



City of Boston
Board of Appeal

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TUESDAY, APRIL 27, 2021

BOARD OF APPEAL

CITY HALL, ROOM 801

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON APRIL 27, 2021 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS APRIL 27, 2021 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE APRIL 27, 2021 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE WEBEX EVENT PLATFORM.

Interested persons can participate in the hearing REMOTELY by going to <http://bit.ly/Apr27hearing> or by calling 1-617-315-0704 and entering access code 129 353 7181.

If you wish to offer testimony on an appeal, please click <http://bit.ly/zbaApr27comment> to sign up. Please provide your name, address, the address and/or BOA number of the appeal on which you wish to speak, and if you wish to speak in support of or opposition to the project.

For individuals who need translation assistance, please notify the Board at least 48 HOURS in advance either by signing up at <http://bit.ly/zbaApr27comment>, calling 617-635-5300 or emailing zba.ambassador@boston.gov.

The ZBA Ambassador will be available within the WebEx Event from at 8:30 AM to 9:30 AM to answer questions about ZBA procedures and offer instructions on how to participate in the hearing via WebEx. Questions and/or concerns can also be emailed to the ZBA Ambassador at zba.ambassador@boston.gov.



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If you wish to offer comment within the meeting platform, please use the “raise hand” function, if connected by video, or dial *3, if connected by phone. The requester will be administratively unmuted and asked to state their name, address and comment. Comments will be limited as time requires.

IF YOU WISH TO OFFER TESTIMONY ON AN APPEAL, PLEASE LOG IN TO THE HEARING NO LATER THAN 9:00 AM TO ENSURE YOUR CONNECTION IS PROPERLY FUNCTIONING.

The hearing can also be viewed via live-stream on the City’s website at <https://www.boston.gov/departments/broadband-and-cable/watch-boston-city-tv>. Closed captioning is available.

Interested persons who are unable to participate in the hearing remotely may make an appointment to appear in person at City Hall, in the BPDA board room, 9th Floor, Room 900. Please notify the Board at least **48 HOURS** in advance either by calling 617-635-4775 or emailing isdboardofappeal@boston.gov for accommodations to be made. Individuals appearing at City Hall without an appointment will not be permitted to enter.

MEMBERS OF THE COMMUNITY ARE STRONGLY ENCOURAGED TO HELP FACILITATE THE VIRTUAL HEARING PROCESS BY EMAILING LETTERS IN SUPPORT OF OR OPPOSITION TO AN APPEAL TO isdboardofappeal@boston.gov IN LIEU OF OFFERING TESTIMONY ONLINE OR FROM BPDA BOARD ROOM. IT IS STRONGLY ENCOURAGED THAT WRITTEN COMMENTS BE SUBMITTED TO THE BOARD AT LEAST 48 HOURS PRIOR TO THE HEARING. WHEN DOING SO, PLEASE INCLUDE IN THE SUBJECT LINE THE BOA NUMBER, THE ADDRESS OF THE PROPOSED PROJECT AND THE DATE OF THE HEARING.



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EXTENSIONS: 9:30 AM

Case: BOA-799148 Address: 951-959A Dorchester Avenue Ward 13 Applicant: 959 Dot LLC

Case: BOA-803394 Address: 246-248 Dorchester Avenue Ward 6 Applicant: Evergreen Property Group LLC

Case: BOA-791475 Address: 8 Dorset Street Ward 8 Applicant: Garfield Boothe

Case: BOA-578766 Address: 5 Jackson Avenue Ward 3 Applicant: Charles & Carla Kim

Case: BOA-738454 Address: 55 Chaucer Street Ward 1 Applicant: George Morancy Esq

Case: BOA-738449 Address: 57 Chaucer Street Ward 1 Applicant: George Morancy, Esq

Case: BOA-889396 Address: 59 West Walnut Park Ward 11 Applicant: Aigbe Irerua

Case: BOA- 904095 Address: 1423-1425 Tremont Street Ward 9 Applicant: John Pulgini

BOARD FINAL ARBITER: 9:30 AM

Case: BOA-943624 Address: 118-120 Marcella Street Ward 11 Applicant: Stephen Chung AIA

Case: BOA- 831064 Address: 17 Madeline Street Ward 22 Applicant: Harold McGonagle, RA

GCOD ONLY: 9:30 AM

Case: BOA-1172918 Address: 53 Marlborough Street Ward 5 Applicant: French Cultural Center

Article: Article 32, Section 4.GCOD, Applicability Due to Substantial Rehabilitation

Purpose: Combining and renovation of two buildings (53 Marlborough & 300 Berkeley) to be known as 53 Marlborough Street. Work includes demo, new finishes, elevator, sprinkler, FA, and updates to all MEPs. Refer to applications ALT1147273 (300 Berkeley) & ALT 1147267 (53 Marlborough) combination of lots.



