



Tuesday, July 8, 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 July 8, 2025 beginning at 9:30 am and related announcements.

All matters listed on this July 8, 2025 Hearing agenda have been noticed in accordance with the enabling act. Please be advised of the following participation instructions:

The July 8, 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/July82025ZBAComments> 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/July82025ZBAComments> 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 isdbboardofappeal@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



HEARINGS: 9:30AM

Case: BOA- 1697206 Address: 63 Rutherford Avenue Ward 2 Applicant: Bjorn A. Anderson

Article(s) Article 62, Section 25 Roof Structure Restrictions Consider relief for a roof deck that exceeds the maximum building height limit for this district. Charlestown 3F 2000 building height maximum: 35' Proposed roof deck height: 35' 8"

Purpose: Erect open roof deck accessible to 1 unit. Construct on flat roof of 2 family. Access by existing hatch. Building had deck but removed several years ago when contractor found deteriorated and insufficiently secured. Height to deck anticipated to exceed limit by 1 Ft. Therefore, assume Bd of Appeal.

Discussion: At the request of the Board, the applicant presented plans to erect a roof deck on an existing two family, accessible through an existing hatch. 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 with the provisos of Planning Department design review with special attention to Plan Charlestown guidelines. Board member Turner seconded and the motion carried unanimously.

Case: BOA- 1696180 Address: 37 Merrimac Street Ward 3 Applicant: David Sokol

Article(s) Art. 06 Sec. 03A Additional Conditions in Restricted Parking District

Purpose: Remove proviso of 2-year sunset. No work to be done. Applying for conditional use for open air parking lot. Extend the use

Discussion: At the request of the Board, the applicant presented plans to remove a previous proviso of a two-year sunset clause for an open-air parking 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 Whewell motioned for approval with the proviso of a five-year sunset clause. Board member Langham seconded and the motion carried unanimously.

Case: BOA- 1704807 Address: 6 Charles River Square Ward 5 Applicant: Sarah L. Creighton

Article(s) Article 13, Section 1 Floor Area Ratio Excessive

Purpose: The work will include renovations on the ground floor and first floor. It will include updating the layout, renovating the bathrooms, kitchen, adding a bay window on the first floor and a French door on the ground floor. The second and third floor bathrooms will also be renovated.

Discussion: At the request of the Board, the applicant presented plans to renovate an existing single-family house. 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 Langham seconded and the motion carried unanimously.

Case: BOA-1701155 Address: 362-366 Commonwealth Avenue Ward 5 Applicant: William Wallace

Watson Article(s) Article 13, Section 1 Bldg Height Excessive (Feet) Article 13, Section 1 Rear Yard Insufficient

Purpose: Construct new roof decks

Discussion: At the request of the Board, the applicant presented plans to replace existing roof 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 Stembridge motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA-1670349 Address: 501 Boylston Street Ward 5 Applicant: T-C 501 Boylston Street LLC



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Article(s) Article 13, Section 1 Floor Area Ratio Excessive Art. 06 Sec. 03A Additional Conditions in Restricted Parking District Extending parking spaces from 114 to 167 Art. 08 Sec. 03 Conditional Uses Parking Garage Art. 08 Sec. 03 Conditional Uses Restaurant

Purpose: Change of occupancy to include Restaurant use on 11th floor. Work includes: (i) the conversion of the existing rooftop penthouse and deck, currently located above the building's tenth floor, from a mechanical equipment area to office and related accessory amenity space, and (ii) modifications to the garage area, including the net addition of 53 parking spaces.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of an eleventh floor mechanical equipment area in a penthouse to an amenity space with fifty-three parking spaces

Documents/Exhibits: Building Plans

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

Votes: Board member Whewell motioned for approval for the rooftop use and the variances in accordance with the use specifically. Board member Langham seconded and the motion carried unanimously. Board member Whewell motioned for the deferral of the parking plans, Board member Langham seconded and the Board moved to defer until September 23, 2025.

