



City of Boston
Board of Appeal

HEARING MINUTES

Tuesday, June 11, 2019

BOARD OF APPEALS

Room 801

Board Chair Araujo 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 Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Mark Fortune:

APPROVAL OF HEARING MINUTES:

April 30, 2019, May 7, 2019 and revised minutes March 26, 2019 - Upon a Motion and second, the Board voted unanimously to approve the April 30, 2019, May 7, 2019 and revised March 26, 2019 Hearing Minutes.

EXTENSIONS: 9:30a.m.

Case: BOA-640296 **Address:** 1419-1435 Blue Hill Avenue **Ward 18 Applicant:** Chris Stamatos (by Derric Small)

Discussion: The applicant requested an extension of zoning relief previously granted by the Board relative to the above applications.

Vote: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

Case: BOA-679718 **Address:** 115 Woodrow Avenue **Ward 14 Applicant:** Derric Small

Discussion: The applicant requested an extension of zoning relief previously granted by the Board relative to the above applications.

Vote: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

Case: BOA-632600 **Address:** 23 Ritchfield Street **Ward 15 Applicant:** Russ Forsburg

Discussion: The applicant requested an extension of zoning relief previously granted by the Board relative to the above applications.

Vote: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

BOARD FINAL ARBITER: 9:30a.m.

Case: BOA-931125 **Address:** 1854 Dorchester Avenue **Ward 16 Applicant:** Patrick Mahoney

Discussion: The applicant requested approval of a correction to the zoning refusal letter relative to zoning relief previously granted by the Board on the above application.

Vote: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-727018 **Address:** 331A-333 Newbury Street **Ward 5 Applicant:** Michael P. Ross, Esq.

Discussion: The applicant requested approval of a plan for parking pursuant to a proviso relative to zoning relief previously granted by the Board on above application.

Vote: Upon a Motion and second, the Board voted unanimously to approve the request.

GCOD: 9:30 a.m.

Case: BOA-950825 **Address:** 171 West Brookline Street **Ward 4 Applicant:** Joe Holland M. Holland and Sons Construction

Article(s): 32(32-32-4)

Purpose: Gut renovation of existing single-family dwelling. Work to include new MEP's systems including new fire alarm and fire protection system. Complete restoration on front and rear facade.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail, and requested a conditional use permit under Article 32 GCOD Applicability. The Board noted that BWSC approval letter is on file.

Testimony: The Board then requested testimony from neighbors and elected officials.

Documents/Exhibits: Building Plans

Votes: Board Member Fortune moved for approval, the motion was seconded and the Board voted unanimously to approve the applicant's request.

HEARING: 9:30 a.m.

Case: BOA-945356 **Address:** 185 London Street **Ward 1 Applicant:**

Article(s): 53(53-8) 53(53-9: Lot area for add'l dwelling unit is insufficient, Floor area ratio is excessive, Height is excessive (stories), Height is excessive (ft), Front yard setback is insufficient & Side yard setback is insufficient) 53(53-56) 25(25-5)

Purpose: Complete renovation and living space addition. Change occupancy from 3 family to 4 family.

Discussion: At the applicant's request the matter was deferred to the August 13, 2019 Hearing.

Case: BOA-947380 **Address:** 324-330 Bunker Hill Street **Ward 2 Applicant:** Charles Doherty

Article(s): 62(62-7) 62(62-29) 9(9-2) 62(62-30)

Purpose: Construct 9 unit residential building with below grade parking. (See ALT910272 to combine lots).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a nine unit dwelling.

Board Members asked about the bedroom count, unit sizes, front yard, parking and roof decks.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Edwards and Carpenters Union are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-929446 **Address:** 35 Concord Square **Ward 4 Applicant:** Alpine Advisory Services by John Moran, Esq

Article(s): 64(64-34) 64(64-9.4)

Purpose: Amendment to ALT877407. Add a roof deck and one rear balcony. Cost is also reflected on ALT877407.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a rear balcony.

Board Members asked about access to the roof deck.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-928030 **Address:** 20 Follen Street **Ward 4 Applicant:** Lesile Lipschitz

Article(s): 41(41-18) 41(41-5) 16(16-8)

Purpose: Proposed partial 4th story addition to add 529 square feet of living area; and adjacent terrace on roof of existing structure.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a partial fourth story addition.

Board Members asked about the applicant to discuss the dimensional violations.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-931682 **Address:** 4 Otis Place **Ward** 5 **Applicant:** Alex Slote

Article(s): 32(32-9) 15(15-1) 20(20-1)

Purpose: Amendment to Permit ALT886726. To Correct Violation V436509 as per plans submitted. Remove structurally unsound and deteriorated penthouse structure and rebuild in existing location with new higher ceiling and roof. Install new EPDM roof. Rebuild deteriorated and structurally unsound brick party walls with new 3 hour fire rated masonry wall. Rebuild brick chimneys. Install new reinforced concrete slab in basement. Remove and rebuild front entrance granite stair and walls. Build per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change a multifamily dwelling to a single family dwelling.

