



City of Boston  
Board of Appeal

TUESDAY, JUNE 8, 2021

BOARD OF APPEAL

CITY HALL, ROOM 801

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### 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 JUNE 8, 2021 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS JUNE 8, 2021 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

**PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:**

**THE JUNE 8, 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/June8hearing> or by calling 1-617-315-0704 and entering access code 173 859 7934.

If you wish to offer testimony on an appeal, please click <http://bit.ly/June8comment> 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/June8comment>, calling 617-635-5300 or emailing [zba.ambassador@boston.gov](mailto:zba.ambassador@boston.gov).



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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](mailto: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](mailto: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](mailto: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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**APPROVAL OF HEARING MINUTES: 9:30AM**

**Minutes from: April 27, 2021; May 4, 2021; and May 18, 2021**

**EXTENSIONS: 9:30 AM**

**Case: BOA-903635 Address: 235 Leyden Street Ward 1 Applicant: Lorene A. Schettino, 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-903636 Address: 237 Leyden Street Ward 1 Applicant: Lorene A. Schettino, 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-699598 Address: 289 Walk Hill Street Ward 18 Applicant: Joseph Hanley, 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-919610 Address: 120 Gove Street Ward 1 Applicant: Jeffrey Drago, 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-919609 Address: 25-37 Frankfort Street Ward 1 Applicant: Jeffrey Drago, 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-916151 Address: 14 Snow Street Ward 22 Applicant: Mai Phung**

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



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

**Case: BOA-758696 Address: 79-89 West Broadway Ward 6 Applicant: Kevin P. Kerr, 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-614989 Address: 51 Humboldt Avenue Ward 12 Applicant: Humboldt Apartments L.P.**

**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.

**GCOD ONLY: 9:30 AM**

**Case: BOA-1069298 Address: 149 Newbury Street Ward 5 Applicant: Regina Olivieri**

**Article:** Art. 32 Sec. 04 GCOD Applicability

**Purpose:** Erect 5 story structure of approximately 47,000 sq ft. Retail use on level 1 and 2 and office space on upper floors (Shell only). Also combine three lots ( PID 0501363000) (PID 0501361010) (PID 051384000) into one lot and the address to be known as 149 Newbury Street.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to build a new home. Ruggiero moved to approve, Erlich seconded, the motion carried unanimously.



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### **HEARINGS: 9:30 AM**

**Case: BOA1182484 -Address: 65 Gove Street Ward 1 Applicant: Gove On The Green, LLC**

**Articles:** Article 10, Section 1 Limitation of Area Limitation of Area of Accessory Uses Article 27T 5 East Boston IPOD Applicability Article 51, Section 8 Use Regulations Use: Ancillary Parking: Conditional Article 53 Section 9 Usable Open Space Insufficient Article 53, Section 56 Off Street Parking & Loading Req Off Street Parking Design / Maneuverability

**Purpose:** Amendment to existing permit (ERT160207) to modify plan for parking to include ancillary parking on portion of 90 Bremen. See (U491173554).

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to build 2 family with 2 parking spaces.

Board Members asked about placement, closeness to buildings, and plans.

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

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

**Votes:** Board Member Ruggiero moved to approve with BPDA design review and to record necessary easement. Ligris seconded and the motion was carried unanimously.

**Case: BOA-1182486 Address: 90 Bremen Street Ward 1 Applicant: Sharpe Maverick Bremen, LLC**

**Articles:** Article 10, Section 1 Limitation of Area Limitation of Area of Accessory Uses Article 53 Section 8 Use Regulations Use: Ancillary Parking: Conditional Article 53 Section 9 Usable Open Space Insufficient Article 53 Section 56 Off Street Parking & Loading Req Off Street Parking Design / Maneuverability Article 27T 5 East Boston IPOD Applicability

**Purpose:** Ancillary parking for 1 vehicle for 65 Gove Street on portion of 90 Bremen Street. See also (A1173573).

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to build 2 family with 2 parking spaces.

Board Members asked about placement, closeness to buildings, and plans.

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

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

**Votes:** Board Member Ruggiero moved to approve with BPDA design review and to record necessary easement. Ligris seconded and the motion was carried unanimously.



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**Case: BOA-1183158 Address: 99 Maverick Street Ward 1 Applicant: Sachem-9 Realty Trust**

**Articles:** Art. 27G E Boston IPOD Applicability Article 53 Section 8 Use Regulations Multifamily use: Forbidden Article 53 Section 56 Off Street Parking & Loading Req Insufficient. Required 1.75\*9= 15.75 spaces Article 53, Section 57.2 Conformity Ex Bldg Alignment Street modal not provided Article 53, Section 9 Add'l Lot Area Insufficient total area required: 2,000 +7,000= 9,000 sqft Provided: 2,700 sqft Article 53, Section 9 Floor Area Ratio Excessive Max. allowed: 1.0 Proposed: 3.485 Article 53, Section 9 Bldg Height Excessive (Stories) Max. allowed: 3 Proposed: 4 Article 53, Section 9 Bldg Height Excessive (Feet) Max. allowed: 35' Proposed: 43' Article 53, Section 9 Usable Open Space Insufficient Required: 2,700 sqft Article 53, Section 9 Side Yard Insufficient Required: 2.5' Proposed: 0 (R&L) Article 53, Section 9 Rear Yard Insufficient Required: 30' Proposed: 0 (balconies)

**Purpose:** Demolition and removal of existing parking lot. To combine two lots, Parcel ID 0105630000 (1,800sqft) with lot Parcel ID 0105631000 (900 sqft) totaling 2,700sqft to Erect new (9) unit 3.5 story multi family building with a basement intended for building operations.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to erect a 4 story 7 unit building with no parking.

