

**RECEIVED**

**By 135872 at 4:25 pm, Nov 10, 2025**



City of Boston  
Board of Appeal

**Tuesday, October 28, 2025      BOARD OF APPEALS      City Hall Room 801**

---

### **HEARING AGENDA**

**Please be advised of the following appeals to be heard on November 18, 2025 beginning at 9:30 am and related announcements.**

**All matters listed on this November 18, 2025 Hearing agenda have been noticed in accordance with the enabling act. please be advised of the following participation instructions:**

**The November 18, 2025 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/ZBATuesHearings2025>. You may also participate by phone by calling into the Zoom Webinar at (301) 715 8592 and entering the Webinar ID: 857 3265 6216 followed by # when prompted.**

**If you wish to offer testimony on an appeal, please click <https://bit.ly/NOV18ZBAComments> 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/NOV18ZBAComments> 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).**

**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**

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

**Case: BOA-1285218 Address: 94 Morris Street Ward 1 Applicant: Richard Lynds, Esq**

**Case: BOA-1285217 Address: 94 Morris Street Ward 1 Applicant: Richard Lynds, Esq**

**Case: BOA-1456727 Address: 270 Sumner Street Ward 1 Applicant: Richard Lynds, Esq**

**Case: BOA-759563 Address: 80 Marginal Street Ward 1 Applicant: Richard Lynds, Esq**

**Case: BOA- 1387348 Address: 55 Meridian Street Ward 1 Applicant: Richard Lynds, Esq**

**Case: BOA-1473283 Address: 604 Metropolitan Avenue Ward 18 Applicant: Cesar DaSilva**

**Case: BOA-1428646 Address: 42 East Street Ward 15 Applicant: Muoi Tran**

**Case: BOA-1307730 Address: 306 Sumner Street Ward 1 Applicant: Xiaoguang**

**Case: BOA-1197822 Address: 130 Greateon Road Ward 20 Applicant: Beth McLean**

**Case: BOA-1461525 Address: 48 Torrey Street Ward 17 Applicant: Ryan Spitz, Esq**

**Case: BOA-1523713 Address: 9 Vaughan Avenue Ward 14 Applicant: Joseph Feaster, Jr. Esq**

**Case: BOA-1523744 Address: 11 Vaughan Avenue Ward 14 Applicant: Joseph Feaster, Jr. Esq**

**Case: BOA-1523749 Address: 17 Vaughan Avenue Ward 14 Applicant: Joseph Feaster, Jr. Esq**

**Case: BOA- 1523753 Address: 19 Vaughan Avenue Ward 14 Applicant: Joseph Feaster, Jr. Esq**

**Case: BOA-1387346 Address: 631-633 Cummins Highway Ward 18 Applicant: Patrick Targete, Manager**

**Case: BOA- 1242680 Address: 171 Corey Road Ward 21 Applicant: Cameron S. Merrill**

**Case: BOA-1536940 Address: 8 Old Road Ward 14 Applicant: Sean P. Nehill**

**Case: BOA- 1488429 Address: 1523-1525 Blue Hill Avenue Ward 18 Applicant: George Morancy, Esq**

**Case: BOA- 114374 Address: 449 Cambridge Street Ward 22 Applicant: Jared Eigerman, Esq**

**Case: BOA-1123319 Address: 2 Emery Road Ward 22 Applicant: Jared Eigerman, Esq**

**Case: BOA-1494933 Address: 260 Newbury Street Ward 5 Applicant: Jared Eigerman, Esq**

**Case: BOA- 1041086 Address: 24 Spalding Street Ward 11 Applicant: David Steeves**

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

**Case: BOA- 1182380 Address: 5 Glenburne Street Ward 12 Applicant: Matt Mueller**

**Case: BOA- 948352 Address: 11 Heron Street Ward 20 Applicant: George Morancy, Esq**

**Case: BOA-948354 Address: 26 Heron Street Ward 20 Applicant: George Morancy, Esq**

**Case: BOA-1285218 Address: 94 Morris Street Ward 1 Applicant: Richard Lynds, Esq**

**Case: BOA-1285217 Address: 94 Morris Street Ward 1 Applicant: Richard Lynds, Esq**

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

**Case: BOA-1785891 Address: 85 Chandler Street Ward 5 Applicant: Michelle Hediger**

Article(s) Art. 32 Sec. 32 4Groundwater Conservation Overlay District, Applicability

Purpose : Complete renovation of existing 2 Family. Renovation of 2 kitchens, bathrooms, new hardwood flooring, insulation and plaster. Replace 2 existing decks and add new door openings per plans. Enlarge door opening garden level rear. Reinforce & repair stairs as necessary. Maintain occupancy as 2 Family.

