



City of Boston  
Board of Appeal

**TUESDAY JUNE 22, 2021**

**BOARD OF APPEAL**

**CITY HALL, ROOM 801**

---

**Hearing Minutes**

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 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 JUNE 22, 2021 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS JUNE 22, 2021 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

**PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:**

**THE JUNE 22, 2021 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE WEBEX EVENT PLATFORM.**

Interested persons can participate in the hearing **REMOTELY** by going to <http://bit.ly/zbaJune22hearing> or by calling 1-617-315-0704 and entering access code 173 304 6633.

If you wish to offer testimony on an appeal, please click <http://bit.ly/zbaJune22comment> 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 <http://bit.ly/zbaJune22comment>, calling 617-635-5300 or emailing [zba.ambassador@boston.gov](mailto:zba.ambassador@boston.gov).



City of Boston  
Board of Appeal

**The ZBA Ambassador will be available within the WebEx Event from 8:30 AM to 9:30 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](mailto: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 9:00 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](mailto:isdboardofappeal@boston.gov) for 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 [ZBAPublicInput@boston.gov](mailto:ZBAPublicInput@boston.gov) IN LIEU OF OFFERING TESTIMONY ONLINE OR FROM BPDA BOARD ROOM. IT IS STRONGLY ENCOURAGED THAT WRITTEN COMMENTS BE SUBMITTED TO THE BOARD AT LEAST 48 HOURS PRIOR TO THE HEARING. WHEN DOING SO, PLEASE INCLUDE IN THE SUBJECT LINE THE BOA NUMBER, THE ADDRESS OF THE PROPOSED PROJECT AND THE DATE OF THE HEARING.**



City of Boston  
Board of Appeal

**EXTENSIONS: 9:30AM**

**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-687533 Address: 51 Breed 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-897041 Address: 204 West Seventh Street Ward 7 Applicant: Tim Johnson**

**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-897036 Address: 209-213 Tudor Street Ward 7 Applicant: Tim Johnson**

**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-796336 Address: 435 Geneva Avenue Ward 17 Applicant: Tim Johnson**

**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- 757560 Address: 27-31 Woodford Street Ward 13 Applicant: Alfonseca Ledys (by Peter Vanko)**

**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.



City of Boston  
Board of Appeal

## **HEARINGS: 9:30AM**

**Case: BOA- 1193751 Address: 28 Falcon Street Ward 1 Applicant: Patrick Crowley**

**Articles:** Art. 53 Sec. 08 Forbidden Three family dwelling: Forbidden Art. 53 Sec. 09 Lot area for new unit: Insufficient Art. 53 Sec. 09 Floor area ratio: Excessive Art. 53 Sec. 09 Height requirement: Excessive (21/2 stories max.) Art. 53 Sec. 09 Side yard requirement: Insufficient Art. 53 Sec. 09 Rear yard requirement: Insufficient Art. 53 Sec. 56 Off street parking insufficient Off street parking requirement: Insufficient Article 27T East Boston IPOD Applicability

**Purpose:** Convert existing 2 family to 3 family. Add new kitchens, bathrooms, electrical systems, HVAC, sprinkler system, rear decks, flooring, roof, drywall, paint, windows and siding.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to change a 2 family to a 3 family with an addition to the building.

Board Members asked about plans and roof decks.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Barraza moved to approve with BPDA design review. Erlich seconded, Ligris recused and the motion carried unanimously.

**Case: BOA- 1133499 Address: 117 Coleridge Street Ward 1 Applicant: Jorge Betancur**

**Articles:** Article 53 Section 8 Use Regulations Multi Family Dwelling Use: Forbidden Article 53, Section 52 Roof Structure Restrictions Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient Article 9, Section 2 Change in Non Conforming Use Change from 3 unit to 6 unit Article 27T 5 East Boston IPOD Applicability

**Purpose:** Change of Occupancy from 3 unit to 6 unit Residential Building. Construct a new 3 story addition, balcony, deck, and roof deck. Propose (6) off street parking.

**Discussion/Vote:** The applicant requested a deferral due to project changes from the Board. Board member Fortune moved to defer, Erlich seconded, and the motion carried unanimously. The new date is August 24, 2021 at 12:30pm.



City of Boston  
Board of Appeal

**Case: BOA-1184800 Address: 25 Claremont Park Ward 4 Applicant: 25 Claremont Park, LLC**

**Articles:** Art. 64 Sec. 09 TownHouse/Row House Extensions into Rear Yard Extension into rear yard is conditional Art. 32 Sec. 04 GCOD Applicability

**Purpose:** Construct 4 level wood framed rear extension on concrete footing and frost wall with 3 side decks. To Amend ALT1075154.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to add rear addition with side decks. .

Board Members asked about plans, roof decks, BPDA input, and Landmarks reviews.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services is in support. BWSC has the no hard letter.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Barraza moved to approve with BPDA design review with special attention to the base of the rear. Erlich seconded and the motion carried unanimously.

**Case: BOA- 1183223 Address: 340 West Second Street Ward 6 Applicant: DeMartini 1995 Living Trust**

**Article:** Article 68, Section 7 Use Regulations Fitness center use is a forbidden use

**Purpose:** Change of occupancy from 29 residential units and 1 commercial space to include fitness use/personal training studio in commercial space. No work to be done; all work completed under ERT236651. BOA approval of commercial space in prior decision. Seek refusal letter for fitness center/gymnasium.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to change the use from commercial space to a fitness studio.

