



City of Boston  
Board of Appeal

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THURSDAY, JANUARY 19, 2023

BOARD OF APPEAL

1010 MASS. AVE, 5th FLOOR

**ZONING ADVISORY SUBCOMMITTEE**

**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON JANUARY 19, 2023 BEGINNING AT 5:00PM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS JANUARY 19, 2023 SUBCOMMITTEE HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

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

**THE JANUARY 19, 2023 SUBCOMMITTEE 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/SubcommitteeZBA>. You may also participate by phone by calling into the Zoom Webinar at (312) 626-6799 and entering the Webinar ID: 977 9540 4707 followed by # when prompted.**

**If you wish to offer testimony on an appeal but cannot appear in-person or virtually, please click <https://bit.ly/January19Comment> to leave a comment. Please select the appeal on which you would like to offer comment, and then you may indicate your support or opposition and leave more detailed commentary.**

**IF YOU WISH TO OFFER TESTIMONY ON AN APPEAL, PLEASE LOG IN TO THE HEARING NO LATER THAN 4:00PM TO ENSURE YOUR CONNECTION IS PROPERLY FUNCTIONING.**

**For individuals who need translation assistance, please notify the Board at least 48 HOURS in advance either by signing up at <https://bit.ly/January19Comment> or calling 617-635-4775 or emailing [zba.ambassador@boston.gov](mailto:zba.ambassador@boston.gov).**



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**The ZBA Ambassador will be available within the Zoom Webinar Event from 4:00pm to 5:00pm 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.**

**Interested persons who are unable to participate in the hearing remotely may make an appointment to offer testimony. 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 HEARING PROCESS BY EMAILING LETTERS IN SUPPORT OF OR OPPOSITION TO AN APPEAL TO [ZBAPublicInput@boston.gov](mailto:ZBAPublicInput@boston.gov) IN LIEU OF OFFERING TESTIMONY. WRITTEN COMMENTS BE SUBMITTED TO THE BOARD AT LEAST 48 HOURS PRIOR TO THE HEARING TO ENSURE THEIR ENTRY INTO THE RECORD. 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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**HEARINGS: 5:00 P.M**

**Case: BOA-1363941 Address: 104-106 Trenton Steet Ward: 1 Applicant: Trenton Brooks Corner Realty Trust**  
**Article(s):** Art. 09 Sec. 02 Nonconforming Use Change Art. 53, Section 8 Use: Forbidden - Local Retail (Convenience store)

**Purpose:** Change use from a dry cleaners to a convenient store, as per plans.

**Case: BOA-1391407 Address: 7 Amory Street Ward: 2 Applicant: Kevin Joyce**

**Article(s):** Article 62, Section 8 Floor Area Ratio Excessive Art. 62 Sec. 19 Neighborhood Design Overlay Districts Art. 62 Sec. 25 Roof Structure Restrictions Art. 62 Sec. 24 Design Review - Art.80 2.1 NDOP review requirement

**Purpose:** Confirm occupancy as a one family row house, extend living space into basement, increase width of existing dormer beyond 8 ft. and complete interior renovation.

**Case: BOA- 1408249 Address: 8 Amory Street Ward: 2 Applicant: Kevin Joyce**

**Article(s):** Article 62, Section 8 Rear Yard Insufficient Article 62, Section 8 Floor Area Ratio Excessive Article 62, Section 8 Lot Area Insufficient - RH 1500 required 1500s.f. for up 2 units. 3F 2000 required 2000s.f per 1 or 2 units Article 62, Section 25 Roof Structure Restrictions Art. 62 Sec. 19 Neighborhood Design Overlay Districts - NDOD design review Art. 62 Sec. 30.1 Conformity of Bldg.Alignmnt

**Purpose:** Confirm occupancy as one family row house dwelling, then renovate entire building as per plans filed herewith. Extend living space into basement, new front dormers, new rear egress stair. Building to be used as one family after renovations are completed.

**Case: BOA-1417588 Address: 101 Baldwin Street Ward: 2 Applicant: Sean Treacy**

**Article(s):** Article 62, Section 25 Roof Structure Restrictions

**Purpose:** AMEND PERMIT ALT1359815. PHASE 2: Newly proposed roof per plans submitted.

**Case: BOA-1396700 Address: 140 Tremont Street Ward: 3 Applicant: 10 Temple Place, LP**

**Article(s):** Art. 06 Sec. 04 Other Protectional Conditions - Remove proviso to petitioner only

**Purpose:** Removing proviso granted to that petitioner only. Acquiring existing fast food restaurant. Use/layout will stay the same, as a fast food burger restaurant. All we will be doing and branding the previous owners application.

**Case: BOA-1405814 Address: 647 Boylston Street Ward: 5 Applicant: Anders Cairns**

**Article(s):** Art. 08 Sec. 03 Conditional Uses - Applicant is applying for 36A for a Coffee Shop, which is a conditional use.

**Purpose:** Interior renovation of an existing Commercial Business tenant space. Scope of work includes minor interior demolition, new walls, new doors, new millwork, new interior lighting, and new plumbing fixtures for Coffee shop use. No food to be prepared on site.

