



City of Boston  
Board of Appeal

**RECEIVED**

**By City Clerk at 3:34 pm, Aug 16, 2022**

**REVISED**

**3:35 pm, Aug 16, 2022**

Tuesday, August 23, 2022

BOARD OF APPEAL

Room 801

**HEARING AGENDA**  
**REVISED AGENDA**

**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON AUGUST 23, 2022 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS AUGUST 23, 2022 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

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

**THE AUGUST 23, 2022 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE ZOOM WEBINAR EVENT PLATFORM.**

**Interested persons can participate in the hearing REMOTELY by going to <https://bit.ly/ZBAhearings>. You may also participate by phone by calling into the Zoom Webinar at (301) 715-8592 and entering the Webinar ID: 996 0844 0932 followed by # when prompted.**

**If you wish to offer testimony on an appeal, please click <https://bit.ly/August23Comment> 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 [://bit.ly/August23Comment](https://bit.ly/August23Comment), calling 617-635-4775, or emailing [zba.ambassador@boston.gov](mailto:zba.ambassador@boston.gov).**

**The ZBA Ambassador will be available within the Zoom Webinar 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 Zoom. 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 that should appear on the bottom of your screen, if connected by computer or device, or dial \*9, if connected by phone. On a computer or device, you will receive a request to unmute yourself from the event host. You must select yes before you can speak. On a phone, you will hear a prompt that the event host is asking you to unmute yourself. You must press \*6 to unmute yourself before you can speak. Commenters will be 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 City Hall. 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.**

**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- 1043425 Address: 21 Shepard Street Ward 22 Applicant: Jeffrey Drago**

**Case: BOA-667111 Address: 151 Liverpool Street Ward 1 Applicant: Anthony L. Leccese, Esq**

**Case: BOA- 928836 Address: 28 Monument Square Ward 2 Applicant: Jeff Harris**

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

**Case: BOA- 1029694 Address: 35 Brookley Road Ward 11 Applicant: Matt Henzy**

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

**Case: BOA-1276382 Address: 42 West Eagle Street Ward 1 Applicant: Jason Kim**

**Article(s):** Art. 53 Sec. 12 Height Excessive Art. 53 Sec. 52 Roof Structure Restrictions

**Purpose:** Adding walk out deck & Dormer as per stamped plans submitted

**Case: BOA- 1282055 Address: 71 Willowood Street Ward 14 Applicant: Fred Manigat**

**Article(s):** Article 60 Section 9 Lot Area Insufficient Article 60 Section 9 Lot Width Insufficient

Article 60 Section 9 Lot Frontage Insufficient Article 60 Section 9 Floor Area Ratio Excessive

Article 60 Section 9 Usable Open Space Insufficient Article 60 Section 40 Off Street Parking & Loading Req - Off Street Parking Insufficient Article 60 Section 9 Side Yard Insufficient

**Purpose:** Change Occupancy from a Two (2) Family Dwelling to a Three (3) Family Dwelling. Construct new dormers at 3rd Floor.

**Case: BOA- 1289438 Address: 211 West Third Street Ward 6 Applicant: Ryan Spitz**

**Article(s):** Article 68, Section 8 Bldg Height Excessive (Feet) Article 68, Section 8 Usable Open Space Insufficient

Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Add'l Lot Area Insufficient

**Purpose:** Add a story on top of the existing building creating a fourth residential unit. Add decks to the back of dwelling.

**Case: BOA-1296986 Address: 25 Everett Street Ward 1 Applicant: 25 Everett, LLC**

**Article(s):** Art. 53 Sec. 08 Forbidden - Use multifamily. Extended beyond. The building is extended from previous

relief approved proposal. Art. 27G E Boston IPOD Art. 32 Sec. 32 4 Groundwater Conservation Overlay District, Applicability Art. 53 Sec. 09 Floor Area Ratio Excessive Art. 53 Sec. 56 Off Street Parking - Required spaces: 6

units\*1.5 = 9 Proposed: 6 spaces (reduced from previously granted relief) Article 53, Section 9 Rear Yard Insufficient

