



City of Boston  
Board of Appeal

Tuesday, June 12, 2018

BOARD OF APPEALS

Room 801

The board will hold a hearing on June 12, 2018 starting at 9:30 a.m.

**APPROVAL OF HEARING MINUTES:**

April 26, 2018, May 8, 2018 and May 22, 2018

**EXTENSION: 9:30a.m.**

**Case:** BOA-488299, **Address:** 358-360 Athens Street, **Ward 6 Applicant:** Ann Marie Bayer, Trustee

**Case:** BOA-596485, **Address:** 18-22 Wayland Street, **Ward 13 Applicant:** Derric Small, Esq

**Case:** BOA-444956, **Address:** 240 Mount Vernon Street, **Ward 13 Applicant:** Bayside Club Hotel, LLC

**GCOD: 9:30 a.m.**

**Case:** BOA-805989 **Address:** 471-473 Albany Street, **Ward 3 Applicant:** Anthony Scola

**Article(s):** 32(32-4)

**Purpose:** Change of occupancy from two units and a restaurant to one unit and a restaurant. Renovation of 1st floor front entry hall, complete renovation of 2nd and 3rd floor. To consist of structural framing and repairs, interior partitions and stairs. New electrical, lighting, plumbing throughout. New sprinkler system for renovated areas. New millwork cabinets for Kitchen, bathroom and bedroom. New interior finishes, wood flooring, tile, painting. New exterior windows replacement and rubber roof replacement.

**Case:** BOA-826880 **Address:** 75 Beacon Street, **Ward 5 Applicant:** Joseph Holland

**Article(s):** 32(32-4)

**Purpose:** Project includes a request to Change of Use from 8 apartments to 2 apartments, installation of groundwater mitigation, Alteration of the existing public sidewalk. It includes new plumbing, electrical, HVAC, and fire protection systems, insulation, walls ceilings, doors, bathrooms, kitchens, and others. It includes construction of a new rooftop and rear yard addition, as well as modification of the front area-way, and window replacement. Removal of existing fire escape stairs. ZBA.

**HEARINGS: 9:30 a.m.**

**Case:** BOA-810579 **Address:** 33 Condor Street, **Ward 1 Applicant:** 33 Condor LLC

**Article(s):** 53(53-52) 9(9-1)

**Purpose:** Add roof deck.

**Case:** BOA-810537 **Address:** 125 Sumner Street, **Ward 1 Applicant:** Winn Development

**Article(s):** 53(53-17) 53(53-57) 53(53-8) 53(53-9): Conditional use restaurant (ground floor), Conditional use community center & Conditional use ancillary parking) 53(53-9: Main entrance to a dwelling shall face the front lot line, Lot area insufficient, Floor area ratio excessive, Building height excessive, Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient)

**Purpose:** 125 Sumner Street (Building A) - Construct a new 3 story Mixed-Use Building consisting of 22 Residential Units, Retail space, and a Community Room.

**Case:** BOA-810536 **Address:** 133 Sumner Street, **Ward 1 Applicant:** Winn Development

**Article(s):** 53(53-17) 53(53-57) 53(53-8) 53(53-9): Main entrance to a dwelling shall face the front lot line, Lot area insufficient, Floor area ratio excessive, Building height excessive, Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient)

**Purpose:** 133 Sumner Street - (Building B) - Construct a new 3 story, 30 Unit Residential Building.

**Case:** BOA-816929 **Address:** 227-227A Bunker Hill Street, **Ward 2 Applicant:** Debralee Cartolano

**Article(s):** 62(62-13)

**Purpose:** Adding "Body Art Establishment" to my existing Salon And Spa occupancy to be able to perform Microblading as a service in lower level (a form of cosmetic tattoo on the eyebrows). No work to be done.

**Case:** BOA-808984 **Address:** 10-11 Arlington Street, **Ward 5 Applicant:** 10-11 Arlington LLC

**Article(s):** 9(9-1) 6(6-3A) 32(32-4)

**Purpose:** Complete gut renovation of existing office space for continuation of use; add basement-level fully automated parking system for 8 vehicles; add groundwater recharge system.

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**Case:** BOA-820974 **Address:** 29 Commonwealth Avenue, **Ward 5 Applicant:** Patrick Mahoney

**Article(s):** 9(9-1) 32(32-4) 23(23-9)

**Purpose:** Renovate existing office building, and change occupancy from office building to residential multifamily dwelling (nine residential units) while maintaining office space on part of the first level, and adding an automated parking system to partial first floor and lower level.

