



City of Boston
Board of Appeal

HEARING MINUTES

Tuesday, June 26, 2018

BOARD OF APPEALS

Room 801

Board Chairperson Araujo 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 Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Mark Fortune:

APPROVAL OF HEARING MINUTES:

June 12, 2018 and May 24, 2017

Upon a motion and second, the Board voted unanimously to approve the hearing minutes for the above dates.

EXTENSION: 9:30a.m.

Case: BOA-506994, **Address:** 24-26 Falcon Street, **Ward 1 Applicant:** Albert J Legee

Discussion: The applicant requested an extension of zoning relief previously granted by the Board.

Votes: Upon a Motion and second, the Board voted unanimously to **DENY** The request for a one year extension.

Case: BOA-464137, **Address:** 20 Ashburton Place, **Ward 3 Applicant:** Faros Properties

Discussion: The applicant requested an extension of zoning relief previously granted by the Board.

Votes: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

Case: BOA-588257, **Address:** 67 Webster Street, **Ward 1 Applicant:** MBC Ventures, LLC

Discussion: The applicant requested an extension of zoning relief previously granted by the Board.

Votes: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

BOARD FINAL ARBITER: 9:30a.m.

Case: BOA-600522, **Address:** 4-6 Winthrop Street, **Ward 1 Applicant:** Winthrop Maverick, LLC

Discussion: The applicant requested approval from the Board to change the job description on the permit application from an ALT permit to an ERT permit. There are no design changes to the project.

Vote: Upon a motion and a second, the Board voted to approve the request.

Case: BOA-812908, **Address:** 537A-537 Columbus Avenue, **Ward 4 Applicant:** Leo Papile (by Paul Gibbs)

Discussion: The applicant requested that the Board confirm its previous approval of eight indoor seats at a takeout restaurant. Due to an administrative error, the seats were not included in the job description of the application.

Case: BOA-615910, **Address:** 55 West Fifth Street, **Ward 6 Applicant:** Marc LaCasse, Esq

Discussion: The Board moved to defer this hearing to **7/31/2018**

GCOD: 9:30 a.m.

Case: BOA-834289 **Address:** 91 Westland Avenue , **Ward 4 Applicant:** Parkside Tower LLC (by Forest Properties Management Inc)

Article(s): 32(32-9)

Purpose: Amend ALT542200 lowering concrete slab.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described his proposal amend a pending permit application by lowering a concrete slab. He submitted to the Board a “no harm” letter from a licensed engineer in compliance with Article 32.

Testimony: Christian Simonelli from the Boston Groundwater Trust submitted to the Board a letter of approval from the Boston Water and Sewer Commission in compliance with Article 32.

HEARINGS: 9:30 a.m.

Case: BOA-789186 **Address:** 40 Rugg Road , **Ward 22 Applicant:** Rugg Realty Trust by Rugg Road USL, LLC

Article(s): 51(51-19:Use Forbidden 51(51-20:Floor area Ration is excessive, Height is excessive, Rear yard setback requirement is insufficient) 80(80-80B-2)Appl. Of Large

Purpose: Erect new 6-story multifamily residential building (170 units) as part of proposed 2-building mixed-use project.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described his request to construct new 6 story multifamily residential building with 170 Units.

Board members asked how does the building compare to surrounding buildings. The applicant stated it is consistent, 86 studios, 118 (1) bedroom and 61 (2) bedroom. The Board Members asked how the parking works. The applicant stated mechanical system, 3 minute wait time for vehicle retrieval. The BRA recommends minimizing the visibility of the deck.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Representative from Councilor Cuommo and one (1) abutter support. One (1) abutter opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval with BRA Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-789187 **Address:** 80 Braintree Street , **Ward 22 Applicant:** Braintree Realty Trust by Rugg Road USL, LLC

Article(s): 51(51-19:Use Forbidden, Use: Conditional 51(51-20:Floor area ration is excessive, Rear Yard setback insufficient, Building Height is excessive 80(80-80B-2)Appl. Of Large Projects Review 51(51-57: Appl. Of Dimensional Req, Appl. Of Dimensional Req.

Purpose: Erect new 6-story mixed-use building with retail (take-out restaurant, large) on ground floor, multifamily residential (95 units) on floors 2 through 6, and accessory off-street parking.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described his request to construct new 6 story mixed-use building with ground floor commercial space and 95 residential units. Companion case with 40 Rugg Road.

Board members asked how does the building compare to surrounding buildings. The applicant stated it is consistent, 86 studios, 118 (1) bedroom and 61 (2) bedroom. The Board Members asked how the parking works. The applicant stated mechanical system with 3 minute wait time.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Representative from Councilor Cuommo and one (1) abutter support. AGA support. One (1) abutter opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval with BRA Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-808048 **Address:** 95 Union Street , **Ward 22 Applicant:** David Weinstock

Article(s): 51(51-9: Insufficient Front Yard Setback, Insufficient Rear Yard Setback, Insufficient Side Yard Setback

Purpose: Remove existing roof and half story and add 1 new story to existing building. Structural work as necessary: remove and replace a framed roof (structurally unsafe), Remove 2nd story of rear addition (existing) and substitute roof deck, new siding at entire house. Work in conjunct with SF#768852.

Discussion: At the request of the applicant **this case has been deferred to 8/14/2018**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-784840 **Address:** 561-579 Centre Street , **Ward 19 Applicant:** Eric Kennedy

Article(s): 55(44-8) Use regulations 6(6-4) other Cond Necc as Protection

Purpose: Temporary outdoor parking for twenty spaces (Ancillary Use). Spaces will only be used Monday through Friday from 6:00 a.m. to 11:45 p.m by employees of a nearby hospital--Arbour Hospital. The parking agreement is in effect until September 1, 2018.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the request for outdoor

temporary ancillary parking for 20 spaces to be used for employees for Arbour Hospital, Monday thru Friday 6am to 11:45 pm.

Board members are concerned about using lot for parking only. Board members are concerned about maneuverability of 20 spaces. At least three cars will likely have to be removed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Representative from Councilor Essabi-George spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval with BRA screening and buffering, landscaping plan to be renewed by BOA prior to signature. Sunset to expire 9/2019, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-799949 **Address:** 183 Savannah Avenue , **Ward 18 Applicant:** Bertram Williamson
Article(s): 67(67-9) Side yard is Insufficient 67(67-9.1: Front yard setback is insufficient, Rear yard setback is insufficient, minimum lot width required is insufficient, Lot frontage is insufficient, Floor area ration is excessive, Height is excessive (2 1/2 stories max allowed), Height requirement is excessive (35ft high max allowed)

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the request to construct a new (2) family dwelling with 2 off street spaces.

Board members asked about on street parking. The applicant stated yes.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Representative from Councilor McCarthy spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member St. Fleur moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Purpose: Erect new two-family dwelling (modular) with propose two (2) off-street parking on subdivided lot under ALT776983.