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BUILDING CODE ONLY: 9:30 AM

Case: BOA#1172851 Address: 33 Woodlawn Street Ward 11 Applicant: Richard C. Lynds, Esq

Purpose: Erect a new 3 story, Three (3) Family Dwelling. There will be a 6 Vehicle Parking Garage located beneath building. Parking Garage will also be used by 31 Woodlawn Street. Construct new exterior Decks in Rear Yard. Building will be fully Sprinklered.

Violations: Violation Descriptions: Violation Comments: 8th 780CMR Chapter 7 Fire & Smoke Protection 706.1.1 Party walls: Any wall located on a lot line between adjacent buildings, which is used or adapted for joint service between the two buildings, shall be constructed as a firewall in accordance with Section 706. Party walls shall be constructed without openings and shall create separate buildings. 8th 780CMR 101.4.7 MAAB 521 CMR 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.

HEARINGS: 9:30 AM

Case: BOA-1166809 Address: 6-8 Saint Andrew Road Ward 1 Applicant: Fouad Hamzeh

Articles: Article 53, Section 9 Side Yard Insufficient 5.3' < 7'min Article 53, Section 9 Rear Yard Insufficient 11.9' < 35'min (Shallow Lot) Article 27T East Boston IPOD

Purpose: Renovation of existing rear deck. Scope includes extending deck to upper floor, addition of an egress stair, and extension of first floor portion of deck. Renovation of rear basement access stair/door also included, per plans.

Case: BOA-1161771 Address: 168 Gove Street Ward 1 Applicant: 168 Gove Street, LLC

Articles: Article 27T-5E. Boston IPOD Applicability Article 53 Section 8 Use Regulations Use Table footnote (7) – Basement units Forbidden Article 53 Section 9 Excessive F.A.R. – 1.0 max Article 53 Section 9 # of allowed stories – 3 Story Max Article 53 Section 9 Max. allowed height exceeded – 35' max. allowed Article 53 Section 9 Insufficient open space per unit – 200sf/unit required Article 53 Section 9 Insufficient rear yard – 30' required Article 53 Section 9 Insufficient side yard – 5' required Article 53 Section 9 Insufficient additional lot area per unit – 1000sf/unit req. Article 53, Section 52 Roof Structure Restrictions Article 53, Section 56 Off-Street Parking & Loading Req Insufficient parking spaces – 1.75/unit required Article 53, Section 56.5(a) Off-Street Pkg Maneuverability Article 9, Section 1 Extension of Nonconforming Building Dimensional - <25% Conditional

Purpose: Change of Occupancy from four (4) unit residential dwelling to eight (8) unit residential dwelling. Construct new fifth story addition with roof deck. Full renovation as per plans.

Case: BOA-1153771 Address: 78 Tyler Street Ward 3 Applicant: Nancy Lo

Articles: Article 32, Section 4.GCOD, Applicability Art. 43 Sec. 23 Off Street Parking 0 Provided < 4 Req'd

Purpose: Change of occupancy from convent to eight apartments, add addition in the rear to 3rd and 4th floor levels, solar panels on roof, repointing, window replacement, and renovations according to plans.



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Case: BOA-1130052 Address: 30 Chestnut Street Ward 5 Applicant: Hezekiah Pratt

Article: Article 15, Section 1 Floor Area Ratio Excessive

Purpose: Renovate three family. Demolish and renovate kitchens and bathrooms, new interior finishes, new electrical and mechanical systems, repair masonry. sprinkler fire alarm new elevator repair interior exterior masonry new roof deck repair garage in rear replace garage roof per plans. all structural work per approved plans.

Case: BOA- 1153925 Address: 639 East Sixth Street Ward 6 Applicant: Benson & Jenifer Miller

Article: Article 68, Section 8 Side Yard Insufficient Required: 3' Proposed addition: less than 3 feet.

Purpose: Add addition to right rear of building, move sink and stove to outside wall and install center island. Swap office and bedroom on second floor using new addition for additional bedroom space. Amendment for existing permit ALT1089038.

Case: BOA-1160163 Address: 25 Doris Street Ward 13 Applicant: Nancy Sheehy

Articles: Art. 65 Sec. 9 Insufficient lot size – 3000sf req. Art. 65 Sec. 9 Insufficient lot size – 1500sf/unit > 1

Purpose: New two family construction.