### **BUILDING CODE: 9:30AM**

**Case: BOA-1759580 Address: 157 West Canton Street Ward 4 Applicant: Dong Anderson, C3/RimKus**

**Violation(s)** 9th 780 CMR 1011 StairwaysRefer to IBC 1011.12.2 Stairway to roof Consider relief for a roof deck hatch access from a four story building where a penthouse access would be required

**Purpose :** Replace a previously unpermitted roof deck in kind. \*\*we are seeking a denial letter for the project to present to Landmarks\*\*

### **RECOMMENDATIONS: 9:30 AM**

**Case: BOA- 1759609 Address: 72 Leyden Street Ward: 1 Applicant: BBEMP LLC**

**Article(s):** Art.53 Sec.08 Use Forbidden

**Purpose:** To confirm occupancy of a three family; plans and short form permit included for reference.

**Case: BOA-1772272 Address: 364 Main Street Ward: 2 Applicant: ISAMU KANDA**

**Article** 62, Section 7 Floor Area Ratio Excessive

**Purpose:** Confirm use as a one family dwelling and extend living space into the existing basement, including new mechanicals. No structural work proposed.

**Case: BOA-1783484 Address: 100 City Hall Plaza Ward: 3 Applicant: Allan Rodriguez**

**Article(s):** Art. 06 Sec. 04 Other Protectional Conditions 6.4 Other Condition Necessary as Protection. Remove the proviso to this petitioner only from prior ZBA case for a 36A take out use.

**Purpose:** Remove the proviso to this petitioner only from prior ZBA case for a 36A take out use. We are renovating the restaurant and adding outdoor seating for 8 patrons. This is in conjunction with ALT 1735079.

**Case: BOA- 1702910 Address: 93 Charter Street Ward: 3 Applicant: Tessa A Hadlock**

**Article(s)** Art. 54 Section 18 Roof Structure and Building Height Restrictions

**Purpose:** Install stairs to headhouse and railing on head house from existing roof deck.

**Case: BOA-1759889 Address: 18 Rutland Square Ward: 4 Applicant: Erben Partners, LLC**

**Article(s):** Art. 65 Sec. 64 34 Restricted Roof Structure District Applicant needs to seek relief to build a roof deck.

**Purpose:** Install of roof deck per architects drawings. All interior work & skylight captured under original ALT1415839.

**Case: BOA-1742622 Address: 917 East Broadway Ward: 6 Applicant: Brandon and Brenna Beck**

**Article** 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient

Art 68 Sec 29 Roof Structure Restrictions Art. 68 Sec. 33 Off Street parking Req.

**Purpose:** Change occupancy from Office to single family residential. Finish basement with living room, gym and bathroom. Addition on top of the garage and extending 2nd floor to connect with the addition. All fees paid on short form applications SF1683893 & SF1710070

**Case: BOA-1750660 Address: 78 Harbor View Street Ward: 13 Applicant: Hongchau Vong**

**Article** 65, Section 41 Off Street Parking & Loading Req Exceeds total allowable accessory parking spaces

Article 65, Section 9 Usable Open Space Insufficient

**Purpose:** Perform a 10' curb cut in front of the proposed driveway area (located on one side of the residential home) according to the driveway permit plan.

**Case: BOA-1710454 Address: 118 Bowdoin Street Ward: 14 Applicant: Alemayehu S Urga**

**Article (s):** Art. 65 Section 9 Floor Area Ratio Excessive, Max. Floor area ratio allowed: 0.5

**Purpose:** Finish basement Amendment to ALT1381708

**Case: BOA-1749143 Address: 29 Aldworth Street Ward: 19 Applicant: Genna Weinstein and Jonathan Paul**

**Article** 55, Section 9 Floor Area Ratio Excessive

**Purpose:** Second floor & attic conversion renovation of Unit 2 in this two-family home. The project consists of extending living space into the attic and opening up the second floor, new kitchen and stairs to attic, the attic will inhabit a primary bedroom, dressing area and bathroom. Two dormers are added for the conversion to the primary suite. The existing back porch will be re done for both units, opening up porch on the second floor to accommodate a second means of egress with direct exterior access to grade level from Unit 2.

**Case: BOA- 1766722 Address: 61 Lila Road Ward: 19 Applicant: 61 Lila Road Nominee Trust**

**Article** 55, Section 9 Side Yard Insufficient Article 55, Section 9 Rear Yard Insufficient Article 55, Section 9 Floor Area Ratio Excessive

**Purpose:** Design and documentation of a new double level rear sunroom addition, reconfiguring of kitchen, and new stair.

