



City of Boston
Board of Appeal

Tuesday, August 31, 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 AUGUST 31, 2021 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS AUGUST 31, 2021 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 AUGUST 31, 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 <https://bit.ly/zbaAugust31Hearing> or by calling 1-617-315-0704 and entering access code 179 273 7354.

If you wish to offer testimony on an appeal, please click <https://bit.ly/zbaAugust31Comment> to sign up. Please provide your name, address,



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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/zbaAugust31Comment> calling 617-635-4775 or emailing isdboardofappeal@boston.gov.

The ZBA Ambassador will be available within the WebEx Event from at 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.

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 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 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.



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APPROVAL OF THE HEARING MINUTES: 9:30AM

JUNE 29, 2021

EXTENSIONS: 9:30AM

Case: BOA-930621 Address: 1 Ludlow Street Ward 2 Applicant: Eric Zachrison, MBA, AIA

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-948242 Address: 666 Metropolitan Avenue Ward 18 Applicant: John Pulgini

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.

BOARD FINAL ARBITERS: 9:30AM

Case: BOA- 1156470 Address: 1121 Dorchester Avenue Ward 15 Applicant: George Morancy, Esq

Discussion/Vote: Upon a Motion and second, the Board voted unanimously to approve the application.

Case: BOA- 1156475 Address: 31 Savin Hill Avenue Ward 15 Applicant: George Morancy, Esq

Discussion/Vote: Upon a Motion and second, the Board voted unanimously to approve the application.

HEARINGS: 9:30AM

Case: BOA- 1173654 Address: 9 Russell Street Ward 2 Applicant: 9 Russell Street, LLC

Articles: Article 62, Section 25 Roof Structure Restrictions Article 62, Section 8 Bldg Height Excessive (Stories)
Article 62, Section 8 Bldg Height Excessive (Feet) Article 62, Section 8 Side Yard Insufficient Article 62, Section 8
Rear Yard Insufficient Article 62, Section 29 Off Street Prkg and Loading Req-Off Street Parking Insufficient

Purpose : Confirm occupancy as existing single. To consolidate Parcel ID 0200675000, Parcel ID 0200682000, and
Parcel ID 0200681000 to form one new lot containing 3,523 SF. Also, to change the occupancy from a one family to a
three family, renovate, and erect front, side and vertical additions

Discussion/Vote: The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer
this matter until September 28, 2021 at 12:30PM.



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Case: BOA- 1210389 Address: 16 South Russell Street Ward 3 Applicant: Kevin Joyce

Articles: Art. 17 Sec 01 Usable open space Insufficient

Purpose: Legalize ground level dwelling unit to correct occupancy from a store and 4 dwelling units to 5 dwelling units. No work to be done.

Discussion/Vote: The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until September 28, 2021 at 12:30PM.

Case: BOA-1210630 Address: 20 Dwight Street Ward 3 Applicant: Christine McMahon

Articles: Art 64.9.4 Town/Rowhouse extension into rear Art. 32 Sec. 32 4Groundwater Conservation Overlay District, Applicability

Purpose : Ground floor rear elevation addition, per plans. Interior renovations on SF1129146.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to extend the rear of the property with a small bump out.

Board Members asked about the rear addition and plans.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Tyrone moved to approve, Logue seconded and the motion carried unanimously.

Case: BOA-1100765 Address: 191 Commonwealth Avenue Ward 5 Applicant: Vernon Woodworth

Articles: Art. 13 Sec. 13 1 Dimensional Regulations Art. 23 Sec. 01 Off street parking requirements Article 13, Section 1 Floor Area Ratio Excessive Article 13, Section 1 Usable Open Space Insufficient

Purpose : Change of use from sixteen (16) to twenty (20) apartments. Upgrade electrical, alarm and sprinkler systems.

Discussion/Vote: The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until November 9, 2021 at 12:30PM.

