



City of Boston
Board of Appeal

Tuesday, October 30, 2018

BOARD OF APPEALS

Room 801

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

APPROVAL OF HEARING MINUTES:

October 16, 2018

Extension: 9:30a.m.

Case: BOA-575700 **Address:** 65-73 East Cottage Street **Ward 7 Applicant:** My Lam

Case: BOA-575702 **Address:** 67 East Cottage Street **Ward 7 Applicant:** My Lam

Case: BOA-616980 **Address:** 9-11 Hillsboro Street **Ward 7 Applicant:** My Lam

Case: BOA-617017 **Address:** 13-15R Hillsboro Street **Ward 7 Applicant:** My Lam

Case: BOA-617030 **Address:** 21-23R Hillsboro Street **Ward 7 Applicant:** My Lam

Case: BOA-616977 **Address:** 25-27 Hillsboro Street **Ward 7 Applicant:** My Lam

Case: BZC-30642 **Address:** 340-360 Boylston Street **Ward 5 Applicant:** Arlington Boylston Realty Trust

Case: BOA-489875 **Address:** 239 Boston Street **Ward 7 Applicant:** George Morancy, Esq

Case: BOA-511897 **Address:** 175 Saint Botolph Street **Ward 4 Applicant:** Robert Cummins

RECEIVED
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GCOD: 9:30 a.m.

Case: BOA-878219 **Address:** 215 West Canton Street **Ward 4 Applicant:** Susan Blinn

Article(s): 32(32-4)

Purpose: Replace patio drain to prevent water backup into home. Remove patio block and dig down to expose drain. Licensed plumber to replace drain pipe. New 46" high block retaining wall and paver stones to be installed. Perimeter footprint of the patio remains the same.

BUILDING CODES: 9:30 a.m.

Case: BOA#874797 **Address:** 69-71 Maverick Square **Ward 1 Applicant:** Luis Vasco

Purpose: Allow for modification to IBC, Section 705.5; 705.8. Section 705.5 Fire-resistance ratings. Exterior walls shall be fire-resistance rated in accordance with Tables 601 and 602 and this section. The required fire-resistance rating of exterior walls with a fire separation distance of greater than 10 feet (3048 mm) shall be rated for exposure to fire from the inside. The required fire-resistance rating of exterior walls with a fire separation distance of less than or equal to 10 feet (3048 mm) shall be rated for exposure to fire from both sides. 705.8 Openings. Openings in exterior walls shall comply with Section 705.8.1 through 705.8.6.

Case: BOA#856570 **Address:** 155 Warren Avenue **Ward 4 Applicant:** Scott Peltier

Purpose: Enlarge existing roof hatch, rebuild interior staircase to roof hatch, renovate existing roof deck per approvals from South End Landmarks Commission. Section 8th 780CMR 1009.13 Stairways. Stairways to Roof: 1009.13 Stairway to roof. In buildings four or more stories above grade plane, one stairway shall extend to the roof surface; unless the roof has a slope steeper than four units vertical in 12 units horizontal (33-percent slope). 1009.13.1 Roof access. Where stairway is provided to a roof, access to the roof shall be provided through a penthouse complying with Section 1509.2.

HEARINGS: 9:30 a.m.

Case: BOA-861650 **Address:** 131-135 Holton Street , **Ward 22 Applicant:** Vernon Woodworth
Article(s): 51(51-8) 51(51-56) 51(51-57) 51(51-9): Floor area ratio excessive, The main entrance to a dwelling shall face the front lot line & Rear yard insufficient)
Purpose: Building # 3 - Seeking nominal fee to obtain Zoning Code relief for new construction of a 3 story, 3 Unit Residential Building. This will be 1 of 3 Dwellings located on the Same Lot.

Case: BOA-876064 **Address:** 240 Lincoln Street , **Ward 22 Applicant:** Summer Tobin
Article(s): 51(51-8)
Purpose: Erect new office building. Demolish building under separate permit. File in conjunction with ALT865363. ZBA.

