



City of Boston  
Board of Appeal

**RECEIVED**

*By City Clerk at 1:12 pm, Aug 24, 2023*

Tuesday, August 29, 2023

BOARD OF APPEAL

City Hall Room 801

## **HEARING AGENDA**

**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON AUGUST 29, 2023 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS AUGUST 29, 2023 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

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

**THE AUGUST 29, 2023 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/ZBA2023Hearings>. You may also participate by phone by calling into the Zoom Webinar at (301) 715-8592 and entering the Webinar ID: 821 8044 0527 followed by # when prompted.

If you wish to offer testimony on an appeal, please click <https://bit.ly/August29Comment> 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/August29Comment>, calling 617-635-4775, or emailing [zba.ambassador@boston.gov](mailto:zba.ambassador@boston.gov).

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



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**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 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 VIRTUAL 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 ONLINE. IT IS STRONGLY ENCOURAGED THAT WRITTEN COMMENTS BE SUBMITTED TO THE BOARD AT LEAST 48 HOURS PRIOR TO THE HEARING. WHEN DOING SO, PLEASE INCLUDE IN THE SUBJECT LINE THE BOA NUMBER, THE ADDRESS OF THE PROPOSED PROJECT AND THE DATE OF THE HEARING.**



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### **EXTENSIONS: 9:30AM**

**Case: BOA-1051313 Address: 14 Meehan Street Ward 11 Applicant: John Pulgini**

**Case: BOA-1085225 Address: 3 Westford Street Ward 22 Applicant: Shane Kelly**

**Case: BOA-835348 Address: 883 Hyde Park Avenue Ward 18 Applicant: EVG Farms, LLC (Sean Berte)**

**Case: BOA-1163709 Address: 60-84 Saint Botolph Street Ward 4 Applicant: Joe Bamberg**

**Case: BOA-667111 Address: 151 Liverpool Street Ward 1 Applicant: City Point Liverpool, LLC(Anthony L. Leccese, Esq)**

**Case: BOA-836636 Address: 603 Dorchester Avenue Ward 7 Applicant: Tommy Noto**

### **RE-DISCUSSIONS : 9:30AM**

**Case: BOA-1462119 Address: 1742-1748 Dorchester Avenue Ward 16 Applicant: DIMI, Inc**

**Article(s):** Art. 10 Sec. 01Limitation of parking areas -5' side yard setback buffer requirement Art. 65 Sec. 08 Conditional - Restaurant use conditional Art. 65 Sec. 09Residential Dimensional Reg.s -Max allowed height exceeded Art. 65 Sec. 09 Insufficient usable open space Art. 65 Sec. 09 Insufficient side yard setback Art. 65 Sec. 09 Insufficient rear yard setback Art. 65 Sec. 09 Excessive f.a.r. Art. 65 Sec. 09 Insufficient additional lot area per unit Art. 65 Sec. 09 Number of allowed stories has been exceeded Art. 65 Sec. 41 Off street parking requirements - Insufficient parking for residential Art. 65 Sec. 41 Off street parking requirements- Insufficient parking for Restaurant Art. 65 Sec. 41Off street parking requirements -Clear maneuvering areas/turn radius design -Two way parking garage with right 90 degree angle parking (12'x2= 24' required) Art. 65 Sec. 42 Appl. of Dimensional Reqmnts - Traffic visibility across a corner lot

**Purpose:** Demolish the existing single-story gas station and automotive shop on separate permit and construct a mixed-use, 4-storey building with a restaurant space on the ground floor and 14 Group 1 (per 521 CMR) dwelling units on the Upper floors. Provide 9 parking spaces on grade at rear. \*EXISTING STRUCTURE to be razed on a separately applied for and issued permit.

