



City of Boston
Board of Appeal

Tuesday, August 27, 2024

BOARD OF APPEALS

City Hall Room 801

HEARING MINUTES

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON AUGUST 27, 2024 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS AUGUST 27, 2024 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE AUGUST 27, 2024 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/ZBAHearings2024>. You may also participate by phone by calling into the Zoom Webinar at (301) 715-8592 and entering the Webinar ID: 819 2218 4516 followed by # when prompted.

If you wish to offer testimony on an appeal, please click <https://bit.ly/August27Comment> 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/August27Comment> 617-635-4775, or emailing zba.ambassador@boston.gov.



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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.

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 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 IN LIEU OF OFFERING TESTIMONY ONLINE. 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-878714 Address: 72 Dresser Street Ward 6 Applicant: Matthew Eckel, ESQ

Discussion/Votes: Upon a motion and a second, the Board voted unanimously to grant the extension until September 19, 2025.

Case: BOA- 967386 Address: 95-101 Queensberry Street Ward 21 Applicant: Peter Kochansky, ESQ

Discussion/Votes: Upon a motion and a second, the Board voted unanimously to grant the extension until September 12, 2025.

Case: BOA-1107041 Address: 1201 Saratoga Street Ward 1 Applicant: Nova Development by Leo Boucher

Discussion/Votes: Upon a motion and a second, the Board voted unanimously to grant the extension until August 18, 2025.

Case: BOA- 1339067 Address: 52 Bellevue Street Ward 15 Applicant: Rob Celiberti

Discussion/Votes: Upon a motion and a second, the Board voted unanimously to grant the extension until July 29, 2025.

Case: BOA-1343369 Address: 159-165 Everett Street Ward 1 Applicant: Richard Lynds, ESQ

Discussion/Votes: Upon a motion and a second, the Board voted unanimously to grant the extension until September 9, 2025.

Case: BOA- 1310423 Address: 202 West First Street Ward 6 Applicant: Nicholas Zozula, ESQ

Discussion/Votes: Upon a motion and a second, the Board voted unanimously to grant the extension until August 26, 2025.

Case: BOA-1295426 Address: 270 West Second Street Ward 6 Applicant: Nicholas Zozula, ESQ

Discussion/Votes: Upon a motion and a second, the Board voted unanimously to grant the extension until September 23, 2025.

Case: BOA1093253 Address: 97-101 Porter Street Ward 1 Applicant: Richard Lynds, ESQ

Discussion/Votes: Upon a motion and a second, the Board voted unanimously to grant the extension until October 8, 2025.

Case: BOA1069147 Address: 235-237 Condor Street Ward 1 Applicant: Richard Lynds, ESQ

Discussion/Votes: Upon a motion and a second, the Board voted unanimously to grant the extension until December 11, 2025.

Case: BOA759563 Address: 80 Marginal Street Ward 1 Applicant: Richard Lynds, ESQ

Discussion/Votes: Upon a motion and a second, the Board voted unanimously to grant the extension until December 15, 2025.



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Case: BOA1252953 Address: 595-603 Newbury Street Ward 5 Applicant: Richard Lynds, ESQ

Discussion/Votes: Upon a motion and a second, the Board voted unanimously to grant the extension until January 7, 2025.

Case BOA1153496 Address: 59 Hillock Street Ward 20 Applicant: Kevin M. Cloutier

Discussion/Votes: Upon a motion and a second, the Board voted unanimously to grant the extension until September 2, 2025.

RECOMMENDATIONS: 9:30 AM

Case: BOA-1606982 Address: 147 West Eighth Street Ward: 7 Applicant: Douglas Stefanov

Article(s): Article 68, Section 8 Lot Area Insufficient Article 68, Section 8 Front Yard Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Lot Frontage Insufficient Article 68, Section 8 Lot Width Insufficient

Purpose: Enlarge existing single family house.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to approve.

Case: BOA-1618828 Address: 722A-724A Shawmut Avenue Ward: 9 Applicant: Aadam Abdul-Musawwir

Article(s): Art. 06 Sec. 04 Other Protectional Conditions

Purpose: Alteration to remove proviso 36A

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to approve.

Case: BOA-1607331 Address: 34 Olmstead Street Ward: 11 Applicant: Lichuan Ye

Article(s): Article 55, Section 9 Floor Area Ratio Excessive Relief is needed for increase of FAR to .82

Purpose: Replace some of the windows and doors, add insulation to exterior wall and basement, add new vinyl siding. Extend living space into the attic.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to approve.