**Case: BOA-1349367 Address: 6 Park Lane Ward: 11 Applicant: Nathaniel Hafer & Taril Fultz**

**Article(s):** Article 55, Section 9 Front Yard Insufficient Article 55, Section 9 Rear Yard Insufficient Article 55, Section 9 Bldg Height Excessive (Stories) Article 55, Section 9 Floor Area Ratio Excessive

**Purpose:** Build out of existing third floor space to include a new dormer and exterior deck.

**Case: BOA-1344299 Address: 349 Savin Hill Avenue Ward: 13 Applicant: Chelsea Blanchar**

**Article(s):** Art. 65 Sec. 65 8 Floor Area Ratio excessive Article 65, Section 9 Side Yard Insufficient

**Purpose :** Unit 2 Remodel with dormer addition on 3rd floor.



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**Case: BOA-1359736 Address: 1236-1238 Dorchester Avenue Ward: 15 Applicant: Mitch Hayes**

**Article(s):** Article 65, Section 41 Off Street Parking & Loading Req - 521 CMR 17.00: Restaurants  
521 CMR 17.2: At least 5% but not less than one, of the tables shall be accessible, be on an accessible route, and in compliance with the following.

**Purpose:** Approved by the Licensing Board and extended our patio into the private parking lot, with approval from our landlord, in June 2020. Looking to get permanent approval and increase our capacity from 40 people, to 70 people.

**Case: BOA- 1396190 Address: 302-316 Bowdoin Street Ward: 15 Applicant: Wayne Atkinson**

**Article(s):** Art. 07 Sec. 03 Conditions for Variance - Remove proviso request "to petitioner only"

**Purpose:** Remove Proviso and grant to this Petitioner Only.

**Case: BOA-1363414 Address: 132-138 Park Street Ward: 16 Applicant: Nadege Marcelin**

**Article(s):** Art.65 Sec.08 Conditional - Beauty Salon use

**Purpose:** Add a beauty salon in an existing beauty supply at 1530 Dorchester Avenue .

**Case: BOA-1381353 Address: 301 Adams Street Ward: 16 Applicant: Manuel Da Rosa**

**Article(s):** Art. 06 Sec. 04 Other Protectional Conditions - Granted to this Petitioner only (Murat Han) for Art.8(8 7 36A) Condition Uses. #2920/2006

**Purpose:** Remove proviso and grant this to petitioner only.

**Case: BOA- 1393784 Address: 45 Cedar Grove Street Ward: 16 Applicant: Robert Nicholas**

**Article(s):** Article 65, Section 9 Floor Area Ratio Excessive

**Purpose:** Create bedroom by Installing window well and window as per plan in lower level which is at grade.

**Case: BOA-1411481 Address: 1724-1740 Dorchester Avenue Ward: 16 Applicant: Stefano Quaresima**

**Article(s):** Art. 06 Sec. 04 Other Protectional Conditions

**Purpose:** Removing previous proviso for 1739 Dorchester Avenue

**Case: BOA-1395268 Address: 1017 River Street Ward: 18 Applicant: Mother's for Justice and Equality**

**Article(s):** Article 69, Section 8 Use: Forbidden

**Purpose:** Seeking to change the occupancy to offices for Mother's for Justice and Equality. No work to be done, existing conditions to remain.

**Case: BOA-1370974 Address: 378-380 Centre Street Ward: 19 Applicant: Douglas Salazar**

**Article(s):** Art. 08 Sec. 03 Conditional Uses

**Purpose:** Remove proviso and grant to this petitioner only.

**Case: BOA-1384419 Address: 22 Myrtle Street Ward: 19 Applicant: Michael Judge**

**Article(s):** Article 55, Section 9 Bldg Height Excessive (Stories)

**Purpose:** Construct larger dormer (third floor), renovate bathrooms, upgrade central AC kitchen and other general carpentry. Includes plumbing and electrical.

**Case: BOA- 1386357 Address: 56 Boylston Street Ward: 19 Applicant: Jennifer & John Cavanaugh**

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

**Purpose:** Construction of a new rear deck.

**RE-DISCUSSIONS: 5:00 P.M**

**Case: BOA-1330550 Address: 37 Jenkins Street Ward: 7 Applicant: Fatomech Carroll**

**Article(s):** Article 13, Section 1 Bldg Height Excessive Art. 13 Sec. 13 1 Floor Area Ratio Excessive

Article 13, Section 1 Rear Yard Insufficient Article 13, Section 1 Usable Open Space Insufficient

**Purpose:** Change use from a single family to a two family. Proposed additions and renovate, as per plans.



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**Case: BOA-1335230 Address: 510 East Eighth Street Ward: 7 Applicant: John Drago**

**Article(s):** Art 68 Sec 29 Roof Structure Restrictions - Modifying existing roof and increasing its height.  
Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Front Yard Insufficient

**Purpose:** The project will include a general renovation of the entire historic home including reorganizing spaces and the addition of a third floor master suite. The project will also include design exploration for future roof deck access.

**Case: BOA- 1338514 Address: 6 Thwing Street Ward: 11 Applicant: Rufus Faulk**

**Article(s):** Article 10, Sec.1 Limitation of Area - Limitation of Area of Accessory Uses Article 50, Sec. 43 Off Street Parking & Loading Req –Location of Off Street Parking. Off Street Parking is not permitted in Front Yard Article 50, Se. 43 Off Street Parking & Loading Req - Off Street Parking Design / Maneuverability

**Purpose:** Proposed Driveway Curb Cut and Off Street Parking for 2 cars.

**Case: BOA-1368532 Address: 60 Chesterfield Street Ward: 18 Applicant: Tania Polanco**

**Article(s):** Article 69, Section 9 Floor Area Ratio Excessive Article 69, Section 9 Bldg Height Excessive (Stories)  
Article 69, Section 9 Front Yard Insufficient Article 69, Section 9 Side Yard Insufficient Article 69, Section 9 Rear Yard Insufficient

**Purpose:** Renovation and addition.

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

**BOARD MEMBERS:**

**SHERRY DONG-ACTING CHAIR  
HANSY BETTER BARRAZA**

**SUBSTITUTE MEMBER:**

**DAVID AIKEN-ACTING SECRETARY**

**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)**