



City of Boston
Board of Appeal

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

HEARING MINUTES

Board Chair Dong called the meeting to order promptly at 9:30 AM and commenced with a brief description of the hearing process and, pursuant to the Massachusetts Open Meeting Law, advised those in attendance that the hearings would be broadcast and recorded, and hearing minutes would be kept. The Chair announced that the hearing was being conducted remotely via an online meeting platform and subject to the below advisory which was part of the publicly posted hearing agenda. The Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Norm Stembbridge:

Please be advised of

the following appeals to be heard on October 28, 2025 beginning at 9:30 am and related announcements.

All matters listed on this October 28, 2025 Hearing agenda have been noticed in accordance with the enabling act. please be advised of the following participation instructions:

The October 28, 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/OCTOBER28ZBAComments> 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/OCTOBER28ZBAComments> 617-635-4775, or emailing 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



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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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APPROVAL OF THE HEARING MINUTES: 9:30AM

October 7, 2025

Discussion/Votes: The Board moved to unanimously approve Hearing minutes.

EXTENSIONS: 9:30AM

Case: BOA-1261925 Address: 150 Kneeland Street Ward 3 Applicant: Donald W. Wiest, Esq

Discussion/Votes: The Board moved to unanimously approve the extension request to October 28, 2027.

Case: BOA- 1345655 Address: 11 Spring Garden Street Ward 13 Applicant: Kevin Cloutier, Esq

Discussion/Votes: The Board moved to unanimously approve the extension request to March 17, 2027.

Case: BOA-1266935 Address: 144-162 Charles Street Ward 5 Applicant: Michael P. Ross, Esq

Discussion/Votes: The Board moved to unanimously approve the extension request to December 17, 2027.

Case: BOA-1298301 Address: 17 Warren Place Ward 12 Applicant: Nicholas J. Zozula, Esq

Discussion/Votes: The Board moved to unanimously approve the extension request to November 18, 2027.

Case: BOA-1477573 Address: 28A Riidlon Road Ward 18 Applicant: Regis Gonzalez

Discussion/Votes: The Board moved to unanimously approve the extension request to November 3, 2026.

Case: BOA-1349982 Address: 1318 River Street Ward 18 Applicant: John Pulgini, Esq

Discussion/Votes: The Board moved to unanimously approve the extension request to November 18, 2026.

Case: BOA-1484717 Address: 229-233 Bowdoin Street Ward 15 Applicant: Derric Small, Esq

Discussion/Votes: The Board moved to unanimously approve the extension request to November 14, 2026.

Case: BOA-1538261 Address: 215-217 Brighton Avenue Ward 21 Applicant: Derric Small, Esq

Discussion/Votes: The Board moved to unanimously approve the extension request to December 5, 2026.

BOARD FINAL ARBITER: 9:30AM

Case: BOA-1298430 Address: 717-721 American Legion Highway Ward 18 Applicant: Michael P. Ross, Esq

Upon a motion and a second, Board members voted unanimously to grant the Board Final Arbiter request.

Case: BOA-911768 Address: 1524 VFW Parkway Ward 20 Applicant: Michael P. Ross, Esq

Upon a motion and a second, Board members voted unanimously to grant the Board Final Arbiter request.

Case: BOA- 1443137 Address: 43-45 Stanton Street Ward 17 Applicant: Michael P. Ross, Esq

Upon a motion and a second, Board members voted unanimously to grant the Board Final Arbiter request.

Case: BOA- 1476876 Address: 246 Havre Street Ward 1 Applicant: Richard Lynds, Esq

Upon a motion and a second, Board members voted unanimously to grant the Board Final Arbiter request.

RECOMMENDATIONS: 9:30 AM

Case: BOA- 1720663 Address: 14 Monument Court Ward: 2 Applicant: Timothy McGowan

Article(s): Article 62, Section 7 Usable Open Space Insufficient Article 62, Section 7 Rear Yard Insufficient



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Purpose: The addition of a one story first floor kitchen extension with a deck and stairs to the yard. ZBA approval will be required. This amendment is associated with ALT1666971.