Case: BOA-1134705 Address: 37 Wales Street Ward 14 Applicant: Heading Home, Inc

Articles: Article 60, Section 8 Use Regulations MFR Forbidden Article 60, Section 9 Additional lot area per unit Article 60, Section 9 Excessive F.A.R. Article 60, Section 9# of allowed stories exceeded Article 60, Section 9 Max. allowed height exceeded Article 60, Section 9 Insufficient usable open space per unit Article 60, Section 9 Insufficient rear yard setback Article 60, Section 40 Off Street Parking & Loading Req

Purpose: Demolition of existing building to construct a new multi family building.

Clarification: Construction of a 5 story (59.5') Low income permanent housing building with 28,760sf/GFA that shall consist of 23 low income permanent housing units made up of 19 2 bedroom, 4 3 bedroom units and 1 management office per plans submitted.

Case: BOA- 1152642 Address: 31 Senator Bolling Circle Ward 14 Applicant: Edgar J. Carrere

Articles: Article 60, Section 11 Use: Conditional Single family dwelling is a conditional use in a EPS Subdistrict Article 60, Section 12 Front yard setback is insufficient

Purpose: Construct a 2 Story, wood frame, 2268 sf single family dwelling on a 7,015 sf lot.

Case: BOA-1152640 Address: 41 Senator Bolling Circle Ward 14 Applicant: Edgar J. Carrere

Articles: Article 60, Section 11 Use: Conditional Single family is a conditional use in a EPS Subdistrict Article 60, Section 12 Front yard setback is insufficient

Purpose: Construct a 2 Story, wood frame, 2340 sf single dwelling on a 5,900 sf lot.



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Case: BOA-1163856 Address: 1175 Dorchester Avenue Ward 15 Applicant: The Broadway Company, LLC

Articles: Article 65, Section 41 Off Street Parking & Loading Req Off street parking and loading is insufficient. Article 65, Section 8 Use Regulations MFR and Retail are forbidden in a 3F D 3000 Sub district Article 65, Section 9 Add'l Lot Area Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Bldg Height Excessive (Feet) Article 65, Section 9 Usable Open Space Insufficient Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

Purpose: Erect 3 new stories of residential over an existing 1 story building.

Case: BOA-1160268 Address: 23 Arcadia Street Ward 15 Applicant: John Barry

Articles: Art.65 Sec. 8 Use: Forbidden Multifamily Forbidden Article 65, Section 9 Floor Area Ratio Excessive $1.0 > 0.5$ max Article 65, Section 9 Bldg Height Excessive (Stories) $3 > 2 \frac{1}{2}$ max Article 65, Section 9 Bldg Height Excessive (Feet) $36.3' > 35'$ max Article 65, Section 9 Side Yard Insufficient $8.4'$ avg $< 10'$ min avg (Non parallel rule) Article 65, Section 9.2 Dim Regs: Location of Main Entrance Art. 65 Sec. 65 41.5 Parking Size & Maneuverability Art. 10 Sec. 01 Limitation of off street parking areas Parking less than 5ft from side lot line.

Purpose: Change occupancy from two (2) family to six (6) family residence. Construct rear addition to extend living space to existing structure. Addition of nine (9) private parking spaces on lot.

Case: BOA-1007093 Address: 37 River Street Ward 17 Applicant: George S. Dabney

Articles: Article 65, Section 8 Use Regulations Use: Multi family Dwelling: Forbidden Article 65, Section 8 Use Regulations Use: Accessory Parking: Forbidden Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Building Height (# of Stories) Excessive Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

Purpose: Erect a new 3 story Building with Seven (7) Residential Units and 12 Parking spaces. There will be individual Roof Decks built for the top floor Dwelling Units. Building will be fully Sprinklered.

Case: BOA-1161026 Address: 85-93 Sutherland Road Ward 21 Applicant: Octagon Property Management Corporation

Articles: Article 51, Section 9 Front Yard Insufficient

Purpose: Demolish the front entrance canopy of an existing 4 storey apartment building and replace it with a new canopy over a new package storage enclosure (to one side of the entrance) underneath; no change in gross floor area. The demolished canopy and proposed work are within the required front yard.

Case: BOA-1115005 Address: 230 Harvard Avenue Ward 21 Applicant: Mayflower Medicinals, Inc.