Article 53, Section 9Front Yard Insufficient Article 53, Section 57.2 Conformity Ex Bldg Alignment - Modal not

provided to verify compliance Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9Bldg Height Excessive (Feet) Article 53, Section 9 Add'l Lot Area Insufficient

**Purpose:** Combine two lots into one. Lot ID 0104939000 (2,707sqft) with lot ID0104940000 (1,925sqft) resulting lot 4,632 sqft. Raze existing single family home on lot ID0104940000 and garage on lot ID0104939000 to erect a 4 story 6 unit residential dwelling with 6 off street parking spaces. eplan Demolition SF1215126 (single family) and SF:? (Garage) \*Lot consolidation permit expired APPLICATION# ALT791072



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**Case: BOA- 1307734 Address: 122 Saratoga Street Ward 1 Applicant: Francesco Chierigatti Spoldi**

**Article(s):** Article 27T 5 East Boston IPOD Applicability Article 53, Section 52 Roof Structure Restrictions  
Art. 53, Section 56 Off Street Parking Insufficient - 3 Add'l Req'd Art.53 Sec. 08Use: Forbidden - MFR (4 units)  
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 Side Yard Insufficient Article 53, Section 9  
Rear Yard Insufficient

**Purpose:** Confirm occupancy as one family and change to a four (4) unit residential dwelling. Scope includes erecting a rear addition with new rear decks and roof deck.

**Case: BOA- 1309465 Address: 3964 Washington Street Ward 19 Applicant: Cesar DaSilva**

**Article(s)** Art. 67 Sec. 08 Use Regulations Applicable in Residential Sub Districts - Multifamily use is forbidden  
Article 67, Section 8.2 Use Regs: Basement Units Art. 67 Sec. 9.4 Location of Main Entrance - Shall face the front lot  
line Art. 67 Sec. 56 Off street parking requirements - Insufficient. Parking spaces required for the new unit: 2 Article 67,  
Section 9 Lot Width Insufficient Article 67, Section 9 Lot Frontage Insufficient Article 67, Section 9 Floor Area Ratio  
Excessive Article 67, Section 9 Lot Area Insufficient

**Purpose:** Convert existing basement into a new unit, change occupancy from 3 units to a four units building as per  
plans.

**Case: BOA- 1320835 Address: 9 Hewins Street Ward 14 Applicant: Patricia Flanagan**

**Article(s):** Art. 10 Sec. 01 Limitation of parking areas – Side yard buffer Article 60, Section 8 Use Regulations – Four  
Family Forbidden Art. 60 Sec. 9 Additional Lot Area Insuff Art. 60 Sec. 09 Floor Area Ratio excessive Art. 60 Sec. 09  
Usable open space insufficient Article 60 Section 9 # of allowed habitable stories exceeded 3 story max. Article 60  
Section 9 Insufficient front yard setback Art. 60 Sec. 40 (5) Off street parking design/maneuverability

**Purpose:** Erect a new four story, four (4) units residential building, as per plans. Proposed (4) off street parking.  
Existing structure to be razed on a separately reviewed and issued SF demolition permit.

**Case: BOA-1327827 Address: 130 Bremen Street Ward 1 Applicant: Michael Stuchins**

**Article(s):** Article 9, Section 1 Extension of Nonconforming Building - Extension of Nonconforming Buildings  
Article 25 Section 5 Flood Plain Regulations Article 27T 5 East Boston IPOD Applicability Article 53 Section 8 Use  
Regulations - Use: Multifamily Dwelling: Forbidden Article 53 Section 9 Lot Area for Additional Dwelling Units  
Insufficient 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 Usable Open Space Insufficient Article 53  
Section 9 Side Yard Insufficient Article 53 Section 9 Rear Yard Insufficient Article 53, Section 52 Roof Structure  
Restrictions Article 53, Section 56 Off Street Parking & Loading Req - Off Street Parking Insufficient

**Purpose:** Change Occupancy from a Three (3) Family Dwelling to a Four (4) Family Dwelling. Renovate existing  
structure by adding a new 4th story. Also construct new Rear Decks and egress stairs. Building will be fully sprinklered.

