



City of Boston  
Board of Appeal

**RECEIVED**

*By City Clerk at 8:00 am, Sep 06, 2024*

Tuesday, September 10, 2024

BOARD OF APPEALS

City Hall Room 801

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## HEARING AGENDA

**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON SEPTEMBER 10, 2024 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS SEPTEMBER 10, 2024 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

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

**THE SEPTEMBER 10, 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/September10Comment> 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/September10Comment> 617-635-4775, or emailing [zba.ambassador@boston.gov](mailto: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](mailto: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](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. 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**

**August 13, 2024**

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

**Case: BOA-992109 Address: 24 Rand Street Ward 13 Applicant: Kenneth Daddabbo**

**Case: BOA- 992105 Address: 28 Rand Street Ward 13 Applicant: Kenneth Daddabbo**

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

**Case: BOA-1627274 Address: 344 Newbury Street Ward 5 Applicant: UMNV 344 Newbury, LLC**

**Articles(s):** Art. 32 Sec. 04 GCOD Applicability

**Purpose :** Installation of groundwater recharge system BWSC Site Plan #23163

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

**Case: BOA- 1600076 Address: 1 Adams Street Ward 2 Applicant: Katherine Durrane**

**Articles(s):** Article 62, Section 25 Roof Structure Restrictions Proposed roof deck Article 62, Section 8 Dimensional Regulations 62.7 Building height. Max. allowed: 35 Existing: 49' 8" Exceeded proposing the roof deck.

**Purpose :** Construct new roof deck, accessed by hatch. Construct new interior stair from 4th floor for access. Amendment to ALT1537682

**Case: BOA-1600087 Address: 1 Adams Street Ward 2 Applicant: Katherine Durrane**

**Articles(s):** 9th 780 CMR 1011 Stairways 1011.12.2 Roof access shall be done through a penthouse. Proposed: done through a hatch.

**Purpose :** Construct new roof deck, accessed by hatch. Construct new interior stair from 4th floor for access. Amendment to ALT1537682

**Case: BOA- 1604223 Address: 13R North Avenue Ward 8 Applicant: Samuel Hurtado**

**Articles(s):** 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 Lot Frontage Insufficient Article 50, Section 29 Lot Width Insufficient Article 50, Section 29 Lot Area Insufficient Article 50, Section 43 Off Street Parking Insufficient Article 50, Section 44.13 Two or More Dwellings on Same Lot

**Purpose:** change of occupancy to single-studio unit. homeowner seeks to convert an existing 335 square foot accessory car garage into a livable accessory dwelling unit. footprint and height of existing garage to remain with addition of rear stair and roof deck. all utilities to be connected to main house to keep structure accessory to existing home



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**Case: BOA# 1604224 Address: 13R North Avenue Ward 8 Applicant: Samuel Hurtado**

**Articles(s):** 9th 780 CMR R302 Fire Resistant Construction R302.1 Exterior Walls. Construction, projections, openings and penetrations of exterior walls of dwellings, and accessory building shall comply with Table R302.1(1); or dwellings equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13D shall comply with Table R302.1(2). [New openings proposed with less than 3ft fire separation] 9th 780 CMR R311 Means of Egress R311.1 Means of Egress. Dwelling units shall be provided with a primary and secondary means of egress in accordance with this section. Each means of egress shall provide a continuous and unobstructed path of vertical and horizontal egress travel from all portions of the dwelling to the egress doors. The primary means of egress shall not require travel through a garage but the secondary means of egress may. The required egress doors shall open directly into a public way or to a yard or court that opens to a public way. [Two remote egress doors required with no obstruction of furniture]

**Purpose:** change of occupancy to single-studio unit. homeowner seeks to convert an existing 335 square foot accessory car garage into a livable accessory dwelling unit. footprint and height of existing garage to remain with addition of rear stair and roof deck. all utilities to be connected to main house to keep structure accessory to existing home

**Case: BOA-1552298 Address: 27 Dudley Street Ward 9 Applicant: Cameron Merrill**

**Articles(s):** Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Lot Area Insufficient Article 50, Section 32 Use: Forbidden

**Purpose :** Change occupancy from a 6 unit building to a 7 unit building by splitting unit 3 into 2 units making it 7 units

