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City of Boston
Board of Appeal

THURSDAY, February 16, 2023

BOARD OF APPEAL

1010 MASS. AVE, 5th FLOOR

ZONING ADVISORY SUBCOMMITTEE

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON FEBRUARY 16, 2023 BEGINNING AT 5:00PM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS FEBRUARY 16, 2023 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE FEBRUARY 16, 2023 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/ZBA2023Hearings>. 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/February16Comment> 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/February16Comment>, calling 617-635-4775, or emailing zba.ambassador@boston.gov.

The ZBA Ambassador will be available within the Zoom Webinar Event from 4:00PM to 5:00PM to answer questions about ZBA procedures and offer instructions on how to participate in the hearing via Zoom. Questions and/or



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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 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 4:00PM TO ENSURE YOUR CONNECTION IS PROPERLY FUNCTIONING.

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 for accommodations to be made.

MEMBERS OF THE COMMUNITY ARE STRONGLY ENCOURAGED TO HELP FACILITATE THE HEARING PROCESS BY EMAILING LETTERS IN SUPPORT OF OR OPPOSITION TO AN APPEAL TO ZBAPublicInput@boston.gov IN LIEU OF OFFERING TESTIMONY. WRITTEN COMMENTS BE SUBMITTED TO THE BOARD AT LEAST 48 HOURS PRIOR TO THE HEARING TO ENSURE THEIR ENTRY INTO THE RECORD. 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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HEARINGS: 5:00 P.M

Case: BOA-1411419 Address: 234 Parsons Street Ward: 22 Applicant: Luke Hubbard

Article(s): Art. 51 Sec. 09 Insufficient rear yard setback Art. 51 Sec. 09 Insufficient front yard setback

Purpose: Construct an addition of 1 story above a basement level garage and associated site work. This project requires a zoning variance because the existing lot is non conforming.

Case: BOA-1406489 Address: 40 Parklawn Road Ward: 20 Applicant: Maribeth Fitzgerald

Article(s): Article 56, Section 8 Rear Yard Insufficient Article 56, Section 8 Side Yard Insufficient

Purpose: A deck is planned for the rear of my house. An existing window in the family room will be replaced with a door leading to the first floor deck. The deck will run parallel to the back of the house with stairs wrapping back to the house to access the backyard.

Case: BOA-1419024 Address: 25 Mendum Street Ward: 20 Applicant: Douglas Stefanov

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

Purpose: Requesting Nominal Fee for Zoning Review and refusal letter to go to the board to Add 871 SF of area at the lower level to Unit 1.

Case: BOA-1415545 Address: 34 Sedgwick Street Ward: 19 Applicant: Virginia Boran Rude

Article(s): Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 9 Bldg Height Excessive (Stories)
Article 55, Section 9 Front Yard Insufficient Article 55, Section 9 Side Yard Insufficient Article 55, Section 9 Rear
Yard Insufficient

Purpose: Renovate 2 existing kitchens and bathrooms. Add dormer to attic and create finished space including new bathroom. Replace all windows with Harvey Insulated Windows. Build 2 story addition in rear of house per plans. Demolish existing detached garage.

Case: BOA-1391409 Address: 47 Arborview Road Ward: 19 Applicant: Bruce Miller

Article(s): Article 55, Section 9 Bldg Height Excessive (Stories) - Third floor is more than half the size of second floor.
Article 55, Section 9 Side Yard Insufficient - Right side set back

Purpose: Third floor attic renovation, including the addition of two front dormer windows and one large rear shed dormer.

Case: BOA-1360530 Address: 183 Chestnut Avenue Ward: 19 Applicant: Eileen Ani

Article(s): Art. 10 Sec. 01 Limitation of parking areas - Relief on ZBA the said of violation

Purpose: Add a driveway for residential parking onto the property.

Case: BOA-1376979 Address: 11 Sherrin Street Ward: 18 Applicant: Joseph Curran

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

Purpose: Remove exterior stairs and replace with a non heated enclosed mud room.