Case: BOA-1609099 Address: 376-382 Warren Street Ward: 12 Applicant: Royal Smith

Article(s): Art. 50 Sec. 28 Restaurant is Conditional Art. 50 Sec. 28 Take out Conditional

Purpose: Changing occupancy from Tavern to coffee shop /cafe. And renovations to first floor. work being done at 376 Warren St

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to approve.



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Case: BOA-1575999 Address: 165 River Street Ward: 18 Applicant: Josph Alfred

Article(s): Art. 60 Sec. 09 Side yard insufficient Min. required: 10' Proposed: 7' (L) Art. 60 Sec. 09 Floor Area Ratio Excessive Max. allowed: 0.6 Proposed: Information not provided.

Purpose: Demolish the existing deck and make 2 rooms. A dining /entertainment room and a bedroom with an handicap ramp.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to approve.

Case: BOA-1614614 Address: 77 Cummins Highway Ward: 19 Applicant: YC INC

Article(s): Art. 06 Sec. 04 Other Protectional Conditions Request to remove proviso order "to petitioner only"

Purpose: No construction to be conducted. the applicant, yc inc acquired a restaurant named triple eatery located at 77 Cummins Highway, Roslindale, Ma with a take out food proviso. applicant requests approval to remove proviso to allow applicant to offer take out service for the new restaurant.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to approve.

Case: BOA-1576555 Address: 33 Bexley Road Ward: 19 Applicant: Roselin Osser

Article(s): Art. 67 Sec. 09 Side Yard Insufficient Min. required: 10' Proposed: 3.4' Article 67, Section 9 Rear Yard Insufficient Min. required: 40' Proposed: 24.3'

Purpose: Outdoor Personia to construct, deliver, and install a custom 11'x13' cedar pergola onto an existing concrete slab on the property.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to approve.

Case: BOA-1607521 Address: 26-28 Raymond Street Ward: 22 Applicant: Hezel Ryerson & McNamara Rome

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

Purpose: A. 3rd floor Renovation, which will have a garage dormer on one side and a gable dormer on other side. New wiring new Bathroom to be installed New heating Cooling system, Heat Pump. Stairs will be Installed from second Floor to 3rd. Also confirming occupancy of a two family for Many Years.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to approve.



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HEARINGS: 9:30AM

Case: BOA- 1611722 Address: 17 Linden Street Ward 21 Applicant: George Morancy, ESQ

Article(s): Art. 51 Sec. 57.2 Exst'g Bldg Algnmnt Conformity - Street modal calculation not provided to verify its compliance. Article 51, Section 8 Use: Forbidden - Multifamily Art. 51 Sec. 40 5(a) Off street parking design - parking space dimensions Article 51, Section 56 Off Street Parking Insufficient - Required: 28 spaces. Proposed: 6 Art.51 Sec.56 Off St Parking Design - Spaces dimensions insufficient. All are compact spaces. Article 51, Section 9 Add'l Lot Area Insufficient - Min. lot area required: 28,000 sqft Proposed: 6,490 sqft Article 51, Section 9 Floor Area Ratio Excessive - Max. allowed: 0.8 Proposed: 2.96 Article 51, Section 9 Bldg Height Excessive (Stories) - Max. allowed: 3 Proposed: 5 Article 51, Section 9 Bldg Height Excessive (Feet) - Max. allowed: 35' Proposed: 52' Art. 51 Sec. 09 Open Space insufficient - Min. required: 9,100 sqft Proposed: 675 sqft Article 51, Section 9 Front Yard Insufficient - Min. required: 20' Proposed: 2' Article 51, Section Side Yard Insufficient - Required: 5' from lot line Proposed: 4' (R) From existing structure: Required: 10' Proposed: 9.2' Required: 15' aggregate. Proposed: 10.1' Article 51, Section 9 Rear Yard Insufficient - Required: 30' - Proposed: 8.7'

Purpose: Construct new 5 story 14 unit residential building with 6 off street parking spaces. Raze existing structure under short form permit Number

Discussion: At the request of the Board, the applicant presented plans to erect a 5 story 14 residential unit dwelling that is MBTA accessible and in context with the neighborhood

Board members asked about the plans, proposal, outdoor space The Board noted the project was large for the lot

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. The carpenters union is in support.

