



City of Boston
Board of Appeal

Tuesday, April 11, 2023

BOARD OF APPEAL

City Hall Room 801

HEARING MINUTES

Board Chair Dong called the meeting to order promptly at 9:30 AM and commenced with a brief description of the hearing process and, pursuant to the Massachusetts Open Meeting Law, advised those in attendance that the hearings would be broadcast and recorded and hearing minutes would be kept. The Chair announced that the hearing was being conducted remotely via an online meeting platform and subject to the below advisory which was part of the publicly posted hearing agenda. The Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Norm Stenbridge:

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON APRIL 11, 2023 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS APRIL 11, 2023 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE APRIL 11, 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: 821 8044 0527 followed by # when prompted.

If you wish to offer testimony on an appeal, please click <https://bit.ly/April11Comment> 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.



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For individuals who need translation assistance, please notify the Board at least 48 HOURS in advance either by signing up at <https://bit.ly/April11Comment>, 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.

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



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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

February 16, 2023 & February 28, 2023

Discussion/ Votes: Upon a motion and a second the Board moved approve the hearing minutes.

EXTENSIONS: 9:30AM

Case: BOA-1019011 Address: 22-24 Woodbine Street Ward 12 Applicant: Derric Small, Esq

Discussion/ Votes: Upon a motion and a second the Board moved to grant an extension until May 8, 2024.

Case: BOA-982435 Address: 198 Woodrow Avenue Ward 14 Applicant: Derric Small, Esq

Discussion/ Votes: Upon a motion and a second the Board moved to grant an extension until May 8, 2024.

Case: BOA-768729 Address: 79-89 West Broadway Ward 6 Applicant: Derric Small, Esq

Discussion/ Votes: Upon a motion and a second the Board moved to grant an extension until May 11, 2024.

Case: BOA-1151358 Address: 1200 Soldiers Field Road Ward 22 Applicant: Paul Alan Rufo

Discussion/ Votes: Upon a motion and a second the Board moved to grant an extension until April 24, 2024.

Case: BOA-853785 Address: 68 Forest Street Ward 8 Applicant: Eunice Williams

Discussion/ Votes: Upon a motion and a second the Board moved to grant an extension until March 1 2024.

Case: BOA-1029694 Address: 10 Stonley Road Ward 11 Applicant: Matt Henzy

Discussion/ Votes: Upon a motion and a second the Board moved to grant an extension until April 16, 2024.

Case: BOA-1024095 Address: 11 Faneuil Street Ward 22 Applicant: Jeffrey Drago, Esq

Discussion/ Votes: Upon a motion and a second the Board moved to grant an extension until April 23 2024.

Case: BOA-486152 Address: 270 Dorchester Avenue Ward 6 Applicant: Marc LaCasse, Esq

Discussion/ Votes: Upon a motion and a second the Board moved to grant an extension until July 14, 2024.

BOARD FINAL ARBITERS: 9:30AM

Case: BOA-1097311 Address: 14 Schuyler Street Ward 12 Applicant: Michael P. Ross, Esq

Discussion/ Votes: Upon a motion and a second the Board moved to approve the proposal.

Case: BOA-1046403 Address: 515 East Second Street Ward 6 Applicant: Thomas Noto

Discussion/ Votes: Upon a motion and a second the Board moved to approve with BPDA design review.



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GROUNDWATER CONSERVATION OVERLAY DISTRICTS ONLY: 9:30AM

Case: BOA-1442390 Address: 238 Commonwealth Avenue Ward 5 Applicant: John McDonough

Article(s): Art. 32 Sec. 32 4Groundwater Conservation Overlay District, Applicability

Purpose: Complete renovation of the noted address per the plans attached. Removal of front & rear fire escapes.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to perform a complete renovate to an existing dwelling after a fire.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Valencia moved to approve. It was seconded by Stembridge and the motion carried unanimously.

Case: BOA-1442391 Address: 240 Commonwealth Avenue Ward 5 Applicant: John McDonough

Article(s); Art. 32 Sec. 32 4Groundwater Conservation Overlay District, Applicability

Purpose: Combine with 238 Commonwealth Ave. Cost reflected on ALT1383857. Removal of Front & Rear Fire Escapes.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to perform a complete renovate to an existing dwelling after a fire.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Valencia moved to approve. It was seconded by Stembridge and the motion carried unanimously.

HEARINGS:9:30AM

Case: BOA-1422181 Address: 1 Westbrook Street Ward 1 Applicant: Josh White

Article(s): Article 27T 5 East Boston IPOD Applicability Article 53 Section 8Use Regulations - Accessory fieldhouse is a conditional use as it is extending a pre existing non conforming use (Private athletic field). Article 53, Section 9 Bldg Height Excessive (Feet) Art. 25 Sec. 5 Flood Hazard Districts

Purpose: Erect a new fieldhouse for bathrooms and showers, and renovate existing soccer field and parking areas.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to renovate the existing athletic field

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Murphy and the carpenters union are in support.

Votes: Board Member Valencia moved to approve the proposal with BPDA design review. It was seconded by Stembridge and the motion carried unanimously.



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Case: BOA-1405496 Address: 834 East Fourth Street Ward 6 Applicant: Stuart Mullally

Article(s): Art 68 Sec 8 Extensions into pre-established rear yard >1,000sf Art. 68 Sec. 33 Off Street parking Req.-
Maneuvering areas

Purpose: Erect a new three story two family house, as per plans. Filed in conjunction with ALT1388105 836 East Fourth Street. Proposed 2 buildings on one lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a 3 story 2 family and add roofdeck.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to approve with BPDA design review. It was seconded by Stembridge and the motion carried unanimously.