Case: BOA-1417648 Address: 47 Melville Avenue Ward: 17 Applicant: Phillip Lewis

Article(s): Art. 09 Sec. 01 Extension of Non Conforming Use Article 65, Section 9 Side Yard Insufficient
Article 65, Section 9 Rear Yard Insufficient - Stair to second story deck

Purpose: Addition of a new 2 car garage at rear of the building with an exterior deck above, connected to the 2nd floor of the existing building. Scope also includes a new sliding glass door at the 2nd floor and new exterior stair from new deck.

Case: BOA-1407253 Address: 144 Elmer Road Ward: 16 Applicant: Tommy Tran

Article(s): Article 65, Section 9 Side Yard Insufficient - Right side Required 10 ft. Proposed average 6' 85"
Article 65, Section 9 Floor Area Ratio Excessive - Required FAR .5 Existing .59 Proposed .65

Purpose: Closing porch on the back of house install new footing install new stairs install 8 windows install new siding install new sheetrock.



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Case: BOA-1422640 Address: 9 Dennison Street Ward: 11 Applicant: Stephanie Soriano

Article(s): Article 50, Section 43 Off Street Parking & Loading Req - Off Street Parking Insufficient

Purpose: To change the occupancy of an existing One Family dwelling to a Two Family dwelling. No construction needed home has always had two kitchens, two systems, two exits and entrances.

Case: BOA-1364586 Address: 46 Linwood Street Ward: 11 Applicant: Mai Phung

Article(s): Article 50, Section 43 Off Street Parking & Loading Req - 50 43.5c Proposed parking is within the required front yard and is greater than 10 feet in width.

Purpose: Proposed to install a curb cut to accommodate 2 off street parking (as per plan).

Case: BOA-1370498 Address: 45 Dracut Street Ward: 16 Applicant: Janet Grant

Article(s): Article 9 Section 1 Extension of Nonconforming Use - Extension of a Nonconforming Use (45 Dracut Street is an existing Two Family Dwelling in a Single Family Zoning District (1F – 7000) Article 10, Section 1 Limitation of Area -Limitation of Area of Accessory Uses Article 65, Section 41 Off Street Parking & Loading Req - Location of Off Street Parking in Front Yard

Purpose: Propose to install a driveway / curb cut for Two Off Street Parking spaces (as per plans)

Case: BOA-1390377 Address: 118 Bowdoin Street Ward: 14 Applicant: Alemayehu Urga

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

Purpose: Addition to church.

Case: BOA-1431633 Address: 244 Newbury Street Ward: 5 Applicant: The Boston Tattoo Company

Article(s): Art. 08 Sec. 03 Conditional Uses - Body art/ Tattoo is a Conditional use you need to seek relief from the BOA.

Purpose: Change from 2 Family and Restaurant with take out to 2 family, Restaurant with takeout, and body art establishment/tattoo shop. Installing half walls for stations as well as new plumbing for more sinks. Minor cosmetics such as paint.

Case: BOA-1396206 Address: 43 South Bremen Street Ward: 1 Applicant: Flavio Assuncao

Article(s): Art. 53 Sec. 08^ Restaurant use is Conditional - Use Condition: Accessory and Ancillary Uses

Purpose: New Interior Frame Install slide door and windows for Project. New bathroom and countertop. Icecream store.

Case: BOA-1396595 Address: 26 Crestway Road Ward: 1 Applicant: Marco Rebaza

Article(s): Article 27T 5 East Boston IPOD Applicability Art. 10 Sec. 01 Limitation of off street parking areas - Parking space on front yard Article 53, Sec. 54 Screening & Buffering Req

Purpose: Placement of two spot parking of 9'x19' one next to each other as depicted in Plan by Peter Nolan & Associates, LLC.

RE-DISCUSSION: 5:00 P.M

Case: BOA-1363941 Address: 104-106 Trenton Steet Ward: 1 Applicant: Trenton Brooks Corner Realty Trust

Article(s): Art. 09 Sec. 02 Nonconforming Use Change Art. 53, Section 8 Use: Forbidden - Local Retail (Convenience store)

Purpose: Change use from a dry cleaners to a convenient store, as per plans.

Reason for Prior Deferral: Applicant requested a deferral to meet with local neighborhood associations



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BOARD MEMBERS:

SHERRY DONG-CHAIR
NORM STEMBRIDGE-SECRETARY
HANSY BETTER BARRAZA

SUBSTITUTE MEMBER:

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