**Case: BOA- 1766114 Address: 8 Preston Road Ward: 20 Applicant: Maura and Eric Waxwood**

**Article(s)** Art. 56 Sec. 08 Floor Area Ratio excessive

**Purpose:** Extension of living space into the basement. Creating a bathroom, living area, gym and mudroom. Renovation to basement per attached plans.

**Case: BOA-1721220 Address: 128 Gardner Street Ward: 20 Applicant: Darlene H Musto**

**Article(s):** Art. 56, Section 7 Use: Forbidden Art. 56, Section 8 Dimensional Regulations 3. Location of Main Entrance

Article 56, Section 8 Lot Width Insufficient Article 56, Section 8 Lot Frontage Insufficient

Article 56, Section 8 Floor Area Ratio Excessive Article 56. Section 8 Side Yard Insufficient Art. 56 Sec. 39 Off street parking requirements

**Purpose:** Change of occupancy from single family to two family to include renovations per plans attached. 2 1/2 story front and rear unit as per plans.

**Case: BOA-1757994 Address: 51 to 53 Brookline Avenue Ward: 21 Applicant: Orange Barrel Media, LLC**  
**Article** 11, Section 7 Electronic Signs Conditional  
**Purpose:** Install a new electronic sign located above the roof of the building in compliance with Section 11 7 of the Zoning Code.

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

**Case: BOA-1690497 Address: 60 Canal Street Ward 3 Applicant: Kinross Real Estate, LLC**  
**Article(s)** Art. 46, Section 9 Use: Conditional Multi Family Dwelling Conditional Article 32, Section 4. GCOD, Applicability  
**Purpose :** To change occupancy from office, sport shop w/ snack bar to office, general retail, and residential; convert third, fourth, fifth, and sixth floors to residential units for a total of six units; basement, first, and second floors to remain with no proposed changes

**Case: BOA# 1789293 Address: 60 Canal Street Ward 3 Applicant: Kinross Real Estate, LLC**  
Violations 9th 780 CMR 504 Bldg Height and Number of Stories 504.3 Height in feet. The maximum height, in feet, of a building shall not exceed the limits specified in Table 504.3. [Existing 6-story, Type III-B, building changing its use to a higher hazard category per IEBC Table 1012.5; from B-Use to R-Use.]  
9th 780 CMR 504 Bldg Height and Number of Stories 504.4 Number of stories. The maximum number of stories of a building shall not exceed the limits specified in Table 504.4. [Existing 6-story, Type III-B, building changing its use to a higher hazard category per IEBC Table 1012.5; from B-Use to R-Use.]  
**Purpose :** To change occupancy from office, sport shop w/ snack bar to office, general retail, and residential; convert third, fourth, fifth, and sixth floors to residential units for a total of six units; basement, first, and second floors to remain with no proposed changes

**Case: BOA- 1618586 Address: 1812 Columbia Road Ward 7 Applicant: Brian Cloherty**  
**Article(s)** Art 68 Sec 29 Roof Structure Restrictions Max height allowed on parcel has been exceeded  
Art 68 Sec 8 Dim reg app in res sub dist Insufficient front yard setback Art. 29 Sec. 04 Greenbelt Protection Overlay Project > 5,000gsf District Applicability  
**Purpose :** Proposed new 3 family residence with 6 parking spaces, as per plans. Demolish existing house on lot.

**Case: BOA-1736225 Address: 921-925 Parker Street Ward 10 Applicant: Adam Brailard**  
**Article(s)** Article 86, Sec. 6 Use and Dimen Regulations Conditional use  
**Purpose :** Change of occupancy to include wireless communication. INSTALLATION OF A TELECOMMUNICATIONS FACILITY CONSISTING OF 3 SETS OF 3 PANEL ANTENNAS INSTALLED WITHIN FAUX CHIMNEYS, ALONG WITH AN EQUIPMENT PLATFORM AND EQUIPMENT TO BE INSTALLED WITHIN AN ENCLOSURE ON THE ROOFTOP OF THE BUILDING. ALL ANTENNAS AND EQUIPMENT TO BE CONCEALED AND OUT OF VIEW

**Case: BOA-1723491 Address: 107 Magnolia Street Ward 13 Applicant: Peter Bryson**  
**Article(s)** Article 50, Section 28 Use regulations Article 50, Section 29 Rear 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 Add'l Lot Area Insufficient  
Art. 50, Section 43 Off Street Parking Insufficient Art. 50, Section 32 Use: Forbidden  
**Purpose :** ERECT NEW 3 STORY RESIDENTIAL CONDOMINIUMS WITH 8 UNITS, INSTALL CURB CUT TO CREATE OFF STREET PARKING (ON VACANT LOT)

