



City of Boston
Board of Appeal

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TUESDAY, NOVEMBER 10, 2020

BOARD OF APPEAL

CITY HALL, ROOM 801

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON NOVEMBER 10, 2020 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS NOVEMBER 10, 2020 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE NOVEMBER 10, 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/zbaNov10hearing> or by calling 1-617-315-0704 and entering access code 173 764 6822.

If you wish to offer testimony on an appeal, please click <http://bit.ly/zbaNov10comment> 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/zbaNov10comment>, 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-719823 Address: 29 A Street Ward 6 Applicant: George Morancy, Esq

Case: BOA- 853913 Address: 160 West Seventh Street Ward 6 Applicant: Derric Small, Esq

Case: BOA-873206 Address: 26 Mystic Street Ward 2 Applicant: Patrick Mahoney, Esq

Case: BOA- 830090 Address: 4 Mystic Street Ward 2 Applicant: Timothy Sheehan

CALL OF THE CHAIR: 9:30 AM

Case: BOA-1006349 Address: 125 Addison Street Ward 1 Applicant: 125 Addison Street, LLC

Article(s): 27T(27T-5) 53(53-25)

Purpose: Raze existing dwelling and erect a new building consisting of nine (9) executive suites with parking for ten (10) vehicles.

HEARINGS: 9:30 AM

Case: BOA-1093253 Address: 97-101 Porter Street Ward 1 Applicant: Ninety Seven Porter, LLC

Articles: Article 27T 5 East Boston IPOD Applicability Article 53 Section 8 Use Regulations MFR Forbidden

Article 53 Section 9 Excessive height Article 53 Section 9# of allowed stories exceeded Article 53 Section 57

Application of Dimensional Req Conformity with existing street wall alignment Article 53 Section 56.5.a Parking maneuverability Article 53 Section 56 Off Street Parking & Loading Req Insufficient parking Article 53 Section 9 Dimensional Regulations Insufficient rear yard setback

Purpose: Combine parcel numbers 010576100, 010575300, 010575000, 0105751000, and 010575200 to create one lot consisting of 17,030 square feet (SEE ALT1090450) and erect a new 4 story residential dwelling consisting of 9 units with 17 parking spaces as per plans.

Case: BOA-1038179 Address: 142 Chelsea Street Ward 1 Applicant: MELS Chelsea LLC

Articles: Article 53 Section 56 Off Street Parking & Loading Req Article 53 Section 8 Use Regulations 4 family

use Forbidden Article 53, Section 52 Roof Structure Restrictions Article 53, Section 9 Add'l Lot Area Insufficient

Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Bldg Height Excessive (Stories) Article 53,

Section 9 Bldg Height Excessive (Feet) Article 53, Section 9 Usable Open Space Insufficient Article 53, Section

9 Front Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient Art. 27G E Boston IPOD

Purpose: Confirm occupancy as a three family and change to a four family. Also, to renovate the structure, erect a fourth story addition, rear addition, and rear decks and egress stairs.



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Case: BOA- 1104690 Address: 185 London Street Ward 1 Applicant: Coliseum Development Advisors, Inc
Articles: Article 27T East Boston IPOD Article 53 Section 9 Excessive f.a.r 1.0 max.
Article 53 Section 9 Excessive height 3 story max Article 53 Section 9 Insufficient side yard setback 2.5' min. req.
Purpose: Extend and repair foundation within setback, add penthouse floor, increase FAR, renovate interior MEP, windows, roof, basement, and exterior finish siding & decks.

Case: BOA-996141 Address: 223 Everett Street Ward 1 Applicant: Timothy Johnson
Articles: Article 27T East Boston IPOD Article 53 Section 9 Excessive F.A.R.
Article 53 Section 9 Insufficient usable open space (Space suitable for recreation 75% open to the sky not devoted to parking and/or automotive traffic)
Purpose: NEW REAR ADDITION TO EXISTING 3 FAMILY, NEW KITCHENS AND BATHS, NEW SPRINKLER SYSTEM, NEW SIDE AND ROOF DECKS AS PER PLANS SUBMITTED.