Case: BOA-850054 **Address:** 36 Shepard Street , **Ward 22 Applicant:** Mai Phung
Article(s): 51(51-9: Floor area ratio excessive, Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient) 9(9-1)
Purpose: Proposed to demo an existing roof and construct a new roof with additional living space at attic and rear decks (as per plans).

Case: BOA-855748 **Address:** 130-140 Brighton Avenue , **Ward 21 Applicant:** Henry Wong
Article(s): 51(51-16)
Purpose: Change occupancy from restaurant to restaurant and bar with live entertainment (karaoke).

Case: BOA-810882 **Address:** 40 Harding Road , **Ward 18 Applicant:** John Pulgini
Article(s): 67(67-8) 67(67-9: Floor area ratio excessive, Bldg height excessive (stories), Bldg height excessive (feet), Usable open space insufficient, Front yard insufficient & Rear yard insufficient) 67(67-32)
Purpose: To raze existing structure & erect a new 4 story residential building with 9 residential units and 9 parking spaces in the garage at grade as per plans.

Case: BOA-859604 **Address:** 522-530 River Street , **Ward 18 Applicant:** Juana Jones
Article(s): 60(60-16)
Purpose: Change occupancy to include classroom for Healthcare Training. Second floor Suite 600. No work needed.

Case: BOA-881003 **Address:** 7 Clementine Park , **Ward 17 Applicant:** Phat Truong
Article(s): 9(9-1) 10(10-1) 65(65-9) 65(65-65-41)
Purpose: Off street parking for 2 residential vehicles.

Case: BOA-793337 **Address:** 10 Bloomington Street , **Ward 16 Applicant:** Tran Nguyen
Article(s): 65(65-9: Floor area ratio excessive & Side yard insufficient)
Purpose: Enclosed existing deck on right side of the building above stairways to correct violation V357187.

Case: BOA-853708 **Address:** 17 Ashton Street , **Ward 14 Applicant:** Ralph Parent
Article(s): 60(60-9: Lot area insufficient & Front yard insufficient)
Purpose: Subdivide lot (Parcel ID: 1403188000) into two lots: Lot A - 2,622 SF and Lot B - 2,276 SF. Erect new Semi-attached Single-Family Residential Dwelling on Lot A. Propose one (1) off-street parking. Dwelling is attached to 19 Ashton Street (ERT848236). Project is part of the Neighborhood Homes Initiative (NHI).

Case: BOA-853710 **Address:** 19 Ashton Street , **Ward 14 Applicant:** Ralph Parent
Article(s): 60(60-9: Lot area insufficient & Front yard insufficient)
Purpose: Erect new Semi-attached Single-Family Residential Dwelling on newly created Lot B - 2,276 SF. Propose one (1) off-street parking. Dwelling is attached to 19 Ashton Street. Project is part of the Neighborhood Homes Initiative (NHI).

Case: BOA-853711 **Address:** 114 Floyd Street , **Ward 14 Applicant:** Ralph Parent
Article(s): 60(60-9) 10(10-1)
Purpose: Subdivide lot (Parcel ID: 1403081000) into two lots: Lot A - 3,047 SF and Lot B - 3,287 SF. Erect new Semi-attached Single-Family Residential Dwelling on Lot A. Propose one (1) off-street parking. Dwelling is attached to 116 Floyd Street (ERT847307). Project is part of the Neighborhood Homes Initiative (NHI).

Case: BOA-853712 **Address:** 116 Floyd Street , **Ward 14 Applicant:** Ralph Parent
Article(s): 10(10-1) 60(60-9)
Purpose: Erect new Semi-attached Single-Family Residential Dwelling on newly created Lot B - 3,287 SF. Propose one (1) off-street parking. Dwelling is attached to 114 Floyd Street (ERT815350). Project is part of the Neighborhood Homes Initiative (NHI).

Case: BOA-865744 **Address:** 123 Stratton Street , **Ward** 14 **Applicant:** Ralph Parent

Article(s): 60(60-9)

Purpose: Subdivide lot (Parcel ID: 1403071001) into two lots: Lot A - 3,156 SF and Lot B - 2,873 SF. Erect new Semi-attached Single-Family Residential Dwelling on Lot A. Propose one (1) off-street parking. Dwelling is attached to 125 Stratton Street (ERT852547). Project is part of the Neighborhood Homes Initiative (NHI).

