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## 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 21, 2022 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS JUNE 21, 2022 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

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

**THE JUNE 21, 2022 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE ZOOM WEBINAR EVENT PLATFORM.**

Interested persons can participate in the hearing REMOTELY by going to <https://bit.ly/ZBAhearings>. You may also participate by phone by calling into the Zoom Webinar at (301) 715-8592 and entering the Webinar ID: 996 0844 0932 followed by # when prompted.

If you wish to offer testimony on an appeal, please click <https://bit.ly/June21Comment> 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.



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**For individuals who need translation assistance, please notify the Board at least 48 HOURS in advance either by signing up at <https://bit.ly/June21Comment>, calling 617-635-4775, or emailing [zba.ambassador@boston.gov](mailto:zba.ambassador@boston.gov).**

**The ZBA Ambassador will be available within the Zoom Webinar 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 Zoom. 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 that should appear on the bottom of your screen, if connected by computer or device, or dial \*9, if connected by phone. On a computer or device, you will receive a request to unmute yourself from the event host. You must select yes before you can speak. On a phone, you will hear a prompt that the event host is asking you to unmute yourself. You must press \*6 to unmute yourself before you can speak. Commenters will be 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 8:30AM 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. 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.**

**MEMBERS OF THE COMMUNITY ARE STRONGLY ENCOURAGED TO HELP FACILITATE THE VIRTUAL HEARING PROCESS BY EMAILING**



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**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.**



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**APPROVAL OF THE HEARING MINUTES: 9:30AM**

**MAY 19, 2022 & MAY 24, 2022**

**Discussion/Vote:** Upon a motion and a second the Board voted unanimously to approve the hearing minutes.

**EXTENSIONS: 9:30AM**

**Case: BOA-897172 Address: 509 East Fifth Street Ward 6 Applicant: George Morancy, Esq**

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

**Vote:** Upon a Motion and second, the Board voted unanimously to approve the request with a new date of September 19, 2023 subject to all applicable tolling and a 1 year extension.

**Case: BOA-896586 Address: 509R East Fifth Street Ward 6 Applicant: George Morancy, Esq**

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

**Vote:** Upon a Motion and second, the Board voted unanimously to approve the request with a new date of September 19, 2023 subject to all applicable tolling and a 1 year extension.

**Case: BOA- 1012287 Address: 199 Gardner Street Ward 20 Applicant: Michael Parker**

**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 with a new date of May 8, 2023 subject to all applicable tolling and a 1 year extension.

**BOARD FINAL ARBITERS: 9:30AM**

**Case: BOA- 1224583 Address: 1 Washington Mall Ward 3 Applicant: Dennis Quilty, Esq**

**Discussion/Vote:** Upon a motion and a second the Board voted unanimously to approve the Board of Final Arbiter case.

**Case: BOA- 1018347 Address: 36-40 Sprague Street Ward 18 Applicant: John Pulgini, Esq**

**Discussion/Vote:** Upon a motion and a second the Board voted unanimously to approve the Board of Final Arbiter case.

**Case: BOA- 1018350 Address: 38-40 Sprague Street Ward 18 Applicant: John Pulgini, Esq**

**Discussion/Vote:** Upon a motion and a second the Board voted unanimously to approve the Board of Final Arbiter case.



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**GROUNDWATER CONSERVATION OVERLAY DISTRICT ONLY: 9:30AM**

**Case: BOA- 1328225 Address: 433 Marlborough Street Ward 5 Applicant: Christine McMahon**

**Article(s):** Article 32, Section 4.GCOD, Applicability - Groundwater Conservation Overlay District Applicability

**Purpose:** Install new patio, window wells and recharge system per plans. Amendment to permit ALT117131.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to install a new patio and renovate.