Case: BOA- 1098399 Address: 41 Mount Vernon Street Ward 2 Applicant: George Morancy
Articles: Article 62 Section 12 Roof Structure Restrictions Article 62, Section 8 Side Yard Insufficient Article 62, Section 8 Floor Area Ratio Excessive
Purpose: Renovate existing three family dwelling (see ALT1019151), extend living space into basement, new second floor bay window, construct rear addition and deck at third floor level, erect roof deck.

Case: BOA-1110403 Address: 1-4 Mechanic Court Ward 3 Applicant: FDJGA, LLC
Article: Article 54 Section 12 Use Regulations Use: Executive Suites: Conditional
Purpose: Change Occupancy from 6 Apartments, Restaurant in sprinklered building to 6 Executive Suites, Restaurant existing condition no work to be done per plans shown for upper level units.

Case: BOA-1110391 Address: 239-243 Hanover Street Ward 3 Applicant: Bricco Realty, LLC
Article: Article 54 Section 12 Use Regulations Executive suite is a conditional use in the Hanover CC Sub district.
Purpose: Change occupancy from restaurant and 7 apartments to restaurant and 7 executive suites, existing conditions, no work to be done.

Case: BOA- 1110414 Address: 11 Bond Aly Ward 3 Applicant: FDJGA, LLC
Article: Article 54, Section 12, Use Regulations Use: Executive Suites: Conditional
Purpose: Change Occupancy from 3 Apartments, 1 Retail Store to 3 Executive Suites, 1 Retail Store no work to be done existing condition

Case: BOA-1110423 Address: 2 Board ALy Ward 3 Applicant: Bricco Realty, LLC
Article: Article 54, Section 12, Use Regulations Use: Executive Suites: Conditional
Purpose: Change Occupancy from existing condition 8 Apartments and Commercial space in Basement (Bakery) to 8 Executive Suites and Bakery no work to be done –



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Case: BOA-1092076 Address: 847-847C East Fifth Street Ward 6 Applicant: Jim McClure
Articles: Art. 29, Section 4 Greenbelt Protection Overlay District Article 68, Section 8.3 Dim Regs: Location of Main Entrance All entry doors shall face the front lot line Article 68, Section 29 Roof Structure Restrictions Proposed building exceeds the height of the existing building being removed.
Purpose: Combine parcel 429 (3125sf) with parcel 430 (3125sf) new lot to have 6250sf. Demolish existing 2 family. Erect 4 townhouses with 7 parking spaces per plans.

Case: BOA-1028692 Address: 57 L Street Ward 6 Applicant: Douglas Stefanov
Articles: Art 68 Sec 29 Roof Structure Restrictions Article 68, Section 8 Bldg Height Excessive (Feet) Article 68, Section 8 Floor Area Ratio Excessive
Purpose: Extend existing southern stair up to the roof in a headhouse, build a connection walkway to the northern headhouse and build four roof decks off the walkway.

Case: BOA-1079344 Address: 502 East Eighth Street Ward 7 Applicant: Phil Wallace
Article: Article 68 Section 29 Roof structure restrictions
Purpose: Add a new roof deck as per plans. Permit set to be submitted upon Zoning approval. [ePlan]

Case: BOA- 1053178 Address: 289 Dorchester Street Ward 7 Applicant: James Christopher
Articles: Art. 13 Sec. 13 1 Excessive F.A.R. 1.0 max Art. 13 Sec. 13 1# of allowed stories exceeded 3 story max. Art. 13 Sec. 13 1 Max allowed height exceed 35' max. Art. 23 Sec. 01 Off street parking requirements Insufficient parking Art. 13 Sec. 04 Dwellings in Nonresidential district Insufficient lot size 5,000sf min. Art. 13 Sec. 04 Dwellings in Nonresidential district Insufficient additional lot area per unit 1,000sf/unit req. Art. 13 Sec. 04 Dwellings in Nonresidential district Insufficient lot width 50' req. Art. 13 Sec. 04 Dwellings in Nonresidential district Insufficient open space 400sf/unit req. Art. 13 Sec. 04 Dwellings in Nonresidential district Insufficient rear yard setback Art. 13 Sec. 04 Dwellings in Nonresidential district Front yard (modal) Art. 13 Sec. 04 Dwellings in Nonresidential district Insufficient side yard setback
Purpose: To raze the existing single story building, and construct a new four story four unit residential building as per the attached plans.

