



City of Boston
Board of Appeal

HEARING MINUTES

Tuesday, August 13, 2019

BOARD OF APPEALS

Room 801

Board Chair Araujo called the meeting to order promptly at 9:30 AM and commenced with a brief description of the hearing process and, pursuant to the Massachusetts Open Meeting Law, advised those in attendance that the hearings would be broadcast and recorded and hearing minutes would be kept. The Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Mark Fortune:

APPROVAL OF HEARING MINUTES:

July 30, 2019 - Upon a motion for approval and a second, the Board voted unanimously to approve the July 30, 2019 Hearing Minutes.

EXTENSIONS: 9:30a.m.

Case: BOA-598998 **Address:** 187-189 E Street **Ward 7 Applicant:** George Morancy, Esq

Discussion: The applicant requested an extension of zoning relief previously granted by the Board relative to the above application.

Vote: Upon a motion for approval and second, the Board voted unanimously to approve the request for a one year extension.

GCOD: 9:30a.m.

Case: BOA-967567 **Address:** 7 Symphony Road **Ward 4 Applicant:** James Hatfield

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

Purpose: Change Occupancy from two-family to single family dwelling. Started as kitchen and bath renovations, we found all framing structure un-sound and safe. Replaced all framing as same floor plan. Construct roof deck.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail, and requested a conditional use permit under Article 32 GCOD Applicability. The Board noted that BWSC approval letter is on file.

Testimony: The Board then requested testimony from neighbors and elected officials.

Documents/Exhibits: Building Plans

Votes: Board Member Fortune moved for approval, the motion was seconded and the Board voted unanimously to approve the applicant's request.

Case: BOA-967936 **Address:** 424 Marlborough Street **Ward 5 Applicant:** John Barry
Article(s): 32(32-4)
Purpose: Interior renovations and building code upgrade as per attached plans.

Discussion: At the applicant's request the matter was deferred to the October 8, 2019 Hearing.

HEARING: 9:30 a.m.

Case: BOA-927665 **Address:** 119 Barnes Avenue **Ward 1 Applicant:** Brendan Wilbur
Article(s): 53(53-8) 53(53-9: Floor area ratio is excessive & Side yard setback requirement is insufficient) 53(53-56) **Purpose:** Seeking to erect a new residential building with six (6) units and six (6) parking spaces. Total sq. ft. is 6,000. Takedown/raze existing structure on property.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a new 6 unit residential building with 6 parking spaces.

Board Members asked about the size of units and bedrooms counts.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-959975 **Address:** 130 Putnam Street **Ward 1 Applicant:** Efrain Madrid
Article(s): 53(53-9)

Purpose: Full renovation of three apartment unit including new fire sprinkler system, fire alarm in the entire building, include basement as part of the first floor (basement clearance to meet code).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to expand living space into the basement.

Board Members asked about the current use of the building, the basement ceiling height, window wells and access to the mechanical room.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with no building code relief and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-918753 **Address:** 76 Wordsworth Street **Ward 1 Applicant:** Estate of Anne M. McCarthy
Article(s): 27T(27T-5) 53(53-9: Lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Bldg height excessive (stories), Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient) 53(53-56)

Purpose: Erect a two-unit residential dwelling.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a 2 unit residential dwelling..

Board Members asked about the occupancy of the basement, basement ceiling height, and about a roof deck.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Galvin seconded and the Board voted unanimously to approve.

Case: BOA-954309 **Address:** 72 Bunker Hill Street **Ward 2 Applicant:** Timothy Sheehan
Article(s): 62(62-7) 62(62-8: Lot size to erect dwelling is insufficient, Lot width is insufficient, Lot frontage is insufficient, Floor area ratio is excessive, Side yard setback is insufficient & Rear yard setback is insufficient) 62(62-29) **Purpose:** Erect an One family dwelling as per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a single-family dwelling.

Board Members asked about the roof deck.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Edwards and Flaherty are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Galvin seconded and the Board voted unanimously to approve.

Case: BOA-953740 **Address:** 103 Russell Street **Ward 2 Applicant:** Mark Little
Article(s): 62(62-25)
Purpose: Build roof deck as per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a roof deck.

Board Members asked about access to the roof deck, dimensions of the roof deck and if it is exclusive to the third unit.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval and Kindellseconded and the Board voted unanimously to approve.

Case: BOA-902992 **Address:** 85-91 Essex Street **Ward 3 Applicant:** Essex 81 LLC

Article(s): 6(6-4)

Purpose: Extend the previous ISD Permit U49586657 / BOA598783 (Sunset clause expires 6/4/2019) by another three years to 6/30/2022 for parking lot for a fee totaling fifty (50) vehicles per plan as filed.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to extend the sunset provision on a conditional use permit. Applicant requested a five year extension.

