



City of Boston
Board of Appeal

RECEIVED

By City Clerk at 11:48 am, Nov 12, 2021

Tuesday, November 16, 2021, 2021

BOARD OF APPEAL

City Hall Room 801

Hearing Agenda
REVISED AGENDA

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON NOVEMBER 16, 2021 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS NOVEMBER 16, 2021 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE NOVEMBER 16, 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 <https://bit.ly/zbaNovember16Hearing> or by calling 1-617-315-0704 and entering access code 2339 018 3245. If you wish to offer testimony on an appeal, please click <https://bit.ly/zbaNovember16Comment>, 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 <https://bit.ly/zbaNovember16Comment>, calling 617-635-5300 or emailing zba.ambassador@boston.gov.

The ZBA Ambassador will be available within the WebEx Event from 8:30 AM to 9:30 AM to answer questions about ZBA procedures and offer instructions on how to participate in the hearing via 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 8:30AM TO ENSURE YOUR CONNECTION IS PROPERLY FUNCTIONING.

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

Interested persons who are unable to participate in the hearing remotely may make an appointment to 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.

MEMBERS OF THE COMMUNITY ARE STRONGLY ENCOURAGED TO HELP FACILITATE THE VIRTUAL HEARING PROCESS BY EMAILING LETTERS IN SUPPORT OF OR OPPOSITION TO AN APPEAL TO ZBAPublicInput@boston.gov 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: 9:30AM

- Case: BOA- 759563 Address: 80 Marginal Street Ward 1 Applicant: Richard Lynds, Esq**
- Case: BOA-1006360 Address: 8 Ford Street Ward 1 Applicant: Richard Lynds, Esq**
- Case: BOA-1006358 Address: 8C Ford Street Ward 1 Applicant: Richard Lynds, Esq**
- Case: BOA- 830090 Address: 4 Mystic Street Ward 2 Applicant: Timothy Sheehan**
- Case: BOA- 992109 Address: 24 Rand Street Ward 13 Applicant: Kenneth Daddabbo Sr.**
- Case: BOA- 992105 Address: 28 Rand Street Ward 13 Applicant: Kenneth Daddabbo Sr.**
- Case: BOA-734154 Address: 14 Gleason Street Ward 14 Applicant: Prince Kallon**
- Case: BOA-914212 Address: 79 Devon Street Ward 14 Applicant: Prince Kallon**
- Case: BOA-799147 Address: 30 Thorn Street Ward 18 Applicant: Nicholas Zozula, Esq**
- Case: BOA-967381 Address: 83-89 Queensberry Street Ward 5 Applicant: Peter Kochansky, Esq**
- Case: BOA-967386 Address: 95-101 Queensberry Street Ward 5 Applicant: Peter Kochansky, Esq**
- Case: BOA-831064 Address: 17 Madeline Street Ward 22 Applicant: Harold McGonagle, RA**

BOARD FINAL ARBITER: 9:30AM

- Case: BOA-799147 Address: 30 Thorn Street Ward 18 Applicant: Nicholas Zozula, Esq**

GCOD: 9:30AM

- Case: BOA-1237924 Address: 232 Clarendon Street Ward 5 Applicant: 232 Clarendon, LLC**
Article(s): Art. 32 Sec. 32.4 Groundwater Conservation Overlay District, Applicability
Purpose : Change of occupancy to remove retail store and renovate/reconfigure existing spaces of residential and office units. New fire alarm and fire protection systems