**Documents/Exhibits:** Building Plans, BGWT letters.

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

**HEARINGS: 9:30AM**

**Case: BOA-1332018 Address: 421 Saratoga Street Ward 1 Applicant: Kinvarra Capital, LLC**

**Article(s):** Art. 53 Sec. 09 Dimensional Regulations Applicable in Residential Sub Districts · Usable open space per dwelling units do not meet the minimum requirements. · Front, side & rear setbacks to do not meet the minimum requirements. · Building Height exceeds maximum (Feet) for roof decks (3), roof deck access (3) and elevator penthouse. · F.A.R. exceeds maximum requirements. Art.53 Sec.08 Use Forbidden - Two family to Eight units Article 53, Section 52 - Roof Structure Restrictions Art. 53 Sec. 56 Off Street Parking - The number of spaces and dimensions of parking spots do not meet minimum requirements.

**Purpose:** Seeking to renovate the existing structure and erect additions, for a total of 8 residential units and 8 parking spaces.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to renovate for 8 residential units and 8 parking spaces. This is currently a 2 family.

Board members asked about plans, zoning, rear, proposal, driveway.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. An abutter is in support. An abutter is in non-opposition.

**Documents/Exhibits:** Building Plans.

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



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**Case: BOA-1267825 Address: 295 Webster Street Ward 1 Applicant: Aaron Daigneault**

**Article(s):** Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Add'l Lot Area Insufficient Article 53, Section 56 Off Street Parking & Loading Req - Off Street Parking Insufficient

**Purpose:** Change of occupancy from single family to three family dwelling. Extend living space to basement for additional unit. Renovate and upgrade M.E.P.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until August 23, 2022 at 11:30am.

**Case: BOA-1267823 Address: 295 Webster Street Ward 1 Applicant: Aaron Daigneault**

**Article(s):** Article 53, Section 9 Rear Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 52 Roof Structure Restrictions Article 27T 5 East Boston IPOD Applicability

**Purpose:** Construct roof deck addition with enclosed access.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until August 23, 2022 at 11:30am.

**Case: BOA-1334585 Address: 18 Midland Street Ward 13 Applicant: James Christopher**

**Article(s):** Art. 65 Sec. 08 Forbidden - three family use Art. 65 Sec. 41 Off street parking requirements - Insufficient parking (update conversion from one to a three family) **Purpose:** To construct a third story addition, and change occupancy from 2 to 3 residential units as per the attached plans. \*See Alt931362 for addition.

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

Board members asked about plans, proposal.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

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



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**Case: BOA- 1193958 Address: 1154-1156 Dorchester Avenue Ward 15 Applicant: Karen Diep**

**Article(s):** Article 65 Section 16 Lot area for the add'l unit is insufficient Art. 56, Section 16 Floor area ratio is excessive Article 65 Section 16 Floor area ratio is excessive Article 65 Section 16 Height requirement is excessive (stories) Article 65 Section 16 Height requirement is excessive (ft) Article 65 Section 16 Usable open space is insufficient Article 65 Section 16 Rear yard setback requirements is insufficient Art. 65 Sec. 41 Off street parking requirements - Off street parking requirements is insufficient Art. 80 Sec. 80E 2 Small Proj. Review - Small project review applicability Art. 65 Sec. 41 Off St. Loading Req'mnts - Off street loading requirements is insufficient

**Purpose:** To add 3 story addition to existing 3 story building. Change occupancy from Professional Office, Function and community center to Professional Office, Retail Space and 23 Residential Units as per plans.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build a 3 story, 2 retail at grade with 23 residential units. This will include a community center.

Board members asked about plans, proposal, density, basement and the FAR.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. The Columbia/Savin Hill association is in opposition. Councilor Baker, Collins, and an abutter are in support.

**Documents/Exhibits:** Building Plans. Letters in support and opposition.

**Votes:** Board Member Ruggiero moved to approve with BPDA design review and no building code relief. Erlich seconded and the motion carried unanimously.

**Case: BOA- 1288194 Address: 60-64 Hill Top Street Ward 16 Applicant: James Christopher**

**Article(s):** Article 42D 3 Use Regulations-Athletic Facility Use: Conditional

**Purpose:** Change of occupancy from Commercial Warehouse Distributor to Commercial Warehouse Distributor and Athletic Facility. Interior renovation and tenant fit out for new space as per the attached plans.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change occupancy and renovate for a new tenant fit out.