### **HEARINGS:9:30AM**

**Case: BOA-1493596 Address: 5 Grayfield Avenue Ward 20 Applicant: Michael Kirby**

**Article(s):** Article 56, Section 8 Floor Area Ratio Excessive Article 56, Section 8 Bldg Height Excessive (Stories) Article 56, Section 8 Rear Yard Insufficient

**Purpose :** Addition of dormer to existing roof. Involves extension of living space to top floor and legalize existing basement family room. Adding a bedroom and bathroom to 3rd floor with new stairs.

**Case: BOA-1439377 Address: 31 Rodman Street Ward 19 Applicant: Brian J.Doherty**

**Article(s):** Article 9 Section 1Extension of Nonconforming Use - Extension of a Nonconforming Use (This is an existing 2 Family Dwelling in a 1F 4000 Zoning District ) Article 55, Section 9Floor Area Ratio Excessive Article 55, Section 9 Lot Area Insufficient Article 55, Section 9Dimensional Regulations -Building Height Excessive ( There is a 21/2 story height limit in this zoning district. Proposed addition is 3 stories in Rear Yard ) Article 55, Section 9 Front Yard Insufficient Article 55, Section 9 Side Yard Insufficient Article 55, Section 9Rear Yard Insufficient

**Purpose :** Renovating existing 2 Family Dwelling into 2 Condominiums. Combine parcels 1904895000 and 19048970000 and expand livable space by way of a rear addition with ground level garage parking for two vehicles



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**Case: BOA-1405151 Address: 84 Marine Road Ward 7 Applicant: Mercedes Mulligan**

**Article(s):** Art. 68 Sec. 33 Off Street parking Req. - Maneuvering areas Article 68, Section 8 Insufficient open space per unit

**Purpose:** To add two parking spaces at 84 Marine Road. It requires a curb cut on Hatch Street. The curb cut will be located on the side of Hatch Street that does not allow parking. The benefit would be two fewer cars on the street without displacing any legal parking spaces.

**Case: BOA- 1480955 Address: 9 Taylor Street Ward 3 Applicant: Timothy Burke**

**Article(s):** Art 64.9.4 Town/Rowhouse extension into rear Art.64 Sec.09 Floor Area Ratio is Excessive Article 64, Section 9 Rear Yard Insufficient

**Purpose :** Construct a one story addition above an existing one story projection on the rear of a single family house.

**Case: BOA-1484677 Address: 109 Rutherford Avenue Ward 2 Applicant: Judith Brennan**

**Article(s):** Article 62,Section 8 Rear yard insufficient. Article 62,Section 8 Usable open space insufficient. Article 62, Section 8 Bldg Height Excessive (Feet) - Roof hatch head house Article 62, Section 8 Floor Area Ratio Excessive Art. 62 Sec. 29 Off street parking insufficient -Off street Parking insufficient

**Purpose :** The proposed structure is a three story, three family residential home. There is one unit on each floor with designated storage space in the basement. Each unit consists of 1,434 sq/ft of living space with two bedrooms and two and a half bathrooms. The primary means of ingress and egress is the front door facing Rutherford Ave. The front door leads to a vestibule with access to the basement and a stairwell servicing all three floors and the roof. On the roof, will be a roof deck with access limited to the third floor apartment. The roof deck will be accessed by a hatch. Each apartment will have a back deck with a second means of egress via an exterior staircase from the deck.

**Case: BOA-1400132 Address: 219 Saratoga Street Ward 1 Applicant: Marc LaCasse**

**Article(s):** Art. 32 Sec. 32 4Groundwater Conservation Overlay District, Applicability Art. 27GE Boston IPOD Art. 53, Section 8 Use: Forbidden -Multifamily Art. 53 Sec. 52Roof Structure Restrictions - Penthouses erected shall be included in measuring the total building height.Article 53, Section 57.2Conformity Ex Bldg Alignment - Street modal calculation not provided to verify compliance. Art. 53 Sec. 56^Off street parking insufficient - Parking spaces required: 6 Proposed: 0 Article 53, Section 9 Add'l Lot Area Insufficient Art. 53 Sec. 09 Floor Area Ratio Excessive Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 9 Side Yard Insufficient

