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City of Boston
Board of Appeal

TUESDAY, OCTOBER 6, 2020

BOARD OF APPEAL

CITY HALL, ROOM 801

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON OCTOBER 6, 2020 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS OCTOBER 6, 2020 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE OCTOBER 6, 2020 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE WEBEX EVENT PLATFORM.

Interested persons can participate in the hearing REMOTELY by going to <http://bit.ly/zbaOct6hearing> or by calling 1-617-315-0704 and entering access code 173 450 4874.

If you wish to offer testimony on an appeal, please click <http://bit.ly/zbaOct6comment> to sign up. Please provide your name, address, the address and/or BOA number of the appeal on which you wish to speak, and if you wish to speak in support of or opposition to the project.

For individuals who need translation assistance, please notify the Board at least 48 HOURS in advance either by signing up at <http://bit.ly/zbaOct6comment>, calling 617-635-4775 or emailing isdboardofappeal@boston.gov.

The ZBA Ambassador will be available within the WebEx Event from at 8:30 AM to 9:30 AM to answer questions about ZBA procedures and offer instructions on how to participate in the hearing via WebEx. Questions and/or concerns can also be emailed to the ZBA Ambassador at zba.ambassador@boston.gov.



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If you wish to offer comment within the meeting platform, please use the “raise hand” function, if connected by video, or dial *3, if connected by phone. The requester will be administratively unmuted and asked to state their name, address and comment. Comments will be limited as time requires.

IF YOU WISH TO OFFER TESTIMONY ON AN APPEAL, PLEASE LOG IN TO THE HEARING NO LATER THAN 9:00 AM TO ENSURE YOUR CONNECTION IS PROPERLY FUNCTIONING.

The hearing can also be viewed via live-stream on the City’s website at <https://www.boston.gov/departments/broadband-and-cable/watch-boston-city-tv>. Closed captioning is available.

Interested persons who are unable to participate in the hearing remotely may make an appointment to appear in person at City Hall, in the BPDA board room, 9th Floor, Room 900. Please notify the Board at least 48 HOURS in advance either by calling 617-635-4775 or emailing isdboardofappeal@boston.gov for accommodations to be made. Individuals appearing at City Hall without an appointment will not be permitted to enter.

MEMBERS OF THE COMMUNITY ARE STRONGLY ENCOURAGED TO HELP FACILITATE THE VIRTUAL HEARING PROCESS BY EMAILING LETTERS IN SUPPORT OF OR OPPOSITION TO AN APPEAL TO isdboardofappeal@boston.gov IN LIEU OF OFFERING TESTIMONY ONLINE OR FROM BPDA BOARD ROOM. IT IS STRONGLY ENCOURAGED THAT WRITTEN COMMENTS BE SUBMITTED TO THE BOARD AT LEAST 48 HOURS PRIOR TO THE HEARING.



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EXTENSION: 9:30 AM

Case: BOA- 849678 Address: 260-260A Amory Street Ward Applicant: John Pulgini

Case: BOA- 849674 Address: 266-266A Amory Street Ward Applicant: John Pulgini

Case: BOA-767363 Address: 238 Webster Street Ward 1 Applicant: Jeffrey Drago

Case BOA-810882 Address: 40 Hardin Road, Ward 18 Applicant: Alex Burk

Case: BZC-30745 Address: 583-583B Ashmont Street, Ward 16 Applicant: Douglas Stefanov

Case: BZC-30746 Address: 585-585B Ashmont Street, Ward 16 Applicant: Douglas Stefanov

Case: BZC-30747 Address: 587-587B Ashmont Street, Ward 16 Applicant: Douglas Stefanov

GCOD: 9:30 AM

**Case: BOA- 1090699 Address: 126 Marlborough Street Ward 5 Applicant: Luxury 126 Marlborough, LLC
Article(s): Art. 32 Sec. 32 4 Groundwater Conservation Overlay District, Applicability
Purpose: Full Gut remodel per plans attached. All demo, interior and exterior work per plans. Erect egress and other staging as needed. No change in occupancy. No change in FAR.**

HEARING: 9:30 AM

**Case: BOA-1065068 Address: 81 Chelsea Street Ward 1 Applicant: Anthony Cristallo
Article(s): Art. 53, Section 8 Use: Forbidden
Purpose: Change of use from (8) residential parking spots to (8) parking spots for sales of motor vehicles.**

