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City of Boston
Board of Appeal

THURSDAY, APRIL 15, 2021

BOARD OF APPEAL

1010 MASS. AVE, 5th FLOOR

ZONING ADVISORY SUBCOMMITTEE

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON THURSDAY, APRIL 15, 2021 BEGINNING AT 5:00 PM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS APRIL 15, 2021 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE APRIL 15, 2021 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE WEBEX EVENT PLATFORM.

Interested persons can participate in the hearing REMOTELY by going to <http://bit.ly/zbaApr15SChearing> or by calling 1-617-315-0704 and entering access code 129 533 0009.

If you wish to offer testimony on an appeal, please click <http://bit.ly/zbaApr15SCcomment> 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/zbaApr15SCcomment>, calling 617-635-5300 or emailing zba.ambassador@boston.gov.

The ZBA Ambassador will be available within the WebEx Event from at 4:00 PM to 5:00 PM to answer questions about ZBA procedures and offer instructions on how to participate in the hearing via WebEx. Questions and/or concerns can also be emailed to the ZBA Ambassador at zba.ambassador@boston.gov.

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

IF YOU WISH TO OFFER TESTIMONY ON AN APPEAL, PLEASE LOG IN TO THE HEARING NO LATER THAN 4:30 PM TO ENSURE YOUR CONNECTION IS PROPERLY FUNCTIONING.

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 IN LIEU OF OFFERING TESTIMONY ONLINE. PLEASE SUBMIT ALL WRITTEN TESTIMONY AT LEAST 48 HOURS IN ADVANCE OF 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.

THE RECOMMENDATIONS OF THE SUBCOMMITTEE WILL BE VOTED ON BY THE FULL BOARD ON TUESDAY, APRIL 27, 2021. APPELLANTS APPEARING FOR THE SUBCOMMITTEE HEARING DO NOT NEED TO BE PRESENT FOR THE APRIL 27, 2021 HEARING UNLESS EXPLICITLY INSTRUCTED BY THE BOARD.

HEARINGS: 5:00 PM

Case: BOA-1142725 **Address:** 9 Kelley Court **Ward:** 2 **Applicant:** Chandler Miller

Articles: Article 62, Section 25 Roof Structure Restrictions Access and design Article 62, Section 8

Insufficient rear yard setback Article 62, Section 8 Insufficient side yard setback

Purpose: Convert existing roof into family recreational space and install 6ft high fence. Install landing and stairs as required for access.

Case: BOA-1158578 **Address:** 2 Laurel Street **Ward:** 2 **Applicant:** Eliza Becton and Glen Kruger

Articles: Article 62, Section 8 Insufficient rear yard setback Article 62, Section 25 Roof Structure Restrictions

Third story addition (reconfiguration of existing roof profile)

Purpose: Build another story onto the existing 2 story 10x7"ell" at the rear of the building to expand the bathroom and also renovate the second floor bathroom.

Case: BOA-1130851 **Address:** 2 Mount Vernon Street **Ward:** 2 **Applicant:** Timothy Sheehan

Articles: Article 62, Section 8 Floor Area Ratio Excessive Article 62, Section 8 Building Height Excessive

Article 62, Section 8 Building Height (# of Stories) Excessive Article 62, Section 8 Rear Yard Insufficient

Article 62, Section 25 Roof Structure Restrictions

Purpose: This job will require ZBA / BPDA approvals. The NOMINAL FEE is requested. This application is for a new shed dormer on an existing habitable attic floor with a roof deck accessed through a hatch will be located on the roof. This project will mirror the adjacent house at 4 Mount Vernon Street.

Case: BOA-#1130850 **Address:** 2 Mount Vernon Street **Ward:** 2 **Applicant:** Timothy Sheehan

Purpose: This job will require ZBA / BPDA approvals. The NOMINAL FEE is requested. This application is for a new shed dormer on an existing habitable attic floor with a roof deck accessed through a hatch will be located on the roof. This project will mirror the adjacent house at 4 Mount Vernon Street.

Violation: 9th 780 CMR 1011 Stairways 1011.12.2 Roof access. Where a stairway is provided to a roof, access to the roof shall be provided through a penthouse complying with Section 1510.2. Exception : In buildings without an occupied roof, access to the roof shall be permitted to be a roof hatch or trap door not less than 16 square feet in area and having a minimum dimension of 2 feet.

Case: BOA-1156955 **Address:** 477-479 East Third Street **Ward:** 6 **Applicant:** Claudette Bosman

Article: Article 68, Section 29 Roof Structure Restrictions Access via spiral

Purpose: Install exterior spiral staircase and roof deck.

Case: BOA-1150451 **Address:** 583-583R Eighth Street **Ward:** 7 **Applicant:** Derek Hogan

Articles: Article 68, Section 33 Off Street Parking & Loading Req Article 68 33.4 Location. Off street

parking facilities shall be provided on the same lot as the main use. Article 68, Section 33 Off Street Parking

& Loading Req Article 68 33.5 Design. Driveway shall be a minimum of 10' 0" for appropriate means of

vehicular access to a Street Article 68, Section 8 Usable Open Space Insufficient

Purpose: Propose three (3) off street parking via easement access from 581 East Eighth Street.