**Purpose:** Construct new 4 dwelling unit building with basement.

**HEARINGS:11:00AM**

**Case: BOA-1497967 Address: 56 Murdock Street Ward 22 Applicant: Odessit Capital**

**Article(s):** Art. 51 Sec. 57.2 Exst'g Bldg Algnmnt Conformity -Street Modal calculation not provided to verify its compliance. Article 51 Section 9.4 Dim Reg: Location of Main Entrance - It shall face the front lot line. Article 51, Section 56 Off Street Parking Insufficient -Min. spaces required:  $3 \times 1.75 = 5.25$  Proposed: 4 Article 51, Section 57.13 Two or More Dwellings on Same Lot Article 51, Section 8 Use: Forbidden -3 Family use Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Lot Frontage Insufficient

**Purpose:** To erect a new 3 story residential building with 3 units and 4 parking spaces. Companion case ERT1472154.

**Case: BOA- 1497973 Address: 58 Murdock Street Ward 22 Applicant: Odessit Capital**

**Article(s):** Article 51, Section 8 Use: Forbidden - 3 Family use Art. 51 Sec. 57.2 Exst'g Bldg Algnmnt Conformity -Street modal calculation not provided to verify its compliance. Article 51 Section 9.4Dim Reg: Location of Main Entrance - It shall face the front lot line. Article 51, Section 57.13Two or More Dwellings on Same Lot Article 51, Section 56 Off Street Parking Insufficient Article 51, Section 9 Lot Frontage Insufficient Article 51, Section 9 Side Yard Insufficient

**Purpose:** To erect a new 3 story residential building with 3 units and 4 parking spaces. In conjunction with ERT1472162 56 Murdock St. (two buildings in one lot) To demolish existing structure under SF#



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**Case: BOA-1493812 Address: 94 Perham Street Ward 20 Applicant: James Verdin**

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

**Purpose :** Demolish and rebuilt rear 2 1/2 story portion of dwelling. Renovation of first floor living area and second floor expansion of bedroom & bathroom creation. Scope also includes an elevator addition within space.

**Case: BOA-1475509 Address: 9 Ashfield Street Ward 20 Applicant: Gerald Howland**

**Article(s):** Article 67, Section 9 Side Yard Insufficient Article 67, Section 9 Rear Yard Insufficient

**Purpose:** We would like to push out our existing kitchen 5 feet by 23.2 feet at the rear of the house.

**Case: BOA-1488429 Address: 1523-1525 Blue Hill Avenue Ward 18 Applicant: George Morancy-ARTICLE 80**

**Article(s):** Article 60 Section 37 Street Wall Continuity Article 60 Section 40 Off-Street Parking & Loading Req - Off-Street Parking Insufficient Article 60 Section 40 Off-Street Parking & Loading Req - Off-Street Loading Insufficient Article 60, Section 16 Use Regulations - Multi-Family Dwelling (2nd story and above) Use : Conditional Article 60, Section 17 Floor Area Ratio Excessive Article 60, Section 17 Building Height Excessive Article 60, Section 17 Side Yard Insufficient Article 60, Section 41.2 Traffic Visibility Across Corner Article 60, Section 8 Use Regulations - Multi-Family Dwelling Use : Forbidden Article 60, Section 8 Use Regulations - Office Use : Forbidden Article 60, Section 9 Floor Area Ratio Excessive Article 60, Section 9 Bldg Height Excessive (Stories) Article 60, Section 9 Usable Open Space Insufficient Article 60, Section 9 Bldg Height Excessive (Feet) Article 60, Section 9 Front Yard Insufficient Article 60, Section 9 Side Yard Insufficient Article 60, Section 9 Rear Yard Insufficient

**Purpose:** Combining two parcels (PID: 1801049000 and 1801048000) into a newly created single lot to be 7,625 SF. Erect a new mixed use building comprised of 16 Residential Units and Office space. Propose (9) Off street Parking spaces. Raze existing commercial building on separate permit application.