HEARINGS: 9:30AM

- Case: BOA- 1243007 Address: 30 Allston Street Ward 2 Applicant: David Giller**
Article(s): Art. 62 Sec. 30.6 Driveway min.10' wide Article 62, Section 8 Side Yard Insufficient
Purpose: Tandem driveway installation for 2 parking spaces
- Case: BOA- 1258260 Address: 10 Union Park Ward 3 Applicant: Pat Kinsel and Jill Ozzie**
Article(s): Art. 32 Sec. 04 GCOD Applicability Art 64.9.4Town/Rowhouse extension into rear -Balcony and addition exceeding 50 sqft Art. 56 Sec. 64 34Restricted roof structure district - main roof and garage roof Article 64 Section 8 Use Regulations - Accessory swimming pool < 4' from lot lines Article 64, Section 9Floor Area Ratio Excessive Article 64, Section 9 Rear Yard Insufficient
Purpose : Change occupancy from lodging house to single family; install groundwater recharge system, extend living space to basement & excavate, rear addition at basement & levels 1 -4, rear deck at level 2, construct attached garage and pool in rear yard connected to main building through a bridge, roof decks on garage and main roof.



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Case: BOA- 1255984 Address: 353 East Eighth Street Ward 7 Applicant: Marc LaCasse

Article(s): Article 68, Section 8.4Dim Regs: Extension in Rear Yard - Extension exceeding 1,000sqft
Article 68, Section 8 Front Yard Insufficient Article 68, Section 29 Roof Structure Restrictions Article 68, Section 8
Side Yard Insufficient

Purpose :Renovation & rear addition (extension of living space) to existing 3 family semi detached building, new rear decks, and extension of living space into basement; no change to existing occupancy. The proposed project will also include new kitchens, baths, and interior partition walls on all levels. Fire protection & alarm systems will be installed per NFPA 13.

Case: BOA-1175371 Address: 20 Centre Street Ward 9 Applicant: Michael Chavez

Article(s): Article 50, Section 29 Lot Frontage Insufficient Article 50, Section 29 Side Yard Insufficient
Article 50, Section 29 Rear Yard Insufficient Art. 50, Section 28 Use: Forbidden Art. 50 Sec. 38Design Review

Purpose : The property is actually located at 20 Centre St, NOT 22 Centre St. Please update database! Proposed building to be trades training center for Youth Build Boston. Main use to be wood shop with accessory educational space. Slab on grade, 2 stories, wood frame or light metal construction.

Case: BOA- 1248137 Address: 34 Evergreen Street Ward 10 Applicant: Jeremy Sears

Article(s): Article 55, Section 9 Side Yard Insufficient Article 55, Section 8Use Regulations - Three Family Dwelling
use : Forbidden Article 10, Section 1Limitation of Area - Off street parking shall not be located less than 5' 0" from side lot line.

Purpose : Combine Parcel 1 and 2 to be a newly created lot of 6234 SF. Change of occupancy from two family dwelling to three family dwelling. Legalize existing owner occupied three family. Proposed three (3) off street parking. Minor reconfiguration of the interior on the first and second floors. Minor exterior dormer addition to provide head height clearance at existing stairs. FA/FP Included.

Case: BOA-1182380 Address: 5 Glenburne Street Ward 12 Applicant: John McCallum

Article(s): Article 50 Section 29 Lot Area Insufficient Article 50 Section 29 Lot Width Insufficient
Article 50 Section 29 Lot Frontage Insufficient Article 50 Section 29 Floor Area Ratio Excessive Article 50 Section 29
Usable Open Space Insufficient, Article 50 Section 29 Front Yard Insufficient Article 50 Section 29Side Yard
Insufficient Article 50, Section 43Off Street Parking & Loading Req - Off Street Parking Insufficient Article 10, Section
1Limitation of Area of Accessory Uses Article 50, Section 43Off Street Parking & Loading Req - Off Street Parking
Design / Maneuverability (Tandem Parking) Article 50 Section 29 Building Height Excessive

Purpose: Erect a new 3 story, Three (3) Family Dwelling. There will be a Single Parking space located on vacant lot with easement.*Note: see alt filed in conjunction with this application for existing deck by seller.

Case: BOA- 1221501 Address: 400 Harvard Street Ward 14 Applicant: Wesner Simplicie

Article(s): Article 60, Section 40 Off Street Parking & Loading Req -Location. Off street parking shall not be located in any part of a Front Yard.

