



Tuesday, September 23, 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 September 23, 2025 beginning at 9:30 am and related announcements.

All matters listed on this September 23, 2025 Hearing agenda have been noticed in accordance with the enabling act. please be advised of the following participation instructions:

The September 23, 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/September23ZBAComments> 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/September23ZBAComments> 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

September 9, 2025

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

EXTENSIONS: 9:30AM

Case: BOA-1024177 Address: 259 Quincy Street Ward 14 Applicant: Gideon Oknin

The Board moved to unanimously approve the extension request to February 20, 2027.

Case: BOA-948370 Address: 768-772 Tremont Street Ward 9 Applicant: George Morancy, ESQ

The Board moved to unanimously approve the extension request to September 26, 2027.

Case: BOA-1462119 Address: 1742-1748 Dorchester Avenue Ward 16 Applicant: Nicholas Zozula, ESQ

The Board moved to unanimously approve the extension request to October 6, 2027.

Case: BOA-874954 Address: 303-305 Bennington Street Ward 16 Applicant: Derric Small, ESQ

The Board moved to unanimously approve the extension request to October 16, 2026.

Case: BOA-1486207 Address: 28 Clifton Street Ward 8 Applicant: Derric Small, ESQ

The Board moved to unanimously approve the extension request to September 23, 2026.



Case: BOA-1501503 Address: 30 Clifton Street Ward 8 Applicant: Derric Small, ESQ

The Board moved to unanimously approve the extension request to September 23, 2026.

GROUNDWATER CONSERVATION OVERLAY DISTRICT: 9:30AM

Case: BOA-1731788 Address: 105A-107 Beach Street Ward 3 Applicant: Jerry Bowes

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

Purpose: Change occupancy of 4th & 5th Floor Conversion of fourth and fifth floor of an existing 5 story building from use B to residential use R 2 6 units. Existing legal use offices, restaurant 37/36A, retail & language school
ALT73505/2011

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of the fourth and fifth floor by converting commercial space to six 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 Simoneli of the Boston Ground Water Trust stated the applicant submitted both GCOD letters.

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

Case: BOA-1753976 Address: 12 Post Office Square Ward 3 Applicant: George Morancy, ESQ

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

Purpose: Change of occupancy from Office spaces to Multi Family Residential on Floors 2 6, to include 70 residential units; existing commercial uses on ground floor and basement to remain. Two buildings at 55 Kilby St and 60 Congress St combined into one to become 12 Post Office Sq, per ALT1701684 & ALT1701690. Scope includes opening fire wall to interconnect buildings, fit out for residences, creating habitable amenity spaces with bike storage in basement, and updating flood mitigation of the building.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from office and retail to include seventy 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 Simoneli 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.

BUILDING CODE: 9:30AM

Case: BOA- 1763157 Address: 94 Mt Vernon Street Ward 5 Applicant: 94 Mt Vernon Street LLC

Violation: 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 1511.2. Exception: In buildings without an occupied roof, access to the roof shall be permitted to be a roof hatch or trap door not less than 16 square feet (1.5 m2) in area and having a minimum dimension of 2 feet (610 mm).

Purpose: Erect a recessed roof deck and access hatch. Amend ALT1651438

Discussion: At the request of the Board, the applicant presented plans to erect a recessed roof deck, accessed by 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 Collins motioned for approval. Board member Valencia seconded and the motion carried unanimously.

Case: BOA- 1731962 Address: 79 Appleton Street Ward 4 Applicant: Ryan Meltzer

Violation: 1009.12.1 Roof Access Consider relief for a hatch access to a roof deck from a four-story building, headhouse access to a roof deck is not permitted without relief per zoning code Section 64 34 1009.13 Stairway to Roof

Purpose: Build roof deck where deck was previously. Approval from Landmark attached.

Discussion: At the request of the Board, the applicant presented plans to build a roof deck in the footprint of an 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 Pinado motioned for approval. Board member Collins seconded and the motion carried unanimously.

