



City of Boston  
Board of Appeal

Tuesday, July 10 2018

BOARD OF APPEALS

Room 801

The board will hold a hearing on July 10, 2018 starting at 9:30 a.m.

**APPROVAL OF HEARING MINUTES:**

June 21, 2018 & June 26, 2018

**EXTENSIONS: 9:30 a.m.**

Case: BZC-33494, Address: 68 Willow Court, Ward 7, Applicant: Willow Ct, LLC

Case: BOA-576951, Address: 240 Hancock Street, Ward 15, Applicant: Wintergold, LLC

Case: BOA-576976, Address: 1203-1211 Dorchester Avenue, Ward 15, Applicant: Wintergold, LLC

Case: BOA-576954, Address: 166 Pleasant Street, Ward 15, Applicant: Wintergold, LLC

Case: BOA-589339, Address: 240 Tremont Street, Ward 3, Applicant: Boston Planning & Development Agency

Case: BOA-585276, Address: 1472 Tremont Street, Ward 10, Applicant: Savage Properties, LLC

Case: BOA-585275, Address: 1474 Tremont Street, Ward 10, Applicant: Savage Properties, LLC

**BUILDING CODE: 9:30 a.m.**

Case: BOA#836537, Address: 140 West Canton Street, Ward 4 Applicant: Matthew Serreze

**Purpose:** Supplementary permit for SF781585. New work on this permit to include reinforce roof rafters to support new Roof Deck and new interior stairs to the Roof Deck. Also, Change Building Occupancy from a Two Family Dwelling to a Single Family Dwelling. Section 9th 780 CMR 1011 Stairways 1011.12.2 Roof access. Where a stairway is provided to a roof, access to the roof shall be provided through a penthouse complying with Section 1510.2.

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

Case: BOA-802283, Address: 270-280 Huntington Avenue, Ward 4 Applicant: Larry Borins

Article(s): 32(32-9)

**Purpose:** Interior renovations throughout building including recharge surface run off at a building located in the Groundwater Conservation Overlay District

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

Case: BOA-802785, Address: 116-120 Moore Street, Ward 1 Applicant: Debbie White

Article(s): 9(9-1) 53(53-9) 53(53-56)

**Purpose:** Combine 3 lots with parcel ids: 0104288000, 0104289000, and 0104289010, and to subdivide into two lots. Lot A will contain 6,149 square feet and Lot B will contain 3,745 square feet. Existing house to remain on Lot B. See ERT789792. Existing above ground pool to be removed. \*Plans attached to ERT789792.

Case: BOA-802786, Address: 126 Moore Street, Ward 1 Applicant: Debbie White

Article(s): 53(53-8) 53(53-9: Excessive F.A.R., # of allowed stories has been exceeded (2 1/2 story max.), Insufficient side yard setback (5' min.), Insufficient rear yard setback (30' min.) & Front yard setback (5' req.)) 53(53-54) 53(53-56)

**Purpose:** Combine 3 lots with parcel ids: 0104288000, 0104289000, and to subdivide into two lots. Also, seeking to erect a three-story building with four residential units and four parking spaces at 126 Moore Street, which will contain 6,149 square feet. 116-120 Moore Street will contain 3,745 square feet and the existing residential building will remain on this lot. See ALT789688.

Case: BOA-826533, Address: 217 Paris Street, Ward 1 Applicant: Tom Falcucci

Article(s): 53(53-8) 53(53-9: Insufficient additional lot area per unit, Max allowed F.A.R. exceeded, # of allowed stories exceeded, Max allowed height exceeded, Insufficient usable open space/unit, Insufficient side yard setback (2.5' min required) & Insufficient rear yard setback (30' min req.)) 53(53-56.5(a)) 53(53-54)

**Purpose:** Demolish the existing structure. Erect a four story building with five residential units and five interior parking spaces. ZBA. \*Flood Hazard District.

Case: BOA-819701, Address: 4 Monument Square, Ward 2 Applicant: David McDonald

Article(s): 62(62-62-25)

**Purpose:** Raise existing rear second floor deck as per engineering plans.

Case: BOA-680615, Address: 10 Bond Street, Ward 3 Applicant: Frederick Bates by Theodore Touloukian

Article(s): 64(64-34)

**Purpose:** Construction of an approximately 290 square foot Roof Deck on top of the existing flat roof ell of the Single Family Dwelling.