Case: BOA- 1693417 Address: 346 D Street Ward 6 Applicant: Josh White

Article(s) Art. 68 Sec.31 Screening and Buffering 8' High fence proposed Conditional Art.68 Sec.13 Use Regs. Garage with dispatch Conditional Art. 68 Sec.13 Use Regs. Truck servicing or Storage Conditional Art. 68 Sec.13 Use Regs. Outdoor storage of new materials Conditional Art. 68 Sec.31 Screening and Buffering Type and % of Opacity of future fence screening Art. 68 Sec.13 Use Regs. Parking Lot Conditional Art. 68 Sec.14 Dimensional Requirements Canopy projections beyond front lot line

Purpose: Clarification: Change existing occupancy from Office and warehouse use to a fleet motor pool Garage with Dispatch office, to include, accessory storage of materials, truck storage & servicing and employee parking lot, then perform Phase 1 shell and core renovations per plans provided to consist of new building infrastructure work, electrical service, electric vehicle charging and installation of an 8' security fence to be installed around property. Demolition of any existing structures, consolidation of 5 lots and final tenant fit out shall be performed on separately filed and issued SF demo, alteration and use of premises permits. Demolition of existing buildings on site and renovation of remaining 2 story structure for a future tenant fit out. Includes new building infrastructure, electrical service, and electric vehicle charging. New 8' security fence to be installed around property.

Discussion: At the request of the Board, the applicant presented plans to. 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 and one abutter were in support of the project,

Votes: Board member Whewell motioned for approval with the provisos of Planning Department design review with attention to screening and buffering around public rights of ways, Public Improvements review for consistency with Complete Streets guidelines and that the approval is for this applicant only. Board member Langham seconded and the motion carried unanimously.

Case: BOA-1716929 Address: 1274 Massachusetts Avenue Ward 7 Applicant: George Morancy, ESQ-

ARTICLE 80

Article(s) Art. 65 Sec. 41 Off street parking requirements Art. 65 Sec. 41 Off-St. Loading Req'mnts Art.65 Sec. 8 Use: Forbidden Multi-Family Dwelling - Forbidden (For 3F-5000) Article 65, Section 15 Use: Conditional Multi-Family Dwelling - Conditional (For LC) Article 65, Section 15 Use: Forbidden General Retail Business - Forbidden (For LC) Article 65, Section 16-Dimensional Regulations Floor Area Ratio Excessive (For LC) Article 65, Section 16 Dimensional Regulations Building Height Excessive (For LC) Article 65, Section 9 Floor Area Ratio Excessive For 3F-5000 Article 65, Section 9 Bldg Height Excessive (Stories) For 3F-5000 Article 65, Section 9 Bldg Height Excessive (Feet) For 3F-5000

Purpose: Erect new six story mixed use building on newly created lot. Building to contain 45 dwelling units, ground floor commercial retail space, and below grade garage parking. Garage accessed through 1258 1272 Massachusetts Ave ramp and tunnel. Building features amenity spaces and balconies. See ALT1666737 & ALT1666734 for creation of this parcel, numbered 1274 Massachusetts Avenue. See ALT1666730 for related work for tunnel.



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Discussion: At the request of the Board, the applicant presented plans to erect a six story, mixed use building with forty-five units, below grade parking and commercial space on the ground floor. Board members asked about the plans. Board member Whewell commended the applicants use of the space and affordability

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Fitzgerald was in support of the project, along with one abutter.

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

Case: BOA-1720111 Address: 45 Solaris Road Ward 18 Applicant: Derric Small, ESQ

Article(s) Art. 69 Sec. 09-Dimensional Reg. Insufficient side yard setback Art. 69 Sec. 09-Dimensional Reg. Insufficient rear yard setback Art. 69 Sec. 09-Dimensional Reg. Insufficient lot width

Purpose: Erect a two-family dwelling on the newly created lot. See ALT 1607906. *Application reassigned to FD 9.9.24 (New lot size 11,120sf)

Discussion: At the request of the Board, the applicant presented plans to combine and subdivide lots and erect a two-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. Councilor Peppen was in favor of the project.

Votes: Board member Langham motioned for approval with the proviso of Parks and Recreations Design Review. Board member Whewell seconded and the motion carried unanimously.

Case: BOA- 1720105 Address: 51 Solaris Road Ward 18 Applicant: Derric Small, ESQ

Article(s) Art. 09 Sec. 02 Nonconforming Use Change Reduction of original lot size of a non-conforming three family in a two-family zone

Purpose: Subdivide the lot into two lots. New lot at 45 Solaris Road will have 11,120 square feet.

CLARIFICATION of scope of work: COMBINE PARCEL #'s 18712394000 (51Solaris/20000sf with three family dwelling) and 1812392000 (5,000sf/vacant land) into one lot and then subdivide into two separate lots. #51 solaris (Lot B) to have 13,674sf (three family dwelling to remain) and #45 Solaris (lot A) to have 11,126sf. (see ERT 1607914 for newly proposed structure on lot A.)

