**TUESDAY, JUNE 23, 2020 BOARD OF APPEAL CITY HALL, ROOM 801**

**HEARING MINUTES**

Board Chair Araujo called the meeting to order promptly at 10:00 AM and commenced with a brief description of the hearing process and, pursuant to the Massachusetts Open Meeting Law, advised those in attendance that the hearings would be broadcast and recorded and hearing minutes would be kept. The Chair announced that the hearing was being conducted remotely via an online meeting platform and subject to the below advisory which was part of the publicly posted hearing agenda. The Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Mark Fortune:

**PLEASE BE ADVISED OF THE FOLLOWING BOARD OF APPEAL SCHEDULE CHANGES:**

**APPEALS ORIGINALLY SCHEDULED FOR THE BOARD’S ZONING**

**ADVISORY SUBCOMMITTEE ON APRIL 16, 2020 AND DEFERRED TO**

**JUNE 18, 2020 SUBCOMMITTEE HEARING ARE DEFERRED AND WILL NOW BE HEARD BY THE FULL BOARD OF APPEAL ON JUNE**

**23, 2020 AT 10:00 AM.**

**APPEALS ORIGINALLY SCHEDULED FOR THE BOARD’S ADVISORY SUBCOMMITTEE ON JUNE 18, 2020 HAVE BEEN DEFERRED TO JUNE**

**30, 2020 AT 10:00 AM.**

**RECOMMENDATIONS FROM THE ZONING ADVISORY**

**SUBCOMMITTEE’S MAY 14, 2020 HEARING WILL BE VOTED UPON BY A QUORUM OF BOARD ON JUNE 23, 2020 AT 12:00 PM.**

**ALL MATTERS NOW TO BE HEARD ON JUNE 23, 2020 HAVE**

**COMPLETED THE COMMUNITY PROCESS AND MEET THE**

**SUBCOMMITTEE ELIGIBILITY CRITERIA WHICH INCLUDE**

**SMALLER SCALE RESIDENTIAL PROJECTS FOR SINGLE-FAMILY**

**OR TWO-FAMILY DWELLINGS OR FOR SMALL BUSINESSES OCCUPYING LESS THAN 35,000 SQUARE FEET OF COMMERCIAL SPACE.**

**THE SUBCOMMITTEE HEARING AND FULL HEARING OF ALL**

**SCHEDULED APPEALS HAVE BEEN CONSOLIDATED AND WILL NOW BE HEARD ONLY ONCE BY A QUORUM OF THE BOARD.**

**All matters listed on this JUNE 23, 2020 hearing agenda were originally scheduled and noticed, in accordance with the Enabling Act. Due to the public health emergency, those previously scheduled hearings were postponed and all matters deferred to this JUNE 23, 2020 hearing.**

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

**THE JUNE 23, 2020 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE WEBEX MEETING PLATFORM.**

**Interested persons can participate in the hearing REMOTELY by going to** [**bit.ly/zbajune23hearing**](https://bit.ly/zbajune23hearing) **or by calling 1-617-315-0704 and entering access code 129 919 9448.**

**If you wish to offer testimony on an appeal, please click** [**bit.ly/zbajune23comment**](http://bit.ly/zbajune23comment) **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** [**http://bit.ly/zbajune23comment,**](http://bit.ly/zbajune23comment) **calling 617-635-4775 or emailing isdboardofappeal@boston.gov.**

**The ZBA Ambassador will be available within the WebEx Event from at 9:00 AM to 10:00 AM to answer questions about ZBA procedures and offer instructions on how to participate in the hearing via WebEx. Questions and/or concerns can also be emailed to the ZBA Ambassador at zba.ambassador@boston.gov.**

**To signal you wish to offer comment within the meeting platform, please use the “raise hand” function, if connected by video, or dial \*9, if connected by phone. The requester will be administratively unmuted and asked to state their name, address and comment. Comments will be limited as time requires.**

**The hearing can also be viewed via live-stream on the City’s website at** [**https://www.boston.gov/departments/broadband-and-cable/watch-bostoncity-tv.**](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 appear in person at City Hall, in the BPDA board room, 9th Floor Room 900. Please notify the Board at least 48 HOURS in advance either by calling 617-635-4775 or emailing isdboardofappeal@boston.gov for accommodations to be made. Individuals appearing at City Hall without an appointment will not be permitted to enter.**

