



City of Boston  
Board of Appeal

**RECEIVED**

*By City Clerk at 10:07 am, Mar 18, 2024*

THURSDAY, March 21, 2024

BOARD OF APPEAL

1010 MASS. AVE, 5th FLOOR

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**ZONING ADVISORY SUBCOMMITTEE**

**HEARING AGENDA**

**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON MARCH 21, 2024 BEGINNING AT 5:00PM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS MARCH 21, 2024 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

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

**THE MARCH 21, 2024 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/ZBASubcommittee2024>. You may also participate by phone by calling into the Zoom Webinar at (305) 224-1968 and entering the Webinar ID: 876 4095 8567 followed by # when prompted.**

**If you wish to offer testimony on an appeal, please click <https://bit.ly/March21Comment> 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/March21Comment> 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 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**



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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 4:00PM TO ENSURE YOUR CONNECTION IS PROPERLY FUNCTIONING.**

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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**HEARINGS: 5:00 P.M**

**Case: BOA-1563183 Address: 49 Jeffries Street Ward: 1 Applicant: Olivia LaBarge**

**Article(s):** Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Floor Area Ratio Excessive

**Purpose :** Enclose rear decks to extend living space and erect new rear deck as per plans.

**Case: BOA-1516277 Address: 30 Moore Street Ward: 1 Applicant: Meghan L. Gradzewicz & Kevin Kirwin**

**Article(s):** Art. 53 Sec. 09 Rear yard insufficient.

**Purpose :** Remove and replace all windows in house. Reconfigure most interior walls for new kitchen and living space on 1st floor and new kitchen on 2nd floor. New decks on 1st and 2nd floor with stairs.

**Case: BOA-1554364 Address: 85 Newbury Street Ward: 5 Applicant: Joseph P. Hanley, Esq. Authorized Agent**

**Article(s):** Art. 09 Sec. 01 Extension of Non Conforming Use Art. 08 Sec.07 Use: Conditional -Restaurant use (items #336A and #37) Extension of this use in the proposed outdoor patio.

**Purpose:** Legalize existing Outside seating for 30 people on private property.

**Case: BOA-1559488 Address: 46 Sturges Road Ward: 20 Applicant: Emily Lillie**

**Article(s):** Art. 56 Sec. 40 In sufficient side yard setback

**Purpose:** To build a 10x12 shed ON property line needs variance.

**Case: BOA-1554305 Address: 302 Beacon Street Ward: 5 Applicant: 302 Beacon Street. Nominee Trustee**

**Article(s):** Article 32, Section 4.GCOD, Applicability Art. 19 Section 1 Side Yard Insufficient - New hallway with roof walkway.

**Purpose :** Convert existing two unit condo building into single family home. Full interior renovation with changes to exterior. New front stairs to access first floor, new windows, headhouse, hallway connector between house and existing garage. Remove fire escapes. New elevator. All new mechanical equipment. Also see ALT1553888.

**Case: BOA-1543554 Address: 94 I Street Ward: 6 Applicant: Michael Fraher**

**Article(s):** Art 68 Sec 8 Dim reg app in res sub dist -Excessive f.a.r. 1.5. max

**Purpose :** Dig out cellar as per plans then install a family room, 3/4 bath and mechanical room.

**Case: BOA-1540540 Address: 384 K Street Ward: 7 Applicant: John Pulgini, Esq**

**Article(s):** Article 68, Section 29 Roof Structure Restrictions Article 68, Section 8 Side Yard Insufficient

Article 68, Section 8 Front Yard Insufficient

**Purpose :** Proposal to install two new dormers on the roof, extend living space into basement, remove and replace existing roofing and shingling, rebuild the existing covered porch within its existing footprint, build a new rear entry deck, and repair and maintain other exterior architectural façade elements. Underpinning of foundation also included.

