



Tuesday, March 25, 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 Stenbridge:

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON MARCH 25, 2025 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS MARCH 25, 2025 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE MARCH 25, 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/ZBATuesHearings2025>. You may also participate by phone by calling into the Zoom Webinar at (301) 715 8592 and entering the Webinar ID: 857 3265 6216 followed by # when prompted.

If you wish to offer testimony on an appeal, please click <https://bit.ly/March252025ZBA> 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/March252025ZBA> 617-635-4775, 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 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 **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**

APPROVAL OF THE HEARING MINUTES: 9:30AM

January 14, 2025, January 23, 2025, January 28, 2025, February 4, 2025, February 13, 2025 & February 25, 2025

EXTENSIONS: 9:30AM

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

Discussion/Votes: The Board moved to unanimously approve the extension request to March 29, 2027.

Case: BOA-450351 Address: 1181-1183 Bennington Street Ward 1 Applicant: Richard Lynds, ESQ

Discussion/Votes: The Board moved to unanimously approve the extension request to March 25, 2027.

Case: BOA-1182380 Address: 5 Glenburne Street Ward 12 Applicant: Derric Small, ESQ

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

Case: BOA-1433590 Address: 55-57 Hudson Street Ward 3 Applicant: Peter Kochansky, ESQ

Discussion/Votes: The Board moved to unanimously approve the extension request to April 7, 2027.

Case: BOA- 1414968 Address: 16 Nightingale Ward 14 Applicant: Eric Zachrison, MBA, AIA

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

Case: BOA- 527141 Address: 100 Stuart Street Ward 5 Applicant: Christian Regnier, ESQ

Discussion/Votes: The Board moved to unanimously approve the extension request to May 5, 2027.

Case: BOA- 1024095 Address: 11 Faneuil Street Ward 22 Applicant: Jeffrey Drago, ESQ

Discussion/Votes: The Board moved to unanimously approve the extension request to April 23, 2027.

Case: BOA- 1288967 Address: 5252-5270 Washington Street Ward 20 Applicant: Jeff Similien

Discussion/Votes: The Board moved to unanimously approve the extension request to September 9, 2026.

Case: BOA- 904516 Address: 1937 Beacon Street Ward 21 Applicant: Jeff Drago, ESQ

Discussion/Votes: The Board moved to unanimously approve the extension request to March 27, 2027.

Case: BOA- 1414980 Address: 120 Bowdoin Street Ward 14 Applicant: Michael Ross, ESQ

Discussion/Votes: The Board moved to unanimously approve the extension request to April 21, 2026.



City of Boston
Board of Appeal

BOARD FINAL ARBITER: 9:30AM

Case: BOA- 1572885 Address: 3 Bruce Street Ward 16 Applicant: Michael P. Ross, ESQ

Discussion/Votes: Upon a motion and a second, Board members voted unanimously to grant the Board Final Arbiter request.

Case: BOA-914351 Address: 27 Delmont Street Ward 16 Applicant: Gavin Walsh

Discussion/Votes: Upon a motion and a second, Board members voted unanimously to grant the Board Final Arbiter request.

Case: BOA- 1309386 Address: 75 Maywood Street Ward 12 Applicant: John Byrnes, ESQ

Discussion/Votes: Upon a motion and a second, Board members voted unanimously to grant the Board Final Arbiter request.

RECOMMENDATIONS: 9:30 AM

Case: BOA-1684879 Address: 22B-22 Beacon Street Ward: 3 Applicant: Daniel Brennan

Article(s): Article 45 Section 14 Use Regulations - Take out restaurant use is conditional

Purpose: Coffee shop conversion "Beacon Hill Coffee" replacing coffee shop "former Dunkins". the use is conditional and the previous tenant has a proviso in the BOA decision. Requesting denial with nominal fee to go to board of appeal

Discussion: At the request of the Board, the applicant seeks to remove a proviso on relief previously granted by the Board of Appeal and to grant the Applicant a conditional use permit for restaurant takeout. 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 Whewell motioned for approval with the proviso that the hours be updated to 5 A.M. to 11 P.M. Board member Stembridge seconded and the motion carried unanimously.

Case: BOA-1661508 Address: 8 Friendship Road Ward: 18 Applicant: Anthony Watford

Article(s): Art. 69 Sec. 09-Dimensional Reg. - Number of allowed stories has been exceeded Art. 69 Sec. 09

Dimensional Reg. - Excessive f.a.r. Art. 69 Sec. 09-Dimensional Reg. - Additional extensions into the Nonconforming rear yard setback previously of what was originally presented at the ZBA hearing

Purpose: Changing occupancy from 1 family to two family. We are extending the rear of the property by 14 feet on the first and second floor. Extension of living space from Unit 2 into the attic. Adding rear decks for Unit 1 & 2.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a one family to a two-family building by extending living spaces into the attic and adding two rear decks. 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 Whewell motioned for approval. Board member Stembridge seconded and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1675560 Address: 11 Clive Street Ward: 19 Applicant: Femma Rosenbaum

Article(s): Article 55, Section 9 Side Yard Insufficient

Purpose: Build a third-floor addition (Dormer) as per plans. Build a new bathroom and a counter with sink. Existing roof is fully insulated, and insulation should remain in place, new HVAC, new hardwood floor, blue board plaster and paint. This project will need zoning relief (zba approval). Confirm as single family

Discussion: At the request of the Board, the applicant presented plans to convert attic space into living area by adding a dormer on the third floor. 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 Whewell motioned for approval. Board member Stembridge seconded and the motion carried unanimously.

