



City of Boston  
Board of Appeal

**RECEIVED**

*By City Clerk at 8:36 am, Oct 25, 2022*

Tuesday, October 25, 2022

BOARD OF APPEAL

Room 801

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

**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON OCTOBER 25, 2022 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS OCTOBER 25, 2022 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

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

**THE OCTOBER 25, 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/October25Comment> to sign up. Please provide your name, address, the address and/or BOA number of the appeal on which you wish to speak, and if you wish to speak in support of or opposition to the project.**

**For individuals who need translation assistance, please notify the Board at least 48 HOURS in advance either by signing up at <https://bit.ly/October25Comment>, 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 offer testimony. 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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### **APPROVAL OF THE HEARING MINUTES: 9:30AM**

SEPTEMBER 13, 2022

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

Case: BOA-799147 Address: 30 Thorn Street Ward 18 Applicant: Nicholas Zozula, Esq

Case: BOA-1035883 Address: 178 Brighton Avenue Ward 21 Applicant: Rebekah Glickman-Simon

Case: BOA-1035609 Address: 820 William T Morrissey Blvd, Ward 16 Applicant: Daniel Manning

Case: BOA-1072124 Address: 295 Kittredge Street Ward 18 Applicant: Tom Timko

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

Case: BOA-1068564 Address: 28 Monument Street Ward 2 Applicant: Gerald Adler

Case: BOA-658980 Address: 10 McBride Street Ward 19 Applicant: John Moran

Case: BOA-1066449 Address: 6 Glover Court Ward 7 Applicant: George Morancy, Esq

Case: BOA-932319 Address: 16 Glendale Street Ward 15 Applicant: Vernon Woodworth FAIA

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

Case: BZC-30745 Address: 583 Ashmont Street Ward 16 Applicant: Douglas Stefanov

Case: BZC-30746 Address: 585 Ashmont Street Ward 16 Applicant: Douglas Stefanov

Case: BOA-658980 Address: 10 McBride Street Ward 19 Applicant: John Moran

### **GROUNDWATER CONSERVATION OVERLAY DISTRICT ONLY: 9:30AM**

Case: BOA-1367326 Address: 32 Fayette Street Ward 5 Applicant: Vicky Zhao

Article(s): Article 32, Section 4.GCOD, Applicability

Purpose: Substantially rehabilitate this single family dwelling, construct an addition in the rear yard and install a groundwater recharge system.

Case: BOA-1391361 Address: 12 Marlborough Street Ward 5 Applicant: James Laiosa

Article(s): Article 32, Section 4.GCOD, Applicability - Groundwater Conservation Overlay District Applicability

Purpose: Removing and replacing asphalt parking spaces (to be completely removed). Install new herringbone pattern heated bricks for three (3) new parking space. BBAC Approval # 22.0609BB

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

Case: BOA-1367321 Address: 438 Washington Street Ward 22 Applicant: Maria Vasilakas, DMD

Article(s): Article 51, Section 17 Floor Area Ratio Excessive Article 51 Section 17 Rear Yard Insufficient

Purpose: Build an addition onto existing Dental Office on first floor and relocate wheelchair ramp.



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**Case: BOA-1344069 Address: 66 Waverly Street Ward 22 Applicant: Timothy Johnson**

**Article(s):** Article 51 Section 9 Lot Area for Additional Dwelling Units Insufficient Article 51 Section 9 Front Yard Insufficient Article 51, Section 57 Application of Dimensional Req -Two or More Dwellings Located on the Same Lot  
**Purpose:** On Parcel 637 with existing detached 2-Family dwelling, erect a new detached 3-story, 2 Family dwelling with balconies & roof access and on-grade parking as per plans submitted. This will be 1 of 2 dwellings located on the same lot (See ALT1321700).

**Case: BOA-1344067 Address: 62-64 Waverly Street Ward 22 Applicant: Timothy Johnson**

**Article(s):** Article 51, Section 57 Application of Dimensional Req - Two or More Dwellings Located on the Same Lot  
**Purpose:** Existing 2 Family dwelling located at 62-64 Waverly Street. To Share Lot with proposed 2 Family Dwelling located at 66 Waverly Street and 4 Abbey Road. As per plans submitted. See Sister Permit# ERT1307351. This will be 1 of 2 Dwellings located on the same lot.