Board Members asked about plans, noise, and volume of classes.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Barraza moved to approve with the proviso that this is for this applicant only. Erlich seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA- 1166332 Address: 15 Jess Street Ward 11 Applicant: Pablo Alvarado Alvarado**

**Articles:** Art. 10 Sec. 01 Limitation of parking areas Insufficient Side yard buffering Art. 55, Section 9 Insufficient open space

**Purpose:** Cut curve as per plan. V522446 ON FILE

**Discussion/Vote:** The applicant was a no show. Board member Fortune moved to deny without prejudice. Ruggiero seconded, Barraza recused, the motion carried unanimously.

**Case: BOA-1176804 Address: 15 Rocky Nook Terrace Ward 11 Applicant: Geoff Pfeifer**

**Articles:** Article 55, Section 9 Bldg Height Excessive (Stories) Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 9 Side Yard Insufficient

**Purpose:** Third floor dormer additions.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to add dormers to attic to increase living space and add a master suite.

Board Members asked about plans and the use of the space.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Barraza moved to approve with BPDA design review with attention to the size and pitch of the dormer. Erlich seconded and the motion carried unanimously.

**Case: BOA-1166573 Address: 60 Crawford Street Ward 12 Applicant: Alix Holder**

**Articles:** Article 50, Section 43 Off Street Parking & Loading Req 50.43.6 Design. Driveway width for proposed space #3 is less than 10' (required according to Art. 50 40.7) Art. 50 Sec. 29 Side Yard. Required: 12' Proposed: 9.3' (footnote (e) not enough information to be verified) Art. 50, Section 29 Add. lot area. Total lot required: 10,000 sqft Proposed: 9,100 sq ft

**Purpose:** Change occupancy from a two family to a 3 family, then work shall consist of an addition, renovations, fire alarm, sprinkler, and a new exterior egress per drawings as well. 3 off street parking spaces, 1 more than existing.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to extend the 3<sup>rd</sup> floor for a new unit.

Board Members asked about plans, parking spaces, and floor to ceiling height.

**Testimony:** The Board then requested testimony from neighbors and elected officials. BTM said the parking was good.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Barraza moved to approve with BPDA design review. Ligris seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA-1185544 Address: 10-18 Bowdoin Street Ward 14 Applicant: Codman Square  
Neighborhood Development Corp**

**Articles:** Art.65 Sec.15Use: Conditional Multi family dwelling use (32 units) is a conditional use in this zoning subdistrict Article 65 Section 16 Floor area ratio is excessive Article 65 Section 16 Height is excessive Art. 65 Sec. 42Appl. of Dimensional Req'mnts Conformity with existing building alignment of the block Art. 65 Sec. 4 Appl. of Dimensional Req'mnts Two dwelling on the same lot Article 65, Section 16 Side yard setback is insufficient (due to proximity of residential sub district) Art. 65 Sec. 41Off street parking requirements Off parking requirements is insufficient Art. 80E Sec. 2App sm proj review Small Project Review Applicability Article 65, Section 39Screening & Buffering Req Screening and buffering along property line due to residential sub district

**Purpose:** Four story mixed use building on Bowdoin Street with three stories of residential over ground floor retail and residential, for a total of 32 units and three retail stores with a basement containing 34 parking spaces. This will be one dwelling 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 to build 32 residential units with parking, all affordable, and first floor retail space.

Board Members asked about average townhouse size, unit breakdown, studio sizes, and roof decks, plans, neighborhood context, and homeownership, and the retail space.

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

**Documents/Exhibits:** Building Plans, letters of support.

**Votes:** Board Member Ruggiero moved to approve with BPDA design review. Ligris seconded, Barazza recused, and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA-1185560 Address: 100-104 Bowdoin Avenue Ward 14 Applicant: Codman Square Neighborhood Development Corp**

**Articles:** Art.65 Sec.15Use: Conditional Townhouse dwelling units (3) is a conditional use in this zoning sub district. Article 65 Section 16 Floor Area Ratio is excessive Art. 65 Sec. 41Off street parking requirements Off street parking requirements is insufficient Article 65, Section 42.2Conformity w Ex Bldg Alignment Conformity with existing building alignment of the block is off line Art. 65 Sec. 42Appl. of Dimensional Req'mnts Two dwellings on one lot. Article 65 Section 16Side yard requirements is insufficient (due to proximity of the residential sub district that requires 10ft per footnote 6)

**Purpose:** One building with three attached 3 story townhouses, with landscaped areas and surface parking.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to build 32 residential units with parking, all affordable, and first floor retail space.

Board Members asked about average townhouse size, unit breakdown, studio sizes, and roof decks, plans, neighborhood context, and homeownership, and the retail space.

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

**Documents/Exhibits:** Building Plans, letters of support.

**Votes:** Board Member Ruggiero moved to approve with BPDA design review. Ligris seconded, Barazza recused, and the motion carried unanimously.

**Case: BOA-1184776 Address: 879-881 Blue Hill Avenue Ward 14 Applicant: SAWF Estate, LLC**

**Article:** Article 60, Section 16Use Regulations Cannabis Establishment / Dispensary Use: Conditional

**Purpose:** Change occupancy to include Cannabis Dispensary.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to open a cannabis establishment.

Board Members asked about hours of operation, security, parking, deliveries, plans, and other establishments.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, neighbors, and an abutter are in support.

