



City of Boston
Board of Appeal

Case: BOA- Address:

City of Boston
Board of Appeal

Tuesday, June 2, 2026 BOARD OF APPEALS City Hall Room 801

HEARING MINUTES

Board Chair Dong called the meeting to order promptly at 9:30 AM and commenced with a brief description of the hearing process and, pursuant to the Massachusetts Open Meeting Law, advised those in attendance that the hearings would be broadcast and recorded, and hearing minutes would be kept. The Chair announced that the hearing was being conducted remotely via an online meeting platform and subject to the below advisory which was part of the publicly posted hearing agenda. The Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Norm Stenbridge

Please be advised of the following appeals to be heard on June 2, 2026 beginning at 9:30 am and related announcements.

All matters listed on this June 2, 2026 Hearing agenda have been noticed in accordance with the enabling act. please be advised of the following participation instructions:

The June 2, 2026 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/2026ZBAHearings>. You may also participate by phone by calling into the Zoom Webinar at 1-646-828-7666 and entering the Webinar ID: 160 422 3767 followed by # when prompted.

If you wish to offer testimony on an appeal, please click <https://bit.ly/June22026ZBAComments> 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/June22026ZBAComments> 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 bo number, the address of the proposed project, and the date of the hearing

APPROVAL OF HEARING MINUTES: 9:30AM

May 14, 2026 & May 19, 2026

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



City of Boston
Board of Appeal

Case: BOA- Address:

EXTENSIONS: 9:30AM

Case: BOA-1567009 Address: 13 Alexander Street Ward 13 Applicant: Derric Small, Esq
Discussion/Votes: The Board moved to unanimously approve the extension request to May 24, 2027.

Case: BOA-1436577 Address:110-118 Terrace Street Ward 10 Applicant: Michael P. Ross, Esq
Discussion/Votes: The Board moved to unanimously approve the extension request to June 16, 2027.

Case: BOA-1435582 Address: 110-118 Terrace Street Ward 10 Applicant: Michael P. Ross, Esq
Discussion/Votes: The Board moved to unanimously approve the extension request to June 16, 2027.

Case: BOA-1577058 Address: 2-10 Highborn Street Ward 22 Applicant: Justin Byrnes, Esq
Discussion/Votes: The Board moved to unanimously approve the extension request to June 21, 2027.

Case: BOA-1299109 Address: 252-252A Shawmut Avenue Ward 3 Applicant: Jeffrey Drago, Esq
Discussion/Votes: The Board moved to unanimously approve the extension request to May 19, 2028.

HEARINGS: 9:30AM

Case: BOA- 1824653 Address: 1 Westminster Terrace Ward 22 Applicant: Michael Faibish
Article(s): Article 51, Section 9 Floor Area Ratio Excessive
Purpose: Basement renovation to be completed on 2 Westminster TE property. Remodeling existing basement and existing full bath and half bath in basement. Renovated basement to include playroom and hobby room.
Discussion: At the request of the Board, the applicant presented plans to extend living space into the basement, adding a bedroom, bathroom, hobby and playroom. Board members asked about the plans.
Documents/Exhibits: Building Plans
Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Two abutters were in support of the project.
Votes: Board member Langham motioned for approval. Board member Bernal seconded and the motion carried unanimously.

Case: BOA- 1825552 Address: 5-7 Aldie Street Ward 22 Applicant: Robert Fusunyan
Article(s): Article 51, Section 8b Use Regulations Three family detached dwelling in a Two Family (2F) zone is Forbidden.
Purpose: Change use from a two family to a three-family dwelling. Construct third floor shed dormer and remodel full bathroom.
Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a two to a three-family dwelling constructing a third-floor dormer to increase living space along with adding two parking spots. 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 Bernal motioned for approval. Board member Valencia seconded and the motion carried unanimously.

Case: BOA-1838237 Address: 393 Cambridge Street Ward 22 Applicant: Josh Fetterman-
ARTICLE 80 Article(s): Article 51 Section 16 Use Regulations Hotel use is conditional Article 51 Section 17FAR Max. allowed: 1 Proposed: 5.68 Article 51 Section 17 Max. height allowed: 35'



City of Boston
Board of Appeal

Proposed: 93' Article 51 Section 17 Rear yard. Min. required: 20' Proposed: 0.1' Article 51, Section 56 Off Street Parking Insufficient Min. required: 67 spaces Proposed: 4 drop off spaces. Article 51, Section 56 Off Street Loading Insufficient 1 loading bay required. Proposed: 0

Purpose: Construct new 46,659 sf hotel with 96 rooms and 4 drop off parking spaces. Demolition of existing structure under SF# eplan BOA

Discussion: At the request of the Board, the applicant presented plans to erect a seven-story hotel with ninety-six and four drop off parking spaces. Board members asked about the plans, parking and the overall timeline of the project moving forward.