Votes: Board member Collins moved to deny without prejudice. Pinado seconded and the motion carried unanimously.

Case: BOA-1627151 Address: 45-49 Charles Park Road Ward 20 Applicant: Jeffrey Drago, ESQ-ARTICLE 80



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Article(s): Art. 56 Sec. 40 Conformity with Existing Building Alignment- 56.40.1 Street modal calculation not provided to verify its compliance. Per 56.40.9 shall apply to both: Charles Park Rd. and Gardner Rd. Article 56 Section 40 Application of Dimensional Req - 56.40.3 Front wall not parallel to front lot line. Article 56 Section 40 Application of Dimensional Req - 56.40.5 Side wall not parallel to side lot line. Article 56 Section 40 Application of Dimensional Req - 56.40.8 Rear wall not parallel to rear lot line. Article 56 Section 40 Application of Dimensional Req - 56.40.9 Rear yard of through lots. Article 56 Section 40 Application of Dimensional Req - 56.40.2 Traffic visibility across corner Art. 56, Section 15 Use: Conditional - Multifamily use Art. 56, Section 16 Dimensional Regulations - FAR max allowed: 2 Proposed: 2.69 Art. 56, Section 16 Dimensional Regulations - Height: Max. allowed: 45' Proposed: 56' 6"

Purpose : New construction of a 121 unit apartment complex with underground parking garage (Type IA podium) for 91 vehicles; and two five story Type IIIB apartment buildings above the garage. Demolition of existing structures under SF# and SF# Project subject to LPR (BPDA) Lot consolidation: ALT1571656 eplan

Discussion: At the request of the Board, the applicant presented plans to erect 121 units with 90 off street parking spaces.

Board members asked about the plans, proposal, parking, configuration

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. The Carpenters union is in support.

Votes: Board member Whewell moved to approve with BPD review and 20 affordable units. with the roof deck to be set back five feet from the roof line. Stembridge seconded and the motion carried unanimously.

Case: BOA- 1599867 Address: 750-754A Adams Street Ward 16 Applicant: Julian Bulger

Article(s): Art. 09 Sec. 01 Extension of Non Conforming Use - <25%- Conditional Art. 65 Sec. 41 Off street parking requirements - Insufficient parking Article 65 Section 15 Use Regulations - Restaurant with takeout- Conditional Article 65, Section 15 Use: Forbidden - Restaurant with live entertainment after 1030pm(7.22.24 Remodified petition filing at BOA to include live entertainment)

Purpose: 7.22.24 Scope of work modified at appeals board/ZBA: Change of use and occupancy to Restaurant with takeout from 151 to 180 with new Seating Plan, to include, live entertainment after 1030PM per new plans submitted.

Discussion: At the request of the Board, the applicant presented plans to increase the occupancy of an existing restaurant from 151 to 180 persons.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Fitzgerald is in support.

Votes: Board member Collins moved to approve. Stembridge seconded and the motion carried unanimously.



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Case: BOA- 1598937 Address: 2-6 Readfield Place Ward 8 Applicant: Eric Zachrison

Article(s): Art. 50, Section 28 Use: Forbidden - Multi Family Dwelling Forbidden Article 50, Section 29 Rear Yard Insufficient Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Front Yard Insufficient Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Lot Frontage Insufficient Article 50, Section 29 Lot Width Insufficient Article 50, Section 29 Add'l Lot Area Insufficient Art. 10 Sec. 01 Limitation of off street parking areas - Parking less than 5 feet from side lot line

Purpose: Erect a new 3 story, residential building for 7 units with garaged and at grade parking. Unit #1 features a townhouse style dwelling with garage for 2 cars. Building proposed at the end of a private way and to be fully sprinklered; no elevator provided.

Discussion: At the request of the Board, the applicant presented plans to erect a 7 unit dwelling with 8 off street parking spaces and 1 affordable unit.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Whewell moved to approve with t1 affordable unit and BPD review. Stembridge seconded and the motion carried unanimously.

