



City of Boston  
Board of Appeal

Tuesday, May 8, 2018

BOARD OF APPEALS

Room 801

The board will hold a hearing on May 8, 2018 starting at 9:30 a.m.

**APPROVAL OF HEARING MINUTES:**

March 6, 2018, March 22, 2018 & March 27, 2018

**EXTENSION: 9:30a.m.**

**Case:** BOA-415915, **Address:** 175 Howard Avenue , **Ward 13 Applicant:** Hugo Correa Filho

**Case:** BOA-570169, **Address:** 5 Major Michael J. O'Connor Way, **Ward 7 Applicant:** South Boston Neighborhood Development corporation & Caritas Communities Inc.

**Case:** BOA-543908, **Address:** 100 A Street, **Ward 6 Applicant:** George Morancy, Esq

**GCOD: 9:30 a.m.**

**Case:** BOA-815268 **Address:** 94 Chestnut Street , **Ward 5 Applicant:** Ben Whitney

**Article(s):** 32(32-9)

**Purpose:** Renovate 4000 sq' brownstone. See plans by architect guy Grassi for more detail. Change occupancy to two family and add roof deck over existing ell, deck at 2nd floor rear, terrace at fourth floor rear, modify dormers, lower slab at garden level. (Work description updated by LS 2/6/2018).

**HEARINGS: 9:30 a.m.**

**Case:** BOA-802209 **Address:** 100 Boardman Street , **Ward 1 Applicant:** MC-EB Realty LLC

**Article(s):** 53(53-26)

**Purpose:** East Boston Hilton Garden Inn - Construct a 5 story, 84 Room addition to the existing Hotel. Work includes modified entry drives, parking areas containing a total of approximately 299 spaces, and pedestrian walks, landscape and lighting. This addition project has completed Article 80 Review and is being submitted to ISD with a nominal fee as the project requires Zoning Code relief from the Board of Appeals given the height of the hotel addition structure is 54'.

**Case:** BOA-794923 **Address:** 288 Chelsea Street , **Ward 1 Applicant:** 288 Chelsea Street Realty Trust

**Article(s):** 53(53-9)

**Purpose:** Remove the Existing Porch and rebuild as enclosure please refer to Drawing.

**Case:** BOA-783652 **Address:** 740 Saratoga Street , **Ward 1 Applicant:** Liliana Monroy

**Article(s):** 9(9-1) 53(53-9)

**Purpose:** Finish basement will be part of 1st floor. 1 bedroom, office space, and bar. Make full bathroom and mechanical room and playroom space.

**Case:** BOA-803429 **Address:** 9 Hill Street , **Ward 2 Applicant:** Isamu Kanda

**Article(s):** 62(62-25) 62(62-8: Floor area ratio excessive & Side yard setback requirement is insufficient)

**Purpose:** New front and rear dormers, remodel 3rd floor bath, extend living space into finish basement

**Case:** BOA-812913 **Address:** 537A-537 Columbus Avenue , **Ward 4 Applicant:** Leo Papile

**Article(s):** 6(6-4)

**Purpose:** Remove the proviso for this petitioner only for outdoor seating for 8 persons.

**Case:** BOA-812908 **Address:** 537A-537 Columbus Avenue , **Ward 4 Applicant:** Leo Papile

**Article(s):** 6(6-4)

**Purpose:** Remove Proviso for this petitioner only for take-out restaurant.

**Case:** BOA-812917 **Address:** 535-541 Boylston Street , **Ward 5 Applicant:** John Hancock Life Insurance

**Article(s):** 6(6-4)

**Purpose:** Remove the proviso for this petitioner only. Verts has changed its name to Noon. Seating already exists. No work to be done.

**Case:** BOA-812921 **Address:** 535-541 Boylston Street , **Ward 5 Applicant:** John Hancock Life Insurance

**Article(s):** 6(6-4)

**Purpose:** Remove the proviso for this petitioner only. Verts Mediterranean Grill changed its name to Noon Mediterranean Grill. No work to be done.

