



City of Boston  
Board of Appeal

**REVISED**

10:45 am, Oct 23, 2024

Tuesday, October 29, 2024

BOARD OF APPEALS

City Hall Room 801

## **HEARING AGENDA**

### **Revised Agenda**

**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON OCTOBER 29, 2024 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS OCTOBER 29, 2024 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

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

**THE OCTOBER 29, 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/ZBAHearings2024>. You may also participate by phone by calling into the Zoom Webinar at (301) 715-8592 and entering the Webinar ID: 819 2218 4516 followed by # when prompted.**

**If you wish to offer testimony on an appeal, please click <https://bit.ly/October29Comment> 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/October29Comment> 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**



City of Boston  
Board of Appeal

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**



City of Boston  
Board of Appeal

**APPROVAL OF HEARING MINUTES: 9:30 AM**

October 8, 2024

**EXTENSIONS: 9:30AM**

**Case: BOA-1266818 Address: 12-12A Hudson Street Ward 3 Applicant: George Morancy, ESQ**

**Case: BOA-1339772 Address: 33 Davison Street Ward 18 Applicant: Richard Lynds, ESQ**

**Case: BOA-1041086 Address: 24 Spalding Street Ward 11 Applicant: David Steeves**

**Case: BOA-799147 Address: 30 Thorn Street Ward 18 Applicant: Nicholas Zozula, ESQ**

**BOARD FINAL ARBITER: 9:30AM**

**Case: BOA-1429507 Address: 1028-1044 Blue Hill Avenue Ward 14 Applicant: Hannah L. Kilson, ESQ**

**GROUNDWATER CONSERVATION OVERLAY DISTRICT: 9:30AM**

**Case: BOA-1645114 Address: 179 West Brookline Street Ward 4 Applicant: Vikram Kumar**

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

**Purpose:** Change of occupancy to single family. Complete alteration & renovation to the existing building with new Plumbing and Electrical finishes and other associated finishes. Scope also includes installation of fire alarm, fire protection and removing rear garden level planting bay. Replacing windows in kind and adding new skylights and roof hatch for access to an unoccupied roof.

**RECOMMENDATIONS: 9:30 AM**

**Case: BOA-1614565 Address: 36 Robken Road Ward: 20 Applicant: Cap Construction LLC**

**Article(s):** Article 67, Section 9 Bldg Height Excessive (Stories) - Max. allowed: 2.5 Proposed: 3 Article 67, Section 9 Side Yard Insufficient - Min. required: 10' Proposed: 6.5'

**Purpose:** Dormer (with 2 new bedrooms, 1 new bathroom and a staircase).

**Case: BOA- 1613879 Address: 43-45 Wood Avenue Ward: 18 Applicant: Aisha Celester**

**Article(s):** Art. 09 Sec 01 Extension of Non-Conforming Use Art 69 Sec 09 Insufficient open new driveway proposed

**Purpose:** Proposed driveway with two parking spots is being requested on the right side of 43 45 Wood Avenue per plan submitted dated 6/29/23

**Case: BOA- 1611785 Address: 105 Bowdoin Avenue Ward: 14 Applicant: Zafar Ali**

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

**Purpose:** Existing restaurant to remove existing seating to have take out only.

**Case: BOA- 1621090 Address: 22 Perrin Street Ward: 12 Applicant: William Mead**

**Article(s):** Article 50, Section 29 Rear Yard Insufficient Art. 50, Section 43 Off Street Parking Insufficient – Parking Removal Article 50, Section 44.13 Two or More Dwellings on Same Lot

**Purpose:** Application for two dwellings on the same lot. Filed in conjunction with ALT1397699



City of Boston  
Board of Appeal

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

**Case: BOA-1643116 Address: 13 Winship Street Ward 22 Applicant: Bonnie Tan**

**Article(s):** Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Front Yard Insufficient  
Article 51, Section 9 Bldg Height Excessive (Stories) Article 51, Section 9 Floor Area Ratio Excessive

**Purpose:** This project is the existing 2 story 2 family residential building convert to the 3 story 2 family residential building with a 3 story rear addition and deck. The scope of work includes renovating existing building.