**Case:** BOA-823392 **Address:** 87 Bolton Street, **Ward 6 Applicant:** Dorglas Stefanov

**Article(s):** 27S(27S-5S) 68(68-8: Lot width requirement: insufficient, Lot frontage requirement: insufficient, Front yard requirement: insufficient & Rear yard requirement: insufficient) 68(68-33)

**Purpose:** Erect new 3-story single-family residence with garage parking.

**Case:** BOA-802880 **Address:** 790 East Sixth Street, **Ward 6 Applicant:** Gerri Shea

**Article(s):** 68(68-29)

**Purpose:** Construct new common roof deck with proposed head house and roof hatch as per plans submitted.

**Case:** BOA-806830 **Address:** 104 F Street, **Ward 6 Applicant:** Benjamin Brown

**Article(s):** 68(68-8: Front yard insufficient & Side yard insufficient) 68(68-34.2)

**Purpose:** Erect a new 7'-9" and 6'-0" high fence in kind with existing fence in height and outline. Replace existing patio concrete pavers with bluestone pavers, install radiant heating and new pavers in existing driveway (electrical permit by other), construct new custom built in grill with brick facade (plumbing permit by other, install outdoor fire pit (plumbing by other), and misc. landscaping including trees, shrubs, perennials and ground cover.

**Case:** BOA-812233 **Address:** 15-17 Swallow Street **Ward 6 Applicant:** Brendon O'Heir

**Article(s):** 27S(27S-5S)

**Purpose:** This permit is to amend ERT722463 by installing two new roof decks accessed from each dwelling unit in the building.

**Case:** BOA-814666 **Address:** 428-430 West Broadway, **Ward 6 Applicant:** George Morancy

**Article(s):** 68(68-8) 9(9-1)

**Purpose:** Construct canopy addition for existing bank drive up teller.

**Case:** BOA-824614 **Address:** 1400 Columbia Road, **Ward 7 Applicant:** Dorgan Realty Trust

**Article(s):** 27S(27S-5) 68(68-8) 68(68-29) 68(68-34.2) 29(29-4)

**Purpose:** Demolish existing structure. Erect new four (4) residential unit building with seven (7) parking garage spaces, exterior balconies, and roof decks.

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

**Case:** BOA-826891 **Address:** 140-150 Shirley Street , **Ward 8 Applicant:** James Greene, Esq

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

**Purpose:** Change Occupancy from Salesroom, Warehouse & Food Processing to Community Center; no work to be done on this application. Plans filed for refusal letter.

**Case:** BOA-814001 **Address:** 372 Adams Street , **Ward 16 Applicant:** Christopher Regan

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

**Purpose:** Build deck on rooftop - 480 sf approximately - base framing PT, deck boards composite, pvc railings, fix door jamb Also - front porch replace deck boards and railings and replace with composite.

**Case:** BOA-740260 **Address:** 411 Adams Street , **Ward 16 Applicant:** Tuan Nguyen

**Article(s):** 65(65-9: Location of main entrance - In a 2F-6000 sub district, the entrance to the dwelling must face the front lot line, Excessive F.A.R., Excessive number of stories, Insufficient front yard setback, Insufficient side yard setback & Insufficient rear yard setback) 9(9-1)

**Purpose:** Proposed rear 3 story addition and two story vertical expansion on existing. Change of use from office and store to include a 2 family residential unit. This building will be equipped with sprinkler and fire alarm system.

**Case:** BOA-728896 **Address:** 51-55 Neponset Avenue, **Ward 16 Applicant:** An Le

**Article(s):** 65(65-41)

**Purpose:** Change occupancy from Office Building to Church (Existing). Remove for partition in two room, install interior main beam with four Coolum and sheet rock, tap, paint to finish ((all other see on plan)).

**Case:** BOA-810564 **Address:** 100 Ashmont Street , **Ward 17 Applicant:** John Powell

**Article(s):** 65(65-9)

**Purpose:** Third floor renovation with new bathroom, 2dfl renovation of master bath and master bedroom, master bedroom closet, 1stfl renovation of kitchen, 1/2 bath, basement structural footings and weatherproofing, 3rdfl dormer restoration by extending height to 7'0". Please see AT RISK appl SF788604.