Board Members asked about screening and buffering.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Flaherty are in support, as is the Carpenters Union. Councilors Flynn and Essaibi-George and an abutter are in opposition.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and for relief to expire in one year and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-949224 **Address:** 117 Saint Botolph Street **Ward 4 Applicant:** Cody Pratt

Article(s): 41(41-18)

Purpose: New rear deck addition on steel structure 2nd floor unit #2 New doors to replace windows.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a rear deck.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-937511 **Address:** 119 West Newton Street **Ward 4 Applicant:** Joseph Holland

Article(s): 64(64-8) 64(64-9: Rear yard insufficient & Floor area ratio excessive) 64(64-9.4) 32(32-4)

Purpose: Change of occupancy from 4 units to a single family. Full-gut interior remodel of single-family residence w/ select structural re-framing. Single-story rear addition at garden level w/ roof deck above. Excavation of garden level to lower elevation. Install new groundwater recharge system. Install new fire-suppression sprinkler system throughout.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy from 4 units to a one-family dwelling with a rear addition.

Board Members asked about garage access.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support. Councilor Flynn and a neighborhood association are in opposition.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-938192 **Address:** 62-64 Baxter Street **Ward 6 Applicant:** George Morancy
Article(s): 27S(27S-5) 68(68-33) 68(68-8: Floor Area Ratio Excessive, Bldg Height Excessive (Feet), Front Yard Insufficient, Side Yard Insufficient & Rear Yard Insufficient)
Purpose: Combine two lots (parcel 0600761000 and 0600761000) to a newly created lot of 2,751 total SF to be known as 62-64 Baxter Street. Raze existing two-family structure on separate permit. Erect new 4-unit multi-family residential dwelling with roof decks and rear decks. Propose 4 parking spaces.

Discussion: At the applicant's request the matter was deferred to the October 29, 2019 Hearing.

Case: BOA-952103 **Address:** 658-660 East Broadway **Ward 6 Applicant:** Anthony Virgilio
Article(s): 68(68-8) 69(69-9: Height is excessive, Usable open space is insufficient, Front yard requirement is insufficient, Side yard requirement is insufficient, Rear yard requirement is insufficient & Off street parking requirement is insufficient) 27S(27S-5) 68(68-29)
Purpose: Renovation of existing building at 658 E Broadway to include an addition in the rear yard and additional floor Combine lot 654 to 656, 660R and 658-660 E Broadway Street, and demolish the existing building at 654 E Broadway Street. Change occupancy from Restaurant, Offices and 3 units to Restaurant, Offices and 8 units.

Discussion: At the applicant's request the matter was deferred to the September 17, 2019 Hearing.

Case: BOA-953976 **Address:** 749-749A East Broadway **Ward 6 Applicant:** Michael Norton
Article(s): 68(68-8: Floor area ratio is excessive & Rear yard setback requirement is insufficient) 27S(27S-5) 68(68-33) **Purpose:** combine parcels 0602348000 (1 story), and 0602349000 (3 stories) to become one lot of 4468sf; Then subdivide into two lots, 749a east broadway of 2704sf, and 69 L street of 1764sf. Occupancy to remain the same. See also ALT894762 & ALT924988.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to combine parcels and then subdivide; and change occupancy by renovating building with vertical addition for 2 residential units.

Board Members asked about the current occupancy of 749 Broadway and if the restaurant has a tenant.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Flynn and Essaibi-George are in support, as are the Carpenters Union and multiple abutters.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-953981 **Address:** 69-71 L Street **Ward 6 Applicant:** Michael Norton
Article(s): 68(68-7) 68(68-8: Front yard setback requirement is insufficient, Floor area ratio is excessive, Usable open space is insufficient, Side yard setback requirement is insufficient & Rear yard setback requirement is insufficient) 68(68-33) 68(68-29) 68(68-27S-5)

Purpose: Change Occupancy from restaurant with takeout to restaurant with takeout and seating for 35 people, beer and wine, music and tv plus 2 residential units by renovating existing structure to provide additional food service area and erect a vertical addition on top of existing structure for (2) residential units. See also ALT938274 & ALT924988.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to combine parcels and then subdivide; and change occupancy by renovating building with vertical addition for 2 residential units.

Board Members asked about the current occupancy of 749 Broadway and if the restaurant has a tenant.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Flynn and Essaibi-George are in support, as are the Carpenters Union and multiple abutters.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with a proviso for takeout restrictions and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-899613 **Address:** 97 Farragut Road **Ward 6 Applicant:** George Morancy

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

Purpose: Construct third floor addition with new rear deck and roof deck. Renovate existing two-family dwelling. Extend living space into the basement for Unit 1. Propose (1) off-street parking.

Discussion: At the applicant's request the matter was deferred to the October 29, 2019 Hearing.

Case: BOA-957167 **Address:** 150 West Broadway **Ward 6 Applicant:** Jim Ricotta

Article(s): 68(68-8)

Purpose: To expand and renovate the fifth floor terrace at 150 W Broadway Unit PH3 (f.k.a. Unit 23).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to renovate and expand terrace and to enlarge existing roof deck.

Board Members asked about the total square footage of the deck after proposed enlargement.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Flynn are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-954015 **Address:** 452 West Fourth Street **Ward 6 Applicant:** James Christopher

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

Purpose: To construct a new shed dormer, and extend living space as per the attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a new shed dormer in order to extend living space.

