



City of Boston
Board of Appeal

TUESDAY, JULY 28, 2020

BOARD OF APPEAL

CITY HALL, ROOM 801

HEARING MINUTES

Board Chair Araujo called the meeting to order promptly at 10:00 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 Chair announced that the hearing was being conducted remotely via an online meeting platform and subject to the below advisory which was part of the publicly posted hearing agenda. The Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Mark Fortune:

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON JULY 28, 2020 AT 10:00 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS JULY 28, 2020 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

SOME MATTERS LISTED ON THIS AGENDA MAY HAVE BEEN SCHEDULED AND NOTICED FOR PRIOR HEARINGS WHICH WERE THEN DEFERRED TO A LATER HEARING DUE TO THE PUBLIC HEALTH EMERGENCY. ANY SUCH APPEALS ON THIS AGENDA HAVE BEEN RE-NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE JULY 28, 2020 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE WEBEX EVENT PLATFORM.



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Interested persons can participate in the hearing **REMOTELY** by going to <https://bit.ly/zbaJuly28hearing> or by calling 1-617-315-0704 and entering access code 129 970 2570.

If you wish to offer testimony on an appeal, please click <https://bit.ly/zbaJuly28comment> to sign up. Please provide your name, address, the address and/or BOA number of the appeal on which you wish to speak, and if you wish to speak in support of or opposition to the project.

For individuals who need translation assistance, please notify the Board at least **48 HOURS** in advance either by signing up at <https://bit.ly/zbaJuly28comment>, calling 617-635-4775 or emailing isdboardofappeal@boston.gov.

The ZBA Ambassador will be available within the WebEx Event from at 9:00 AM to 10:00 AM to answer questions about ZBA procedures and offer instructions on how to participate in the hearing via WebEx. Questions and/or concerns can also be emailed to the ZBA Ambassador at zba.ambassador@boston.gov.

If you wish to offer comment within the meeting platform, please use the “raise hand” function, if connected by video, or dial *3, if connected by phone. The requester will be administratively unmuted and asked to state their name, address and comment. Comments will be limited as time requires.

IF YOU WISH TO OFFER TESTIMONY ON AN APPEAL, PLEASE LOG IN TO THE HEARING NO LATER THAN 9:30 AM TO ENSURE YOUR CONNECTION IS PROPERLY FUNCTIONING.

The hearing can also be viewed via live-stream on the City’s website at <https://www.boston.gov/departments/broadband-and-cable/watch-boston-city-tv>. Closed captioning is available.

Interested persons who are unable to participate in the hearing remotely may make an appointment to appear in person at City Hall, in the BPDA board room, 9th Floor, Room 900. Please notify the Board at least **48 HOURS** in advance either by calling 617-635-4775 or emailing isdboardofappeal@boston.gov for



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accommodations to be made. Individuals appearing at City Hall without an appointment will not be permitted to enter.

MEMBERS OF THE COMMUNITY ARE STRONGLY ENCOURAGED TO HELP FACILITATE THE VIRTUAL HEARING PROCESS BY EMAILING LETTERS IN SUPPORT OF OR OPPOSITION TO AN APPEAL TO isdboardofappeal@boston.gov IN LIEU OF OFFERING TESTIMONY ONLINE OR FROM BPDA BOARD ROOM.

EXTENSIONS: 10:00 AM

Case: BOA-648704 Address: 1857-1859 Dorchester Avenue Ward 16 Applicant: Kevin Cloutier

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

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

Case: BOA-543185 Address: 344 Bremen Street Ward 1 Applicant: Richard Lynds, Esq

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

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

Case: BOA-687533 Address: 51 Breed Street Ward 1 Applicant: Richard Lynds, Esq

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

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

Case: BOA- 825473 Address: 173-177 Maverick Street Ward 1 Applicant: Richard Lynds, Esq

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



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

Case: BOA-825475 Address: 175 Maverick Street Ward 1 Applicant: Richard Lynds, Esq

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

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

Case: BOA-825478 Address: 177 Maverick Street Ward 1 Applicant: Richard Lynds, Esq

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

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

Case: BOA- 579100 Address: 931 Bennington Street Ward 1 Applicant: Richard Lynds

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

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

Case: BOA-759563 Address: 80 Marginal Street Ward 1 Applicant: Richard Lynds

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

Vote: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension from December 15, 2020.