Board members asked about plans, proposal, and use.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. Councilor Baker is in support.

**Documents/Exhibits:** Building Plans.

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

**Case: BOA- 1327256 Address: 1578 Blue Hill Avenue Ward 18 Applicant: Cantina Hospitality, LLC**

**Article(s):** Article 60 Section 37 Street Wall Continuity - Free standing PYLON sign encroachment Article 60, Section 16 Use Regulations - Restaurant with take out - Conditional Article 60, Section 16 Use Regulations - Accessory drive thru -Forbidden

**Purpose:** Demolish existing structure and erect building for a restaurant with drive thru window.

\*Authorization/approval to raze existing buildings on site to be performed on a separate Shortform demolition permit.

**Discussion:** At the request of the Board, the applicant presented to withdraw the project.

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



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**Case: BOA- 1307363 Address: 23 Hallowell Street Ward 18 Applicant: Shquana & Michael Whittaker**

**Article(s):** Article 60, Section 9 Side Yard Insufficient

**Purpose:** Remove existing shingles and replace with new shingles. add two dormers.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to add two dormers and renovate.

Board members asked about plans, proposal, occupancy and dormers.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

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

#### **HEARINGS:10:30AM**

**Case: BOA-1279027 Address: 194-198 Bunker Hill Street Ward 2 Applicant: VLCO Townies, LLC**

**Article(s):** Art. 62 Sec. 14 Usable open space insufficient Art. 62 Sec. 29 Off street parking insufficient Article 62, Section 14 Floor area ratio is excessive.

**Purpose:** Change occupancy to a 3 dwelling units and interior renovations for new 3 dwelling unit: Two bedrooms, bathroom, kitchen and dining room.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until August 9, 2022 at 11:30am.

**Case: BOA-1279022 Address: 198 Bunker Hill Street Ward 2 Applicant: VLCO Townies, LLC**

**Article(s):** Article 62, Section 8 Lot Area Insufficient Article 62, Section 8 Add'l Lot Area Insufficient Article 62, Section 8 Floor Area Ratio Excessive Article 62, Section 8 Bldg Height Excessive (Stories) Article 62, Section 8 Bldg Height Excessive (Feet) Article 62, Section 8 Usable Open Space Insufficient Article 62, Section 8 Side Yard Insufficient Article 62, Section 8 Rear Yard Insufficient Article 62. Section 29 Off Street Parking & Loading Req

**Purpose:** Demolition of existing commercial building for new 4 dwelling unit residential building.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until August 9, 2022 at 11:30am.





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**Case: BOA-1298133 Address: 1395-1405 Washington Street Ward 3 Applicant: The Walsh EI, LLC**

Article(s): Art. 32 Sec. 04 GCOD Applicability Article 64, Section 18 Use: Conditional - Restaurant #1 Article 64, Section 18 Use: Conditional - Restaurant #2 Article 64, Section 18 Use: Conditional - Restaurant #3 Article 64, Section 19 Bldg. Height exceeding 70 ft. Article 64, Section 19 FAR exceeding 3.0 max. Article 64, Section 19 Dimensional Regulations - 64 19.2 Usable open space per 64 9 Article 64, Section 19 Dimensional Regulations - 64 19.2 Rear yard per 64 9 Article 64, Section 34 Roof Structure Restrictions Article 64, Section 36 Off Street Parking & Loading Req Purpose: Construction a new seven story, 35 multi family residential building, with core/shell ground floor local retail (1) and restaurants (3), per plans. Combine parcels 0306975000, 0306976000, 0306977000; see ALT1227446, ALT1222965, and ALT1222967. Demo existing one story building on a separate demo permit.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until August 9, 2022 at 11:30am.