Board Members asked about the living space and proposed ceiling height and about a roof deck.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Flynn and Essaibi-George are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-915557 **Address:** 69-71 Roseclair Street **Ward 7 Applicant:** Patrick Foley
Article(s): 65(65-8) 65(65-9: Floor area ratio is excessive & Height is excessive (stories)) 65(65-42)
Purpose: Change occupancy from a 2 family dwelling to a three family dwelling. No work to be done, existing condition.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy from a 2 family to 3 family dwelling.

Board Members asked how the property has been taxed and if there are utilities for 3 units.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Baker, Flaherty and Essaibi-George are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval and Bickerstaff seconded and the Board voted unanimously to approve.

HEARINGS: 10:30 a.m.

Case: BOA-961962 **Address:** 110 Mount Pleasant Avenue **Ward 8 Applicant:** David France
Article(s): 50(50-29) 50(50-43)
Purpose: Change occupancy from a single-family to a three-family dwelling and renovate. Propose side addition, new decks and egress stairs. Propose (4) off-street parking.

Discussion: At the applicant's request the matter was deferred to the October 29, 2019 Hearing.

Case: BOA-965196 **Address:** 1767 Washington Street **Ward 9 Applicant:** Alexandra Partners, LLC
Article(s): 50(50-28: Hotel conditional, Restaurant conditional & Accessory services conditional) 50(50-29: Additional lot area insufficient, Floor area ratio excessive, Height excessive, Front yard insufficient, Side yard insufficient & Rear yard insufficient)
Purpose: Complete gut renovation of existing Alexandra Hotel to create new hotel and restaurant, new steel floors behind existing masonry facade and construction of an 8 story addition above existing height of structure and infill of adjacent vacant parcel being combined with this lot under ALT923501.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to renovate existing hotel with addition for 156 hotel rooms.

Board Members asked about parking, hotel vendor, rear patio and rear loading dock.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Janey is in support, as are the BPDA, Carpenters Union, Hotel Workers Union, Washington Gate Main Street and multiple abutters. Connie Forbes, an attorney for Tenants Development Corp. and multiple abutters are in opposition.

Documents/Exhibits: Building Plans, Petition in support.

Votes: Board Member Galvin moved for approval with BPDA design review and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-937959 **Address:** 45 West Newton Street **Ward 9 Applicant:** Mark McLaughlin

Article(s): 64(64-34)

Purpose: Remove the existing dormer and replace per architectural and Landmarks approval. Install new exterior doors and exterior decking per architectural drawings and Landmarks approval. Replace all windows in the unit Install new metal railings and attach to existing fire escape per code.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to remove and replace an existing dormer.

Board Members asked if the project is to repair a previous condition.

Testimony: The Board then requested testimony from neighbors and elected officials. No individuals were recorded in support or opposition.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-939964 **Address:** 77 Worcester Street **Ward 9 Applicant:** Brynn Jafry

Article(s): 64(64-34)

Purpose: Build new roof head and 10x19 ft deck as per plans attached.

Discussion: At the applicant's request the matter was deferred to the August 27, 2019 Hearing.

Case: BOA-942388 **Address:** 376 Riverway **Ward 10 Applicant:** Luciano Matarazzo, Trustee, L & L Realty Trust

Article(s): 59(59-7) 59(59-8: Floor area ratio is excessive & Usable open space requirement is insufficient) 59(59-37)

Purpose: Change occupancy from 16 to 18 dwelling units by constructing 2 new dwelling units in the lower level of the building pursuant to the plans filed herewith. No exterior or structural modifications.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy from 16 to 18 dwelling units by adding 2 new lower level units.

Board Members asked about the size of the units, if the units were at garden level or in a basement, and about parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-942360 **Address:** 1-3 Sewall Street **Ward 10 Applicant:** 1470 Tremont Street, LLC
Article(s): 659(59-16: Floor area ratio excessive & Usable open space insufficient) 59(59-8: Add'l lot area for add'l dwelling unit insufficient, Floor area ratio excessive & Usable open space insufficient)
Purpose: Re-subdivide newly created combined lot (ALT554334) into three separate lots (Lot 1: 1472 Tremont Street = 977 SF, Lot 2: 1474 Tremont Street = 1,076 SF, and Lot 3: 1-3 Sewall Street = 8,168 SF). Filed in conjunction with ALT923268 and ALT923317.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to re-subdivide combined lot into three separate lots with no changes to the buildings or uses previously approved.

Board Members asked about the reason for re-subdividing and about parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Bickerstaff moved for approval and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942355 **Address:** 1472 Tremont Street **Ward 10 Applicant:** 1470 Tremont Street, LLC
Article(s): 59(59-16: Floor area ratio excessive & Rear yard setback insufficient)
Purpose: Re-subdivide newly created combined lot (ALT554334) into three separate lots (Lot 1: 1472 Tremont Street = 977 SF, Lot 2: 1474 Tremont Street = 1,076 SF, and Lot 3: 1-3 Sewall Street = 8,168 SF). Filed in conjunction with ALT931477 and ALT923268.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to re-subdivide combined lot into three separate lots with no changes to the buildings or uses previously approved.

