



City of Boston  
Board of Appeal

Tuesday, December 11 2018

BOARD OF APPEALS

Room 801

**HEARING MINUTES**

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:**

November 27, 2018

**Extension: 9:30a.m.**

**Case:** BOA-649948 **Address:** 16 Ronald Street **Ward** 14 **Applicant:** Hearth Inc (by Ruth Silman)

**Discussion:** The applicant requested an extension of zoning relief previously granted by the Board relative to the above applications.

**Vote:** Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

**Case:** BOA- 463655 **Address:** 120 West Fourth Street **Ward** 6 **Applicant:** 33 A Street Development LLC (by Marc LaCasse)

**Discussion:** The applicant requested an extension of zoning relief previously granted by the Board relative to the above applications.

**Vote:** Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

**BOARD FINAL ARBITER: 9:30 a.m.**

**Case:** BOA-812645 **Address:** 97 Woodrow Avenue **Ward** 14 **Applicant:** Boston Housing Stabilization LLC (by Ralph Parent)

**BUILDING CODE: 9:30 a.m.**

**Case:** BOA#889359 **Address:** 54 East Springfield Street **Ward** 8 **Applicant:** Carlos Alcantara  
**Purpose:** Roof removal & replacement including removing and replacing existing deck same size.  
**Section:** 9th 780 CMR 1011 Stairways. 1011.12; In buildings of 4 or more stories above grade plane,

one stairway shall extend to the roof. 1011.12.2 Roof access; Where a stairway is provided to a roof, access to the roof shall be provided through a penthouse complying with Section 1510.2.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating seeking relief for hatch for roof deck. The roof deck access is for the fourth floor unit not the entire building.

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

**Documents/Exhibits:** Building Plans

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

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

**Case:** BOA-822030 **Address:** 212 Chelsea Street **Ward 1 Applicant:** Kenneth Logan

**Article(s):** 53(53-9) 53(53-52)

**Purpose:** Construct Roof Deck and extend living space to head house on existing two-family residential dwelling.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating seeking to add living space to head house, the head house is 10x6. Work is already done.

Board Member noted that the head house appears to be 18x12.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved **to Dismissed Without Prejudice**, and Galvin seconded and the Board voted unanimously to approve.

**Case:** BOA-889510 **Address:** 155 Porter Street **Ward 1 Applicant:** Hudson 62 Realty, LLC  
**Article(s):** 53(53-36: Accessory conference center, Executive suites, Restaurant #38 to include takeout, Retail, Coffee shop w/takeout & Hotel - conditional) 53(53-8: Hotel addition is conditional in a MFR sub-district & Accessory parking on parcel located within a MFR sub-district) 53(53-52) 9(9-1) 9(9-2) 10(10-1) 53(53-37: Maximum allowed F.A.R. has been exceeded, Maximum allowed height has been exceeded & Tables sub-section 53-62 Table J; insufficient open space/unit)

**Purpose:** Construct new one story addition. Provide off street parking for 66 cars. New MEP/FA and sprinkler systems. Change occupancy from manufacturing, telephone exchange and wireless communications to 123 room hotel, restaurant #38, coffee shop #36A with takeout, telephone exchange and wireless communication. Remodel building for new uses. Combine parcels 0103927000 (22,000 s.f.), parcel 0103926000 (14,000 s.f.), and parcel 0103928000 (14,404 s.f.) to create a new parcel consisting of 50,404 s.f. \*Site plan shows 50,329 s.f. actual.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating this case was approved in March, 2016 requesting full hearing to review the approval by the board. The applicant is seeking to renovate and existing 5 story building with 123 room hotel, full service restaurant with no addition. The hotel will create full and part-time jobs. No outdoor Restaurant or delivery.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support. One abutter opposed because of noise.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved for approval with Proviso, (BPDA Review) and Galvin seconded and the Board voted unanimously to approve.

**Case:** BOA-799753 **Address:** 20 Princeton Street **Ward** 1 **Applicant:** Erik Pali

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

**Purpose:** Replace broken concrete floor in basement with crushed stone, vapor barrier, steel mesh. 4" concrete slab, install a new 3/4 bathroom, frame and insulate walls, plaster and paint walls and ceilings, install LVL. as shown on drawings, re-new all existing kitchen and bathroom in three units, replace all broken windows; also additional fire alarm installation. Plans indicate NFPA13D.

\*Actual scope per new plans: Full Gut rehab with extension of living space into the basement area - Cost low; Sprinklers w/F.A. monitoring still required.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to propose extension of a 3 family into basement for 2 bedrooms.

Board Members stated floor to ceiling height doesn't appear to be 7X6.

**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 Pisani moved for approval with Proviso, (No Building Code Relief Granted) and Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA-898436 **Address:** 24 Cambridge Street **Ward** 2 **Applicant:** John Macletchie

**Article(s):** 62(62-14) 62(62-29: Off street parking insufficient & Off-street loading insufficient)

**Purpose:** See 610 Rutherford Ave; combine parcel 0202158000 - 15,843 square feet, parcel 202159000 - 3,143 square feet and lot A - 449 square feet per Otte & Dwyer land survey dated 3/26/18. Subdivide said new parcel into proposed lot - 10,655 square feet and proposed lot 2 - 8,780 square feet per Otte & Dwyer land survey dated 3/26/18.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to combine lots and build a 5 story building, 22 residential units and 19 parking spaces with 3 affordable units. Close two of the curb cuts.

Board Members inquired about the breakdown of the units. The applicant 1 bedroom 682sf, 2 bedroom 1250sf, 3 bedroom 1200sf, (2) three bedrooms, (11) 2 bedroom and (9) 1 bedrooms. Far 2, PRO 2.8 FAR, Height 35' Pro 56' providing stackers for parking.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with Proviso, (BPDA Design Review attention to garage door) and Bickerstaff seconded and the Board voted unanimously to approve.