Board Members asked applicant to discuss the violations, about a penthouse and basement living space.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and an abutter are in support. Boston Groundwater Trust stated a BWSC approval letter was on file.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-925189 **Address:** 126 D Street **Ward** 6 **Applicant:** Patrick Mahoney Esq

Article(s): 68(68-8: Front yard insufficient & Side yard insufficient) 68(68-33) 68(68-34.2) 27S(27S-5)

Purpose: Demolish existing three family, combine existing lot (Parcel ID 0600335000) and vacant adjoining lot (Parcel ID 0600334000) and erect new multi family residential building with five dwelling units and five parking spaces utilizing semi automated lift system.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a five unit dwelling.

Board Members asked about the parking requirements and visibility, roof decks and building accessibility.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-935393 **Address:** 741 East Broadway **Ward** 6 **Applicant:** John Pulgini

Article(s): 27S(27S-5) 68(68-8: Floor area ratio excessive, Height requirement is excessive, Usable open space is insufficient & Side yard is insufficient) 68(68-33: Off street parking requirement is insufficient & Off street parking design (access drive and maneuverability)) 68(68-34)

Purpose: Change of occupancy from 1 Family and a Funeral Parlor to three-family dwelling. Construct new rear addition. Propose (6) off-street parking.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to legalize occupancy as a three-family dwelling and add 4 parking spaces.

Board Members asked about roof decks and basement living space.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Carpenters Union are in support. Councilor Flynn is in opposition.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with no building code relief to be given and a signature hold for stamped plans and the motion was seconded and the Board voted unanimously to approve.

Case: BOA- 923926 **Address:** 854 East Broadway **Ward** 6 **Applicant:** Timothy Sheehan
Article(s): 27S(27S-9)

Purpose: This is the renovation of an existing three family residence. The residence will remain a three family residence. additional habitable area will be added to unit 1 via a new interior unit stair. A roof deck will be built accessed via a hatchway only accessible from unit 3.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to renovate a three-family dwelling and add a roof deck.

Board Members asked about basement living space and access to the roof deck.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-937270 **Address:** 650 East Seventh Street **Ward** 6 **Applicant:** Douglas Stefanov
Article(s): 27S(27S-5) 68(68-33) 68(68-7)

Purpose: Change of occupancy from three-family to multi-family (four-unit) residential dwelling. Newly created unit will be in the basement. Propose (4) off-street parking.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy from a three-family to multi-family, 4 unit dwelling.

Board Members asked about basement living space and access to the mechanical room.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-944280 **Address:** 416-418 West Broadway **Ward** 6 **Applicant:** Karve LLC

Article(s): 68(68-7)

Purpose: Change Occupancy to include Beauty Services by fitout of new tenant on the 2nd floor. Tenant will be providing Beauty services, including standard facials and waxing.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy to include beauty services.

Board Members asked the applicant to describe the proposed use in detail.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-934096 **Address:** 274 West Fifth Street **Ward** 7 **Applicant:** Adam Dubeshter

Article(s): 68(68-8) 68(68-31) 68(68-33) 68(68-33)

Purpose: Off street parking for 3 residential vehicles. Curb cut is to be done on gold street side of complex. As per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add three off-street parking spaces and a curb cut.

Board Members asked if the subject building was newly built.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support. Councilor Flynn is in opposition.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-897041 **Address:** 204 West Seventh Street **Ward** 7 **Applicant:** Timothy Johnson

Article(s): 27S(27S-5) 68(68-29) 68(68-33) 68(68-8)

Purpose: Subdivide parcel (consolidated per ALT829729) and construct a multi-story residential addition to existing 1-story garage building to create a 14-unit building w/side and 24 car garage with a secondary address of 207 Tudor St as per plans submitted. Change occupancy from repair/service garage to multi-family residential and private garage.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a 14 unit residential addition.

Board Members asked about access to parking and if the building would have an elevator.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support. Councilors Flynn and Flaherty are in opposition.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Logue seconded and the Board voted unanimously to approve.

Case: BOA-897036 **Address:** 209-213 Tudor Street **Ward 7 Applicant:** Timothy Johnson

Article(s): 27S(27S-5) 68(68-8)

Purpose: Subdivide parcel (consolidated per ALT829729) per subdivision plan and erect new 4-story, 3-unit townhouse building w/side and roof decks and garage parking for 6 cars on vacant and as per plans submitted. File with ALT829753 and ALT829729.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a 14 unit residential addition.

Board Members asked about access to parking and if the building would have an elevator.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support. Councilors Flynn and Flaherty are in opposition.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Logue seconded and the Board voted unanimously to approve.

HEARINGS: 10:30 a.m.

Case: BOA-945693 **Address:** 71 Call Street **Ward 11 Applicant:** Jamaica Plain Neighborhood Development Corporation

Article(s): 55(55-40) 55(55-9: Usable open space insufficient, Lot area insufficient, Lot area for additional dwelling units insufficient, Floor area ratio excessive, Front yard insufficient & Rear yard insufficient)

Purpose: Building B - New construction of a 3 story Attached Two Family Dwelling. See 73 Call Street (ERT811486).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a two-family dwelling for affordable homeownership.