Case: BOA-865742 **Address:** 125 Stratton Street , **Ward** 14 **Applicant:** Ralph Parent

Article(s): 60(60-9)

Purpose: Erect new Semi-attached Single-Family Residential Dwelling on newly created Lot B - 2,873 SF. Propose one (1) off-street parking. Dwelling is attached to 123 Stratton Street (ERT852547). Project is part of the Neighborhood Homes Initiative (NHI).

Case: BOA-868750 **Address:** 89 Sydney Street , **Ward** 13 **Applicant:** M & P Realty, LLC by Michael Ferrara

Article(s): 65(65-41) 65(65-9: Floor area ratio excessive & Rear yard insufficient)

Purpose: Remove existing wood structure (foundation to remain). Build new three story building per attached plan and per code. Nominal fee paid on ALT833786.

Case: BOA-804787 **Address:** 2-4 Woodward Park Street , **Ward** 13 **Applicant:** Whiteacre Properties, LLC

Article(s): 50(50-29: Insufficient lot size (5000 SF min. req.), Insufficient additional lot area per unit (2500SF/unit>2) & Excessive F.A.R.)

Purpose: Seeking to combine Parcel ID 1300200000 and Parcel ID 1300199000 to form one parcel with 4,500 square feet. Also, to erect a three-story dwelling with three residential units and three parking spaces to be accessed from a new curb cut off Folsom Street.

Case: BOA-856234 **Address:** 43 Rockland Street , **Ward** 12 **Applicant:** Carlfred Malcolm

Article(s): 50(50-28) 50(50-43) 50(50-50-41.2)

Purpose: 12 Additional Parking for Church use to relieve street parking. Cost reflected on U49775031.

Case: BOA-844017 **Address:** 3247-3249 Washington Street , **Ward** 11 **Applicant:** Lolastav, LLC

Article(s): 50(50-29: Floor area ratio excessive, Lot size to erect the three family dwelling is insufficient, Floor area ratio is insufficient, Front yard setback requirement is insufficient, Side yard setback requirement is insufficient & Rear yard setback requirement is insufficient) 50(50-43) 10(10-1)

Purpose: Seeking to erect a three-story building with three residential units and two parking spaces. ZBA.

Case: BOA-850178 **Address:** 235 Northampton Street , **Ward** 9 **Applicant:** Hezekiah Pratt

Article(s): 9(9-1) 50(50-29)

Purpose: Extend first floor living space into basement with new bedrooms and bath. Renovate basement with new walls, flooring, ceiling, concrete slab, plumbing, HVAC, and electrical work. Work as per plans.

Case: BOA-835797 **Address:** 69 Burrell Street , **Ward** 8 **Applicant:** K & K Development Group

Article(s): 50(50-29: Add'l lot area insufficient, Usable open space insufficient & Side yard insufficient) 50(50-28) 50(50-43) 9(9-2)

Purpose: Change occupancy from three residential units and commercial spaces to five residential units. Construct new exterior spiral staircase.

Case: BOA-853785 **Address:** 68 Forest Street , **Ward** 8 **Applicant:** Michael Soremekun

Article(s): 50(50-29: Lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Front yard insufficient & Rear yard insufficient) 50(50-43)

Purpose: Erect a new attached single-family dwelling with rear deck and roof deck.

HEARINGS: 10:30 a.m.

Case: BOA-836080 **Address:** 269 Gold Street , **Ward** 7 **Applicant:** James Christopher

Article(s): 68(68-8: Front yard insufficient, Side yard insufficient & Rear yard insufficient) 68(68-33) 27S(27S-5)

Purpose: Raze existing building. Erect a new three-story three-family dwelling with four (4) parking spaces art garage.

Case: BOA-764151 **Address:** 881 East Second , **Ward** 6 **Applicant:** Dave Marr

Article(s): 27S(27S-5) 68(68-29)

Purpose: Extending 4 existing roof decks.