Case: BOA- 1621504 Address: 28 Jenkins Street Ward 7 Applicant: Charles McCarthy

Article(s): Art 68 Sec 29 Roof Structure Restrictions - Reconfiguration of existing roof profile Art 68 Sec 29 Roof Structure Restrictions - Max allowed height on parcel exceeded Art 68 Sec 29 Roof Structure Restrictions - Roof deck on main roof accessed via rear common stair as shown on plans Art 68 Sec 8 Dim reg app in res sub dist - Residential extensions into a rear yard >1,000GSF Art 68 Sec 8 Dim reg app in res sub dist - Insufficient rear yard setback Art 68 Sec 8 Dim reg app in res sub dist - Excessive f.a.r. Art 68 Sec 8 Dim reg app in res sub dist - Max allowed height in sub-district exceeded Article 68, Section 33 Off-Street Parking & Loading Req - Insufficient parking

Purpose: Erect vertical and rear additions, with rear balconies. Change legal occupancy from three family dwelling to four family dwelling. Install new code compliant egress windows in basement to correct violation V691274.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a 3 family to a 4 family dwelling.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. A local neighborhood association is in opposition.

Votes: Board member Pinado moved to approve. Stembridge seconded and the motion carried unanimously.

Case: BOA- 1621505 Address: 31 Jenkins Street Ward 7 Applicant: George Morancy, ESQ



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Article(s): Art 68 Sec 29 Roof Structure Restrictions - Access to main roof deck Art 68 Sec 29 Roof Structure Restrictions - Reconfiguration of existing roof profile; Max allowed height on parcel has been exceeded Art 68 Sec 8 Dim reg app in res sub dist - Insufficient rear yard setback Art 68 Sec 8 Dim reg app in res sub dist - Max allowed height on parcel has been exceeded Art 68 Sec 8 Dim reg app in res sub dist - Residential extensions into a rear yard . 1,000GSF Art. 68 Sec.08 Excessive f.a.r. Article 68, Section 33 Off-Street Parking & Loading Req - Insufficient parking

Purpose: Erect vertical and rear additions, with rear balconies. Change legal occupancy from three family dwelling to four family dwelling. Install new code compliant egress windows in basement to correct violation V6912767.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a 3 family to a 4 family dwelling.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. A local neighborhood association is in opposition.

Votes: Board member Pinado moved to approve. Stembridge seconded and the motion carried unanimously.

Case: BOA- 1625948 Address: 115-121 Boston Street Ward 7 Applicant: George Morancy, ESQ-ARTICLE 80 Article(s): Article 65, Section 15 Use: Conditional - Juice Bar/Café (Small Take out Restaurant 1st Story) Conditional Article 65, Section 15 Use: Conditional - Multifamily Dwelling (Second Story & Above) Conditional Article 65, Section 16 Floor Area Ratio Excessive Article 65, Section 16 Building Height Excessive Article 25A Section4 CFROD Applicability

Purpose: New construction of a mixed use building consisting of two towers sharing a ground floor podium; a 5 story tower & a 6 story tower. Ground floor to contain a Gym with Juice Bar/Cafe and amenity spaces for tenants. Upper stories contain 90 dwelling units. Parking garage located below grade. Development features a common terrace on the second floor, roof terrace at 6 story tower, and private balconies for select units. Building to occupy newly created 33,496sqft lot, see ALT1511154, ALT1511161, & ALT1511165 for combination of parcel IDs: 0703440000, 0703438000, 0703437000, 0703440001. Application filed in conjunction with neighboring ERT for the granting of motor vehicle easement access 5.21.24/PW.MJ.EC.

Discussion: At the request of the Board, the applicant presented plans to erect 90 compact units on 4 parcels

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Fitzgerald a local association and the carpenters union are in support.

Votes: Board member Whewell moved to approve. Stembridge seconded and the motion carried unanimously.



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Case: BOA- 1608544 Address: 1271 Boylston Street Ward 5 Applicant: Fenway Enterprises 1271 Boylston Street LLC

Article(s): Art. 06 Sec. 04 Other Protectional Conditions - Extension of time request to existing BOA provisio order of record pertaining to (i.e 10 modular Hotel units, Reduction of parking from 80 to 35 spaces issued under BOA#970461/ALT947239 with expired 2022 temp coo1361163 for 9 modular units) Article 66, Section 14 Use Regulations in NB - Ancillary parking conditional Article 66, Section 14 Use Regulations in NB - Commercial open air parking lot for a fee use – Forbidden

Purpose: Fenway Enterprises 1271 Boylston Street LLC is requesting a zoning code refusal letter from ISD to file an appeal with the board of appeal to extend the existing and long standing zoning relief for the property for parking expiring 7/15/24. see the enclosed materials for additional information

Discussion: At the request of the Board, the applicant presented plans to continue using the space for parking as it has been used previously.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Whewell moved to approve. Stembridge seconded and the motion carried unanimously.