**Case: BOA-1696317 Address: 58 Mallet Street Ward 16 Applicant: Timothy Johnson**  
**Article(s)** Article 65, Section 9 Floor Area Ratio Excessive Applicant will need to seek relief for excessive Floor Area Ratio. Article 65, Section 9 Usable Open Space Insufficient Applicant will need to seek relief for insufficient open Space Article 65, Section 9 Side Yard Insufficient Applicant will need to seek relief for insufficient side yard. Article 65, Section 9 Front Yard Insufficient Applicant will need to seek relief for insufficient front yard and conform with existing building alignment. Article 65, Section 9 Lot Area Insufficient Applicant will need to seek relief for insufficient lot area. Article 65, Section 9 Lot Width Insufficient Applicant will need to seek relief for insufficient lot width. Article 65, Section 9 Lot Frontage Insufficient Applicant will need to seek relief for insufficient lot frontage.  
**Purpose :** ON A VACANT PARCEL (#58) ERECT A NEW 2 1/2 STORY, 2 FAMILY DWELLING w/ REAR DECKS & 2 OFF STREET PARKING SPACES VIA PROPOSED SHARED DRIVEWAY w/ ABUTTER (#56) AS PER PLANS SUBMITTED.

**Case: BOA- 1728734 Address: 725 Adams Street Ward 16 Applicant: Adams Street Village LLC**

**Article(s)** Art. 07 Sec. 4 Other Protectional Conditions Applicant wants to change or remove Proviso for off street parking, #BZC 508 of 1966 1 space per unit (40 spaces) to 27 spaces. Current Zoning requires 1.5 spaces per unit. Also, remove Provisos for parking fees and fencing.

**Purpose :** Reduce the number of parking spaces from the 40 spaces (approved by BOA decision BZC 508 in June 1966) to 27 spaces. Re stripe the parking lot as necessary. This a companion application to U491695296 at 735 Adams Street.

**Case: BOA- 1728737 Address: 735 Adams Street Ward 16 Applicant: Adams Street Village LLC**

**Article(s)** Art. 07 Sec. 4 Other Protectional Conditions Applicant wants to change or remove Proviso for off street parking, #BZC 747 of 1967 1 space per unit (48 spaces) to 36 spaces. Current Zoning requires 1.5 spaces per unit. Also, remove Provisos for parking fees and fencing.

**Purpose :** Reduce the number of parking spaces from the 48 spaces (approved by BOA decision BZC 747 in March 1967) to 36 spaces. Re stripe the parking lot as necessary. This a companion application to U491695295 at 725 Adams Street.

**Case: BOA- 1709606 Address: 56 Old Morton Street Ward 17 Applicant: Frankselio Dasilva**

**Article(s)** Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient Article 65, Section 42.13 Two or More Dwellings on Same Lot

**Purpose :** 2 dwellings on same lot in conjunction with ALT1662004 56R Wichita TE

**Case: BOA-1732175 Address: 56R Wichita Terrace Ward 17 Applicant: Frankselio Dasilva**

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

Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 42.13 Two or More Dwellings on Same Lot

**Purpose :** Convert garage into new ADU, New bathroom, new kitchen, insulate all walls per new stretch code, plaster walls, paint

**Case: BOA- 1720983 Address: 704 Metropolitan Avenue Ward 18 Applicant: 704 Metropolitan Avenue, LLC**

**Article(s)** Art. 69 Sec. 09 Dimensional Reg. Insufficient lot size Art. 69 Sec. 09 Dimensional Reg.

Excessive f.a.r. Art. 69 Sec. 09 Dimensional Reg. Number of allowed stories exceeded Art. 69 Sec. 09

Dimensional Reg. Insufficient open space per unit Art. 69 Sec. 09 Dimensional Reg.

Insufficient front yard setback Art. 69 Sec. 09 Dimensional Reg. Insufficient Side yard setback Art. 69 Sec. 09

Dimensional Reg. Insufficient rear yard setback (New variance triggered via revised plan submission 8.25.25)

Art. 69 Sec. 29.5 Off-St.Prk'g:Design Design #5 Clear Access and maneuvering areas on own respective lot; Proposed driveway access requires 7' of land from the abutters lot. Art. 69 Sec. 8 Forbidden USE-Forbidden

Article 69 Section 29 Off-Street Parking & Loading Req Insufficient Parking

**Purpose :** Reduction in scope of work at BOA 8/25/25: Modified to Erect a new Three story, 6 Unit Dwelling with two private roof decks and 7 uncovered parking at rear of building on Vacant 6,600 sqft parcel of land. Parking access will be through existing curb cut with access via a shared driveway easement with 706 Metropolitan Avenue to maintain their existing parking at the rear of their home per plans submitted

