

City of Boston
Board of Appeal

TUESDAY, APRIL 6, 2021

BOARD OF APPEAL

CITY HALL, ROOM 801

HEARING MINUTES

Board Chair Araujo called the meeting to order promptly at 9:30 AM and commenced with a brief description of the hearing process and, pursuant to the Massachusetts Open Meeting Law, advised those in attendance that the hearings would be broadcast and recorded and hearing minutes would be kept. The Chair announced that the hearing was being conducted remotely via an online meeting platform and subject to the below advisory which was part of the publicly posted hearing agenda. The Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Mark Fortune:

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON APRIL 6, 2021 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS APRIL 6, 2021 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE APRIL 6, 2021 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE WEBEX EVENT PLATFORM.

Interested persons can participate in the hearing REMOTELY by going to <http://bit.ly/zbaApr6hearing> or by calling 1-617-315-0704 and entering access code 129 112 2696.

If you wish to offer testimony on an appeal, please click <http://bit.ly/zbaApr6comment> to sign up. Please provide your name, address, the address and/or BOA number of the appeal on which you wish to speak, and if you wish to speak in support of or opposition to the project.

For individuals who need translation assistance, please notify the Board at least **48 HOURS** in advance either by signing up at <http://bit.ly/zbaApr6comment>, calling 617-635-5300 or emailing zba.ambassador@boston.gov.



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

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

IF YOU WISH TO OFFER TESTIMONY ON AN APPEAL, PLEASE LOG IN TO THE HEARING NO LATER THAN 9:00 AM TO ENSURE YOUR CONNECTION IS PROPERLY FUNCTIONING.

The hearing can also be viewed via live-stream on the City’s website at <https://www.boston.gov/departments/broadband-and-cable/watch-boston-city-tv>. Closed captioning is available.

Interested persons who are unable to participate in the hearing remotely may make an appointment to appear in person at City Hall, in the BPDA board room, 9th Floor, Room 900. Please notify the Board at least 48 HOURS in advance either by calling 617-635-4775 or emailing isdboardofappeal@boston.gov for accommodations to be made. Individuals appearing at City Hall without an appointment will not be permitted to enter.

MEMBERS OF THE COMMUNITY ARE STRONGLY ENCOURAGED TO HELP FACILITATE THE VIRTUAL HEARING PROCESS BY EMAILING LETTERS IN SUPPORT OF OR OPPOSITION TO AN APPEAL TO isdboardofappeal@boston.gov IN LIEU OF OFFERING TESTIMONY ONLINE OR FROM BPDA BOARD ROOM. IT IS STRONGLY ENCOURAGED THAT WRITTEN COMMENTS BE SUBMITTED TO THE BOARD AT LEAST 48 HOURS PRIOR TO THE HEARING. WHEN DOING SO, PLEASE INCLUDE IN THE SUBJECT LINE THE BOA NUMBER, THE ADDRESS OF THE PROPOSED PROJECT AND THE DATE OF THE HEARING.



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APPROVAL OF HEARING MINUTES: 9:30 AM

July 28, 2020 & August 25, 2020

Discussion/Vote: Upon a motion and second, the Board voted unanimously to approve the minutes.

EXTENSIONS: 9:30 AM

Case: BOA-787634 Address: 500-502A East Broadway Ward 6 Applicant: James Christopher

Discussion: The applicant requested an extension of zoning relief previously granted by the Board relative to the above application because of COVID-19 related project delays.

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

Case: BOA-832215 Address: 36 Spring Garden Street Ward 13 Applicant: James Christopher

Discussion: The applicant requested an extension of zoning relief previously granted by the Board relative to the above application because of COVID-19 related project delays.

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

Case: BOA-921790 Address: 97 Pierce Avenue Ward 16 Applicant: John Pulgini

Discussion: The applicant requested an extension of zoning relief previously granted by the Board relative to the above application because of COVID-19 related project delays.

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

Case: BOA-909744 Address: 11 Ruggles Street Ward 9 Applicant: Marc LaCasse

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

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



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GCOD ONLY: 9:30 AM

Case: BOA-1163202 Address: 146 Beacon Street Ward 5 Applicant: Jeremy Sternberg
Article: Article 32, Section 4. GCOD, Applicability Due to substantial rehabilitation
Purpose: Change of occupancy from multi unit to single family dwelling. Renovations and gut rehab per plans. All new MEPs.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail, and requested a conditional use permit under Article 32 GCOD Applicability. The Board noted that the BWSC's letter of approval and letter of no harm were on file.

Documents/Exhibits: Building Plans

Votes: Secretary Fortune moved for approval, the motion was seconded and the Board voted unanimously to approve the applicant's request.

