



Tuesday, January 14, 2025

BOARD OF APPEALS

City Hall Room 801

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 JANUARY 14, 2025 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS JANUARY 14, 2025 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE JANUARY 14, 2025 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/ZBAHearings2025>. You may also participate by phone by calling into the Zoom Webinar at 1 (646) 931 3860 and entering the Webinar ID: 814 9024 3514 followed by # when prompted.

If you wish to offer testimony on an appeal, please click <https://bit.ly/January14Comment> 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



<https://bit.ly/January14Comment635-4775>, or emailing
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.

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 isdbordofappeal@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 IN LIEU OF OFFERING TESTIMONY ONLINE. 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

EXTENSIONS: 9:30AM

Case: BOA-1344282 Address: 65 Mount Hope Street Ward 18 Applicant: Nickey Nesbeth

Discussion/Votes: The Board moved to unanimously approve the extension request to January 3, 2026

Case: BOA- 874954 Address: 303-305 Bennington Street Ward 1 Applicant: Derric Small, ESQ

Discussion/Votes: The Board moved to unanimously approve the extension request to October 17, 2025

Case: BOA- 1347341 Address: 23 Chestnut Street Ward 5 Applicant: Timothy Burke, AIA

Discussion/Votes: The Board moved to unanimously approve the extension request to January 3, 2026

Case: BOA- 1050294 Address: 382 Sumner Street Ward 1 Applicant: Doreen Amato

Discussion/Votes: The Board moved to unanimously approve the extension request to February 17, 2026

Case: BOA- 1211702 Address: 95-97 Broadway Ward 5 Applicant: Michael P. Ross, ESQ

Discussion/Votes: The Board moved to unanimously approve the extension request to February 17, 2026

GROUNDWATER CONSERVATION OVERLAY DISTRICT : 9:30AM

Case: BOA-1670783 Address: 18 Commonwealth Avenue Ward 5 Applicant: Fraser Allan

Article(s): Art. 32 Section 9 GCOD Enforcement

Purpose: Application for zoning review refusal letter, nominal fee. Conversion of an existing 11 unit multifamily to a single family with rear garage addition and façade restoration and roof deck.

Discussion: At the request of the Board, the applicant presented plans to convert a multi-family dwelling to a single family in a GCOD area.

Documents/Exhibits: Building Plans, No Harm letters.

Testimony: Boston Ground Water Sewer Trust received both GCOD letters.

Votes: Board member Aiken moved to approve. Barraza seconded and the motion carried unanimously.

HEARINGS: 9:30AM

Case: BOA- 1671922 Address: 303 Sumner Street Ward 1 Applicant: Derric Small

Article(s): Art. 09 Sec. 01 Extension of Non-Conforming Use Art. 09 Sec. 02 Nonconforming Use Change

Art. 53 Sec. 08Forbidden - Restaurant (small take out) Use is Forbidden Accessory Outdoor Café Use is Forbidden

Purpose: Change the legal occupancy to include a restaurant with # 36A take out use and outdoor seating. (No Work) Full Service Restaurant 3 Residential units #alt1408946/2022

Discussion/Votes: Upon a motion and a second, the Board moved to defer until February 4, 2025



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Case: BOA-1648737 Address: 26 Belmont Street Ward 2 Applicant: Thomas Hickey

Article(s): Article 62, Section 7.4 Location of Garage Entrance Article 62, Section 7 Bldg Height Excessive (Feet)
Article 62, Section Bldg Height Excessive (Stories) Article 62, Section 7 Rear Yard Insufficient Article 62, Section 7
Floor Area Ratio Excessive Article 62, Section 7 Additional Lot Area Insufficient Article 62, Section 29.1 Conformity w/
Existing Building Alignment Article 62, Section 7 Usable Open Space Insufficient

Purpose: Erect a four story, two-unit, semi attached residential building with garage on newly created Lot A. See
ALT1616007 for subdivision. There will be a rear deck and roof deck accessed by a hatchway. Three story per Building
code

Discussion: At the request of the Board, the applicant presented plans to combine parcels and erect a four story, two unit
with a roof deck and four parking spaces utilizing an existing curb cut. Board members asked about the plans.