**Case: BOA-1037246 Address: 59-59A Hancock Street Ward 5 Applicant: Aimee Poulos**

**Article(s):** Article 20, Section 1 Rear Yard Insufficient

**Purpose:** Legalize existing Open Roof Deck measuring approximately 11' x 12' in the Rear of building on top of first story. Deeded roof rights.

**Case: BOA-1397652 Address: 36 Milford Street Ward 3 Applicant: Marc LaCasse**

**Article(s):** Art 64.9.4 Town/Rowhouse extension into rear -Proposing rear yard extension and balconies above the first floor. Art. 56 Sec. 64 34 Restricted roof structure district Art.64 Sec.09 Floor Area Ratio is Excessive Article 64, Section 9 Rear Yard Insufficient Art. 32 Sec. 32 4 Groundwater Conservation Overlay District, Applicability

**Purpose :** Change of occupancy from 2 family with accessory office to a two family. Gut renovation of existing 2F; install groundwater recharge system; rear addition at garden level and street level; add rear balconies at second and third level; add roof deck with hatch access.

**Case: BOA-#1397647 Address: 36 Milford Street Ward 3 Applicant: Marc LaCasse**

**Purpose:** Change of occupancy from 2 family with accessory office to a two family. Gut renovation of existing 2F; install groundwater recharge system; rear addition at garden level and street level; add rear balconies at second and third level; add roof deck with hatch access.

**Violation** Violation Description Violation Comments

9th 780 CMR 1011 Stairways 1011.12.2 Roof access shall be through a penthouse.

Proposed is through a hatch.

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

**Case: BOA-1482195 Address: 27 Russell Street, Ward: 2 Applicant: Michael Bishop**

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

**Purpose:** First floor bathroom renovation, second floor shower addition, bedroom renovation and 8' fencing on 3 sides.



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**Case: BOA-1479082 Address: 2 Mead Street Court Ward: 2 Applicant: Nathan Bryant**

**Articles (s):** Article 62, Section 25 Roof Structure Restrictions Art. 62 Sec. 19 Neighborhood Design Overlay Districts  
Article 62, Section 8 Floor Area Ratio Excessive

**Purpose:** Extension (height) of entry way to third floor, adding 1 dormer, new sheetrock & flooring on second and third floor, new bathroom on third floor.

**Case: BOA-1448246 Address: 24 Common Street Ward: 2 Applicant: Kimmerly Perry**

**Articles (s):** Article 62, Section 8 Front Yard Insufficient Art. 62 Sec. 19 Neighborhood Design Overlay Districts

**Purpose:** Parking spot for residential owner use.

**Case: BOA-1445529 Address: 16 Thwing Street Ward: 11 Applicant: Jennifer DuBose**

**Articles (s):** Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Rear Yard Insufficient  
Art. 50 Sec. 38 Design Review

**Purpose:** Driveway between 14 & 16 Thwing Street.

**Case: BOA-1463532 Address: 3-5 Thatcher Street Ward: 18 Applicant: Stanley Kelly**

**Articles (s):** Art. 09 Sec. 01 Reconstruction/Extension Of Nonconforming Bldg. - <25%-Conditional Art. 69 Sec. 09  
Excessive f.a.r. Art. 69 Sec. 09 # of allowed stories exceeded

**Purpose:** Add dormer per drawing attached.

**Case: BOA-1462924 Address: 25 Burr Street Ward: 19 Applicant: Cameron Merrill**

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

**Purpose:** We are looking to widen the curb cut for our driveway. Proposing 4 parking spaces.

**Case: BOA-1452463 Address: 21 Louder's Lane Ward: 19 Applicant: Liqian Ma**

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

**Purpose:** Proposal to create a 2nd floor addition on existing structure. No change in footprint. Proposal includes roof structure modifications as per plans. Proposal to renovate, and remodel existing structure. Proposal includes addition of solar panels to existing roof's solar panels.