Case: BOA- 1678617 Address: 62 Patten Street Ward: 19 Applicant: Jean Oliveira

Article(s): Article 55, Section 9 Floor Area Ratio Excessive - Proposed Floor area ratio is excessive.

Purpose: Install a French drain with sum pump, add a half bathroom, move washer and dryer location, built of couple of walls, sheetrock and plastering.

Discussion: At the request of the Board, the applicant presented plans to finish a basement including adding a half 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 Whewell motioned for approval. Board member Stembridge seconded and the motion carried unanimously.

Case: BOA- 1682689 Address: 26 Whittemore Street Ward: 20 Applicant: George Morancy, ESQ

Article(s): Article 56, Section 8 Front Yard Insufficient Article 56, Section 8 Floor Area Ratio Excessive

Purpose: Amendment to ALT1566831, an issued permit for zoning compliant renovations. This amendment is for additional work consisting of a small extension of living space in the basement, as well as a new front porch. Variances are required for excessive FAR and insufficient front yard setback

Discussion: At the request of the Board, the applicant presented plans for a small extension of living space and also a new front porch. 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 Whewell motioned for approval. Board member Stembridge seconded and the motion carried unanimously.

Case: BOA-1685231 Address: 368-372 West Broadway Ward: 6 Applicant: Jamie Moss

Article(s): Art. 09 Sec. 02 Nonconforming Use Change - Change in nonconforming use Art. 68 Sec. 07 Use Regs. Conversion of nonconforming use into a Community center on 4th floor Conditional Article 68, Section 33 Off Street Parking & Loading Req - Insufficient parking for 4th story uses

Purpose: Change Occupancy to include Community Center.

Discussion: At the request of the Board, the applicant seeks permission to add a community center to a portion of the fourth floor to its current occupancy. 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 Whewell motioned for approval. Board member Stembridge seconded and the motion carried unanimously.



City of Boston
Board of Appeal

HEARINGS: 9:30AM

Case: BOA-1677320 Address: 329-343 Washington Street Ward 22 Applicant: Warren Hall Acquisition LLC-MOH

Article(s): Article 51 Section 16 Use Regulations Use Conditional Article 51 Section 17 Dimensional Regulations
Insufficient open space

Purpose: Change of Use on First Floor from existing Commercial to 2 new Residential accessible Apartments. 2 Commercial spaces to remain. Rest of project will be a Moderate Renovation of the existing apartments including MEP FP system upgrades. Estimated cost of construction is \$7,900,000.00. *10/23/24 application assigned to FD by Dept

Head Paul Williams 11/19/24 Existing legal use provided By Admin counter: STORES, OFFICES, BEAUTY SALON, 33 APTS & WIRELESS COMMUNICATION EQUIPMENT #1348/2010

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of a building with five ground floor retail spaces, to two ground floor retail spaces with three affordable and accessible units, bringing the total to thirty-five units on the property. Board members asked about the plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Breyden along with the Mayors office of Housing supported this project while several abutters were opposed.

Votes: Board member Aiken motioned for approval. Board member Langham seconded and the motion carried unanimously.

Case: BOA-1689438 Address: 960A Centre Street Ward 19 Applicant: Johnathan Starch

Article(s): Article 55, Section 12 # of Units/Acre Ex Article 55, Section 12 Lot Size Insufficient
Article 55, Section 12 Side Yard Insufficient Article 55, Section 41.12 Two or More Dwellings on Same Lot Article 9, Section 2 Change in Non-Conforming Use

Purpose: Erect a single story detached garage, unconditioned for two vehicles. Scope involves new paving and landscaping with removal of tree. [ePlan]

Discussion: At the request of the Board, the applicant presented plans to construct a single story, detached garage for two cars. 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 Collins motioned for approval. Board member Pinado seconded and the motion carried unanimously.

Case: BOA- 1682719 Address: 42 Doncaster Street Ward 18 Applicant: Gary Webster

Article(s): Article 67, Section 9 Lot Frontage Insufficient Article 67, Section 9 Bldg Height Excessive (Feet)
Article 67, Section 9 Usable Open Space Insufficient Article 67, Section 9 Lot Width Insufficient Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Lot Area Insufficient

Purpose: Proposed new construction single family home.