Discussion: At the request of the Board, the applicant presented plans to combine lots and erect a two-family dwelling, on the same lot as an existing dwelling. Board members asked about the plans. Councilor Peppen was in favor of the project.

Documents/Exhibits: Building Plans

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

Votes: Board member Langham motioned for approval with the proviso of Parks and Recreations Design Review. Board member Whewell seconded and the motion carried unanimously.

Case: BOA- 1692668 Address: 14 Tarleton Road Ward 20 Applicant: Donald Coleman

Article(s) Article 56, Section 8 Dimensional Regulations Insufficient front yard setback 20' req.

Purpose: Permit (ALT1488783) approves a front deck and stairs that is 4 feet width from the house. We seek to cantilever the deck 3 feet, or whatever permissible, for a total width of 6 feet. Our objective is to accommodate wheelchair access and maneuverability, onto the porch from the interior.

Discussion: At the request of the Board, the applicant presented plans to cantilever a front deck to accommodate wheelchair access and maneuverability onto the porch from the interior. 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 Stembridge motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA- 1701440 Address: 15 Rickerhill Road Ward 20 Applicant: Jesse Littlewood

Article(s) Art. 56, Section 7 Use: Forbidden According to Article 56, Section 56 7, Table A, the 'Accessory Keeping of Animals' is explicitly forbidden.



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Purpose: 5 backyard chickens in coop

Votes: Board member Stembridge motioned for denial without prejudice. Board member Langham seconded and the motion carried unanimously.

Case: BOA-1703881 Address: 29 Vermont Street Ward 20 Applicant: Andrew and Brianna Loachim

Article(s): Article 56. Section 8 Side Yard Insufficient

Purpose: Construct a second story primary suite addition over an existing one story attached garage of a detached, single family dwelling. Project scope also includes a rear mudroom addition on the first floor and a partial renovation of the second floor. No basement work proposed.

Discussion: At the request of the Board, the applicant presented plans to construct a second-floor addition to an attached garage. 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 Lagham motioned for approval. Board member Stembridge seconded and the motion carried unanimously.

Case: BOA-1698765 Address: 44 Cass Street Ward 20 Applicant: Coen Construction LLC

Article(s) Article 56. Section 8 Side Yard Insufficient

Purpose: Adding 2nd story addition to existing 1 story home. Two-bedroom, two bathrooms. Same footprint as 1st floor space. Matching exterior finished

Discussion: At the request of the Board, the applicant presented plans to add a second story to an existing one-story dwelling, creating additional living 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 Stembridge motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA- 1723975 Address: 131 Nonantum Street Ward 22 Applicant: 131Nonantum Street LLC

Article(s) Article 51, Section 9 Bldg Height Excessive (Stories) Article 51, Section 9 Floor Area Ratio Excessive Article 51, Section 8 Use: Forbidden

Purpose: Looking for a zoning ordinance to change from 2 to 3 units. The declared valuation is the estimated construction costs for the renovation. The property was purchased for \$845,000.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a two family to a three-family dwelling, expanding the third floor and new off-street parking spots in the rear. 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 of Planning Department Review to reduce parking from five spaces to no more than three spaces. Board member Langham seconded and the motion carried unanimously.

Case: BOA-1716536 Address: 83 Leo M Birmingham Parkway Ward 22 Applicant: 83 Leo Property Owner LLC-ARTICLE 80

Article(s) Article 51, Section 16 Use Regulations Multi Family Dwelling (Bsmt. & First Story) Conditional Article 51, Section 17-Dimensional Regulations Floor Area Ratio Excessive Article 51, Section 17 Dimensional Regulations Building Height Excessive Article 29 Section 4 GPOD Applicability

Purpose: Erect a new 8 story Mixed Use Building with 333 Residential units and Dog Spa/Kennel (core/shell). Building

features outdoor courtyard, parking garage, amenity spaces, and bike storage. Existing building to be demolished under separate permit.

Discussion: At the request of the Board, the applicant presented plans to erect an eight story, mixed use building with three hundred and thirty-three units with fifty-two being affordable with a dog spa/kennel on the first floor. Board members asked about the plans.