Board Members asked about the reason for re-subdividing and about parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Bickerstaff moved for approval and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-942356 **Address:** 1474 Tremont Street **Ward 10 Applicant:** 1470 Tremont Street, LLC
Article(s): 59(59-16: Floor area ratio excessive & Rear yard setback insufficient)

Purpose: Re-subdivide newly created combined lot (ALT554334) into three separate lots (Lot 1: 1472 Tremont Street = 977 SF, Lot 2: 1474 Tremont Street = 1,076 SF, and Lot 3: 1-3 Sewall Street = 8,168 SF). Filed in conjunction with ALT931477 and ALT923317.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to re-subdivide combined lot into three separate lots with no changes to the buildings or uses previously approved.

Board Members asked about the reason for re-subdividing and about parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Bickerstaff moved for approval and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-897615 **Address:** 18 Iffley Road **Ward** 11 **Applicant:** George Yiotis

Article(s): 10(10-1)

Purpose: Curb cut and place driveway.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to create a driveway and a curb cut for access.

Board Members asked about the current occupancy of the building and about the location of the parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor O'Malley are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review for the extension of the driveway to eliminate rear yard parking and Galvin seconded and the Board voted unanimously to approve.

Case: BOA-949922 **Address:** 44 Marmion Street **Ward** 11 **Applicant:** Matthew Brett Homegrown Builders LLC

Article(s): 55(55-40) 55(55-9: Add'l lot area insufficient, Floor area ratio excessive, Side yard insufficient, Rear yard insufficient, Front yard insufficient & Usable open space insufficient)

Purpose: Change of occupancy from two-family to three-family dwelling. Remove roof level and construct new third story addition with roof deck on existing footprint. Propose (1) off-street parking.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy of 44 Marmion from a 2 family to 3 family dwelling by constructing a third-story addition with roof deck and to erect at 46 Marmion a new 3 family dwelling with a roof deck.

Board Members asked about the square footage of the lots, the zoning of the subdistrict, the size of units and bedroom counts, basement use and roof decks.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor O'Malley are in support, as is an abutter.

Documents/Exhibits: Building Plans, Letters of support

Votes: Board Member Erlich moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-949923 **Address:** 46 Marmion Street **Ward 11 Applicant:** Matthew Brett Homegrown Builders LLC

Article(s): 55(55-40) 55(55-40) 55(55-9: Add'l lot area insufficient, Floor area ratio excessive, Side yard insufficient, Rear yard insufficient & Front yard insufficient) 10(10-1)

Purpose: Erect new construction three-family dwelling with roof deck on vacant parcel located at 46 Marmion St in Jamaica Plain. Propose (5) off-street parking.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy of 44 Marmion from a 2 family to 3 family dwelling by constructing a third-story addition with roof deck and to erect at 46 Marmion a new 3 family dwelling with a roof deck.

Board Members asked about the square footage of the lots, the zoning of the subdistrict, the size of units and bedroom counts, basement use and roof decks.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor O'Malley are in support, as is an abutter.

Documents/Exhibits: Building Plans, Letters of support

Votes: Board Member Erlich moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-854011 **Address:** 11 Minton Street **Ward 11 Applicant:** Aethos LLC

Article(s): 9(9-1) 55(55-9: Floor area ratio excessive, Side yard insufficient, Rear yard insufficient & Front yard insufficient)

Purpose: Seeking to renovate the building including adding a third-floor addition, including dormers and pitched roof, and installing a sprinkler system.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a third floor addition including dormers and a pitched roof.

Board Members asked about the violations and if the proposal includes an accessible unit.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Bickerstaff moved for approval and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-962008 **Address:** 4 Schuyler Street **Ward 12 Applicant:** Allen Parham

Article(s): 50(50-29) 50(50-43)

Purpose: Construct dormers to third floor unit as per plans submitted. Change occupancy from 2 family to three family.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add dormers to third floor and change occupancy from a 2 family to 3 family dwelling.

Board Members asked about the size of the units.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Bickerstaff moved for approval and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-945830 **Address:** 48 Wayland Street **Ward 13 Applicant:** Vargas DaSilveira

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

Purpose: Change occupancy from two-family to three-family dwelling. Remove existing roof and construct new third floor addition for the additional unit. Propose (1) additional parking to be total of three (3) off-street parking. [Amend ERT485088].

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a third floor addition and change occupancy from a 2 family to 3 family dwelling.

Board Members asked about the size of the units and bedroom counts.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-938614 **Address:** 194 Callender Street **Ward 14 Applicant:** Lorenzo Clark

Article(s): 9(9-1)

Purpose: Increase amount from 10 lodgers 14 rooms to 19 bedrooms with 38 lodgers.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to increase the number of lodgers.

Board Members asked about the basement, kitchens, and attic use.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in Opposition. Councilor Campbell and a neighbor are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval and Bickerstaff seconded; Araujo and Kindell opposed the motion and the motion failed to carry and the request for relief was denied.

