



City of Boston  
Board of Appeal

**RECEIVED**

**By City Clerk at 9:13 am, Oct 20, 2020**

TUESDAY, OCTOBER 27, 2020

BOARD OF APPEAL

CITY HALL, ROOM 801

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**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON OCTOBER 27, 2020 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS OCTOBER 27, 2020 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

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

**THE OCTOBER 27, 2020 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE WEBEX EVENT PLATFORM.**

**Interested persons can participate in the hearing REMOTELY by going to <http://bit.ly/zbaOct27hearing> or by calling 1-617-315-0704 and entering access code 173 308 0232.**

**If you wish to offer testimony on an appeal, please click <http://bit.ly/zbaOct27comment> to sign up. Please provide your name, address, the address and/or BOA number of the appeal on which you wish to speak, and if you wish to speak in support of or opposition to the project.**

**For individuals who need translation assistance, please notify the Board at least 48 HOURS in advance either by signing up at <http://bit.ly/zbaOct27comment>, calling 617-635-4775 or emailing [isdboardofappeal@boston.gov](mailto:isdboardofappeal@boston.gov).**

**The ZBA Ambassador will be available within the WebEx Event from at 8:30 AM to 9:30 AM to answer questions about ZBA procedures and offer instructions on how to participate in the hearing via WebEx. Questions and/or concerns can also be emailed to the ZBA Ambassador at [zba.ambassador@boston.gov](mailto:zba.ambassador@boston.gov).**



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

**IF YOU WISH TO OFFER TESTIMONY ON AN APPEAL, PLEASE LOG IN TO THE HEARING NO LATER THAN 9:00 AM TO ENSURE YOUR CONNECTION IS PROPERLY FUNCTIONING.**

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

**Interested persons who are unable to participate in the hearing remotely may make an appointment to appear in person at City Hall, in the BPDA board room, 9th Floor, Room 900. Please notify the Board at least 48 HOURS in advance either by calling 617-635-4775 or emailing [isdboardofappeal@boston.gov](mailto:isdboardofappeal@boston.gov) for accommodations to be made. Individuals appearing at City Hall without an appointment will not be permitted to enter.**

**MEMBERS OF THE COMMUNITY ARE STRONGLY ENCOURAGED TO HELP FACILITATE THE VIRTUAL HEARING PROCESS BY EMAILING LETTERS IN SUPPORT OF OR OPPOSITION TO AN APPEAL TO [isdboardofappeal@boston.gov](mailto:isdboardofappeal@boston.gov) IN LIEU OF OFFERING TESTIMONY ONLINE OR FROM BPDA BOARD ROOM. IT IS STRONGLY ENCOURAGED THAT WRITTEN COMMENTS BE SUBMITTED TO THE BOARD AT LEAST 48 HOURS PRIOR TO THE HEARING.**



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**EXTENSION: 9:30 AM**

**Case: BOA- 799147 Address: 10 McBride Street Ward 19 Applicant: John Moran**

**Case: BOA-799147 Address: 30 Thorn Street Ward 18 Applicant: Nicholas Zozula, Esq**

**Case: BOA-859199 Address: 59 Blake Street Ward 18 Applicant: Matt Mueller**

**GCOD: 9:30 AM**

**Case: BOA-1121299 Address: 1-17 Edgerly Place Ward 5 Applicant: John Walsh**

**Article: Art. 32 Sec. 04 GCOD Applicability**

**Purpose: Erect new 3 story residential multifamily building consisting of a 9-unit dwelling, townhouse design on existing vacant parking lot. Eplan**

**BUILDING CODE: 9:30 AM**

**Case: BOA-1118810 Address: 582 East Broadway Ward 6 Applicant: Douglas Stefanov**

**Purpose: Renovating existing 3-unit building, adding 2 new units for total of 5 units. Add a new top story, headhouse and roof deck. 4 Parking spaces accessible from back. Violation 9th Edition 780 CMR CHPT 10 Chapter 10 CH10 SEC 1009 ROOF ACCESS ABOVE THE 4TH STORY WHERE A STAIRWAY IS PROVIDED TO AN OCCUPIED ROOF ABOVE THE FOURTH STORY OF A BUILDING, ACCESS TO SUCH OCCUPIED ROOF SHALL BE THROUGH A PENTHOUSE. (note that access proposed to the roof is in violation of that section of the code).**