Case: BOA-799951 **Address:** 185-187 Savannah Avenue , **Ward 18 Applicant:** Bertram Williamson
Article(s): 67(67-9-1: Extension of Non-Conforming use is conditional, Dimensional Regulations Applicable in Residential Sub Districts 67(67-9 Usable Open Space required in insufficient, Side yard insufficient 68(68-33)Off Street Requirement is insufficient

Purpose: Subdivide lots to be Lot 69 &70: 4,203 SF and Lot 71&72: 4,201 SF. No work to be done on existing two-family dwelling. File in conjunction ERT776993.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the request to subdivide lots, no work to be done. Companion ERT

Board members asked about on street parking. The applicant stated yes.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Representative from Councilor McCarthy spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member St. Fleur moved for approval with BRA, Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-821990 **Address:** 83 Dakota Street , **Ward 17 Applicant:** Gideon Davis

Article(s): 65(65-8)Use Regulations

Purpose: Change occupancy from three family (with minor alterations) to create space for Transitional Living.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Change occupancy from a 3 family transitional housing.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Representative from Councilor Campbell spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Bickerstaff moved for approval, Fortune seconded and the Board voted unanimously to approve.

Case: BOA-803716 **Address:** 241-243 Gallivan BLVD , **Ward 17 Applicant:** Hermitao Rosa

Article(s): 65(65-9: Excessive F.A.R, Excessive number of stories)

Purpose: Building new roof per drawings-all costs reflected on SF639902.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal to construct new roof to correct violation, existing gable damage by ice.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Representatives from Councilor Campbell and Essabi-George spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member St. Fleur moved for approval, Pisani opposed and the Board voted unanimously to approve.

Case: BOA-765176 **Address:** 76-80 Neponset Avenue , **Ward 16 Applicant:** Patrick Mahoney

Article(s): 09(9-1)Reconstruction/Extension of Nonconforming Bldg 65(65-9) Dimensional Regulations 65(65-39)Screening & Buffering Req 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9)

Purpose: Proposed addition to existing warehouse as per plans. Construction set to be submitted upon ZBA approval. See ALTs, alt734188 and alt734197 to combine 4 parcels 1600356000 (86 and 90 Neponset

Avenue, 2 houses and garage), 1600328000, 1600358000 (78-80 Neponset Ave, warehouse), and 1600357000 for a total of 51,124 +-sf. Then re-subdivide into 2 lots, one to be 44,923 +- sf for 76-80 Neponset Ave. and the other to be 6201 +- sf for 90 Neponset Ave. Existing house and garage at 86 Neponset Ave to be razed for the proposed warehouse addition.

Case: BOA-765173 **Address:** 90 Neponset Avenue , **Ward 16 Applicant:** Patrick Mahoney
Article(s): 09(9-1)Reconstruction/Extension of Nonconforming Bldg 65(65-9) Dimensional Regulations 65(65-39)Screening & Buffering Req 65(65-41)Off-Street Parking & Loading Req.
Purpose: Combine 4 parcels 1600356000 (86 and 90 Neponset Ave, 2 houses and garage), 1600328000, 1600358000 (78-80 Neponset Avenue, Warehouse) and 1600357000 for a total of 51124+- sf. Then re-subdivide in 2 lots, one to 44,923+- sf for 78-80 Neponset warehouse and other to be 6201+-sf for 90 Neponset Avenue. See alt734188 to combine/subdivide and alt for the proposed warehouse addition. also See ALT734632 (Addition)

Discussion: At the request of the applicant **this case has been deferred to 7/31/2018**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-740765 **Address:** 12 Bloomington Street , **Ward 16 Applicant:** Timothy Johnson
Article(s):65(65-8)Use Regulations 65(65-42) Application of Dimensional Req 65(65-40) Sign regulations 65(65-39)Screening & buffering Req. 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9)

Purpose: Combine parcels 2468 and 2469. Demolish existing single family dwelling and erect one of three 3-story, 3-family buildings with off-street parking as per plans submitted. (AE flood zone). Existing structure to be razed on a separate permit.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Combine parcels 2468 and 2469. Demolish existing single family dwelling and erect revised to 3 (2) family dwellings.

Board Members inquired about off street spaces. The applicant stated one of three.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Representative from Councilor Baker and Flaherty spoke in support. One (4) abutter opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Kelly moved for approval, with BRA Bickerstaff and St. Fleur opposed and the Board voted unanimously to approve.

Case: BOA-740771 **Address:** 13 Mckone Street , **Ward 16 Applicant:** Timothy Johnson
Article(s): 65(65-42) Application of Dimensional Req 65(65-8)Three Family use is Forbidden(2ft-500 sub-district) 65(65-39) Screening & Buffering 65(65-9)# of allowed stories has been exceeded(2.5Max) 65(65-9)Insufficient Rear Yard Setback 65(65-9)Front yard Setback 65(65-9)Insufficient lot Frontage 65(65-9)Insufficient side yard setback 65(65-39) Screening & buffering Req
Purpose: Combine parcels 2468 and 2469. Demolish existing single family dwelling and erect one of three 3-story, 3-family buildings with off-street parking as per plans submitted. (AE flood zone). Existing structure to be razed on a separate permit City Hall

one of three 3-story, 3-family buildings with off-street parking as per plans submitted. (AE flood zone). Existing structure to be razed on a separate permit

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Combine parcels 2468 and 2469. Demolish existing single family dwelling and erect 2 family revised from 3

Board Members inquired about off street spaces. The applicant stated 14 off street parking spaces.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Representative from Councilor Baker and Flaherty spoke in support. One (4) abutter opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Kelly moved for approval, with BRA Bickerstaff and St. Fleur opposed and the Board voted unanimously to approve.

Case: BOA-740773 **Address:** 15 Mckone Street , **Ward 16 Applicant:** Timothy Johnson
Article(s): 65(65-9:Insufficient lot size (5,000sf req.), Insufficient lot size width(50"req.), Insufficient lot frontage (50' req.) Excessive F.A.R(.5 max), # of allowed stories has been exceeded(2.5 max.), Insufficient front yard set-back(15'/modal min.), Insufficient rear yard setback, Insufficient side yard set-back(20" min.) 65(65-8) Three family forbidden(2ft-5000 sub-district) 65(65-40)sign Regulations 65(65-39) Screening & Buffering Req 65(65-42) Application of Dimensional Req.
Purpose: Combine parcels 2468 and 2469. Demolish existing single family dwelling and erect one of three 3-story, 3-family buildings with off-street parking as per plans submitted. (AE-Flood Zone). Application has been filed in conjunction with ERT709913 and ERT709910. Existing structure to be razed on a separate permit.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Combine parcels 2468 and 2469. Demolish existing single family dwelling and erect 2 family revised from 3

Board Members inquired about off street spaces. The applicant stated 14 off street parking spaces.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Representative from Councilor Baker and Flaherty spoke in support. One (4) abutter opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Kelly moved for approval, with BRA Bickerstaff and St. Fleur opposed and the Board voted unanimously to approve.