**Case:** BOA-821215 **Address:** 53 Bailey Street , **Ward 17 Applicant:** Christopher Barbour

**Article(s):** 65(65-9: Lot area insufficient & Rear yard insufficient)

**Purpose:** Subdivide existing parcel of land. Capture existing open air porch as conditional living space. Completely renovate all interior/exterior finishes, and update all mechanical/electrical systems per attached plans.

**Case:** BOA-736971 **Address:** 53R Bailey Street , **Ward 17 Applicant:** Christopher Barbour

**Article(s):** 65(65-8) 65(65-41) 65(65-65-8) 65(65-9: Lot area insufficient, Lot frontage insufficient & Rear yard insufficient)

**Purpose:** Subdivide (ALT819658) this lot into two lots and erect a two family dwelling as per plans.

**Case:** BOA-817804 **Address:** 1045 Hyde Park Avenue, **Ward 18 Applicant:** John Pulgini

**Article(s):** 69(69-8) 69(69-9)

Purpose: Construction a 51.25'x52' addition to Rear of existing Auto Body shop.

**Case:** BOA-812804 **Address:** 43 Wachusett Street, **Ward 18 Applicant:** Ted Ahern  
**Article(s):** 55(55-9: Excessive F.A.R. & Maximum allowed # of habitable stories has been exceeded) 69(69-8) 69(69-9: Insufficient lot size, Insufficient lot width, Insufficient lot frontage, Excessive F.A.R., # allowed stories has been exceeded & Insufficient open space)  
**Purpose:** Erect 2 family residence.

**Case:** BOA-800241 **Address:** 4014 Washington Street , **Ward 19 Applicant:** Felipe Duran  
**Article(s):** 67(67-11)  
**Purpose:** Guira & Tambora - To legalize Seasonal Outside Seating for 28 persons for existing Restaurant. This application is to renew the previous use of premises permit U4928310 that expired - ZBA.

**Case:** BOA-800239 **Address:** 4014 Washington Street, **Ward 19 Applicant:** Felipe Duran  
**Article(s):** 67(67-12)  
**Purpose:** Install a Canopy (16x7ft).

**Case:** BOA-786499 **Address:** 6-8 Cheriton Road , **Ward 20 Applicant:** Robert Reissfelder  
**Article(s):** 56(56-7) 56(56-8: Floor area ratio excessive, Building height excessive, Building height (# of stories)\_excessive, Usable open space insufficient & Side yard insufficient)  
**Purpose:** Combine lot #305 (3,806 S.F.) parcel #11791 with lot 306A (1,314 S.F.) parcel #11790-020 and a portion of Dunbarton Rd (1,646 S.F.)... Combine this lots into one new lot D with 6,766 S.F. Erect a new two (2) family dwelling as per attached plans.

**Case:** BOA-823130 **Address:** 226 Harvard Avenue , **Ward 21 Applicant:** Avonwood Associates Limited Partnership  
**Article(s):** 29(29-8) 51(51-16: Indoor sale of new/used automobiles with installation of auto-parts conditional, 1st floor & Indoor sale of new/used automobiles with installation of auto-parts forbidden, 2nd, 3rd floors) 51(51-17: Floor area ration excessive & Height excessive)  
**Purpose:** Erect a 143,000 sq. ft. three story building for use as a new auto dealership which will include showrooms, offices, services repair bays and vehicle storage as per plans filed herewith. Address of new building to be 1188 Commonwealth Avenue. See Alt No. 817770 and Alt. No. 817779 for combinations of lots. Demolish of existing buildings to be under separate permit.

**Case:** BOA-8047983 **Address:** 53 Quint Avenue , **Ward 21 Applicant:** JP School, LLC  
**Article(s):** 51(51-9: Insufficient additional lot area per unit & Excessive F.A.R.)  
**Purpose:** Seeking to change occupancy to a three family structure and renovate the building to include a rear addition and the installation of dormers. Also to create two rear parking spaces.

**Case:** BOA-809349 **Address:** 1-9 Bronsdon Street , **Ward 22 Applicant:** Aimco Waverly LLC  
**Article(s):** 9(9-1) 51(51-9) 51(51-57)  
**Purpose:** Addition of 288 SF Addition to be used for Parcel lockers and Mailroom for residents. Original ePlan, but also paper plan.