RECOMMENDATIONS: 9:30 AM

Case: BOA-1733263 Address: 8 Auburn Street Ward: 2 Applicant: Timothy McGowan

Article(s): Article 62, Section 25 Roof Structure Restrictions - Consider relief for a roof deck in a restricted roof district which exceeds the maximum building height limit.

Purpose: This is for a new roof deck with an associated new stairway and hatch. An existing stair head house will have the existing roof modified for code compliant ceiling height.

Discussion: At the request of the Board, the applicant presented plans to construct a new roof deck with a stairway and modifying an existing headhouse. 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 Barazza motioned for approval with the proviso of Planning Department Design Review with special attention to the balcony and roofline. Board member Stembridge seconded and the motion carried unanimously.

Case: BOA- 1748995 Address: 16 Chestnut Street Ward: 2 Applicant: Tina Endicott

Article(s): Art. 62 Sec. 25 Roof Structure Restrictions Article 62, Section 7 Floor Area Ratio Excessive Article 62, Section 7 Rear Yard Insufficient

Purpose: Complete gut renovation of single-family home.

Discussion: At the request of the Board, the applicant presented plans to legalize the existing single-family dwelling along with renovating the house. 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 opposed to the project.

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

Case: BOA-1708871 Address: 23-29 School Street Ward: 3 Applicant: Boldskinbabe

Article(s): Art. 08 Sec. 03 Conditional Uses Table B Use Item No. 43A: Body Art Establishment is conditional.

Purpose: Adding a microblading and micro shading on top of the beauty Spa. No work being done

Discussion: At the request of the Board, the applicant presented plans to add a microblading and micro-shading service to an existing beauty salon. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

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

Case: BOA- 1759808 Address: 120-126 Emerson Street Ward: 6 Applicant: Sean George Article(s): Art. 68 Sec. 07 Use Regs.

Purpose: Adding Gong Cha (Bubble Tea) to an existing empty commercial space. Use is conditional so ZBA is required. Opening Hours will be 10AM 11PM. Takeout will be available. Items being sold are Bubble Tea, Waffles and Ice Cream.

Discussion: At the request of the Board, the applicant presented plans to add a bubble tea restaurant to an existing empty commercial space. 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 in of the project.

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

Case: BOA- 1759568 Address: 1621-1631 Blue Hill Avenue Ward: 18 Applicant: Nicole Sullivan



Article(s): Art. 06 Sec. 04 Other Protectional Conditions - Remove proviso order take out to petitioner only

Purpose: Remove proviso to add take out for CV issuance to new owner. No work to be done.

Discussion: At the request of the Board, the applicant presented plans to remove a previous take out proviso. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

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

Case: BOA-1696233 Address: 417-423C West Broadway Ward: 6 Applicant: Jesenia Gonzalez

Article(s): Article 68, Section 7 Use Regulations - The proposed addition of body art/permanent makeup use is prohibited under Article 68, Section 7, Table A, under Service Uses.

Purpose: Change of occupancy to include: Adding the use of Body art/permanent makeup to existing beauty salon.

Including addition of room. No work to be done.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of an existing beauty studio to include tattoos. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

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

Case: BOA-1744521 Address: 8 Granfield Avenue Ward: 19 Applicant: Cristina Fernandez

Article(s): Article 67, Section 9 Lot Area Insufficient - Consider relief for insufficient lot area for the proposed additional unit. Required lot area: 8,000sqft Existing/Proposed lot area: 4,340sqft

Purpose: The project involves the modification and renovation of the attic to accommodate a new two-bedroom unit and to extend the stair currently terminating at the 2nd floor.

Discussion: At the request of the Board, the applicant presented plans to remodel an existing attic, turning it into a two-bedroom unit along with constructing two 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 Barraza motioned for approval. Board member Stembridge seconded and the motion carried unanimously.