**Case:** BOA-829615 **Address:** 610 Rutherford Avenue **Ward 2 Applicant:** John MacLetchie **Article(s):** 62(62-11: Floor area ratio excessive, Height excessive, Usable open space insufficient & Rear yard setback insufficient) 62(62-29)

**Purpose:** Combine parcel 0202158000 - 15,843 square feet, parcel 202159000 - 3,143 square feet and lot A - 449 square feet per Otte & Dwyer land survey dated 3/26/18. Subdivide said new parcel into proposed lot 1 - 10,655 square feet and proposed lot 2 - 8,780 square feet per Otte & Dwyer land survey dated 3/26/18. On proposed lot 2 demolish existing 2 story building known as 610 Rutherford Ave and erect new 23,890 square foot 22 unit building as per plan of McKay Architects dated 3/27/18. (ALT814975).

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to combine lots and build a 5 story building, 22 residential units and 19 parking spaces with 3 affordable units. Close two of the curb cuts.

Board Members inquired about the breakdown of the units. The applicant 1 bedroom 682sf, 2 bedroom 1250sf, 3 bedroom 1200sf, (2) three bedrooms, (11) 2 bedroom and (9) 1 bedrooms. Far 2, PRO 2.8 FAR, Height 35' Pro 56' providing stackers for parking.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with Proviso, (BPDA Design Review attention to garage door) and Bickerstaff seconded and the Board voted unanimously to approve.

**Case:** BOA-865287 **Address:** 54 High Street **Ward 2 Applicant:** Jimmy Carroll

**Article(s):** 9(9-1) 62(62-7) 62(62-29)

**Purpose:** Change of occupancy from Four Apartments and Store to Five Apartment. Interior renovations to 1st floor New Kitchen, bathroom, electrical and plumbing as per plans.

**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-873206 **Address:** 26 Mystic Street **Ward 2 Applicant:** Patrick Mahoney, Esq  
**Article(s):** 62(62-8: Floor area ratio excessive, Side yard insufficient, Rear yard insufficient & Usable open space insufficient) 62(62-25)

**Purpose:** Construct new rear third floor addition on existing footprint of second floor. Extend living space to basement for Unit 1. Interior renovation for Unit 1 and 3.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to expand living space to lower level. No third floor addition, basement floor to ceiling height. Now it's 6x8, property 7x6. 3 family dwelling.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-873501 **Address:** 62 Perkins Street **Ward 2 Applicant:** Richard Chute  
**Article(s):** 62(62-29: Location of off-street parking & Off-street parking insufficient) 10(10-1)  
**Purpose:** Construct a new 3 story, Three (3) Unit Residential Condominium. There will be a Roof Deck on Building.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to Demolish a single family dwelling and erect 3 story, 3 unit dwelling.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with Proviso, (BPDA Design Review, no front yard parking/garage door set back from house. BFA if any issues), and Erlich seconded and the Board voted unanimously to approve

**Case:** BOA-829747 **Address:** 198 Hanover Street **Ward 3 Applicant:** Karen Johnson  
**Article(s):** 54(54-12)

**Purpose:** Change occupancy from retail to bank and ATM.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating applicant is proposing branch office and ATM, 2500 sf.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in Support. Councilor Edwards and Councilor Essabi-George stated to leave the decision up to Board Members. One abutter opposed to Building not ATM.

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-831366 **Address:** 198 Hanover Street **Ward** 3 **Applicant:** Starbucks Coffee Company  
**Article(s):** 54(54-12)

**Purpose:** To renovate the building and change the occupancy to include Use Item 36A Takeout and Item 37 Seating in existing restaurant. (Starbucks).

**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-883702 **Address:** 39-41 North Margin Street **Ward** 3 **Applicant:** Michael A Interbartolo, Jr

**Article(s):** 54(54-9: Maximum allowed height exceeded - 55' max & Insufficient usable open space - 100sf/unit req.) 54(54-18) 54(54-21) 9(9-2) 32(32-4)

**Purpose:** Addition to and convert existing 4 3/4 story masonry building (3 stories finished 1 3/4 stories unfinished containing Knights of Columbus facility (approximately 16,000 square feet) into 5 building containing approximately 25,000 square feet (1500 sf for Knights of Columbus on part of first floor and 23,500 for plumbing, mechanical, electrical, fire alarm and to be fully sprinkled.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating 23 affordable senior housing. Height 55', Prop 57'. Parking 17 allowed, proposing 13. Ninety Nine (99) year lease for Senior Housing. BWSC have the No Harm Letter.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-850596 **Address:** 24 Union Park **Ward** 3 **Applicant:** 24 Union Park, LLC

**Article(s):** 64(64-9: Town house/row house extensions into rear yard, Excessive floor area ratio & Insufficient rear yard) 64(64-34) 64(64-36) 32(32-4)

**Purpose:** Change occupancy from 4 dwelling units to 2 dwelling units; complete gut renovation of interior; add shed dormer on top floor; add two car garage in rear yard along Public Alley 701; add rear deck; add roof deck; new sprinkler system and install groundwater recharge system.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating change occupancy from 4 dwelling units to 2 dwelling units; complete gut renovation of interior; add shed dormer on top floor; add two car garage in rear yard along Public Alley 701; add rear deck; add roof deck; new sprinkler system and install groundwater recharge system. The roof deck access is by interior to the house 17x11 rear deck 6' in depth supported by brackets. The BWSC has the approval.

Board Members inquired FAR. The applicant stated 2.28-2.39 FAR allowed 2.0.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Flynn, and Councilor Essabi George are in support. One abutter is in support.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved for approval with Proviso (BPDA Design Review) and St. Fleur seconded and the Board voted unanimously to approve

**Case:** BOA-862937 **Address:** 205 West Newton Street **Ward** 4 **Applicant:** Costica Serban  
**Article(s):** 64(64-34)  
**Purpose:** Replace Deck on Roof.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to replace deck on roof. 3 family 18' long 14 x 9 " deck access by roof hatch.

