



City of Boston
Board of Appeal

Tuesday, September 12, 2017

BOARD OF APPEALS

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Room 80:

BOSTON, MA

The board will hold a hearing on September 12, 2017 starting at 9:30 a.m.

APPROVAL OF HEARING MINUTES:

August 29, 2017

BOARD FINAL ARBITER: 9:30a.m.

Case: BOA-444956, **Address:** 240 Mount Vernon Street, **Ward** 13 **Applicant:** Bayside Club Hotel LLC (by Bayside Hotel SPE INC)

CALL OF THE CHAIR 9:30a.m.

Case: BOA-664869, **Address:** 726 Metropolitan Avenue, **Ward** 18 **Applicant:** Jerome Foureau

Article(s): 8(8-7) 9(9-1) 69(69-9) 69(69-29) 69(69-37)

Purpose: Change of Occupancy from a 3 family to a 4 family dwelling (already existing living space into the basement)
Adding a new kitchen to existing basement.

BUILDING CODE: 9:30a.m.

Case: BOA#714957 **Address:** 10 Gloucester Street, **Ward** 5 **Applicant:** 10 Gloucester Street LLC

Purpose: Build new roof deck for unit #3. Roof deck is accessed through roof hatch. 8th 780CMR Chapter 10 Means of Egress 1009.13 Stairway to roof. In buildings four or more stories above grade plane, one stairway shall extend to the roof surface, Etc., 1009.13.1 Roof Access. Where a stairway is provided to a roof, access to the roof shall be provided through a penthouse complying with section 1509.2 8th 780CMR Chapter 10 Means of Egress 1009.2 Headroom Stairways shall have a minimum headroom clearance of 80 inches (2032 mm) measured vertically from a line, Etc., 1012.4 Continuity handrail-gripping surface shall be continuous, Etc., 1012.6 Handrail extensions handrails shall return to a wall, guard or the walking surface or shall be continuous Etc., 1013.1 Where required guards shall be located along open-sided walking surfaces, Etc., 2406.1 Human impact loads individual glazed areas, including glass mirrors, Etc.

HEARINGS: 9:30 a.m

Case: BOA-719828, **Address:** 24 Porter Street, **Ward** 1 **Applicant:** Patrick Mahoney

Article(s): 53(53-11) 53(53-12) 53(53-56)

Purpose: Change occupancy from a two story structure 18'x35' with dry cleaning on first floor and two residential units above per plans submitted. *AE Flood Zone (EL10)

Case: BOA-654861, **Address:** 7 Parker Street, **Ward** 2 **Applicant:** Michael Massimino

Article(s): 62(62-8) 62(62-25)

Purpose: Change occupancy from a single family dwelling. Complete renovation of existing single family home. Construct a new 3 story addition onto existing swelling according to new plot plan and architectural drawings. Installation of a new Fire Alarm and Fire Sprinkler System. See SF#614390.

Case: BOA-739020, **Address:** 8 Chestnut Street, **Ward** 2 **Applicant:** Melissa Doherty

Article(s): 58(58-8)

Purpose: 600 g.s.f third floor addition on an existing two story single family residence. There will be a new stair as well as a master bedroom, master bath, an office and a walk-in-closet as per plan.

Case: BOA-659900, **Address:** 28 Hancock Street, **Ward** 3 **Applicant:** Blair Toland

Article(s): 15(15-1) 16(16-1) 16(16-8)

Purpose: Replace existing roof, roof decks, stairs, roof head house.

Case: BOA-739065, **Address:** 53-55 Bromfield Street, **Ward** 3 **Applicant:** Barracuda On The Fly

Article(s): 6(6-4)

Purpose: Remove proviso from previous petitioner "Pedro's Tacos" to become "Barracuda on the Fly" (No work to be performed).

Case: BOA-673894, **Address:** 244 Newbury Street, **Ward** 5 **Applicant:** Kenneth Leitner

Article(s): 6(6-4)

Purpose: Remove proviso for take-out granted under BZC-31996 Permit #ALT123395 and apply to new applicant.

Case: BOA-744394, **Address:** 7 Bell Court, **Ward** 6 **Applicant:** George Morancy

Article(s): 68(68-8) 68(68-33) 68(68-29)

Purpose: Change occupancy from two to three family dwelling. Full renovation. Construct new side addition with two parking with garage and roof deck. Extend living space to basement for Unit 1. File in conjunction with ALT700001.