Discussion: At the request of the Board, the applicant presented plans to erect a single-family dwelling. 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 Pinado motioned for approval with Planning Department design review with special attention to increasing the ground level usable open space, which may include reducing the massing if the building or reducing or



City of Boston
Board of Appeal

eliminating the garage. Board member Collins seconded and the motion carried with Board member Langham voting no on the proposal.

Case: BOA-1650722 Address: 19 Sanford Street Ward 17 Applicant: James Christopher

Article(s): Art. 65 Sec. 43Ext. of non-conforming use Front Yard is required to have 15'(feet). Existing & proposed will be 8.7' (feet). Rear Yard is required to have 40' (feet). Existing & proposed will be 6.8' (feet). Side yard is required to have 10' (feet). Left Existing & proposed will be 2.5'. Right Existing & proposed will be 4.2' 4.2'(feet). Building Height is required to be 35' (feet). Existing & proposed will be 40' 3"Stories required to be 2 1/2. Existing & proposed will be 3 Stories. Art. 65 Sec. 08ForbiddenThe Applicant will need to seek relief for the use as a multifamily. This is a 1F 6000 Zone, since 1946 it has been used as a three family. Applicant proposes a FIVE family which is a forbidden use. Art. 65 Sec. 65 8 Floor Area Ratio Excessive The applicant will need to seek relief for FAR. Zoning requires .5; currently as a three family FAR is .76. The proposed project will have a FAR of 1.27. Art. 55 Sec. 65 41Off Street parking insufficient the applicant will need to seek relief for insufficient parking spaces. Zoning requires at least six off street parking spaces, the applicant proposes five.

Purpose: The owner seeks to construct an attached 3 story side addition to the existing 3-unit residential building. The new addition will consist of 5 off street parking spaces at grade with two new units above. The new proposed occupancy will be 5 residential units.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of a three unit building to five unit by constructing a three-story addition to the side of the side of the dwelling to create two additional units. Board members asked about the plans and parking.

Documents/Exhibits: Building Plans

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

Votes: Board member Pinado motioned for approval with the proviso of Planning Department design review with attention to usable open space. Board member Langham seconded and the motion carried. Board member Collins recused himself.

Case: BOA- 1675756 Address: 241 Columbia Road Ward 14 Applicant: Vince Brown

Article(s): Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Front Yard Insufficient Article 50, Section 29 Side Yard Insufficient

Purpose: Enclose existing front porches, only the second and third floors.

Discussion: At the request of the Board, the applicant presented plans to enclose existing porches on the second and third floor. 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 Collins motioned for approval. Board member Langham seconded and the motion carried unanimously.

Case: BOA- 1669678 Address: 879-881 Blue Hill Avenue Ward 14 Applicant: Wandaly Ortiz Guerrero

Article(s): Article 60, Section 11 Use: Forbidden Use Forbidden Art. 09 Sec. 02Nonconforming Use Change

Purpose: change occupancy to include live entertainment in existing Restaurant #36A(Function Room/Hall) with an occupancy 351 occupants*9/17/24 filing assigned to fd By Dept Head Paul Williams on 10.3.24

Discussion/Votes: Upon a motion and a second, the Board moved to defer until May 6, 2025

Case: BOA- 1684195 Address: 137 Pleasant Street Ward 13 Applicant: Vazberg Properties

Article(s): Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 15 Use: Forbidden Art. 65 Sec. 42 Off Street Parking Insufficient



City of Boston
Board of Appeal

Purpose: To change occupancy from 3 family to MFR with 5 units via renovations to create 2 additional units on the basement level

Discussion: At the request of the Board, the applicant presented plans to create two additional units in the basement level and to change the occupancy from a three family to a five-unit dwelling. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

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

Case: BOA- 1686754 Address: 5-7 Ackley Place Ward 11 Applicant: Janarthanan Someswaranathan

Article(s): Art. 55 Sec. 09 Insufficient lot size Art. 55 Sec. 09 Insufficient additional lot area per unit Art. 55 Sec. 09 Excessive f.,a.r. Art. 55 Sec. 09 Insufficient open space/unit Art. 55 Sec. 09 Insufficient front yard setback Article 55, Section 41.12 Two or More Dwellings on Same Lot Insufficient Parking Art. 55 Sec. 09 Insufficient side yard setback Art. 55 Sec. 09 Insufficient lot width Art. 55 Sec. 09 Insufficient lot width frontage

Purpose: To erect a new three-story residential building with two units and two exterior parking spaces; see companion case 9 11 Ackley Pl ERT application (two buildings on one lot with a total of four units and four parking spaces); a prior iteration of this project was previously reviewed by James Kennedy *Filing assigned to Fd by Dept Head Paul Williams on 12.10.24

Discussion: At the request of the Board, the applicant presented plans to erect a three-story residential building with two units and two exterior parking spaces. 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 Collins motioned for approval. Board member Langham seconded and the motion carried unanimously.