**Case:** BOA-809927 **Address:** 240A Newbury Street , **Ward 5 Applicant:** UMN 240A Newbury LLC

**Article(s):** 8(8-3)

**Purpose:** Change occupancy to include Cafe.

RECEIVED  
CITY CLERK'S OFFICE  
2018 MAY - 3 A 10: 51  
BOSTON, MA

**Case:** BOA-811625 **Address:** 250 Newbury Street , **Ward 5 Applicant:** Josephine Damore, Trustee

**Article(s):** 6(6-4)

**Purpose:** Remove the proviso for this petitioner only. Wired Puppy, while having the same name, is changing ownership. The new ownership is Revelator Coffee Company Inc. No work to be done.

**Case:** BOA-811447 **Address:** 120 Bolton Street , **Ward 6 Applicant:** John Doyle

**Article(s):** 68(68-7) 10(10-1)

**Purpose:** Proposed two (2) off-street parking at 120 Bolton St located at the back yard of 223 West 2nd Street. Ancillary parking use for 223 West 2nd Street.

**Case:** BOA-786687 **Address:** 159-165 M Street , **Ward 6 Applicant:** Douglas Stefanov

**Article(s):** 68(68-8)

**Purpose:** Legitimize existing decks in the rear of building.

**Case:** BOA-795237 **Address:** 184 Tudor Street , **Ward 6 Applicant:** James Christopher

**Article(s):** 68(68-33)

**Purpose:** Adding parking spot on side of building.

**Case:** BOA- 735236 **Address:** 75 G Street , **Ward 7 Applicant:** Douglas Stefanov

**Article(s):** 68(68-8: Floor area ratio is excessive, Height requirement is excessive & Required side yard setback, due to encroachment, is insufficient) 68(68-34) 68(68-29)

**Purpose:** Raze existing structure. Erect new 6-unit, 4 story multi-family with garage parking.

**HEARINGS: 10:30 a.m.**

**Case:** BOA-759537, **Address:** 180 Norfolk Avenue , **Ward 8 Applicant:** Joseph Holland

**Article(s):** 50(50-43) 50(50-29: Lot area insufficient, Lot area for each additional unit insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Open space insufficient, Side yard insufficient & Rear yard insufficient)

**Purpose:** On vacant parcel erect 3 story, 3 family dwelling w/rear & roof decks as per plans submitted.

**Case:** BOA-805881, **Address:** 80 Terrace Street , **Ward 10 Applicant:** Terrace Alfa LLC

**Article(s):** 59(59-18) 59(59-19: Floor area ratio excessive, Building height excessive, Usable open space insufficient & Rear yard insufficient) 59(59-37)

**Purpose:** Construct a 5 story Mixed-Use Building. On the Ground Floor will be a Parking Garage under the Building. On the 2nd Floor will be Office space. On Floors 3 thru 5 will be 9 Residential Condo Units. There will be a Common Roof Deck for Building Tenants. Combine 4 lots on ALT793556 to be known as 80 Terrace Street.

**Case:** BOA-708918, **Address:** 32 Hartwell Street, **Ward 12 Applicant:** Timothy Johnson

**Article(s):** 50(50-28) 50(50-43) 50(50-29: Excessive F.A.R., Insufficient open space, Insufficient additional lot area per unit & Max # of allowed stories has been exceeded (4 habitable stories))

**Purpose:** Change occupancy to attached 4-family building and install new sprinkler/alarm system for entire building as per plans submitted.

**Case:** BOA-708914, **Address:** 34 Hartwell Street, **Ward 12 Applicant:** Timothy Johnson

**Article(s):** 50(50-28) 50(50-29: Excessive F.A.R., Insufficient open space, Insufficient additional lot area per unit & # of allowed stories has been exceeded (4 habitable stories) 50(50-43)

**Purpose:** Change occupancy to attached 4-family building and install new sprinkler/alarm system for entire building as per plans submitted.