Case: BOA-1084622 Address: 520 East Broadway Ward 6 Applicant: Max & Donna Rans

Articles: Article 68, Section 29Roof Structure Restrictions-Addition (4 story residential over 1 story garage)
Article 68, Section 8 Height Exceeded (35' Max.) Art 68 Sec 8Dim reg app in res sub dist -Insufficient side yard set back
Art.68 Sec 29 Roof Structure Restrictions - Roof Deck access via head house

Purpose: This project will convert an existing 1 family dwelling to a multi family residential dwelling with FOUR units by renovating the interior of the structure and constructing a four (4) story addition in the rear over a lower level garage. See UOP#491072032 for off street parking/easement access.

Discussion/Vote: The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until November 9, 2021 at 12:30PM.



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Case: BOA- 1084625 Address: 520 East Broadway Ward 6 Applicant: Max & Donna Rans

Articles: Article 68, Section 33 Off-Street Parking & Loading Req - Access via Easement(Maneuvering areas on own lot)

Purpose : Construct a single surface parking space accessed via 518 East Broadway secured by an Easement recorded in the Suffolk County Registry of Deeds Book 43841, Page 148 *Application filed in conjunction with ALT1058818 for appeal (Clarification easement deed provided 5.13.20 Book 46358, Page 77).

Case: BOA- 1187924 Address: 760 East Fourth Street Ward 6 Applicant: Theodore I. Goldberg

Articles: Art. 68 Sec.08Dimensional Req- Insufficient open space per unit free from motor vehicle parking/maneuvering areas

Purpose: Back yard asphalt pavement for 5 parking space.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add 5 off street parking spots.

Board Members asked about the legal occupancy, plans, and screening on the side yard.

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

Documents/Exhibits: Building Plans, a letter in opposition.

Votes: Board Member Pinado moved to approve provisos 1)BPDA design review 2) Screening and buffering. Kindell Jr seconded and the motion carried unanimously.

Case: BOA-1190137 Address: 388 Athens Street Ward 6 Applicant: Timothy Johnson

Articles: Article 68, Section 8 Usable Open Space Insufficient 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 Lot Area Insufficient Article 68, Section 8 Add'l Lot Area Insufficient Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Bldg Height Excessive (Feet) Article 68, Section 33Off Street Parking & Loading Req -Off Street Parking Insufficient Article 68, Section 33Off Street Parking & Loading Req -Design. Inappropriate maneuvering area

Purpose : Erect a 4-Story, 3-Unit Building w/4 car garage, side and roof decks on the vacant land.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a 4 story 3 family with a head house.

Board Members asked about plans, setback, and overhang.

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

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

Votes: Board Member Pinado moved to approve with BPDA design review, Kindell seconded and the motion carried unanimously.



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Case: BOA- 1205564 Address: 20 Gillette Park Ward 6 Applicant: The Gillette Company, LLC

Articles: Art. 09 Sec. 01 Extension of Non Conforming Use

Purpose : To use Parking Lots 8 & 9 as a parking lot (Use Item 58) or as ancillary parking (Use Item 71) supporting office uses across A Street. Both are conditional uses because the lots are located within the Restricted Parking District. Seeking Further Relief Required notice from ISD.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to use the parking facility as ancillary parking.

Board Members asked about parking needed, plans, screening and buffering, and BPDA's previous decision.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Pinado moved to approve with BPDA design review and screening and buffering. Dong seconded and the motion carried unanimously.

Case: BOA-1152274 Address: 69-71 A Street Ward 6 Applicant: CIEE, Inc

Articles: Art. 07 Sec. 4 Other Protectional Conditions -Previous BOA proviso Art. 09 Sec. 02 Nonconforming Use Change - Existing Non conforming General office Use Article 68, Section 7 Use Regulations - Research lab Forbidden Article 68, Section 7 Use Regulations -Product Development or Prototype Manufacturing Forbidden

Purpose : Change Use of levels Basement, 1 5 to Research and Development uses for Research Laboratory and Product Development or Prototype Manufacturing , as allowed under 'Business Group B". All infrastructure to remain same as submitted under original ALT 517158 w/ code compliant MEP,HVAC and Life Safety Systems ; sprinkler, Fire Alarm, Egress. (Note: Shell only; Tenant fit out to be performed under a separate alteration permit). Work description modified perm Atty. 2.8.21

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to change the basement occupancy to research and lab uses.