Board Members asked about plans and setbacks.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services is in support. BTDA does not have any issues with the parking layout. Councilor Edwards left this up to the discretion of the Board.

**Documents/Exhibits:** Building Plans, letters of opposition.

**Votes:** Board Member Ligris moved to approve with BPDA design review. Robinson seconded, Ruggiero recused, and the motion carried 5-2.



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**Case: BOA1165435-Address: 917 Bennington Street Ward 1 Applicant: James Christopher**

**Articles:** Art. 25 Sec. 5 Flood Hazard Districts Article 53, Section 56 Off Street Parking & Loading Req  
Parking is insufficient. ZBA relief already given for 45 spaces this will lower it to 31 spaces Article 27T 5  
East Boston IPOD Applicability

**Purpose:** To amend the approved plans and decision rendered under ERT276111 to include the new retail spaces at grade, and trash storage as per the atted plans.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to build mixed-up commercial/residential building, reduce parking to 31 spaces.

Board Members asked the size of the units, parking spaces, plans, and retail.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services and Councilor Edwards are in support. BTB says the plans indicate 41 spaces.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Ruggiero moved to approve. Ligris seconded and the motion was approved 6-1.

**Case: BOA-1182385 Address: 223 Saratoga Street Ward 1 Applicant: Saratoga EB, LLC**

**Articles:** Art. 09 Sec. 02 Nonconforming Use Change Requested change is <25% Conditional Article 27T 5  
East Boston IPOD Applicability Art. 53 Sec. 09 Floor Area Ratio Excessive Art. 53 Sec. 09# of allowed  
stories exceeded Article 53 Section 9 Allowed height exceeded Article 53, Section 9 Usable Open Space  
Insufficient Article 53, Section 9 Rear Yard Insufficient

**Purpose:** Amendment to ERT807322. Seeking to implement minor interior changes to the previously approved floor plans. Also, to enclose a previously proposed deck to create an additional bedroom, and relocate the aforementioned deck to the opposite side of the building, per plans.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to amend plans and enclose and relocate the deck.

Board Members asked if they were seprate lots, garages, curb cuts, roof decks.

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

**Documents/Exhibits:** Building Plans, letters of support.

**Votes:** Board Member Robinson moved to approve, Ruggiero seconded and the motion carried unanimously.



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**Case: BOA-1176038 Address: 499 Main Street Ward 2 Applicant: Andrew Oliver**

**Articles:** Article 89, Section 4 Urban Farm, Ground Level Use forbidden Article 89 Urban Agriculture Section 89 10 (4) ii; Insufficient front yard setback Article 89 Urban Agriculture Article 89 10 (4) iii; Insufficient setback from the public way

**Purpose:** Install a wooden apiary or beehive.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to build bee hive.

Board Members asked about the plans, the size, the bees, and the use.

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

**Documents/Exhibits:** Building Plans, letters of support.

**Votes:** Board Member Erlich moved to approve, Ligris seconded and the motion carried unanimously.

**Case: BOA-1151928 Address: 194-200 Shawmut Avenue Ward 3 Applicant: Telephone Associates Robert J. Gottlieb, LLC (by The Druker Company, LTD)**

**Article:** Art. 06 Sec. 03A Additional Conditions in Restricted Parking District Relief is required from the Board of Appeal for the extension of use.

**Purpose:** The Applicant seeks to continue to use the Premises as a public parking lot for a fee capacity 89 vehicles beyond existing Permit U49944315 which expires July 1, 2021, under BOA Decision # BOA 954514.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to have an extension on their 3 year use of premises application for a commercial parking lot.

Board Members asked about maintenance and signage.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services is in support. The BPDA recommends 2 years with screening and buffering. It is reported that they overfill lots.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Erlich moved to approve with the provisions: 1) BPDA for signage, cost of parking, capacity, and permit) + screening and buffering. 2) A 2-year extension Ruggiero seconded and the motion carried unanimously





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**Case: BOA-1053181 Address: 661-661A Tremont Street Ward 4 Applicant: James Christopher**  
**Articles:** Article 64, Section 9.4 Town House/Row House Extension Article 64, Section 9 Rear Yard Insufficient Article 64, Section 9 Building Height Excessive Article 64, Section 9 Floor Area Ratio Excessive Article 64 Section 9 Insufficient side yard setback Article 64, Section 34 Roof Structure Restrictions Proposed penthouse with wet bar and roof deck Article 64 Section 9 Insufficient usable open space Art. 32 Sec. 04 GCOD Applicability  
**Purpose:** To construct a rear addition, and head house as per the attached plans. No change to occupancy.

**Discussion/Vote:** The applicant requested a deferral and one was granted unanimously. The new hearing date will be August 10, 2021 at 12:30 pm.

**Case: BOA-1126355 Address: 345-347 Hanover Street Ward 3 Applicant: Keith Shirley**  
**Article:** Article 54 Section 12 Use Regulations Real Estate Office on the first floor is a conditional use in the Hanover CC Sub district.  
**Purpose:** Change/Legalize occupancy of first floor retail space into a real estate office. No work to be done.

**Discussion/Vote:** The applicant did not show up to the hearing. Board member Fortune moved to deny without prejudice. Ruggiero seconded, the motion carried unanimously.