Board Members asked about parking requirements and the parking proposed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilors O'Malley and Flaherty and Department of Neighborhood Development are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Galvin seconded and the Board voted unanimously to approve.

Case: BOA-945723 **Address:** 73-73 Call Street **Ward** 11 **Applicant:** Jamaica Plain Neighborhood Development Corporation

Article(s): 55(55-8) 55(55-9: Usable open space insufficient, Lot area for additional dwelling units insufficient, Floor area ratio excessive, Front yard insufficient & Rear yard insufficient)

Purpose: Building B - New construction of a 3 story Attached Two Family Dwelling. Parking for 71 Call Street will be located at this Ad-dress. See 71 Call Street (ERT811454).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a two-family dwelling for affordable homeownership.

Board Members asked about parking requirements and the parking proposed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilors O'Malley and Flaherty and Department of Neighborhood Development are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Galvin seconded and the Board voted unanimously to approve.

Case: BOA-945726 **Address:** 77-79 Call Street **Ward** 11 **Applicant:** Jamaica Plain Neighborhood Development Corporation

Article(s): 55(55-40) 55(55-9: Lot area for additional dwelling units insufficient, Floor area ratio excessive & Front yard insufficient)

Purpose: Building A - New construction of a 3 story Attached Two Family Dwelling. See 75 Call Street (ERT811491).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a two-family dwelling for affordable homeownership.

Board Members asked about parking requirements and the parking proposed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilors O'Malley and Flaherty and Department of Neighborhood Development are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Galvin seconded and the Board voted unanimously to approve.

Case: BOA-945700 **Address:** 137 Carolina Avenue **Ward** 11 **Applicant:** Jamaica Plain Neighborhood Development Corporation

Article(s): 55(55-9)

Purpose: Convey 417 square feet of land to Parcel 1103042010.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a two-family dwelling for affordable homeownership.

Board Members asked about parking requirements and the parking proposed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilors O'Malley and Flaherty and Department of Neighborhood Development are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Galvin seconded and the Board voted unanimously to approve.

Case: BOA-946143 **Address:** 379-381 Blue Hill Avenue **Ward** 12 **Applicant:** Jamaica Plain Neighborhood Development Corporation

Article(s): 7(7-4)

Purpose: Remove Proviso for La Cuchara Restaurant, Inc. and grant proviso for new owner.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to remove a proviso relative to previous owner of takeout restaurant.

Board Members asked about applicant's experience operating a takeout restaurant, the name of the restaurant and if the building has grates.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Campbell are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with provisos for takeout language and relief to be granted to this petitioner only and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-913796 **Address:** 86-88 Howland Street **Ward** 12 **Applicant:** Peter Handy

Article(s): 9(9-1) 50(50-29)

Purpose: Proposed sunroom per attached drawings, installation of six windows and 1 skylight.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to enlarge an existing sunroom.

Board Members asked about the use of the sunroom and number of units in the building.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-849374 **Address:** 112 Howland Street **Ward** 12 **Applicant:** Mai Phung

Article(s): 50(50-29)

Purpose: Proposed to renovate an existing basement and convert into additional living space for unit # 1 (as per plans).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add basement living space to unit one.

Board Members asked about the number of units in the building, what the space will be used for, the basement ceiling height and if utilities are separate.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-918312 **Address:** 35 Ellington Street **Ward** 14 **Applicant:** Andy Nguyen

Article(s): 60(60-9: Insufficient lot size, Insufficient additional lot area, Insufficient lot width, Insufficient lot width frontage & Excessive F.A.R.) 60(60-41.1) 60(60-40)

Purpose: Erect as plan 3 family house.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a three-family dwelling.

Board Members asked if a roof deck and basement living space were proposed..

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Campbell are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-928739 **Address:** 71 Ellington Street **Ward** 14 **Applicant:** 71-73 Ellington, LLC

Article(s): 60(60-9: Lot area insufficient, Floor area ratio excessive, Building height excessive, Building height (# of stories) excessive, Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient) 60(60-40: Off-street parking insufficient & Off-street parking design/maneuverability) 60(60-41)

Purpose: Combine Lot 6 of 3,100 sq. ft. with Lot 5 of 3,000 Sq ft. into one Lot to now have 6,100 Sq ft. Erect two 4 story Three (3) Family Dwellings. One building to be known as 73 Ellington Street and the other building to be known as 71 Ellington Street. This building to be known as 71 Ellington St. as shown on the plan. Construct a new Common Driveway between the Buildings. Buildings will be fully Sprinklered.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct two three-family dwellings on combined and then subdivided lots.

Board Members asked about building code violations, a lift as opposed to a ramp for accessibility, roof decks and second means of egress.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Bickerstaff moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve.