Case: BOA-927970 **Address:** 79-81 Clarkson Street **Ward 15 Applicant:** Mai Phung

Article(s): 65(65-9)

Purpose: Proposed to enclosed front porches and roof decks on top (as per plans).

Discussion: At the applicant's request the matter was deferred to the November 19, 2019 Hearing.

Case: BOA-932319 **Address:** 16 Glendale Street **Ward 15 Applicant:** Vernon Woodworth

Article(s): 65(65-8: Use: Multifamily dwelling: Forbidden & Use: Basement apartment: Forbidden)

65(65-9: Lot area insufficient, Floor area ratio excessive, Building height excessive, Building height (# of stories) excessive & Side yard insufficient) 65(65-41: Off-street parking insufficient & Off-street parking design/maneuverability)

Purpose: Gut renovation after fire. Change Occupancy from 2 to 4 Dwelling Units. Install a new Basement Apartment. Construct a new 3 story addition onto existing Building to accommodate new Exit stair and bedroom at each floor. Also install new dormers to achieve code compliant headroom in third floor Dwelling Unit. Installation of a new Sprinkler system throughout. Nominal fee pending ZBA hearing requested.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy and build an addition.

Board Members asked about attic and basement space, parking, and access to the mechanical room.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and no building code relief and Galvin seconded and the Board voted unanimously to approve.

Case: BOA-952913 **Address:** 112 King Street **Ward 16 Applicant:** Eduardo Matosinho

Article(s): 65(65-9) 65(65-42.7)

Purpose: New driveway and 3 new Parking spots.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a driveway for three parking spaces in the rear of the property.

Board Members asked about the occupancy of the dwelling.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Baker are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Bickerstaff moved for approval and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-923777 **Address:** 2 Neponset Avenue **Ward** 16 **Applicant:** Timothy Burke
Article(s): 65(65-8: Multi family dwelling forbidden, Beauty parlor forbidden & Agency or professional office forbidden) 65(65-9: Floor area ratio excessive, Height excessive & Front yard (other street) CEBA 65-42.2 insufficient) 65(65-41) 10(10-1)

Purpose: Demolish existing structure and construct a new four story mixed-use building with two commercial spaces, beauty shop and Agency or professional office. and 12 dwelling units.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a 4 story mixed use building with 9 residential units.

Board Members asked about unit sizes and bedroom counts.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Baler and Essaibi-George are in support. An abutter is in opposition.

Documents/Exhibits: Building Plans

Votes: Board Member Bickerstaff moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve. Board Member Galvin recused himself from hearing this appeal and did not vote.

Case: BOA-947958 **Address:** 138 Centre Street **Ward** 17 **Applicant:** John Barry
Article(s): 9(9-2) 65(65-41) 65(65-8) 65(65-9: Floor area ratio excessive, Bldg height excessive (stories), Bldg height excessive (feet), Side yard insufficient & Rear yard insufficient)
Purpose: Build addition to rear of building. Change occupancy from a 3 to a 6 family.

Discussion: At the applicant's request the matter was deferred to the October 29, 2019 Hearing.

Case: BOA-948372 **Address:** 111 Gallivan Blvd **Ward** 17 **Applicant:** George Morancy
Article(s): 65(65-9: Side yard insufficient & Rear yard insufficient) 9(9-1)
Purpose: Build a 10'x16' x 2-story deck at rear.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a 10 feet by 16 feet two-story rear deck.

Board Members asked about the size of the deck currently.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Baker and Essaibi-George are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-957170 **Address:** 602 Canterbury Street **Ward** 18 **Applicant:** Urban Core Development
Article(s): 29(29-4) 67(67-33)

Purpose: Erect (14) townhouses over parking on vacant lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build 14 townhouses.

Board Members asked about access to parking, GPOD requirements and protections, and roof decks.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Campbell are in support, as are the Mount Hope Neighborhood Association and an abutter. Another abutter is in opposition.

Documents/Exhibits: Building Plans

Votes: Board Member Bickerstaff moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-966333 **Address:** 131 Navarre Street **Ward 18 Applicant:** Derric Small

Article(s): 10(10-1) 67(67-8)

Purpose: Change Occupancy from a Single Family Dwelling to a Two Family Dwelling as per plans (bring up to code all necessary work).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy.

Board Members asked about units sizes and bedroom counts.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support. An abutter is in opposition.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval and Fortune seconded and the Board voted unanimously to approve.

Case: BOA-944017 **Address:** 24-26 Stella Road **Ward 18 Applicant:** Shanti Acquisitions LLC

Article(s): 67(67-9: Lot frontage insufficient, Floor area ratio excessive, Front yard insufficient & Rear yard insufficient) 67(67-32) 67(67-33)

Purpose: Construct a new 2 1/2 story Two (2) Family Dwelling on existing 26,558 sq ft Lot. This will be 1 of 4 Dwellings located on the same Lot.

Discussion: The applicant appeared before the Board and requested to withdraw the proposal.

Votes: Upon a motion for dismissal without prejudice and a second, the Board voted unanimously to dismiss without prejudice.