Case: BOA-1405494 Address: 836 East Fourth Street Ward 6 Applicant: Stuart Mullally

Article(s): Art 68 Sec 29 Roof Structure Restrictions Art 68 Sec 8 Insufficient rear yard setback -40' min. req.
Art 68 Sec 8 (4) Extensions into the rear. >1,000sf Art.68 Sec. 34 #12 two or more dwellings on a lot
Article 68, Section 33 Off-Street Parking & Loading Req - Maneuvering areas

Purpose: Change use from a single family to a two family. Proposed new dormer and a three story rear addition, as per plans. To be filed in conjunction with ERT1388110 834 East Fourth Street. Proposed two buildings on one lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a 3 story 2 family and add roofdeck.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to approve with BPDA design review. It was seconded by Stembridge and the motion carried unanimously.



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Case: BOA-1337606 Address: 520 Dudley Street Ward 8 Applicant: Children's Services of Roxbury, Inc

Article(s): Article 9 Section 1 Extension of Nonconforming Use - Extension of a Nonconforming Use
Article 50 Section 29 Floor Area Ratio Excessive Article 50 Section 29 Front Yard Insufficient
Article 50 Section 29 Side Yard Insufficient Article 50, Section 43 Off Street Parking & Loading Req - Off Street
Parking Insufficient

Purpose: Full renovation and expansion of the +/- 50k sf Commercial Office building for the current Owner/Occupant as per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to add a use for children's and youth activities

Board members asked about plans, proposal and the configuration.

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor TIA is in support.

Votes: Board Member Langham moved to approve the proposal with BPDA design review. It was seconded by Stenbridge and the motion carried unanimously.

Case: BOA-1380087 Address: 2085 Washington Street Ward 9 Applicant: Madison Trinity 2085 Development LLC-ARTICLE 80

Article(s): Art. 50, Section 40.1 Street Wall continuity - to be determined at LPR Art. 50, Section 11 Max. FAR allowed: 2 Art. 50, Section 11 Max. building height allowed: 55' Proposed: 119' Art. 50, Section 11 Min. rear yard required: 20' Proposed: 0' Art. 50 Sec.37 Blvd Planning Overlay District Art. 50 Sec. 38 Design Review

Purpose: Erect new 10 story building with 96 Residential Units, Above ground parking, office use "work bar". Building will seat within 4 lots: parcel 2124, parcel 2125, parcel 0902124010 and parcel 0902123010.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to add a 10 story 96 residential dwelling unit with arts focused workspaces.

Board members asked about plans, proposal, bikes, parks.

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Mayor's Office of Housing, the carpenters union, Councilor TFA, and Councilor Flaherty are in support. Tropical Foods is in opposition.

Votes: Board Member Valencia moved to approve the proposal. It was seconded by Stenbridge and the motion carried unanimously.



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Case: BOA- 1411317 Address: 16-18A Warren Place Ward 12 Applicant: Trell Management & Realty Corp.

Article(s): Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Front Yard Insufficient Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Rear Yard Insufficient Article 50, Section 24 Use Regulations

Purpose: Erect a four (4) unit townhouse with garage parking on consolidate lots, all as shown on plans filed herewith.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a 4 townhouse style units with homeownership opportunities with garage space in each home and private roof decks.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to approve the proposal with BPDA design review. It was seconded by Stembridge and the motion carried. Both Whewell and Valencia are in opposition.

Case: BOA-1392224 Address: 150-160 William T Morrissey Blvd Ward 13 Applicant: Boston College High School-ARTICLE 80

Article(s): Article 6, Section 3A Add'l Cond in Restricted Parking District - Approval of Parking Facilities within a Restricted Parking District Article 29 Section 4 GPOD Applicability - Greenbelt Protection Overlay District Applicability

Purpose: Boston College High School Construct a new 2 story addition including a new natatorium and aquatic locker rooms. New cardio, weightlifting, wrestling practice area, classroom, and new student and faculty locker rooms. Renovation includes new entry at grade. Modifications to existing Parking and Landscaping.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to construct a new 2 story addition with new facilities.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty and the Carpenters union are in support.

Votes: Board Member Whewell moved to approve the proposal. It was seconded and carried unanimously.



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Case: BOA-1405880 Address: 159-161 Callender Street Ward 14 Applicant: Kenford Brown

Article(s): Article 60, Section 9 Floor Area Ratio Excessive - Allowance .8 FAR

Purpose: Door installation, window installation, framing. Extension of living space in basement.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to extend living into the basement.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Whewell moved to approve the proposal with no building code relief. It was seconded and carried unanimously.

Case: BOA-1359303 Address: 17 Longfellow Street Ward 15 Applicant: Neil Gulden

Article(s): Art. 65 Sec. 08 Forbidden - Multifamily use Article 65, Section 9 Lot Area Insufficient

Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Lot Width Insufficient

Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories)

Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

Purpose: Erect new construction 3 family dwelling with 3 off street parking in the rear.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to add 3 residential units with no bedrooms in the lower level. The occupancy is in context. This is a previously vacant lot.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Abutters are in support and opposition.

Votes: Board Member Barraza moved to approve the proposal with BPDA design review. It was seconded by Stembridge and the motion carried unanimously.

HEARINGS:11:00AM

Case: BOA-1290225 Address: 92 Waldemar Avenue Ward 1 Applicant: Richard Crespo, Crespo Group

Article(s): Article 27T 5 East Boston IPOD Applicability Art. 53, Section 56 Off Street Parking Insufficient

Art.53 Sec.08 Use Forbidden Article 51, Section 53 Screening & Buffering Req Article 53Section 9 Insufficient lot size

Article 53Section 9 Excessive height Article 53Section 9 # of allowed stories exceeded Article 53Section 9 Excessive

f.a.r. Article 53Section 9 Insufficient side yard setback Article 53Section 9 Insufficient rear yard setback Article 53,

Section 57.2 Conformity Ex Bldg Alignment Article 53Section 9 Insufficient usable open space

Purpose: Seeking to erect a new residential building with 5 units and 5 parking spaces. Demo to be completed on separate permit.

Discussion/Votes: Upon a motion and a second the Board moved to defer this case until June 6, 2024.



