



City of Boston
Board of Appeal

TUESDAY, NOVEMBER 9, 2021

BOARD OF APPEAL

CITY HALL ROOM 801

HEARING MINUTES

Board Chair 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 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 Mark Fortune:

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON NOVEMBER 9, 2021 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS NOVEMBER 9, 2021 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE NOVEMBER 9, 2021 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE WEBEX EVENT PLATFORM.

Interested persons can participate in the hearing REMOTELY by going to <https://bit.ly/November9zbaHearing> or by calling 1-617-315-0704 and entering access code 2338 205 3605. If you wish to offer testimony on an appeal, please click <https://bit.ly/zbaNovember9Comment>, to 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/zbaNovember9Comment>, calling 617-635-5300 or emailing zba.ambassador@boston.gov.



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The ZBA Ambassador will be available within the WebEx 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 WebEx. 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, if connected by video, or dial *3, if connected by phone. The requester will be administratively unmuted and 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 appear in person at 1010 Mass Ave. 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. Individuals appearing 1010 Mass Ave without an appointment will not be permitted to enter.

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 OR FROM BPDA BOARD ROOM. IT IS STRONGLY ENCOURAGED THAT WRITTEN COMMENTS BE SUBMITTED TO THE BOARD AT LEAST 48 HOURS PRIOR TO THE HEARING. WHEN DOING SO, PLEASE INCLUDE IN THE SUBJECT LINE THE BOA NUMBER, THE ADDRESS OF THE PROPOSED PROJECT AND THE DATE OF THE HEARING.



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APPROVAL OF THE HEARING MINUTES: 9:30AM

October 19, 2021

Discussion/Vote: Upon a Motion and second, the Board voted unanimously to approve the hearing minutes.

APPROVAL OF THE BOARD POLICY AND PROCEDURES MANUAL: 9:30AM

The Board will vote on whether to officially adopt the draft Board Policies and Procedures Manual. If adopted, the manual will become available online at the Board's website.

Discussion/Vote: Upon a Motion and second, the Board voted unanimously to defer this until the call of the chair , so the Board can review it further.

EXTENSIONS: 9:30AM

Case: BOA-940063 Address: 3 Aspinwall Road Ward 17 Applicant: Michael P Ross, Esq

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

Vote: Upon a Motion and second, the Board voted unanimously to approve the request with a new date of March 14, 2023 subject to all applicable tolling.

Case: BOA-810882 Address: 40 Harding Road Ward 18 Applicant: Alex Burk

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

Vote: Upon a Motion and second, the Board voted unanimously to approve the request with a new date of November 30, 2022 subject to all applicable tolling.

Case: BOA-975774 Address: 9 Leyland Street Ward 8 Applicant: Sharon Cho

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

Vote: Upon a Motion and second, the Board voted unanimously to approve the request with a new date of February 27, 2023 subject to all applicable tolling.

Case: BOA-823589 Address: 73 Rutland Street Ward 9 Applicant: Timothy Burke, AIA

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

Vote: Upon a Motion and second, the Board voted unanimously to approve the request with a new date of February 11, 2022 subject to all applicable tolling.



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Case: BOA-938002 Address: 208 Harold Street Ward 12 Applicant: Derric Small, Esq

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

Vote: Upon a Motion and second, the Board voted unanimously to approve the request with a new date of November 9, 2022 subject to all applicable tolling.

Case: BOA-1023631 Address: 1599 Columbus Avenue Ward 11 Applicant: Emily Loomis

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

Vote: Upon a Motion and second, the Board voted unanimously to approve the request with a new date of May 15, 2023 subject to all applicable tolling.

Case: BOA-946259 Address: 30 Cumberland Street Ward 4 Applicant: Hezekiah Pratt, AIA

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

Vote: Upon a Motion and second, the Board voted unanimously to approve the request with a new date of December 5, 2022 subject to all applicable tolling.

BOARD FINAL ARBITER: 9:30AM

Case: BOA-1151928 Address: 194-200 Shawmut Avenue Ward 3 Applicant: David A. Gottlieb

Discussion/Vote: Upon a Motion and second, the Board voted unanimously to defer this until December 14, 2021 at 9:30am.

Case: BOA-1082468 Address: 1515 River Street Ward 18 Applicant: Michael P. Ross, Esq

Discussion/Vote: Upon a Motion and second, the Board voted unanimously to approve this.



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BUILDING CODE ONLY: 9:30AM

Case: BOA#1194413 Address: 319 Marlborough Street Ward 5 Applicant: Doug Anderson

Purpose: Remove fire balconies at front and back of 319 Marlborough shared with 321 Marlborough as noted on drawings. All costs associated with ALT1161074. Filed in conjunction with A1180141 (321 Marlborough Street).

