



City of Boston
Board of Appeal

Tuesday, August 28, 2018

BOARD OF APPEALS

Room 801

The board will hold a hearing on August 28, 2018 starting at 9:30 a.m.

APPROVAL OF HEARING MINUTES:

August 14, 2018

EXTENSIONS: 9:30 a.m.

Case: BOA-600913 **Address:** 175 Gove Street , **Ward 1, Applicant:** Jeffrey Drago, Esq

Case: BZC-30461 **Address:** 191 Talbot Avenue, **Ward** , **Applicant:** Derric Small, Esq

BOARD FINAL ARBITER/EXTENSION: 9:30 a.m.

Case: BOA-550876 **Address:** 69-71 A Street , **Ward 6, Applicant:** Council on International Educational Exchange

GCOD: 9:30 a.m.

Case: BOA-838415 **Address:** 212 Commonwealth Avenue , **Ward 5, Applicant:** Joseph Holland

Article(s): 32(32-4)

Purpose: Change of occupancy from 8 units to 2 units. Full gut remodel with penthouse addition and rear 1 story addition. Propose three (3) off-street parking.

Case: BOA-858380 **Address:** 162 West Brookline Street , **Ward 4, Applicant:** John Moran

Article(s): 32(32-4)

Purpose: Renovate 4000 sq' brownstone. See plans by architect guy Grassi for more detail. Change occupancy to two family and add roof deck over existing ell, deck at 2nd floor rear, terrace at fourth floor rear, modify dormers, lower slab at garden level.

HEARINGS: 9:30 a.m.

Case: BOA-838091 **Address:** 1580 Tremont Street , **Ward 10, Applicant:** Philip Hresko

Article(s): 09(9-1) 59(59-15)

Purpose: Clarify occupancy that was reviewed on ALT737091 and changed from Office Space and 2 Residential Apartments to 3 Residential Apartments. Cost reflected on Alt737091.

Case: BOA-824425 **Address:** 101 Amory Street , **Ward 11, Applicant:** Juan Torres

Article(s): 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9)

Purpose: Building A: Erect six-story Multi-Family Dwelling - 147 rental apartments with 57 below-grade parking spaces. Structure will be built on a subdivided parcel Lot A: 51,568 SF. File in conjunction with ERT799676.

Case: BOA-824430 **Address:** 127 Amory Street, **Ward 11, Applicant:** Juan Torres

Article(s): 29(29-4) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9.3)

Purpose: Building B: Erect six-story Multi-Family Dwelling - 140 rental apartments with 58 below-grade parking spaces. Structure will be built on subdivided parcel Lot B: 58,236 SF. File in conjunction with ERT799675.

Case: BOA-838925 **Address:** 71 Call Street, **Ward 11, Applicant:** Jamaica Plain Neighborhood Development Corporation

Article(s): 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-40)

Purpose: Building B - New construction of a 3 story Attached Two Family Dwelling. See 73 Call Street (ERT811486)

Case: BOA-838926 **Address:** 73-73A Call Street, **Ward 11, Applicant:** Jamaica Plain Neighborhood Development Corporation

Article(s): 55(55-8) 55(55-9) 55(55-9) 55(55-9) 55(55-9)

Purpose: Building B - New construction of a 3 story Attached Two Family Dwelling. Parking for 71 Call Street will be located at this Address. See 71 Call Street (ERT811454)

Case: BOA-838927 **Address:** 75-75A Call Street , **Ward 11, Applicant:** Jamaica Plain Neighborhood Development Corporation

Article(s): 55(55-8) 55(55-9) 55(55-9) 55(55-9) 55(55-40)

Purpose: Building A - New construction of a 3 story Attached Two Family Dwelling. See 77-79 Call Street (ERT811493).

Case: BOA-838929 **Address:** 77-79 Call Street, **Ward 11, Applicant:** Jamaica Plain Neighborhood Development Corporation

Article(s): 55(55-9) 55(55-9) 55(55-9) 55(55-40)

Purpose: Building A - New construction of a 3 story Attached Two Family Dwelling. See 75 Call Street (ERT811491).