Case: BOA- 953865 Address: 561 Dudley Street Ward 13 Applicant: Massachusetts for Citizens for Social Equity, LLC
Articles: Article 50 Section 28 Use Regulations Cannabis Establishment is a Forbidden use in a MFR/LS Sub district Article 50, Section 29 Side Yard Insufficient Proposed addition has insufficient side yard. Article 50, Section 29 Lot Area Insufficient Article 50, Section 29 Lot Frontage Insufficient 50, Section 29 Front Yard Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 43 Off Street Parking & Loading Req Parking on adjacent lot
Purpose: Change occupancy to include cannabis dispensary.



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RE-DISCUSSIONS: 11:30 AM

Case: BOA-1024093 Address: 7 Wordsworth Street Ward 1 Applicant: 7 Wordsworth Street, LLC
Article: 53(53-8) 53(53-9: Floor area ratio maximum requirement is excessive, Height requirement (stories) is excessive, Height requirement (ft) is excessive, Front yard setback requirement is insufficient, Side yard setback requirement is insufficient & Rear yard setback requirement is insufficient) 53(53-56) 53(53-9.3)
Purpose: Proposing to demolish existing 2 family structure and erect new 9 unit structure. Please see attached nominal fee letter.

Case: BOA- 979930 Address: 16 Whitby Street Ward 1 Applicant: Arco, LLC
Article: 27T(27T-5) 53(53-8) 53(53-9: # of allowed stories has been exceeded (2.5 stories max.), Height exceeded (35' max.), Excessive F.A.R. (.8 max.) & Insufficient rear yard setback (35' req.)) 53(53-56) 53(53-54) 53(53-56.5.a) 53(53-57.2)
Purpose: Seeking to erect a four-story building with ten residential units and ten parking spaces. Also to combine two lots, 0101753000 and 01011752000 into one lot of 9,000 sf ft. Also raze existing structure on lot on separate permit.

Case: BOA-1012022 Address: 14 North Bennet Street Ward 3 Applicant: Epsilon Partners
Articles: Article 54, Section 10 Bldg Height Excessive (Feet) Article 54, Section 10 Usable Open Space Insufficient Article 54, Section 10 Floor Area Ratio Excessive Article 54, Section 21 Off Street Parking & Loading Req Off street parking is insufficient.
Purpose: Seeking to change the occupancy from a rectory to eight residential units. Also, to erect a one story addition roof decks and complete renovations.

Case: BOA-1041086 Address: 24 Spalding Street Ward 11 Applicant: David Steeves
Article: 8(8-7) 55(55-9: Rear yard setback requirement is insufficient, Lot area for the add'l dwelling unit is insufficient, Floor area ratio is excessive, Front yard setback requirement is insufficient, Side yard setback requirement is insufficient & Height requirement is excessive) 55(55-40)
Purpose: Erect building for Three family residence; one unit for affordable housing unit, one unit for owner occupied accessible unit, and one unit three bedroom unit

Case: BOA- 1054679 Address: 44 Glendale Street Ward 15 Applicant: Kristopher Proule
Article: 65(65-41) 65(65-8) 65(65-9: Lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Bldg height excessive (stories), Bldg height excessive (feet), Front yard insufficient, Side yard insufficient & Rear yard insufficient)
Purpose: Build new 4 story, nine unit building including MEP, Sprinkler, Fire Alarm.

