



City of Boston
Board of Appeal

TUESDAY, MARCH 9, 2021

BOARD OF APPEAL

CITY HALL, ROOM 801

HEARING MINUTES

Board Chair 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 Chair announced that the hearing was being conducted remotely via an online meeting platform and subject to the below advisory which was part of the publicly posted hearing agenda. The Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Mark Fortune:

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON MARCH 9, 2021 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS MARCH 9, 2021 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE MARCH 9, 2021 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/zbaMar9hearing> or by calling 1-617-315-0704 and entering access code 129 670 6648.

If you wish to offer testimony on an appeal, please click <http://bit.ly/zbaMar9comment> 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/zbaMar9comment>, calling 617-635-5300 or emailing zba.ambassador@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



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participate in the hearing via WebEx. Questions and/or concerns can also be emailed to the ZBA Ambassador at zba.ambassador@boston.gov.

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. WHEN DOING SO, PLEASE INCLUDE IN THE SUBJECT LINE THE BOA NUMBER, THE ADDRESS OF THE PROPOSED PROJECT AND THE DATE OF THE HEARING.



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EXTENSIONS: 9:30 AM

Case: BOA- 773858 Address: 6 Evelyn Street Ward 14 Applicant: Orion AMS Realty, LLC

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

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

Case: BZC- 29846 Address: 1954 Commonwealth Avenue Ward 21 Applicant: Paul Alan Rufo

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

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

Case: BOA-906535 Address: 261 Bolton Street Ward 6 Applicant: George Morancy, Esq

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

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

Case: BOA-917588 Address: 345-345B Baker Street Ward 20 Applicant: George Morancy, Esq

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

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

Case: BOA- 917579 Address:349-349A Baker Street Ward 20 Applicant: George Morancy, Esq

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

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



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Case: BOA- 463655 Address: 120 West Fourth Street Ward 6 Applicant: Marc LaCasse, Esq

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

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

Case: BOA-904052 Address: 9 Webster Avenue Ward 1 Applicant: Marc LaCasse, Esq

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

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

Case: BOA- 904046 Address: 11 Webster Avenue Ward 1 Applicant: Marc LaCasse, Esq

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

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

Case: BOA-904048 Address: 11-15 Webster Avenue Ward 1 Applicant: Marc LaCasse, Esq

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

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

Case: BOA-661026 Address: 236-256 Dorchester Street Ward 7 Applicant: George Morancy, Esq

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

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



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HEARINGS: 9:30 AM

Case: BOA- 1121328 Address: 142 P Street Ward 6 Applicant: Ryan Hunt
Articles: Article 29 Section 4 GPOD Applicability Greenbelt Protection Overlay District Applicability Article 68, Section 8 Lot Area for Additional Dwelling Units 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 Off Street Parking Insufficient Article 68, Section 33 Off Street Parking & Loading Req Off Street Loading Insufficient
Purpose: Erect a 3 story, Nine (9) Unit Residential Building. Paper plans eplan documents.

Discussion: At the applicant's request, the matter was deferred to the May 4, 2021 Hearing.

Case: BOA-1130362 Address: 59 Chellman Street Ward 20 Applicant: Pamela Bardhi
Articles: Article 56, Section 40.1 Conformity w Ex Bldg Alignment Chellman St.: Required (as per modal): 29' Proposed: 10' VFW Pkwy: Required (as per modal): 27' . Proposed: 34.2' Article 56, Section 8 Lot Width Insufficient Required on VFW Pkwy 60' Proposed: 55.11' Article 56, Section 8 Lot Frontage Insufficient Required on VFW Pkwy 60' Proposed: 55.11' Article 56, Section 8 Floor Area Ratio Excessive Max. allowed: 0.4 Proposed: 0.47 Article 56, Section 8 Rear Yard Insufficient Required: 30' Proposed: 9.9'
Purpose: Demolish existing single family home and garage damaged by severe fire in 2018. Building new construction single family home in it's place. The new project will keep existing garage location and existing curbcuts. [ePlan]

Discussion: At the applicant's request, the matter was deferred to the May 4, 2021 Hearing.

Case: BOA- 1156551 Address: 18-26 Bradshaw Street Ward 14 Applicant: Corey Anderson
Articles: Article 60, Section 8 Use Regulations Use: Multifamily Dwelling: Forbidden Article 60, Section 9 Lot Area for Additional Dwelling Units Insufficient Article 60, Section 9 Floor Area Ratio Excessive Article 60, Section 9 Usable Open Space Insufficient Article 60, Section 9 Side Yard Insufficient Article 60, Section 9 Rear Yard Insufficient
Purpose: Erect a 3 story, Five (5) Unit Townhouse Building with Parking below. Construction Permit Set to be submitted upon ZBA approval.

Discussion: At the applicant's request, the matter was deferred to the May 4, 2021 Hearing.



