



City of Boston  
Board of Appeal

**REVISED**

3:05 pm, May 28, 2026

**Tuesday, June 2, 2026    BOARD OF APPEALS    City Hall Room 801**

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## **HEARING AGENDA**

Revised Agenda

Please be advised of the following appeals to be heard on June 2, 2026 beginning at **9:30 am** and related announcements.

All matters listed on this June 2, 2026 Hearing agenda have been noticed in accordance with the enabling act. please be advised of the following participation instructions:

The June 2, 2026 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/2026ZBAHearings>. You may also participate by phone by calling into the Zoom Webinar at **1-646-828-7666** and entering the Webinar ID: 160 422 3767 followed by # when prompted.

If you wish to offer testimony on an appeal, please click <https://bit.ly/June22026ZBAComments> 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/June22026ZBAComments> 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



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**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**

#### **APPROVAL OF HEARING MINUTES: 9:30AM**

May 14, 2026 & May 19, 2026

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

Case: BOA-1567009 Address: 13 Alexander Street Ward 13 Applicant: Derric Small, Esq

Case: BOA-1436577 Address:110-118 Terrace Street Ward 10 Applicant: Michael P. Ross, Esq

Case: BOA-1435582 Address: 110-118 Terrace Street Ward 10 Applicant: Michael P. Ross, Esq

Case: BOA-1577058 Address: 2-10 Hichborn Street Ward 22 Applicant: Justin Byrnes, Esq

Case: BOA-1299109 Address: 252-252A Shawmut Avenue Ward 3 Applicant: Jeffrey Drago, Esq

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

Case: BOA- 1824653 Address: 1 Westminster Terrace Ward 22 Applicant: Michael Faibish

Article(s): Article 51, Section 9 Floor Area Ratio Excessive

Purpose: Basement renovation to be completed on 2 Westminster TE property. Remodeling existing basement and existing full bath and half bath in basement. Renovated basement to include playroom and hobby room.



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**Case: BOA- 1825552 Address: 5-7 Aldie Street Ward 22 Applicant: Robert Fusunyan**

**Article(s):** Article 51, Section 8b Use Regulations Three family detached dwelling in a Two Family (2F) zone is Forbidden.

**Purpose:** Change use from a two family to a three family dwelling. Construct third floor shed dormer and remodel full bathroom,

**Case: BOA-1838237 Address: 393 Cambridge Street Ward 22 Applicant: Josh Fetterman-ARTICLE 80**

**Article(s):** Article 51 Section 16 Use Regulations Hotel use is conditional Article 51 Section 17 FAR Max. allowed: 1 Proposed: 5.68 Article 51 Section 17 Max. height allowed: 35' Proposed: 93' Article 51 Section 17 Rear yard. Min. required: 20' Proposed: 0.1' Article 51, Section 56 Off Street Parking Insufficient Min. required: 67 spaces Proposed: 4 drop off spaces. Article 51, Section 56 Off Street Loading Insufficient 1 loading bay required. Proposed: 0

**Purpose:** Construct new 46,659 sf hotel with 96 rooms and 4 drop off parking spaces. Demolition of existing structure under SF# eplan BOA

**Case: BOA- 1760086 Address: 57-59 Riverdale Street Ward 22 Applicant: Timothy Burke**

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

**Purpose:** Confirm as 3 family and change to 6 units. Construct a three story addition on the rear of an existing three family structure to add three dwelling units.

**Case: BOA- 1839746 Address: 80 Gardner Street Ward 21 Applicant: Alpha management Corporation-Article 80**

**Article(s):** Article 51, Section 9 Rear Yard Insufficient Article 51, Section 9 Front 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 Lot Area Insufficient Art. 51 Sec. 56 Off street parking requirements Article 51, Section 56 Off Street Loading Insufficient Article 51, Section 8 Use: Forbidden proposed 36 units

**Purpose:** Proposal is 6 story development with 36 proposed res dus. The ±25,552 sf lot has an existing 28 unit apt. bldg. to remain and will be connected to the new construction via basement level parking (containing 18 spots in the new construction and 5 spots in the existing building).

