



Board of Appeal

Tuesday, June 24, 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 June 24, 2025 beginning at 9:30 am and related announcements.

All matters listed on this June 24, 2025 Hearing agenda have been noticed in accordance with the enabling act. please be advised of the following participation instructions:

The June 24, 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/June24ZBAComments> 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/June24ZBAComments> 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

June 3, 2025

Discussion/Votes: The Board moved to unanimously approve Hearing minutes.

EXTENSIONS: 9:30AM

Case: BOA- 1163856 **Address:** 1175 Dorchester Avenue Ward 15 **Applicant:** The Broadway Company, LLC

Discussion/Votes: The Board moved to unanimously approve the extension request to July 9, 2027.

Case: BOA- 1207621 **Address:** 265 Amory Street Ward 11 **Applicant:** YES, WaterMark LLC (by Lee Goodman)

Discussion/Votes: The Board moved to unanimously approve the extension request to June 24, 2026.

Case: BOA- 1208609 **Address:** 267 Amory Street Ward 11 **Applicant:** YES, WaterMark LLC (by Lee Goodman)

Discussion/Votes: The Board moved to unanimously approve the extension request to June 24, 2026.

Case: BOA- 1135696 **Address:** 85 Horace Street Ward 1 **Applicant:** Deanna Fetherston

Discussion/Votes: The Board moved to unanimously approve the extension request to June 24, 2026.



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Case: BOA- 486152 Address: 270 Dorchester Avenue Ward 6 Applicant: Lawrence DiCara, ESQ

Discussion/Votes: The Board moved to unanimously approve the extension request to July 14, 2027.

Case: BOA- 725224 Address: 37-41 Bowdoin Street Ward 3 Applicant: Michael S. Giaimo

Discussion/Votes: The Board moved to unanimously approve the extension request to July 19, 2026.

Case: BOA- 1472384 Address: 330 C Street Ward 3 Applicant: George Morancy, ESQ

Discussion/Votes: The Board moved to unanimously approve the extension request to August 18, 2027.

Case: BOA- 721541 Address: 114 Orleans Street Ward 1 Applicant: Jeffrey Drago, ESQ

Discussion/Votes: The Board moved to unanimously approve the extension request to September 19, 2027.

RECOMMENDATIONS: 9:30 AM

Case: BOA-1693782 Address: 11 Dorchester Street Ward: 6 Applicant: D & D Hospitality, LLC

Article(s): Art. 68 Sec. 07 Use Regs. Live entertainment after 1030pm Conditional Art. 09 Sec. 02 Nonconforming Use Change - <25% Conditional

Purpose: Change occupancy to add Live Entertainment to existing restaurant. Operating after 10:30 pm as per plans.

Discussion: At the request of the Board, the applicant presented plans to change the legal use and occupancy to include live entertainment after 10:30 pm at an existing restaurant. Board members asked about the plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Three abutters were in support of the project while one abutter was opposed

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

Case: BOA- 1698916 Address: 33-39 Savin Hill Avenue Ward: 15 Applicant: Kolo Dorchester INC

Article(s): Article 8 Section 2 Allowed uses

Purpose: Remove Proviso for restaurant at 39 Savin Hill Ave, Dorchester, MA, 02125 switching it to my name.

Discussion: At the request of the Board, the applicant presented plans to remove a proviso to allow for 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 Collins motioned for approval. Board member Stembridge seconded and the motion carried unanimously.

Case: BOA-1697197 Address: 2 Summer Street Ward: 20 Applicant: Nidify Studio

Article(s): Article 56, Section 8 Lot Area Insufficient Article 56, Section 8 Rear Yard Insufficient Article 56, Section 8 Side Yard Insufficient Article 56, Section 40.12 Two or More Dwelling Same Lot

Purpose: Convert existing detached one story shed from a woodshop to an Accessory Dwelling Unit. One of 2 buildings on the lot.

Discussion: At the request of the Board, the applicant presented plans to convert an existing one story shed to an accessory dwelling unit. 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 Stembridge seconded and the motion carried unanimously.