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Case: BOA-1155320 Address: 760 East Broadway Ward 6 Applicant: Pulgini & Norton, LLP
Articles: Article 68, Section 7.2 Basement Units Forbidden Article 68, Section 8 Add'l Lot Area
Insufficient lot already undersized adding a unit will add to the non conformance Article 68, Section 33
Off Street Parking & Loading Req Off street parking is insufficient. None provided
Purpose: Confirm occupancy as a 3 family. Renovate entire structure and convert to a 4 family residential building.

Discussion: At the applicant's request, the matter was deferred to the May 4, 2021 Hearing.

Case: BOA- 1158608 Address: 254 Paris Street Ward 1 Applicant: SG Paris Development, LLC
Articles: Article 27T-5 East Boston IPOD Applicability Article 53 Section 8 Use Regulations Multi-Family Dwelling: Forbidden Article 53, Section 56 Off-Street Parking & Loading Req Off-Street Parking Insufficient Article 53, Section 9 Lot Area Insufficient 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
Purpose: Seeking to raze the existing and erect a building with six residential units and five parking spaces. [ZBA ePlan]

Discussion: At the applicant's request, the matter was deferred to the May 4, 2021 Hearing.

Case: BOA-1102145 Address: 43 Union Park Ward 3 Applicant: Timothy Sheehan
Articles: Art. 32 Sec. 32 4Groundwater Conservation Overlay District, Applicability substantial rehab. Article 64, Section 9 Floor Area Ratio Excessive Max. allowed: 2 Existing: 2.63 Proposed: 2.65 Article 64, Section 9.4 Town House/Row House Extension Balcony proposed on the 4th floor
Purpose: Gut renovation of an existing duplex condominium. A new private roof deck accessed via a stair and hatch, a new kitchen, new bedrooms and bathrooms. Two front existing dormers will be attached, existing rear dormer will be enlarged. ZBA and SELC approval req'd. eplan > BOA

Discussion: At the applicant's request, the matter was deferred to the May 4, 2021 Hearing

Case: BOA#1102146 Address: 43 Union Park Ward 3 Applicant: Timothy Sheehan
Purpose: Gut renovation of an existing duplex condominium. A new private roof deck accessed via a stair and hatch, a new kitchen, new bedrooms and bathrooms. Two front existing dormers will be attached, existing rear dormer will be enlarged. ZBA and SELC approval req'd. eplan > BOA
Violation: Violation Description Violation Comments 9th 780 CMR 1011 Stairways 1011.12.2 Roof access shall be through a penthouse

Discussion: At the applicant's request, the matter was deferred to the May 4, 2021 Hearing



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Case: BOA-1074188 Address: 152 Trenton Street Ward 1 Applicant: A Limited Liability Company, LLC

Articles: Article 27T East Boston IPOD Article 53 Section 8 Use Regulations Use Forbidden Article 53 Section 9 Insufficient additional lot area Article 53 Section 9 Excessive F.A.R. Article 53 Section 9 Max. allowed height exceeded Article 53 Section 9 # of stories allowed exceeded Article 53 Section 9 Insufficient side yard setback Article 53 Section 9 Insufficient rear yard setback Article 53 Section 9 Insufficient usable open space Article 53, Section 52 Roof Structure Restrictions Article 53, Section 56 Off Street Parking & Loading Req Insufficient parking

Purpose: Confirm occupancy as single residential dwelling and change occupancy to a four family residential dwelling. Also, to erect a fourth story addition and rear additions and renovate. O/C bin 4.1.20

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change the occupancy of a single family to a three family dwelling and to add a two story rear addition.

Board members asked about any change in violations from a prior appeal: its use, its stories and feet, its rear yard, and its open space.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilors Edwards and Essaibi-George, and an abutter are in support.

Documents/Exhibits: Building Plans, 18 letters of support

Votes: Board Member Better Barraza moved for approval with a BPDA design review proviso and Ruggiero seconded. The Board voted unanimously to approve except for Member Ligris who recused himself.

Case: BOA- 1085219 Address: 40 Chelsea Street Ward 1 Applicant: Star Property Holdings, LLC
Articles: Article 53 Section 8 Use Regulations MFR is a forbidden use in a 3F 2000 sub district 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 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient Article 53, Section 56 Off Street Parking & Loading Req Off street parking is insufficient. None provided Article 27T-5 East Boston IPOD Applicability

Purpose: Seeking to change the occupancy of the existing three family residential dwelling to a six family residential dwelling. Also, to erect a fourth story addition and renovate. ZBA. E plans attached.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change the occupancy of a three family to a six family with a fourth story addition.

Board members asked about the zoning subdistrict and any basement living space.



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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, numerous letters of support

Votes: Board Member Ligris moved for approval with a BPDA design review proviso and Better Barraza seconded. The Board voted unanimously to approve.