**Case: BOA-1609149 Address: 56 Bostonia Avenue Ward 22 Applicant: Matthew Pennino**

**Article(s):** Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient  
Article 51, Section 9 Bldg Height Excessive (Stories) Article 51, Section 9 Floor Area Ratio Excessive  
Article 51, Section 9 Lot Width Insufficient Article 51, Section 9 Lot Area Insufficient

**Purpose:** Build a new single family home on an existing single family lot

**Case: BOA-1638069 Address: 358 Chestnut Hill Avenue Ward 21 Applicant: Josh Fetterman**

**Article(s):** Article 51, Section 16 Use Regulations Multi family Dwelling (Bsmt. & First Story) Conditional  
Article 51, Section 17 Floor Area Ratio Excessive Article 51, Section 17 Usable Open Space Insufficient  
Art. 51.52 Specific Design Requirements 51 52.1 Street Wall Continuity in Neighborhood Business Subdistricts Article  
51, Section 56 Off Street Parking Insufficient Article 51, Section 56 Off Street Loading Insufficient Art.51 Sec.56 Off St  
Parking Design 51 56 .5(a) (Tandem Parking) Maneuvering areas Article 51, Section 17 Dimensional Regulations  
Building Height Excessive (Feet)

**purpose:** New construction of a six (6) story building with thirty (30) dwelling units, ground floor local retail (core/shell), and nineteen (19) rear ground parking spaces. proposed structure to be within the existing building's footprint separate permit to be filed for the demolition of existing building.

**Case: BOA-1582082 Address: 165 Park Drive Ward 21 Applicant: Holy Trinity Orthodox Cathedral-  
ARTICLE 80**

**Article(s):** Art. 66 Sec. 43 Application of dimensional requirements 2 buildings on one lot. Article 66, Section 42 Off  
Street Parking & Loading Req Reduction in the number of existing parking spaces for  
religious use. Art. 66 Sec. 08 Use Conditional: Ancillary parking spaces shared between church and residential units.

**Purpose:** Application filed for refusal 2 buildings in a lot, in conjunction with ERT1522597. No work to be done.

**Case: BOA-1582079 Address: 165R Park Drive Ward 21 Applicant: Holy Trinity Orthodox Cathedral-  
ARTICLE 80**

**Article(s):** Art. 32 Sec. 04 GCOD Applicability Art. 66 Sec. 32 Establishment of Neighborhood Design Overlay  
Districts Art. 66 Sec. 34 Establishment of Greenbelt Protection Overlay Districts Art. 66 Sec. 43 Application of  
dimensional requirements two buildings in one lot. See ALT1548838 Art. 66 Sec. 43 Application of dimensional  
requirements Conformity with existing building alignment. Art. 66 Sec. 09 Building height max. allowed: 60' Proposed:  
85' 8" Art. 66 Sec. 09 Location of main entrances shall face the front lot line. Art. 66 Sec. 09 Usable open space  
required: 100 sqft/unit x 117 units = 11,700 sqft. Total open space area is 25,245 sqft but it's still a violation since a part  
of the open space shall be excluded for the imaginary lot of the church (Main building), as indicated in section 66 43.12  
Art. 66 Sec. 08 Use Conditional: Ancillary parking spaces shared between church and residential units.

**Purpose:** We are proposing to build a 6 story, 5 over 1 build. This would be a first elevation steel podium structure with  
5 wood framed elevations above. This will be 117 units, 48 will be affordable first-time home buyer condos while 69  
market rent rental units. In conjunction with ALT1548838



City of Boston  
Board of Appeal

**Case: BOA-1650371 Address: 103 Birch Street Ward 20 Applicant: Tania Pisano**

**Article(s):** Article 67 Section 32 Off-Street Parking & Loading Req Insufficient parking (tandem parking)  
Article 67, Section 32 Off-Street Parking Design and maneuvering areas of two required clear parking spaces Article 67,  
Section 9 Lot Area Insufficient Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Front Yard  
Insufficient Article 67, Section 9 Rear Yard Insufficient

**Purpose:** Subdivide Parcel 2000228000 (lot D) to 2 subdivided parcels (D1 & D2). D2, the subject of this application, is to have a lot area of 3292 SF with a proposed one family detached dwelling (103 Birch St). Lot D1 (w/existing 99 Albano dwelling to remain) is filed under companion application ALT1591693.

