



City of Boston
Board of Appeal

RECEIVED

By City Clerk at 2:39 pm, Feb 23, 2023

Tuesday, February 28, 2023

BOARD OF APPEAL

City Hall Room 801

HEARING AGENDA

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON FEBRUARY 28, 2023 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS FEBRUARY 28, 2023 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE FEBRUARY 28, 2023 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/ZBA2023Hearings>. 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/February28Comment>, 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/February28Comment>, 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



City of Boston
Board of Appeal

concerns can also be emailed to the ZBA Ambassador at zba.ambassador@boston.gov.

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 offer testimony. 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



City of Boston
Board of Appeal

APPROVAL OF THE HEARING MINUTES: 9:30AM

January 10, 2023

EXTENSIONS: 9:30AM

Case: BOA-940063 Address: 3 Aspinwall Road Ward 17 Applicant: Michael P Ross, Esq

Case: BOA -874269 Address: 80-88 Welles Avenue Ward 16 Applicant: Joseph Feaster, Jr, Esq

Case: BOA-773858 Address: 6 Evelyn Street Ward 14 Applicant: My Lam

Case: BOA-803885 Address: 24 Westminster Avenue Ward 11 Applicant: Gregory Minott

Case: BOA-823589 Address: 73 Rutland Street Ward 9 Applicant: Timothy Burke

Case: BOA-1027055 Address: 655 Saratoga Street Ward 1 Applicant: Eric Zachrison, MBA, AIA

Case: BOA-1019220 Address: 645 River Street Ward 18 Applicant: Demitrus Jean

Case: BOA-1093253 Address: 97-101 Porter Street Ward 1 Applicant: Richard Lynds, Esq

RE-DISCUSSIONS: 9:30AM

Case: BOA-1258611 Address: 89-91 Union Street Ward 22 Applicant: Mohammad Osmani

Article(s): Art. 51 Sec. 23^ Off street parking requirement - No off-street parking is shown on new subdivision plans.
Article 51, Section 9 Lot Area Insufficient Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient Article 51, Section 9 Floor Area Ratio Excessive

Purpose: Seeking to combine lots (parcel ID 2205415001 & 2205415000) to form 1 new lot containing 9600 sf. Then to subdivide into 3 lots, lot 1 containing 2348 sf to be known as 93 Union St, lot 2 containing 2238 sf to be known as 89 91 Union St, lot 3 containing 5014 sf to be known as 45 Shepard St.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

Case: BOA-1258613 Address: 93 Union Street Ward 22 Applicant: Mohammad Osmani

Article(s): Article 51, Section 9 Lot Area Insufficient Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient Art. 51 Sec. 23^ Off street parking requirement - No parking provided after sub division.

Purpose: Seeking to combine lots (parcel ID 2205415001 & 2205415000) to form 1 new lot containing 9600 sf. Then to subdivide into 3 lots, lot 1 containing 2348 sf to be known as 93 Union St, lot 2 containing 2238 sf to be known as 89 91 Union St, lot 3 containing 5014 sf to be know as 45 Shepard St.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

Case: BOA-1258616 Address: 45 Shepard Street Ward 22 Applicant: Mohammad Osmani

Article(s): Art. 51 Sec. 23^ Off street parking requirement - Proposed parking is insufficient Art. 51 Sec. 08 Use Regulations - MFR is a Forbidden use in a 2F 5000 Sub district 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 Usable Open Space Insufficient Article 51, Section 9 Front Yard Insufficient Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient

Purpose: COMBINE LOTS (PARCEL ID 2205415001 & 2205415000) TO FORM 1 LOT CONTAINING 9600 SF. THEN TO SUBDIVIDE INTO 3 LOTS, 93 union (2348sf), 89 91 union (2238sf), and the new lot at 45 Shepard St (5014 sf). Also to erect a 6 unit building with 9 parking spaces. See ALT1208426 & ALT1208420.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.



City of Boston
Board of Appeal

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

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

Case: BOA1352750 Address: 62 North Beacon Street Ward 21 Applicant: Amenyonah Bossman

Articles (s): Article 51, Section 56 Off Street Parking & Loading Req Article 51, Section 8 Use: Forbidden Article 51, Section 9 Floor Area Ratio Excessive

Purpose: Convert a single family to a 4 family as per stamped plans.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

Case: BOA-1366887 Address: 21 Ardent Street Ward 20 Applicant: Kim Godsoe

Articles (s): Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Bldg Height Excessive (Stories) Article 67, Section 9 Front Yard Insufficient Article 67, Section 9 Side Yard Insufficient Article 67, Section 32 Off Street Parking

Purpose: Change occupancy from a two family to a three family. Remove existing ceiling to accommodate new sprinkler system; remove existing roof to accommodate new addition as show on drawing note where new dormers are going installing new framing new roof new siding new windows new deck new board plaster new electrical new plumbing new bathroom new kitchen.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