**Case: BOA-1180520 Address: 88 Wales Street Ward 14 Applicant: Derric Small**  
**Articles:** Art. 60 Sec. 08 Use Regs appl in Res Subdistr Four unit building is a forbidden use Art. 60 Sec. 9 Additional Lot Area Insuff Add'l lot area required for the add'l units Art. 60 Sec. 38 Conformity with the existing front building alignment of the block. Art. 60 Sec. 37 Off St. Parking Requirements Off street parking design (access drive and maneuverability) Article 60, Section 9 Floor area ratio is excessive Article 60, Section 9 Height requirement is excessive (stories) Article 60, Section 9 Height requirement is excessive (ft) Article 60, Section 9 Usable open space requirement is insufficient  
**Purpose:** Build a 4 story 4 unit building as per plans.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to erect a 4 unit building with 4 parking spaces.

Board Members asked about the front yard, parking, existing curb cut, basement occ.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services is in support. BTM suggested removing rear spaces, and curb cut alignment.

**Documents/Exhibits:** Building Plans 1 letter of support.

**Votes:** Board Member Robinson moved to approve with BPDA design review. Ruggiero seconded and the motion was approved unanimously



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**Case: BOA-1173962 Address: 28 Hansborough Street Ward 14 Applicant: EJS Investments, Inc**

**Articles:** Article 60, Section 8 Use Regulations Multi-Family Dwelling Use: Forbidden  
Article 60, Section 9 Lot Area Insufficient Article 60, Section 9 Add'l Lot Area Insufficient  
Article 60, Section 9 Floor Area Ratio Excessive Article 60, Section 9 Bldg Height Excessive (Stories)  
Article 60, Section 9 Usable Open Space Insufficient Article 60, Section 9 Bldg Height Excessive (Feet)  
Article 60, Section 9 Front Yard Insufficient Article 60, Section 9 Side Yard Insufficient Article 60,  
Section 9 Rear Yard Insufficient Article 60, Section 40 Off-Street Parking & Loading Req Inappropriate  
maneuvering area. Proposed Driveway is less Than 10'-0"

**Purpose:** Seeking to erect a seven unit residential dwelling with seven parking spaces.

**Discussion/Vote:** The applicant requested a deferral and one was granted unanimously by the Board. The new date will be August 10, 2021 at 12:30pm.

**Case: BOA-1166626 Address: 40 Clifford Street Ward 18 Applicant: John Pulgini**

**Articles:** Article 69, Section 9 Lot Frontage Insufficient Required: 60' Proposed: 50' Article 69, Section 9  
Lot Width Insufficient Required: 60' Proposed: 50'

**Purpose:** Erect single family home on vacant lot.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to build a 1 family home on a vacant parcel.

Board Members asked about plans and parking.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, Councilor Arroyo, Councilor Essaibi-George, an abutter and a neighbor.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Ruggiero moved to approve with BPDA design review. Robinson seconded and the motion was approved unanimously



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**Case: BOA-1176005 Address: 1717-1719 Hyde Park Avenue Ward 18 Applicant: Ad Meliora, LLC**  
**Articles:** Article 69 Section 15 Floor Area Ratio Excessive Article 69 Section 15 Building Height Excessive  
Article 69 Section 14 Use Regulations Multi Family Dwelling Use: Forbidden Article 69 Section 15 Rear  
Yard Insufficient  
**Purpose:** Erect new Multi Family Dwelling (273 units) and Restaurant on ground floor with underground  
parking.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in  
detail to erect new mixed use building with affordable housing, parking, and 273 residential units mixed  
rental.

Board Members asked about unit sizes, dimensions, open space, parking, MBTA connection and rentals.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of  
Neighborhood services, Councilor Arroyo, Electricians Local 103, residents, and the Carpenters Union are in  
support. The BPDA commented that they had a robust community process.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Ruggiero moved to approve with BPDA design review. Robinson seconded and the  
motion was approved unanimously

**Case: BOA-1178808 Address: 19 Wellsmere Road, Ward 20 Applicant: Michael McCorry**  
**Article:** Article 67, Section 9 Side Yard Insufficient  
**Purpose:** Proposed work is 2 story addition off the back of current house. The first floor will primarily be a  
living room with the second floor being a master suite. The addition will include an unfinished basement. The  
plan is to also update the kitchen in the current house during this work.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in  
detail to add a 2 story addition, 20 feet out.

Board Members asked about plans and side yard setbacks.

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

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

**Votes:** Board Member Robinson made a motion to support, Ligris seconded and the motion carried  
unanimously.



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**Case: BOA-1175767 Address: 16-22 Linden Street Ward 21 Applicant: Partners Properties, LLC**

**Articles:** Article 51, Section 19 Use: Forbidden MFR Is a forbidden use in a LI 1 Subdistrict Article 51, Section 56. Off Street Parking & Loading Req Article 51, Section 57.13 Two or More Dwellings on Same Lot Article 51, Section 20 Floor Area Ratio is excessive Article 51, Section 20 Building Height in Feet is excessive Article 51, Section 20 Rear yard is insufficient Article 51, Section 20 Front Yard is insufficient

**Purpose:** Erect 2 Towers connect by underground garage on one lot to have 281 Residential units with 125 Parking spaces in underground garage, and 2 Retail space on the 1st floor. We request to pay nominal fee while we await ZBA decision.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to build a 349 unit compact living project with affordable units and parking, 9 artist units.