Case: BOA-1166902 Address: 535 Newbury Street Ward 5 Applicant: George Morancy
Article: Art. 32 Sec. 04 GCOD Applicability according to Comm.'s bulletin, the construction cost exceeds 50% of the property's value
Purpose: Renovate existing building and convert from current 4 unit use to 6 units. All work to be done as of right under zoning code. Full sprinkler system to be installed.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail, and requested a conditional use permit under Article 32 GCOD Applicability. The Board noted that the BWSC's letter of approval and letter of no harm were on file.

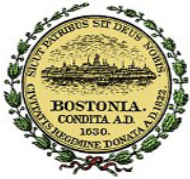
Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval, the motion was seconded and the Board voted 6-0 to approve the applicant's request with Ligris recused.

HEARINGS: 9:30 AM

Case: BOA-1141109 Address: 121 Havre Street Ward 1 Applicant: Phenix Home, LLC
Articles: Article 53, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 53, Section 52 Roof Structure Restrictions Article 53, Section 9 Add'l Lot Area Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 9 Front Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 27T-5 East Boston IPOD Applicability Article 53 Section 8 Use Regulations Multi Family Dwelling (4 units) Use: Forbidden
Purpose: Change occupancy from a two (2) to a four (4) unit residential dwelling by constructing 2 story vertical addition with new rear decks and roof deck as per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change a two family to a four family with a vertical addition.



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Board members asked about roof deck, head house, and basement occupancy.

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

Documents/Exhibits: Building Plans, 17 letters of support

Votes: Board Member Erlich moved for approval with BPDA design review, head house replaced with a hatch, and no building code or MAAB granted by this decision, and Ruggiero seconded. The Board voted unanimously to approve.

Case: BOA- 1149723 **Address:** 197 Havre Street **Ward** 1 **Applicant:** Crespo Group, LLC

Articles: Art. 25 Sec. 5 Flood Hazard Districts Lot is in an AE flood zone Article 27T-5 East Boston IPOD
Applicability Article 53 Section 8 Use Regulations MFR is a forbidden use in a 3F 200 sub district Article 53, Section 9 Add'l Lot Area Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Front Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient Article 53, Section 56 Off Street Parking & Loading Req 8 parking spaces required. Only 4 are provided Purpose: Raze existing structure and erect a five (5) unit residential dwelling with decks and parking for four (4) vehicles.

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

Board members asked about rear yard, curb cut, and neighborhood context.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Edwards and Essaibi-George are in support. BPDA recommended a denial without prejudice because of height, proximity to rear lot line, and density.

Documents/Exhibits: Building Plans, 11 letters of support

Votes: Board Member Ligris moved for approval with BPDA design review, close existing curb cut and reduce proposed to 10 fee, and reconfigure rear stair to increase rear yard, and Robinson seconded. The Board voted unanimously to approve.



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Case: BOA-1069141 Address: 61 Boardman Street Ward 1 Applicant: Oliver Ann, LLC

Articles: Article 27T-5 East Boston IPOD Applicability Art. 25 Sec. 5 Flood Hazard Districts Art. 53 Sec. 08 Forbidden Multi family dwelling unit use is a forbidden use Art. 53 Sec. 09 Minimum lot size requirement is insufficient Art. 53 Sec. 09 Floor area ratio is excessive Art. 53 Sec. 09 Height requirement is excessive (ft) Art. 53 Sec. 09 Height requirement is excessive (stories) Art. 53 Sec. 09 Front yard setback requirement is insufficient (Boardman St.) Art. 53 Sec. 09 Side yard setback requirement is insufficient Art. 53 Sec. 09 Front yard setback requirement is insufficient (Ashley St.) Art. 53 Sec. 56 Off street parking insufficient Off street parking requirement is insufficient Art. 53 Sec. 09 In this zoning subdistrict, the main entrance of a dwelling unit shall face the front lot line.

Purpose: Raze the existing building and erect a 7 unit residential dwelling with roof decks and parking for 7 vehicles.

Discussion/Vote: The Appellant requested a deferral from the Board. Upon a motion and a second, the Board unanimously granted a deferral to June 29, 2021 at 12:30PM.

Case: BOA-1164405 Address: 353-355B Hanover Street Ward 3 Applicant: 353 Hanover North End, LLC

Article: Article 54 Section 12 Use Regulations Use: Regulation located on 2nd Floor: Forbidden

Purpose: To expand existing Restaurant Use to the 2nd Floor.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to expand an existing restaurant to the second floor.

Board members asked about total seating.

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

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

Votes: Board Member Robinson moved for approval of the building code relief, and Ligris seconded. The Board voted unanimously to approve. Board Member Ruggiero moved for approval of the zoning code relief, and Ligris seconded. The Board voted unanimously to approve

Case: BOA-1164409 Address: 353-355B Hanover Street Ward 3 Applicant: 353 Hanover North End, LLC

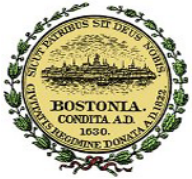
Purpose: To expand existing Restaurant Use to the 2nd Floor.