Case: BOA-1159030 Address: 282-308 Bremen Street Ward 1 Applicant: 282 Bremen Development, LLC

Articles: Article 27T 5 East Boston IPOD Applicability Article 53 Section 8 Use Regulations Art Studio Use: Forbidden Article 53 Section 8 Use Regulations Art Gallery Use: Forbidden Article 53 Section 8 Use Regulations Local Retail Use: Forbidden Article 53 Section 8 Use Regulations Multi Family Dwelling Use: Forbidden 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 **** Rear Yard Insufficient Article 53 Section 8 Use Regulations Artists' Mixed Use (Live/Work Units): Forbidden**

Purpose: Erect a new 5 story mixed use building with 126 residential units, 13 Artist Live/Work Units, 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.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a new mixed use building with retail, 139 units of residential, and artist space.

Board members asked about the lot size, previous number of units, a breakdown of the units include, parking and circulation, roof decks, whether artists will live near the space, common space, and whether 20% of the units will be affordable.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Edwards, the BPDA, the Carpenter's Union, and three abutters are in support. The BTDA recommended a minimum 20 foot curb cut for safety.

Documents/Exhibits: Building Plans, numerous letters of support and opposition

Votes: Board Member Erlich moved for approval with a BPDA and BTDA design review provisos and Ligris seconded. The Board voted to approve with Member Ruggiero opposed.



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Case: BOA-1080213 Address: 175 Wordsworth Street Ward 1 Applicant: Francisco Fuentes
Articles: Article 27T East Boston IPOD Art. 09 Sec. 01 Extension of Non Conforming Use Article 53
Section 9 Front yard setbacks/Corner lot provision

Purpose: Finish demo all three floors and basement, make 3 kitchens, 5 bathrooms, 3 laundries, add some partition nonbearing walls for bedrooms, insulation, sheetrock and plaster, trim, paint and floors. (SF984834,SF1027455) Full gut rehab, extend living space into the basement area, to include takedown and reconstruction of rear porches. ZBA required *Three Family DOC#267 / 1932.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to renovate and expand living space to the basement.

Board members asked about the uses in the basement and egresses.

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

Documents/Exhibits: Building Plans, letters of support

Votes: Board Member Erlich moved for approval and Ligris seconded. The Board voted unanimously to approve.

Case: BOA- 1152882 Address: 9 Eden Street Ward 2 Applicant: Pulgini & Norton, LLP
Articles: Art. 62 Sec. 62 25 Roof Structures Restricted Roof structures restricted district Art. 62 Sec. 08
Side yard setback requirement is insufficient Art. 62 Sec. 08 Usable open space requirement is
insufficient Art. 62 Sec. 30 Side yard with driveway cannot be less than 10ft wide.

Purpose: Confirm occupancy as a two family. Change occupancy to a three family dwelling. Rebuild the rear elevation to add additional space to the rear of the structure to convert from a two family to a three family; build a driveway to access parking in the rear of the property. [ePlan]

Discussion: At the applicant's request, the matter was deferred to the April 27, 2021 Hearing.

Case: BOA-1126778 Address: 1301-1305 Boylston Street Ward 5 Applicant: Brian Judge
Articles: Art. 06 Sec. 04 Other Protectional Conditions Applicant seeks relief from conditional use
proviso to expire on 12/18/20 Art. 07 Sec. 4 Other Protectional Conditions Applicant seeks relief from
Forbidden use proviso which expires on 12/18/20

Purpose: The Applicant is requesting a Zoning Code refusal letter from ISD in order to file an application with the Board of Appeal to extend the existing and long standing zoning relief for use of the property for parking. See the enclosed materials for additional information. [ePlan]

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to renew an expired sunset proviso.

Board members asked about screening and buffering and the number of spaces.



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Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support. BPDA recommended a three year extension of the sunset proviso.

Documents/Exhibits: Building Plans

Votes: Board Member Ruggiero moved for approval with a three year sunset proviso, and BPDA and BTDA design review provisos for screening and buffering and signage. Deveau seconded. The Board voted unanimously to approve.

Case: BOA- 1155712 Address: 10 Ruthven Park Ward 12 Applicant: Alfonso Sira
Article: Art. 50 Sec. 43 Off street parking requirements Ancillary off street parking use is a conditional use (all car space shall be entirely located on the lot the space is intended to serve)
Purpose: Assign 2 off street parking spaces (parking 1 and parking 6) from the 6 parking spaces located at the rear of 71 Ruthven Street property to 10 Ruthven Pk as ancillary parking spaces. And create a new accessible parking on the main drive of 10 Ruthven Pk.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to reconfigure parking spaces for two properties.

Board members asked about which spaces were assigned to which building.

Testimony: The Board then requested testimony from neighbors and elected officials. BTDA stated that the handicap space needs to be enlarged and relocated for accessibility.

Documents/Exhibits: Building Plans

Votes: Board Member Ruggiero Erlich moved to defer, and Ligris seconded. The Board unanimously deferred the matter until the May 18, 2021 hearing.