**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 Pisani moved for approval with Proviso (No Penthouse or head house) and Galvin seconded and the Board voted unanimously to approve

**Case:** BOA-895479 **Address:** 255 Newbury Street **Ward** 5 **Applicant:** Derric Small  
**Article(s):** 8(8-7: Use item 36A, take out restaurant, conditional & Use item #37 restaurant conditional)  
**Purpose:** Change of occupancy to include restaurant with take out to existing occupancy. Remove existing construction and Install new kitchen, prep-area, dining area for new restaurant.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating change of occupancy to include restaurant with take out to existing occupancy. Remove existing construction and Install new kitchen, prep-area, dining area for new restaurant

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member St. Fleur moved for approval with Proviso (Take-out Language) and Galvin seconded and the Board voted unanimously to approve

**Case:** BOA-863411 **Address:** 141 West Second Street **Ward** 6 **Applicant:** David Arrowsmith  
**Article(s):** 68(68-29: Proposed work exceeds aggregate 330sf/10% of roof area, Roof platform > 12" above main roof & Access) 68(68-8) 68(68-27S-5)  
**Purpose:** Roof Top Private Decks Installation Per Plans. Roof Top Common Deck Installation Per Plans. Roof Top Penthouse and Stair Installation Per Plans.

**Discussion:** At the request of the applicant **this case has been deferred to 2/26/2019 at 11:30 a.m.**

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

**Case:** BOA#863415 **Address:** 141 West Second Street **Ward 6 Applicant:** David Arrowsmith  
**Purpose:** Roof Top Private Decks Installation Per Plans. Roof Top Common Deck Installation Per Plans. Roof Top Penthouse and Stair Installation Per Plans. Section: 9th Edition 780 CMR CHPT 01. ch 1, section 101.4; Referenced codes; 521 CMR Accessibility to common area roof deck required.

**Discussion:** At the request of the applicant **this case has been deferred to 2/26/2019 at 11:30 a.m.**

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

**Case:** BOA-893764 **Address:** 666 Columbia Road **Ward 7 Applicant:** Derric Small  
**Article(s):** 65(65-9) 68(68-33)

**Purpose:** Change of occupancy from one-family dwelling to a two-family dwelling. Legalize existing two-family dwelling and extending living space to basement. No work to be done.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating change of occupancy from one-family dwelling to a two-family dwelling. Legalize existing two-family dwelling and extending living space to basement. No work to be done.

Board Members inquired about FAR. FAR allowed .5 Proposing 1. Unit 1, 2200sf, unit 2 1600sf. Floor to ceiling height in basement is 8'. Five (5) bedrooms in total.

**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 Bickerstaff moved for approval and Bickerstaff seconded and the Board voted unanimously to approve

**Case:** BOA#893766 **Address:** 666 Columbia Road **Ward 7 Applicant:** Derric Small  
**Purpose:** Change of occupancy from one-family dwelling to a two-family dwelling. Legalize existing two-family dwelling and extend living space to basement. No work to be done. Section: 9th 780 CMR R310 Emergency Escape and Rescue Openings. R310.1 Emergency escape and rescue opening required.. Where basements contain one or more sleeping rooms, an emergency escape and rescue opening shall be required in each sleeping room 9th 780 CMR R311 Means of Egress. R311.1 Means of Egress (MA Amendment). Dwelling units shall be provided with a primary and secondary means of egress in accordance with this section.

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

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

**Case:** BOA-861040 **Address:** 388-388B Dorchester Street **Ward 7 Applicant:** George Morancy  
**Article(s):** 14(14-2) 15(15-1) 17(17-1) 18(18-1) 18(18-3) 20(20-1) 21(21-1) 23(23-23-1) 24(24-1) 16(16-1)



**Purpose:** Combine 388-388B Dorchester St with 390-390A Dorchester St and Lot # 0700686000 and erect a new 6 story mixed building to now be know 388-400 Dorchester St. Building use to consisting of 35 residential units, Retail and Restaurant. In conjunction with Alt848480 and Alt848481.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating mixed used building Article 80 Small Project ground floor commercial space with 35 units. 5 studios , 450sf, (31) one bedroom, 627-650sf, no parking there is a common roof deck.

Board Members inquired about FAR. FAR max 1, FAR Proposing just over 6.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA- 845532 **Address:** 605 East Sixth Street **Ward** 7 **Applicant:** Mark Little  
**Article(s):** 68(68-8: Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient) 68(68-34.6) 68(68-7.2) 27S(27S-5)  
**Purpose:** Erect new four (4) residential units. Propose four (4) off-street parking.

**Discussion:** At the request of the applicant **this case has been deferred to 2/05/2019 at 11:30 a.m.**

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

**Case:** BOA#845528 **Address:** 605 East Sixth Street **Ward** 7 **Applicant:** Mark Little  
**Purpose:** Erect new four (4) residential units. Propose four (4) off-street parking. Section: 521 CMR 10.00 Public and Common Use Spaces. Public use and common use spaces shall include but not be limited to mailboxes, entrances, lobbies and foyers, as well as corridors and stairways leading to dwelling units. 9th 780 CMR 1006 Number of Exits and Exit Access Doorway. Section 1006.3 Egress from stories or occupied roofs. The means of egress system serving any story or occupied roof shall be provided with the number of exits or access to exits based on the aggregate occupant load served in accordance with this section.

**Discussion:** At the request of the applicant **this case has been deferred to 2/05/2019 at 11:30 a.m.**

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

**Case:** BOA-831693 **Address:** 53 F Street **Ward** 7 **Applicant:** Mark Little  
**Article(s):** 68(68-8: Floor area ratio excessive, Usable open space insufficient, Side yard insufficient & Rear yard insufficient) 27S(27S-9)  
**Purpose:** Demo existing single family dwelling, and erect new 6 unit building as per plans.