Case: BOA-1708710 Address: 109 Clement Avenue Ward: 20 Applicant: Paul Momnie

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

Article 56, Section 8 Bldg Height Excessive (Stories)

Purpose: Confirm as single family. The project comprises an approximately 16 foot by 25-foot, 2.5 story addition on the rear of our existing single-family house, which would facilitate the addition of a first-floor bathroom, first floor mudroom, second floor en suite bathrooms, second floor laundry room and additional livable space

Discussion: At the request of the Board, the applicant presented plans to confirm the 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 Barraza motioned for approval. Board member Stembridge seconded and the motion carried unanimously.

Case: BOA-1708481 Address: 45A Oriole Street Ward 20 Applicant: Greg Lewis

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

HEARINGS: 9:30AM

Case: BOA- 1690859 Address: 122 Wood Avenue Ward 18 Applicant: Eileen Brito-Rosa

Article(s): Art 69 Sec. 29.5 Off St. Prk'g: Design Applicant will need to seek relief for off street parking of Four required parking spaces. Article 69, Section 9 *Lot Area Insufficient Applicant will need to seek relief for insufficient lot area.

Article 69, Section 9 Lot Width Insufficient Applicant will need to seek relief for insufficient lot width. Article 69, Section 9 Lot Frontage Insufficient Applicant will need to seek for insufficient lot frontage. Article 69, Section 9 Floor Area Ratio Excessive Applicant will need to seek relief for excessive floor area ratio. Article 69, Section 9 Front Yard



Insufficient Applicant will need to seek relief for insufficient front yard setback. Article 69, Section 9 Side Yard
Insufficient Applicant will need to seek relief for insufficient side yard setback. Article 69, Section 9 Rear Yard
Insufficient Applicant will need to seek relief for insufficient rear yard setback. Article 69, Section 9 Usable Open Space
Insufficient Applicant will need to seek relief for insufficient usable open space.

Purpose: Erect new construction 2 family dwelling per plans, application in combination with ALT1676803

Discussion/Votes: Upon a motion and a second, the Board moved to defer until November 18, 2025.

Case: BOA-1690861 Address: 122 Wood Avenue Ward 18 Applicant: Eileen Brito-Rosa

Article(s): Art 69, Section 9 Lot Area Insufficient Applicant will need to seek relief for insufficient lot area. Article 69, Section 9 Lot Frontage Insufficient Applicant will need to seek relief for insufficient lot frontage. Article 69, Section 9 Lot Width Insufficient Applicant will need to seek relief for insufficient lot width. Article 69, Section 9 Floor Area Ratio Excessive Applicant will need to seek relief for excessive floor area ratio. Article 69, Section 9 Side Yard Insufficient Applicant will need to seek relief for insufficient side yard setback. Article 69, Section 9 Usable Open Space Insufficient Applicant will need to seek relief for insufficient usable open space. Art. 69 Sec. 29.5 Off St. Prk'g: Design Applicant will need to seek relief for required off street parking of FOUR parking spaces.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until November 18, 2025.

Case: BOA-1709737 Address: 12 Perkins Avenue Ward 18 Applicant: Arisleyda Veras

Article(s): Art 69, Section 9 Rear Yard Insufficient Article 69, Section 9 Side Yard Insufficient Article 69, Section 30.12 Two or More Dwellings on Same Lot Article 69, Section 8 Use: Forbidden

Purpose: Change occupancy from Garage to Additional Unit 2.0 and renovate as per plans, Add kitchen, bathroom, bedroom, and second egress as per drawings.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until October 28, 2025.

Case: BOA-1711310 Address: 131 Neponset Valley Parkway Ward 18 Applicant: Jeff Grand

Article(s): Art. 69 Sec. 8 Forbidden Use forbidden Art. 69 Sec. 09-Dimensional Reg. Excessive f.a.r. Art. 69 Sec. 09-Dimensional Reg. Number of allowed stories has been exceeded Art. 69 Sec. 09-Dimensional Reg. Insufficient usable open space per unit Art. 29 Sec. 04 Greenbelt Protection Overlay District Applicability

Purpose: CLARIFICATION: Lot consolidation of parcel #s 1812687000 3,060 sq ft 1812684000 lot 5,126 sq ft into one 8,185sf lot then construct a new three story, MFR (four unit) DWELLING on the new 8,185sf lot per plans submitted and raze existing dwelling on a separately filed and approved demolition permit.