Case: BOA-812643 **Address:** 82 Woodrow Avenue , **Ward 14 Applicant:** Boston Housing Stabilization LLC
Article(s): 60(60-9)Side yard insufficient), 60(60-41.6)Side yard driveway access less than 10'
Purpose: Erect two family dwelling.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Construct new 2 family dwelling, owner occupied.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Representative from Councilor Campbell spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Kelly moved for approval, with BRA Bickerstaff seconded the Board voted unanimously to approve.

Case: BOA-812644 **Address:** 86 Woodrow Avenue , **Ward 14 Applicant:** Boston Housing Stabilization LLC

Article(s): 60(60-9)Side yard insufficient), 60(60-41.6)Side yard driveway access less than 10'

Purpose: Erect two family dwelling.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Construct new 2 family dwelling, owner occupied.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Representative from Councilor Campbell spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Kelly moved for approval, with BRA Bickerstaff seconded the Board voted unanimously to approve.

Case: BOA-812645 **Address:** 97 Woodrow Avenue , **Ward 14 Applicant:** Boston Housing Stabilization LLC

Article(s): 60(60-38) 60(60-9: Lot size to erect the two family dwelling & required side yard setback is insufficient) 60(60-37)

Purpose: Erect two family dwelling.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Construct new 2 family dwelling, owner occupied.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Representative from Councilor Campbell spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Kelly moved for approval, with BRA Bickerstaff seconded the Board voted unanimously to approve.

Case: BOA-814983 **Address:** 36 Brookford Street , **Ward 13 Applicant:** Robert Bulger

Article(s): 50(50-29: Floor Area Ratio Excessive, Usable Open Space Insufficient)

Purpose: Change occupancy from 2 family to 3 family.This has been occupied as a three family since at least 1947. Request occupancy committee.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Confirm occupancy as a 3 family, taxed as a 3 for years, no work to be done.

Board Members asked how many meters. The applicant stated 3.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Kelly moved for approval, with BRA Bickerstaff seconded the Board voted unanimously to approve.

Case: BOA-804162 **Address:** 35 Nazing Street , **Ward 12** **Applicant:** Arthur Grupee
Article(s): 50(50-29) Floor Area Ratio Excessive
Purpose: Extended living space in the basement for Unit #1 in an existing three-family dwelling.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Extend living space into basement connect to first floor. Three family.

Board Members asked if kitchen was in basement. The applicant said no. Board members concerned with independent means of egress.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member St. Fleur moved for approval, Walsh seconded the Board voted unanimously to approve.

Case: BOA-803885 **Address:** 24 Westminster Avenue , **Ward 11** **Applicant:** Troy Depeiza
Article(s): 50(50-28) Use Forbidden 50(50-29) Lot area for the add'l dwelling units is insufficient, Floor area ratio is excessive, Height is excessive, Usable open space is insufficient, Side yard setback requirement is insufficient) 50(50-43) Off-Street Parking Insufficient, 50(50-38) Design Review, 50(50-41) Screening+Buffering, 50(50-44) Dimensional Requirements.
Purpose: New 3 story building containing 12 for sale condo units.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. To construct a new 3 story building containing 12 for sale condos. 11 market and 1 affordable. Mix of 1's of 3's first floor handicap accessible.

Board Members asked about parking. The applicant stated 9 off street parking spaces. Discussion regarding violations property vs required. Board concerned with maneuverability of parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Representatives from Councilor Janey, Flaherty, Essabi-George and Wu spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval, with BRA St. Fleur seconded the Board voted unanimously to approve.

Case: BOA-817801 **Address:** 16 Marmion Street , **Ward 11** **Applicant:** John Pulgini

Article(s): 55(55-8)Multi family Dwelling (Forbidden), 55(55-9 Lot Area for addition Dwelling unit(s) insufficient, Floor Area Ration Excessive, Usable Open Space Insufficient, Front Yard insufficient, Side Yard insufficient, rear Yard insufficient) 55(55-40)Off-Street Parking & Loading Req- Off Street parking insufficient.

Purpose: Take down existing single family structure and replace with 5 unit building and under parking.

Discussion: At the request of the applicant **this case has been deferred to 8/14/2018**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-817843 **Address:** 165 Boylston Street , **Ward 11 Applicant:** 165-167 Boylston Street, LLC
Article(s): 55(55-9 Add'l Lot Area Insufficient, Floor Area Ratio Excessive, Usable Open Space Insufficient) 55(55-40)Off-Street Parking & Loading Req.

Purpose: Change of Occupancy from 2-Family Dwelling to 3-Family Dwelling in a 3F-4000 zone. Separate Third Floor from Second Floor to create third unit. Minimal work performed to separate unit, including electrical work to install new unit meter for additional unit and to connect new 220 volt cooktop unit in kitchen area.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Change occupancy from 2 to 3 family minimal work.

Board Members asked about size of new units. 587 sf. Board members asked about floor to ceiling. 7'4"

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Representatives from Councilor Flaherty, Essabi-George and O'Malley support.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval, with No Building Code Required, St. Fleur seconded the Board voted unanimously to approve.

Case: BOA-802831 **Address:** 114 Hampden Street , **Ward 8 Applicant:** Stan Walczak

Article(s): 50(50-32)

Purpose: Demo existing building and Install 1 CC Series Calhoun Super Structure 52' wide by 24' long on a 6' precast block foundation for storage of recyclables.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Install, 52 X 24' super structure bunker for recyclables cup needed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Representatives from Councilor Janey, are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval, St. Fleur seconded the Board voted unanimously to approve.

Case: BOA-670801 **Address:** 1Lenox Street , **Ward 8 Applicant:** Daniel Toscano

Article(s): 50(50-28)

Purpose: Propose 20 ancillary off-street parking for ALT660762 - 11 Newcomb Street. Giving ERT552590 - 1 Newcomb Street 362 SF to build a separate residential building.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Proposing 20 ancillary off street parking.

Testimony: The Board then requested testimony from neighbors and elected officials.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval, with BRA St. Fleur seconded the Board voted unanimously to approve.

Case: BOA-670788 **Address:** 11 Newcomb Street , **Ward 8 Applicant:** Daniel Toscano

Article(s): 50(50-29: Lot area Insufficient, Add'l Lot area Insufficient, Floor Area Ratio Excessive, Bldg Height Excessive (feet)

Purpose: Existing 9-unit residential building. Giving 1 Newcomb St. 2,320 SF to build a separate residential building (See ERT552590-1Newcomb St.). Provide 20 ancillary off-street parking (See U49666216)

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Existing 9 unit building giving (2) 320sf to 1 Newcomb with 20 ancillary parking spaced to 1 Lenox.