Case: BOA- 1268903 Address: 18-20 Parkman Street Ward 16 Applicant: Mark Little

Articles: Art. 65 Sec. 08 Forbidden - Multi family residential dwelling use is a forbidden use Art. 65 Sec. 9 Floor area ratio is excessive Art. 65 Sec. 9 Height requirement is excessive (stories) Art. 65, Sec.42.2 Conformity w Ex Bldg Alignment - Conformity with existing front alignment of the block

Purpose: Demo of existing structure. Construction of 9 new residential dwelling units with 17 off street parking spaces.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

Case: BOA-1411560 Address: 646 Blue Hill Avenue Ward 14 Applicant: Soranlli Benitez

Article(s): Article 60, Section 11 Use: Conditional

Purpose: Change of occupancy from retail store to hair salon.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

Case: BOA-1263740 Address: 64 Clarkwood Street Ward 14 Applicant: Stuart Schrier

Article(s): Article 60, Section 9 Lot Area Insufficient

Purpose: Erect a 3-family dwelling as per plans.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

Case: BOA-1405922 Address: 70 Wayland Street Ward 13 Applicant: Mandrell Company, LLC

Article (s): Article 50 Section 28 Use Regulations - Use forbidden Article 50 Section 29 Insufficient additional lot area per unit Article 50 Section 29 Insufficient open space per unit Article 50, Section 43 Off Street Parking & Loading Req - Insufficient parking Art. 09 Sec. 02 Nonconforming Use Change - >25% Forbidden

Purpose: Change occupancy from a church to six residential units and to renovate the structure.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.



City of Boston
Board of Appeal

Case: BOA-1434561 Address: 70 Wayland Street Ward 13 Applicant: Mandrell Company, LLC

Articles (s): Art. 50 Sec. 43 Off street parking requirements - Parking in required front yard is not allowed
Art. 50 Sec. 29 Residential Dimensional Reg.s - Reduction in insufficient open space Art. 10 Sec. 01 Limitation of Area of Accessory Uses - 5' side yard buffer req.

Purpose: Seeking to create off street parking for two vehicles. See companion case filed under ALT1318594.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

Case: BOA- 1265152 Address: 10 Carson Street Ward: 13 Applicant: Ka Hei Eammi Lam

Article(s): Article 65, Section 41 Off-Street Parking & Loading Req Article 65, Section 9 Front Yard Insufficient
Article 65, Section 9 Side Yard Insufficient

Purpose: paver stone driveway, which can park 2 cars. The paved driveway in front of the house can let the outside car move easier if the inside car needs to come out. This paved driveway is Not for parking purposes.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

Case: BOA-1406159 Address: 9 Sydney Street Ward 13 Applicant: Cameron Merill

Article (s): Art. 65 Sec. 08 Forbidden - Use -forbidden Art. 65 Sec. 41 Off street parking requirements - (a) Design of maneuvering areas Art. 65 Sec. 41 Off street parking requirements - Off street parking insufficient Art. 65 Sec. 9 Excessive f.a.r. Art. 65 Sec. 9 Height exceeded Art. 65 Sec. 9 # of occupied stories exceeded Art. 65 Sec. 9 Insufficient front yard setback Art. 65 Sec. 9 Insufficient side yard setback Article 65, Section 9 Insufficient rear yard setback

Purpose : To raze existing structure on a separate permit and erect new 4 story dwelling with 6 residential units and 6 parking spaces at grade as per plans. See attached Nominal Fee Letter. DESIGN FIRM SHALL PROVIDE ALL PERMITTING REQUIRED AND CONTRACTOR INFORMATION then Applicant name shall be changed to Contractors name prior to ISD Issuing the Building Permit.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

Case: BOA-1296092 Address: 23 Kenilworth Street Ward 9 Applicant: Sam Naylor

Article(s): Article 50 Section 28 Use Regulations - Multi Family Dwelling (6 units) Use: Forbidden Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Bldg Height Excessive (Feet) 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 - Off Street Parking Insufficient

Purpose: Combine lots 35 41 Dudley St (0903228000) and 51 Dudley St (0903229000). Subdivide into 3 new parcels 49 Dudley St, 23 Kenilworth St, and 27 Kenilworth St. Building A: Erect 6 residential units into a newly created lot of 2,549 SF. Combine and subdivide lots to be filed under ALT.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

Case: BOA-1296093 Address: 27-29 Kenilworth Street Ward 9 Applicant: Sam Naylor

Article(s): Article 50 Section 28 Use Regulations-Multi Family Dwelling (10 units) Use: Forbidden Article 50 Section 28 Use Regulations Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Bldg Height Excessive (Feet) 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 Off Street Parking Insufficient

Purpose: Combine lots 35 41 Dudley St (0903228000) and 51 Dudley St (0903229000). Subdivide into 3 new parcels 49 Dudley St, 23 Kenilworth St, and 27 Kenilworth St. On 27 Kenilworth St. Building B: Erect 10 residential units and 1 commercial space into a newly created lot of 4,413 SF. Combine and subdivide lots to be filed under ALT.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.