Discussion: At the request of the Board, the applicant presented plans to construct a one-story addition on the first floor, expanding the kitchen and adding a deck with stairs. 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 Barraza motioned for approval. Board member Stembridge seconded and the motion carried unanimously.

Case: BOA- 1763426 Address: 200 State Street Ward: 3 Applicant: Matthew Eckel

Article(s): Art 45 Sec.14 Use: Conditional 45 14 (h) - Accessory uses greater than four amusement game machines is a conditional use.

Purpose: Seeking to change the occupancy to include a recreational use commercial/retail establishment with amusement game machines and to complete interior renovations. Proposed use is conditional.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of structure to include thirty-five recreational game machines. 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 Barraza motioned for approval. Board member Stembridge seconded and the motion carried unanimously.

Case: BOA- 1762978 Address: 152 Canal Street Ward: 3 Applicant: Jeffrey Drago Article(s):

Art. 06 Sec. 04 Other Protectional Conditions Removal of Proviso.

Purpose: To continue use of premises as a commercial parking lot for 35 vehicles and to remove sunset proviso from permit; should the Board choose to not remove the proviso applicant requests this use be continued for at minimum an additional five years from December 2025 to December 2030, or longer

Discussion: At the request of the Board, the applicant presented plans to remove the existing proviso that, the open-air lot is to be reviewed every five years. 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 Barraza motioned for approval with the provisos that the conditional use relief granted and set to expire in four years and the removal of the previously approved proviso of Planning Department design review for screening and buffering. Board member Stembridge seconded and the motion carried unanimously.

Case: BOA- 1773004 Address: 113-129 Seaport Boulevard Ward: 6 Applicant: Daniel Brennan

Article(s): Art. 42A Sec.18 Use regs app N/End Waterfront - Restaurant with live music entertainment Use Forbidden

Purpose: Change use and occupancy of the new restaurant (Nowon) and add Live entertainment (DJ) use to the existing use. No construction required. The Fire alarm is already designed to automatically shut down music if FA system alarms. Existing use: Business Offices, Retail, Commercial, restaurant w/ F1 entertainment assembly and recently opened restaurant (Nowon)

Votes: Upon a motion and a second, the Board moved to withdraw the project.

Case: BOA- 1759625 Address: 604 East Third Street Ward: 6 Applicant: Anthony Virgilio

Article(s): Art 68 Sec 8 Dim reg app in res sub dist. - Insufficient additional lot area per unit

Article 68, Section 33 Off Street Parking & Loading Req - Insufficient parking

Purpose: Change occupancy from one family to 2 family no work as built

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a one-family to a two-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.

Votes: Board member Barraza motioned for approval. Board member Stembridge seconded and the motion carried unanimously.



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Case: BOA- 1746157 Address: 70 Charles Street Ward: 5 Applicant: Cameron Merrill

Article(s): Article 6 Section 6 Extension of Conditional Use - for restaurant use #36A and #37

Purpose: Change occupancy to remove 2 retail spaces and renovation to the existing 1,320 SF Tatte Bakery and Cafe (#37 & #36A) to take additional 2,095 SF of the two adjacent retail spaces. (total 3,415 SF). Requesting a nominal fee for zoning review/refusal for expansion of a conditional use.

Discussion: At the request of the Board, the applicant presented plans to renovate an existing café, and changing the occupancy of two adjacent retail spaces, expanding the café. 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 Barraza motioned for approval. Board member Stembridge seconded and the motion carried unanimously.

Case: BOA- 1747232 Address: 10 Marmion Street Ward: 11 Applicant: Maize Remodeling Group

Article(s): Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 9 Bldg Height Excessive (Stories)

Article 55, Section 9 Front Yard Insufficient Article 55, Section 9 Side Yard Insufficient Art. 09 Sec. 01 Extension of Non-Conforming Use

Purpose: Confirm occupancy as a single family. Full home remodel adding two dormers on the 3rd level. Relocate kitchen, add 1/2 bath on 1st floor, full bath with double vanity & laundry on 2nd, and full bath on 3rd. Gut basement, leave unfinished. Convert to 4 beds. Add rough plumbing for future 2nd floor kitchen. Extend living space into the attic with an additional bedroom

Discussion: At the request of the Board, the applicant presented plans to seek to confirm the occupancy of a single-family dwelling, as well as constructing two dormers on the third floor, renovate the interior and extend living space into the attic. 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 Barraza motioned for approval with the proviso of Planning Department Design Review with attention to the size of the dormer. Board member Stembridge seconded and the motion carried unanimously.