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Case: BOA-1290226 Address: 96 Waldemar Avenue Ward 1 Applicant: Richard Crespo, Crespo Group

Article(s): Article 27T 5 East Boston IPOD Applicability Art. 53 Sec.08 Forbidden
Art. 53, Section 56 Off Street Parking Insufficient Article 53 Section 9 Insufficient lot size
Article 53 Section 9 Excessive height Article 53 Section 9# of allowed stories exceeded Article 53 Section 9 Excessive
f.a.r. Article 53 Section 9 Insufficient side yard setback Article 53 Section 9 Insufficient rear yard setback
Article 53, Section 57.2 Conformity Ex Bldg Alignment - Front yard modal requirements Art.51 Sec.53 Screening &
Buffering Req

Purpose: Seeking to erect a new structure containing 5 units and 5 parking spaces. Demo to be completed on separate permit.

Discussion/Votes: Upon a motion and a second the Board moved to defer this case until June 6, 2024.

Case: BOA-1290229 Address: 104 Waldemar Avenue Ward 1 Applicant: Richard Crespo, Crespo Group

Article(s): Art. 53 Sec.08 Forbidden
Article 53 Section 9 Insufficient lot size 4,000sf req. Article 53 Section 9 Excessive height 35' max Article 53 Section 9
of allowed stories exceeded 2.5 max. Article 53 Section 9 Excessive f.a.r. .5 Article 53 Section 9 Front yard modal
alignment req. Article 53 Section 9 Insufficient side yard setback 10' Article 53, Sec. 54 Screening & Buffering Req -
Residential/residential MFR Use buffering from 1f sub district Art. 53 Sec. 56 Off Street Parking - Insufficient parking
proposed 1.5 per unit req. Article 53 Section 9 Insufficient usable open space 1000sf/unit

Purpose: Seeking to erect a new structure containing 5 units and 5 parking spaces. Demo to be completed with a separate permit.

Case: BOA-1395905 Address: 4 Haynes Street Ward 1 Applicant: Thomas Walsh & Peter Ryan

Article(s): Art. 53 Sec. 09 Side yard insufficient Art. 53 Sec. 12 Height Excessive Art. 53 Sec. 12 Rear Yard
insufficient Art. 53 Sec. 12^ Floor area ratio excessive Art. 53 Sec. 56 Off St.Parking Requirements Art. 53, Section 36
Use: Forbidden

Purpose: Seeking to combine Parcel ID 0104541000 and Parcel ID 0104540000 to form one new 1,800 square foot lot
to be known as 4 Haynes Street. Also, to erect a new building with four residential units and three parking spaces.

Discussion/Votes: Upon a motion and a second the Board moved to defer this case until June 6, 2024.



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Case: BOA-1442155 Address: 85 West Newton Street Ward 9 Applicant: Inquilinos Boricuas en Accion, Inc

Article(s): Article 64, Section 8 Use: Conditional - Community Center Conditional Article 64, Section 8 Use: Conditional - Public Art Display (Ground Floor) Conditional Article 64, Section 8 Use Regulations - Art Gallery Forbidden Article 64, Section 8 Use Regulations - Auditorium Forbidden Article 64, Section 8 Use Regulations - Studios, Arts Forbidden Article 64, Section 8 Use Regulations - Theatre Forbidden Article 64, Section 8 Use Regulations - Ticket Sales Forbidden Article 64, Section 8 Use Regulations - General Offices Forbidden Article 64, Section 9 Floor Area Ratio Excessive Article 64, Section 9 Rear Yard Insufficient Art.64 Sec. 37 Appl. of Dimensional Req. -64 37.1 Conformity with Existing Building Alignment. Article 64, Section 36 Off Street Loading Insufficient Article 32, Section 4. GCOD, Applicability Aft.25 Flood Hazard District Nonresidential/Pre existing - Article 25A 4 Applicability Article 64 Section 8 Use Regulations - Professional School Forbidden

Purpose: Erect new 4 story Multi purpose Community Arts Center with offices and educational space. Community center will serve multiple uses of an auditorium, theatre, arts (gallery, studio, & public display), and ticket sales. Offices and professional school on upper levels with a low roof terrace.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to add a multi-use community arts center with offices and 8 spaces.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Collins, Flynn and Murphy are in support.

Votes: Board Member Barraza moved to approve. It was seconded by Stembridge and the motion carried unanimously.

Case: BOA-1142246 Address: 79 Perkins Street Ward 10 Applicant: Christy Page

Article(s): Article 55, Section 8 Use Regulations - MFR is Forbidden in a 3F 4000 Sub district Article 55, Section 9 Add'l Lot Area Insufficient Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 40 Off Street Parking & Loading Req Off street parking is insufficient

Purpose: Change of occupancy from three (3) family to four (4), newly created unit in the basement, all proposed work to finish basement and install partial sprinkler system. No work to be done on other floors.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to change the occupancy from a 3 family to a 4 family with extending living into the basement.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Whewell moved to approve the proposal with BPDA design review. It was seconded and carried unanimously.



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Case: BOA- 1435582 Address: 110-118 Terrace Street Ward 10 Applicant: Michael P. Ross, Esq-ARTICLE 80 Article(s); Art. 59, Section 18 Use: Forbidden MFR Art. 59, Section 18 Use: Conditional - Local Retail greater than 1,000 sqft Article 59 Section 38 Application of Dimensional Req - 59-38.2 - Traffic Visibility Across Corner Article 59, Section 19 Floor Area Ratio Article 59, Section 19 Building Height Article 59, Section 19 Usable Open Space Article 59, Section 19 Rear Yard

Purpose: Combination of Parcel IDs: 1000371000, 1000370000, 1000369000, 100368000, 1000367001, & 1000371010, to erect a new 6 story mixed use building, consisting of seventy nine (79) living units of rental housing with core/shell retail on the ground floor. The basement contains thirty two (32) car parking spaces in an underground garage and rooftops contain common & private terraces. Demolition of existing buildings to be filed under separate short form permits. LPR. This application is filed in conjunction with ALT1316625, ALT1316620, ALT1316602, and ALT1310294.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a 6 story mixed use dwelling with ground floor retail, new sidewalk, and below ground parking.