Violation Violation Description Violation Comments 9th 780 CMR IEBC 805 Means of Egress 805.3.1 Minimum number. Every story utilized for human occupancy on which there is a work area that includes exits or corridors shared by more than one tenant within the work area shall be provided with the minimum number of exits based on the occupancy and occupant load in accordance with the International Building Code.

9th 780 CMR 1016 Exit Access 1016.2 Egress through intervening spaces. Means of egress from dwelling units or sleeping areas shall not lead through other sleeping areas, toilet rooms or bathrooms.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail saying that adjacent buildings triggered the violations.

Board members asked about plans, relief, and what triggered the violations.

Documents/Exhibits: Building Plans.

Votes: Board Member Robinson moved to approve, Ligris seconded and the motion carried unanimously.

Case: BOA#1251685 Address: 353 Beacon Street Ward 5 Applicant: Michael and Julie Durbin

Purpose: Build a new BBAC approved roof deck per architectural plans and replace the rubber roof. Interior work to achieve new stair to roof.

Violation Violation Description Violation Comments 9th 780 CMR 1011 Stairways 1011.2 (Width and capacity) 34" < 36" min width stairway req'd 9th 780 CMR 1011 Stairways 10.11.12.2 (Roof access) Roof hatch provided; penthouse req'd.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to renovate and provide access to the roof deck, and remodel the bathroom.

Board members asked about plans, and the renovation.

Documents/Exhibits: Building Plans.

Votes: Board Member Robinson moved to approve, Ligris seconded and the motion carried unanimously.



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HEARINGS: 9:30AM

Case: BOA-1101473 Address: 473 Meridian Street Ward 1 Applicant: Bianca Darcangelo

Article(s): Article 27T 5 East Boston IPOD Applicability Article 53 Section 56 Off Street Parking & Loading Req - Insufficient parking Article 53, Section 52 Roof Structure Restrictions - Existing Roof line/ roof profile reconfiguration Article 53 Section 8 Use Forbidden (MFR in a two family zone) Article 53 Section 9 Excessive F.A.R. (.6 ratio max) Article 53 Section 9 # of allowed stories has been exceeded (2.5 stories max) Article 53 Section 9 Maximum allowed height has been exceeded (35' max.) Article 53 Section 9 Insufficient side yard setback (10' req.) Article 53 Section 9 Insufficient rear yard setback (40' req.)

Purpose : Change occupancy from a 2 family(2 1/2 story) to a four family(4 story) residential dwelling by erecting an addition and new rear decks as per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to renovate and preserve a 2-family dwelling. The life safety systems are also being updated.

Board members asked about plans, the rooftop addition 4th unit, the basement space, parking, and the rear yard setback.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support. An abutter is in opposition, and Councilor Edwards is remaining neutral.

Documents/Exhibits: Building Plans, letter of support and opposition.

Votes: Board Member Ruggiero moved to approve with BPDA design review, Fortune seconded, Araujo opposed and the motion carried 7-1.

Case: BOA-1244731 Address: 6 Chelsea Terrace Ward 1 Applicant: Alex Graora

Article(s): Article 27T 5 East Boston IPOD Applicability Article 32, Section 4. GCOD, Applicability Article 89, Section 4 Urban Farm, Ground Level -All Farm Structure (Greenhouse) shall be set back five (5) feet from all property lines in all Districts and Subdistricts. Article 53, Section 56 Off Street Parking & Loading Req -Off Street Parking Insufficient Article 53, Section 9 Rear Yard Insufficient

Purpose : Construction of a single-story greenhouse and associated electrical and water services, with ground loop geothermal as sole source of heating/cooling.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to operate a year-round greenhouse.

Board members asked about plans, size, public access, parking and loading.

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

Documents/Exhibits: Building Plans, letters of support.

Votes: Board Member Ruggiero moved to approve with BPDA design review, Ligris seconded and the motion carried unanimously.



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Case: BOA-1238232 Address: 17 Upton Street Ward 3 Applicant: Marc LaCasse

Article(s): Article 64, Section 9.4 Town House/Row House Extension -Proposed deck projects into rear yard.

Purpose: Exterior work as per plan to include construction of 2 rear decks and roof deck. Amendment to ALT1115705.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build access to the roof deck through a hatch.

Board members asked about plans, brackets, supports, and the roof decks.

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

Documents/Exhibits: Building Plans, letter of opposition.

Votes: Board Member Robinson moved to approve the building code, and Ruggiero seconded, the motion carried unanimously. Robinson then moved to approve the project, Erlich seconded, and the motion carried unanimously.

