



City of Boston  
Board of Appeal

## HEARING MINUTES

**Tuesday, May 22, 2018**

**BOARD OF APPEALS**

**Room 801**

Board Chairperson Araujo called the meeting to order promptly at 9:30 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 Board members then commenced with discussion of the following agenda items which were announced on the record by Board Secretary Mark Fortune:

### APPROVAL OF HEARING MINUTES:

Upon a motion and second, the Board voted unanimously to approve the Minutes April 10, 2018 and April 24, 2018.

### EXTENSION: 9:30a.m.

**Case:** BOA-448640, **Address:** 4 Norfolk Terrace, **Ward 17 Applicant:** Gail Latimore, Executive Director

Request granted. 1 year.

**Case:** BOA-448637, **Address:** 5-5A Norfolk Terrace, **Ward 17 Applicant:** Gail Latimore, Executive Director

Request granted. 1 year.

**Case:** BOA-448639, **Address:** 6 Norfolk Terrace, **Ward 17 Applicant:** Gail Latimore, Executive Director

Request granted. 1 year.

**Case:** BOA-448638, **Address:** 207 Norfolk Terrace, **Ward 17 Applicant:** Gail Latimore, Executive Director

Request granted. 1 year.

**Case:** BOA-568247, **Address:** 1152 Bennington Street, **Ward 1 Applicant:** Richard Lynds, Esq

Request granted. 1 year.

**Case:** BOA-430682, **Address:** 71R Grampian Way, **Ward 13 Applicant:** Martin Kerr

Request denied by the Board.

### GCOD: 9:30 a.m.

**Case:** BOA-819529 **Address:** 48-62 Brookline Avenue, **Ward 5 Applicant:** City Wide Contracting LLC  
**Article(s):** 32(32-4)

**Purpose:** Build out Retail store with new entryway at street level.

**Discussion:** At the request of the applicant **this case has been deferred to July 31, 2018.**

**Votes:** Upon a Motion and second, the Board voted unanimously to approve the request.

**Case:** BOA-820987 **Address:** 175 Beacon Street, **Ward 5 Applicant:** George Morancy

**Article(s):** 32(32-4)

**Purpose:** Renovation as per plans from 7 units to single family home.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are renovating 7 units to a single family. BWSC approval letter was submitted.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and Councilor Edward's representative spoke in support.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for approval, and member St. Fleur seconded and the Board voted unanimously to approve.

#### **HEARINGS: 9:30 a.m.**

**Case:** BOA-794165 **Address:** 1948-1950 Washington Street, **Ward 8 Applicant:** Michael Ahern

**Article(s):** 50(50-33: Open space insufficient, Rear yard insufficient, Floor area ratio is excessive & Side yard insufficient) 50(50-32) 50(50-43: Off-street parking & loading Req. & Off-street parking and loading req.)

**Purpose:** To renovate existing 4 story building and attached garage & add 2 additional stories and change occupancy to 31 Residential units with an office space & restaurant space on the first floor. There will be 11 parking spaces in the garage which lift spaces which will be a total of 22 parking spaces.

**Discussion:** At the request of the applicant **this case has been deferred to June 26, 2018 so that the applicant can go before the BRA board.**

**Votes:** Upon a Motion and second, the Board voted unanimously to approve the request b

**Case:** BOA-812967 **Address:** 3215 Washington Street, **Ward 11 Applicant:** Steven Petitpas

**Article(s):** 55(55-40) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9)

**Purpose:** Change occupancy from two (2) family to three (3) family per plans. Third unit at attic floor. Extend living space to basement for unit 1. Construct new rear deck and rear addition with roof deck. Install fire protection systems, fire alarm and sprinkler, per design. Include plumbing and electrical. ZBA

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are converting 2 family to a 3 family. Extend living space into basement and build rear and roof decks. Utilities are not separate from the basement unit. However there is a remedy to this.

Board Members asked the floor to ceiling ratio in basement. The applicant stated 8ft. The Board members asked what the current use is. The applicant stated storage. The Board members asked what the proposed use is. The applicant stated bedroom and playroom. Board members asked the length of the driveway. The applicant stated 40'. Board Members asked if it's possible to push the parking back 5'. The applicant stated yes.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services is in support and Councilor O'Mally and Councilor Essabi-George representatives spoke in support.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved for approval Erlich seconded with BRA proviso, driveway to be extended 5-8ft, and the Board voted unanimously to approve.

