



City of Boston
Board of Appeal

Tuesday, July 12, 2022

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 JULY 12, 2022 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS JULY 12, 2022 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE JULY 12, 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/July12CommentZBA> to sign up. Please provide your name, address, the address and/or BOA number of the appeal on which you wish to speak, and if you wish to speak in support of or opposition to the project.

For individuals who need translation assistance, please notify the Board at least **48 HOURS** in advance either by signing up at <https://bit.ly/July12CommentZBA>, calling 617-635-4775, or emailing zba.ambassador@boston.gov.



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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.

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 for accommodations to be made.

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. WHEN DOING SO, PLEASE INCLUDE



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IN THE SUBJECT LINE THE BOA NUMBER, THE ADDRESS OF THE PROPOSED PROJECT AND THE DATE OF THE HEARING.

EXTENSIONS: 9:30AM

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

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

Vote: Upon a Motion and second, the Board voted unanimously to approve the request with a new date of July 13, 2023 subject to all applicable tolling and a 1 year extension.

Case: BOA- 788662 Address: 587 Adam Street Ward 8 Applicant: Jeffrey Drago

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 August 23, 2023 subject to all applicable tolling and a 1 year extension.

Case: BOA- 843335 Address: 42 Chestnut Street Ward 5 Applicant: Ian Urquhart

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 August 7, 2023 subject to all applicable tolling and a 1 year extension.

Case: BOA-938001 Address: 4-8 Lakeside Avenue Ward 18 Applicant: Derric Small, 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 November 7, 2023 subject to all applicable tolling and a 1 year extension.

BOARD FINAL ARBITER: 9:30AM

Case: BOA-1186589 Address: 64 Tolman Street Ward 16 Applicant: Tim Longden

Discussion/Vote: The applicant went before the Board explaining a 3 foot setback is required, but that this will include 4 full sized parking spaces. The roof deck was previously grandfathered in. Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA- 1336234 Address: 141 D Street Ward 6 Applicant: Adam Jaspon

Discussion/Vote: The applicant went before the Board to reconfigure the decks and stairs. The roof deck was previously grandfathered in. Upon a Motion and second, the Board voted unanimously to approve the request.



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GROUNDWATER CONSERVATION OVERLAY DISTRICT ONLY: 9:30AM

Case: BOA-1321654 Address: 73 Beacon Street Ward 5 Applicant: Ben Fuller

Articles: Article 32, Section 4.GCOD, Applicability

Purpose : Complete interior renovation and additions to existing two family. Scope includes complete interior work with new elevator, underpinning of existing deteriorating foundation, rear multistory addition with 2 car garden level garage, roof dormer, and roof decks. New and restored windows. New life safety systems (FA/FP).

Discussion/Votes: The applicant discussed their GCOD letters that were on file. Board Member Robinson moved to approve. Robinson seconded and the motion carried unanimously.

HEARINGS: 9:30AM

Case: BOA-1279637 Address: 185 London Street Ward 1 Applicant: Coliseum Development Advisors, Inc

Articles: Article 53 Section 56 Off Street Parking & Loading Req Article 53, Section 9 Floor Area Ratio Excessive

Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Bldg Height Excessive (Feet)

Purpose : Interior framing and MEP work in order to separate the 3rd and 4th floor to create an owner occupant ADU on the 4th level.

Discussion/Vote: The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until September 13, 2022 at 11:30PM.

Case: BOA- 1328555 Address: 8C Allstate Road Ward 7 Applicant: Warren Mott

Articles: Article 65, Section 15 Use: Conditional - Liquor store is a Conditional use in a CC Sub district

Purpose : Interior tenant fit out and exterior door/window modifications. Change from Office Max to Total Wine liquor store.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to open and operate a total wine location in south bay center.

Board members asked about plans, conditions, hours, details.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. Councilor Flaherty, Ben Murphy, the carpenters union, and the Newmarket association are in support.

Documents/Exhibits: Building Plans.

Votes: Board Member Ruggiero moved to approve with BPDA design review for signage and the hours are 9-10 M-Sat and 10-8 on Sunday. Erlich seconded and the motion carried unanimously.