**Documents/Exhibits:** Building Plans, letters of support.

**Votes:** Board Member Barazza moved to approve with BPDA design review and the provision that this relief was for this applicant only. Erlich seconded, and the motion carried 6-1.





City of Boston  
Board of Appeal

**Case: BOA-1165117 Address: 1744-1750 Centre Street Ward 20 Applicant: Power Test Realty Company Limited Partnership**

**Articles:** Art. 56, Section 15 Use: Conditional Drive in bank is conditional Article 56, Section 40.1 Conformity w Ex Bldg Alignment Conformity with existing building alignment of the block

**Purpose:** Demolish an existing gas station and construct a new bank building with a drive through ATM.

**Discussion/Vote:** The applicant was a no-show. Board member Ligris moved to deny without prejudice, Ruggiero seconded, and the motion carried unanimously.

**Case: BOA-982948 Address: 4843 Washington Street Ward 20 Applicant: HMS Group, LLC**

**Articles:** Article 56, Section 7 Use Regulations Three Family Dwelling Use: Forbidden Article 56, Section 8 Bldg Height Excessive (Stories) Article 56, Section 8 Side Yard Insufficient Article 56, Section 39. Off Street Parking & Loading Req Off Street Parking Insufficient

**Purpose:** Change of occupancy from two family to three family by legalizing existing third floor unit. Expand the third floor unit by extending the existing dormer. Legalized third floor unit will contain tank supplied fire suppression system. Central fire system throughout the building to be required.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to change occupancy to legalize third floor unit and expand a dormer.

Board Members asked about attic unit size, floor to ceiling height, and plans.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Barraza moved to approve with BPDA design review with attention to the dormer. Ruggiero seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA-1170179 Address: 10 Grove Street Ward 20 Applicant: Russell Palmer**

**Articles:** Article 56, Section 11 Height Excessive Article 9, Section 1 Extension of Nonconforming Building Extension of a Nonconforming Building ( there is a 35' Height Restriction in this Zoning District )

**Purpose:** Swap (1) add (1) equipment cabinet, add (3) Hybrid cables, swap (3) add (6) Radio units, swap (9) antennas.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to modify the broadcast tower for 5G service.

Board Members asked about plans, equipment, and location on the lot.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Barraza moved to approve with BPDA design review for screening and buffering at the base of the tower. Ligris seconded and the motion carried unanimously.

**Case: BOA-1183368 Address: 4415 Washington Street Ward 20 Applicant: Dermot Doyne**

**Articles:** Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. Extension of the non conforming use > 25 % Art. 67 Sec. 33 App. of Dimensional Req. Special provisions for corner lots front yard setback is insufficient (Conditional) Art. 67 Sec. 11 Use Regulations Repair garage Forbidden Article 67, Section 30 Screening & Buffering Req None proposed

**Purpose:** Addition to the existing one story, two bays repair garage, 72' in length by 15' in width, adding 3, (three) bays. Requesting nominal fee to go to Zoning Board Appeals.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to extend service bay for repair garage.

Board Members asked about hours, plans, screening and buffering, and parking.

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

**Documents/Exhibits:** Building Plans, 1 letter in opposition.

**Votes:** Board Member Barraza moved to approve with BPDA design review for screening and buffering, and BTDA review to reduce the curb cut and review layout. Erlich seconded the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA-1193055 Address: 196 Park Street Ward 20 Applicant: John Gangemi**

**Articles:** Article 56, Section 8 Side Yard Insufficient 7.7' < 10.6'min (Narrow Lot) Article 56, Section 8 Floor Area Ratio Excessive 0.4 > 0.3max

**Purpose:** Construct a 2.5 story addition on the rear of the dwelling according to plans and a deck of the addition. Garage to be filed under a separate permit at a later date.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to extend the rear of the house for handicap accessibility for daughter.

Board Members asked about plans.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, Councilor Flaherty, Councilor Essaibi-George, and Councilor O'Malley are in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Barraza moved to approve with BPDA design review. Erlich seconded and the motion carried unanimously.

**Case: BOA-1183043 Address: 230 Washington Street Ward 22 Applicant: Leovofs, LLC**

**Articles:** Article 51 Section 8 Use Regulations 9 dwelling units use: Forbidden Article 51, Section 57.2 Conformity Exist Bldg Alignment for both streets: Washington and Shannon Article 51, Section 56 Off Street Parking Insufficient Required: 16 Proposed: 15 Article 51, Section 9 Add'l Lot Area Insufficient Required: 15,500 sqft Proposed: 10,175 sq ft Article 51, Section 9 Floor Area Ratio Excessive Max. allowed: 0.8 Proposed: 1.36 Article 51, Section 9 Side Yard Insufficient Required: 10' Proposed: 5' (R) & 2.7' (L) Article 51, Section 9 Rear Yard Insufficient Required: 20' Proposed: 17.2' Article 51, Section 9 Bldg Height Excessive (Feet) Max. allowed: 35' Proposed: 37.6'

**Purpose:** To raze the existing structure and erect a 9 unit residential dwelling with 15 parking spaces.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to raze and replace with a single building with 9 units and parking.

Board Members asked about plans, why 9 units, lot size, and neighbors.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services and the Brighton Allston Improvement Association are in support. Councilor Breadon is in opposition.