Testimony: The Board then requested testimony from neighbors and elected officials.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval, with BRA St. Fleur seconded the Board voted unanimously to approve.

Case: BOA-670793 **Address:** 1900 Washington Street , **Ward 8 Applicant:** Daniel Toscano

Article(s): 50(50-29: Lot area Insufficient, Add'l Lot area Insufficient, Floor Area Ratio Excessive, Bldg Height Excessive (feet), Rear Yard Insufficient)

Purpose: Existing 9-Units Group Residence. Giving 1 Newcomb Street 480 SF to build a separate residential building. Application to document overhang and means of egress to travel through proposed ERT552590 - 1 Newcomb St (4'-0" passageway removed).

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal.

Testimony: The Board then requested testimony from neighbors and elected officials.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval, with BRA St. Fleur seconded the Board voted unanimously to approve.

Case: BOA#670797 **Address:** 1900 Washington Street , **Ward 8 Applicant:** 11 Newcomb Street LLC
Purpose: Existing 9-Units Group Residence. Giving 1 Newcomb Street 480 SF to build a separate residential building. Application to document overhang and means of egress to travel through proposed ERT552590 - 1 Newcomb St (4'-0" passageway removed).
SECTION: 780CMR, 8th Edition 1027- Exit Discharge Section 1027.6 Access to a public way. The exit discharge shall provide a direct and unobstructed access to a public way.

Discussion: At the request of the applicant **this case has been Denied**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-670783 **Address:** 1 Newcomb Street , **Ward 8 Applicant:** Daniel Toscano
Article(s): 50(50-29: Lot area Insufficient, Add'l Lot area Insufficient, Floor Area Ratio Excessive, Bldg Height Excessive(stories), Bldg Height Excessive(feet), Side Yard Insufficient, Rear Yard Insufficient) 50(50-44.2) Conformity Ex Bldg Alignment, 50(50-43 Off-Street parking & Loading Req, Off-Street parking & Loading Req)
Purpose: Receive 960 SF from Lot A, 480 SF from Lot B, 2,320 SF from Lot D, and 362 SF from Lot E to be combined to create 4,127 SF for Lot C - 1 Newcomb Street. Erect new 6-story multi-family building with 23-residential units. See also ALT640169, ALT640171 and ALT660762.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Combined, redraw lot lines of several lots, construct 6 story multifamily building with 23 unit, ancillary parking on abutting lots. Lengthy discussion regarding all violations, proposed vs required.

Board members inquired about rental units and sizes of units mix of 1, 2, 3 units. Concern regarding sizes of some of the units. BRA not enforcing their own standard.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of neighborhood services are in support. Two (2) abutters support.

Documents/Exhibits: Building Plans

Votes: Board Member Fortune moved for approval, with BRA Pisani seconded the Board voted unanimously to approve.

Case: BOA#670800 **Address:** 1 Newcomb Street , **Ward 8 Applicant:** Charles Haydon
Purpose: Receive 960 SF from Lot A, 480 SF from Lot B, 2,320 SF from Lot D, and 362 SF from Lot E to be combined to create 4,127 SF for Lot C - 1 Newcomb Street. Erect new 6-story multi-family building with 23-residential units. See also ALT640169, ALT640171 and ALT660762
SECTION: 780CMR, 8th Edition 1027- Exit Discharge Section 1027.6 Access to a public way. The exit discharge shall provide a direct and unobstructed access to a public way. **SECTION:** 780CMR, 8th Edition – Exterior Walls- Section 705.8-Openings.
Openings in exterior walls shall comply with Section 705.8.41 through 705.8.6(No Exterior wall openings are permitted at 0'-0" from property line.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Combined, redraw lot lines of several lots, construct 6 story multifamily building with 23 unit, ancillary parking on abutting lots. Lengthy discussion regarding all violations, proposed vs required.

Board members inquired about rental units and sizes of units mix of 1, 2, 3 units. Concern regarding sizes of some of the units. BRA not enforcing their own standard.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of neighborhood services are in support. Two (2) abutters support.

Documents/Exhibits: Building Plans

Votes: Board Member Fortune moved for approval, with BRA Pisani seconded the Board voted unanimously to approve.

Case: BOA-670798 **Address:** 1902A-1904 Washington Street , **Ward 8 Applicant:** Daniel Toscano
Article(s): 50(50-29:Lot area Insufficient, Add'l Lot area Insufficient, Floor Area Ratio Excessive, Bldg Height Excessive(feet), Rear Yard Insufficient)

Purpose: Existing 9-Units Residential and 1 Commercial Space. Giving 1 Newcomb Street 960 SF to build a separate residential building. Application to document overhang and means of egress to travel through proposed ERT552590 - 1 Newcomb St (4'-0" passageway removed).

Case: BOA#670804 **Address:** 1902A-1904 Washington Street , **Ward 8 Applicant:** Daniel Toscano
Purpose: Existing 9-Units Residential and 1 Commercial Space. Giving 1 Newcomb Street 960 SF to build a separate residential building. Application to document overhang and means of egress to travel through proposed ERT552590 - 1 New-comb St (4'-0" passageway removed).
SECTION: 780CMR, 8th Edition 1027- Exit Discharge Section 1027.6 Access to a public way. The exit discharge shall provide a direct and unobstructed access to a public way.

Discussion: At the request of the applicant **this case has been Denied**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

HEARINGS: 10:30 a.m.

Case: BOA-815193 **Address:** 1808 Columbia Road , **Ward 7 Applicant:** Robert Swirbalus
Article(s): 27S(27S-5S) 29(29-4) 10(10-1) 68(68-33) 68(68-33) 68(68-31)
Purpose: Add curb cut and parking at 1808 Columbia Rd. to allow permanent off-street parking of at least two vehicles.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Curb cut and driveway for 2 vehicles, possibly 3.

Board members inquired BTDF front yard cannot support.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services asked for other examples of front yard and parking on street. Representative from Councilor Flynn office spoke in support. Two (2) abutters support.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval, with BRA adequate landscape plan to be submitted prior to signature Bickerstaff seconded the Board voted unanimously to approve.

Case: BOA-827009 **Address:** 111 B Street , **Ward 6 Applicant:** Steven Petitpas

Article(s): 69(69-29) 68(68-8) 68(68-8)

Purpose: Install new roof deck as per drawing framing to be 2x8pt new decking to be 1x6 harbor grey decking and new wolf railing systems GFI electrical plugs and lights.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Proposing a new roof deck, set back from edges, size 900 sf.

Board members asked if common or exclusive. The applicant stated exclusive to unit . Access by head house to conform with building code 4 story building 8 units.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services and Representative from Councilor Flynn office spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval, Bickerstaff seconded the Board voted unanimously to approve.