Case: BZC-25996, Address: 11 Senator Bolling Circle , Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.



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Case: BZC-25997, Address: 12 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-25998, Address: 13 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-25999, Address: 15 Senator Bolling Circle , Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26000, Address: 17 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26001, Address: 18 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.



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Case: BZC-26002, Address: 19 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26003, Address: 20 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26004, Address: 21 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26005, Address: 22 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26006, Address: 23 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.



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Case: BZC-26007, Address: 24 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26008, Address: 26 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26009, Address: 27 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26009, Address: 28 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26010, Address: 29 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.



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Case: BZC-26011, Address: 30 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26012, Address: 31 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26013, Address: 31 Senator Bolling Circle , Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26014, Address: 32 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26015, Address: 33 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.



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Case: BZC-26016, Address: 34 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26017, Address: 35 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26018, Address: 37 Senator Bolling Circle , Ward Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26019, Address: 39 fka 41 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26020, Address: 41 fka 43 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.



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Case: BZC-26021, Address: 40 fka 44 Senator Bolling Circle , Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26022, Address: 43 fka 45 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26023, Address: 45 fka 47 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

Case: BZC-26024, Address: 60 Senator Bolling Circle, Ward 14 Applicant: Cruz Harvard, LLC

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

Vote: Upon a Motion and second, the Board voted unanimously to dismiss without prejudice the request for a one year extension.

BOARD FINAL ARBITER: 10:00 AM

Case: BOA-820974, Address: 29 Commonwealth Ave, Ward 5 Applicant: Michael P. Ross, Esq

Discussion: The applicant requested approval of minor changes to the plans relative to zoning relief previously granted by the Board for the above application.

Vote: Upon a Motion and second, the Board voted unanimously to approve the request.



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HEARINGS: 10:00 AM

**Case: BOA-1037522 Address: 437 Frankfort Street Ward 1 Applicant: 441 Frankfort St, LLC
Article(s): 27T(27T-5) 53(53-9: Excessive F.A.R., Max allowed # of stories exceeded & Max allowed height exceeded) 53(53-56)**

Purpose: Erect a 4 unit residential dwelling.

Discussion: At the applicant's request, the matter was deferred to the October 6, 2020 Hearing.

**Case: BOA-1013461 Address: 116-120 Moore Street Ward 1 Applicant: Debra White and Helen Gaeta
Article(s): 27T(27T-5) 53(53-8) 53(53-56) 53(53-9: Excessive f.a.r (.8 max.), Number of allowed stories exceeded (2 1/2 stories max.), Max allowed height exceeded (35' max), Insufficient rear yard setback (30' min.) & Insufficient side yard setback (5' min)**

Purpose: Combine lots with parcel numbers 0104288000, 0104289010, and 0104289000, raze existing building, and erect a 19-unit residential dwelling with 17 parking spaces. See ALT997292 for combining lots.

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 14 unit dwelling with 14 parking spaces.

Board Members asked about parking and an abutting lot.

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

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

Votes: Board Member Erlich moved for approval with BPDA design review and Ruggiero seconded and the Board voted unanimously to approve. Board Member Deveau recused himself from this matter.

Case: BOA-1019228 Address: 58 Everett Street Ward 1 Applicant: Stage RE Holdings

Article(s): 25(25-5) 53(53-9)

Purpose: To extend living space into the basement.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to extend living space to the basement by converting an existing storage area.

Board Members asked about the flood hazard area and elevations. The BPDA recommended a denial without prejudice. The appellant then requested a deferral.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for denial without prejudice and Kindell seconded and the Board voted unanimously to deny without prejudice.



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Case: BOA-1035803 Address: 31 Monmouth Street Ward 1 Applicant: Crespo Holdings, LLC
Article(s): 27T(27T-5) 53(53-8) 53(53-52) 53(53-56) 53(53-9: Excessive F.A.R.- 1.0 max, Insufficient side yard setback- 5ft min, # of allowed stories exceeded- 2.5 stories max & Insufficient rear yard setback- 30' min. req)

Purpose: Confirm occupancy as a two family and erect a rear and vertical addition, renovate and to change occupancy to a 4-unit residential dwelling with roof deck.