**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 isdboardofappeal@boston.gov IN LIEU OF OFFERING**

**TESTIMONY ONLINE OR FROM BPDA BOARD ROOM**

# Approval of Hearing Minutes

**February 25, 2020 & March 10, 2020 - Upon a Motion and second, the Board voted unanimously to approve the February 25, 2020 and March 10, 2020 Hearing Minutes.**

# HEARINGS: 10:00 AM

**APPEALS ORIGINALLY SCHEDULED FOR APRIL 16, 2020 SUBCOMMITTEE**

**Case: BOA-1018028 Address: 56 Byron Street Ward: 1 Applicant: Steven Winegar Article(s): 53(53-9)**

**Purpose: Extend living space. Post construction approval of finished living space in basement. The finished area was previously inspected by inspector Pat Curran however the building jacket fails to include the finished basement. The finished area includes a bathroom, family room, office/laundry. Please see issued ALT702607 for fees paid for this application.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to extend living space to basement so it could be used for non-sleeping purposes.

Board members asked about the ceiling height of the basement, whether the basement is connected to the first floor, and what other utilities are present.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Erlich moved for approval and Ruggiero seconded and the Board voted unanimously to approve.

**Case: BOA-1047183 Address: 30 Concord Street Ward: 2 Applicant: Ken Nolan Article(s): 62(62-8)**

**Purpose: New kitchen addition to rear of existing home. New kitchen and half bath on 1st level. New bath on 2nd level. New Air Conditioning and associated work.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build an addition to the rear of the house to accommodate kitchen, living room, and dining room.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Erlich moved for approval and Ruggiero seconded and the Board voted unanimously to approve.

**Case: BOA-1047900 Address: 1 Trenton Street Ward: 2 Applicant: Keith Hinzam**

**Article(s): 20(20-1)**

**Purpose: Construct new roof dormers to create living space at existing 3rd floor and new exterior deck at 3rd floor level above existing 2-story rear ell. new front dormer facing street and new rear dormer facing rear of lot. dormers create 108 SF of new living space for master bath and bedroom.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a new front and rear facing dormer and a new deck on the existing second floor.

Board members asked how much living space the dormers would create, what the dimensions of the deck are, and what the violation is for.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Erlich moved for approval and Ruggiero seconded and the Board voted unanimously to approve.

**Case: BOA-1043946 Address: 493 Walnut Avenue Ward: 11 Applicant: Seth Davis**

**Article(s): 19(19-1) 20(20-1)**

**Purpose: Construct new garage addition to existing single-family dwelling.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build an addition to the rear part of the yard, creating a new mudroom, a new garage, and a new rear entrance.

Board members asked about the dimensions of the side yard and whether the proposed project would encroach on their neighbor’s side yard.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services and Councilor O’Malley are in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Erlich moved for approval subject to BPDA design review and Ruggiero seconded and the Board voted unanimously to approve.

**Case: BOA-1044278 Address: 242 Neponset Avenue Ward: 16 Applicant: Darragh**

**Murphy**

**Article(s): 65(65-9)**

**Purpose: Interior and exterior renovation, including new windows, new shingles, new kitchen and bathrooms, new walls and ceilings, new MEP systems, and construction of a one-story addition with full basement and deck at rear of home.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a one story addition to the back of the house to add a bathroom, laundry room, rear deck, and mudroom.

Board members asked what the applicants planned to add to the basement and the size of the deck being proposed.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Erlich moved for approval subject to BPDA design review and Ruggiero seconded and the Board voted unanimously to approve.

**Case: BOA-1040921 Address: 23R Tonawanda Street Ward: 17 Applicant: Robert Dickerson**

**Article(s): 65(65-9: Accessory bldg.. in rear yard & Accessory bldg. in rear yard (The addition to the shed would exceeded the 25% of the rear yard))**

**Purpose: Erect a glass house (wood frame) having a dirt floor for plant storage. New structure to be attached to an existing shed.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a greenhouse structure that exceeds 25% of rear yard allowance by 6 feet.

Board members asked what the greenhouse would be used for, if it had a 3-season use, the specific relief requested, can the dispute with their neighbors be solved without the Board’s involvement, can the greenhouse be built without the relief requested, and if there is dwelling space in the greenhouse.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support. Attorney Karen McCall representing neighboring property owners are in opposition due to concerns over drainage issues and habitation in the greenhouse.

**Documents/Exhibits:** Building Plans, Letter of Support.

**Votes:** Board Member Erlich moved for approval with the proviso that the greenhouse only be used for garden and storage space and Ruggiero seconded and the Board voted unanimously to approve.