Case: BOA-814954 **Address:** 374 Silver Street , **Ward 6 Applicant:** Andrew Ruggiero

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

Purpose: Propose 7'-0" high new fence to existing single family dwelling. Replace stairs leading to the rear door. Replace patio. Correct violation V378835.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Legalize 7" fence to correct violation, also replace stairs to rear door. Rear yard approximately 5' deep.

Board members discussed violations and definition of fence in the code.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services asked for other examples of front yard and parking on street. Representative from Councilor Flynn office spoke in support. Two (2) abutters oppose.

Documents/Exhibits: Building Plans

Votes: Board Member Kelly moved to defer motion does not carry, Bickerstaff moved for approval, Pisani seconded and motion carried.

Case: BOA-822711 **Address:** 719-721 East Second Street , **Ward 6 Applicant:** Timothy Sheehan

Article(s): 27S(27S-9S) 68(68-11) 68(68-29)

Purpose: Reframe partitions on all Floors. All new plaster and trim work. New Windows. Remove existing Gable Roof and construct 2 new Shed Dormers at 4th Floor. Expand Living Space to 4th Level. Adding Three new Rear Decks. Installation of a new Sprinkler system

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Proposing a gut renovation of 3 family, new decks in rear, remove roof, install 2 dormers and extend living space to 4th floor.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services spoke in support. Representative from Councilor Flynn and Flaherty office opposed. One (1) abutter opposed size of decks.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approve 6 decks max but not rear decks. Decks no deeper than 6'. Bickerstaff seconded the Board voted unanimously to approve.

Case: BOA#822710, **Address:** 719-712 East Second Street , **Ward 6 Applicant:** Timothy Sheehan
Purpose: Reframe partitions on all Floors. All new plaster and trim work. New Windows. Remove existing Gable Roof and construct 2 new Shed Dormers at 4th Floor. Expand Living Space to 4th Level. Adding Three new Rear Decks. Installation of a new Sprinkler system
SECTION: 780CMR 705, 9th Edition Exterior Walls

Discussion: At the request of the applicant **this case has been Denied**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-813877 **Address:** 441-445 Hanover , **Ward 3 Applicant:** Anthony Virgilio
Article(s): 54(54-10) 54(54-9)
Purpose: To include lower level for restaurant prep area for zoning review only.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Proposing a private dining facility, extend restaurant operation for prep into basement, Extension of living space.

Board members inquired about floor to ceiling 7' in basement.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services and Representative from Councilor Edwards, and Councilor Essabi office spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval, Bickerstaff seconded the Board voted unanimously to approve.

Case: BOA-821741 **Address:** 15 Snow Hill Street , **Ward 3 Applicant:** Danil Toscano
Article(s): 54(54-10) 54(54-10) 54(54-21)
Purpose: Change occupancy from 3 family to 4 family. Renovate the 4 residential units per plans including a new sprinkler system and a new fire alarm system. Work begun on SF773305 issued 11/1/17. voting records etc. avail.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Confirming change of occupancy from 3 to 4. Has been occupied and taxed since 70's as a 4 family. Remodel existing units.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services and Representative from Councilor Edwards, and Councilor Essabi office spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member St. Fleur moved for approval, Fortuned seconded the Board voted unanimously to approve.

Case: BOA-794978 **Address:** 6 Hull Street , **Ward 3 Applicant:** Anthony Virgilio
Article(s): 54(54-10) 54(54-21)

Purpose: Change of Occupancy from 4 residential units to 5 residential units. Legalize existing conditions. No work to be done.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Confirming change of occupancy from 4 to 5. Existing condition assessed and taxed as a 5 for years. No work to be done.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services and Representative from Councilor Edwards, and Councilor Essabi office spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval, Fortuned seconded the Board voted unanimously to approve.

Case: BOA-801566 **Address:** 24-44 Kneeland Street , **Ward 3 Applicant:** Albert Li
Article(s): 53(43-19)

Purpose: Change occupancy to include massage parlor (2ndflr 99 Harrison Avenue side).

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal Change of occupancy to include massage parlor, to correct violation. Business has been there 5 to 6 years.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval, Fortuned seconded the Board voted unanimously to approve.

Case: BOA-826885 **Address:** 60 Chappie Street , **Ward 2 Applicant:** Jesse MacDonald
Article(s): 62(62-8) 62(62-8) 62(62-8) 62(62-8) 62(62-8) 62(62-8)

Purpose: 60 Chappie St - Erect a single family with garage on a subdivided lot of land; this Lot A has 2,250 SF. Filed in conjunction with ALT794171 and ERT794188. *Raze existing under a separate permit.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal Subdivide lots into 2 parcels construct one single 3 story and 3 attached townhouses. 486-490 3 story attached townhouses+
??????????????

Board Members discussed violations proposed vs required.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office and a Representative from Councilor Edwards spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member St. Fleur moved for approval with BRA, Bickerstaff seconded the Board voted unanimously to approve.

Case: BOA-826886 **Address:** 60 Chappie Street , **Ward 2 Applicant:** Jesse Mac Donald
Article(s): 62(62-8) 62(62-8) 62(62-8) 62(62-8) 62(62-8)
Purpose: Subdivide existing parcel #0201350000 consisting of 6,458 Sq Ft into two separate lots. LOT A to have 2250sf and LOT B shall have 4,208sf . LOT A shall be known as 60 Chappie Street and have a newly proposed single family detached dwelling as filed on ERT794172 and Lot B shall be known as 486-490 Medford Street for an attached three family townhouse unit designed building filed under ERT794188
*Existing dwellings to be razed on a separate permit application.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal Subdivide lots into 2 parcels construct one single 3 story and 3 attached townhouses. 486-490 3 story attached townhouses+
??????????????

Board Members discussed violations proposed vs required.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office and a Representative from Councilor Edwards spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member St. Fleur moved for approval with BRA, Bickerstaff seconded the Board voted unanimously to approve.

Case: BOA-826884 **Address:** 486-490 Medford Street , **Ward 2 Applicant:** Jesse MacDonald
Article(s): 10(10-1) 62(62-7) 62(62-8) 62(62-8) 62(62-30) 62(62-29) 62(62-27)
Purpose: Construct a three units of attached townhouse style buildings on newly created lot B in accordance with the submitted plans provided. (see Alt794171 for subdivision)

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Subdivide lots into 2 parcels construct one single 3 story and 3 attached townhouses. 486-490 3 story attached townhouses+
??????????????

Board Members discussed violations proposed vs required.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office and a Representative from Councilor Edwards spoke in support.

Documents/Exhibits: Building Plans

Votes: Board Member St. Fleur moved for approval with BRA, Bickerstaff seconded the Board voted unanimously to approve.