**Case: BOA-1252945 Address: 21 Mayhew Street Ward 7 Applicant: Boston Collegiate Charter School**

Article(s): Art. 09 Sec. 01 Extension of Non Conforming Use - <25% conditional Article 65, Section 8 Use Regulations - Accessory Outdoor Educational/School space Conditional Article 65, Section 8 Use Regulations - Accessory Parking to the main use (school) Conditional Art. 65 Sec. 41 Off street parking requirements - Section 65 41 (4) (a) Parking Encroachment in required front yard Art. 65 Sec. 41 Off street parking requirements - Section 65 41(5)(d) Parking space sizes(50%...)

Purpose: Former residential property being converted to outdoor educational use and accessory parking as part of adjacent campus of Boston Collegiate Charter School.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until July 26, 2022 at 11:30am.

**Case: BOA-1271450 Address: 57-67 Brookside Avenue Ward 11 Applicant: Stephen Camardo**

Article(s): Art. 09 Sec. 01 Extension of Non Conforming Use - Extension of non conforming use is conditional ( Building is located in an LI zone, therefore residential use is forbidden)

Purpose: Add/finish bedroom in 2nd floor loft area.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to add a bedroom and extend the living area.

Board members asked about plans, proposal, height and layout.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans. Letters of support.

**Votes:** Board Member Ruggiero to approve, Erlich seconded and the motion carried unanimously.



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**Case: BOA-1314013 Address: 990-996 Dorchester Avenue Ward 13 Applicant: Julia Evora**

**Article(s):** Art.65 Sec.08 Conditional - Take-out Conditional

**Purpose:** 996 Dorchester Ave. Change of Occupancy to include Retail Food with takeout (small restaurant with take-out).

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change the occupancy to an “everything is good”

Board members asked about plans, proposal, experience and take-out.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood deferred judgement to the Board. Councilor Baker is in support.

**Documents/Exhibits:** Building Plans. Letter of support.

**Votes:** Board Member Ruggiero moved to approve with this petitioner only and all standard take out language. Erlich seconded and the motion carried unanimously.

**Case: BOA-1236084 Address: 45 Milton Avenue Ward 17 Applicant: Michael Castillo, As Principal ONYX Management & Development**

**Article(s):** Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Bldg Height Excessive (Stories)

Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 8 Use Regulation - Multi Family Dwelling Use: Forbidden Article 65, Section 41 Off Street Parking & Loading Req - Off Street Parking Insufficient

**Purpose:** Erect a 12,850 square foot, three story residential building with nine units and parking for nine vehicles. This combined parcel has 10, 800 square feet, see ALT1202780, ALT1202781, ALT1202782. Existing dwelling and two sheds to be razed on a separate permit.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until August 9, 2022 at 11:30am.

**Case: BOA- 1264816 Address: 15 Canaan Street Ward 18 Applicant: Len Kelley 15**

**Article(s):** Article 60, Section 9 Front Yard Insufficient Article 60, Section 9 Rear Yard Insufficient

**Purpose:** Raise roof and Add 4 Dormers 2 in the front & 2 in the rear.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build a master bedroom in the attic.

Board members asked about plans, proposal, height, and roof.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

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



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**Case: BOA-1334366 Address: 27 Allenwood Street Ward 20 Applicant: Caleb Cutler**

**Article(s):** Art. 10 Sec. 01 Limitation of off street parking areas Article 56, Section 39 Off Street Parking & Loading Req

**Purpose:** Move existing curb cut south about 6 feet, replace existing retaining wall (2.5 feet in height)

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to move the curb cut and retaining wall to the other side of the lot.

Board members asked about plans, proposal, front yard, parking, existing, and driveway width.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Erlich moved to approve with BPDA design review, reduce the curb cut, and extend the driveway into the side yard with no front yard parking. Ruggiero seconded, Dong opposed and the motion carried 5-1.

#### **RECOMMENDATIONS: 11:30 AM**

**Case: BOA-1276140 Address: 61 Montmorenci Avenue Ward: 1 Applicant: Jordan Matthews**

**Article(s):** Article 53 Section 56 Off Street Parking & Loading Req - 4) Location of parking in front yard via elimination of the garage Art. 53 Sec. 09 Excessive f.a.r.