**Case:** BOA-810061, **Address:** 43-45 Waverly Street, **Ward 12 Applicant:** Derric Small

**Article(s):** 51(51-8) 51(51-9: Open space insufficient, Floor area ratio excessive. 51-9.4 main entrance must face the front lot line & Additional lot area for each additional dwelling unit insufficient) 51(51-56)

**Purpose:** Addition of (2) studio units at lower level and repairs to the exterior envelope of existing building.

**Case:** BOA-796631, **Address:** 341-343 Savin Hill Avenue , **Ward 13 Applicant:** Michael Kinahan

**Article(s):** 65(65-60-83) 65(65-9: Floor area ratio excessive & Height is excessive) 65(65-42)

**Purpose:** Change from 2 family to 3 family.

**Case:** BOA-765128, **Address:** 1014-1026A Blue Hill Avenue , **Ward 14 Applicant:** Elvina Greenaway

**Article(s):** 60(60-40) 60(60-17: Open space insufficient & Parking insufficient)

**Purpose:** Change occupancy to include the Proposed second story addition for 3 new dwelling units and renovate as per plans. Construction set to be submitted upon ZBA approval.

**Case:** BOA-806243, **Address:** 23-25 Bowdoin Avenue , **Ward 14 Applicant:** James Christopher

**Article(s):** 65(65-8) 65(65-9: Floor area ratio excessive, Height is excessive (35ft high max allowed) & Height is excessive (2 1/2 stories max allowed))

**Purpose:** Renovation, and addition to change occupancy from 2 residential units to 6 residential units.

**Case:** BOA-801305, **Address:** 91 Bloomfield Street, **Ward 17 Applicant:** Maria Carvalho

**Article(s):** 65(65-9)

**Purpose:** Adding rear stairwell from basement to 2nd floor. Remodeling first floor kitchen with new cabinets, flooring, counter top, and all associated plumbing and electrical work, minor renovation of 2nd floor kitchen.

**Case:** BOA-790909, **Address:** 15 Whitford Street, **Ward 18 Applicant:** Patrick Mahoney  
**Article(s):** 67(67-8: Use: Basement apartment forbidden & Use: Three family dwelling forbidden) 67(67-9: Lot area insufficient, Floor area ratio insufficient, Building height (# of stories) excessive & Usable open space insufficient) 67(67-32)  
**Purpose:** Change Occupancy from a Two (2) Family Dwelling to a Three (3) Family Dwelling. Existing condition no work to be performed.

**Case:** BOA-754552, **Address:** 34-36 Williams Avenue, **Ward 18 Applicant:** Rauny Baez  
**Article(s):** 69(69-8: Lot width insufficient & Side yard insufficient)  
**Purpose:** Subdividing lot at 36 Williams Ave, Hyde Park. This lot will have a total of 8,703 S.F. The new subdivided lot 38 Williams Ave will contain a total of 6,585 S.F. to accommodate new construction. Please reference ERT689194.

**Case:** BOA-754553, **Address:** 38 Williams Avenue, **Ward 18 Applicant:** Rauny Baez  
**Article(s):** 69(69-9: Lot width insufficient & Rear yard insufficient) 69(69-8)  
**Purpose:** Construction of a new 2 family house on lot next to existing single family house. (See alt725398 for subdivision of the lot).

**Case:** BOA-762227, **Address:** 34 Roseway Street , **Ward 19 Applicant:** Patrick Mahoney  
**Article(s):** 10(10-1) 55(55-40)  
**Purpose:** Driveway and two parking spaces.

**Case:** BOA-800771, **Address:** 11 Sawyer Terrace, **Ward 21 Applicant:** Alan Brennan  
**Article(s):** 51(51-9: Insufficient minimum lot size, Insufficient additional lot area per dwelling unit, Insufficient minimum lot width, Insufficient minimum lot frontage, Excessive F.A.R., Insufficient usable open space per dwelling unit, Insufficient front yard setback, Insufficient rear yard setback & Insufficient side yard setback) 51(51-56)  
**Purpose:** Erect new 3 story 3 Family Dwelling.

#### **RE-DISCUSSIONS: 11:30a.m.**

**Case:** BOA-798584, **Address:** 228 Webster Street , **Ward 1 Applicant:** James A. Sartori and Patricia Sartori  
**Article(s):** 53(53-8) 53(53-9: Insufficient additional lot area per unit, Excessive F.A.R., Building height exceeded, Insufficient open space, Insufficient rear yard setback, Location of main entrance, # of allowed stories exceeded & Insufficient side yard setback) 53(53-54) 53(53-56) 10(10-1)  
**Purpose:** Change Occupancy from a 3 unit residential dwelling to a 5 unit residential dwelling. Renovate for new units.  
\*Construction of a fourth story on top of existing dwelling, to include, four story addition in rear.