**Documents/Exhibits:** Building Plans, letters of support and letters of opposition.

**Votes:** Board Member Barraza moved to approve with BPDA design review. Fortune seconded, Ligris recused and the motion failed 4-2



City of Boston  
Board of Appeal

**HEARINGS:11:00AM**

**Case: BOA-1133502 Address: 411-413 Chelsea Street Ward 1 Applicant: Hugo Arango**

**Articles:** Article 53, Section 11 Use Regulations 2 family detached use: Forbidden Article 53, Section 56 Off Street Parking & Loading Req 2 parking spaces required. Proposed 0 Article 53 Section 12 FAR max allowed: 1 Proposed: 3 Article 53 Section 12 Rear yard required: 20' Proposed: 0 Article 53, Section 52 Roof Structure Restrictions New rear yard addition. Art. 27G E Boston IPOD

**Purpose:** Change of Occupancy to include 2 dwelling units. Proposal to extend existing 2nd and 3rd floor plates to rear site line. Increase F>A>R> from 1 to 3. This project is adding approximately 500 SF to 2nd and 3rd floors, for a total of 1000 SF addition. This will also create stairs for exit in the back.

**Discussion/Vote:** The applicant requested a deferral from the Board. Board member Fortune moved to defer, Erlich seconded, and the motion carried unanimously. The new date is August 24, 2021 at 12:30pm.

**Case: BOA#1133546 Address: 411-413 Chelsea Street Ward 1 Applicant: Hugo Arango**

**Purpose:** Change of Occupancy to include 2 dwelling units. Proposal to extend existing 2nd and 3rd floor plates to rear site line. Increase F>A>R> from 1 to 3. This project is adding approximately 500 SF to 2nd and 3rd floors, for a total of 1000 SF addition. This will also create stairs for exit in the back.

**Violation** Violation Description Violation Comments 9th 780 CMR 1030 Emergency Escape and Rescue Rescue openings from bedrooms shall open directly into a public way, yard or court that opens to a public way. 9th 780 CMR 705 Exterior Walls Exterior wall openings (reference IBC table 705.8)

**Discussion/Vote:** The applicant requested a deferral from the Board. Board member Fortune moved to defer, Erlich seconded, and the motion carried unanimously. The new date is August 24, 2021 at 12:30pm.



City of Boston  
Board of Appeal

**Case: BOA-1185696 Address: 106-108 Bunker Hill Ward 2 Applicant: George Morancy**

**Articles:** Article 62, Section 25 Roof Structure Restrictions Article 62, Section 29 Off Street Parking and Loading Req Off Street Parking Insufficient Article 62, Section 7 Use Regulations Multi Family Dwelling Use: Forbidden Article 62, Section 8 Add'l Lot Area Insufficient Article 62, Section 8 Floor Area Ratio Excessive Article 62, Section 8 Bldg Height Excessive (Feet) Article 62, Section 8 Usable Open Space Insufficient Article 62, Section 8 Rear Yard Insufficient Article 9, Section 2 Change in Non Conforming Use Article 62, Section 29 Off Street Parking and Loading Req Inappropriate maneuvering area

**Purpose:** Change of Occupancy from Restaurant to six (6) residential Units. Construct two story addition and rear addition to an existing one story building. Proposed (5) off street parking.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to build a 3 story dwelling with 6 units and parking.

Board Members asked about plans.

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

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

**Votes:** Board Member Barraza moved to approve with BPDA design review and BTM review. Erlich seconded and the motion carried unanimously.

**Case: BOA-1129472 Address: 753 East Broadway Ward 6 Applicant: 755 L Street, LLC**

**Article:** Article 68, Section 33 Off Street Parking & Loading Req Off street parking is insufficient. 6 spaces required, 0 spaces provided. Article 68, Section 8 Add'l Lot Area Insufficient Article 68, Section 8 Usable Open Space Insufficient

**Purpose:** Change use from office space and bagel shop to bagel shop and 4 dwelling units. Renovate as per plans. Permit set to be submitted upon ZBA approval.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to change the use from office space and bagel shop to bagel shop with residencies.

Board Members asked about plans.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, and an abutter are in support. Councilor Flaherty, Councilor Essaibi-George, Councilor Flynn, and abutters are in opposition.

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

**Votes:** Board Member Ruggiero moved to deny without prejudice. Barraza seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA-1191648 Address: 5 Wise Street Ward 10 Applicant: Derric Small**

**Article:** Article 55, Section 9 Floor Area Ratio Excessive

**Purpose:** Confirm the legal occupancy as a two family dwelling and extend living space into the basement and attic. Off street parking filed under separate Use of Premise applications.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to legalize 2 family and extend living space to the attic and basement, gut rehab, and parking.

Board Members asked about plans, the configuration of the 2 family, basement use and window wells.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Barraza moved to approve with the provisos that there are no bedrooms in the basement and no parking in the rear. Erlich seconded and the motion carried unanimously.

**Case: BOA-1192978 Address: 5 Wise Street Ward 10 Applicant: Derric Small**

**Articles:** Article 55, Section 40 Off Street Parking & Loading Req Location. Off street parking shall not be located in any part of a Front Yard. Article 55, Section 9 Usable Open Space Insufficient

**Purpose:** Propose (2) off street parking for 5 Wise Street. Access via Chestnut Avenue with proposed curb cut. File in conjunction with U491167276.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to legalize 2 family and extend living space to the attic and basement, gut rehab, and parking.