Case: BOA-1686755 Address: 9-11 Ackley Place Ward 11 Applicant: Janarthanan Someswaranathan

Article(s): Article 55, Section 41.12 Two or More Dwellings on Same Lot Art. 55 Sec. 09 Insufficient lot size Art. 55 Sec. 09 Insufficient additional lot area per unit Art. 55 Sec. 09 Insufficient side yard setback Art. 55 Sec. 09 Insufficient front yard setback Art. 55 Sec. 09 Excessive f.a.r. Art. 55 Sec. 09 Insufficient open space per unit

Purpose: To erect a new three-story residential building with two units and two exterior parking spaces; see companion case 5 7 Ackley Pl ERT1672941 (two buildings on one lot with a total of four units and four parking spaces); a prior iteration of this project was previously reviewed by James Kennedy *Filing assigned to Fd by Dept Head Paul Williams on 12.10.24

Discussion: At the request of the Board, the applicant presented plans to erect a three-story residential building with two units and two exterior parking spaces. 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 Collins motioned for approval. Board member Langham seconded and the motion carried unanimously.

Case: BOA- 1674856 Address: 33 Worcester Street Ward 9 Applicant: David McGrath

Article(s): Article 64, Section 9.4 Town House/Row House Extension Town House/Row House Extensions into Rear Yard. Notwithstanding any contrary provision of this Article or Code, any Proposed Project that otherwise meets the applicable use and dimensional requirements of this Article shall be conditional if such Proposed Project involves the extension of a Town House or Row House into a rear yard, where such extension: (a) increases the gross floor area of



City of Boston
Board of Appeal

such Town House or Row House by fifty (50) or more square feet; or (b) involves the addition of a porch or balcony, other than a roof deck, above the first story.

Purpose: Install two rear facing decks

Discussion: At the request of the Board, the applicant presented plans to construct two rear facing roof decks on top of an already existing deck. 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 Collins motioned for approval with the provisos of Planning Department design review and cantilevered decks with a maximum of six feet. Board member Langham seconded and the motion carried unanimously.

Case: BOA-1652789 Address: 65 East Cottage Street Ward 7 Applicant: Indigo Block Apartments LLC

Article(s): Article 65, Sec. 40 Sign Regulations Free standing signs are not allowed in LI districts.

Purpose: 66"Hx32.5"Wx14"D 2-Sided Fabricated Aluminum Sign, Internal Illumination, Retainer to house changeable translucent inserts for commercial tenants Plate mount on footing

Discussion: At the request of the Board, the applicant presented plans to install an internally illuminated ground sign with LED lights to identify a commercial lot. 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 Turner motioned for approval with the proviso of Planning Department design review with special attention to light pollution. Board member Langham seconded and the motion carried unanimously.

Case: BOA-1688989 Address: 246-248 Dorchester Avenue Ward 6 Applicant: Dot Ave Property LLC-Article80

Article(s): Article 16, Section 1 Bldg. Height Excessive (Stories) Max. allowed: 2.5 Proposed: 10 Article 16 Section 1 Building Height Excessive Max. height allowed: 35' Proposed: 109', Art. 20 Sec. 01 Rear Yard Insufficient Art. 15 Sec. 01 Floor Area Ratio Excessive Max. allowed: 1 Proposed: 5.32 Article 8, Section 3 Forbidden Use Hotel/ Apartment hotel Use item 15

Purpose: Seeking approval to construct a new ten (10) story, 109-foot extended stay/apartment hotel/ hotel building of approximately 87,000 square feet, with 169 rooms and 31 vehicular parking spaces, along with approximately 2,900 square feet of commercial/retail space. Demolition of the existing structure under SF# The existing lot (ID 0600204000 with 22,042 sqft) is being subdivided in two lots: the lot for the hotel will result in 16,364 sqft and the other lot will be 5,678 sqft eplan BOA Project subject to LPR Application assigned by supervisor, Paul Williams, 17 days late.

Discussion: At the request of the Board, the applicant presented plans to construct a ten-story hotel with one hundred and sixty-nine rooms, thirty-one parking and forty-two bike spaces. Board members asked about the plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilors Flynn and Murphy were in support of the project along with several abutters. While one abutter did object to the project.

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

Case: BOA-1641125 Address: 116-128 Lincoln Street Ward 3 Applicant: David McGrath

Article(s): Article 44, Section 5 Maximum Building Height / FAR Article 44, Section 6 Roof Additions in Leather Dist.

Purpose: replace existing roof deck [ePlans]

Discussion: At the request of the Board, the applicant presented plans to reinstall a roof deck with a headhouse. Board members asked about the plans.

Documents/Exhibits: Building Plans



City of Boston
Board of Appeal

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

Votes: Board member Turner motioned for approval. Board member Langham seconded and the motion carried unanimously.

Case: BOA- 1688572 Address: 166-168 Salem Street Ward 3 Applicant: Daniel Santaniello Article(s):

Article 54, Section 18 Roof Structure Restrictions Access to roof deck is through headhouse.

Article 54, Section 10 Building height excessive.