Discussion: At the applicant's request, the matter was deferred to the October 6, 2020 Hearing.

Case: BOA-1003594 Address: 138 Trenton Street Ward 1 Applicant: Tory Kelliher
Article(s): 53(53-9) 53(53-52)
Purpose: Construction of New Roof Deck Amendment to ALT930884

Discussion: The applicant requested to withdraw the appeal for zoning relief.

Votes: Board Member Fortune moved for denial without prejudice and Erlich seconded and the Board voted unanimously to deny without prejudice.

Case: BOA-948426 Address: 115 Leyden Street Ward 1 Applicant: Sun Property Group, Inc. (by Richard C. Lynds)
Article(s): 25(25-5) 27T(27T-5) 53(53-8) 53(53-56) 53(53-56.5(a) 53(53-9: Floor area ratio is excessive, Height is excessive (stories), Front yard setback is insufficient, Side yard setback is insufficient & Rear yard setback is insufficient)
Purpose: Demolish existing structure and erect new 8-residential unit building with 12 parking spaces.

Discussion: At the applicant's request, the matter was deferred to the October 6, 2020 Hearing.

Case: BOA-1048915 Address: 229-231 Bunker Hill Street Ward 2 Applicant: Patrick Mahoney
Article(s): 62(62-62-27) 62(62-30) 62(62-14: Excessive F.A.R., Height exceeded & Insufficient open space per unit)
62(62-29: Off street parking requirements & Off-Street Parking Insufficient)
Purpose: Demolish existing one story restaurant and erect a new 4 story 3 unit residential building with enclosed garage and roof deck.

Discussion: At the applicant's request, the matter was deferred to the October 6, 2020 Hearing.

Case: BOA-981122 Address: 471-477 Hanover Street Ward 3 Applicant: Tyler Murphy
Article(s): 54(54-18) 54(54-10: Floor Area Ratio Excessive & Rear Yard Insufficient)
Purpose: Change Occupancy of existing building from 7 units to 6 units. Exterior modifications as shown, interior modifications as shown. Exterior wood decks to be built in rear of building. Building was once two buildings that were previously combined, which is why it is 471-477 Hanover St.

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 7 units to 6 units, add a shed dormer and rear decks.



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Board Members asked about the location of the shed dormer.

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, letters of opposition

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

Case: BOA-949975 Address: 28 Exeter Street Ward 5 Applicant: Exeter Towers LLC
Article(s): 15(15-15-1) 16(16-1) 21(21-21-1)

Purpose: The work will consist of an addition to a 9 story building. It will be a renovation and addition of a rooftop of approx. 6297sf., of which 6,000sf is exposed and 297 sf interior structure space, bldg. Is non-conforming and addition will require relief from ZBA as to height and F.A.R. Change occupancy from 96 to 94 units by eliminating two units on 9th floor to be used for amenity space. (revisions to original refusal letter and scope reduction today 3/4/2020 by L.S)

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect an addition to a 9-story building for an elevator and tenant amenity space and change occupancy from 96 to 94 units.

Board Members asked about the roof deck and amenity space.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Neighborhood Association and the Carpenters Union are in support.

Documents/Exhibits: Building Plans, letters in support, letters in opposition

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

Case: BOA-1046011 Address: 50 Rogers Street Ward 7 Applicant: William Mohan
Article(s): 14(14-14-1) 14(14-14-3) 14(14-4) 15(15-1) 16(16-8) 17(17-1) 18(18-1) 18(18-2) 20(20-8) 16(16-1):
Building Height Excessive & Bldg Height Excessive (Stories)

Purpose: Construct duplex townhouse with 1 car garage, kitchen, living room, 1 1/2 baths for each unit and a roof deck to be shared by each townhouse. SF1005766 (to demolish).

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 two-family, duplex townhouse style dwelling with one car garage and roof deck for each unit.

Board Members asked about the garage doors and curb cuts. The BPDA recommended denial without prejudice due to density.



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

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for denial without prejudice and Kindell seconded and the Board voted unanimously to deny without prejudice.