**Case: BOA-1442575 Address: 644 South Street Ward: 19 Applicant: Darlene Donovan**

**Articles (s):** Article 67, Section 32 Off Street Parking - 4. Location: Proposed Parking in front yard not allowed

**Purpose:** Proposed to remove approximately 9.5' of vertical granite curb in front of the driveway for the property at 644 South Street. The owner proposes to remove the curb and relocate an existing radius stone in order to widen an existing curb cut for access to two existing parking spaces onsite. Request to extend existing curb cut to 28'5" wide per plan

**Case: BOA-1033851 Address: 35 Rockwood Street Ward: 19 Applicant: David Click**

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

**Purpose:** Renovate and upgrade existing railing and deck boards to composite and PVC railing system. Existing conventional P.T. wood deck framing structures and footings to remain unless damaged or rotten; remove and replace.

**Case: BOA-1431740 Address: 11 Primrose Street Ward: 20 Applicant: Anthony Ross**

**Articles (s):** Article 67, Section 9 Excessive f.a.r. Article 67, Section 9 # of allowed habitable stories exceeded

**Purpose:** Legalize status of the basement level of unit 1 (699 s.f. area), adding that basement area of Unit 1 to the gross floor area of the building. No work to be performed as all work was completed and inspected under short form permit; floor area ratio question arose at final inspection.



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**Case: BOA-1472415 Address: 351 Vermont Street Ward: 20 Applicant: John Pulgini**

**Articles (s):** Article 56, Section 8 Rear Yard Insufficient. Article 56, Section 8 Side Yard Insufficient. Article 56, Section 8 Usable Open Space Insufficient Art. 56 Sec. 08 Floor area ratio Excessive. Article 56, Section 8 Bldg Height Excessive (Stories) - Allowed 2 1/2 stories. Proposed 3 stories. Art. 09, Sec. 01 Reconstruction/Extension of Nonconforming Bldg.- Extension of nonconforming use. Art. 56, Sec. 39 Off street parking requirements - Parking location

**Purpose:** Proposal to construct an addition to an existing 2 family dwelling. Proposal includes a 1st floor addition containing a mudroom, rear entry for the 1st floor unit, bathroom, deck, and access ramp; two 2nd floor decks; and a new 3rd floor comprised of 4 bedrooms, 2 bathrooms, and a balcony.

**Case: BOA- 1476997 Address: 16 Lyall Street Ward: 20 Applicant: Thomas Byrne**

**Articles (s):** Article 56, Section 8 Bldg Height Excessive (Stories) - Attic floor is more than half the size of second floor. Article 56, Section 8 Floor Area Ratio Excessive

**Purpose:** Existing basement finish with laundry room. Existing attic finish with dormers, full bath and closet. Extending living space down to basement and extending living space to attic. Adding dormers to the southwest side of property.

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

**Case: BOA-1448731 Address: 150 Chestnut Avenue Ward: 19 Applicant: Grayson Sasser & Melanie Wilson**

**Articles (s):** Art. 10 Sec. 01 Limitation of parking areas - Proposed parking is within 5 feet of the side yard lot line.

**Purpose:** Modify passage way and construct curb Cut.

**Reason for Prior Deferral: This application was differed because the previous subcommittee Board could not reach a consensus.**

**Case: BOA-1448704 Address: 152-152H Chestnut Avenue Ward: 19 Applicant: Jeffrey D. Croin Trustee of the Jeffrey D. Cronin Revocable Trust 2018**

**Articles (s):** Article 55, Section 40 Off Street Parking & Loading Req - Article 55, Section 404a Proposed parking is in the front yard and is greater than 10 feet in width.

**Purpose:** In conjunction with application U491433544 Partial Relocation of front walkway & Legalize existing 2 parking Spaces.