**Discussion:** At the request of the applicant **this case has been deferred to 2/05/2019 at 11:30 a.m.**

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

**Case:** BOA-837872 **Address:** 167 West Eighth Street **Ward** 7 **Applicant:** Kristina Filozova  
**Article(s):** 10(10-1) 68(68-33)  
**Purpose:** Accessory parking spaces for 2 cars.

**Discussion:** At the request of the applicant **this case has been deferred to 1/29/2019 at 11:30 a.m.**

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

**Case:** BOA-867200 **Address:** 447 West Fourth Street **Ward** 7 **Applicant:** Stuart Mullally  
**Article(s):** 68(68-33) 68(68-8: Floor area ratio is excessive, Height is excessive (40 ft max.) & Rear yard setback insufficient) 27S(27S-5)  
**Purpose:** Demolish existing single family. Build a new construction 2 family dwelling, as per plans submitted.

**Discussion:** At the request of the applicant **this case has been deferred to 2/05/2019 at 11:30 a.m.**

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

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

**Case:** BOA-881796 **Address:** 6 Kemble Place **Ward** 6 **Applicant:** Ron Cavallo  
**Article(s):** 27S(27S-5) 68(68-8: Side yard insufficient & Rear yard insufficient)  
**Purpose:** Erect new three-story single-family dwelling with one interior parking space on the existing vacant lot.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to erect new two-story single-family dwelling, 703sf, one care parking garage and one bedroom with office space.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and several abutters are in support. Councilor Flynn opposed. Councilor Flaherty Article 68

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for approval with Proviso, (BPDA Design Review) and Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA-844735 **Address:** 69 Preble Street **Ward** 7 **Applicant:** George Morancy  
**Article(s):** 13(13-1: Floor area ratio excessive, Bldg height excessive (feet), Bldg height excessive (stories), Front yard insufficient, Side yard insufficient, Rear yard insufficient & Usable open space insufficient) 18(18-3) 23(23-1)  
**Purpose:** Erect a new five-unit residential multi-family dwelling with exterior deck. Propose three (3) parking spaces.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating revised plans show a 3 family, FAR 2.34 proposed, allowed FAR 2. Providing 3 parking spaces no height violation, 2 roof decks for unit 2 & 3 access by hatch.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with Proviso, (BPDA Design Review) and Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA-872900 **Address:** 794R Shawmut Avenue **Ward 9 Applicant:** Jean P. Teleau  
**Article(s):** 50(50-29: Lot size for the two family is insufficient, Floor area ratio is excessive, Side yard requirement is insufficient, Rear yard requirement is insufficient & Usable open space is insufficient) 50(50-43)

**Purpose:** To proceed to ZBA to correct Violation v391790 per plans: 1) Approved roof deck enclosed with extended fire balcony; 2) Basement habitable spaces and other related works per plans filed. Change occupancy from a one to a two family.

**Discussion:** At the request of the applicant **this case has been deferred to 03/12/2019 at 11:30 a.m. Site Visit. Pull 2008 File**

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

**Case:** BOA-835792 **Address:** 3-5 South Whitney Street **Ward 10 Applicant:** Whitney South Nominee Trust

**Article(s):** 59(59-15) 59(59-16) 59(59-37)

**Purpose:** Demolish the existing structure. Erect a new 6-story building with nine (9) residential units and seven (7) parking spaces.

**Discussion:** At the request of the applicant **this case has been deferred to 2/26/2019 at 11:30 a.m.**

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

**Case:** BOA-826857 **Address:** 92 Maple Street **Ward 12 Applicant:** Abigail Properties, LLC  
**Article(s):** 50(50-28) 50(50-29: Lot area for add'l units is insufficient, Floor area ratio excessive, Height is excessive, Height is excessive, Usable open space is insufficient, Front yard setback requirements is insufficient, Side yard setback requirements is insufficient & Rear yard setback requirements is insufficient) 50(50-43)

**Purpose:** To change occupancy from a two family dwelling to a six family dwelling. Also, to renovate the building, including extending the existing dormers and completing an addition.

**Discussion:** At the request of the applicant **this case has been deferred to 2/26/2019 at 11:30 a.m.**

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

**Case:** BOA-863185 **Address:** 31 Midland Street **Ward 13 Applicant:** Stuart Schrier  
**Article(s):** 65(65-9: Excessive F.A.R., Number of allowed stories has been exceeded & Insufficient side yard setback) **Purpose:** Demo existing Roof. Extending mansard Roof to create a new 3rd Story. Change Attic into new Living Area. See plans.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to build a new 3<sup>rd</sup> floor 1 bedroom, home office, and study room on a single family 3 bedroom home 1800sf adding 800sf

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved for approval with Proviso, (BPDA Design Review) and Galvin seconded and the Board voted unanimously to approve.

**Case:** BOA-891912 **Address:** 1151-1155 Blue Hill Avenue **Ward** 14 **Applicant:** Myvette Fernandez

**Article(s):** 60(60-16)

**Purpose:** Change occupancy to include new bakery/cafe and renovate as per plans.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to change occupancy to include new bakery/cafe and renovate as per plans

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved for approval with Proviso, (BPDA Design Review) and Galvin seconded and the Board voted unanimously to approve.

**Case:** BOA-861734 **Address:** 1345-1357 Blue Hill Avenue **Ward** 14 **Applicant:** Primo Market Corporation

**Article(s):** 60(60-16)

**Purpose:** Would like to add small take-out for coffee and sandwiches.

**Discussion:** At the request of the applicant **this case has been deferred to 3/26/2019 at 11:30 a.m. ISD to go to site.**

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

**Case:** BOA-893323 **Address:** 70 Brent Street **Ward** 16 **Applicant:** Aaron Banner-Goodspeed

**Article(s):** 65(65-9)  
**Purpose:** Add a two tier deck to the rear of the single family home. Includes a change in egress on the first floor and an addition egress on the second floor - see plans filed.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to add a 2 story deck to the rear of the property.