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Documents/Exhibits: Building Plans

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

Votes: Board member Stembridge motioned for approval. Board member Whewell seconded and the motion carried unanimously.

HEARINGS: 11:00 AM

Case: BOA-1708560 Address: 123 Newbury Street Ward 5 Applicant: UMN 123 Newbury LLC, by Timothy White

Article(s) Art. 08 Sec. 03 Conditional Uses

Purpose: Ground Floor Cafe Change of occupancy to Assembly Café. Venchi Gelato: interior build out for Cafe. Selective demolition, LGMF, GWB, Finishes and MEP systems.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy into a ground floor café. [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- 1719422 Address: 316-318 Northern Avenue Ward 6 Applicant: RBK II Tenant, LLC

Article(s) Art. 13 Sec. 13 1 Dimensional Regulations FAR max. allowed: 2 Existing: exceeded. Proposing elevated bridge. Article 13, Section 3 Nonconformity to Dimen Req Extending non-conformity

Purpose: New bridge connecting ISQ2 (316 319 Northern Ave) and ISQ3 (331 339 Northern Ave) In conjunction with ALT1698867

Discussion: At the request of the Board, the applicant presented plans to construct a weather protected pedestrian bridge connecting two buildings. 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 Stembridge motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA- 1719413 Address: 331-339 Northern Avenue Ward 6 Applicant: 22 Drydock, LLC Article(s)

Art. 13 Sec. 13 1 Dimensional Regulations FAR max. allowed: 2 Existing: exceeded. Proposing elevated bridge.

Article 13, Section 3 Nonconformity to Dimen Req Extending non-conformity

Purpose: New bridge connecting ISQ2 (316 319 Northern Ave) and ISQ3 (331 339 Northern Ave) In conjunction with ALT1688454

Discussion: At the request of the Board, the applicant presented plans to construct a weather protected pedestrian bridge connecting two buildings. 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 Stembridge motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA- 1727765 Address: 3458 Washington Street Ward 11 Applicant: George Morancy, ESQ-ARTICLE 80

Article(s) Art. 55 Sec. 55-40 Off-street Loading insufficient -1 loading bay required Art. 55 Sec. 55-40^ Off street parking insufficient parking Art. 55, Section 19 Use: Forbidden MFR use- Forbidden Art. 55, Section 19

Use: Forbidden Accessory parking residential- Forbidden Art. 55, Section 19 Use: Conditional Retail use- Conditional

Art. 55, Section 19 Use: Conditional Accessory parking for retail -Conditional Art. 55, Section 20 Dimensional

Regulations Excessive f.a.r. Art. 55, Section 20-Dimensional Regulations Max allowed height exceeded Art. 55,

Section 20 Dimensional Regulations Insufficient usable open space per dwelling unit



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Purpose: Erect new five story mixed use building to contain 36 dwelling units and ground floor local retail business space, and residential amenity space, including bicycle storage room, with seven exterior accessory residential parking spaces at grade.

Discussion: At the request of the Board, the applicant presented plans to combine parcels to create a new lot and erect a five-story, mixed used building and includes bike storage and seven off-street 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 Stembridge motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA-1721184 Address: 7 Westminster Terrace Ward 11 Applicant: Boston Redevelopment Authority d/b/a BPDA-MOH

Article(s) Art. 50 Sec. 29 Dimensional Requirements Excessive f.a.r. Art. 50 Sec. 29 Dimensional Requirements Insufficient usable open space per unit Art. 50 Sec. 29 Dimensional Requirements Insufficient front yard setback Art. 50 Sec. 29 Dimensional Requirements Insufficient rear yard setback Art. 50 Sec. 29 Dimensional Requirements Insufficient side yard setback Article 50 Section 28 Use Regulations Homeless shelter- Conditional Article 50 Section 29 Dimensional Regulations Insufficient additional lot area per unit

Purpose: 3 Story, 9,200SF, wood framed building which will include 13 residential units with minimal common space to provide a mixture of emergency shelter housing and affordable housing 2 companion applications for the consolidation of lots are related ALT1699117 & ALT1699164.

Discussion: At the request of the Board, the applicant presented plans to erect a three story, thirteen unit dwelling with a mix of residential units and emergency shelters. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

Votes: Board member Langham motioned for approval with the proviso that the applicant must reach a housing agreement with the Mayor's Office of Housing. Board member Whewell seconded and the motion carried unanimously.