**Case: BOA-1339798 Address: 67 Appleton Street Ward 5 Applicant: HRE 2, LLC**

**Article(s):** Article 64, Section 9 Floor Area Ratio Excessive Article 64, Section 36 Off Street Parking Insufficient  
Article 64 Section 9 Insufficient open space per unit

**Purpose:** Change occupancy from a store and 2 residential units to 3 residential units as per plans.

**Case: BOA- 1344548 Address: 605 Tremont Street Ward 4 Applicant: Nancy Lo**

**Article(s):** Article 64, Section 8 Use: Conditional Restaurant and take out restaurant are both conditional uses in a  
MFR/LS Sub district.

**Purpose:** Change occupancy from a 6 family and retail business to 6 family and restaurant 36A



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**Case: BOA- 1349025 Address: 1153-1155 Washington Street Ward 17 Applicant: George Morancy**

**Article(s):** Art. 53 Sec. 56 Off-Street Parking – Insufficient Parking Art. 53, Section 56 Off-Street Loading Insufficient

Article 56 Section 16 Excessive f.a.r Article 56 Section 16 Building height exceeded

**Purpose:** Erect a new 5 story mixed use building with 24 residential units over 18 parking spaces w/ accessory amenities space and roof deck (Elevator access) and a small retail space (shell only) \* Existing structure to be razed on a separate permit application

**Case: BOA-1351215 Address: 32-32C Hobart Street Ward 22 Applicant: Joseph Cicconi**

**Article(s):** Article 51, Section 8 Use Regulations - Townhouse (3 unit) Use: Forbidden Article 51, Section 9 Floor Area Ratio Excessive Article 51, Section 9 Bldg Height Excessive (Stories) Article 51, Section 9 Front Yard Insufficient Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient Article 51, Section 9.4

Dim Reg: Location of Main Entrance - Within the Residential Subdistricts, the main entrance of a Dwelling shall face the Front Lot Line. Article 51, Section 9 Lot Frontage Insufficient Article 51, Section 9 Bldg Height Excessive (Feet) Art. 51 Sec. 57.2 Exst'g Bldg Algnmnt Conformity - Modal calculation not provided to verify compliance with the existing building alignment.

**Purpose:** Erect a 3-unit Townhouse Dwelling with 6 parking spaces. Raze existing building under SF: # [ePlan BOA] Reviewed 06/23/22 to reduce the number of units from 4 to 3 and the parking spaces from 8 to 6

**Case: BOA- 1352386 Address: 72 Hyde Park Avenue Ward 19 Applicant: 72 Hyde Park LLC**

**Article(s):** Article 55, Section 9 Side Yard Insufficient Article 55, Section 9 Bldg Height Excessive (Stories)

Article 55, Section 9 Lot Width Insufficient Article 55, Section 12 Floor Area Ratio Excessive

Art. 55, Section 40 Off Street Parking Insufficient

**Purpose:** Demolish existing structure. Erect a six (6) unit residential building with six parking spaces.

## **HEARINGS:10:30AM**

**Case: BOA-1320542 Address: 114 Leicester Street Ward 22 Applicant: Mesivta of Greater Boston**

**Article(s):** Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Floor Area Ratio Excessive

Art. 51 Sec. 56 Off street parking requirements - off street parking is insufficient

**Purpose:** Erect new 2 story high school structure. Raze existing structure on separate SF permit.

**Case: BOA-1323558 Address: 63 Belgrade Avenue Ward 20 Applicant: Michael Forde**

**Article(s):** Art. 67 Sec. 12 Excessive height Art. 67 Sec. 12 # of allowed stories exceeded Art. 67 Sec. 12 Excessive f.a.r.

Art. 67 Sec. 12 Insufficient side yard setback abutting a residential sub district Art. 67 Sec. 12 Insufficient rear yard

setback Article 67 Section 32 Off Street Parking & Loading Req - Insufficient parking Article 67 Section 32 Off Street

Parking & Loading Req - Insufficient loading Bay areas proposed Article 67 Section 32 Off Street Parking & Loading

Req - Parking Space design sizes/maneuvering areas Article 67 Section 11 Use Regulations - 1st story residential

Conditional

**Purpose:** Raze existing one-story building and erect a four story 31 UNIT apartment building, amenities space (34,096gsf/30,150sf) with 22 garage parking spaces underneath with elevator access. See alteration subdivision permit to combine lots) Existing structure to be razed on a separately reviewed and issued demolition permit.