**Case: BOA-1381690 Address: 290 Cornell Street Ward 20 Applicant: Emily Kline & Andy Rosen**

**Article(s):** Art. 67 Sec. 09 Side Yard Insufficient - right side less than 10' Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Front Yard Insufficient Article 67, Section 9 Rear Yard Insufficient Article 67, Section 9 Bldg Height Excessive (Stories)  
**Purpose:** Dormer and gable end added to 3rd floor walkup bedroom. Reconfigure bathroom and closet on 3rd floor.

**Case: BOA-1353054 Address: 55 Boylston Street Ward 19 Applicant: Adam Granger and Chade Severin**

**Article(s):** Article 55, Section 9 Rear Yard Insufficient Article 55, Section 9 Side Yard Insufficient Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 9 Front Yard Insufficient - Front yard insufficient on both Boylston and Dresden S streets  
**Purpose:** Scope includes new second and third floor additions, larger garage with in law suite above and a basement play space below, mudroom connector, first and second floor plan renovations.

**Case: BOA-1344283 Address: 1 Raldne Road Ward 18 Applicant: Rosa Design and Construction, LLC**

**Article(s):** Art. 69 Sec. 30.1 Bldg.Alignmmt Conformity Article 69, Section 9 Floor Area Ratio Excessive Article 69, Section 9 Bldg Height Excessive (Stories) Article 69, Section 9 Usable Open Space Insufficient Article 69, Section 9 Rear Yard Insufficient Art. 69 Sec. 8 Forbidden - Building a Two family in a 1F 9000 Is forbidden.  
**Purpose:** Addition of living space per plans. Change of occupancy from single family to two family dwelling.

**Case: BOA-1348905 Address: 120-124 Babson Street Ward 18 Applicant: Sketchone Studios**

**Article(s):** Article 60, Section 8 Use: Forbidden - Elderly Housing Article 60, Section 8 Use: Conditional - Day care center, elderly  
**Purpose:** 18 independent elderly housing plus adult daycare on ground floor.

**Case: BOA-1287168 Address: 199 Fuller Street Ward 17 Applicant: John Mitchell**

**Article(s):** Art. 65 Sec. 08 Forbidden -Parking lot  
**Purpose:** Driveway Curb cut for 5 off street parking spaces.

**Case: BOA-1208535 Address: 265-265C Minot Street Ward 16 Applicant: James Christopher**

**Article(s):** Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Front 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 Art.65 Sec. 8 Use: Forbidden - Townhouse: Forbidden  
**Purpose:** Erect a new four story w/ private roof decks, 5 unit Townhouse residential building with off street parking as per attached plans. Existing structure to be razed SF1208397.



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**Case: BOA-1260388 Address: 27 Greenwich Street Ward 15 Applicant: Mai Phung**

**Article(s):** Art. 65 Sec. 02 Conformity with Existing Building Alignment - Street- modal calculations not provided to verify compliance Art. 65 Sec. 08 Forbidden - Multifamily use Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Front Yard Insufficient - Min. required: 15' Proposal: 0' Greenwich St. 6.5' Marlyn Way. Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient Article 65 Section 42.3 Traffic Visibility Across Corner Art. 55 Sec. 65 41 Off Street parking insufficient - Required: 3 spaces Proposed: 2

**Purpose:** Proposed to demolish an existing structure and erect a three family with H.C Ramp on first floor and 3 off street parking.

**Case: BOA-1298301 Address: 17 Warren Place Ward 12 Applicant: Madison 84 Warren, LLC**

**Article(s):** Art. 50, Section 28 Use: Forbidden - MFR in 3F 4000 Art. 50, Section 28 Use: Forbidden - Office in 3F 4000 Art. 50, Section 28 Use: Conditional - Adult education center in 3F 4000 Article 50, Section 29 Rear Yard Insufficient - For 3F 4000 Article 50, Section 29 Side Yard Insufficient - For 3F 4000 Article 50, Section 29 Front Yard Insufficient - For 3F 4000 Article 50, Section 29 Usable Open Space Insufficient - For 3F 4000 Article 50, Section 29 Bldg Height Excessive (Feet) - For 3F 4000 Article 50, Section 29 Bldg Height Excessive (Stories) - For 3F 4000 Article 50, Section 29 Floor Area Ratio Excessive - For 3F 4000 Article 50, Section 29 Add'l Lot Area Insufficient - For 3F 4000 Article 50, Section 29 Rear Yard Insufficient - For MFR/LS Article 50, Section 29 Side Yard Insufficient - For MFR/LS Article 50, Section 29 Front Yard Insufficient - For MFR/LS Article 50, Section 29 Usable Open Space Insufficient - For MFR/LS Article 50, Section 29 Bldg Height Excessive (Feet) - For MFR/LS Article 50, Section 29 Bldg Height Excessive (Stories) - For MFR/LS Article 50, Section 29 Floor Area Ratio Excessive - For MFR/LS Article 50, Section 29 Add'l Lot Area Insufficient - For MFR/LS Article 50, Section 44.3 Traffic Visibility Across Corner Article 10, Section 1 Limitation of Area - Parking within 5ft of side lot line. Art. 50, Section 28 Use: Conditional - Office in MFR/LS