Board Members asked about plans, the new uses, and the new tenants.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, Councilor Flaherty, Councilor Flynn, Neighbors, and the Carpenter's Union are in support. Abutters and an attorney representing abutters are in opposition.

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

Votes: Board Member Kindell moved to deny the project. Logue seconded and the motion carried unanimously.



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Case: BOA- 1185335 Address: 168 H Street Ward 7 Applicant: 168 H Street, LLC

Articles: Art. 68 Sec. 07 Use conditional Art. 09 Sec. 02 Nonconforming Use Change

Purpose : Change of Occupancy from a Dance Studio and 2 residential units to a General Office and 2 residential units.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to change the occupancy to general office and 2 residential units.

Board Members asked about plans, and office space.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Pinado moved to approve as a professional office. Dong seconded and the motion carried unanimously.

Case: BOA- 1208969 Address: 6 Douglas Street Ward 7 Applicant: Michael Norton

Articles: Article 29 Section 4 GPOD Applicability Article 68, Section 33 Off Street Parking & Loading Req -Off Street Parking Insufficient Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Front Yard Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Add'l Lot Area Insufficient

Purpose : Demo the existing free standing garage and built 4-Family Residential apartment building with parking.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to build a 4 family residential with parking for 4 spots.

Board Members asked about parking, an elevator, handicap unit, and context.

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

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

Votes: Board Member Pinado moved to approve with BPDA design review. Logue seconded and the motion carried unanimously.



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Case: BOA-1072023 Address: 190-192 Dudley Street Ward 8 Applicant: Philip Hresko

Article Art. 50, Section 11 Floor area ratio is excessive Art. 50, Section 11 Rear yard setback requirement is insufficient Art. 50 Sec. 43 Off street parking requirements -Off street parking requirement is insufficient Art. 50, Section 43 Off Street Loading Insufficient -Off street loading requirement is insufficient Art. 50, Section 29 Height requirement is excessive

Purpose : Demolish existing 1-story retail building, combine two lots and erect a new 5 story residential building with 28 apartments on floors 2 through 5 and build new retail store on the 1st floor.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to raze the building and build a new 28 rental apartments building with a retail store

Board Members asked about plans, parking, commercial space and unit sizes.

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 and letters of opposition.

Votes: Board Member Walsh moved to approve with BPDA design review., Pinado recused and the motion did not carry 4-1.

Case: BOA-1213945 Address: 79 Kenwood Street Ward 17 Applicant: Karen Davis

Articles: Art. 65 Sec. 41 Off street parking requirements-Location- driveway shared with neighbor's lot.
Design: insufficient maneuvering areas. Article 65, Section 9 Usable Open Space Insufficient -Required: 1,500 sqft

Purpose: We will cut curb and install a new driveway for 3 parking spaces in back.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a driveway with 3 parking spots in the rear of the home.

Board Members asked about the occupancy, distance from the property to the building, and plans.

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

Documents/Exhibits: Building Plans, 1 letter of support.

Votes: Board Member Fortune moved to deny, Kindell seconded and the motion carried unanimously.



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Case: BOA-1212903 Address: 114R Walworth Street Ward 20 Applicant: Derric Small

Articles: Art. 67 Sec. 28 Design review required Article 67, Section 9 Front Yard Insufficient

Article 67, Section 9 Side Yard Insufficient Article 67, Section 9 Rear Yard Insufficient

Purpose :Erect a 2 story, three car garage, with recreation room on second level.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a 2 story 3 car garage.

Board Members asked about space, the bathroom and plans.

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

Documents/Exhibits: Building Plans, letters in opposition.

Votes: Board Member Pinado moved to approve with provisos. 1) removal of the bathroom 2) BPDA design review. Logue seconded and the motion carried unanimously.

Case: BOA-1160429 Address: 884-888 Morton Street Ward 17 Applicant: Anthony Perkins

Articles :Article 60, Section 11 Use: Conditional -Retail Cannabis is a conditional use

Purpose : Change Occupancy from Salon to Retail Cannabis

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 plans, security, operations, parking, functionality, nearby establishments and hours.