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Barraza moved to approve, with the proviso that the applicant works to lower the height closer to
thirty-five feet. Aiken seconded and the motion carried unanimously.

Case: BOA- 1648738 Address: 28 Belmont Street Ward 2 Applicant: Thomas Hickey

Article(s): Article 62; section 7 Res. Sub district Dimensional Regulations Excessive f.a.r. 2.0 max. Article 62; section
7 Res. Sub district Dimensional Regulations Max allowed height exceeded Article 62; section 7 Res. Sub district
Dimensional Regulations Insufficient side yard setback Article 62; section 7 Res. Sub district Dimensional Regulations
Insufficient open space/unit Article 62; section 7 Res. Sub district Dimensional Regulations Insufficient rear yard setback
Article 62; section 7 Res. Sub district Dimensional Regulations Number of allowed stories has been exceeded Article 62;
section 7 Res. Sub district Dimensional Regulations 4) Location of a garage entrance may not face the front line

Purpose: Combine Parcel I.D. numbers 0201526000, 0201527000, 0201525060 into one lot and then subdivide to
create two lots. LOT A 1,697sf for # 26 Belmont (two family) and Lot B 1300sf for #28 Belmont (one family), then
construct a four story one family dwelling on 28 Belmont street with roof deck and two covered tandem parking spaces
on the ground story garage per plans filed. This is for the construction of a three-story single family attached residential
building with a basement level garage. See Alteration permit for subdivision. There will be a roof deck accessed by a
hatchway. A nominal fee letter is attached. ZBA approval will be required.

Discussion: At the request of the Board, the applicant presented plans to erect a three story, single family dwelling. A
curb cut would be required to allow for parking. Board members asked about plans and building height.

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Barraza moved to approve, with proviso that the applicant works to lower the height closer to
thirty-five feet. Aiken seconded and the motion carried unanimously.

Case: BOA-1672284 Address: 431-439 Hanover Street Ward 3 Applicant: Jeffrey Drago

Article(s): Art. 54 Sec. 10 Dimensional Regulations - Applicable in Residential Sub - Insufficient open space per unit
Art. 54 Section 21 Off-Street Parking Insufficient Art. 54 Section 9 Use: Conditional - Retail store uses exceed
2500GSF

Purpose: Change occupancy from children's center, store, 11 apartments to 2 retail spaces and 14 residential units; floor
plans and occupancy committee review documents for reference only

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a children's center,
retail and eleven residential units to fourteen residential units and two retail spaces. The building never had a children's
center in it. Board members asked about the plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Barraza motioned for approval. Collins seconded and the motion carried unanimously.



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Case: BOA-1669854 Address: 295 West First Street Ward 6 Applicant: JSIP West First Street, LLC

Article(s): Art 68 Sec 29 Roof Structure Restrictions - Max allowed height on parcel has been exceeded Art 68 Sec 7 Use: Forbidden - Take out restaurant use Forbidden Art 68 Sec 7 Use: Forbidden - Local retail Forbidden Art 68 Sec 7 Use: Forbidden - Art Gallery/Art USE Forbidden Art 68 Sec 8 Dim reg app in res sub dist. - Insufficient additional lot area per unit Art 68 Sec 8 Dim reg app in res sub dist. - Excessive f.a.r. Art 68 Sec 8 Dim reg app in res sub dist. - Max building height in subdistrict has been exceeded Art 68 Sec 8 Dim reg app in res sub dist. - Insufficient usable open space per unit Art 68 Sec 8 Dim reg app in res sub dist. - Insufficient minimum front yard setback Art 68 Sec 8 Dim reg app in res sub dist. - Insufficient minimum side yard setback

Purpose: Submitting for Zoning Refusal. Erect four to six story mixed use residential building of up to 240 residential units, on site and above grade garaged parking for up to 125 vehicles, commercial space for retail/food service. Companion ALT to be filed for lot combination.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until February 4, 2025.

