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## **HEARING MINUTES**

Board Chair Dong 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 Norm Stembridge

**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON MARCH 14, 2023 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS MARCH 14, 2023 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

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

**THE MARCH 14, 2023 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE ZOOM WEBINAR EVENT PLATFORM.**

Interested persons can participate in the hearing REMOTELY by going to <https://bit.ly/ZBA2023Hearings>. You may also participate by phone by calling into the Zoom Webinar at (301) 715-8592 and entering the Webinar ID: 821 8044 0527 followed by # when prompted.

If you wish to offer testimony on an appeal, please click <https://bit.ly/March14Comment> 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.



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**For individuals who need translation assistance, please notify the Board at least 48 HOURS in advance either by signing up at <https://bit.ly/March14Comment>, calling 617-635-4775, or emailing [zba.ambassador@boston.gov](mailto:zba.ambassador@boston.gov).**

**The ZBA Ambassador will be available within the Zoom Webinar Event from 8:30 AM to 9:30 AM to answer questions about ZBA procedures and offer instructions on how to participate in the hearing via Zoom. 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 that should appear on the bottom of your screen, if connected by computer or device, or dial \*9, if connected by phone. On a computer or device, you will receive a request to unmute yourself from the event host. You must select yes before you can speak. On a phone, you will hear a prompt that the event host is asking you to unmute yourself. You must press \*6 to unmute yourself before you can speak. Commenters will be 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 8:30AM 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 offer testimony. 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.**

**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 [ZBAPublicInput@boston.gov](mailto:ZBAPublicInput@boston.gov) IN LIEU OF OFFERING TESTIMONY ONLINE OR FROM BPDA BOARD ROOM. IT IS STRONGLY ENCOURAGED THAT**



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**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 THE HEARING MINUTES: 9:30AM**

**January 19, 2023 & January 31, 2023**

**Discussion/Vote:** Upon a motion and a second the Board voted unanimously to approve the hearing minutes.

**EXTENSIONS: 9:30AM**

**Case: BOA-911272 Address: 9 Chelsea Street Ward 1 Applicant: Richard Lynds, Esq**

**Discussion/Vote:** Upon a Motion and second, the Board voted unanimously to extend with a new date of March 29, 2024.

**Case: BOA-1067117 Address: 6 Kelley Court Ward 2 Applicant: Timothy Sheehan**

**Discussion/Vote:** Upon a Motion and second, the Board voted unanimously to extend with a new date of March 13, 2024.

**Case: BOA-1033475 Address: 334-362 Cambridge Street Ward 21 Applicant: Jeffrey Drago, Esq**

**Discussion/Vote:** Upon a Motion and second, the Board voted unanimously to extend with a new date of March 13, 2024.

**Case: BOA- 1033472 Address: 8-12 Wilton Street Ward 22 Applicant: Jeffrey Drago, Esq**

**Discussion/Vote:** Upon a Motion and second, the Board voted unanimously to extend with a new date of March 13, 2024.

**Case: BOA-1033469 Address: 20 Braintree Street Ward 22 Applicant: Jeffrey, Drago, Esq**

**Discussion/Vote:** Upon a Motion and second, the Board voted unanimously to extend with a new date of March 13, 2024.

**Case: BOA-917579 Address: 349-349A Baker Street Ward 20 Applicant: John Pulgini, Esq**

**Discussion/Vote:** Upon a Motion and second, the Board voted unanimously to extend with a new date of March 15, 2024.

**Case: BOA-917588 Address: 345-345B Baker Street Ward 20 Applicant: John Pulgini, Esq**

**Discussion/Vote:** Upon a Motion and second, the Board voted unanimously to extend with a new date of March 15, 2024.

**Case: BOA-659702 Address: 86-88 North Washington Street Ward 3 Applicant: Dennis Quilty, Esq**

**Discussion/Vote:** Upon a Motion and second, the Board voted unanimously to extend with a new date of May 4, 2024.



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**BOARD FINAL ARBITER: 9:30AM**

**Case: BZC-32279 Address: 315-319 West Broadway Ward 6 Applicant: Sammy Nabulsi**

**Discussion/Vote:** Upon a motion and a second the Board voted unanimously to approve this Board Final Arbitr application.

**GROUNDWATER CONSERVATION OVERLAY DISTRICT ONLY: 9:30AM**

**Case: BOA-1432413 Address: 36 Cottage Street Ward 1 Applicant: Noel DiCarlo**

**Article(s):** Article 32, Section 4.GCOD, Applicability

**Purpose:** Renovate an existing mixed use building (3 units & office). Scope of work to include new plumbing, electrical, HVAC, as well as fire alarm and sprinkler system. New kitchens and baths. Renovation as per plans. No exterior alterations.

**Discussion:** Board members asked about plans, and the GCOD relief.

**Documents/Exhibits:** Building Plans. BGTW letters.

**Votes:** Board Member Aiken moved to approve. Stembridge seconded and the motion carried unanimously.

**Case: BOA-1422701 Address: 374 Commonwealth Avenue Ward 5 Applicant: Thomas Miller**

**Article(s):** Article 32, Section 4.GCOD, Applicability - Groundwater Conservation Overlay District Applicability

**Purpose:** Convert existing front yard space to an outdoor patio for outdoor dining. Remove a small portion of fence and curb to allow for a new gate with access to the proposed patio area(s).