**HEARING: 9:30 AM**

**Case: BOA-1112805 Address: 70-72 Bennington Street Ward 1 Applicant: Michael Welsh**

**Articles: Article 53 Section 56 Off Street Parking & Loading Req Off street parking is insufficient. Article 53 Section 8 Use Regulations MFR, Retail and Beauty salon are all forbidden in a 2F 2000 sub district. Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Bldg Height Excessive (Stories)**

**Purpose: Change of use from Four Family Dwelling, Beauty Salon w/ Accessory Tanning (LF 2732/2008) to Eight Dwelling Units, Beauty Salon w/ Accessory Tanning, and Retail Store. No work to be performed. Existing building has had 10 units since 1981 condo conversion. Seeking refusal for ZBA appeal. See memo. EPLAN PLANS SUBMITTED ARE FROM CONDO RECORDS AS WELL AS CONSTRUCTION. \*\* Note this work done without permits \*\* JMK. Cost for work done without permits must be added to declared value.**



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**Case: BOA-1080462 Address: 88R White Street Ward 1 Applicant: 88 White Street, LLC**  
**Articles: Article 53, Section 9 Rear Yard Insufficient Article 53, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 53, Section 52Roof Structure Restrictions Article 27T 5East Boston IPOD Applicability**  
**Purpose: Seeking to change the occupancy from a single family dwelling to a two family dwelling. Also, to renovate the building, including a two story side addition. This will be one of two dwellings on one lot. [ZBA ePlan].**

**Case: BOA-1019225 Address: 16 Cottage Street Ward 1 Applicant: Norberto Perez**  
**Articles: Article 27T 5East Boston IPOD Applicability Article 53 Section 9# of allowed stories exceeded Article 53 Section 9 max allowed height exceeded Article 53 Section 9 Excessive F.A.R. Article 53 Section 9 Insufficient rear yard setback Article 53, Section 52Roof Structure Restrictions**  
**Purpose: Seeking to add a rear addition and a fourth story addition. Also, to add a roof deck.**

**Case: BOA-1019227 Address: 18 Cottage Street Ward 1 Applicant: Norberto Perez**  
**Articles: Article 27T 5East Boston IPOD Applicability Article 53, Section 52 Roof Structure Restrictions Article 53 Section 9 # of allowed stories exceeded Article 53 Section 9 Max allowed height exceeded Article 53 Section 9 Excessive F.A.R.Article 53 Section 9Insufficient rear yard setback**  
**Purpose: Seeking to add a rear addition and a fourth story addition. Also, to add a roof deck.**

**Case: BOA-1090436 Address: 310 Bunker Hill Street Ward 2 Applicant: Robert Gatnik**  
**Articles: Article 62, Section 8 Floor Area Ratio Excessive Article 62, Section 8 Side Yard Insufficient**  
**Purpose: Amendment to ALT1024681. Install rear deck at second floor.**

**Case: BOA-1097322 Address: 391-395 Hanover Street Ward 3 Applicant: Michael Dello Russo**  
**Article: Article 54, Section 12,Use Regulations Restaurant use: Conditional**  
**Purpose: Change use from Three Apartments and Store to Three Apartments and Restaurant use #37.**

**Case: BOA-1043139 Address:80-84 Warrenton Street Ward 5 Applicant: NSTAR Electric Company d/b/a Eversource Energy**  
**Articles: Art. 32 Sec. 04 GCOD Applicability Art. 38 Section 18 Use: Conditional**  
**Purpose: Nominal fee review: Install foundations, barrier walls and fences to facilitate the installation of two substation transformers.**

**Case: BOA-1101695 Address: 50 Gloucester Street Ward 5 Applicant: Select Oyster LLC (c/o Robert**  
**Article: Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg.**  
**Purpose: Relocate the hot water heater and mop sink to accommodate the change of occupancy to increase occupancy from 60 to 87 ( To include increased occupancy for outdoor seating from 22 to 38 ) Work to include new toilet installation .EPLAN**