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Case: BOA-1280651 Address: 9 Batchelder Street Ward 8 Applicant: Bellal REA, LLC

Articles: Article 50, Section 29 Rear Yard Insufficient Article 50, Section 29 Floor Area Ratio Excessive

Purpose: Extension of living space into the basement for Unit 1. Renovation of Unit 2 with extension into attic as unit 2. Deck alterations, modify and update kitchens and bathrooms, add new bathrooms, new exterior siding and new windows, new doors, new dormer, patch roofing, new driveway, sidewalk and curb cut and landscaping. To Correct Violation #V568472.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to extend living into the basement on an existing 2 family.

Board members asked about plans, proposal, parking, basement, occupancy, height, windows and attic.

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 bedrooms in the basement. Erlich seconded and the motion carried unanimously.

Case: BOA- 1328912 Address: 951-959A Dorchester Avenue Ward 13 Applicant: Dorchester Market, LLC

Articles: Article 65, Section 8 Use Regulations - Use: Bakery: Conditional Article 65, Section 8 Use Regulations – Use: Liquor Store: Forbidden

Purpose: Change of Occupancy and Use of one of the commercial space at 951 Dorchester Ave, to including local retail business (Allowed Use) , and with an accessory package store and liquor store use (Forbidden Use), and Bakery use (Conditional Use). No change to plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change the occupancy to include commercial space.

Board members asked about plans, occupancy, hours, and signage.

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

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

Votes: Board Member Erlich moved to approve with BPDA design review on the exterior signage. Fortune seconded and the motion carried unanimously.



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Case: BOA-1298409 Address: 21 Jones Avenue Ward 14 Applicant: Joseph Feaster

Articles: Art. 60 Sec. 9 Additional Lot Area Insuff - Total lot area required: 7,500 sqft Proposed: 5,324 sqft
Article 60, Section 41.1 Conformity Ex Bldg Alignment - Modal not provided to verify compliance.

Purpose: To erect a new 3 story / 3 family dwelling on vacant lot parcel ID #1403713000 as per plans. Please note Permit to be put in Builder or Developers name prior to any permit being issued.

Discussion/Vote: The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until September 13, 2022 at 11:30PM.

Case: BOA- 1280472 Address: 18 Hendry Street Ward 15 Applicant: Clive Whittaker

Articles: Article 65, Section 9 Side Yard Insufficient

Purpose: Parking for 2 spaces next to home.

Discussion: The applicant did not show to the hearing.

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

Case: BOA- 1283621 Address: 118R Homes Avenue Ward 15 Applicant: Anthony Monahan

Articles: Art.65 Sec. 8 Use: Forbidden - 3F in 2F Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Rear Yard Insufficient Art. 65 Sec. 65 41.4 Parking in the Front Yard Art. 65 Sec. 65 41.5 Parking Size & Maneuverability - Inappropriate maneuvering area Article 65, Section 42.13 Two or More Dwellings on Same Lot - Dwelling behind another dwelling

Purpose : Erect new 3 family residential dwelling with roof deck on existing rear vacant lot of 4,491 SF. Propose (6) tandem off street parking, per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a 3 family dwelling with 6 parking spaces.

Board members asked about plans, zoning, proposal, parking, unit sizes, context, and lot.

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

Documents/Exhibits: Building Plans. Letter in opposition.

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



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Case: BOA-1315141 Address: 16 Church Street Ward 15 Applicant: Stanley Wenners

Articles: Art. 65 Sec. 02 Conformity with Existing Building - Calculation not provide to verify compliance for Fifield Street. Alignment Modal Art. 65 Sec. 65 14.3 Traffic Visibility Across Corner Article 65, Section 32 NDOD Review Required Art. 55 Sec. 65 41 Off Street parking insufficient –Min Required: 3 spaces Proposed: 2 Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Front Yard Insufficient - Min. required: 15' Proposed Church St: 0'(Decks) Proposed Fifield St.: 2.3'

Purpose: Erect 3 family residential dwelling.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to subdivide the existing lot and build a 3 family.

Board members asked about plans, proposal, parking, basement.

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. Pilgrim Church is in opposition.

Documents/Exhibits: Building Plans.

Votes: Board Member Robinson moved to approve with BPDA design review to reduce the curb cut. Erlich seconded and the motion carried unanimously.

Case: BOA- 1334896 Address: 240 Norwell Street Ward 17 Applicant: Doug Beudet

Articles: Art. 65 Sec. 02 Conformity with Existing - Modal calculation not provided to verify compliance. Building Alignment Art. 65 Sec. 41 Off street parking requirements - 5 Design: at least 1 of the spaces shall be 8.5' x 20' Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Side Yard Insufficient

Purpose: Erect a two family dwelling on a vacant lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a 2 family on a vacant lot.