Articles: Article 51, Section 16 Use Regulations Cannabis Establishment Use: Conditional Article 9, Section 2 Change in Non Conforming Use

Purpose: Change of occupancy from a Medical Marijuana Treatment Center to a Cannabis Establishment. No work to be done.



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HEARINGS: 11:00 AM

Case: BOA-1128259 Address: 546 Saratoga Street Ward 1 Applicant: 546 Saratoga Street, LLC

Articles: Article 27T 5 East Boston IPOD Applicability Article 53 Section 56 Off Street Parking & Loading Req Insufficient parking 1.5/unit (6 spaces required) Article 53 Section 12 Excessive F.A.R. 1.0 Max. Article 53 Section 12 Height Exceeded 35' Max.

Purpose: Raze existing structure. Erect 4 story 4 unit multifamily dwelling containing 4,860 square feet of gross floor area with private direct access roof decks for unit # 3 and #4. Plans submitted for zoning review only. Full construction drawings to be submitted after ZBA Approval. **Nominal Fee requested.**

Case: BOA- 1167625 Address: 125 Saratoga Street Ward 1 Applicant: 125 Saratoga Street, LLC

Articles: Article 53, Section 56 Off Street Parking & Loading Req Insufficient. Existing 0. Required with COO: 1 Article 53, Section 9 Floor Area Ratio Excessive Max. allowed: 0.8 Existing: 1.16 Proposed: 1.52

Purpose: Seeking to change the occupancy from a single family residential dwelling to a two family residential dwelling. Also, to erect rear decks, and renovate.

Case: BOA-1171278 Address: 748-750 East Broadway Ward 6 Applicant: George Morancy

Articles: Article 68, Section 33 Off Street Parking & Loading Req Required for Restaurant use: 120 seats * 0.3= 36 parking spaces Residential: 9*1.5= 13.5 parking spaces Article 68, Section 8 Lot area minimum. Required: 5,000 sqft Proposed: 4,500 sqft Article 68, Section 8 Floor Area Ratio Excessive Max. allowed: 1.5 Proposed: 3.62 Article 68, Section 8 Bldg Height Excessive (Feet) Max. allowed: 35' Proposed: 42' 11" Article 68, Section 8 Usable Open Space Insufficient Required: 200*9= 1,800 sqft Provided insufficient Article 68, Section 8 Front Yard Insufficient for L street only. East Broadway is in compliance with street modal Article 68, Section 8 Side Yard Insufficient Required: 3' Provided: 5' L Street (R). Not provided on East Broadway (L). Article 68, Section 8 Rear Yard Insufficient Required: 20' Proposed: 5' Article 68, Section 8.3 Dim Regs: Location of Main Entrance Article 68, Section 34.2 Traffic Visibility Across Corner Article 68, Section 7 Use Regulations Restaurant use: Conditional

Purpose: construct new 4 Story Building with 11 9 residential units and retail space restaurant at the first floor on combined lots at 748 E Broadway (0603511000), 750 E Broadway (0603510000), 65 L Street (0603509000) and L Street (0603508000) and demolish all existing buildings.

Case: BOA-1170963 Address: 1258-1272 Massachusetts Avenue Ward 7 Applicant: Douglas George

Article: Article 65 Section 15 Use Regulations Use: Restaurant inclusive of Take Out Use: Conditional

Purpose: Proposed new Restaurant fit out on 1st Floor. Change use from 40 Dwelling Units and 1 Commercial space to 40 Dwelling Units and 1 Restaurant inclusive of Take Out (Use item 36A), as per plans. (last long form ALT1026532).

Case: BOA-1167376 Address: 50-52 Dorset Street Ward 7 Applicant: George Morancy

Article: Article 65, Section 8 Use Regulations 3 Family is a forbidden use in a 2F 5000 Sub district

Purpose: Change occupancy from two family dwelling to three family dwelling; add 3 accessory off street parking spaces to rear yard w/ access via existing curb cut & driveway; demo garage in rear yard. All work except demo of garage included in scope of issued permit ALT1112471 w/ declared value of \$245,000.



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Case: BOA-1129048 Address: 1589 Columbus Avenue Ward 11 Applicant: FPG 17 Wensley, LLC

Article: Article 55 Section 19 Use Regs in Local Industrial Cannabis Establishment Use: Conditional

Purpose: Change occupancy from dry cleaner to adult use retail cannabis store. Interior alterations & exterior renovation. The building will remain the same size; no additions of any kind. The work being completed will include the installation of new mechanical systems, drywall, framing of walls, tile floor, relocation of restrooms, exterior repairs & facade modifications.