**Purpose:** Combine three lots (PID: 1200050000, 1200055000, 1200056000) into a newly created single lot of 20,193 SF. Erect 6 story mixed use building comprised of 65 residential units, adult education center, office, and 24 parking spaces. The proposed project will be constructed of a single level steel podium, over slab on grade, with five levels of residential wood frame noncombustible framing above. The height shall be no less than 70' (not a high rise), the entire building will be sprinklered, and there will be separate entrances.

**Case: BOA-1350628 Address: 1033 Massachusetts Avenue Ward 8 Applicant: Felipe Duran**

**Article(s):** Article 50, Section 32 Use Regulations in IDA - Use: Restaurant 37 / 36A with Live Entertainment: Conditional

**Purpose:** Add Live Entertainment. No work to be done

**Case: BOA-1294436 Address: 186 I Street Ward 7 Applicant: Timothy Johnson**

**Article(s):** Article 68, Section 8 Floor Area Ratio Excessive

**Purpose:** Extend living area of First Floor Unit 1 into Lower Level as per plans submitted.

**Case: BOA-1336811 Address: 190 West Fifth Street Ward 6 Applicant: Taylor Ferguson**

**Article(s):** Article 68, Section 8 Insufficient rear yard setback

**Purpose:** Install spiral staircase to existing rear 2nd floor deck for egress.

**Case: BOA-1348765 Address: 155 Portland Street Ward 3 Applicant: Back Street Boston Member, LLC**

**Article(s):** Art. 25 Sec. 5 Flood Hazard Districts - Flood Hazard District Art. 32 Sec. 04 GCOD Applicability - Groundwater Conservation Overlay District Applicability Art. 46 Sec. 6 Floor Area Ratio Excessive Art. 46 Sec. 6 Building Height Excessive Art. 46 Sec. 08 Bul/Tri Dist Des Review - Rooftop Additions within the Bulfinch Triangle District

**Purpose:** The project consists of nine (9) story hotel addition to the existing Onyx Hotel at 155 Portland Street. The addition will be developed on the 5,478 SF parking lot immediately abutting the hotel. The Project will add approximately 40,725 gross square feet, and 77 hotel rooms.



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**Case: BOA-1344593 Address: 230 Everett Street Ward 1 Applicant: 230 Everett Street, LLC**

**Article(s):** Art. 32 Sec. 04 GCOD Applicability Art. 53 Sec. 08 Forbidden - MFR use- Forbidden Art. 53 Sec. 08 Forbidden - Accessory parking forbidden Art. 53 Sec. 09 Insufficient side yard setback  
Art. 53 Sec. 09 Dimensional Regulations - Insufficient front yard setback (per modal of block) Corrected via 5/11/2022 revised submission Art. 53 Sec. 09 Insufficient additional lot area per dwelling unit Art. 53 Sec. 09 # of allowed stories exceeded Art. 53 Sec. 09 Max allowed height in sub-districts dimensional chart exceeded. Art. 53 Sec. 09 Insufficient open space per unit Art. 53 Sec. 09 Excessive f.a.r. Art. 53 Sec. 56 Off-Street Parking - Insufficient off street parking Article 27T - 5 East Boston IPOD Applicability Article 53 Section 9 Insufficient rear yard setback- 30' required

**Purpose:** Raze existing building on a separate permit and erect a five (5) unit residential, four story dwelling and parking for six (6) vehicles on a 4500sf lot.