**Case: BOA-1043106 Address: 68 Neponset Avenue Ward: 18 Applicant: Juan ForeroTarquino**

**Article(s): 19(19-1)**

**Purpose: Construct a single-story rear addition with roof deck to existing two-family dwelling.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a single story rear addition to add bedrooms, emergency egress, roof deck, and two bathrooms.

Board members asked what the square footage of the proposed addition would be.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, Letter of Support.

**Votes:** Board Member Erlich moved for approval subject to BPDA design review and Deveau seconded and the Board voted unanimously to approve.

**Case: BOA-1044560 Address: 50 Osceola Street Ward: 18 Applicant: Norberto Leon**

**Article(s): 69(69-9: Height is excessive (stories), Floor area ratio is excessive & Rear yard setback is insufficient) Purpose: Demolish attic and build a full 3rd floor level, renovated second floor, building plans provided.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to remove the existing roof and rebuild the roof to allow more habitable space on the third floor by changing the slope of the roof.

Board members asked about the proposed use of the space and the ceiling height of the third floor.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Erlich moved for approval subject to BPDA design review and Ruggiero seconded and the Board voted unanimously to approve.

**Case: BOA- 1031033 Address: 6 Reddy Avenue Ward: 18 Applicant: Keith Brewer Article(s): 69(69-9)**

**Purpose: Extend existing dormer as per plan for access/conform for living space third level. Include 3 fixture bath. Energy Code Applies. Finishes and resilient floor.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to raise dormer above the staircase in order to build a bedroom and bathroom.

Board members asked about the ceiling height of the third floor and whether there is living space in the lowest point of the design.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Erlich moved for approval and Logue seconded and the Board voted unanimously to approve.

**Case: BOA-1056627 Address: 179 Ruskindale Road Ward: 18 Applicant: Ledum Nordee Article(s): 69(69-9: Floor area ratio is excessive & Front yard setback requirement is insufficient)**

**Purpose: Aligning new two-family dwelling to existing building per Article 69-30-1. To amend ERT928735.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to align new two-family building with the existing structure.

Board members asked about the required FAR, if the FAR increased because of moving the front yard, and about BPDA changes to proposed building alignment.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, Letter of Support.

**Votes:** Board Member Erlich moved for approval and Logue seconded and the Board voted unanimously to approve.

**Case: BOA-1012933 Address: 91 Green Street Ward: 19 Applicant: Timothy Burke**

**Article(s): 80(80-80E-2) 55(55-9: Add’l lot area insufficient, Floor area ratio excessive, Side yard insufficient, Rear yard insufficient & Usable open space insufficient)**

**Purpose: Construct an addition on the rear of the existing house to create an additional dwelling unit and a garage.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a rear addition for additional dwelling unit and garage.

Board members asked about the square footage of the addition and about a shared family room.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services and Councilor O’Malley are in support.

**Documents/Exhibits:** Building Plans, Letters of Support.

**Votes:** Board Member Erlich moved for approval subject to design review and Logue seconded and the Board voted unanimously to approve.

**Case: BOA-1047749 Address: 3 Larch Place Ward: 19 Applicant: Peter Bartash**

**Article(s): 55(55-12)**

**Purpose: Seeking to erect a rear addition, also to renovate the property.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a rear addition to create additional living space.

Board members asked about the requirements of the Zoning Code, BPDA’s note about the tree canopy, and whether the addition could be built without taking down any trees.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, Letters of Support.

**Votes:** Board Member Ruggiero moved for approval subject to BPDA design review with special attention towards rear yard tree canopy and Logue seconded and the Board voted unanimously to approve.

**Case: BOA-1037157 Address: 84 Southbourne Road Ward: 19 Applicant: Lance Davis Article(s): 55(55-9: Lot Width requirement is insufficient & Side yard setback requirement is insufficient)**

**Purpose: Small single level addition added to rear of single family home. All new construction to house a new kitchen.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add a rear, one-story addition, creating 180 square feet of additional living space

Board members asked about the shape of the lot.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services, a direct abutter, and a neighbor are in support

**Documents/Exhibits:** Building Plans, Letters of Support from abutters.

**Votes:** Board Member Ruggiero moved for approval subject to BPDA design review and Deveau seconded and the Board voted unanimously to approve.

**Case: BOA-1049363 Address: 6 Crosstown Avenue Ward: 20 Applicant: Agron Demaj Article(s): 18(18-1)**

**Purpose: On existing single family erect 1 story rear addition 14 ft by 9 ft and at front entry door install 6 ft by 5 ft enclosed 3 season porch as per attached plans.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build and enclose a three season porch and a one-story rear addition.