Case: BOA- 1757199 Address: 8 Sylvester Road Ward: 16 Applicant: Yuri Rocha

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

Article 65, Section 9 Side Yard Insufficient

Purpose: Adding two dormers to extend living space into the attic and raise kitchen roof. Add two bedrooms and two bathrooms.

Discussion: At the request of the Board, the applicant presented plans to construct two dormers that will extend the living space into the attic, adding two bedrooms and two bathrooms. 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 Barraza motioned for approval. Board member Stembridge seconded and the motion carried unanimously.

Case: BOA- 1756052 Address: 83-85 Cornell Street Ward: 18 Applicant: Paul Hajian

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

Purpose: Addition to an existing dormer on rear of two family to create wider bathroom and larger closet

Discussion: At the request of the Board, the applicant presented plans to construct an addition to an existing dormer at the rear of a two-family to create more living space. 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 Barraza motioned for approval. Board member Stembridge seconded and the motion carried unanimously.

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.



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Discussion/Votes: Upon a motion and a second, the Board moved to defer until November 6, 2025.

HEARINGS: 9:30AM

Case: BOA-1733319 Address: 22 Pratt Street Ward 21 Applicant: Sean Sacks-ARTICLE 80

Article(s): Article 51, Section 19 Use: Forbidden Multi-Family Dwelling - Forbidden Article 51, Section 20 Dimensional Regulations Floor Area Ratio Excessive Article 51, Section 20 Dimensional Regulations Building Height Excessive Article 51, Section 20-Dimensional Regulations Rear Yard Insufficient Article 51, Section 20 Dimensional Regulations Side Yard Insufficient, per Article 12-3. Article 51, Section 9 Front Yard Insufficient Article 51, Section 9 Side Yard Insufficient

Purpose: Erect a new podium building with two towers for multi family dwelling of 318 residential units, on newly created lot. Building has a one-story podium connecting two towers (16 story & 7 story) and project involves related site and public realm improvements. Building features, a below grade garage, bike storage, and amenity spaces for tenants. Refer to ALT1697217 and ALT1697219 for consolidation of parcels. Demolition of existing buildings on separate permits. [ePlan] LPR

Discussion: At the request of the Board, the applicant presented plans to erect two multi-family residential towers with three hundred and eighteen units with below grade parking. Board members asked about the plans and parking. Board member Valencia lauded the number of two- and three-bedroom units.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Two abutters were in support of the project.

Votes: Board member Valencia motioned for approval. Board member Collins seconded and the motion carried unanimously.

Case: BOA-1760425 Address: 809-821 Beacon Street Ward 21 Applicant: Lawrence Baker

Article(s): Art. 06 Sec. 04 Other Protectional Conditions This is to remove proviso from BOA 1023729 "this decision to expire in 5 years". Also reference BZC 31677 Non-conforming use conditional use permit for parking of 249 vehicles.

Purpose: Remove proviso for nonconforming use for Medical Center parking open air lot 249 vehicles. proviso to be reviewed every 5 years per decision letter attached.

Discussion: At the request of the Board, the applicant presented plans to remove the existing proviso that, the open air two hundred and forty-nine space lot, that is to be reviewed every five years. Board members asked about the plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Durkin was in non-opposition while three abutters were opposed to the project.

Votes: Board member Collins motioned for approval with the proviso that relief to expire in five years. Board member Whewell seconded and the motion carried unanimously.

Case: BOA-1748157 Address: 239R Beech Street Ward 20 Applicant: John Pulgini

Article(s): Article 67, Section 33.1 Conformity Ex Bldg Alignment Applicant will need to seek Conformity with Existing Building Alignment for the Front yard setback. Article 67, Section 9 Rear Yard Insufficient Applicant will need to seek relief for Insufficient Rear yard setback. Article 67, Section 9 Bldg Height Excessive (Stories) Applicant will need to seek relief for Excessive story height.