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail and sought relief for GCOD.

Board members asked about plans, GCOD

**Documents/Exhibits:** Building Plans. BGWT letters.

**Votes:** Board Member Langham moved to approve. Whewell seconded and the motion carried unanimously.



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

**Case: BOA-1428447 Address: 4198-4206 Washington Street Ward 19 Applicant: Danny Moll ARTICLE 80**

**Article(s):** Article 67,Section 12 FAR Article 67,Section 12 Building Height Feet Article 67,Section 12 Building Height Stories Article 67,Section 12 Rear Yard Article 67 Sec. 29 Specific Design Review - 67 29.1 Street Wall Continuity in Certain Subdistricts Article 67 Section 32 Off Street Parking & Loading Req – Parking Article 67 Section 32 Off Street Parking & Loading Req - Loading

**Purpose:** Construction of a new five story mixed-use building for residential, local retail, and theatre. Podium construction will consist of (31) thirty-one residential units, with a minimum 60% income restriction, (4) four local retail spaces at the ground level, below-grade level containing storage, mechanical, and (1) one community theater space. Two garaged parking spaces at first level.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to construct a new 5 unit mixed use dwelling with below markets, mixed unit counts, below grade theatre, mbta subsidized passes, bike passes, parking, and 19 affordable units.

Board members asked about plans, proposal, location, loading, parking, units.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Abutters in support and opposition. Carpenters union in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Valencia moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.

**Case: BOA-1404217 Address: 302 Fuller Street Ward 17 Applicant: Cecille Campbell**

**Article(s):** Article 65, Section 9 Side Yard Insufficient - 10' away property line requirement  
Article 65, Section 9 Floor Area Ratio Excessive - FAR allowance .4

**Purpose:** Remove existing wall between bedroom and kitchen and wall between rear porch and bedroom. Install LVL beams. Extend space to rear porch. In close rear porch and install windows. Build new rear porch and stairs. Install new exterior doors and install new cabinets and countertop.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to renovate the space by knocking the wall down and relocating the structural beam.

Board members asked about plans.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Whewell moved to approve. Stembridge seconded and the motion carried unanimously.



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**Case: BOA-1414980 Address: 120 Bowdoin Street Ward 14 Applicant: Michael P. Ross, Esq ARTICLE 80**

**Article(s):** Article 65, Section 15 Use: Conditional – MFR Article 65, Section 16 Floor Area Ratio  
Article 65, Section 16 Building Height Article 65, Section 16 Rear yard Article 65, Section 16 Usable Open Space  
Art. 65 Sec. 41 Off street parking requirements Art. 65 Sec. 41 Off St. Loading Req'mnts

**Purpose:** Erect a new 6 story mixed use building consisting of 38 units over ground floor local retail (core/shell), parking garage and lobby. Raze existing building under SF.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a new 6story multifamily mixed bedroom count with solar panels, big slope, 9 parking spots, and currently vacant.

Board members asked about plans, proposal, configuration.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilors Worrell, Flaherty, and Murphy are in support. The Carpenters Union and an abutter are in support. Councilor Arroyo deferred to the board.

**Documents/Exhibits:** Building Plans. Letters of support on file.

**Votes:** Board Member Valencia moved to approve with BPDA design reievw. Stembridge seconded and the motion carried unanimously.

**Case: BOA-1417346 Address: 57 Nightingale Street Ward 14 Applicant: Darguin Fortuna**

**Article(s):** Article 60, Section 9 Floor Area Ratio Excessive 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 Parking maneuverability

**Purpose:** The Construction of a new three family building at an empty lot.

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

Board members asked about plans, proposal,

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Worrell in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Whewell moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.



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**Case: BOA-1420833 Address: 17 Mascot Street Ward 14 Applicant: Derric Small**

**Article(s):** Article 60, Section 9 Lot Area Insufficient 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

**Purpose:** Construct a 3 story addition. Change of Occupancy from a Two (2) Family Dwelling to a Three (3) Family dwelling. Installation of a new Fire Sprinkler system.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to add a new addition including a 3<sup>rd</sup> level to make the occupancy a 3 family, condo units with 3 parking spaces.

Board members asked about plans, proposal, parking.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilors Worrell and Murphy are in support.

**Documents/Exhibits:** Building Plans. Letters of support on file.

**Votes:** Board Member Shepard moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.

**Case: BOA-1423055 Address: 572-574 Columbia Road Ward 13 Applicant: Domenic Columbo ARTICLE 80**

**Article(s):** Article 65 Section 16 FAR max. allowed:1 Proposed: 2.89 Article 65, Section 16 Max. building height allowed: 40' Proposed: 67' Article 65, Section 16 Min. usable open space required: 48x50= 2,400 sqft (Pending to verify proposed occupant load for roof deck.) Article 65, Section 16 Min. rear yard required: 20' Proposed: <20' Article 65 Section 38.1 Specific Design Requirements - Street Wall continuity

**Purpose:** Change of use from bank to 48 units of affordable housing with ground level retail, community space and artist use space, community area and garden on the roof, and 19 parking spaces. One of the existing structures will be partially demolished under Short Form#, with the remainder renovated and expanded. Combining 3 lots, lot id1301340000 (7,974 sqft), lot id 1301342000 (2,225 sqft) and lot id 1301343000 (15,975sqft) totaling 26,175 sqft.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to erect 48 units of affordable housing with 19 parking spaces and artist loft uses on a difficult site location

Board members asked about plans, proposal, condos, parking

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilors Worrell, Baker, Murphy, Flaherty, MOH, Uphams corner, Dudley Neighborhood association, and the Main Streets Association are in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Whewell moved to approve. Stembridge seconded and the motion carried unanimously.