Case: BOA- 1025837 Address: 79 Regis Road Ward 18 Applicant: Andrea Jules
Article: 60(60-40) 60(60-8) 60(60-9: Lot area insufficient, Floor area ratio excessive, Bldg height excessive (stories), Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient)
Purpose: Change of Occupancy 2 to 3 family. Build two shed dormers per plan. Bring egress up to code. Install new roofing, siding, windows. Build partition walls per plan



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Case: BOA-1027521 Address: 81-81A Wrentham Street Ward 16 Applicant: Paulette Whitaker
Article: 65(65-8) 65(65-9: Insufficient lot width – 50’ req., Insufficient rear yard setback – 40’ req. & # of allowed stories exceeded – 2 ½ stories max.) 65(65-41) 65(65-42)
Purpose: Construct a new two family dwelling on Lot B consisting See ALT1027510

HEARINGS: 12:30 PM

Case: BOA- 1051289 Address: 293 Northampton Street Ward 9 Applicant: Northampton Parking, LLC
Article: Article 6 Section 4 Other Cond Necc as Protection Change in Previous Decision of the Zoning Board of Appeal
Purpose: The Applicant seeks to continue to use the Premises as a public parking lot for a fee, capacity nineteen (19) vehicles with one (1) handicap parking spaces and eighteen (18) regular parking spaces under Permit For Use of Premises

Case: BOA-1119614 Address: 16 Gaston Street Ward 12 Applicant: Khanh Mass Home Construction Inc.
Article: Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg This is a 4 unit building in a 3F 4000 Sub district. Extension of unit 4 with dormer and roof deck.
Purpose: This is an amendment to the Long form application ALT1065612 The amendment is for the following scope of work: remove stairs from proposed porch decks drawings, add dormer to the third floor proposed drawings, and expand roof deck.

Case: BOA- 1060086 Address:110-114A Stoughton Street Ward 13 Applicant: Kelmyn Investments, LLC
Article: Art. 06 Sec. 04 Other Protectional Conditions take out proviso granted to a petitioner. Change of petitioner.
Purpose: Remove proviso for takeout from previous owner and transfer to new owner's name.

Case: BOA- 1071651 Address: 6 Magdala Street Ward 16 Applicant: Daniel Rubin
Articles: Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient
Purpose: Erect three unit building with two garage parking spots and one surface parking spot.

Case: BOA-1075915 Address: 68 Armandine Street Ward 17 Applicant: Andrew Schena
Articles: Article 65, Section 8 Use Regulations 6 Family use: Forbidden Article 65, Section 9 Floor Area Ratio Excessive Max. allowed: 0.5 Proposed: 1.03 Article 65, Section 9 Bldg Height Excessive (Stories) Allowed: 2.5 Proposed: 3 Article 65, Section 9.2 Dim Regs: Location of Main Entrance Location of the main entrance shall be on the front façade. Article 65, Section 9 Front Yard Insufficient Required: 15' Proposed: 12'. Otherwise provide modal certified by land surveyor Article 65, Section 9 Side Yard Insufficient Required: 10' Proposed: 5' (R) Article 66 Section 42 Off Street Parking & Loading Req Required 8 spaces. Provided 6
Purpose: Currently a vacant lot. Proposed new construction of a three story, six unit residential building with six off street parking spaces behind the proposed building, accessed through the existing curb cut for the lot. New building to meet Stretch Energy Code and current MA State Building Code. eplan > BOA



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Case: BOA-1043402 Address: 5 Orlando Street Ward 18 Applicant: Brian Holland

Articles: Article 60, Section 8 Use Regulations Use: Basement Apartment: Forbidden Article 60, Section 9 Floor Area Ratio Excessive Article 60, Section 9 Usable Open Space Insufficient Article 60, Section 37 Off Street Parking & Loading Req Off Street Parking Insufficient Article 9, Section 2 Change in Non Conforming Use Purpose: Change Occupancy from 11 Apartments to 12 Apartments. Renovate existing storage area and convert to Unit #3 in accordance with plans submitted, in compliance with 780 CMR ninth edition Mass. Building Code. No structural changes.