Violation: 9th 780CMR 101 Referenced Code 521 CMR 17.5 Dining Area All dining areas, including raised or sunken dining areas, mezzanines, loggias, and outdoor seating areas, shall be accessible.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to expand an existing restaurant to the second floor.

Board members asked about total seating.

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



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

Votes: Board Member Robinson moved for approval of the building code relief, and Ligris seconded. The Board voted unanimously to approve. Board Member Ruggiero moved for approval of the zoning code relief, and Ligris seconded. The Board voted unanimously to approve

Case: BOA- 1142756 **Address:** 114 Union Park Ward 3 **Applicant:** Thomas M. Realty
Articles: Article 64, Section 8.2 Basement Units Forbidden Article 64, Section 9 Usable Open Space Insufficient Article 64, Section 36 Off Street Parking Insufficient 0 provided < 1 req'd
Purpose: Add a new 1 bedroom garden level apartment to an existing 3 unit building, changing the occupancy to 4 units with an existing unfinished garden level. The 3 other units in the building are existing to remain. A new sprinkler system will be installed in the new unit only. Existing facade features will remain unaffected.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add a garden level unit and change occupancy to a four family.

Board members asked about the difference between a basement unit and a garden level unit.

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

Documents/Exhibits: Building Plans

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

Case: BOA-1152943 **Address:** 33 North Square Ward 3 **Applicant:** Anna Terrazzano
Article: Article 54, Section 12, Use Regulations Use: Restaurant: Conditional
Purpose: Change Occupancy from a Cab Office to a Restaurant. Expand existing Restaurant space at 33 North Sq into 37 North Sq for extra seating and install fire separation door activated by Fire Alarm system in conjunction with ALT1125041.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to expand restaurant to an adjacent building and use an auto-closing fire door as an opening between the adjoining spaces.

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

Documents/Exhibits: Building Plans

Votes: Board Member Robinson moved to deny building code relief and Erlich seconded. The Board voted 6-1 to deny building code relief with Ruggiero opposed. Board Member Erlich moved for approval of zoning code relief and Robinson seconded. The Board voted unanimously to approve.



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Case: BOA#1152948 Address: 33 North Square Ward 3 Applicant: Anna Terrazzano

Purpose: Change Occupancy from a Cab Office to a Restaurant. Expand existing Restaurant space at 33 North Sq into 37 North Sq for extra seating and install fire separation door activated by Fire Alarm system in conjunction with ALT1125041.

Violation: 9th 780 CMR 706 Fire Walls 706.1.1 Party Walls. Any wall located on a lot line between adjacent buildings, which is used or adapted for joint service between the two buildings, shall be constructed as a fire wall in accordance with Section 706. Party walls shall be constructed without openings and shall create separate buildings.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to expand restaurant to an adjacent building and use an auto-closing fire door as an opening between the adjoining spaces.

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

Documents/Exhibits: Building Plans

Votes: Board Member Robinson moved to deny building code relief and Erlich seconded. The Board voted 6-1 to deny building code relief with Ruggiero opposed. Board Member Erlich moved for approval of zoning code relief and Robinson seconded. The Board voted unanimously to approve.

Case: BOA-1163239 Address: 353 Dorchester Street Ward 7 Applicant: George Morancy

Articles: Article 13, Section 1 Lot Area Insufficient Article 13, Section 1 Add'l Lot Area Insufficient

Article 13, Section 1 Floor Area Ratio Excessive Article 13, Section 1 Usable Open Space Insufficient

Article 13, Section 1 Front Yard Insufficient Article 13, Section 1 Rear Yard Insufficient Article 18, Section 3

Traffic Visibility Across Corner Article 23, Section 1 Off Street Parking Req Off Street Parking Insufficient

Purpose: Erect new three story building with six dwelling units. Existing building to be demolished by separate permit.

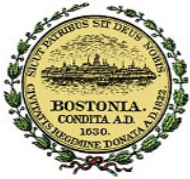
Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a two story, six unit dwelling.

Board members asked about the project being previously before the Board and any new violations.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Flynn and Flaherty are in support. BTDA recommended installing signage for visibility

Documents/Exhibits: Building Plans

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



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Case: BOA-1155532 Address: 4 Ward Court Ward 7 Applicant: Darren Ferguson
Articles: Art. 68 Sec.08 Side yard setback is insufficient Art. 69 Sec. 09 Front yard setback is insufficient Art. 68 Sec. 33 Off Street parking Req. Off street parking requirement is insufficient Art 68 Sec 29 Roof Structure Restrictions Roof structures restricted district
Purpose: Addition at 3rd, 4th floor and Roof per the plans and specifications 3rd floor: two bedroom and 1 bathroom 4th floor: office area Roof top deck Construction under 1.000 sqf.

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

Board members asked about building height and the total number of bedrooms and a head house.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Flynn, Essaibi-George, and Flaherty, and two abutters are opposed.