Original scope: Demolition of existing single-family building (on Separate Permit) to be replaced with 4-unit structure. Project was originally approved by ZBA BOA1285851 but is being resubmitted due to redesign and increase in FAR & building stories. Frank D'Amato plan reviewer. There is no increase in approved units or footprint.

Discussion: At the request of the Board, the applicant presented plans to demolish an existing single-family and erect a three-story, 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.

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

Case: BOA- 1734311 Address: 150 Woodrow Avenue Ward 14 Applicant: Jermaine White

Article(s): Article 60, Section 9 Side Yard Insufficient Article 60, Section 9 Bldg Height Excessive (Stories)
Article 60, Section 9 Floor Area Ratio Excessive Article 60, Section 9 Usable Open Space Insufficient Article 60, Section 37 **Off Street Parking Insufficient
Article 60, Section 9 Add'l Lot Area Insufficient

Purpose: Change of occupancy from 2 family to 2 Family plus ADU in attic. Dormer attic space per plans, install sprinkler tank system heads in common areas and third floor unit, upgrade electrical and plumbing to code. This work will create a third-floor unit which will make it 3 family. See plans

Discussion: At the request of the Board, the applicant presented plans to renovate an attic turning it into a two-bedroom apartment, adding a dormer for more space. The occupancy will be changing from a two-family to a three-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 Collins motioned for approval. Board member Whewell seconded and the motion carried unanimously.

Case: BOA- 1753091 Address: 2-8 Bowdoin Street Ward 14 Applicant: Webster Enterprises LLC

Article(s): Article 65, Section 15 **Use: Forbidden Large restaurant USE w/take out Forbidden Article 65, Sec 65 41 Off Street Loading Req. None provided Art. 65 Sec. 41 Off street parking requirements Insufficient commercial and residential Accessory parking Article 65 Section 16 Dimensional Regulations Excessive f.a.r Article 65 Section 16 Dimensional Regulations Max allowed building height has been exceeded Article 65 Section 16 Dimensional Regulations Insufficient minimal open space per dwelling unit Article 65 Section 16 Dimensional Regulations Insufficient rear yard setback Article 65, Section 15 Use: Forbidden Accessory outdoor restaurant seating Forbidden

Purpose: Demolish the existing structure, combine lots per stamped land survey to create new 4,380sf lot and then erect a mixed use 7 story (33452gsf/28,082sf) building with twenty-two (22) residential units and retail/restaurant space w/ accessory outdoor seating 2400sf (Rest. /retail core and shell only at this time) w/elevator access to 1200sf common residential roof deck. Project further subject to Article 80 SPR and Article 79 review

Discussion: At the request of the Board, the applicant presented plans to combine lots, demolish an existing structure and erect a seven story, mixed use building with twenty-two units, commercial restaurant on the ground floor and a roof deck. Board members asked about the plans. Board member Valencia appreciated the affordability.

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 Pinado motioned for approval. Board member Langham seconded and the motion carried unanimously.

Case: BOA- 1721785 Address: 396 Harvard Street Ward 14 Applicant: Ransford Bawa

Article(s): Art. 69 Sec. 09-Dimensional Reg. Excessive floor area Art. 69 Sec. 09-Dimensional Reg. Front yard is insufficient Art. 69 Sec. 09-Dimensional Reg. Insufficient side yards

Purpose: Change of Occupancy to add the Place of worship. Addition to existing building to enlarge space as per the architectural drawings.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of an existing building to include Place of worship, as well as an addition to expand common space. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

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

Case: BOA-1715853 Address: 23 Shafter Street Ward 14 Applicant: Devon Graham & Carmen Curet Graham