Board members asked about plans, proposal, parking and the setback.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Robinson moved to approve with BPDA design review with attention to the trees remaining. Erlich seconded and the motion carried unanimously.



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Case: BOA- 1322128 Address: 74R Favre Street Ward 18 Applicant: Johanna Acevedo

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

Purpose: I'm looking to have a 16' wide x 25' long x 13' high (400 square feet) prefabricated metal garage installed in the back yard of the property. The property has an existing drive way leading to the rear. Prior to the garage install, I will need to have a concrete slab with the same dimensions poured.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build a 1 car garage.

Board members asked about plans, garage, driveway, dimensions.

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. Erlich seconded and the motion carried unanimously.

Case: BOA- 1315581 Address: 5 Belle Avenue Ward 20 Applicant: Eric Hanson

Articles: Art. 56 Sec. 08 Floor Area Ratio excessive Art. 56 Sec. 08 Open Space insufficient Art. 56 Sec. 08 Rear Yard Insufficient Article 56. Section 8 Side Yard Insufficient

Purpose: Addition of second story over original house with alterations to existing first floor.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to improve an existing 1 family and change the main egress.

Board members asked about plans, basement, egress, layout, configuration,

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

Documents/Exhibits: Building Plans.

Votes: Board Member Robinson moved to approve with BPDA design review and confirm as a 1 family with an ADU unit. Erlich seconded and the motion carried unanimously.



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HEARINGS: 10:30AM

Case: BOA-1321013 Address: 41 Mount Vernon Street Ward 2 Applicant: Matthew Wood

Articles: Article 62, Section 25 Roof Structure Restrictions

Purpose: Renovate existing three family dwelling (see ALT1019151), extend living space into basement, new second floor bay window, construct rear addition and deck at third floor level, erect roof deck.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to reduce the size and height of the original plan, and renovate the 3 family with a deck accessed by hatch.

Board members asked about plans, proposal, deck 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. Letters in support and opposition.

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

Case: BOA- 1288669 Address: 97-101 Newbury Street Ward 5 Applicant: New England Genealogical Society

Articles: Art. 32 Sec. 32 4 Groundwater Conservation Overlay District, Applicability Art. 08 Sec.07 Use: Conditional - Article 8 7 use item 37: Café is a conditional use in a B 3 65 sub district. Art. 15 Sec. 01 Floor Area Ratio excessive Art. 20 Sec. 01 Rear Yard Insufficient

Purpose: Combine 97 to 99 101 Newbury St to be known as 97 101 Newbury St. Cost and work reflected on ALT1253831 and ALT1254001.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to combine addresses and operate a grab-and-go café that is pre-existing non-conforming. To reconstruct the building, and renovate.

Board members asked about plans, FAR, and proposal.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. The Back Bay Association and the Carpenters Union are in support.

Documents/Exhibits: Building Plans. BGWT letters.

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

Case: BOA- 1336832 Address: 291 Beacon Street Ward 5 Applicant: SEE REAL ESTATE, LLC

Articles: Art. 08 Sec.07 Use: Conditional Art. 09 Sec. 01 Extension of Non Conforming Use- > 25% volume

Purpose : Existing Lodging House Change of Occupancy to Increase number of Occupants from 11 to (CHANGED TO 31 persons). No construction planned. *NOTE; 4th story (two means of unimpeded egress must be maintained).

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 11:30PM.



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Case: BOA-1332366 Address: 53 Grampian Way Ward 13 Applicant: Patrick Kenney & Raya Gabry

Articles: Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Floor Area Ratio Excessive
Article 65, Section 9 Bldg Height Excessive (Feet)

Purpose: Convert existing attic into living space with two bedrooms and a bathroom. Construct two dormers.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change the occupancy and increase the living space.

Board members asked about plans, proposal, porch.