**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 Galvin moved for approval with Proviso, (BPDA grates, Take-Out Language) and Pisani seconded and the Board voted unanimously to approve.

**Case:** BOA-874758 **Address:** 93 Lonsdale Street **Ward 16 Applicant:** Lara Moulton  
**Article(s):** 65(65-9: Floor area ratio is excessive & Side yard setback is insufficient)  
**Purpose:** Build two dormers in attic area - amending ALT840079.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to add a 2 story deck to the rear of the property.

**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 Galvin moved for approval with Proviso, (BPDA grates, Take-Out Language) and Pisani seconded and the Board voted unanimously to approve.

**Case:** BOA-887661 **Address:** 7 Saco Street **Ward 16 Applicant:** George Morancy  
**Article(s):** 65(65-8) 65(65-9: Floor area ratio excessive, Height excessive, Front yard insufficient & Rear yard insufficient) 65(65-41: 65-41.4 off street parking location & 65-41.5 off street parking design)  
**Purpose:** Combine parcel # 1600506000 and parcel # 1600507000 into one lot and New construction of 6-family residential structure.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to consolidate two (2) lots each lot is 3750sf, new building will be a 3 story six unit building with 12 parking spaces.

**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 Pisani moved for approval with Proviso, (BPDA grates, Take-Out Language) and St. Fleur seconded and the Board voted unanimously to approve.

**Case:** BOA-851286 **Address:** 474 Hyde Park Avenue **Ward 18 Applicant:** Juan Rojas  
**Article(s):** 67(67-9: Front yard insufficient & Rear yard insufficient)  
**Purpose:** Erect new two-family dwelling with 1 car attached garage and rear deck. Detached accessory 1 car garage filed under ERT834068.

**Discussion:** At the request of the applicant **this case has been deferred to 03/12/2019 at 11:30 a.m.**

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

**Case:** BOA-858894 **Address:** 44-46 Hyde Park Avenue **Ward 19 Applicant:** Rebecca Rutenberg  
**Article(s):** 55(55-16)

**Purpose:** Change of occupancy from a martial arts facility to a Cannabis Establishment. Modify the existing layout and conditions of the interior of the building. Note: building unit is 54A.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating project to be a medical marijuana dispensary.

Board Members stated to put a proviso on the license to come back if the applicant wants to move partway with adult use.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for approval with Proviso, (this is for medical marijuana use only) and Galvin seconded and the Board voted unanimously to approve.

**Case:** BOA-818500 **Address:** 375 Hyde Park Avenue **Ward 19 Applicant:** We close the deal LLC  
**Article(s):** 55(55-8) 55(55-9: In this residential zoning sub district, the main entrance location of a dwelling unit must face the front lot line & Floor area ratio is excessive & Usable open space is insufficient) 55(55-40)

**Purpose:** Seeking to change occupancy from a three family dwelling to a four family dwelling. Also to erect a rear addition and dormers and renovate the entire building.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to change occupancy from a 3 family to a family with 2 car parking space and renovate to include dormers square on top floor and add a rear additions 10x10 and 10x7.

Board Members asked the breakdown of the units. Unit 1, 1011sf, Unit 2 602sf, unit 3 1083sf, Unit 4 1170sf. 8 FAR proposed, .7 FAR allowed.

**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 Galvin moved for approval with Proviso, (BPDA Design Review) and St. Fleur seconded and the Board voted unanimously to approve.

**Case:** BOA-843952 **Address:** 1-3 Park Place **Ward 19 Applicant:** Keihly Morre  
City Hall, upon the appeal of Keihly Moore seeking with reference to the premises at 1-3 Park Pl, Ward 19 for the terms of the Boston Zoning Code (see Acts of 1956, c. 665) in the following respect: Variance Article(s): 55(55-8) 55(55-9: Side yard insufficient, Rear yard insufficient, Floor area ratio excessive, Usable open space insufficient, Dimensional Regulations & Lot area insufficient) 55(55-40) Purpose: Change occupancy to a 3 family dwelling. Wood frame 1.5 story addition. Includes plumbing, electrical, carpentry, site work, connection of garage to dwelling and convert to living area.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to Change to a 3 family, 1001sf addition.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor O'Malley, Jamaica Plain Councilor and Several Abutters are in support.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member St. Fleur moved for approval with Proviso, (BPDA Design Review) and Galvin seconded and the Board voted unanimously to approve.

**Case:** BOA-885651 **Address:** 55 Avalon Road **Ward** 20 **Applicant:** Gerard McCarthy  
**Article(s):** 56(56-8: Floor area ratio excessive & Rear yard insufficient (addition cannot be closer than 8' to an accessory building)  
**Purpose:** Build a 22'x20', 2 story addition onto the back of the House.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating a 20x20 addition on the back of the house 5' to garage.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member St. Fleur moved for approval with Proviso, (BPDA Design Review) and Galvin seconded and the Board voted unanimously to approve.

**Case:** BOA-855206 **Address:** 436R Baker Street **Ward** 20 **Applicant:** Kory Brown  
**Article(s):** 56(56-39) 56(56-40)  
**Purpose:** Construct a new 20x24 single level garage with deck above.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating a 20x24. There will be a deck on top of the garage.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-853035 **Address:** 8 Centre Terrace **Ward** 20 **Applicant:** Roy LePoidevin  
**Article(s):** 56(56-7) 56(56-8)

**Purpose:** Change occupancy from a one to a two family by Constructing an semi attached addition per plan by adding an apartment above a newly proposed garage. (Combining parcels 2003223000 and 2003223000 in common ownership 9,250sf).