**Case: BOA- 1732895 Address: 8-12 Amherst Street Ward 20 Applicant: John Pulgini**

**Article(s)** Article 67, Section 33.1 Conformity Ex Bldg Alignment Article 67, Section 8 Use: Forbidden

Townhouse (3-unit) - Forbidden Article 67, Section 9 Lot Area 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 Rear Yard Insufficient Article 67, Section 9 Lot

Frontage Insufficient Article 67, Section 9.3 Location of Main Entrance Unit 3

**Purpose :** Erect new 3 story, 3 unit Townhouse building. Each unit provides garaged parking and its own mechanical penthouse. Demolish existing 2 Family dwelling on a separate permit.

**Case: BOA-1762986 Address: 6 Manton Terrace Ward 21 Applicant: Brarm LLC**

**Article(s)** Article 51 Section 9 Dimensional Regulations Requesting relief for an additional unit with excess

floor area ratio and insufficient lot area Article 51, Section 56 Off Street Parking Insufficient Requesting relief for

insufficient off street parking for an additional unit Article 9, Section 1 Extension of Nonconforming Building

Requesting relief for a nonconforming existing insufficient side yard setback

**Purpose :** Change occupancy from 3 residential units to 4 residential units; convert existing basement level to a residential unit

**Case: BOA-1749533 Address: 27-29 Everett Street Ward 22 Applicant: Hao Quan**

**Article(s)** Article 51, Section 9 Rear Yard Insufficient Article 51, Section 9 Usable Open Space Insufficient

Article 51, Section 9 Bldg Height Excessive (Feet) Article 51, Section 9 Bldg Height Excessive (Stories)

Article 51, Section 9 Floor Area Ratio Excessive Article 51, Section 9 Add'l Lot Area Insufficient

Article 51, Section 8 Use: Forbidden Article 51, Section 56 Off Street Parking Insufficient

**Purpose :** Change of occupancy from a three unit building to a six unit building by way of rear/vertical addition with minor interior changes to the existing structure.

## **HEARINGS: 11:00AM**

**Case: BOA-1692087 Address: 15-19 Edinboro Street Ward 3 Applicant: 15 Edinboro Street Realty Trust and 17-19 Edinboro Street Realty Trust**

**Article(s)** Article 43 Section 23 Off Street Parking Regulations

**Purpose :** Change occupancy from Restaurant #37, photo studio, artist studio, and tailor shop to Restaurant #37, 3 Live/work units (Bicycle shop/Kung Fu studio/Art gallery), and 5 residential units. Scope includes the extension of rear fire escape, reconfiguration of interior, stair removal (Floors 2 5), and upgrades to life safety (FA/FP).

**Case: BOA# 1692090 Address: 15-19 Edinboro Street Ward 3 Applicant: 15 Edinboro Street Realty Trust and 17-19 Edinboro Street Realty Trust**

**Violation** 9th 780CMR 1006.3 Egress from stories or occupied roofs 1006.3.1 Egress based on occupant load. Each story and occupied roof shall have the minimum number of independent exits, or access to exits, as specified in Table 1006.3.1. A single exit or access to a single exit shall be permitted in accordance with Section 1006.3.2. The required number of exits, or exit access stairways or ramps providing access to exits, from any story or occupied roof shall be maintained until arrival at the exit discharge or a public way.[The Work area compliance method and section 1012.4.1 of IEBC requires compliance with Chapter 10 of IBC, when a change of occupancy occurs to a higher hazard category (B to R2). Therefore, the single means of egress at floors 4 5 is not permitted. Fire escape cannot be counted toward the minimum egress requirements, and exit separation is required to meet IBC 1007.1.1.]

9th 780 CMR 1011 Stairways 1011.5.3 Winder treads. Winder treads are not permitted in means of egress stairways except within a dwelling unit.[The Work area compliance method and section 1012.4.1 of IEBC requires compliance with Chapter 10 of IBC, when a change of occupancy occurs to a higher hazard category. Therefore, existing Winder stairs are not permitted in means of egress stairways.]

**Purpose :** Change occupancy from Restaurant #37, photo studio, artist studio, and tailor shop to Restaurant #37, 3 Live/work units (Bicycle shop/Kung Fu studio/Art gallery), and 5 residential units. Scope includes the extension of rear fire escape, reconfiguration of interior, stair removal (Floors 2 5), and upgrades to life safety (FA/FP).