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**Case: BOA-1332592 Address: 19 Woodville Street Ward 8 Applicant: Juan Rojas**

**Article(s):** Art. 50 Sec. 29 Usable open space insufficient - Min. required:  $650 * 3 = 1,950$  sqft Reduced by proposing 3 rear yard parking spaces Article 50, Section 29 Floor Area Ratio Excessive - Max. allowed: 0.8 Proposed: 0.93

**Purpose:** Extend living to basement, work started on SF1177556. 3 off street parking spaces proposed in the rear yard.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to extend the living space into the basement with 3 parking spaces proposed.

Board members asked about plans, proposal

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Anderson is in support.

**Documents/Exhibits:** Building Plans. Letters of support.

**Votes:** Board Member Whewell moved to approve with BPDA design review and BTD review. Stembridge seconded and the motion carried unanimously.

**Case: BOA-1423032 Address: 48 Ellery Street Ward 7 Applicant: George Morancy**

**Article(s):** Art. 23 Sec. 01 Off street parking requirements - Min. parking spaces required:  $14 \times 0.9 = 12.6$  Proposed: 7

Article 13, Section 1 Add'l Lot Area Insufficient - Min. lot required: 15,000 sqft Proposed: 5,249 sqft

Article 13, Section 1 Floor Area Ratio Excessive - Max. allowed: 1 Proposed: 3.5 Article 13, Section 1 Bldg Height Excessive (Feet) - Max. allowed: 40' Proposed: 60'

Article 13, Section 1 Bldg Height Excessive (Stories) - Max. allowed: 3 Proposed: 6

Article 13, Section 1 Usable Open Space Insufficient - Min. required: 2,800 sqft Proposed: 1,044 sqft

Article 13, Section 1 Side Yard Insufficient - Min. required: 3' Proposed: 8" Article 13, Section 1 Rear Yard Insufficient - Min. required: 20' Proposed: 10' 4"

Article 13, Section 1 Front Yard Insufficient - Street modal calculation not provided to verify compliance with conformity with existing building alignment.  
**Purpose:** Combine two lots into one. Parcel ID 0703407000 (with 2,625 sqft) and parcel ID 0703406000 (with 2,624 sqft) the resulting lot will be 5,249 sqft for erection of a new 14 unit, 6 story multifamily building with residential lobby, 7 parking spaces, utilities at ground level, with the residential units on the floors above. Demolishing existing structure under SF:# and garage structure under SF:#.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until May 9, 2024.

**Case: BOA-1397214 Address: 154 West Canton Street Ward 4 Applicant: Evan Hornbuckle Revocable Trust**

**Article(s):** Article 64, Section 9.4 Town House/Row House Extension Art. 32 Sec. 32 4 Groundwater Conservation Overlay District, Applicability

**Purpose:** Full gut of residence, structural work, all new MEP systems, new roof, new finishes.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to do a complete gut rehab of a 4 story townhouse style residential dwelling with a new uncovered deck.

Board members asked about plans, proposal.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Shepard moved to approve. Langham seconded and the motion carried unanimously.



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**Case: BOA-1392166 Address: 274 Chelsea Street Ward 1 Applicant: IMSTAR, LLC**

**Article(s):** Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Add'l Lot Area Insufficient Art. 53 Sec. 09.3 Location of Main Entrance Art. 53 Sec. 56^Off street parking insufficient Art. 32 Sec. 04 GCOD Applicability Article 27T - 5 East Boston IPOD Applicability

**Purpose:** Confirm occupancy as 2 family with (1) store. Change occupancy to 3 family. Scope includes interior renovations, and upgrades to life safety (FA/FP).

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to change the occupancy from a two family to a three-family residential dwelling with life safety upgrades.

Board members asked about plans, proposal, commercial, and penthouse

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Coletta is in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Valencia moved to approve with BPDA design review. Whewell seconded and the motion carried unanimously.

**Case: BOA-1412519 Address: 302 Chelsea Street Ward 1 Applicant: Reis Panorama Realty MA LLC**

**Article(s):** Art. 32 Sec. 32-4 Groundwater Conservation Overlay District, Applicability Article 27T - 5 East Boston IPOD Applicability Article 53 Section 56 Off-Street Parking & Loading Req - Off street parking is insufficient Article 53 Section 8 Use Regulations - MFR is forbidden 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

**Purpose:** Erect addition and change occupancy to a four unit residential dwelling with rear decks.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to include a rear vertical addition and change the occupancy to four residential condo units with exterior improvements on a slanted grade lot.

