



City of Boston  
Board of Appeal

**REVISED**

11:52 am, Oct 12, 2023

Tuesday, October 17, 2023

BOARD OF APPEALS

City Hall Room 801

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## Revised Agenda

The board will hold a hearing on, Tuesday, October 17, 2023 at 9:30 a.m.

**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON OCTOBER 17, 2023 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS OCTOBER 17, 2023 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

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

**THE OCTOBER 17, 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 <http://bit.ly/October17Comment> 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/October17Comment>, 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



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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.

**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-1227079 Address: 57-59 Greaton Road Ward 20 Applicant: Timothy Burke**

**Case: BOA-1198971 Address: 196 Havre Street Ward 1 Applicant: Jeffrey Drago, Esq**

**Case: BOA-1240760 Address: 46 Everett Street Ward 1 Applicant: Richard Lynds, Esq**

**Case: BOA#1240917 Address: 46 Everett Street Ward 1 Applicant: Richard Lynds, Esq**

**Case: BOA-1240765 Address: 48 Everett Street Ward 1 Applicant: Richard Lynds, Esq**

**Case: BOA#1240920 Address: 48 Everett Street Ward 1 Applicant: Richard Lynds, Esq**

**Case: BOA-981180 Address: 199-201 Hampden Street Ward 8 Applicant: Evan Smith**

**Case: BOA-1035609 Address: 820 William T Morrissey Blvd Ward 16 Applicant: Kelly Frey**

**Case: BOA-1066449 Address: 6 Glover Court Ward 7 Applicant: George Morancy, Esq**

### **GCOD AND BUILDING CODE : 9:30AM**

**Case: BOA- 1522084 Address: 358 Marlborough Street Ward 5 Applicant: Armando Hernandez**

**Article(s):** Article 32, Section 4. GCOD, Applicability

**Purpose:** Change of occupancy to single family. Interior building renovations, per plans, including new plumbing, sprinkler, electrical and HVAC systems, new elevator, all as shown on plans filed herewith. New roof hatch to a new roof deck, no other exterior alterations except masonry repairs and window/door replacements.

**Case: BOA#1522085 Address:358 Marlborough Street Ward 5 Applicant: Armando Hernandez**

**Purpose:** Change of occupancy to single family. Interior building renovations, per plans, including new plumbing, sprinkler, electrical and HVAC systems, new elevator, all as shown on plans filed herewith. New roof hatch to a new roof deck, no other exterior alterations except masonry repairs and window/door replacements.

**Violation** Violation Description Violation Comments 9th 780 CMR 1011 Stairways1011.12.2 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. [Occupied roof above fourth story provided with a hatch]

### **HEARING:9:30AM**

**Case: BOA-1485963 Address: 340 West Second Street Ward 6 Applicant: Gerry DiPierro**

**Article(s):** Article 68, Section 8 Rear Yard Insufficient

**Purpose:** Repair and replace existing roof top deck on flat rubber roof. Expand existing deck by approx. 600 s/ft. New deck to sit on sleeper studs on flat rubber roof. Decking to be composite material. Existing 5' tall parapet wall encircling entire roof to remain and obstruct view from the street.



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**Case: BOA-1438279 Address: 421 East Sixth Street Ward 7 Applicant: Michael Welsh**

**Article(s):** Article 68, Section 29 - Roof Structure Restrictions - The height of any building existing on (the existing date of this amendment [October 15, 2019]), shall determine that allowed building height on that lot subsequent to total or partial demolition of such building. Any proposed construction on the lot that would exceed the prior height shall require Board of Appeal approval, and shall be subject to the roof structure and building height restrictions of this Section 68 29 and the height limits applicable to the Subdistrict in which the lot is located. In making its decision, the Board of Appeal shall consider whether such roof structure has the potential for significantly restricting light and/or air flow to adjacent structures and/or restricting views from roofs, windows, doors, or balconies. Notwithstanding anything in Article 2A respecting the definition of the term "grade," if a building abuts more than one street, "grade" is the average elevation of the street with the lowest elevation.

**Purpose:** Construction of new multifamily dwelling with four units and eight garage spaces. Building to include sprinklers. Full set of construction plans by architect and engineers to be submitted after zoning review determination. Demolition to be included in separate permit application.