Board members asked about the square footage of the deck and if the deck would be a threeseason deck.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services and Councilor O’Malley are in support.

**Documents/Exhibits:** Building Plans, Letter of Support from an abutter.

**Votes:** Board Member Erlich moved for approval subject to BPDA design review and Logue seconded and the Board voted unanimously to approve.

**Case: BOA-1047078 Address: 47 Lasell Street Ward: 20 Applicant: Ruby Yau and Juan Sierra**

**Article(s): 56(56-8: Floor area ratio excessive & Side yard insufficient)**

**Purpose: Create a second floor addition by raising a portion of the existing roof. Minor changes are to be constructed on the first floor in preparation for a stair between the first and new second floor. Building footprint will not change.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a second floor rear addition to expand living space.

Board members asked about the proposed square feet and the ceiling height for the livable space.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services and Councilor O’Malley are in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Erlich moved for approval subject to BPDA design review and Logue seconded and the Board voted unanimously to approve.

**Case: BOA-1046617 Address: 282 Perham Street Ward: 20 Applicant: Steven Petitpas Article(s): 15(15-15-1)**

**Purpose: Remove roof add 2nd floor including bedrooms and bathroom.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a full second floor addition, doubling the size of the existing house.

Board members asked if the house is a single-family dwelling.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services and Councilor O’Malley are in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Logue moved for approval subject to BPDA design review and Kindell seconded and the Board voted unanimously to approve.

**Case: BOA-1053371 Address: 160 Russett Road Ward: 20 Applicant: Tomasz Adach Article(s): 56(56-8: Floor area ratio excessive, Front yard insufficient & Side yard insufficient)**

**Purpose: Enclose 1st floor porch and add a sunroom to 2nd floor above it.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to enclose first floor porch and add 2nd floor sunroom above.

Board members asked about the sunroom.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services and Councilor O’Malley are in support.

**Documents/Exhibits:** Building Plans, Letters of Support from abutters.

**Votes:** Board Member Erlich moved for approval and Kindell seconded and the Board voted unanimously to approve.

**Case: BOA-1026666 Address: 30 Sturges Road Ward: 20 Applicant: Khalil Farhat**

**Article(s): 9(9-1) 56(56-8: Floor area ratio excessive & Side yard insufficient)**

**Purpose: Expand living space in the back of the house where a screened porch currently exists and expand/renovate kitchen. Add bedroom on second level of addition.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to create an entry porch and a bulkhead and adding a new bedroom and laundry room to the second floor.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services and Councilor O’Malley are in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Erlich moved for approval subject to BPDA design review and Kindell seconded and the Board voted unanimously to approve.

**RECOMMENDATIONS/HEARINGS: 12:00 PM – Board Member Erlich moved for approval of the Subcommittee Recommendations and Logue seconded and the Board voted unanimously to approve.**

**APPEALS WHICH RECEIVED A SUBCOMMITTEE RECOMMENDATION ON MAY**

**14, 2020**

**Case: BOA-1029344 Address: 56 Green Street Ward: 2 Applicant: Isamu Kanda**

**Article(s): 62(62-25) 62(62-8: Floor area ratio excessive & Rear yard insufficient) Purpose: Add rear dormer, rebuild existing 2nd floor deck, interior renovation, add full sprinkler system.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a rear dormer and rebuild existing deck on the second floor.

Board members asked if the project would increase the size of the deck and about the community process.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans. Letter of Support.

**Votes:** Board Member Erlich moved for approval and Fortune seconded and the Subcommittee voted to recommend approval.

**Case: BOA-1029342 Address:16 Hill Street Ward: 2 Applicant: Isamu Kanda**

**Article(s): 19(19-1) 20(20-1) 43(43-9.4)**

**Purpose: Touching exterior roofline to enlarge front + rear dormers. Interior remodel of 1st fl kitchen/living & 3rd fl master bedroom suite. Structural header above 1st fl to widen existing openings. Structural header at 3rd floor to remove existing chimney below 3rd fl.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief to enlarge front and rear dormers.

Board members asked if the property was one-family or a two-family home and about the community process.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, Letters of Support, Letter of Opposition.

**Votes:** Board Member Erlich moved for approval subject to BPDA design review and Fortune seconded and the Subcommittee voted to recommend approval subject to BPDA design review.