**Case: BOA- 1597959 Address: 3336 Washington Street Ward 11 Applicant: Lee Goodman**

**Articles(s):** Art. 55, Section 19 Use: Forbidden Multi Family Dwelling Forbidden Art. 55, Section 19 Use: Forbidden Townhouse Forbidden Art. 55, Section 19 Use: Conditional Café (Small restaurant with take out) Conditional Art. 55, Section 20 Dimensional Regulations Floor Area Ratio excessive Art. 55, Section 20 Dimensional Regulations Building Height excessive Art. 55, Section 20 Dimensional Regulations Usable Open Space insufficient Art. 55, Section 20 Dimensional Regulations Rear Yard Art. 55, Section 40 Off Street Parking Insufficient

**Purpose :** Change of occupancy to include café (core/shell) and 8 residential units. Scope involves conserving existing façade, selective demolition of interior with vertical & horizontal additions to add 8 new dwelling units (Multifamily & 3 Townhouses). Building to contain mixed use with storefront at grade for existing bakery, adding café, plus 8 residential units. Existing façade and foundation of existing 1 story building to remain, per Engineer's memo. New foundation for additions and upgrades to life safety (FA/FP) also included.

**Case: BOA-1582245 Address: 50-52 Townsend Street Ward 11 Applicant: Shear-Yashuv Shear-Yashuv**

**Articles(s):** 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 32 Use: Forbidden Article 50, Section 43 Off Street Parking Insufficient

**Purpose :** Combine 50 Townsend with 52 Townsend into 1 building to be known as 50 52 Townsend St. Change occupancy from a 6 family to an 8 family to include 2 units in the basement & renovate as per plans including sprinkler & fire alarm and MEP

**Case: BOA- 1632317 Address: 61 Linden Street Ward 15 Applicant: My Lam**

**Articles(s):** Article 65, Section 8 Use Regulations Multifamily Dwelling Forbidden Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 41 Off street parking requirements Article 65, Section 65 41.5 Parking Size & Maneuverability Article 65, Section 42.2 Conformity w Ex Bldg Alignment Article 10, Section 01 Limitation of off street parking areas Parking less than 5 feet from side lot line.

**Purpose :** Construct new 3 Story, 6 unit multifamily building with balconies and balconies. Demolish existing single family under separate permit.



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**Case: BOA- 1575600 Address: 214 Norwell Street Ward 17 Applicant: John Pulgini**

**Articles(s):** Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Usable Open Space Insufficient Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Add'l Lot Area Insufficient

**Purpose :** To erect a new 3 story /3 unit dwelling with 3 off street parking spaces in the rear as per plans.

**Case: BOA- 1589819 Address: 133-135 Whitfield Street Ward 17 Applicant: Douglas Miller**

**Articles(s):** Article 65, Section 9 Floor Area Ratio Excessive Max. allowed: 0.4 Proposed: 1.2 Article 65, Section 9 Bldg Height Excessive (Stories) Max. allowed: 2.5 Proposed: 3 (3rd floor exceeds 50% of 2nd floor's area) Article 65, Section 9 Front Yard Insufficient Min. required: 15' Proposed: 5.3' (new porch) Article 65, Section 9 Side Yard Insufficient Min. required: 10' Proposed: 5.7' Article 65 Section 42 Off Street Parking Insufficient Required: 3 Proposed: none shown in the plot plan.

**Purpose :** The property is currently a legal 2 family multifamily. We propose to make the property 3 family multifamily which includes adding meter, fire escape, heating, electric, shower for the third unit. In addition, redo the front deck. See attached contractor scope of work.

**HEARINGS: 11:00AM**

**Case: BOA-1637375 Address: 336 Meridian Street Ward 1 Applicant: 336 Meridian Corp**

**Articles(s):** ARTICLE 53; SECTION 53 5 E.B. District Dimensional Insufficient rear yard setback proposed <10' from lot line Regulations (Table F) not allowed per Article 53 29 section 10 Rear yards of shallow lots (i.e takedown of existing rear porches and reconstruct as newly extended living space for office/gym use per plans submitted) Article 53 Section 56 Off Street Parking Insufficient parking

**Purpose:** Renovate and change occupancy from a three (3) unit residential dwelling to a four (4) unit residential with a new private roof deck, per plans submitted.