Case: BOA-1671229 Address: 35 Sudan Street Ward 13 Applicant:

Article(s): Art. 65 Sec. 08 Forbidden Article 65, Section 9 Add'l Lot Area Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Usable Open Space Insufficient Art. 65 Sec. 41 Off street parking requirements

Purpose: To change occupancy from three family to four family by converting basement level into a residential unit

Discussion/Votes: Upon a motion and a second, the Board moved to defer until February 4, 2025.

Case: BOA- 1590919 Address: 1220 Blue Hill Avenue Ward 14 Applicant: Project 77 LLC

Article(s): Article 60, Section 9 Floor Area Ratio Excessive Article 60, Section 9 Usable Open Space Insufficient Article 60, Section 9 Add'l Lot Area Insufficient Article 60, Section 8 Use: Forbidden Article 60, Section 37 Off Street Parking Insufficient

Purpose: Change the occupancy from a three-family dwelling to a four-family dwelling by converting the existing basement into an \ apartment. The new apt. will be 3 Beds/2 Baths and appx. 1,192 GSF. The project is located within a three-family zoning subdistrict (3F 6000) of the Greater Mattapan neighborhood.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of an existing three family to a four-family dwelling, with an apartment in the basement. Board members asked about the plans, in particular floor to ceiling height in the basement.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilman Worrell's office is in opposition to the project.

Votes: Board member Barraza moved to approve. Aiken seconded and the motion carried unanimously.

Case: BOA- 1615460 Address: 133 Devon Street Ward 14 Applicant: Project 77 LLC

Article(s): Art. 50, Section 28 Use: Forbidden - Multi Family Dwelling Forbidden Article 50, Section 29 Rear Yard Insufficient Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Bldg. Height Excessive (Feet) Article 50, Section 29 Bldg. Height Excessive (Stories) Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Lot Frontage Insufficient Article 50, Section 29 Lot Width Insufficient Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Lot Area Insufficient Article 50, Section 44.2 Conformity Ex Bldg. Alignment Art. 50, Section 43 Off Street Parking Insufficient Art. 50 Sec. 43 Off street parking requirements - 50 43.6.d Design Size Art. 10 Sec. 01 Limitation of off-street parking areas - Parking with less than 5 feet from side lot line

Purpose: Erect a new, 7,324 Sq. Ft., 4 story, 7-unit, multifamily building with a roof deck, fitness room, bike storage, rear parking, and solar panels. The unit mix will consist of (4) 1 beds and (3) 2 beds.

Discussion: At the request of the Board, the applicant presented plans to erect a new four story, seven-unit building, with solar panels and bike racks. Board members asked about the plans and about font yard violations.

Documents/Exhibits: Building Plans



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Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Barraza moved to approve with the provisos that (1) the project undergo BPD design review to adjust the front and rear roofline; (2) Applicant re-design parking to provide for more space; (3) and site plan review for landscape to review buffer and side yard setback. Board member Collins seconded and the motion carried unanimously.

Case: BOA- 1662922 Address: 993 Hyde Park Avenue Ward 18 Applicant: Juan Rojas

Article(s): Art. 69 Sec. 08 Conditional - Preexisting nonconforming use changing to a nonconforming use Conditional Art. 09 Sec. 02 Nonconforming Use Change - Existing nonconforming Conditional

Purpose: Change occupancy from a Store to Barbershop and Nail Salon.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a store to a barbershop and nail salon. Board members asked about plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Upon a motion and second, the Board moved to approve and the motion carried unanimously.