**Case:** BOA-814946 **Address:** 67 Burton Street , **Ward 22 Applicant:** Michael Moran  
**Article(s):** 51(51-9: Insufficient front yard setback, Insufficient side yard setback, Insufficient minimum lot size & Excessive F.A.R.) 51(51-56)  
**Purpose:** Demolition of existing one family dwelling and Erect a One family modular as per plans.

**Case:** BOA-820964 **Address:** 18 Murdock Street , **Ward 22 Applicant:** Patrick Mahoney  
**Article(s):** 51(51-56) 9(9-2) 9(9-1)  
**Purpose:** Change of occupancy from 9 units to 12 units. Construct new addition to existing building. File in conjunction with ALT797211.

**Case:** BOA-821060 **Address:** 5R Sparhawk Street , **Ward 22 Applicant:** Patrick Mahoney  
**Article(s):** 51(51-56) 51(51-8) 51(51-9: Side yard insufficient & Rear yard insufficient)  
**Purpose:** Confirm occupancy as a carriage house. Reconstructing existing house. Change of occupancy from carriage house to three-family dwelling. File conjunction with ALT797209.

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

**Case:** BOA-802872, **Address:** 9 Cook Street Court , **Ward 2 Applicant:** Stephen Robinson  
**Article(s):** 62(62-30) 62(62-25)  
**Purpose:** Confirm occupancy as a Single family dwelling. Gut rehab new bathrooms and kitchens add new level, finish basement, and roof deck according to plans.

**Case:** BOA-796981, **Address:** 78 Tyler Street , **Ward 3 Applicant:** 78 Tyler Street LLC  
**Article(s):** 23(23-23-1)  
**Purpose:** Renovate and interior fit-out of existing building; convert legal use and occupancy from Convent to 14 Affordable Studio Apartment Units, with no expansion of existing building envelope and existing basement to remain unfinished, as per plans. We are submitting this application for zoning turn-down.

**Case:** BOA-678322 , **Address:** 90-102 Tenean Street , **Ward 16 Applicant:** Sings By J  
**Article(s):** 65(65-40: Sign Regulations) 65(65-16: Excessive Height & Insufficient Rear Yard Setback) **Purpose:**  
**Propose:** a new monopole billboard with two digital faces.

**Case:** BOA-746305, **Address:** 4-8 Tileston Street , **Ward** 18 **Applicant:** David O'Sullivan  
**Article(s):** 69(69-12: Floor area ratio excessive, Building height excessive, Building height (# of stories) excessive, Front yard insufficient & Rear yard insufficient) 69(69-29: Off-street parking insufficient & Off-street loading insufficient) 69(69-30)  
**Purpose:** Erect a new 3 story Mixed-Use Commercial and Residential building with a 20 Car Parking Garage under. There will be a 2,100 sq ft Commercial Space on the First Floor. There will be 14 Residential Units on Floors 1 thru 3.

**Case:** BOA-754385, **Address:** 18 Bexley Road , **Ward** 19 **Applicant:** Christopher Miller  
**Article(s):** 67(67-9: Insufficient minimum lot size, Insufficient minimum lot width, Insufficient minimum lot frontage, Excessive F.A.R., Excessive number of stories, Insufficient usable open space, Insufficient side yard setback & Insufficient rear yard setback)  
**Purpose:** Demo existing garage structure and (see short form application) construct single dwelling with 2 car garage.

**Case:** BOA-773964, **Address:** 145 Corey Street **Ward:** 20 , **Applicant:** Kevin Dowd  
**Article(s):** 56(56-7)  
**Purpose:** Chicken Coop on existing 4'x6' shed.

**Case:** BOA-818501, **Address:** 119 Belgrade Avenue **Ward:** 20 , **Applicant:** Jeffrey Drago  
**Article(s):** 67(67-8) 09(9-2)  
**Purpose:** Change Occupancy from an Assembly Hall to Office space. Also to complete interior and exterior renovations. ZBA

#### **RECOMMENDATIONS:**

**Case:** BOA-794303, **Address:** 32 Pleasant Street **Ward:** 2, **Applicant:** Timothy Sheehan  
**Article(s):** 62(62-25)  
**Purpose:** The extension of an existing rear third floor shed dormer and the reduction in width of an existing deck in favor of the enlarged shed dormer. This enlarged third floor shed will allow for a third floor master bedroom suite including a walk in closet and a master bath. The existing stairs will be altered and existing HVAC and electrical systems will be modified for the new suite. This project will require ZBA relief to proceed. We request the nominal permit fee.