Case: BOA#928764 **Address:** 71 Ellington Street **Ward** 14 **Applicant:** 71-73 Ellington, LLC
Purpose: Combine Lot 6 of 3,100 sq. ft. with Lot 5 of 3,000 Sq ft. into one Lot to now have 6,100 Sq ft. Erect two 4 story Three (3) Family Dwellings. One building to be known as 73 Ellington Street and the other building to be known as 71 Ellington Street. This building to be known as 71 Ellington St. as shown on the plan. Construct a new Common Driveway between the Buildings. Buildings will be fully Sprinklered. Section: 9th 780CMR 101 Referenced Code 10.1 General The public use and common use spaces of multiple dwellings in new construction consisting of three or more units shall comply with 521 CMR. Public and common use spaces are those spaces inside or outside a building that are used by residents and/or visitors.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct two three-family dwellings on combined and then subdivided lots.

Board Members asked about building code violations, a lift as opposed to a ramp for accessibility, roof decks and second means of egress.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for denial of building code relief and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-928743 **Address:** 73 Ellington Street **Ward** 14 **Applicant:** 71-73 Ellington, LLC
Article(s): 60(60-9: Lot area insufficient, Floor area ratio excessive, Building height excessive, Building height (# of stories) excessive, Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient) 60(60-40: Off-street parking insufficient & Off-street parking design/maneuverability) 60(60-41)
Purpose: Combine Lot 6 of 3,100 sq. ft. with Lot 5 of 3,000 Sq ft. into one Lot to now have 6,100 Sq ft. Erect two 4 story Three (3) Family Dwellings. One building to be known as 73 Ellington Street and the other building to be known as 71 Ellington Street. This building to be known as 73 Ellington St. as shown on the plan. Construct a new Common Driveway between the Buildings. Buildings will be fully Sprinklered.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct two three-family dwellings on combined and then subdivided lots.

Board Members asked about building code violations, a lift as opposed to a ramp for accessibility, roof decks and second means of egress.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Bickerstaff moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve.

Case: BOA#928770 **Address:** 73 Ellington Street **Ward** 14 **Applicant:** 71-73 Ellington, LLC
Purpose: Combine Lot 6 of 3,100 sq. ft. with Lot 5 of 3,000 Sq ft. into one Lot to now have 6,100 Sq ft. Erect two 4 story Three (3) Family Dwellings. One building to be known as 73 Ellington Street and the other building to be known as 71 Ellington Street. This building to be known as 73 Ellington St. as shown on the plan. Construct a new Common Driveway between the Buildings. Buildings will be fully Sprinklered. Section: 9th 780CMR 101 Referenced Code 10.1 General The public use and common use spaces of multiple dwellings in new construction consisting of three or more units shall comply with 521 CMR. Public and common use spaces are those spaces inside or outside a building that are used by residents and/or visitors.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct two three-family dwellings on combined and then subdivided lots.

Board Members asked about building code violations, a lift as opposed to a ramp for accessibility, roof decks and second means of egress.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for denial of building code relief and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-945721 **Address:** 244-246 Bowdoin Street **Ward** 15 **Applicant:** Gilda Santos
Article(s): 65(65-15)
Purpose: Change occupancy from Retail to Restaurant with takeout and 49 sitting, renovate as plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy from retail to a takeout restaurant.

Board Members asked about applicant's experience operating a takeout restaurant.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Campbell are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with a signature hold for stamped plans showing wheelchair access and sprinklers and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-945917 **Address:** 1203-1211 Dorchester Avenue **Ward** 15 **Applicant:** Samuels & Associates

Article(s): 65(65-15: Use: dwelling units located on the 1st floor: conditional, Use: artists' mixed-used: conditional, Use: accessory parking: conditional & Use: general retail store: conditional) 65(65-16: Side yard insufficient (5' for any side yard bordering a 3F district), Floor area ratio excessive & Building height excessive) 65(65-38: Specific design requirements Article 65, Section 38.1 street wall continuity) 65(65-7) 65(65-42.13) 65(65-42.2) 65(65-8: Use: multifamily dwelling: forbidden & Use: accessory parking: forbidden) 65(65-9: Location of main entrance shall face the front lot line, Lot area per dwelling unit insufficient, Floor area ratio excessive, Building height excessive, Building height (# of stories) excessive & Usable open space per dwelling unit insufficient)

Purpose: Dot Block - New construction of a story, approximately 149 Unit Apartment building.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 4 new mixed use buildings with 488 total residential units.

Board Members asked about the square footage of the lot, number of total parking spaces, breakdown and size of units, common space and retail space.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilors Flaherty and Baker, and Carpenters Union are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-945894 **Address:** 1213-1219 Dorchester Avenue **Ward** 15 **Applicant:** Samuels & Associates

Article(s): 65(65-15: Use: dwelling units located on the 1st floor: conditional, Use: artist's mixed-use: conditional, Use: general retail store: conditional & Use: accessory parking: conditional) 65(65-16: Floor area ratio excessive & Building height excessive) 65(65-38) 65(65-42.13)

Purpose: Dot Block - New Construction of a story, approximately 146 Unit Apartment building.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 4 new mixed use buildings with 488 total residential units.