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Case: BOA-849678 **Address:** 260-260A Amory Street , **Ward** 11, **Applicant:** Robert Alessandro
Article(s): 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9)
Purpose: Renovate existing single family house and proposed new 2nd story rear addition as per plans. Permit set to be submitted upon ZBA approval.

Case: BOA-854191 **Address:** 39 Rosseter Street , **Ward** 14 , **Applicant:** Eric Zachrison
Article(s): 65(65-8) 65(65-9) 65(65-41)
Purpose: renovate 2 unit residential building to become 3 unit residential building. Add sprinklers and replace mechanical systems. Renovate kitchens and bathrooms.

Case: BOA-827512 **Address:** 105-107 Lawrence Avenue , **Ward** 14, **Applicant:** Matt Henzy
Article(s): 50(50-28) 50(50-29) 50(50-29) 50(50-43)
Purpose: Change occupancy to 6 unit building • Roof replacement • Window replacement • Masonry repairs • Electrical upgrades • Selective kitchen and bath replacement • Flooring repairs and replacement as needed Heating system replacement as needed.

Case: BOA-835948 **Address:** 9 Selden Street, **Ward** 17 , **Applicant:** Jazmine Coleman
Article(s): 65(65-8) 65-(65-9) 65(65-41)
Purpose: Request zoning relief to convert a house with 2 apartments into 3 apartments. Convert existing single apartment unit on the 2nd and 3rd floor into 2 apartment units. No work planned for the existing first floor apartment unit.

Case: BOA-859183 **Address:** 32 Wentworth Street, **Ward** 17, **Applicant:** Derric Small
Article(s): 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-42)
Purpose: Erect new three-family dwelling on existing vacant lot. Propose three (3) off-street parking..

Case: BOA-859199 **Address:** 59 Blake Street , **Ward** 18, **Applicant:** Derric Small
Article(s): 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-30)
Purpose: This application is for the building of a new single family home.

Case: BOA-859185 **Address:** 2-4 Crossman Street, **Ward** 18, **Applicant:** Derric Small
Article(s): 60(60-8) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9)
Purpose: New three family construction with three off street parking spaces.

Case: BOA-859200 **Address:** 91 Radcliffe Road, **Ward** 18, **Applicant:** Derric Small
Article(s): 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-29) 69(69-30)
Purpose: Erect new two family residential dwelling on existing vacant lot.

Case: BOA-824124 **Address:** 22-24 Adelaide Street, **Ward** 19, **Applicant:** Chris Hoeh
Article(s): 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-40)
Purpose: Change Occupancy from a Two Family to a Three Family dwell-ing(caretaker's apt) by constructing addition of accessible rear entry and attached garage and renovate first floor unit for accessibility. Replace back porches and egress stairs.

Case: BOA-827476 **Address:** 14-16 Alberta Street, **Ward** 20, **Applicant:** Robert Corley
Article(s): 56(56-7) 56(56-8) 56(56-8) 56(56-8) 56(56-8) 56(56-8) 56(56-8) 56(56-8) 56(56-8)
Purpose: Demo exist two family on existing lot and Erect new Two Family Dwelling on lot –P plans are at ISD; Please see ALT704083 for fees and costs.

Case: BOA-829236 **Address:** 41-47 Corinth Street, **Ward** 20, **Applicant:** Sokiri Sin
Article(s): 67(67-11)
Purpose: Changing occupancy to add a Tattoo Shop. Adding walls and hand sinks to current layout. Work being done in vacant space at #4251 Washington Street.

Case: BOA-827043 **Address:** 52 Birchwood Street, **Ward** 20, **Applicant:** Moss Hill Builders, LLC
Article(s): 56(56-8) 56(56-8)
Purpose: Erect a single family dwelling with one (1) car garage on a existing vacant lot. File in conjunction with ERT788328

Case: BOA-827045 **Address:** 54 Birchwood Street, **Ward** 20, **Applicant:** Moss Hill Builders, LLC
Article(s): 56(56-8) 56(56-8)
Purpose: Demo existing home at 54 Birchwood. Erect a single family dwelling with one (1) car garage. File in conjunction with ERT792010.

Case: BOA-852415 **Address:** 72-72B Oakland Street, **Ward** 22, **Applicant:** John Pulgini
Article(s): 51(51-8) 51(51-9) 51(51-9.4)
Purpose: Demolish existing dwelling. Erect new three-unit townhouse with two garage parking spaces in each unit. File in conjunction with ALT846312.