Case: BOA- 1156475 Address: 31 Savin Hill Avenue Ward 15 Applicant: Joey Arcari

Articles: Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Usable Open Space Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 42 Application of Dimensional Req 42.14 Two or more buildings on the same lot. Article 65, Section 41 Off Street Parking & Loading Req Off street parking is insufficient

Purpose: Erect a new 3 story, 3 family building as part of a larger development at 1121 Dorchester Ave. This building is tied to ALT1124474 and ERT1075671.

Case: BOA-1156470 Address: 1121 Dorchester Avenue Ward 15 Applicant: Joey Arcari

Articles: Article 65 Section 15 Use Regulations MFR is a conditional use in a LC sub district Article 65, Section 16 Building height in feet is excessive Article 65, Section 16 Usable open space is insufficient Article 65, Section 16 Rear yard is insufficient Article 65, Section 16 Floor area ratio is excessive Article 65, Section 41 Off Street Parking & Loading Req Off street parking is insufficient Article 65, Section 42 Application of Dimensional Req 42.14 Two or more buildings on the same lot Article 65 Section 15 Use Regulations Restaurant is a conditional use in a L/C subdistrict

Purpose: Demolish (2) small industrial buildings and (1) single family. Combine the two lots. Erect a new 5 story mix use building, and a 3 story residential building. The project is comprised of commercial space on the ground level, as well as office space on the second level, with residential above.

Case: BOA- 1163038 Address: 44-46 Soldiers Field PL Ward 22 Applicant: 1500 SFR, LLC

Articles: Article 51 Section 16 Use Regulations Multifamily (102 units) Conditional Article 51 Section 17 Floor Area Ratio $3.9 > 1.0$ max Article 51, Section 17 Building Height $69.2' > 35'$ max Article 51 Section 17 Front Yard (Through Lot) $6.6'/0.3' < 7'$ min Article 29 Section 4 GPOD Applicability

Purpose: Construct a new six (6) story building of approximately 101,000 gross square feet consisting of 102 residential units and a small restaurant with takeout of approximately 870 square feet with 62 on site parking spaces.

RECOMMENDATIONS: 11:30 AM

Case: BOA-1142725 Address: 9 Kelley Court Ward: 2 Applicant: Chandler Miller

Articles: Article 62, Section 25 Roof Structure Restrictions Access and design Article 62, Section 8 Insufficient rear yard setback Article 62, Section 8 Insufficient side yard setback Purpose: Convert existing roof into family recreational space and install 6ft high fence. Install landing and stairs as required for access. Case: BOA-1158578 Address: 2 Laurel Street Ward: 2 Applicant: Eliza Becton and Glen Kruger Articles: Article 62, Section 8 Insufficient rear yard setback Article 62, Section 25 Roof Structure Restrictions Third story addition (reconfiguration of existing roof profile)

Purpose: Build another story onto the existing 2 story 10x7"ell" at the rear of the building to expand the bathroom and also renovate the second floor bathroom.



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Case: BOA-1130851 Address: 2 Mount Vernon Street Ward: 2 Applicant: Timothy Sheehan Articles: Article 62, Section 8 Floor Area Ratio Excessive Article 62, Section 8 Building Height Excessive Article 62, Section 8 Building Height (# of Stories) Excessive Article 62, Section 8 Rear Yard Insufficient Article 62, Section 25 Roof Structure Restrictions

Purpose: This job will require ZBA / BPDA approvals. The NOMINAL FEE is requested. This application is for a new shed dormer on an existing habitable attic floor with a roof deck accessed through a hatch will be located on the roof. This project will mirror the adjacent house at 4 Mount Vernon Street.

Case: BOA-#1130850 Address: 2 Mount Vernon Street Ward: 2 Applicant: Timothy Sheehan Purpose: This job will require ZBA / BPDA approvals. The NOMINAL FEE is requested. This application is for a new shed dormer on an existing habitable attic floor with a roof deck accessed through a hatch will be located on the roof. This project will mirror the adjacent house at 4 Mount Vernon Street.

Violation: 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. Exception : In buildings without an occupied roof, access to the roof shall be permitted to be a roof hatch or trap door not less than 16 square feet in area and having a minimum dimension of 2 feet.

Case: BOA-1156955 Address: 477-479 East Third Street Ward: 6 Applicant: Claudette Bosman Article: Article 68, Section 29 Roof Structure Restrictions Access via spiral

Purpose: Install exterior spiral staircase and roof deck.