Case: BOA-#1238235 Address: 17 Upton Street Ward 3 Applicant: Marc LaCasse

Purpose: Exterior work as per plan to include construction of 2 rear decks and roof deck. Amendment to ALT1115705.

Violation Violation Description Violation Comments 9th 780 CMR 1011 Stairways 1011.12.2 ROOF ACCESS: Where a stairway is provided to a roof, access to the roof shall be provided through a penthouse complying with section 1510.2.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build access to the roof deck through a hatch.

Board members asked about plans, brackets, supports, and the roof decks.

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

Documents/Exhibits: Building Plans, letter of opposition.

Votes: Board Member Robinson moved to approve the building code, and Ruggiero seconded, the motion carried unanimously. Robinson then moved to approve the project, Erlich seconded, and the motion carried unanimously.



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Case: BOA-1247948 Address: 80-104 West Broadway Ward 6 Applicant: 80 West Broadway LLC

Article(s): Article 68, Section 7 Restaurant #37 Conditional Article 68, Section 7 General office Forbidden Art. 68 Sec. 07 Use Regs. - R&D product/prototype Forbidden Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Bldg Height Excessive (Feet) Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Rear Yard Insufficient Article 68, Section 29 Roof Structure Restrictions Article 68, Section 34.1 Conformity Ex Bldg Alignment Article 68, Section 34.2 Traffic Visibility Across Corner

Purpose : Preserve the façade of the existing Amrheins building, demolishing existing building and construct new five story office R&D building (general office and product development or prototype development), with ground floor restaurant & retail uses and below grade parking, per plans. Combining parcels: 0600111000, 0600110000, 0600109000, 0600108000, 0600108001, 0600107000, 0600106000, 0600106001, 0600105000, 0600104000, 0600101000, 0600093010. Takedown on separate permit. Also see ALT1245011, ALT1245017, ALT1245019, ALT1245021, ALT1245025, ALT1245029.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to combine parcels that were recently rezoned for lab and life science use.

Board members asked about plans, the lab use, office space, configuration, parking, and curb cut access.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Flynn and the Carpenter's union are in support. A representative for abutters is in opposition.

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved to approve with BPDA design review, Ligris seconded, and the motion carried unanimously.

Case: BOA- 1215337 Address: 12-14 Porter Street Ward 11 Applicant: K & K Development

Article(s): Art. 55 Sec. 09 Insufficient lot size 3000sf req. Art. 55 Sec. 09 Insufficient additional lot area per unit 1,000/unit Art. 55 Sec. 09 excessive f.a.r. .7 max. Art. 55 Sec. 09 Insufficient lot width 45' req. Art. 55 Sec. 09 Insufficient lot width frontage 45' req. Art. 10 Sec. 01 Limitation of parking areas -side yard buffering/side yard open space required areas

Purpose : Seeking to erect a two family dwelling with two parking spaces.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a 2 family with 2 parking spots.

Board members asked about plans, the lower level, basement space, and the unit sizes.

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

Documents/Exhibits: Building Plans, letter of support.

Votes: Board Member Ruggiero moved to approve with BPDA design review with special attention to the both the common space and bedrooms on the first level, and no bedrooms in the basement. Robinson seconded, Ligris recused, Erlich opposed, and the motion carried 5-2.



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Case: BOA- 1252191 Address: 25R-31R Ashland Street Ward 16 Applicant: 19 Ashland LLC, by its Atty Marc LaCasse

Article(s): Article 65, Section 32 NDOD Review Required Article 65, Section 42 2 buildings on the same lot Article 65, Section 42 front wall not parallel to front lot line Article 65, Section 42 Side wall not parallel to side lot line Article 65, Section 9 Dimensional Regulations -Location of main entrances not facing the front lot line Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient Art.65 Sec. 8 Use: Forbidden -Townhouse

Purpose : This structure is one of two main structures on the same lot as 19 23 Ashland to construct a new 3 story, four unit residential building (townhouse design) with enclosed parking for each unit per plan submitted.

New building shall be known as 25R 31R Ashland Street(See ALT1203097 filed in conjunction with this permit application.)

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change the occupancy to a 3 story 3 family while preserving the existing structure. Also to reconvert the yards

Board members asked about plans, lot size, current occupancy, rear yard setback, and parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Baker, and abutters are in support. A representative to abutters, and an additional abutter are in opposition. The BPDA recommended to defer.

Documents/Exhibits: Building Plans, letters of support and letters in opposition.

Votes: Board Member Erlich moved to deny without prejudice, Robinson seconded, and the motion carried unanimously.