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

Documents/Exhibits: Building Plans, 9 pages of support letters.

Votes: Board Member Fortune moved to approve with the provisos 1) BPDA design review, 2) this applicant only, 3) hold signatures until the Board receives updated plans. Pinado seconded and the motion carried unanimously.



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HEARINGS:11:00AM

Case: BOA-1053706 Address: 1-2 Thompson Square Ward 2 Applicant: Susan Hurst

Articles: Art. 62 Sec. 14 Usable open space insufficient Art. 62 Sec. 29 Off street parking insufficient Art. 62 Sec. 29 Off street parking Design/Maneuverability Article 62, Section 8 Bldg Height Excessive (Feet) Article 62, Section 14 Floor area ratio excessive.

Purpose : The project consists of a change of occupancy and a residential addition to an existing building. The proposed addition will be approximately 23,630 SF and will be comprised of 9 residential units. The first floor of the proposed building includes a 3 level 3 space 9 car garage with elevator.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a 9 unit residential building with 1 retail space and gaining 1 parking spot.

Board Members asked about plans, the size, unit breakdown, roof deck, outdoor space, and landscaping.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services is in support. Neighbors, multiple abutters, and the Charlestown Preservation Society are in opposition.

Documents/Exhibits: Building Plans.

Votes: Board Member Fortune moved to deny. Kindell seconded and the motion carried unanimously.

Case: BOA-1211917 Address: 69 Montgomery Street Ward 4 Applicant: Alpine Advisory Services, Agent for Owner

Articles: Art 64.9.4 Town/Rowhouse extension into rear -Balconies additions Art. 32 Sec. 32 4 Groundwater Conservation Overlay District, Applicability Art. 64 Sec. 34 Restricted Roof Structure Regs Article 64, Section 9 Usable Open Space Insufficient

Purpose : Change of Occupancy from 2F&5 lodger to a 3 family. Full gut renovation of the entire building. New kitchens, baths, electrical, plumbing, Hvac, etc. eplan > BOA (Notes: Demo GARAGE, construct roof decks, widen dormer, redesign fire escape egress paths.)

Discussion/Vote: The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until September 28, 2021 at 12:30PM.

Case: BOA#1212100 Address: 69 Montgomery Street Ward 4 Applicant: Alpine Advisory Services, Agent for Owner

Purpose: Change of Occupancy from 2F&5 lodger to a 3 family. Full gut renovation of the entire building. New kitchens, baths, electrical, plumbing, Hvac, etc. eplan > BOA (Notes: Demo GARAGE, construct roof decks, widen dormer, redesign fire escape egress paths.)

Violation Violation Description Violation Comments 9th 780 CMR 1011 Stairways 1011.11.12.2 Roof access through a penthouse 9th 780 CMR 1021 Egress Balconies Fire escape down to garage's roof eliminated. Instead, ladder proposed.

Discussion/Vote: The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until September 28, 2021 at 12:30PM.



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Case: BOA-1131584 Address: 362-364 West Broadway Ward 6 Applicant: Douglas Stefanov

Articles: Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. Article 68, Section 29 Roof Structure Restrictions Article 68, Section 8 Insufficient side yard setback

Purpose : Install new roof deck on rear of fourth floor existing roof. Exclusive use for Unit 6.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a new roof deck.

Board Members asked about plans, and if the roof deck would be viewable from the street.

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

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

Votes: Board Member Fortune moved to deny, Dong seconded and the motion carried unanimously.

Case: BOA-1194405 Address: 28 Wildwood Street Ward 14 Applicant: Peter Bryson

Articles: Article 60, Section 8 Use forbidden Article 60 Section 9 Insufficient lot size Article 60 Section 9 Insufficient additional lot area Article 60 Section 9 Insufficient lot width Article 60 Section 9 Insufficient lot width frontage Article 60 Section 9 Excessive F.A.R. Article 60 Section 9 Insufficient open space Article 60, Section 9 Insufficient side yard setback, Article 60 Section 40 Off Street Parking & Loading Req-Parking space size minimal requirements and maneuvering areas Article 60, Section 41 Application of Dimensional Req - Special provisions for corner lots front yard requirements Art. 10 Sec. 01 Limitation of parking areas -> 25%

Purpose: Erect New 3 Story apartment building with 4 units, including Boston DND low income, with 4 off street parking space and extend Existing curb-cut. On vacant lot.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a 3 story 1 DND unit with 4 parking spaces.

