



City of Boston  
Board of Appeal

Tuesday, December 19, 2017

BOARD OF APPEALS

Room 801

## REVISED AGENDA

The board will hold a hearing on December 19, 2017 starting at 9:30 a.m.

### APPROVAL OF HEARING MINUTES:

November 28, 2017 and November 16, 2017

### EXTENSION: 9:30a.m.

**Case:** BZC-32903, **Address:** 188 High Street, **Ward 3 Applicant:** Fred Mannix

### HEARINGS: 9:30 a.m.

**Case:** BOA-771127, **Address:** 3 Allen Road, **Ward 22 Applicant:** Hector Garcia

**Article(s):** 51(51-9) 51(51-56)

**Purpose:** Change occupancy from One family dwelling to Two family dwelling. No work to be done in existing condition for many years. (Legalize work/change in occupancy done without a permit BOA 3222/99).

**Case:** BOA-778978, **Address:** 88-94 Lincoln Street, **Ward 22 Applicant:** Derric Small

**Article(s):** 11(11-7)

**Purpose:** Install a new 14'x48' (2) two sided electronic Billboard on a monopole as per plans.

**Case:** BOA-777065, **Address:** 64 Lincoln Street, **Ward 22 Applicant:** Lincoln Street Trust of December 1993

**Article(s):** 9(9-1)

**Purpose:** Amend plans to add mesh screen to Billboard to shield visibility of structural elements. No change in height, dimension, or orientation of approved structure. This application to amend issued permit (ALT24609 Tom W.).

**Case:** BOA-714280, **Address:** 66 Allston Street, **Ward 21 Applicant:** Jack P. Milgram

**Article(s):** 51(51-8) 51(51-9): The entrance to the new units in the addition does not face the front lot line, The location of the addition on the lot does not meet the minimum lot width, Excessive F.A.R., Excessive number of stories, only 2 1/2 stories allowed, Insufficient front yard setback & Insufficient side yard setback)

**Purpose:** Addition of 2 residential units, and renovation of existing two family unit. Convert from 2 units to 4 units.

**Case:** BOA-777535, **Address:** 15 Gilmore Terrace, **Ward 20 Applicant:** Jay Walsh

**Article(s):** 56(56-8): Floor area ratio excessive & Side yard insufficient)

**Purpose:** Construct a new 2 1/2 story 12x20 addition to existing single family dwelling.

**Case:** BOA-776457, **Address:** 96 Laurie Avenue, **Ward 20 Applicant:** Laura Nolan

**Article(s):** 56(56-39) 10(10-1)

**Purpose:** Paved driveway on residential lot for one car.

**Case:** BOA-772036, **Address:** 1251-1269 River Street, **Ward 18 Applicant:** Sadiq Ahmad

**Article(s):** 6(6-4)

**Purpose:** Remove proviso number 1 from previous BZC#27010 and grant proviso for takeout for new owner. No plan.

**Case:** BOA-716297, **Address:** 1403-1405 Dorchester Avenue, **Ward 15 Applicant:** Tam Nguyen

**Article(s):** 65(65-9): Lot area for additional dwelling units insufficient, Floor area ratio excessive, Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient) 65(65-41)

**Purpose:** Demolish existing Building. Erect a new 3 story Mixed-Use Building. On the Ground Floor will be Retail/Commercial Use. On the Upper Floors will be Six (6) Residential Units. There will be a Common Roof Deck on Roof. Building to be fully sprinklered.

**Case:** BOA-751050, **Address:** 63 Parker Hill Avenue, **Ward 10 Applicant:** Bill Giovannucci

**Article(s):** 9(9-1)

**Purpose:** Expand 3rd floor dining room into enclosed courtyard per attached drawings. This is an amendment to permit #265673 (63 Parker Hill Avenue) Parent application ALT265673.

**Case:** BOA-740701, **Address:** 5 Alvah Kittredge Park, **Ward 9 Applicant:** Jonathan Correia

**Article(s):** 50(50-29): Insufficient existing lot size for change of occupancy to 3 units, The extension of living space into the basement creates and excessive F.A.R. & Insufficient usable open space per dwelling unit) 50(50-43)

**Purpose:** Change occupancy back to its original use as a three family dwelling extend living space into the basement.

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**Case:** BOA-746997, **Address:** 1002-1004 Tremont Street, **Ward 9 Applicant:** Sheryl Furari  
**Article(s):** 9(9-1) 50(50-26: Insufficient remaining lot width, Insufficient remaining lot are for existing structure (4000sf req.), Insufficient addition lot area per dwelling unit remaining, Insufficient lot frontage width, Excessive F.A.R., Insufficient open space (200sf/Unit req.) & Insufficient side yard setback (10' min)

