



City of Boston
Board of Appeal

Tuesday, January 15, 2019

BOARD OF APPEALS

Room 801

The board will hold a hearing on January 15, 2019 starting at 9:30 a.m.

APPROVAL OF HEARING MINUTES:

December 11, 2018

Extension: 9:30a.m.

Case: BOA-677280 **Address:** 40 Trinity Place **Ward** 4 **Applicant:** Joseph Sheridan

Case: BOA-677282 **Address:** 426 Stuart Street **Ward** 4 **Applicant:** Joseph Sheridan

Case: BOA-668392 **Address:** 1A-1B Curtis Street **Ward** 1 **Applicant:** Richard Lynds

Case: BOA-450351 **Address:** 1181-1183 Bennington Street **Ward** 1 **Applicant:** Richard Lynds

Case: BZC-33158 **Address:** 319-327 Chelsea Street **Ward** 1 **Applicant:** Richard Lynds

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

Case: BOA-266860 **Address:** 20 Vale Street **Ward** 11 **Applicant:** Alexander Siopy

BOARD FINAL ARBITER 9:30a.m.

Case: BOA-824678 **Address:** 301-303 Corey Street **Ward** 20 **Applicant:** Michael Kelly

Case: BOA-463157 **Address:** 202 Maverick Street **Ward** 1 **Applicant:** Michael Welsh, Esq

HEARING: 9:30 a.m.

Case: BOA-874955 **Address:** 134 Chelsea Street **Ward** 1 **Applicant:** 134 Chelsea RE LLC

Article(s): 9(9-2) 53(53-8) 53(53-9: Insufficient additional lot area - 1000sf/unit req., Excessive F.A.R. - 1.0 max, Insufficient open space - 900sf/unit req., Insufficient side yard setback - 2.5' min req., Insufficient rear yard setback - 30' min. req., # of allowed stories exceeded - 3 story max & Max allowed height exceeded - 35' max.) 53(53-56) 53(53-52) 53(53-54)

Purpose: Seeking to change the occupancy from a 2 family & store to a four-family dwelling and renovate the building including a rear addition, a fourth-story addition the installation of a fire protection system.

Case: BOA-862270 **Address:** 66 Lubec Street **Ward** 1 **Applicant:** 64 Lubec Street, LLC

Article(s): 53(53-9: Lot area for the add'l dwelling units is insufficient, Lot width minimum requirement is insufficient, Lot frontage minimum requirement is insufficient, Floor area ratio is excessive, Minimum height requirement is excessive (stories), Maximum height requirement is excessive (ft), Usable open space is insufficient, Side yard setback is insufficient, Rear yard setback is insufficient & Front yard setback is insufficient) 53(53-56)

Purpose: Erect 6 unit residential dwelling with parking for 3 vehicles.

Case: BOA-873826 **Address:** 100 Saint Andrew Road **Ward** 1 **Applicant:** Cesar Dasilva

Article(s): 53(53-52)

Purpose: Dormer addition and interior renovation.

Case: BOA-878715 **Address:** 631 Saratoga Street **Ward** 1 **Applicant:** Labrador Real Estate

Article(s): 53(53-8) 53(53-9: Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Bldg height excessive (stories), Front yard insufficient, Side yard insufficient & Rear yard insufficient) 53(53-56)

Purpose: Seeking to demolish the existing structure and erect a three-story building with four residential units.

Case: BOA-859195 **Address:** 79 White Street **Ward** 1 **Applicant:** First White, LLC

Article(s): 53(53-9: Excessive F.A.R., # of allowed stories exceeded (2.5 max), Insufficient open space per unit (350 sf/unit) & Insufficient rear yard setback) 53(53-52)

Purpose: Confirm occupancy as a single family and Change occupancy from a one to a two family dwelling, renovate and erect addition.

Case: BOA-859194 **Address:** 81 White Street **Ward** 1 **Applicant:** First White, LLC

Article(s): 53(53-52) 53(53-9: Excessive F.A.R. (.8), Insufficient open space per unit (350sf/unit req.) & # of allowed stories exceeded (2.5 max.)) 53(53-56)

Purpose: Confirm occupancy as single family and Change occupancy from a one to a two family dwelling, renovate and erect addition.

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Case: BOA-868442 **Address:** 94 Bunker Hill Street **Ward 2 Applicant:** Geovani Pereira
Article(s): 62(62-8: Floor area ratio excessive & Rear yard insufficient)
Purpose: Build new addition on back of the building as plans remodel existing 3 family house with 3 new kitchens, new bathroom, update electric and plumbing per code, install new sprinkler and new fire alarm.