Case: BOA-1697509 Address: 2R Summer Street Ward: 20 Applicant: Nidify Studio

Article(s): Article 56, Section 8 Lot Area Insufficient Article 56, Section 8 Lot Frontage Insufficient Article 56, Section 8 Usable Open Space Insufficient Article 56, Section 8 Front Yard Insufficient Article 56, Section 8 Rear Yard



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Insufficient Article 56. Section 8 Side Yard Insufficient Art. 56 Sec. 39 Off street parking requirements Article 56, Section 40.12 Two or More Dwelling Same Lot

Purpose: Convert existing detached one story shed from a woodshop to an Accessory Dwelling Unit. One of 2 buildings on the lot.

Discussion: At the request of the Board, the applicant presented plans to convert an existing detached one story shed to an accessory dwelling unit on the same lot with an already existing 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 Collins motioned for approval. Board member Stembridge seconded and the motion carried unanimously.

Case: BOA- 1714460 Address: 23 Wedgemere Road Ward: 20 Applicant: Gavin Driscoll

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

Purpose: Renovation of an existing single-family home. Tear off second floor add new bedrooms and roof as per the plans ZBA required.

Discussion: At the request of the Board, the applicant presented plans to renovate an existing single-family house, adding new bedrooms to the second floor along with a new roof. 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 Stembridge seconded and the motion carried unanimously.

Case: BOA- 1706593 Address: 11 Bonair Street Ward: 20 Applicant: Ryan Bell

Article(s): Art. 56 Sec. 39 Off street parking and loading requirements - Exceeds the maximum allowable 10 ft total width for front yard parking. Art. 23 Sec. 09 Design - Exceeds the maximum allowable 12 ft curb cut width for lots with fewer than 50 spaces.

Purpose: Curb cut to make a single car driveway a 2-car driveway.

Discussion: At the request of the Board, the applicant presented plans to extend an existing curb cut by three feet. 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 Collins motioned for approval. Board member Stembridge seconded and the motion carried unanimously.

GROUNDWATER CONSERVATION OVERLAY DISTRICT: 9:30AM

Case: BOA- 1719295 Address: 393-395 Beacon Street Ward 5 Applicant: Alex Slote

Article(s): Art. 32 Sec. 04 GCOD Applicability Art. 32 4

Purpose: Combine 393 Beacon St with 395 Beacon St. To now be known 393 Beacon St. in conjunction with ALT1479678 Change occupancy to 4 Residential units and complete renovations of property per plans submitted.

Discussion: At the request of the Board, the applicant presented plans to combine 393 & 395 Beacon Street and to change the occupancy to four residential units. Board members asked about the plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Christin Simonelli of the Boston Ground Water Trust stated the applicant submitted both GCOD letters. Two abutters were opposed to the project.

Votes: Board member (Name) motioned for approval. Board member (NAME) seconded and the motion carried unanimously.

HEARINGS: 9:30AM

Case: BOA-1684856 Address: 151 Hebron Street Ward 18 Applicant: JCBT Architect LLC

Article(s): Art. 60 Sec. 09 Floor Area Ratio Excessive Art. 60 Sec. 09 Side yard insufficient Art. 60 Sec. 09 Rear yard insufficient Art. 60 Sec. 09 Usable open space insufficient Art. 60 Sec. 9 Additional Lot Area Insufficient Article 60 Section 9 Insufficient front yard setback Article 60, Section 60 32 Off Street Parking and Loading Requirements



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Insufficient Parking Article 60, Section 60 32 Off Street Parking and Loading Requirements Parking in required front yard

Article 60, Section 60 32 Off Street Parking and Loading Requirements Design/maneuvering areas

Purpose: Erect a 3-story multifamily residential building with 8 units total. Ground level with 3 open parking spaces and a ground floor handicap unit. Seeking variance for the dimensional requirement. 11/07/24

Discussion: At the request of the Board, the applicant presented plans to erect a three-story, eight-unit apartment with three parking spaces. 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. One abutter was opposed to the project.

Votes: Board member Collins motioned for approval with the provisos of Planning Department design review with special attention to increasing side backs and open space along with relocating parking spaces from the front yard. Board member Turner seconded and the motion carried unanimously.