Case: BOA- 1252200 Address: 19-23 Ashland Street Ward 16 Applicant: 19 Ashland LLC, by its Atty Marc LaCasse

Article(s): Art. 65 Sec. 02 Conformity with Existing Building Alignment Street modal not provided to verify compliance Art. 65 Sec. 43 Ext. of non conforming use -Townhouse use forbidden. Extended 1 more unit Art.65 Sec. 42 Appl of Dimensional Reqs -Front wall not parallel to front lot line Article 65, Section 42 Application of Dimensional Req -Side wall not parallel to side lot line Article 65, Section 42 Application of Dimensional Req -Two buildings on the same lot Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Rear Yard Insufficient Article 65, Section 32 NDOD Review Required

Purpose :Change of Occupancy on 19 23 Ashland street from a two family to a 3 story, three family residential dwelling (townhouse design) with four enclosed garage spaces and one surface parking space. This application has been filed in conjunction with ERT1203099 for the proposal of two buildings on the same lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change the occupancy to a 3 story 3 family while preserving the existing structure. Also to reconvert the yards

Board members asked about plans, lot size, current occupancy, rear yard setback, and parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Baker, and abutters are in support. A representative to abutters, and an additional abutter are in opposition. The BPDA recommended to defer.

Documents/Exhibits: Building Plans, letters of support and letters in opposition.

Votes: Board Member Erlich moved to deny without prejudice, Robinson seconded, and the motion carried unanimously.



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Case: BOA-1203302 Address: 56 Oakridge Street Ward 17 Applicant: Derick D Joyner

Article(s): Art.65 Sec. 8 Use: Forbidden -3F In 1F Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Rear Yard Insufficient

Purpose : To demolish existing single family and erect 3 family dwelling with 3 parking spaces at rear of building.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a 3 family with 3 parking spots, that is contextual with no roof deck.

Board members asked about plans, height, parking, and the floor area ratio.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services, multiple abutters, and the Lower Mills Civic Association are in opposition. An abutter is in support. Councilor Campbell is in non-opposition.

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved to deny without prejudice, Dong seconded, Ruggiero opposed and Ligris recused. The motion carried 5-2.

Case: BOA-1203304 Address: 60 Oakridge Street Ward 17 Applicant: Derick D Joyner

Article(s): Art.65 Sec. 8 Use: Forbidden - 3F in 1F Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Width Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Rear Yard Insufficient

Purpose : To erect a three family dwelling with three parking spaces in the rear.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a 3 family with 3 parking spots, that is contextual with no roof deck.

Board members asked about plans, height, parking, and the floor area ratio.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services, multiple abutters, and the Lower Mills Civic Association are in opposition. An abutter is in support. Councilor Campbell is in non-opposition.

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved to deny without prejudice, Dong seconded, Ruggiero opposed and Ligris recused. The motion carried 5-2.



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Case: BOA-1234757 Address: 1230 Soldiers Field Road Ward 22 Applicant: Morrissey Construction Corp.

Article(s): Article 51, Section 16 Use Regulations - Research Laboratory Use:Conditional

Purpose: Change of occupancy to include research laboratory. Project scope includes construction of new non-structural interior partitions including glass and paint, doors and frames, flooring, ceiling and lights, plumbing, cabinetry and any MEP/FP work as needed.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to include laboratory use in the occupancy for blood processing. This is an existing lab space and there will be no virus handling at this facility.

Board members asked about plans, the proposal, ventilation, and the Harvard Master Plan.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services, the Allston Civic Association, and the Carpenter's Union are in support.

Documents/Exhibits: Building Plans, letters of support.

Votes: Board Member Ruggiero moved to approve with the provisos that this is for this applicant only and this be removed from Harvard's Master Plan. Robinson seconded and the motion carried unanimously.

Case: BOA-1039521 Address: 100 Leo M Birmingham Parkway Ward 22 Applicant: John Pulgini

Article(s): Article 51, Section 16 Use Regulations - Marijuana Retailer (Cannabis Establishment) Use: Conditional
Article 51, Section 16 Use Regulations - Marijuana Product Manufacturer Use Forbidden Article 51, Section 16
Use Regulations - Cannabis establishment shall be sited at least one half mile or 2,640 feet from another
existing cannabis establishment

Purpose :Change of Occupancy from Offices to Marijuana Retailer and Marijuana Product Manufacturer.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting a cannabis establishment in a commercial district. This will include T and blue bike passes to staff.

Board members asked about plans, retail space, plans, security, hours of operation, traffic flow, parking, and loading.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Breadon are in non-opposition. Representative Moran spoke in support. The Allston-Brighton civic Association and multiple abutters are in opposition.

Documents/Exhibits: Building Plans, letters of support.

Votes: Board Member Ruggiero moved to approve with BPDA design review with screening and buffering, BTD review, and this applies to this petitioner only. Ligris seconded, Robinson opposed, and the motion carried 6-1.