Board members asked about plans, proposal, fire access, trees, mbta

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Valencia moved to approve the proposal. It was seconded and carried unanimously.

Case: BOA#1436577 Address: 110-118 Terrace Street Ward 10 Applicant: Michael P. Ross, Esq-ARTICLE 80 Purpose: Combination of Parcel IDs: 1000371000, 1000370000, 1000369000, 100368000, 1000367001, & 1000371010, to erect a new 6 story mixed use building, consisting of seventy nine (79) living units of rental housing with core/shell retail on the ground floor. The basement contains thirty two (32) car parking spaces in an underground garage and rooftops contain common & private terraces. Demolition of existing buildings to be filed under separate short form permits. LPR. This application is filed in conjunction with ALT1316625, ALT1316620, ALT1316602, and ALT1310294.

Violation: Violation Description: Violation Comments:

9th 780 CMR 3202 Encroachments 3202.3 Encroachments 8 feet or more above grade.

Encroachments 8 feet (2438 mm) or more above grade shall comply with Sections 3202.3.1 through 3202.3.4.

[Solar-Shades encroaching beyond interior lot lines] 9th 780 CMR 705 Exterior Walls 705.8.1 Allowable area of openings. The maximum area of unprotected and protected openings permitted in an exterior wall in any story of a building shall not exceed the percentages specified in Table 705.8.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a 6 story mixed use dwelling with ground floor retail, new sidewalk, and below ground parking.

Board members asked about plans, proposal, fire access, trees, mbta

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza went to deny the building code relief but the motion failed. Whewell made a motion to approve the building code relief which was seconded, and carried 5-2.



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Case: BOA-1436479 Address: 20-28 Cheney Street Ward 12 Applicant: Teronda Ellis-ARTICLE 80

Article(s): Article 50 Section 28 Use Regulations - Multifamily use: forbidden Art. 50 Sec. 44.2 Existing Bldg Alignment - Modal calculation not provided to verify compliance with alignment on Cheney and Hartwell streets. Article 50, Section 44.3 Traffic Visibility Across Corner Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive Art. 50 Sec. 29 Usable open space insufficient Article 50, Section 29 Front Yard Insufficient Article 50, Section 29 Rear Yard Insufficient

Purpose: Erect an 8,790, 3 story, 6 residential unit building with 6 surface level parking spaces in rear yard. This project is part of a Large Project review along with 4 18 Cheney Street (ERT1254459) and 3 Schuyler Street (ERT1254454). Subdivide lot granting on ALT1382356 & ALT1382360.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a 3 story with 4 units for affordable homeownership

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Abutters, Councilors TFA, Murphy, and Ruthzee are in support. The carpenters union and the Mayors office of housing are in support.

Votes: Board Member Whewell moved to approve. It was seconded and carried unanimously.

Case: BOA-1433779 Address: 800 William T Morrissey Blvd Ward 16 Applicant: Bay Colony Associates, LLC-ARTICLE 80

Article(s): Art. 65 Sec. 04 Greenbelt Protection Overlay District Applicability Art. 65 Sec. 65 41.5 Parking Size & Maneuverability - Proposed stackers create maneuverability issues. Article 65, Section 15 Use: Conditional - MFR is a condition use in a CC sub district Article 65, Section 16 Floor area ratio (FAR) is excessive Article 65, Section 16 Building height in feet is excessive Article 65, Section 16 Rear yard set back is insufficient. Article 25A Section 4 CFROD Applicability Art. 65 Sec. 65 41.5 Parking Size & Maneuverability - Dimensions of proposed parking spaces is insufficient.

Purpose: The project will consist of a single six story building with approximately 230 residential units, approximately 159 accessory off street parking spaces located on the ground level below the footprint of the building, amenity space, landscaping and other related improvements. Awaiting MA Board of Elevator Regulations approval regarding proposed Vehicle Stacker system. JMK.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a 6 story 229 residential apt building with a bike path, balconies, and affordability component.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Local civic associations, the carpenters union, Councilor Baker, Murphy, and an abutter are in support. A local neighborhood association is in opposition.

Votes: Board Member Barraza moved to approve the proposal with BPDA design review and BTM review. It was seconded by Stembridge and the motion carried unanimously. Shepard was recused.



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Case: BOA-1435181 Address: 551 Boylston Street Ward 5 Applicant: Josh Zakim CANNABIS

Article(s): Art. 39 Section 12 Use: Conditional - Art. 39 section 12 Cannabis Establishment. Provided that any cannabis establishment shall be sited at least one half mile or 2640 feet from another existing cannabis establishment and at least 500 feet from a pre existing public or private school providing education in kindergarten or any grades of 1 through 12. Distances shall be determined from the nearest lot line of the proposed establishment to the nearest lot line of an existing establishment or school. Use approval shall be applicable to the applicant only otherwise Forbidden
ART. 39 section 12 Use: conditional - Cannabis Retail ART. 39 section 12 Use: conditional - Cannabis accessory storage

Purpose: Change of Occupancy from a restaurant to a Cannabis Dispensary. Interior and exterior renovation of existing tenant space and building facade. Interior renovations for mercantile & business use with new commercial finishes throughout. Exterior storefront renovation included.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to change the occupancy to allow for cannabis use and retail. MBTA accessible.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. The carpenters union, abutters, and a local synagogue are in support. Local associations along with Councilor Bok are in non-opposition.

Votes: Board Member Barraza moved to approve. It was seconded by Stembridge and the motion carried unanimously.