Purpose: Construct a new two story, single family dwelling w/ two parking spaces upon an existing, vacant lot at 239R Beech Street (Parcel ID 2000781010). E[plans] Filed

Discussion: At the request of the Board, the applicant presented plans to construct a two-story, single family dwelling on the rear of the lot while parking is available through a shared driveway. Board members asked about the plans and parking.

Documents/Exhibits: Building Plans

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

Votes: Board member Pinado motioned for approval. Board member Collins seconded and the motion carried unanimously.



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Case: BOA-1721875 Address: 37 Bexley Road Ward 19 Applicant: Timothy Burke

Article(s): Article 67, Section 8 Use: Forbidden You need relief from the BOA for the said violation

Purpose: Convert an existing two-family dwelling to a three-family dwelling. Create new fire separation between second and third floor units and remove exterior stair.

Discussion: At the request of the Board, the applicant presented plans to convert an existing two-family into a three-family with internal work along with removing an exterior fire escape. 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 Turner motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA- 1718701 Address: 41 Hollingsworth Street Ward 18 Applicant: Joseph Wood

Article(s): Article 60 3 Proposed Use Table A use is forbidden

Purpose: Change occupancy from light manufacturing to adult day health center. 1) Transform office into full handicap accessible bathroom (6.7"x6.7") 2) Close up the wall to make staff half bathroom 3) Install sink in nurses office

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a light manufacturing facility to an adult day health center. Board members asked about the plans and parking

Documents/Exhibits: Building Plans

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

Votes: Board member Collins motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA- 1727834 Address: 83 Hamilton Street Ward 15 Applicant: Joao Gomes

Article(s): Article 65, Section 9 Floor Area Ratio Excessive Consider relief for excessive floor area ratio Floor Area Ratio Maximum: 0.5 Proposed FAR: 1.05

Purpose: Proposed new shed dormers to existing 3 family residence. Existing ridge height to remain. Proposed floor area increased by 133 sqft.

Discussion: At the request of the Board, the applicant presented plans to add two shed dormers to the third floor, and to create an additional bedroom. 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 was in support of the project.

Votes: Board member Pinado motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA-1689097 Address: 18 Robeson Street Ward 11 Applicant: Josh Fetterman

Article(s): Article 55, Section 41.12 Two or More Dwellings on Same Lot Applicant will need to seek relief for two dwellings on the same lot

Purpose: No work to be done. Companion case permit to ERT1638207. One of 2 building on same lot. [ePlans filed]

Discussion: At the request of the Board, the applicant presented plans to construct a second dwelling at the rear of the lot. Board members asked about the plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Four abutters were opposed to the project.

Votes: Board member Pinado motioned for approval with the provisos that there will be a tree inventory conducted and Planning Department Design Review with attention to preserving the existing tree canopy and if needed replacement of trees for this project. Board member Whewell seconded and the motion carried unanimously.

Case: BOA- 1689101 Address: 18R Robeson Street Ward 11 Applicant: Josh Fetterman

Article(s): Article 55, Section 41.12 Two or More Dwellings on Same Lot Applicant will need to seek relief for Two Dwelling Units on the same lot.

Purpose: Construct new single-family building at rear of lot.



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Discussion: At the request of the Board, the applicant presented plans to construct a single-family dwelling in the rear of the existing dwelling on the same lot. Board members asked about the plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Four abutters were opposed to the project.

Votes: Board member Pinado motioned for approval with the provisos that there will be a tree inventory conducted and Planning Department Design Review with attention to preserving the existing tree canopy and if needed replacement of trees for this project. Board member Whewell seconded and the motion carried unanimously.

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 Insufficient usable open space per dwelling unit Art. 59, Section 22 Dimensional Regulations Excessive f.a.r (90 Smith street/Third structure on lot)

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*

Discussion/Votes: Upon a motion and a second, the Board moved to defer until November 18, 2025.

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

Discussion/Votes: Upon a motion and a second, the Board moved to defer until November 18, 2025.

Case: BOA- 1747957 Address: 395 West Fourth Street Ward 6 Applicant: Shaun McClorey

Article(s): Article 68, Section 8 Add'l Lot Area Insufficient Article 68, Section 8 Lot Area Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 8 Floor Area Ratio Excessive Art. 68 Sec. 33 Off Street parking Req.