**Case:** BOA-796542, **Address:** 179 London Street , **Ward 1 Applicant:** 179 London Street Realty Trust  
**Article(s):** 53(53-8) 53(53-56) 53(53-9: Add'l lot area insufficient, Floor area ratio excessive, Building height excessive (stories), Building height excessive (feet), Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient) 25(25-5)  
**Purpose:** Erect addition and change occupancy from a 3 to a 4 unit residential dwelling.

**Case:** BOA-698906, **Address:** 9 Chelsea Street , **Ward 1 Applicant:** Linear Retail #18, LLC  
**Article(s):** 53(53-12) 53(53-56) 53(53-11) 10(10-1) 53(53-57)  
**Purpose:** Erect 2 story commercial local retailing building on newly created 18,795 sf lot. See ALT685902 for subdivision.

**Case:** BOA-757150, **Address:** 312-320 Huntington Avenue , **Ward 4 Applicant:** T-Mobile Northeast LLC  
**Article(s):** 66(66-38)  
**Purpose:** Replace existing false flue with stealth enclosure, add (6) six antennas inside stealth enclosure, add (3) three remote radio units and associated cable.

**Case:** BOA-754021, **Address:** 13 Concord Square , **Ward 4 Applicant:** Kamer Minassian  
**Article(s):** 64(64-9) 64(64-36)  
**Purpose:** Within private garden add short retaining wall and back fill to create two parking spaces.

**Case:** BOA-779357, **Address:** 29-31 Ward Street , **Ward 7 Applicant:** 29-31 Ward Street LLC  
**Article(s):** 68(68-27S-5)  
**Purpose:** Erect new 4-story, 9-unit residential building with 12 parking spaces at grade and roof deck. Building to contain 3 one bedroom units and 6 two bedroom units with 10,451 SF. Existing structure's to be razed on a separate permit.

**Case:** BOA-793533, **Address:** 49 Copeland Street , **Ward 12 Applicant:** Catherine Xesternos  
**Article(s):** 50(50-29)  
**Purpose:** Extend living space from first floor to basement. Install new stairs from first Floor to basement. Install 20x30 basement window for emergency escape from dwelling unit - To correct violation V373264. ZBA.

**Case:** BOA-772648, **Address:** 46 Hichborn Street , **Ward 22 Applicant:** Hichborn Partners LLC  
**Article(s):** 51(51-19: Use Multifamily Dwelling Forbidden & Use Accessory Parking Forbidden) 51(51-20: Floor area ratio excessive, Building height excessive & Rear yard insufficient) 51(51-56: Off-Street Parking Insufficient & Off-Street Loading Insufficient)  
**Purpose:** Seeking to combine three existing lot; parcel ID 2201893000, parcel ID 2201894000 and parcel ID 2201895000 into one parcel of 15,253 square feet. Also, to demolish the three existing structures and erect a 5-story residential building with 46 units and 50 parking spaces. (Alt750917-Alt750919-Alt750929).

**COURT REMAND:12:00Noon.**

**Case:** BOA-448233, **Address:** 11 Virginia Street , **Ward 13 Applicant:** Vargas DaSilveira  
**Article(s):** 65(65-9: Floor area ratio excessive, Front yard insufficient, Side yard insufficient & Rear yard insufficient) 65(65-42)  
**Purpose:** Change occupancy as single family, then, Build dormers, construct addition in rear, install front and rear porches, & reconstruct front entrance, build attached garage with office over, and renovate all floors as per plans.

**CALL OF THE CHAIR:12:00Noon.**

**Case:** BOA-732946, **Address:** 38 P Street, **Ward 6 Applicant:** Nick Zaferakis  
**Purpose:** The petitioner's seek a determination that the Inspectional Services Department erred in issuing the permit ERT705883. The permit was issued as an allowed use.