**Case: BOA- 1697382 Address: 417-421 Hyde Park Avenue Ward 19 Applicant: James Christopher-CANNABIS**

**Article(s)** Article 67, Section 30 Screening & Buffering Req Cannabis is a conditional use. This application is for the storage & delivery of Cannabis products. Any cannabis establishment shall be sited at least one half mile or 2,640 feet from another existing cannabis establishment and at least 500 feet from a pre existing public or private school providing education in kindergarten or any of grades 1 through 12. Distances shall be determined from the nearest lot line of an existing establishment or school. Use approval shall be applicable to the applicant only Art. 08 Sec.07 Use: Conditional Cannabis is a conditional use. This application is for the storage & delivery of Cannabis products. Any cannabis establishment shall be sited at least one half mile or 2,640 feet from another existing cannabis establishment and at least 500 feet from a pre existing public or private school providing education in kindergarten or any of grades 1 through 12. Distances shall be determined from the nearest lot line of an existing establishment or school. Use approval shall be applicable to the applicant only

**Purpose :** The owner seeks to change occupancy from commercial use to a Cannabis Dispensary, no change to building footprint, interior and exterior tenant renovations as per the attached plans. \*\*Nominal Fee\*\*

**Case: BOA- 1733651 Address: 26 Barnard Place Ward 6 Applicant: Nicholas Landry**

**Article(s)** 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 Excessive f.a.r. Art 68 Sec 8 Dim reg app in res sub dist Building height exceeded

Art 68 Sec 8 Dim reg app in res sub dist Insufficient front yard setback Art. 68 Sec. 33 Off Street parking Req.

Location of parking in required front yard of a corner lot Art. 68 Sec. 34 Appl. of Dim. Req. Traffic visibility across a corner lot Art.68 Sec. 33 Off Street Loading Req. Insufficient parking

**Purpose :** NEW CONSTRUCTION OF A TWO FAMILY DWELLING WITH TWO PARKING SPOTS

**Case: BOA-1766192 Address: 1948-1950 Washington Street Ward 8 Applicant: Srivani Desaneedi**

**Article(s)** Art. 50, Section 32 Use: Conditional

**Purpose :** Change of occupancy to include live entertainment to the Restaurant. No work to be done

**Case: BOA-1770724 Address: 44 Centre Street Ward 9 Applicant: Lisa Berger & Ed Blank**

**Article(s)** Article 50, Section 29 Usable Open Space Insufficient

**Purpose :** Erect a new single family dwelling with an interior garage for two vehicles; consolidation subdivision plan provided for reference (see companion ALT1719699)

**Case: BOA-1756156 Address: 8 Frost Avenue Ward 16 Applicant: Andrew Ulrich**

**Article(s)** Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 15 Use: Forbidden

**Purpose :** Proposed multifamily townhouse style addition. Existing single family to be kept with 3 townhouse style unit addition on rear for total of 4 residential units as per plans

**Case: BOA-1719823 Address: 32 Gordon Street Ward 21 Applicant: George Morancy, Esq**

**Article(s)** Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Usable Open Space Insufficient Article 51, Section 9 Floor Area Ratio Excessive Article 51, Section 9 Lot Area Insufficient Article 51, Section 8 Use: Forbidden Article 51, Section 56 Off Street Parking Insufficient

**Purpose :** RENOVATED THREE FAMILY RESIDENTIAL BUILDING WITH 3 UNITS AND ONE PARKING SPACE TO HAVE 4 UNITS (BUILDING WILL NOT HAVE AN ELEVATOR. BUILDING WILL BE FULLY SPRINKLERED) NOMINAL FEE REQUIRES ZONING RELIEF

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

**Case: BOA-1670349 Address: 501 Boylston Street Ward 5 Applicant: T-C 501 Boylston Street LLC**

**Article(s)** Article 13, Section 1 Floor Area Ratio Excessive Art. 06 Sec. 03A Additional Conditions in Restricted Parking District Extending parking spaces from 114 to 167 Art. 08 Sec. 03 Conditional Uses Parking garage Art. 08 Sec. 03 Conditional Uses Restaurant

**Purpose :** Change of occupancy to include Restaurant use on 11th floor. Work includes: (i) the conversion of the existing rooftop penthouse and deck, currently located above the building's tenth floor, from a mechanical equipment area to office and related accessory amenity space, and (ii) modifications to the garage area, including the net addition of 53 parking spaces.