Case: BOA-1047746 Address: 83-87 Highland Street Ward 11 Applicant: Dillon Brennan
Article(s): 50(50-29: Add'l Lot Area Insufficient & Usable Open Space Insufficient)
Purpose: Seeking to change the occupancy of the existing mixed-use building from two residential dwellings and a Store to three residential dwellings. Also, to renovate

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 to a three-family dwelling by converting existing store to a dwelling unit.

Board Members asked about the size of the proposed new dwelling unit.

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

Documents/Exhibits: Building Plans, letters in support

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

Case: BOA-1053415 Address: 14 Alaska Street Ward 12 Applicant: Derric Small
Article(s): 10(10-1) 50(50-28) 50(50-29: Add'l Lot Area Insufficient & Front Yard Insufficient)
Purpose: Change of occupancy from a two-family dwelling to seven units residential dwelling and parking. Erect an addition to the existing building for additional units.

Discussion: At the applicant's request, the matter was deferred to the October 6, 2020 Hearing.

Case: BOA-1042832 Address: 88 Waumbeck Street Ward 12 Applicant: Alfonso Sira
Article(s): 50(50-29: Add'l Lot Area Insufficient, Floor Area Ratio Excessive, Usable Open Space Insufficient, Front Yard Insufficient & Side Yard Insufficient)
Purpose: Erect a 3 story, Three (3) Family Dwelling on existing 4,025 sq. ft. 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 erect a three-family dwelling.

Board Members asked about the project design and style of the surrounding buildings, parking and the size of units and number of bedrooms proposed in each.



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Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support. The Garrison Trotter Neighborhood Association and an abutter are in opposition. Councilor Janey requested the matter be deferred.

Documents/Exhibits: Building Plans, letters of support

Votes: Board Member Ruggiero moved for denial without prejudice and Erlich seconded and the Board voted unanimously to deny without prejudice.

Case: BOA-956971 Address: 118 Harrishof Street Ward 12 Applicant: Prince Kallon
Article(s): 50(50-28) 50(50-29: Add'l lot area insufficient, Floor area ratio excessive, Usable open space insufficient, Side yard insufficient & Rear yard insufficient) 50(50-43)
Purpose: Change Occupancy from a Three Family dwelling to a Four Family dwelling by adding the new apt into the basement. Renovate existing basement according to plans - Remove and replace staircase from first floor foyer to basement at the same location install half bath in basement. Construct new dormer addition

Discussion: At the applicant's request, the matter was deferred to the October 20, 2020 Hearing.

Case: BOA-1016717 Address: 682 Blue Hill Avenue Ward 14 Applicant: Albert Ogiste
Article(s): 9(9-1) 60(60-9)
Purpose:Renovation of existing Five(5)FamilyDwelling.Work to include : installation of new Kitchens, Bathrooms, mechanical, electrical/plumbing & HVAC, reframe building interiors per plans. Construct new Rear Decks / Egress stairs per plans, sheetrock/plaster entire building, windows/doors, roof/exterior siding. Install new Sprinkler / Fire Alarm system. See SF884901 for \$350,000.

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 construct new rear decks with egress stairs.

Board Members asked about the pre-existing use, dormers, basement living space, unit sizes and parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Campbell are in support. The Greater Mattapan Neighborhood Council is in opposition. Councilor Essaibi-George requested the matter be deferred.

Documents/Exhibits: Building Plans

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



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Case: BOA-1036406 Address: 251 Bowdoin Street Ward 15 Applicant: Jean-Luc Debarros

Article(s): 65(65-15)

Purpose: Change occupancy from Adult Education (Computer training lab to restaurant with take out).

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 to a restaurant with takeout.

Board Members asked about the restaurant name and the owner's takeout experience.

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

Documents/Exhibits: Building Plans, letters in support, letters in opposition

Votes: Board Member Erlich moved for approval with takeout provisos and Fortune seconded and the Board voted unanimously to approve.

Case: 993386 Address: 11 Greenmount Street Ward 15 Applicant: Edward Ahern

Article(s): 65(65-8) 65(65-9: Lot area for the add'l dwelling unit is insufficient, Floor area ratio is excessive, Height is excessive (# of stories), Height is excessive (ft), Usable open space required is insufficient, Side yard setback requirement is insufficient & Rear yard setback requirement is insufficient)

Purpose: Erect new four unit building and parking per attached plans . BOA

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 4-unit dwelling.

