatic sprinkler system + fire alarm system.

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

**Case: BOA-1252089 Address: 3 Lexington Street Ward: 2 Applicant: Alix Israel**

**Article(s):** Art. 62 Sec. 62 25 Roof Structures Restricted -Roof reconfiguration via addition and the construction of a walk out roof deck on the 2nd story level. Art. 62 Sec. 30 10. Rear yard of certain shallow lots; Insufficient rear yard setback Article 62,Section 8 Insufficient side yard setback on left side Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. - Extension of non conforming dimensional of building <25% conditional (i.e. front, side, rear )

**Purpose :**Construct an addition in rear and renovate existing single family home to include the extension of living space into the basement area per plans submitted.

**Case: BOA- 1235458 Address: 11 Atlantic Street Ward: 7 Applicant: Jeremy Sears**

**Article(s):** Article 68, Section 8 Add'l Lot Area Insufficient Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Front Yard Insufficient Article 68, Section 29 Roof Structure Restrictions

**Purpose :** Confirm occupancy as a one family and change to two family. Complete interior renovation, basement and roof structural work, and install new roof deck.



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**Case: BOA-1223671 Address: 9 O'Connell Road Ward: 17 Applicant: Daniel Wyneken**

**Article(s):** Article 65, Section 9 Rear Yard Insufficient

**Purpose :** Remodel (1) full bathroom, (1) 1/2 bathroom and kitchen per plans. Demo existing landing deck and install new deck per plans.

**Case: BOA-1253575 Address: 57 Thatcher Street Ward: 18 Applicant: Ernest Moise**

**Article(s):** Article 69, Section 8 Use: Forbidden - 2F in 1F zone Article 69, Section 9 Side Yard Insufficient

**Purpose :** Change of occupancy from a 1 family to a 2 family residential home. New wood frame addition to rear of existing home with 2nd floor rear deck/egress stair and additional parking at rear of property.

**Case: BOA-1208427 Address: 1068 Truman Parkway Ward: 18 Applicant: Kenneth Fogarty**

**Article(s):** Article 69, Section 9 Rear Yard Insufficient Art. 69 Sec.23 Neighborhood Design O.D.

**Purpose :** Add addition with new kitchen remodel as per plan.

**Case: BOA-1225513 Address: 7 Cataumet Street Ward: 19 Applicant: Bond Worthington**

**Article(s):** Art. 55 Sec. 09 Excessive F.A.R. Art. 55 Sec. 09 Insufficient rear yard setback

Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg.- Extension of dwellings non conforming right side yard setback <25% 12' min. req.

**Purpose :** Construct 2 story addition to existing single family home in the rear yard. New addition will replace existing 3 season porch.

**Case: BOA-1244821 Address: 16 Courtney Road Ward: 20 Applicant: Mai Phung**

**Article(s):** Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Front Yard Insufficient

Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient

**Purpose :** Proposed to construct a two and half story addition of 20' x 26.5' at the rear of an existing structure with full basement, kitchen and family room on first floor and master bathroom and full bath on second floor (as per plans).

**Case: BOA-1246732 Address: 106 Westmoor Road Ward: 20 Applicant: Jonathan Hamblin**

**Article(s):** Article 56, Section 8 Front Yard Insufficient

**Purpose :** Addition: techno post footings, frame, insulation, electrical work, sheetrock, windows Dormers: Frame, electrical work, plumbing, insulation, sheetrock, windows Residing the all house Roofing Remove the chimney.

**Case: BOA-1194620 Address: 33 Bartlett Street Ward: 2 Applicant: Timothy Sheehan**

**Articles:** Art. 62 Sec. 25 Roof Structure Restrictions Article 62, Section 8 Side Yard Insufficient

**Purpose :** This is the renovation of an existing third floor attic. The renovated space will consist of a master bedroom along with bath and guest bedroom. The existing gable roof will be enlarged with the addition of shed and gable dormers.

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

**Case: BOA-1213818 Address: 1209 Bennington Street Ward 1 Applicant: Zuelma Flores**

**Articles:** Article 53, Section 9 Rear Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Front Yard Insufficient Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 53 Section 8 Use Regulations Multi Family Dwelling Use : Forbidden Article 27T 5 East Boston IPOD Applicability

**Purpose:** Erect a 3 story Multi Family Dwelling (6 residential units) with roof deck and parking for five (5) vehicles. Raze existing building to be filed under SF1203017.



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**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-1084622 Address: 520 East Broadway Ward 6 Applicant: Max and Donna Rans**

**Article(s):** Article 68, Section 33 Off-Street Parking & Loading Req -Access via Easement (Maneuvering areas on own lot).