Case: BOA-898248 **Address:** 13 Mystic Street **Ward 2 Applicant:** Matthew McCarthy
Article(s): 63(63-20) 62(62-8: Excessive F.A.R. & Insufficient rear yard setback)
Purpose: Confirm Occupancy as a Two Family dwelling; full gut Rehab in accordance with plans. New addition, expand living space in basement to include new exterior decks. Note: Demo permit paid on SF851106.

Case: BOA-857369 **Address:** 268-274 Friend Street **Ward 3 Applicant:** Rebecca Ruttenberg
Article(s): 46(46-9)
Purpose: Change of Occupancy from a Convenience Store to a Cannabis Establishment. Modify the existing layout and conditions of the interior of the Building in Basement and on Floors 1 & 2. *Project submission in anticipation of rejection notice and subsequent ZBA hearing.*

Case: BOA-885415 **Address:** 19 Union Park **Ward 3 Applicant:** Seth Koeppel
Article(s): 64(64-9)
Purpose: Move kitchen from 1st floor of unit to second floor of unit. Fill in two story, "open to below" area at second floor. Install a glass doors across back of unit and add a rear deck.

Case: BOA-851624 **Address:** 30 Claremont Park **Ward 4 Applicant:** Charles Irving
Article(s): 64(64-9.4) 64(64-9)
Purpose: Creation of deck on top of existing garage. Creation of walkway from deck of house and lowering existing window opening to create doorway to walkway.

Case: BOA-862161 **Address:** 613-613A Tremont Street **Ward 4 Applicant:** Eben Kunz
Article(s): 64(64-9.4)
Purpose: Construct rear deck off 4th floor.

Case: BOA-893699 **Address:** 881 East Fourth Street **Ward 6 Applicant:** George Morancy
Article(s): 68(68-33: Location. The off-street parking facilities shall be provided on the same lot as the main use to which they are accessory & Design. Insufficient vehicle access. Driveway is less than 10'-0" wide) 68(68-8)
Purpose: Create four accessory residential off-street parking spaces in the rear yard of 881 East Fourth Street, to be accessed via common driveway shared with 883 East Fourth Street (U49865832) pursuant to an easement to be recorded upon permit issuance.

Case: BOA-893700 **Address:** 883 East Fourth Street **Ward 6 Applicant:** George Morancy
Article(s): 68(68-33: Location. The off-street parking facilities shall be provided on the same lot as the main use to which they are accessory & Design. Insufficient vehicle access. Driveway is less than 10'-0" wide) 68(68-8)
Purpose: Create four accessory residential off-street parking spaces in the rear yard of 883 East Fourth Street, to be accessed via a common driveway shared with 881 East Fourth Street (U49865826) pursuant to an easement to be recorded upon permit issuance.

Case: BOA-889556 **Address:** 617 East Seventh Street **Ward 7 Applicant:** George Morancy
Article(s): 68(68-33) 68(68-8: Usable open space insufficient & Side yard insufficient) 27S(27S-5)
Purpose: Raze existing building. Erect new three-family dwelling. Propose three (3) off-street parking.

Case: BOA-868034 **Address:** 461 East Sixth **Ward 7 Applicant:** Steven Carreiro
Article(s): 68(68-29)
Purpose: Propose to construct new roof deck for existing single-family dwelling.

Case: BOA-885724 **Address:** 202 M Street **Ward 7 Applicant:** Jeff Scaia
Article(s): 68(68-29)
Purpose: Amendment to issue permit ALT849571 approved by FD. Add new dormers to extend living space into attic, as per plans.

Case: BOA-892905 **Address:** 27 Ward Street **Ward 7 Applicant:** Patrick Mahoney Esq
Article(s): 27S(27S-5) 68(68-33: Off-street parking insufficient, Location. Off-street parking facilities shall be provided on the same Lot as the main use & Design. Maneuvering areas insufficient)
Purpose: Erect a four-story, Multi-Family Dwelling (six-units) with seven ground level parking spaces.

HEARINGS: 10:30 a.m.

Case: BOA-865369 **Address:** 18 Burney Street **Ward 10 Applicant:** Alexander Mozyak
Article(s): 59(59-8: Insufficient additional lot area per unit, Excessive F.A.R., Maximum allowed # of habitable stories exceeded & Insufficient open usable space per unit) 59(59-7) 59(59-37) 9(9-1)
Purpose: Changing the occupancy from 6 existing units to a total of 8 units as per plans.