Board Members asked about the garage and head houses.

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 that the head houses be removed and Ruggiero seconded and the Board voted unanimously to approve.



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Case: BOA-993496 Address: 23 Arcadia Street Ward 15 Applicant: John Barry
Article(s): 10(10-1) 65(65-8) 65(65-41: Parking insufficient & 65-41.5 a. parking maneuverability) 65(65-9: Floor Area Ratio Excessive, Bldg Height Excessive (Stories), Side Yard Insufficient & Rear Yard Insufficient)

Purpose: Change occupancy from two (2) residential units to eight (8) residential units. Construct rear addition to extend living space, also an addition of eight (8) 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 change occupancy from a two-family to eight unit dwelling with construction of a rear addition and eight parking spaces.

Board Members asked about the reasoning for the six additional units proposed. The BPDA recommended denial due to massing.

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

Documents/Exhibits: Building Plans, letters in support, letters in opposition

Votes: Board Member Ruggiero moved for approval but eh motion failed to carry. Board Member Erlich then moved for denial without prejudice and Kindell seconded and the Board voted to deny without prejudice.

Case: BOA-968679 Address: 707 Walk Hill Street Ward 18 Applicant: Mandrell Company, LLC
Article(s): 60(60-8) 60(60-37) 60(60-9: Lot size to erect a dwelling unit is insufficient, Minimum lot width requirement is insufficient, Minimum lot frontage requirement is insufficient, Floor area ratio is excessive, Height requirement is excessive (stories), Height requirement is excessive (ft), Open space requirement is insufficient, Side yard setback requirement is insufficient, Rear yard setback requirement is insufficient & Lot area requires per dwelling unit is insufficient)

Purpose: To Raze the existing garage and erect a three-story building with 4 residential units with three parking spaces.

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 4-unit dwelling with 3 parking spaces.

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, Councilor Essaibi-George and the Greater Mattapan Neighborhood Council are in support.

Documents/Exhibits: Building Plans, letters in support, letter of opposition

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



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**Case: BOA-992741 Address: 66-66B Fawndale Road Ward 19 Applicant: Falcucci Properties, LLC
Article(s): 67(67-9: Insufficient lot size, Insufficient additional lot area per unit, Excessive F.A.R.,
Insufficient open space per unit, Insufficient side yard setback & Insufficient rear yard setback) 67(67-33)
67(67-32)**

Purpose: Seeking to erect a 3-story residential building with 3 units and 6 parking spaces.

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 three-family dwelling with 6 parking spaces.

Board Members asked about the number of bedrooms, parking and the current use of the property. BTD was opposed to the proposed parking due to the small size of the spaces.

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

Documents/Exhibits: Building Plans, letters in support, letters of opposition

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

**Case: BOA-993904 Address: 104-106 Warren Street Ward 21 Applicant: Banský
Article(s): 10(10-1) 51(51-9: Lot Area for additional dwelling unit (s) insufficient, Floor Area Ratio
excessive, Height excessive & Rear Yard insufficient) 51(51-56: Off-Street Parking Insufficient & Off-
Street Parking & Loading Req)**

**Purpose: Change the Occupancy from a Two-Family Dwelling to a Seven-Family Dwelling with five
Parking spaces. Also, to entirely renovate the Building including new side and fourth story
additions. Building will be fully sprinklered.**

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 two-family dwelling to 7 unit multifamily dwelling.

Board Members asked about floor area ratio, parking, curb cut and if a roof deck is proposed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Breadon, the Brighton-Allston Improvement Association and an abutter are in support.

Documents/Exhibits: Building Plans, letters in support, letters in opposition

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



City of Boston
Board of Appeal

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

BOARD MEMBERS:

**CHRISTINE ARAUJO- CHAIR
MARK FORTUNE-SECRETARY
MARK ERLICH
JOSEPH RUGGIERO**

SUBSTITUTE MEMBERS:

**TYRONE KINDELL, JR
EDWARD DEVEAU**

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 July 28, 2020 Board of Appeal Hearing please go to: https://www.cityofboston.gov/cable/video_library.asp.