Case: BOA- 1627184 Address: 39 Stanhope Street Ward 4 Applicant: HS Consulting Services

Article(s): Art. 32 Sec. 04 GCOD Applicability Article 48 section 5 FAR is excessive

Purpose: Erect approximately 300 room hotels with restaurant and no off street parking.

Discussion: At the request of the Board, the applicant presented plans to erect a 300 room hotel with a restaurant.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. The carpenters union and abutters are in support. An abutter is in opposition.

Votes: Board member Valencia moved to approve BPD review. Stembridge seconded and the motion carried unanimously.

Case: BOA- 1577880 Address: 61 Gladstone Street Ward 1 Applicant: Susan Yee

Article(s): Art. 53, Section 8 Use: Forbidden - 3 Family Forbidden Art. 53, Section 56 Off Street Parking Insufficient



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Purpose: Change occupancy from a two family to three family home. Scope includes a new rear exterior stair up to the 3rd level, and upgrades to life safety

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a 2 F to a 3F.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Coletta is in support.

Votes: Board member Pinado moved to deny without prejudice. Stenbridge seconded and the motion carried unanimously.

Case: BOA- 1622887 Address: 246 Bremen Street Ward 1 Applicant: 246 Bremen LLC

Article(s): Art.53 Sec.08 Use Forbidden - The proposed project will need to seek relief to change of use from a Two Family to a Four Family. Article 53, Section 9 Add'l Lot Area Insufficient - The proposed project will need to seek relief for insufficient Additional Lot Area for each additional dwelling unit (Sq. Ft.).Zoning requires 1,000 sq. ft. for each additional dwelling unit. Art. 53 Sec. 09 Side yard insufficient - The proposed project will need to seek relief for Insufficient Side yard of 0.8'.Zoning requires 2.5' (feet).Art. 53 Sec. 09 Floor Area Ratio Excessive - The proposed project will need to seek relief for Excessive Floor Area Ratio of 1.88. Zoning requires a maximum of 1.0. Article 53, Section 9 Bldg Height Excessive (Stories) - The proposed project will need to seek relief for Excessive story height of 4. Zoning requires 3 stories.Article 53, Section 9 Bldg Height Excessive (Feet) - The proposed project will need to seek relief for Excessive Building height of 40' (feet). Zoning requires 35' (feet). Article 53, Section 9 Rear Yard Insufficient - The proposed project will need to seek relief for insufficient rear yard setback (30.8' feet). Zoning requires at least 30' (feet). Article 53, Section 9 Usable Open Space Insufficient - The proposed project will need to seek relief for Usable Open Space Insufficient. Project will have less than the required 300 sq. ft. per unit. Zoning requires 300 sq. ft. per unit.Art. 53 Sec. 56 Off St. Parking Req'mnt - The proposed project will need relief for required parking. The project seeks to add two (2) additional units with zero (0) parking spaces.Aft.25 Flood Hazard District Nonresidential/Pre existing - The proposed project will need to seek relief from Article 25 because it is located in a Flood Hazard District.Art. 32 Sec. 32 4 Groundwater Conservation Overlay District, Applicability - The proposed project will need to seek relief because it is located within the Ground Water Conservation Overlay District.

Purpose: Confirm occupancy of two family home in existence for many years. Erect an addition and change occupancy from two to four residential units as per plans.

Discussion: At the request of the Board, the applicant presented plans to confirm the occupancy as a 2 family and change It to a 4 family.Erect an addition to accommodate the occupancy change.

Board members asked about the plans, proposal.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Coletta is in support.

Votes: Board member Valencia moved to approve with BPD review. Stenbridge seconded and the motion carried unanimously.