**Purpose:** Construct a single surface parking space accessed via 518 East Broadway secured by an Easement recorded in the Suffolk County Registry of Deeds Book 43841, Page 148 \*Application filed in conjunction with ALT1058818 for appeal (Clarification easement deed provided 5.13.20 Book 46358, Page 77)

**Case: BOA- 1084625 Address: 520 East Broadway Ward 6 Applicant: Max and Donna Rans**

**Article(s):** Art 68 Sec 8 Dim reg app in res sub dist - Extensions into rear yard gross floor area increase > 1,000sf (variance cited on newly revised and re-reviewed plans 8.26.29)

Art 68 Sec 8 Dim reg app in res sub dist - Insufficient side yard setback (6.3.21 previous new variance required based on modified plans) Art.68 Sec 29 Roof Structure Restrictions - ROOF Deck access via head house (6.3.21 previous new variance based on modified plans/updated plans 8.26.21 show two means of stair egress from roof)

Article 68, Sec. 29 Roof Structure Restrictions - Reconfiguration of roof profile (i.e. four story addition above ground story parking) Article 68, Sec. 33 Off-Street Parking & Loading - Req Design, Access and maneuvering areas Article 68, Section 8 Dimensional Regulations - Height exceeded (35' max)

**Purpose:** This project will convert an existing 1 family dwelling to a multi-family residential dwelling with FOUR units by renovating the interior of the structure and constructing a four (4) story addition in the rear over a lower level garage. See UOP#491072032 for off street parking/easement access.

**Case: BOA-1183021 Address: 259 Gold Street Ward 7 Applicant: David Nadeau**

**Articles:** Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Bldg Height Excessive (Feet) Article 68, Section 29 Roof Structure Restrictions

**Purpose:** Owner occupants of 259 Gold Street Unit 3 and Unit 4 to build roof deck.

**Case: BOA#1183236 Address: 259 Gold Street Ward 7 Applicant: Davvid Nadeau**

**Purpose:** Owner occupants of 259 Gold Street Unit 3 and Unit 4 to build roof deck.

**Violation:** Violation Description: 9th 780 CMR 1011 Stairways Violation Comments: 1011.12.2 Roof access. Where a stairway is provided to a roof of 4 or more stories, access to the roof shall be provided through a penthouse complying with Section 1510.2

**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.





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**Case: BOA-1249236 Address: 40-42 Terrace Street Ward 10 Applicant: Terrace Bravo, LLC, Kirby Liu**

**Article(s):** Article 59, Section 18 Use Regulations - Use : Multifamily Dwelling : Forbidden

**Purpose:** Property is currently being built and permitted as affordable artist live/work housing under existing zoning. We are pursuing a zoning relief change to multifamily residential to allow the units to be sold to the wider affordable housing pool.

**Case: BOA- 1249238 Address: 132 Terrace Street Ward 10 Applicant: Terrace Bravo, LLC, Kirby Liu**

**Article(s):** Article 59, Section 18 Use Regulations - Use : Multifamily Dwelling : Forbidden

**Purpose:** Property is currently being built and permitted as affordable artist live/work housing under existing zoning. We are pursuing a zoning relief change to multifamily residential to allow the units to be sold to the wider affordable housing pool.

**Case: BOA-1166627 Address: 60 Stanley Street Ward 15 Applicant: John Pulgini**

**Articles:** Art. 65 Sec. 08 Forbidden - 13 family use Article 65, Section 9 Front Yard: Min. 15' Proposed: 1' and 3' Article 65, Section 9 FAR Max. allowed: 0.4 Proposed: 1.72 Article 65, Section 42.3 Traffic Visibility Across Corner Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Sec 65 41 Off Street Loading Req.-spaces required: 1.5\*13 units= 19.5. Proposed: 13 Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

**Purpose :** To construct a new three story residential building with 13 residential units (UPDATED TO 8 RESIDENTIAL UNITS 03/03/21), with off street parking as per attached plans. To combine the 2 existing parcels; 1501963000 consisting of 3,995 SF and Parcel 1501692000 4,099 SF to create a new lot consisting 8,095 sqf

**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- 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.

**Case: BOA-1209461 Address: 29 Priscilla Road Ward 21 Applicant: Jonathan Katz**

**Articles:** Article 51, Section 9 Floor area ratio excessive

**Purpose:** Owner started the job under a short form permit sf1140732 at rough inspection the building inspector realized the scope of work required a long form I am working with the owner to complete the work. Scope of work includes finish of the basement to include a bedroom, bathroom and common space



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

**BOARD MEMBERS:**

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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)**