**Case: BOA-1627289 Address: 238-240 Maverick Street Ward 1 Applicant: Matthew Wessels**

**Articles(s):** Article 53, Sec. 08\*^ Forbidden Multifamily use Article 53, Section 9 Add'l Lot Area Insufficient Min. required: 4,000 sqft Proposed: 1,652 sqft Article 53, Section 9 Floor Area Ratio Excessive Max. allowed: 1 Proposed: 2.64 Article 53, Section 9 Bldg Height Excessive (Stories) Max. allowed: 3 Proposed: 4 Article 53, Section 9 Bldg Height Excessive (Feet) Max. allowed: 35' Proposed: Approx. 48' (top of skylight considered according to roof structure restrictions article) Article 53, Section 9 Usable Open Space Insufficient Min. required: 1,200 sqft Article 53, Section 9 Front Yard Insufficient Min. required: 5' Proposed for both streets: 0' Article 53, Section 9 Rear Yard Insufficient Min. required: 30' Proposed" 5.9' Article 53, Section 52 Roof Structure Restrictions Roof deck exceeding max. allowed height. and max. allowed structure's area. Roof deck insufficiently separated from abutting streets. Article 53, Section 56^ Off street parking insufficient Required: 1 Proposed: 0 Article 32, Section 32 4 Groundwater Conservation Overlay District, Applicability Article 53, Section 9 Side yard insufficient Min. required: 2.5' Proposed: 2.2'

**Purpose:** Erect addition, confirm occupancy as three family and change to four units with a roof deck exclusive to unit 4.

**Case: BOA#1627005 Address: 238-240 Maverick Street Ward 4 Applicant: Matthew Wessels**

9th 780 CMR 1011 Stairways Access to the proposed roof deck shall be done through a penthouse instead of a hatch.

**Purpose:** Erect addition, confirm occupancy as three family and change to four units with a roof deck exclusive to unit 4.

**Case: BOA-1625940 Address: 400-408 West Broadway Ward 6 Applicant: George Morancy, ESQ-ARTICLE 80**

**Purpose:** Change of Occupancy from 36 Residential units, 36 parking spaces, and 1 retail store see ERT884395 to 36 Residential Units, 36 Parking spaces, and RESTAURANT which is a conditional use.



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**Case: BOA- 1630349 Address: 275 Gold Street Ward 7 Applicant: Kyle Parsons**

**Articles(s):** Art 68 Sec 29 Roof Structure Restrictions Max allowed restricted height to 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 Insufficient side yard setback Art 68 Sec 8 Dim reg app in res sub dist Insufficient front yard setback Art 68 Sec 8 Dim reg app in res sub dist Insufficient usable open space per unit Art 68 Sec 8 Dim reg app in res sub dist Max allowed height in subdistrict has been exceeded Art 68 Sec 8 Dim reg app in res sub dist Insufficient additional lot area per unit Art 68 Sec 8 Dim reg app in res sub dist Insufficient minimal lot size Art 68 Sec 8 Dim reg app in res sub dist Excessive f.a.r Art 68 Sec 33 Off Street parking Req. Design/ maneuvering areas for each required parking space. (revised scope) Art. 68 Sec. 33 Off Street parking Req. Insufficient parking still exists due to tandem design (revised scope)

**Purpose:** Revised scope of work 3.12.24: Nominal Fee requested. Erect a new 3 family, 4 story building, with three car parking, no elevator. Fully Sprinklered. \*HP variance required from AAB for lift access to grp 1 designed dwelling  
\*\*Previous scope redacted: Nominal Fee requested. Erect a new 4 family, 4 story building, with no parking, no elevator. Fully Sprinklered.

**Case: BOA- 1605933 Address: 53 Burrell Street Ward 8 Applicant: Sean George**

**Articles(s):** Article 50, Section 29 Rear Yard Insufficient Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 43 Off Street Parking Insufficient Article 50, Section 29 Lot Area Insufficient

**Purpose:** Demolish existing garages in order to erect a new Three Family.

**Case: BOA- 1616343 Address: 120 Glendower Road Ward 18 Applicant: Ulson Lucien**

**Articles(s):** Article 67, Section 9 Lot Area Insufficient Article 67, Section 9 Add'l Lot Area Insufficient Article 67, Section 9 Lot Width Insufficient Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Bldg Height Excessive (Stories) Article 67, Section 9 Usable Open Space Insufficient Article 67, Section 9 Side Yard Insufficient Article 67, Section 9 Dimensional Regulations Insufficient lot width frontage