**Case: BOA-1765730 Address: 75-77 Dorchester Street Ward 6 Applicant: Jim Statires -ARTICLE 80**

**Article(s)** Art 68 Sec 29 Roof Structure Restrictions Max allowed height on parcel has been exceeded Art 68 Sec 7 Use: Forbidden Large restaurant with take out 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 exceeded in the subdistrict 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 Insufficient sideyard setback Art 68 Sec 8 Dim reg app in res sub dist Insufficient lot size (Additional variance cited via updated review) Art 68 Sec 8 Dim reg app in res sub dist Insufficient additional lot area (Additional variance cited via updated review) Art. 68 Sec. 34 Appl. Of Dim. Req. 10. Rear Yard of a shallow lot less than 15' in depth. (Additional variance cited via updated review) Art.68 Sec. 33 Off Street Loading Req. Location: Proposed ancillary loading/delivery truck parking area on a different lot, not in common ownership. Filing of a UOP permit application required for use of land at neighboring address. Article 68, Section 33 Off-Street Parking & Loading Req Insufficient off-street parking Article 68, Section 34.2 Traffic Visibility Across Corner Article 68, Section 7 Use Regulations Local retail- Conditional  
**Purpose :** COMBINE PARCELS 1886 & 1887, DEMOLISH EXISTING STRUCTURES, AND ERECT NEW 5-STORY, MIXED-USE BUILDING (1 RETAIL/Restaurant UNIT CORE AND SHELL) & 15 RESIDENTIAL UNITS) w/PARTIAL BASEMENT AND ELEVATOR AS PER PLANS SUBMITTED.

**Case: BOA- 1765664 Address: 80 Smith Street Ward 10 Applicant: Mission Associates LLC-ARTICLE 80**

**Article(s)** Art. 59 Sec. 38 Application Dimensional Req. Two or more dwellings on a lot (three dwellings on a lot) Art. 59, Section 22 Dimensional Regulations Excessive f.a.r. Art. 59, Section 22 Dimensional Regulations Max allowed height has been exceeded Art. 59, Section 22 Dimensional Regulations Insufficient rear yard setback Art. 59, Section 22 Dimensional Regulations Excessive f.a.r (90 Smith street/Third structure on lot) Article 59, Section 35 Screening and Buffering Requirements

**Purpose:** Clarification: Proposed construction of a podium design structure which shall consist of two distinct buildings attached via a shared podium garage design on the same lot with a maximum of 19 at grade parking spaces and 68 below grade parking spaces shared between the two buildings. This application filed represents Tower one (A.k.a. Building #80) which shall consist of an eight story (80' +/- ), 82,650sf 86 unit structure per plans filed. (This application has been filed in conjunction with ERT1735294 for the other attached 13 story building to be known as 100 Smith street).\*Article 80 LPR



**Case: BOA-1765668 Address: 100 Smith Street Ward 10 Applicant: Mission Associates LLC-ARTICLE 80**  
Article(s) Art. 59 Sec. 38 Application Dimensional Req. Two or more dwellings on one lot Art. 59, Section 22 Dimensional Regulations Excessive f.a.r. Art. 59, Section 22 Dimensional Regulations Excessive height Art. 59, Section 22 Dimensional Regulations Insufficient usable open space per unit Article 59, Section 35 Screening and Buffering Requirements  
Purpose: This application represents Tower Two (a.k.a. 100 Smith Street) a (13) thirteen - story plus one below - grade basement level, 132 residential rental unit structure. This application is filed in conjunction with ERT 1692748 for Tower One (a.k.a. 80 Smith Street). \*Note: This is one of three structures on one lot

**Case: BOA- 1690859 Address: 122 Wood Avenue Ward 18 Applicant: Eileen Brito-Rosa**  
**Article(s):** Art 69 Sec. 29.5 Off St.Prk'g: Design Applicant will need to seek relief for off street parking of Four required parking spaces. Article 69, Section 9 \*Lot Area Insufficient Applicant will need to seek relief for insufficient lot area. Article 69, Section 9 \* \*\*Lot Width Insufficient Applicant will need to seek relief for insufficient lot width. Article 69, Section 9 \* \*\*\*Lot Frontage Insufficient Applicant will need to seek for insufficient lot frontage. Article 69, Section 9 \*\* Floor Area Ratio Excessive Applicant will need to seek relief for excessive floor area ratio. Article 69, Section 9 Front Yard Insufficient Applicant will need to seek relief for insufficient front yard setback.  
Article 69, Section 9 Side Yard Insufficient Applicant will need to seek relief for insufficient side yard setback. Article 69, Section 9 Rear Yard Insufficient Applicant will need to seek relief for insufficient rear yard setback. Article 69, Section 9 Usable Open Space Insufficient Applicant will need to seek relief for insufficient usable open space.  
**Purpose:** Erect new construction 2 family dwelling per plans, application in combination with ALT1676803