Board Members asked about the square footage of the lot, number of total parking spaces, breakdown and size of units, common space and retail space.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilors Flaherty and Baker, and Carpenters Union are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-945890 **Address:** 244-250 Hancock Street **Ward** 15 **Applicant:** Samuels & Associates **Article(s):** 65(65-15: Use: dwelling units located on the 1st floor: conditional, Use: general retail store: conditional & Use: accessory parking: conditional) 65(65-16: Floor area ratio excessive & Building height excessive) 65(65-38: Specific design requirements Article 65, Section 38.1 street wall continuity) 65(65-42.13)

Purpose: Dot Block - New construction of a 5 story, approximately 98 Unit Apartment building.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 4 new mixed use buildings with 488 total residential units.

Board Members asked about the square footage of the lot, number of total parking spaces, breakdown and size of units, common space and retail space.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilors Flaherty and Baker, and Carpenters Union are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-945893 **Address:** 160 Pleasant Street **Ward** 15 **Applicant:** Samuels & Associates **Article(s):** 65(65-7) 65(65-8: Use: multifamily dwelling: forbidden & Use: accessory parking: forbidden) 65(65-9: Location of main entrance shall face the front lot line, Lot area per dwelling unit insufficient, Usable open space per dwelling unit insufficient, Floor area ratio excessive, Building height excessive & Building height (# of stories) excessive) 65(65-38) 65(65-15: Use: dwelling units located on the 1st floor: conditional & Use: accessory parking: conditional) 65(65-16: Building height excessive & Floor area ratio excessive) 65(65-42.2) 65(65-42.3) 65(65-42.13) **Purpose:** Dot Block - New construction of a 4 story, approximately 95 Unit Apartment building.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 4 new mixed use buildings with 488 total residential units.

Board Members asked about the square footage of the lot, number of total parking spaces, breakdown and size of units, common space and retail space.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilors Flaherty and Baker, and Carpenters Union are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-940800 **Address:** 24 Trull Street **Ward 15** **Applicant:** Michael Chavez
Article(s): 65(65-9: Building height excessive & Building height (# of stories) excessive)
Purpose: New Construction of a new 3 story Single Family attached House. New building will be attached to existing building at 26 Trull Street. Proposed home to be wood-frame construction. Basement and attic spaces will remain unfinished. House will have 3 bedrooms and 2 Bathrooms. DND Project.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a single-family dwelling.

Board Members asked the applicant to describe the proposal.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Baker, and Department of Neighborhood Development are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and signature hold for stamped plans and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-942790 **Address:** 2 Starling Street **Ward 20** **Applicant:** CAD Builders, LLC
Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)
Purpose: Combine part of parcel 3313-000 and part of parcel 3312-001 and create 1 new Lot of 5876 S.Q.F.T. on this "Lot-T" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942791 **Address:** 3 Starling Street **Ward 20** **Applicant:** CAD Builders, LLC
Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)
Purpose: Combine part of parcel 3312-010 with part of parcel 2968-000 into 1 new Lot of 15727 S.Q.F.T. on this new "Lot-21" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942793 **Address:** 4 Starling Street **Ward** 20 **Applicant:** CAD Builders, LLC

Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)

Purpose: Combine part of parcel 3312-010 with part of parcel 3312-001 and parcel 3313-000 into 1 new Lot of 8705 S.Q.F.T. on this "Lot-U" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942794 **Address:** 5 Starling Street **Ward** 20 **Applicant:** CAD Builders, LLC

Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)

Purpose: Combine part of parcel 3312-010 with part of parcel 2968-000 into 1 new Lot of 14615 S.Q.F.T. on this new "Lot-20" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942795 **Address:** 6 Starling Street **Ward** 20 **Applicant:** CAD Builders, LLC
Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)
Purpose: Combine part of parcel 3312-010 with part of parcel 2968-000 into 1 new Lot of 9012 S.Q.F.T. on this new "Lot-1" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942797 **Address:** 7 Starling Street **Ward** 20 **Applicant:** CAD Builders, LLC
Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)
Purpose: Take a part of parcel 2968-000 and create a new Lot of 14115 S.Q.F.T. on this new "Lot-19" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942798 **Address:** 8 Starling Street **Ward** 20 **Applicant:** CAD Builders, LLC
Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)
Purpose: Take a part of parcel 2968-000 and create a new Lot of 6348 S.Q.F.T. on this new "Lot-2" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942799 **Address:** 9 Starling Street **Ward** 20 **Applicant:** CAD Builders, LLC

Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)

Purpose: Take part of parcel 2968-000 and create this new Lot of 13617 S.Q.F.T. on this new "Lot-18" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942806 **Address:** 10 Starling Street **Ward** 20 **Applicant:** CAD Builders, LLC

Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)

Purpose: Take part of parcel 2968-000 and create this new Lot of 7063 on this new "Lot-3" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942808 **Address:** 11 Starling Street **Ward** 20 **Applicant:** CAD Builders, LLC
Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)
Purpose: Take part of parcel 2968-000 and create this new Lot of 13117 S.Q.F.T. on this new "Lot-17"
erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942809 **Address:** 12 Starling Street **Ward** 20 **Applicant:** CAD Builders, LLC
Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)
Purpose: Take part of parcel 2968-000 and create this new Lot of 7750 S.Q.F.T. on this new "Lot-4"
erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942811 **Address:** 13 Starling Street **Ward** 20 **Applicant:** CAD Builders, LLC
Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)
Purpose: Take part of parcel 2968-000 and create this new Lot of 12617 S.Q.F.T. on this new "Lot-16"
erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942812 **Address:** 14 Starling Street **Ward** 20 **Applicant:** CAD Builders, LLC

Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)

Purpose: Take part of parcel 2968-000 and create this new Lot of 7285 S.Q.F.T. on this new "Lot-5" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942813 **Address:** 15 Starling Street **Ward** 20 **Applicant:** CAD Builders, LLC

Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)

Purpose: Take part of parcel 2968-000 and create this new Lot of 8824 S.Q.F.T. on this new "Lot-15" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942814 **Address:** 16 Starling Street **Ward** 20 **Applicant:** CAD Builders, LLC
Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)
Purpose: Take part of parcel 2968-000 and create this new Lot of 5791 S.Q.F.T. on this new "Lot-6"
erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942815 **Address:** 17 Starling Street **Ward** 20 **Applicant:** CAD Builders, LLC
Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)
Purpose: Take part of parcel 2968-000 and create this new Lot of 6898 S.Q.F.T. on this new "Lot-14"
erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942816 **Address:** 2 Toucan Road **Ward** 20 **Applicant:** CAD Builders, LLC
Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)
Purpose: Take part of parcel 2968-000 and create this new Lot of 12338 S.Q.F.T. on this new "Lot-7"
erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942818 **Address:** 4 Toucan Road **Ward** 20 **Applicant:** CAD Builders, LLC

Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)

Purpose: Take part of parcel 2968-000 and create this new Lot of 25660 S.Q.F.T. on this new "Lot-8" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942819 **Address:** 6 Toucan Road **Ward** 20 **Applicant:** CAD Builders, LLC

Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)

Purpose: Take part of parcel 2968-000 and create this new Lot of 8865 S.Q.F.T. on this new "Lot-9" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942821 **Address:** 8 Toucan Road **Ward** 20 **Applicant:** CAD Builders, LLC
Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)
Purpose: Take part of parcel 2968-000 and create this new Lot of 6012 S.Q.F.T. on this new "Lot-10" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942823 **Address:** 10 Toucan Road **Ward** 20 **Applicant:** CAD Builders, LLC
Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)
Purpose: Take part of parcel 2968-000 and create this new Lot of 9959 S.Q.F.T. on this new "Lot-11" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942824 **Address:** 12 Toucan Road **Ward** 20 **Applicant:** CAD Builders, LLC
Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)
Purpose: Take part of parcel 2968-000 and create this new Lot of 12180 S.Q.F.T. on this new "Lot-12" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942825 **Address:** 14 Toucan Road **Ward** 20 **Applicant:** CAD Builders, LLC

Article(s): 56(56-11: Dwellings per acre excessive & Lot size insufficient)

Purpose: Take part of parcel 2968-000 and create this new Lot of 10945 S.Q.F.T. on this new "Lot-13" erect new construction single family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a total of 29 new single-family dwellings, 23 requiring zoning relief, as part of the development of an extension of a newly developed neighborhood.

Board Members asked about the square footage and bedroom counts of the dwellings and about conservation protections for the land to be developed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley and Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-923485 **Address:** 7 Keswick Street **Ward** 21 **Applicant:** CAD Builders, LLC

Article(s): 61(61-11: Lot area for add'l dwelling units is insufficient & Height is excessive (stories))
61(61-8) 61(61-24)

Purpose: Alteration and change of occupancy to five family building. Includes 4th level addition and deck, addition of rear decks and stairs.

Discussion: At the applicant's request the matter was deferred to the August 13, 2019 Hearing.

Case: BOA-941393 **Address:** 25 Gerrish Street **Ward** 22 **Applicant:** Dana and Erik Varga

Article(s): 51(51-56) 51(51-9: Lot area insufficient, Lot width insufficient, Floor area ratio excessive & Rear yard insufficient)

Purpose: Combine 3 lots (Parcel ID 2203206000, 2203205000, 2203204000) into one lot, and subdivide into 2 newly created lots: Lot 1 to have 2,189 SF and Lot 2 to have 5,005 SF. Lot 1 to be known as 25 Gerrish St with existing single family dwelling to remain. No work to be done. File in conjunction with ERT924897.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to combine and then subdivide lots to allow for the construction of a new single-family dwelling at 27 Gerrish St.

Board Members asked the applicant to discuss the dimensional violations both lots.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Ciommo are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Logue seconded and the Board voted unanimously to approve.

Case: BOA-941394 **Address:** 27 Gerrish Street **Ward 22 Applicant:** Dana and Erik Varga
Article(s): 51(51-9: Rear yard insufficient, Bldg height excessive (stories) & Front yard insufficient) 51(51-56)

Purpose: Erect new single family house on newly created 5005 SF lot resulting from proposed combining and subdividing lot filed under ALT923539.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to combine and then subdivide lots to allow for the construction of a new single-family dwelling at 27 Gerrish St.