Board Members asked about plans, the configuration of the 2 family, basement use and window wells.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Barraza moved to deny so there is no parking in the rear. Erlich seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA-1189554 Address: 9 Carlisle Street Ward 12 Applicant: John Pulgini**

**Articles:** Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Front Yard Insufficient Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Rear Yard Insufficient Article 50, Section 43 Off Street Parking & Loading Req There is no off street parking provided

**Purpose:** Changing the occupancy from 2 family to a 3 family as it has been used for and that is on the assessor's website dating back to at least 1985. Related work to repair the roof, the front porches, and interior renovations.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to change a 2 family to a 3 family with interior renovations.

Board Members asked about bedrooms, square footage, plans, and floor to ceiling height.

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

**Documents/Exhibits:** Building Plans, letters of support.

**Votes:** Board Member Barraza moved to approve. Ruggiero seconded and the motion carried unanimously.

**Case: BOA-1186391 Address: 124-126 Warren Street Ward 12 Applicant: Jeremy Sears**

**Articles:** Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Rear Yard Insufficient Article 50, Section 29 Add'l Lot Area Insufficient

**Purpose:** Build a new 4 story Residential Building of Wood, Steel and Concrete, on the vacant lots at 124 and 126 Warren Street. Combine two lots (Parcel 12 0079 and Parcel 12 0112) into one lot to be 5,191sf to be known as 124 Warren Street. This Application replaces ERT1060654 which is Abandoned.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to build a 4 story residential building with 6 units, lobby, and garage space.

Board Members asked about plans, unit sizes, micro units, and roof decks.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Barraza moved to approve with BPDA design review to review the façade on Winthrop St. Erlich seconded and the motion carried unanimously. Ligris seconded, Ruggiero recused, and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA-1166778 Address: 1 Chester Park Ward 18 Applicant: Philip Martin**

**Articles:** Article 60, Section 9 Side Yard Insufficient. Article 60, Section 9 Rear Yard Insufficient

**Purpose:** Total renovation and additional to living space by adding to the rear of the building on the existing footprint of existing, as shown on drawings. Change Occupancy from a 1 Family Dwelling to a 2 Family Dwelling.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to change 1 family to a 2 family with rear addition over the existing first floor.

Board Members asked about plans, parking, unit sizes, and access to parking.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services is in support. An attorney representing abutters was in opposition.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Barraza moved to approve with BPDA design review with attention to the pitch of the dormer. Ligris seconded and the motion carried unanimously.

**Case: BOA-1183399 Address: 22 Cohasset Street Ward 20 Applicant: Michael Collins**

**Articles:** Art. 67 Sec. 09 Side Yard Insufficient Required: 10' Proposed addition: 5.8' (L) and 8.2' (R) Article 67, Section 9 Floor Area Ratio Excessive Max. allowed: 0.5 Proposed: 0.58

**Purpose:** Confirm occupancy as 1 family use. The Scope of work will increase square footage (from 1457 to 1979 sq ft) and thus FAR, but not change building height. Renovation will remodel kitchen, laundry room, 1st flr bathroom, with additional 8' to rear of house, and add a bedroom and bathroom on the 2nd floor. Scope includes new windows, support framing, insulation.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to renovate and add additional space to the 1<sup>st</sup> floor in the rear.

Board Members asked about plans.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services is in support. An attorney representing abutters went on record in opposition.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Barraza moved to approve with BPDA design review with special attention to the deck. They also included the provisos to remove to pergola, and to provide sufficient setback for the deck from other buildings. Erlich seconded and the motion carried unanimously.





City of Boston  
Board of Appeal

**Case: BOA-1172461 Address: 171 Everett Street Ward 22 Applicant: Jing Mai**

**Articles:** Article 51, Section 56 Off Street Parking Insufficient New required spaces:  $3 \times 1.75 = 5.25$  spaces Existing 2. Total spaces: 7 Article 51, Section 8 Use Regulations 4 family use: Forbidden Article 51, Section 9 Add'l Lot Area Insufficient Total lot area required: 8,000 sqft Proposed: 4,500 sq ft Article 51, Section 9 Floor Area Ratio Excessive Max. allowed: 0.8 Proposed: 1.2

**Purpose:** Change use of single family building to a four unit building with addition per plan.

**Discussion/Vote:** The applicant requested a deferral. Board member Fortune moved to defer, Ligris seconded, and the motion carried unanimously.

**RECOMMENDATIONS: 11:30 AM**

**Case: BOA-1153407 Address: 177 Coleridge Street Ward: 1 Applicant: Eric Nelsen**

**Articles:** Article 53, Section 52 Roof Structure Restrictions Article 53 Section 9 Insufficient side yard setback

**Purpose:** Unit 2: Add new private roof deck via spiral staircase along exterior of the building. Unit #2 will have exclusive access to the roof deck.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to build roof deck with spiral stair access.

Board Members asked about units and plans.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review. Fortune seconded and the motion carried unanimously.

**Case: BOA-1175423 Address: 113 Elm Street Ward: 2 Applicant: Regina Oliveri**

**Articles:** Article 62, Section 8 Side Yard Insufficient Article 62, Section 8 Rear Yard Insufficient

**Purpose:** Add shed dormer back of the house and add 2x windows. extend the existing 2x4 wall rear wall and build a new roof. Existing renovation Permit # SF 1115342.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to add dormer to the back of the house and new windows.