Case: BOA-852419 **Address:** 74-74B Oakland Street, **Ward** 22, **Applicant:** John Pulgini
Article(s): 51(51-9) 51(51-57.13)
Purpose: Existing two-family dwelling with no work to be done. Filed to erect separate new three-unit townhouse on same lot under ERT711967 (72-72B Oakland Street). Reconfigure and propose eight (8) off-street parking.

HEARINGS: 10:30 a.m.

Case: BOA-848571 **Address:** 53 Lexington Street, **Ward 1, Applicant:** Lior Rozhansky
Article(s): 9(9-1) 53(53-9) 53(53-52)
Purpose: This application is filed to amend issued ALT774614 - Installing rack decks and roof deck.

Case: BOA-826526 **Address:** 57 Saratoga Street, **Ward 1, Applicant:** 57 Saratoga Street, LLC
Article(s): 53(53-8) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-56)
Purpose: To demolish the existing structure and erect a four story building with nine residential units, nine parking spaces, and three roof decks.

Case: BOA-803755 **Address:** 58 Byron Street, **Ward 1, Applicant:** Anthony Freni
Article(s): 10(10-1) 53(53-8) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-56) 53(53-56)
Purpose: Seeking to erect a four story building with four residential units and four parking spaces.

Case: BOA-853982 **Address:** 114 Bennington Street, **Ward 1, Applicant:** Michael Romano
Article(s): 53(53-9)
Purpose: Seeking to extend living space into the basement. Previous application (ALT805395) reviewed by Plans Examiner FD and partial permit issued for approved interior renovations.

Case: BOA-825479 **Address:** 18 Everett Street, **Ward 1, Applicant:** 18-20 Residential Partners, LLC
Article(s): 10(10-1) 53(53-8) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9)
53(53-54) 53(53-56) 53(53-56) 53(53-56.5a)
Purpose: Combine parcel numbers 0105299000 and 0105298000 to create a new lot consisting of 4,500 s.f. (See ALT810560) and erect a 9 unit residential dwelling with 9 off street parking spaces at grade. ALT810560

Case: BOA-842916 **Address:** 38B-38 Fleet Street, **Ward 3, Applicant:** Christopher Fiumara
Article(s): 54(54-10) 54(54-10) 54(54-10) 54(54-18) 54(54-21)
Purpose: Proposed 2 story vertical addition to create 2 new dwelling units as per plans. Confirm occupancy as a 3 Family and a detached Retail Store and Change the Occupancy to a 5 unit residential building and detached Retail Store. Permit set to be submitted upon ZBA approval. Please have Occupancy Committee review this application.

Case: BOA-824173 **Address:** 43 Monmouth Street, **Ward 1, Applicant:** Cullen Winkler
Article(s): 53(53-9)
Purpose: 1st: Confirm Occupancy as an existing 2 family dwelling 2nd: Renovate the entire interior. Remove a leaking roof and replacing it with a new roof deck - architect and structural engineering plans submitted

Case: BOA-840725 **Address:** 11 Isabella Street, **Ward 5, Applicant:** Au Isabella, LLC
Article(s): 32(32-4) 63(63-8) 63(63-8) 63(63-8) 63(63-8.4) 63(63-20) 63(63-24)
Purpose: Full interior renovation to four residential units. Propose 3-story rear addition, rear balconies, and penthouse addition on roof with roof deck. Install new 6'-0" high fence with retaining wall. Raze existing garage.

Case: BOA-839409 **Address:** 102-106 South Street, **Ward 3, Applicant:** Averil Carmine
Article(s): 44(44-6)
Purpose: Build new larger roof deck as per plans submitted. 30ft 30ft roof deck, composite decking, Black metal handrails.

Case: BOA-846317 **Address:** 324 Newbury Street, **Ward 5, Applicant:** Brek Peterson
Article(s): 8(8-7)
Purpose: Change Occupancy to include Restaurant. Interior Restaurant fitout on First Floor including minor demo, new interior partitions, equipment, mechanical, plumbing and electrical work. Install Fire Alarm & Sprinkler protection.