**Purpose:** Convert an attached garage into a bedroom. There is a driveway for off street parking still. Change an exterior light.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to convert the garage to a room, which is in context with the neighborhood.

Board members asked about plans, proposal, parking, elevation, egress, and front yard parking.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

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

**Votes:** Board Member Robinson moved to approve with BPDA design review and no building code relief. Fortune seconded and the motion carried unanimously.



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**Case: BOA-1321373 Address: 131 West Newton Street Ward: 4 Applicant: Alpine Advisory Services**

**Article(s):** Article 64, Section 9 Rear Yard Insufficient

**Purpose:** Install cantilevered steel deck at parlor level. Install roof deck. Amendment to ALT1268119.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to add a steel deck and a roof deck.

Board members asked about plans, and the proposal.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

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

**Case: BOA-1319033 Address: 313 West Fourth Street Ward: 6 Applicant: Peter Vanderweil**

**Article(s):** Article 68, Section 8 Rear Yard Insufficient

**Purpose:** Construct deck at second floor rear as shown on stamped drawings submitted.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to construct deck at the second level with no second means of egress.

Board members asked about plans, egress.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

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

**Case: BOA- 1295127 Address: 71 Peter Parley Road Ward: 11 Applicant: Tom Malone**

**Article(s):** Article 55, Section 9 Rear Yard Insufficient

**Purpose:** Demolition of existing rear deck and construction of new rear deck in its place.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to construct a new deck and second means of egress to an owner-occupied home.

Board members asked about plans.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

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

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



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**Case: BOA-1283521 Address: 57 Grampian Way Ward: 13 Applicant: Valbona Martini**

**Article(s):** Article 65, Section 9 Excessive f.a.r.

**Purpose:** Finish basement as per plans attached. Build perimeter walls, and partition walls, add insulation with R15 and sheetrock, build full bathroom and as per plans included. Electrical & plumbing work & finish floors. This basement will be an extension of living space for unit 1.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to finish the basement for livable space.

Board members asked about plans, proposal.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. Councilor Baker spoke in support of the project.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review and no bedrooms in the basement. Fortune seconded and the motion carried unanimously.

**Case: BOA-1044561 Address: 86 Fairmount Street Ward: 17 Applicant: Norberto Leon**

**Article(s):** Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Rear Yard Insufficient - Min 8 ft from an accessory building

**Purpose:** Demo front and rear porches> Build new front porch and 2nd floor addition. Build new rear addition and Porch. Renovate second floor.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to demo the front and the rear porches.

Board members asked about plans, proposal.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

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

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

**Case: BOA- 1333051 Address: 20 Dale Street Ward: 18 Applicant: Michael Bavis**

**Article(s):** Art. 67 Sec. 09 Side Yard Insufficient - Left side of property is less than 10' Article 67, Section 9 Front Yard Insufficient Article 67, Section 9 Bldg Height Excessive (Stories)

**Purpose:** This is the renovation of an existing single family residence. A new dormer will be added at the rear along with new habitable area at the third floor and the basement. The new rear dormer will create a 3 story in a 2.5 story zone. ZBA relief will be required. The front porch will be rebuilt.

**Discussion:** At the request of the Board, the applicant presented plans but the Board moved to defer this because it is an investment property.

**Votes:** Board Member Robinson moved to defer the case. Fortune seconded and the motion carried unanimously. The next hearing date is July 26, 2022.



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**Case: BOA-1296277 Address: 12 Cataumet Street Ward: 19 Applicant: David Rand & Jessica London-Rand**  
**Article(s):** Article 55, Section 9 Side Yard Insufficient Article 55, Section 9 Rear Yard Insufficient  
**Purpose:** New second story addition.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to expand master bedroom.

Board members asked about plans.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

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

**Case: BOA-1307432 Address: 11 Parkside Drive Ward: 19 Applicant: Douglas Arevalo**  
**Article(s):** Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 9 Front Yard Insufficient Article 55, Section 9 Rear Yard Insufficient  
**Purpose:** Build second floor addition, expansion of the garage, renovation of the kitchen, and expansion of living space in the basement, according to submitted plans.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting an owner-occupied single family and expand and add an addition.