Purpose: To erect a 550 SF roof deck on an existing structure

Discussion: At the request of the Board, the applicant presented plans to erect a new roof deck on an existing structure. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

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

Case: BOA-1677881 Address: 155R Princeton Street Ward 1 Applicant: Dean LaPrade

Article(s): Article 53, Section 5.3 Building Height (Stories) Excessive Article 53, Section 5.3 Front Yard Maximum Exceeded Article 53, Section 5.3 Side Yard Article 53, Section 5.3 Rear Yard Art. 53 Sec.25Roof Structure Restrictions Article 53, Section 29.12 Two or More Dwellings on Same Lot Dwelling behind another dwelling

Purpose: Confirm occupancy as 3 family. Existing condition for many years. Renovate the interior and exterior of the existing three family dwelling, including Sprinkler and MEP. Two dwellings on same lot in connection with ALT1404277.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until May 20, 2025.

Case: BOA#1622100 Address: 155R Princeton Street Ward 1 Applicant: Dean LaPrade

Purpose: Change occupancy to include 3 Residential Units. Scope includes addition of 3-stories to existing 1-story structure to create (3) condos directly on top of existing garage within newly created 3,500sqft lot. Also see ALT1349647 & ALT1483360 for subdivision. [ePlan] Violation: Violation Description: 9th 780 CMR 1007 Exit and Exit Access Doorway Configuration Violation Comments:1007.1.1 Two exits or exit access doorways. Where two exits, exit access doorways, exit access stairways or ramps, or any combination thereof, are required from any portion of the exit access, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between them. Interlocking or scissor stairways shall be counted as one exit stairway. 2.Where a building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2, the separation distance shall be not less than one-third of the length of the maximum overall diagonal dimension of the area served. [The two exits provided are less than one-third of the maximum overall diagonal dimension. Relocation required to achieve the minimum separation.]

Discussion/Votes: Upon a motion and a second, the Board moved to defer until May 20, 2025.

Case: BOA-1677882 Address: 157 Princeton Street Ward 1 Applicant: Dean LaParde

Article(s): Article 53, Section 5.3 Building Lot Coverage Excessive Article 53, Section 5.3 Permeable Area of Lot Insufficient Article 53, Section 5.3 Side Yard Article 53, Section 5.3 Rear Yard

Purpose: Subdivision of Parcel 0106656000 to create two separate lots. Lot 1 to be 3,500sqft used for conversion under. ALT1404277. Lot 2 to be 1,500sqft for existing 3 Family to remain. [ePlan]

Discussion/Votes: Upon a motion and a second, the Board moved to defer until May 20, 2025.



City of Boston
Board of Appeal

Case: BOA#1677886 Address: 157 Princeton Street Ward 1 Applicant: Dean LaParde

Purpose: Subdivision of Parcel 0106656000 to create two separate lots. Lot 1 to be 3,500sqft used for conversion under ALT1404277. Lot 2 to be 1,500sqft for existing 3 Family to remain. [ePlan] Violation: Violation Description:

9th 780 CMR 1030 Emergency Escape and Rescue 9th 780 CMR 705 Exterior Walls Violation Comments: 1030.1 General. In addition to the means of egress required by this chapter, provisions shall be made for emergency escape and rescue openings in Group R-2 occupancies in accordance with Tables 1006.3.2(1) and 1006.3.2(2) and Group R-3 occupancies. Basements and sleeping rooms below the fourth story above grade plane shall have at least one exterior emergency escape and rescue opening in accordance with this section. Where basements contain one or more sleeping rooms, emergency escape and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Such openings shall open directly into a public way or to a yard or court that opens to a public way. [Not enough separation from interior lot line (36" required) to be considered a safe unobstructed path to public way] 705.8.1 Allowable area of openings. The maximum area of unprotected and protected openings permitted in an exterior wall in any story of a building

Discussion/Votes: Upon a motion and a second, the Board moved to defer until May 20, 2025.

HEARINGS: 11:00 AM

Case: BOA-1668942 Address: 206 Chelsea Street Ward 1 Applicant: Marc LaCasse

Article(s): ARTICLE 53; SECTION 53 5Dimensional Regulations (Table F) Insufficient Side Yard. Required 3'; proposed 0'.

Purpose: Subdivide 555 square feet of land from 206 Chelsea Street and combine portion subdivided with 204 Chelsea Street resulting in existing driveway being entirely on 204 Chelsea Street lot; no work to be done; subdivide and combine only.

Discussion: At the request of the Board, the applicant presented plans to combined and subdivide two lots and move the existing driveway with no work to be done. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

Votes: Board member Turner for approval with the proviso of a three foot no build zone adjacent to 204 Chelsea street. Board member Langham seconded and the motion carried unanimously.