**Case:** BOA-787215 **Address:** 40 Crawford Street, **Ward 12 Applicant:** Clayton Palmer  
**Article(s):** 50(50-29) 50(50-29)  
**Purpose:** New Deck off the second floor.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are constructing a new deck off 2nd floor.

Board Members asked the applicant if they have seen BRA requirements. The applicant stated denies because the deck was too big.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval St. Fleur seconded and the Board voted unanimously to approve.

**Case:** BOA-787764 **Address:** 7 Abbotsford Street, **Ward 12 Applicant:** Maverick Afonso  
**Article(s):** 10(10-1) 50(50-43)  
**Purpose:** Curb cut for 2 parking spaces.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are installing a curb cut for 2 vehicles.

Board Members asked the applicant if there is any parking in the front yard. The applicant stated no.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Bickerstaff moved for approval St. Fleur seconded and the Board voted unanimously to approve.

**Case:** BOA-802862 **Address:** 29 Sagamore Street, **Ward 13 Applicant:** Megha Satyanarayana  
**Article(s):** 9(9-1) 65(65-9)  
**Purpose:** Basement was finished in 2007-confirm as extended living space.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are legalizing existing living space in basement, bedroom and bathroom.

Board Members asked about the floor to ceiling height. The applicant did not know.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and a representative from Councilor Baker's office spoke in support.

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-784939 **Address:** 41 Mount Everett Street, **Ward 15 Applicant:** Kurt Fraser

**Article(s):** 9(9-1)

**Purpose:** Off-street for 6 residential vehicles-see curb cut application with PWD.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to install a curb cut to allow 6 spaces in rear of 3 family home.

Board Members asked how many bedrooms. Boston Transportation Department approved 4 cars due to shape of lot. Cars can fit at a 45 degree angle.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and a representative from Councilor Baker's office spoke in support.

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-772616 **Address:** 6 Berry Street, **Ward 16 Applicant:** George Bargel

**Article(s):** 80(80-80E2) 65(65-9) 65(65-9) 65(65-9)

**Purpose:** Change of occupancy from a one (1) to a two (2) family. Addition to existing residence and improvements.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to change the occupancy from a single family to a two family.

Board Members asked how to accommodate additional units and how to access lot. The applicant stated Lorenzo Street, land locked parcel.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with BRA and Bickerstaff seconded and the Board voted unanimously to approve.

**Case:** BOA-790727 **Address:** 59 Lonsdale Street, **Ward** 16 **Applicant:** Sheila McCabe

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

**Purpose:** Full renovation to three family dwelling that was damaged due to fire on the third floor. This renovation includes a dormer on the third floor. Renovation also includes updates to plumbing, electrical, HVAC, windows walls, floors, bathroom and kitchen on all three floors. A half bath, Laundry and HVAC closet will be added to each floor. A sprinkler system will be added to the building to accommodate all three floors some non-load bearing walls will be removed to create an open floor plan and enlarge closets in Bedrooms.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to renovate a 3 family and add dormer on 3rd floor for additional living space

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services, Councilor Baker and Councilor Essabi-George, Councilor Campbell and Councilor Flaherty are in support.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with BRA and Bickerstaff seconded and the Board voted unanimously to approve.

**Case:** BOA-814696 **Address:** 48 West Tremlett Street, **Ward** 17 **Applicant:** NUR Construction

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

**Purpose:** Erect new two-family dwelling on existing vacant land. Propose three (3) off-street parking. This new application is a redo of ERT3357797. BOA and BRA approved it, but BWS and curb cut took too long of time before approvals. so it expired and we are re-applying it again. See ERT804435. \*Non-finished attic.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to construct a 2 family dwelling with 3 of street parking spaces on vacant lot.

Board members asked how the parking work does. The applicant stated 6 spaces total. Board members asked if it is a shared driveway. The applicant stated yes, concerned that easement is not recorded.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with BRA with driveway easement to be registered and the Board voted unanimously to approve.