**Purpose:** SCOPE OF WORK Clarification: Construct a two family dwelling on newly created 4,000sf parcel per plans provided.(See ALT XXXXXX for subdivision of existing lot at 124 Glendower RD to Subdivide existing 8548 sf lot into two separate lots. 124 Glendower to have 4548sf and new lot to have 4000sf for this newly proposed two family detached dwelling per plans provided.) Original scope: I want to subdivide the existing lot from 8500sq to 4000sq/4500sq and I would like to build two family dwelling on the 4500sq side

**Case: BOA- 1616347 Address: 124 Glendower Road Ward 18 Applicant: Ulson Lucien**

**Articles(s):** Article 67, Section 9 Lot Area Insufficient Article 67, Section 9 Add'l Lot Area Insufficient Article 67, Section 9 Lot Width Insufficient Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Bldg Height Excessive (Stories) Article 67, Section 9 Usable Open Space Insufficient Article 67, Section 9 Side Yard Insufficient Article 67, Section 9 Dimensional Regulations Insufficient lot width frontage

**Purpose:** SCOPE OF WORK Clarification: Construct a two family dwelling on newly created 4,000sf parcel per plans provided. (See ALT XXXXXX for subdivision of existing lot at 124 Glendower RD to Subdivide existing 8548 sf lot into two separate lots. 124 Glendower to have 4548sf and new lot to have 4000sf for this newly proposed two family detached dwelling per plans provided.)Original scope: I want to subdivide the existing lot from 8500sq to 4000sq/4500sq and I would like to build two family dwelling on the 4500sq side

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

**Case: BOA-1588133 Address:190R Paris Street Ward 1 Applicant: Ardit Kraja**

**Article(s):** Article 53, Section 9 Rear Yard Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Usable Open Space Insufficient

**Purpose:** Confirm occupancy as one family. Seeking to renovate the existing single family structure known as 190R Paris Street including erecting a side addition and dormers. Nominal Fee.



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**Case: BOA-1606963 Address: 30 Concord Street Ward 2 Applicant: James Williams**

**Article(s):** Article 62, Section 25 Roof Structure Restrictions

**Purpose:** New front dormer and extended rear dormer. New third floor layout with new bathroom and bedroom rework for three bedrooms. All associated plumbing, electrical and HVAC. ZBA / BPDA approval will be required.

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

**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.

**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 Wall façade 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 wallscape which has no Structure

**Case: BOA-1599860 Address: 332 West Broadway Ward 6 Applicant: Julian Bolger**

**Article(s):** Article 68 Section 07 Use Regs. Live entertainment use operating before or after 1030pm- Forbidden Article 68 Section 07 Use Regs. Restaurant with Take out- Forbidden (scope of work modification 7.29.24)

**Purpose:** 7.29.24 Modification of legal scope of work at appeals board: Change of occupancy of space to add take out and live entertainment after 10:30pm (DJ & Acoustic music)

**Case: BOA-1565102 Address: 8 Greenville Street Ward 8 Applicant: Ahmed Nur**

**Article(s):** Art. 50 Sec. 43 Off street parking requirements Insufficient clear access and maneuvering areas for 8R Greenville proposed parking access Article 50 Section 26 Establish of Res. Subdistricts Insufficient open space per unit

**Purpose:** Provide an extended driveway access easement through present driveway of our 8 Greenville street for vehicular, pedestrian, and utility access for the newly proposed 3 unit dwelling to be constructed on the rear lot to be known as 8R Greenville St. This application has been applied for in conjunction with #ERT1544277

**Case: BOA-1565094 Address: 8R Greenville Street Ward 8 Applicant: Ahmed Nur**

**Article(s):** Art. 50 Sec. 44.2 Existing Bldg Alignment Conformity with streets Existing Building line alignment for Front yard. Article 50 Section 26 Establish of Res. Subdistricts Insufficient lot size-4,000sf required Article 50 Section 26 Establish of Res. Subdistricts Insufficient lot width frontage along the public street -40' required Article 50 Section 26 Establish of Res. Subdistricts Excessive f.a.r. -1.0 max Article 50 Section 26 Establish of Res. Subdistricts Insufficient open space per unit - 200sf/unit required Article 50 Section 26 Establish of Res. Subdistricts Insufficient side yard setback -10' required Article 50 Section 26 Establish of Res. Subdistricts Insufficient rear yard setback -20' required