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HEARINGS:11:00AM

Case: BOA-1202676 Address: 3 Ardee Street Ward 1 Applicant: Garrett Riddle

Article(s): Article 53, Section 9 Rear Yard Insufficient Article 53, Section 9 Bldg Height Excessive (Feet)

Article 53, Section 52 Roof Structure Restrictions

Purpose: Add stairs and roof deck

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting a head house saying the interior ceiling height makes it necessary,

Board members asked about plans, the head house, the layout, and why not use a hatch.

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

Documents/Exhibits: Building Plans, letters of support.

Votes: Board Member Robinson moved to approve with BPDA design review to eliminate the head house.

Case: BOA-1248170 Address: 1154-1160 Washington Street Ward 3 Applicant: Boston City Lights Foundation, Inc

Article(s): Art. 65 Sec. 64 34 Restricted Roof Structure District -Conditional Article 64, Section 19 Max allowed height exceeded Conditional Article 64, Section 19 Extension of nonconforming f.a.r. 3.0 max. (Article 9 1 inclusive Conditional)

Purpose :Combine existing roof storage structure with Unit 8 by use of internal staircase.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build access to unit 9 through an interior staircase. The penthouse and the height are existing.

Board members asked about plans, square footage, and the configuration.

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

Documents/Exhibits: Building Plans, letters of support.

Votes: Board Member Robinson moved to approve with no building code relief. Ruggiero seconded and the motion carried unanimously.



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Case: BOA-1252953 Address: 595-603 Newbury Street Ward 5 Applicant: Thibeault Development

Article(s): Article 32, Section 4. GCOD, Applicability Article 13, Section 1 Rear Yard Insufficient Article 13, Section 1 Front Yard Insufficient Article 13, Section 1 Usable Open Space Insufficient Article 13, Section 1 Floor Area Ratio Excessive Article 24, Section 1 Off Street Loading Bay Req - Off Street Loading Insufficient Article 23, Section 1 Off Street Parking Req - Off Street Parking Insufficient

Purpose : Seeking to change the occupancy from a commercial building to a residential building, which will include seventy one units. Also, to renovate the existing structure and construct a four story addition.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a 4-story addition on a 3-story structure totaling 71 dwelling units, keeping the original structure.

Board members asked about plans, bedroom count, unit size, balconies, roof decks, elevators, outdoor space, and affordability.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Bok is in support. An abutter is in opposition.

Documents/Exhibits: Building Plans.

Votes: Board Member Robinson moved to approve with BPDA design review, Erlich seconded, Ligris recused, and the motion carried unanimously.

Case: BOA-1241057 Address: 99 Williams Street Ward 11 Applicant: Joseph Federico

Article(s): Article 55, Section 9 Floor Area Ratio Excessive Article 55, Section 9 Rear Yard Insufficient Article 55, Section 9 Add'l Lot Area Insufficient Article 55, Section 8 Use Regulations - Multi Family Dwelling Use:Forbidden Article 55, Section 40 Off Street Parking & Loading Req Off Street Parking Insufficient

Purpose: Combine two lots (Parcel ID 1102781000 & 1102782000) into a newly created single lot to be 7,200 SF. Erect a new Multi Family Dwelling (6 units).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build two mimicked 3 family homes on 2 existing vacant lots.

Board members asked about plans, unit breakdown, basement space, and the parking lot.

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

Documents/Exhibits: Building Plans, letters of support.

Votes: Board Member Robinson moved to approve with BPDA design review, Dong seconded and the motion carried unanimously.



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Case: BOA- 1246949 Address: 903 Beacon Street Ward 21 Applicant: 903 Beacon LLC

Article(s): Article 61, Section 8 Side yard is insufficient Article 61, Section 8 Rear yard is insufficient
Article 61, Section 8 Additional lot area is insufficient

Purpose :Change building from 1 unit to 3 units to reflect past and current use. Addition of 128 SF rear balcony.
Addition of 330 SF roof deck with 30" tall roof hatch. Change existing garage structure to carport in same dimensions.
Addition of NFPA 13D automatic sprinkler system + fire alarm system.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change the occupancy to a 3 family and resolve any existing occupancy issues.

Board members asked about plans, before the Board before, and carport.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Bok, and the Mt. Auburn Association are in support.

Documents/Exhibits: Building Plans, letter of support.

Votes: Board Member Robinson moved to approve, Ruggiero seconded and the motion carried unanimously.