**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-865770 **Address:** 23 Metropolitan Avenue **Ward** 20 **Applicant:** Mansour Kairouz  
**Article(s):** 67(67-9: Floor area ratio excessive & Usable open space insufficient) 67(67-9.3) 67(67-8) 67(67-8.2) 67(67-32)

**Purpose:** Change Occupancy from two-family dwelling (ERT749105/2017) to three-family dwelling. Additional third unit will be located at basement with walk-out level. Propose to enclose second floor deck.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to change from a 2 family to a 3 family with parking in the rear. 850sf unit, 2 bed, 2 bath . Proposed unit will be access from side.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-869995 **Address:** 222 Roslindale Avenue **Ward** 20 **Applicant:** Charles Donovan  
**Article(s):** 67(67-9: Usable open space insufficient & Floor area ratio excessive) 67(67-8) 9(9-2) 67(67-8.2)

**Purpose:** Change occupancy from three-family dwelling to four-family dwelling. Excavate basement for new ceiling height and for additional dwelling unit. Propose new exterior rear deck and egress stairs. Full interior renovation to include MEP/FA/FP. New driveway into rear for proposes four (4) off-street parking. New infiltration system.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating 4400 sf, lot size, change occupancy from three-family dwelling to four-family dwelling. Excavate basement for new ceiling height and for additional dwelling unit. Propose new exterior rear deck and egress stairs.

Board Members asked about the breakdown of the units. The applicant stated .5 FAR allowed, .79 FAR proposed, basement 1014sf, 3 bed one bath, 1<sup>st</sup> floor, 900sf, 3 bed one bath, 2<sup>nd</sup> floor, 900sf, 3 bed, 2 bath. 3<sup>rd</sup> floor, 900sf, 3 bed, 2 bath, 4 off street, parking spaces, rental units.

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

**Documents/Exhibits:** Building Plans



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

**Case:** BOA-871146 **Address:** 1763 Commonwealth Avenue **Ward** 21 **Applicant:** Harry Collings  
**Article(s):** 51(51-9: Lot area for the add'l dwelling unit is insufficient, Floor area ratio excessive, Usable open space & Off street parking requirement is insufficient)

**Purpose:** Change occupancy from office apartment to three apartments. No alterations to building to take place other than installation of two kitchens in garden level and first floor.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating return to all residential use, one studio, one bedroom and two bedroom.

Board Members asked about the breakdown of the units. Studio, 850sf, one bedroom, 640sf, two bedroom 1020sf.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Bickerstaff moved for approval with Proviso, (Resolve access to utility room, submit plans, hold signature) and Galvin seconded and the Board voted unanimously to approve.

**Case:** BOA-885363 **Address:** 38 Englewood Avenue **Ward** 21 **Applicant:** Jonathan Berit-Parkes  
**Article(s):** 51(51-9: Lot area for additional dwelling unit (s) insufficient, Floor area ratio excessive, Side yard insufficient & Rear yard insufficient) 51(51-56: Off street parking insufficient & 51-56.5 off street parking design)

**Purpose:** Renovation and Addition of existing three (3) family building into Eight (8) dwelling unit building. The proposed rear addition is 3 stories above grade and does not pass existing structure height.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating 6 Condo units, proposing renovation and addition of existing three (3) family building into Eight (8) dwelling unit building. The proposed rear addition is 3 stories above grade and does not pass existing structure height.

Board Members asked about the breakdown of the units. The applicant stated 1.0, proposing 1.15 FAR. Units range from 1265sf units, 1096sf units. Proposing (6) spaces, requiring (10) spaces.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for approval with Proviso, (BPD Design Review) and St. Fleur seconded and the Board voted unanimously to approve.

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

**Case:** BOA-825479 **Address:** 18 Everett Street , **Ward 1, Applicant:** 18-20 Residential Partners, LLC

**Article(s):** 10(10-1) 53(53-8) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-54) 53(53-56) 53(53-56) 53(53-56.5a)

**Purpose:** Combine parcel numbers 0105299000 and 0105298000 to create a new lot consisting of 4,500 s.f. (See ALT810560) and erect a 9 unit residential dwelling with 9 off street parking spaces at grade. ALT810560

**Discussion:** At the request of the applicant **this case has been deferred to 01/15/2019 at 11:30 a.m.**

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

**Case:** BOA-810158 **Address:** 25 Everett Street , **Ward 1 Applicant:** William Moriarty

**Article(s):** 10(10-1) 53(53-8) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-57.2) 53(53-56.5(a)) 53(53-56) 53(53-54)

**Purpose:** Demolish existing single family home at 25 Everett St and garage in rear at 3 Emmet Pl - Combine front lot with rear lot to create one lot and build a 4 story 8 residential unit building with 6 two bedroom units and 2 one bedroom units. \*Single family to be razed on a separate permit.

**Discussion:** At the request of the applicant **this case has been deferred to 02/26/2019 at 11:30 a.m.**

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

**Case:** BOA-860197 **Address:** 141 I Street **Ward 6 Applicant:** Kris McCabe

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

**Purpose:** Change of occupancy from a one-family dwelling to a two-family dwelling. Construct 2-story rear addition. Extend living space to basement for Unit #1. Full renovation. Propose one (1) off-street parking at rear.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to change of occupancy from a one-family dwelling to a two-family dwelling. Construct 2-story rear addition. Extend living space to basement for Unit #1. Addition in rear 12x16 bedroom count to reduce from 5 to 4, the parking that was purchases next door will be deeded to this property.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support. Councilor Flynn, Councilor Flaherty opposed, Artile 68.