Board Members asked about bedroom sizes, square feet, loft sizes, common space, roof decks, parking, management, home ownership, and the lobby.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, Councilors Breadon, Flaherty, and Essaibi-George are in support. The Brighton Allston Improvement Association, the Allston Civic Association, The Carpenter's Union, Electricians Local 103, neighbors and abutters are in support.

**Documents/Exhibits:** Building Plans,.

**Votes:** Board Member Erlich moved to approve with BPDA design review. Ruggiero seconded and the motion carried 6-1.



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**Case: BOA-1175793 Address: 6 Pratt Street Ward 21 Applicant: Partners Properties, LLC**

**Articles:** Article 51, Section 57.13 Two or More Dwellings on Same Lot Article 51, Section 8 Use: Forbidden MFR is forbidden in a 2F 5000 Sub district. Article 51, Section 9 Floor Area Ratio Excessive Article 51, Section 9 Bldg Height Excessive (Stories) Article 51, Section 9 Bldg Height Excessive (Feet) Article 51, Section 9 Front Yard Insufficient Article 51, Section 9 Side Yard Insufficient Article 51, Section 9 Rear Yard Insufficient Article 51, Section 56 Off Street Parking Insufficient

**Purpose:** Build 69 residential to be know as one lot 6 Pratt St. We request to pay nominal fee while we await ZBA decision.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to build a 349 unit compact living project with affordable units and parking, 9 artist units.

Board Members asked about bedroom sizes, square feet, loft sizes, common space, roof decks, parking, management, home ownership, and the lobby.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, Councilors Breadon, Flaherty, and Essaibi-George are in support. The Brighton Allston Improvement Association, the Allston Civic Association, The Carpenter's Union, Electricians Local 103, neighbors and abutters are in support.

**Documents/Exhibits:** Building Plans,.

**Votes:** Board Member Erlich moved to approve with BPDA design review. Ruggiero seconded and the motion carried 6-1.



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**Case: BOA-1037801 Address: 157 Everett Street Ward 22 Applicant: George Morancy**

**Articles:** Art. 51 Sec. 09 Lot area for the add'l dwelling unit is insufficient Art. 51 Sec. 09 Floor area ratio is excessive Art. 51 Sec. 09 Usable open space is insufficient Art. 51 Sec. 09 Front yard setback is insufficient (Everett St) Art. 51 Sec. 09 Front yard setback is insufficient (Adamson St) Art. 51 Sec. 23 Off street parking requirement Off street parking requirement is insufficient Article 51 Section 8 Use Regulations Three story nine unit dwelling unit use is a forbidden use

**Purpose:** Erect new three story building to contain nine dwelling units with five garage parking spaces.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to erect a new 3 story 9 unit building to replace a 1 family with 5 parking spaces.

Board Members asked if they were separate lots, garages, curb cuts, roof decks.

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

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

**Votes:** Board Member Robinson moved to approve with BPDA design review. Ruggiero seconded, Ligris recused, and the motion carried unanimously.

**HEARINGS:11:00AM**

**Case: BOA-1171913 Address: 103 Porter Street Ward 1 Applicant: One Zero Three Porter, LLC**

**Articles:** Article 53 Section 8 Use Regulations Restaurant Use: Forbidden Article 53 Section 8 Use Regulations Bar Use: Forbidden

**Purpose:** Change of Occupancy to include restaurant/bar on first floor, with storage in basement; seating for 30 patrons.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to change use from commercial to restaurant and bar.

Board Members asked if it was handicap accessible, plans, and takeout.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Ligris moved to approve with BPDA design review with special attention to signage. Ruggiero seconded and the motion was approved unanimously.



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**Case: BOA-1179255 Address: 7 Kemble Place Ward 6 Applicant: Michael McGough**

**Articles:** Article 68, Section 34.1 Conformity Ex Bldg Alignment street modal not provided Article 68, Section 8 Lot Width Insufficient Required: 20' Proposed: 16.50' Article 68, Section 8 Floor Area Ratio Excessive Max. allowed: 2 Proposed: 2.22 Article 68, Section 8 Lot Frontage Insufficient Required: 20' Proposed: 16.50' Article 68, Section 8 Side Yard Insufficient Required: 3' Proposed: 0 Article 68, Section 8 Rear Yard Insufficient Required: 20' Proposed: 0 Article 68, Section 8 Lot Area Insufficient Required: 2,000 sqft Proposed: 858 sqft

**Purpose:** Erect single family home on vacant lot per plans, (in conjunction with ERT1153262).

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to build 2 1 family houses one new and one replacement.

Board Members asked if they were separate lots, garages, curb cuts, roof decks.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, and the City Point Neighborhood Association are in support. An abutter is in opposition.

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

**Votes:** Board Member Erlich moved to approve with BPDA design review. Robinson seconded and the motion was approved unanimously.



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**Case: BOA-1179258 Address: 8 Kimble Place Ward 6 Applicant: Michael McGough**

**Articles:** Article 68, Section 34.1 Conformity Ex Bldg Alignment street modal not provided Article 68, Section 8 Lot Width Insufficient Required: 20' Proposed: 16.50' Article 68, Section 8 Floor Area Ratio Excessive Max. allowed: 2 Proposed: 2.22 Article 68, Section 8 Lot Frontage Insufficient Required: 20' Proposed: 16.50' Article 68, Section 8 Side Yard Insufficient Required: 3' Proposed: 0 Article 68, Section 8 Rear Yard Insufficient Required: 20' Proposed: 0 Article 68, Section 8 Lot Area Insufficient Required: 2,000 sqft Proposed: 858 sqft

**Purpose:** Raze existing single family home and build new single family home per plans. This application is in conjunction with ERT1153257.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to build 2 1 family houses one new and one replacement.