**Case: BOA- 1328296 Address: 34 Oak Street Ward 18 Applicant: John Pulgini**

**Article(s):** Article 69 Section 29 Off Street Parking & Loading Req - Parking spaces required:20 Proposed: 11 and 1 loading area required. Art. 69 Sec.11 Forbidden - Residential use on first floor. Article 69, Section 30.1 Conformity Ex Bldg Alignment - Modal not provided to verify compliance.

**Purpose:** Construct 3 story, 20-unit residential building with 11 underground parking spaces. Proposing 1 elevator. Existing building to be razed on separate short form permit.



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**Case: BOA-1337499 Address: 40-42 Cross Street Ward 3 Applicant: Michael Doherty**

**Article(s):** Article 54 Section 13 Dimensional Regulations - Max. floor area allowed: 3 Proposed: 5.21  
Article 54 Section 13 Dimensional Regulations - Max. building height allowed: 1 story (15') as per section 54.18  
Proposed: 5+Penthouse (65') Article 54 Section 13 Dimensional Regulations - Min. rear yard: 20' Proposed: 0'  
Article 54, Section 18 Roof Structure Restrictions Access to roof deck is not through a hatch or bulkhead. - Roof deck's handrail is not set back 1 foot for each foot of height of the structure. Roof structures area exceeds 10% of total's roof area, hence they shall be included while measuring the building height. The height of any existing building (currently three, 1 story / 15' buildings) shall determine the allowed building height on that lot after the buildings are demolished.  
Art. 54 Section 12 Use: Conditional -Hotel Art. 54 Section 12 Use: Forbidden - Restaurant use on ground floor (exceeding 2,500 sqft) Art. 54 Section 12 Use: Forbidden - Restaurant use on penthouse/ roof floor Art. 32 Sec. 32 4 Groundwater Conservation Overlay District, Applicability Article 54 Section 15 Establishment of Freedom Trail Neighborhood Design Overlay District Article 49A Section 3 GWOD Applicability Art. 25 Sec. 5 Flood Hazard Districts  
**Purpose:** New construction of 134 room hotel with ground floor open air public passageway to Cuttillo Park, hotel lobby & restaurant, tenant restaurant and seasonal rooftop dining terrace. Project also includes major redesign of Cross Street Plaza and improvements to Morton Street. In conjunction with ALT1310128, ALT1310129, ALT1310130 and ALT1315554. Application requires demolishing 3 existing buildings (46 50 Cross St. under SF:# ; 28 32 Cross St. under SF:# and 40 42 Cross St. under SF: #)

**Case: BOA-1339772 Address: 33 Davison Street Ward 18 Applicant: Prestige Apartments, LLC**

**Article(s):** Article 69, Section 8 Use: Forbidden - MFR in 2F Article 69 Section 29 Off Street Parking & Loading Req - (1) add'l req'd Article 69, Section 9 Lot Area Insufficient Article 69, Section 9 Usable Open Space Insufficient Article 69, Section 9.3 Dim Regs: Location of Main Entrance Article 9, Section 2 Change in Non Conforming Use  
**Purpose:** Change Occupancy from a three (3) to a four (4) unit residential dwelling. Scope does not include any exterior alterations, changes occur within building envelope; as per plans.

**Case: BOA-1341348 Address: 49-65 Lansdowne Street Ward 5 Applicant: Connor O'Dwyer**

**Article(s):** Art. 06 Sec. 04 Other Protectional Conditions  
**Purpose:** Continuing use of existing electronic sign; seeking a zoning refusal letter. Our ZBA proviso/extension is expiring and we would like to seek continued relief, no alterations proposed

**Case: BOA- 1341355 Address: 154-156 Ipswich Street Ward 5 Applicant: Connor O'Dwyer**

**Article(s)** Art. 06 Sec. 04 Other Protectional Conditions  
**Purpose:** Continuing use of existing electronic sign; seeking a zoning refusal letter. Our ZBA proviso/extension is expiring and we would like to seek continued relief, no alterations proposed.