Documents/Exhibits: Building Plans

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

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

Case: BOA- 1760086 Address: 57-59 Riverdale Street Ward 22 Applicant: Timothy Burke

Article(s): Article 51, Section Usable Open Space Insufficient Article 51, Section 9 Floor Area Ratio Excessive Article 51, Section 9 Lot Area Insufficient Article 51, Section 9 Add'l Lot Area Insufficient Article 51, Section 8 Use:

Forbidden Article 51, Section 56 Off Street Parking Insufficient

Purpose: Confirm as 3 family and change to 6 units. Construct a three-story addition on the rear of an existing three family structure to add three dwelling units.

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a three-family to a six-unit dwelling by constructing a three-story addition that will add three new 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 Bernal motioned for approval with the proviso of Planning Department Design Review with special attention to site design. Board member Langham seconded and the motion carried unanimously.

Case: BOA- 1839746 Address: 80 Gardner Street Ward 21 Applicant: Alpha management Corporation-Article 80

Article(s): Article 51, Section 9 Rear Yard Insufficient Article 51, Section 9 Front Yard Insufficient Article 51, Section 9

Usable Open Space Insufficient Article 51, Section 9 Bldg Height Excessive (Feet) Article 51, Section 9 Bldg Height Excessive (Stories) Article 51, Section 9 Floor Area Ratio Excessive Article 51, Section 9 Lot Area Insufficient Art. 51 Sec. 56 Off street parking requirements Article 51, Section 56 Off Street Loading Insufficient Article 51, Section 8 Use:

Forbidden proposed 36 units

Purpose: Proposal is 6 story development with 36 proposed res dus. The ±25,552 sf lot has an existing 28-unit apt. bldg. to remain and will be connected to the new construction via basement level parking (containing 18 spots in the new construction and 5 spots in the existing building).

Discussion: At the request of the Board, the applicant presented plans to replace an existing parking lot with a six-story, thirty-six-unit multi-family dwelling with twenty-three basement level parking spots. 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 Langham seconded and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA- Address:

Case: BOA- 1826929 Address: 11 Beaufort Road Ward 19 Applicant: Rogerson Communities, Inc.-ARTICLE 80 & MOH

Article(s): Art. 55, Section 8 Use: Conditional Congregate living facility Art. 55 Sec. 55 9 Additional lot area insufficient Lot area required: 108,000 sqft (4,000+104,000) Proposed lot: 47,027 sqft Article 55, Section 9 Floor Area Ratio Excessive Max. allowed: 1 Proposed: 2.87 (135,000 sqft/47,027sqft) Article 55, Section 9 Bldg Height Excessive (Stories)Max. allowed: 3 Proposed: 6 Article 55, Section 9 Bldg Height Excessive (Feet)Max. allowed: 35' Proposed:

70' Art. 55, Section 8 Use: Forbidden daycare center for elderly

Purpose: MOH Updated job description (09/11/25): New construction 6 stories. Passive house all electric building, solar ready 3 floors memory care 66 beds studios and 3 floors 41 affordable senior apartments. Building is also to include a senior social day care program and a below grade 35 parking spaces in garage beneath the building. In conjunction with ALT1808974 and ALT1808970eplan – BOA Previous job description: New construction 7 stories working towards Mass Timber. Passive House all electric building, solar ready. 3 flrs memory care 66 beds and 4 floors ~ 67 affordable senior apts. Adult Day Care and Below grade parking garage.

Discussion: At the request of the Board, the applicant presented plans to construct a six story on a newly created lot with three floors of forty-one affordable senior apartments and three floors of sixty-six beds for a memory care facility. Board members asked about the plans and parking configurations.

Documents/Exhibits: Building Plans

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

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

Case: BOA- 1826939 Address: 434 Jamaicaaway Ward 19 Applicant: Rogerson Communities, Inc.-ARTICLE 80 & MOH

Article(s): Article 55, Section 9 Side Yard Insufficient Required: 10' Proposed: 0' Article 55, Section 9 Rear Yard Insufficient Required: 10' Proposed: 0' Art.55 Sec.40Off St. Parking/Loading Req'mnt Parking spaces are being eliminated.