Board Members asked if they were separate lots, garages, curb cuts, roof decks.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, and the City Point Neighborhood Association are in support. An abutter is in opposition.

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

**Votes:** Board Member Erlich moved to approve with BPDA design review. Robinson seconded and the motion was approved unanimously

**Case: BOA-1172719 Address: 136 West Eighth Street Ward 6 Applicant: Homegrown Builders, LLC**

**Articles:** Article 68, Section 8 Lot Area Insufficient 1,311sqft < 2,000sqft min. Article 68, Section 8 Add'l Lot Area Insufficient 1,311sqft < 4,000sqft min. Article 68, Section 8 Floor Area Ratio Excessive 2.4 > 2.0max Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 8 Side Yard Insufficient 0' < 3'min Article 68, Section 8 Rear Yard Insufficient 2'avg/0.8 < 15'min (Shallow Lot & Non parallel lot line) Article 68, Section 29 Roof Structure Restrictions Article 68, Section 33 Off Street Parking & Loading Req 2 provided < 4 min.

**Purpose:** Build new construction three family home at vacant parcel of land. Also see ALT1156178.

**Discussion/ Vote:** The applicant requested a deferral from the Board. Board member Erlich moved to grant the deferral, Ruggiero seconded, the motion carried unanimously. The new hearing date is August 10, 2021 at 12:30.





City of Boston  
Board of Appeal

**Case: BOA-1172724 Address: 138 West Eighth Street Ward 6 Applicant: Homegrown Builders, LLC**

**Articles:** Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8.4 Dim Regs: Extension in Rear Yard Article 68, Section 8 Side Yard Insufficient 0' < 3'min Article 68, Section 29 Roof Structure Restrictions Article 68, Section 8 Rear Yard Insufficient 10.7'avg/9.9' < 15'min (Shallow Lot & Non Parallel Lot Line)

**Purpose:** Expand existing single family home located at 138 West 8th St. New rear and third floor finished additions. Gut renovate existing living spaces. All new systems throughout. Combining, to then sub divide, parcels 0600801000 & 0600802000, new square footage of each to be 970sqft & 1,311sqft, respectively. Also see ERT1156173.

**Discussion/ Vote:** The applicant wishes to renovate an existing house in 138 and renovate a piece of the lot from 136. Board member Erlich moved to defer, Fortune seconded, the motion carried unanimously. The new hearing date is August 10, 2021 at 12:30.

**Case: BOA-1181408 Address: 11 Radford LN Ward 16 Applicant: David Allen**

**Articles:** Article 65, Section 8 Use Regulations 3 family use: Forbidden Article 65, Section 9 Floor Area Ratio Excessive Max. allowed: 0.4 Proposed: 0.53 Article 65, Section 9 Bldg Height Excessive (Stories) Max. allowed: 2.5 Proposed: 3 Article 65, Section 9 Side Yard Insufficient Required: 10' Proposed: 2nd floor deck and dormer at 6.1'. (R) 3rd floor building overhang at 3.4' (R) 2nd and 3rd backyard deck at 9.8' (R) Article 65, Section 9 Usable Open Space Insufficient Required: 1,450 Proposed: eliminated with proposed parking spaces. Article 65, Section 32 NDOD Review Required

**Purpose:** (1) Change of occupancy: Convert 2 family to 3 family. (2) Dormers: Construct rear dormers right and left elevations to match existing style and pitch. (3) Decks: (a) Construct new rear decks 1st, 2nd & 3rd floors. (b) Repair front decks 1st & 2nd floors. (c) Repair rear deck 2nd floor.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to change a 2 family to a 3 family by adding dormers. Adding rear decks.

Board Members asked the number of bedrooms, dimensions, square footage and parking.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, Councilor Mejia, Councilor Essaibi-George, Councilor Flaherty, and Councilor Baker and the Brighton Allston Improvement

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review. Ligris seconded and the motion was approved unanimously.



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**Case: BOA-1167470 Address: 13 Norton Street Ward 18 Applicant: Falcucci Properties, LLC**  
**Articles:** Art. 69 Sec. 09 Lot frontage is insufficient Art. 69 Sec. 30.1 Bldg.Alignmnt Conformity Front building alignment Art. 69 Sec. 30.12 2/More Dwellings on Same Lot Two or more dwellings on the same lot  
**Purpose:** Seeking to erect a single family residential dwelling. One of three buildings on one lot. See ERT1050411 and ERT1050408.

**Discussion/Vote:** The applicant requested a deferral. Erlich moved to deferr, Ruggiero seconded, Ligris recused, and this was moved unanimously. The new hearing date is August 10, 2021 12:30.

**Case: BOA-1167473 Address: 15 Norton Street Ward 18 Applicant: Falcucci Properties, LLC**  
**Articles:** Art. 69 Sec. 09 Rear yard setback is insufficient Art. 69 Sec. 30.1 Bldg. Alignmnt Conformity Front building alignment Art. 69 Sec. 30.12 2/More Dwellings on Same Lot Two or more dwellings on same lot  
**Purpose:** Seeking to erect a single family residential dwelling. One of three buildings on one lot. See ERT1050402 and ERT1050411.