Board members asked about plans. They found the height was excessive and not in context

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilors Coletta and Murphy are in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Aiken moved to deny without prejudice. Whewell seconded, Valencia opposed, and the motion carried 6-1.



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## **HEARINGS:10:30AM**

**Case: BOA-1432386 Address: 57 Ocean Street Ward 17 Applicant: Matthew Malloy**

**Article(s):** Art. 65 Sec. 41 Off street parking requirements No parking allowed in required front yard

**Purpose:** Proposing basic driveway (1 spot) that is 8.5 feet x 20 feet. (Old case U491223048 was previously filed and denied)

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to add a single car driveway for a single car electric vehicle.

Board members asked about plans, proposal,

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilors Baker, Murphy, and an abutter are in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Whewell moved to approve with electric vehicle use only. Stembridge seconded and the motion carried unanimously.

**Case: BOA-1433952 Address: 28 Coffey Street Ward 16 Applicant: John Pulgini ARTICLE 80**

**Article(s):** Art. 65 Sec. 08 Forbidden - MFR is a forbidden in a 2F 5000 subdistrict Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Feet) Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Bldg Height Excessive (Stories) Art. 25 Sec. 5 Flood Hazard Districts - Article 25A COSTAL FLOOD RESILIENCE OVERLAY DISTRICT Article 65, Sec 65 41 Off Street Loading Req. Art. 65 Sec. 41 Off street parking requirements

**Purpose:** Erect 4 story structure for 24 residential units with 27 off street parking spaces. Existing structures to be razed on separate SF permits. Filed in conjunction with ALT1423945 and ALT1423945

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a 4story structure with 24 residential units and 27 parking spaces with 17% affordable units and condo units. Mixed bedroom count.

Board members asked about plans, landscaping, parking, trees.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilors Murphy, Baker, Flaherty, and the Carpenters Union are in support. Multiple abutters are in opposition.

**Documents/Exhibits:** Building Plans. Letters in support and opposition.

**Votes:** Board Member Valencia moved to approve. Stembridge seconded and the motion carried unanimously.



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**Case: BOA-1430670 Address: 143 Norwell Street Ward 14 Applicant: Duane Boyce, Norfolk Design & Construction MOH**

**Article(s):** Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

**Purpose:** Parcel ID 1401651000 & 1401652000 to be subdivided into 4 lots. Lot A (143 Norwell) contains 1,876 SF, Lot B (145 Norwell) contains 1,338 SF, Lot C (147 Norwell) contains 1,524 SF and Lot D contains 630 SF. Also, to erect a 1 family home with 2 parking spaces at 143 Norwell St. This is a MOH Project.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to subdivide the lots and erect 8 single family homes with 100% AMI each with 2 parking spots. MBTA not easily accessible.

Board members asked about plans, proposal, outdoor space, lot

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Mayors Office of Housing in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Shepard moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.

**Case: BOA-1430675 Address: 145 Norwell Street Ward 14 Applicant: Duane Boyce, Norfolk Design & Construction MOH**

**Article(s):** Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Usable Open Space Insufficient Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

**Purpose:** Erect a one family home with 2 parking spaces. This is a MOH Project. See also ERT1408636 & ERT1408643

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to subdivide the lots and erect 8 single family homes with 100% AMI each with 2 parking spots. MBTA not easily accessible.

Board members asked about plans, proposal, outdoor space, lot

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Mayors Office of Housing in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Shepard moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.



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**Case: BOA- 1430677 Address: 147 Norwell Street Ward 14 Applicant: Duane Boyce, Norfolk Design & Construction MOH**

**Article(s):** Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Usable Open Space Insufficient Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

**Purpose:** Parcel ID 1401651000 & 1401652000 to be subdivided into 4 lots. Lot A (143 Norwell) contains 1,876 SF, Lot B (145 Norwell) contains 1,338 SF, Lot C (147 Norwell) contains 1,524 SF & Lot D contains 630 SF. Also, to erect a 1 family home with 2 parking spaces at 147 Norwell St. MOH Project

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to subdivide the lots and erect 8 single family homes with 100% AMI each with 2 parking spots. MBTA not easily accessible.

Board members asked about plans, proposal, outdoor space, lot

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Mayors Office of Housing in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Shepard moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.

**Case: BOA-1430679 Address: 52 Elmont Street Ward 14 Applicant: Duane Boyce, Norfolk Design & Construction MOH**

**Article(s):** Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

**Purpose:** Seeking to subdivide Parcel ID 1402393000. Lot A to be known as 54 Elmont Street will contain 1,915 sq. ft. Lot B to be known as 52 Elmont Street will contain 1,985 sq. ft. Also, to erect a new single family home with 2 parking spaces at 52 Elmont Street. This is a MOH Project.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to subdivide the lots and erect 8 single family homes with 100% AMI each with 2 parking spots. MBTA not easily accessible.

Board members asked about plans, proposal, outdoor space, lot

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Mayors Office of Housing in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Shepard moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.