Case: BOA-802569 **Address:** 43 Pleasant Street , **Ward 2 Applicant:** Enda Madigan

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

Purpose: zoning board appeal remodel building install sprinkler add living in basement add mezzanine with roof decks . add side deck and stairs

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating rehab of existing structures, extend living space into basement, add mezzanine and roof decks.

Board Members inquired about floor to ceiling in basement. The applicant stated 8'6.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office and a Representative from Councilor Edwards, Councilor Essabi-George spoke in support. Abutter withdrew opposition.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval with BRA regarding headhouse Bickerstaff seconded the Board voted unanimously to approve.

Case: BOA-825473 **Address:** 173-177 Maverick Street , **Ward 1 Applicant:** Maverick Orleans, LLC

Article(s): 9(9-2) 53(53-8) 53(53-8) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-56) 53(53-54) 53(53-52)

Purpose: Combine parcel numbers 0105340000, 0105341000 and 0105342000 and renovate existing buildings and change occupancy from 3 retail spaces and 6 residential units to 1 retail space and 9 residential units See 175 Maverick St. ALT810520 and 177 Maverick St ALT810521, this building to be know as 173-177 Maverick St. Add a 4th Story NEW STORY

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating combine parcel and renovate existing buildings. Change occupancy from 3 retails and 6 residential units to 1 retail and 9 residential units. Extensive discussion regarding violations proposed vs. required.

Board Members inquired about retail space. The applicant stated it was a bakery and has been vacant for several years.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office.

Documents/Exhibits: Building Plans

Votes: Board Member Bickerstaff moved for approval with BRA Pisani seconded the Board voted unanimously to approve.

Case: BOA-825478 **Address:** 177 Maverick Street , **Ward 1** **Applicant:** Maverick Orleans, LLC

Article(s): 9(9-2) 53(53-8)

Purpose: Combine parcel numbers 0105340000, 0105341000 and 0105342000 into one parcel of land. 173 Maverick St. ALT810502 and 175 Maverick St. ALT810520 into one building to be known as 173-177 Maverick St.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating combine parcel and renovate existing buildings. Change occupancy from 3 retails and 6 residential units to 1 retail and 9 residential units. Extensive discussion regarding violations proposed vs. required.

Board Members inquired about retail space. The applicant stated it was a bakery and has been vacant for several years.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office.

Documents/Exhibits: Building Plans

Votes: Board Member Bickerstaff moved for approval with BRA Pisani seconded the Board voted unanimously to approve.

Case: BOA-825475 **Address:** 175 Maverick Street , **Ward 1** **Applicant:** Maverick Orleans, LLC

Article(s): 9(9-2) 53(53-8)

Purpose: Combine parcel numbers 0105340000, 0105341000 and 0105342000 into one parcel of land. 173 Maverick St. ALT810502 and 177 Maverick St. ALT810521 into one building to be known as 173-177 Maverick St.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating combine parcel and renovate existing buildings. Change occupancy from 3 retails and 6 residential units to 1 retail and 9 residential units. Extensive discussion regarding violations proposed vs. required.

Board Members inquired about retail space. The applicant stated it was a bakery and has been vacant for several years.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office.

Documents/Exhibits: Building Plans

Votes: Board Member Bickerstaff moved for approval with BRA Pisani seconded the Board voted unanimously to approve.

RE-DISCUSSIONS: 11:30a.m.

Case: BOA-745475, **Address:** 128 Selwyn Street **Ward:** 20 , **Applicant:** David Knudsen

Article(s): 67(67-9)

Purpose: Install new sliding door into bedroom exiting to new rear roof deck. Install new roof deck flooring, posts and railing on the rear of the house. Attach new railings to the house.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Install new sliding door into bedroom exiting to new rear roof deck. Install new roof deck flooring, posts and railing on the rear of the house. Attach new railings to the house.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office.

Documents/Exhibits: Building Plans

Votes: Board Member Bickerstaff moved for Pisani seconded the Board voted unanimously to approve.

Case: BOA-790909, **Address:** 15 Whitford Street, **Ward 18 Applicant:** Patrick Mahoney

Article(s): 67(67-8: Use: Basement apartment forbidden & Use: Three family dwelling forbidden) 67(67-9: Lot area insufficient, Floor area ratio insufficient, Building height (# of stories) excessive & Usable open space insufficient) 67(67-32)

Purpose: Change Occupancy from a Two (2) Family Dwelling to a Three (3) Family Dwelling. Existing condition no work to be performed.

Discussion: At the request of the applicant **this case has been deferred to 7/10/2018**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-807055 **Address:** 113 Wheatland Avenue , **Ward 17 Applicant:** Oxbow Urban LLC

Article(s): 10(10-1) 65(65-9: Lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive & Building height (# of stories) excessive)

Purpose: 115 Wheatland Ave. will be subdivided into two equal sized lots where the right side lot will be considered 115 Wheatland Ave. 113 Wheatland Ave will further subdivide an 83 S.F. sliver of land in the rear of the lot to be provided to the neighbor located at 111 Wheatland Ave. The remaining 2667 S.F. lot will have a Single Family attached Home constructed on it with a party wall located on the lot line between 113 Wheatland Ave and 115 Wheatland Ave. This project is part of the City of Boston's Department of Neighborhood Development (DND) NHI Middle Income Housing Program.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Subdivision of two equal size lots. 113 Wheatland Ave will further subdivide an 83 S.F. sliver of land in the rear of the lot to be provided to the neighbor located at 111 Wheatland Ave. The remaining 2667 S.F. lot will have a Single Family attached Home constructed on it with a party wall located on the lot line between 113 Wheatland Ave and 115 Wheatland Ave. This project is part of the City of Boston's Department of Neighborhood Development (DND) NHI Middle Income Housing Program.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for Bickerstaff seconded the Board voted unanimously to approve.

Case: BOA-807056, **Address:** 115 Wheatland Avenue , **Ward** 17 **Applicant:** Oxbow Urban LLC
Article(s): 10(10-1) 65(65-9: Lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive & Building height (# of stories) excessive)

Purpose: 115 Wheatland Ave. will be subdivided into two equal sized lots where the right side lot will be considered 113 Wheatland Ave and the left side lot will be considered 115 Wheatland Ave. A Single Family attached Home will be constructed on the lot with a party wall located on the lot line between 113 Wheatland Ave and 115 Wheatland Ave. This project is part of the City of Boston's Department of Neighborhood Development (DND) NHI Middle Income Housing Program

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Subdivision of two equal size lots. 113 Wheatland Ave will further subdivide an 83 S.F. sliver of land in the rear of the lot to be provided to the neighbor located at 111 Wheatland Ave. The remaining 2667 S.F. lot will have a Single Family attached Home constructed on it with a party wall located on the lot line between 113 Wheatland Ave and 115 Wheatland Ave. This project is part of the City of Boston's Department of Neighborhood Development (DND) NHI Middle Income Housing Program.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for Bickerstaff seconded the Board voted unanimously to approve.