Case: BOA- 1702984 Address: 84 Dale Street Ward 18 Applicant: Susan Johnson

Article(s): Article 67, Section 9 Front Yard Insufficient You need relief from the BOA for the said violation

Purpose: Remove existing addition and deck on the rear of the house. Build a new addition and deck on the rear of the property and renovate the interior of the house per plans.

Discussion: At the request of the Board, the applicant presented plans to remove an existing deck and construct a new addition and deck 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 Aiken motioned for approval. Board member Turner seconded and the motion carried unanimously.

Case: BOA- 1697485 Address: 148 Arlington Street Ward 18 Applicant: Cesar Rojas

Article(s): Art. 69 Sec. 8 Forbidden

Purpose: Change from a 2 Family to a 3 Family. [ePlan]

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of a two-family house to a three-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 Pinado motioned for approval. Board member Turner seconded and the motion carried unanimously.

Case: BOA- 1705566 Address: 1690-1700 Hyde Park Avenue Ward 18 Applicant: West Boylston Investments LLC (by Eric Robinson)-ARTICLE 80

Article(s): Art. 69 Sec. 14 L I Use Reg.: Forbidden Multi Family Dwelling Forbidden Art. 69 Sec. 14 L I Use Reg.: Conditional General Retail Conditional Article 69 Section 15-Dimensional Regulations Floor Area Ratio Excessive Article 69 Section 15 Dimensional Regulations Building Height Excessive

Purpose: Construct a new 6 story on a newly created 30,860sf lot containing 115 Multi Family residential unit building with Ground level General Retail and underground accessory parking. Building features outdoor ground level open spaces, private patios, amenity spaces, bike storage, and front facing low roof deck. This is a companion case to ALT1697712 for the consolidation of 3 existing lots.

Discussion: At the request of the Board, the applicant presented plans to construct a one hundred and fifteen-unit, mixed use building with underground parking and retail on the first 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 Pinado motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA- 1709403 Address: 53 Cedar Grove Street Ward 16 Applicant: James Walsh

Article(s): Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Floor Area Ratio Excessive



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Purpose: renovation of an existing single-family home rip off second floor/roof and add new full second floor and third floor as per plans.

Discussion: At the request of the Board, the applicant presented plans for a two-story addition to the first floor of an existing single-family home. Board members asked about the plans.

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.

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

Case: BOA-1694232 Address: 10 Westerly Street Ward 10 Applicant: Bimshire Construction

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

Purpose: Structural 3rd floor apartment change to flat top roof, framing, insulation and sheetrock. New 3rd floor window, 3-bedroom apartment conversion. 3rd floor is already a separate apartment. Sprinklers will be being added to units.

Discussion: At the request of the Board, the applicant presented plans to change the shape of an existing roof, making it flat to increase living space on the third floor of 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.

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

Case: BOA- 1703780 Address: 190 L Street Ward 7 Applicant: Scott Schneider

Article(s): Article 68, Section 8 Add'l Lot Area Insufficient Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Usable Open Space Insufficient Art. 68 Sec. 33 Off Street parking Req.

Purpose: change of occupancy from a 3-family dwelling to a 4-family dwelling by way of legalizing the existing basement into a unit as per plans.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of a three family to a four-family dwelling by legalizing the basement unit. 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 is in support of the project.

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

Case: BOA-1703095 Address: 96 Chandler Street Ward 5 Applicant: Christopher Barry

Article(s): Art. 64 Sec. 34 Restricted Roof Structure Regs

Purpose: Landmark Commission approvals attached. 24.1130 SE at rear penthouse level, remove 6 non-original casement windows and replace with 4 new wood aluminum clad 2 over 2 double hung windows. 24.1130 SE Construct a roof deck on the rear portion of the roof with hatch access. ALT1615470

Discussion: At the request of the Board, the applicant presented plans to construct a roof deck at the rear of the penthouse. 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 Whewell motioned for approval with the proviso that the project undergo Landmark Commission Review. Board member Turner seconded and the motion carried unanimously.