**Case: BOA-1444113 Address: 8 Adrian Street Ward 13 Applicant: Andrew Falkenstein**

**Article(s):** Article 50, Section 29 Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Front Yard Insufficient Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Rear Yard Insufficient Article 50, Section 43 Off Street Parking & Loading Req

**Purpose:** Erect new 2F dwelling on vacant lot.

**Case: BOA- 1450560 Address: 81-81A Wrentham Street Ward 16 Applicant: Paulette Whittaker**

**Article(s):** Art.65 Sec. 8 Use: Forbidden - 2F in 1F Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Rear Yard Insufficient Article 65, Section 42.13 Two or More Dwellings on Same Lot - Dwelling behind another dwelling. Article 65, Section 42.2 Conformity w Ex Bldg Alignment - 92ft provided

**Purpose:** Erect a new 3 story two family dwelling with garage parking at grade and rear decks/stairs on newly created Lot B (9,108sf), see plans attached. Easement proposed for fire truck access, shared with 77 79 Wrentham St. Existing structure to be razed under separate demo permit. See ALT1027510 for subdivision of Parcel ID: 1603163001 & see ERT1329294 for Lot A dwelling.

**HEARING:11:00AM**

**Case: BOA-1494933 Address: 260 Newbury Street Ward 5 Applicant: Masion Newbury LLC**

**Article(s):** Article 3, Section 3 1A Special Purpose Overlay - Section 3 1A(c) : Parking Accessory to Non Residential Uses : Conditional Use Article 32, Section 4. GCOD, Applicability - Groundwater Conservation Overlay District Applicability: Conditional Use

**Purpose:** Renovation of existing structure including new MEP systems, FA, sprinkler, floors, elevator, stair tower, windows and common area finishes. New construction includes: penthouse w/ roof deck, two story rear addition, and recessed entry terrace. Tenant spaces to be core and shell for future tenants.



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**Case: BOA-1289178 Address: 40 B Street Ward 6 Applicant: Joe Hassell-ARTICLE 80**

**Article(s):** Art. 13 Sec. 04 Dwellings in Nonresidential district Article 13, Section 1 Add'l Lot Area Insufficient - Min. lot area required:  $5,000 + 54,000 = 59,000$  sqft Article 13, Section 1 Setback of Parapet Insufficient Article 13, Section 1 Floor Area Ratio Excessive - Max. allowed: 1 Proposed: 4.46 Article 13, Section 1 Usable Open Space Insufficient - Min. required:  $54 \times 400 = 21,600$  sqft Article 13, Section 1 Front Yard Insufficient - Min. required: 25' Proposed: 1.5' Article 13, Section 1 Side Yard Insufficient - Required as per section 19.4 Proposed: 0(R) and 3' (L) Article 13, Section 1 Rear Yard Insufficient - Min. required: 30' Proposed: 2.5' Art. 18 Section 2 Conformity with existing building alignment Modal not provided Article 13, Section 1 Bldg Height Excessive (Feet) - Max. allowed: 2.5 Proposed: 6 Article 13, Section 1 Bldg Height Excessive (Feet) - Max. allowed: 35' Proposed: 63 Art. 23 Section 1 Off Street Parking (Residential) Insufficient - Min. spaces required:  $0.9 \times 54 = 48.6$  spaces. Proposed: 22 Art. 23 Sec. 09 Design - Driveway is ancillary, done through 55W Fifth St.

**Purpose:** Construct new 6 Story residential building with 45 units (Reduced 07/10/23) and 22 parking spaces. BOA and BBRS since the access to the proposed parking spaces is done through 55 West 5th St. development and there is an opening on the fire walls between the 2 buildings. In conjunction with ALT1513291.

**Case: BOA#1521943 Address: 40 B Street Ward 6 Applicant: Joe Hassell**

**Purpose:** Construct new 6 Story residential building with 45 units (Reduced 07/10/23) and 22 parking spaces BOA and BBRS since the access to the proposed parking spaces is done through 55 West 5th St. development and there is an opening on the fire walls between the 2 buildings. In conjunction with ALT1513291.

**Violation** Violation Description Violation Comments 9th 780 CMR 706 Fire Walls 706.1.1 Party Walls shall be constructed as fire walls, without openings, and shall create separate buildings. 706.8 Openings through a fire wall shall be protected and not exceed 156 sqft.