**Case: BOA- 961465 Address: 37 Monmouth Street Ward 1 Applicant: Richard Lynds
Article(s): Art. 53 Sec. 08* Forbidden – Four family dwelling unit is a forbidden use Art. 53 Sec. 09 * Floor area ratio is excessive Art. 53 Sec. 09 * Height is excessive (ft) Art. 53 Sec. 09 * Height is excessive (stories) Art. 53 Sec. 09 * Side yard setback is insufficient Art. 53 Sec. 09 * Rear yard setback is insufficient Article 27T 5 East Boston IPOD Applicability Art. 53 Sec. 56 Off street parking insufficient
Purpose: Change Occupancy from a two to a four unit residential dwelling, renovate, erect addition with head house and roof deck.**



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Case: BOA-1055346 Address: 239-245 Causeway Street Ward 3 Applicant: Leone Christine
Leone Christine seeking with reference to the premises at: 239 245 Causeway Street, Ward - 03
From the terms of the Boston Zoning Code (see Acts of 1956, c.665) in the following respects: Conditional Use
Article(s): Art. 46, Section 9 Use: Conditional
Purpose: Removal of existing Proviso (Item 1: Take out use granted to this petitioner only for this use only) on
existing café and change to new owner. Previous BOA decision attached, no new plans submitted, no new work to
be conducted under this permit.

Case: BOA-1086604 Address: 266 Newbury Street Ward 5 Applicant: Luishun Lau
Article(s): Art. 08 Sec.07 Use: Conditional
Purpose: Change occupancy from one restaurant to two restaurants. Including take out services for first floor
restaurant. Fire protection work for relocation of one horn strobe and one pull station. See original Short Form
Permit Number SF1008909 for actual construction cost.

Case: BOA-1058872 Address: 71 Charles Street Ward 5 Applicant: Dennis Quilty
Article(s): Art. 09 Sec. 01 Extension of Non-Conforming Use Art. 32 Sec. 04 GCOD Applicability Art. 08
Sec. 03 Conditional Uses
Purpose : Change occupancy from Restaurant, three apartments and offices, to Restaurant (Cafe/Boutique) with
retail (bookstore) on 2nd flr, reading room areas 3rd 4th and 5th flr office use. Install elevator, sprinkler system,
and complete interior renovation, as per plans. (All proposed uses are accessory to the main use) *Assigned to
PZ 2.11.20.

Case: BOA-1051292 Address: 620 Newbury Street Ward 5 Applicant: Authorized License Stanhope Garage,
Inc. by its President Simon B. Gottlieb
Article(s): Article 6 Section 4 Other Cond Necc as Protection
Purpose: The Applicant seeks to continue to use the Premises as a fee paid public parking lot capacity twenty two
(22) vehicles under Permit For Use of Premises #U49687554 which expires August 31, 2020 under BOA Decision
694192.

Case: BOA- 1066920 Address:532-534 Third Street Ward 6 Applicant: Mark Little
Article(s): Article 68, Section 29 Roof Structure Restrictions Article 68, Section 8 Floor Area Ratio Excessive
Article 68, Section 8 Bldg Height Excessive (Feet)
Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 8 Front Yard Insufficient Article 68,
Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Add'l Lot
Area Insufficient
Purpose: Construct a rear and fourth floor addition with roof deck. Propose 6 off street parking accessed via
existing curb cut and rear yard access driveway. Existing 3 family dwelling on 2,542 SF lot to be combined with
existing 3 family dwelling located at 534 East Third St on 1,672 SF lot into one newly created lot to be 4,214 SF.
This lot to now be known as 532 534 East Third St. Combining lot filed under ALT1056697.



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Case: BOA-1075808 Address: 576 East Second Street Ward 6 Applicant: Bond Worthington
Bond Worthington seeking with reference to the premises at: 576 East Second Street, Ward – 06
From the terms of the Boston Zoning Code (see Acts of 1956, c.665) in the following respects: Variance
Article(s): Article 68, Section 29 Roof structure restrictions Article 68, Section 8 Bldg height excessive (feet)
Article 68, Section 8 Side yard insufficient Article 68, Section 8 Rear yard insufficient
Purpose: Renovation/Repair of existing 4 story wood deck and deck expansion.

Case: BOA- 1044637 Address: 174 West Seventh Street Ward 6 Applicant: Enda Madigan
Article(s): Article 68, Section 29 Roof Structure Restrictions Article 68, Section 8 Floor Area Ratio
Excessive Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 8 Side Yard Insufficient
Article 68, Section 8 Rear Yard Insufficient
Purpose: Proposed rear addition, new side and roof decks, and renovate as per plans. Permit set to be submitted
upon ZBA approval.