Board Members asked the applicant to discuss the dimensional violations both lots.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Ciommo are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Logue seconded and the Board voted unanimously to approve.

45 Minute Lunch Break

RE-DISCUSSIONS: 11:30a.m.

Case: BOA-918868 **Address:** 80 Cottage Street **Ward 1 Applicant:** Douglas Stefanov
Article(s): 53(53-9) 53(53-52) 27G

Purpose: Amendment to ALT856444. Revised plans to create additional bathroom on mezzanine level and new private roof deck for top living Unit.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add a bathroom and roof deck to existing three-family dwelling.

Board Members asked when the dwelling was built and about access to the roof deck.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval and Galvin seconded and the Board voted unanimously to approve.

Case: BOA-906287 **Address:** 127 East Cottage Street **Ward 7 Applicant:** Epsilon Partners, LLC
Article(s): 65(65-8), 65(65-41), 65(65-9: Floor Area Ratio Excessive, Bldg Height Excessive (Stories), Bldg Height Excessive (Feet), Front Yard Insufficient, Side Yard Insufficient and Rear Yard Insufficient)
Purpose: To combine the following Parcel IDs 0703701000 0703700000 & 0703699000 to form a 12,547 SF lot & to subdivide into two new lots: Lot A to have 6,172 SF & Lot B to have 6,375 SF. Also, to raze structures on Lot B (127 E. Cottage) & erect a 4 story building with 11 units and 10 parking spaces. See ALT898250 for subdivision of lot.

Discussion: At the applicant's request the matter was deferred to the August 13, 2019 Hearing.

Case: BOA-906288 **Address:** 131 East Cottage Street **Ward 7 Applicant:** Epsilon Partners, LLC
Article(s): 65(65-9: Lot Width Insufficient, Lot Frontage Insufficient, Floor Area Ratio Excessive and Side Yard Insufficient)
Purpose: To combine the following Parcel IDs 0703701000 0703700000 & 0703699000 to form a 12,547 SF lot & to subdivide into two new lots: Lot A to have 6,172 SF & Lot B to have 6,375 SF. Lot A to have existing single-family dwelling to remain with removal of attached garage. See also ERT898249.

Discussion: At the applicant's request the matter was deferred to the August 13, 2019 Hearing.

Case: BOA-885367 **Address:** 6 Lagrange Place **Ward 8 Applicant:** The Greenville Group
Article(s): 10(10-1) 50(50-28) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29)
Purpose: To raze existing structure and erect a three story building with eight residential units and eight parking spaces.

Discussion: At the applicant's request the matter was deferred to the August 27, 2019 Hearing.

Case: BOA-763614 **Address:** 7 Cleveland Street **Ward 12 Applicant:** Refuge Temple Church
Article(s): 50(50-29: Side yard insufficient & Rear yard insufficient) 50(50-44.13) 10(10-1)
Purpose: Erect a new Church with proposed nine (9) off-street parking on same lot as existing building under ALT600871 (37 Winthrop St.).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a new church with 9 parking spaces.

Board Members asked the applicant about a prior permit, dimensional violations and the number of congregants.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Janey are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-763639 **Address:** 37 Winthrop Street **Ward 12 Applicant:** Refuge Temple Church
Article(s): 50(50-29) 50(50-43) 50(50-44.13)
Purpose: Legalize existing building on lot as a two-family dwelling and church which was approved under permit #06-3085 but expired under BZC27444. We are seeking to erect a 2-story Church in the rear of the same lot as the existing building under ERT600897 (7 Cleveland St). No work to be done.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a new church with 9 parking spaces.

Board Members asked the applicant about a prior permit, dimensional violations and the number of congregants.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Janey are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-893315 **Address:** 18-26 Bradshaw Street **Ward** 14 **Applicant:** Thomas Notto
Article(s): 65(65-8) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-41)
Purpose: Erect 5 new townhouses as per plans. Permit set to be submitted upon ZBA approval.

Discussion: At the applicant's request the matter was deferred to the August 13, 2019 Hearing.

Case: BOA-900189 **Address:** 27 Leedsville Street **Ward** 15 **Applicant:** Tong Vu
Article(s): 65(65-9)
Purpose: New Construction of 3 Family Residential Property on Vacant Land.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a three-family dwelling on a vacant lot.

Board Members asked the applicant to describe the proposal.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-908278 **Address:** 667 Beech Street **Ward** 18 **Applicant:** John Pulgini
Article(s): 69(69-9) 69(69-9)
Purpose: Erect a new two story 2 family dwelling on newly formed Lot A in conjunction with ALT 897484 and ERT897512.

Discussion: The applicant appeared before the Board and requested to withdraw the proposal.

Votes: Board Member Fortune moved for denial without prejudice and Bickerstaff seconded and the Board voted unanimously to deny without prejudice.

RECOMMENDATIONS:

(The Zoning Advisory Subcommittee held hearings for the following cases May 16, 2019. Board Secretary Mark Fortune reported the Subcommittee's recommendations from these hearings to the Board.)