Documents/Exhibits: Building Plans, 15 letters of opposition

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

Case: BOA-1163303 Address: 2-6 Readfield Place Ward 8 Applicant: Harvey Buck
Articles: Article 50, Section 29 Floor Area Ratio Excessive Max. allowed: 0.8 Proposed: 0.97 Article 50, Section 29 Front Yard Insufficient Required: 20' Proposed: 5.8' Article 50, Section 29 Rear Yard Insufficient Required: 30' Proposed: 12.6'
Purpose: Erect three attached townhouses. This is a nominal fee application drawings attached.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect three single unit townhouses.

Board members asked about parking and building height.

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

Documents/Exhibits: Building Plans

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



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Case: BOA-1021131 Address: 1644 Dorchester Avenue Ward 16 Applicant: Timothy Johnson
Articles: Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Feet)
Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Rear Yard Insufficient
Purpose: Erect a 3-Story, 9-Unit Building w/13 car garage, side and roof decks as per plans submitted. Raze existing building on separate permit.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a three story, 9 unit dwelling with a 13 car garage.

Board members asked about how parking works, the rear yard setback, and head houses.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support. St. Marks Area Civic Association is opposed.

Documents/Exhibits: Building Plans, 1 letter of support

Votes: Board Member Erlich moved for denial without prejudice and Secretary Fortune seconded. The Board voted 6-1 to deny without prejudice Ligris opposed.

Case: BOA- 1161138 Address: 91 Ashmont Street Ward 17 Applicant: Theresa Burges
Articles: Article 65, Section 9 Floor Area Ratio Excessive Max. allowed: 0.5 Existing: 0.7 Proposed: increasing FAR since the existing dormer is extending 4' Article 65, Section 9 Bldg Height Excessive (Stories) Max. allowed: 2.5 Existing: 3 Proposed: increasing non conformity (since it is increasing FAR)
Purpose: Confirm occupancy as a 3 family and extend front stairway dormer for head room, replace rear deck and pantry on existing footprint, framing, roofing, siding repairs, finish carpentry, plumbing electrical, 1 kitchen, 1 bathroom, flooring, plaster, insulation, painting, window replacement.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to confirm three family occupancy and extend front dormer for stairway head room.

Board members asked about the number of units, basement occupancy, and bedroom counts.

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

Documents/Exhibits: Building Plans, 4 letters of support

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



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Case: BOA- 1143314 Address: 11 Danforth Street Ward 19 Applicant: KM Construction

Articles: Article 55, Section 9 Side Yard Insufficient Article 55, Section 9 Floor Area Ratio Excessive Building already has excessive FAR this will further extend the non conformance.

Purpose: Attic renovation, no structural work or change of occupancy. Adding 2 bedroom, 2 bath and an interior stairway.

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

Board members asked about attic ceiling height.

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

Documents/Exhibits: Building Plans, 2 letters of support

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

Case: BOA-827450 Address: 632-638 Centre Street Ward 19 Applicant: Andrew Zuroff

Articles: Article 55 Section 17 Excessive F.A.R. Art. 55 Sec. 09 Insufficient open space (Roof Deck Removed;10.19.18)

Purpose: Change occupancy on ERT of record issued From a 9 residential, office and retail to 18 residential and 4 commercial spaces; retail/office, and then construct additional story as per plans submitted. (Other costs shown on ERT issued).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy to 18 units and four commercial units with a four story addition.

Board members asked about the project being previously before the Board.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and an abutter are opposed.

Documents/Exhibits: Building Plans, 11 letters of support

Votes: Board Member Robinson moved for denial and Erlich seconded. The Board voted unanimously to deny.



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Case: BOA-1152694 Address: 2 Church Street Ward 20 Applicant: Antonio Ferrara
Articles: Article 56, Section 8 Lot Area Insufficient Article 56, Section 8 Lot Width Insufficient Article 56, Section 8 Lot Frontage Insufficient Article 56, Section 8 Floor Area Ratio Excessive Article 56, Section 8 Bldg Height Excessive (Stories) Article 56, Section 8 Front Yard Insufficient Front yard along Centre Street Article 56, Section 8 Rear Yard Insufficient
Purpose: Erect new single family dwelling with a 1 car attached garage. This application is in conjunction with approved ALT1094352, ERT1094476, ERT1094466 and newly submitted ALT1142058.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect three single family dwellings at 2, 8, and 10 Church Street. No building at 12; subdivision of lot only.

Board members asked about construction in progress and the lack of rear yard.

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

Documents/Exhibits: Building Plans, 15 letters of support

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

Case: BOA- 1152696 Address: 8 Church Street Ward 20 Applicant: Antonio Ferrara
Articles: Article 56, Section 8 Lot Area Insufficient Article 56, Section 8 Lot Width Insufficient Article 56, Section 8 Lot Frontage Insufficient Article 56, Section 8 Floor Area Ratio Excessive Article 56, Section 8 Bldg Height Excessive (Stories) Article 56, Section 8 Rear Yard Insufficient
Purpose: Erect new single family with a 1 car attached garage. This application is conjunction with approved plans ALT1094352, ERT1094466 & ERT1094476 and newly submitted subdivision plan ALT1142058.