Case: BOA-1155711 Address: 71 Ruthven Street Ward 12 Applicant: Derric Small



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Articles: Art. 09 Sec. 01 Extension of Non Conforming Use Extension of non conforming use is conditional Art. 50, Section 29 Floor area ratio is excessive Art. 50, Section 29 Height requirement is excessive (stories) Art. 50, Section 29 Height is excessive (ft) Art. 50, Section 29 Usable open space is insufficient (due to the 6 parking spaces) Art. 50, Section 29 Side yard with access driveway cannot be less than 10ft wide (no side yard to access the parking except easement driveway) Article 50, Section 44 Application of Dimensional Req Side yard with access driveway cannot be less than 10ft wide (no side yard to access the parking except easement driveway)

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 alt by mj, and 6 new off street parking spaces at the rear of property (3 for 71 Ruthven Street and 3 for 10 Ruthven Pk as ancillary).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to reconfigure parking spaces for two properties.

Board members asked about which spaces were assigned to which building.

Testimony: The Board then requested testimony from neighbors and elected officials. BTD stated that the handicap space needs to be enlarged and relocated for accessibility.

Documents/Exhibits: Building Plans

Votes: Board Member Ruggiero Erlich moved to defer, and Ligris seconded. The Board unanimously deferred the matter until the May 18, 2021 hearing.

Case: BOA- 1131510 **Address:** 35 Cushing Avenue **Ward** 13 **Applicant:** Peter Gammie
Articles: Art. 09 Sec. 01 Extension of Non Conforming Use Extension of a non conforming use is conditional Art. 65 Sec. 9 Floor area ratio is excessive Art. 65 Sec. 9 Height requirement is excessive (2.5 stories max.). Art. 65 Sec. 9 Side yard setback requirement is insufficient
Purpose: Proposed dormer extension to existing dormer as per plans. Permit set to be submitted upon ZBA approval.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to extend an existing rear dormer to create a master bedroom.

Board members asked about the number of units and size of the addition.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and City Councilors Baker and Essaibi-George are in support.

Documents/Exhibits: Building Plans, one letter of support



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Votes: Board Member Better Barraza moved to approve and Fortune seconded. The Board voted unanimously to approve.

Case: BOA-1137459 Address: 19 Hansborough Street Ward 14 Applicant: Hope Whyte
Article: Art. 10 Sec. 01 Limitation of off street parking areas 5' Buffer requirement of side yard
Purpose: We are seeking approval to cut the sidewalk curb to access our driveway. The driveway fits 2 cars, and has been in place since the home was purchased by our family in the 1970's. Public Works has already approved our curb cut request.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add a curb cut to access a driveway for two cars.

Board members asked about parking spaces and driveway area.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and City Councilor Campbell are in support. BTD highlighted front yard parking.

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved to deny and Fortune seconded. The Board voted to deny with Ruggiero and Deveau opposed.

Case: BOA-1066523 Address: 114 Hamilton Street Ward 15 Applicant: Douglas Wohn
Articles: Article 65, Sec 65 41 Off Street Loading Req. parking insufficient. Article 65, Section 8 Use Regulations 4 family forbidden. Article 65, Section 9 Lot area per dwelling unit insufficient. Article 65, Section 9 Open space insufficient. Article 65, Section 9 Front yard insufficient. Article 65, Section 9 Side yard insufficient Article 65, Section 9 Rear yard insufficient Article 64, Section 9 Floor Area Ratio Excessive

Purpose: *Change of occupancy from 3 to 4 dwelling units . build new front and rear porches, extend living area to the basement for new unit .As per plans per ISD Notice. Cost already reflected in ALT774916; SF774915; SF727350 and other Electrical, Plumbing & Fire Alarm permits. To correct violation V445440.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change a three family to a four family dwelling with new unit in the basement.

Board members asked about the basement ceiling height, sill height, and unit size.

Testimony: The Board then requested testimony from neighbors and elected officials. None were in support Mayor's Office of Neighborhood Services and City Councilors Baker and Essaibi-George are opposed.



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Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved to deny and Better Barraza seconded. The board voted unanimously to deny.

Case: BOA-1126520 **Address:** 15 Bears Avenue Ward 17 **Applicant:** Nicholas Fisher
Articles: Article 65, Section 8 Use Regulations Three Family Dwelling Use: Forbidden 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 Article 9, Section 2 Change in Non Conforming Use Change from two family to three family dwelling
Purpose: Change occupancy from two family to three family dwelling. Create a third dwelling unit in existing 2 family by renovating and expanding the attic into a full floor. Add dormers, extend upward the existing bay window on the side of the house, add side exterior decks, and reconfigure parking spaces in the rear. Sprinkler the building per NFPA 13D. [ZBA ePlan]

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change a two family to a three family by finishing an attic.

Board members asked about the bedroom count and unit sizes.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and City Councilors Baker, Flaherty, and Essaibi-George are in support. BPDA recommended approval with design review.

Documents/Exhibits: Building Plans, one letter of support

Votes: Board Member Better Barraza moved to approve with BPDA design review to pay special attention to the dormer and Erlich seconded. The board voted unanimously to approve.