Case: BOA-807998, **Address:** 141-143 Glenway Street **Ward:** 14, **Applicant:** Oxbow Urban LLC
Article(s): 60(60-9)

Purpose: 141-143 Glenway St. ERT#666916, which is a part of the city of Boston's Department of Neighborhood (DND) NHI Middle Income Housing Initiative has been positioned inside of the minimum side yard setback. Submitting an amendment to seek zoning relief.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating at subcommittee ZBA requested revised drawings moving driveway to other side of lot.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office and a Representative from Councilor Campbell are in support.

Documents/Exhibits: Building Plans

Votes: Board Member St. Fleur moved for Bickerstaff seconded the Board voted unanimously to approve.

Case: BOA-807044, **Address:** 12 Lorne Street , **Ward** 14 **Applicant:** Oxbow Urban LLC
Article(s): 60(60-9: Lot width insufficient, Lot frontage insufficient & Building height (# of stories) excessive) Purpose: 21 Angell St, Ward 14 for the terms of the Boston Zoning Code (see Acts of 1956, c. 665) in the following respect: Variance Article(s): 10(10-1)

Purpose: 12 Lorne St. is currently a 3,214 sq ft vacant lot. Construct a Single Family attached Home with a party wall located on the lot line between 12 Lorne and 14 Lorne St. This project is apart of the City of Boston's Department of Neighborhood Development (DND) NHI Middle Income Housing Program.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating construct a single family home consitent with scale and design of the neighborhood. Confusion regarding most up to date plan Oxbow hs granted 9' of land.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office and a Representative from Councilor Campbell are in support. One abutter opposed

Documents/Exhibits: Building Plans

Votes: Board Member **Hold for signature for revised plans showing grant of land to abutter per agreement.**

Case: BOA-807046, **Address:** 14 Lorne Street , **Ward** 14 **Applicant:** Oxbow Urban LLC
Article(s): 10(10-1) 60(60-9: Lot area insufficient, Lot width insufficient, Lot frontage insufficient & Building height excessive)

Purpose: 14 Lorne St. is currently a 3,214 sq ft vacant Lot. Construct a Single Family attached Home with 12 Lorne St. Lot will be subdivided to provide a 9 foot wide strip of land totaling 723 S.F. to the neighbor located at 16 Lorne St. to provide them access for Driveway. The remaining lot will be 2,491 S.F. and will have a Single Family attached Home constructed. It will comprise of a party wall that will divide the two homes on the lot line that is between 12 Lorne St. and 14 Lorne St. This project is apart of the City of Boston's Department of (DND) NHI Middle Income Housing Program.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating construct a single family home consitent with scale and design of the neighborhood. Confusion regarding most up to date plan Oxbow hs granted 9' of land.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office and a Representative from Councilor Campbell are in support. One abutter opposed

Documents/Exhibits: Building Plans

Votes: Board Member **Hold for signature for revised plans showing grant of land to abutter per agreement.**

Case: BOA-806508, **Address:** 69-71 Fayston Street **Ward:** 14 , **Applicant:** Vargas Dasilveira
Article(s): 50(50-29)

Purpose: Extend living space to basement for Unit #2 to existing two family dwelling.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating to extend living space to basement for Unit #2 to existing two family dwelling.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office and a Representative from Councilor Campbell are in support. One abutter opposed

Documents/Exhibits: Building Plans

Votes: Board Members Pisani moved to approved St. Fleur seconded and the Board voted unanimously to approve

Case: BOA-708918, **Address:** 32 Hartwell Street, **Ward 12 Applicant:** Timothy Johnson
Article(s): 50(50-28) 50(50-43) 50(50-29: Excessive F.A.R., Insufficient open space, Insufficient additional lot area per unit & Max # of allowed stories has been exceeded (4 habitable stories))
Purpose: Change occupancy to attached 4-family building and install new sprinkler/alarm system for entire building as per plans submitted.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating to legalize garden level units, 80% above grade building to be fully sprinkled. 6 unit building proposed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office are in support. Representatives from Councilor Essabi-George, Councilor Janey and Councilor Pressely oppose.

Documents/Exhibits: Building Plans

Votes: Board Members Kelly moved to approved Fortune seconded, and St. Fleur opposed and the Board voted unanimously to approve

Case: BOA-708914, **Address:** 34 Hartwell Street, **Ward 12 Applicant:** Timothy Johnson
Article(s): 50(50-28) 50(50-29: Excessive F.A.R., Insufficient open space, Insufficient additional lot area per unit & # of allowed stories has been exceeded (4 habitable stories) 50(50-43)
Purpose: Change occupancy to attached 4-family building and install new sprinkler/alarm system for entire building as per plans submitted.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating to legalize garden level units, 80% above grade building to be fully sprinkled. 6 unit building proposed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office are in support. Representatives from Councilor Essabi-George, Councilor Janey and Councilor Pressely oppose.

Documents/Exhibits: Building Plans

Votes: Board Members Kelly moved to approved Fortune seconded, and St. Fleur opposed and the Board voted unanimously to approve

Case: BOA-794165 **Address:** 1948-1950 Washington Street , **Ward 8 Applicant:** Michael Ahern
Article(s): 50(50-33: Open space insufficient, Rear yard insufficient, Floor area ratio is excessive & Side yard insufficient) 50(50-32) 50(50-43: Off-street parking & loading Req. & Off-street parking and loading req.)
Purpose: To renovate existing 4 story building and attached garage & add 2 additional stories and change occupancy to 31 Residential units with a office space & restaurant space on the first floor. There will be 11 parking spaces in the garage which lift spaces which will be a total of 22 parking spaces.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal To renovate existing 4 story building and attached garage & add 2 additional stories and change occupancy to 31 residential units with a office space & restaurant, head house and roof deck Discuss regarding violations, proposed vs required. Article 80 approval received 6/14/2018.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office are in support. NMBA oppose

Documents/Exhibits: Building Plans

Votes: Board Members Pisani moved to approve with BRA Fortune seconded, and St. Fleur opposed and the Board voted unanimously to approve

Case: BOA-796214, **Address:** 8 Pine Street **Ward:** 8, **Applicant:** Wood Hill Condominium Trusty (by Christopher Lydon, Trustee)
Article(s): 69(69-29) 69(69-30.12) 69(69-9)
Purpose: Building second building on same lot. No work to be done. See ERT763482 for drawings.

