



City of Boston
Board of Appeal

RECEIVED

By City Clerk at 8:44 am, Jun 02, 2022

Tuesday, June 7, 2022

BOARD OF APPEAL

City Hall Room 801

HEARING AGENDA
REVISED

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON JUNE 7, 2022 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS JUNE 7, 2022 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE JUNE 7, 2022 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE ZOOM WEBINAR EVENT PLATFORM.

Interested persons can participate in the hearing REMOTELY by going to <https://bit.ly/ZBAhearings>. You may also participate by phone by calling into the Zoom Webinar at (301) 715-8592 and entering the Webinar ID: 996 0844 0932 followed by # when prompted.

If you wish to offer testimony on an appeal, please click <https://bit.ly/June7Comment> 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/June7Comment>, calling 617-635-4775, or emailing zba.ambassador@boston.gov.**

The ZBA Ambassador will be available within the Zoom Webinar 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 Zoom. 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 that should appear on the bottom of your screen, if connected by computer or device, or dial *9, if connected by phone. On a computer or device, you will receive a request to unmute yourself from the event host. You must select yes before you can speak. On a phone, you will hear a prompt that the event host is asking you to unmute yourself. You must press *6 to unmute yourself before you can speak. Commenters will be 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. 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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APPROVAL OF THE HEARING MINUTES: 9:30AM

MAY 10, 2022

EXTENSIONS: 9:30AM

Case: BOA-896779 Address: 779-779A Dorchester Avenue Ward 7 Applicant: George Morancy, Esq

Case: BOA-898191 Address: 40 Mt Hood Road Ward 21 Applicant: Jared Eigerman

Case: BOA- 903635 Address: 235 Leyden Street Ward 1 Applicant: Lorene Schettino, Esq

Case: BOA-903636 Address: 237 Leyden Street Ward 1 Applicant: Lorene Schettino, Esq

Case: BOA-687533 Address: 51 Breed Street Ward 1 Applicant: Richard Lynds, Esq

BOARD FINAL ARBITERS: 9:30AM

Case: BOA- 1055809 Address: 167 Lexington Street Ward 1 Applicant: Jeffrey Drago, Esq

Case: BOA- 1143458 Address: 3371-3375 Washington Street Ward 11 Applicant: Anderson Kreiger

Case: BOA- 937921 Address: 1449-1453 Hyde Park Ward 18 Applicant: George Morancy, Esq

GROUNDWATER CONSERVATION OVERLAY DISTRICT ONLY: 9:30AM

Case: BOA-1316265 Address: 137 West Newton Street Ward 4 Applicant: Joseph Holland

Article(s): Art. 32 Sec. 04 GCOD Applicability

Purpose: Interior renovation, new fire protection system, new ground water system.

HEARINGS: 9:30AM

Case: BOA- 1272681 Address: 3514 Washington Street Ward 11 Applicant: Timothy Burke

Article(s): Article 55 Section 20 Dimensional Regulations in LI-Floor Area Ratio Excessive Article 55 Section 19 Use Regs in Local Industrial-Two Dwelling Units: Forbidden Use Article 55, Section 40 Off Street Parking & Loading Req- Off Street Parking Insufficient

Purpose: Change of Occupancy from Daycare center to Retail and Two Dwelling Units. Construct a two story addition with roof deck for two dwelling units above an existing building as shown on the drawings. Propose (2) off street parking with easement access

Case: BOA- 1321921 Address: 720 William T Morrissey Boulevard Ward 16 Applicant: Paul Losordo

Article(s): Article 65, Section 15 Use Regulations-Automobile dealership with accessory repair garage, indoor/outdoor vehicle storage and office is conditional in a CC Sub district Article 65, Section 16 Insufficient rear yard Article 65, Section 16 Excessive building height in feet

Purpose: Erect new 65' high (4 story) building with 112,600 SF of GFA. Building to be used for automobile dealership to include showroom, service bays, indoor parking for 222 cars, offices, storage. Exterior parking for 171 cars. Utilizing phased construction as per plans filed herewith.