Case: BOA-1137313 **Address:** 822 Canterbury Street Ward 18 **Applicant:** Edwin Solano
Articles: Article 67, Section 8 Use Regulations Two Family Use: Forbidden Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Usable Open Space Insufficient Article 67, Section 9 Side Yard Insufficient Article 67, Section 9.3 Location of Main Entrance Within Residential Subdistricts, the main entrance of a Dwelling shall face the Front Lot Line. Article 67, Section 9 Rear Yard Insufficient
Purpose: Change occupancy from a one family to a two family. Extend living space to basement. Construct new rear addition and stairway. Propose (4) off street parking. [ePlan]

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change a single family to a two family.

Board members asked about the zoning subdistrict, lot size, unit height, basement ceiling height, and flooding.



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Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support. BTM recommended reducing parking from four to three spaces and redesigning.

Documents/Exhibits: Building Plans

Votes: Board Member Better Barraza moved to deny without prejudice and Ligris seconded. The Board voted unanimously to deny without prejudice.

Case: BOA- 1099645 **Address:** 31 Cameron Street Ward 15 **Applicant:** Kevin Campbell
Articles: Article 65, Section 8 Use Regulations ancillary parking use: Conditional Article 65, Section 41 Off Street Parking & Loading Req 65.41.4. b) **Location**
Purpose: Propose (6) off street parking with proposed curb cut for existing three family dwelling located on 27 Cameron Street.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add 6 parking spaces and curb cut for an existing three family.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Baker are opposed. BTM recommended reconfiguring the use.

Documents/Exhibits: Building Plans, letters of support

Votes: Board Erlich moved to approve with BPDA and BTM review for screening and buffering and Ligris seconded. The Board voted unanimously approve.

Case: BOA-1120471 **Address:** 739 Cummins Highway Ward 18 **Applicant:** Broderick Egodogbare
Articles: Article 60, Section 8 Use: Forbidden 3 family use Article 60, Section 9 Bldg Height Excessive (Stories) Max. allowed: 2.5 Proposed: 3 Article 60, Section 9 Usable Open Space Insufficient Required: 1,800 sqft Article 60, Section 9 Rear Yard Insufficient Required: 30' Proposed: 10' and 20' Article 60, Section 9 Floor Area Ratio Excessive Max. allowed: 0.8 (Basement has living space which has not been counted on arch. plans) Article 60, Section 9.3 Dim Regs: Location of Main Entrance for new unit, it shall face the front lot line (Cummins Highway) Article 60, Section 9 Front Yard Insufficient Required: 15' Proposed: 10'
Purpose: Change of occupancy from two family to three family dwelling. Construct new addition of a 3rd unit. Foundation, framing, Plumbing, Hvac, electrical, sheetrock and finishing work. ePlan > BOA

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change a two family to a three family.

Board members asked about the unit sizes, bedroom counts, parking, curb cut, basement ceiling height, attic ceiling height. The Board architect determined the architectural drawings were inadequate.



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Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support. The Greater Mattapan Neighborhood Council is opposed. BPDA recommended denial without prejudice because of rear additional scale.

Documents/Exhibits: Building Plans

Votes: Board Member Better Barraza moved to deny without prejudice and Ligris seconded. The Board voted unanimously to deny without prejudice.

Case: BOA- 1146926 **Address:** 134 Poplar Street Ward 19 **Applicant:** Timothy Burke
Articles: Article 67, Section 9 Lot Width Insufficient 43.1' < 50'min Article 67, Section 9 Bldg Height Excessive (Stories) 3 > 2 1/2max Article 67, Section 9 Side Yard Insufficient 6.1' < 9.1'min (Narrow Lot) Article 67, Section 9 Lot Frontage Insufficient 43.6' < 50'min Article 67, Section 9 Usable Open Space Insufficient

Purpose: Construct a new two family house. Work includes new foundation, wood framing, exterior and interior finishes, with kitchens and bathrooms, all required mechanical, electrical and plumbing. Construct driveway to new garage parking at Basement level. [ePlan]

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a new two family dwelling on a narrow lot.

Board members asked about parking, whether it is currently a single family, 2F-5000 lot size, and basement living space.

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

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved to approve with BPDA design review with attention to front yard parking and for parking access off Poplar St. not Wilkins and Ruggiero seconded. The Board voted unanimously to approve.



City of Boston
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**Case: BOA1152924- Address: 30 Dighton Street Ward 22 Applicant: Pulgini & Norton, LLP
Articles: Article 51 Section 8 Use Regulations Use: Multifamily Dwelling: Forbidden Article 51 Section 9 Location of Main Entrance shall face the Front Lot Line Article 51 Section 9 Lot Area for Additional Dwelling Units Insufficient Article 51 Section 9 Front Yard Insufficient Article 51, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 51, Section 56 Off Street Parking & Loading Req Off Street Parking Design / Maneuverability
Purpose: Change Occupancy from a Three Family Dwelling to 5 Residential Units. Construct a new 3 story addition against existing structure. Building will be fully sprinklered.**

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change a three family to a four family and add 6 parking spaces. BTB recommended removing space four and redesigning parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Essaibi-George, the Brighton Allston Improvement Association, and an abutter are in support.