Case: BOA-1690482 Address: 90-92 Perthshire Road Ward 22 Applicant: Patrick McKenna

Article(s): Art. 51 Sec. 09 Dimensional Regulations Insufficient front yard setback Art. 51 Sec. 56^ Off street parking requirements Insufficient parking Article 51, Section 57.13 Two or More Dwellings on Same Lot See other ERT Zoning refusal decision for other respective variances required for 4-unit structure in rear Applicant to file for these Zoning variances simultaneously in conjunction with other variances needed on companion ERT of records Zoning refusal decision rendered. Other ERT Zoning decision is respectfully on hold awaiting initial fire review of the MFR building behind this building on same lot.

Purpose: The shire development bldg 1 of 2. erect a new 2 story, 2 family dwelling (duplex). part of multiple dwellings on one lot development. at grade parking also included. raze existing structure on a separate permit. these two units to be 90 92 perthshire road. *Companion erection permit application for 4 unit detached dwelling in rear filed under ERT1651774 *10.15.24 application filed assigned to FD by DEPT HEAD Paul Williams on 11.1.24

Discussion/Votes: Upon a motion and a second, the Board moved to defer until April 29, 2025.

Case: BOA-1690484 Address: 94-100 Perthshire Road Ward 22 Applicant: Patrick McKenna

Article(s): Art. 51 Sec. 51 57 Appl. of Dimensional Req. Two or more Dwellings on a lot Art. 51 Sec. 08 *Use Regulations MFR use forbidden in a 2f subdistrict Art. 51 Sec. 09 Excessive f.a.r Art. 51 Sec. 09 # of allowed stories has been exceeded Art. 51 Sec. 09 Insufficient rear yard setback Article 51, Section 56. Off Street Parking & Loading Req



City of Boston
Board of Appeal

Off street parking is insufficient Art.51 Sec.56 Off St Parking Design#4 Location of Parking in front yard Article 51, Section 50.2 Conformity Ex Bldg Alignment Building in rear not conforming with existing street alignment Art. 51 Sec. 09 Lot width minimum insufficient (Shared driveway street access)

Purpose: The shire development bldg. 2 of 2. erect a new 3 story, 4 family dwelling (townhouse). part of multiple dwellings on one lot development. at grade parking also included. raze existing structure on a separate permit. these four units' entryways to be 94 96 98 100 Perthshire road *(This application has been filed in conjunction with ERT1651770) *10/15/24 filing assigned to FD by Dept Head Paul Williams on 11.1.24**REVISED PLANS REVIEWED ON 2.7.25

Discussion/Votes: Upon a motion and a second, the Board moved to defer until April 29, 2025.

Case: BOA-1651382 Address: 66 Burt Street Ward 17 Applicant: Volunteers of America Massachusetts

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

Purpose: Enclose existing 2nd and 3rd floor porches for additional floor area

Discussion: At the request of the Board, the applicant presented plans to enclose existing porches on the second and third floor for additional space. 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 Langham motioned for approval. Board member Collins seconded and the motion carried unanimously.

Case: BOA- 1690291 Address: 14 Merlin Street Ward 17 Applicant: Cesar DaSilva

Article(s): Art. 65 Sec. 08 Forbidden Applicant will need to seek relief to change the use from a Single Family to a Four Family. Article 65, Section 8.2 Use Regulations: Basement Units Applicant will need to seek relief to have a unit located in the basement. Dwelling Units in basement are forbidden. Art. 65 Sec. 41 Off street parking requirements Applicant will need to seek relief for off street parking for four units. Zoning requires five parking spaces. Currently the house is used as a single family with tandem parking. Art. 65 Sec. 43 Ext. of non-conforming use Existing non-conformity Side yard setback of 5' (feet). Zoning requires a setback minimum of 10' (feet).

Purpose: Change occupancy from one family to four-unit building. Interior & exterior work as per attached plans. E[PLANS] Filed.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of a one family to a four unit building with a unit in the basement and five parking spaces. 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 Collins motioned for approval with the proviso of Planning Department design review. Board member Langham seconded and the motion carried unanimously.

Case: BOA-1651071 Address: 23 Richfield Street Ward 15 Applicant: Glen Hoffman

Article(s): Article 65, Section 9 Usable Open Space Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Lot Area Insufficient Article 65, Section 15 Use: Forbidden Art. 65 Sec. 42 Off Street Parking Insufficient

Purpose: Proposed Basement Renovations to include change of occupancy from a 3 family to a 4 family with all work to be done in the basement unit as per stamped plans



City of Boston
Board of Appeal

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a three family to a four family by adding a two-bedroom unit in the basement with an additional egress window in the front. 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 Pinado motioned for approval with the proviso of Planning Department design review with special attention to the second means of egress. Board member Langham seconded and the motion carried unanimously.