City of Boston
Board of Appeal

Case: BOA-1296094 Address: 49 Dudley Street Ward 9 Applicant: Sam Naylor

Article(s): Article 50 Section 28 Use Regulations-Multi Family Dwelling (6 units) Use : Forbidden Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Bldg Height Excessive (Feet) 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 Off Street Parking Insufficient

Purpose: Combine lots 35 41 Dudley St (0903228000) and 51 Dudley St (0903229000). Subdivide into 3 new parcels 49 Dudley St, 23 Kenilworth St, and 27 Kenilworth St. On 49 Dudley St. Building C: Erect 6 residential units into a newly created lot of 2,269 SF. Combine and subdivide lots to be filed under ALT.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

Case: BOA-1354015 Address: 50 B Street Ward 6 Applicant: Daniel Kahn

Article (s): Art. 18 Sec. 01 Front Yard Insufficient Article 16 Section 1 Building Height Excessive - Building height is excessive in # of feet.

Purpose: Add two roof decks and head house for private use.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

Case: BOA-1381733 Address: 54-60 Rogers Street Ward 7 Applicant: Stuart Mullally

Article (s): Art. 13 Sec. 13 1 Insufficient lot size Art. 13 Sec. 04 Dwellings in Nonresidential district - Insufficient additional lot area (h 1) Art. 13 Sec. 13 1 Excessive f.a.r. Art. 13 Sec. 13 1 Excessive height Art. 13 Sec. 13 1 Excessive # of stories Art. 13 Sec. 04 Dwellings in Nonresidential district - Insufficient usable open space per unit Art. 13 Sec. 04 Dwellings in Nonresidential district - Insufficient front yard setback (modal not established on survey) Art. 20 Sec. 20 8 Rear Yard Insufficient - Rear shallow lot of H 1 districts/Insufficient rear yard setback Article 18, Section 3 Traffic Visibility Across Corner

Purpose: Erect a three story, 4 unit residential dwelling, townhouse design (multi level) on a 3,146sf, as per plans. Existing structure to be razed under a separate permit. *Existing structure on lot to be applied for and razed on a separate demolition permit application

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

Case: BOA-1367237 Address: 128-134 North Street Ward 3 Applicant: Lupoli Companies/Salvatore Lupoli

Article (s): Article 49, Section 9 Use Regulations - One family residential use conditional per Appendix A Article 49A-5 Greenway Overlay Use Regulations - Residential uses limited to ground floor lobbies - CONDITIONAL

Purpose: Seeking to change the occupancy to a single family dwelling on newly established 3,102 sf lot with 4280sf access easement area and renovate, to include 4 car elevator lift parking. *Newly created lot Parcel B is to be 3,102sf and remaining DOT/MHY parcel 26,476 square feet+/ per BSC Survey letter and documents provided by K.T. Senior survey PM

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

Case: BOA-1341065 Address: 280 Chelsea Street Ward 1 Applicant: Eric Zachrison

Article (s): Art. 53, Section 8 Use: Forbidden - MFR in 3F Art. 53, Section 8 Use: Forbidden - Basement unit Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Lot Frontage Insufficient Article 53, Section 9 Add'l Lot Area Insufficient Art. 53 Sec. 56^ Off street parking insufficient

Purpose: Change of occupancy to 4 family dwelling. Scope includes adding a new unit in the basement of an existing 3 family building with FA/FP and structural work to foundation.

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.



City of Boston
Board of Appeal

Case: BOA-1406240 Address: 333 Chelsea Street Ward 1 Applicant: Igor Liberman

Article (s): Art. 32 Sec. 04 GCOD Applicability Art. 53 Sec. 08 Forbidden Art. 53 Sec. 09 Insufficient lot size Art. 53 Sec. 09 Insufficient additional lot area/unit Art. 53 Sec. 09 Excessive f.a.r. Art. 53 Sec. 09 Height exceeded Art. 53 Sec. 09 Max allowed # of stories exceeded Art. 53 Sec. 09 Insufficient open space per unit Art. 53 Sec. 09 Insufficient side yard setback Article 27T - 5 East Boston IPOD Applicability Article 53 Section 56 Off-Street Parking & Loading Req - Insufficient parking Article 53 Section 9 Insufficient rear yard setback

Purpose: Raze existing structure and erect a four (4) unit residential dwelling with roof deck exclusive to unit 4.

*AE Flood Hazard Zone/BOSCONCOM required

Reason for Prior Deferral: The applicant requested an administrative deferral and it was granted unanimously.

HEARINGS:11:00AM

Case: BOA -1421284 Address: 582 Cambridge Street Ward 21 Applicant: Odessit Capital. Inc ARTICLE 80

Articles (s): Article 51 Section 8 Use Regulations - MFR Use(12 units) in a 3 family sub district Forbidden Art. 51 Sec. 09 Insufficient additional lot area per unit 2,000sf/unit req. Art. 51 Sec. 09 Excessive f.a.r. .8 max Art. 51 Sec. 09 Number of allowed stories exceeded 3 story max Art. 51 Sec. 09Max allowed height exceeded 35' max Art. 51 Sec. 09 Insufficient open space per unit 650/unit req. Art. 51 Sec. 09 Insufficient front yard setback 20' req. Art. 51 Sec. 09 Insufficient side yard setback Art. 51 Sec. 09 Insufficient rear yard setback 30' req. Article 51, Section 56 Off Street Parking Insufficient Article 51, Section 56 Off Street Loading Insufficient Art. 51 Sec. 40 5(a) Off street parking design - Access/maneuvering areas Stacker parking Article 51, Section 53 Screening & Buffering Req

Purpose: Combine this lot with parcel # 2101223000 and erect a new residential building with 19 units and 12 parking spaces. Demo to be completed on a separate permit.