Purpose : Change of occupancy from single family to two family dwelling. Legalize existing two family and four off street parking. House has been a two family for many years. No work to be done.

Case: BOA-1209015 Address: 7-9 Wenham Street Ward 19 Applicant: 7-9 Wenham Street LLC

Article(s): Article 55, Section 8Use Regulations - MFR is a Forbidden use in a 3F 5000 Sub district Article 55, Section 9
Add'l Lot Area Insufficient Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 9 Bldg Height
Excessive (Feet) Article 55, Section 9 Bldg Height Excessive (Stories) Article 55, Section 9 Side Yard Insufficient
Article 55, Section 40 Off Street Parking & Loading Req

Purpose: Existing building is a 3 family with a 1/2 story, unfinished attic. This project would covert the attic into a fourth unit. The life safety systems would be upgraded to meet the new occupancy.



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Case: BOA- 1244853 Address: 53-55 South Fairview Street Ward 20 Applicant: Timothy Burke

Article(s): Art. 10 Sec. 01 Limitation of off street parking areas - Parking located within five (5) feet of side lot line.
Article 67, Section 9 Usable Open Space Insufficient

Purpose: Construct curb cut and parking area for two cars.

Case: BOA-1256688b Address: 25-29 Poplar Street Ward 20 Applicant: Poplar Street Investments LLC

Article(s): Article 67, Section 32 Off Street Parking & Loading Req - Off Street Parking Insufficient

Purpose: Change of Occupancy from Barbershop and Beauty Salon to Barbershop, Retail, and 9 Residential Dwelling Units. Construct 3 story addition above existing first floor. Construct new rear stairway addition.

Case: BOA-1227183 Address: 12 Colberg Avenue Ward 20 Applicant: Tim J Casey

Article(s): Article 67, Section 32 Off Street Parking - Off street parking is insufficient Art. 67 Sec. 08 Three family dwelling unit use is a forbidden use. Art. 67 Sec. 09 Side Yard Insufficient Article 67, Section 9 Lot Area Insufficient Article 67, Section 9 Usable Open Space Insufficient Article 67, Section 9 Floor Area Ratio Excessive

Purpose: Change of Occupancy from 2 family to 3 family. Renovate third floor & reconstruct dormer at North roof. Existing floor plate to Remain, no modification to building footprint.

HEARINGS:11:00AM

Case: BOA-1211702 Address: 95-97 Broadway Street Ward 5 Applicant: Peng Meichi

Article(s): Article 32, Section 4. GCOD, Applicability Article 63, Section 20 Roof Structure Restrictions
Article 63, Section 8 Floor Area Ratio Excessive Article 63, Section 8 Rear Yard Insufficient

Purpose: Change of Occupancy from Office to Office and Two Residential Units. Construct new partial second floor and third floor addition.

Case: BOA-1217482 Address: 38 P Street Ward 6 Applicant: Marc LaCasse

Article(s): Art. 68 Sec.08 Height exceeded Art.68 Sec 29 Roof Structure Restrictions Access

Purpose : Construct a private wood roof deck on an existing roof for sole use of Unit 8. Deck to be less than 12" above existing roof. Install new electrical and water hook up for roof deck. Install new door at existing headhouse for access to deck.

Case: BOA-1259438 Address: 37-41 Woodcliff Street Ward 13 Applicant: Huggens Lafond

Article(s): Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive
Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Front Yard Insufficient Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Rear Yard Insufficient Article 50, Section 43 Off Street Parking & Loading Req - 3 spaces required none shown on plan

Purpose : New Construction Of three attached row houses.

Case: BOA-1225615 Address: 31-33 Rosaria Street Ward 16 Applicant: Suzann Sweeney

Article(s): Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Side Yard Insufficient

Purpose : Construct 31' 5" dormers on right & left side of roof to create additional living space on 3rd level. Attic Renovation (attic is currently on the studs from previous construction) Finish the plumbing and electric installations Apply insulation as needed Install blueboard and plaster Install new hardwood floors, molding, and interior doors Install bathroom components and tiles.