RE-DISCUSSION: 11:30AM

Case: BOA-1631614 Address: 679 Cummins Highway Ward 18 Applicant: Mr. Jose Valdez

Article(s): Article 60 Section 60-4 Dim. Regs Applicable in Residential Subdistricts (Table D) Building lot allowed coverage exceeded- 40% max Article 60 Section 60-4 Dim. Regs Applicable in Residential Subdistricts (Table D) Permeable Area pf Lot minimum insufficient- 25% reg. Article 60 Section 60-4 Dim. Regs Applicable in Residential Subdistricts (Table D) Insufficient side yard setbacks -3' min ,14' cumulative Article 60 Section 60-4 Dim. Regs Applicable in Residential Subdistricts (Table D) Insufficient rear yard setback -20' min req. Article 60, Section 60-32 Off-Street Parking and Loading Requirements Insufficient Parking -.75 spaces/ unit required Article 60, Section 60-32 Off-Street Parking and Loading Requirements LOCATION (4) No parking allowed in a required front yard unless if it also a side yard to where frontage taken by the parking space does not be

Purpose: Subdivision of existing parcel and create w/ new parcel to have address of 679 Cummins Hwy. This application is for the Erection of new 3 family home with 2 off street parking spaces & new curb cut, basement storage and utilities. 3 bedrooms, 2 bathrooms per unit. Common interior and exterior stairs. Solar ready. *ASSIGNED TO FD 12.28.23 NOTE: OPEN BUILDING CODE REVIEW UNDER THE DIRECTION OF IT MANAGER (Application filed in conjunction with 677 Cummins HWY ALT1564037 for subdivision yet to be processed and assigned by Admin for review) **ALT1564037 issued by DB.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until April 08, 2025.

Case: BOA- 1591933 Address: 36 Akron Street Ward 12 Applicant: 32-36 Akron Street, LLC

Article(s): Art. 50 Sec. 29 Insufficient lot area per dwelling unit (8,000sf additional required)
Art. 50 Sec. 29 Excessive f.a.r- .8 max Art. 50 Sec. 29 Number of allowed stories exceeded- 3 stories max. Art. 50 Sec. 29 Insufficient open space- 650sf/unit required Art. 50 Sec. 29 Insufficient front yard setback- 20' required Art. 50 Sec. 29 Insufficient side yard setback -10' required Art. 50 Sec. 29 Height exceeded -35' max Art. 50 Sec. 44 Traffic visibility across a corner lot Article 50, Section 43 Off-Street Parking & Loading Req Insufficient parking
Article 50 Section 28 Use Regulations MFR 10 units - Forbidden

Purpose :3.27.24 Updated scope of work for clarification: Demolition of existing vacant/abandoned house, then combine the two lots owned in common into one lot and construct a new 10-unit residential multi-family building per plans submitted. Nominal Fee Letter. Demolition of building to be applied for and secured on a SF demolition permit. Redacted scope: Demolition of existing vacant/abandoned house. Proposed erection of new residential multi-family building housing 10 units. Nominal Fee Letter. * Demolition of building to be applied for and secured on a SF demolition permit.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until May 20, 2025.

Case: BOA- 1648030 Address: 2164-2168 Washington Street Ward 8 Applicant: Community Music Center of Boston, Inc.

Article(s) Art. 50 Sec. 43 Off street parking insufficient More parking spaces required due conversion of basement from storage into conditionate space. Article 50, Section 11Dimensional Regulations in Roxbury EDA FAR exceeded. Max. allowed 2.0

Purpose: The proposed redevelopment project involves the change in occupancy and interior/roof renovation of the existing three-story building located at 2164 2168 Washington Street, Roxbury, MA (Parcel ID: 0802478000). The basement of the existing building is currently excluded from the building's GFA; in addition to renovating the existing



City of Boston Board of Appeal

building, Applicant proposes to fit out the basement to accommodate the project's proposed uses, which will include studio (arts/music), community center, and accessory office uses. Applicant does not propose to continue any of the building's currently permitted uses, including storage, store, gallery and art exhibit, and sales. In connection with the project, Applicant and the Boston Planning Department will enter into an easement agreement, which will grant Applicant the exclusive right to use portions of two adjacent parcels owned by the Boston Redevelopment Authority (Parcel ID: 0802472000; Parcel ID: 0802479000) on which the existing building encroaches.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy and renovate an existing three-story building to include office space in the basement, community center, music and art studio. Board members asked about the plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services offered support of the project.

Votes: Board member Turner motioned for approval. Board member Langham seconded and the motion carried, Board member Stenbridge recused himself.