**Case:** BOA-814697 **Address:** 50 West Tremlett Street, **Ward** 17 **Applicant:** NUR Construction

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

**Purpose:** Erect new two-family dwelling on existing vacant land. Propose three (3) off-street parking. This new application is a redo of ert357942. BOA and BRA approved it, but BWS and curb cut took too long of time before

Approvals so it expired and we are re-applying it again. See plan ERT804434. \*Non-finished attic.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to construct a 2 family dwelling with 3 of street parking spaces on vacant lot.

Board members asked how does the parking work. The applicant stated 6 spaces total. Board members asked if it is a shared driveway. The applicant stated yes, concerned that easement is not recorded.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with BRA with driveway easement to be registered and the Board voted unanimously to approve.

**Case:** BOA-685921 **Address:** 8-10 Loring Place, **Ward 18 Applicant:** Daniel Toscano

**Article(s):** 69(69-8) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-29)

**Purpose:** To erect a new family residential building with garage parking on grade as per plans.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to construct a 2 family dwelling with 4 parking maneuverability still a violation. The project is consistent with the neighborhood. Revisions made to plans brought height down and pushed house back and eliminated some violations.

Board members asked

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and a Representative from Councilor McCarthy's office spoke in opposition. Two (2) abutters are opposed because of density and size. One abutter spoke in support.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erich moved for approval with BRA and Bickerstaff seconded. Pisani and Galvin opposed and the Board. Motion for approval carried.

**Case:** BOA-821035 **Address:** 34 Colgate Road, **Ward 19 Applicant:** Joseph Vozzella

**Article(s):** 67(67-8) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-9) 67(67-30) 67(67-32) 67(67-32) 10(10-1)

**Purpose:** On an existing vacant parcel ERECT a new three family dwelling. This project requires relief from the Zoning Board of Appeals.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to construct a 3 family dwelling on a vacant lot. The project is consistent with the neighborhood.

Board members inquired about condos or rental. The applicant stated condos. Applicant states that the BWSC approved a recharge system.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and a Representative from Councilor McCarthy's office spoke in support. Three (3) abutters are opposed because of flooding issues. One abutter spoke in support.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with BRA and Pisani seconded and the Board voted unanimously

**Case:** BOA-796353 **Address:** 29 Goldsmith Street, **Ward 19 Applicant:** 29 Goldsmith LLC-Paul Grant  
**Article(s):** 55(55-9) 55(55-9) 55(55-9)

**Purpose:** Confirm as a 2 family dwelling and Change from a 2 family to a 3 Family dwelling. The interior renovation and vertical expansion on the same footprint of an existing 3 family dwelling creating three new dwellings on four floors.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to covert a 2 family dwelling to a 3 family dwelling. Interior renovations and vertical expansion, same height, extend into rear yard.

Board members inquired about parking. The applicant stated 2 tandem, 4 total.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and a Representative from Councilor O'Malley, Councilor Essabi-George, and Councilor Flaherty spoke in support. Three (3) abutters are opposed because of flooding issues. One abutter spoke in support.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member St. Fleur moved for approval and Galvin seconded and the Board voted unanimously

**Case:** BOA-818470 **Address:** 85-93 Glenville Avenue, **Ward 21 Applicants:** Daniel Toscano, Esq.  
**Article(s):** 9(9-1) 51(51-56)

**Purpose:** Change the occupancy of an existing portion of the building from retail to restaurant and expand into that space the existing adjacent restaurant use. ZBA

### **HEARINGS: 10:30 a.m.**

**Case:** BOA-767363 **Address:** 238 Webster Street, **Ward 1 Applicant:** Tom Nato  
**Article(s):** 53(53-8) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-56)

**Purpose:** Erect a new multi unit building 15 units with 10 interior parking spaces garage as per plans. Permit set to be submitted upon ZBA approval. Existing house to be razed under separate permit. Combine two lots into one lot for new structure. ALT/plans for combining lots to follow.

**Discussion:** At the request of the applicant **this case has been deferred to July 10, 2018.**

**Votes:** Upon a Motion and second, the Board voted unanimously to approve the request.

**Case:** BOA-814977 **Address:** 72 Washington Street, **Ward 2 Applicant:** timothy Burke  
**Article(s):** 62(62-8) 62(62-8) 62(62-8) 62(62-8) 62(62-8) 62(62-25)

**Purpose:** Gut renovation of an existing three-family dwelling and demolition of an existing three bay garage. Construct a three story addition to replace the garage. New addition to have three garage spaces. Extend living space to basement for Unit 1. Construct roof deck. New mechanical, plumbing and electrical systems. New automatic sprinkler system.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to renovate a 3 family and

demolish a 3 bay garage and replace/construct a three story addition. Extend living space into basement and construct roof deck.