Case: BOA-1590921 Address: 1458 Blue Hill Avenue Ward 18 Applicant: Project 77 LLC

Article(s): Article 60, Section 9 Usable Open Space Insufficient Article 60, Section 9 Floor Area Ratio Excessive Article 60, Section 9 Add'l Lot Area Insufficient Article 60, Section 8 Use: Forbidden Article 60, Section 37 Off Street Parking Insufficient

Purpose: Change the occupancy from a three-family dwelling to a four-family dwelling by converting the existing basement into an apartment. The new apt. will be 3 beds/2 baths and appx. 1,089 GSF. The project is located within a three-family zoning subdistrict (3F 6000) of the Greater Mattapan neighborhood.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from an existing three family to a four-family dwelling with an apartment in the basement.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Collins moved to approve with the proviso of no building code relief be granted in this decision. Barraza seconded and the motion carried unanimously.

Case: BOA-1651349 Address: 109 Beech Street Ward 20 Applicant: Erin Wise

Article(s): Art. 67 Sec. 09 Side Yard Insufficient Article 67, Section 9 Front Yard Insufficient

Purpose: Extension of the front porch. Insulate existing mudroom.

Discussion: At the request of the Board, the applicant presented plans to extend the front porch and insulate the mud room. Board members asked about the proposal and the plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Barraza moved to approve. Collins seconded and the motion carried unanimously.

Case: BOA-1640872 Address: 28 Alleyne Street Ward 20 Applicant: John Pulgini

Article(s): Art. 56 Sec. 08 Residential Subdistrict: Dimensional Requirements - Insufficient lot size, side yard setbacks, front yard setback

Purpose: Erect single-family structure on vacant lot known as (Parcel ID 2002742000).

Discussion/Votes: Upon a motion and a second, the Board moved to defer until February 25, 2025

Case: BOA- 1673059 Address: 279 North Harvard Street Ward 22 Applicant: 283 North Harvard LLC

Article(s): Article 51, Section 8 Use: Forbidden - Multi family Dwelling Forbidden Article 51, Section 9 Rear Yard Insufficient 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 - North Harvard Street Article 51, Section 9 Front Yard Insufficient - Easton Street Article 51, Section 9 Front Yard Insufficient - Coolidge



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Road Article 51, Section 56 Off Street Loading Insufficient Article 51, Section 56 Off Street Parking Insufficient

Purpose: Combine lots at 279 and 283 N Harvard St (Parcels 2201417000 & 2201418000), to change occupancy to Church and 49 dwelling units. Scope involves erecting a 4-story addition to side and add 49 new residential units with at grade surface parking. Building features repurposing the existing church, balconies, and low roof terrace. Raze the existing single-family dwelling on separate permit. See ALT1655820 for subdivision.

Discussion: At the request of the Board, the applicant presented plans to combine two lots, erecting a four story forty-nine unit building for income restricted senior housing. Renovation of a church on the lot with community space, amenity space, and outdoor public space. Board members asked about the plans. The board cited that the project is a huge community asset.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Abutters were in support.

Votes: Board member Barraza moved to approve with the proviso that the project follows the BPD memorandum of recommendations. Collins seconded and the motion carried unanimously.

HEARINGS: 11:00AM

Case: BOA- 1665889 Address: 100-120 Ipswich Street Ward 5 Applicant: Scape Charles gate LLC d/b/a Morro

Article(s): Art. 32 Sec. 32 4 Groundwater Conservation Overlay District, Applicability Article 66, Section 39.1 Street Wall Continuity The proposed building not only has residential uses. Article 66, Section 15 Dimensional Regulations in NB Rear yard required: 20' since the proposed building is abutting a residential subdistrict. Proposed: 5' Article 66, Section 15 Dimensional Regulations in NB Setback above Street wall height required: 15' Article 66, Section 15 Dimensional Regulations in NB Min. open space requirements: 30,000 sqft Proposed: 5,568 sqft Article 66, Section 15 Dimensional Regulations in NB Max. number of stories allowed: 8 Proposed: 28 Art. 66 Sec. 31 Establishment of Gateway Development Area Overlay Districts Max. FAR allowed: 9 Proposed: 14.3 Art. 66 Sec. 31 Establishment of Gateway Development Area Overlay Districts Max. height allowed: 135' Proposed: 279.8' Article 66, Section 42.5 (a) Off Street Pkg insufficient Parking spaces required for residential use: 300 spaces.