**Case: BOA-1690861 Address: 122 Wood Avenue Ward 18 Applicant: Eileen Brito-Rosa**  
**Article(s):** Art 69, Section 9 Lot Area Insufficient Applicant will need to seek relief for insufficient lot area. Article 69, Section 9 Lot Frontage Insufficient Applicant will need to seek relief for insufficient lot frontage. Article 69, Section 9 Lot Width Insufficient Applicant will need to seek relief for insufficient lot width. Article 69, Section 9 Floor Area Ratio Excessive Applicant will need to seek relief for excessive floor area ratio. Article 69, Section 9 Side Yard Insufficient Applicant will need to seek relief for insufficient side yard setback. Article 69, Section 9 Usable Open Space Insufficient Applicant will need to seek relief for insufficient usable open space. Art. 69 Sec. 29.5 Off St.Prk'g: Design Applicant will need to seek relief for required off street parking of FOUR parking spaces.  
**Purpose :** Subdivide lot per plans. (Existing 2 Family Dwelling lot)

**Case: BOA-1781936 Address: 12 Perkins Avenue Ward 18 Applicant: Arisleyda Veras**  
**Article(s):** Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. Modification of nonconforming 2f structure on lot Art. 69 Sec. 08 Conditional Two family use Art. 69 Sec. 09-Dimensional Reg. Insufficient lot size Art. 69 Sec. 09-Dimensional Reg. Insufficient lot width Art. 69 Sec. 09-Dimensional Reg. Insufficient Open space per unit Art. 69 Sec. 09-Dimensional Reg. Insufficient Side yard setback Article 69 Section 29 Off-Street Parking & Loading Req Insufficient parking Article 69, Section 30.12 Two or More Dwellings on Same Lot  
**Purpose:** February 27, 2025 This is 1 of 2 buildings on the same lot. In Conjunction with ALT1680218 Clarification: This is an existing two family dwelling whose application has been filed in conjunction with ALT1680218 for the conversion of the existing garage into a single-family home to remain on the same lot resulting in two dwellings on the same lot. 2 FAMILY #2143/1976

**Case: BOA-1709737 Address: 12R Perkins Avenue Ward 18 Applicant: Arisleyda Veras**  
**Article(s):** Article 69, Section 9 Rear Yard Insufficient Article 69, Section 9 Side Yard Insufficient Article 69, Section 30.12 Two or More Dwellings on Same Lot Article 69, Section 8 Use: Forbidden  
**Purpose:** Remodel kitchen, bathroom, bedroom,

**Case: BOA- 1769103 Address: 26 Windom Street Ward: 22 Applicant: Marguerite Roberts**  
**Article(s):** Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient Article 51, Section 9 Floor Area Ratio Excessive  
**Purpose:** Construct a two-story rear addition to the existing single-family home.

## **INTERPRETATION/RE-DISCUSSION: 12:00PM**

**Case: BOA-1689794 Address: 62-66 Condor Street Ward 1 Applicant: Condor Nay, LLC**

**Article(s):** Article 53, Section 10.2 Dimension Regulations (Waterfront) Building Height (Feet) Excessive Article 53, Section 10.3 Waterfront Open Space Requirements Article 53, Section 10.4.a Waterfront Yard Area Measurements Article 53, Section 10.4.b Setback Requirements Article 53, Section 29.1 Conformity with Existing Bldg Alignment Article 25A Section 4 CFROD Applicability

**Purpose:** Erect a new 5 story Mixed Use Building on newly created lot with thirty six (36) Multi Family residential units, three (3) Retail on ground floor (core/shell) and below grade parking, as per plans. Building features amenity space, balconies, and common roof deck. See ALT1655420 for subdivision. Existing building to be razed under separate permit. [ePlan] SPR

**Case: BOA- 1685296 Address: 265-269 Maverick Street Ward 1 Applicant: 265 Maverick, LLC**

**Article(s)** Article 53, Section 5.3 Dimensional Regulations Building Height (Stories) Excessive Article 53, Section 5.3 Dimensional Regulations Building Depth (Feet) Excessive Article 25A Section 4 CFROD Applicability Article 25, Section 5 Flood Plain Regulations Article 32, Section 4.GCOD, Applicability Art. 53 Sec.25 Roof Structure Restrictions

**Purpose :** The petitioner seeks a determination that the Inspectional Services Department erred in issuing a refusal letter citing Article 53-25 – Roof Top Restrictions; Article 53-5.3 – Building Height (Stories) – Excessive ; and Article 53-5.3 – Building Height (Feet) – Excessive.

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

BOARD MEMBERS:  
SHERRY DONG-CHAIR  
NORMAN STEMBRIDGE-SECRETARY  
GIOVANNY VALENCIA  
SHAMAIAH TURNER  
HANSY BETTER BARRAZA  
KATIE WHEWELL  
ALAN LANGHAM

SUBSTITUTE MEMBERS:

**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)**