**Case: BOA- 1349982 Address: 1318 River Street Ward 18 Applicant: John Pulgini**

**Article(s):** Article 69, Section 8 Use: Forbidden - MFR in 3F Article 69, Section 8 Use: Forbidden - Small take out restaurant Article 69, Section 9 Floor Area Ratio Excessive Article 69, Section 9 Bldg Height Excessive (Stories) Article 69, Section 9 Bldg Height Excessive (Feet) Article 69, Section 9 Usable Open Space Insufficient Article 69, Section 9 Rear Yard Insufficient Article 69, Section 9 Side Yard Insufficient Article 69, Section 30.1 Conformity Ex Bldg Alignment Art. 69 Sec. 30.2 Traffic Corner Visibility Art. 69 Sec. 29.5 Off St.Prk'g:Design - Stacker parking Article 69 Section 29 Off Street Parking & Loading Req - Parking Article 69 Section 29 Off Street Parking & Loading Req - Loading

**Purpose:** Erect 4 story mixed use structure to consist of 30 residential units (levels 2 4) and ground floor coffee shop (small take out restaurant; core/shell). Enclosed ground floor parking for 30 cars; stacker parking utilized. [ePlan] In conjunction with ALT1316466



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**Case: BOA-1351180 Address: 100-102 Beachview Road Ward 1 Applicant: Scarlet & Grey Development LLC**  
**Article(s):** Art. 53 Sec. 09 Insufficient lot width - 50' req. Art. 53 Sec. 09 Insufficient lot width frontage - 50' req. Art. 53 Sec. 09 # of allowed stories exceeded -2.5 stories max. Art. 53 Sec. 09 Insufficient front yard setback -Modal alignment conformity Art. 53 Sec. 09 Insufficient side yard setback -12' req. Art. 53 Sec. 09 Insufficient rear yard setback -40 ' req. Art. 53 Sec. 09 excessive f.a.r. Art. 53 Sec. 53-57 Appl. of dimensional Req. - Special provisions for a corner lot- Front yard setback on corner is 15'/modal Art.53 Sec.08 Use Forbidden Article 27T - 5 East Boston IPOD Applicability

**Purpose:** Erect a three story two family dwelling on the vacant lot. 10.6.21 Updated work description.

**Case: BOA-1353092 Address: 177 Chelsea Street Ward 1 Applicant: ImStar, LLC**  
**Article(s):** Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Add'l Lot Area Insufficient Article 53, Section 56 Off Street Parking & Loading Req - Off street parking is insufficient

**Purpose:** Change occupancy to a three unit residential dwelling and renovate as per plans.

**Case: BOA-1358597 Address: 3243 Washington Street Ward 11 Applicant: 3227 Washington St LLC**  
**Article(s):** Art. 55 Sec. 55-40 Off street parking insufficient - Required: 1 space Art. 55 Sec. 55-9 Additional lot area insufficient Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 9 Side Yard Insufficient Article 55, Section 9 Rear Yard Insufficient

**Purpose:** Change occupancy from 2F to 3F; renovate entire structure; add rear decks; extend living area (kitchen /living /dining) into basement for Units 1; and add sprinkler system.

### **RECOMMENDATIONS: 11:00 AM**

**Case: BOA-565482 Address: 26 Union Avenue Ward: 11 Applicant: Fredrick Vetterlein**  
**Article(s):** Art. 10 Sec. 01 Limitation of Area of Accessory Uses Article 55, Section 40 Off-Street Parking & Loading Req - Off-Street Parking Design / Maneuverability Article 55, Section 9 Usable Open Space Insufficient

**Purpose:** Install curb cut and driveway for 2 parking spaces.

**Case: BOA-1265152 Address: 10 Carson Street Ward: 13 Applicant: Ka Hei Eammi Lam**  
**Article(s):** Article 65, Section 9 Side Yard Insufficient Article 65, Section 41 Off Street Parking & Loading Req

**Purpose:** Asphalt paving driveway, which can park 3 cars. The paved driveway in front of the house can let the outside car move easier if the inside car needs to come out. This paved driveway is Not for parking purposes.