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-787634, **Address:** 500-502A East Broadway , **Ward 6 Applicant:** James Christopher

**Article(s):** 27S(27S-5S) 68(68-8: Lot area for the add'l dwelling units is insufficient, Floor area ratio is excessive, Front yard setback requirement is insufficient, Side yard setback requirement is insufficient & Usable open space is insufficient) 68(68-33)

**Purpose:** To raze existing single story building, and erect a new 3 story mixed use building to include a commercial space with 6 Residential Units at grade with 6 interior parking spots

**Discussion:** At the request of the applicant **this case has been deferred to 02/12/2019 at 11:30 a.m.**

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

**Case:** BOA-874670 **Address:** 10 O Street , **Ward 6 Applicant:** Nancy Minucci

**Article(s):** 68(68-8: Floor area ratio excessive, Front yard insufficient, Side yard insufficient & Rear yard insufficient) 27S(27S-5)

**Purpose:** Erect a new single-family dwelling with two (2) parking spaces in garage. Raze existing single-family.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to demolish a single family and replace with a four story single family dwelling, with 2 car garage. Three (3) bedroom, 3 bath with a total 2901sf.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Flynn and Carpenters Union are in support. Several abutters oppose and Councilor Flaherty opposed, Article 68.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with Proviso (BPDA Design Review) and Bickerstaff seconded and the Board voted unanimously to approve.

**Case:** BOA-840518 **Address:** 274 Athens Street , **Ward 6 Applicant:** Timothy Johnson

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

**Purpose:** Addition/renovation to 2-1/2 story attached single-family dwelling to create 4 story attached single-family dwelling w/garage and front balcony as per plans submitted.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to propose an addition and renovate a to 2-1/2 story attached single-family dwelling to create 4 story attached single-family dwelling w/garage and front balcony as per plans submitted. 274 is a single family with 2 car garage and 276 is a vacant lot.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Flynn Councilor Flaherty opposed, Article 68.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved for approval with Proviso (Submit Plans for Driveway) and Galvin seconded and the Board voted unanimously to approve.

**Case:** BOA-840519 **Address:** 276 Athens Street , **Ward 6 Applicant:** Timothy Johnson

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

**Purpose:** Erect new 4 story attached, 2-family dwelling w/garage and front balcony on vacant land as per plans submitted.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to propose an addition and renovate a to 2-1/2 story attached single-family dwelling to create 4 story attached single-family dwelling w/garage and front balcony as per plans submitted. 274 is a single family with 2 car garage and 276 is a vacant lot.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Flynn Councilor Flaherty opposed, Article 68.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved for approval with Proviso (Submit Plans for Driveway) and Galvin seconded and the Board voted unanimously to approve.

**Case:** BOA-844006 **Address:** 12 Cawfield Street **Ward 7 Applicant:** Dave Anderson  
**Article(s):** 65(65-9: Lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Bldg height excessive (stories), Front yard insufficient & Side yard insufficient) 65(65-42.7) 65(65-41)

**Purpose:** Erect new two-family dwelling with propose two (2) off-street parking on new subdivided Parcel 3756 contains 2030 SF lot area. File in conjunction with ALT825674 for subdivided lot and ERT825683 for separate new three-family dwelling.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating that to subdivide lots into 3 separate lots. Erect a two-family dwelling with propose two (2) off-street parking on new subdivided lot.

Board Members asked for the breakdown of the lots: 12 Cawfield St, 2 family, with 2 off Street Parking, 12 Cawfield 3 bed, 2 bath 1200sf, 24 Elder, 3 bedroom, 2 bath, 1000sf and 14 Cawfield, 3 bed, 2 bath 1200sf, Unit 2, 2 bed, 1 bath 800sf, Unit 3, 2 bed, 1 bath 800sf.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with Proviso (BPDA Design Review, snow removal and trash removal) and Galvin seconded and the Board voted unanimously to approve.

**Case:** BOA-844004 **Address:** 14 Cawfield Street **Ward 7 Applicant:** Dave Anderson  
**Article(s):** 65(65-9: Lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Usable open space insufficient, & Side yard insufficient) 65(65-41)

**Purpose:** Subdividing existing parcel 0703754010 to three lots (Parcel 3756 - 2,030 SF, Parcel 3755 - 2,380 SF, Parcel 3754 - 2,147 SF). Existing three-family dwelling to remain. File in conjunction with ERT825681 and ERT825683.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating that to subdivide lots into 3 separate lots. Erect a two-family dwelling with propose two (2) off-street parking on new subdivided lot.

Board Members asked for the breakdown of the lots: 12 Cawfield St, 2 family, with 2 off Street Parking, 12 Cawfield 3 bed, 2 bath 1200sf, 24 Elder, 3 bedroom, 2 bath, 1000sf and 14 Cawfield, 3 bed, 2 bath 1200sf, Unit 2, 2 bed, 1 bath 800sf, Unit 3, 2 bed, 1 bath 800sf.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with Proviso (BPDA Design Review, snow removal and trash removal) and Galvin seconded and the Board voted unanimously to approve.

**Case:** BOA-844007 **Address:** 24 Elder Street **Ward** 7 **Applicant:** Dave Anderson  
**Article(s):** 65(65-9: Lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Bldg height excessive (stories), Front yard insufficient & Side yard insufficient) 65(65-42.3)

**Purpose:** Erect new three-family dwelling with propose three (3) off-street parking on new subdivided Parcel 3754 contains 2,147 SF lot area. File in conjunction with ALT825674 for subdivided lot and ERT825681 for separate new two-family dwelling.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating that to subdivide lots into 3 separate lots. Erect a two-family dwelling with propose two (2) off-street parking on new subdivided lot.

Board Members asked for the breakdown of the lots: 12 Cawfield St, 2 family, with 2 off Street Parking, 12 Cawfield 3 bed, 2 bath 1200sf, 24 Elder, 3 bedroom, 2 bath, 1000sf and 14 Cawfield, 3 bed, 2 bath 1200sf, Unit 2, 2 bed, 1 bath 800sf, Unit 3, 2 bed, 1 bath 800sf.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with Proviso (BPDA Design Review, snow removal and trash removal) and Galvin seconded and the Board voted unanimously to approve.