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- 1311043 Address:15 Fowler Street Ward 14 Applicant: Neal Gulden

Articles: Article 60, Section 41.1 Conformity Ex Bldg Alignment - Min. required: 32.2' (as per modal provided)
Article 60, Section 9 Lot Area Insufficient Article 60, Section 9 Add'l Lot Area Insufficient Art. 60 Sec. 09Floor Area
Ratio excessive Art. 60 Sec. 09 Usable open space insufficient Article 60, Section 9 Front Yard Insufficient. Art. 60
Sec. 09 Side yard insufficient

Purpose: Erect new construction 3 family dwelling as per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a 3 family dwelling with window wells, no bedrooms in the basement, and an accessible unit.

Board members asked about plans, basement, and proposal.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. Councilor Flaherty, and the Grove Hall Association are in support. Councilor Worrell is in non-opposition.

Documents/Exhibits: Building Plans. Letter in support.

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



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Case: BOA- 1339059 Address: 25 Barry Street Ward 15 Applicant: Andrew Lederer

Articles: Article 65 Section 7 Lot Area Insufficient Article 65 Section 7 Floor Area Ratio Excessive Article 65 Section 7 Rear Yard Insufficient

Purpose: To subdivide an existing Lot of 6,831 sf into 2 Lots. Lot A (25 Barry Street) with an existing 3 Family Dwelling shall have 3,750 sf and Lot B (52 Bellevue Street vacant Lot) will have 3,081 sf (as per plans). There will be a new 3 Family Dwelling built on Lot B 52 Bellevue Street (ERT1216992).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to subdivide the existing lot and build a 3 family.

Board members asked about plans, proposal, height, violation, basement.

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. Pilgrim Church is in opposition.

Documents/Exhibits: Building Plans.

Votes: Board Member Robinson moved to approve with BPDA design review with attention to screening and buffering and the site plan. Ligris seconded and the motion carried unanimously.

Case: BOA-1339067 Address: 52 Bellevue Street Ward 15 Applicant: Andrew Lederer

Articles: Article 65 Section 7 Lot Area Insufficient Article 65 Section 7 Lot Width Insufficient Article 65 Section 7 Lot Frontage Insufficient Article 65 Section 7 Floor Area Ratio Excessive Article 65 Section 7 Building Height Excessive Article 65 Section 7 Building Height (# of Stories) Excessive Article 65 Section 7 Front Yard Insufficient Article 65 Section 7 Side Yard Insufficient Article 65 Section 7 Rear 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 Article 65, Section 42 Application of Dimensional Req - Conformity with Existing Building Alignment

Purpose: To erect a Three (3) Family Dwelling on newly created 3,081 sf Lot. Building will be fully sprinklered. See ALT1216985 (25 Barry St.).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to subdivide the existing lot and build a 3 family.

Board members asked about plans, proposal, height, violation, basement.

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. Pilgrim Church is in opposition.

Documents/Exhibits: Building Plans.

Votes: Board Member Robinson moved to approve with BPDA design review with attention to screening and buffering and the site plan. Ligris seconded and the motion carried unanimously.



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Case: BOA- 1315108 Address: 69 Houghton Street Ward 16 Applicant: James Christopher

Articles: Art. 65 Sec.10-1 Limitation of area 5' buffer Art. 65 Sec. 41 Off street parking requirements
Access/maneuvering areas Art. 65 Sec. 65-14.3 Traffic Visibility Across Corner Art. 65 Sec. 65-41.4 Parking in the
Front Yard Art. 65 Sec. 9 Rear yard Art. 65 Sec. 9 Insufficient lot size Art. 65 Sec. 9 Excessive f.a.r. Art. 65 Sec. 9
Front yard Art. 65 Sec. 9 Side yard

Purpose: To construct a new two family residential building with off street parking 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 erect a 2 family with parking in the rear. Parking is accessed by an easement through an existing curb cut.

Board members asked about plans, board, parking, proposal.

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

Documents/Exhibits: Building Plans. Letters in opposition.

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

Case: BOA- 1328368 Address:88 Chesterfield Street Ward 18 Applicant: Roberson Castor

Articles: Article 69, Section 9 Front Yard Insufficient Article 69, Section 9 Side Yard Insufficient

Purpose: Reconfiguration of 2nd floor per the approved plans including new framing, roofing and finishes

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail
requesting to reconfigure the second floor to add bedrooms on the same footprint.

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. Letters in support.

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



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Case: BOA- 1306699 Address: 654 Cummins HWY Ward 18 Applicant: Memorial Partners, LLC

Articles: Art. 09 Sec. 01 Extension of Non Conforming Use- Funeral home use is forbidden in a 2 Family district Art. 60 Sec. 09 Floor Area Ratio excessive Art. 60 Sec. 09 Rear yard insufficient Min.