Case: BOA#846316 **Address:** 324 Newbury Street, **Ward 5, Applicant:** Brek Peterson
Purpose: Change Occupancy to include Restaurant. Interior Restaurant fitout on First Floor including minor demo, new interior partitions, equipment, mechanical, plumbing and electrical work. Install Fire Alarm & Sprinkler protection SECTION: 9th 780CMR 101-101.4.7 Architectural Access, Any reference in 780 CMR to accessibility shall be considered to 521 CMR: Architectural Access Board. 521 CMR is enforced by the Building official.

Case: BOA-841390 **Address:** 21 Winfield Street, **Ward 7, Applicant:** Joseph Hanley, Esq
Article(s): 27S(27S-5)
Purpose: Full interior renovation to existing three-family dwelling. Extend living space to basement for Unit #1. Construct new roof deck. Installation of new fire sprinkler system.

Case: BOA-859540 **Address:** 106R-108R Mount Pleasant Avenue, **Ward 8, Applicant:** John Pulgini
Article(s): 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-43) 50(50-44)
50(50-44) 50(50-44) 50(50-44)
Purpose: Combine lots at 106R Mount Pleasant Avenue, 108 Mount Pleasant Ave and vacant lot PID0802756000 into one lot with building on it with a total of 8351 SF. Erect an addition and renovate as per plans and *Change occupancy to a Three (3) family Dwelling. Existing house to be known as 106R-108R Mount Pleasant Avenue See ERT for new house (108 Mt Pleasant Ave) erected on the same combined lot.

Case: BOA-859598 **Address:** 108 Mount Pleasant Avenue, **Ward 8, Applicant:** John Pulgini
Article(s): 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-43)
50(50-44) 50(50-44) 50(50-44)
Purpose: Erect a new 3 family house on same lot. SEE ALT827436 & ALT827451 to combine lots.

RE-DISCUSSIONS: 11:30a.m.

Case: BOA-777098, **Address:** 29 Oak Street , **Ward 3 Applicant:** Patrick Mahoney
Article(s): 43(43-19) 32(32-9)
Purpose: Change occupancy from 3 family to 4 family dwelling and then construct addition as per plans.

Case: BOA-787634, **Address:** 500-502A East Broadway , **Ward 6 Applicant:** James Christopher
Article(s): 27S(27S-5S) 68(68-8: Lot area for the add'l dwelling units is insufficient, Floor area ratio is excessive, Front yard setback requirement is insufficient, Side yard setback requirement is insufficient & Usable open space is insufficient) 68(68-33)
Purpose: To raze existing single story building, and erect a new 3 story mixed use building to include a commercial space with 6 Residential Units at grade with 6 interior parking spots.

Case: BOA-806805 **Address:** 40 Wilcock Street , **Ward 14, Applicant:** John Pulgini
Article(s): 60(60-8) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9)
Purpose: Erect a new 4 unit multifamily building as per plans. Permit set to be submitted upon ZBA approval.

Case: BOA-806808 **Address:** 48 Wilcock Street, **Ward 14, Applicant:** John Pulgini
Article(s): 10(10-1) 60(60-8) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9)
Purpose: Erect a new Multi-Family Dwelling (4 units) as per plans. Propose four (4) off-street parking.

Case: BOA-792891, **Address:** 111 West Street , **Ward 18 Applicant:** Guimy Cesar
Article(s): 69(69-8) 69(69-9: Lot size is insufficient & Usable open space is insufficient) 69(69-29)
Purpose: Change occupancy from 1 family to a 2 family renovations of 1st and 2nd floor kitchens and install fire separation as per plan.

Case: BOA-695061, **Address:** 1225-1229 Centre Street , **Ward 20 Applicant:** John Pulgini
Article(s): 56(56-11: Excessive floor area ratio, Excessive building height, Maximum number of dwelling units/acre, Insufficient lot size for residential use, Insufficient front yard, Insufficient side yard & Insufficient rear yard) 56(56-40.12)
Purpose: Erect new construction 6-unit townhouse dwelling with another dwelling (1231A-1231B Centre Street) on existing vacant 12,933 SF of land (Parcel ID: 2003597003) with a combined total of 12 off-street parking. Plan conjunction with ERT683877.