Case: BOA -1385793 Address: 9 Downer Court Ward 15 Applicant: John McCallum

Articles (s): Art. 65 Sec. 08 Forbidden - Multifamily use Art. 65 Sec. 02 Conformity with Existing Building Alignment - Street modal calculation not provided to verify its compliance. 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 Art. 65 Sec. 41 Off street parking requirements - Parking spaces dimensions are insufficient. Art. 55 Sec. 65 41 Off Street parking insufficient

Purpose: New 6 unit residential development with 6 rear on site parking spaces.

Case: BOA-1354070 Address: 226 Magnolia Street Ward 14 Applicant: Alfonso Sira ARTICLE 80

Articles (s): Art. 50, Section 28 Use: Forbidden - MFR Art. 50, Section 43 Off-Street Parking Insufficient Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Bldg Height Excessive (Stories) Article 50, Section 29 Bldg Height Excessive (Feet) Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Rear Yard Insufficient Article 50, Section 44.2 Conformity Ex Bldg Alignment - 1ft Setback provided

Purpose: Proposing a new 4 story multifamily building with garage; consisting of 14 new residential units with 8 parking spaces in basement. Demolition of existing building located on site to be filed under a separate short form permit.

Case: BOA -1429009 Address: 92 Lawrence Avenue Ward 14 Applicant: Herion Karbunara

Articles (s): Art. 50, Section 43 Off Street Parking Insufficient Art. 50, Section 28 Use: Conditional 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

Purpose: Change occupancy from a three family to a four family. All fees paid via SF1266904.



City of Boston
Board of Appeal

**Case: BOA-1429507 Address: 1028-1044 Blue Hill Avenue Ward 14 Applicant: DVM Consulting Corporation
ARTICLE 80**

Articles (s): Article 60, Section 40 Off Street Parking & Loading Req - Off street parking is insufficient Article 60, Section 17 Floor Area Ratio Excessive Article 60, Section 17 Building Height Excessive Article 60, Section 17 Open usable space is insufficient Article 60, Section 17 Rear yard is insufficient Article 60, Section 16 Use: Conditional - MFR is a conditional use on the basement and first floor in a NS 1 Sub district

Purpose: This twelve (12) unit building will provide a community and/or retail space on the ground floor as well as two (2) Group 2A units.

**Case: BOA-1429511 Address:1015-1019 Blue Hill Avenue Ward 14 Applicant: DVM Consulting Corporation
ARTICLE 80**

Articles (s): Article 60, Section 8 Use: Forbidden - MFR and Retail are forbidden uses in a 3F 5000 sub district Article 60, Section 9 Add'l Lot Area Insufficient Article 60, Section 9 Floor Area Ratio Excessive Article 60, Section 9 Bldg Height Excessive (Feet) Article 60, Section 9 Usable Open Space Insufficient Article 60, Section 9 Front Yard Insufficient Article 60, Section 9 Side Yard Insufficient Article 60, Section 9 Rear Yard Insufficient Article 60, Section 40 Off Street Parking & Loading Req - Off street parking is insufficient

Purpose: The proposed structure will have ten (10) dwelling units with one (1) accessory space as well as an undetermined commercial occupancy on the ground floor.

Case: BOA -1429513 Address: 6 Fabyan Street Ward 14 Applicant: DVM Consulting Corporation ARTICLE 80

Articles (s): Article 60, Section 9 Rear Yard Insufficient Article 60, Section 9 Side Yard Insufficient Article 60, Section 9 Front Yard Insufficient Article 60, Section 9 Bldg Height Excessive (Feet) Article 60, Section 9 Usable Open Space Insufficient Article 60, Section 9 Floor Area Ratio Excessive Article 60, Section 9 Add'l Lot Area Insufficient Article 60, Section 8 Use: Forbidden - Multifamily : Use Forbidden Article 60, Section 41.1 Conformity Ex Bldg Alignment Article 60, Section 16 Use: Forbidden - Take out restaurant (small) : Forbidden Art. 65 Sec. 60 37 Off Street parking insufficient - 8 units Residential Art. 60 Sec. 37 Off St. Parking Requirements - Commercial: take out restaurant Article 60, Section 41.2 Traffic Visibility Across Corner

Purpose: The proposed structure will have eight (8) dwelling units with one (1) accessory space and commercial space located on the ground floor. The site will be provided with seven (7) off street parking spaces, including one (1) accessible space.