Case: BOA-1044641 Address: 176 West Seventh Street Ward 6 Applicant: Enda Madigan
Article(s): Article 68, Section 29 Roof Structure Restrictions Article 68, Section 8 Floor Area Ratio
Excessive Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 8 Side Yard Insufficient
Article 68, Section 8 Rear Yard Insufficient
Purpose: Proposed rear addition, new side and roof decks, and renovate as per plans. Permit set to be submitted
upon ZBA approval.

Case: BOA- 1044644 Address: 178 West Seventh Street Ward 6 Applicant: Enda Madigan
Article(s): Article 68, Section 29 Roof Structure Restrictions Article 68, Section 8 Usable Open Space
Insufficient
Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient
Purpose: Proposed rear addition, new side and roof decks, and renovate, as per plans. Permit set to be submitted
upon zba approval.

Case: BOA- 1023216 Address: 269-271 Dorchester Street Ward 7 Applicant: Patrick Mahoney Esq
Article(s): Article 27S, Section 9 South Boston IPOD Enforcement Article 68, Section 8 Lot area insufficient
Article 68, Section 8 Lot Width Insufficient Article 68, Section 8 Lot frontage insufficient
Article 68, Section 8 Floor area ratio excessive Article 68, Section 8 Building height excessive
Article 68, Section 8 Usable open space insufficient Article 68, Section 8 Front yard insufficient
Article 68, Section 8 Side yard insufficient Article 68, Section 8 Rear yard insufficient
Article 68, Section 33 Off Street Parking & Loading Req
Purpose: Erect a new 4 story Three (3) Family Dwelling as per plans. Permit set to be submitted upon ZBA
approval.



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Case: BOA- 1039452 Address: 45 Dorset Street Ward 7 Applicant: Timothy Johnson
Article(s): Article 65, Section 8 Use Regulations – MFR/9 units – Forbidden
Article 65, Section 9 Excessive F.A.R. – 1.0 max Article 65, Section 9 # of allowed stories exceeded – 3 story max Article 65, Section 9 Height exceeded – 35’ max Article 65, Section 41 Off Street Parking & Loading Req – (d) Design Article 65, Section 41 Off Street Parking & Loading Req – Insufficient parking
Purpose: Demolish existing building and erect new 4-story, 9-Unit building w/11 off-street parking spaces, rear and roof decks as per plans.

RE-DISCUSSION: 11:30 AM

Case: BOA-948426 Address: 115 Leyden Street Ward 1 Applicant: Sun Property Group, Inc. (by Richard C. Lynds)
Article(s): 25(25-5) 27T(27T-5) 53(53-8) 53(53-56) 53(53-56.5(a) 53(53-9: Floor area ratio is excessive, Height is excessive (stories), Front yard setback is insufficient, Side yard setback is insufficient & Rear yard setback is insufficient)
Purpose: Demolish existing structure and erect new 8-residential unit building with 12 parking spaces.

Case: BOA-1035803 Address: 31 Monmouth Street Ward 1 Applicant: Crespo Holdings, LLC
Article(s): 27T(27T-5) 53(53-8) 53(53-52) 53(53-56) 53(53-9: Excessive F.A.R.- 1.0 max, Insufficient side yard setback- 5ft min, # of allowed stories exceeded- 2.5 stories max & Insufficient rear yard setback- 30' min. req)
Purpose: Confirm occupancy as a two family and erect a rear and vertical addition, renovate and to change occupancy to a 4-unit residential dwelling with roof deck.

Case: BOA-1037522 Address: 437 Frankfort Street Ward 1 Applicant: 441 Frankfort St, LLC
Article(s): 27T(27T-5) 53(53-9: Excessive F.A.R., Max allowed # of stories exceeded & Max allowed height exceeded) 53(53-56)
Purpose: Erect a 4 unit residential dwelling.

Case: BOA-1048915 Address: 229-231 Bunker Hill Street Ward 2 Applicant: Patrick Mahoney
Article(s): Article 62, Section 13 Main use – Three family detached dwelling - Conditional
Article 62, Section 13 Accessory use first story – Conditional (= to proposed main use)
Article 62, Section 14 Excessive F.A.R. – 2.0 max Article 62, Section 14 Max allowed height exceeded – 35’ max Article 62, Section 14 Insufficient usable open space per unit – 50f/unit req. Article 62, Section 14 Insufficient rear yard setback – 15’ min. setback req./shallow lot Article 62, Section 14 Insufficient side yard setback – 2.5’/footnote (4) Article 62, Section 30 Conformity with existing street wall alignment – Modal Article 62, Section 29 Off Street Parking Insufficient – 1.5/unit req. Article 62, Section 29 Off Street Parking Insufficient – Design; -size and clear maneuvering areas Art. 62 Sec. 62 27 Screening and Buffering Required
Purpose: Demolish existing one story restaurant and erect a new 4 story 3 unit residential building with enclosed garage and roof deck. *Private roof deck



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Case: BOA-1053415 Address: 14 Alaska Street Ward 12 Applicant: Derric Small
Article(s): 10(10-1) 50(50-28) 50(50-29: Add'l Lot Area Insufficient & Front Yard Insufficient)
Purpose: Change of occupancy from a two-family dwelling to seven units residential dwelling and parking. Erect an addition to the existing building for additional units.