Purpose: Confirm occupancy as 1 family. Change of occupancy to 2 family home. New kitchens and bathrooms. new HVAC and electric service. New 2 story deck with metal spiral stairway for unit two second egress. Extension of living space into basement with new finished habitable area for unit one. [ePlan]

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of a one family to a two family while constructing a two-story deck with a staircase. Board members asked about the plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flynn was in support of the project.

Votes: Board member Valencia motioned for approval. Board member Turner seconded and the motion carried unanimously.

Case: BOA-1653647 Address: 38 Fenway Ward 4 Applicant: John Pulgini

Article(s): Art. 66, Section 8 Use: Forbidden Basement Unit – Forbidden Article 29 Section 4 GPOD Applicability Article 32, Section 4. GCOD, Applicability Article 66, Section 9-Dimensional Regulations Floor Area Ratio Excessive Article 66, Section 9-Dimensional Regulations Rear Yard Insufficient



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Purpose: Confirm occupancy as a single family and change occupancy to a 5-unit residential building. Scope includes addition of 3 stories (2 1/2 per Zoning code) above existing building and rear addition of 6 stories (5 per Zoning code) to create a 7-story building (5 1/2 per Zoning code). Also included is to completely renovate and reconfigure interiors, install a new elevator, add new rear & front facing decks with a private roof deck. Upgrades to life safety (FA/FP) and existing fire escapes to adjacent building to remain.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until December 9, 2025.

Case: BOA- 1743977 Address: 434 Meridian Street Ward 1 Applicant: Ricupero Family Trust

Article(s): ARTICLE 53; SECTION 53 5 Dimensional Regulations (Table F) Insufficient side yard setback Article 53 Section 28 Table L EB Neighborhood Off Street Parking Regulations Insufficient Parking Art. 53 Sec.25 Roof Structure Restrictions Reconfiguration of existing main roof Article 53 Section 25EB Neighborhood Roof Structure restrictions Max allowed height on parcel has been exceeded

Purpose: No Record of occupancy, confirm occupancy as a 2-family dwelling and to 4 residential units and Erect addition to change to four-unit residential dwelling. *10/22/24 application assigned to FD by Dept Head Paul Williams 11/19/24** 6.25.25 OCC. Committee review completed and application self NDOD OVERLAY is applicable

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of a two-family dwelling to four residential units as well as a rear addition to increase living space. 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 Collins motioned for approval with the proviso of Planning Department Design Review with attention to roof the structure. Board member Pinado seconded and the motion carried unanimously.

HEARINGS: 11:00AM

Case: BOA-1774650 Address: 23 Wachusett Street Ward 18 Applicant: Felix G Sanchez

Article(s): Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. Article 69, Section 9 Floor Area Ratio Excessive Article 69, Section 9 Usable Open Space Insufficient Article 69, Section 9 Front Yard Insufficient Article 69, Section 9 Side Yard Insufficient Article 69, Section 9 Rear Yard Insufficient

Purpose: Renovation Dormer expansion on the right side, rear deck addition and extension of the front deck. [ePlans]

Discussion: At the request of the Board, the applicant presented plans to expand an existing dormer on the right side of the property along with a rear deck addition and extension of the front deck. 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 Collins motioned for approval with Planning Department Design Review. Board member Pinado seconded and the motion carried unanimously.

Case: BOA-1746236 Address: 31 Park Street Ward 16 Applicant: Patrick Drummond

Article(s): Article 65, Section 9 Rear Yard Insufficient Art. 65 Sec. 41 Off street parking requirements Article 65, Section 42.13 Two or More Dwellings on Same Lot

Purpose: Two dwellings on the same lot. (Original permit number: 31R Park St ALT1707841) [ePlans]

Discussion: At the request of the Board, the applicant presented plans to have an additional dwelling unit on the same lot. 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 Turner motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA- 1746241Address: 31R Park Street Ward 16 Applicant: Patrick Drummond

Article(s): Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Rear Yard Insufficient Art. 65 Sec. 41Off street parking requirements Article 65, Section 42.13Two or More Dwellings on Same Lot