RECOMMENDATIONS: 11:30AM

Case: BOA-1252089 Address: 3 Lexington Street Ward: 2 Applicant: Alix Israel

Article(s): Art. 62 Sec. 62 25 Roof Structures Restricted -Roof reconfiguration via addition and the construction of a walk out roof deck on the 2nd story level. Art. 62 Sec. 30 10. Rear yard of certain shallow lots; Insufficient rear yard setback Article 62,Section 8 Insufficient side yard setback on left side Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. - Extension of non conforming dimensional of building <25% conditional (i.e. front, side, rear)

Purpose :Construct an addition in rear and renovate existing single family home to include the extension of living space into the basement area per plans submitted.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build a shed dormer off of the back with two doghouse dormers off the front. The dwelling is already an existing non-conforming building.

Board members asked about plans, proposed basement use, grade, and height. The Board confirmed with the applicant that there would be no bedrooms in the basement, and that adequate egress from the basement existed.

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

Documents/Exhibits: Building Plans, letter of support.

Votes: Board Member Robinson moved to approve with BPDA design review and no building code relief for height of the basement. Fortune seconded and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA- 1235458 Address: 11 Atlantic Street Ward: 7 Applicant: Jeremy Sears

Article(s): Article 68, Section 8 Add'l Lot Area Insufficient Article 68, Section 8 Side Yard Insufficient
Article 68, Section 8 Front Yard Insufficient Article 68, Section 29 Roof Structure Restrictions

Purpose : Confirm occupancy as a one family and change to two family. Complete interior renovation, basement and roof structural work, and install new roof deck.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting a deferral to allow more time to lower the roof and rework the plans.

Votes: Board Member Fortune moved to defer, Robinson seconded and the motion carried unanimously. The new date will be December 9th at 5:00pm

Case: BOA-1223671 Address: 9 O'Connell Road Ward: 17 Applicant: Daniel Wyneken

Article(s): Article 65, Section 9 Rear Yard Insufficient

Purpose : Remodel (1) full bathroom, (1) 1/2 bathroom and kitchen per plans. Demo existing landing deck and install new deck per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to move the door to the rear by the kitchen and deck. They are only 6ft in violation to the rear yard.

Board members asked about plans, and the rear yard setback. The Board confirmed with the applicant that the landing deck was the sole violation for the project. The applicant also represented that the landing deck was necessary to access the new door and was not sizable enough to function as anything other than a means of access.

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

Documents/Exhibits: Building Plans, letter of support.

Votes: Board Member Robinson moved to approve, Fortune seconded and the motion carried unanimously.

Case: BOA-1253575 Address:57 Thatcher Street Ward: 18 Applicant: Ernest Moise

Article(s): Article 69, Section 8 Use: Forbidden - 2F in 1F zone Article 69, Section 9 Side Yard Insufficient

Purpose : Change of occupancy from a 1 family to a 2 family residential home. New wood frame addition to rear of existing home with 2nd floor rear deck/egress stair and additional parking at rear of property.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to remove the existing addition that was incorrect. They are going to rebuild and enhance, and the work will move the home away from the property line and reduce existing violation.

Board members asked about plans, parking, violations, the sub zoning district, and rear yard setback. The applicant explained that a previous contractor had done a poor job in constructing the original addition. The applicant represented that the new addition will be constructed in a better manner than the original.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Robinson moved to approve with BPDA design review with special attention to the roofline. Fortune seconded and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1208427 Address: 1068 Truman Parkway Ward:18 Applicant: Kenneth Fogarty
Article(s): Article 69, Section 9 Rear Yard Insufficient Art. 69 Sec.23 Neighborhood Design O.D.
Purpose : Add addition with new kitchen remodel as per plan.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to add an addition to the rear and expand the kitchen and create an additional bathroom with a walk in closet. The new project would be 37 ft off the lot line, the required is 40.

Board members asked about plans and the boundary lines.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Robinson moved to approve with BPDA design review, Fortune seconded and the motion carried unanimously.

Case: BOA-1225513 Address: 7 Cataumet Street Ward: 19 Applicant: Bond Worthington
Article(s): Art. 55 Sec. 09 Excessive F.A.R. Art. 55 Sec. 09 Insufficient rear yard setback
Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg.- Extension of dwellings non conforming right side yard setback <25% 12' min. req.
Purpose : Construct 2 story addition to existing single family home in the rear yard. New addition will replace existing 3 season porch.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting a garage below, this is already a pre-existing non-conforming structure. The required is a 12ft setback and the addition will create a 7ft setback.

Board members asked about plans, footprint, extension, and the rear lot line.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Robinson moved to approve with BPDA design review, Fortune seconded and the motion carried unanimously.