Board Members discussed violations, proposed vs. required.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and a Representative from Councilor Edwards and Councilor Flaherty spoke in support. One (1) abutter opposed stated the project was too big.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved for approval with BRA and Bickerstaff seconded and the Board voted unanimously.

**Case:** BOA-812430 **Address:** 30-50 Terminal Street, **Ward 2 Applicant:** John Frosk

**Article(s):** 06(6-4)

**Purpose:** Request to remove Proviso "Take out use granted to this petitioner only for this use only".

**Discussion:** At the request of the applicant **this case has been deferred to May 24, 2018.**

**Votes:** Upon a Motion and second, the Board voted unanimously to approve the request.

**Case:** BOA-820340 **Address:** 233 Beacon Street , **Ward 5 Applicant:** Anthony Virgilio

**Article(s):** 13(13-1) 23(23-1)

**Purpose:** Change of Occupancy from 11 residential units and 1 room to 12 residential units. All existing conditions. No work to be done.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to change occupancy to 12 residential units.

Board Members were concerned about the plans not being clear which unit applicant seeks to legalize. The applicant stated unit 4. Board Members asked if all egress requirements were met. The applicant stated yes.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services are in support. NABB are non-opposed.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved for approval with BRA and Galvin seconded and the Board voted unanimously.

**Case:** BOA-816428 **Address:** 182 West Seventh Street , **Ward 6 Applicant:** Barry Costello

**Article(s):** 27S(27S-5) 68(68-8)

**Purpose:** Full interior renovation of existing three-family dwelling. Replace existing siding, roof, and rear deck. Construct new exterior egress stairs. Installation of new heating/cooling system, fire sprinkler system, and fire alarm.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing full interior renovation of existing three-family dwelling. Replace existing siding, roof, and rear deck. Construct new exterior egress stairs. Installation of new heating/cooling system, fire sprinkler system, and fire alarm.



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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member St. Fleur moved for approval and Erich seconded and the Board voted unanimously.

**Case:** BOA-800766 **Address:** 170 West Ninth Street , **Ward 7 Applicant:** James McClure

**Article(s):** 68(68-33) 68(68-7.2) 68(68-8) 27S(27S-5)

**Purpose:** Change occupancy from a three-family to a four-family dwelling. Additional fourth unit in basement.

**Discussion:** At the request of the applicant **this case has been WITHDRAWN**

**Votes:** Upon a Motion and second, the Board voted unanimously to approve the request.

**Case:** BOA-794792 **Address:** 92 G Street , **Ward 7 Applicant:** Daniel Toscano

**Article(s):** 68(68-8) 68(68-8) 68(68-8) 68(68-29) 68(68-27S-5) 68(68-33)

**Purpose:** Change occupancy from a three-family to a four-family. Additional fourth unit in basement. Construct fourth floor addition. Full renovation.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to change occupancy from a three family to a four family. Full renovation of 4th unit in basement.

Board Members were inquired about the unit break down. The applicant stated (2) 1bedroom, and ( 2) 2bedrooms. Board Members asked about roof decks. The applicant stated no just rear decks.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services Councilor Flaherty and Councilor Flynn representatives spoke in opposition .

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with BRA and Fortune seconded and the Board voted unanimously.

### **RE-DISCUSSIONS: 11:30a.m.**

**Case:** BOA-725789, **Address:** 287-293 Maverick, **Ward 1 Applicant:** Diconstanzzo Properties LLC

**Article(s):** 53(53-8) 53(53-9) 53(53-56.5) 53(53-56) 53(53-54)

**Purpose:** Raze existing building, combine lots and erect a mixed-use structure consisting of retail on the first floor, 37 units On the above floors and parking for 30 vehicles. See ALT712862 for combing lots. Building to be razed on Separate permit. ZBA.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to raze existing building, combine lots and erect a mixed-use structure consisting of 37 residential units, 5 units affordable

Board Members

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member St. Fleur moved for approval with BRA and Galvin seconded and the Board voted unanimously

**Case:** BOA-788830, **Address:** 719A-719 East Fifth Street , **Ward 6 Applicant:** Timothy Johnson  
**Article(s):** 68(68-29) 68(68-27S-5) 68(68-8: Side yard insufficient & Rear yard insufficient)  
**Purpose:** Construct third floor addition with rear and roof deck on existing two family dwelling. New sprinkler/fire alarm systems as per plans submitted.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to construct a third floor addition to a 2 unit row house moving garage level unit to bring up. Eliminating one roof deck and remaining deck exclusive to unit 1.