Board Members asked about plans, the size, and the configuration of the building.

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

Documents/Exhibits: Building Plans, letters of support.

Votes: Board Member Pinado moved to approve with BPDA design review. Logue seconded and the motion carried unanimously.

Case: BOA-1202529 Address: 55 Bowdoin Avenue Ward 14 Applicant: Kathalene MacPherson

Articles: Art. 65 Sec. 08 Three family dwelling is a forbidden use in this zoning sub district

Art. 65 Sec. 08 Dwelling unit located in basement is forbidden Article 65, Section 9 Side Yard Insufficient

Purpose : This is the renovation of an existing 2 family into a 3 family residence. A 1 car garage along with a loft space above which will be part of the adjacent unit. The existing lower unit 1 duplex will be converted into 2 units.

Discussion/Vote: The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until November 16, 2021 at 12:30PM.



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Case: BOA-1070490 Address: 31 Cambridge Street Ward 2 Applicant: Kevin Joyce

Articles: Article 62, Section 13 Use Regulations - Cannabis Establishment Use: Conditional Article 62, Section 14 Floor Area Ratio Excessive Article 62, Section 13 Use Regulations - Cannabis Establishment shall be sited at least one half mile or 2,640 feet from another existing cannabis establishment

Purpose : Change occupancy to include cannabis establishment. Then renovate existing first floor commercial space as per plans filed herewith. Renovated commercial space to be used and occupied by new tenant R2 Resilient Remedies LLC as a cannabis establishment after renovation.

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, plans, traffic flow, online services, parking and deliveries.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, and Councilor Edwards, neighbors, and the Charlestown Coalition are in support. Neighbors and a former resident are in opposition.

Documents/Exhibits: Building Plans, letters in opposition.

Votes: Board Member Fortune moved to approve with provisos 1)BPDA design review 2) it will be for this applicant only. Logue seconded and the Board approved unanimously.

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 new fifth story addition with roof deck. Full renovation as per plans.

Discussion/Vote: The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until September 28, 2021 at 12:30PM.



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Case: BOA- 1181104 Address: 29 Saint Andrew Road Ward 1 Applicant: JJ Construction

Article: Article 27/East Boston IPOD You need relief from the BOA (Board of Appeals) for the said violations.

Purpose: Built new back porch, make wider stairs from first floor to second floor, finish the basement according drawings, upgrade the electrical, HAVC and plumbing.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a new porch, make wider stairs, and to do basement renovations.

Board Members asked about plans, egress and configuration.

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 Pinado moved to approve with BPDA design review. Fortune seconded and the motion carried unanimously.

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, five (5) Unit Residential Building. There will be a ten (10) vehicle parking garage built underneath building.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a 3 story 5 unit building with 10 parking spots.

Board Members asked about plans, the size, and the configuration of the building.

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

Documents/Exhibits: Building Plans.

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



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Case: BOA-1161109 Address: 46 N Street Ward: 6 Applicant: George Morancy

Articles: Art 68 Sec 29 Roof Structure Restrictions Art 68 Sec 8 Insufficient side yard setback Art 68 Sec 8 Excessive F.A.R.

Purpose: Erect third story addition to existing structure, with front and rear decks on roof of second story.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a partial 3rd story addition to add living space with new 3rd floor rear balconies.

Board Members asked about plans, and why the applicant deferred originally.

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

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

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

Case: BOA-1161110 Address: 48 N Street Ward: 6 Applicant: George Morancy

Articles: Art 68 Sec 29 Roof Structure Restrictions Addition Art 68 Sec 8 Excessive F.A.R. Art 68 Sec 8 Insufficient side yard setback

Purpose: Erect third story addition to existing structure, with front and rear decks on roof of second story.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to add a partial 3rd story addition to add living space with new 3rd floor rear balconies.