Purpose: MOH Combine assessor's parcel no. 1902013000 containing 132,505SF and having a street address of 434 Jamaicaaway with assessor's parcel no. 1901976000 containing 7,093SF and having a street of 31 Beaufort Rd into one parcel. This application is being filed in connection with ERT1672492 and ALT1808974 where its building is being demolished under SF#. No work to be done. eplan BOA

Discussion: At the request of the Board, the applicant presented plans to combine two lots into one parcel. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

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

Case: BOA- 1810476 Address: 69 Brent Street Ward 16 Applicant: Alfredo Abramson

Article(s): Article 65, Section 9 Excessive floor area ratio (Table C)

Purpose: Renovate the basement, replace laundry, add a new bathroom, a gym and living room

Discussion: At the request of the Board, the applicant presented plans to extend living space into the basement, adding a bathroom, gym and living room. 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.



City of Boston
Board of Appeal

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

Case: BOA-1839863 Address: 841-847 Morton Street Ward 14 Applicant: Akmal Moawed Enterprises LLCARTICLE 80

Article(s): Article 26 Section 2C Dimensional Regulations Applicable in Squares + Streets Districts building width. Max. allowed: 150 Proposed: 260' 8 11/16"

Purpose: Demolish the existing structure under SF#, erect a mixed use building for fifty-two (52) residential units, thirty-five (35) parking spaces, ground level uses: 1 core and shell Restaurant, 1 core and shell Retail and 1 core and shell what?

eplan BOA Application subject to Art.80 LPR

Discussion/Votes: Upon a motion and a second, the Board moved to defer until a later date.

Case: BOA- 1822982 Address: 102 Nightingale Street Ward 14 Applicant: Augustine Kim

Article(s): Art. 60 Sec. 09 Floor Area Ratio Excessive Applicant will need to seek relief for excessive Floor Area Ratio (FAR). Article 60, Section 9 Lot Area Insufficient Applicant will need to seek relief for Insufficient Lot Area.

Article 60, Section 9 Lot Frontage Insufficient Applicant will need to seek relief for Insufficient Lot Frontage.

Article 60 Section 33.5 GM Neighborhood Application of Dimensional Requirements: Side Yards of Certain Narrow Lots Applicant will need to seek relief for Side yards of Certain Narrow Lots. Article 60, Section 9 Front Yard Insufficient Applicant will need to seek relief for Insufficient Front Yard setback. Provide modal alignment study.

Article 60 Section 32GM Neighborhood Off Street Parking and Loading Requirements Applicant will need to seek relief for Off Street Parking & Loading requirements. Article 60 Section 30.4 GM Neighborhood Screening and Buffering Requirements: Roof Mounted Mechanical Equipment Applicant will need to seek relief for Screening & Buffering Requirements for proposed Mechanical Corral to be located on the roof. Art. 60 Sec. 9 Additional Lot Area Insuff Applicant will need to seek relief for Insufficient Additional Lot Area. Article 60, Section 9 Lot Width Insufficient Applicant will need to seek relief for Insufficient Lot Width.

Purpose: ON A VACANT LOT, ERECT A 3 STORY, 3 UNIT RESIDENTIAL BUILDING W/REAR DECKS AS PER PLANS, Bsmt Storage & Utilities & Roof Access for Mechanical Corral. E[plans] SUBMITTED. NOTE: BUILDING TO BE SPRINKLERED.

Discussion: At the request of the Board, the applicant presented plans to erect a three-story, three-unit building with rear decks. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

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

Case: BOA- 1814618 Address: 163-165 Hillside Street Ward 10 Applicant: Christopher McGue

Article(s): Art. 59 Sec. 7 Use Regulations 3 family use Forbidden Art. 59 Sec. 37 Off Street Parking Article 59 Section 8 Insufficient rear yard setback Article 59 Section 8 Max allowed building height exceeded Article 59 Section 8 Max allowed number of stories has been exceeded Article 59, Section 8 Insufficient open space per unit

Purpose: The project proposes the renovation of the existing two-family dwelling into three family. The building will provide two onsite parking spaces and will be equipped with a full sprinkler system.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until June 16, 2026.