Case: BOA-1677952 Address: 95 Business Street Ward 18 Applicant: Matthew Mueller

Article(s) Article 69, Section 9 Side Yard Insufficient Article 69, Section 9 Rear Yard Insufficient Article 69, Section 9 Bldg Height Excessive (Stories) Article 69, Section 9 Usable Open Space Insufficient Article 69, Section 9 Floor Area Ratio Excessive Article 69, Section 9 Add'l Lot Area Insufficient Article 69 Section 29 Off Street Parking & Loading Req

Purpose: Change of occupancy to two family. Existing Single-Family Dwelling will be converted into a Two-Family Dwelling. It will have a new rear and side additions, dormer addition as well as a second level deck. See ERT1657614 for new garage.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy to a two family house as well as a dormer addition and a second level 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 Whewell motioned for approval. Board member Langham seconded and the motion carried unanimously.

Case: BOA- 1677948 Address: 95A Business Street Ward 18 Applicant: Matthew Mueller

Article(s) Article 69, Section 9 Side Yard Insufficient Article 69, Section 9 Rear Yard Insufficient Article 69, Section 9 Bldg Height Excessive (Feet) Article 69, Section 9 Front Yard Insufficient

Purpose: Erect a 1-1/2 story accessory 2-car garage with attic storage. Built beside an existing single-family home at 95 Business St. This application is in conjunction with ALT1616737.

Discussion: At the request of the Board, the applicant presented plans to erect a story and a half, two car garage on the same lot as an existing 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.



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

Case: BOA- 1694601 Address: 51 Walnut Street Ward 18 Applicant: John Pulgini

Article(s) Article 69, Section 8 Use: Forbidden Consider relief for a new garage to be erected, as garage uses are forbidden in this district. Article 69, Section 9 Front Yard Insufficient Article 69, Section 9 Side Yard Insufficient Article 69, Section 9 Rear Yard Insufficient Article 69, Section 9 Floor Area Ratio Excessive Article 69, Section 9 Lot Area Insufficient

Purpose: Raze existing 1 story garage on 35 Walnut Street, and erect a new 1 story, 4 door garages spanning across 35 Walnut and the abutting 51 Walnut (Both properties owned by Applicant).

Discussion: At the request of the Board, the applicant presented plans to raze an existing one-story garage and erect a one story four door garage. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

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

Case: BOA- 1703539 Address: 20 Clare Avenue Ward 18 Applicant: Saleek Marshall

Article(s) Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Lot Area Insufficient Article 67, Section 9 Lot Width Insufficient

Purpose: for proposed new building Original lot will be divided into 2 lots lot A 4,347 Sq ft, and lot B 5,005 Sq ft. planning to build a 2-family structure on the new proposed lot. This permit is associated with ERT1636229

Discussion: At the request of the Board, the applicant presented plans to subdivide an existing lot and to construct a two-family dwelling, with off street parking. 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 Langham seconded and the motion carried unanimously.

Case: BOA- 1703489 Address: 22 Clare Avenue Ward 18 Applicant: Saleek Marshall

Article(s) Article 67, Section 9 Usable Open Space Insufficient Article 67, Section 9 Rear Yard Insufficient Article 67, Section 9 Bldg Height Excessive (Stories) Article 67, Section 9 Floor Area Ratio Excessive Article 67, Section 9 Add'l Lot Area Insufficient Article 67, Section 32 Off Street Parking

Purpose: The construction of a new two-family residence. ZBA approval will be required.

Discussion: At the request of the Board, the applicant presented plans to subdivide an existing lot and construct a two-family dwelling, with off street parking. 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 Langham seconded and the motion carried unanimously.

Case: BOA-1703702 Address: 14 Varney Street Ward 19 Applicant: Greg Andrus

Article(s) Article 55, Section 9 Floor Area Ratio Excessive

Purpose: Convert attic into approximately 400 sqft of finished space including a full bathroom, an additional bedroom, and a sitting area as our family is quickly outgrowing the space.

Discussion: At the request of the Board, the applicant presented plans to convert attic space to include a bathroom, additional bedroom and sitting area. 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.



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Case: BOA-1719658 Address: 19 Sherbrook Street Ward 20 Applicant: Charles Sheehan

Article(s): Art. 56 Sec. 08 Floor Area Ratio Excessive Article 56, Section 8 Front Yard Insufficient

Article 56, Section 8 Side Yard Insufficient

Purpose: Remove existing shed dormer and build new Nantucket style dormer. Add 1.5 new bathrooms. Open wall and install new support beam.