Board Members asked about the plans.

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

**Documents/Exhibits:** Building Plans, letters of support.

**Votes:** Board Member Robinson moved to approve with BPDA design review. Fortune seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA -1170934 Address: 186-188 Emerson Street Ward: 6 Applicant: Vernon Woodworth**

**Articles:** Article 68, Section 29 Roof Structure Restrictions Change in building height. Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Front Yard Insufficient Article 68, Section 8 Floor Area Ratio Excessive

**Purpose:** Extend upstairs dwelling unit with rooftop construction of penthouse with roof deck. Nominal fee requested pending Zoning Board of Appeals hearing.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to add one story for a penthouse with a roof deck.

Board Members asked about the penthouse, dimensions, street side staircase, and plans.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services is in support. Councilor Flynn and the Gate of Heaven Neighborhood Association are in opposition.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review with special attention to the spiral staircase in the front of the building. Fortune seconded and the motion carried unanimously.

**Case: BOA1166282 Address: 2 Greenwich CT Ward: 9 Applicant: Elionay Afonso**

**Article:** Art. 50, Section 29 Floor area ratio is excessive

**Purpose:** Increase the size of a usable space in the basement, as the PERMIT ALT1054427.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to expand living space into the basement.

Board Members asked is this was owner occupie, plans, bedroom layout, and basement.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with the provision that there are no bedrooms in the basement. Fortune seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: -BOA-1131987 Address: 2 Copeland Park Ward: 12 Applicant: Balkys Sicard**

**Articles:** Article 50, Section 29 Lot Frontage Insufficient Article 50, Section 29 Front Yard Insufficient Article 50, Section 29 Rear Yard Insufficient

**Purpose:** Interior and exterior renovations to existing two family residence. Work includes internal renovations to second floor unit and expansion of that unit up into the attic/third floor by way of interior renovations and new roof framing. Building to remain a two-family dwelling.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to do interior and exterior renovations.

Board Members asked about the plans.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review. Fortune seconded and the motion carried unanimously.

**Case: BOA-1161792 Address: 7 Iowa Street Ward: 15 Applicant: Auliane Hold**

**Articles:** Article 65, Section 9 Floor Area Ratio Excessive  $1.1 > 0.5\text{max}$  Article 65, Section 9 Bldg Height Excessive (Stories)  $3 > 2\ 1/2\text{max}$  Article 65, Section 9 Side Yard Insufficient  $5.7' < 10'\text{min}$  Article 65, Section 9 Rear Yard Insufficient  $7' < 10'\text{min}$  (Shallow Lot)

**Purpose:** Correct work done by previous contractor, replace siding and continuous work follow the contract and the new plans.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to correct work from the prior contractor that was unpermitted, and legalize the dormers.

Board Members asked is this was a 1 or 2 family, basement occupancy, and work done.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review. Fortune seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA-1170526 Address: 165 Milton Avenue Ward: 18 Applicant: Kevin Romano**

**Article:** Art. 69 Sec.23 Neighborhood Design O.D.

**Purpose:** Kitchen renovation, replace existing porch, single story addition approx 150 sq. ft.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to renovate the kitchen and replace the existing porch.

Board Members asked about the occupancy and the plans.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review with attention to the pitch of the dormer. Fortune seconded and the motion carried unanimously.

**Case: BOA-1163940 Address: 1825-1827 River Street Ward: 18 Applicant: David McSweeney**

**Articles:** Art. 69 Sec. 09 Floor area ratio is excessive Art. 69 Sec. 09 Height requirement is excessive

**Purpose:** Removing roof, adding 3rd floor, Removing 1 full bath and bedroom, turning original bed into dining room and original bath into extended kitchen on main floor of unit 1827. On proposed addition (3rd for) 3 beds 2 baths. (1 master bedroom with bath) and 2 regular bedrooms with an accompanied bath.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to expand unit 2 by adding a third bedroom and new floor addition.

Board Members asked about the occupancy and the plans.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review. Fortune seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA-1171320 Address: 5 West Milton Street Ward: 18 Applicant: Eric Williams**

**Article:** Art. 69 Sec.23 Neighborhood Design O.D. You need to seek relief from the BOA (Board of Appeals) as this is in a Neighborhood Design Review District Purpose: Extend kitchen, add bathroom, washroom and storage area. Remove the existing wall. Case: BOA-1143606 Address: 8 Alveston Street Ward: 19 Applicant: Pablo Alvarado Alvarado Articles: Article 55, Section 12 Side Yard Insufficient Article 55, Section 12 Rear Yard Insufficient

**Purpose:** Demo existing garage and build a new attached garage as per plan.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to expand the kitchen and add bathroom space.

Board Members asked about the square footage and the plans.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve. Fortune seconded and the motion carried unanimously.

**Case: BOA 1180289 Address: 203 Chestnut Avenue Ward: 19 Applicant: Kyle Richard Costello**

**Articles:** Article 55, Section 9 Side Yard Insufficient Article 55, Section 9 Rear Yard Insufficient Article 55, Section 9 Bldg Height Excessive (Stories)

**Purpose:** Create master bedroom by adding a 3rd floor on top of existing second floor bump out footprint

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to add a third bedroom on top of second floor with addition in the rear.