Case: BOA-874670 **Address:** 10 O Street , **Ward** 6 **Applicant:** Nancy Minucci

Article(s): 68(68-8: Floor area ratio excessive, Front yard insufficient, Side yard insufficient & Rear yard insufficient) 27S(27S-5)

Case: BOA-843555 **Address:** 83 Chestnut Street , **Ward 5 Applicant:** Edward Howland

Article(s): 15(15-1) 20(20-1)

Purpose: Construct a new Roof Deck and Headhouse with retractable hatch. Deck and Headhouse are not visible from Public Way.

Case: BOA-845888 **Address:** 36 Dwight Street , **Ward 3 Applicant:** Alpine Advisory Services

Article(s): 64(64-9) 64(64-34)

Purpose: Construct Rear decks and Roof Deck Per Plan to Amend issued permit ALT816838.

Case: BOA-835791 **Address:** 199 Havre Street , **Ward 1 Applicant:** IG Investments, LLC

Article(s): 10(10-1) 25(25-5) 53(53-8) 53(53-9): Add'l lot area insufficient, Floor area ratio excessive, Bldg height excessive (stories) Bldg height excessive (feet), Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient) 53(53-56)

Purpose: To demolish the existing structure and erect a 4 story dwelling with 6 residential units and 5 parking spaces. Building with also include 2 roof decks.

Case: BOA-851770 **Address:** 110 Moore Street , **Ward 1 Applicant:** Karen Giardullo

Article(s): 53(53-9: Excessive F.A.R., Insufficient side yard & Insufficient rear yard setback)

Purpose: Remove existing small addition and construct new addition and deck per plans.

Case: BOA-840525 **Address:** 308 Paris Street , **Ward 1 Applicant:** Max Alves

Article(s): 53(53-9)

Purpose: Full renovation, replace windows and doors. New spray foam insulation. New electrical. New HVAC. New plumbing, new sheetrock, new hardwood floor, new kitchen, new bathrooms. Add roof deck. Paper plans provided 6/6/18. *To include, extension of living space into the basement and the construction of a head house with roof deck.

RE-DISCUSSIONS: 11:30a.m.

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.

Case: BOA-848647, **Address:** 82 Glencliff Road **Ward:** 18 , **Applicant:** Michael Smith

Article(s): 67(67-32)

Purpose: Off street for 2 residential vehicle.

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-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-815385 **Address:** 578 Gallivan Blvd , **Ward 16 Applicant:** John Doherty

Article(s): 65(65-8) 65(65-9) 65(65-9.2)

Purpose: Change of occupancy from a Two-Family to Three-Family Dwelling. New dwelling unit extended into basement and garage. Propose five (5) off-street parking.

Case: BOA-793903 **Address:** 24 Arcadi Park , **Ward 15 Applicant:** Patrick Mahoney

Article(s): 09(9-1) 65(65-9) 65(65-9) 65(65-9) 65(65-9)

Purpose: Build addition to the existing 3 family building. Consolidate lots per the plans. Combine parcel ID

Case: BOA-859717, **Address:** 1246-1250 Massachusetts Avenue **Ward:** 7, **Applicant:** Travis Lee
Article(s): 9(9-1) 65(65-60-37) 65(65-16)

Purpose: Dorchester Brewing Company would like to add a partial second story to the existing 24,000sf one-story building located at 1250 Mass Ave. The addition will include approximately 4,500sf of outdoor roof deck space and about 2,500sf of space in an indoor structure. The addition will allow for more assembly space for Dorchester Brewing Company visitors to enjoy food and beer. This is a nominal fee application seeking a hearing at the ZBA.

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-854658 **Address:** 200-202 Ipswich Street , **Ward 5 Applicant:** 1241 Boylston, LLC
Article(s): 32(32-9)

Purpose: Erect a 184 room hotel with a ground floor restaurant. Project will include approximately 105,000 square feet of building area and will be eight (8) stories with maximum height of ninety feet (90), there will be approximately 82 parking spaces in one below-grade level. Existing building to be removed by other permit.

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.

INTERPRETATION: 12:00Noon.