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Case: BOA- 1259039 Address: 804 Hyde Park Avenue Ward 18 Applicant: Whiteacre Properties, LLC

Article(s): Art. 69 Sec. 8 Forbidden - MFR Forbidden Art. 69 Sec. 09 Excessive F.A.R. Art. 69 Sec. 09 Number of allowed stories exceeded Art. 69 Sec. 09 Maximum allowed height exceeded Art. 69 Sec. 09 Insufficient open space per unit Art. 69 Sec. 09 Insufficient front yard setback Art. 69 Sec. 09 Insufficient side yard setback Art. 69 Sec. 29 Off St.Prk'g/Load'g - Insufficient parking Art. 69 Sec. 30.4 Corner Lot Provision - Two required front yard setback/Modal requirements Article 69 Section 30 Application of Dimensional Req - 2. Traffic visibility across a corner lot Two front yards Article 69 Section 29 Off Street Parking & Loading Req - Insufficient Loading Area Article 69 Section 37 Screening & Buffering Req Art. 69 Sec. 29.5 Off St.Prk'g:Design - A) Maneuvering areas (i.e. Tandem) Art. 69 Sec. 07 Maximum Number of Allowed Dwelling Units on a Lot - Maximum allowed number of units on a lot exceeded

Purpose: Combine lots (submitted as a companion ALT1253894) and construct a new four story, 34 unit residential building with elevator, fully protected by an automatic sprinkler system at all levels. A separate Demolition permit to raze the buildings on both of the existing lots will be applied for if Zoning Board Approval of the requested variances is granted.

Case: BOA- 1250118 Address: 4198-4206 Washington Street Ward 19 Applicant: Auros LLC

Article(s): Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Bldg Height Excessive (Stories) Article 67, Section 9 Bldg Height Excessive (Feet) Article 67, Section 9 Rear Yard Insufficient Article 67, Section 32 Off Street Parking & Loading Req Art. 80 Sec. 80E 2 Small Proj. Review - NDOD Applicability. Needs approval of BPDA.

Purpose : Construction of a new Five story mixed-use Residential building. Podium construction will consist of thirty-one residential units, Commercial space at the ground level, and a below-grade level containing storage, mechanical, and a community theater.

RE-DISCUSSIONS: 12:30PM

Case: BOA-1226834 Address: 7 Columbus Square Ward 4 Applicant: David Cohen

Articles: Art. 32 Sec. 32-4 Groundwater Conservation Overlay District

Purpose: Amendment to BUILDING PERMIT ALT1145731 Extend the rear addition from 5'9" to 10'0" Convert large storage room on Garden Level to a bedroom with egress window.

Case: BOA#1226846 Address: 7 Columbus Square Ward 4 Applicant: David Cohen

Purpose: Amendment to BUILDING PERMIT ALT1145731 Extend the rear addition from 5'9" to 10'0" Convert large storage room on Garden Level to a bedroom with egress window. Violation Violation Description Comments 2015 IEBC CH3 (780 CMR CHPT34) 03 Compliance Methods Fire Escapes 305 - Access shall not be through a window. Door required. 9th 780 CMR 1021 Egress Balconies Egress balconies : shall be separated from the interior of the building by walls and opening protectives as required by Corridors. 9th 780 CMR 705 Exterior Wall Reference IBC table 705.8. Openings too close to the lot lines. One of the openings is giving access to the fire escape balcony.

Case: BOA-1100765 Address: 191 Commonwealth Avenue Ward 5 Applicant: Vernon Woodworth

Articles: Art. 13 Sec. 13 1 Dimensional Regulations Art. 23 Sec. 01 Off street parking requirements Article 13, Section 1 Floor Area Ratio Excessive Article 13, Section 1 Usable Open Space Insufficient

Purpose : Change of use from sixteen (16) to twenty (20) apartments. Upgrade electrical, alarm and sprinkler systems.