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BOSTON, MA

**Case:** BOA-835668, **Address:** 2 Hull Street Court , **Ward 3 Applicant:** Robert Onessimo  
**Article(s):** 54(54-10) 54(54-18)  
**Purpose:** This application is filed to amend issued permit ALT232542 by installing bronzed metal siding on exterior and new roof deck 10x15, also private elevator, - 5 units at Hull Street Court with 5 units at 1 Hull Street Court - see plans filed - see costs and fees paid on original issued ALT232542.

**Case:** BOA-777098, **Address:** 29 Oak Street , **Ward 3 Applicant:** Patrick Mahoney  
**Article(s):** 43(43-19) 32(32-9)  
**Purpose:** Change occupancy from 3 family to 4 family dwelling and then construct addition as per plans.

**Case:** BOA-819770, **Address:** 32 Temple Street , **Ward 3 Applicant:** Shane Early  
**Article(s):** 10(10-1) 23(23-9)  
**Purpose:** Proposed parking for one compact car.

**Case:** BOA-808988, **Address:** 67 Saint Botolph Street , **Ward 4 Applicant:** Alpine Advisory Services  
**Article(s):** 41(41-6)  
**Purpose:** Amend ALT777434. Construct new roof deck and move the head house forward and over the staircase. ZBA.

**Case:** BOA-793578, **Address:** 66 West Rutland Square , **Ward 4 Applicant:** Jason Arndt  
**Article(s):** 64(64-9: Floor area ratio is excessive & Extension into rear yard is not permitted) 64(64-34)  
**Purpose:** Change occupancy from a single family and 4 lodgers to a two family. Construct 3' window bay on street level through 3rd story. Excavate basement slab to provide additional head height. Construct rear balconies on parlor and 2nd story and a roof deck, and perform all other prescribed work per submitted plans.

**Case:** BOA-820986, **Address:** 217 Commonwealth Avenue , **Ward 5 Applicant:** Patrick Mahoney  
**Article(s):** 9(9-1) 13(13-13-1: Excessive floor area ratio, Insufficient side yard & Insufficient rear yard) 32(32-4)  
**Purpose:** Application to renovate existing private club; proposed renovation is exclusively for private use for its members.

**Case:** BOA-787634, **Address:** 500-502A East Broadway , **Ward 6 Applicant:** James Christopher  
**Article(s):** 27S(27S-5S) 68(68-8: Lot area for the add'l dwelling units is insufficient, Floor area ratio is excessive, Front yard setback requirement is insufficient, Side yard setback requirement is insufficient & Usable open space is insufficient) 68(68-33)  
**Purpose:** To raze existing single story building, and erect a new 3 story mixed use building to include a commercial space with 6 Residential Units at grade with 6 interior parking spots.

**Case:** BOA-830926, **Address:** 927-929 East Broadway , **Ward 6 Applicant:** Giselle Bamberg  
**Article(s):** 68(68-29) 27S(27S-5S)  
**Purpose:** Add new doorway to access from dormer and construct new roof deck per accompanying architectural and structural plans.

**Case:** BOA-836636, **Address:** 603 Dorchester Avenue , **Ward 7 Applicant:** George Morancy  
**Article(s):** 13(13-1: Lot area insufficient, Add'l lot area insufficient, Floor area ratio excessive, Bldg height excessive (feet), Usable open space insufficient, Side yard insufficient, Rear yard insufficient & Bldg height excessive (stories)) 23(23-1) 24(24-1)  
**Purpose:** Erect a new six story mixed use building with commercial space on the first floor and twenty (25) residential units above as per plans. Existing structures to be razed under separate permit.

**Case:** BOA-674326, **Address:** 17 Eastman Street , **Ward 7 Applicant:** Boston Brokerage Group  
**Article(s):** 65(65-41) 65(65-9: Lot size to erect dwelling is insufficient, Lot area for add'l dwelling units is insufficient, Floor area ratio is excessive, Height requirement is excessive (Headhouse is required to access roofdeck is required per IBC), Usable open space is insufficient, Minimum front yard requirement is insufficient, Minimum side yard requirement is insufficient, Minimum rear yard requirement is insufficient, Minimum lot width required is insufficient, Minimum lot frontage is insufficient & Minimum front yard requirement on Crawford Street is insufficient) 65(65-8)  
**Purpose:** Erect new 4-family building with parking under.