HEARINGS: 11:00AM



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Case: BOA- 1613252 Address: 13-17 Tanglewood Road Ward 17 Applicant: Sean George

Article(s): Article 65, Section 9 Floor Area Ratio Excessive - The proposed project will need to seek relief for Excessive Floor Area Ratio. Zoning requires .4, proposed project will have FAR of 1.99. Article 65, Section 9 Bldg Height Excessive (Stories) - The proposed project will need to seek relief for Excessive Story Height. Zoning requires not to exceed 2 1/2 Stories, the proposed project will have 4 Stories. Article 65, Section 9 Bldg Height Excessive (Feet) - The proposed project will need to seek relief for Excessive Building Height (feet). Zoning requires 35' (feet), the proposed structures will have a height of 37' 1 1/4" (feet). Article 65, Section 9 Side Yard Insufficient - The proposed project will need to seek relief for Insufficient Side Yard. Zoning requires 10'(feet). The proposed project will have 5' (feet) side yard setbacks. Article 65, Section 9 Rear Yard Insufficient - The proposed project will need to seek relief for Insufficient Rear Yard setbacks. Zoning requires 30' (feet). The proposed project will have a rear set back of 10' (feet). Article 65, Section 9.2 Dim Regs: Location of Main Entrance - The proposed project will need to seek relief for the Location of the Main Entrance(s)/Front Doors. The main entrances/front doors of the proposed project will not face Tanglewood RD. Art. 65 Sec. 08 Forbidden - The proposed project will need to seek relief for constructing ROWHOUSES in a TWO FAMILY ZONE. Article 65, Section 32 Neighborhood Design Overlay Districts - The proposed project is subject to a design review because it is located in a Neighborhood Design Overly District. Article 65, Section 9 Usable Open Space Insufficient - The proposed project will need to seek relief for - Minimum Open space Ratio per dwelling .

Purpose: The subdivision of parcel ID 1703750000 for the ground up construction of Four (4) townhomes. Existing condition is a 2 Unit and 18 room lodging house. Subdivision will consist of Lot A 5,652 SQF for the 4 town homes and Lot B 7,301 SQF for the existing building.

Discussion: At the request of the Board, the applicant presented plans to erect 4 townhouse style units.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Worrell, Councilor Murphy and an abutter are in support.

Votes: Board member Colins moved to approve. Stembridge seconded and the motion carried unanimously.

Case: BOA- 1613247 Address: 1111-1113 Washington Street Ward 17 Applicant: Sean George

Article(s): Art. 65 Sec. 65 41.4 Parking in the Front Yard - Propose parking of Lot #1 (1111 1113 Washington ST.) will be located in the front yard of Lot #2 (13 17 Tanglewood RD). Art. 10 Sec. 01 Limitation of off street parking areas - Proposed parking for Lot #1 (1111 1113 Washington ST) is an Ancillary use to Lot #2 (13 17 Tanglewood RD) is conditional. Article 65, Section 9 Rear Yard Insufficient - Subdivision of Lot #1 (1111 1113 Washington ST) requires relief for the Rear Yard set back. Art. 55 Sec. 65 41 Off Street parking insufficient - Subdivision of Lot #1 (1111 113 Washington ST) requires relief for required number of parking spaces, eleven to four parking spaces.

Purpose: No scope of work as this is a subdivision. Existing Lot known as 1111 1113 Washington Street; has a lot size of 12, 953 sq. ft., will be sub divided into two lots. The second lot to be known as 13 17 Tanglewood Road with 5,662 sq. ft. (ERT1576571 for four Townhouses). Eplans filed Pending the Approval of ERT1576571 for 13 17 Tanglewood Road

Discussion: At the request of the Board, the applicant presented plans to erect 4 townhouse style units.

Board members asked about the plans,

Documents/Exhibits: Building Plans



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Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Worrell, Councilor Murphy and an abutter are in support.

Votes: Board member Colins moved to approve. Stembridge seconded and the motion carried unanimously. line. Stembridge seconded and the motion carried unanimously.

Case: BOA- 1423752 Address: 3 Half Moon Street Ward 13 Applicant: Francis Toka

Article(s): Article 50 , Section 43 Off Street Parking & Loading Req Article 50, Section 24 Use Regulations Article 50, Section 29 Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive

Purpose: The work generally consists of converting an existing unoccupied basement into a 4th unit in an existing three family structure. The existing building is non sprinklered, but will have an approved NFPA 13R system installed as part of the work. Project being submitted for initial ISD rejection.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from 3 family to a 4 family.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Valencia moved to approve with no building code relief. Stembridge seconded and the motion carried unanimously.