Purpose: Construct a new 28 story mixed use building consisting of 400 residential units, +/- 2,400 sf of first floor two core and shell retail space, and associated site improvements. Combine four parcels into one lot under ALT1643701 ALT1643370 and ALT1643696. Demolition of existing structure under SF#

Discussion: At the request of the Board, the applicant presented plans to construct a twenty-eight story, mixed use building with four hundred units and retail space. Building to include blue bike stations and amenities for residents. Funding for public parks is also included with the project. Board members asked about the plans, amenities, and if a general contractor was selected, while noting the project is a nice addition to the city.

Documents/Exhibits: Building Plans and No Harm letters.

Testimony: The Mayor's Office of Neighborhood Services and Boston Groundwater Trust deferred judgement to the Board. Abutters are in support, along with Councilor Durkan's office

Votes: Board member Barraza moved to approve with the proviso that the project follows the BPD memorandum of recommendations. Collins seconded and the motion carried unanimously.

Case: BOA- 1677859 Address: 403-405 Shawmut Avenue Ward 9 Applicant: Casas Borinquen Apartments Limited Partnership

Article(s): Article 64, Section 36 Off Street Parking Insufficient Article 64, Section 9 Usable Open Space Insufficient Article 64, Section 9 Floor Area Ratio Excessive Article 32, Section 4. GCOD, Applicability

Purpose: Change occupancy from "Community Center" to "Community Center & 5 residential units". Interior and exterior renovations & upgrades including but not limited to select demolition, concrete, masonry, structural repairs, new windows, new kitchens & bathrooms and MEP/FP upgrades.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from community center to community center with five residential units.

Documents/Exhibits: Building Plans and No Harm letter.



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Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flynn's office was in support of the project

Votes: Board member Barraza motioned to approve, Collins seconded, and the motion carried unanimously.

Case: BOA- 1661825 Address: 188 Wren Street Ward 20 Applicant: Bathri Vajravelu

Article(s): Art. 56 Sec. 08 Floor Area Ratio excessive - Max. allowed: 0.4 Existing: 0.39 Proposed: 0.41 Article 56. Section 8 Side Yard Insufficient - Min. required: 10' Proposed: 3.6' (R) Existing: 5.6'

Purpose: Addition of an accessible full bathroom at the first level since the home owner is an individual who is bound to a wheel chair due to a progressive muscle disorder.

Discussion: At the request of the Board, the applicant presented plans to add an accessible first floor bathroom. Board members asked about the plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Aiken motioned to approve. Collins seconded and the motion carried unanimously.

RE-DISCUSSIONS: 11:30 AM

Case: BOA-1622743 Address: 8-8A Hudson Street Ward 3 Applicant: Bonnie Tan

Article(s): Art. 43, Section 19 Use: Conditional 1st Floor Take Out Conditional Art. 43, Section 19 Use: Conditional 2nd Floor Take Out Conditional Article 43 Section 23 Off Street Parking Regulations Article 49A 5 Greenway Use Regulations Ground Level Take out Forbidden Overlay Article 32, Section 4. GCOD, Applicability

Purpose: Combine Parcel IDs: 0305312000 and 0305311000, to erect a 6-story mixed use building with basement in existing vacant lots. Basement for storage and mechanical room only, 1st floor to 2nd floors are A 2 Restaurant with Takeout uses (#36A/37) (core/shell), and 3rd floor to 6th floor are Residential uses with total of 8 units.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until February 4, 2025.