Board Members asked about plans, and why the applicant deferred originally.

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

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

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



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Board of Appeal

Case: BOA-1130507 Address: 120 Hancock Street Ward 13 Applicant: Vernon Woodworth

Articles: Article 65, Section 8 Use Regulations Use: Accessory Parking: Forbidden Article 65, Section 8 Use Regulations Use: Multifamily Dwelling: Forbidden Article 65, Section 9 Lot Area for Additional Dwelling Units Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Building Height Excessive Article 65, Section 9 Building Height (# of Stories) Excessive Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Insufficient Article 65, Section 41 Off Street Parking & Loading Req Off Street Parking Design / Maneuverability Article 65, Section 41 Off Street Parking & Loading Req Off Street Loading Insufficient

Purpose: Erect 15 dwelling units. Nominal fee requested pending ZBA approval. Correct address is 120- 122 Hancock Street in Dorchester (address not available at ISD portal).

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a 15 residential dwelling unit building with 9 parking spaces.

Board Members asked about the slope, plans, configuration, garage level, and bike storage.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Pinado moved to approve with BPDA design review. Logue seconded and the motion carried unanimously.

Case: BOA-1194538 Address: 74 Burt Street Ward 17 Applicant: 74 Burt Street, LLC

Articles: Article 65, Section 8 Use Regulations MFR is a forbidden use in a 1F 7000 sub district Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Bldg Height Excessive (Feet) Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

Purpose: Demolition of existing single-family structure and erection of new five-unit structure with seven parking spaces. Three story building with first floor garage at street grade. Two living levels above first floor garage. This application is for rejection letter to begin ZBA process

Discussion/Vote: The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until November 16, 2021 at 12:30PM.



City of Boston
Board of Appeal

Case: BOA-1144121 Address: 405 Washington Street Ward 17 Applicant: Vernon Woodworth

Articles: Art. 65 Sec. 9 Excessive F.A.R. .5 max Art. 65 Sec. 9 # of allowed stories has been exceeded 2.5 stories max Art. 65 Sec. 9 Maximum allowed height has been exceeded 35' max Art. 65 Sec. 65 41.5 Parking Size & Maneuverability Access/Maneuvering areas Art. 65 Sec. 45 Off street parking requirements Insufficient parking Article 65, Section 8 Use Regulations 13 Unit MFR dwelling Forbidden Use Article 65, Section 39 Screening & Buffering Req MFR in a 2f subdistrict Article 65 Section 42.3 Traffic Visibility Across Corner Article 65, Section 9 Insufficient rear yard setback 30' req. Article 65, Section 9 Insufficient front yard setback 15' min. req.(corner lot rule)

Purpose: New 13-unit multi family. Nominal fee requested pending ZBA approval

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect 13 unit multifamily.

Board Members asked about plans, and the rendering.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Pinado moved to approve with BPDA design review. Logue seconded and the motion carried unanimously.

Case: BOA-1160393 Address: 80 North Beacon Street Ward 21 Applicant: John Walsh

Articles: Article 51, Section 56 Off-Street Parking Insufficient Article 51, Section 8 Use: Forbidden MFR is forbidden in a 1F-3000 Subdistrict Article 51, Section 9 Floor Area Ratio Excessive Article 51, Section 9 Bldg Height Excessive (Stories) Article 51, Section 9 Bldg Height Excessive (Feet) Article 51, Section 9 Front Yard Insufficient Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient

Purpose: Erect new 8-unit building.

Discussion: At the request of the board, the applicant presented plans and described the proposed project in detail to erect a new 6 unit residential dwelling; new construction.

Board Members asked about the rendering, plans, configuration, unit breakdown and the open space.

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

Documents/Exhibits: Building Plans, letters of support.

Votes: Board Member Pinado moved to approve with BPDA design review. Logue seconded and the motion carried unanimously.



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STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775

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For the complete text of the Boston Zoning Code Articles and definitions of terms in this agenda, please go to https://www.municode.com/library/ma/boston/codes/redevelopment_authority

For a video recording of the August 31, 2021 Board of Appeal Hearing please go to: https://www.cityofboston.gov/cable/video_library.asp.