Documents/Exhibits: Building Plans. 1 letter of support, 1 letter of opposition

Votes: Board Member Better Barraza moved to approve with BPDA and BTB review and Erlich seconded. The Board voted to approve and Ligris recused.

**Case: BOA- 940697 Address: 1102-1106R Blue Hill Avenue Ward 14 Applicant: Evoke Inc
Article: Art. 60 Sec. 16 Use reg app in business sub dist Cannabis establishment use is a conditional use
Purpose: Renovation for Recreational Retail Cannabis Store.**

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to permit a Cannabis Establishment with 14 parking spaces.

Board Members asked about parking.

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

Documents/Exhibits: Building Plans, Boston Cannabis Board approval letter.

Votes: Board Member Ligris moved to approve with BPDA design review for signage and Ruggiero seconded. The Board unanimously voted to approve.



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HEARINGS: 12:30 PM

Case: BOA-1051313 Address: 14 Meehan Street Ward 11 Applicant: Scott Dabney
Article: Art. 55, Section 19 Use: Forbidden Two family residential use is a forbidden use.
Purpose: Seeking to change the occupancy from One Family & Accessory Artist Studio and One Car Garage to an Office in first floor extended to portion of the basement space and two Residential Dwellings. Also, to renovate the building including a roof deck and to create three parking spaces.

Discussion: At the request of the Appellant, the Board deferred the matter to the May 4, 2021 hearing.

Case: BOA- 1112785 Address: 2149-2151 Dorchester Avenue Ward 17 Applicant: John Barry
Articles: Art. 65 Sec. 08 Forbidden Multi family dwelling unit use (6) is a forbidden use Art. 65 Sec. 9 Residential Dimensional Reg.s Usable open space is insufficient Art. 65 Sec. 41 Off street parking requirements Off street parking requirement is insufficient
Purpose: Change Occupancy from 4 family to 6 unit building. Add 2 kitchens and 2 new entrances on second and third floor.

Discussion: At the request of the Appellant, the Board deferred the matter to the May 18, 2021 hearing.

RE-DISCUSSION: 12:30 PM

Case: BOA-993501 Address: 11 Pacific ST Ward: 7 Applicant: John Barry
Article: 68(68-27S-5) 68(68-8: Insufficient side yard setbacks, Insufficient open space per unit & Excessive f.a.r.) 68(68-33)
Purpose: To construct a new rear addition and confirm occupancy as a single family and change to a three-family residential building.

Discussion: At the request of the Appellant, the Board deferred the matter to the May 18, 2021 hearing.

Case: BOA- 1085225 Address: 3 Westford Street Ward 22 Applicant: Greg Hemetet
Articles: Article 51 Section 7 Accessory Buildings Height Excessive Article 51 Section 7 Accessory Buildings Insufficient side yard set back
Purpose: I have a detached garage beyond repair and would like to rebuild within the same footprint. I work from home so I would like to add a second floor with a bathroom to be used as an Accessory Home office residential use.

Discussion: At the request of the Appellant, the Board deferred the matter to the May 4, 2021 hearing.



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Case: BOA- 891588 Address: 931 Hyde Park Avenue Ward 18 Applicant: Suns Mass, Inc
Articles: Art. 69 Sec. 14 L I Use Reg.:Conditional Cannabis use is a conditional use Article 69 Section 14 Use Regulations Art. 69 Sect 14 L.I reg. tbl B footnote #29 further states that cannabis establishment shall be sited 1/2 of mile (2640 ft) from an existing cannabis establishment and 500 ft. from an elementary school (1st to 12th grade) measuring from lot line to lot line.

Purpose: The Applicant proposes a Change of Occupancy to include a Cannabis Establishment. The Applicant also proposes to modify the existing layout and conditions of the interior of the Building on a portion of the first floor. The work will be done in accordance with the submitted plans. *Project submission in anticipation of rejection notice and subsequent ZBA hearing.*

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to permit a Cannabis Establishment within one half mile of another for manufacture, retail, and medical use.

Board Members asked about retail use in one half mile, community space.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and numerous abutters are in support. City Councilors Flaherty, Essaibi-George, and Arroyo, the abutting cannabis establishment, the Hyde Park Neighborhood Association, and numerous abutters are opposed.

Documents/Exhibits: Building Plans, Boston Cannabis Board approval letter, numerous letters of support, numerous letters of opposition

Votes: Board Member Ligris moved to deny and Better Barraza seconded. The Board failed to reach a quorum with Fortun, Erlich, and Ruggiero opposed. Board Member Erlich then moved to approve with BPDA review and Fortune seconded. The Board again failed to reach a quorum with Deveau, Ligris, and Better Barraza opposed. The Board denied for failure to reach a quorum to grant the appeal.