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**Case: BOA-1430681 Address: 54 Elmont Street Ward 14 Applicant: Duane Boyce, Norfolk Design & Construction MOH**

**Article(s):** Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient  
Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive  
Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Front Yard Insufficient  
Article 65, Section 9 Rear Yard Insufficient

**Purpose:** Seeking to subdivide Parcel ID 1402393000. Lot A to be known as 54 Elmont Street will contain 1,915 sq. ft. Lot B to be known as 52 Elmont Street will contain 1,985 sq. ft. Also, to erect a new single family home with 2 parking spaces at 54 Elmont Street. This is a MOH Project.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to subdivide the lots and erect 8 single family homes with 100% AMI each with 2 parking spots. MBTA not easily accessible.

Board members asked about plans, proposal, outdoor space, lot

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Mayors Office of Housing in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Shepard moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.

**Case: BOA-1430688 Address: 20 Elmont Street Ward 14 Applicant: Duane Boyce, Norfolk Design & Construction MOH**

**Article(s):** Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient  
Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive  
Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

**Purpose:** Parcel ID 1402401000 & 1402400000 to be subdivided into 3 lots. Lot 1 (24 Elmont St.) contains 2,092 SF, Lot 2 (22 Elmont St.) contains 1,732 SF & Lot 3 (20 Elmont St.) contains 2,165 SF. Also, to erect a 1 family home with 2 parking spaces at 20 Elmont St. This is a MOH Project.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to subdivide the lots and erect 8 single family homes with 100% AMI each with 2 parking spots. MBTA not easily accessible.

Board members asked about plans, proposal, outdoor space, lot

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Mayors Office of Housing in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Shepard moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**Case: BOA-1430690 Address: 22 Elmont Street Ward 14 Applicant: Duane Boyce, Norfolk Design & Construction MOH**

**Article(s):** Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

**Purpose:** Erect a one family home with 2 parking spaces. This is a MOH Project. See also ERT1408615 and ERT1408622.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to subdivide the lots and erect 8 single family homes with 100% AMI each with 2 parking spots. MBTA not easily accessible.

Board members asked about plans, proposal, outdoor space, lot

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Mayors Office of Housing in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Shepard moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.

**Case: BOA-1430692 Address: 24 Elmont Street Ward 14 Applicant: Duane Boyce, Norfolk Design & Construction MOH**

**Article(s):** Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

**Purpose:** Parcel ID 1402401000 & 1402400000 to be subdivided into 3 lots. Lot 1 (24 Elmont St.) contains 2,092 SF, Lot 2 (22 Elmont St.) contains 1,732 SF & Lot 3 (20 Elmont St.) contains 2,165 SF. Also, to erect a 1 family home with 2 parking spaces at 24 Elmont St. This is a MOH Project.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to subdivide the lots and erect 8 single family homes with 100% AMI each with 2 parking spots. MBTA not easily accessible.

Board members asked about plans, proposal, outdoor space, lot

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Mayors Office of Housing in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Shepard moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.





City of Boston  
Board of Appeal

**Case: BOA-1433649 Address: 554-562 Columbia Road Ward 13 Applicant: 554 Columbia Road LLC**

**ARTICLE 80**

**Article(s):** Article 65, Section 16 Floor area ratio is excessive Article 65, Section 16 Building height in feet is excessive Article 65, Section 16 Usable open space is insufficient Article 65, Section 16 Rear yard is insufficient Article 65, Section 41 Off Street Parking & Loading Req - Off street parking and loading is insufficient. Art.80 Sec. 80B 2 Appl. of Large Projects Review

**Purpose:** Construct a (6) story addition, consisting of 50 unit residential with 24 parking spaces to an existing (4) story mixed use with 15 units to be renovated for a total of 65 residential units with mixed use.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a 6 story 50-unit residential dwelling with 24 parking spaces and 65 units with solar panels. All 65 units are affordable.

Board members asked about plans, proposal, layout, configuration, letters of support.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilors Flaherty, Murphy, Worrell, and Baker are in support. The Mayor's Office of Housing is in support. Collins is also in support along with the Carpenter's Union.

**Documents/Exhibits:** Building Plans. Letters of support on file.

**Votes:** Board Member Valencia moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.

**Case: BOA-1406531 Address: 185 E Street Ward 7 Applicant: Garrison Equity LLC**

**Article(s):** Art 68 Sec 29 Roof Structure Restrictions - Max allowed established height of 26.46' for the parcel has been exceeded Art 68 Sec 8 Insufficient additional lot area per unit Art 68 Sec 8 Insufficient usable open space Art 68 Sec 8 Insufficient rear yard setback Art. 68 Sec. 33 Off Street parking Req. - Design (space sizes) Art. 68 Sec. 33 Off Street parking Req. - Insufficient parking

**Purpose:** Combine parcels 0700523000, 0700526000 & 070052700, demolish existing structure on a separate permit and erect a new 3-story, 6 unit residential building w/below grade garage and rear balconies as per plans submitted.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until May 9, 2023.

**Case: BOA-1404304 Address: 599-601 East Fifth Street Ward 6 Applicant: Andrew Ulrich, Manager**

**Article(s):** Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 33 Off Street Parking & Loading Req - Off Street Parking Design / Maneuverability (Tandem Parking not allowed) Article 68, Section 34 Application of Dimensional Req - Access to Parking Area is not a 10' wide dedicated driveway

**Purpose:** Proposed installation of a new drainage system and repave to allow 6 Parking Spaces as per plans.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until May 23, 2023.