**Reason for Prior Deferral: This application was deferred because the previous subcommittee Board could not reach a consensus.**

**Case: BOA-1473283 Address: 604 Metropolitan Avenue Ward 18 Applicant: Cesar DaSilva**

**Article(s):** Art. 69 Sec. 17 C.P.SubD. Use: Forbidden - Proposed 3 Family in a 1F 6000 is a Forbidden use.

Article 69, Section 9 Lot Width Insufficient Article 69, Section 9 Lot Frontage Insufficient Article 69, Section 9 Floor Area Ratio Excessive Article 69, Section 9 Side Yard Insufficient Article 69, Section 9 Rear Yard Insufficient Article 69, Section 9 Front Yard Insufficient

**Purpose:** Erect a new 3 family building

**Reason for Prior Deferral: The Board moved to defer this application.**

**Case: BOA-1361964 Address: 34 Cobden Street Ward 11 Applicant: Curtis Clemons**

**Article(s):** Art. 50 Sec. 29 Insufficient Lot size Art. 50 Sec. 29 Insufficient additional lot area per unit Art. 50 Sec. 29 Insufficient lot width Art. 50 Sec. 29 Insufficient lot width frontage Art. 50 Sec. 29 Excessive f.a.r. Art. 50 Sec. 29 Insufficient side yard setback Art. 50 Sec. 29 Insufficient usable open space per unit Art. 50 Sec. 43 Off street parking insufficient

**Purpose :** Erect three family dwelling as per plans.

**Reason for Prior Deferral: This application was deferred to allow time for further review from the ISD plans examiner.**



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**Case: BOA- 1436713 Address: 6 Greenwich Court Ward 9 Applicant: Timothy Burke**

**Article (s):** Art. 32 Sec. 32 4 Groundwater Conservation Overlay District, Applicability Art. 50 Sec. 29 Excessive f.a.r. Art. 50 Sec. 38 Design Review

**Purpose:** Construct an addition on the rear of an existing Single Family Rowhouse.

**Reason for Prior Deferral: This application was deferred to ensure that GCOD relief was cited.**

**Case: BOA-1368388 Address: 1222 Washington Street Ward 3 Applicant: Rebeca Ruthenberg-CANNABIS**

**Article (s):** Article 64, Section 12 Use: Conditional - Cannabis establishment Article 64, Section 12 Use: Conditional - Ancillary parking for establishment on 443 Harrison

**Purpose:** Change of occupancy to Cannabis Establishment. Application for the lot ID0306431000, 443 Harrison Avenue.

**Reason for Prior Deferral: This application had to be deferred due to a notice and advertising issue.**

**Case: BOA#1475953 Address: 169 Maverick Street Ward 1 Applicant: Trichilo Development, LLC**

**Purpose:** Erect addition, renovate, and change occupancy from three (3) to four (4) residential units with rear and roof decks.

**Violation:** Violation Description: 9th 780 CMR 1006 Number of Exits and Exit Access Doorwa

**Violation Comments:**ART.IBC Table 1006.3.2(1) Fourth stories above grade: Not Permitted.

**Reason for Prior Deferral: This application was deferred due to a notice issue.**

**Case: BOA-1461338 Address: 219A Leyden Street Ward 1 Applicant: Johnathan Sanchez**

**Article(s):** Art. 53 Sec. 56 Off-St.Parking Requirements - Double park/ the width of parking spaces not meet minimum requirement Article 27T - 5 East Boston IPOD Applicability Article 51, Section 53 Screening & Buffering Req Article 53, Section 56.5(a) Off Street Pkg Maneuverability - Tandem parking Article 53, Section 9 Lot Area Insufficient Article 53, Section 9 Lot Width Insufficient Article 53, Section 9 Lot Frontage Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Front Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient

**Purpose:** Subdivide parcel number 0101695000. Lot 1 to contain 2,693 s.f. of land Lot 2 to contain 2,534 s.f. of land (See ALT1393168) and

erect a two unit dwelling with parking for four vehicles. On lot # 2.