**Case: BOA-1521939 Address: 55 West Fifth Street Ward 6 Applicant: Joe Hassell**

**Article(s):** Art. 23 Sec. 09 Design - Ancillary driveway for development on 40B Street.

**Purpose:** Remove CMU wall to allow for passage through garage to proposed garage structure for next door at 40 B street. In conjunction with ERT1254885. This is being done at the request of the BPDA to minimize garage openings on the street.

**Case: BOA-#1521796 Address: 55 West Fifth Street Ward 6 Applicant: Joe Hassell**

**Purpose:** Remove CMU wall to allow for passage through garage to proposed garage structure for next door at 40 B street. In conjunction with ERT1254885. This is being done at the request of the BPDA to minimize garage openings on the street.

**Violation** Violation Description Violation Comments 9th 780 CMR 706 Fire Walls 706.1.1 Party walls shall be constructed as fire walls, without openings, and shall create separate buildings. 706.8 Openings through a fire wall shall be protected and not exceed 156 sqft.

**RE-DISCUSSION :11:30 AM**

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

**Article(s):** Article 53, Section 9 Side Yard Insufficient - Side yard insufficient. Article 53, Section 9 Bldg Height Excessive (Stories) - 3 Stories height Article 53, Section 9 Floor Area Ratio Excessive - FAR Excessive. Art.53 Sec.08 Use Forbidden - Multi Family 4 units Use Forbidden. Art. 53, Section 56 Off Street Parking Insufficient - Off-street Parking Insufficient. Article 53 Section 62Basement units - Basement Unit 1A: Forbidden Article 27T 5East Boston IPOD Applicability - IPOD Overlay. Article 53, Section 9 Bldg Height Excessive (Feet) - Proposed 42'2"

**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.**



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**Case: BOA-1386283 Address: 24 Geneva Street Ward 1 Applicant: Nicola Diberto**

**Article(s):** Art. 32 Sec. 04 GCOD Applicability Article 27T 5East Boston IPOD Applicability - Erect a building have GFA greater 1000SF Article 53, Section 9Rear Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Front Yard Insufficient Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Lot Frontage Insufficient Article 53, Section 9 Lot Width Insufficient Article 53, Section 9 Add'l Lot Area Insufficient Art. 53, Section 56 Off Street Parking Insufficient

**Purpose:** Erect a five (5) story six (6) unit residential dwelling with parking for four (4) vehicles.

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

**Case: BOA-1406273 Address: 6 Brooks Street Ward 1 Applicant: Thomas Walsh**

**Article(s):** Art. 32 Sec. 04 GCOD Applicability Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. - Extensions>25% forbidden Article 27T – 5 East Boston IPOD Applicability Art.53 Sec. 08 Use: Forbidden Art. 53 Sec. 56 Off Street Parking - Insufficient parking Article 53 Section 9 Insufficient additional lot area per unit Article 53 Section 9 Insufficient open space Article 53 Section 9 Excessive f.a.r. Article 53 Section 9 Excessive height Article 53 Section 9 Side yard Article 53 Section 9 Rear yard Article 53, Section 9 Front yard

**Purpose:** Seeking to change the occupancy from 3 residential units and 1 retail space to 6 residential units and 1 retail space. Also, to renovate the building and erect additions

**Reason for Prior Deferral: Defer to allow parties to negotiate terms**

**Case: BOA- 1264670 Address: 240 Silver Street Ward 6 Applicant: Marco Lei, Trustee of the Lei-Chan Family Irrevocable Trust**

**Article(s):** Art 68 Sec 29 Roof Structure Restrictions - Maximum allowed height on parcel exceeded Art 68 Sec 8 Insufficient lot size Art 68 Sec 8 Insufficient additional lot area Art 68 Sec 8 Excessive F.A.R. Art 68 Sec 8 Max. allowed height has been exceeded Art 68 Sec 8 Insufficient side yard setback Art 68 Sec 8 Insufficient rear yard setback Article 68, Section 33Off-Street Parking & Loading Req

**Purpose:** Demolish existing, two story, single family home and erect a four story, two family multi level duplex dwelling with two off street parking spaces per plans. Existing structures takedown is subject to a separately applied for and issuance of an sf demolition permit 2.21.23 Revised plans reviewed on behalf of the BOA (i.e. Removed Roof deck, bulkhead and one unit replaced with two parking spaces (1st level), and the removal of an additional unit on second level resulting in a two-family occupancy)