Board Members inquired about living space. The applicant stated not an increase in living space or FAR

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services and 1 abutter are in support Representatives from Councilor Flynn and Councilor Flaherty spoke in opposition..

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with BRA and Bickerstaff seconded and the Board voted unanimously

**Case:** BOA-768730, **Address:** 844-846 East Third Street , **Ward 6 Applicant:** Patrick Mahoney, Esq  
**Article(s):** 27S(27S-5)  
**Purpose:** To raze existing structure & erect new 4 story building with 7 residential units & 10 parking spaces in garage at grade as per plans, (zoning only).

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing revised plans now a 5 unit building with 2 (2) bedroom units and 3 (3) bedroom units

Board Members discussed the dimension and sizes of units. Board Membrs aksed if it is the same footprint as original proposal. The applicant stated yes

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services, Representatives from Councilor Flynn and Councilor Flaherty and Essabi-George spoke in opposition.. Several abutters opposed.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved to Deny and St, Fleur seconded and the Board voted unanimously

**Case:** BOA-778326, **Address:** 8 Deady's Ln , **Ward 7 Applicant:** Timothy Johnson  
**Article(s):** 27S(27S-5) 29(29-4)  
**Purpose:** Erect new 4-story, single-family dwelling w/garage, rear stair, front and roof decks on newly created lot as per plans submitted.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to erect a 4 story, single family dwelling with garage, front decks and roof deck . Zoning Compliant but for IPOD. Revised from 4 story to 3 story 5 bed room to 2 bedroom with 2 1/2 bath.

Board Members inquired about parking. Applicant stated 2 car garage.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services, Representatives from Councilor Flynn and Councilor Flaherty and Essabi-George spoke in opposition.. Several abutters opposed.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved to Deny and St, Fleur seconded and the Board voted unanimously

**Case:** BOA-796341, **Address:** 63-65 Moreland Street , **Ward 12 Applicant:** Evan Smith  
**Article(s):** 50(50-29: Add'l lot area insufficient, Floor area ratio excessive, Building height excessive (feet), Front yard insufficient & Usable open space insufficient) 50(50-28)  
**Purpose:** Construct New Sprinkler 8 Unit Building.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to construct new 8 unit fully sprinkled building.

Board Members discussed violations. the applicant stated constant with abutting buildings. Board members asked about parking. Board members asked if roof decks were being proposed. The said yes but exclusive to one unit.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services, Representatives from Councilor Janey , Councilor Flaherty , Councilor Essabi-George, Councilor Pressley and Councilor WU spoke in support. One abutter spoke in support. Several abutters opposed. because of density, tree, privacy and size.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved to approve with BRA and St, Fleur seconded and the Board voted unanimously

**Case:** BOA-617813, **Address:** 173 Humboldt Avenue, **Ward 12 Applicant:** John Samaan  
**Article(s):** 50(50-28)  
**Purpose:** Increase lodging from 10 to 20 persons, no work to be done, changing beds from one bed to two per room (previous drawings submitted to indicate building systems)

**Discussion:** At the request of the applicant **this case has been deferred to September 25, 2018.**

**Votes:** Upon a Motion and second, the Board voted unanimously to approve the request.

**Case:** BOA-766691, **Address:** 222 Harvard Street , **Ward 14 Applicant:** Douglas Wohn  
**Article(s):** 60(60-8) 60(60-9)  
**Purpose:** ZBA case to be: Change of occupancy from three to six apartments by reconfiguring the interior layout with new egress stairways of 3-level porch. Cost reflected in the previous two permits for the same building envelope. Additional cost reflected, however. \*Previous examiner J.H. ZBA requested.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to change occupancy from a 3 to 6 apartments. Interior renovations no new construction.