Case: BOA -1419514 Address: 1 Taber Street Ward 8 Applicant: Jeremy Sears ARTICLE 80

Articles (s): Article 50, Section 11 Floor Area Ratio Excessive Article 50, Section 11 Building Height Excessive Article 50, Section 11 Rear Yard Insufficient Article 50, Section 43 Off Street Parking & Loading Req - Off Street Parking Insufficient Article 50, Section 43 Off Street Parking & Loading Req - Off Street Loading Insufficient Article 50, Section 44 Application of Dimensional Req - Traffic Visibility Across Corner

Purpose: 3 lots being combined under ALT1299217 and Permit ALT1299219. Then build a new 6 story mixed use Building of 40 Apartments and Retail/Commercial on the 1st Floor.

Case: BOA-1417726 Address: 9 Monument Square Ward 2 Applicant: 8-9 Monument Square LLC

Articles (s): Art. 62 Sec. 19 Neighborhood Design Overlay Districts Art. 62 Sec. 62 7 2 Basement Unit Forbidden - Proposed studio unit in basement Article 62, Section 8 Floor Area Ratio Excessive Art. 62 Sec. 62 25 Roof Structures Restricted - Alteration of existing Roof profile (Roof deck)

Purpose : Amend ALT1339072 to include an extension of the main stair and a hatch for access to a new exclusive use/private roof deck. Redesign the garden level to include a studio as the fifth unit. Provide second means of egress from 4th floor through connection to rear stair at rear of 8 Monument Square.



City of Boston
Board of Appeal

RECOMMENDATIONS: 11:00 AM

Case: BOA-1411419 Address: 234 Parsons Street Ward: 22 Applicant: Luke Hubbard

Article(s): Art. 51 Sec. 09 Insufficient rear yard setback Art. 51 Sec. 09 Insufficient front yard setback

Purpose: Construct an addition of 1 story above a basement level garage and associated site work. This project requires a zoning variance because the existing lot is non conforming.

Case: BOA-1406489 Address: 40 Parklawn Road Ward: 20 Applicant: Maribeth Fitzgerald

Article(s): Article 56, Section 8 Rear Yard Insufficient Article 56, Section 8 Side Yard Insufficient

Purpose: A deck is planned for the rear of my house. An existing window in the family room will be replaced with a door leading to the first floor deck. The deck will run parallel to the back of the house with stairs wrapping back to the house to access the backyard.

Case: BOA-1419024 Address: 25 Mendum Street Ward: 20 Applicant: Douglas Stefanov

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

Purpose: Requesting Nominal Fee for Zoning Review and refusal letter to go to the board to Add 871 SF of area at the lower level to Unit 1.

Case: BOA-1415545 Address: 34 Sedgwick Street Ward: 19 Applicant: Virginia Baran Rude

Article(s): Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 9 Bldg Height Excessive (Stories)
Article 55, Section 9 Front Yard Insufficient Article 55, Section 9 Side Yard Insufficient Article 55, Section 9 Rear Yard Insufficient

Purpose: Renovate 2 existing kitchens and bathrooms. Add dormer to attic and create finished space including new bathroom. Replace all windows with Harvey Insulated Windows. Build 2 story addition in rear of house per plans. Demolish existing detached garage.

Case: BOA-1391409 Address: 47 Arborview Road Ward: 19 Applicant: Bruce Miller

Article(s): Article 55, Section 9 Bldg Height Excessive (Stories) - Third floor is more than half the size of second floor.
Article 55, Section 9 Side Yard Insufficient - Right side set back

Purpose: Third floor attic renovation, including the addition of two front dormer windows and one large rear shed dormer.

Case: BOA-1360530 Address: 183 Chestnut Avenue Ward: 19 Applicant: Eileen Ani

Article(s): Art. 10 Sec. 01 Limitation of parking areas - Relief on ZBA the said of violation

Purpose: Add a driveway for residential parking onto the property.

Case: BOA-1376979 Address: 11 Sherrin Street Ward: 18 Applicant: Joseph Curran

Article(s): Article 67, Section 9 Side Yard Insufficient

Purpose: Remove exterior stairs and replace with a non heated enclosed mud room.

Case: BOA-1417648 Address: 47 Melville Avenue Ward: 17 Applicant: Phillip Lewis

Article(s): Art. 09 Sec. 01 Extension of Non Conforming Use Article 65, Section 9 Side Yard Insufficient

Article 65, Section 9 Rear Yard Insufficient - Stair to second story deck

Purpose: Addition of a new 2 car garage at rear of the building with an exterior deck above, connected to the 2nd floor of the existing building. Scope also includes a new sliding glass door at the 2nd floor and new exterior stair from new deck.

Case: BOA-1407253 Address: 144 Elmer Road Ward: 16 Applicant: Tommy Tran

Article(s): Article 65, Section 9 Side Yard Insufficient - Right side Required 10 ft. Proposed average 6' 85"

Article 65, Section 9 Floor Area Ratio Excessive - Required FAR .5 Existing .59 Proposed .65

Purpose: Closing porch on the back of house install new footing install new stairs install 8 windows install new siding install new sheetrock.



City of Boston
Board of Appeal

Case: BOA-1422640 Address: 9 Dennison Street Ward: 11 Applicant: Stephanie Soriano

Article(s): Article 50, Section 43 Off Street Parking & Loading Req - Off Street Parking Insufficient

Purpose: To change the occupancy of an existing One Family dwelling to a Two Family dwelling. No construction needed home has always had two kitchens, two systems, two exits and entrances.