City of Boston  
Board of Appeal

**Case: BOA-1406267 Address: 166 Chelsea Street Ward 1 Applicant: Gabriel Castano**

Article(s): Art. 27G E Boston IPOD – Applicability Article 53, Section 9 Add'l Lot Area Insufficient - Min. lot area required: 7,000 sqft Proposed: 3,217 sqft Art. 53 Sec. 09 Floor Area Ratio Excessive - Max. allowed: 1 Proposed: 3 Article 53, Section 9 Bldg Height Excessive (Stories) - Max. allowed: 3 Proposed: 4 Article 53, Section 9 Bldg Height Excessive (Feet) - Max. allowed: 35' Existing: 34' Proposed: 43' 8" Article 53, Section 9 Usable Open Space Insufficient - Min. required: 2,100 sqft Proposed: 259 sqft Article 53, Section 9 Rear Yard Insufficient - Min. required: 30' Proposed: 8.75' Art. 53 Sec. 52^Roof structure restrictions - Addition of 1 new floor Art. 53 Sec. 56^Off street parking insufficient - New parking spaces required: 3.25 Proposed: 0 Art. 53 Sec. 01 Extension of nonconforming use is conditional Multifamily use is forbidden in a 3 family district.

Purpose: Seeking to change the occupancy from a 6 family dwelling to a 7 family dwelling. Also, to renovate the building including erecting a fourth story addition.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until May 9, 2023.

**Case: BOA- 1432527 Address: 184 Cowper Street Ward 1 Applicant: 184 Cowper Nominee Trustee**

Article(s): Art. 25 Sec. 5 Flood Hazard Districts Art. 53 Sec. 08 Use Forbidden - Multi family dwelling unit use is a forbidden use. Art. 53 Sec. 09.3 Location of Main Entrance - In this zoning sub district, the main entrance of a dwelling shall face the front lot line (entrance walkway to the building is safely required) Art. 53 Sec. 09 Height requirement is excessive (2.5 stories max. allowed) the proposed is 3 stories. Art. 53 Sec. 53 57 Appl. of dimensional Req. - Front modal alignment Article 27T 5 East Boston IPOD Applicability Article 53, Section 9 Rear Yard Insufficient

**Purpose:** Combine two lots to make a bigger lot and construct a new 8 unit residential building on said lot.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until May 9, 2023.

**RE-DISCUSSIONS :11:30 AM**

**Case: BOA -950222 Address: 1 Carmen Street Ward 14 Applicant: James Christopher**

Article(s): Article 65, Sec 65-41 Off-Street Loading Req. Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

**Purpose:** To Construct a new three story three unit residential building in association with lot subdivision ALT931392.

**Reason for Prior Deferral:** The applicant requested a deferral to go through the community process.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until May 23, 2023.

**Case: BOA -950227 Address: 1A Carmen Street Ward 14 Applicant: James Christopher**

Article(S): Art. 65 Sec. 41 Off street parking requirements - Off street parking requirement is insufficient Art. 65 Sec. 9 Minimum lot width requirement is insufficient Art. 65 Sec. 9 Minimum lot frontage requirement is insufficient Art. 65 Sec. 9 Minimum lot size required for the existing three family after subdivision is insufficient Art. 65 Sec. 9 Floor area ratio is excessive Art. 65 Sec. 9 Usable open space is insufficient Art. 65 Sec. 9 Side yard requirement is insufficient

**Purpose:** Subdivision of the existing lot at 1 Carmen St. To create two lots 1 Carmen St. Parcel No. 1440571000 to be 3,256 square Feet. New parcel will be 2720 square feet.

**Reason for Prior Deferral:** The applicant requested a deferral to go through the community process.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until May 23, 2023.



City of Boston  
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**Case: BOA-1394043 Address: 8 Sawyer Avenue Ward 13 Applicant: James Christopher**

**Article(s):** Article 65, Section 9 Rear Yard Insufficient Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Floor Area Ratio Excessive Art.65 Sec. 8 Use: Forbidden - Multifamily use Forbidden Art. 65 Sec. 08Forbidden - Parking : Accessory use forbidden for multifamily Use Forbidden Art. 65 Sec. 42^Conformity with Existing Building Alignment Article 65, Section 32 NDOD Review Required

**Purpose:** To Construct a new 5 unit three story building with off street parking as per the attached plans.

**Reason for Prior Deferral:** This application was deferred to revise plans and to allow ISD enough time to review them.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a 5 unit residential dwelling with off street parking.

Board members asked about plans, proposal

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Baker is in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Valencia moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.