Case: BOA-1244821 Address: 16 Courtney Road Ward: 20 Applicant: Mai Phung
Article(s): Article 53, Section 9 Usable Open Space Insufficient Article 53, Section 9 Front Yard Insufficient
Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient
Purpose : Proposed to construct a two and half story addition of 20' x 26.5' at the rear of an existing structure with full basement, kitchen and family room on first floor and master bathroom and full bath on second floor (as per plans).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting a deferral.

Votes: Board Member Fortune moved to defer, Robinson seconded and the motion and the motion carried unanimously. The new date will be December 9th at 5:00pm.



City of Boston
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Case: BOA-1246732 Address: 106 Westmoor Road Ward: 20 Applicant: Jonathan Hamblin

Article(s): Article 56, Section 8 Front Yard Insufficient

Purpose : Addition: techno post footings, frame, insulation, electrical work, sheetrock, windows Dormers: Frame, electrical work, plumbing, insulation, sheetrock, windows Residing the all house Roofing Remove the chimney.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting 3 dormers to the front of the home and extend them over and above the front porch.

Board members asked about plans, height, and the pitch in the rear.

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

Documents/Exhibits: Building Plans, letters in support.

Votes: Board Member Robinson moved to approve with BPDA design review, Fortune seconded and the motion carried unanimously.

Case: BOA-1194620 Address: 33 Bartlett Street Ward: 2 Applicant: Timothy Sheehan

Articles: Art. 62 Sec. 25 Roof Structure Restrictions Article 62, Section 8 Side Yard Insufficient

Purpose : This is the renovation of an existing third floor attic. The renovated space will consist of a master bedroom along with bath and guest bedroom. The existing gable roof will be enlarged with the addition of shed and gable dormers.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting a deferral.

Votes: Board Member Robinson moved to defer, Fortune seconded and the motion carried unanimously. The new date will be December 9th, 2021 at 5:00pm.

RE-DISCUSSIONS: 12:30PM

Case: BOA-1213818 Address: 1209 Bennington Street Ward 1 Applicant: Zuelma Flores

Articles: Article 53, Section 9 Rear Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Front Yard Insufficient Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 56 Off Street Parking & Loading Req Off Street Parking Insufficient Article 53 Section 8 Use Regulations Multi Family Dwelling Use : Forbidden Article 27T 5 East Boston IPOD Applicability

Purpose: Erect a 3 story Multi Family Dwelling (6 residential units) with roof deck and parking for five (5) vehicles. Raze existing building to be filed under SF1203017.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build new 6 unit residential dwelling with 5 parking spaces over a preexisting 2 family, with a roof deck accessed by hatch.

Board members asked about plans, square footage, the roof deck, and the existing footprint.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, and Councilor Edwards is in opposition.

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved to deny without prejudice, Robinson seconded, Ligris opposed, Ruggiero recused, and the motion carried 5-2.



City of Boston
Board of Appeal

Case: BOA- 1173654 Address: 9 Russell Street Ward 2 Applicant: 9 Russell Street, LLC

Articles: Article 62, Section 25 Roof Structure Restrictions Article 62, Section 8 Bldg Height Excessive (Stories) Article 62, Section 8 Bldg Height Excessive (Feet) Article 62, Section 8 Side Yard Insufficient Article 62, Section 8 Rear Yard Insufficient Article 62, Section 29 Off Street Prkg and Loading Req-Off Street Parking Insufficient

Purpose : Confirm occupancy as existing single. To consolidate Parcel ID 0200675000, Parcel ID 0200682000, and Parcel ID 0200681000 to form one new lot containing 3,523 SF. Also, to change the occupancy from a one family to a three family, renovate, and erect front, side and vertical additions

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a new 3 family in a 3-family district with no parking.

Board members asked about plans, the address, configuration, rear yard, retaining wall, rear bedrooms, change in grade, and the egress.

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

Documents/Exhibits: Building Plans, letter of opposition.

Votes: Board Member Erlich moved to deny, Ruggiero seconded, Ligris opposed, and the motion carried 6-1.

Case: BOA-1084622 Address: 520 East Broadway Ward 6 Applicant: Max and Donna Rans

Article(s): Article 68, Section 33 Off-Street Parking & Loading Req -Access via Easement (Maneuvering areas on own lot).

Purpose: Construct a single surface parking space accessed via 518 East Broadway secured by an Easement recorded in the Suffolk County Registry of Deeds Book 43841, Page 148 *Application filed in conjunction with ALT1058818 for appeal (Clarification easement deed provided 5.13.20 Book 46358, Page 77)

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to renovate and add a rear addition with two roof decks. This will continue to be homeowner occupied.

Board members asked about plans, roof decks, plans, the existing building, and the F.A.R.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Bok, Councilor Flynn, an abutter and a neighbor are in opposition. Multiple abutters and a representative for abutters are in opposition. Councilor Flaherty is in non-opposition. BTB says the small space should be removed and the curb cut should be no more than 10 ft.