Case: BOA- 1678910 Address: 16 Bond Street Ward 3 Applicant: Jeremy Jacobs 111

Article(s): Art. 32 Sec. 04 GCOD Applicability Article 64, Section 8 Use: Conditional Article 64, Section 34 Roof Structure Restrictions

Purpose: Restoration and repair of building façade and roof elements, replacement of windows and skylights, expansion of rear dormer, replacement of existing roof deck framing and railing as needed, addition of deck at 1st floor level, and installation of a groundwater recharge system. To amend ALT1548020

Discussion: At the request of the Board, the applicant presented plans to expand an existing dormer as well as façade restoration and the instillation of a ground water recharge system. Board members asked about the plans and no harm letters.



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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. Christian Simonelli of the Boston Ground Water Trust stated the applicant submitted both GCOD letters.

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

Case: BOA-1691757 Address: 75 Harrison Avenue Ward 3 Applicant: Cooya LLC

Article(s): Art. 43, Section 19 Use: Conditional Takeout use is conditional

Purpose: Change occupancy from retail to restaurant with small take out on the 1st floor. Minor interior modifications as per plans to accommodate.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of a retail establishment to a restaurant with takeout. 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 Whewell motioned for approval. Board member Collins seconded and the motion carried unanimously.

Case: BOA- 1690949 Address: 163 Falcon Street Ward 1 Applicant: Matt Schuster

Article(s): ARTICLE 53; SECTION Off Street Parking & Loading 53 28 Article 53 Section 5.1 EB Neighborhood Residential Use Regulations USE: FORBIDDEN

Purpose: Change of Occupancy from 3 Fam to 4 Units. To convert existing unfinished basement into a dwelling unit; building to then have a total of four units. [ePlan]

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of a three family to a four-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. Councilor Coletta was in support of the project.

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

HEARINGS: 11:00 AM

Case: BOA-1709354 Address: 79 Seattle Street Ward 22 Applicant: Urbanica Inc.-MOH & ARTICLE 80

Article(s): Article 51, Section 57 Application of Dimensional Req 13. Two or more dwellings on one lot
Article 51, Section 24 Excessive f.a.r. Art. 51 Sec. 56 Off street parking requirements Design and clear Maneuvering areas of two-way drive Article 51, Section 56 Off Street Parking & Loading Req Project Site loading area

Purpose: Construct new buildings with a total of 24 dwelling units. Nominal fee requested pending ZBA zoning relief.

*Clarification: This structure to be one of multiple structures on one lot. This dwelling shall consist of 24 Affordable dwelling units per plans submitted. Application has been filed in conjunction with ERT1651745 (19 Affordable Dwelling units). *Application assigned to FD 12/10/24 **Stamped land survey obtained from Allen & Major 4.14.25 ** After an initial building code refusal and three valid attempts made we are proceeding with Architects last submission made of a civil plan submission. Stamped land survey obtained from Allen and Major on 4/14/25

Discussion: At the request of the Board, the applicant presented plans to construct a twenty-four dwelling unit 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. Councilors Braden and Santana

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

Case: BOA- 1709357 Address: 65 Seattle Street Ward 22 Applicant: Urbanica Inc. MOH & ARTICLE 80

Article(s): Article 51, Section 24 Excessive f.a.r. Art. 51 Sec. 51 57 Appl. of Dimensional Req.13. Two or more structures on the same lot Article 51, Section 56 Off Street Loading Insufficient Article 51, Section 53 Screening & Buffering Req Article 51, Section 56 Off Street Parking Insufficient



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Purpose: Construct new buildings with a total of 19 dwelling units. Nominal fee requested pending ZBA zoning relief.

***Clarification:** This structure to be one of multiple structures on one lot. This dwelling shall consist of 19 Affordable dwelling units per plans submitted. Application has been filed in conjunction with ERT1675234 (24 Affordable Dwelling units).

Discussion: At the request of the Board, the applicant presented plans to construct a nineteen unit 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 Collins motioned for approval. Board member Turner 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 Add'l Lot Area Insufficient Article 61, Section 8 Floor Area Ratio Excessive Article 61, Section 8 Building Height (Stories) Excessive Article 61, Section 8 Building Height (Feet) Excessive Article 61, Section 8 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/Votes: Upon a motion and a second, the Board moved to defer until July 8, 2025.