**Case: BOA-1295598 Address: 7 Rock Road Ward: 18 Applicant: Michael Pierre**  
**Article(s):** Article 69, Section 9 Side Yard Insufficient Article 69, Section 9 Rear Yard Insufficient

**Purpose:** To remove old rear deck and build a bathroom addition and new rear deck.

**Case: BOA- 1332110 Address: 200 Turtle Pond Parkway Ward:18 Applicant: Damien Conlon by Steven Petitpas of Aesthetic Images**

**Article(s):** Article 69, Section 9 Front Yard Insufficient

**Purpose:** Reframing of second floor to extend the second story height and footprint of existing single family, as per plans. Scope also includes new covered entry porch.

**Case: BOA-1335195 Address: 15 Maple Street Ward: 20 Applicant: Jim Sullivan**  
**Article(s):** Art. 2A Sec.01 Yard Regulations - Yard, Rear: Within a required side yard, no planting other than shade trees shall be maintained more than six (6) feet above the average natural grade in such yard and no structure shall be erected except:

**Purpose:** Replace 77' of 6' fence with 77' of 8' fence on back right of property from corner of garage to corner of lot on plot plan. Goal is to reduce noise from Centre St. and parking lot on other side of fence.



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**Case: BOA- 1337104 Address: 25 Rawston Road Ward: 18 Applicant: Jennine Talbot & Faris Albayya**  
**Article(s):** Article 67, Section 9 Side Yard Insufficient Article 67, Section 9 Rear Yard Insufficient Article 67, Section 9 Floor Area Ratio Excessive  
**Purpose:** Second floor dormer addition with half bathroom; Second floor insulation and finishes; heat pump installation; and associated tasks as appropriate.

**Case: BOA-1337466 Address: 438 Main Street Ward: 2 Applicant: Timothy Sheehan**  
**Article(s):** Article 62, Section 25 Roof Structure Restrictions Article 62, Section 8 Bldg Height Excessive (Stories)  
**Purpose:** The addition of a third floor and attic playroom half story and a rear mudroom addition. The existing first floor kitchen will be remodeled.

**Case: BOA- 1339956 Address: 127 Train Street Ward: 16 Applicant: Lisa Bartlett**  
**Article(s):** Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Rear Yard Insufficient  
**Purpose:** Proposed 2nd floor addition to existing 1 story single family. New front porch.

**Case: BOA-1341482 Address: 74 Baker Street Ward: 20 Applicant: Eileen Melville**  
**Article(s):** Article 56, Section 8 Rear Yard Insufficient  
**Purpose:** Attached two car garage with a playroom and a bathroom above the garage.

**Case: BOA-1343301 Address: 4 Delano Park Ward: 18 Applicant: Wellington Rossi**  
**Article(s):** Article 67, Section 9 Rear Yard Insufficient - 40' Min. rear yard req (see table c) Article 67, Section 9 Floor Area Ratio Excessive  
**Purpose:** Renovate the existing 3rd floor bedroom, extend header height over the existing stairs and height under the A frame, and add bathroom and laundry to 3rd floor. Cost is reflected on SF1259483.

**Case: BOA-1350693 Address: 16 Meredith Street Ward: 20 Applicant: Margaret d'Arbeloff**  
**Article(s):** Art. 56 Sec. 08 Floor Area Ratio excessive  
**Purpose:** Extension of living space into the attic. New 3rd floor Bedroom and Bathroom.

**Case: BOA- 1351812 Address: 2 Emelia Terrace Ward:20 Applicant: David Trimble**  
**Article(s):** Article 56, Section 8 Front Yard Insufficient Article 56. Section 8 Side Yard Insufficient  
**Purpose:** Adding an addition to the top of the building for a second floor addition and attic storage space to the existing dwelling.

**Case: BOA- 1359680 Address: 25 Farmington Road Ward: 20 Applicant: Ivan Hernandez**  
**Article(s):** Art. 56 Sec. 08 Floor Area Ratio excessive Article 56, Section 8 Bldg Height Excessive (Stories) Article 56. Section 8 Side Yard Insufficient Article 56, Section 40.1 Conformity w Ex Bldg Alignment - Through Lot. Setback of 24' from VFW Pkwy provided. Article 56, Sec. 40 Application of Dimensional Req - 56 40.6 Side Yard of Certain Narrow Lots. 10ft wide driveway req'd Art. 10 Sec. 01 Limitation of parking areas - Parking less than 5ft from side lot line.  
**Purpose:** Construct a rear three story addition to existing dwelling, including complete interior remodel, extension of living space to lowest level, and new rear deck above attached shed, per plans.