Case: BOA- 1659785 Address: 8 Brooks Street Ward 1 Applicant: Tom Walsh & Peter Ryan

Article(s): Article 53 East Boston Neighborhood District Section 53-5 Residential Dimensional Regulations- Insufficient rear yard setback (To be determined by BOA) Article 53 East Boston Neighborhood District Section 53-5 Residential Dimensional Regulations- Max allowed building height has been exceeded (Corrected via revised plans) Article 53 East Boston Neighborhood District Section 53-5 Residential Dimensional Regulations- Max. allowed number of stories has been exceeded (2.27.25 Corrected via revised plans) Article 53 East Boston Neighborhood District Section 53-5 Residential Dimensional Regulations- Building lot coverage > 60% Article 53 East Boston Neighborhood District Section 53-5 Residential Dimensional Regulations- Minimum permeable surface reduced @ <30% Article 53 East Boston Neighborhood District Section 53-29 Allowed Encroachments into the rear yard of a shallow lot <10'(Corrected via revised plans 2.27.25) Article 53 East Boston Neighborhood District Section 53-25 Roof structure restrictions. Reconfiguration of existing roof structure via proposed 2 story vertical addition with private roof decks Art. 09 Sec. 02 Nonconforming Use Change Nonconforming retail store use on lot Art. 32 Sec. 32-4 Groundwater Conservation Overlay Substantial renovation District, Applicability

Purpose: Change occupancy of attached one story buildings retail store into a retail store and 4 dwelling units with two private roof decks by erecting a 2-story vertical addition on top of the existing one-story structure per 2/27/25 revised plans submitted.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of a one-story retail building by adding a two-story addition to make it a four unit building with ground floor retail and two roof decks. Board members asked about the plans and GCOD letters.

Documents/Exhibits: Building Plans

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

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

Case: BOA- 1675304 Address: 140 Chelsea Street Ward 1 Applicant: Richard Lynds

Article(s) Art. 32 Sec. 04 GCOD Applicability Basement excavation Art. 53 Sec. 08 Forbidden Basement units are forbidden Art. 53 Sec. 09-Dimensional Regulations Max allowed f.a.r. exceeded Art. 53 Sec. 09 Dimensional Regulations Insufficient additional lot area /unit Art. 53 Sec. 09-Dimensional Regulations Number of allowed habitable stories exceeded- 3 max Art. 53 Sec. 09 Dimensional Regulations Insufficient open space/unit Art. 53 Sec. 09 Dimensional Regulations Insufficient Parking Article 53 Section 8 Use Regulations Use forbidden

Purpose: Change occupancy from a three (3) unit residential dwelling to a four (4) unit residential dwelling as per plans.



City of Boston
Board of Appeal

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a three unit dwelling to four-unit dwelling. Board members asked about the plans and GCOD letters

Documents/Exhibits: Building Plans

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

Votes: Board member Collins motioned for approval. Board member Turner seconded, while Board member Pinado voted no the motion carried.

Case: BOA-1686316 Address: 853-855 East First Street Ward: 6 Applicant: Ashley Whitehead

Article(s): Article 68, Section 8 Usable Open Space Insufficient

Purpose: Applying for a permit for a curb cut to create a driveway on my property to park two vehicles.

Discussion: At the request of the Board, the applicant presented plans for a curb cut to create two off street parking spot. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

Votes: Board member Collins motioned for approval. Board member Langham seconded, Board member Pinado voted no and the motion carried.

INTERPRETATION: 12:00 PM

Case: BOA-1689794 Address: 62-66 Condor Street Ward 1 Applicant: Condor Nay, LLC

Article(s): Article 53, Section 10.2 Dimension Regulations (Waterfront) Building Height (Feet) Excessive Article 53, Section 10.3 Waterfront Open Space Requirements Article 53, Section 10.4.a Waterfront Yard Area Measurements Article 53, Section 10.4.b Setback Requirements Article 53, Section 29.1 Conformity with Existing Bldg. Alignment Article 25A Section 4 CFROD Applicability

Purpose: Erect a new 5 story Mixed Use Building on newly created lot with thirty-six (36) Multi Family residential units, three (3) Retail on ground floor (core/shell) and below grade parking, as per plans. Building features amenity space, balconies, and common roof deck. See ALT1655420 for subdivision. Existing building to be razed under separate permit. [ePlan] SPR

Discussion/Votes: Upon a motion and a second, the Board moved to defer the matter to the Law Department.

Case: BOA- 1685296 Address: 265-269 Maverick Street Ward 1 Applicant: 265 Maverick, LLC

Article(s) Article 53, Section 5.3 Dimensional Regulations Building Height (Stories) Excessive Article 53, Section 5.3 Dimensional Regulations Building Depth (Feet) Excessive Article 25A Section 4 CFROD Applicability Article 25, Section 5 Flood Plain Regulations Article 32, Section 4. GCOD, Applicability Art. 53 Sec.25 Roof Structure Restrictions

Purpose: The petitioner seeks a determination that the Inspectional Services Department erred in issuing a refusal letter citing Article 53-25 – Roof Top Restrictions; Article 53-5.3 – Building Height (Stories) – Excessive ; and Article 53-5.3 – Building Height (Feet) – Excessive.

Discussion/Votes: Upon a motion and a second, the Board moved to defer the matter to the Law Department.



City of Boston
Board of Appeal

STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775

BOARD MEMBERS:
SHERRY DONG-CHAIR
NORMAN STEMBRIDGE-SECRETARY
ALAN LANGHAM
SHAMAIAH TURNER

SUBSTITUTE MEMBERS:
DAVID COLLINS
JEANNE PINADO
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