Case: BOA-885554 **Address:** 222 Harvard Street **Ward 14 Applicant:** Orange B. Gray
Article(s): 60(60-8) 60(60-9.3) 60(60-9: Usable open space insufficient & Add'l lot area insufficient)
Purpose: Change occupancy from three residential units to five residential units. Plans showing two additional units are submitted with this application. Plans show five parking spaces. Previously issued permits with work in progress are ALT548589, A700053 and A783036. Work as per plans.

Case: BOA-863424 **Address:** 22 Shafter Street **Ward 14 Applicant:** Gary Anderson
Article(s): 10(10-1)
Purpose: Residential curb cut for 2 parking spaces.

Case: BOA-900138 **Address:** 191 Talbot Avenue **Ward** 14 **Applicant:** Travis Lee

Article(s): 60(60-19) 60(60-37) 60(60-20)

Purpose: Erect 14 unit moderate income apartments, retail/restaurant/service/office use on ground floor and eight off street parking spaces.

Case: BOA-892916 **Address:** 495-501 Geneva Avenue **Ward** 16 **Applicant:** Patrick Mahoney Esq

Article(s): 9(9-2) 65(65-8) 65(65-9: Excessive F.A.R., Insufficient side yard setback, # of allowed stories has been exceeded & Max allowed height has been exceeded) 65(65-39) 65(65-41) 10(10-1)

Purpose: Change occupancy from commercial to multifamily residential ("MFR"); building to contain eight residential dwelling units and to have five parking spaces. *Commercial = Retail store and salon.

Case: BOA-888447 **Address:** 37 Mill Street **Ward** 16 **Applicant:** Maria Centeio

Article(s): 65(65-42) 65(65-8) 9(9-1)

Purpose: Change Occupancy from a two to a three family, existing condition Install rear stairs/second means of egress to correct violation #V374390.

Case: BOA-896733 **Address:** 151-161 Neponset Avenue **Ward** 16 **Applicant:** Come Together Animal Clinic Inc

Article(s): 65(65-8)

Purpose: Change Occupancy from a Physical Therapist Office to a Veterinary Clinic.

Case: BOA-871800 **Address:** 48-50 Corbet Street **Ward** 17 **Applicant:** Edith Enagbare

Article(s): 65(65-9)

Purpose: Basement Renovation on the #50 Corbet side - see plans filed all costs and fees were paid on the issued SF819077

Case: BOA-796336 **Address:** 135 Geneva Avenue **Ward** 17 **Applicant:** Timothy Johnson

Article(s): 65(65-8) 65(65-9: Floor area ratio excessive, Bldg height excessive (stories) & Front yard insufficient)

Purpose: Erect new 3-story, three-family dwelling on vacant land w/front & roof decks and three (3) off-street parking as per plans submitted.

Case: BOA-869948 **Address:** 67R Sanford Street **Ward** 17 **Applicant:** Michael Liu

Article(s): 65(65-42.2) 65(65-9)

Purpose: Erect new detached single-family dwelling with (2) off-street parking to the rear of the existing 67-69 Sanford Street (two family). This application has been filed in conjunction with ALT865344 for subdivision, ALT851810 for addition, to include, U49865310 for proposed (4) off-street parking for #67-69 Sanford.

Case: BOA-869954 **Address:** 67-69 Sanford Street **Ward** 17 **Applicant:** Michael Liu

Article(s): 9(9-1) 65(65-9: Insufficient lot width, Insufficient lot size & Excessive F.A.R.)

Purpose: Subdivide Lot into two lots. Lot A: 67-69 Sanford St (5,154 SF) and Lot B: 67R Sanford St (6,362 SF). File in conjunction with ALT851810, U49865310, ERT865353.

Case: BOA-869960 **Address:** 67-69 Sanford Street **Ward** 17 **Applicant:** Michael Liu

Article(s): 10(10-1) 65(65-42)

Purpose: Propose (4) off-street parking for the existing two-family dwelling filed in accordance with the submitted plans. File in conjunction with ALT851810, ALT865344, ERT865353.

Case: BOA-869984 **Address:** 67-69 Sanford Street **Ward** 17 **Applicant:** Michael Liu

Article(s): 9(9-1) 65(65-9: Insufficient front yard setback, Excessive F.A.R. & # of allowed stories has been exceeded)

Purpose: In existing two family construct a rear addition on the #67 side, to include, a half shed dormer, the addition of a 1.5 bath (each side) as well as, replace roof, siding, and windows in accordance with the submitted plans. (This application has been filed in conjunction with ERT865353 (new 1 family dwelling to rear), U49865310 (4 car parking) and Alt865344 (Subdivision).