**Reason for Prior Deferral: To allow owner to work with abutters**

**Case: BOA- 1199457 Address: 29 Sutherland Road Ward 21 Applicant: 27-29 Sutherland Road, LLC**

**Article(s):** Art. 51 Sec. 08Use Regulations - Multi family dwelling unit (7 units) is a forbidden use Art. 51 Sec. 09 Lot area for the add'l units is insufficient Art. 51 Sec. 09 Floor area ratio is excessive Art. 51 Sec. 09 Usable open space is insufficient Art. 51 Sec. 09Front yard setback requirement is insufficient Art. 51 Sec. 09 Rear yard setback requirement is insufficient Art. 51 Sec. 40 5(a)Off street parking design - Off street parking design (access drive and maneuverability)

**Purpose:** Change occupancy from 4 family [under CO5789] to 7 residential dwelling units with construction of new 3-unit addition; accessory parking for 7 vehicles as shown on plans.

**Reason for Prior Deferral: Revised plans to be submitted and re-advertised**

**Case: BOA- 1242680 Address: 171 Corey Road Ward 21 Applicant: Cameron Merrill**

**Article(s):** Article 51 Section 16Use Regulations - Multi family dwelling unit use is a conditional use Article 51 Section 17 Dimensional Regulations - Floor area ratio requirements is excessive Article 51 Section 17Dimensional Regulations - Height requirement is excessive Article 51 Section 17Dimensional Regulations - Usable open space requirements is insufficient Art. 51 Sec. 23^Off street parking requirement -Off street parking requirements is insufficient

**Purpose:** Demolition of Existing garage/studio and erection of a 5 story mixed use building with 9 residential units and two ground floor commercial and/or other educational (eg. Gallery) spaces.

**Reason for Prior Deferral: Revised plans submitted**



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**HEARING: 1:00PM**

**Case: BOA-1456727 Address: 270 Sumner Street Ward 1 Applicant: Evandro DaSilva**

**Article(s):** Art. 27G E Boston IPOD Article 53, Section 52 Roof Structure Restrictions Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient Art. 32 Section 9 GCOD Enforcement Article 53, Section 9 Usable Open Space Insufficient

**Purpose:** Rehabilitate existing dwelling, rear addition, add a roof deck exclusive to unit 3, add rear decks and add 1 parking space to the Rear.

**Case: BOA-1461678 Address: 106 Moore Street Ward 1 Applicant: Trichilo Development, LLC**

**Article(s):** Article 27T 5 East Boston IPOD Applicability Art. 53 Sec. 08 Forbidden - MFR IN A 2F 2000 Art. 53 Sec. 56 Off Street Parking Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Front Yard Insufficient Article 53, Section 52 Roof Structure Restrictions

**Purpose:** Raze existing dwelling (on separate permit) and erect an eight (8) unit residential dwelling with nine (9) parking space and three (3) private roof decks.

**Case: BOA-1491576 Address: 338-344 Sumner Street Ward 1 Applicant: Petruccelli 2018 Irrevocable Trust**

**Article(s):** Art. 53 Sec. 09 Floor Area Ratio Excessive Floor Area is existing non conforming from Existing 2.78 to Proposed 3.92. Article 53, Section 9 Bldg Height Excessive (Feet) Building Height is existing non conforming from the requirement of 35'. Existing 41' 3" to remain the same with proposed project.

Article 53, Section 9 Usable Open Space Insufficient Existing non conforming Required 300 sf; Existing: is 229 sf. Proposed project will have less than required and existing conditions. Article 53, Section 9 Front Yard Insufficient Existing non conforming. Proposed project will be same or less. Art. 53 Sec. 08 Use Forbidden Existing Non conforming. Existing use: Is a four (4) family with retail. Proposed use: Is a six (6) family with retail. Art. 53 Sec. 09 Side yard insufficient Existing non conforming Proposed project will be the same. Article 53, Section 9 Lot Area Insufficient Existing non conforming. Required to have a lot area of 2,000 sf. Existing and proposed will have the lot area of 1840 sf. Article 53, Section 9 Bldg Height Excessive (Stories) Existing Non conforming Stories. Required to have three (3) stories. Existing & Proposed structure will have four (4) stories. Article 53, Section 52 Roof Structure Restrictions Proposed project has two (2) roof decks, one for Unit A3 and the other for Unit B4. Article 53, Section 9 \*\*\*\*Rear Yard Insufficient Existing Non conforming. Required to have 10'. The existing & proposed has a rear yard less 10' as required. Art. 53 Sec. 56 Off Street Parking Existing Non Conforming. Required to have 2 (two) off street parking spots. Proposed project shows none (0) off street parking. Article 27T 5 East Boston IPOD Applicability Proposed project subject to East Boston Interim Planning Overlay District (IPOD). Applicant needs to seek relief from the board.