Case: BOA- 1164225 Address: 390-396 West Second Street Ward 6 Applicant: Jeffrey D Boyer

Article(s): Article 68, Section 29 Roof Structure Restrictions Article 68, Section 8 Bldg Height Excessive (Feet) Article 68, Section Front Yard Insufficient

Purpose: Four roof decks and two headhouses with office spaces built on top of existing roof.



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Case: BOA-1050100 Address: 680 Massachusetts Avenue Ward 8 Applicant: 680 Mass Ave LLC by Stephen Shuman

Articles: Applicability Article 64, Section 9 Usable Open Space Insufficient Article 64, Section 36 Off-Street Loading Insufficient - article 64.36.5- Design (a) Article 64, Section 9 Floor Area Ratio Excessive

Purpose : Change occupancy from five to six dwelling units. Renovate common areas.

Case: BOA-1178769 Address: 19 Granada Park Ward 11 Applicant: Walter Lemus

Articles: Art. 55, Section 8 Use: Forbidden 3F in 2F Zone Article 55, Section 9 Usable Open Space Insufficient

Purpose: Change of occupancy to 3 family. Update to the original building project (ALT898873), enclose 3rd floor deck. The contractor did something outside of the current building plan and we are working to get approval. We also have a contractor ready to put sprinklers in the unit but need a new building permit approved. Updated Plans Attached.

Case: BOA-1202529 Address: 55 Bowdoin Avenue Ward 14 Applicant: Kathalene MacPherson

Articles: Art. 65 Sec. 08 Three family dwelling is a forbidden use in this zoning sub district Art. 65 Sec. 08 Dwelling unit located in basement is forbidden Article 65, Section 9 Side Yard Insufficient

Purpose : This is the renovation of an existing 2 family into a 3 family residence. A 1 car garage along with a loft space above which will be part of the adjacent unit. The existing lower unit 1 duplex will be converted into 2 units.

Case: BOA-1203726 Address: 89 Woodrow Avenue Ward 14 Applicant: 89 Woodrow, LLC

Articles: Article 60, Section 9 Lot Area Insufficient Article 60, Section 9 Add'l Lot Area Insufficient Article 60, Section 9 Floor Area Ratio Excessive Article 60, Section 9 Rear Yard Insufficient Article 60, Section 9 Usable Open Space Insufficient Article 60, Section 37 Off Street Parking Insufficient

Purpose: Subdivide existing parcel into two lots; (1. Lot B 3250 sq. ft. to contain existing 8-unit dwelling structure.); (2. Lot A 10,150 sq. ft. ,to be known as 8 Oakhurst St to contain new 9-unit dwelling structure and accessory parking.) No work to be done on this permit. New construction on separate ERT.

Case: BOA-1178048 Address: 8-8A Oakhurst Street Ward 14 Applicant: 89 Woodrow, LLC

Articles: Article 60, Section 8 Use: Forbidden MFR is a forbidden use in a 3F5000 Subdistrict Article 60, Section 9 Add'l Lot Area Insufficient Article 60, Section 9 Floor Area Ratio Excessive Article 60, Section 9 Usable Open Space Insufficient Article 60, Section 9 Rear Yard Insufficient

Purpose: Erect new three story, 9 dwelling unit building with 13 accessory parking spaces at grade. New structure to be located on newly created lot of 10,150 sq. ft. under subdivision application ALT1155354.

Case: BOA-1194538 Address: 74 Burt Street Ward 17 Applicant: 74 Burt Street, LLC

Articles: Article 65, Section 8 Use Regulations MFR is a forbidden use in a 1F 7000 sub district 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 Bldg Height Excessive (Feet) Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

Purpose: Demolition of existing single-family structure and erection of new five-unit structure with seven parking spaces. Three story building with first floor garage at street grade. Two living levels above first floor garage. This application is for rejection letter to begin ZBA process



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STEPHANIE HAYNES
BOARD OF APPEAL
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For the complete text of the Boston Zoning Code Articles and definitions of terms in this agenda, please go to https://www.municode.com/library/ma/boston/codes/redevelopment_authority