Board members asked about plans, proposal, access, and driveway.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review with special attention to the design of the addition and the site plan. Fortune seconded and the motion carried unanimously.



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**Case: BOA- 1311104 Address: 100 Chesbrough Road Ward: 20 Applicant: Christopher Carrier**

**Article(s):** Art. 56 Sec. 08 Useable Open Space insufficient. - Min. required: 1,800 sqft Article 56. Section 8 Side Yard Insufficient - Min. required: 10' Proposed: 0.5' (L) Art. 56 Sec. 08 Rear Yard Insufficient - Min. required: 30' Proposed: 16.9'

**Purpose:** Replace existing temporary carport with new garage and connecting breezeway entrance to basement.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change a car port to a garage.

Board members asked about plans, proposal, and the side property line.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

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

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

**Case: BOA-1316424 Address: 36 Glenhaven Road Ward: 20 Applicant: Old City Builders LLC**

**Article(s):** Article 56, Section 8 Rear Yard Insufficient - Required Rear yard minimum 30 ft.

**Purpose:** Remove existing mudroom and garage and construct new addition in existing foot print of the building Remodel exiting bathroom on 2nd floor Build 16x16 deck back of house replace bulkhead doors. \*ONE FAMILY #872 1939.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to take the garage down, add a room, bedroom, and a bathroom for their growing family.

Board members asked about plans, addition, driveway, and access.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review to increase the side yard, and to remove the curb cut and repair the sidewalk. Fortune seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA-1328337 Address: 51 Gretter Road Ward: 20 Applicant: John Pulgini**

**Article(s):** Article 56, Section 8 Dimensional Regulations - Insufficient side yard setback Article 56, Section 39 Off Street Parking & Loading Req - Location Parking in front yard (garage converted)

**Purpose:** Renovation, update and add a side addition over the garage of an existing single family home.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to update the side addition.

Board members asked about plans, driveway, garage, access, and site plan.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**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.

**Case: BOA- 1305862 Address: 200 Temple Street Ward: 20 Applicant: Erin & John Pels**

**Article(s):** Art. 67 Sec. 09 Side Yard Insufficient

**Purpose:** Construct a master suite second floor addition (with master bath) above a remodeled kitchen and dining room. New roof deck above 2nd floor addition. No change to the footprint of the building on the first floor. House will remain a single family.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build a master bedroom and extend to the second floor with a roof deck.

Board members asked about plans, side yard, roof deck, and addition.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**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- 1285309 Address: 157 Theodore Parker Road Ward: 20 Applicant: Julie Muse-Fisher**

**Article(s):** Art. 56 Sec. 08 Floor Area Ratio excessive Art. 56, Section 8 Dimensional Regulations - Insufficient side yard setback Article 56, Section 8 Dimensional Regulations - Max allowed # of stories exceeded

**Purpose:** This is the conversion and extension of an existing attic into living space. There will be a new rear shed dormer and three single dormers at the front. An existing first floor kitchen will be rebuilt and expanded. House will remain single family.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to create space on the third floor for another bedroom and office space with dormers.

Board members asked about plans, neighborhood and the addition.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. An abutter is in support.

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

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

**Case: BOA- 1268413 Address: 69 Vincent Road Ward: 20 Applicant: Marc Sze**

**Article(s):** Article 56, Section 8 Rear Yard Insufficient

**Purpose:** Construct 14x8 Deck and 10x16 Shed.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to construct a deck and shed.

Board members asked about plans, proposal, and shed.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**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  
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**Case: BOA-1258118 Address: 82 Presentation Road Ward: 22 Applicant: David Roe**

**Article(s):** Article 51 Section 9 Dimensional Regulations-Floor Area Ratio Excessive Article 51 Section 9 Dimensional Regulations-Building Height ( # of Stories ) Excessive

**Purpose:** Adding 1 bedroom, one bathroom and storage closet in attic of existing house. Our long form permit number is ERT50921.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to add a bedroom and increase the living space with dormers.