Case: BOA#744395, **Address:** 7 Bell Court , **Ward 6 Applicant:** George Morancy
Purpose: Change occupancy from two to three family dwelling. Full renovation. Construct new side addition with two parking within garage and roof deck. Extend living space to basement for unit 1. File in conjunction with ALT700001. Section: 780 CMR 120.G Flood Resistant Construction Enclosed spaces below the base flood elevation shall not be used for human occupancy. 8th 780CMR 1021 Number of exists and continuity Occupied roofs shall be provided with exists as requires for stories. Common roof deck is requires to have two means of egress.

Case: BOA-719810, **Address:** 874 East Sixth Street , **Ward 6 Applicant:** George Morancy
Article(s): 68(68-8) 68(68-34) 68(68-29) 29(29-4)
Purpose: Construct a new 3 story residential building compromising of 6 units and underground parking for 9 vehicles.

Case: BOA-732467, **Address:** 1 Linden Street, **Ward 7 Applicant:** Patrick Mahoney
Article(s): 68(68-33) 68(68-8) 10(10-1)
Purpose: Add two, non-required, residential parking spaces to the rear of this property, which is situated on a corner lot, parking spaces will be 19.5' deep.

HEARINGS: 10:30 a.m.

Case: BOA-708498, **Address:** 1575 Tremont Street , **Ward 10 Applicant:** Blue Stone Tremont LLC, Trustee
Article(s): 9(9-2) 59(59-37)
Purpose: Subdivide existing lot at 1575 Tremont St, containing 88,454 SF into 2 lots: 1575 Tremont Street with a lot area of 50,720 SF (lot 1); and remaining area to become 95 St. Alphonsus St (lot 2) with a lot area of 37,734 SF, all as shown on the "subdivide plan", prepared by R.E. Cameron & Associates, Inc. dated November 9, 2016, scale 1"-20' (subdivision Plan). No work to be done on this application-subdivision only. (Further subject to Article 80 Approval of ERT682958) *Razing of any structures on lot to be performed on separate demolition permit.

Case: BOA-698913, **Address:** 7-11 Wise Street , **Ward 10 Applicant:** S-7 Realty Trust
Article(s): 55(55-9) 10(10-1)
Purpose: Raze existing single family home, construct a new 3 unit townhouse style residence. *Combine parcels #10002226000 (7 Wise St) 1514 s.f. + #100227000 (9 Wise St) 1240 s.f. + #1002228000 (11 Wise St) 1340 S.f. =4094 s.f. ** Existing building is to be razed on a separate demolition permit.

Case: BOA-692756, **Address:** 2-4 Dolans Court , **Ward 11 Applicant:** Scott Mackay
Article(s): 55(55-40) 9(9-1)
Purpose: Parking lot for 1 residential front yard space.

Case: BOA-736480, **Address:** 55 Hutchings Street , **Ward 12 Applicant:** Solmon Chowdhury
Article(s): 50(50-28) 50(50-29) 50(50-44.2)
Purpose: Erect new multi family residential (4-unit) dwelling with four (4) off-street parking on existing 8,546 SF vacant lot.

Case: BOA-717278, **Address:** 46-48 Maywood Street , **Ward 12 Applicant:** Maywood Properties
Article(s): 50(50-43) 50(50-29)
Purpose: New construction of a two family structure.

Case: BOA-738439, **Address:** 99-103 Savin Hill Avenue , **Ward 13 Applicant:** Patrick Mahoney
Article(s): 65(65-15)
Purpose: Change occupancy to include veterinary clinic.

Case: BOA-701484, **Address:** 331 Columbia Road, **Ward 15 Applicant:** Ted Ahern
Article(s): 65(65-8) 65(65-42.2) 65(65-9)
Purpose: Erect new three family with three parking spaces at garage on ground floor and construct rear deck on existing vacant lot.

Case: BOA-739924, **Address:** 251 Bowdoin Street, **Ward 15 Applicant:** Jean-Luc-Debarros
Article(s): 65(65-41) 65(65-15)
Purpose: Change of occupancy from computer training lab and three (3) apartments to computer training lab and four (4) transient lodgings on the second and third floor.

Case: BOA-691485, **Address:** 50 Richfield Street, **Ward 15 Applicant:** Cesar DaSilva
Article(s): 65(65-9)
Purpose: Extend first floor living space in to the basement, build new one room rear addition.