RECOMMENDATIONS: 11:00 AM

Case: BOA-1421688 Address: 1066 Bennington Street Ward: 1 Applicant: Raul Sanclemente

Article (s): Art. 10 Sec. 01 Limitation of parking areas Art. 53 Sec. 09 Insufficient open space Art. 53 Sec. 09 Through lot results in two required front yards of open space. (front yard parking is not allowed)

Purpose: PARKING FOR 3 TOTAL CARS; Requesting two additional reduced sized compact motor vehicles in rear of through lot on ASHLEY street side to include expanding of existing curb cut. *Modified scope of work 11/18/22 due to one existing space previously permitted in 2004.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail add parking for three off street vehicles.

Board members asked about plans, proposal, and mentioned front yard parking.

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to deny the proposal. It was seconded and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1352188 Address: 88 Chelsea Street Ward: 1 Applicant: El Sabroson Taqueria

Article (s): Art. 08 Sec. 03 Conditional Uses

Purpose: Remove proviso from previous BOA decision for this "Relief is limited to this Petitioner Only" for takeout under BOA 1018491 ALT1010508

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to remove the previous relief so the new owner can use the space.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to approve the proposal. It was seconded by Stembridge and the motion carried unanimously.

Case: BOA- 1424488 Address: 36 High Street Ward: 2 Applicant: Cameron Merrill

Article (s): Art. 62 Sec. 19 Neighborhood Design Overlay Districts - NDOD Zoning overlays Art. 62 Sec. 25 Roof Structure Restrictions - Alteration of Existing Roof Profile Article 62,Section 8 Building Height (# of Feet) Excessive Art. 09 Sec. 01 Extension of Non Conforming Use - 3F 2000 3 story 35 foot height limit in this Zoning District.

Proposed additional new floor area at 5th level of the building.

Purpose: We have Permit (SF1324564). After demo discovered we need to install new footings and steel beam in basement to replace rotted post and beam. Install new concrete floor in basement. Install new headers on all bathrooms. On top floor install LVL for opening for the skylight and stairs to equipment. Erect new roof deck with hatch access more than 30 inches.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to remove the previous relief so the new owner can use the space.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to approve the proposal with provisos . It was seconded by Stembridge and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA- 1399338 Address: 9 Sackville Street Ward: 2 Applicant: Eric Zachrison

Article (s): Article 62, Section 8 Side Yard Insufficient

Purpose: Nominal fee requested to add one story and add area at the front of an existing single family home, and convert to a two family.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to change the occupancy from a one family to a two-family.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to approve the proposal with BPDA design review. It was seconded by Stembridge and the motion carried unanimously.

Case: BOA- 1408580 Address: 24 Pleasant Street Ward: 2 Applicant: Grant Ewing

Article (s): Art. 62 Sec. 62-25 Roof Structures Restricted

Purpose: Construct dormer addition per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to add a new dormer to the existing dwelling to increase the living space. The occupancy will remain.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to approve the proposal with BPDA design review. It was seconded by Stembridge and the motion carried unanimously.

Case: BOA- 1435497 Address: 11 Louisburg Square Ward: 5 Applicant: 11 Louisburg Square Nominee Trust

Article (s): Article 13, Section 3 Nonconformity to Dimen Req - Existing Non Conforming FAR exceeds 2

Purpose: Original Permit # ALT1345472 Complete infill of rear ell atrium floor.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to add a new rear door to an existing dwelling.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to approve the proposal with BLC review. It was seconded by Stembridge and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1394771 Address: 1002-1004 Tremont Street Ward: 9 Applicant: Bakaloa Kitchenette, Inc

Article (s): Art. 06 Sec. 04 Other Protectional Conditions

Purpose: Removing proviso for new petitioner no work to be done.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to remove the previous proviso so the new restaurant can use the space.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to approve. It was seconded by Stembridge and the motion carried unanimously.

Case: BOA-1434938 Address: 9 Wenlock Road Ward: 16 Applicant: Graden Foley

Article (s): Art. 65 Sec. 65 8 Floor Area Ratio excessive

Purpose: To renovate existing single family. Add an addition on the left side of the building & expand living space into the basement as per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to remove the existing 1 family and expand the living space into the basement.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to approve. It was seconded by Stembridge and the motion carried unanimously.

Case: BOA-1409011 Address: 26 Greenview Avenue Ward: 19 Applicant: Robert Davol

Article (s): 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 Side Yard Insufficient Article 55, Section 9 Front Yard Insufficient

Purpose: Installation of addition on rear of house as shown in drawings. Installation of dormer at attic location as shown in drawings. Reconfigure 1st and 2nd floor plans. New HVAC, electrical and plumbing systems throughout home.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to add a new addition on the rear of the house with a new dormer, renovate attic space, and upgrade the side and front.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to approve the proposal with BPDA design review and proviso. It was seconded by Stembridge and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA- 1415260 Address: 4 Wallingford Road Ward: 21 Applicant: Hilltop Trust

Article (s): Article 51, Section 9 Floor Area Ratio Excessive

Purpose: Partial demolition of partition walls, chimney demolition. Total renovation in both apartments, structural work according to drawings, kitchens and bathrooms relocation, new hardwood floors, Plumbing, HVAC, Electrical work. Insulation, sheetrock, plastering and painting work. Change Occupancy from a 1 Family to a 2 Family.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to change the occupancy from a 1family to a 2 family dwelling.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to approve the proposal with BLC review. It was seconded by Stembridge and the motion carried unanimously.

Case: BOA-1382453 Address: 226 Harvard Avenue Ward: 21 Applicant: PF Supreme, LLC d.b.a Planet Fitness

Article (s): Art. 08 Sec. 03 Conditional Uses - 1 Fitness center/gym in Community Commercial is a conditional use. 2 24hr operation Conditional also see article 9 1A

Purpose: Renovation of existing vacant space to combine existing tenant spaces on the 1st and 2nd floor to accommodate a multi level fitness center. Fitness center to operate 24 a day, 7days a week per business model. Change in use/occupancy.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to extend the hours of the existing and operating planet fitness.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to approve with a proviso. It was seconded by Stembridge and the motion carried unanimously.