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**Case: BOA-1116914 Address: 472 West Broadway Ward 6 Applicant: Timothy Johnson**

**Articles: Article 68, Section 33 Off-Street Parking & Loading Req Design/Maneuvering areas Article 68, Section 33 Off-Street Parking & Loading Req Insufficient parking Article 68, Section 34.1 Conformity Ex Bldg Alignment Article 68, Section 7 Commercial Use (unknown) – Forbidden Article 68, Section 8 Insufficient lot size Article 68, Section 8 Insufficient additional lot area per unit Article 68, Section 8 Excessive F.A.R. Article 68, Section 8 Max allowed building height exceeded Article 68, Section 8 Insufficient usable open space per unit Article 68, Section 8 Insufficient side yard setback Article 68, Section 8 Insufficient rear yard setback**  
**Purpose: Combine parcels 1893 & 1883, Demolish existing building and erect new 5 story mixed-use building (1 commercial & 16 residential units) w/11 car garage, side and roof decks and conforming to the compact living policy program as per plans submitted.**

**Case: BOA-1099121 Address: 120-126 Emerson Street Ward 6 Applicant: Mark Little**

**Articles: Article 68, Section 8 Add'l Lot Area Insufficient Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Bldg Height Excessive (Feet) Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 33 Off Street Parking & Loading Req There is no proposed off street parking 12 spaces are required**  
**Purpose: Renovation of commercial space on ground floor and erect a 4 story vertical addition consisting of 8 condo units. Change occupancy to Stores and 8 Residential dwelling units.**

**Case: BOA-1066911 Address: 8-10 Mercer Street Ward 7 Applicant: Mark Little**

**Articles: Article 68, Section 29 Roof Structure Restrictions Article 68, Section 33 Off Street Parking & Loading Req Off street parking facilities shall be provided on the same Lot Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Bldg Height Excessive (Feet) Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 8 Front Yard Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Add'l Lot Area Insufficient**

**Purpose: Change of occupancy from 2 (two family) to six (6) units Multi Family Dwelling. Construct rear addition. Add two private roof decks. Add six parking spaces total in rear yard for use by 8 10 Mercer Street with access provided by new residential driveway to be shared with 12 Mercer Street. Combine 10 Mercer Street lot of 2,125 square feet, with existing semi attached two family dwelling thereon, with 8 Mercer Street lot of 2,125 square feet, with existing semi attached two family dwelling thereon, to form new lot of 4,250 square feet. Combined lot filed under ALT1056673. Shared driveway filed with U491056686.**

**Case: BOA-1066917 Address: 12 Mercer Street Ward 7 Applicant: Mark Little**

**Articles: Article 68, Section 33 Off Street Parking & Loading Req Off street parking facilities shall be provided in the same lot Article 68, Section 8 Usable Open Space Insufficient**

**Purpose: Propose two off-street parking in rear yard by shared driveway for access with 8-10 Mercer Street. All costs reflected on ALT1056666. See plan ALT1056666.**



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**RE-DISCUSSION: 11:30 PM**

**Case: BOA-1043407 Address: 132 Marginal Street Ward 1 Applicant: Angelo Scippa**

**Article(s): 53(53-8) 53(53-9): Lot area for the add'l units is insufficient, Floor area ratio is excessive, Required height is excessive (stories), Required height is excessive (ft), Required front yard setback is insufficient, Required side yard setback is insufficient, Required rear yard setback is insufficient & Usable open space is insufficient) 53(53-56) 53(53-53-57) 27T(27T-5)**

**Purpose: Combine parcel 0104590000 of 2813 sf with parcel 0104591000 of 2813sf to create new lot of 5626 sf to be known as 132 Marginal Street and erect a new 6 Unit apartment building with two units per floor.**

**Case: BOA-1029221 Address: 837 Saratoga Street Ward 1 Applicant: 22 Jerome Street, LLC**

**Article(s): 10(10-1) 53(53-8) 53(53-8) 53(53-52) 53(53-56) 53(53-9): Add'l lot area insufficient, Floor area ratio excessive, Bldg height excessive (stories), Bldg height excessive (feet), Usable open space insufficient, Side yard insufficient & Rear yard insufficient)**