**Purpose:** Erect a four story, three family dwelling (townhouse unit design) with private roof decks and ground story parking with easement access drive from 8 Greenville per plans submitted. (See ALT1544281)

**Case: BOA-1603160 Address: 20 Hinckley Street Ward 13 Applicant: Vazberg Properties**

**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 Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Area Insufficient Article 65, Section 42.2 Conformity w Ex Bldg Alignment Article 65, Section 41 Off Street Parking Regulations

**Purpose:** Erect a 3 story, single family house, on vacant parcel with front facing decks.



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**Case: BOA- 1601598 Address: 142 Erie Street Ward 14 Applicant: Matt Henzy**

**Article(s):** Art. 60 Sec. 09 Floor Area Ratio excessive The proposed project will have a F.A.R. of 1.18 not the required F.A.R of .8 . Art. 60 Sec. 09 Rear yard insufficient The proposed project will have a rear yard set back of 16'-3" to 17'-6" (sixteen feet and three inches to seventeen and six inches) not 30' (thirty feet ) as required. Art. 60 Sec. 09 Side yard insufficient The proposed project will have a side yard of 6'-7" (six feet & seven inches) not 10' as required. Art. 60 Sec. 40 Off street parking insufficient The proposed project will need to seek relief for Off Street Parking. Art. 60 Sec. 9 Additional Lot Area Insuff The proposed project will have NO additional square footage per unit. Zoning requires at least 2,500 Square Feet. Article 60, Section 41.1 Conformity Ex Bldg Alignment The proposed project will only have 5'-9"(five feet and 9 inches) in the front yard not 10' (ten feet) as required. Alignment with the existing buildings will be required.

**Purpose:** New construction of 3 family per revised plans dated May 31,2024.

**Case: BOA-1466516 Address: 250 Pond Street Ward 19 Applicant: David A Gillies**

**Article(s):** Article 55, Section 9 Rear Yard Insufficient; Article 55, Section 41.12 Two or More Dwellings on Same Lot; Article 55, Section 40 Off Street Parking Insufficient - Parking removed from main dwelling.

**Purpose:** In connection with ERT1415452 for two dwellings on the same lot.

**Case: BOA-1605958 Address: 250R Pond Street Ward 19 Applicant: David A Gillies**

**Article(s):** Article 55, Section 41.12 Two or More Dwellings on Same Lot; Article 55, Section 9 Lot Area Insufficient; Article 55, Section 9 Lot Frontage Insufficient Article 55, Section 9 Rear Yard Insufficient Article 55, Section 9.3 Dim Reg Location of Main Entrance.

**Purpose:** Erect new 2-story single family with garage. Demolish existing two car garage under separate permit.

**Case: BOA#1466520 Address: 250R Pond Street Ward 19 Applicant: David A Gillies**

**Purpose:** Erect new 2 story single family with garage. Demolish existing two car garage under separate permit. Also see ALT1443003. Article(s) 9th 780 CMR R311 Means of Egress R311.1 Means of Egress. Dwelling units shall be provided with a primary and secondary means of egress in accordance with this section. Each means of egress shall provide a continuous and unobstructed path of vertical and horizontal egress travel from all portions of the dwelling to the egress doors. The primary means of egress shall not require travel through a garage but the secondary means of egress may. The required egress doors shall open directly into a public way or to a yard or court that opens to a public way. [Only a single means of egress provided]

**HEARINGS: 1:00PM**

**Case: BOA- 1615937 Address: 297 Newbury Street Ward 5 Applicant: Ember Gardens Boston LLC/Shane Hyde-CANNABIS**

**Purpose:** Change Occupancy from Retail to cannabis dispensary. Renovation of interior space to fit out as retail space (cannabis dispensary). Some interior non bearing walls will be removed and new walls constructed.

**Case: BOA-1398736 Address: 5 Warren Avenue Ward 18 Applicant: David Collins**

**Article(s):** Article 69, Section 29 Off Street Parking & Loading Req 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 Bldg Height Excessive (Feet) Article 69, Section 9 Front Yard Insufficient Article 69, Section 9 Side Yard Insufficient

**Purpose:** Erect new structure, and demolish existing. Convert occupancy from single family to 9 condominium units. Proposed parking below structure, and in rear, adding (9) parking spots, as per plans. E-Plans filed. \*NOMINAL FEE LETTER filed with plans.





City of Boston  
Board of Appeal

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

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