Board Members asked about the plans.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review. Fortune seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA-1177169 Address: 320 Cornell Street Ward: 20 Applicant: Andrew Dore**

**Articles:** Art. 67 Sec. 28 Design Review Required Article 67, Section 9 Bldg Height Excessive (Stories)

**Purpose:** The scope of the project consists of finishing the existing attic space with one new shed dormer to create a study and master suite. There are also cosmetic updates to the second floor rear hall and laundry area. There is no change in occupancy or use group.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to add dormer for expansion of a master suite.

Board Members asked is this was owner occupied and the plans.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review. Fortune seconded and the motion carried unanimously.

**Case: BOA-1176271 Address: 7 Glenellen Road Ward: 20 Applicant: Christopher Springer**

**Articles:** Article 56, Section 8 Floor Area Ratio Excessive  $0.8 > 0.4_{max}$  Art. 56 Sec. 40 Conformity with Existing Building Alignment 3.9' proposed front setback Article 56. Section 8 Side Yard Insufficient  $5.5/9.8' < 7.5/10'_{min}$

**Purpose:** Raise roof of existing house and add second level of living space.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to expand living space with a new floor addition.

Board Members asked if this was a 1 or 2 family, and the plans.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services and an abutter are in support..

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review. Fortune seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA 1167643-Address: 199 Wren Street Ward: 20 Applicant: Alphonse DePalma II**

**Article:** Article 56, Section 8 Rear Yard Insufficient 1. 6' < 15'min (Shallow Lot); for privacy wall 2. 6' < 10'min; for deck

**Purpose:** Adding Deck above garage with new slider. Case: BOA-1157796 Address: 105 Corey Street Ward: 20 Applicant: James Christopher Article: Art.56 Sec.40 Appl of dimensional req 56 40.7 Max Height 15 feet Purpose: Addition to existing garage as per the attached plans.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to add a deck with a new slider.

Board Members asked about plans, and family size.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve. Fortune seconded and the motion carried unanimously.

**Case: BOA-1174196 Address: 31 Willers Street Ward: 20 Applicant: Marc A Joseph**

**Articles:** Article 56, Section 40 Application of Dimensional Req Accessory Buildings in Side or Rear Yard Article 56, Section 8 Floor Area Ratio Excessive

**Purpose:** Amend ALT511589 to replace existing shed located at the rear southwest corner with a pergola 12x18.change garage storage 2nd floor to home office for remote work.repair front soffit and gutters due to snow damage.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to amend their original permit application and make the garage 2<sup>nd</sup> floor a home office.

Board Members asked about the plans.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve. Fortune seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA-1184282 Address: 67 Hopedale Street Ward: 22 Applicant: Linceo, LLC Articles:** Article 51, Section 8 Use: Forbidden 2F in 1F Zone Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient Purpose: Change occupancy from 1 family to 2 family; renovate existing basement living area as part of Unit 1; add 2 new egress windows in basement. Renovate kitchens on floors 1 and 2 and bathrooms on floors basement, 1, 2 & 3. Add exterior rear stair and deck. Add parking for 4 cars in the rear yard from the existing driveway as shown on plans.

**Discussion/Vote:** The applicant requested a deferral and one was granted unanimously. The new hearing date will be August 24, 2021 at 12:30pm.

**RE-DISCUSSIONS: 12:30PM**

**Case: BOA-1161771 Address: 168 Gove Street Ward 1 Applicant: 168 Gove Street, LLC**

**Articles:** Article 27T-5 E. Boston IPOD Applicability Article 53 Section 8 Use Regulations Use Table footnote (7) – Basement units Forbidden Article 53 Section 9 Excessive F.A.R. – 1.0 max Article 53 Section 9 # of allowed stories exceeded – 3 Story Max Article 53 Section 9 Max. allowed height exceeded – 35’ max. allowed Article 53 Section 9. Insufficient open space per unit – 200sf/unit required Article 53 Section 9 Insufficient rear yard – 30’ required Article 53 Section 9 Insufficient side yard – 5’ required Article 53 Section 9 Insufficient additional lot area per unit – 1000s/unit req. Article 53, Section 52 Roof Structure Restrictions Article 53, Section 56 Off-Street Parking & Loading Req Insufficient parking spaces – 1.75/unit required Article 53, Section 56.5(a) Off Street Pkg Maneuverability. Article 9, Section 1 Extension of Nonconforming Building Dimensional - <25% Conditional

**Purpose:** Change of Occupancy from four (4) unit residential dwelling to eight (8) unit residential dwelling. Construct a new fifth story addition with a roof deck. Full renovation as per plans.

**Discussion/Vote:** The applicant requested a deferral from the Board. Erlich moved to defer, Dong seconded, and the motion carried unanimously. The new date is August 31, 2021 at 12:30pm.





City of Boston  
Board of Appeal

**Case: BOA- 1158608 Address: 254 Paris Street Ward 1 Applicant: SG Paris Development, LLC**

**Articles:** Article 27T-5 East Boston IPOD Applicability Article 53 Section 8 Use Regulations Multi-Family Dwelling: Forbidden Article 53, Section 56 Off-Street Parking & Loading Req Off-Street Parking Insufficient Article 53, Section 9 Lot Area Insufficient Article 53, Section 9 Add'l Lot Area Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Front Yard. Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient

**Purpose:** Seeking to raze the existing and erect a building with six residential units and five parking spaces. [ZBA ePlan]

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to build a 4 story 6 unit building with parking.