Case: BOA-865552 **Address:** 200-202 Ipswich Street , **Ward 5 Applicant:** Boylston Street LLC
Purpose: The petitioner's seek a determination that the Inspectional Services Department erred in issuing the refusal letter in connection with application number ERT788949.

RECOMMENDATION/HEARINGS:

Case: BOA-870449, **Address:** 77 Eutaw Street **Ward:** 1 **Applicant:** Oscar Segovia
Article(s): 53(53-9)

Purpose: A new wooden deck on the back side as shown in the plans.

Case: BOA-851030, **Address:** 1183 Saratoga Street **Ward:** 1, **Applicant:** Victoria Rozzi
Article(s): 53(53-9: Excessive F.A.R., Insufficient rear yard & Insufficient side yard setback)

Purpose: Demo existing Deck and build a new deck with a 4 season room.

Case: BOA-850633, **Address:** 357-361 Hanover Street **Ward:** 3, **Applicant:** Warren Mustacchio
Article(s): 9(9-1)

Purpose: This application is filed to increase the occupancy in existing restaurant at 361 Hanover Street from 38 persons to 49 persons - no work to be done on this permit.

Case: BOA-877339, **Address:** 275A-275 Shawmut Avenue **Ward:** 3, **Applicant:** Socrates Abreu
Article(s): 6(6-4)

Purpose: Remove proviso for "take out for this petitioner only." No work to be done.

Case: BOA-866450, **Address:** 111-115 Newbury Street **Ward:** 5, **Applicant:** Peter Kalutkiewicz
Article(s): 8(8-7)

Purpose: Change of occupancy to include Body Art/Permanent Cosmetics.

Case: BOA-857648, **Address:** 294 Newbury Street **Ward:** 5, **Applicant:** Nao Rouhana
Article(s): 7(7-4)

Purpose: Change the legal occupancy from seven apartments, beauty salon, two stores and a yogurt store with #36A to seven apartments, beauty salon, two stores and Japanese restaurant with #36A. Remove proviso granting relief to this petitioner only.

Case: BOA-854665, **Address:** 91 Glen Road **Ward:** 11, **Applicant:** Jay Sisam
Article(s): 55(55-9: Floor area ratio excessive & Height excessive (stories))

Purpose: New Kitchen, new floor, install new walls, new siding, new electrical, new plumbing, new roof, front and rear addition.

Case: BOA-861189. **Address:** 3399-3401 Washington Street **Ward:** 11. **Applicant:** Elize Casarian

Case: BOA-875565, **Address:** 28 Rosline Street **Ward:** 17, **Applicant:** Laurie Fisher
Article(s): 9(9-1) 65(65-32) 65(65-9)
Purpose: Add a dormer and a bathroom.

Case: BOA-859633, **Address:** 218 Fairmount Avenue **Ward:** 18, **Applicant:** Mai Phung
Article(s): 9(9-1)
Purpose: Proposed to construct an addition one and half story (16' x 18.25') at rear of an existing one family (as per plans).

Case: BOA-847667, **Address:** 8 Fairview Street **Ward:** 20, **Applicant:** Peter Vanko
Article(s): 67(67-9)
Purpose: Add a portion of basement as living area to existing Unit # 1. Create exterior common access to common mechanical room. Build out egress window escape.

Case: BOA-860730, **Address:** 38 Knoll Street **Ward:** 20, **Applicant:** Brian Engler
Article(s): 67(67-9: Insufficient side yard setback & Insufficient rear yard setback)
Purpose: Demo existing and install new deck with new footing per contract.

Case: BOA-857063, **Address:** 48 Newburg Street **Ward:** 20, **Applicant:** Matthew Sullivan
Article(s): 67(67-9: Floor area ratio excessive, Building height (# of stories) excessive & Side yard insufficient)
Purpose: Construct new Dormer. Finishing of Attic, dormer, master bedroom w bathroom extend Living space.

Case: BOA-842450, **Address:** 154 Willow Street **Ward:** 20, **Applicant:** Gretchen Young
Article(s): 56(56-8: Floor area ratio excessive & Rear yard insufficient)
Purpose: Confirm Occupancy as a Single Family Dwelling. Construct a 2 story addition onto existing House.

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