**Case: BOA-1650369 Address: 99 Albano Street Ward 20 Applicant: Tani Pisano**

**Article(s):** Art. 10 Sec. 01 Limitation of parking areas 5' sideyard buffer Article 67 Section 32 Off Street Parking &  
Loading Req Design/Maneuvering areas (tandem proposed) Article 67, Section 32 Off Street Parking Insufficient  
parking per unit Art. 67 Sec. 09 Open Space insufficient 1750 sf req. Article 67, Section 9 Lot Area Insufficient 5,000sf  
req Article 67, Section 9 Add'l Lot Area Insufficient 3,000sf for second unit Article 67, Section 9 Lot Width Insufficient  
50' req Article 67, Section 9 Lot width frontage insufficient 50' req Article 67, Section 9 Floor Area Ratio Excessive  
1087sf max allowed

**Purpose:** Subdivide parcel 2000228000 (6,065 SF) into 2 new parcels. Portion of the parcel is proposed as 103 Birch Street, with lot area of 3,292sf. The remainder portion of the parcel is the subject of this dwg set, to remain as 99 Albano with the existing 2 family dwelling on lot area of 2,773 sf.\*Application assigned to FD on 5.8.24 by PW

**Case: BOA- 1615071 Address: 93 Howard Avenue Ward 13 Applicant: Jason Futrell**

**Article(s):** Art. 50, Section 28 Use: Forbidden Multi Family Dwelling Forbidden Article 50, Section 29 Side Yard  
Insufficient Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Bldg Height Excessive (Feet)  
Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Add'l Lot Area Insufficient Art. 50, Section 43  
Off Street Parking Insufficient Art. 50 Sec. 43 Off street parking requirements 50 43.6(d) Size Article 50, Section 44.2  
Conformity Ex Bldg Alignment

**Purpose:** Erect a new 3 story, 12-unit apartment building, on newly created 10,973sqft lot. Scope includes decks and new parking at the rear of the building. See ALT1566047 for subdivision. Demolition of an existing 3 story home to be filed under separate permit.

**Case: BOA- 1591933 Address: 36 Akron Street Ward 12 Applicant: 32-36 Akron Street, LLC**

**Article(s):** Art. 50 Sec. 29 Insufficient lot area per dwelling unit (8,000sf additional required)  
Art. 50 Sec. 29 Excessive f.a.r- .8 max Art. 50 Sec. 29 Number of allowed stories exceeded- 3 stories max.Art. 50 Sec.  
29 Insufficient open space- 650sf/unit required Art. 50 Sec. 29 Insufficient front yard setback- 20' required Art. 50 Sec.  
29 Insufficient side yard setback -10' required Art. 50 Sec. 29 Height exceeded -35' max Art. 50 Sec. 44  
Traffic visibility across a corner lot Article 50, Section 43 Off-Street Parking & Loading Req Insufficient parking  
Article 50 Section 28 Use Regulations MFR 10 units - Forbidden

**Purpose :**3.27.24 Updated scope of work for clarification: Demolition of existing vacant/abandoned house, then combine the two lots owned in common into one lot and construct a new 10-unit residential multi-family building per plans submitted. Nominal Fee Letter. Demolition of building to be applied for and secured on a SF demolition permit. Redacted scope: Demolition of existing vacant/abandoned house. Proposed erection of new residential multi-family building housing 10 units. Nominal Fee Letter. \* Demolition of building to be applied for and secured on a SF demolition permit.