Case: BOA-882051 **Address:** 26-28 Thane Street **Ward** 17 **Applicant:** Ted Ahern

Article(s): 65(65-9)

Purpose: Change occupancy from a group home (24) and (10) CHILDREN and one office to six apartments - No work ever performed previously to change the occupancy of home and no new work is required now.

Case: BOA-865978 **Address:** 41-43 Alabama Street **Ward** 18 **Applicant:** Lu McPherson

Article(s): 60(60-9: Front yard requirement is insufficient, Side yard requirement is insufficient, Lot size to erect is insufficient, Lot width is insufficient & Lot frontage is insufficient) 60(60-8) 60(60-38)

Purpose: To erect new 2 story building for a new 2 family as per plans.

Case: BOA-881800 **Address:** 650-652 Hyde Park Avenue **Ward** 18 **Applicant:** Lolastar LLC

Article(s): 9(9-1) 69(69-8) 69(69-9: Lot area for add'l units is insufficient, Floor area ratio is excessive, Usable open space is insufficient, Height requirement is excessive (stories), Height requirement is excessive (ft), Front setback is insufficient, Side setback is insufficient & Rear setback is insufficient) 69(69-29)

Purpose: Seeking to change the occupancy from a six-family residential dwelling to an eight-family residential dwelling. Also, to renovate the building including a fourth story addition, rear decks and an egress stairway, and to create seven parking spaces.

Case: BOA-881770 **Address:** 293 Poplar Street **Ward** 18 **Applicant:** Mark Davis

Article(s): 67(67-9: Side yard insufficient & Rear yard insufficient)

Purpose: Enlarge existing garage and attach to existing house. Addition to be 17'-4" x 15'-7" The entire roof will be changed and new shingles added to the roof and new siding to the exterior. 3 new windows, 4 skylights, french door and new garage door to be added. Insulate ceiling R49 and walls R21. Interior shall be finished with 5/8" blue board and thin coat plaster.

Case: BOA-762016 **Address:** 88 Rosewood Street **Ward** 18 **Applicant:** Fausto Teixeira Jr
Article(s): 60(60-40(4)) 60(60-40(5)) 10(10-1)
Purpose: Parking for 2 cars.

Case: BOA-860542 **Address:** 31 Bardwell Street **Ward** 19 **Applicant:** James Kingston
Article(s): 55(55-9)
Purpose: Add second floor deck 18ft by 10ft.

Case: BOA-789491 **Address:** 26 Clive Street **Ward** 19 **Applicant:** Janice Rogovin
Article(s): 10(10-1) 55(55-40.5a)
Purpose: Off-street parking for Two (2) residential vehicles.

Case: BOA-886197 **Address:** 73 Florence Street **Ward** 19 **Applicant:** Stephen McCarthy
Article(s): 67(67-9: Height excessive (half story) & Floor area ratio excessive)
Purpose: Renovation of unfinished attic; add new staircase, two bedrooms, a bathroom and an office; adjust roof lines to required head height clearance; add dormers and re-configure the roof lines changing from a full hip roof to a gable roof with a slightly higher ridge which would still remain within zoned height requirement. Clarify occupancy as 2 family existing condition.

Case: BOA-879658 **Address:** 63 May Street **Ward** 19 **Applicant:** David & Krisyn Wills
Article(s): 55(55-9)
Purpose: Remove existing 4 bay garage and reduce to 2 bay garage in existing location.

Case: BOA-871649 **Address:** 233 Pond Street **Ward** 19 **Applicant:** Charles Brown
Article(s): 55(55-9: Insufficient front yard setback & Excessive F.A.R.)
Purpose: Erect an enclosed, unheated vestibule on the front of the house in place of the existing brick stoop, with an extended porch roof over a landing and new granite steps.

Case: BOA-837893 **Address:** 30R Alaric Street **Ward** 20 **Applicant:** Zhiying Zhou
Article(s): 56(56-7)
Purpose: Change of occupancy from accessory storage for tools to an accessory personal quarters with bedroom and bathroom as per plan (no kitchen). (See alt834475 for 30 Alaric).

Case: BOA-892074 **Address:** 33-35 Ridgemont Street **Ward** 21 **Applicant:** JM Investment, LLC
Article(s): 51(51-8) 51(51-9: Floor area ratio is excessive & Height is excessive) 51(51-56)
Purpose: The project scope is to legalize an existing three-family which is on record as a two-family, and to upgrade third floor kitchen and bathroom. There is no proposed work on the other floors except for code-required improvements. Finished areas of the basement will become storage/utility areas.