Case: BOA-1364586 Address: 46 Linwood Street Ward: 11 Applicant: Mai Phung

Article(s): Article 50, Section 43 Off Street Parking & Loading Req - 50 43.5c Proposed parking is within the required front yard and is greater than 10 feet in width.

Purpose: Proposed to install a curb cut to accommodate 2 off street parking (as per plan).

Case: BOA-1370498 Address: 45 Dracut Street Ward: 16 Applicant: Janet Grant

Article(s): Article 9 Section 1 Extension of Nonconforming Use - Extension of a Nonconforming Use (45 Dracut Street is an existing Two Family Dwelling in a Single Family Zoning District (1F – 7000) Article 10, Section 1 Limitation of Area -Limitation of Area of Accessory Uses Article 65, Section 41 Off Street Parking & Loading Req - Location of Off Street Parking in Front Yard

Purpose: Propose to install a driveway / curb cut for Two Off Street Parking spaces (as per plans)

Case: BOA-1390377 Address: 118 Bowdoin Street Ward: 14 Applicant: Alemayehu Urga

Article(s): Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

Purpose: Addition to church.

Case: BOA-1431633 Address: 244 Newbury Street Ward: 5 Applicant: The Boston Tattoo Company

Article(s): Art. 08 Sec. 03 Conditional Uses - Body art/ Tattoo is a Conditional use you need to seek relief from the BOA.

Purpose: Change from 2 Family and Restaurant with take out to 2 family, Restaurant with takeout, and body art establishment/tattoo shop. Installing half walls for stations as well as new plumbing for more sinks. Minor cosmetics such as paint.

Case: BOA-1396206 Address: 43 South Bremen Street Ward: 1 Applicant: Flavio Assuncao

Article(s): Art. 53 Sec. 08^ Restaurant use is Conditional - Use Condition: Accessory and Ancillary Uses

Purpose: New Interior Frame Install slide door and windows for Project. New bathroom and countertop. Icecream store.

Case: BOA-1396595 Address: 26 Crestway Road Ward: 1 Applicant: Marco Rebaza

Article(s): Article 27T 5 East Boston IPOD Applicability Art. 10 Sec. 01 Limitation of off street parking areas - Parking space on front yard Article 53, Sec. 54 Screening & Buffering Req

Purpose: Placement of two spot parking of 9'x19' one next to each other as depicted in Plan by Peter Nolan & Associates, LLC.

Case: BOA-1363941 Address: 104-106 Trenton Steet Ward: 1 Applicant: Trenton Brooks Corner Realty Trust

Article(s): Art. 09 Sec. 02 Nonconforming Use Change Art. 53, Section 8 Use: Forbidden - Local Retail (Convenience store)

Purpose: Change use from a dry cleaners to a convenient store, as per plans.

Reason for Prior Deferral: Applicant requested a deferral to meet with local neighborhood associations



City of Boston
Board of Appeal

RE-DISCUSSIONS :11:30 AM

Case: BOA- 1183277 Address: 68 Rowe Street Ward 19 Applicant: Michael McGough

Article(s): Art. 67 Sec. 08 Use Regulations Applicable in Residential Sub Districts - 4 family use forbidden
Art. 67 Sec. 09 Open Space insufficient - Required: 4*1,750sqft= 7, 000 sqft Provided: +-4,348 sqft Art. 67 Sec. 09 Side Yard Insufficient - Required: 10' Proposed: 5.4 (R) and 5' (L) Art. 67 Sec. 33 App. of Dimensional Req. - Conformity with existing building alignment. Street modal not provided. Art. 67 Sec. 56 Off street parking requirements - spaces are located in the front yard Article 67, Section 9 Floor Area Ratio Excessive Max. allowed: 0.5 Proposed: 0.92 Article 67, Section 9 Bldg Height Excessive (Stories) Max. allowed: 2.5 Proposed: 3

Article 67, Section 9 Rear Yard Insufficient Required: 40' Proposed rear patio at 35' but building at 51'

Purpose: Erect (4) unit building per plans on current vacant lot.

Reason for Prior Deferral: The Board moved unanimously to defer this case to allow time to rework the proposal.

Case: BOA 1346254 Address: 10 Woodhaven Street Ward 18 Applicant: Derick Joyner

Article(s): Article 60, Section 11 Use: Forbidden Article 60, Section 9 Lot Width Insufficient

Purpose: To erect a two family dwelling with 4 off street parking space in the rear.

Reason for Prior Deferral: The applicant requested a deferral to allow time to meet with the community. The Board approved this unanimously.

Case: BOA-1348905 Address: 120-124 Babson Street Ward 18 Applicant: Sketchone Studios

Article(s): Article 60, Section 8 Use: Forbidden - Elderly Housing Article 60, Section 8 Use: Conditional - Day care center, elderly

Purpose: 18 independent elderly housing plus adult daycare on ground floor.

Reason for Prior Deferral: This proposal was deferred unanimously to allow time to reduce the number of units to fall under the Article 10 requirements.