Article(s): Art. 65 Sec. 9 Residential Dimensional Reg.s Insufficient lot size Art. 65 Sec. 9 Residential Dimensional Reg.s Max number of stories exceeded Art. 65 Sec. 9 Residential Dimensional Reg.s Excessive f.a.r. Art. 65 Sec. 9 Residential Dimensional Reg.s Insufficient usable open space Art. 65 Sec. 9 Residential Dimensional Reg.s Insufficient Front yard setback Art. 65 Sec. 9 Residential Dimensional Reg.s Insufficient side yard setback Art. 65 Sec. 9 Residential Dimensional Reg.s Insufficient rear yard setback Art. 65 Sec. 41 Off street parking requirements Space sizes/maneuvering areas

Purpose: 2 Family new construction with two on grade parking spaces in the rear.

Discussion: At the request of the Board, the applicant presented plans to erect a two-family with an on-grade parking spaces in the rear. Board members asked about the plans, parking and maneuverability.

Documents/Exhibits: Building Plans

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

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-1761846 Address: 413-419 Shawmut Avenue Ward 9 Applicant: Michael Deegan

Article(s): Article 64, Section 18 Use: Conditional Applicant needs to seek relief for the Community Center (Youth Center) use, which is Conditional.

Purpose: Change occupancy to Church and Community Center / After school program for children 6 to 25 years old for 144 people (Maximum capacity per plans dated 7/23/2025) to correct Violation Number: V667463 and V667472. Installation of Kitchen exhaust system.



Discussion: At the request of the Board, the applicant presented plans to change the occupancy of a Church to include a community center with an afterschool program. Board members asked about the plans.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services asked the Board to defer the matter for more community outreach. Councilors Flynn and Santana along with two abutters were in support of the project.

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

Case: BOA- 1743094 Address: 103 F Street Ward 7 Applicant: Shaun McClorey

Article(s): Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Front Yard Insufficient Article 68, Section 8 Side Yard Insufficient Art 68 Sec 29 Roof Structure Restrictions Art. 68 Sec. 33 Off Street parking Req.

Design maneuverability for the additional parking space

Purpose: An existing attic will be converted to a full story with a master bedroom suite under a low sloped roof with two decks. An existing prior rear one story addition will be removed and a parking space will be added.

Discussion: At the request of the Board, the applicant presented plans to extend living space for a single-family dwelling, removing a prior rear addition and adding one rear 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. Two abutters were in support of the project.

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

Case: BOA-1655448 Address: 10 West Cedar Street Ward 5 Applicant: Timothy Burke

Article(s): Art13, Section 1 Floor Area Ratio Excessive Art. 32 Sec. 32 4 Groundwater Conservation Overlay District, Applicability

Purpose: Construct a new one-story sunroom addition on the rear of an existing single-family house. Work requires zoning relief for FAR.

Discussion: At the request of the Board, the applicant presented plans to construct a one-story sunroom at the rear of a single-family house. 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 Whewell motioned for approval. Board member Collins seconded and the motion carried unanimously.

Case: BOA- 1703137 Address: 1 Gloucester Street Ward 5 Applicant: John Walsh

Article(s) Art. 23 Sec. 01 Off street parking requirements Insufficient parking

Purpose: Correct violation V541889. CHANGE OF legal occupancy as 11 apartments Applicant must change occupancy from 10 apartments to 11 apartments to correct the violation

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of an existing building from ten units to eleven units. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

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

Case: BOA#1703140 Address: 1 Gloucester Street Ward 5 Applicant: John Walsh

Violation :9th Edition 780 CMR CHPT Chapter 12 2021 IBC 1208.4 Efficiency dwelling units 190sf min.