Discussion: At the request of the Board, the applicant presented plans to replace shed dormers and to add one and half new bathrooms. 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 Stembridge motioned for approval with the proviso of Planning Department Design Review. Board member Langham seconded and the motion carried unanimously.

Case: BOA-1708487 Address: 45 Oriole Street Ward 20 Applicant: Greg Lewis

Article(s) Art. 56 Sec. 08 Open Space insufficient Applicant will need to seek relief for insufficient open space.

Article 56, Section 40.12 Two or More Dwelling Same Lot Applicant will need to seek relief for Two or More Dwelling Units on the same lot. Article 56, Section 8 Lot Area Insufficient Applicant will need to seek relief for the Minimum Lot Area Article 56, Section 8 Lot Width Insufficient Applicant will need to seek relief for insufficient lot width Article 56, Section 8 Lot Frontage Insufficient Applicant will need to seek relief for insufficient lot frontage.

Article 56, Section 8 Side Yard Insufficient Applicant will need to seek relief for the side yard setback of 10' (feet).

Purpose: I am adding a detached garage with a small in law suite above it. The in-law suite with have a bedroom, bathroom and sitting room. The in-law suite is not intended to be permanently occupied. It is expected to be used on occasional visits.

Discussion: At the request of the Board, the applicant presented plans to add a detached garage with an in-law suite that includes a bedroom, bathroom and sitting room. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

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

Case: BOA-1695772 Address: 7 Tip Top Street Ward 22 Applicant: Prasanna Lachagari

Article(s) Article 51, Section 9 Front Yard Insufficient Article 51, Section 9 Side Yard Insufficient

Article 51, Section 9 Rear Yard Insufficient Article 51, Section 9 Floor Area Ratio Excessive Article 51, Section 9 Lot Frontage Insufficient Article 51, Section 9 Lot Width Insufficient Article 51, Section 9 Lot Area Insufficient Article 51, Section 8 Use: Forbidden Article 51, Section 56 Off Street Parking Insufficient Article 51, Section 9 Bldg Height Excessive (Stories) Article 51, Section 9 Bldg Height Excessive (Feet)

Purpose: The project involves converting a fire damaged 2 family residence into a 4-family dwelling which involves adding 1 unit in the basement and another in the attic. The Project includes reframing of the roof and installing new siding for the building, repairing fire damage and change of layouts

Discussion/Votes: Upon a motion and a second, the Board moved to defer until August 26, 2025.

HEARINGS: 11:30 AM

Case: BOA-1704660 Address: 75 Marcella Street Ward 11 Applicant: Vernon Woodworth -MOH

Article(s): Art. 50 Sec. 29 Dimensional Requirements Insufficient additional lot area per unit Art. 50 Sec. 29 Dimensional Requirements Excessive f.a.r. Art. 50 Sec. 29-Dimensional Requirements Number of allowed stories exceeded Art. 50 Sec. 29-Dimensional Requirements Max allowed height exceeded Art. 50 Sec. 29 Dimensional Requirements Insufficient side yard setback Art. 50 Sec. 43 Off street parking insufficient Article 50 Section 28 Use Regulations MFR (8 unit) dwelling -Forbidden

Purpose: Construction of eight (8) dwelling units. Nominal fee requested pending ZBA zoning relief. Clarification: Combine city parcel #'s 1100559000 and 1100558000 into a new 8,682sf lot and then construct an eight (8) unit affordable housing building per plans submitted. *Filing assigned to Fd by Dept Head Paul Williams on 12.10.24

**Project is further subject to NDOD and Article 79 review



City of Boston
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Discussion: At the request of the Board, the applicant presented plans to combine parcels into a new lot and construct an eight-unit dwelling. Board members asked about the plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services and Housing along with an abutter were in support of the project while one abutter was opposed.

Votes: Board member Stembridge motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA-1704664 Address: 86 Marcella Street Ward 11 Applicant: Vernon Woodworth -MOH

Article(s): Art. 50 Sec. 43 Off street parking requirements 5. Location; (c) Off-street parking shall not be located in any part of a landscaped area required by this Article or in any part of a Front Yard

Art. 50 Sec. 43 Off street parking requirements 6. Design (a) access, maneuvering areas (d) Size Article 50 Section 28 Use Regulations Use Forbidden Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Bldg Height Excessive (Stories) Article 50, Section 29 Bldg Height Excessive (Feet) Article 50, Section 29 Usable Open Space Insufficient Article 50, Section 29 Front Yard Insufficient

Purpose: MOH Construct a twelve (12) unit multifamily building. Nominal fee requested pending ZBA zoning relief.