Case: BOA-1150451 Address: 583-583R Eighth Street Ward: 7 Applicant: Derek Hogan

Articles: Article 68, Section 33 Off Street Parking & Loading Req Article 68 33.4 Location. Off street parking facilities shall be provided on the same lot as the main use. Article 68, Section 33 Off Street Parking & Loading Req Article 68 33.5 Design. Driveway shall be a minimum of 10' 0" for appropriate means of vehicular access to a Street Article 68, Section 8 Usable Open Space Insufficient

Purpose: Propose three (3) off street parking via easement access from 581 East Eighth Street.

Case: BOA-1156978 Address: 23-25 Arbroth Street Ward: 16 Applicant: Gary Deans

Articles: Article 65, Section 9 # of allowed stories has been exceeded 2.5 stories max. Article 65, Section 9 Excessive f.a.r. 5 max. Article 65, Section 9 Insufficient side yard setback 10' min. req. **Purpose:** Interior and exterior renovation of 2 family to include new 2 story exterior deck and 2nd floor exterior stairs; 3rd floor dormer and roof deck, new kitchens and baths, new electric, new heating.

Case: BOA- 1161773 Address: 54 Westmoreland Street Ward: 16 Applicant: Corey Clark

Articles: Article 65, Section 9 # of allowed stories has been exceeded 2.5 stories max Article 65, Section 9 Excessive f.a.r. .4 max Article 65, Section 9 Insufficient side yard setback 10' req.

Purpose: Proposed Dormer addition to extend living space to the third floor and add a deck, as per plans. Permit set to be submitted upon ZBA approval.



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Case: BOA-1137028 Address: 19 Weyanoke Street Ward: 16 Applicant: Robert Cabral

Article: Art. 65 Sec. 9 Residential Dimensional Reg.s Minimum side yard setback requirement is insufficient

Purpose: Proposed 800 SF second story addition and 100 SF single story rear addition to existing 1 1/2 story existing Cape style dwelling located at 19 Weyanoke Street in Dorchester.

Case: BOA-1156565 Address: 79 Corbet Street Ward: 17 Applicant: Cesar DaSilva

Article: Art. 10 Sec. 01 Limitation of off street parking areas occupying front and side yard (not located at more than 5 feet the side lot line)

Purpose: Asphalt driveway for 2 off street parking.

Case: BOA- 1160443 Address: 8 Oakcrest Road Ward: 18 Applicant: Horizon Construction & Development, LLC

Article: Art. 69 Sec. 09 Floor area ratio is excessive (greater than 50%)

Purpose: Gut Renovation including structure repairs 10'x10' 1 story addition New M/E/P New layout to have 4 total bedrooms, 3 bathrooms New Roof.

Case: BOA- 1160969 Address: 11 Porter Terrace Ward: 20 Applicant: Derek Rubinoff

Articles: Article 56, Section 8 Floor Area Ratio Excessive Article 56. Section 8 Side Yard Insufficient **Purpose:** Create a 130 sf addition on the 2nd floor of an existing detached 2 storey single family house. The addition is proposed above an existing enclosed sunroom and will include a master bath, a laundry closet, a gambrel roof, and a shed dormer on the front and rear. No change in building footprint.

Case: BOA- 1160818 Address: 53 Tyndale Street Ward: 20 Applicant: James Zigmont

Article: Art. 20, Section 2 Accessory Buildings Existing accessory building closer than 4' to side lot lines, but now increasing height

Purpose: Renovation of an existing garage, to an art studio (Accessory building) As per plans from Richard Alvord Architects. Reconfigure roofing frame, install new roof, new windows, new exterior door, new electrical, frame the perimeter and apply insulation, install new HVAC.

Case: BOA-1158404 Address: 214 Beech Street Ward: 20 Applicant: Laura and Drew Watson Articles: Article 67,

Section 9 Side Yard Insufficient Article 67, Section 9 Rear Yard Insufficient **Purpose:** Kitchen and powder room renovation with bump out addition and new rear deck landing.

Case: BOA- 1156154 Address: 94 Cass Street Ward: 20 Applicant: Christopher Roberts & Carlos Parra Herran

Articles: Article 56, Section 8 Excessive F.A.R. .4 max Article 56, Section 8 # of allowed habitable stories has been exceeded 2.5 stories max.

Purpose: Finish attic per drawing Specification. No other work to be done.

Case: BOA-1165692 Address: 109 Perham Street Ward: 20 Applicant: Gilmar Costa

Articles: Article 56, Section 8 Front Yard Insufficient Article 56. Section 8 Side Yard Insufficient **Purpose:** Add dormer and roofing.