**HEARINGS: 10:30AM**

**Case: BOA-1354097 Address: 139 Parsons Street Ward 22 Applicant: Joshua LaPan**

**Article(s):** Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient

**Purpose:** Reduce first floor deck size and add second floor deck to back of house with spiral stair case and Minor interior modifications to accommodate new deck entry

**Case: BOA-1258611 Address: 89-91 Union Street Ward 22 Applicant: Mohammad Osmani**

**Article(s):** Art. 51 Sec. 23^ Off street parking requirement - No off street parking is shown on new subdivision plans. Article 51, Section 9 Lot Area Insufficient Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient Article 51, Section 9 Floor Area Ratio Excessive

**Purpose:** Seeking to combine lots (parcel ID 2205415001 & 2205415000) to form 1 new lot containing 9600 sf. Then to subdivide into 3 lots, lot 1 containing 2348 sf to be known as 93 Union St, lot 2 containing 2238 sf to be known as 89 91 Union St, lot 3 containing 5014 sf to be know as 45 Shepard St.

**Case: BOA-1258613 Address: 93 Union Street Ward 22 Applicant: Mohammad Osmani**

**Article(s):** Article 51, Section 9 Lot Area Insufficient Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient Art. 51 Sec. 23^ Off street parking requirement - No parking provided after sub division.

**Purpose:** Seeking to combine lots (parcel ID 2205415001 & 2205415000) to form 1 new lot containing 9600 sf. Then to subdivide into 3 lots, lot 1 containing 2348 sf to be known as 93 Union St, lot 2 containing 2238 sf to be known as 89 91 Union St, lot 3 containing 5014 sf to be know as 45 Shepard St.

**Case: BOA-1258616 Address: 45 Shepard Street Ward 22 Applicant: Mohammad Osmani**

**Article(s):** Art. 51 Sec. 23^ Off street parking requirement - Proposed parking is insufficient Art. 51 Sec. 08 Use Regulations - MFR is a Forbidden use in a 2F 5000 Sub district Article 51, Section 9 Add'l Lot Area Insufficient Article 51, Section 9 Floor Area Ratio Excessive Article 51, Section 9 Bldg Height Excessive (Stories) Article 51, Section 9 Bldg Height Excessive (Feet) Article 51, Section 9 Usable Open Space Insufficient Article 51, Section 9 Front Yard Insufficient Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient

**Purpose:** COMBINE LOTS (PARCEL ID 2205415001 & 2205415000) TO FORM 1 LOT CONTAINING 9600 SF. THEN TO SUBDIVIDE INTO 3 LOTS, 93 union (2348sf), 89 91 union (2238sf), and the new lot at 45 Shepard St (5014 sf). Also to erect a 6 unit building with 9 parking spaces. See ALT1208426 & ALT1208420.



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**Case: BOA-1341344 Address: 635 Hyde Park Avenue Ward 18 Applicant: Antonio Ferrara**

**Article(s):** Article 67, Section 8 Use: Forbidden - MFR and Retail are Forbidden in a 2F 5000 Sub district  
Article 67 Section 11 Use Regulations - MFR is Forbidden in a NS Sub district Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Bldg Height Excessive (Stories) Article 67, Section 9 Bldg Height Excessive (Feet)  
Article 67, Section 9 Rear Yard Insufficient Article 67, Section 9 Front Yard Insufficient - Front yard on Canterbury St and Hyde Park Ave are both insufficient. Article 67, Section 32 Off Street Parking - Proposed off street parking is insufficient. Article 67, Section 33 Application of Dimensional Req - Traffic visibility across corner: Column on corner is within the traffic visibility area.

**Purpose:** Tear down existing structure at 635 641 Hyde Park Ave and tear down existing house at 1002 Canterbury which are in common ownership, combine both lots to create new 11,920 sq ft lot and then erect new mixed use building containing 27 units and 1 commercial storefront. In conjunction with ALT1322219.

**Case: BOA-1295799 Address: 63 Waldeck Street Ward 17 Applicant: Jenny Ton**

**Article(s):** Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Floor Area Ratio Excessive

**Purpose:** Proposed 15 rear addition per plan attached.

**Case: BOA-1263740 Address: 64 Clarkwood Street Ward 14 Applicant: Stuart Schrier**

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

**Purpose:** Erect a 3 family dwelling as per plans.

**Case: BOA-1360285 Address: 301 Mount Vernon Street Ward 13 Applicant: Boys & Girls Club of Dorchester, Inc./ Martin Richard Foundation**