Purpose: Interior/exterior renovations Relocation of embalming room to location of existing garage Construction of new garage (It will be attached to the existing building.) ADA bathroom buildout.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to renovate and construct a garage in the rear.

Board members asked about plans, proposal, and layout.

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

Documents/Exhibits: Building Plans.

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

Case: BOA- 1324720 Address: 120 Glendower Road Ward 18 Applicant: Ulson Lucien

Articles: Art. 67 Sec. 09 Side Yard Insufficient - Left side only 8' wide Art. 67 Sec. 12 Dimensional Regulations Art. 67 Sec. 09 Open Space insufficient Article 67, Section 9 Lot Area Insufficient Article 67, Section 9 Lot Width Insufficient Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Bldg Height Excessive (Stories)

Purpose: For zoning relief: New construction of a 2 family dwelling with 4 parking spots and curb cut and driveway.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a new 2 family and add new dormers to the existing building with living in the basement.

Board members asked about plans, basement, egress, layout, configuration, parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. Multiple abutters are in opposition.

Documents/Exhibits: Building Plans.

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

Case: BOA- 1304395 Address: 124 Glendower Road Ward 18 Applicant: Ulson Lucien

Articles: Article 67, Section 9 Side Yard Insufficient - Please note: Zoning Reviews cannot be performed on the new lot known as 120 Glendower RD because it is a vacant lot.

Purpose: Subdivide this lot into two lots. New lot to be known as 120 Glendower.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a new 2 family and add new dormers to the existing building with living in the basement.

Board members asked about plans, basement, egress, layout, configuration, parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. Multiple abutters are in opposition.

Documents/Exhibits: Building Plans.

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



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Case: BOA- 1324136 Address: 124 Glendower Road Ward 18 Applicant: Ulson Lucien

Articles: Article 67, Section 9 Lot Width Insufficient Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Bldg Height Excessive (Stories) Article 67, Section 9 Usable Open Space Insufficient Article 67, Section 9 Side Yard Insufficient Article 67, Section 9 Lot Area Insufficient Art. 67 Sec. 09 Open Space insufficient

Purpose : Extension of living space to the attic (dormers) and basement. Conjunction with ALT1263102.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a new 2 family and add new dormers to the existing building with living in the basement.

Board members asked about plans, basement, egress, layout, configuration, parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. Multiple abutters are in opposition.

Documents/Exhibits: Building Plans.

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

RE-DISCUSSIONS: 11:30 AM

Case: BOA- 1255773 Address: 753 East Broadway Ward 6 Applicant: L Street, LLC

Article(s): Art. 68 Sec. 33 Off Street parking Req - Parking spaces required: 3 Provided: 0 Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 8 Add'l Lot Area Insufficient

Purpose: Proposed renovation to change occupancy from Restaurant with take out and office space to Restaurant with take out and 2 dwelling units.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build two units but not expand the structure

Board members asked about plans, proposal, violations, and ancillary parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. Councilor Flynn, and abutters are in support. The City Point Association and abutters are in opposition.

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

Votes: Board Member Ruggiero moved to approve with BPDA design review with special attention to the interior. Robinson seconded and the motion carried unanimously.



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Board of Appeal

Case: BOA- 1303471 Address: 49-49A Linwood Street Ward 9 Applicant: Steven Keyes

Articles: Article 50, Section 29 Rear Yard Insufficient Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Lot Frontage Insufficient Article 50, Section 29 Lot Width Insufficient Article 50, Section 29 Lot Area Insufficient Art. 50, Section 43 Off Street Parking Insufficient Article 50, Section 44.13 Two or More Dwellings on Same Lot

Purpose: New construction of 2 story detached slab on grade garage with a studio residence above. Electricity and domestic water will be connected to existing home on site, sewer will have direct connection to street. This is one of two dwellings on same lot. See also ALT1264482

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build a small studio residence above the garage.

Board members asked about plans, zoning district, layout, studio.

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. Erlich seconded and the motion carried unanimously.