CLARIFICATION: MOH Project (EO2425) Combine 5 vacant parcels into one 7,307sf lot (i.e. 1100834000, 1100835000, 1100831000, 1100830000 & 1100829000 Area=7,307± S.F. (0.17± Ac.) to create a through lot per stamped land survey provided and then Construct a four story MFR dwelling which will consist of twelve (12) Affordable housing units with 6 off street parking spaces to include photovoltaic panel array on roof per plans provided 2.6.25 *9.27.24 Application assigned to FD by PW on 10/22 **Stamped land survey provided 2.6.25

Discussion: At the request of the Board, the applicant presented plans to combine five parcels into one lot and construct a four-story multi-family dwelling with six off-street parking spaces. Board members asked about the plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services and Housing along with an abutter were in support of the project while one abutter was opposed.

Votes: Board member Stembridge motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA-1698184 Address: 1 Waverly Street Ward 12 Applicant: Timothy Fraser, ESQ-MOH

Article(s) Art. 50 Sec.37 Blvd Planning Overlay District Art. 50, Section 28 Use: Conditional Restaurant Art. 50, Section 28 Use: Conditional Coffee shop Article 50, Section 29 Add'l Lot Area Insufficient Min. lot area required: 53,000 sqft Proposed: 23,612 sqft Article 50, Section 29 Floor Area Ratio Excessive Max. allowed:1 Proposed: 2.95 Article 50, Section 29 Bldg Height Excessive (Stories) Max. allowed: 4 Proposed: 5 Article 50, Section 29 Bldg Height Excessive (Feet) Max. allowed: 45' Proposed: 65' Article 50, Section 29 Usable Open Space Insufficient Min. required: 10,400 sqft Proposed: 7,294 sqft Article 50, Section 29 Front Yard Insufficient Min. required: 20' Proposed: 0' Article 50, Section 29 Side Yard Insufficient Min. required: 10' Proposed: 0 Article 50, Section 29 Rear Yard Insufficient Min. required: 20' Proposed: 0

Purpose: Demolition of existing structure (under SF:#) and podium construction of a 5-story building with 52 affordable residential apartments on floors 2 thru 5. Proposing coffee shop and restaurant/commercial space and 18space garage on the ground level.

Discussion: At the request of the Board, the applicant presented plans to demolish an existing structure and erect a five-story mixed use building with fifty-two affordable units with ground floor retail and eighteen ground level parking spots. Board members asked about the plans.

Documents/Exhibits: Building Plans

Testimony: Senator Liz Miranda and The Mayor's Office of Neighborhood Services were in support of the project.

Votes: Board member Stembridge motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA- 1716753 Address: 142-146 Saint Mary's Street Ward 21 Applicant: 100 Monmouth Street LLCARTICLE 80

Article(s) Art. 61, Section 7 Use: Conditional Ancillary Parking Conditional Art. 06 Sec. 03A Additional Conditions in Restricted Parking District for Ancillary Parking Article 61, Section 8 Dimensional Regulations Add'l Lot Area



City of Boston
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Insufficient Article 61, Section 8-Dimensional Regulations Floor Area Ratio Excessive Article 61, Section 8
Dimensional Regulations Building Height (Stories) Excessive Article 61, Section 8 Dimensional Regulations
Building Height (Feet) Excessive Article 61, Section 8 Dimensional Regulations Usable Open Space Insufficient Article
32, Section 4. GCOD, Applicability

Purpose: Erect a 6-story multifamily dwelling and garage for 85 units and accessory/ancillary parking. Consists of 6 stories above grade with 1 story below grade for parking. The proposed structure features residential units on levels 2 & above, accessory amenity spaces, bike storage and parking on levels 1 & basement. Raze an existing 2 story garage under separate permit

Discussion: At the request of the Board, the applicant presented plans to erect a six-story residential building with eighty-five units, on-site parking and bike storage. 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. Councilors Murphy and Durkin were in support of the project. Two abutters were in support of the project, while two abutters were opposed.

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

STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775

BOARD MEMBERS:
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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