**Case:** BOA-863406 **Address:** 28 Upton Street **Ward** 9 **Applicant:** David Arrowsmith  
**Article(s):** 64(64-34) 64(64-34) 64(64-34)

**Purpose:** Double 2x12 sleepers at all structural locations per plans. 60" x 60" opening for roof hatch per plans. 2x6 platform and salter spiral staircase per plans. Installation of structural steel beams per plans mechanically fastened. 2x12 deck frame per plans. Trex Decking and Railings. Exterior Alterations propose a 340sf roof deck to be accessed via spiral stair.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to propose a roof hatch 60x60.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA#863408 **Address:** 28 Upton Street **Ward** 9 **Applicant:** David Arrowsmith  
**Purpose:** Double 2x12 sleepers at all structural locations per plans. 60" x 60" opening for roof hatch per plans. 2x6 platform and salter spiral staircase per plans. Installation of structural steel beams per plans mechanically fastened. 2x12 deck frame per plans. Trex Decking and Railings. Exterior Alterations propose a 340sf roof deck to be accessed via spiral stair.

**SECTION:** 780CMR, 9th Edition Section 1011.12.2; Roof Access: Where a stairway is provided to a roof located 4 stories or > from grade, access to the roof shall be provided through a penthouse.  
**SECTION:** 780CMR, 9th Edition Section 1011.10 Spiral stairways; Spiral stairways are only permitted to be used as a component in the means of egress from a space which is not more than 250sf.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating noncompliance with zoning.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-857433, **Address:** 1047 Blue Hill Avenue **Ward:**14 , **Applicant:** Fernandez Auto Sales, Inc.  
**Article(s):** 7(7-4)  
**Purpose:** Use of premises issued 2007 for outdoor sales of 20 used m vehicles; this permit is filed to renew that permit.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating revised drawings and showing the layout of 20 used vehicles on lot access of Blue Hill. Staff will park in visitor parking 1&2.

**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 Galvin moved for approval with Proviso (BPDA Design Review, screening and buffering replace one fence where the 20 spots are) and Galvin seconded and the Board voted unanimously to approve.

**Case:**BOA-678322 , **Address:** 90-102 Tenean Street , **Ward 16 Applicant:** Sings By J **Article(s):** 65(65-40: Sign Regulations) 65(65-16: Excessive Height & Insufficient Rear Yard Setback) **Purpose:** **Propose:** a new monopole billboard with two digital faces.

**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-754552 **Address:** 34-36 Williams Avenue **Ward 18 Applicant:** Rauny Baez City Hall, upon the appeal of Rauny Baez seeking with reference to the premises at 34-36 Williams Ave, Ward 18 for the terms of the Boston Zoning Code (see Acts of 1956, c. 665) in the following respect: Variance Article(s): 69(69-9: Lot Width insufficient & Side yard insufficient) **Purpose:** Subdividing lot at 36 Williams Ave, Hyde Park. This lot will have a total of 6,987 S.F. The new subdivided lot at 38 Williams Ave will contain a total of 8301 S.F. to accommodate new construction. Please reference ERT689194 for drawings. (ky Revised 6/9-18).

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to subdivide existing lot 34-36 Williams 6500sf, single family. 38 Williams 8500sf. Proposing a two family at 38 Williams St, (stick built) with 4 parking spaces for 38 Williams

**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 for and buffering replace one fence where the 20 spots are) and St. Fleur seconded and the Board voted unanimously to approve.

**Case:** BOA-754553 **Address:** 38 Williams Avenue **Ward 18 Applicant:** Rauny Baez City Hall, upon the appeal of Rauny Baez seeking with reference to the premises at 38 Williams Ave, Ward 18 for the terms of the Boston Zoning Code (see Acts of 1956, c. 665) in the following respect: Variance Article(s): 69(69-9: Lot Width insufficient & Front yard insufficient) 69(69-29) 69(69-8) **Purpose:** Construction of a new 2 family house on lot next to existing single family house. (See alt725398 for subdivision of the lot) ky revised 7/9/18.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to subdivide existing lot 34-36 Williams 6500sf, single family. 38 Williams 8500sf. Proposing a two family at 38 Williams St, (stick built) with 4 parking spaces for 38 Williams

**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 for and buffering replace one fence where the 20 spots are) and St. Fleur seconded and the Board voted unanimously to approve.

**Case:** BOA-695061, **Address:** 1225-1229 Centre Street , **Ward 20 Applicant:** John Pulgini  
**Article(s):** 56(56-11: Excessive floor area ratio, Excessive building height, Maximum number of dwelling units/acre, Insufficient lot size for residential use, Insufficient front yard, Insufficient side yard & Insufficient rear yard) 56(56-40.12)

**Purpose:** Erect new construction 6-unit townhouse dwelling with another dwelling (1231A-1231B Centre Street) on existing vacant 12,933 SF of land (Parcel ID: 2003597003) with a combined total of 12 off-street parking. Plan conjunction with ERT683877.

**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-695062, **Address:** 1231A-1231B Centre Street , **Ward 20 Applicant:** John Pulgini  
**Article(s):** 56(56-11: Excessive floor area ratio, Excessive building height, Maximum number of dwelling units/acre, Insufficient lot size for residential use, Insufficient front yard, Insufficient side yard & Insufficient rear yard) 56(56-40.12)

**Purpose:** Erect new construction two-family dwelling along with another dwelling (1225-1229 Centre Street) on existing vacant 12,933 SF land (Parcel ID: 2003597003) with a combined total of 12 off-street parking. Plan in conjunction ERT683875.

**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.

**INTERPRETATION: 12:00Noon.**

**Case:** BOA-891713 **Address:** 198 Hanover Street **Ward 3 Applicant:** Angela Benvenuto.Et al.  
**Purpose:** The petitioner's seeks a determination that Kim Thai, Esq. Assistant Commissioner of Plans & Zoning Director of Policy of the Inspectional Services Department email letter ERT703609.

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

BOARD MEMBERS:



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**For a video recording of the November 13, 2018 Board of Appeal Hearings please go to:**  
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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)**