**Case: BOA- 1336189 Address: 2005 Dorchester Avenue Ward: 17 Applicant: Francine Tymes**  
**Article(s):** Art. 65 Sec. 9 Residential Dimensional Reg.s -Insufficient usable open space identified Art. 65 Sec. 41 Off street parking requirements - Location; parking in a required front yard is not allowed (i.e. corner lot rule, two front yards exist)  
**Purpose:** Extend the driveway to park vehicles on side of house.





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**Case: BOA- 1343120 Address: 330 K Street Ward: 7 Applicant: Taryn Bone**

**Article(s):** Article 68, Section 8 Bldg Height Excessive (Feet) Article 68, Section 29 Roof Structure Restrictions - Proposed work alters roof profile and adds height.

**Purpose:** Add roof deck with headhouse.

### **RE-DISCUSSIONS :11:30 AM**

**Case: BOA-1160061 Address: 69 Saratoga Street Ward 1 Applicant: Maria Carolina Toaborda**

**Article(s):** Article 53 Section 8 Use Forbidden – 3-family dwelling Article 53, Section 56 Off-Street Parking Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient Article 32, Section 4 GCOD, Applicability

**Purpose:** Change of occupancy from Single-Family to Three-Family Dwelling. Legalize extension of living space to basement and two additional units. Build new emergency escape. Construct new exterior stairway. Take kitchen out from basement.

**Case: BOA- 1228560 Address: 40 Lake Street Ward 22 Applicant: The Common Room, Inc**

**Article(s):** Article 51 Section 8 Use Regulations - Community Center – Conditional Article 51 Section 8 Use Regulations Accessory Personal Quarters – Forbidden Article 51, Section 56 Off-Street Parking & Loading Req- Location: Proposed parking in front yard

**Purpose:** The applicant intends to convert use of the property from a residential use to a community center for young adults with high cognitive Autism Spectrum Disorder, to include, Accessory Personnel Quarters. The applicant requests a rejection letter to proceed to the Board of Appeal for a conditional use permit.

**Case: BOA-1256992 Address: 221 East Eagle Street Ward 1 Applicant: Jose Carlos Medeiros**

**Article(s):** Art. 53 Sec. 08 Forbidden - Multi family dwelling (6) units use is a forbidden use Art. 53 Sec. 09 Lot area for the add'l dwelling units is insufficient Art. 53 Sec. 09 Floor Area Ratio Excessive Art. 53 Sec. 09 Usable open space requirements is insufficient Art. 53 Sec. 09 Height requirements is excessive (3stories max. allowed) Art. 53 Sec. 09 Front yard setback requirements is insufficient Art. 53 Sec. 09 Side yard setback requirements is insufficient Art. 53 Sec. 09 Rear yard setback requirements is insufficient Art. 53 Sec. 09 Dimensional Regulations Art. 53 Sec. 09 Height requirements is excessive (35 ft high max. allowed) Article 27T 5 East Boston IPOD Applicability - E BOSTON IPOD APPLICABILITY Art. 53 Sec. 56 Off Street Parking - Off street parking requirements is insufficient

**Purpose :** Erect a multi family dwelling of six units with six parking spaces.

**Case: BOA-1267825 Address: 295 Webster Street Ward 1 Applicant: Aaron Daigneault**

**Article(s):** Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Add'l Lot Area Insufficient Article 53, Section 56 Off Street Parking & Loading Req - Off Street Parking Insufficient

**Purpose:** Change of occupancy from single family to three family dwelling. Extend living space to basement for additional unit. Renovate and upgrade M.E.P.