**Article(s):** Article 65 Section 15 Use Regulations - Use: Community Center: Conditional Article 65 Section 15 Use Regulations -Use: Auditorium: Conditional Article 65 Section 15 Use Regulations – Use: Accessory Cafeteria / Take out Restaurant : Conditional Article 65 Section 15 Use Regulations - Use : Outdoor Place of Recreation for Profit: Conditional Article 65 Section 15 Use Regulations - Use: Private Grounds for Sports ( above Ground Floor ) : Conditional Article 65 Section 16 Building Height Excessive Article 6, Section 3 Conditions Req'd for Approval - Off Street Parking Facility located in a Restricted Parking Overlay District ( not Accessory to Use items # 1 thru 15) Article 6, Section 3A Add'l Cond in Restricted Parking District - Off Street Parking Facility located in a Restricted Parking Overlay District Article 65 Section 15 Use Regulations - Use : Ancillary Parking : Conditional

**Purpose:** Construct a new approximately 75,000 sq. ft. Field house / Athletic Complex with an indoor field, tennis courts, indoor walking track, fitness/training rooms, classrooms, event space, teaching kitchen, offices and programmable spaces. Also, a cafe with outdoor seating and 45 surface parking spaces. (see ALT1329681)

**Case: BOA-1345741 Address: 7 Chestnut Street Ward 5 Applicant: 7 Chestnut Street, LLC**

**Article(s):** Art. 15 Sec. 15 1 Floor Area Ratio Excessive

**Purpose:** Total building renovation including sprinkler system, expand living space into basement and fifth floor, all as shown on plans filed herewith.

**Case: BOA-1346466 Address: 73 Green Street Ward 2 Applicant: Oliver Childs**

**Article(s):** Article 62, Section 8 Rear Yard Insufficient Art. 62 Sec. 19 Neighborhood Design Overlay Districts - Changing the height and profile of the roof Article 62, Section 25 Roof Structure Restrictions - Changing the profile of the roof. Also, adding a roof deck not on the main roof.

**Purpose:** Gut renovation interior/exterior down to frame and foundation, floor plan change. 300 sq ft addition, pour footings, re frame joists, all new service, 200 amp, HVAC, new plumbing, closed cell insulation, rubber roof, cement board siding pvc trim, new hybrid windows.( Roof Deck on separate permit).



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**Case: BOA#1346607 Address: 73 Green Street Ward 2 Applicant: Oliver Childs**

**Purpose:** Gut renovation interior/exterior down to frame and foundation, floor plan change. 300 sq ft addition, pour footings, re frame joists, all new service, 200 amp, HVAC, new plumbing, closed cell insulation, rubber roof, cement board siding pvc trim, new hybrid windows.( Roof Deck on separate permit).

**Violation** Violation Description Violation Comments 9th 780 CMR R311 Means of Egress 780CMR R311.1; Unit 2 only has one means of egress.

**Case: BOA-1390679 Address: 112 White Street Ward 1 Applicant: 112 White Street, LLC**

**Article(s):** Article 27T - 5 East Boston IPOD Applicability Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Rear Yard Insufficient Art. 53 Sec. 56^ Off street parking insufficient Art. 53 Sec. 08 Forbidden - MFR is a forbidden use in a 3F 2000 Sub district Article 53, Section 9 Add'l Lot Area Insufficient

**Purpose:** Erect addition and change occupancy to a six (6) unit residential dwelling with a roof deck and six (6) parking spaces as per plans.

**Case: BOA-1387348 Address: 55 Meridian Street Ward 1 Applicant: F10 Development, LLC**

**Article(s):** Art. 25 Sec. 5 Flood Hazard Districts - For Parcel 0105736000 Art. 25 Sec. 5 Flood Hazard Districts - For Parcel 0105734000 Art. 32 Sec. 04 GCOD Applicability - For Parcel 0105736000 Art. 32 Sec. 04 GCOD Applicability - For Parcel 0105734000 Art. 53 Sec. 12 Height Excessive - For Parcel 0105736000 Art. 53 Sec. 12 Height Excessive - For Parcel 0105734000 Art. 53 Sec. 12 Rear Yard insufficient - For Parcel 0105734000 Art. 53 Sec. 12^ Floor area ratio excessive - For Parcel 0105734000 Art. 53 Sec. 12^ Floor area ratio excessive - For Parcel 0105736000 Art. 53, Section 12 Dimensional Regulations - Usable open space. For Parcel 0105736000 Art. 53, Section 12 Dimensional Regulations - Usable open space. For Parcel 0105734000 Article 27T - 5 East Boston IPOD Applicability - For Parcel 0105736000 Article 27T - 5 East Boston IPOD Applicability - For Parcel 0105734000 Article 53 Section 56 Off-Street Parking & Loading Req- For Parcel 0105736000 Article 53 Section 56 Off-Street Parking & Loading Req- For Parcel 0105734000 Article 53, Section 57.2 Conformity Ex Bldg Alignment - Through Lot. Street wall continuity required. For Parcel 0105736000