Case: BOA-1019220 Address: 645 River Street Ward 18 Applicant: Christian Louisworld

Articles: Art. 69 Sec. 8 Forbidden Self service laundry use is a forbidden use Art. 69 Sec. 8 Forbidden Multi family dwelling is a forbidden use Art. 69 Sec. 09 Lot size to erect a dwelling is insufficient Art. 69 Sec. 09 Floor area ratio is excessive Art. 69 Sec. 09 Height is excessive (stories) Art. 69 Sec. 09 Height is excessive (ft) Art. 69 Sec. 09 Usable open space requirement is insufficient Art. 69 Sec. 09 Front yard requirement is insufficient Art. 69 Sec. 09 Side yard requirement is insufficient Art. 69 Sec. 09 Rear yard requirement is insufficient Art. 69 Sec. 29 Off St.Prk'g/Load'g Off street parking requirement is insufficient Purpose: Tear down of existing grocery store building to construct a new 3 story building with self service laundry of approximately 2,000 sf. in the first floor and 4 residential units in the floors above at 2 units per floor.

Case: BOA-1073979 Address: 60 Windham Road Ward 18 Applicant: William Bowler

Articles: Article 69, Section 9 Front Yard Insufficient Article 69, Section 9 Side Yard Insufficient Purpose: Remove existing roof frame. Add a second floor and new roof frame.

Case: BOA-895482 Address: 1589-1593 Blue Hill Avenue Ward 18 Applicant: Rebecca Rutenberg

Article: Art. 60 Sec.16 Use reg neigh buis sub dist Cannabis Establishment is a Conditional Use. Purpose: Change of occupancy from a check cashing facility to a Cannabis Establishment. Modify the existing layout and conditions of the interior of the building. *Project submission in anticipation of rejection notice and subsequent ZBA hearing *

Case: BOA-1082341 Address: 8 Reddy Avenue Ward 18 Applicant: Paul Britton

Articles: Article 69, Section 8 Use: Forbidden Article 69, Section 9 ** Add'l Lot Area Insufficient Article 69, Section 9 ** Floor Area Ratio Excessive Article 69, Section 9 ** ** Usable Open Space Insufficient Article 69, Section 9 * Front Yard Insufficient Article 69, Section 9 *** * Side Yard Insufficient Article 69, Section 8 ** Use Regulations Basement units are not allowed Article 69 Section 29 Off Street Parking & Loading Req Off street parking is insufficient Purpose: Change occupancy from 2 family to 3 family. Interior renovations of existing basement & conversion into a 2 bedroom apartment with living, dining, kitchen, and bathroom 2 new remote egress doors provided and egress windows at each bedroom.**



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Case: BOA-1098890 Address: 35 Avalon Road Ward 20 Applicant: John Pulgini
Articles: Article 56, Section 8 Lot Area Insufficient 4710sqft < 6000sqft min. Article 56, Section 8 Lot Width Insufficient 50' < 60' min. Article 56, Section 8 Lot Frontage Insufficient 50' < 60'min
Article 56, Section 8 Floor Area Ratio Excessive 0.6 > 0.4max Article 56, Section 8 Front Yard Insufficient 15' < 20'min
Purpose: Erect single family 2 story house with garage on vacant lot. [ePlan]

Case: BOA- 1059524 Address: 324 Summit Avenue Ward 21 Applicant: 324 Summit Avenue, LLC
Articles: Article 51 Section 8 Use Regulations Use: Basement Apartment: Forbidden Article 51 Section 9 Lot Area Insufficient Article 51 Section 9 Floor Area Ratio Excessive Article 51 Section 9 Usable Open Space Insufficient Article 51, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 51 Section 9 Location of Main Entrance shall Face the Front Lot Line
Purpose: Change Occupancy from a Three Family Dwelling to a Four Family Dwelling. Extend living space into the Basement to create Unit # 4. Installation of new Sprinkler and Fire Alarm systems.

STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775

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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.