**Case:** BOA-832689, **Address:** 19 Old Harbor Street , **Ward 7 Applicant:** Timothy Norton  
**Article(s):** 27S(27S-5)  
**Purpose:** Renovation to existing two-family dwelling. extend living space to basement for Unit #1. Work to include renovate bedrooms, bathrooms, kitchens, and replace windows.

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

**Case:** BOA-809812, **Address:** 565 Massachusetts Avenue , **Ward 9 Applicant:** Gerry DiPierro  
**Article(s):** 9(9-1)  
**Purpose:** Construction of new roof deck.ase:

**Case:** BOA#809813, **Address:** 565 Massachusetts Avenue , **Ward 9 Applicant:** Gerry DiPierro  
**Purpose:** Construction of new roof deck. Section 1009.13.1 Roof Access 780 CMR 8th Edition 1009.13.1: In buildings 4 or more stories in height, roof access shall be by means of a penthouse.

**Case:** BOA-828021, **Address:** 51-53 Heath Street , **Ward 10 Applicant:** Carina Lopez  
**Article(s):** 55(55-8)  
**Purpose:** Change of occupancy from 3 family and a store to a 3 family and office with accessory retail. No work to be done. Zoning review only.

**Case:** BOA-836883, **Address:** 7 Atherton Street , **Ward 11 Applicant:** Evan Smith

**Article(s):** 55(55-9)

**Purpose:** Requesting approval to submit a rejection set of plans for proposed additional conditional living space (increased FAR) in the basement level of Unit 1 located at 7 Atherton St. The proposal includes the addition of two bedrooms playspace and roof access from unit 2.

**Case:** BOA-806805, **Address:** 40 Wilcock Street , **Ward 14 Applicant:** John Pulgini

**Article(s):** 60(60-8) 60(60-9: Lot area for add'l dwelling units is insufficient, Floor area ratio is excessive, Height requirement is excessive (stories), Height requirement is excessive (ft), Front yard setback is insufficient, Side yard setback is insufficient & Usable open space requirement is insufficient)

**Purpose:** Erect a 4 unit multifamily building as per plans. Permit set to be submitted upon ZBA approval.

**Case:** BOA-797633, **Address:** 11 Linden Street , **Ward 15 Applicant:** Robert Susi

**Article(s):** 65(65-15: Parking garage (1st floor, NS) forbidden, Parking garage (2nd floor, NS) forbidden & Repair garage (NS) forbidden) 65(65-21) 65(65-16: Floor area ratio (NS) excessive & Rear yard (NS) insufficient) 65(65-22: Floor area ratio (LI) excessive & Rear yard (LI) insufficient) 65(65-41)

**Purpose:** 29000 sq ft garage and a 7000 sq ft addition to existing structure.

**Case:** BOA-792891, **Address:** 111 West Street , **Ward 18 Applicant:** Guimy Cesar

**Article(s):** 69(69-8) 69(69-9: Lot size is insufficient & Usable open space is insufficient) 69(69-29)

**Purpose:** Change occupancy from 1 family to a 2 family renovations of 1st and 2nd floor kitchens and install fire separation as per plan.

**Case:** BOA-831672, **Address:** 597-605 Centre Street , **Ward 19 Applicant:** 605GF Inc., d/b/a Grass Fed

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

**Purpose:** Remove proviso to this Petitioner (605GF, Inc. dba Grass Fed) only from a prior Board decision (BZC-32115, January 22, 2013, granted to Krista Kranyak dba Grass Fed) and grant a #36A take-out use to this business. This is a change of ownership only with no work being performed and no change to the name, concept or operating hours of the business and no new signage.

**Case:** BOA-816057, **Address:** 101 Forbes Street , **Ward 19 Applicant:** Andre Matias

**Article(s):** 55(55-9)

**Purpose:** Add 2 dormers on existing roof - Demo chimney up to the second floor level and close floor - Refinish attic space adding new bathroom - New windows - Keep existing no confirming stairs (just refinish it) - Remodeling on second floor is not to be consider on this application, it will be applied next year. - New asphalt shingles roof - New hardie boards siding at the entire house - Repair basement floor.

**Case:** BOA-819288, **Address:** 97 Green Street , **Ward 19 Applicant:** Steven Petipas

**Article(s):** 55(55-9: Floor area ratio excessive, Bldg height excessive (Feet), Rear yard insufficient & Usable open space insufficient) 55(55-40)

**Purpose:** Construct new 3-story rear addition and side deck to existing three-family dwelling. Full interior renovation. Removal of existing garage. Installation of new fire sprinkler system.