Case: BOA-705797, **Address:** 137 Granite Avenue, **Ward 16 Applicant:** The Proprietors of Cedar Grove Cemetery, INC
Article(s): 65(65-8) 65(65-39)
Purpose: Application to change of Use @ parcel A (area=3950 sq. feet) from 1F-5000 residential zone to ancillary use to 135 Granite Ave - 15 parking spaces as per attached engineering plan, Plan of Land dated March 21, 2017. Address to be 137 Granite Avenue Dorchester District.

Case: BOA730779-, **Address:** 48 Oak Street , **Ward 18 Applicant:** Ivan Hernandez
Article(s): 69(69-9)
Purpose: Construct single story 10'-0" x 17'-0" addition at rear dwelling.

Case: BOA-73500026, **Address:** 438 River Street , **Ward** 18 **Applicant:** Eric James

Article(s): 60(60-40) 60(60-8)

Purpose: Changing occupancy to 1 daycare center and Body Art Parlor Unit #1, No signage on this application. No work to be done other than painting.

Case: BOA-722501, **Address:** 58 Starbrid Avenue, **Ward** 18 **Applicant:** Peak House LLC

Article(s): 67(67-8) 67(67-9)

Purpose: Demolish existing two family dwelling on existing 15,497 sq st lot on a newly created 5,000 sq ft lot, erect a new 2 ½ story two (2) family dwelling with roof deck. There will be off-street parking for 4 vehicles in rear yard.

Case: BOA-722504, **Address:** 60 Starbird Avenue , **Ward** 18 **Applicant:** Peak House LLC

Article(s): 67(67-9)

Purpose: Demolish existing two family dwelling on existing 15,497 sq st lot on a newly created 5,000 sq ft lot, erect a new 2 ½ story two (2) family dwelling with roof deck. There will be off-street parking for 4 vehicles in rear yard.

Case: BOA-722505, **Address:** 62 Starbird Avenue, **Ward** 18 **Applicant:** Peak House LLC

Article(s): 67(67-9)

Purpose: Demolish existing two family dwelling on existing 15,497 sq st lot on a newly created 5,000 sq ft lot, erect a new 2 ½ story two (2) family dwelling with roof deck. There will be off-street parking for 4 vehicles in rear yard.

Case: BOA-732993, **Address:** 34 Maple Street, **Ward** 20 **Applicant:** Anthony Virgilio

Article(s): 56(56-39) 56(56-7)

Purpose: Change occupancy from two to three family dwelling. Legalize existing three family dwelling. No existing off-street parking or fire sprinkler system. No work to be proposed.

Case: BOA#732993, **Address:** 34 Maple Street, **Ward** 20 **Applicant:** Anthony Virgilio

Purpose: Change occupancy from two to three family dwelling. Legalize existing three family dwelling. No existing off-street parking or fire sprinkler system. No work to be proposed. Section: 8th 780CMR 1014 Exit Access 1014.2.1

Multiple tenants where more than one tenant occupies anyone floor of a building or structure, Etc. 8th 780CMR 1022 Exist Enclosures 1022.1 Enclosures requires Interior exist stairways and interior exit ramp shall be enclosed with fire barriers Etc., 8th 780CMR 2009IEBC 912.2.1 Fire Protection Systems 912.2.1 Fire Sprinkler System where a change in occupancy classification occurs that requires Etc., 912.2 Fire Alarm and Detection System Where a change in occupancy classification occurs that requires a fire alarm and detection system Etc., 8th 780 CMR 2009IEBC 912.4.1 Means of Egress: Higher Hazard 912.4.1 Means of Egress for change to higher hazard category. When a change of occupancy classification is made to a higher hazard Etc., 8th 780CMR 2009IEBC 912.7.2 Stairways 912.7.2 Stairways when a change of occupancy classification is made to a higher hazard category Etc., 8th 780CMR 2009IEBC 912.74 912.7.4 openings and all openings into existing vertical shaft enclosures shall be protected Etc.

Case: BOA-728998, **Address:** 1964-1966 Centre Street, **Ward** 20 **Applicant:** Marcia & Lester Hirsch

Article(s): 56(56-16)

Purpose: Construct addition to existing building with interior renovation as per plans. ZBA.

Case: BOA-703492, **Address:** 9 Sawyer Terrace, **Ward** 21 **Applicant:** Alan Brennan

Article(s): 51(51-9) 51(51-56)

Purpose: Construct a new 3 story, Three (3) Family dwelling on existing 2,918 sq ft lot. There will be egress decks built in rear yard. Building will be fully sprinklered as per plans.