**Case: BOA-1519024 Address: 41 Delle Avenue Ward: 10 Applicant: Hector L. Colon**

**Article(s):** Article 59, Section 8 Add'l Lot Area Insufficient Article 59, Section 8 Floor Area Ratio Excessive

Art. 59, Section 37 Off Street Parking Insufficient - Required: 1 more parking space. Existing: 0

**Purpose:** Change of use from 1 family to a 2 family per attached drawings.

**Case: BOA-1550101 Address: 24 Beaumont Street Ward: 16 Applicant: Gregory Dunlop**

**Article(s):** Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

**Purpose :** Demolish existing garage as per plan. Rebuild new garage on site of existing garage (same footprint/square footage) as per plan. Add hot tub, decking, and hardscape patio with exterior plantings and retaining walls as per proposed plan.



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**Case: BOA- 1546506 Address: 18 Monponset Street Ward: 18 Applicant: Marie M. Paul**

**Article(s):** Art. 10, Sec. 01 Limitation of parking areas - 5' side yard buffer req. Art. 69, Sec. 09 Insufficient usable open space- 3600sf req. Art. 69, Sec. 29.5 Off-St.Prk'g:Design - Design/free maneuvering areas-Tandem proposed Article 69, Section 29 Off-Street Parking & Loading Req - Insufficient parking Article 69, Section 8 Use Regulations in Res District - Use- Forbidden

**Purpose :** Change occupancy from one family to two family add one story addition to rear of dwelling within existing footprint for 2 bedrooms on second floor. 2nd floor will be occupied by new unit.

**Case: BOA-1567168 Address: 410-412 Centre Street Ward: 19 Applicant: Edwin Perez**

**Article(s):** Art. 06 Sec. 04 Other Protectional Conditions - Request to remove proviso order "to petitioner only"

**Purpose :** I am requesting to "remove the take out proviso" from the Occupancy permit at 416 Centre St Jamaica Plain, MA 02130. The restaurant has a new owner and we need to request an Occupancy Permit. There has been no change in layout or construction. The old restaurant name was El Oriental de Cuba. \*Legal use: Restaurant and Four Apartments #949/1998

**Case: BOA- 1552858 Address: 45 Glenellen Road Ward: 20 Applicant: Stephen Burke**

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

**Purpose :** Remove roof and enclosed rear porch. Construct a second floor addition on existing house per plans. Construct a one story addition on the rear foundation then build a deck on the rear of that. Occupancy is not changing. It is remaining a four bedroom house.

**Case: BOA-1550759 Address: 40 Tyndale Street Ward: 20 Applicant: Jeffrey Scipione**

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

**Purpose :** Remove existing structure from rear of home. Pour foundation, frame, side & install finishes for bedroom, bath and laundry. Construct deck off rear off new addition.

**Case: BOA-1550175 Address: 152 Lasell Street Ward: 20 Applicant: Timothy Yaecker**

**Article(s):** Article 56, Section 8 Floor Area Ratio Excessive

**Purpose :** Interior renovations and a new shed dormer on the second floor that will provide additional living space to accommodate three bedrooms and one bathroom. Rebuild the existing stairs to the second floor. Legalize preexisting work in the basement including existing bathroom.

**Case: BOA-1547600 Address: 31 Pelton Street Ward: 20 Applicant: Brian Willett**

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

**Purpose :** Two story addition at rear of house. Dormer installation at third floor of existing house.

**Case: BOA-1542162 Address: 32 Worley Street Ward: 20 Applicant: Peggy Edson & Mitch Sikora**

**Article(s):** Art. 56, Sec. 08 Side Yard insufficient

**Purpose:** Remove existing 3 season room at rear of home, and construct a new family room in the same area. Construct a new deck off the back of the new family room.



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**BOARD MEMBERS:**

SHERRY DONG-CHAIR  
NORMAN STEMBRIDGE-SECRETARY  
KATIE WHEWELL

**SUBSTITUTE MEMBER:**

**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)**