Case: BOA- 1649460 Address: 561-579 Centre Street Ward 19 Applicant: S-561 Centre Street Realty Trust

Article(s): Art. 55, Section 8 Use: Forbidden Retail space Art. 55 Sec. 55 9 Additional lot area insufficient Min. required: 13,000 sqft Proposed: 9,853 sqft Article 55, Section 9 Floor Area Ratio Excessive Max. allowed: 1 Article 55, Section 9 Bldg. Height Excessive (Feet) Max. allowed: 35' Proposed: 46' Article 55, Section 9 Bldg Height Excessive (Stories) Max. allowed: 3 Proposed: 4 Article 55, Section 9 Usable Open Space Insufficient Min. required: 2,700 sqft Article 55, Section 9 Front Yard Insufficient Min. required: 15' Proposed: Centre St: 5.7' Lakeville Road: 8.4 Goodrich Rd.: 6.1' Article 55, Section 9 Rear Yard Insufficient Min. required: 20' Proposed: 15' Art. 55 Sec. 55 40 Off-street Loading insufficient Min. required for residential use: 18 spaces. Min. required for commercial use: 1 space Proposed total: 8 spaces Article 55, Section 41.1 Conformity Ex Bldg. Alignment Street modal calculation not provided and required for Lakeville Rd. and Goodrich Rd.

Purpose: Erect new 4 story mixed use building with 12 units and 1 commercial space per plans and 8 off street parking spaces. Demolition of existing structure under SF# Eplan BOA letter reprinted 09/04/24

Discussion: At the request of the Board, the applicant presented plans to erect a four story, twelve unit building with one commercial space on the ground floor and eight off street parking spots. Board members asked about the plans and parking while siting the good site design of the project.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Weber citing the merits of the project asked the board to defer the matter, so the applicant can continue to conduct community outreach. One abutter was in support of the project while another was opposed.

Votes: Board member Whewell motioned for approval with the provisos of Planning Department design review with site plan and circulation and enter a housing agreement with the Mayors Office of Housing. Board member Aiken seconded and the motion carried while board member Turner was opposed the

Case: BOA- 1719485 Address: 15 Conry Crescent Ward 19 Applicant: William J O Dowd

Article(s): Article 55, Section 9 Lot Width Insufficient Applicant will need to seek relief for the required lot width of 70' (feet). The proposed lot width is 59' (feet). Article 55, Section 9 Lot Frontage Insufficient The applicant will need to seek relief for insufficient lot frontage. Article 55, Section 9 Floor Area Ratio Excessive Applicant will need to seek relief for excessive Floor Area Ratio (F.A.R). Article 55, Section 9 Front Yard Insufficient Applicant will need to seek relief for insufficient front yard setback. Article 55, Section 9 Side Yard Insufficient Applicant will need to seek relief for insufficient side yard setback. Article 55, Section 9 Rear Yard Insufficient Applicant will need to seek relief for



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insufficient rear yard setback. Article 55, Section 9 Usable Open Space Insufficient Applicant will need to seek relief insufficient open space.

Purpose: Demolish existing single-family home. Build new construction single family home largely over existing building footprint as per plans. Existing curb cut to remain largely in same location.

Discussion: At the request of the Board, the applicant presented plans to raze a single-family structure and erect a single-family home and maintaining existing curb cuts. 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 Turner seconded and the motion carried unanimously.

Case: BOA- 1719499 Address: 34 Cobden Street Ward 11 Applicant: Curtis Clemons

Article(s): Art. 50 Sec. 29 Lot Area Insufficient Applicant will need to seek relief for the lot area.

Art. 50 Sec. 29 Usable open space insufficient Applicant will need to seek relief for Usable open space per dwelling unit. Article 50, Section 29 Lot Width Insufficient Applicant will need to seek relief for the lot width Article 50, Section 29 Side Yard Insufficient Applicant will need to seek relief for the side yard Setbacks. Article 50, Section 29 Floor Area Ratio Excessive Applicant will need to seek relief for excessive floor area ratio. Art. 50 Sec. 43 Off street parking requirements Applicant will need to seek relief for the off street parking requirement for three (3) spaces.