Case: BOA-1156978 **Address:** 23-25 Arbroth Street **Ward:** 16 **Applicant:** Gary Deans

Articles: Article 65, Section 9 # of allowed stories has been exceeded 2.5 stories max. Article 65, Section 9

Excessive f.a.r. 5 max. Article 65, Section 9 Insufficient side yard setback 10' min. req.

Purpose: Interior and exterior renovation of 2 family to include new 2 story exterior deck and 2nd floor exterior stairs; 3rd floor dormer and roof deck, new kitchens and baths, new electric, new heating.

Case: BOA- 1161773 **Address:** 54 Westmoreland Street **Ward:**16 **Applicant:** Corey Clark
Articles: Article 65, Section 9 # of allowed stories has been exceeded 2.5 stories max Article 65, Section 9 Excessive f.a.r. .4 max Article 65, Section 9 Insufficient side yard setback 10' req.
Purpose: Proposed Dormer addition to extend living space to the third floor and add a deck, as per plans.
Permit set to be submitted upon ZBA approval.

Case: BOA-1137028 **Address:** 19 Weyanoke Street **Ward:** 16 **Applicant:** Robert Cabral
Article: Art. 65 Sec. 9 Residential Dimensional Reg.s Minimum side yard setback requirement is insufficient
Purpose: Proposed 800 SF second story addition and 100 SF single story rear addition to existing 1 1/2 story existing Cape style dwelling located at 19 Weyanoke Street in Dorchester.

Case: BOA-1156565 **Address:** 79 Corbet Street **Ward:** 17 **Applicant:** Cesar DaSilva
Article: Art. 10 Sec. 01 Limitation of off street parking areas occupying front and side yard (not located at more than 5 feet the side lot line)
Purpose: Asphalt driveway for 2 off street parking.

Case: BOA- 1160443 **Address:** 8 Oakcrest Road **Ward:** 18 **Applicant:** Horizon Construction & Development, LLC
Article: Art. 69 Sec. 09 Floor area ratio is excessive (greater than 50%)
Purpose: Gut Renovation including structure repairs 10'x10' 1 story addition New M/E/P New layout to have 4 total bedrooms, 3 bathrooms New Roof.

Case: BOA- 1160969 **Address:** 11 Porter Terrace **Ward:** 20 **Applicant:** Derek Rubinoff
Articles: Article 56, Section 8 Floor Area Ratio Excessive Article 56. Section 8 Side Yard Insufficient
Purpose: Create a 130 sf addition on the 2nd floor of an existing detached 2 storey single family house. The addition is proposed above an existing enclosed sunroom and will include a master bath, a laundry closet, a gambrel roof, and a shed dormer on the front and rear. No change in building footprint.

Case: BOA- 1160818 **Address:** 53 Tyndale Street **Ward:** 20 **Applicant:** James Zigmont
Article: Art. 20, Section 2 Accessory Buildings Existing accessory building closer than 4' to side lot lines, but now increasing height
Purpose: Renovation of an existing garage, to an art studio (Accessory building) As per plans from Richard Alvord Architects. Reconfigure roofing frame, install new roof, new windows, new exterior door, new electrical, frame the perimeter and apply insulation, install new HVAC.

Case: BOA-1158404 **Address:** 214 Beech Street **Ward:** 20 **Applicant:** Laura and Drew Watson
Articles: Article 67, Section 9 Side Yard Insufficient Article 67, Section 9 Rear Yard Insufficient
Purpose: Kitchen and powder room renovation with bump out addition and new rear deck landing.

Case: BOA- 1156154 **Address:** 94 Cass Street **Ward:** 20 **Applicant:** Christopher Roberts & Carlos Parra Herran
Articles: Article 56, Section 8 Excessive F.A.R. .4 max Article 56, Section 8 # of allowed habitable stories has been exceeded 2.5 stories max. Purpose: Finish attic per drawing Specification. No other work to be done.

Case: BOA-1165692 **Address:** 109 Perham Street **Ward:** 20 **Applicant:** Gilmar Costa
Articles: Article 56, Section 8 Front Yard Insufficient Article 56. Section 8 Side Yard Insufficient
Purpose: Add dormer and roofing.

Case: BOA- 1141289**Address:** 11 Bagnal Street **Ward:** 22 **Applicant:** David McNair
Article: Article 51, Section 9 Floor Area Ratio Excessive Max. allowed: 0.6 Existing:0.6 Proposed: 0.68
Purpose: Extension of living space to basement to existing single family dwelling. Renovate basement, add egress window and Bathroom.

RE-DISCUSSION: 5:00 P.M

Case: BOA- 1155715 **Address:** 28 Rosebery Road **Ward:** 18 **Applicant:** Derric Small
Articles: Article 69 Section 29 Off Street Parking & Loading Req Off street parking is insufficient. Article 69, Section 9 Lot Area Insufficient Article 69, Section 9 Usable Open Space Insufficient Article 69 Section 9 Floor area ratio is excessive
Purpose: Change of Occupancy from a one family dwelling to a two family dwelling.

Case: BOA-1065297 **Address:** 16 Dustin Street **Ward:** 22 **Applicant:** Alex Norman
Article: Article 51, Section 9 Floor Area Ratio Excessive
Purpose: Amendment to ALT399170. Built out basement according to submitted floor plan.

BOARD MEMBERS:

CHRISTINE ARAUJO-CHAIR
MARK FORTUNE-SECRETARY
HANSY BETTER BARRAZA

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