**Purpose:** Tremont Street Development LLC owns both 1008-1012 Tremont Street, Mission Hill 02120 Parcel ID#0902006000 and 1002-1006 Tremont Street, Mission Hill 02120. Parcel ID# 0902008000. Owner is proposing to combine and subdivide the two lots described above. Currently 1008-1012 Tremont Street, Mission Hill 02120. Parcel ID# 0902008000 has 2340 Square Feet of land. Owner is proposing, as shown on plan labeled "Subdivision Plan", to take 1554 Square Feet of land from 1002-1006 Tremont Street, Mission Hill 02120. Parcel ID#0902008000 and grant it to 1008-1012 Tremont Street, Mission Hill 02120 Parcel ID# 0902006000. The proposed new Square Footage of 1002-1006 Tremont Street, Mission Hill 02120. Parcel ID#0902008000 will be 786 Square Feet. The proposed new Square Footage of 1008-1012 Tremont Street, Mission Hill 02120 Parcel ID#0902006000 will be 3951 Square Feet. Please note 1002-1008 Tremont Street, Mission Hill 02120 Parcel ID#0902008000 has an existing structure on it that takes approximately 786 square feet of land. 1008-1012 Tremont Street, Mission Hill 02120 Parcel ID#0902006000 is open filed with an existing ERT permit.

**Case:** BOA-767700, **Address:** 50 Malden Stteet , **Ward 8 Applicant:** Robert Weintraub  
**Article(s):** 64(64-15)

**Purpose:** South Proper - Change occupancy to include restaurant with Live Entertainment not operating after 10:30 pm. In conjunction with issued permit ALT720518.

**Case:** BOA-767739, **Address:** 76 Mount Pleasant Avenue, **Ward 8 Applicant:** Loretta Bryant-Bogard  
**Article(s):** 50(50-43)

**Purpose:** Build driveway next to home for parking for two cars.

**HEARINGS: 10:30 a.m.**

**Case:** BOA-764493, **Address:** 545-547 East Eighth Street , **Ward 7 Applicant:** Anthony Virgilio  
**Article(s):** 27S(27S-5S) 68(68-8: Usable open space insufficient & Floor area ratio excessive)

**Purpose:** Change occupancy from store and two family to 3 family renovate all floors with new electrical new plumbing sprinklers and all finishes.

**Case:** BOA-761001, **Address:** 542 East Sixth Street, **Ward 6 Applicant:** John Hall  
**Article(s):** 68(68-27S-5) 68(68-29)

**Purpose:** Interior renovation of all three units. Add 3 baths. Remodel kitchens. Remove load bearing wall on 3 floors and add lvl for support. Construction new roof deck.

**Case:** BOA#761000, **Address:** 542 East Sixth Street , **Ward 6 Applicant:** John Hall

**Purpose:** Interior renovation of all three units. Add 3 baths. Remodel kitchens. Remove load bearing wall on 3 floors and add lvl for support. Construct new roof deck. Section 8th 780CMR 1021 Number of Exits and Continuity. Section 1021.1 Exits from stories. All spaces with each story shall have access to the minimum number of approved independent exits as specified in Table 102.1 based on the occupant load of the story. 8th 780CMR 2009IEBC 804.1 Au-tomatic sprinkler systems. Automatic sprinkler systems shall be provided in all works area when required by Section 704.2 or this section. 8th 780CMR 2009IEBC 804.2 Fire alarm and detection systems. Fire alarm and detection systems complying with Sections 704.4.1 and 704.4.3 shall be provided throughout the building in accordance with the International Building Code.

**Case:** BOA-759952, **Address:** 429 East Third Street, **Ward 6 Applicant:** Michael Rooney  
**Article(s):** 68(68-8) 68(68-33)

**Purpose:** Add two parking spaces on the rear of the lot using an agreed easement with the abutter at 427 E Third Street/530 E Broadway.

**Case:** BOA-718053, **Address:** 20 Gillette Park , **Ward 6 Applicant:** Ken Fields  
**Article(s):** 6(6-3A)

**Purpose:** Ancillary parking lots for 164 vehicles to support office uses at Channel Center. Lots 8 & 9.

**Case:** BOA-770566, **Address:** 242 West Fifth Street, **Ward 6 Applicant:** Robert Clogston  
**Article(s):** 68(68-29) 27S(27S-5S)

**Purpose:** Construct approx 16x20 roof deck, with spiral access (stair kit to code) eplan attached.

**Case:** BOA-735866, **Address:** 383 Commonwealth Avenue, **Ward 5 Applicant:** The Church Realty Trust  
**Article(s):** 15(15-1) 2(2-2-1)

**Purpose:** Change occupancy from a 5 unit building to a 6 unit building. Build out the new unit in the basement as per plan. Building code review has been deferred at this time.

**Case:** BOA-769668, **Address:** 314 Newbury Street, **Ward 5 Applicant:** Thomas Tryowski

**Article(s):** 8(8-7: Outdoor seating is forbidden use & Restaurant is conditional use) 13(13-1: Rear yard insufficient & Floor area ratio excessive) 32(32-4) 9(9-1)

**Purpose:** Change occupancy from five (5) residential units, threading spa and take-out restaurant to four (4) residential units and restaurant (garden level and first floor). Construct two-story rear addition with roof deck. Construct new front patio with twelve (12) outdoor seating.