**Purpose:** Erect a new five story mixed use building for 3 local retail (core/shell) units at ground level and 14 residential units above. Utilizing parcels 0105736000, 0105734000, and part of existing passageway for erection of building. Two residential units shall be subject to the City of Boston's Inclusionary Development Policy. Raze existing structures on separate demolition permit.

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

**Case: BOA- 1358896 Address: 16 Cook Street Ward: 2 Applicant: Mike True Vision Property Dev. LLC**

**Article(s):** Art. 62 Sec. 25 Roof Structure Restrictions

**Purpose:** Confirm occupancy as a 2 family dwelling. Complete demo and rehab to two residential units occupying 3 stories of the existing residential structure. New windows and refinish exterior of existing structure with proper egress. There will be two residential units when completed.

**Case: BOA- 1349606 Address: 417-423C West Broadway Ward: 6 Applicant: Douglas Stefanov**

**Article(s):** Article 68, Section 7 Use Regulations - Professional Office above ground floor. Forbidden

**Purpose:** Suite 406. Change Office to Professional Office. Add partitions, doors, sinks and cabinets.

**Case: BOA- 1268377 Address: 594 East Seventh Street Ward: 7 Applicant: John Barry**

**Article(s):** Article 68. Section 8.4 Dim Regs: Extension in Rear Yard - Any proposed project shall be conditional if such proposed project involves the extension of a Residential Use into a rear yard, where such extension increase gross floor area of such Residential Use by one thousand (1,000) or more square feet. Article 68, Section 33 Off Street Parking & Loading Req - Off Street Parking Insufficient

**Purpose:** Change of Occupancy from single family to two family dwelling. The proposed job includes full renovation, rear addition, and finishing of the basement.





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**Case: BOA- 1337665 Address: 596 East Seventh Street Ward: 7 Applicant: Nicholas Landry**

**Article(s):** Article 68, Section 8 Add'l Lot Area Insufficient Article 68, Section 8.4 Dim Regs: Extension in Rear Yard - Proposed Project involves the extension of a Residential Use into a rear yard, which such extension increase gross floor area by one thousand (1,000) or more square feet, shall be conditional. Article 68, Section 33 Off Street Parking & Loading Req - Off Street Parking Insufficient

**Purpose:** Confirm occupancy as single family dwelling. Change of occupancy from single family to two family dwelling. Work to include construct rear addition, extend living space to basement, renovation to building.

**Case: BOA- 1370220 Address: 25 Brook Avenue Ward: 8 Applicant: Antonio Lopes**

**Article(s):** Article 50, Section 29 Usable Open Space Insufficient -Usable open space requirement is insufficient

**Purpose:** Curb cut for 1 off street parking space.

**Case: BOA- 1349675 Address: 4 Dever Street Ward: 15 Applicant: Kenneth Allen**

**Article(s):** Article 65, Section 9 Floor Area Ratio Excessive

**Purpose:** Demolition of existing porch in rear. Construction of new porch on the same footprint. Extension of habitable space on 2nd floor level.

**Case: BOA-1350338 Address: 7 Larchmont Street Ward: 17 Applicant: Carol Fries**

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

**Purpose:** Small addition in back of house with elevator, bathroom downstairs and closet upstairs.

**Case: BOA-1153626 Address: 276 Fairmount Avenue Ward: 18 Applicant: Ana Chavez**

**Article(s):** Art. 69 Sec. 09 Floor area ratio is excessive

**Purpose:** Renovation / Extension of living space at rear of the house per plans.

**Case: BOA-1334004 Address: 13 Austin Street Ward: 18 Applicant: James Shea**

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

**Purpose:** Add under an existing roof line of the front farmers porch an entry walk in closet.No record of occupancy, confirm occupancy as a 1 family dwelling for this is an existing condition for many years.

**Case: BOA- 1353585 Address: 41 Nikisch Avenue Ward: 20 Applicant: Adrien Finzi**

**Article(s):** Article 67, Section 9 Front Yard Insufficient Article 67, Section 9 Side Yard Insufficient

Article 67, Section 9 Bldg Height Excessive (Stories)

**Purpose:** Construction of a new master bedroom and bathroom in attic space along with a small seating area in the front of the home.