Case: BOA-944020 **Address:** 28-30 Stella Road **Ward 18 Applicant:** Shanti Acquisitions LLC

Article(s): 67(67-9: Lot frontage insufficient, Floor area ratio excessive, Front yard insufficient & Rear yard insufficient) 67(67-32) 67(67-33)

Purpose: Construct a new 2 1/2 story Two (2) Family Dwelling on existing 26,558 sq ft Lot. This will be 1 of 4 Dwellings located on the same Lot.

Discussion: The applicant appeared before the Board and requested to withdraw the proposal.

Votes: Upon a motion for dismissal without prejudice and a second, the Board voted unanimously to dismiss without prejudice.

Case: BOA-944022 **Address:** 32-34 Stella Road **Ward** 18 **Applicant:** Shanti Acquisitions LLC
Article(s): 67(67-9: Lot frontage insufficient, Floor area ratio excessive, Front yard insufficient & Rear yard insufficient) 67(67-32) 67(67-33)
Purpose: Construct a new 2 1/2 story Two (2) Family Dwelling on existing 26,558 sq ft Lot. This will be 1 of 4 Dwellings located on the same Lot.

Discussion: The applicant appeared before the Board and requested to withdraw the proposal.

Votes: Upon a motion for dismissal without prejudice and a second, the Board voted unanimously to dismiss without prejudice.

Case: BOA-944023 **Address:** 36-38 Stella Road **Ward** 18 **Applicant:** Shanti Acquisitions LLC
Article(s): 67(67-9: Lot frontage insufficient, Floor area ratio excessive & Front yard insufficient) 67(67-32) 67(67-33) 10(10-1)
Purpose: Construct a new 2 1/2 story Two (2) Family Dwelling on existing 26,558 sq ft Lot. This will be 1 of 4 Dwellings located on the same Lot.

Discussion: The applicant appeared before the Board and requested to withdraw the proposal.

Votes: Upon a motion for dismissal without prejudice and a second, the Board voted unanimously to dismiss without prejudice.

Case: BOA-927883 **Address:** 32 Perkins Street **Ward** 19 **Applicant:** Timothy Burke
Article(s): 55(55-41.12) 55(55-8) 55(55-9: Lot area insufficient, Floor area ratio excessive, Rear yard insufficient & Usable open space insufficient)
Purpose: Renovate existing three family dwelling to create an 11 room boutique hotel expand into the basement. Update kitchens and bathrooms.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a boutique hotel on the same lot as an existing dwelling.

Board Members asked about the zoning subdistrict, the square footage of the lot and about parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley, Essaibi-George and Flaherty are in support, as are the Main Street organization and three abutters. Multiple abutters are in opposition.

Documents/Exhibits: Building Plans, letters of support, petition of support

Votes: Board Member Galvin moved for approval. Chair Araujo was opposed and the motion did not carry and the appeal was denied.

Case: BOA-927880 **Address:** 32R Perkins Street **Ward** 19 **Applicant:** Timothy Burke
Article(s): 55(55-41.12) 55(55-9: Lot frontage insufficient, Floor area ratio excessive, Side yard insufficient, Rear yard insufficient, Usable open space insufficient & Lot area insufficient) 55(55-8)

Purpose: Demolish existing carriage house and construct a new building for boutique hotel use. This is to be one of two dwellings on the same lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a boutique hotel on the same lot as an existing dwelling.

Board Members asked about the zoning subdistrict, the square footage of the lot and about parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors O'Malley, Essaibi-George and Flaherty are in support, as are the Main Street organization and three abutters. Multiple abutters are in opposition.

Documents/Exhibits: Building Plans, letters of support, petition of support

Votes: Board Member Galvin moved for approval. Chair Araujo was opposed and the motion did not carry and the appeal was denied.

Case: BOA-936459 **Address:** 32 Rockview Street **Ward** 19 **Applicant:** Joshua Brandt
Article(s): 55(55-8) 55(55-9: Floor area ratio excessive & Rear yard insufficient) 55(55-9.3)
Purpose: SUBMISSION FOR ZONING REFUSAL - add ~3,500 gsf addition onto existing 3 family home to create a 4 family home. Zoning relief required on unit count, FAR, Minimum lot size, rear yard setback, and basement.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build an addition and to change occupancy from 3 family to 4 family dwelling.

Board Members asked about the roof deck and access thereto and the current legal occupancy of the building.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor O'Malley are in support. An abutter is in opposition.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-948352 **Address:** 11 Heron Street **Ward** 20 **Applicant:** George Morancy
Article(s): 10(10-1) 56(56-7) 56(56-8: Floor area ratio excessive (1F-6000), Floor area ratio excessive (MFR), Bldg height excessive (stories) (1F-6000), Bldg height excessive (stories) (MFR), Bldg height excessive (feet) (1F-6000), Bldg height excessive (feet) (MFR), Usable open space insufficient, Front yard insufficient, Rear yard insufficient & Side yard insufficient) 56(56-39: Off street parking insufficient & 56-39.4 off street parking location (1F-6000))
Purpose: Construction of a wood framed structure to house 40 residential units with parking at ground floor - Please see ALT921726 for comb lots. To raze existing house.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build two multi-family residential buildings at 11 and 26 Heron Street, with 40 and 32 residential units, respectively.