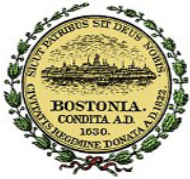
Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect three single family dwellings at 2, 8, and 10 Church Street. No building at 12; subdivision of lot only.

Board members asked about construction in progress and the lack of rear yard.

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

Documents/Exhibits: Building Plans, 15 letters of support

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



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Case: BOA-1152697 Address: 10 Church Street Ward 20 Applicant: Antonio Ferrara
Articles: Article 56, Section 8 Lot Area Insufficient Article 56, Section 8 Lot Width Insufficient Article 56, Section 8 Lot Frontage Insufficient Article 56, Section 8 Floor Area Ratio Excessive Article 56, Section 8 Bldg Height Excessive (Stories) Article 56, Section 8 Rear Yard Insufficient
Purpose: Erect new single family dwelling with a 1 car attached garage. This application is in conjunction with approved plans ALT1094352, ERT1094476 & ERT1094466 and newly submitted plans ALT 1142058, ERT 1142079 and ERT1142088.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect three single family dwellings at 2, 8, and 10 Church Street. No building at 12; subdivision of lot only.

Board members asked about construction in progress and the lack of rear yard.

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

Documents/Exhibits: Building Plans, 15 letters of support

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

Case: BOA-1152693 Address: 12 Church Street Ward 20 Applicant: Antonio Ferrara
Article: Article 56, Section 8 Lot Area Insufficient Subdivision creates three undersized lots. This is a 1F 8000 Sub district which requires 8000sf min per lot.
Purpose: This application is in conjunction with approved plan ALT 10942352. Proposal is to subdivide newly formed LOT C into 3 new parcels. New Lot C containing 6268 sq ft, New Lot D containing 6268 sq ft and New Lot E containing 6266 sq ft. Prior address was 12 Church St parcel ID 20 06239 000.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect three single family dwellings at 2, 8, and 10 Church Street. No building at 12; subdivision of lot only.

Board members asked about construction in progress and the lack of rear yard.

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

Documents/Exhibits: Building Plans, 15 letters of support

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



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Case: BOA-1120705 Address: 223 Harvard Avenue Ward 21 Applicant: Peter Nassif
Articles: Article 51, Section 9 Usable Open Space Insufficient Required: 2,800 sqft Proposed: 0 Article 51, Section 9 Add'l Lot Area Insufficient Required: 9,000 sqft Proposed: 6,343 sqft
Purpose: Change use of basement spaces from Real Estate office and Laundromat to 2 residential units for a total of 14

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy from a laundromat and real estate office into two residential units.

Board members asked about the bump out.

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

Documents/Exhibits: Building Plans, 1 letter of support

Votes: Board Member Erlich moved for approval with relief for the real estate office and no relief for the laundromat and Ruggiero seconded. The Board voted 5-2 to approve with Ligris and Robinson opposed.

Case: BOA-1121608 Address: 297 Newbury Street Ward 5 Applicant: Dennis Colwell
Articles: Art. 08 Sec. 07 Use: Forbidden This proposed cannabis use location is within 1/2 mile from another existing cannabis establishment: Therefore, Forbidden Art. 08 Sec.07 Use: Conditional Use is conditional
Purpose: Change of Occupancy to include Marijuana Dispensary. Demolition of interior non load bearing walls, construction of new walls for a security office, retail space, secure vault, and ADA lift in rear alley.

Discussion/Vote: The Appellant requested a deferral to continue engaging in community process. Upon a motion and second, the Board unanimously voted to defer this matter until the June 22, 2021 hearing.

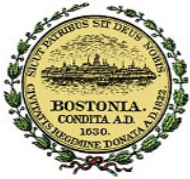
HEARINGS:12:30 PM

Case: BOA- 1156143 Address: 64-66 Gove Street Ward 1 Applicant: Color Craft Corporation D.B.A Seal-A Deck
Articles: Article 53, Section 52 Roof Structure Restrictions Access via exterior stair case Article 53 Section 9 Dimensional Regulations Insufficient side yard setback Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. MFR in a 3f subdistrict
Purpose: Construct TWO New Roof Top "L" shaped deck 20x12 Pressure treated Pine substructure. Composite decking with composite 42" rails accessed from rear exterior stairs for units # 5 and #6.

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

Board members asked about access to the roof decks.

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



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Documents/Exhibits: Building Plans

Votes: Board Member Ruggiero moved for approval with BPDA design review and including gates with locks of each deck for exclusivity and Erlich seconded. The Board voted 6-1 to approve with Ligris opposed.