**Reason for Prior Deferral: The applicant requested a deferral and it was granted**

**Case: BOA-1461351 Address: 219 Leyden Street Ward 1 Applicant: Jonathan Sanchez**

**Article(s):** Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Front Yard Insufficient Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Lot Frontage Insufficient Article 53, Section 9 Lot Width Insufficient Article 53, Section 9 Lot Area Insufficient Art.53 Sec.08 Use Forbidden - 4 units Art. 53, Section 56 Off Street Parking Insufficient Article 53 Section 62 Basement units Basement Unit 1A: Forbidden Art.53 Sec. 08 Use: Forbidden - Forbidden parking space Art. 53 Sec. 54 Screening/Buffering - Building closure to the property line Article 27T 5 East Boston IPOD Applicability

**Purpose:** Erect addition on existing structure, renovate and change occupancy to a four-unit dwelling.

**Reason for Prior Deferral: The applicant requested a deferral and it was granted**

**Case: BOA-1461358 Address: 219 Leyden Street Ward 1 Applicant: Jonathan Sanchez**

**Article(s):** Article 53, Section 9 Lot Width Insufficient Required 40' Article 53, Section 9 Lot Frontage Insufficient Required 40' Article 53, Section 9 Lot Area Insufficient Min. 4000 SF Article 27T – 5 East Boston IPOD Applicability Interim planning overlay district

**Purpose:** Subdivide parcel number 0101695000. Lot 1 to contain 2,693 sf. of land Lot 2 to contain 2,534 sf. of land and erect a two unit dwelling on lot 2. "Propose to change from 2 units to 4 units on lot 1."

**Reason for Prior Deferral: The applicant requested a deferral and it was granted**





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## **HEARINGS: 1:00PM**

**Case: BOA-1468696 Address: 82 Baxter Street Ward 6 Applicant: Anne Arlauskas**

**Article(s):** Article 68, Section 11 Lot Area Insufficient Article 68, Section 11 Lot Width Insufficient Article 68, Section 11 Lot Frontage Insufficient Article 68, Section 11 Floor Area Ratio Excessive Article 68, Section 11 Usable Open Space Insufficient Article 68, Section 11 Side Yard Insufficient Article 68, Section 11 Rear Yard Insufficient Article 68, Section 33 Off Street Parking & Loading Req - Off Street Parking Insufficient Article 68, Section 33 Off Street Parking & Loading Req - Off Street Parking Design / Maneuverability : Tandem Parking

**Purpose:** Erect a 4 story, Two ( 2 ) Family Dwelling with Parking under building.

**Case: BOA#1468697 Address: 82 Baxter Street Ward 6 Applicant: Anne Arlauskas**

**Purpose:** Erect a 4 story, Two ( 2 ) Family Dwelling with Parking under building.

**Violation** Violation Description Violation Comments 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 (1.5 m2) in area and having a minimum dimension of 2 feet (610 mm).

**Case: BOA- 1493135 Address: 80 Baxter Street Ward 6 Applicant: Matthew Brett Homegrown Builders LLC**

**Article(s):** Art. 68 Sec. 33 Off Street parking Req. Article 68, Section 34.1 Conformity Ex Bldg Alignment Article 68, Section 8 Lot Width Insufficient Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Lot Frontage Insufficient Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Lot Area Insufficient Article 68, Section 8 Add'l Lot Area Insufficient

**Purpose:** Erect a new 3 Story, 3 family, home on vacant parcel 0600753000, per attached plans. Scope includes rear decks with FP/FA.

**Case: BOA-1493138 Address: 84 Baxter Street Ward 6 Applicant: Matthew Brett Homegrown Builders LLC**

**Article(s):** Art. 68 Sec. 33 Off Street parking Req. Article 68, Section 34.1 Conformity Ex Bldg Alignment Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Lot Area Insufficient Article 68, Section 8 Add'l Lot Area Insufficient

**Purpose:** Erect a new 3 Story, 3 family, home on vacant parcel 0600751000, per attached plans. Scope includes rear decks with FP/FA.