Case: BOA- 1336276 Address: 51 Linwood Street Ward 9 Applicant: Steven Keyes

Articles: Article 50, Section 44.13 Two or More Dwellings on Same Lot Article 50, Section 29 Side Yard Insufficient

Purpose: Application for existing dwelling at 51 Linwood St in connection to ERT1180883. This is one of two dwellings on the same lot. Also see ERT1180883.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build a small studio residence above the garage.

Board members asked about plans, zoning district, layout, studio.

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. Erlich seconded and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA- 1287036 Address: 1759-1763 Washington Street Ward 9 Applicant: 31 Heath Street Realty Partners, LLC

Article(s): Article 50 Section 28 Use Regulations - Restaurant Use: Conditional Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Bldg Height Excessive (Stories) Article 50, Section 29 Bldg Height Excessive (Feet) 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

Purpose: Change occupancy to multifamily residential 76 units and commercial/restaurant use at ground floor; restore historic facade of existing building; construct new addition above existing structure up to 13 floors and infill on adjoining parcel. Two parcels to be combined under ALT923578 and ALT92350.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to convert a hotel to a 70 unit dwelling with 19 compact units.

Board members asked about plans, layout, configuration.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. Multiple abutters, Councilor Baker, Flaherty, Anderson, and the carpenters union are in support. Abutters are in opposition.

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

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

Case: BOA- 1258638 Address: 20 Hinckley Street Ward 13 Applicant: Mike Tokatlyan

Articles: Art. 55 Sec. 65-41 Off-Street parking insufficient - Newly created variance via updated BOA plans Reviewed 5.6.22 Art. 65 Sec. 9 Insufficient rear yard setback-via updated BOA plans Reviewed 5.6.22 Art. 65 Sec. 9 Insufficient lot size Art. 65 Sec. 9 Insufficient lot width frontage Art. 65 Sec. 9 Insufficient lot width Art. 65 Sec. 9 Insufficient Front yard setback Art. 65 Sec. 9 Insufficient side yard setback Art. 65 Sec. 9 Excessive F.A.R

Purpose: Seeking to erect a single family home on a vacant lot. *4.4.22 BOA revised plans; Proposed parking removed from scope.

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 11:30PM.

Case: BOA- 1280423 Address: 5 Magnolia Place Ward 13 Applicant: Akash Lalla

Article(s): Article 50, Section 29 Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive Art. 50 Sec. 29 Usable open space insufficient Article 50, Section 29 Side Yard Insufficient Art. 50 Sec. 29^ Lot Area Insufficient Art. 50 Sec. 43 Off street parking requirements - Design: Tandem space. Maneuverability. Art. 10 Sec. 01 Limitation of off street parking areas - Parking spaces on the side yard shall be separated 5 feet from the side lot line.

Purpose: Convert single family dwelling to 3 Story 2 family dwelling. Replace existing foundation. Expand house footprint as shown on proposed plot plan.

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 11:30PM.



City of Boston
Board of Appeal

Case: BOA- 1307395 Address: 25 Gardner Street Ward 21 Applicant: George Morancy

Articles: Article 51, Section 9 Lot Area Insufficient 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 Usable Open Space Insufficient Article 51, Section 9 Front Yard Insufficient Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient Article 51, Section 57.3 Traffic Visibility Across Corner Article 51, Section 56 Off Street Parking & Loading Req

Purpose: Construct new 14 unit multi family dwelling.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to construct a new 14 unit dwelling with 21% affordable units included.

Board members asked about plans, proposal, units.

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

Documents/Exhibits: Building Plans.

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

Case: BOA-1173599 Address: 535-537B Washington Street Ward 22 Applicant: Pure Oasis LLC

Article(s): Article 51, Section 16 Use Regulations - Retail Cannabis Establishment Use:Conditional

Purpose: Change of Occupancy to Retail Cannabis Establishment.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to open and operate a cannabis establishment with 10-12 employees M-F.

Board members asked about plans, layout, security, staff, hours, and parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood services, the BAIA, abutters, and Rep. Moran are in opposition. An abutter is in support.

Documents/Exhibits: Building Plans.

Votes: Board Member Ligris moved to deny. The motion was not seconded and did not carry. Erlich moved to approve with the proviso for this petitioner only. The motion failed 4-3 and it was denied.



City of Boston
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STEPHANIE HAYNES
BOARD OF APPEAL
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BOARD MEMBERS:

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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 July 12, 2022 Board of Appeal Hearing please go to: https://cityofboston.gov/cable/video_library.asp.