Case: BOA- 1811910 Address: 24 Neillian Crescent Ward 19 Applicant: Jing Zhou

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

Purpose: Addition of the second floor and to the rear of the house. New left side deck. [ePlans]



City of Boston
Board of Appeal

Case: BOA- Address:

Discussion: At the request of the Board, the applicant presented plans to construct additions to the second floor and rear of a single-family dwelling, creating additional living space. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

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

Case: BOA- 1833514 Address: 176 L Street Ward 7 Applicant: James Christopher

Article(s): Art. 68 Sec. 33 Off Street parking Req. You need relief from the BOA for the said violations
Article 68, Section 8 Floor Area Ratio Excessive You need relief from the BOA for the said violations
Article 68, Section 8 Bldg Height Excessive (Feet) You need relief from the BOA for the said violations
Article 68, Section 8 Rear Yard Insufficient You need relief from the BOA for the said violations

Purpose: The homeowner seeks to erect a 4th story addition to increase living space with no change to occupancy.
Nominal Fee

Discussion/Votes: Upon a motion and a second, the Board moved to defer until June 16, 2026

Case: BOA- 1837592 Address: 3 Moore Street Ward 1 Applicant: Jam 5 Properties, LLC

Article(s): Article 53 Section 5.1 EB Neighborhood Residential Use Regulations 6-unit dwelling is not an allowed due to insufficient lot width per the USE tables footnote #2 2. Where designated "A," and the Lot Frontage is over fifty-five (55) feet, up to six (6) dwelling units are allowed. Where designated "A," and the Lot Frontage is fifty-five (55) feet or less, up to three (3) dwelling units are allowed. Article 53; Section 53-28 Off-Street Parking & Loading Insufficient parking

Purpose: Raze existing dwelling on separate permit and erect a three story six-unit residential dwelling with roof decks as per plans. *Existing structure to be razed on a separately filed, approved and issued SF demolition permit.

Discussion/Votes: Upon a motion and a second, the Board moved to defer until July 28, 2026.

HEARINGS: 11:00AM

Case: BOA- 1842748 Address: 33 Hawthorne Street Ward 19 Applicant: Dougall LLC

Article(s): Article 67 Section 32 Off Street Parking & Loading Req Article 67 Section 8 ROS Neighborhood Use Regulations Applicable in Residential Subdistricts Basement Units forbidden, three family detached dwelling forbidden. Article 67, Section 9 Bldg Height Excessive (Stories) Article 67, Section 9 Usable Open Space Insufficient Article 67, Section 9 Floor Area Ratio Excessive

Purpose: To change occupancy from a two family to a three family by extending living space in the basement and attic by enlarging the dormer. Nominal Fee

Discussion: At the request of the Board, the applicant presented plans to change the occupancy from a two to a three-family dwelling by extending living space into the basement .and attic by enlarging the dormer. Board members asked about the plans and if any of the units will be owner occupied.

Documents/Exhibits: Building Plans

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

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

Case: BOA- 1813709 Address: 36-44 Broad Street Ward 3 Applicant: 40 Broad Street

Article(s): Article 86, Sec. 686 6.1 Roof mounted antennas – Setback Article 86, Sec. 686 6.1 Roof mounted antennas – Height Art.86 Wireless Comm. Appl.86 4 (2) Design review required.



Purpose: Change of occupancy to include wireless communication. The Applicant is proposing to install a building mounted wireless facility on the roof of the building at 36 44 Broad Street. The proposed installation will include three sectors (Alpha, Betta, and Gamma) of four antennas each for a total of twelve antennas as shown on the plans.

Discussion: At the request of the Board, the applicant presented plans to change the buildings occupancy to include wireless communications with the construction of twelve antennas. Board members asked about the plans.

Documents/Exhibits: Building Plans

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

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

COURT REMAND: 12:00PM

Case: BOA- 1359438 Address: 22 Hanover Avenue Ward 3 Applicant: Stephen & Jenny Badolato

Article(s): Article 54, Section 18Roof Structure Restrictions Article 54, Section 10Rear Yard Insufficient

Purpose: Renovation of a single-family townhouse. Occupancy to remain single family. Existing building footprint to remain, with new stair and headhouse and an additional two floors over the lower portion of the existing building. The design features a new interior configuration and M.E.P. systems, as well as new envelope penetrations and finishes.

Discussion: At the request of the Board, the applicant presented plans for the renovation of a single-family townhouse along with a roof deck. Board member Valencia said the project is a good fit for the property and neighborhood, citing a lot of similar roof top structures, due to the lack of open space in the area. Board member Valencia also stated that he doesn't see how a change to the property risks pedestrian safety or a increase of traffic.

Documents/Exhibits: Building Plans

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. One abutter who is in court with the applicant was opposed to the project.

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

ADOPTION OF PROPOSED RULES AND REGULATIONS

Discussion/Votes: The Board moved to unanimously approve the proposed rules and regulations

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

**BOARD MEMBERS:
SHERRY DONG-CHAIR
NORMAN STEMBRIDGE-SECRETARY
GIOVANNY VALENCIA
ALAN ALANGHAM**

**SUBSTITUTE MEMBERS:
JUAN ANDRES BERNAL**



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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