Case: BOA-1024093 Address: 7 Wordsworth Street Ward 1 Applicant: 7 Wordsworth Street, LLC
Articles: Art. 53 Sec. 09 Floor area ratio maximum requirement is excessive Art. 53 Sec. 09 Floor yard setback requirement is insufficient Art. 53 Sec. 09 Side yard setback requirement is insufficient Art. 53 Sec. 09 Rear yard setback requirement is insufficient Art. 53 Sec. 09 Height requirement is excessive (stories) Art. 53 Sec. 09 Height requirement is excessive (ft) Art. 53 Sec. 56 Off street parking insufficient Off street parking requirement is insufficient Art. 53 Sec. 08 Forbidden Multi family dwelling unit use (6 units) is a forbidden use. In this residential zoning subdistrict the main entrance of a dwelling shall face the front lot line. (AAB unit) Article 27T-5 East Boston IPOD Applicability
Purpose: Proposing to demolish existing 2 family structure and erect new three story 6 unit structure, 6 off street parking with roofdecks. Please see attached nominal fee letter.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a new six unit residence with 6 parking spaces.



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Board Members asked about dimensions.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, City Councilor Edwards, the Carpenter's Union, and several abutters are in support.

Documents/Exhibits: Building Plans, 25 letters of support, 148 letters of opposition

Votes: Board Member Better Barraza moved to approve with BPDA design review and Erlich seconded. The Board voted to approve with Ligris recused.

Case: BOA-1119326 **Address:** 51 Jeffries Street **Ward 1 Applicant:** Claudia Sierra
Articles: Article 53 Section 9 Insufficient side yard setback – 2.5' req. Article 53 Section 9 Excessive F.A.R. – 1.0 max. Article 53 Section 9 Insufficient rear yard setback – 10' min. Article 53 Section 52 Roof Structure Restrictions Roof Access Article 53 Section 52 Roof Structure Restrictions 555sf +/- Roof structure >33% of existing roof Corrected
Purpose: Perform interior full gut renovations including: Framing for 4 bathrooms. Installation of roof deck for unit #3, replace existing fire escape with new 3 story porch system with egress stairs to ground to include extension of living space into basement.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to extend living space to the basement.

Board Members asked about use of basement space, bedroom and bathrooms, basement ceiling and sill height, unit sizes, and roof decks.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and City Councilors Edwards and Essaibi-George are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Ruggiero moved to approve signage and Ligris seconded. The Board unanimously voted to approve.



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Case: BOA- 1067375 Address: 28 Geneva Street Ward 1 Applicant: Joel DeLuca
Article: 27T(27T-5) 53(53-8) 53(53-9): # of allowed stories exceeded, Height exceeded, Insufficient open space per unit, Front yard requirements, Insufficient rear yard setback, Insufficient additional lot area per unit & Excessive F.A.R.) 53(53-56.5.a) 53(53-56)

Purpose: Seeking to combine two lots with Parcel ID #'s 0104084000 and 0104083000 to create one new parcel with a total area of 8,240 SF. Also, to raze the existing structures and erect a new residential building with twenty-six units and nineteen parking spaces. See ALT1055719 for combining lots - address to be known as 28-30 Geneva Avenue. *AE Flood Zone. *Existing structures to be razed under a separate permit.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a four story, 19 unit condo building with 19 interior parking spaces.

Board Members asked about parking, unit sizes, and bedroom counts.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, City Councilor Edwards, and an abutter are in support. Another abutter is opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Bettter Barraza moved to approve with BPDA design review and Ligris seconded. The Board unanimously voted to approve.

Case: BOA- 1078073 Address: 92-92C Lambert Avenue Ward 9 Applicant: Armando Hernandez
Article: 50(50-28) 50(50-29: Lot area for the add'l units is insufficient, Floor area ratio is excessive, Usable open space requirement is insufficient, Front yard setback requirement is insufficient, Side yard setback requirement is insufficient & Rear yard setback is insufficient) 50(50-44) 50(50-43: Off street parking requirement is insufficient & Off-street parking & loading req – Off street parking locations. All car spaces shall be entirely located on the same lot of the dwelling they serve. Ancillary off-street parking is conditional)

Purpose: Erect new 4 unit townhouse condominium buildings, for this is one of 2 buildings on same lot, and off street ancillary parking to be at 88 Lambert Ave. Subdivide this existing lot into 2 lots, this lot to be known as lot 2 92-92C Lambert Ave. and 92R-92R-C Lambert Ave. with 2 house on same lot.
Injunction with Alt971317.

Discussion: The Board unanimously denied without prejudice because Appellant withdrew their appeal.



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Case: BOA- 1078077 Address: 92R-92R-C Lambert Avenue Ward 9 Applicant: Armando Hernandez Article: 50(50-28) 50(50-29: Lot area for the add'l units is insufficient, Floor area ratio is excessive, Usable open space requirement is insufficient, Front yard setback requirement is insufficient, Side yard setback requirement is insufficient & Rear yard setback requirement is insufficient) 50(50-44.13) 50(50-43)

Purpose: Erect new 4 unit townhouse condominium buildings, for this is one of 2 buildings on same lot Subdivide this existing lot into 2 lots, this lot to be known as lot 2 92-92C Lambert Ave. and 92R-92R-C Lambert Ave. with 2 house on same lo; and off street parking provided is located at 88 Lambert Ave as ancillary off street parking injunction with Alt971317 and ERT971313 with MJ.