1 Hour Lunch Break

HEARING:1:00 PM

Case: BOA1079832 Address: 45 Crawford Street Ward 12 Applicant: Armand Beliaj
Article(s): Art. 50, Section 29 ** Floor area ratio is excessive Art. 50, Section 29 ** Side yard requirement is insufficient Art. 50, Section 29 ** Rear yard setback requirement is insufficient
Purpose: Third floor roof extension, approx 10ft to inclose the second means of egress. Create dormers on both sides of the roof extension. Repair the second means of egress and incorporate it into the roof extension/dormer. Renovate kitchen & bathroom. New flooring. Patch walls, Paint.

Case: BOA-1072606 Address: 71 Ruthven Street Ward 12 Applicant: Rosa Design and Construction LLC
Article(s): Art. 09 Sec. 01 Extension of non conforming use is conditional Art. 50, Sec. 29 Floor area ratio is excessive Art. 50, Sec. 29 Height requirement is excessive (stories) Art. 50, Sec. 29 Height requirement is excessive (ft)
Purpose: To proceed with ZBA reconfiguration in 1st floor and extension to attic floor with dormers, total number of units remains the same as before in ALT1019604.

Case: BOA- 1084674 Address: 10-12 Belfort Street Ward 13 Applicant: Brendon C Sullivan
Article(s): Article 65 Section 41 Off Street Parking and Loading – Insufficient off-street parking
Purpose: Confirm occupancy as an existing two family dwelling then Convert from two family to three family per plans attached. It started as an eplan. > ZBA

Case: BOA-965182 Address: 45-45C Richfield Street Ward 15 Applicant: Peter Vanko
Article(s): Article 65, Section 8 Use Regulations – MFR is a forbidden use in a 2F-6000 Sub district Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Bldg Height Excessive (Feet) Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient
Purpose: Construct (4) new townhouses on existing vacant lot.



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Case: BOA- 1039457 Address: 1R Lonrenzo Street Ward 16 Applicant: Timothy Johnson
Article(s): Article 65, Section 42 Application of Dimensional Req – 2. Conformity with existing Building Alignment Article 65, Section 9 # of allowed habitable stories has been exceed
Purpose: Combine parcels 274 & 2727 and erect new 2-1/2 story, 2 family dwelling w/rear decks and 4 off street parking spaces as per plans submitted.

Case: BOA-1071898 Address: 9 Adams Terrace Ward 16 Applicant: Andy Pollock
Article(s): Article 65 Section 41 Off Street Parking and Loading Article 65, Section 8 3 Family forbidden Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Bldg Height Excessive (Stories)
Purpose: Change occupancy from 2 to 3 family. Fire damaged building adding dormers to existing 3rd floor unit.

Case: BOA- 1005928 Address: 238-240 Norwell Street Ward 17 Applicant: Morris Schopf
Article(s): Article 65, Section 41 Off Street Parking & Loading Req Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient
Purpose: Construction of a 2 family house on an existing non conforming lot. Details on documents filed with this application.

Case: BOA- 1094745 Address: 15 Everett Street Ward 18 Applicant: John Pulini
Article(s): Article 69, Section 8 Use Regulations – 75 units use forbidden Article 69 Section 29 Off Street Parking & Loading Req Article 69, Section 9 Floor Area Ratio Excessive Article 69, Section 9 Usable Open Space Insufficient
Purpose: Change occupancy to 74 75 residential units with 15 parking spots and sunroom.

Case: BOA-1063637 Address: 7A Eliot Street Ward 19 Applicant: The Footlight Club, JP, MA
Article(s): Article 55, Section 9 Side Yard Insufficient Article 55, Section 9 Floor Area Ratio Excessive
Purpose: Accessibility Upgrade including a new fire stair and LULA.

Case: BOA- 1059534 Address: 36 Redgate Road Ward 20 Applicant: Simon Rabinovitch and Jodi Bornsein
Article(s): Article 56 Section 8 Bldg height excessive (stories)
Purpose: Renovate the third floor attic of a single detached residence into a master bedroom suite, including new bath and walk-in closet. Scope includes a newly constructed roof and shed dormer to the rear of the house and minor interior changes to the second floor.