**Case: BOA- 1826929 Address: 11 Beaufort Road Ward 19 Applicant: Rogerson Communities, Inc.-ARTICLE 80 & MOH**

**Article(s):** Art. 55, Section 8 Use: Conditional Congregate living facility Art. 55 Sec. 55 9 Additional lot area insufficient Lot area required: 108,000 sqft (4,000+104,000) Proposed lot: 47,027 sqft Article 55, Section 9 Floor Area Ratio Excessive Max. allowed: 1 Proposed: 2.87 (135,000 sqft/47,027sqft) Article 55, Section 9 Bldg Height Excessive (Stories) Max. allowed: 3 Proposed: 6 Article 55, Section 9 Bldg Height Excessive (Feet) Max. allowed: 35' Proposed: 70' Art. 55, Section 8 Use: Forbidden daycare center for elderly

**Purpose:** MOH Updated job description (09/11/25): New construction 6 stories. Passive house all electric building, solar ready 3 floors memory care 66 beds studios and 3 floors 41 affordable senior apartments. Building is also to include a senior social day care program and a below grade 35 parking spaces in garage beneath the building. In conjunction with ALT1808974 and ALT1808970 eplan – BOA Previous job description: New construction 7 stories working towards Mass Timber. Passive House all electric building, solar ready. 3 flrs memory care 66 beds and 4 floors ~ 67 affordable senior apts. Adult Day Care and Below grade parking garage.



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**Case: BOA- 1826939 Address: 434 Jamaicaaway Ward 19 Applicant: Rogerson Communities, Inc.-ARTICLE 80 & MOH**

**Article(s):** Article 55, Section 9 Side Yard Insufficient Required: 10' Proposed: 0' Article 55, Section 9 Rear Yard Insufficient Required: 10' Proposed: 0' Art.55 Sec.40Off St. Parking/Loading Req'mnt Parking spaces are being eliminated.

**Purpose:** MOH Combine assessors parcel no. 1902013000 containing 132,505SF and having a street address of 434 Jamaicaaway with assessors parcel no. 1901976000 containing 7,093SF and having a street of 31 Beaufort Rd into one parcel. This application is being filed in connection with ERT1672492 and ALT1808974 where its building is being demolished under SF# . No work to be done. eplan BOA

**Case: BOA- 1810476 Address: 69 Brent Street Ward 16 Applicant: Alfredo Abramson**

**Article(s):** Article 65, Section 9 Excessive floor area ratio (Table C)

**Purpose:** Renovate the basement, replace laundry, add a new bathroom, a gym and living room

**Case: BOA-1839863 Address: 841-847 Morton Street Ward 14 Applicant: Akmal Moawed Enterprises LLC-ARTICLE 80**

**Article(s):**Article 26 Section 2C Dimensional Regulations Applicable in Squares + Streets Districts building width. Max. allowed: 150 Proposed: 260' 8 11/16"

**Purpose:** Demolish the existing structure under SF#, erect a mixed use building for fifty two (52) residential units, thirty five (35) parking spaces, ground level uses:1 core and shell Restaurant,1 core and shell Retail and 1 core and shell what?. eplan BOA Application subject to Art.80 LPR

**Case: BOA- 1822982 Address: 102 Nightingale Street Ward 14 Applicant: Augustine Kim**

**Article(s):**Art. 60 Sec. 09 Floor Area Ratio excessive Applicant will need to seek relief for excessive Floor Area Ratio (FAR). Article 60, Section 9 Lot Area Insufficient Applicant will need to seek relief for Insufficient Lot Area.

Article 60, Section 9 Lot Frontage Insufficient Applicant will need to seek relief for Insufficient Lot Frontage.

Article 60 Section 33.5 GM Neighborhood Application of Dimensional Requirements: Side Yards of Certain Narrow Lots Applicant will need to seek relief for Side yards of Certain Narrow Lots. Article 60, Section 9Front Yard Insufficient Applicant will need to seek relief for Insufficient Front Yard setback. Provide modal alignment study.

Article 60 Section 32GM Neighborhood Off Street Parking and Loading Requirements Applicant will need to seek relief for Off Street Parking & Loading requirements. Article 60 Section 30.4 GM Neighborhood Screening and Buffering Requirements: Roof Mounted Mechanical Equipment Applicant will need to seek relief for Screening & Buffering Requirements for proposed Mechanical Corral to be located on the roof. Art. 60 Sec. 9Additional Lot Area Insuff Applicant will need to seek relief for Insufficient Additional Lot Area. Article 60, Section 9 Lot Width Insufficient Applicant will need to seek relief for Insufficient Lot Width.

**Purpose:** ON A VACANT LOT, ERECT A 3 STORY, 3 UNIT RESIDENTIAL BUILDING W/REAR DECKS AS PER PLANS, Bsmt Storage & Utilities & Roof Access for Mechanical Corral. E[plans] SUBMITTED. NOTE: BUILDING TO BE SPRINKLERED.