Purpose: Correct violation V541889. CHANGE OF legal occupancy as 11 apartments Applicant must CHANGE OCCUPANCY from 10 apartments to 11 apartments to correct the violation.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy of an existing building from ten units to eleven units. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

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



HEARINGS: 11:00AM

Case: BOA-1754168 Address: 1 Duke Street Ward 14 Applicant: Derric Small, ESQ

Article(s): Article 60, Section 60 4-Dimensional Regulations Table D Consider relief for the following existing nonconforming conditions: ·Insufficient rear yard depth ·Insufficient front yard setback Excessive building lot coverage

Purpose: Change the legal occupancy from a two-family dwelling to a three-family dwelling, renovate basement living space. No ADU

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a two-family dwelling to a three-family dwelling and to renovate the basement 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 Collins motioned for approval. Board member Valencia seconded and the motion carried unanimously.

Case: BOA- 1724209 Address: 6 Groom Street Ward 7 Applicant: Brian Chavez

Article(s): Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Bldg Height Excessive (Feet) Article 65, Section 9 Usable Open Space Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Lot Area Insufficient Article 65, Section 15 Use: Forbidden Art. 65 Sec. 60 37 Off Street parking insufficient

Purpose: Change of occupancy from a 3 family with ADU to a 5 family to include front and rear porches for second means of egress, new roof deck and a head house

Discussion/Votes: Upon a motion and a second, the Board moved to defer until October 28, 2025.

Case: BOA- 1745070 Address: 200 Hillside Street Ward 10 Applicant: John Pulgini

Article(s): Art. 59, Section 7 Use: Forbidden Multi Family Dwelling Forbidden (Lot > 1/2 acre) Article 59, Section 8 Front Yard Insufficient (Parker Hill Ave), per Article 59 38.4 Article 59, Section 8 Add'l Lot Area Insufficient Article 59, Section 8 Bldg Height Excessive (Feet) Article 59, Section 8 Bldg Height Excessive (Stories) Article 59, Section 8 Rear Yard Insufficient Article 59, Section 8 Usable Open Space Insufficient Article 59, Section 8 Floor Area Ratio Excessive Article 59, Section 38.12 Two or More Dwelling Same Lot Article 59, Section 38.1 Conformity w Ex Bldg Alignment Art. 59, Section 37 Off Street Parking Insufficient Art. 59, Section 37 Off Street Loading Insufficient

Purpose: Erect a new 5 story, 38-unit multifamily residential building, upon a 25,441 square foot lot. The new building will be approximately 28,812 Square Feet in Gross Floor Area, with a common roof deck, bike storage and amenity fitness space. Two multifamily residential buildings, 40 and 44 Parker Hill Ave, currently exist on the lot and are to remain; refer to ALT1710799 & ALT1729303.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until October 7, 2025.

Case: BOA-1693158 Address: 155-159 Charles Street Ward 5 Applicant: Charles and Cambridge Corner LLC

Article(s): Article 8, Section 3 Forbidden Use Retail Business No 34 Forbidden Article 8, Section 3 Forbidden Use Restaurant USE No 36A – Forbidden Article 8, Section 3 Forbidden Use Restaurant Use No.37 – Forbidden Art. 15 Sec. 15 1 Floor Area Ratio Excessive Art. 17 Sec. 17 1 Open Space Insufficient Art. 18 Sec. 01 Front Yard Insufficient Art. 19 Sec. 01 Side yard insufficient Article 20 Section 1 Rear Yard Article 32 Section 6 GCOD Conditional Use Conditional Art. 23 Sec. 01 Off street parking requirements Insufficient parking for residential use. 10 spaces required in an H districts 2.0 f.a.r. zone and exemption noted in Art 23 6 (b)does not apply (i.e. Commercial uses are exempt in a restricted parking district) Article 16 Section 1 Building Height Excessive

Purpose: Construct a new six (6) story mixed-use building consisting of one (1) commercial level proposed as a restaurant space of approximately 878 square feet and a local retail space of approximately 943 square feet, and with five (5) residential levels above consisting of 13 residential units

Discussion: At the request of the Board, the applicant presented plans to construct a six-story, mixed use building that includes ground floor commercial space along with five stories of thirteen units. Board members asked about the plans. Board member Whewell noted that the project was contextual with the neighborhood in terms of open space and the project is an improvement over existing conditions while allowing for housing in a historic walkable area, that's well located to transit.



Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilors Durkin and Murphy are in support of the project. One abutter was in opposition of the project.

Votes: Board member Whewell motioned for approval with the provisos that a housing agreement be entered into before issuance of any permits and plans to be reviewed by the Landmarks Commission. Board member Pinado seconded and the motion carried unanimously.

RE-DISCUSSION: 11:30AM

Case: BOA- 1748759 Address: 6 Almont Street Ward 18 Applicant: 6-8 Almont Street LLC

Article(s): Article 60 Section 3 Use Regulations in Residential Subdistricts MFR USE – Forbidden Article 60 Section 4 Building lot coverage Exceeded 30% max allowed Article 60 Section 4 Building height Exceeded >35' Article 60 Section 4 Building stories Exceeded >3 Article 60, Section 60 33 Application of Dimensional Requirements Insufficient rear yard setback of a shallow lot 10' min. required Article 60 Section 32 Off Street Parking and Loading Requirements Insufficient Parking Article 60 Section 4 Dimensional Regulations Insufficient permeable area of lot 25% minimum required

Purpose: Demo Existing 2 family structure (on separate permit) and erect a new 4 story 13-unit apartment w/ off street parking per plans provided. *Assigned to FD by Dept head Paul Williams on 3/24/25**Structure on site to be razed on a separately filed and issued sf demolition permit.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until October 7, 2025.

Case: BOA- 1613738 Address: 33 Crescent Avenue Ward 13 Applicant: James Christopher

Article(s) Art.65 Sec. 8 Use: Forbidden Multi Family Dwelling Forbidden Article 65, Section 9 Rear Yard Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Lot Area Insufficient Article 65, Section 41 Off Street Parking Regulations Article 65 Section 42.3 Traffic Visibility Across Corner

Purpose: Erect a new 3 story, 9-unit, residential building with 6 off street garaged parking spaces. Building features front & rear balconies. Raze existing 2 family building under separate permit.

Discussion: At the request of the Board, the applicant presented plans to construct a new three-story, nine-unit residential building with six off-street parking spaces. Board members asked about the plans and the number of IDP units

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilors Fitzgerald and Murphy were in support of the project, while one abutter was opposed.

Votes: Board member Valencia motioned for approval with the proviso of Planning Department Design Review. Board member Whewell seconded and the motion carried. Board member Collins reused himself.

Case: BOA- 1707353 Address: 18 Intervale Street Ward 12 Applicant: Andrew Lynch

Article(s): Art. 50 Sec. 29 Lot Area Insufficient Applicant will need to seek relief for lot area insufficient. Article 50, Section 29 Lot Frontage Insufficient Applicant will need to seek relief for insufficient lot frontage. Article 50, Section 29 Floor Area Ratio Excessive Applicant will need to seek relief for excessive FAR. Article 50, Section 29 Lot Width Insufficient Applicant will need to seek relief for insufficient lot width. Art. 50 Sec. 29 Usable open space insufficient Applicant will need to seek relief for insufficient usable open space. Article 50, Section 44.2 Conformity Ex Bldg Alignment Applicant will need to seek relief for front yard setback Conformity with Existing Building Alignment Article 50, Section 44 Application of Dimensional Req Applicant will need to seek relief for side yard setback of a Narrow lot. Article 50, Section 29 Add'l Lot Area Insufficient Applicant will need to seek relief for additional lot area per dwelling unit. Art. 50 Sec. 43 Off street parking insufficient Applicant will need to seek relief for not providing a driveway & off-street parking. Article 50, Section 44 Application of Dimensional Req Applicant will need to seek relief for a shallow lot for Rear yard setback not less than 10' (Feet)

Purpose: Erect three family as per plans by Civil Environmental Consultants e[Plans] Filed

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

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



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/Votes: Upon a motion and a second, the Board moved to defer until November 18, 2025.