Case: BOA-695062, **Address:** 1231A-1231B Centre Street , **Ward 20 Applicant:** John Pulgini
Article(s): 56(56-11: Excessive floor area ratio, Excessive building height, Maximum number of dwelling units/acre, Insufficient lot size for residential use, Insufficient front yard, Insufficient side yard & Insufficient rear yard) 56(56-40.12)
Purpose: Erect new construction two-family dwelling along with another dwelling (1225-1229 Centre Street) on existing vacant 12,933 SF land (Parcel ID: 2003597003) with a combined total of 12 off-street parking. Plan in conjunction ERT683875.

COURT REMAND:12:00Noon

Case: BOA-692075 **Address:** 37 Farragut Road , **Ward 6, Applicant:** George Morancy
Article(s): 29(29-4)
Purpose: Nominal fee application to demo existing two family and erect eight residential units. Permit will require ZBA approval for Greenbelt Protection Overlay District only. All other aspects of plans are zoning and building code compliant.

RECOMMENDATIONS:

Case: BOA-846459, **Address:** 4 Crystal Place **Ward: 2 , Applicant:** Stephen Dilanian
Article(s): 62(62-25) 62(62-8: Side yard insufficient & Rear yard insufficient)
Purpose: Please see attached zoning BRA drawings, which were approved in 2015, however it has been over 2 years since approval, so we need to being the process again from the beginning. Dormer existing third floor roof on one side and on the other side build out onto rear. Add deck on top of third floor roof. ZBA.

Case: BOA-851451, **Address:** 4 Charles Riiver Square **Ward: 5 , Applicant:** Diana Coldren
Article(s): 13(13-13-1: The proposed roof deck creates and insufficient front yard setback, The proposed roof deck creates and insufficient rear yard setback & Excessive F.A.R.)
Purpose: Relocation of interior partitions, cut in new back door, add windows wells, repair windows, and replace roof.

Case: BOA-,810527 **Address:** 694 East Fifth Street **Ward: 6 , Applicant:** Lindsay Bennett
Article(s): 68(68-29) 68(68-8)
Purpose: Correction to violation #V352159 to legalize constructed headhouse for roof deck access per built plans.

Case: BOA-791475 **Address:** 8 Dorset Street **Ward: 7 , Applicant:** Pasquale Spadorica
Article(s): 65(65-9)
Purpose: This application is filed to amend issued ALT711499 by renovations of attic space. Cost of work included in ALT711499.

Case: BOA-785881, **Address:** 39 Bailey Street **Ward: 17 , Applicant:** Leslie Jackson
Article(s): 9(9-1)
Purpose: Construct new rear deck (12'x15'-8") of existing two-family dwelling.

Case: BOA-846899, **Address:** 27 Beechmont Terrace **Ward:** 18, **Applicant:** Brian Hernon
Article(s): 69(69-9)
Purpose: 6x12 bone story addition (mudroom).

Case: BOA-849531, **Address:** 61 Cleveland Street **Ward:** 18 , **Applicant:** Jennifer MacDougall
Article(s): 69(69-9)
Purpose: Add a 2nd floor dormer to this existing single family residence for added closet and bedroom space (This Permit Finished Shell only).

Case: BOA-795073, **Address:** 47 Maple Street **Ward:** 18 , **Applicant:** Sean Smith
Article(s): 69(69-9)
Purpose: Extend living space to basement and renovations to attic.

Case: BOA-841333, **Address:** 78 Bradwood Street **Ward:** 20 , **Applicant:** Julia Roboff
Article(s): 67(67-9)
Purpose: Remodel attic living space, no changes to the structures footprint on property.

Case: BOA-839628, **Address:** 12 Ferncroft Road **Ward:** 20 , **Applicant:** Richard Stutman
Article(s): 56(56-8: Rear yard insufficient & Floor area ratio excessive)
Purpose: Adding a room and a bathroom to existing structure home owner is filing application lic builder will be added as needed.

DISCUSSION OF PROPOSED REMAND ORDER:

Pentalofos LLC V. K&K Dev. Inc. & City Of Boston Board Of Appeal

STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775

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For the complete text of the Boston Zoning Code Articles and definitions of terms in this agenda, please go to https://www.municode.com/library/ma/boston/codes/redevelopment_authority