**Case: BOA- 1814618 Address: 163-165 Hillside Street Ward 10 Applicant: Christopher McGue**

**Article(s):** Art. 59 Sec. 7 Use Regulations 3 family use Forbidden Art. 59 Sec. 37 Off Street Parking Article 59 Section 8 Insufficient rear yard setback Article 59 Section 8 Max allowed building height exceeded Article 59 Section 8 Max allowed number of stories has been exceeded Article 59, Section 8 Insufficient open space per unit

**Purpose:** The project proposes the renovation of the existing two family dwelling into three family. The building will provide two on site parking spaces and will be equipped with a full sprinkler system.

**Case: BOA- 1811910 Address: 24 Neillian Crescent Ward 19 Applicant: Jing Zhou**

**Article(s):** Article 55, Section 9 Side Yard Insufficient

**Purpose:** Addition of the second floor and to the rear of the house. New left side deck. [ePlans]



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**Case: BOA- 1833514 Address: 176 L Street Ward 7 Applicant: James Christopher**

**Article(s):** Art. 68 Sec. 33 Off Street parking Req. You need relief from the BOA for the said violations  
Article 68, Section 8 Floor Area Ratio Excessive You need relief from the BOA for the said violations  
Article 68, Section 8 Bldg Height Excessive (Feet) You need relief from the BOA for the said violations  
Article 68, Section 8 Rear Yard Insufficient You need relief from the BOA for the said violations

**Purpose:** The homeowner seeks to erect a 4th story addition to increase living space with no change to occupancy.  
\*\*Nominal Fee\*\*

**Case: BOA- 1837592 Address: 3 Moore Street Ward 1 Applicant: Jam 5 Properties, LLC**

**Article(s):** Article 53 Section 5.1 EB Neighborhood Residential Use Regulations 6 unit dwelling is not an allowed due to insufficient lot width per the USE tables footnote #2 2. Where designated "A," and the Lot Frontage is over fifty-five (55) feet, up to six (6) dwelling units are allowed. Where designated "A," and the Lot Frontage is fifty-five (55) feet or less, up to three (3) dwelling units are allowed. Article 53; Section 53-28 Off-Street Parking & Loading Insufficient parking

**Purpose:** Raze existing dwelling on separate permit and erect a three story six-unit residential dwelling with roof decks as per plans.\*Existing structure to be razed on a separately filed, approved and issued SF demolition permit.

**HEARINGS: 11:00AM**

**Case: BOA- 1842748 Address: 33 Hawthorne Street Ward 19 Applicant: Dougall LLC**

**Article(s):** Article 67 Section 32 Off Street Parking & Loading Req Article 67 Section 8 ROS Neighborhood Use Regulations Applicable in Residential Subdistricts Basement Units forbidden, three family detached dwelling forbidden. Article 67, Section 9 Bldg Height Excessive (Stories) Article 67, Section 9 Usable Open Space Insufficient Article 67, Section 9 Floor Area Ratio Excessive

**Purpose:** To change occupancy from a two family to a three family by extending living space in the basement and attic by enlarging the dormer. Nominal Fee

**Case: BOA- 1813709 Address: 36-44 Broad Street Ward 3 Applicant: 40 Broad Street**

**Article(s):** Article 86, Sec. 686 6.1 Roof mounted antennas – Setback Article 86, Sec. 686 6.1 Roof mounted antennas – Height Art.86 Wireless Comm. Appl.86 4 (2) Design review required.

**Purpose:** Change of occupancy to include wireless communication. The Applicant is proposing to install a building mounted wireless facility on the roof of the building at 36 44 Broad Street. The proposed installation will include three sectors (Alpha, Beta, and Gamma) of four antennas each for a total of twelve antennas as shown on the plans.

**COURT REMAND: 12:00PM**

**Case: BOA- 1359438 Address: 22 Hanover Avenue Ward 3 Applicant: Stephen & Jenny Badolato**

**Article(s):** Article 54, Section 18 Roof Structure Restrictions Article 54, Section 10 Rear Yard Insufficient

**Purpose:** Renovation of a single-family townhouse. Occupancy to remain single family. Existing building footprint to remain, with new stair and headhouse and an additional two floors over the lower portion of the existing building. The design features a new interior configuration and M.E.P. systems, as well as new envelope penetrations and finishes.

**ADOPTION OF PROPOSED RULES AND REGULATIONS**



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**STEPHANIE HAYNES**  
**BOARD OF APPEAL**  
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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)**