Case: BOA-1167099 **Address:** 76 Montmorenci Avenue Ward 1 **Applicant:** Salvatore and Lisa LaMattina
Articles: Art. 27G E Boston IPOD Art. 53 Sec. 08 Forbidden Two family Forbidden Art. 53, Section 9 Excessive F.A.R. .5 max Art. 53 Sec. 09 Insufficient rear yard setback 35' req. Art. 53 Sec. 09 Side yard insufficient 10 req. Art. 53 Sec. 56 Off Street Parking Insufficient parking
Purpose: Change occupancy to from a single to a two family residential dwelling and erect addition on existing 5,397 square foot parcel as per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change a single family to a two family and build an addition.

Board members asked about rear yard and side yard violations.

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

Documents/Exhibits: Building Plans, letters of support

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

Case: BOA-1133941 **Address:** 42 Irving Street Ward 3 **Applicant:** Timothy Burke
Article: Article 13, Section 1 Rear Yard Insufficient
Purpose: Confirm occupancy as a single family. Construct new stair to roof with head house and construct new deck on existing flat roof. Install new railings for deck. Install associated electrical, mechanical and plumbing work.

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

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

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

Votes: Board Member Ruggiero moved for approval of the Building Code relief and Erlich seconded. The Board voted unanimously to approve. Board Member Ruggiero moved for approval of the Zoning Code relief and Ligris seconded. The Board voted unanimously to approve.



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Case: BOA#1133951 Address: 42 Irving Street Ward 3 Applicant: Timothy Burke

Purpose: Confirm occupancy as a single family. Construct new stair to roof with head house and construct new deck on existing flat roof. Install new railings for deck. Install associated electrical, mechanical and plumbing work.

Violation: 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

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

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

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

Votes: Board Member Ruggiero moved for approval of the Building Code relief and Erlich seconded. The Board voted unanimously to approve. Board Member Ruggiero moved for approval of the Zoning Code relief and Ligris seconded. The Board voted unanimously to approve.

Case: BOA-1163709 Address: 60-84 Saint Botolph Street Ward 4 Applicant: Ryan Lundergan

Articles: Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg.< 25% Conditional Art. 32 Sec. 04 GCOD Applicability Substantial Rehab Art. 41, Sec. 5 Establishment of Protec Areas St Botolph Protection Area Height exceeded 45' max

Purpose: The substantial renovation of the Boston Housing Authority's Saint Botolph Apartments for continued multifamily residential use. The renovation project will include upgrades to the overall building, individual units, common areas, and the site. Requesting expedited rejection.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to renovate the Saint Botolph Street apartment complex.

Board members asked about an extension of the building, same number of units, and same envelope of building.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Flaherty and Flynn and the Carpenter's Union are in support. A representative of the Boston Groundwater Trust informed the Board that it had BWSC and no harm letters on file.

Documents/Exhibits: Building Plans

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



City of Boston
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Case: BOA-1165887 Address: 411 Adams Street Ward 16 Applicant: Yelson Baez

Article: Article 65, Section 8 Use Regulations Restaurant and Restaurant with take out use: Forbidden

Purpose: We will be installing a countertop to prepare smoothies and teas for take out. We will also be installing a 3 bay sink, a mop sink and hand sink. The necessary electrical work and plumbing work to be performed by a licensed contractor under the necessary permits. We are requesting a change to the use and occupancy from office, store to restaurant, smoothie and tea shop take out.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add take out use for smoothie and tea shop.

Board members asked about take out experience, hours of operation, and if a garage was on premises.

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

Documents/Exhibits: Building Plans

Votes: Board Member Ligris moved for approval with standard takeout provisos, relief granted to the petitioner only, and BPDA design review for signage and Erlich seconded. The Board voted unanimously to approve.

Case: BOA- 1158529 Address: 55 Everdean Street Ward 16 Applicant: Hai Tran

Articles: Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories)

Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

Purpose: New 2nd floor addition to existing dwelling, Finished Attic, Finished Basement, Attached Green Room on the side of the property.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add a second floor addition and extend living space to basement.

Board members asked if the property was a single family, had basement living space, presence of laundry room and half bath in greenhouse.

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

Documents/Exhibits: Building Plans, letter of support

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



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Case: BOA-1156325 Address: 23 Mather Street Ward 17 Applicant: Krishna Balram

Article: Article 65, Section 9 Rear Yard Insufficient

Purpose: Construct a 16x18 Storage Building. There will be 2 windows 36 wide, door entry of 36 wide and 70 length, a front opening of a height of 8ft and 10ft wide with 2 swinging barn doors which is 8ft in height and 5ft wide. Also, adding cement board hard plank wrap and a rubber roof.

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

Board members asked about the curb cut.

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

Documents/Exhibits: Building Plans

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

Case: BOA-945289 Address: 1006-1010 Bennington Street Ward 1 Applicant: East Boston Local Roots, LLC

Article: Article 53, Section 11 Use Regulations Use: Cannabis Establishment: Conditional

Purpose: Change of Occupancy to include a Cannabis Establishment. The Applicant also proposes to modify the existing layout and conditions of a portion of the interior of the Building. Please see the submitted plans for additional detail.