**Purpose: Change of Occupancy from Three-Family Dwelling to Multi-Family Dwelling (8 units). Erect rear addition and fourth-story addition. Propose (6) spaces.**

**Case: BOA-1001052 Address: 62 Alpine Street Ward 12 Applicant: Aaron Robinson**

**Article(s): 50(50-43) 50(50-29): Usable open space insufficient, Floor area ratio excessive & Add'l lot area insufficient) 50(50-28)**

**Purpose: Change occupancy from a two family to a four family. Renovate as per plans. Including MEP, Sprinkler and FA.**

**Case: BOA-958462 Address: 18 Euclid Street Ward 17 Applicant: Chris Abner**

**Article(s): 65(65-42.2) 65(65-42.3) 65(65-9): Max. allowed height exceeded, Insufficient lot size, Insufficient additional lot area per dwelling unit, Excessive F.A.R., # of allowed stories Exceeded & Insufficient open space per unit)**

**Purpose: Confirm occupancy as single family. Change of occupancy to a three-family dwelling. Construct addition for two units onto existing structure per attached drawings. ZBA**

**Case: BOA-1012008 Address: 190R Washington Street Ward 21 Applicant: Peter Ofman**

**Article(s): Art. 10 Sec. 01 \*\* Limitation of off street parking areas 1 Parking space located on the front yard Article 51 Section 9.4 Dim Reg: Location of Main Entrance Article 51, Section 56. Off-Street Parking & Loading Req 51.56.5 Design Article 51, Section 9 Lot Area Insufficient Required: 5,000sqft Proposed: 4,104 sqft Article 51, Section 9 \*\*\* Front Yard Insufficient Required: 20' Proposed: 7.6' Article 51, Section 9 \*\*\*\* Rear Yard Insufficient Required: 30' Proposed: 6.3'**

**Purpose: Erect a new single family 2-1/2 feet story detached dwelling. Propose two (2) off-street parking. ZBA**





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**HEARING: 1:00 PM**

**Case: BOA-1068581 Address: 9 Batchelder Street Ward 8 Applicant: Tomasa Pujol**  
**Articles: 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: Renovation 2 family unit: Framing, insulation, drywall, flooring, painting all new interior, electrical upgrade, new plumbing, new HVAC unit # 1: Add finish basement with 2 bedroom unit # 2: Add dormer and 2 bedroom in attic & roof deck.**

**Case: BOA- 1093724 Address: 85 Regent Street Ward 9 Applicant: Anthony Virgilio**  
**Articles: Article 50 Section 29 Floor Area Ratio Excessive Article 50 Section 29 Building Height Excessive**  
**Article 50 Section 29 Building Height (# of Stories ) Excessive Article 9 Section 1 Extension of Nonconforming Use**  
**Purpose: Enclose existing open porches, and install new vertical Side additions. Extend existing Living space into the Basement and above the Roof. To correct violations. ZBA Required.**

**Case: BOA-1098870 Address: 60-66 South Street Ward 11 Applicant: Gabrielle Hahn**  
**Articles: Art. 55, Section 16 Use: Conditional Tattoo studio use is a conditional use in this zoning subdistrict**  
**Art. 55, Section 40 Off Street Parking Insufficient**  
**Purpose: Change use of 68 South Street to tattoo studio. Eplan**

**Case: BOA- 1069726 Address: 139 Harrishof Street Ward 12 Applicant: Tim Longden**  
**Articles: Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Bldg Height Excessive (Feet)**  
**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 43 Off Street Parking & Loading Req Location. Off street parking facilities shall be provided on the same Lot as the main use to which they are accessory**  
**Purpose: Change of occupancy from Two Family Dwelling to Three Family Dwelling. Construct rear addition on first floor and third floor addition on existing footprint. Propose (4) off street parking accessed through a shared driveway with 135 Harrishof Street. File in conjunction with subdivision lot ALT1066529 and new 6 unit residential building ERT1066525. [ZBA ePlan]**