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Case: BOA- 1141289 Address: 11 Bagnal Street Ward: 22 Applicant: David McNair

Article: Article 51, Section 9 Floor Area Ratio Excessive Max. allowed: 0.6 Existing:0.6 Proposed: 0.68 **Purpose:** Extension of living space to basement to existing single family dwelling. Renovate basement, add egress window and Bathroom.

Case: BOA- 1155715 Address: 28 Rosebery Road Ward: 18 Applicant: Derric Small

Articles: Article 69 Section 29 Off Street Parking & Loading Req Off street parking is insufficient. Article 69, Section 9 Lot Area Insufficient Article 69, Section 9 Usable Open Space Insufficient Article 69 Section 9 Floor area ratio is excessive

Purpose: Change of Occupancy from a one family dwelling to a two family dwelling.

RE-DISCUSSIONS: 12:30 PM

Case: BOA-999494 Address: 6 Mount Vernon Avenue Ward: 2 Applicant: Timothy Burke

Article: Article 09-sec 1, Article 62-sec 25, Article 62-sec 8

Purpose: Amend permit to construct a new dormer on rear of house with roof deck above. Access to roof deck from new stair and hatch. Work includes new framing, cladding, windows, decking, roof hatch and railings. Work includes associated electrical, plumbing and mechanical work.

Case: BOA- 1152882 Address: 9 Eden Street Ward 2 Applicant: Pulgini & Norton, LLP

Articles: Art. 62 Sec. 62 25 Roof Structures Restricted Roof structures restricted district Art. 62 Sec. 08 Side yard setback requirement is insufficient Art. 62 Sec. 08 Usable open space requirement is insufficient Art. 62 Sec. 30 Side yard with driveway cannot be less than 10ft wide.

Purpose: Confirm occupancy as a two family. Change occupancy to a three family dwelling. Rebuild the rear elevation to add additional space to the rear of the structure to convert from a two family to a three family; build a driveway to access parking in the rear of the property. [ePlan]

Case: BOA-1121328 Address: 142 P Street Ward 6 Applicant: Ryan Hunt

Articles: Article 29 Section 4 GPOD Applicability Greenbelt Protection Overlay District Applicability Article 68, Section 8 Front Yard Insufficient Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Location of Main Entrance shall face the Front Lot Line Article 68, Section 29 Roof Structure Restrictions Building Height Excessive (Proposed new Building exceeds the Building Height of the previous Building) Article 68, Section 34 Application of Dimensional Req Traffic Visibility Across a Corner Lot

Purpose: Erect a 3 story, Seven (7) Unit Residential Building.

Case: BOA-1131644 Address: 97 Williams Street Ward 11 Applicant: Joseph Federico

Articles: Art. 55 Sec. 09 Lot size requirements is insufficient to support the existing building, due to subdivision Art. 55 Sec. 09 Floor area ratio is excessive, due to subdivision Art. 55 Sec. 09 Usable open space is insufficient, due to subdivision Art. 55, Section 9 Rear yard setback requirements is insufficient **Purpose:** Subdividing 680 sf of land from 97 Williams St to 99 Williams St. See ERT1087525.



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Case: BOA-1116715 Address: 99 Williams Street Ward 11 Applicant: Joseph Federico

Articles: Article 55, Section 8 Use Regulations Multi family dwelling unit use (6) is forbidden, Article 55, Section 9 Lot area for the add'l dwelling unit is insufficient, Article 55, Section 9 Floor area ratio is excessive, Article 55, Section 9 Side yard setback requirement is insufficient, Art. 55, Section 40 ** Off Street Parking Insufficient Off street parking requirement is insufficient

Purpose: Erect a new 6 unit residential building on two combined vacant lots. EPLAN

Case: BOA-1120246 Address: 655 Morton Street Ward 14 Applicant: Alfonso Sira

Articles: Art. 60 Sec. 08 Use Regs appl in Res Subdistr Dwelling unit is forbidden in basement Art. 60 Sec. 08 Use Regs appl in Res Subdistr Lodging house use is a forbidden use Art. 60 Sec. 60 9 Additional Lot Area Insuff Lot area for the add'l unit is insufficient Article 60 Section 9 Dimensional Regulations Floor area ratio is excessive Article 60 Section 9 Dimensional Regulations Usable open required is insufficient Article 60, Section 37 Off Street Parking Insufficient Off street parking requirement is insufficient

Purpose: Renovation of basement into apartment and change of occupancy to a boarding house.