Case: BOA- 1093557 Address: 38-40 Maplewood Street Ward 20 Applicant: Lucio Trabucco
Article(s): Article 56, Section 7 Use Regulations – Two Family is a forbidden use in a 1F-6000 sub-district Article 56, Section 8 Floor Area Ratio Excessive
Purpose: Demolition of existing residential structure and erect a two family wood framed duplex. EPLAN



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Case: BOA-1014128 Address: 12 Reedsdale Street Ward 21 Applicant: Banskyy, LLC

Article(s): Article 51 Section 8 Use multifamily dwelling forbidden Article 51 Section 8 Use accessory parking forbidden Article 51 Section 9 Lot area for additional dwelling units insufficient Article 51 Section 9 Floor area ratio excessive Article 51 Section 9 Usable open space insufficient Article 51 Section 9 Off-street parking insufficient

Purpose: Change Occupancy from a Two (2) Family Dwelling to a Five (5) Family Dwelling. There will be a total of 4 Parking spaces. Construct a new Rear and 3rd story addition. Install a new wheelchair accessible ramp. Building will be fully Sprinklered.

Case: BOA- 1071309 Address: 13 Greylock Road Ward 21 Applicant: 13 Greylock Nominee Trust

Article(s): Article 51 Section 8 Use Regulations – 4 Family use forbidden Article 51 Section 9.4 Dim Reg: Location of Main Entrance – for Unit 1 and 2 Article 51, Section 56 Off Street Parking Insufficient – Required: 7 Provided 5 Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Front Yard Insufficient Article 51, Section 9 Floor Area Ratio Excessive Article 51, Section 9 Bldg Height Excessive (Stories)

Purpose: Seeking to change the occupancy of the existing single family residential dwelling to a four family residential dwelling with five parking spaces. Also, to renovate, including rear and side additions and dormers. ZBA required/Nominal Fee Letter Attached. See attached e plans.

Case: BOA-1096134 Address: 102-104 Litchfield Street Ward 22 Applicant: Laurie Soave

Article(s): Article 51, Section 9 Front Yard Insufficient Article 51, Section 9 Rear Yard Insufficient Article 51, Section 9 Lot Area Insufficient

Purpose: Convert existing 2 family into 3 family w/ ‘aging in place’ single unit on first floor and (2) two bedroom apartments on second floor. Fully replace walls/roof from second floor up, first floor to be gut renovation, basement work limited to Change of use R3 to R2.

INTERPRETATION: 1:00 PM

Case: BOA- 1090365 Address: 73 Sheridan Street Ward 19 Applicant: Dr Andrew King

Purpose: The petitioner’s seeks a determination that the Inspectional Services Department erred in issuing the permit# ERT987106. The permit was issued as an allowed use.



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RECONSIDERATION: 1:00 PM

Case: BOA-B1029772 Address: 282-308 Bremen Street Ward 1 Applicant: 282 Bremen Development, LLC Request for reconsideration, pursuant to Article 5-3, of the Board's 7/21/20 Decision to Deny the requested relief to erect a new 5-story, 145 units residential building with ground floor retail, Art Studios/Art Gallery, and Community space and at grade parking per Article 80 LPR.

Article(s): Article 27T 5 East Boston IPOD Applicability; Article 53(53-Section 8: Arts Studio Use: Forbidden, Art Gallery Use: Forbidden, Local Retail Use: Forbidden, Restaurant Use: Forbidden, Take-out Restaurant Use: Forbidden & Multi-Family Dwelling Use: Forbidden); Article 53(53-Section 9: Add'l Lot Area Insufficient, Floor area ratio excessive, Bldg Height excessive (stories), Bldg Height excessive (Feet), Usable Open Space Insufficient, Front Yard Insufficient & Rear Yard Insufficient)

Purpose: Erect a new 5 story, 145 units residential building with ground floor Retail, Art Studios/Art Gallery, and Community spaces and at grade parking per Article 80 LPR. Note: This application has been filed in conjunction with ALT1018868, ALT1018869, ALT1018871 to combine lots into one lot to be known as 282 308 Bremen Street for this ERT1018375.

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

BOARD MEMBERS:

**CHRISTINE ARAUJO- CHAIR
MARK FORTUNE-SECRETARY
MARK ERLICH
JOSEPH RUGGIERO**

SUBSTITUTE MEMBERS:

**TYRONE KINDELL, JR
EDWARD DEVEAU**

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.