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Case: BOA-1320693 Address: 386 Ashmont Street Ward 16 Applicant: David Blandino

Article(s) Article 65, Section 9 Side Yard Insufficient Article 65, Section 8 Use Regulations Applicant proposes to change the use from a TWO family to a Three family.

Purpose: Change Occupancy from two units into three units by subdividing unit B from one unit into two units and adding a rear deck.

Case: BOA- 1283834 Address: 92 Theodore Parker Road Ward 20 Applicant: Antonio Ferrara

Article(s): Article 56, Section 8 Insufficient lot width Article 56, Section 8 Insufficient lot width frontage Article 56, Section 8 Excessive f.a.r. Article 56, Section 8 Insufficient Lot size

Purpose: Erect new single family with a one car garage.

Case: BOA- 1295685 Address: 1999 Centre Street Ward 20 Applicant: Centre Street Holdings LLC

Article(s): Art. 56, Section 15 Use: Conditional

Purpose: The demolition of portions of the existing ceiling and the redemising of the existing Walgreens space for a tenant improvement for an outpatient medical clinic and the addition of a shared vestibule for both tenants and the rearranging of the remaining Walgreens space.

Case: BOA- 1228560 Address: 40 Lake Street Ward 22 Applicant: The Common Room, Inc

Article(s): Article 51 Section 8 Use Regulations - Community Center – Conditional Article 51 Section 8 Use Regulations Accessory Personal Quarters – Forbidden Article 51, Section 56 Off-Street Parking & Loading Req- Location: Proposed parking in front yard

Purpose: The applicant intends to convert use of the property from a residential use to a community center for young adults with high cognitive Autism Spectrum Disorder, to include, Accessory Personnel Quarters. The applicant requests a rejection letter to proceed to the Board of Appeal for a conditional use permit.

Case: BOA- 1322527 Address: 645 Washington Street Ward 22 Applicant: George Morancy

Article(s): Art 51 Sec. 08 Use Regulations-Forbidden Art 51 Sec. 09 Dimensional Regulations-4 Location of main entrance to new unit

Purpose: Change occupancy from a two family to a three family dwelling. Replace Unit 3 entry doors with new fire rated doors.

HEARINGS:10:30AM

Case: BOA- 1294842 Address: 43 Monmouth Street Ward 1 Applicant: Cullen Winkler

Article(s): Art. 53, Section 8 Use: Forbidden - 3 dwellings Forbidden Article 53 Section 56 Off Street Parking & Loading Req - 1 add'l req'd

Purpose: Amending ALT694404. Change of occupancy to 3-family. Scope involves conversation of third floor to a new unit. Fire protection and fire alarm included. 01/21/2022 ALT694404 still open involving exterior alterations not allowed under ADU program. Description updated.

Case: BOA-1288536 Address: 486-490 Bennington Street Ward 1 Applicant: Sandra Bonito

Article(s) Art 53 Sec 54. Screening/Buffering Art 53 Sec. 56 Off-Street Parking-Insufficient Parking Article 2T-5 East Boston IPOD Applicability Article 53 Section 12 Excessive f.a.r. (1.0 max.) Article 53 Section 12 Max allowed height exceeded (35' max.)

Purpose: New Construction of a 4 story (7 UNIT) building where the ground floor contains a studio style dwelling unit and 6 additional residential units reside on the upper 3 floors. 5 indoor parking spaces.

Case: BOA- 1255931 Address: 40-62 Franklin Street Ward 3 Applicant: Jinteng Lin

Article(s): Art. 06 Sec. 04 Other Protectional Conditions - this is to remove proviso from BOA 545857 takeout this petitioner only.

Purpose: Permit being requested to remove the proviso granted to this petitioner only at 58 Franklin Street. No Work to be done.



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Case: BOA-1328550 Address: 80 H Street Ward 6 Applicant: Bartley Loftus

Article(s): Article 68, Section 8 Side Yard Insufficient Article 68, Section 29 Roof Structure Restrictions

Purpose: New roof deck.