Purpose: Erect three family dwelling as per plans

Discussion: At the request of the Board, the applicant presented plans to erect a three-family dwelling, with no 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. Two abutters were opposed to the project.

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

Case: BOA- 1719023 Address: 179 West Brookline Street Ward 4 Applicant: Nicholas Saraf

Article(s): Article 64, Section 34 Roof Structure Restrictions Deck & mechanical equipment less than 5ft set back.

Purpose: Amending ALT1584669, to include the addition an occupied roof deck and rear deck with stairs at the first level, for the ongoing construction project. [ePlan]

Discussion: At the request of the Board, the applicant presented plans to include a rear and deck with stairs at the first level. 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 Landmark Review. Board member Pinado seconded and the motion carried unanimously.

Case: BOA-#1719017 Address: 179 West Brookline Street Ward 4 Applicant: Nicholas Saraf

9th 780 CMR 1011 Stairways 1011.12.2 Roof access. Where a stairway is provided to a roof, access to the roof shall be provided through a penthouse complying with Section 1510.2. [Occupied roof of 4-story building provided with hatch in-lieu of penthouse; not permitted]

Purpose: Amending ALT1584669, to include the addition an occupied roof deck and rear deck with stairs at the first level, for the ongoing construction project. [ePlan]

Discussion: At the request of the Board, the applicant presented plans to include a rear and deck with stairs at the first level. 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 Landmark Review. Board member Pinado seconded and the motion carried unanimously.



RE-DISCUSSION: 11:30AM

Case: BOA-1698184 Address: 1 Waverly Street Ward 12 Applicant: Timothy Fraser, ESQ-ARTICLE 80-MOH

Article(s): Art. 50 Sec.37 Blvd Planning Overlay District Art. 50, Section 28 Use: Conditional

Restaurant with outdoor patio Art. 50, Section 28 Use: Conditional Coffee shop Article 50, Section 29 Add'l Lot Area Insufficient Min. lot area required: 49,000 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: 55' Article 50, Section 29 Usable Open Space Insufficient Min. required: 9,600 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 48 residential apartments on floors 2 thru 5. Proposing 2,050 sqft of core shell restaurant with outdoor patio and 835 sqft of core shell Coffee shop. 74-space garage on the ground level.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until July 8, 2025.

Case: BOA-1685149 Address: 31 Notre Dame Street Ward 11 Applicant: Roy Youn-ARTICLE 80

Article(s): Article 50, Section 29 Side Yard Insufficient Article 50, Section 29 Usable Open Space Insufficient

Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Add'l Lot Area Insufficient

Article 50, Section 29 Lot Area Insufficient Art. 50, Section 43 Off Street Parking Insufficient

Purpose: Demolish existing building and erect new 4 story, 14-unit residential building w/balconies and off-street parking as per plans submitted. combine parcels 937 & 938

Discussion: At the request of the Board, the applicant presented plans to combine two parcels, raze an existing structure and erect a four-story building with fourteen units. 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 provisos of with a housing agreement issued prior to permitting and with plans being submitted to the Planning Department with design review with attention to accessibility of the ground floor. Board member Whewell seconded and the motion carried unanimously.

Case: BOA- 1575584 Address: 81 Lexington Street Ward 1 Applicant: James Christopher

Article(s): Art.53 Sec. 08 Use: Forbidden Multi Family Dwelling Forbidden Article 53, Section 9 Rear Yard

Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Bldg Height Excessive (Feet)

Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Floor Area Ratio Excessive

Article 53, Section 57.2Conformity Ex Bldg. Alignment Art. 53, Section 56 Off Street Parking Insufficient

Article 53, Section 57.3 Traffic Visibility Across Corners

Purpose: Erect a 4 story (3 1/2 Zoning) multi family dwelling on newly created lot; 3,706sqft. Building consisting 7 residential units. Scope includes bike storage and rear decks. See ALT1553019 for subdivision. Demolition of existing building on separate permit. [ePlan]

Discussion/Votes: Upon a motion and a second, the Board moved to defer until July 8, 2025.