Case: BOA-1599310 Address: 157 O Street Ward 6 Applicant: Brian Foley & Lara Sullivan

Article(s): Article 68, Section 8 Side Yard Insufficient Article 68, Section 29 Roof Structure Restrictions

Purpose: Change of occupancy to single family. Convert an existing two family dwelling to a single family dwelling. Renovate the existing interior and expand the existing rear of the dwelling, as well as add a roof deck and headhouse. The basement will be finished and included as part of the proposed living space.

Discussion: At the request of the Board, the applicant presented plans to convert a 2 family to a single family dwelling by extending the rear and adding a roof deck.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. A local neighborhood association is in support.

Votes: Board member Pinado moved to approve. Stembridge seconded and the motion carried unanimously.

Case: BOA-1595753 Address: 549 Columbus Avenue Ward 4 Applicant: Bogosian Development LLC

Article(s): Article 64 Section 8 Use Regulations - Office (2nd story) Forbidden Article 64, Section 9 Floor Area Ratio Excessive - Office gross area extension

Purpose: Change of occupancy from Book Store to Office. Re build existing front façade. Re build interior partitions for office fit out. Re build secondary level (mezzanine) to make code compliant. FA/FP included

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a book store to an office space.



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Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Whewell moved to approve. Stembridge seconded and the motion carried unanimously.

Case: BOA- 1624853 Address: 53-85 Canal Street Ward 3 Applicant: Jeffrey Drago

Article(s): Art. 11 Sec. 2 Signs Non Residential Dist. - Top of sign exceeds the maximum height allowed. Sign area exceeds the maximum allowed. Art.11 Sec.06 Billboard Signs Billboards and signboards not allowed in this district.(b) No new billboards within 660 feet of a federally funded highway are allowed.Art. 46 Sec. 08 Bul/Tri Dist Des Review - (b) Exterior alterations affecting more than five hundred (500) square feet of the Street Wallfaçade above the Ground Floor Ceiling Height of an existing building are subject to Small Project Review.Art.80 Sec. 80E 2 - Appl. of Small Project Review

Purpose: To remove existing posters structures on the side of the wall and replace with a 25' x 25' static walls cape which has no structure

Discussion:Votes: Upon a motion and a second the board moved to defer until September 10, 2024.

Case: BOA-1555168 Address: 8 Webster Avenue Ward 1 Applicant: Chris Glaropoulos

Article(s): Article 69, Section 9 Front Yard Insufficient Article 69, Section 9 Side Yard Insufficient Article 69, Section 9 Rear Yard Insufficient Art.69 Sec. 29 Roof structures restrictions

Purpose: We would like to finish the basement, add 2 rear porches, and a roof deck

Discussion: At the request of the Board, the applicant presented plans to add additional living space into the lower level of unit one and add an exclusive roof deck for unit three with a hatch within the unit

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Whewell moved to approve with the roof deck to be set back five feet from the roof line. Stembridge seconded and the motion carried unanimously.

RE-DISCUSSIONS: 11:30 AM

Case: BOA-1353108 Address: 6 Dana Avenue Ward 18 Applicant: Luis Matute

Article(s): Article 69, Section 8 Use: Forbidden - Basement units Art. 69 Sec. 29.5 Off St.Prk'g:Design - Parking space dimensions. Article 69 Section 29 Off Street Parking & Loading Req - Proposing to legalize 8 existing parking spaces. Required for "new" basement unit: 2 more spaces. Article 69 Section 12 Exceeding allowed FAR extending living space for the "new" unit into the basement. Art. 10 Sec. 01 Limitation of parking areas - Parking spaces (P1, P6, P7 and P8) are located on the front yard (Pingree Street)

Purpose: Applying for change of use and occupancy, existing unit No. 07/no work. Unit 7 was never finished legally on paper construction was completed, previous owner passed away during the process. Confirmed occupancy as a 6 residential units and commercial office space (commercial unit is one at issue) change to 7 residential units according to drawings and specifications. Legalize 8 existing parking spaces.



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Discussion:Votes: Upon a motion and a second the board moved to defer until September 24th

Case: BOA-1304433 Address: 10 Thompson Square Ward 2 Applicant: Sing Ming Chan

Article(s): Art. 62 Sec. 14 Usable open space insufficient Article 62, Section 14 Excessive f.a.r.