**Purpose:** Change occupancy from a mixed use multifamily dwelling with ground level retail and 4 units to ground level retail and six units. With vertical addition and two (2) private roof decks. To also include life safety upgrades and exterior improvements.

**Case: BOA-1523532 Address: 129 B Street Ward 6 Applicant: Sean & Margaret Duddy**

**Article(s):** Art 68 Sec 29 Roof Structure Restrictions - Reconfiguration of existing roof profile Art 68 Sec 8 Dim reg app in res sub dist - Insufficient rear yard setback of a shallow lot Art 68 Sec 8 Dim reg app in res sub dist - Insufficient side yard setback Art 68 Sec 8 Dim reg app in res sub dist - Excessive f.a.r.

**Purpose:** Confirm occupancy as one family. A complete gut remodel of the interior and exterior, inclusive of digging down the basement, adding 2 shed dormers, removing rear stairwell, and creating ~2.5 custom baths, laundry & kitchen.



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**Case: BOA- 1523713 Address: 9 Vaughan Avenue Ward 14 Applicant: Timothy Fraser, Esq-ARTICLE 80**

**Article(s):** Art. 50, Section 43 Off Street Parking Insufficient - Required: 3 parking spaces. Proposed: 0 Article 50, Section 44.2Conformity Ex Bldg Alignment - Street modal calculation not provided to verify its compliance. Article 50, Section 44.13Two or More Dwellings on Same Lot - 4 buildings in one lot. Art. 50 Sec. 29 Usable open space insufficient - Min. required: 18,000 sqft Article 50, Section 29 Add'l Lot Area Insufficient - Min. required: 46,000 sqft Proposed: 19,921 sqft Article 50, Section 29 Floor Area Ratio Excessive - Max. allowed: 1 Proposed: 2.42 Article 50, Section 29 Front Yard Insufficient - Min. required: 20' Proposed: 6.4' Article 50, Section 29 Rear Yard Insufficient - Min. required: 20' Proposed: 6.7' Art.50, Section 44 50.44.4 Front wall of building not parallel to front lot line.

**Purpose:** Proposing 3 residential unit semi attached building. 9 Vaughan Avenue will be one of four buildings that will be occupying a single consolidated lot (see permit appl. ALT1465809 and ALT1465813) and is part of 45 Unit development approved by BPDA. See other applications: ALT1465829 (19 Vaughan Ave) ERT1465824 (11 Vaughan Ave) ERT1465827 (17 Vaughan Ave). Demolition of existing structure under SF#.

**Case: BOA- 1523744 Address: 11 Vaughan Avenue Ward 14 Applicant: Timothy Fraser, Esq-ARTICLE 80**

**Article(s):** Art. 50 Sec. 43Off street parking insufficient - Required: 3 parking spaces. Proposed: 0 Article 50, Section 44.2Conformity Ex Bldg Alignment - Street modal calculation not provided to verify its compliance. Art.50, Section 44 50.44.4 Front wall of building not parallel to front lot line. Article 50, Section 44.13Two or More Dwellings on Same Lot - Four buildings in one lot. Art. 50 Sec. 29 Usable open space insufficient - Min. required: 18,000 sqft Article 50, Section 29 Add'l Lot Area Insufficient - Min. required: 46,000 sqft Proposed: 19,921 sqft Article 50, Section 29 Floor Area Ratio Excessive - Max. allowed: 1 Proposed: 2.42 Article 50, Section 29 Front Yard Insufficient - Min. required: 20' Proposed: 6.4' Article 50, Section 29 Rear Yard Insufficient - Min. required: 20' Proposed: 3.9'Article 50, Section 29 Side Yard Insufficient - Min. required: 10' Proposed: 5.35'

**Purpose:** Proposing 3 residential unit semi attached building. 11 Vaughan Avenue will be one of four buildings that will be occupying a single consolidated lot (see permit appl. ALT1465809 and ALT1465813) and is part of 45 Unit development approved by BPDA. See other applications: ALT1465829 (19 Vaughan Ave) ERT1465821 (9 Vaughan Ave) ERT1465827 (17 Vaughan Ave).