**Case: BOA-1476094 Address: 96 Prince Street Ward 3 Applicant: Federal Investments Incorporated**

**Article(s):** Article 54, Section 10 Floor Area Ratio Excessive Article 54, Section 10 Usable Open Space Insufficient Article 54, Section 10 Rear Yard Insufficient Article 54, Section 21 Off Street Parking & Loading Req

**Purpose:** Change occupancy to 19 units and renovate as per plans. In conjunction with Alt1431949 and Alt1431961.

**Case: BOA- 1476095 Address: 96 Prince Street Ward 3 Applicant: Federal Investments Incorporated**

**Article(s):** Art. 54 Section 21 Off Street Parking Insufficient Article 54, Section 10 Rear Yard Insufficient Article 54, Section 10 Usable Open Space Insufficient Article 54, Section 10 Floor Area Ratio Excessive

**Purpose :** Combine buildings/lots at 96 Prince Street (PID0301312000) and 98 98A Prince Street (PID0301311000) into one building for combined lot of 2432sf and 8 residential units. Combined buildings to be known as 96 Prince Street. See

ALT#1431949 for 98 Prince St to combine with 96 Prince St.



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**Case: BOA- 1476097 Address: 98 Prince Street Ward 3 Applicant: Federal Investments Incorporated**  
**Article(s):** Article 54, Section 10 Floor Area Ratio Excessive Article 54, Section 10 Usable Open Space Insufficient Article 54, Section 10 Rear Yard Insufficient Article 54, Section 21 Off Street Parking & Loading Req  
**Purpose:** Combine buildings/lots at 96 Prince Street (PID0301312000) and 98 98A Prince Street (PID0301311000) into one building for combined lot of 2432sf and 8 residential units. Combined buildings to be known as 96 Prince Street. See ALT#1431949 for 98 Prince St to combine with 96 Prince St.

**RECONSIDERATION: 1:00PM**

**Case: BOA-1214604 Address: 423 William F McClellan Highway Ward 1 Applicant: Sons Divine Providence Inc.**

**Appellant** seeks reconsideration of the Board's vote on April 11, 2023, to deny Appellant's appeal of BOA1214604, seeking to erect an outdoor advertising device (digital billboard) consisting of a single monopole with back-to-back digital faces with dimensions of 14 ' by 48 ' (60' Height) facing William F. McClellan Highway, East Boston.  
seeking with reference to the premises at: 423 William F McClellan Highway, Ward 01  
From the terms of the Boston Zoning Code (see Acts of 1956, c.665) in the following respects - Variance, Conditional Use Permit, and/or other relief as appropriate  
**Article(s):** Art. 53, Section 28 Use: Forbidden - Use not identified in table "D" Art. 53, Section 55 Sign Regulations - Insufficient front yard setback Art. 53, Section 55 Sign Regulations - Max allowed height exceeded Art.11 Sec.06 Billboard Signs Article 11, Section 7 Electronic Signs - electronic/digital  
**Purpose:**Erect an outdoor advertising device (digital billboard) consisting of a single monopole with back to back digital faces with dimensions of 14 ' by 48 ' (60' Height) facing William F. McClellan Highway, East Boston.

**INTERPRETATIONS: 1:00PM**

**Case: BOA- 1501970 Address: 80-100 Smith Street Ward 10 Applicant: Mission Associates LLC**  
**The** petitioner seeks a determination that the Inspectional Services Department erred in issuing a stop work order for the permits at 80-100 Smith Street (SF1411715 ) and 94 Saint Alphonsus Street ( SF1411719) and in requiring Boston Landmarks Commission approval of the demolition of these structures.

**Case: BOA-1501979 Address: 94 Saint Alphonsus Street Ward 10 Applicant: Mission Associates LLC**  
**The** petitioner seeks a determination that the Inspectional Services Department erred in issuing a stop work order for the permits at 80-100 Smith Street (SF1411715 ) and 94 Saint Alphonsus Street ( SF1411719) and in requiring Boston Landmarks Commission approval of the demolition of these structures.



City of Boston  
Board of Appeal

**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)**