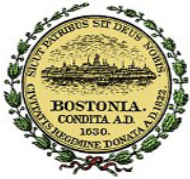
Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change use of commercial space to a cannabis establishment.

Board members asked about security procedures, queuing, and hours of operation.

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

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

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



City of Boston
Board of Appeal

RE-DISCUSSIONS: 12:30 PM

Case: BOA- 1110007 **Address:** 47 Condor Street Ward 1 **Applicant:** 47 Condor Street, LLC
Articles: Article 27T Section 9 IPOD Enforcement East Boston IPOD Applicability Article 53, Section 56 Off-Street Parking & Loading Req Off-Street Parking Insufficient Article 53, Section 56 Off-Street Parking & Loading Req Off-Street Parking Design/Maneuverability (Car Stacking Machine to be installed) Article 53, Section 8 Use Regulations Use: Multifamily Dwelling: Forbidden Article 53, Section 8 Use Regulations Use: Commercial Space: Forbidden, Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Building Height Excessive Article 53, Section 9 Building Height (# of Stories) Excessive Article 53, Section 9 Front Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient
Purpose: Raze existing building. Erect a 4 story, Mixed Use Building consisting of one (1) Commercial Space on the Ground Floor, and an Eight (8) Unit Residential Dwelling above. There will be a Ground Level Parking Garage with Eleven (11) Parking spaces. Building will be fully Sprinklered.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a three story, seven unit building. Reduced parking from prior appearance.

Board members asked about unit sizes and unit types.

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

Documents/Exhibits: Building Plans

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

Case: BOA- 962337 **Address:** 15 Mercer Street Ward 7 **Applicant:** Celora Caushi
Articles: Art. 27P South Boston IPOD Article 68, Section 8 Add'l Lot Area Insufficient, Article 68, Section 33 Off Street Parking & Loading Req Parking insufficient
Purpose: Change the Occupancy from 2 units to 3 units.(basement storage)

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy of a two family to a three family with no work.

Board members asked about zoning subdistrict, basement occupancy, and third floor ceiling height.

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

Documents/Exhibits: Building Plans

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



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Case: BOA- 1125330 Address: 42 Shirley Street Ward 8 Applicant: Jack Zaylor

Articles: Article 50 Section 28 Use Regulations 14 family use: Forbidden Article 50, Section 29 Add'l Lot Area Insufficient total lot area required: 22,000 sqft Proposed: 8,995 sqft Article 50, Section 29 Floor Area Ratio Excessive Max. allowed: 0.8 Proposed: 2.0 Article 50, Section 29 Bldg Height Excessive (Feet) Max. allowed: 35' Proposed: 42' 7 3/4" Article 50, Section 29 Bldg Height Excessive (Stories) Max. allowed: 3 Proposed: 4 Article 50, Section 29 Usable Open Space Insufficient Required: 650sqft x 14 = 9,100 sqft Article 50, Section 29 Front Yard Insufficient Required: 20' Proposed: 12.4' Article 50, Section 29 Side Yard Insufficient Required: 10' Proposed: 4.5' Article 50, Section 29 Rear Yard Insufficient Required: 30' Proposed: 5.1' Article 50, Section 43 Off Street Parking & Loading Req 50.43.6.d) Insufficient parking space required dimensions Article 50, Section 44.2 Conformity Ex Bldg Alignment Modal not provided to verify conformity with existing building alignment Purpose: New 14 Unit Multi family building to be on one lot resulting of combining two lots on application ALT1053976. Eplan > BOA

Discussion: The Appellant requested a deferral because of pending Boston Landmark Commission demolition delay.

Vote: Upon a motion from Member Erlich and a second, the Board voted unanimously to defer this matter until the December 14, 2021 hearing at 12:30 PM.

Case: BOA- 1121088 Address: 31 Wabon Street Ward 12 Applicant: Stephen Siuda

Articles: Article 50 Section 29 Insufficient lot size 5,000 sf req. Article 50 Section 29 Insufficient additional lot area 2,500sf/unit >2 req. Article 50 Section 29 Insufficient lot width 50' req Article 50 Section 29 Insufficient lot frontage 50' req. Article 50 Section 29 Excessive F.A.R. .8 max. allowed Article 50 Section 29 Insufficient Usable open space 650sf/unit req. Article 50 Section 29 Front yard setback 20' min req. /Modal alignment Article 50 Section 29 Insufficient side yard setback 10' min. req. Article 50, Section 43 Off Street Parking & Loading Req Access/Maneuvering areas

Purpose: New 4 story building with 6 4 residential units, 2 on the first level, 2 on the second level and two duplex units located on levels 3 and New three story, three family dwelling to include four off street parking spaces with easement access via 33 Wabon Street per revised plans submitted (U491109608 filed) * Modified 9.8.20

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

Board members asked about parking, a roof deck, exterior stairwell, the companion property at 33 Wabon, easements, and community process.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support of the project. The Garrison Trotter Neighborhood Association, Project Right, and an abutter are opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for deferral and Robinson seconded. The Board voted unanimously to defer until the May 18, 2021 hearing at 12:30PM.