**Case: BOA-1523749 Address: 17 Vaughan Avenue Ward 14 Applicant: Timothy Fraser, Esq-ARTICLE 80**

**Article(s):** Article 50, Section 44.2Conformity Ex Bldg Alignment - Street modal calculation not provided to verify its compliance. Article 50, Section 44.13Two or More Dwellings on Same Lot - Four buildings in one lot. Art.50, Section 44 50.44.4 Front wall of building not parallel to front lot line. Art. 50 Sec. 29 Usable open space insufficient - Min. required: 18,000 sqft Article 50, Section 29 Add'l Lot Area Insufficient - Min. required: 46,000 sqft Proposed: 19,921 sqft Article 50, Section 29 Floor Area Ratio Excessive - Max. allowed: 1 Proposed: 2.42 Article 50, Section 29 Rear Yard Insufficient - Min. required: 20' Proposed: 10' Article 50, Section 29 Side Yard Insufficient - Min. required: 10' Proposed: 4' (R) Article 50, Section 29 Front Yard Insufficient - Min. required: 20' Proposed: 3.9' Article 50, Section 29 Bldg Height Excessive (Stories) - Max. allowed: 4 Proposed: 5' Article 50, Section 29Bldg Height Excessive (Feet) - Max. allowed: 45' Proposed: 56'

**Purpose:** Proposing 38 residential units, 5 story building with(32)30 parking spaces (16 stackable spaces). 17 Vaughan Avenue will be one of four buildings that will be occupying a single consolidated lot (see permit appl. ALT1465809 and ALT1465813) and is part of 45 Unit development approved by BPDA. See other applications: ALT1465829 (19 Vaughan Ave) ERT1465821 (9 Vaughan Ave) ERT1465824 (11 Vaughan Ave).

**Case: BOA-1523753 Address: 19 Vaughan Avenue Ward 14 Applicant: Timothy Fraser, Esq-ARTICLE 80**

**Article(s):**Article 50, Section 44.13Two or More Dwellings on Same Lot - 4 buildings in one lot Article 50, Section 29 Add'l Lot Area Insufficient - Min. lot area required: 46,000 sqft Proposed: 19,921 sqft Article 50, Section 29 Floor Area Ratio Excessive - Max. allowed: 1 Proposed: 2.42 Art. 50 Sec. 29 Usable open space insufficient - Min. required: 18,000 sqft Article 50, Section 29 Rear Yard Insufficient - Min. required: 30' Proposed: 3' 10"

**Purpose:** Existing building will be refurbished to change the occupancy from an existing 2 fam to a 1 Fam. 19 Vaughan Avenue will be one of four buildings that will be occupying a single consolidated lot (see permit appl. ALT1465809 and ALT1465813) and is part of 45 Unit development approved by BPDA. See other applications: ERT1465821 (9 Vaughan Ave) ERT1465824 (11 Vaughan Ave) ERT1465827 (17 Vaughan Ave).





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**Case: BOA- 1496081 Address: 1295-1297 River Street Ward 18 Applicant: Geneise Israel-CANNABIS**  
**Article(s):** Art. 69 Sec. 11 Conditional -Cannabis: Conditional Use. Also Text Amendment No.432 at lease 500ft. from Pre Existing High school. Proposed within 500ft. Article 69 Section 11 Use Regulations - Forbidden: buffer zone conflict with another cannabis establishment.  
**Purpose:** Change of Occupancy to Cannabis Business.

**INTERPRETATION/RE-DISCUSSION: 1:00PM**

**Case: BOA-1485550 Address: 60 Oakridge Street Ward 17 Applicant: Derick Joyner**  
Purpose : The petitioner seeks a determination that the Inspectional Services Department erred in issuing a stop work order for the permit at 60 Oakridge Street (ERT1319214). To erect a three family dwelling with three parking spaces in the rear.

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

BOARD MEMBERS:  
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NORMAN STEMBRIDGE-SECRETARY  
GIOVANNY VALENCIA  
ALAN LANGHAM  
KATIE WHEWELL

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DAVID COLLINS  
DAVID AIKEN

**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)**