Board members asked about plans, proposal, and dormers.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

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

**Case: BOA- 1283294 Address: 47-48 Snow Hill Street Ward: 3 Applicant: Ryan Medows**

**Article(s):** Article 54, Section 10 Rear Yard Insufficient Article 54, Section 10 Floor Area Ratio Excessive Article 54, Section 18 Roof Structure Restrictions

**Purpose:** Construct new 1 story vertical addition and roof deck on existing three story building. Upper unit 2 to be renovated

**Discussion:** At the request of the Board, the applicant requested to defer the case.

**Votes:** Board Member Robinson moved to defer the case. Fortune seconded and the motion carried unanimously. The next hearing date is September 27, 2022.

### **RE-DISCUSSIONS :11:30 AM**

**Case: BOA-1272471 Address: 247 Saratoga Street Ward 1 Applicant: Jose Union Contracting and Cleaning Services**

**Article(s):** Art. 53 Sec. 56 Off Street Parking - Off street parking is insufficient. None provided.

**Purpose:** Change occupancy from a single family dwelling to a two family dwelling. Gut and redo the rooms framing, install lvls, install vinyl siding, Bring electrical and plumbing to code, demolish the porch and erect a 2 level porch, Install new heating, install hardwood floors, install cabinets, install drywall, apply plaster and paint. This will be done to 1st 2nd and basement

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change the occupancy from a 1 family to a 2 family, renovate, and bring into the basement.

Board members asked about plans, unit sizes, proposal, sq ft, and the basement.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Ruggiero moved to approve with BPDA design review and no building code relief. Erlich seconded and the motion carried unanimously



City of Boston  
Board of Appeal

**Case: BOA- 1262450 Address: 18 Cordis Street Ward 2 Applicant: Joseph Coote**

**Article(s):** Article 62, Section 8 Side Yard Insufficient Article 62, Section 8 Rear Yard Insufficient

**Purpose:** Confirm as a one family and change to a two family, existing condition. Replace existing sunroom and deck; and, kitchen renovation

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to convert from a 1-2 family with existing structure and replace the sunroom and deck.

Board members asked about plans, proposal, sunroom, basement, unit size, height, zoning district, and lot size.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review and no building code relief. Ruggiero seconded and the motion carried unanimously.

**Case: BOA-1307908 Address: 415-417 Blue Hill Avenue Ward 12 Applicant: Rooted In LLC**

**Article(s):** Art. 50, Section 28 Use: Forbidden - Cannabis establishment is a Forbidden use. Article 50 Section 28 Use Regulations - 50 28 fn13. Cannabis Establishment, provided that any cannabis establishment shall be sited at least one half mile or 2,640 feet from another existing cannabis establishment and at least 500 feet from a pre existing public or private school providing education in kindergarten or any of grades 1 through 12. Distances shall be determined from the nearest lot line of the proposed establishment to the nearest lot line of an existing establishment or school. Use approval shall be applicable to the applicant only.

**Purpose:** Change of use to Cannabis Warehouse Facility

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to open a cannabis establishment that delivers to people 21+.

Board members asked about plans, proposal, buffer zone, security, layout, hours, delivery, and vehicles.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. Councilor Louijeune, Rep. Miranda, a neighbor, and an abutter are in support. An abutter, local reverend, and the Grove Hall Association are in opposition. The Grove Hall community group was in non-opposition.

**Documents/Exhibits:** Building Plans. Letters of support and opposition. ho

**Votes:** Board Member Erlich moved to approve with BPDA design review and this applicant only. Ruggiero seconded, Araujo opposed, and the motion carried 5-1.