**Case: BOA-1069729 Address: 135 Harrishof Street Ward 12 Applicant: Tim Longden**  
**Articles: Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive**  
**Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Front Yard Insufficient Article 50, Section 29 Side Yard Insufficient Article 50, Section 43 Off Street Parking & Loading Req Off Street Parking Insufficient Article 50 Section 28 Use Regulations Multi Family Dwelling Use : Forbidden Article 50, Section 43 Off Street Parking & Loading Req Location. Off street parking facilities shall be provided on the same Lot as the main use to which they are accessory**  
**Purpose: Erect 6 unit residential building with 5 exterior parking spaces and shared driveway with 139 Harrishof. Subdivision application is ALT1066529 and a proposed alteration to the existing 2 family building at 139 Harrishof is application ALT1066526. [ZBA ePlan]**



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**Case: BOA-1097303 Address: 32 Pearl Street Ward 13 Applicant: Falucci Properties, LLC**  
**Articles: Article 65, Section 8 Use Regulations MFR Use Forbidden Article 65, Section 9 Excessive F.A.R. Article 65, Section 9 # of allowed stories exceeded Article 65, Section 9 Max allowed height exceeded Article 65, Section 9 Insufficient side yard setback Article 65, Section 9 Insufficient rear yard setback Art. 65 Sec. 41 Off street parking requirements Insufficient parking Art. 65 Sec. 41 Off street parking requirements Insufficient maneuvering areas Art. 65 Sec. 42 Conformity with Existing Building Alignment**  
**Purpose: Seeking to raze the existing structure and erect a nine unit residential dwelling with three private roof decks and with nine parking spaces. E Plans. Nominal Fee. ZBA.**

**Case: BOA-1112820 Address: 21 Morse Street Ward 14 Applicant: Anthony Monahan**  
**Articles: Articles 50, Section 28 Use Regulations 7 units uses: Forbidden Article 50, Section 29 Lot Area Insufficient Required: 5,000 sqft Proposed: 4,430 sqft Article 50, Section 29 Add'l Lot Area Insufficient Required: total lot: 17,500 sqft Article 50, Section 29 Lot Width Insufficient Required: 50' Proposed: 45.13' Article 50, Section 29 Lot Frontage Insufficient Required 50' Proposed: 45.13' Article 50, Section 29 Floor Area Ratio Excessive Max. allowed: 0.8 Proposed: 2.19 Article 50, Section 29 Bldg Height Excessive (Stories) Max. allowed: 3 Proposed: 4 Article 50, Section 29 Bldg Height Excessive (Feet) Max. allowed: 35' Proposed: 53' Article 50, Section 29 Usable Open Space Insufficient Required: 4,500 sqft Article 50, Section 29 Side Yard Insufficient Required: 10' Proposed: 3.2' (L) 3.4' (R) Article 50, Section 29 Rear Yard Insufficient Required: 30' Proposed: 15' Article 50, Section 43 Off-Street Parking & Loading Req Access to spaces is through the neighbor's driveway Article 50, Section 44.2 Conformity Ex Bldg Alignment**  
**Purpose: Erect new 7 unit multi family building on vacant lot as per plans. Eplan**

**Case: BOA- 1073949 Address: 233 Metropolitan Avenue Ward 18 Applicant: Pamela Bardhi**  
**Article: Article 67, Section 9 Usable Open Space Insufficient**  
**Purpose: In reference to permit #Ert1068572, the property on 233 Metropolitan Avenue is to be split into two lots. Total lot size of the parcel currently is 14,019 SF. The two lots will be split into lot A & lot B. Lot A is 7125 SF and Lot B is 689 No work to be done on existing structure. Just subdivision.**

**Case: BOA-1073954 Address: 233R Metropolitan Avenue Ward 18 Applicant: Pamela Bardhi**  
**Articles: Article 67, Section 9 Lot Frontage Insufficient Article 67, Section 28 2.2e Design and Architecture Building orientation to the street. Proposed lot and building are behind another building and lot.**  
**Purpose: Build new construction single family home as of right. [ePlan]**