**Discussion/Vote:** The applicant requested a deferral. Erlich moved to deferr, Ruggiero seconded, Ligris recused, and this was moved unanimously. The new hearing date is August 10, 2021 12:30.

**Case: BOA-1167475 Address: 17 Norton Street Ward 18 Applicant: Falcucci Properties, LLC**  
**Articles:** Art. 69 Sec. 30.1 Bldg.Alignmnt Conformity Front building alignment Art. 69 Sec. 30.122/More Dwellings on Same Lot Two or more dwellings on the same lot  
**Purpose:** Seeking to erect a single family residential dwelling. One of three buildings on one lot. See ERT1050402 and ERT1050408.

**Discussion/Vote:** The applicant requested a deferral. Erlich moved to deferr, Ruggiero seconded, Ligris recused, and this was moved unanimously. The new hearing date is August 10, 2021 12:30.



City of Boston  
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**Case: BOA-1159880 Address: 93-95 Hyde Park Avenue Ward 19 Applicant: Alfonso Sira**

**Article:** Art. 55, Section 8 Use: Forbidden Professional veterinarian office / medical clinic use is a forbidden use in this neighborhood residential use

**Purpose:** Tenant fit out for a veterinarian office / medical clinic. Change occupancy to include veterinarian office / medical clinic.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to change the occupancy from commercial to veterinary/medical clinic.

Board Members asked about plans and neighborhood context.

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

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

**Votes:** Board Member Erlich moved to approve, Ruggiero seconded, and the motion was approved unanimously.

**Case: BOA-1151073 Address: 365 Western Avenue Ward 22 Applicant: Joe Hassell**

**Articles:** Article 51, Section 16 Use Regulations MFR Use – Conditional Article 51, Section 17 Excessive F.A.R. Article 51, Section 17 Excessive Height Article 51, Section 17 Insufficient rear yard setback Article 51, Section 56 Off-Street Parking & Loading Req Insufficient parking Article 51, Section 56 Off-Street Parking & Loading Req Access/maneuvering areas Article 51, Section 57.2 Conformity Exist Bldg Alignment Front yard setback requirements Art. 29 Sec. 04 Greenbelt Protection Overlay District Applicability

**Purpose:** Raze existing 1 story building. Erect new 6 story, 60 unit building with 37 parking spaces.

**Discussion/ Vote:** The applicant requested a deferral from the Board. Board member Erlich moved to grant the deferral, Ruggiero seconded, Robinson recused, the motion carried unanimously. The new hearing date is August 11, 2021 at 12:30.



City of Boston  
Board of Appeal

**HEARINGS:12:30PM**

**Case: BOA- 1107041 Address: 1201 Saratoga Street Ward 1 Applicant: Ashley Tan**

**Articles:** Article 27T 5 East Boston IPOD Applicability Article 53 Section 8 Use Regulations 9 units/MFR Forbidden Article 53 Section 8 Use Regulations Accessory parking use Forbidden Article 53 Section 56 Off Street Parking & Loading Req Insufficient parking for requested # of units Article 53 Section 9 Excessive F.A.R. Article 53 Section 9 Height exceeded Article 53 Section 9# of allowed stories exceeded Article 53 Section 9 Insufficient side yard setback Article 53 Section 9 Insufficient rear yard setback Article 53 Section 9 Insufficient front yard setback/street alignment

**Purpose:** Current vacant structure to be razed and a new 9 unit multi family to be constructed, with 10 parking spaces.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to erect a 9 unit MFR with parking.

Board Members asked parking and the plans.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services is in support. **Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review. Ligris seconded and the motion carried 6-1.



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**Case: BOA-1157605 Address: 44 Cottage Street Ward 1 Applicant: The Marion R. Milo Trust**

**Articles:** Art. 10 Sec. 01 Limitation of parking areas 5' side yard buffer Article 27T-5 East Boston IPOD Applicability Article 53 Section 56 Off-Street Parking & Loading Req Insufficient parking – 6 spaces required Article 53 Section 56.5.a Parking maneuverability Access/design/maneuvering areas Article 53 Section 8 Use Regulations MFR-Forbidden Article 53 Section 9 Insufficient addition lot area per unit – 1000sf/unit required Article 53 Section 9 Excessive F.A.R. – 1.0 max. Article 53 Section 9 # of allowed stories exceeded – 3 story max. Article 53 Section 9 Max allowed height exceeded – 35' max. Article 53 Section 9 Insufficient side yard setback – 2.5' required Article 53 Section 9 Insufficient rear yard setback – 30' min required Article 53 Section 9 Insufficient open space per unit – 300sf/unit required

**Purpose:** Combine parcel numbers 0104891000 and 0104892000 (See ALT1099347), raze existing structures, and erect a four (4) unit residential dwelling with a roof deck and parking for four (4) vehicles.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to replace a 1 family with a 4 story 4 unit building with 4 parking spaces.

Board Members asked about off-street parking, handicap accessibility, unit sizes and parking spaces.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, Councilor Edwards and Councilor Essaibi-George are in support. The Jeffries Point Neighborhood association is in opposition.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review. Ligri seconded, and the motion carried 6-1.