Board Members inquired about unit sizes, how many bedrooms and layout of units. The applicant stated all units are the same lot very deep.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services spoke in opposition.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved to deny Bickerstaff seconded and the Board voted unanimously

**Case:** BOA-777122, **Address:** 67-69 Sanford Street , **Ward 17 Applicant:** Michael Liu  
**Article(s):** 65(65-9): Insufficient lot width 60' required, insufficient lot size proposed 6,000sf req & Excessive F.A.R.) 9(9-1)  
**Purpose:** Subdivide Lot into two lots. Lot A: 67-69 Sanford St (5,154 SF) and Lot B: 71 Sanford St (6,362 SF). Conjunction with ALT736913, U49691837, and ERT736947.

**Discussion: Denied Without Prejudice. The applicant did not appear.**

**Votes:** Upon a Motion and second, the Board voted unanimously to approve the request.

**Case:** BOA-777126, **Address:** 67-69 Sanford Street , **Ward 17 Applicant:** Michael Liu  
**Article(s):** 10(10-1) 65(65-42)  
**Purpose:** 10/31/17 NEW work description: This application is to provide 4 parking spaces for the existing two family in accordance with the submitted plans. (See Lot subdivision on ALT773006, creating a new parcel for ERT736947.) \*All plans filed in conjunction with ERT736947 subject to ZBA approval.

**Discussion: Denied Without Prejudice. The applicant did not appear.**

**Votes:** Upon a Motion and second, the Board voted unanimously to approve the request.

**Case:** BOA-777136, **Address:** 67-69 Sanford Street , **Ward 17 Applicant:** Michael Liu  
**Article(s):** 9(9-1) 65(65-9): Insufficient front yard setback, Excessive F.A.R., # of allowed stories exceeded & Pending a favorable ZBA decision, two complete sets of stamped construction documents shall be required) 10(10-1) 65(65-41) **Purpose:** In existing 2 family structure, renovate structure, construct addition and dormer in accordance with the submitted plans. \*This application has been filed in conjunction with and contingent to ZBA approval of ALT773006 (subdivision) for subdivision and ERT736947 (new single family).

**Discussion: Denied Without Prejudice. The applicant did not appear.**

**Votes:** Upon a Motion and second, the Board voted unanimously to approve the request.

**Case:** BOA-777129, **Address:** 71 Sanford Street , **Ward 17 Applicant:** Michael Liu  
**Article(s):** 65(65-9) 65(65-42)  
**Purpose:** Subdivide lot on ALT773006, then Construction new one family home w/2 parking spaces to the rear. This new structure shall be located behind 67-69 Sanford.

**Discussion: Denied Without Prejudice. The applicant did not appear.**

**Votes:** Upon a Motion and second, the Board voted unanimously to approve the request.

**COURT REMAND:12:00Noon.**

**Case:** BOA-604337 **Address:** 279 Marlborough Street , **Ward 5 Applicant:** Taylor Harrington

**Article(s):** 32(32-4)

**Purpose:** Complete interior renovation of single-family residential. New addition at existing courtyard, new 1-story addition at fourth floor with roof deck. Work to include new MEP/FA/FP.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are proposing to renovate interior single family. Applicant obtained the services of an independent engineer who concurred with BW&SC that recharge system is in compliance with GCOD.

Board Members inquired about when the recharge was installed. and any history of flooding.. The applicant stated the flooding occurred on 10/21/2016 , system was installed but not connected. February, 2017 the system was connect. Erlich asked if there had been any flooding since connection to recharge. The applicant stated, no

**Testimony:** The Board then requested testimony from neighbors and elected officials. The property for 227 Marlborough Street spoke in opposition. He submitted a letter from counsel for owner after recharge system was installed. Engineer for neighbor submits letter describing problem with recharge.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved to approve Fortune seconded and the Board voted unanimously

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

BOARD MEMBERS:  
CHRISTINE ARAUJO- CHAIR  
MARK FORTUNE-SECRETARY  
MARIE ST. FLEUR  
BRUCE BICKERSTAFF  
MARK ERLICH  
ANTHONY PISANI  
CRAIG GALVIN

SUBSTITUTE MEMBERS: None present

**For a video recording of Board of Appeal Hearings please go to:**  
**[https://www.cityofboston.gov/cable/video\\_library.asp](https://www.cityofboston.gov/cable/video_library.asp)**

**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)**