Discussion: The Board unanimously denied without prejudice because Appellant withdrew their appeal.

Case: BOA-1053337 Address: 64 Clarkwood Street, Ward 14 Applicant: Brodrick Egodogbare Articles: Art. 60 Sec. 09 Usable open space insufficient, Article 60, Section 9 Lot Area Insufficient, Article 60, Section 11 Use: Forbidden

Purpose: Construction of four new town houses

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a new three family dwelling that was reduced from a four family.

Board Members asked about a roof deck.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Greater Mattapan Neighborhood Council, an abutter, and City Councilor Arroyo are opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Ruggiero moved to defer the matter to the May 18, 2021 hearing and Better Barraza seconded. The Board unanimously voted to defer.

Case: BOA- 1056272 Address: 19 West Tremlett Street Ward 17 Applicant: John Barry Articles: Article 65, Section 8 Use Regulations MFR is forbidden in a 3F 6000 sub district, 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 Rear Yard Insufficient

Purpose: Construct new structure for new 6 units. New structure will have rear decks. Add eight (8) parking spaces on the owners private lot. Construction of structure will be consistent with look, aesthetic and feel of the current neighborhood. Demolish existing structure on separate.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a 6 unit dwelling with 10 parking spaces.



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Board Members asked about parking, unit sizes, and bedroom counts.

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

Documents/Exhibits: Building Plans

Votes: Board Member Ligris moved to approve with BPDA design review and Ruggiero seconded. The Board unanimously voted to approve

Case: BOA-1056729 Address: 171 Newbury Street Ward 5 Applicant: Jason Zube

Article(s): 8(8-7)

Purpose: Changing from a retail store to tattoo parlor

Discussion: The Board denied without prejudice because the Appellant did not show up for the hearing.

INTERPRETATION: 12:30 PM

Case: BOA-1150574 Address: 153-155 Blue Hill Avenue Ward 12 Applicant: Loretta Sparrow Et al

Purpose: The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the permit# ALT1067111. The permit was issued as an allowed use.

Discussion: The Appellant challenged a permit issued to change a restaurant into a community center with office space. The matter involves an interpretation of language in the Zoning Code.

Votes: Board Member Erlich moved to refer the matter to the City Law Department for evaluation and Ligris seconded. The Board voted unanimously to refer the matter.

CALL OF THE CHAIR: 1:00 PM

Case: BOA-1107085 Address: 1001 Boylston Street Ward 5 Applicant: Paul Lewis

Purpose: The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the permit# ERT1037077. The permit was issued as an allowed use.

Discussion: This matter was previously heard 10/27/20. The Board asked whether it had jurisdiction to rule on the matter.

Votes: Board Member Erlich moved to deny because ISD did not err in issuing the underlying permit. The Board denied with Better Barraza recused.



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Case: BOA-1107095 Address: 1001 Boylston Street Ward 5 Applicant: Arthur D. Ullian
Purpose: The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the permit # ERT1037077. The permit was issued as an allowed use.

Discussion: This matter was previously heard 10/27/20. The Board asked whether it had jurisdiction to rule on the matter.

Votes: Board Member Erlich moved to deny because ISD did not err in issuing the underlying permit. The Board denied with Better Barraza recused.

Case: BOA-1107099 Address: 1001 Boylston Street Ward 5 Applicant: KRT Holdings, LLC
Purpose: The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the permit # ERT1037077. The permit was issued as an allowed use.

Discussion: This matter was previously heard 10/27/20. The Board asked whether it had jurisdiction to rule on the matter.

Votes: Board Member Erlich moved to deny because ISD did not err in issuing the underlying permit. The Board denied with Better Barraza recused.

Case: BOA- 1107100 Address: 1001 Boylston Street Ward 5 Applicant: Kensington Newbury Street, LLC

Purpose: The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the permit # ERT1037077. The permit was issued as an allowed use.

Discussion: This matter was previously heard 10/27/20. The Board asked whether it had jurisdiction to rule on the matter.

Votes: Board Member Erlich moved to deny because ISD did not err in issuing the underlying permit. The Board denied with Better Barraza recused.

Case: BOA- 1107103 Address: 1001 Boylston Street Ward 5 Applicant: Sean T. Doherty, M.D
Purpose: The petitioner's seeks a determination that the Inspectional Services Department erred in issuing the permit # ERT1037077. The permit was issued as an allowed use.

Discussion: This matter was previously heard 10/27/20. The Board asked whether it had jurisdiction to rule on the matter.

Votes: Board Member Erlich moved to deny because ISD did not err in issuing the underlying permit. The Board denied with Better Barraza recused.



City of Boston
Board of Appeal

**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](https://www.municode.com/library/ma/boston/codes/redevelopment_authority).

For a video recording of the March 9, 2021 Board of Appeal Hearing please go to: https://www.cityofboston.gov/cable/video_library.asp.