**Case: BOA- 1375717 Address: 10 Glenside Avenue Ward 11 Applicant: Alpine Advisory Services**

**Article(s):** Article 55, Section 9 Usable Open Space Insufficient Usable open space insufficient Article 55, Section 9  
Front Yard Insufficient Article 55, Section 9 Rear Yard Insufficient Article 55, Section 9 Side Yard Insufficient  
Article 55, Section 9 Floor Area Ratio Excessive FAR excessive. Article 55, Section 9 Lot Area Insufficient Allowed  
9000 SF. Proposed 3367 SF. Article 55 Section 38 Screening & Buffering Req Article 55, Section 9 Bldg Height  
Excessive (Stories) Proposed 3 stories

**Purpose:** Erect a two-family dwelling with two off street parking spaces per plans filed herewith. Revised plan 6/14/2024



City of Boston  
Board of Appeal

**Case: BOA-1597074 Address: 615 Albany Street Ward 8 Applicant: Gregory McCarthy**

**Article(s):** Article 25A Section 4 CFROD Applicability Article 32, Section 4. GCOD, Applicability Article 64, Section 25 Use: Forbidden Multi-Family Dwelling – Forbidden Article 64, Section 34 Roof Structure Restrictions Article 64, Section 36 Off-Street Parking Insufficient Article 64, Section 36 Off-Street Loading Insufficient Article 64, Section 9 Floor Area Ratio Excessive Per Article 64 - Table F - Footnote 3 Article 64, Section 9 Usable Open Space Insufficient Per Article 64 - Table F - Footnote 3 Article 64, Section 9 Rear Yard Insufficient Per Article 64 - Table F - Footnote 3  
**Purpose:** Change Occupancy from Offices to 24 Residential Units. Scope includes a 1 story addition with roof penthouses to create a 6 story, 69' 0" high, residential building (R2 Use) with complete interior renovation, repair exterior walls, replace windows, new roof deck, and upgrades to life safety (FA/FP) & accessibility

**Case: BOA- 1605743 Address: 25 West Howell Street Ward 7 Applicant: Matthew Paisner**

**Article(s):** Art.65 Sec.15 Use: Conditional Article 65 Section 16 Insufficient side yard setback Article 65, Section 16 Insufficient front yard setback Art. 65 Sec. 41 Off street parking requirements Design/maneuverability areas on own lot without causing a traffic impediment (Proposed easements access design is further pending ERT1480308 design review approvals/issuance.)

**Purpose:** The Applicant, ScrubaDub Autowash Centers Inc., is proposing to re construct the existing ScrubaDub Carwash at 25 West Howell St in Boston, MA (Dorchester). The project proposes to construct a new 6,945 SF carwash / detailing facility with four (4) parking spaces and on site vehicle queuing. \*Proposed designs and easment pending ERT1400308 approval/P.W. 5.21.24

**Case: BOA- 1636269 Address: 933 East Broadway Ward 6 Applicant: Hajjar management Co., Inc**

**Article(s):** Art 68 Sec 8 Dim reg app in res sub dist. Insufficient additional to area per unit Art. 68 Sec. 07 Use Regs. Basement units forbidden Article 68, Section 33 Off Street Parking & Loading Req Insufficient parking

**Purpose:** \*New scope of work: Change occupancy from a three family to a four family by creating a basement unit and then perform work per plans to Finish existing basement as a dwelling unit in an existing detached three story three family dwelling. Expand front common stair to previously unfinished basement area. Basement floor will be lowered for additional headroom clearance, and new window wells will be constructed for EERO's and additional light and ventilation requirements. The basement unit will sprinklered per NFPA 13R, the existing upper units to remain unsprinklered. 5.8.24 ADU filing has been reverted to a regular change of occupancy permit Finish basement as a dwelling unit in a detached 3 storey 3 family dwelling. Expand front common stair to previously unfinished basement area. Lower basement floor for additional headroom clearance, added windows for eero's and ventilation/light for the living spaces. basement sprinklered nfpa 13r.redacted: clarification: change occupancy from a 3 family to a 3 family with an additional dwelling unit in basement and renovate per plans provided.