Board Members asked about the zoning subdistrict, unit sizes and if affordable units were proposed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor O'Malley are in support, as are the Carpenters Union and multiple abutters.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-948354 **Address:** 26 Heron Street **Ward 20 Applicant:** George Morancy
Article(s): 10(10-1) 56(56-7) 56(56-8: Floor area ratio excessive, Height excessive, Usable open space insufficient, Front yard insufficient & Side yard insufficient) 56(56-39: Off street parking insufficient & 56-39.4 off street parking location)

Purpose: Construction of a wood framed structure with parking at ground floor housing 32 residential units - please see ALT921728 for comb lots - Existing building to be razed.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build two multi-family residential buildings at 11 and 26 Heron Street, with 40 and 32 residential units, respectively.

Board Members asked about the zoning subdistrict, unit sizes and if affordable units were proposed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor O'Malley are in support, as are the Carpenters Union and multiple abutters.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-937961 **Address:** 55 Bigelow Street **Ward 22 Applicant:** CRM Property Management Corp.

Article(s): 51(51-9: Floor area ratio excessive, Bldg height excessive (stories) & Bldg height excessive (feet)) 51(51-57: 51-57.2 Conformity with existing building alignment)

Purpose: Raze existing Dwelling. Seeking to subdivide parcel ID 2203271000 into Lots "A" & "B." Lot "A" to contain 5,000 s.f. and be known as "57 Bigelow Street." Lot "B" to contain 4,992 s.f. and be known as "55 Bigelow." Also, to erect a 2 1/2 story building on lot "A" with two (2) residential units and four (4) parking spaces. See ERT927718 (57 Bigelow St).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to subdivide and build a two family dwelling on the new lot.

Board Members asked about building alignment.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Ciommo are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-937962 **Address:** 57 Bigelow Street **Ward 22 Applicant:** CRM Property Management Corp.

Article(s): 51(51-9: Floor area ratio excessive, Bldg height excessive (stories) & Bldg height excessive (feet)) 51(51-56) 51(51-51-57: 51-57.2 Conformity with existing building alignment)

Purpose: Raze existing Dwelling. Seeking to subdivide parcel ID 2203271000 into Lots "A" & "B." Lot "A" to contain 5,000 s.f. ft. and be known as "57 Bigelow Street." Lot "B" to contain 4,992 s.f. ft. and be known as "55 Bigelow." Also, to erect a 2 1/2 story Two Family Dwelling on lot A with four (4) Parking spaces. See ERT927721 (55 Bigelow St).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to subdivide and build a two family dwelling on the new lot.

Board Members asked about building alignment.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Ciommo are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-878700 **Address:** 54 Mansfield Street **Ward 22 Applicant:** Bansky LLC

Article(s): 51(51-9: Lot area insufficient, Add'l lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive & Usable open space insufficient) 51(51-56)

Purpose: Seeking to erect a three-family residential dwelling and two parking spaces on the existing vacant lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a 2 family dwelling with parking for 2 vehicles.

Board Members asked about the change in violations after changing proposal from 3 family to 2 family.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Ciommo are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve.

45 Minute Lunch Break

RE-DISCUSSIONS: 11:30a.m.

Case: BOA-945356 **Address:** 185 London Street **Ward 1 Applicant:**

Article(s): 53(53-8) 53(53-9): Lot area for add'l dwelling unit is insufficient, Floor area ratio is excessive, Height is excessive (stories), Height is excessive (ft), Front yard setback is insufficient & Side yard setback is insufficient) 53(53-56) 25(25-5)

Purpose: Complete renovation and living space addition. Change occupancy from 3 family to 4 family.

Discussion: At the applicant's request the matter was deferred to the September 17, 2019 Hearing.

Case: BOA-917597 **Address:** 27 Vinton Street **Ward 7 Applicant:** George Morancy

Article(s): 27P 68(68-33) 69(69-9): Rear yard insufficient, Floor area ratio excessive, Open space insufficient & Side yard insufficient)

Purpose: Erect four-story side and rear addition to existing three-family dwelling building. Change occupancy from three dwelling units to four dwelling units. Add two at-grade parking spaces at rear of lot, partly located on lot at 33 Jenkins Street, with access to parking provided via Jenkins Street across 33 Jenkins Street lot by easement to be recorded upon ZBA approval in conjunction with u49851536.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a side and rear addition and change occupancy from a 3 family to 4 family dwelling with 2 parking spaces provided at 33 Jenkins Street.