Board Members asked about plans, prior appearance, roof decks, and parking spaces.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services and Councilor Edwards are in support. BTB says the space is too small for 5 parking spots.

**Documents/Exhibits:** Building Plans, letters of support.

**Votes:** Board Member Erlich moved to approve with BPDA design review and BTB review. Ligris seconded and the motion carried 5-2.

**Case: BOA-1121608 Address: 297 Newbury Street Ward 5 Applicant: Dennis Colwell**

**Articles:** Art. 08 Sec. 07 Use: Forbidden This proposed cannabis use location is within ½ mile from another existing cannabis establishment: Therefore, Forbidden Art. 08 Sec.07 Use: Conditional Use is conditional

**Purpose:** Change of Occupancy to include Marijuana Dispensary. Demolition of interior non load bearing walls, construction of new walls for a security office, retail space, secure vault, and ADA lift in rear alley.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to open a cannabis establishment ½ mile away from another.

Board Members asked about plans, the buffer zone, and business hours.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, Councilor Bok, Rep. Livingstone, abutters, and the Back Bay Neighborhood Association are in opposition.

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

**Votes:** Board Member Ligris moved to deny. Erlich seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA-1121328 Address: 142 P Street Ward 6 Applicant: Ryan Hunt**

**Articles:** Article 29 Section 4 GPOD Applicability Greenbelt Protection Overlay District Applicability Article 68, Section 8 Front Yard Insufficient Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Location of Main Entrance shall face the Front Lot Line Article 68, Section 29 Roof Structure Restrictions Building Height Excessive ( Proposed new Building exceeds the Building Height of the previous Building ) Article 68, Section 34 Application of Dimensional Req Traffic Visibility Across a Corner Lot

**Purpose:** Erect a 3 story, Seven (7) Unit Residential Building.

**Discussion/Vote:** The applicant requested a deferral from the Board. Fortune moved to defer, Dong seconded, and the motion carried unanimously. The new date is August 31, 2021 at 12:30pm.

**Case: BOA-1130282 Address: 25 Vassar Street Ward 14 Applicant: Peter Vanko**

**Articles:** Article 65, Section 8 Use Regulations Multi family forbidden, Article 65, Section 9 Lot Area Insufficient, Article 65, Section 9 Lot Width Insufficient, Article 65, Section 9 Front Yard Insufficient, Article 65, Section 9 Rear Yard Insufficient, Article 65, Section 9 Bldg Height Excessive (Feet), Article 65, Section 9 Bldg Height Excessive (Stories), Article 65, Section 9 Floor Area Ratio Excessive, Article 65, Section 4 1 Off Street Parking & Loading Req Parking insufficient, Article 65, Section 9.2 Dim Regs: Location of Main Entrance

**Purpose:** Erect new Multi Family Dwelling (4 units). Raze building on separate permit. [ZBA ePlan]

**Discussion/Vote:** Board member Fortune moved to deny without prejudice. Erlich seconded and the motion carried unanimously.

**Case: BOA-1029463 Address: 55 Church Street Ward: 15 Applicant: Ana Ortiz**

**Articles:** Art. 10 Sec. 01 Limitation of off street parking areas Article 65, Sec 65 41 Off Street Loading Req. 65 41.4.a) Location 65 41.5 a) Design

**Purpose:** Requesting a curb cut for an existing driveway for two off street parking spaces. ZBA

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to legalize the driveway and add a curb cut.

Board Members asked about width of the driveway.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services and an abutter are in support. BTB says the plans only reflect 1 car.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Barraza moved to approve. Ligris seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**RECONSIDERATION: 1:00PM**

**Case: BOA-1120246 Address: 655 Morton Street Ward 14 Applicant: Alfonso Sira**

“Request for reconsideration, pursuant to Article 5-3, of the Board’s 4/27/21 Decision to Deny the requested relief for renovation of basement into apartment and change of occupancy to a boarding house. Per Article 60 Sec. 08: Dwelling unit is forbidden in basement, Lodging house use is a forbidden use  
Article 60 Sec. 09: Lot area for the add’l unit is insufficient, Floor area ratio is excessive, Usable open required is insufficient Article 60 Sec. 37: Off street parking requirement is insufficient  
seeking with reference to the premises at: 655 Morton Street, Ward 14

**Articles:** Art. 60 Sec. 08. Use Regs apply in Res Subdistr Dwelling unit is forbidden in basement Art. 60 Sec. 08 Use Regs apply in Res Subdistr Lodging house use is a forbidden use  
Art. 60 Sec. 60 9. Additional Lot Area Insuff Lot area for the add’l unit is insufficient Article 60 Section 9 Floor area ratio is excessive Article 60 Section 9 Usable open required is insufficient Article 60, Section 37 Off Street Parking Insufficient Off street parking requirement is insufficient

**Purpose:** Renovation of basement into apartment and change of occupancy to a boarding house

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to request a reconsideration.

**Votes:** Board Member Erlich moved to deny the reconsideration. Ruggiero seconded and the motion carried unanimously.



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**  
**KOSTA LIGRIS**  
**SHERRY DONG**

**SUBSTITUTE MEMBERS:**

**HANSY BETTER BARRAZA**

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](https://www.municode.com/library/ma/boston/codes/redevelopment_authority)

For a video recording of the June 22, 2021 Board of Appeal Hearing please go to: [https://www.cityofboston.gov/cable/video\\_library.asp](https://www.cityofboston.gov/cable/video_library.asp).