Case: BOA-1663421 Address: 869 Saratoga Street Ward 1 Applicant: Mohammed Najmi

Article(s) Art. 25 Sec. 5 Flood Hazard Districts Article 53, Section 5.3 Dimensional Regulations (Residential

Subdistrict) Building Height (Stories) Excessive Article 53, Section 5.3 Dimensional Regulations(Residential

Subdistrict) Building Height (Feet) Excessive Article 53, Section 5.3 Dimensional Regulations(Residential Subdistrict)

Building Lot Coverage (Mid-Block Lot) Excessive Article 53, Section 5.3Dimensional Regulations(Residential

Subdistrict) Building Depth (Feet) Excessive Article 53, Section 5.3 Dimensional Regulations(Residential Subdistrict)

Permeable Area of Lot Insufficient Article 53, Section 5.3 Dimensional Regulations(Residential Subdistrict) Side Yard

Insufficient Article 53, Section 5.3 Dimensional Regulations(Residential Subdistrict) Rear Yard Insufficient

Purpose: Erect a four-story building with three residential units on floors 2 4; a common entry lobby, elevator, roof deck, rear exterior stair, and parking space on the ground floor level. building also features a basement with utility rooms, and 2 additional parking spaces in rear yard. Demolition of existing house will be on separate permit.



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Discussion: At the request of the Board, the applicant presented plans to erect a four story, three family dwelling with a roof deck, rear exterior stairs, ground floor and rear yard parking. Board members asked about the plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Coletta was opposed to this project.

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

Case: BOA-1482368 Address: 87 Morris Street Ward 1 Applicant: Carolina Linares

Article(s): Article 53, Section 9 Lot Area Insufficient Article 53, Section 9 Add'l Lot Area Insufficient

Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Usable Open Space Insufficient

Art. 53 Sec. 09.3 Location of Main Entrance Art. 53, Section 56 Off Street Parking Insufficient

Article 27T 5 East Boston IPOD Applicability Article 32, Section 4. GCOD, Applicability

Purpose: Change of occupancy to a 3 family. Remodeling the basement into a new apartment. Scope also includes upgrades to life safety (FA/FP). [ePlan]

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

Case: BOA-#1482374 Address: 87 Morris Street Ward 1 Applicant: Carolina Linares

9th 780 CMR 705 Exterior Walls 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 shall not exceed the percentages specified in Table 705.8. [New/enlarged openings with less than 3ft separation from interior lot lines.] 9th 780 CMR 1030 Emergency Escape and Rescue 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. [Only a 2.3ft exterior egress path provided, 36" (3ft) required at emergency egress openings]

Purpose: Change of occupancy to a 3-family. Remodeling the basement into a new apartment. Scope also includes upgrades to life safety (FA/FP). [ePlan]

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

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.25 Roof 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 July 29, 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



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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 July 29, 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 July 29, 2025.

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 July 29, 2025.

INTERPRETATION: 12:00 PM

Case: BOA-1704440 Address: 944 Saratoga Street Ward 1 Applicant: CBE 944 Saratoga Street, LLC

Article(s): Article 53, Section 7.2 EB Neighborhood Business Dimensional Regulations Building Height (Stories) Excessive Article 53, Section 7.2 EB Neighborhood Business Dimensional Regulations Building Height (Feet) Excessive Article 53, Section 29.1 Conformity with Existing Bldg. Alignment Article 25A Section CFROD Applicability Art. 25 Sec. 5 Flood Hazard Districts

Purpose: This petitioner seeks a determination that the Inspectional Services Department erred in issuing a refusal letter citing Article 53-29.1 – Conformity with existing building alignment, Article 53-7.2 – Building Height (Feet) – Excessive, Article 53-7.2 – Building Height (Stories) – Excessive. FOR THE BOARD OF APPEAL

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

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 Section4 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 until July 29, 2025.

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



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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 until July 29, 2025.

STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775

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For the complete text of the Boston Zoning Code Articles and definitions of terms in this agenda, please go to
https://www.municode.com/library/ma/boston/codes/redevelopment_authority