City of Boston  
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**Case: BOA- 1068506 Address: 12 Rock Hill Road Ward 19 Applicant: Matthew Hayes**

**Articles:** Article 55, Section 40.5a Parking Maneuverability 3 spaces are on tandem spaces, Article 55, Section 40.5d Parking space sizes 1 space should be accessible according to 521 CMR, Article 55, Section 41.1 Conformity Ex Bldg Alignment, Article 55, Section 8 Use Regulations 12 residential unit use: forbidden, Article 56, Section 8 Floor Area Ratio Excessive Max. allowed: 0.6 Proposed: 1.82, Article 56, Section 8 Bldg Height Excessive (Stories) Max. allowed: 3 Proposed: 4, Article 56, Section 8 Bldg Height Excessive (Feet) Max. allowed: 35' Proposed: 36', Article 55, Section 9 Side Yard Insufficient Required: 7' and 10' Proposed: Right: 5.8' and Left: 4.5', Article 55, Section 9 Rear Yard Insufficient Required: '20 Proposed: 15.4'

**Purpose:** Combine 3 existing Lots into one 10,138 sq ft Lot of land, Lot A 29 Rock Hill Rd. Parcel#1900258000 with Lot B, 31 Rock Hill Rd Parcel#1900258001 and Lot C Parcel #1900258002. This Lot to be known as 12 Rock Hill Rd. Erect a new 4 story, 12 Unit Residential Building (2 affordable rental units) with 20 parking spaces. There will be a full Sprinkler system being installed. Propose (10) ancillary parking from 29 Rock Hill Road (ALT1060818).

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to combine 3 lots for a 4 story 12 unit building with parking.

Board Members asked about the zoning district, side yard, unit sizes, parking, roof decks, screening and buffering.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, Councilor O'Malley and an abutter are in support. Multiple abutters are in opposition.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review with screening and buffering for ancillary parking. Erlich seconded and the motion was approved unanimously.



City of Boston  
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**Case: BOA-1068509 Address: 29 Rock Hill Road Ward 19 Applicant: Matthew Hayes**

**Articles:** Article 55, Section 8 Use Regulations Ancillary parking use: Conditional Article 55, Section 9 Front Yard Insufficient Required: 15' Proposed: 2' Article 55, Section 9 Floor Area Ratio Excessive Max. allowed: 0.6 Article 55, Section 9 Rear Yard Insufficient Required: 20' Proposed: 2' Article 55, Section 9 Usable Open Space Insufficient Article 55, Section 40 Off Street Parking & Loading Req Design. Maneuvering of tandem parking

**Purpose:** Erect an addition as per plans. Provide ten (10) ancillary parking to 12 Rock Hill Road (ERT1060820).

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to combine 3 lots for a 4 story 12 unit building with parking.

Board Members asked about the zoning district, side yard, unit sizes, parking, roof decks, screening and buffering.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood services, Councilor O'Malley and an abutter are in support. Multiple abutters are in opposition.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with BPDA design review with screening and buffering for ancillary parking. Erlich seconded and the motion was approved unanimously.

**Case: BOA-1146931 Address: 3936 Washington Street Ward 19 Applicant: Manuel Marinez**

**Articles:** Art. 67 Sec. 08 Use Regulations Applicable in Residential Sub Districts Multi family dwelling unit (Four) is a forbidden use Article 67, Section 9 Side yard requirement is insufficient Article 67, Section 9 Rear yard requirement is insufficient Article 67, Section 9 Floor area ratio is excessive Article 67, Section 9 Lot area for the add'l units is insufficient Article 67, Section 32 Off Street Parking Off street parking requirement is insufficient Article 67, Section 9 Location of main entrance of a dwelling unit must face the front lot line Article 67, Section 8 Use: Forbidden Hair salon in a residential subdistrict is a forbidden use

**Purpose:** Extension of residential living space from 2 to 4 dwelling units and from 2 existing stores to 1 store and 1 hair salon, then fully renovate. Building to be fully sprinklered and with fire alarm as required.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to extend from a 2 to a 4 family.

Board Members asked about access to residential units, plans, and external revisions to plans.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Ruggiero moved to approve with BPDA design review. Robinson seconded and the motion was approved unanimously.



City of Boston  
Board of Appeal

**Case: BOA-1160394 Address: 39 Dustin Street Ward 21 Applicant: John Walsh**

**Articles:** Article 51 Section 8 Use Regulations Use: Three (3) Family Dwelling: Forbidden Article 51 Section 9 Floor Area Ratio Excessive Article 51 Section 9 Building Height (# of Stories) Excessive Article 51 Section 9 Rear Yard Insufficient Article 51, Section 56. Off Street Parking & Loading Req Off Street Parking Design / Maneuverability. Proposed Parking spaces do not comply dimensionally. Tandem Parking is not permitted Article 10, Section 1 Limitation of Area Limitation of Area of Accessory Uses

**Purpose:** Confirm Occupancy as an existing Two Family Dwelling. Construct a new 3 story addition with decks. Change Occupancy from a Two Family Dwelling to a Three Family Dwelling. Hard Copy

**Discussion/Vote:** The applicant requested a deferral from the Board. Board member Fortune moved to defer, Ligris seconded, the motion carried unanimously. The new hearing date is August 24, 2021 at 12:30.