**Case: BOA-1415286 Address: 131 Athens Street Ward 6 Applicant: Michael Gannon**

**Article(s):** Art. 68 Sec.08 Lot Size Art. 68 Sec.08 FAR Art. 68 Sec.08 Height Art. 68 Sec.08 Open Space Art. 68 Sec.08 Front Yard Art. 68 Sec.08 Side Yard Article 68, Section 29 Roof Structure Restrictions Roof Deck and Headhouse Art. 68 Sec. 33 Off Street parking Req. Art. 68 Sec.31 Screening and Buffering Art. 68 Sec.08 Rear Yard

**Purpose:** Erect a new single family house on a vacant 800sf lot, as per plans.

**Case: BOA- 1586051 Address: 86 Pembroke Street Ward 4 Applicant: Joseph Holland**

**Article(s):** Art. 56 Sec. 64 34 Restricted roof structure district Article 64, Section 9 Floor Area Ratio Excessive Art. 32 Sec. 04 GCOD Applicability

**Purpose:** New rear curtain wall, new roof deck, new groundwater recharge system. ALT1549240.

**Case: BOA-1641033 Address: 18-34 Main Street Ward 2 Applicant: Colin Mara**

**Article(s):** Art. 62 Sec. 25 Roof Structure Restrictions Requires the obtainment of a conditional use permit. Article 62, Section 8 Bldg Height Excessive (Feet)

**Purpose:** This is for the replacement if an existing un permitted roof deck. The existing non code conforming spiral stair will be replaced with a code compliant spiral stair. A new epdm roof will be installed under the deck. ZBA / NDOD approvals will be required: Height excessive & restricted roof district.



City of Boston  
Board of Appeal

**Case: BOA- 1622057 Address: 969-985 Bennington Street Ward 1 Applicant: Big Ben Realty Trust**

**Article(s):** Art. 53 Sec. 12 Excessive f.a.r. Art. 53 Sec. 12 Insufficient open space per unit Art. 53 Sec. 56  
Off street parking insufficient

**Purpose:** Clarification: Change of legal use and occupancy from Billiard club lounge, store, offices, studio & arts, restaurant #36A (takeout), wireless communications to Billiard club lounge, store, restaurant #36A (takeout), wireless communications, Church, professional office (Recovery on the Harbor) and 8 residential apartments via a second story floor infill per plans submitted. Original scope: Change use of second floor space to residential. Insert partial floor at second level of existing 2 story space. Create 8 new residential units. New elevator and interior building renovations. Add windows. \*APPLICATION ASSIGNED TO FD BY PW 4.22.24 \*\* Counter #1 Existing legal use identified: Bill club lounge, store offices, studio & arts, restaurant #36A (takeout), wireless communications #ALT1345552/2022

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

**Case: BOA- 1608586 Address: 353 Cambridge Street Ward 22 Applicant: Gregg Donavan**

**Article(s):** Article 06 Section 04 Other Protectional Conditions

**Purpose:** Remove proviso Takeout 36A granted to this petitioner only. Under BZC# 31355

**Case: BOA- 1538686 Address: 86 Astoria Street Ward 18 Applicant: Natalyn Francis**

**Article(s):** Article 60, Section 8 Use: Forbidden - Basement Unit Forbidden Article 60, Section 9.3Dim Regs: Location of Main Entrance - Basement unit Article 60, Section 9 Rear Yard Insufficient Article 60, Section 9Floor Area Ratio Excessive Article 60, Section 9 Usable Open Space Insufficient

**Purpose:** Correct Violations V582833 and V582855. Renovate and reconfigure existing 3 family with addition & extension of living space to attic & basement. Scope includes relocating 3rd unit (previously at second story) to the basement; extending living space. Renovate basement into habitable space as the 3rd unit & renovate attic. Also, enclose rear porches and provide a 2 story addition to the rear, per attached plans. FA/FP included.