**RECOMMENDATIONS:**

**Case:** BOA-803413, **Address:** 80 Saint Stephens Street **Ward: 4 , Applicant:** Randy Kreie  
**Article(s):** 66(66-38)  
**Purpose:** To construct a rooftop deck and head house to create access from unit 2 to the roof via an interior stair (stair approved by permit# ALT758829 granted on 10/23/2017)

**Case:** BOA-796650, **Address:** 160 K Street **Ward: 6, Applicant:** Michael Cronin  
**Article(s):** 27S(27S-5)  
**Purpose:** Full interior renovation of existing two-family dwelling, Replacement of windows, exterior door, and siding.

**Case:** BOA-808179, **Address:** 197-203 Humboldt Avenue **Ward: 12, Applicant:** Mario Bailote  
**Article(s):** 50(50-28) 50(50-28) 6(6-4)  
**Purpose:** To change the occupancy from a Restaurant with 9 seats and Take Out to an Exclusively Take Out Restaurant (36A) and removing the Proviso previously issued to a previous petitioner (ALT583635). ZBA

**Case:** BOA-807998, **Address:** 141-143 Glenway Street **Ward: 14, Applicant:** Oxbow Urban LLC  
**Article(s):** 60(60-9)  
**Purpose:** 141-143 Glenway St. ERT#666916, which is a part of the city of Boston's Department of Neighborhood (DND) NHI Middle Income Housing Initiative has been positioned inside of the minimum side yard setback. Submitting an amend-ment to seek zoning relief.

**Case:** BOA-794930, **Address:** 33 Robinson Street **Ward: 15, Applicant:** Toan Le  
**Article(s):** 65(65-9) 65(65-9) 65(65-9)  
**Purpose:** Convert one single family into two family into as per stamped drawings submitted including (MEP) to planning and zoning.

**Case:** BOA-793536, **Address:** 11R Alban Street **Ward: 17 , Applicant:** Allan Robinson  
**Article(s):** 65(65-9) 65(65-9)  
**Purpose:** Remove existing side deck and repair wood shingle siding at same. Propose new rear deck. Relocate rear window and door. Install new exterior landing and stair at relocated door. Install new casement window over kitchen sink. Patch/paint as required.

**Case:** BOA-807091, **Address:** 13 Thompson Street **Ward: 18, Applicant:** Jose Tavarez  
**Article(s):** 69(69-5)  
**Purpose:** Confirm occupancy as one family. Construct new dormers and rear addition, interior renovations per attached drawings.

**Case:** BOA-794261, **Address:** 60 Catherine Street **Ward: 19 , Applicant:** Michael Keohane  
**Article(s):** 55(55-9) 55(55-9)  
**Purpose:** Adding shed dormer to match Existing dormer on opposite side. As per attached drawings and Engineering details. Extend rear decks as per attached drawings.

**Case:** BOA-799089, **Address:** 2-16 Belgrade Avenue **Ward: 20, Applicant:** Belgrade and Birch, LLC  
**Article(s):** 67(67-11) 67(67-11)  
**Purpose:** Change occupancy to add a bar in existing premises. Work to include minor plumbing and electrical to add a bar serving beer to brewed on premises. No food to be served.

**Case:** BOA-815003, **Address:** 156 Church Street **Ward: 20, Applicant:** Susan Coburn  
**Article(s):** 56(56-8) 56(56-8)  
**Purpose:** Erect an addition over sun porch and install a dormer as per plans,

**Case:** BOA-785625, **Address:** 41 Tolman Street **Ward: 16, Applicant:** Tran Nguyen  
**Article(s):** 65(65-9: Floor area ratio excessive, Usable open space insufficient & Side yard insufficient)  
**Purpose:** Added rear addition, enclosed sunroom in the rear of building. Extend living space to basement. Correct violation V357173.

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

BOARD MEMBERS:

CHRISTINE ARAUJO- CHAIR  
MARK FORTUNE-SECRETARY  
MARIE ST. FLEUR  
BRUCE BICKERSTAFF  
MARK ERLICH  
ANTHONY PISANI  
CRAIG GALVIN

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)**