Case: BOA- 1131575 Address: 804 East Seventh Street Ward 6 Applicant: RISE Construction

Article(s): Art. 68 Sec. 33 Off Street parking Req. Off street parking requirement is insufficient Art. 68 Sec.08 Dimensional Req. Lot area for the add'l dwelling units is insufficient Art. 68 Sec.08 Dimensional Req. Usable open space is insufficient Article 68, Section 33 Off-Street Parking & Loading Req Off street loading requirement is insufficient

Purpose: Convert existing retirement home to 21 Residential Units. Exterior re-skin. Create parking garage entirely within existing building. Create handicap lift. Create new curb cut for garage entry. Work occurs primarily within existing envelope.

Case: BOA- 1310423 Address: 202 West First Street Ward 6 Applicant: 202-204 West First, LLC

Article(s): Art 68 Sec 29 Roof Structure Restrictions - Max allowed height on parcel has been exceed 35' max (revised drawings 3.17.22) Art 68 Sec. 33 Off Street parking Req. - Free maneuvering areas for required parking – (r.d. 3.17.22) Art 68 Sec. 34 Appl. Of Dim Req. - Traffic visibility across a corner lot Art 68 Sec. 14 Excessive f.a.r. Art 68 Sec. 14 Excessive height Art 68 Sec.14 Front Yard setback Art 68 Sec.31 Screening and Buffering Art 68 Sec.34 Appl. Of Dim Reqs - Special provisions for corner lots – Two front lots Article 68, Section 33 Off-Street Parking & Loading Req - Insufficient parking

Purpose: Construction of a new five (modified to four story/3.16.22) office and research building with parking. Note: This application has been filed in conjunction with ALT1254788 (combining of four lots to =14,152sf). Demolition of all existing buildings on their respective sites are further subject to the approval/issuance of independent SF Demolition permits for each structure.

Case: BOA-1295158 Address: 220-230 Columbia Road Ward 14 Applicant: Jose F. Rojas Jr

Article(s): Art. 07 Sec. 4 Other Protectional Conditions - Applicant wishes to remove proviso from BZC 30179 (take out this petitioner only)

Purpose: Remove proviso from previous owner's name (Permit #09 3106, BZC 30179). Change occupancy from pizza shop to restaurant with take out.

Case: BOA-1327633 Address: 51-53 Walk Hill Street Ward 19 Applicant: Blerina Idrizi

Article(s): Art. 55, Section 8 Use: Forbidden - proposed 3 family Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 9 Bldg Height Excessive (Stories) Article 55, Section 9 Usable Open Space Insufficient Article 55, Section 9 Front Yard Insufficient Article 55, Section 9 Side Yard Insufficient Art. 55 Sec. 55 40^ Off street parking insufficient - New parking spaces required: 2

Purpose: Change from 1 Family and Admin office to 3 Family.

Case: BOA-1327640 Address: 132 Chestnut Hill Avenue Ward 21 Applicant: Lucas Luiz

Article(s): Article 51, Section 16 Use: Forbidden

Purpose: Change occupancy to include restaurant and inspect a new Hood as per plan. Cost and work reflected on SF 1097041.

Case: BOA-1281800 Address: 140-144 Harvard Avenue Ward 21 Applicant: OPCO Allston, LLC

Article(s):Article 51 Section 16 Use Regulations – Use: Cannabis Retail Store: Conditional

Article 51 Section 16 Use Regulations - Cannabis Establishment Location shall be sited at least one half mile or 2,640 feet from another existing Cannabis Establishment

Purpose: Change of Occupancy to a Cannabis Establishment



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Case: BOA-1318050 Address: 90 Braintree Street Ward 22 Applicant: 90 Braintree Owner LLC

Article(s): Article 51, Section 9 Add'l Lot Area Insufficient Article 51, Section 9 Floor Area Ratio Excessive Article 51, Section 9 Bldg Height Excessive (Stories) Article 51, Section 9 Bldg Height Excessive (Feet) Article 51, Section 9 Front Yard Insufficient Art. 51 Sec. 57.2 Exst'g Bldg Algnmnt Conformity - Modal for Penniman St. not provided Article 51, Section 8 Use: Forbidden - Multifamily Article 51, Section 9 Rear Yard Insufficient Art. 51 Sec. 09 Open Space insufficient Article 51, Section 57.3 Traffic Visibility Across Corner

Purpose: Construct new multi family residential building with parking garage, per plans, to include 111 residential units and 58 parking spaces. Demo of existing building on separate permit.