**Case: BOA-1267823 Address: 295 Webster Street Ward 1 Applicant: Aaron Daigneault**

**Article(s):** Article 53, Section 9 Rear Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 52 Roof Structure Restrictions Article 27T 5 East Boston IPOD Applicability

**Purpose:** Construct roof deck addition with enclosed access.

**Case: BOA- 1280423 Address: 5 Magnolia Place Ward 13 Applicant: Akash Lalla**

**Article(s):** Article 50, Section 29 Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive Art. 50 Sec. 29 Usable open space insufficient Article 50, Section 29 Side Yard Insufficient Art. 50 Sec. 29^ Lot Area Insufficient Art. 50 Sec. 43 Off street parking requirements - Design: Tandem space. Maneuverability. Art. 10 Sec. 01 Limitation of off street parking areas - Parking spaces on the side yard shall be separated 5 feet from the side lot line.

**Purpose:** Convert single family dwelling to 3 Story 2 family dwelling. Replace existing foundation. Expand house footprint as shown on proposed plot plan.



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**Case: BOA-1296380 Address: 49R Imrie Road Ward 21 Applicant: Theresa Conti & Tom Lawless**

**Article(s):** Art. 51 Sec. 57.2 Exst'g Bldg Algnmnt Conformity Article 51, Section 57.13 Two or More Dwellings on Same Lot Article 51, Section 57 Application of Dimensional Req - 1 building behind another building Article 51, Section 9 Lot Frontage Insufficient Article 51, Section 9 Lot Width Insufficient Art. 51 Sec. 09 Open Space insufficient Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient Article 51, Section 9 Front Yard Insufficient

**Purpose:** Confirm existing structure as a barn and convert to a single family house, new dormer and renovate, as per plans. Two dwelling structures on one lot. See alt1269324 for 49 Imrie Rd, existing 2 family, no work to be done. This is one of two buildings on the same lot.

**Case: BOA-1296381 Address: 49 Imrie Road Ward 21 Applicant:**

**Article(s):** Article 51, Section 57.13 Two or More Dwellings on Same Lot Article 51, Section 9 Lot Frontage Insufficient Article 51, Section 9 Lot Width Insufficient Art. 51 Sec. 09 Open Space insufficient

**Purpose:** NO WORK TO BE DONE. Filed in conjunction with ALT1269313 49R Imrie Rd, convert barn to a single family. 2 dwelling structures on one lot. This is to be two buildings on one lot.

**Case: BOA- 1336832 Address: 291 Beacon Street Ward 5 Applicant: SEE REAL ESTATE, LLC**

**Articles:** Art. 08 Sec.07 Use: Conditional Art. 09 Sec. 01 Extension of Non Conforming Use- > 25% volume

**Purpose :**Existing Lodging House Change of Occupancy to Increase number of Occupants from 11 to (CHANGED TO 31 persons). No construction planned. \*NOTE; 4th story (two means of unimpeded egress must be maintained).

**RECONSIDERATION :12:00PM**

**Case: BOA- 1177912 Address: 82-84 Boston Street Ward 7 Applicant: Media Partners MRV LLC**

For a vote on whether to reconsider the Board's decision, on May 10, 2022, to deny the relief because the vote to approve the relief failed to reach a quorum. Per Article 5, Section 5-3 of the Zoning Code, the applicant has requested to reopen the record to introduce renderings and other design information concerning the proposed billboard.

**Article(s):** Article 65, Section 40 Sign Regulations (3) Free standing signs - (USE Forbidden) Art. 09 Sec. 01 Extension of Non Conforming Use Conditional Art. 11 Sec. 06 Signs Subject to Other Reg. - b) no new billboards shall be allowed within six hundred sixty (660) feet of a federally-funded highway subject to the Federal Highway Beautification Act unless approved by the Board of Appeal in accordance with Article 6 after receipt by the Board of Appeal of a planning recommendation from the Boston Redevelopment Authority. Art. 33 Sec. 16 Air-Right OS Applicability - Pylon Sign Forbidden Art. 65 Sec. 9 Residential Dimensional Reg.s - side yard Article 11, Section 7 Electronic Signs - Conditional

**Purpose:** Construct a single faced digital billboard FREE STANDING PILON SIGN to the rear of 82 Boston Street per attached plans.



City of Boston  
Board of Appeal

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

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**For the complete text of the Boston Zoning Code Articles and definitions of terms in this agenda, please go to [https://www.municode.com/library/ma/boston/codes/redevelopment\\_authority](https://www.municode.com/library/ma/boston/codes/redevelopment_authority)**