Case: BOA- 1408351 Address: 570R Warren Street Ward 12 Applicant: Derric Small

Article(s): Article 50 Section 28 Use Regulations Article 50, Section 29 Floor Area Ratio Excessive

Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Side Yard Insufficient

Article 50, Section 29 Rear Yard Insufficient Article 50, Section 44.13 Two or More Dwellings on Same Lot

Purpose: Change occupancy from a two family to a lodging house for 10 lodgers.

Reason for Prior Deferral: The Board voted unanimously to defer to this to allow time for additional community process.

Case: BOA- 1408344 Address: 570 Warren Street Ward 12 Applicant: Derric Small

Article(s): Art. 07 Sec. 03 Conditions for Variance - PROVISIO: To petitioner only

Purpose: 17 Lodgers and 1 owner occupied ALT971844; Remove provision to this petitioner only, re: BOA1013092.

Reason for Prior Deferral: The Board voted unanimously to defer to this to allow time for additional community process.

Case: BOA-1339787 Address: 17 Sheafe Street Ward 3 Applicant: HRE 3, LLC

Article(s) Art. 54 Sec. 09 Basement units-Forbidden (Created via revised plan set 1.10.23) Art. 54 Sec. 10 Excessive f.a.r. Art. 54 Sec. 10 Insufficient open space per unit Art. 54 Sec. 21 Off-Street Parking Insufficient

Purpose: Change Occupancy from a six (6) unit residential dwelling to a 7unit residential dwelling and renovate as per plans.*1.10.2023 Basement unit added via revised plans at BOA.

Reason for Prior Deferral: The applicant was granted a deferral unanimously to re-advertise the proposal.



City of Boston
Board of Appeal

RE-HEARING:12:00PM

Case: BOA-1177912 Address: 82-84 Boston Street Ward 7 Applicant: Media Partners MRV LLC

For a rehearing on the applicant's appeal to erect a billboard at 82-84 Boston Street.

On October 25, 2022, the Board granted the applicant's request for Reconsideration and instructed the applicant to have all elevations and renderings completed, evaluated by ISD for zoning compliance, and submitted to the Board by the next hearing date. The Board also requested that the applicant specifically identify the billboards that they intend to remove as part of their proposal at the next hearing.

Article(s): Art. 09 Sec. 01 Extension of Non Conforming Use -Conditional

Art. 11 Sec. 06 Signs Subject to Other Reg.b) no new billboards shall be allowed within six hundred sixty (660) feet of a federally funded highway subject to the Federal Highway Beautification Act unless approved by the Board of Appeal in accordance with Article 6 after receipt by the Board of Appeal of a planning recommendation from the Boston Redevelopment Authority. Art. 65 Sec. 9 Residential Dimensional Reg.s -side yard Article 65, Section 40 Sign Regulations - (3) Free standing signs (USE Forbidden) Article 11, Section 7 Electronic Signs – Conditional Art. 33 Sec. 16 Air Right OS Applicability - Pylon Sign Forbidden

Purpose: Construct a single faced digital billboard FREE STANDING PILON SIGN to the rear of 82 Boston street per attached plans

Reason for Prior Deferral: The applicant was granted a deferral unanimously to allow time to finalize the removal of another billboard.

LUNCH BREAK 12:30PM-1:00PM

HEARINGS: 1:00PM

Case: BOA-1422396 Address: 225 Lamartine Street Ward 19 Applicant: Lee Goodman

Articles (s): Art. 55, Sec. 40.5d Parking space sizes Art. 10 Sec. 01 Limitation of parking areas - Parking less than 5ft from side lot line. Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. - Existing non conforming "Two dwellings on same lot" per 55 41.12.

Purpose: Change of Occupancy to a 3-Family with extension of living space to basement. Interior renovation to existing

2 Family residence. The renovation will add one additional unit on 1st Floor and basement, converting existing structure to a 3 Family building. Additionally, the project includes a 1st Floor deck and new bulkhead to basement, FP/FA systems to be installed.

Case: BOA-1392588 Address: 5-7 Perkins Avenue Ward 18 Applicant: Suzanne Letendre

Articles (s): Art. 69 Sec. 09 Insufficient rear yard setback Art. 69 Sec. 09 Excessive f.a.r.

Purpose : The owner intends to construct 2 new semi attached side by side townhouses at 5 7 Perkins Ave, a new lot which was created as a part of Alteration Permit # ALT1359167, which is combining 4 lots into one lot, and then subdividing this new lot into two lots, 9 Perkins Ave and 5 7 Perkins Ave.

Case: BOA-1337748 Address: 388-390 Blue Hill Avenue Ward 14 Applicant: Christ Samatos

Articles (s): Article 50 Section 28 Use Regulations - Use: Restaurant with Takeout : Conditional

Article 50, Section 43 Off Street Parking & Loading Req - Off Street Parking Insufficient

Purpose: Change occupancy to two apartments, one retail store and one restaurant W/Take out. This was Approved with Permit# ALT 357358 and BOA 565519 Signed September 13, 2016.