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Purpose: Convert existing garage into dwelling unit as per the plans no change to the existing footprint [ePlans] [To follow Boston's ADU Guidelines]

Discussion: At the request of the Board, the applicant presented plans to convert an existing garage into an additional dwelling unit at the rear of the property. 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 Turner motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA-1729631 Address: 61 Columbia Road Ward 14 Applicant: Peter Vanko

Article(s): Article 60 Section 3 Use Regulations in Residential Subdistricts Auditorium use is forbidden. Article 60 Section 3 Use Regulations in Residential Subdistricts Office use is forbidden Article 60 Section 3 Use Regulations in Residential Subdistricts Gym use is forbidden Article 60, Section 60 4-Dimensional Regulations Table D Front yard min. required: 15' Proposed Columbia Rd.: 0' Proposed Hewins St.: 7' Proposed: Seaver St.: 10.5' Article 60, Section 60 4-Dimensional Regulations Table D Side yard min. required: 10' Proposed: 7' (R) Article 60, Section 60 4-Dimensional Regulations Table D Rear yard min. required: 30' Proposed: 29.3'

Purpose: Erect single-story commercial building with parking and occupied basement. Building to contain Auditorium, Gym, and Offices uses. Combine lots 1400946001, 1400945000, 1400944000, and 1400943000. Proposing 27 parking spaces. Demolition of existing building under SF: # eplan

Discussion: At the request of the Board, the applicant presented plans to combine four lots, demolish an existing structure and erect a single-story commercial building with auditorium, gym and offices along with twenty-seven parking spaces. Board members asked about the plans. Board member Pinado felt that the project was not the right for the location.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Worrell was in support of the project.

Votes: Board member Turner motioned for approval. Board member Collins seconded while Board member Pinado was opposed to the project the motion carried.

Case: BOA- 1772101 Address: 122 DeWitt Drive Ward 9 Applicant: Antonio Rodriquez

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

Purpose: Change occupancy from Community Center to Community Center & High School to include a (Private High School Urban Achievers) Monday thru Friday from 7am to 3pm 13-year old's 16-year olds on site & 7am 5pm school administrators.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a community center to include a private high school. 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 motioned for approval. Board member Valencia seconded and the motion carried. Board member Pinado recused herself.

RE-DISCUSSION: 11:30AM

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



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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

Discussion/Votes: Upon a motion and a second, the Board moved to defer until November 18, 2025.

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

Discussion/Votes: Upon a motion and a second, the Board moved to defer until November 18, 2025.

Case: BOA- 1652955 Address: 85 Centre Street Ward 11 Applicant: Jeffrey Drago, ESQ

Article(s) Art. 50, Section 28 Use: Forbidden Multifamily Article 50, Section 29 Add'l Lot Area Insufficient Min.

required: 20,000 sqft Proposed: 6,089 sqft Article 50, Section 29 Floor Area Ratio Excessive Max. allowed: 0.8

Proposed: 2.38 Article 50, Section 29 Bldg Height Excessive (Stories) Max. allowed: 3 Proposed: 5

Article 50, Section 29 Bldg Height Excessive (Feet) Max. allowed: 35' Proposed: 55' 4"

Art. 50 Sec. 29 Usable open space insufficient Min. required: 6,500 sqft Article 50, Section 29 Side Yard Insufficient

Min. required: 10' Proposed: 5.9' (R) Aggregate required: 15' Proposed: insufficient (R) Article 50, Section 29 Front

Yard Insufficient Min. required: 20' Proposed: 5' Article 50, Section 29 Rear Yard Insufficient Min. required: 30'

Proposed: 13' 10 3/4" Art. 50 Sec. 36 Neighborhood Design Overlay District Art. 50 Sec. 44.2 Existing Bldg Alignment

Land surveyor didn't provide a street modal calculation to verify its compliance. Art. 50 Sec. 43 Off street parking

insufficient Min. spaces required: 10 Proposed: 8

Purpose: To erect a new residential building with 10 units and 8 parking spaces. Demolition of existing building under SF:# Two lots being combined under ALT1534326 and ALT1534323

Discussion/Votes: Upon a motion and a second, the Board moved to withdraw the project.