Case: BOA-1071651 Address: 6 Magdala Street Ward 16 Applicant: Daniel Rubin

Articles: Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

Purpose: Erect three unit building with two garage parking spots and one surface parking spot

Case: BOA-1038331 Address: 151 Spencer Street Ward 17 Applicant: Jessica Graf

Articles: Article 65, Section 8 Use Regulations Use: Multi family Dwelling: Forbidden Article 65, Section 8 Use Regulations Use: Accessory Parking: Forbidden Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Building Height Excessive Article 65, Section 9 Building Height (# of Stories) Excessive Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Insufficient Article 65, Section 41 Off Street Parking & Loading Req Off Street Loading Insufficient

Purpose: Construct a new 4 story Multi family Residential Building consisting of 19 Affordable Rental Housing Units. This will be a joint venture between Codman Square NDC Corporation and TLee Development to create 2 new Multi family Residential Housing Buildings where TLee will have 1 new Building fronting on Talbot Ave and CSNDC will have another new Building fronting on Spencer St.

Case: BOA- 1038330 Address: 25 New England Avenue Ward 17 Applicant: Jessica Graf

Articles: Article 60, Section 19 Use Regulations Use: Multi family Dwelling: Forbidden Article 60, Section 19 Use Regulations Use: Accessory Parking: Forbidden Article 60, Section 20 Building Height Excessive Article 60, Section 20 Floor Area Ratio Excessive Article 60, Section 20 Rear Yard Insufficient Article 60 Section 40 Off Street Parking & Loading Req Off Street Parking Insufficient Article 60 Section 40 Off Street Parking & Loading Req Off Street Loading Insufficient

Purpose: Combine existing parcels which includes demolition of structures at 5, 9, 21 and 23 New England Avenue. Construct a new 4 story Multi family Residential Dwelling. This new structure will include 23 Affordable Rental Units.



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Case: BOA-1082341 Address: 8 Reddy Avenue Ward 18 Applicant: Paul Britton

Articles: Article 69, Section 8 Use: Forbidden Article 69, Section 9 * * Add'l Lot Area Insufficient Article 69, Section 9 ** Floor Area Ratio Excessive Article 69, Section 9 ** * Usable Open Space Insufficient Article 69, Section 9 *** Front Yard Insufficient Article 69, Section 9 *** * Side Yard Insufficient Article 69, Section 8 ** Use Regulations

Basement units are not allowed Article 69 Section 29 Off Street Parking & Loading Req Off street parking is insufficient

Purpose: Change occupancy from 2 family to 3 family. Interior renovations of existing basement & conversion into a 2 bedroom apartment with living, dining, kitchen, and bathroom 2 new remote egress doors provided and egress windows at each bedroom.

Case: BOA-1098890 Address: 35 Avalon Road Ward 20 Applicant: John Pulgini

Articles: Article 56, Section 8 Lot Area Insufficient 4710sqft < 6000sqft min. Article 56, Section 8 Lot Width Insufficient 50' < 60' min. Article 56, Section 8 Lot Frontage Insufficient 50' < 60'min Article 56, Section 8 Floor Area Ratio Excessive 0.5 > 0.4max Art. 56 Sec. 39 Off street parking requirements #4a (Location) Parking in front yard. Art. 10 Sec. 01 Limitation of parking areas Proposed easement for off street parking serving abutting lot located within 5ft of side lot line. See U491171381.

Purpose: Erect single family 2 story house with garage on vacant lot. Also see U491171381

Case: BOA-174692 Address: 39 Avalon Road Ward 20 Applicant: John Pulgini

Articles: Art. 10 Sec. 01 Limitation of parking areas Parking proposed with less than 5ft from side lot line. Article 56. Section 8 Side Yard Insufficient 10ft wide driveway not provided within lot. Pending decision of proposed easement on ERT1085831.

Purpose: Laydown of driveway for the existing single family at 39 Avalon Road, which currently benefits from off street parking on the 35 Avalon Road parcel. Please see companion case ERT1085831.

Case: BOA-1065297 Address: 16 Dustin Street Ward: 22 Applicant: Alex Norman

Article: Article 51, Section 9 Floor Area Ratio Excessive

Purpose: Amendment to ALT399170. Built out basement according to submitted floor plan.



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OPEN MEETING LAW COMPLAINT: 1:00 PM

Case: BOA1133941 & BOA1133951 Address: 42 Irving Street

Purpose: Discussion of Open Meeting Law Complaint received April 13, 2021 alleging violation of the OML during the hearing of the above appeals at the April 6, 2021 hearing of the Board of Appeal.

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

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EDWARD DEVEAU

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.