Discussion: At the request of the applicant **this case has been deferred to 8/14/2018**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-796212, **Address:** 8R Pine Street **Ward:** 8 , **Applicant:** Wood Hill Condominium Trust (by Christopher Lydon Trustee)
Article(s): 69(69-29.4) 69(69-30) 69(69-9: Lot Frontage, Side Yard & Rear yard Insufficient, Usable Open Space Insufficient)
Purpose: Demo existing barn and rebuild as a single family dwelling one of 2 buildings on this lot .(see alt787889 for existing building violations)

Discussion: At the request of the applicant **this case has been deferred to 8/14/2018**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-834570, **Address:** 550 East Seventh Street **Ward:** 7, **Applicant:** Tommy Noto
Article(s): 68(68-7)
Purpose: Assemble a 16ft x 28ft OD above-ground pool on same foot print of previous above-ground pool.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal to construct above ground pool, one previously existed in this location. 12 x 20 swim area, 16 x 28 total

Board Members concerned regarding dimensions, setbacks. Conundrum pool is build but not in accordance with drawings.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services office, Representatives from Councilor Flynn, Essabi-George are in support. One (4) abutters support and three (3) abutters opposed.

Documents/Exhibits: Building Plans

Votes: Board Members: **Hold signature until drawings are corrected.**

Case: BOA- 735236 **Address:** 75 G Street , **Ward 7 Applicant:** Douglas Stefanov
Article(s): 68(68-8: Floor area ratio is excessive, Height requirement is excessive & Required side yard setback, due to encroachment, is insufficient) 68(68-34) 68(68-29)
Purpose: Raze existing structure. Erect new 6-unit, 4 story multi-family with garage parking.

Discussion: At the request of the applicant **this case has been Dismissed Without Prejudice.**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

CALL OF THE CHAIR:12:00Noon.

Case: BOA-749878, **Address:** 76 Easton Street , **Ward 22 Applicant:** T-Mobile Northeast, LLC
Article(s): 9(9-2) 51(51-8)
Purpose: Change of Occupancy to include Wireless Telecommunications Facility. All work will be done pursuant to the plans provided herein. The applicant proposes to construct a new Wireless Telecommunications Facility on the roof of the existing building.

RECOMMENDATIONS:

(The Zoning Advisory Subcommittee held hearings for the following cases on April 26, 2018. Board Secretary Mark Fortune reported the Subcommittee's recommendations from these hearings to the Board.)

Case: BOA-808994, **Address:** 34 Green Street **Ward: 2 , Applicant:** Keith Hinzman
Article(s): 62(62-25) 62(62-8)
Purpose: Front dormer addition facing Green Street, rear dormer addition facing rear yard at existing attic level. Existing finished space with existing bedroom and existing bathroom to be renovated and expanded to create two modest bedrooms by making use of new floor space with adequate headroom for the new living space. Renovation of 288 SF of existing space, new 152 SF of living space created by new dormers.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-833291, **Address:** 279-281 Hanover Street **Ward: 3 , Applicant:** Anthony Virgilio
Article(s): 9(9-1) 54(54-13)
Purpose: To renovate dentist office to include basement area as per plans,

Case: BOA-814496, **Address:** 72 Montgomery Street **Ward:** 4 , **Applicant:** Jeffrey Klug
Article(s): 64(64-9)
Purpose: Add Balcony to second floor.

Case: BOA-834570, **Address:** 550 East Seventh Street **Ward:** 7, **Applicant:** Tommy Noto
Article(s): 68(68-7)
Purpose: Assemble a 16ft x 28ft OD above-ground pool on same foot print of previous above-ground pool.

Case: BOA-817264, **Address:** 33-39 South Huntington **Ward:**10 , **Applicant:** Douglas George
Article(s): 59(59-7)
Purpose: Change of Occupancy to include nail salon and renovate as per plans.

Case: BOA-774050, **Address:** 32 Howard Avenue **Ward:** 13, **Applicant:** Fidel Jones
Article(s): 50(50-29)
Purpose: Extension of unit 2 (2nd floor) living space into basement.

Case: BOA-827023, **Address:** 33 Lawley Street **Ward:** 16, **Applicant:** John Pokolske
Article(s): 65(65-9)
Purpose: Deck and handicap ramp on right side of house.

Case: BOA-827845, **Address:** 38-42 Hyde Park Avenue **Ward:** 19, **Applicant:** Margaret Pimentel
Article(s): 55(55-40) 55(55-16)
Purpose: Change of Occupancy from 9 Res Units and Retail Space to 9 Res Units and Restaurant with takeout (Achilitos Taqueria). Add new kitchen hood.

Case: BOA-833400, **Address:** 23-25 Chestnut Square **Ward:** 19 , **Applicant:** Wim Dekok
Article(s): 10(10-1) 55(55-40) 55(55-8)
Purpose: Off-Street Parking for 1 Car to be used by 19 - 21 Chestnut Square.

Discussion: At the request of the applicant **this case has been Deferred to July 31, 2018.**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-836779, **Address:** 638 South Street **Ward:** 19, **Applicant:** Michael Tully
Article(s): 67(67-9.1: Floor Area Ratio & Height Excessive)
Purpose: Attic renovation. Office, bathroom and 1bedroom

Case: BOA-819905, **Address:** 160 Russett Road, **Ward:** 20, **Applicant:** Tomasz Adach
Article(s): 56(56-8)
Purpose: Adding a room on the 2nd floor on the top of 1st floor room plus a dormer.

Case: BOA-824678, **Address:** 301-303 Corey Street **Ward:** 20 , **Applicant:** Michael Kelly
Article(s): 9(9-1) 56(56-8)
Purpose: Enclose front porch to make part of the living space and remove partition wall that separates bedroom from the porch.

Case: BOA-807547, **Address:** 211 Roslindale Avenue **Ward:** 20, **Applicant:** Erin Doherty
Article(s): 67(67-9: Floor Area Ratio & Building Height Excessive; Side Yard Insufficient)
Purpose: Renovate unfinished portion of third floor to add an additional bedroom and bathroom.

Case: BOA-806508, **Address:** 69-71 Fayston Street **Ward:** 14 , **Applicant:** Vargas Dasilveira
Article(s): 50(50-29)

Purpose: Extend living space to basement for Unit #2 to existing two family dwelling.

(After presentation of the Zoning Advisory Subcommittee Recommendations, a board member moved to accept the Subcommittee's recommendations, a member seconded the motion and the Board voted unanimously to accept the recommendations.)

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

BOARD MEMBERS Present:
CHRISTINE ARAUJO- CHAIR ABSENT
MARK FORTUNE-SECRETARY
MARIE ST. FLEUR
BRUCE BICKERSTAFF
MARK ERLICH-ACTING CHAIR
ANTHONY PISANI
CRAIG GALVIN-ABSENT

SUBSTITUTE MEMBERS: KERRY WALSH-LOGUE, EUGENE KELLY

**For a video recording of Board of Appeal Hearings please go to:
https://www.cityofboston.gov/cable/video_library.asp**

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