**Case: BOA-1258783 Address: 99 Erie Street Ward 14 Applicant: Michael Dello Russo**

**Article(s):** Article 60, Section 41.1 Conformity Ex Bldg Alignment - (Non parallel) 7.8'avg & 6.1' closest point provided Article 60, Section 40 Off Street Parking & Loading Req - 1. 0 < 7 req'd 2. Rear driveway less than 10ft wide. Article 60, Section 8 Use: Forbidden - MFR in 3F zone Article 60, Section 9 Lot Area Insufficient Article 60, Section 9 Add'l Lot Area Insufficient Article 60, Section 9 Floor Area Ratio Excessive Article 60, Section 9 Usable Open Space Insufficient Article 60, Section 9 Side Yard Insufficient Article 60, Section 9 Rear Yard Insufficient

**Purpose:** Combining parcels 1402477001 & 1402451000 to erect a new 7 unit apartment building. New construction, with roof decks and new rear driveway.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until August 9, 2022 at 11:30am.



City of Boston  
Board of Appeal

**Case: BOA-1166627 Address: 60 Stanley Street Ward 15 Applicant: John Pulgini**

**Article(s):** Art. 65 Sec. 08 Forbidden - 9 family use Article 65, Section 9 Dimensional Regulations - Front Yard: Min. 15' Proposed: 9' at window bays and 11' at façade Article 65, Section 9 Dimensional Regulations - FAR Max. allowed: 0.4 Proposed: 1.1 Article 65, Section 42.3 Traffic Visibility Across Corner Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Sec 65 41 Off Street Loading Req. Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient Art. 65 Sec. 65 41.5 Parking Size & Maneuverability - Maneuvering area insufficient distance from spaces to side lot line.

**Purpose:** To construct a new three story residential building with 13 residential units (UPDATED TO 8 RESIDENTIAL UNITS 03/03/21), with 9 off street parking as per attached plans. To combine the 2 existing parcels; 1501963000 consisting of 3,995 SF and Parcel 1501692000 4,099 SF to create a new lot consisting 8,095 sq. ft.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to construct a 3 story 13 unit dwelling with 3 roof decks.

Board members asked about plans, proposal, parking, layout, dormers, design and roof deck.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

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

**Case: BOA- 1268903 Address: 18-20 Parkman Street Ward 16 Applicant: Mark Little**

**Articles:** Art. 65 Sec. 08 Forbidden - Multi family residential dwelling use is a forbidden use Art. 65 Sec. 9 Floor area ratio is excessive Art. 65 Sec. 9 Height requirement is excessive (stories) Art. 65, Sec.42.2 Conformity w Ex Bldg Alignment - Conformity with existing front alignment of the block

**Purpose:** Demo of existing structure. Construction of 9 new residential dwelling units with 17 off street parking spaces.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until October 4, 2022 at 11:30am.



City of Boston  
Board of Appeal

**Case: BOA- 1269870 Address: 75R-75BR West Milton Street Ward 18 Applicant: Bernard & Joann Coleman**  
**Article(s):** Article 69, Section 9 Lot Area Insufficient Article 69, Section 9 Usable Open Space Insufficient Article 69, Section 9 Front Yard Insufficient Article 69, Section 9 Side Yard Insufficient Article 69, Section 9 Rear Yard Insufficient

**Purpose :** Demolition of an existing single family dwelling/accessory building in the 1F 6000 Sub-district | Hyde Park Neighborhood Zone. The lot abuts the 2F 5000 Sub-district and an existing 3 family dwelling. Proposed construction consists of a 3 family townhouse structure.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to demo the existing structure and erect 3 townhouses.

Board members asked about plans, proposal, layout, townhouses, door, front yard, and side yard.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood deferred judgement to the Board.

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

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

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

**BOARD MEMBERS:**

CHRISTINE ARAUJO- CHAIR  
MARK FORTUNE-SECRETARY  
MARK ERLICH  
SHERRY DONG  
JOSEPH RUGGIERO  
ERIC ROBINSON

**SUBSTITUTE MEMBERS:**

**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 21, 2022 Board of Appeal Hearing please go to: [https://cityofboston.gov/cable/video\\_library.asp](https://cityofboston.gov/cable/video_library.asp).**