Case: BOA-1542657 Address: 548 East Third Street Ward 6 Applicant: 548 East 3rd Street, LLC by: Michael P. Ross, ESQ

Article(s) Art 68 Sec 29 Roof Structure Restrictions Max allowed height on parcel exceeded Art 68 Sec 8Dim reg app in res sub dist. Insufficient lot size Art 68 Sec 8Dim reg app in res sub dist. Excessive f.a.r. Art 68 Sec 8Dim reg app in res sub dist. Insufficient open space per unit Art 68 Sec 8 Dim reg app in res sub dist. Insufficient front yard setback Art 68 Sec 8 Dim reg app in res sub dist. Insufficient side yard setback Art 68 Sec 8 Dim reg app in res sub dist. Insufficient rear yard setback Article 68, Section 33Off Street Parking & Loading Req Insufficient parking Art. 68 Sec. 33 Off Street parking Req. Design and clear maneuvering areas Art 68 Sec 8 Dim reg app in res sub dist. Insufficient additional lot area per unit required

Purpose: Demolish existing structure pursuant to Article 85 and erect a three-family building with parking.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until February 4, 2025.

Case: BOA- 1649361 Address: 58 Baxter Street Ward 6 Applicant: James Christopher

Article(s): Article 68, Section 8 Add'l Lot Area Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 29 Roof Structure Restrictions Art. 68 Sec. 33 Off Street parking Req. Article 68, Section 34.1 Conformity Ex Bldg. Alignment Art. 25 Sec. 5 Flood Hazard Districts

Purpose: Erect a new four story, 6-unit, residential building with garaged off-street parking and rear decks, as per the attached plans. See ALT1636402 for subdivision.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until February 4, 2025.



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Case: BOA-1552298 Address: 27 Dudley Street Ward 9 Applicant: Cameron Merrill

Articles(s): Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Lot Area Insufficient Article 50, Section 32 Use: Forbidden

Purpose: Change occupancy from a 6 unit building to a 7 unit building by splitting unit 3 into 2 units making it 7 units

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a six to a seven-unit building, by splitting unit three, into two units.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board.

Votes: Board member Barraza motioned for approval. Collins seconded, and the motion carried.

Case: BOA- 1615071 Address: 93 Howard Avenue Ward 13 Applicant: Jason Futrell

Article(s): Art. 50, Section 28 Use: Forbidden Multi Family Dwelling Forbidden Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Bldg. Height Excessive (Feet) Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Add'l Lot Area Insufficient Art. 50, Section 43 Off Street Parking Insufficient Art. 50 Sec. 43 Off street parking requirements 50 43.6(d) Size Article 50, Section 44.2 Conformity Ex Bldg. Alignment

Purpose: Erect a new 3 story, 12-unit apartment building, on a newly created 10,973sqft lot. Scope includes decks and new parking at the rear of the building. See ALT1566047 for subdivision. Demolition of an existing 3 story home to be filed under separate permit.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until February 25, 2025

INTERPRETATION: 12:00PM

Case: BOA- 1675736 Address: 123-125 Broad Street Ward 3 Applicant: 125 Broad Street LLC

Article(s): Article 45, Section 5-Dimensional Regulations Article 32, Section 4. GCOD, Applicability

Purpose: The petitioner seeks a determination that the Inspectional Services Department erred in issuing a refusal letter citing Art 32 Sec 04GCOD Applicability and Article 45-5 for building height-excessive or in the alternative should it be determined that the Inspectional Services Department properly cited Article 32 sec 04 and/or Article 45-5 for building height, then Petitioner seeks a variance from those provisions as cited in the Refusal Letter.

Discussion: The Applicant sought a determination that ISD erred in issuing a refusal letter citing Article 32, Section 4 for GCOD and Article 45-5 for building height being excessive. Board members asked about the building's awning and about GCOD.

Documents/Exhibits: Building Plans

Votes: Board member Barraza motioned that ISD erred on citing the project for GCOD and building height violations. Collins seconded, and the motion carried.



City of Boston
Board of Appeal

STEPHANIE HAYNES BOARD OF APPEAL 617-635-4775

BOARD MEMBERS:

SHERRY DONG-CHAIR

NORMAN STEMBRIDGE-SECRETARY

HANSY BETTER BARRAZA

SUBSTITUTE MEMBERS:

DAVID COLLINS

DAVID AIKEN

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