**Case: BOA- 1361549 Address: 35 Worley Street Ward: 20 Applicant: Jason Ng**

**Article(s):**Article 56, Section 8 Bldg Height Excessive (Stories) - Art.2A Story, half: provided that such dormer is not wider than eight (8) feet

**Purpose:** Installing an addition located at the rear of the existing house. Addition consists of expanding the kitchen, adding a second floor balcony.

**Case: BOA- 1385565 Address: 10-12 Ridgemont Street Ward: 21 Applicant: Erin Reilly**

**Article(s):** Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Floor Area Ratio Excessive - Living area plus the new square footage divided by the lot size is over the Floor to Area Ratio allowed.

**Purpose:** Accessibility Project Add a 1 story 144SF 1st floor bedroom for the disabled adult son of the owners.

Wood frame on concrete piers. The addition will be in the location of part of the existing deck, in the side yard setback.

**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.



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

### **Case: BOA-1367246 Address: 14 Gardner Street Ward 21 Applicant: Alpha Management**

**Article(s):** Art. 51 Sec. 08 Use Regulations - MFR 38 Units (FORBIDDEN) Art. 51 Sec. 09 Insufficient additional lot area per unit Art. 51 Sec. 09 Excessive f.a.r. Art. 51 Sec. 09 Maximum allowed height exceeded Art. 51 Sec. 09 # of allowed stories exceeded Art. 51 Sec. 09 Insufficient front yard setback Art. 51 Sec. 09 Insufficient rear yard setback Art. 51 Sec. 09 Insufficient usable open space per unit Art. 51 Sec. 40 5(a) Off street parking design - Design/Maneuvering areas (width of two way isle is <24' standard) Article 51, Section 53 Screening & Buffering Req Article 51, Section 56 Off Street Parking Insufficient Article 51, Section 56 Off Street Loading Insufficient

**Purpose:** Seeking to raze existing structures (demolition to occur on separate permit) and erect a new residential building with 38 units and 25 parking spaces.

### **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: Theresa Conti & Tom Lawless**

**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- 1349982 Address: 1318-1320 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

### **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-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-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-1144072 Address: 273 Maverick Street Ward 1 Applicant: 273 Maverick, LLC**

**Article(s):** Article 53, Section 9 Add'l Lot Area Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Usable Open Space Insufficient

**Purpose:** Give off 3,400 sf of land from existing 8,000 sf parcel (No. 5267) to be combined with 275 279 Maverick Street (Parcel No. 5268) (See ERT1102644). This parcel to now contain 4,600 square feet with pre existing multifamily dwelling.

**Case: BOA-1144075 Address: 275-279 Maverick Street Ward 1 Applicant: 275-279 Maverick, LLC**

**Article(s):** Article 53 Section 56.5.a Parking Maneuverability - Stackers are shown as part of the required parking Art. 53 Sec.08 Forbidden - MFR is forbidden in a 3F 2000 Sub district Article 27T 5 East Boston IPOD Applicability 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 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient Article 53, Section 56 Off Street Parking & Loading Req - Off street parking and loading is insufficient

**Purpose:** Proposed construction of 5 story, mixed use structure on 12,400 square feet of land containing 36 residential units, ground level retail and off street parking for 23 vehicles. See ALT1102631 for permit to combine/subdivided lots. Combine existing 9,000 s.f. parcel (5268) with a 3,400 sf portion of adjoining parcel (5267) This lot to now contain 12,400 sf.

**RE-HEARING: 12:00PM**

**Case: BOA-1173599 Address: 535-537B Washington Street Ward 22 Applicant: Pure Oasis LLC**

For a new hearing on the appeal of Pure Oasis to open a recreational cannabis establishment at the above referenced location. The Board previously denied this appeal, but it voted to grant reconsideration of this matter on September 13, 2022 after a hearing on the applicant's request. From the terms of the Boston Zoning Code (see Acts of 1956, c.665) in the following respects- Variance, Conditional Use Permit, and/or other relief as appropriate

**Article (s):** Article 51, Section 16 Use Regulations - Retail Cannabis Establishment Use : Conditional

**Purpose:** Change of Occupancy to Retail Cannabis Establishment.



City of Boston  
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**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.

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

**BOARD MEMBERS:**

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