**Case: BOA-1070813 Address: 12 Everett Street Ward 19 Applicant: Eric DiNicola**  
**Articles: Article 55, Section 8 Use Regulations MFR is Forbidden in a 3F 5000 Sub district Article 55, Section 9 Lot Frontage Insufficient**  
**Purpose: Erect a new 6 unit multi family building on a currently vacant parcel.**





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**Case: BOA-834647 Address: 3 Meyer Street Ward 19 Applicant: John Pulgini**  
**Articles: Article 55, Section 9 Side Yard Insufficient Article 55, Section 9 Rear Yard Insufficient Article 55, Section 9 Front Yard Insufficient**  
**Purpose: Building A: Erect two family dwelling. Each unit will have 3 bedrooms and 2.5 baths, 1 car garage, unfinished basement for storage/mechanical. One of two buildings on the lot with 8 off street parking. Front unit will have finished attic with 1 bath. File in conjunction with ERT817473.**

**Case: BOA-834646 Address: 5 Meyer Street Ward 19 Applicant: John Pulgini**  
**Articles: Article 55, Section 41.12 Two or More Dwellings on Same Lot A Dwelling shall not be built to the rear of another Dwelling Article 55, Section 9 Lot Frontage Insufficient Article 55, Section 9 Front Yard Insufficient Article 55, Section 9.3 Dim Reg: Location of Main Entrance**  
**Purpose: Building B: Erect two family dwelling. Each unit will have 3 bedrooms, 2.5 baths, 1 car garage, unfinished basement for storage/mechanical. One of two buildings on the lot with 8 off street parking. File in conjunction with ERT818050.**

**Case: BOA-1080220 Address: 27 Montclair Avenue Ward 20 Applicant: Francesco Peri**  
**Articles: Article 56, Section 7 Use Regulations Use: Accessory Keeping of Animals ( Poultry ): Forbidden Article 56, Section 8 Rear Yard Maximum Occupancy by Accessory Buildings can not exceed 25% Article 56 Section 40 Application of Dimensional Req Accessory Buildings in Side or Rear Yard**  
**Purpose: Installation of a Backyard Chicken Coop for 6 chickens. E – Plans**

**Case: BOA- 1055853 Address: 4 Anawan Avenue Ward 20 Applicant: Andreas Hwang**  
**Articles: Article 67, Section 9 Floor Area Ratio Excessive Max. allowed: 0.5 Proposed: 1.1 Article 67, Section 9 Bldg Height Excessive (Stories) Max. allowed: 2.5 Proposed: 3 Article 67, Section 9 Rear Yard Insufficient Required: 40' Proposed: 16.8' Article 67, Section 8 Use: Forbidden 8 family Article 67 Section 32 Off Street Parking & Loading Req spaces required: 16 Provided: 8 (2 spaces shall be accessible)**  
**Purpose: Erect new 8 units Multi Family Dwelling. Demolish existing building on separate permit. Combine this lot with adjacent vacant lot.**

**Case: BOA-1055852 Address: 4 Anawan Avenue Ward 20 Applicant: Andreas Hwang**  
**Purpose: Erect new 8 units Multi Family Dwelling. Demolish existing building on separate permit. Combine this lot with adjacent vacant lot. Violation Section: 9th Edition 780 CMR Multiple Dwellings Art. 9.3. 521 CMR 900.**

**Case: BOA-1054243 Address: 38 Cass Street Ward 20 Applicant: Joseph Lichtblau**  
**Article: Article 56, Section 7 Use Regulations Two Family Dwelling Use : Forbidden**  
**Purpose: Erect a two family dwelling. Demolish existing single family dwelling new address to be known as 38 Cass Street. Combined lot filed under ALT1039584.**



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**Case: BOA-1110500 Address: 421-425 Market Street Ward 22 Applicant: 425 Market Street, LLC**  
**Articles: Article 51, Section 16 Use Regulations Use: Multi family Dwelling: Conditional Article 51, Section 17 Floor Area Ratio Excessive Article 51, Section 17 Building Height Excessive Article 51, Section 17 Rear Yard Insufficient Article 51, Section 53 Screening & Buffering Insufficient Article 51, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 51, Section 56 Off Street Parking & Loading Req Off Street Loading Insufficient**