RE-DISCUSSIONS :11:30 AM

Case: BOA-1160061 Address: 69 Saratoga Street Ward 1 Applicant: Maria Carolina Toaborda

Article(s): Article 53 Section 8 Use Forbidden – 3-family dwelling Article 53, Section 56 Off-Street Parking Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient Article 32, Section 4 GCOD, Applicability

Purpose: Change of occupancy from Single-Family to Three-Family Dwelling. Legalize extension of living space to basement and two additional units. Build new emergency escape. Construct new exterior stairway. Take kitchen out from basement.

Case: BOA-1279390 Address: 566 East Third Street Ward 6 Applicant: Josh Crowe

Article(s): Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg - Existing lot is undersized. Extension of non conforming building. Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 33 Off-Street Parking & Loading Reg – Off street parking is insufficient

Purpose: Extend building foundation 24 feet to the rear. Increase space of each unit in line with modern living standards. Add living room, dining room and kitchen space to lowest level. Add walk-out sunken patio to Unit 1 and rear decks to units 2 and 3. Add 2.5 bathrooms total.

Case: BOA- 1261647 Address: 15 Meehan Street Ward: 11 Applicant: 15 Meehan Street LLC

Article(s): Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 9 Side Yard Insufficient Article 55, Section 9 Rear Yard Insufficient Article 55, Section 41.1 Conformity Ex Bldg Alignment-Modal calculation not provided to verify compliance

Purpose: Increase living space and add extension for egress/porches at rear.

Case: BOA- 1285330 Address: 85 Mount Pleasant Avenue Ward 8 Applicant: Tim McGovern

Article(s): Article 50, Section 28 Use regulations - Multi Family Dwelling Use: Forbidden Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Add'l Lot Area Insufficient Article 10, Section 1 Off street parking shall not be located less than 5' 0" from the side lot line.

Purpose: Confirm occupancy as a one family. Change of Occupancy to Multi Family Dwelling (8 units) and propose (8) off Street parking. Remove rear addition and garage of existing single family. Construct new addition, fully renovate and restore existing facade.

Case: BOA- 1273426 Address: 1472 Centre Street Ward 20 Applicant: Jay Hajj

Article(s): Art. 09 Sec. 01 Extension of Non Conforming Use Article 67, Section 8.2 Use Regs: Basement Units-Forbidden Article 67, Section 8 Use: Forbidden-4F in 2F Zone Article 67, Section 9 Lot Area Insufficient Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Usable Open Space Insufficient Article 67, Section 32 Off Street Parking-2 add'l req'd with design size & maneuvering areas.

Purpose: Proposed new dwelling unit in Basement. Change use from a three family to a four family and partial renovations, as per plans.



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Case: BOA-1289454 Address: 4 Cherokee Street Ward: 10 Applicant: John Pulgini

Article(s): Art. 59, Section 37 Off-Street Parking Insufficient - Off street parking requirement is insufficient Art. 59, Section 8 Floor area ratio is excessive Art. 59, Section 8 Height is excessive Art. 59, Section 8 Front yard setback is insufficient Art. 59, Section 8 Side yard setback is insufficient Art. 59, Section 8 Rear yard setback is insufficient

Purpose : Proposed renovation and dormer addition to change the use from a single family house to a two family, as per plans

Case: BOA- 1152039 Address: 70 Von Hillern Street Ward 7 Applicant: Dennis Kulesza

Article(s): Article 65 Section 21 Use Regulations - Cannabis Establishment Use: Conditional

Purpose: Change of Occupancy to Cannabis Establishment (Recreational Marijuana).

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

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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