**Case: BOA-1034626 Address: 37 Dwight Street Ward: 3 Applicant: Highline Development Article(s): 64(64-9.4)**

**Purpose: Construct a roof deck with roof hatch access. Construct rear deck. Both with exclusive use to Unit.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build roof deck with stair and hatch access and a rear deck.

Board members asked if the building was a two-family residence, the size of the roof deck, and the means of egress.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, Letters of Support

**Votes:** Board Member Erlich moved for approval subject to South End Landmarks Commission approval and Fortune seconded and the Subcommittee voted to recommend approval.

**Case: BOA#1034625 Address: 37 Dwight Street Ward: 3 Applicant: Highline Development Purpose:Construct a roof deck with roof hatch access. Construct rear deck. Both with exclusive use to Unit #2. Section 9th 780 CMR 1011 Stairways. 1011.3 Headroom. Stairways shall have a headroom clearance of not less than 80 inches.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build roof deck with stair and hatch access.

Board members asked if the applicant was also seeking building code relief and if the applicant still needed said relief.

**Testimony:** The Board then requested testimony from neighbors and elected officials.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for denial of building code relief and Fortune seconded and the Subcommittee voted to recommend denial.

**Case: BOA1048227 Address: 444 West Fourth Ward: 6 Applicant: Ian Feeney Article(s): 18(18-1)**

**Purpose: Frame shed dormer on front of house.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to extend existing rear dormer the length of the roof.

Board members asked if the building was a one-family residence, if the building was owner occupied, and about the community process.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, Letter of Support

**Votes:** Board Member Erlich moved for approval and Fortune seconded and the Subcommittee voted to recommend approval.

**Case: BOA-1050562 Address: 13 Mills Street Ward: 12 Applicant: Jimmy McNeil Article(s): 9(9-1) 50(50-29: Side yard setback is insufficient & Rear yard setback is insufficient)**

**Purpose: Install deck on top of roof and deck on top of garage. Install 1 sliding door.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a deck on top of the garage and the first story of the house.

Board members asked if the building was a one-family residence and about the community process.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, Letter of Support

**Votes:** Board Member Erlich moved for approval and Fortune seconded and the Subcommittee voted to recommend approval.

**Case: BOA-1043218 Address: 58 Rockne Avenue Ward: 16 Applicant: Matthew Murphy**

**Article(s): 19(19-1) 20(20-20-8)**

**Purpose: Construct 1 story bathroom addition. ZBA required.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to expand a half bathroom to a full bathroom to the rear of house.

Board members asked if the applicant underwent a community process, if the dwelling is a single-family residence, and if the plans included a window.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services and Councilor Baker are in support.

**Documents/Exhibits:** Building Plans, Letter of Support

**Votes:** Board Member Erlich moved for approval subject to the proviso that a window will be included in the bathroom and Fortune seconded and the Subcommittee voted to recommend approval.

**Case: BOA-1036733 Address: 37 Melville Avenue Ward: 17 Applicant: Timothy Sheehan Article(s): 9(9-1)**

**Purpose: New Addition to kitchen one story high Remodel three bathrooms two kitchens two stair cases and new entrance to third floor apartment And new decks back and side.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to extend first-floor kitchen.

Board members asked if the building was a three-family residence and about the community process.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services and Steve Morris, who resides at the property, are in support.

**Documents/Exhibits:** Building Plans, Letter of Support

**Votes:** Board Member Erlich moved for approval and Fortune seconded and the Subcommittee voted to recommend approval.

**Case: BOA-1043432 Address: 28 Roslin Street Ward: 17 Applicant: Laurie Fisher**

**Article(s): 19(19-1)**

**Purpose: Use of premises for 2 parking spaces.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a driveway on the premises.

Board members asked if the driveway would be located on the side of the house, if the building was a one-family residence, distance from the rear deck to the property line, the availability of street parking, and about the community process.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in opposition along with an abutter of the property.

**Documents/Exhibits:** Building Plans, Letters of Support, Letters of Opposition.

**Votes:** Board Member Erlich moved for denial without prejudice and Fortune seconded and the Subcommittee voted to recommend denial without prejudice.

**Case: BOA-1046572 Address: 11-13 Halifax Street Ward: 19 Applicant: Ashley Rao Article(s): 55(55-9: Floor area ratio is excessive & Height is excessive (2 1/2 stories max, allowed))**

**Purpose: Interior and exterior renovation of attic with dormers and new exterior windows.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to renovate the attic of a two-family home by the second floor unit owners by adding a bedroom and bathroom and new dormers on the east, north, and west sides.