**Case: BOA-1369883 Address: 8-10 Mercer Street Ward 7 Applicant: Mark Little**

**Article(s):** Art 68 Sec 29 Roof Structure Restrictions - Parcel max allowed building height has been exceeded Art 68 Sec 8 Excessive f.a.r. Art 68 Sec 8 Excessive building height in sub-district Art 68 Sec 8 Insufficient open space Art. 68 Sec. 33 Off Street parking Req. Insufficient parking (Updated BOA plans reviewed; New variance added 1.24.23) Art. 68 Sec. 34 Appl. of Dim. Req. - Insufficient rear yard setback on shallow lot (Revised plan review; New variance added 1.24.23) Art. 68 Sec.08 Req. Insufficient additional lot area per unit

**Purpose:** Erect new four-story building with five dwelling units, two fourth-story decks, rear balconies at second and third stories, and 5 accessory off-street parking spaces. Parking access to be provided by driveway shared with 12 Mercer Street. 8 Mercer Street lot and 10 Mercer Street lot are being combined under ALT1056673. The purpose of this application is to convert the issued permit numbered ALT1056666 (REVOKED) to an ERT permit, as the previously-existing structure was damaged during reconstruction and was razed. All zoning relief was granted under ALT1056666 and BOA1066911 and is active and valid. (REVOKED) Zoning relief for 12 Mercer Street, for shared driveway, was granted under U491056686 and BOA1066917 and is active and valid. (Not yet issued) \*1/24/23 Updated review of plans provided at ZBA/BOA for hearing.

**Reason for Prior Deferral:** This application was deferred to allow time to work on the plans

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a new 4 story building with 5 units and shared driveway

Board members asked about plans, proposal, trash

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Abutter in opposition.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Aiken moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.



City of Boston  
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**Case: BOA 1309297 Address: 1 Everett Street Ward 1 Applicant: Everett Development Partners LLC**

**Article(s):** Article 53 Section 8 Use Regulations - Use: Multi family Dwelling: Forbidden Article 53 Section 8 Use Regulations - Use: Accessory Parking: Forbidden Article 53 Section 8 Use Regulations - Use: Fitness Center: Forbidden Article 53 Section 8 Use Regulations - Use: Offices: Forbidden Article 53 Section 9 Lot Area for Additional Dwelling Units Insufficient Article 53 Section 9 Floor Area Ratio Excessive Article 53 Section 9 Usable Open Space Insufficient Article 53 Section 9 Rear Yard Insufficient Article 53, Section 56 Off Street Parking & Loading Req - Off Street Parking Insufficient Article 53, Section 56 Off Street Parking & Loading Req - Off Street Loading Insufficient Article 27T 5 East Boston IPOD Applicability - East Boston Interim Planning Overlay District Applicability Article 32, Section 4. GCOD, Applicability - Groundwater Conservation Overlay District Applicability

**Purpose :** Demolish existing building. Erect a new 3 story Mixed Use Building. On the Ground Floor will be 3 Commercial spaces (a Fitness Center and Office Uses ). On Floors 2 & 3, will be all Residential Use consisting of 14 Dwelling Units. There will be private Roof Decks added as shown on plans. There will be 7 Off Street Parking spaces. Construction to be Steel/Concrete/Wood structure with EPDM flat roof. Building will be fully Sprinklered .

**Reason for Prior Deferral:** The applicant requested a deferral to go over their plans

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until May 23, 2023.

**HEARINGS: 1:00PM**

**Case: BOA-1424202 Address: 208-218 Columbia Road Ward 14 Applicant: Ivan Payamps**

**Article(s):** Article 50, Section 28 Use regulations - Liquor store and Bakery are both conditional uses in a MFR/LS Sub district.

**Purpose:** Change occupancy from Retail Store w/accy office, Storage, Laundromat, Barbershop to Retail Store w/accy office, Storage, Barbershop, Bakery and Liquor store Cost of work reflected on ALT1012160.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to change the occupancy to a barbershop, bakery, and liquor store.

Board members asked about plans, proposal,

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilors Flaherty, Mejia, and Murphy in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Whewell moved to approve. Stembridge seconded and the motion carried unanimously.



City of Boston  
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**Case: BOA-1399702 Address: 47 Dale Street Ward 12 Applicant: Robert Nicholas**

**Article(s):** Art. 50 Sec. 29^ Lot Area Insufficient Article 50, Section 29 Front Yard Insufficient  
Article 50, Section 29 Side Yard Insufficient - Left and Right side yard require relief

**Purpose:** Change of job description to build dormers, and renovate third floor to accommodate an ADU unit.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to build dormers that are not specific to the ADU unit.

Board members asked about plans, ADU unit.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Anderson in support. An abutter is also in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Valencia moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.

**Case: BOA-1426452 Address: 68 Terrace Street Ward 10 Applicant: Michael P. Ross, Esq ARTICLE 80**

**Article:** Art. 59 Sec. 37 Off Street Parking- Insufficient spaces. Required: 47 Proposed: 15 Art. 59, Section 18 Use: Forbidden - Multifamily Art. 59, Section 19 Max. floor area ratio allowed: 2 Proposed: 3.32 Art. 59, Section 19 Max. building height allowed: 40' Proposed: 63' Art. 59, Section 19 Min. usable open space required: 2,350 sqft Proposed roof deck area is not being considered until the building code violation has been corrected or BBRS variance granted. Article 59, Section 38.1 Conformity w Ex Bldg Alignment - Street modal calculation not provided to verify compliance.

**Purpose:** Erect new six, story, 47 unit apartment building with 15 underground parking spaces. Demolition of 2 existing structure under SF:# and SF:#

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to do erect a 6 story 47 unit dwelling with 7 affordable units

Board members asked about plans, trees, mbta

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Bok, and the Mission Hill association is in support. An abutter is in opposition.