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Case: BOA-1135948 Address: 33 Wabon Street Ward 12 Applicant: Stephen Siuda
Article: Art. 09 Sec. 02 Nonconforming Use Change < 25% conditional (open space reduction)
Purpose: Create an 20' access easement for pedestrian and motor vehicle use to pass and repass from 33 Wabon to 31 Wabon St. (4 Parking Spaces) Application filed in conjunction with ERT1006848.

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

Board members asked about parking, a roof deck, exterior stairwell, the companion property at 33 Wabon, easements, and community process.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support of the project. The Garrison Trotter Neighborhood Association, Project Right, and an abutter are opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for deferral and Robinson seconded. The Board voted unanimously to defer until the May 18, 2021 hearing at 12:30PM.

Case: BOA-1130282 Address: 25 Vassar Street Ward 14 Applicant: Peter Vanko
Articles: Article 65, Section 8 Use Regulations Multi family forbidden, Article 65, Section 9 Lot Area Insufficient, Article 65, Section 9 Lot Width Insufficient, Article 65, Section 9 Front Yard Insufficient, Article 65, Section 9 Rear Yard Insufficient, Article 65, Section 9 Bldg Height Excessive (Feet), Article 65, Section 9 Bldg Height Excessive (Stories), Article 65, Section 9 Floor Area Ratio Excessive, Article 65, Section 4 1Off Street Parking & Loading Req Parking insufficient, Article 65, Section 9.2 Dim Regs: Location of Main Entrance
Purpose: Erect new Multi Family Dwelling (4 units). Raze building on separate permit. [ZBA ePlan]

Discussion: The Appellant requested a deferral to engage in additional community process.

Vote: Upon a motion from Member Erlich and a second, the Board voted unanimously to defer this matter until the June 22, 2021 hearing at 12:30 PM.

Case: BOA-1056275 Address: 4 Danny Road Ward 18 Applicant: John Barry
Articles: Article 69, Section 8 Use: Forbidden Article 69 Section 9 Insufficient lot size Article 69 Section 9 Excessive f.a.r. Article 69 Section 9 # of allowed stories exceeded Article 69 Section 9 Insufficient open space Article 69 Section 9 Front yard setback Article 69 Section 9 Dimensional Regulations Article 60, Section 8 Use Regulations Accessory use Parking
Purpose: To construct a new three family residential building, with off street parking, as per attached plans.

Discussion/Vote: The Appellant requested to withdraw this appeal. Upon a motion and a second, the Board voted unanimously to deny the appeal without prejudice.



City of Boston
Board of Appeal

Case: BOA- 904516 Address: 1937 Beacon Street Ward 21 Applicant: HVV Massachusetts, Inc
Article: Article 51, Section 16 Use Regulations Cannabis establishment is a conditional use in this zoning subdistrict
Purpose: Change the occupancy from a bar/cafe to a Cannabis establishment and renovate building. ZBA

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy to a cannabis establishment.

Board members asked about queuing, online sales, nuisances created by the prior location operator, and security.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and State Representative Michael Moran are in support. Multiple abutters are opposed.

Documents/Exhibits: Building Plans, BCB Letter, letters of support, letters of opposition

Votes: Board Member Ruggiero moved for approval with BPDA design review and relief for this applicant only and Erlich seconded. The Board voted 6-0 to approve with Ligris recused.

CALL OF THE CHAIR: 1:00 PM

Case: BOA- 1090365 Address: 73 Sheridan Street Ward 19 Applicant: Dr Andrew King
Purpose: The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the permit# ERT987106. The permit was issued as an allowed use.

Discussion: The Board was called upon to decide whether ISD has erred in determining the number of allowable town house building on a lot in light of conflicting provisions in the Zoning Code. The Board discussed among the members and asked the present attorneys whether it could defer to ISD's determination if it was a reasonable interpretation of the conflicting provisions.

Vote: Board Member Erlich moved for the Board to conclude that ISD did not err in this matter and Ligris seconded. The Board voted unanimously to conclude that ISD did not err in its application of the Zoning Code in this matter.



City of Boston
Board of Appeal

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

BOARD MEMBERS:

**CHRISTINE ARAUJO- CHAIR
MARK FORTUNE-SECRETARY
MARK ERLICH
JOSEPH RUGGIERO
KOSTA LIGRIS
ERIC ROBINSON
SHERRY DONG**

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

For a video recording of the April 16, 2021 Board of Appeal Hearing please go to: https://www.cityofboston.gov/cable/video_library.asp.