Case: BOA- 1724209 Address: 6 Groom Street Ward 7 Applicant: Brian Chavez

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

Front Yard Insufficient Article 65, Section 9 Bldg Height Excessive (Feet) Article 65, Section 9 Usable Open Space

Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Lot Frontage Insufficient Article 65,

Section 9 *Lot Area Insufficient Article 65, Section 15 Use: Forbidden Art. 65 Sec. 60 37 Off Street parking insufficient

Purpose: Change of occupancy from a 3 family with ADU to a 5 family to include front and rear porches for second means of egress, new roof deck and a head house

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of a three family to a five-family dwelling with new roof deck and headhouse. 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 motioned for approval. Board member Turner seconded and the motion carried unanimously.

Case: BOA- 1730151 Address: 208 H Street Ward 7 Applicant: Sebastien Hazard

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

Art. 25 Sec. 5 Flood Hazard Districts Art. 29, Section 4 Greenbelt Protection Overlay District

Purpose: Interior renovation and rear addition. no change in occupancy, use or egress.

Discussion: At the request of the Board, the applicant presented plans to extend living space of a single-family dwelling by adding a three-story addition along with interior renovation and an expansion of an existing 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. Councilor Flynn was in support of the project.

Votes: Board member Pinado motioned for approval with the proviso of Planning Department Design Review with attention to rear yard permeability. Board member Turner seconded and the motion carried unanimously.



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Case: BOA- 1575425 Address: 62 L Street Ward 6 Applicant: David Luciano

Article(s): Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Side Yard Insufficient
Art.68 Sec 29 Roof Structure Restrictions Access to the roof deck must be via a roof hatch

Purpose: Replace existing exterior stairs and construct a new roof deck.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until December 9, 2025.

INTERPRETATIONS: 12:00PM

Case: BOA-1775900 Address: 5 Redlands Road Ward 20 Applicant: Stephen Marsh

Article(s): Article 9, Section 9 3 Effect of non-use of Nonconforming use Legal Occupancy and land use abandoned for a period greater than two years Art. 56 Sec. 37 Screening & Buffering None proposed on plans Article 56, Section 39 Off Street Parking & Loading Req Insufficient parking and 1 loading bay required Art. 56 Sec. 39 Off street parking requirements 5. Design: Width of an unobstructed 10' driveway and clear maneuvering areas

Purpose: The petitioner seeks a determination that the Inspectional Services Department erred in issuing permit ALT1748839

Testimony: At the hearing, the Board heard testimony from counsel for both the Appellant and the Permit Holder, Alexander Burk on behalf of Berkshire Investments, LLC, as well as from ISD Deputy Commissioner Marc Joseph and Colby O'Brien of Making Opportunities Count (MOC). Elected officials, their representatives, and members of the public also provided testimony both in support of and in opposition to the proposed congregate living facility. Deputy Commissioner Joseph testified that ISD properly issued the permit because the project complies with all applicable zoning requirements, including allowed use, parking, and first-floor height, and noted that ISD relies on the professional calculations of licensed land surveyors when reviewing plans.

Votes: Board member Pinado motioned that ISD was correct in issuing the permit. Board member Valencia seconded, and the motion carried unanimously.

Case: BOA- 1771531 Address: 150 Third Avenue Ward 2 Applicant: Melissa Brennan on behalf of herself and other abutters to 150 Third Avenue, Charlestown

Purpose: Purpose: The petitioner seeks a determination that the Inspectional Services Department erred in issuing permit ALT1596439.

Testimony: The Board heard testimony from counsel for both the Appellant and the Permit Holder, elected officials and their representatives, and members of the public.

Votes: Board member Valencia motioned that ISD was correct in issuing the permit. Board member Whewell seconded, and the motion carried unanimously.

STEPHANIE HAYNES

BOARD OF APPEAL

617-635-4775

BOARD MEMBERS:

SHERRY DONG-CHAIR

NORMAN STEMBRIDGE-SECRETARY

GIOVANNY VALENCIA

SHAMALIAH TURNER

KATIE WHEWELL

SUBSTITUTE MEMBERS:

DAVID COLLINS

JEANNE PINADO

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



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