Case: BOA-1434811 Address: 18-20 Meridian Street Ward: 1 Applicant: Antinea Noguera

Article (s) Art. 53 Sec. 11 Conditional - Large Take Out Restaurant Conditional

Purpose: Remove Proviso and grant to this Petitioner only (Notice of Decision 03-30-2021 BOA 1158518).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to remove the previous proviso so the new tenant can use the space. Only a name change with basic renovations.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to approve the proposal with BPDA design review. It was seconded by Stembridge and the motion carried unanimously.



City of Boston
Board of Appeal

RE-DISCUSSIONS :11:30 AM

Case: BOA-1214604 Address: 423 William F McClellan Highway Ward 1 Applicant: Sons Divine Providence Inc.

Article(s): Art. 53, Section 28 Use: Forbidden - Use not identified in table "D" Art. 53, Section 55 Sign Regulations - Insufficient front yard setback Art. 53, Section 55 Sign Regulations - Max allowed height exceeded Art.11 Sec.06 Billboard Signs Article 11, Section 7 Electronic Signs - electronic/digital Article 27T Section 9 IPOD Enforcement - NON-APPLICABLE (Added at the request of the applicants attorney) - See Dain/Trophy firm document added to the case file for further inquiry 2.1.23

Purpose: Erect an outdoor advertising device (digital billboard) consisting of a single monopole with back to back digital faces with dimensions of 14 ' by 48 ' (60' Height) facing William F. McClellan Highway, East Boston.

Reason for Prior Deferral: The applicant requested a deferral to apply for an IPOD application.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to add a digital billboard and remove other ones.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Multiple abutters and Councilor Murphy is in support. Abutters are in opposition.

Votes: Board Member Shepard moved to approve with provisos. The motion failed 3-4. Subsequently, the project was denied.

Case: BOA-1267825 Address: 295 Webster Street Ward 1 Applicant: Aaron Daigneault

Article(s): Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Add'l Lot Area Insufficient Article 53, Section 56 Off Street Parking & Loading Req - Off Street Parking Insufficient

Purpose: Change of occupancy from single family to three family dwelling. Extend living space to basement for additional unit. Renovate and upgrade M.E.P.

Reason for Prior Deferral: The applicant requested a deferral and it was granted unanimously. Has been deferred four times.

Discussion/Votes: Upon a motion and a second the Board moved to defer this case until June 27, 2024.



City of Boston
Board of Appeal

Case: BOA-1419403 Address: 5 Nancia Street Ward 1 Applicant: Tien Pham

Article(s): Art. 27G E Boston IPOD Art. 53 Sec. 08 Use: Conditional - Ancillary driveway to access the property. Article 53, Section 9 Lot Area Insufficient - Min. required: 4,000 sqft Proposed: 3,600 sqft Article 53, Section 9 Front Yard Insufficient - Min. required: 10' Proposed: 5' Art. 53 Sec. 09 Side yard insufficient - Min. required: 7' Proposed: 5' (R) Article 53, Section 9 Rear Yard Insufficient - Min. required: 40' Proposed: 36' Article 53, Section 57.2 Conformity Ex Bldg Alignment - Street modal calculation not provided to verify compliance.

Purpose: Erect a two family dwelling on a vacant lot. Application in conjunction with U491348832 providing ancillary driveway access to the property.

Reason for Prior Deferral: The applicant requested a deferral to continue the community process.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a 2 family on a vacant lot with parking across the street.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Whewell moved to approve the proposal with BPDA design review. It was seconded by Stenbridge and the motion carried unanimously.

Case: BOA- 1419404 Address: 127 Saint Andrew Road Ward 1 Applicant: Tien Pham

Article(s): Art. 53 Sec. 56 Off St. Parking Requirements - Driveway is giving access to neighbor's property. Article 53, Section 9 Usable Open Space Insufficient Art. 27G E Boston IPOD

Purpose: Create off street parking via a shared driveway. Work being done in conjunction with ERT1300659.

Reason for Prior Deferral: The applicant requested a deferral to continue the community process

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a 2 family on a vacant lot with parking across the street.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Whewell moved to approve the proposal with BPDA design review. It was seconded by Stenbridge and the motion carried unanimously.

Case: BOA-1395189 Address: 16 Dunmore Street Ward 8 Applicant: Alfonso Sira

Article(s): 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 Rear Yard Insufficient Article 50, Section 29 Side Yard Insufficient Article 50, Section 43 Off Street Parking & Loading Req - Outdoor Uses off street parking Art. 50 Sec. 38 Design Review Art. 50 Sec. 45 Extension of nonconforming use Art. 16, Section 8 Restricted Roof Structure District - More than 10% of the total roof area

Purpose: Confirm as one family and change to a three family building. Add a three story addition in the rear of the existing building add three parking spaces on site as per plan filed herewith. Building to be used as a dwelling for three families after the renovations are completed.

Reason for Prior Deferral: The applicant requested a deferral which was approved unanimously.

Discussion/Votes: Upon a motion and a second the Board moved to defer this case until June 27, 2024.