**Case: BOA-1152875 Address: 35 Hunnewell Avenue Ward 22 Applicant: Robert Manley**

**Articles:** Article 51, Section 8 Use Regulations Three Family in a two family subdistrict – Forbidden Article 51, Section 8 Use Regulations TABLE A Footnote #5 – Basement units are forbidden Article 51, Section 9 Excessive F.A.R. - .6 max Article 51, Section 9 # of allowed stories exceeded – 2.5 story max Article 51, Section 9 Insufficient front yard setback – 20’ req. Article 51, Section 9 Insufficient rear yard setback – 30’ req. Art. 09 Sec. 01 Reconstruction/Extension Conditional Dimensional – Existing F.A.R. is nonconforming of Nonconforming Bldg Art. 51 Sec. 56 Off street parking requirements Location: footnote (4) No parking allowed in required front yard two spaces (other parking shown are pre-existing) Art. 51 Sec. 56 Off street parking requirements 5’ buffer requirement

**Purpose:** Convert from a two family to a three family, enclose second floor porch, and create additional living space in the basement and on the second and third floors to include third floor addition with decks per plans submitted.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to convert a 2 family to a 3 family by adding a 3<sup>rd</sup> floor addition.

Board Members asked about a deferral and basement living space.

**Testimony:** The Board then requested testimony from neighbors and elected officials. The Mayor’s Office of Neighborhood services and an abutter are in support. Councilor Breadon is in opposition

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Erlich moved to approve with BPDA design review. Ruggiero seconded and the motion was approved unanimously.





City of Boston  
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**Case: BOA-1171278 Address: 748-750 East Broadway Ward 6 Applicant: George Morancy**

**Articles:** Article 68, Section 33 Off Street Parking & Loading Req Required for Restaurant use: 120 seats \* 0.3= 36 parking Spaces Residential: 9\*1.5= 13.5 parking spaces Article 68, Section 8 Lot area minimum. Required: 5,000 sqft Proposed: 4,500 sqft Article 68, Section 8 Floor Area Ratio Excessive Max. allowed: 1.5 Proposed: 3.62 Article 68, Section 8 Bldg Height Excessive (Feet) Max. allowed: 35' Proposed: 42' 11" Article 68, Section 8 Usable Open Space Insufficient Required: 200\*9= 1,800 sqft Provided insufficient Article 68, Section 8 Front Yard Insufficient for L street only. East Broadway is in compliance with street modal Article 68, Section 8 Side Yard Insufficient Required: 3' Provided: 5' L Street (R). Not provided on East Broadway (L). Article 68, Section 8 Rear Yard Insufficient Required: 20' Proposed: 5' Article 68, Section 8.3 Dim Regs: Location of Main Entrance Article 68, Section 34.2 Traffic Visibility Across Corner Article 68, Section 7 Use Regulations Restaurant use: Conditional

**Purpose:** Construct new 4 Story Building with 9 residential units and restaurant at the first floor on combined lots at 748 E Broadway (0603511000), 750 E Broadway (0603510000), 65 L Street (0603509000) and L Street (0603508000) and demolish all existing buildings.

**Case: BOA-1167376 Address: 50-52 Dorset Street Ward 7 Applicant: George Morancy**

**Article:** Article 65, Section 8 Use Regulations 3 Family is a forbidden use in a 2F 5000 Sub district

**Purpose:** Change occupancy from two family dwelling to three family dwelling; add 3 accessory off street parking spaces to rear yard w/ access via existing curb cut & driveway; demo garage in rear yard. All work except demo of garage included in scope of issued permit ALT1112471 w/ declared value of \$245,000.

**Discussion/Vote:** Robinson moved to approve with BPDA design review, Ligris seconded, and the motion carried unanimously.



City of Boston  
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**Case: BOA-1129048 Address: 1589 Columbus Avenue Ward 11 Applicant: FPG 17 Wensley, LLC**

**Article:** Article 55 Section 19 Use Regs in Local Industrial Cannabis Establishment Use: Conditional

**Purpose:** Change occupancy from dry cleaner to adult use retail cannabis store. Interior alterations & exterior renovation. The building will remain the same size;no additions of any kind. The work being completed will include the installation of new mechanical systems,drywall,framing of walls, tile floor,relocation of restrooms, exterior repairs & facade modifications.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to change the occupancy from a dry cleaner to a cannabis establishment.

Board Members asked about hours, security and parking.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Erlich moved to approve with BPDA design review and that this would apply to this petitioner only. Ruggiero seconded and the motion was approved unanimously.

**Case: BOA-1039457 Address: 1R Lorenzo Street Ward 16 Applicant: Timothy Johnson**

**Articles:** Art. 65 Sec. 9 Residential Dimensional Regs. Insufficient lot width – 40' req.

Article 65, Section 42 Application of Dimensional Req 2. Conformity with existing Building Alignment – (Modal 15')

Article 65, Section 9 # of allowed habitable stories has been exceeded – 2.5 stories max

**Purpose:** Combine Parcel 274 & 2727 and erect new 2 ½ story, 2-family dwelling w/rear decks and 4 off-street parking spaces as per plans submitted.

**Discussion:** At the request of the board, the applicant presented plans and described the proposed project in detail to combine lots and erect a new 2 1/2 story building 2 family with parking.

Board Members asked plans, parking, prior denied appearance, and roof decks.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Ruggiero moved to approve with BPDA design review. Erlich seconded and the motion was approved unanimously.



City of Boston  
Board of Appeal

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

**BOARD MEMBERS:**

CHRISTINE ARAUJO-CHAIR  
MARK FORTUNE-SECRETARY  
MARK ERLICH  
JOSEPH RUGGIERO  
ERIC ROBINSON  
KOSTA LIGRIS  
SHERRY DONG

**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 June 8, 2021 Board of Appeal Hearing please go to: [https://www.cityofboston.gov/cable/video\\_library.asp](https://www.cityofboston.gov/cable/video_library.asp).**