Article 62, Section 14 Excessive height Article 62, Section 14 Insufficient rear yard setback Article 62, Section 29 Off-Street Loading Insufficient - None proposed Art. 62 Sec. 62-29 Off street parking requirements - None proposed

Purpose: Erect a new mixed use building with commercial space (RETAIL) on first floor and 12 dwelling units above. Existing building to be razed under separate permit. *4.10.23: Reduced project scope at ZBA to 12 units and 4 stories

Reason for Prior Deferral: To continue community process

Discussion: Votes: upon a motion and a second the Board moved to defer until September 24, 2024.

Case: BOA-1563599 Address: 9 Geneva Street Ward 1 Applicant: Geneva Street, LLC-ARTICLE 80

Article(s): Art. 27G E Boston IPOD Article 25A Section4 CFROD Applicability Art. 32 Sec. 04 GCOD Applicability Article 53 Section 56 Off Street Parking & Loading Req Article 53, Section 9 Lot Area Insufficient 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 Rear Yard Insufficient

Purpose: Combine lots, demo existing structures (to be demolished under separate permit applications pursuant to Article 85 of the Code) and erect a 5 story multi family dwelling with twenty eight (28) dwelling units with sixteen (16) parking spaces with bike storage. See ALT1522630 for combining lots.

Discussion: At the request of the Board, the applicant presented plans to combine lots and demo the existing and erect a 5 story

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. The Carpenters Union is in support.

Votes: Board member Valencia moved to approve. Stenbridge seconded and the motion carried unanimously.

HEARINGS: 1:00PM

Case: BOA- 1622107 Address: 22-24 Tilesboro Street Ward 16 Applicant: Alan Nguyen

Article(s): Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Bldg Height Excessive (Stories)

Article 65, Section 9 Floor Area Ratio Excessive

Purpose: Adding Dormers to attic for extension of living space for unit 2 only and finishing basement for extension of living space for unit 1 Only

Discussion: At the request of the Board, the applicant presented plans to add dormers to increase the amount of livable space for unit 2 and keep the space as a 2 family

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.



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Votes: Board member Whewell moved to approve with BPD design review with attention to the dormers. Stembridge seconded and the motion carried unanimously.

Case: BOA-1322135 Address: 25 Hendry Street Ward 15 Applicant: Joseph Vozzella

Article(s): Art. 65 Sec. 9 Residential Dimensional Reg.s - Lot size is insufficient to erect a three family dwelling unit. Art. 65 Sec. 9 Residential Dimensional Reg.s - Lot area for the add'l dwelling units is insufficient Art. 65 Sec. 9 Residential Dimensional Reg.s - Minimum lot width requirement is insufficient Art. 65 Sec. 9 Residential Dimensional Reg.s - Minimum lot frontage is insufficient Art. 65 Sec. 9 Residential Dimensional Reg.s - Floor area ratio is excessive Art. 65 Sec. 9 Residential Dimensional Reg.s - Height requirement is excessive Art. 65 Sec. 9 Residential Dimensional Reg.s - Minimum side yard requirement is insufficient Art. 65 Sec. 9 Residential Dimensional Reg.s - Usable open space is insufficient

Purpose: On a vacant parcel, erect a three-family residential structure.

Discussion: At the request of the Board, the applicant presented plans to erect a 3 family on a vacant lot with 3 off street parking spaces

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Whewell moved to approve with BPD review with attention to permeable surfaces. Stembridge seconded and the motion carried unanimously.

Case: BOA-1632235 Address: 250 Seaver Street Ward 12 Applicant: Derric Small

Article(s): Article 50 Section 24 Use: Conditional

Purpose: Change the legal occupancy from a one family to a lodging house for eighteen lodgers.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy to a lodging house for 16 lodgers.

Board members asked about the plans,

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. The Mayor's office of housing, and a local association are in support.

Votes: Board member Pinado moved to approve with design review. Stembridge seconded, Langhman opposed and the motion carried 6-1.

Case: BOA- 1601715 Address: 32 Concord Street Ward 2 Applicant: James Herter



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Article(s): Article 62, Section 25 Roof Structure Restrictions - The proposed project will need relief from the BOA for said violation. The Project is also located in a Neighborhood Design Overlay District.

Purpose: New front and rear dormers. New third floor and revised second floor layout. All associated plumbing, electrical and HVAC. ZBA / BPDA approval will be required. Confirming occupancy of a single-family dwelling.

Discussion/Votes: Upon a motion and a second the Board moved to defer until Septmeber 10, 2024.



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STEPHANIE HAYNES
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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