Case: BOA- 1598189 Address: 1A-1B Mystic Street Ward 2 Applicant: Vahid Nickpour

Article(s): Article 62, Section 12 Use: Conditional Two Family Detached Dwelling (Bsmt. & First Story) - Conditional Article 62, Section 12 Use: Conditional Two Family Detached Dwelling (Second Story & Above) – Conditional Article 62, Section 13 Floor Area Ratio Excessive Article 62, Section 13 Rear Yard Insufficient

Purpose: Erect a new 3-story, two-family (duplex), on newly created 2,643 sqft lot. Building features townhouse style, elevated window bays onto public way, and decks on first floor, second floor, & roof. See ALT1592346 for subdivision and related ERT1576723. Demolition of existing building to be filed under separate permit. [ePlan]

Discussion: At the request of the Board, the applicant presented plans to construct a three-story, three-unit townhouse on a newly created lot. Board members asked about the plans. Board member Whewell cited the projects improvement over existing conditions.

Documents/Exhibits: Building Plans

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

Votes: Board member Whewell motioned for approval with the provisos that plans be submitted to the Planning department for design review because of the location within the neighborhood design overlay district and attention to compliance with the design guidelines in Plan Charlestown. Board member Collins seconded and the motion carried unanimously.

Case: BOA-1598199 Address: 223-225 Bunker Hill Street Ward 2 Applicant: Vahid Nickpour

Article(s): Article 62, Section 12 Use: Conditional 3F (Bsmt. & First Story) Conditional Article 62, Section 12 Use: Conditional Townhouse (Bsmt. & First Story) Conditional Article 62, Section 12 Use: Conditional 3F (Second Story & Above) Conditional Article 62, Section 13 Floor Area Ratio Excessive Article 62, Section 13 Rear Yard Insufficient Article 62, Section 29.2 Traffic Visibility Across Corner

Purpose: Construction of 3 story, 3-unit townhouse dwelling, on newly created 2,071 sqft lot. Building features roof decks and elevated window bays onto public way. See ALT1592346 for subdivision and related ERT1576719. Demolition of existing structure to be filed under separate permit. [ePlan]

Discussion: At the request of the Board, the applicant presented plans to construct a three-story, three-unit townhouse on a newly created lot. Board members asked about the plans. Board member Whewell cited the projects improvement over existing conditions.

Documents/Exhibits: Building Plans

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

Votes: Board member Whewell motioned for approval with the provisos that plans be submitted to the Planning department for design review because of the location within the neighborhood design overlay district and attention to compliance with the design guidelines in Plan Charlestown. Board member Collins seconded and the motion carried unanimously.

RE-HEARING: 12:00PM

Case: BOA- 1690706 Address: 507 Massachusetts Avenue Ward 9 Applicant: Armando Hernandez

Article(s): Art 50, Section 29 Floor Area Ratio Excessive Max. allowed: 1 Proposed is extending living space into the garden level. Art. 50 Sec. 29 Usable open space insufficient 600 extra sqft required. (200 per lodging unit) Article 50, Section 29 Add'l Lot Area Insufficient 3,000 sqft extra required. Art. 09 Sec. 01 Extension of Non-Conforming Use Lodging house use is conditional.



Purpose: 1) Increase existing lodging house occupancy from seven (7) lodging units to ten (10) total lodging units. 2) light demo, fire proof on demising wall between units and build 3 new bathrooms to each new unit. No FP needed. No exterior work 3) Increase total lodgers from 7 to 40. 4 lodgers per unit.

Discussion: At the request of the Board, the applicant presented plans to increase an existing lodging house from seven lodging units to ten. Increasing the number of total lodgers from seven to forty, four lodgers per unit. 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.

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

INTERPRETATION/RE-DISCUSSION: 12:00PM

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 until November 18, 2025.

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 until November 18, 2025.

**STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775**

BOARD MEMBERS:
SHERRY DONG-CHAIR
NORMAN STEMBRIDGE-SECRETARY
GIOVANNY VALENCIA
KATIE WHEWELL
ALAN LANGHAM

SUBSTITUTE MEMBERS:
DAVID COLLINS
JEANNE PINADO

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