**Case:** BOA-762098, **Address:** 75-77 Dartmouth Street, **Ward 4 Applicant:** Michael Khoury  
**Article(s):** 7(7-4)

**Purpose:** Remove proviso for petitioner only for with take-out. No work to be done.

**Case:** BOA-761283, **Address:** 1 Beacon Street , **Ward 3 Applicant:** OBS Reit, LLC

**Article(s):** 9(9-1) 45(45-5) 45(45-14)

**Purpose:** Application to erect two single story additions for lobby space and one additional floor infill for future tenant shell only for a Restaurant use, to an existing, 1,017,992 square foot legally existing non-conforming structure; the additions total approximately 8,850 square feet Revised 9.22.17.

**Case:** BOA-759482, **Address:** 3 Pond Street Place , **Ward 3 Applicant:** Reetu Khosla

**Article(s):** 54(54-10: Excessive F.A.R. & Insufficient rear yard setback) 54(54-8) 32(32-4)

**Purpose:** Confirm the Occupancy as a One Family Dwelling and also add a 2 story addition and renovate as per plans. Construction set to be submitted upon ZBA approval.

**Case:** BOA-759869, **Address:** 308 Bunker Hill Street, **Ward 2 Applicant:** Enda Madigan

**Article(s):** 62(62-25) 62(62-8)

**Purpose:** Enlarge head house. Build roof deck. Build rear deck (short forms on file for other work).

**Case:** BOA-767744, **Address:** 134 High Street , **Ward 2 Applicant:** Rich Shea

**Article(s):** 62(62-8)

**Purpose:** Build new roof deck with PT framing composite decking, 42" privacy wall and cable railings. Install new sky light.

**Case:** BOA#767745, **Address:** 134 High Street, **Ward 2 Applicant:** Rich Shea

**Purpose:** Build new roof deck with PT framing composite decking 42" privacy wall and cable railings. Install new skylight. Section 1009.13.1 Roof Access. Where a stairway is provided to an occupied roof stair access must be performed through a penthouse.

**Case:** BOA-775971, **Address:** 268 Bremen Street, **Ward 1 Applicant:** Diane Modica

**Article(s):** 53(53-56: Off-Street parking reg's & Insufficient maneuvering area) 53(53-9: Rear yard insufficient, Side yard insufficient, Usable open space insufficient, Building height excessive (feet), Building height excessive (stories), Floor area ratio excessive, Add'l lot area insufficient & Lot area insufficient)

**Purpose:** Demolish Existing Single Family and Erect a Three Family Dwelling with Curb Cut and Garage Parking.

**Case:** BOA-755603, **Address:** 158H-158 Cottage Street , **Ward 1 Applicant:** John White

**Article(s):** 53(53-52)

**Purpose:** Exclusive to Unit # 4 Use only.

**Case:** BOA-752314, **Address:** 229 East Eagle Street, **Ward 1 Applicant:** Joseph Trichilo

**Article(s):** 53(53-8) 53(53-56) 53(53-9: Insufficient additional lot area/unit, Excessive F.A.R. & Excessive height to include # of stories)

**Purpose:** Erect a 4 unit residential dwelling.

**Case:** BOA-735385, **Address:** 227 Havre Street , **Ward 1 Applicant:** 227 Havre Street LLC

**Article(s):** 53(53-9: Add'l lot area insufficient, Floor area ratio excessive, Building height excessive (stories), Building height excessive (feet), Usable open space insufficient & Rear yard insufficient) 53(53-57.2) 53(53-56) 53(53-8)

**Purpose:** Erect new six (6) unit multi-family residential dwelling with six (6) off-street parking in ground floor garage. Combine two lots (Parcel ID 0106244000 and 0106246030) into one lot to be 3,915 SF.

**RE-DISCUSSIONS: 11:30a.m.**

**Case:** BOA-763012, **Address:** 40 Coinston Road **Ward:** 20, **Applicant:** James Lesnick

**Article(s):** 67(67-9)

**Purpose:** Create additional living/recreation space by remodeling existing basement as per attached plans. Add additional egress to exterior.

**Case:** BOA-613478, **Address:** 820 William T Morrissey BLVD, **Ward:** 16, **Applicant:** Outfront Media, LLC

**Article(s):** 65(65-40) 11(11-7)

**Purpose:** Replace both sides/faces of existing 48' wide by 14' high billboard, one side currently Static and the other side Tri-Vision, with new digital signage cabinets. Replace existing steel structure in kind. Change occupancy to include billboard See L/F 0876/2004.

**Case:** BOA-683450, **Address:** 15 Woolson Street , **Ward** 14 **Applicant:** Cecil Hansel

**Article(s):** 60(60-40) 60(60-8)

**Purpose:** Change occupancy from a three family to a four family and renovate and install sprinkler. Legalize existing condition

**Case:** BOA-617813, **Address:** 173 Humboldt Avenue, **Ward** 12 **Applicant:** John Samaan

**Article(s):** 50(50-28)

**Purpose:** Increase lodging from 10 to 20 persons, no work to be done, changing beds from one bed to two per room (previous drawings submitted to indicate building systems)

**Case:** BOA-616257, **Address:** 153-173 Kneeland Street, **Ward:** 3, **Applicant:** Marilois Snowman

**Article(s):** 11(11-6) 44(44-5)

**Purpose:** Accessory and non-accessory billboard

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