Board Members asked about the zoning subdistrict and if 27 Vinton and 33 Jenkins were remaining separate lots.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Flynn and Essaibi-George are in support. Councilor Flaherty is in opposition.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-917602 **Address:** 33 Jenkins Street **Ward 7 Applicant:** George Morancy

Article(s): 68(68-13)

Purpose: Add two residential parking spaces to existing residential parking lot. New parking spaces are to be accessory/ancillary to use at 27 Vinton Street. Spaces will be located partly on 27 Vinton Street lot and partly on this lot and will utilize an easement to be recorded upon ZBA approval in conjunction with alt851345.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a side and rear addition and change occupancy from a 3 family to 4 family dwelling with 2 parking spaces provided at 33 Jenkins Street.

Board Members asked about the zoning subdistrict and if 27 Vinton and 33 Jenkins were remaining separate lots.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Flynn and Essaibi-George are in support. Councilor Flaherty is in opposition.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve.

Case: BOA-906287 **Address:** 127 East Cottage Street **Ward 7 Applicant:** Epsilon Partners, LLC
Article(s): 65(65-8), 65(65-41), 65(65-9: Floor Area Ratio Excessive, Bldg Height Excessive (Stories), Bldg Height Excessive (Feet), Front Yard Insufficient, Side Yard Insufficient and Rear Yard Insufficient)
Purpose: To combine the following Parcel IDs 0703701000 0703700000 & 0703699000 to form a 12,547 SF lot & to subdivide into two new lots: Lot A to have 6,172 SF & Lot B to have 6,375 SF. Also, to raze structures on Lot B (127 E. Cottage) & erect a 4 story building with 11 units and 10 parking spaces. See ALT898250 for subdivision of lot.

Discussion: At the applicant's request the matter was deferred to the November 12, 2019 Hearing.

Case: BOA-906288 **Address:** 131 East Cottage Street **Ward 7 Applicant:** Epsilon Partners, LLC
Article(s): 65(65-9: Lot Width Insufficient, Lot Frontage Insufficient, Floor Area Ratio Excessive and Side Yard Insufficient)

Purpose: To combine the following Parcel IDs 0703701000 0703700000 & 0703699000 to form a 12,547 SF lot & to subdivide into two new lots: Lot A to have 6,172 SF & Lot B to have 6,375 SF. Lot A to have existing single-family dwelling to remain with removal of attached garage. See also ERT898249.

Discussion: At the applicant's request the matter was deferred to the November 12, 2019 Hearing.

Case: BOA- 845532 **Address:** 605 East Sixth Street **Ward 7 Applicant:** Mark Little
Article(s): 68(68-8: Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient) 68(68-34.6) 68(68-7.2) 27S(27S-5)

Purpose: Erect new four (4) residential units. Propose four (4) off-street parking.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a 3 unit residential building with off-street parking.

Board Members asked about the roof deck.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilors Flynn and Essaibi-George are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve.

Case: BOA#845528 **Address:** 605 East Sixth Street **Ward 7 Applicant:** Mark Little
Purpose: Erect new four (4) residential units. Propose four (4) off-street parking. Section: 521 CMR 10.00 Public and Common Use Spaces. Public use and common use spaces shall include but not be limited to mailboxes, entrances, lobbies and foyers, as well as corridors and stairways leading to dwelling units. 9th 780 CMR 1006 Number of Exits and Exit Access Doorway. Section 1006.3 Egress from stories

or occupied roofs. The means of egress system serving any story or occupied roof shall be provided with the number of exits or access to exits based on the aggregate occupant load served in accordance with this section.

Discussion: The applicant appeared before the Board and requested to withdraw the request for building code relief.

Votes: Upon a motion for dismissal without prejudice and a second, the Board voted unanimously to dismiss without prejudice.

Case: BOA-946625 **Address:** 820 William T Morrissey Blvd **Ward** 16 **Applicant:** Outfront Media, LLC

Article(s): 65(65-40) 11(11-6) 11(11-7)

Purpose: Replace both sides/faces of existing 48" wide by 14" high billboard, one side currently static and the other side currently tri-vision, with new digital signage cabinets. Replace existing steel structure in kind. Change occupancy to include billboard.

Discussion: At the applicant's request the matter was deferred to the November 12, 2019 Hearing.

Case: BOA-923485 **Address:** 7 Keswick Street **Ward** 21 **Applicant:** CAD Builders, LLC

Article(s): 61(61-11: Lot area for add'l dwelling units is insufficient & Height is excessive (stories))

61(61-8) 61(61-24) **Purpose:** Alteration and change of occupancy to five family building. Includes 4th level addition and deck, addition of rear decks and stairs.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy from a 2 family to a 5 family dwelling and add a fourth level addition and deck.

Board Members asked about the proposed additional units, use of the penthouse and about the roof deck and access thereto.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BPDA design review and Bickerstaff seconded and the Board voted unanimously to approve.

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

BOARD MEMBERS:

CHRISTINE ARAUJO- CHAIR
MARK FORTUNE-SECRETARY (9:30 AM – 1:00 PM)
BRUCE BICKERSTAFF
MARK ERLICH
CRAIG GALVIN

SUBSTITUTE MEMBERS:

TYRONE KINDELL

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

For a video recording of the August 13, 2019 Board of Appeal Hearings please go to: https://www.cityofboston.gov/cable/video_library.asp