City of Boston
Board of Appeal

Case: BOA-1361351 Address: 1617 Tremont Street Ward 10 Applicant: Lubavitch of Cambridge, Inc

Article(s): Article 59, Section 7 Use Regulations - Use: Transitional Housing: Conditional Article 59, Section 8 Floor Area Ratio Excessive Article 59, Section 8 Building Height Excessive Article 59, Section 8 Usable Open Space Insufficient Article 59, Section 8 Front Yard Insufficient Article 59, Section 8 Side Yard Insufficient Article 59, Section 37 Off Street Parking & Loading Req - Off Street Parking Insufficient Article 59, Section 37 Off Street Parking & Loading Req - Off Street Loading Insufficient Article 59, Section 8 Rear Yard Insufficient Article 59, Section 7 Use Regulations - Use : Community Center on 2nd Floor: Forbidden

Purpose: Demolish existing Buildings. Combine ALT 130939 lot 1615 Tremont Street with ALT 1310943 lot 1617 Tremont for addition to 1615 Tremont ALT 1310951. Change Occupancy from a Two (2) Family Dwelling and Hall to become a Jewish Community Education Center & Social Work spaces for parsonage & short term Hospitality Suites for Families receiving medical treatment. Construct a 4 story addition attached to existing Building. There will be Classroom spaces located in Basement. On the 2nd Floor will be a Community Center space. On Floors 3 & 4 will be temporary Lodging Rooms (12 Rooms total). Construct a common Roof Deck.

Reason for Prior Deferral: The applicant requested a deferral to finalize the community process.

Discussion/Votes: Upon a motion and a second the Board moved to defer this case until June 27, 2024.

HEARINGS: 1:00PM

Case: BOA-1444384 Address: 11 Walker Street Ward 2 Applicant: Lorene Schettino

Article(s): Article 62, Section 8 Side Yard Insufficient Article 62, Section 8 Rear Yard Insufficient Article 62, Section 8 Usable Open Space Insufficient Art. 62 Sec. 25 Roof Structure Restrictions

Purpose: Enlarge the back dormer and add a roof deck as per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to increase the existing non conforming rear dormer and add a new roof deck.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to approve the proposal with BPDA design review. It was seconded by Shepard and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1423072 Address: 15 Rusfield Street Ward 8 Applicant: Timothy Fraser, Esq

Article(s): Article 50, Section 32 Use Regulations in IDA - Use: Residential Dwelling Unit: Forbidden
Article 50, Section 33 Usable Open Space Insufficient

Purpose: No work. Change occupancy from "Manufacturing of shoe soles & manufacturing, storage & shipping of paper boxes and manufacturing of marble sinks" to "Warehousing (indoor): incl: non hazardous materials; self storage, and legalize one (1) accessory Apartment Dwelling Unit."

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to change the occupancy to a warehouse and for accessory use for the dwelling unit.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Baker is in support.

Votes: Board Member Barraza moved to approve the proposal with this petitioner only and with accessory personal quarte only. It was seconded by Shepard and the motion carried unanimously.

Case: BOA-1364371 Address: 105 Norwell Street Ward 14 Applicant: Richard Liriano

Artice(s): Art. 10 Sec. 01 Limitation of parking areas - 5' parking buffer Art. 65 Sec. 41 Off street parking requirements - 4) Location Art. 65 Sec. 9 Front yard Art. 65 Sec. 9 Rear yard Art. 65 Sec. 9 Open space Art. 65 Sec. 9 Lot size Art. 65 Sec. 9 Additional lot area per unit Art. 65 Sec. 9 F.A.R. Art. 65 Sec. 9 # of allowed stories

Purpose: Subdivide parcel #p 1401643000 15305 sq ft into four 3700 sq lots and erect a 2 family, this lot to be known as 105 Norwell St.*Revised scope Subdivide parcel #1401643000 15,305 sq ft into four lots and then erect a new 2 family on each lot, this lot to be known as, Lot#2, 105 Norwell St. having 3,712sf of land with two off street parking spaces. (6.21.22) (See ALT1245971 for subdivision)

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to subdivide the parcels and erect 2 family with 2 off street parking spaces. 4 single 2 family dwellings.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. An abutter and Councilor Worrell are in opposition.

Votes: Board Member Whewell moved to approve the proposal with BPDA design review. It was seconded and carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1364395 Address: 105 Norwell Street Ward 14 Applicant: Richard Liriano

Article(s): Art. 65 Sec. 9 Residential Dimensional Reg.s - #101,103,105 and 107 Nowell Street - Insufficient lot sizes- 5,000sf lot min. required

Purpose: Subdivide this parcel # 1401643000 15305 sq. ft. into four 3700 sq. lots to be known as 101, 103, 105 and 107 Norwell St. Revised scope- Subdivide parcel #p 1401643000 15305 sq ft into four lots and then erect a new 2 family on each with two off street parking spaces. (6.21.22)

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to subdivide the parcels and erect 2 family with 2 off street parking spaces. 4 single 2 family dwellings.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. An abutter and Councilor Worrell are in opposition.

Votes: Board Member Whewell moved to approve the proposal with BPDA design review. It was seconded and carried unanimously.

Case: BOA-1364376 Address: 101 Norwell Street Ward 14 Applicant: Richard Liriano

Article(s): Art. 10 Sec. 01 Limitation of parking areas - 5' side yard buffer req. Art. 65 Sec. 41 Off street parking requirements - 4) Location Art. 65 Sec. 9 Lot size Art. 65 Sec. 9 Additional lot area per unit Art. 65 Sec. 9 Excessive f.a.r. Art. 65 Sec. 9 # of allowed stories has been exceeded Art. 65 Sec. 9 Insufficient open space per unit Art. 65 Sec. 9 Insufficient front yard setback Art. 65 Sec. 9 Insufficient rear yard setback

Purpose: Subdivide parcel # 1401643000 15305 sq ft into four 3700 sq lots and erect a 2 family, this lot to be known as 101 Norwell St.*Revised scope Subdivide parcel #1401643000 15305 sq ft into four separate lots and then erect a new 2 family on each lot, this lot to be known as, Lot#4, 101 Norwell St. having 3,999sf of land with two off street parking spaces. (6.21.22) *Application filed in conjunction with ALT1245971 for subdivision.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to subdivide the parcels and erect 2 family with 2 off street parking spaces. 4 single 2 family dwellings.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. An abutter and Councilor Worrell are in opposition.