Board members asked about storage space in the attic, if any of the floor space would need to be raised, and about the community process.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, Letters of Support

**Votes:** Board Member Erlich moved for approval subject to BPDA design review and Fortune seconded and the Subcommittee voted to recommend approval.

**Case: BOA-1027608 Address: 20-22 Bradfield Avenue Ward: 20 Applicant: Eric Falcon Article(s): 10(10-1) 67(67-32: Off-street parking location & Off-street parking design) Purpose: Adding a 2 Car parking space in Front Yard. Removing existing landscaping.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a two car driveway next to the house.

Board members asked if the building was a one-family or two-family residence, if there are tandem parking options, and about the community process.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, Letter of Support from an abutter.

**Votes:** Board Member Erlich moved for approval with the proviso to reduce the curb cut from 14 feet to 10 feet and subject to BPDA design review and Fortune seconded and the Subcommittee voted to recommend approval with the above mentioned proviso.

**Case: BOA-1029197 Address: 96 Chesbrough Road Ward: 20 Applicant: Ivan Hernandez**

**Article(s): 56(56-8: Front yard insufficient & Rear yard insufficient)**

**Purpose: Construct new mudroom, front porch and second story addition to existing single-family dwelling.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a second story addition, a mudroom, and a covered porch.

Board members asked about if the porch would be enclosed and about the community process.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, Letter of Support from an abutter.

**Votes:** Board Member Erlich moved for approval subject to BPDA design review and Fortune seconded and the Subcommittee voted to recommend approval.

**Case: BOA-1027233 Address: 38 Linnet Street Ward: 20 Applicant: Andrew Marsh & Gina Marsh**

**Article(s): 56(56-8)**

**Purpose: Attic conversion to master bedroom and bath. All new electrical, plumbing, insulation, board and plaster, hardwoods, tile. We will remove all construction debris with a dumpster in owners driveway.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to raise back side of roof to connect attic to third story.

Board members asked if the project would change the overall height of the building and about the community process.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, Letter of Support from an abutter.

**Votes:** Board Member Erlich moved for approval subject to BPDA design review and Fortune seconded and the Subcommittee voted to recommend approval.

**Case: BOA-1029202 Address: 150 Sanborn Avenue Ward: 20 Applicant: Ivan Hernandez Article(s): 56(56-8: Floor area ratio excessive, Front yard insufficient & Side yard insufficient)**

**Purpose: Demo existing right side mudroom and reconstruct larger as per plans. Construct new rear deck per plans. Renovate basement, first and second floors per plan.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to enlarge mudroom and renovate basement living space and to enclose a small front porch and to construct a rear deck

Board members asked if there is living space in the basement, the ceiling height of the basement, whether the property is a one-family residence, and about the community process.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, Letter of Support.

**Votes:** Board Member Erlich moved for approval and Fortune seconded and the Subcommittee voted to recommend approval.

**Case: BOA-1023357 Address: 14 Thurlow Street Ward: 20 Applicant: Christopher and Nicole Farnsworth**

**Article(s): 56(56-8: Floor area ratio excessive, Front yard insufficient & Side yard insufficient)**

**Purpose: Add new second story and new attic to existing 1.5 story house on existing house footprint; reconfigure interior per plans; no change to existing footprint or setbacks, no change in existing single family occupancy.**

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build second story and a new attic with building remaining a two-bedroom unit with an unfinished attic.

Board members asked if the building was a one-family residence and about the community process.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services is in support.

**Documents/Exhibits:** Building Plans, Letters of Support from two abutters.

City of Boston

Board of Appeal

**Votes:** Board Member Erlich moved for approval and Fortune seconded and the Subcommittee voted to recommend approval.

 **BOARD MEMBERS:**

 **CHRISTINE ARAUJO- CHAIR**

 **MARK FORTUNE- SECRETARY**

 **MARK ERLICH**

 **JOSEPH RUGGIERO**

 **TYRONE KINDELL, JR.**

 **KERRY WALSH LOGUE**

 **EDWARD DEVEAU**

**For the complete text of the Boston Zoning Code Articles and definitions of terms in this agenda, please go to** [**https://ww.w.municode.com/library/ma/boston/codes/redevelopment\_authority.**](https://ww.w.municode.com/library/ma/boston/codes/redevelopment_authority)

**For a video recording of the June 23, 2020 Board of Appeal Hearing please go to: https://www.cityofboston.gov/cable/video\_library.asp.**