Case: BOA#703491, **Address:** 9 Sawyer Terrace , **Ward** 21 **Applicant:** Alan Breman

Purpose: Construct a new 3 story, Three (3) Family Dwelling on existing 2,918 sq ft lot. There will be egress decks built in rear yard. Building will be fully sprinklered. As per plans. 780 CMR 8th Edition 101.4.7 Reference Codes 521 CMR AA 10.1 General The public use and common spaces of multiple dwellings in new construction Etc.,

Case: BOA-732948, **Address:** 30 Willoughby Street, **Ward** 21 **Applicant:** Paul Yu

Article(s): 51(51-9)

Purpose: Rebuild and extend existing dormers, enclosed front porch on second floor. Renovate bedrooms, bathrooms and kitchen for second floor unit.

RE-DISCUSSION: 11:30a.m.

Case: BOA-668023, **Address:** 15-17 Short Street , **Ward** 2 **Applicant:** Timothy Sheehan

Article(s) 62(62-8; Dimensional regulations; Lot Frontage Insufficient; Dimensional regulations; Rear Yard Insufficient Dimensional regulations; Usable Open Space Insufficient; Dimensional regulations; Floor Area Ratio Excessive) 62(62-29; Off Street Prkg Insufficient 62(62-30; Conformity with existing building alignment)

Purpose: Construct a new 3 story, attached Two (2) Family dwelling on newly created 3,469sq ft Lot. Each dwelling unit will have access to private Roof Deck. Entire Dwelling to fully sprinklered. As per plans (see ALT 637367 for subdivision)

Case: BOA-668021, **Address:** 11 Short Street , **Ward** 2 **Applicant:** Timothy Sheehan

Article(s): Article 62, Section 29Off Street Prkg Insufficient

Purpose: Confirm Occupancy as an existing Two Family Dwelling. Subdivide existing 7,544sq ft Lot 11-13 Short Street into 2 lots. Lot 1 to be known as 11-13 Short Street and to contain 4,075sq ft. Lot 2 to be known as 15-17 Short Street and to contain 3,469 sq ft. There will be a new Two Family Dwelling constructed thereon. (see ERT 587445)

Case: BOA-715525, **Address:** 729-731 East Fifth Street , **Ward** 6 **Applicant:** James Christopher

Article(s) 68(68-29; Roof Structures restrictions, Roof structures restricted district)

Purpose: To renovate existing 2 family & add 3rd floor addition as per plans.

Case: BOA-676659, **Address:** 148 West Ninth Street , **Ward 7 Applicant:** George Morancy
Article(s): 14(14-14-1) 14(14-14-2) 15(15-1) 17(17-1) 20(20-1) 23(23-23-1)
Purpose: Combine parcels 0700302000, 0700301000 and 0700300000 into one vacant lot totaling 4266 sf. Erect a new 8 Unit residential building with 2 roof decks and parking below, as per plans. Permit set to be submitted upon ZBA approval.

Case: BOA-713469, **Address:** 616-620 Massachusetts Avenue , **Ward 9 Applicant:** Olympia Flower Store Inc
Article(s): 32(32-4)
Purpose: To correct violation #V323671. Pave driveway

Case: BOA-719517, **Address:** 265 Hancock Street , **Ward 15 Applicant:** Abraham Alvarez
Article(s): 65(65-9) 65(65-41)
Purpose: Demo existing structure and build new construction of three family wood frame building.

Case: BOA-726374, **Address:** 18 Armandine Street , **Ward 17 Applicant:** christopher Barbour
Article(s): 65(65-9: Dimensional Regulations: Building Height Excessive (Stories): Front yard Insufficient: Side Yard Insufficient - Lot area for each additional dwelling)
Purpose: Change occupancy to a 3 family dwelling. Updating electrical, mechanical and plumbing systems. Update interior/exterior finishes. Build 3 story rear deck and exterior egress stairs, Add full shed dormers both sides to increase 2 1/2 story to 3 story. Install Fire Protection System with no site tanks. Demo existing garage. Add 3 car parking

Case: BOA-690834, **Address:** 279 Lamartine Street , **Ward 19 Applicant:** 279 Lamartine, LLC
Article(s): 55(55-8)
Purpose: Combine existing lot A (5,584 sq ft) with existing lot B (6,074 sq ft) to create a new lot of 11,658 sq ft. Demolish and remove existing single family dwelling. Erect a new 3 story, six (6) unit multifamily residential building. There will be a parking garage for 7 vehicles under the building. The building will be fully sprinklered.

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

BOARD MEMBERS:

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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