**Case:** BOA-817811, **Address:** 9 Brahms Street , **Ward 20 Applicant:** Virginia M. Mara

**Article(s):** 67(67-9: Lot area insufficient, Floor area ratio excessive, Side yard insufficient & Rear yard insufficient)

**Purpose:** On existing parcel # 00619-000 (lot 155) erect new construction single family dwelling as per attached plans.

**Case:** BOA-695061, **Address:** 1225-1229 Centre Street , **Ward 20 Applicant:** John Pulgini

**Article(s):** 56(56-11: Excessive floor area ratio, Excessive building height, Maximum number of dwelling units/acre, Insufficient lot size for residential use, Insufficient front yard, Insufficient side yard & Insufficient rear yard) 56(56-40.12)

**Purpose:** Erect new construction 6-unit townhouse dwelling with another dwelling (1231A-1231B Centre Street) on existing vacant 12,933 SF of land (Parcel ID: 2003597003) with a combined total of 12 off-street parking. Plan conjunction with ERT683877.

**Case:** BOA-695062, **Address:** 1231A-1231B Centre Street , **Ward 20 Applicant:** John Pulgini

**Article(s):** 56(56-11: Excessive floor area ratio, Excessive building height, Maximum number of dwelling units/acre, Insufficient lot size for residential use, Insufficient front yard, Insufficient side yard & Insufficient rear yard) 56(56-40.12)

**Purpose:** Erect new construction two-family dwelling along with another dwelling (1225-1229 Centre Street) on existing vacant 12,933 SF land (Parcel ID: 2003597003) with a combined total of 12 off-street parking. Plan in conjunction ERT683875.

**Case:** BOA-822014, **Address:** 36 Hopedale Street , **Ward 22 Applicant:** Denis Scanlon

**Article(s):** 51(51-9) 51(51-56)

**Purpose:** Confirm Occupancy as a Single Family Dwelling and build a 2 story addition to the rear of the House. Relocate the two existing Parking spaces to the back to accommodate the parking requirements. The purpose of this development is to provide independent living for Julie their 31 year old daughter who has William Syndrome. We have made a presentation in front of the Allston Civic Association and there was no objection to the proposed addition. Also there is no issue or objections from the abutters as they have been made aware of the proposed addition. It will remain a Single Family Dwelling with the same address.

**Case:** BOA-836037, **Address:** 70 Leo M Birmingham Parkway , **Ward 22 Applicant:** Residence at Birmingham Condominium LLC

**Article(s):** 29(29-8) 51(51-8) 51(51-9: Lot area for additional dwelling unit (s) insufficient (3F-4000), Floor area ratio, excessive (3F-4000), Height excessive (3F-4000), Usable open space insufficient (3F-4000) & Side yard insufficient (3F-4000)) 51(51-16: Multi-family dwelling (1st floor) conditional (CC-1) & Multi-family dwelling (2nd floor and above) conditional (CC-1)) 51(51-17: Floor area ratio excessive (CC-1), Height excessive (CC-1) & Front yard insufficient (CC-1))

**Purpose:** Construction of new 79 dwelling units for sale over two levels of subterranean parking. Four floors of Type V-A over two levels of Type I-A construction.

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

**Case:** BOA-767363 **Address:** 238 Webster Street , **Ward 1 Applicant:** Tom Noto

**Article(s):** 53(53-8) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-56)

**Purpose:** Erect a new multi unit building 15 units with 10 interior parking spaces garage as per plans. Permit set to be submitted upon ZBA approval. Existing house to be razed under separate permit. Combine two lots into one lot for new structure. ALT/plans for combining lots to follow.

**Case:** BOA-812233 **Address:**15-17 Swallow Street **Ward 6 Applicant:** Brendon O'Heir

**Article(s):** 27S(27S-5S)

**Purpose:** This permit is to amend ERT722463 by installing two new roof decks accessed from each dwelling unit in the building.

**Case:** BOA-779357, **Address:**29-31 Ward Street , **Ward 7 Applicant:** 29-31 Ward Street LLC

**Article(s):** 27S(27S-5) 68(68-33)

**Purpose:** Erect new 4-story, 9 unit residential building with 10 parking spaces at grade. Building to contain 3 one bedroom units and 6 two bedroom units. Existing structure's to be razed on a separate permit.

**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-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.

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

**BOARD MEMBERS:**

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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)**