**Case: BOA-#1538740 Address: 86 Astoria Street Ward 18 Applicant: Natalyn Francis**

**Violations** V582833 and V582855. Renovate and reconfigure existing 3 family with addition & extension of living space to attic & basement. Scope includes relocating 3rd unit (previously at second story) to the basement; extending living space. Renovate basement into habitable space as the 3rd unit & renovates attic. Also, enclose rear porches and provide a 2 story addition to the rear, per attached plans. FA/FP included Violation Violation Description Violation Comments 9th 780 CMR 1007Exit and Exit Access Doorway Configuration1007.1.1 Two exits or exit access doorways. Where two exits, exit access doorways, exit access stairways or ramps, or any combination thereof, are required from any portion of the exit access, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between them. Interlocking or scissor stairways shall be counted as one exit stairway. [Basement unit with less than half the required exit separation; only a NFPA 13D sprinkler system provided] 9th 780 CMR 1028 Exit Discharge1028.5 Access to a public way. The exit discharge shall provide a direct and unobstructed access to a public way. [Main entry encroaching onto driveway, not providing a dedicated 36" wide obstructed path to the public way.]

**Case: BOA-1615346 Address: 374 East Eighth Street Ward 7 Applicant: Braden Abrams Reid**

**Article(s):** Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Bldg Height Excessive (Feet) Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 29 Roof Structure Restrictions

**Purpose:** Amendment to ALT1555165. Build garage attached to back of existing house and additional story on existing house per architectural plans

**Case: BOA- 1605291 Address: 457-469A West Broadway Ward 6 Applicant: Sean George**

**Article(s):** Article 68, Section 10 Use Regulations The proposed use as a Dental Office (Professional Office) is a Conditional Use based on its location on the ground floor. Art. 68 Sec. 33 Off Street parking Req. Relief needed for required Off Street Parking area.

**Purpose:** Interior Fit out for a Dental Space (Tend) at 457 West Broadway. Use is conditional so ZBA is required.



City of Boston  
Board of Appeal

**Case: BOA- 1622071 Address: 302 Chelsea Street Ward 1 Applicant: Reis Panorama Realty MA, LLC**

**Article(s):** Article 32 Section 04 GCOD Applicability Article 53 Section 09 Dimensional Regulations Insufficient additional lot area per unit Article 53 Section 52 Roof Structure Restrictions Newly proposed private deck to be accessed from exterior rear stair tower Article 53 Section 56 Off-Street Parking Insufficient parking Article 53 Section 08 Forbidden MFR forbidden Article 53 Section 9 Dimensional Regulations Excessive f.a.r Article 53 Section 9 Dimensional Regulations Insufficient rear yard setback Article 53 Section 9 Dimensional Regulations Insufficient side yard setback Article 53 Section 9 Dimensional Regulations Insufficient open space per unit

**Purpose:** Erect rear addition with a roof deck and change occupancy from three to four residential units as per plans.

**Case: BOA- 1575584 Address: 81 Lexington Street Ward 1 Applicant: James Christopher**

**Article(s):** Art.53 Sec. 08 Use: ForbiddenMFR Forbidden Art.53 Sec. 08 Use: ForbiddenBasement units Forbidden Art.53 Sec. 08 Use: Forbidden Local Retail Forbidden Article 53, Section 9 Rear Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 9Bldg Height Excessive (Stories) Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 57.2Conformity Ex Bldg Alignment Art. 53, Section 56 Off Street Parking Insufficient

**Purpose:** Erect a 3 story mixed used building on newly created lot; 3,706sqft. Building consisting of 1 Local Retail space at grade and 8 residential units. Scope includes basement units, balconies, and common roof deck. See ALT1553019 for subdivision. Demolition of existing building on separate permit

### **INTERPRETATION: 1:00PM**

**Case: BOA-1602742 Address: 123-125 Broad Street Ward 3 Applicant: 125 Broad Street LLC**

**Article(s):**Art. 32 Sec. 04 GCOD Applicability - Commissioner's Bulletin 2015 02 Substantial Rehabilitate

**Purpose:** The petitioner seeks a determination that the Inspectional Services Department erred in issuing a refusal letter citing Art 32 Sec 04 GCOD Applicability.





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**STEPHANIE HAYNES**  
**BOARD OF APPEAL**  
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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)**