RE-DISCUSSIONS: 11:30a.m.

Case: BOA-825479 **Address:** 18 Everett Street **Ward** 1 **Applicant:** 18-20 Residential Partners, LLC
Article(s): 53(53-8) 53(53-9: Insufficient additional lot area/dwelling unit, Excessive F.A.R., Max. allowed number of stories exceeded, Max. allowed height exceeded, Insufficient open space/unit, Insufficient rear yard setback & Insufficient side yard setback) 53(53-56.5a) 53(53-54) 53(53-56: Off-street parking design/parking space size & Off-street parking & loading req insufficient # of spaces)
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 5 off street parking spaces at grade.

Case: BOA-835524 **Address:** 20 Grimes Street **Ward** 6 **Applicant:** Timothy Johnson
Article(s): 27S(27S-5) 68(68-8)
Purpose: Change occupancy from 1 family to 3 family. Proposed addition to existing row house w/4 car garage as per plans submitted.

Case: BOA-885892 **Address:** 91-93 Waldeck Street **Ward** 17 **Applicant:** Jarred Johnson
Article(s): 65(65-8) 65(65-41)
Purpose: Combine buildings 91 Waldeck Street and 93 Waldeck Street. Change occupancy from 3 dwelling units at 91 and 6 dwelling units at 93 to 12 unit building. CSNDC is planning a moderate of the Waldeck Street buildings (91-101). This is a capital needs rehab will consist of significant interior and exterior renovations and new MEP systems. NOTE: Estimate cost for the project is \$1,500,000. construction and cost fees was paid on ALT868846 and ALT 868848.

Case: BOA-885891 **Address:** 95-97 Waldeck Street **Ward** 17 **Applicant:** Jarred Johnson
Article(s): 65(65-8: Multi-family (forbidden) & Community room forbidden) 65(65-9) 65(65-41)
Purpose: Combine buildings 95 Waldeck Street and 97 Waldeck Street. Change occupancy from 5 dwelling units at 95 and 5 dwelling units at 97 to 12 unit building. CSNDC is planning a moderate of the Waldeck Street buildings (91-101). This is a capital needs rehab will consist of significant interior and exterior renovations and new MEP systems. NOTE: Estimate cost for the entire project is \$1,500,000. construction and cost fees have paid on ALT868850 and ALT 868851.

Case: BOA-885888 **Address:** 99-101 Waldeck Street **Ward** 17 **Applicant:** Jarred Johnson
Article(s): 65(65-8) 65(65-41)
Purpose: Combine buildings 99 Waldeck Street and 101 Waldeck Street. Change occupancy from 5 dwelling units at 99 and 3 dwelling units at 101 to 11 unit building. CSNDC is planning a moderate of the Waldeck Street buildings (91-101). This is a capital needs rehab will consist of significant interior and exterior renovations and new MEP systems. NOTE: Estimate cost for the project is \$1,500,000. construction and cost fees was paid on ALT868854 and ALT868856.

Case: BOA-823802 **Address:** 46 Murray Hill Road , **Ward 19 Applicant:** Halyard, Sheets and Rudder Incorporated
Article(s): 67(67-9: Lot size to erect new dwelling: insufficient, Required lot width to erect new dwelling: insufficient, Required lot frontage to erect new dwelling: insufficient, Floor area ratio: excessive, Required side yard setback to erect new dwelling: insufficient & Required usable open space for new dwelling: insufficient) 67(67-33)
Purpose: On existing parcel # 1903150000, erect new construction single family dwelling as per attached plans.

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.

Case: BOA-856686 **Address:** 11 Newton Street **Ward 22 Applicant:** Scott Marder
Article(s): 51(51-56: Insufficient parking (1.75/unit req.) & Restricted driveway access to spots in rear (<10' clear access, maneuverability and space size)) 51(51-9)
Purpose: Change of occupancy from a one to a three family. Renovation of two kitchens and one bathroom. Build two non-structural walls. Separate electric and add 2 new hot water heaters and sprinklers.

Case: BOA-893683 **Address:** 2 Sinclair Road **Ward 22 Applicant:** 37-43 North Beacon Street LLC
Article(s): 51(51-8) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9)
Purpose: Erect building for 9 Residential Condo Units.

Case: BOA-893682 **Address:** 37 North Beacon Street **Ward 22 Applicant:** 37-43 North Beacon Street LLC
Article(s): 51(51-8) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-56) 51(51-56)
Purpose: Erect a five story to four story 72 unit apartment building on North Beacon Street and a 9 condominium unit four story building on Sinclair Road, Allston, MA.

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