City of Boston
Board of Appeal

Case: BOA-1361754 Address: 26 Saint Albans Road Ward 10 Applicant: Dave Traggorth ARTICLE 80
Articles (s): Article 59, Section 38.10 Rear Yards of Shallow Lots Article 59, Section 8 Floor Area Ratio Excessive
Article 59, Section 8 Usable Open Space Insufficient Article 59, Section 8 Add'l Lot Area Insufficient
Purpose : Part of a lot of consolidation and re subdivision related to ERT1252232 and ALT1294833. There is NO
WORK associated with this request but merely a reduction of the lot area.

Case: BOA -1361753 Address: 28 Saint Albans Road Ward 10 Applicant: Dave Traggorth ARTICLE 80
Articles (s): Article 59, Section 8 Floor Area Ratio Excessive Article 59, Section 8 Usable Open Space Insufficient
Article 59, Section 38.10 Rear Yards of Shallow Lots
Purpose: Part of a lot of consolidation and re subdivision related to ERT1252232. There is NO WORK associated with
this request but merely a reduction of the lot area from 4,480 SF to 2,459 SF which triggers several variances
specifically FAR, Rear Yard Minimum, and Off Street Parking. Issue rejection.

Case: BOA 1387903 Address: 773-775A Huntington Avenue Ward 10 Applicant: Dave Traggorth ARTICLE 80
Articles (s): Article 59, Section 16 Max. Floor Area Ratio allowed: 2 Proposed: 8.7 Article 59, Section 16 Max.
Building Height: 45' Proposed: 163' Article 59, Section 16 Min. Open Space Required: 5,600 sqft (112 units x 50
sqft/unit) Article 65 Section 16 Min. Rear Yard required: 20' Proposed: 5.4' Article 59, Section 35 Screening and
Buffering Requirements -Abutting a residential district.
Purpose : New construction of 130,058 SF, 13 story, mixed use building consisting of 24 below grade parking spaces,
2,900 sf of ground floor commercial, and 112 residential units. Subdivisions in conjunction with ALT1294833 and
ALT1298427.

Case: BOA-1422422 Address: 100-114 Hampden Street Ward 8 Applicant: Green Hampden Group LLC
ARTICLE 80/CANNABIS
Articles (s): Article 50 , Section 43 Off Street Parking & Loading Req – Required: 96 Proposed: 24
Art. 50 Sec. 44.2 Existing Bldg Alignment Art. 50, Section 32 Use: Conditional - Cannabis production and cultivation.
Purpose : Erect a 3 story, 47,461 gross square feet "cannabis production and cultivation facility" with a dedicated
loading area and on site parking for 24 vehicles. BOA Art. 80 small project review.

Case: BOA 1409593 Address: 744-746 East Eighth Street Ward 7 Applicant: James Kingston
Articles (s): Art 68 Sec 29 Roof Structure Restrictions - Proposed Roof deck on a lower roof Art 68 Sec 29 Roof
Structure Restrictions - Reconfiguration of existing roof profile Art 68 Sec 29 Roof Structure Restrictions - Maximum
allowed height of a structure on parcel has been exceeded. Art 68 Sec 8 Insufficient open space/unit Art 68 Sec 8
Insufficient rear yard setback (shallow lot) <10' proposed
Purpose : Amendment to permit ALT1386177. Add two bedrooms and bathrooms to basement. Add third floor addition
22'x18' master bedroom and bathroom. Add 3rd floor roof deck 20'x12'.

Case: BOA -1433590 Address: 55-57 Hudson Street Ward 3 Applicant: Christopher Clements ARTICLE 80
Articles (s): Art. 43 Sec. 20 Specific Design Req. - 43 20.4a Sky Plane setback is insufficient. 5" min required.
Art. 43 Sec. 20 Specific Design Req. - 43 20.2 Street Wall Height is excessive. Max allowed is 125'. Art. 43 Sec. 9.4
Floor Area Ratio Excessive ART. 43 Sec. 9 Building Height is excessive. Maximum height allowed is 80 feet
Art. 43 Sec. 23 Off Street Parking - Off street parking in insufficient. None provided Art. 43 Sec. 25 Off street loading
- Off street loading insufficient. None provided Art. 32 Sec. 04GCOD Applicability
Purpose: Erect a 146,000 gsf, 12 story plus penthouse building with 110 residential units and 17,700 gsf of commercial
space on floors 1 and 2.

Case: BOA -1390812 Address: 2 Blaban Place Ward 2 Applicant: Andrey Revert
Articles (s): Art. 62 Sec. 62 8 Rear Yard Insufficient
Purpose: Removal and installation of new decking, patio and fencing.



City of Boston
Board of Appeal

Case: BOA -1423407 Address: 102 Bremen Street Ward 1 Applicant: Wally Ramos

Articles (s): Art. 53 Sec. 56^ Off street parking insufficient - Required 1 space. Proposed none Article 53, Section 9
Add'l Lot Area Insufficient Article 53, Section 9 Lot Area Insufficient

Purpose: Legalizing as a Three Family Dwelling Change occupancy from a two family to a three family dwelling. " No Work to be Done"

**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