**Documents/Exhibits:** Building Plans. Letters of support on file.

**Votes:** Board Member Shepard moved to approve with BPDA design review. Stembridge seconded and the motion carried unanimously.

**Case: BOA-1419182 Address: 543 East Seventh Street Ward 7 Applicant: Joseph Holland**

**Article(s):** Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68. Section 8.4 Dim Regs: Extension in Rear Yard Article 68, Section 29 Roof Structure Restrictions

**Purpose:** Full Gut remodel of existing 3 family including, plumbing, HVAC, electrical, and new rear 3 story addition.

**Discussion/Vote:** The applicant requested a deferral. Upon a motion and a second, the Board voted unanimously to defer this matter until May 23, 2023.



City of Boston  
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**Case: BOA-1420973 Address: 47 Mercer Street Ward 7 Applicant: Kevin Scott**

**Article(s):** Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Floor Area Ratio Excessive

**Purpose:** To amend documentation reflecting #ALT1177911, proposed work is taking place within Parcel 0701230000 only. Decreasing lot size to 888sqft for zoning dimensional requirements.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to do internal work to allow a total walk out on the first level due to the steep topography and include a new curb cut for 2 off street parking spaces on a yard sale lot.

Board members asked about plans, proposal

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilors Flynn, Flaherty, and Murphy are in support.

**Documents/Exhibits:** Building Plans. Letters of support on file.

**Votes:** Board Member Shepard moved to approve. Stembridge seconded and the motion carried unanimously.

**Case: BOA-1439569 Address: 284-290 East Eighth Street Ward 7 Applicant: Kevin Scott**

**Article(s):** Art 68 Sec 8 Dim reg app in res sub dist - Insufficient usable open space Art. 10 Sec. 01

Limitation of parking areas - 5' side yard Buffer requirements from abutting lots Article 68, Section 33 Off-Street Parking & Loading Req - Maneuvering areas

**Purpose:** CLARIFICATION: Proposed Two off street Ancillary parking spaces on a 719 sf lot (Parcel I.D.

# 0701232000) to be used and maintained appurtenant to the dwelling units located at 47 Mercer street/Parcel #0701230000 (Left side space) and 288-290 E. Eight street/Parcel # 0701231000 (Right side space) per written Deed Agreement (i.e. ...BK10901, pg195...as Tenants in Common per pg 2 in deed documents), to be accessed via a new 14' curb-cut. (284 E. Eighth Lot a.k.a. 282 E. Eighth street)

\*Note: Application filed in conjunction w/A1419608 for ZBA review and approval \*\*Updated scope of work 2.8.2023.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to do internal work to allow a total walk out on the first level due to the steep topography and include a new curb cut for 2 off street parking spaces on a yard sale lot.

Board members asked about plans, proposal

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilors Flynn, Flaherty, and Murphy are in support.

**Documents/Exhibits:** Building Plans. Letters of support on file.

**Votes:** Board Member Shepard moved to approve. Stembridge seconded and the motion carried unanimously.



City of Boston  
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**Case: BOA- 1423542 Address: 136 West Eighth Street Ward 6 Applicant: Matthew Brett-Homegrown Builders LLC**

**Article(s):** Art 68 Sec 8 Insufficient additional lot area per unit- 1,000sf/unit req. Art 68 Sec 8 Excessive f.a.r. -2.0 max  
Art 68 Sec 8 Insufficient usable open space per unit - 200sf/unit req. Art 68 Sec 8 Insufficient rear yard setback- 20'  
req. Art 68 Sec 8 Insufficient side yard setback-3' min. required Art. 68 Sec. 33 Off Street parking Req. -  
Design/maneuvering areas Art. 68 Sec. 33 Off Street parking Req. - Insufficient parking- 1.5 spaces per unit req

**Purpose:** Combine vacant Parcels 0600803000 and 0600802000 and build a new construction four family building per attached drawings.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a new 4 unit dwelling with 5 parking spots.

Board members asked about plans, parking

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilors Flynn, and Flaherty are in support.

**Documents/Exhibits:** Building Plans. Letters in support.

**Votes:** Board Member Pinado moved to approve. Stembridge seconded and the motion carried unanimously.

**Case: BOA-1419028 Address: 65-85 Kneeland Street Ward 3 Applicant: Rebecca A. Lee**

**Article(s):** Art. 43, Section 19 Use: Conditional - Large professional office exceeding 4,000 sqft. Proposed: 5,262 sqft

**Purpose:** 75#, Change of Occupancy to include professional office for medical doctors Boston Specialists, build all rooms for doctors, patients, meeting, bathrooms.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail to change a mixed use building to include medical uses.

Board members asked about plans, proposal

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Murphy is in support.

**Documents/Exhibits:** Building Plans. Letters in support

**Votes:** Board Member Whewell moved to approve. Stembridge seconded and the motion carried unanimously.



City of Boston  
Board of Appeal

**STEPHANIE HAYNES  
BOARD OF APPEAL  
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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 14, 2023 Board of Appeal Hearing please go to: [https://cityofboston.gov/cable/video\\_library.asp](https://cityofboston.gov/cable/video_library.asp).**