**Case:** BOA-817163, **Address:** 110 Elm Street **Ward:** 2 , **Applicant:** Timothy Sheehan  
**Article(s):** 62(62-25)  
**Purpose:** The installation of a 14' x 14' roof deck on the roof of a three story two family residence for the upper unit #2 accessed by a 5'-0" diameter spiral stair. The roof deck would not be a shared roof deck. It would only be accessible from unit 2.

**Case:** BOA-794304, **Address:** 12 Cedar Street **Ward:** 2 , **Applicant:** Timothy Sheehan  
**Article(s):** 62(62-8)  
**Purpose:** The addition of a 17'-2" x 26'-9" roof deck on an existing three story residence. The existing roof stair and hatch will be enlarged and made less steep to improve roof access. This project will require ZBA relief to proceed. We request the nominal permit fee.

**Case:** BOA-806508, **Address:** 69-71 Fayston Street **Ward:** 14 , **Applicant:** Vargas Dasilveira  
**Article(s):** 50(50-29)  
**Purpose:** Extend living space to basement fo Unit #2 to existing two family dwelling.

**Case:** BOA-812321, **Address:** 27 Fossdale Road **Ward:** 16 , **Applicant:** John Roche AIA  
**Article(s):** 09(9-1)  
**Purpose:** Confirm Occupancy as a Two ( 2 ) Family Dwelling. Rebuild existing Rear Porches (same footprint) at Rear of 2 Family Home. No change to footprint; install railings at existing porch roof; door from attic.

**Case:** BOA-,803912 **Address:** 29 Minot Street **Ward:** 16 , **Applicant:** Linda Lombardi  
**Article(s):** 10(10-1) 65(65-4) 65(65-41)  
**Purpose:** Off-street parking for 2 car spots in conjunction with a Public Works Department Curb Cut.

**Case:** BOA-812301, **Address:** 286 Fairmount Avenue **Ward:** 18 , **Applicant:** Candida Ruscito  
**Article(s):** 69(69-9)  
**Purpose:** Construct 20' x 23' 2 story addition with covered farmers porch. Reconfigure existing bedroom to accommodate the new space. Install new roof, siding, and trim on the entire structure.

**Case:** BOA-801067, **Address:** 5 Glenellen Road **Ward:** 20 , **Applicant:** Erin Cote-Hartford  
**Article(s):** 56(56-8) 56(56-8)  
**Purpose:** Extend front porch and add a second floor (consisting of 3Bedrooms and 2bathrooms) to our single story home.

**Case:** BOA-745475, **Address:** 128 Selwyn Street **Ward:** 20 , **Applicant:** David Knudsen  
**Article(s):** 67(67-9)  
**Purpose:** Install new sliding door into bedroom exiting to new rear roof deck. Install new roof deck flooring, posts and railing on the rear of the house. Attach new railings to the house.

**Case:** BOA-813950, **Address:** 45 Vogel Street **Ward:** 20 , **Applicant:**David Murray  
**Article(s):** 56(56-8) 56(56-8)  
**Purpose:** Raise roof of house to increase size of existing bedrooms and add a bathroom, strip siding on house and install new siding.

**Case:** BOA-825856, **Address:** 32 Tennyson Street **Ward:** 20 , **Applicant:** Michael Loconto  
**Article (s):** 56(56-8) Floor Area Ratio Excessive 56(56-8) Front Yard Insufficient 56(56-8) Side Yard Insufficient.  
**Purpose:** Erect an addition on the left side as per plans.

**Case:** BOA-811732, **Address:** 300 Western Avenue **Ward:** 22 , **Applicant:** Rejina Shrestha  
**Article(s):** 51(51-16)  
**Purpose:** Change occupancy to include Body Art Tattoo Studio (Micro Blading). Some plumbing work.

**Case:** BOA-812430 **Address:** 30-50 Terminal Street , **Ward 2 Applicant:** John Frosk  
**Article(s):** 06(6-4)  
**Purpose:** Request to remove Proviso "Take out use granted to this petitioner only for this use only".

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

BOARD MEMBERS:

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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)**