**Purpose : Change the Occupancy of the existing Commercial Building to a Mixed Use Building. Construct a 4 story addition onto existing Building. On the Ground Floor will be a Retail Space and Accessory Parking. There will be Twenty three ( 23 ) Residential Units on Floors 2 thru 5 and a Common Roof Deck. There will be a 23 space Parking Garage underneath Building. ZBA required. Nominal Fee. E Plans**

**Case: BOA-1086727 Address: 365 Western Avenue Ward 22 Applicant: Joe Hassell**  
**Articles: Article 51, Section 16 Use Regulations Multi Family Dwelling Use : Conditional Article 51, Section 17 Floor Area Ratio Excessive Article 51, Section 17 Building Height Excessive Article 51, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 29 Section 4GPOD Applicability**  
**Purpose: To erect a new 6 story, 65 units Multi Family Dwelling with 27 37 (37 with stackers) at grade parking spaces and common roof deck. [ZBA ePlan]**

**Case: BOA-1106430 Address: 2 Oakland Street Ward 22 Applicant: John Walsh**  
**Articles: Article 51, Section 8 Use Regulations Townhouse Use : Forbidden Article 51, Section 9 Floor Area Ratio Excessive Article 51, Section 9 Bldg Height Excessive (Stories)Article 51, Section 9 Bldg Height Excessive (Feet) Article 51, Section 9 Front Yard Insufficient Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient**  
**Purpose: Erect new six (6) townhouse units. Propose (13) parking spaces.**

**Case: BOA- 1023110 Address: 9 Newton Street Ward 22 Applicant: Boustris Properties, LLC**  
**Articles: Article 51, Section 8 Use Regulations MFR/6 unit dwelling Forbidden Article 51 Section 9 Insufficient lot size 4000sf min. req.Article 51 Section 9 Insufficient additional sf/unit 2,000sf/unit req.Article 51 Section 9 Excessive F.A.R. .8 max allowed Article 51 Section 9 Insufficient usable open space 650sf/unit req. Article 51 Section 9 Insufficient side yard setback 10'/15' total aggregate Article 51 Section 9 Insufficient rear yard setback 30' Min. req. Article 51, Section 56. Off Street Parking & Loading Req Insufficient parking 1.75/unit req. = 11 spaces Article 51 Section 9# of allowed stories exceeded 3 story max.Article 51 Section 9height exceeded 35' max.**  
**Purpose: Demolish the existing one story commercial building and erect a new 3 story residential building of 6 units with accessory parking at lower level partially below grade \*4 story structure.**



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**INTERPRETATION: 1:00 PM**

**Case: BOA-1107085 Address: 1001 Boylston Street Ward 5 Applicant: Paul Lewis**

**Purpose: The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the permit# ERT1037077. The permit was issued as an allowed use.**

**Case: BOA-1107095 Address: 1001 Boylston Street Ward 5 Applicant: Arthur D. Ullian**

**Purpose: The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the permit # ERT1037077. The permit was issued as an allowed use.**

**Case: BOA-1107099 Address: 1001 Boylston Street Ward 5 Applicant: KRT Holdings, LLC**

**Purpose: The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the permit # ERT1037077. The permit was issued as an allowed use.**

**Case: BOA- 1107100 Address: 1001 Boylston Street Ward 5 Applicant: Kensington Newbury Street, LLC**

**Purpose: The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the permit # ERT1037077. The permit was issued as an allowed use.**

**Case: BOA- 1107103 Address: 1001 Boylston Street Ward 5 Applicant: Sean T. Doherty, M.D**

**Purpose: The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the permit # ERT1037077. The permit was issued as an allowed use.**

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

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**For the complete text of the Boston Zoning Code Articles and definitions of terms in this agenda, please go to [https://www.municode.com/library/ma/boston/codes/redevelopment\\_authority](https://www.municode.com/library/ma/boston/codes/redevelopment_authority).**