Case: BOA-883471, **Address:** 81 High Street **Ward:** 2 **Applicant:** Pat Otoole
Article(s): 62(62-25) 62(62-8: Insufficient side yard setback & Insufficient rear yard setback)
Purpose: Constructing a roof top deck on top of an existing roof structure. Deck is 16x18 and Supported by posting on exterior wall and brick wall. There was an existing roof deck constructed on the property prior that we had to remove due to rubber roof failure underneath, at that point we discovered the deck was constructed illegally.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-930621, **Address:** 1 Ludlow Street **Ward:** 2 **Applicant:** Eric Zachrison
Article(s): 62(62-25) 62(62-8: Floor area ratio excessive & Rear yard insufficient)
Purpose: Adding floor area on levels 2 and 3, adding a bathroom. Adding roof deck with headhouse.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with BPDA design review.

Documents/Exhibits: Building plans

Case: BOA-938002, **Address:** 208 Harold Street **Ward:** 12 **Applicant:** Derric Small
Article(s): 50(50-19)
Purpose: Change the legal occupancy to include a Retail/Convenience Store.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with BPDA design review.

Documents/Exhibits: Building plans

Case: BOA-912336, **Address:** 101-103 Rosseter Street **Ward:** 14 **Applicant:** Kenneth Battle
Article(s): 60(60-9)
Purpose: Add finish basement square footage to existing home square footage.

Discussion/Vote: The applicant appeared before the subcommittee and requested to withdraw the appeal for relief. The Subcommittee voted to recommend dismissal without prejudice.

Documents/Exhibits: Building plans

Case: BOA-923898, **Address:** 26 Saranac Street **Ward:** 16 **Applicant:** Seth Parker

Article(s): 65(65-9: Floor area ratio excessive & Side yard insufficient)

Purpose: Propose new second floor addition, new rear addition, new rear deck, and new roof over existing porch. New addition to include three beds and two baths and stairway access to second floor.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-922587, **Address:** 12 Waldeck Street **Ward:** 17 **Applicant:** Bryan Mann

Article(s): 65(65-9)

Purpose: Remodel attic to be used for living space.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with a signature hold for stamped plans.

Documents/Exhibits: Building plans

Case: BOA-925440, **Address:** 301 Huntington Avenue **Ward:** 18 **Applicant:** Jose Pimentel

Article(s): 9(9-1) 69(69-9)

Purpose: Construct a 17'x28' rear addition per attached drawings.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-903736, **Address:** 416 Huntington Avenue **Ward:** 18 **Applicant:** Manuel Torres

Article(s): 69(69-25) 69(69-9)

Purpose: Construct new rear addition with rear deck and front porch. Construct new addition for master bedroom on top of existing building. Build new dormer. Full interior renovation to existing single family dwelling.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with a signature hold for stamped plans.

Documents/Exhibits: Building plans

Case: BOA-834419, **Address:** 243 West Selden Street **Ward:** 18 **Applicant:** Luckner Bay Associates

Article(s): 60(60-9: Floor area ratio excessive, Bldg height excessive (stories), Front yard insufficient & Side yard insufficient) 9(9-1)

Purpose: Construct new dormer additions to existing two-family dwelling. Extend living space to attic space for Unit 2.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with a signature hold for stamped plans.

Documents/Exhibits: Building plans

Case: BOA-919184, **Address:** 13 Woodglen Road **Ward:** 18 **Applicant:** Robert Burk

Article(s): 69(69-9)

Purpose: Dormer rear section of roof to add bath and create better head height in already existing bedrooms. Install new insulation.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval with a signature hold for stamped plans.

Documents/Exhibits: Building plans

Case: BOA-921085, **Address:** 52 Cohasset Street **Ward:** 20 **Applicant:** Sergio Guimaraes

Article(s): 67(67-9.1: Excessive F.A.R., # of allowed stories has been exceeded (dormer/finished basement) & Insufficient rear yard setback)

Purpose: Interior and exterior remodel and add an addition.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-917828, **Address:** 24 Durant Street **Ward:** 20 **Applicant:** Jose Dos Anjos De Pina

Article(s): 56(56-40.1) 56(56-8)

Purpose: Adding a Two story addition to the existing home - see plans and elevations.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-915430, **Address:** 34 Edgemere Road **Ward:** 20 **Applicant:** North Eastern Pro Construction LLC

Article(s): 56(56-8)

Purpose: Remove the existing porch on back of house and building on existing foot print a two story addition, remove the front stair and building new, new foundation for the front existing porch and renovate two bathrooms.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-944212, **Address:** 1431 Centre Street **Ward:** 20 **Applicant:** Abraham Gonzalez
Article(s): 67(67-9: Floor area ratio excessive & Side yard insufficient) 9(9-1)
Purpose: Install dormers on the 3rd floor to add a bathroom and closet.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-907387, **Address:** 27 Peaceable Street **Ward:** 22 **Applicant:** Kevin Burke
Article(s): 6(6-4)
Purpose: Remove proviso Granted to this owner only.

Discussion/Vote: At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775

BOARD MEMBERS:

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For a video recording of the June 11, 2019 Board of Appeal Hearings please go to:
https://www.cityofboston.gov/cable/video_library.asp

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