Votes: Board Member Whewell moved to approve the proposal with BPDA design review. It was seconded and carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1364380 Address: 103 Norwell Street Ward 14 Applicant: Richard Liriano

Article(s): Art. 10 Sec. 01 Limitation of parking areas - 5' buffer req. Art. 65 Sec. 41 Off street parking requirements - 4) Location Art. 65 Sec. 9 Lot size Art. 65 Sec. 9 Additional lot area per unit Art. 65 Sec. 9 # of allowed stories exceeded Art. 65 Sec. 9 Insufficient open space per unit Art. 65 Sec. 9 Front yard Art. 65 Sec. 9 Rear yard Art. 65 Sec. 9 Excessive f.a.r

Purpose: Subdivide parcel # 1401643000 15305 sq ft into four 3700 sq lots and erect a 2 family this lot be known as 103 Norwell St*Revised scope Subdivide parcel #p 1401643000 15305 sq ft into four lots and then erect a new 2 family on each lot, this lot to be known as, Lot#3, 103 Norwell St. having 3,818sf of land with two off street parking spaces. (6.21.22) (SEE ALT1245971 for subdivision and other required ZBA variances)

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to subdivide the parcels and erect 2 family with 2 off street parking spaces. 4 single 2 family dwellings.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. An abutter and Councilor Worrell are in opposition.

Votes: Board Member Whewell moved to approve the proposal with BPDA design review. It was seconded and carried unanimously.

Case: BOA-1364391 Address: 107 Norwell Street Ward 14 Applicant: Richard Liriano

Article(s): Art. 65 Sec. 9 Insufficient lot size Art. 65 Sec. 9 Insufficient additional lot area per unit Art. 65 Sec. 9 Excessive f.a.r Art. 65 Sec. 9 # of allowed stories has been exceeded Art. 65 Sec. 9 Insufficient open space per unit Art. 65 Sec. 41 Off street parking requirements - 4) Location Art. 65 Sec. 9 Insufficient front yard setback Art. 65 Sec. 9 Insufficient rear yard setback Art. 10 Sec. 01 Limitation of parking areas - 5' side yard buffer required

Purpose: Subdivide parcel # 1401643000 15305 sq ft into four 3700 sq lots and erect a 2 family, this lot to be known as 107 Norwell St. *Revised scope Subdivide parcel #1401643000 15,305 sq ft into four lots and then erect a new 2 family on each lot, this lot to be known as, Lot#1, 107 Norwell St. having 3711sf of land with two off street parking spaces. (6.21.22) (See ALT1245971 for subdivision)

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to subdivide the parcels and erect 2 family with 2 off street parking spaces. 4 single 2 family dwellings.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. An abutter and Councilor Worrell are in opposition.

Votes: Board Member Whewell moved to approve the proposal with BPDA design review. It was seconded and carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1406915 Address: 147 Neponset Avenue Ward 16 Applicant: Declan Kearns

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

Purpose: Addition as per stamped drawings.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to add a new addition to improve the living space.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. An abutter is in support.

Votes: Board Member Whewell moved to approve the proposal. It was seconded and carried unanimously.

Case: BOA-1435173 Address: 400 Belgrade Avenue Ward 20 Applicant: John Pulgini

Article(s): Article 56, Section 39 Off-Street Parking & Loading Reg - Off-Street Parking Insufficient

Purpose: Reduction in internal parking spaces from (33) to (18) spaces. Work in conjunction with ERT558343.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to reduce the parking from 33 spaces to 18 parking spaces with a 1-1 ration for parking which will be underground.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Valencia moved to approve the proposal. It was seconded by Stembridge and the motion carried unanimously.

Case: BOA-1424793 Address: 7 Sutherland Road Ward 21 Applicant: David Lapidus

Article(s): Art. 09 Sec. 01 Extension of Non Conforming Use Article 51 Section 17 Usable Open Space

Article 51, Section 16 MFR - Conditional Article 51, Section 56 Off-Street Parking Insufficient

Purpose: Change occupancy from 6 Units & laundromat to 7 Units. Converting the existing laundromat on the ground floor to a two bedroom one bath Group 2 accessible unit (Unit #7A). No proposed expansion of the exterior envelope. Building is and will be sprinklered per NFPA 13.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to change the occupancy from a 6 unit and laundromat to a 7-unit residential dwelling. New unit would be accessible.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. An abutter and Councilor Worrell are in opposition.

Votes: Board Member Whewell moved to approve with no building code relief. It was seconded and carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1443680 Address: 122-124 Brighton Avenue Ward 21 Applicant: Derric Small

Article(s): Article 51, Section 16 Use: Forbidden - Take out restaurant is a Forbidden use in a CC 1 Sub district
Article 51, Section 56 Off Street Parking Insufficient Article 51, Section 16 Use Regulations - Sit down restaurant is a conditional use in a CC 1 Sub district

Purpose: Change the legal occupancy from offices, display sales for wholesale goods use, retail store to restaurant, restaurants with food court with take-out use and outdoor seating for approximately 56 patrons.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to change the occupancy to a restaurant with take-out and food service for 56 patrons.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. The ACA and Councilor Flaherty are in support.

Votes: Board Member Barraza moved to approve the proposal with BPDA design review. It was seconded by Stenbridge and the motion carried unanimously.

Case: BOA-1411397 Address: 610 Chelsea Street Ward 1 Applicant: JTJD LLC-CANNABIS

Article(s): Art. 27G E Boston IPOD Art. 53, Section 15 Use: Conditional - Cannabis establishment

Purpose: This site will be used for wholesale cannabis delivery operations.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to allow a cannabis delivery operation. The Board noted that the location seems appropriate.

Board members asked about plans, proposal

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board Member Barraza moved to approve the proposal this applicant only. It was seconded by Stenbridge and the motion carried unanimously.



City of Boston
Board of Appeal

STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775

BOARD MEMBERS:
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ALAN LANGHAM

SUBSTITUTE MEMBERS:

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

For a video recording of the April 11, 2023 Board of Appeal Hearing please go to: https://cityofboston.gov/cable/video_library.asp.