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved to approve with BPDA design review, Ligris seconded, and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA- 1084625 Address: 520 East Broadway Ward 6 Applicant: Max and Donna Rans

Article(s): Art 68 Sec 8 Dim reg app in res sub dist - Extensions into rear yard gross floor area increase > 1,000sf (variance cited on newly revised and re-reviewed plans 8.26.29)

Art 68 Sec 8 Dim reg app in res sub dist - Insufficient side yard setback (6.3.21 previous new variance required based on modified plans) Art.68 Sec 29 Roof Structure Restrictions - ROOF Deck access via head house (6.3.21 previous new variance based on modified plans/updated plans 8.26.21 show two means of stair egress from roof)

Article 68, Sec. 29 Roof Structure Restrictions - Reconfiguration of roof profile (i.e. four story addition above ground story parking) Article 68, Sec. 33 Off-Street Parking & Loading - Req Design, Access and maneuvering areas

Article 68, Section 8 Dimensional Regulations - Height exceeded (35' max)

Purpose: This project will convert an existing 1 family dwelling to a multi-family residential dwelling with FOUR units by renovating the interior of the structure and constructing a four (4) story addition in the rear over a lower level garage. See UOP#491072032 for off street parking/easement access.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to renovate and add a rear addition with two roof decks. This will continue to be homeowner occupied.

Board members asked about plans, roof decks, plans, the existing building, and the F.A.R.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Bok, Councilor Flynn, an abutter and a neighbor are in opposition. Multiple abutters and a representative for abutters are in opposition. Councilor Flaherty is in non-opposition. BTB says the small space should be removed and the curb cut should be no more than 10 ft.

Documents/Exhibits: Building Plans.

Votes: Board Member Erlich moved to approve with BPDA design review, Ligris seconded, and the motion carried unanimously.

Case: BOA-1183021 Address: 259 Gold Street Ward 7 Applicant: David Nadeau

Articles: Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Bldg Height Excessive (Feet) Article 68, Section 29 Roof Structure Restrictions

Purpose: Owner occupants of 259 Gold Street Unit 3 and Unit 4 to build roof deck.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build roof decks.

Board members asked about plans, and the hatches.

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

Documents/Exhibits: Building Plans, letters of support and letters in opposition.

Votes: Board Member Robinson moved to approve the building code relief, Erlich seconded and the motion carried unanimously. Board Member Erlich moved to approve the proposal, Ruggiero seconded, Dong opposed, and the motion carried 6-1.



City of Boston
Board of Appeal

Case: BOA#1183236 Address: 259 Gold Street Ward 7 Applicant: Davvid Nadeau

Purpose: Owner occupants of 259 Gold Street Unit 3 and Unit 4 to build roof deck.

Violation: Violation Description: 9th 780 CMR 1011 Stairways Violation Comments: 1011.12.2 Roof access. Where a stairway is provided to a roof of 4 or more stories, access to the roof shall be provided through a penthouse complying with Section 1510.2

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to build roof decks.

Board members asked about plans, and the hatches.

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

Documents/Exhibits: Building Plans, letters of support and letters in opposition.

Votes: Board Member Robinson moved to approve the building code relief, Erlich seconded and the motion carried unanimously. Board Member Erlich moved to approve the proposal, Ruggiero seconded, Dong opposed, and the motion carried 6-1.

Case: BOA-1202544 Address: 26 Elmore Street Ward 12 Applicant: Delince Louis

Articles: Art. 50 Sec. 29 Lot Size to erect a new dwelling is insufficient Art. 50 Sec. 29 Lot width requirement is insufficient Art. 50 Sec. 29 Lot frontage requirement is insufficient Art. 50 Sec. 29 Floor area ratio requirement is insufficient Art. 50 Sec. 29 Usable open space requirement is insufficient Art. 50 Sec. 29 Front yard setback requirement is insufficient Art. 50 Sec. 29 Side yard setback requirement is insufficient Art. 50 Sec. 29 Rear yard setback requirement is insufficient Art. 50 Sec. 43 Off street parking insufficient - Off street parking requirements is insufficient

Purpose : Erect 3 Family Dwelling with roof Deck.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a 3 family with a roof deck while keeping the existing home.

Board members asked about plans, the zoning, current occupancy, why the lots aren't equal, and parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, an abutter, and a local neighborhood association are in opposition.

Documents/Exhibits: Building Plans, letters of support and letters in opposition.

Votes: Board Member Robinson moved to approve with BPDA design review, Fortune seconded, Araujo, Ruggiero and Dong opposed. The motion did not carry 4-3.



City of Boston
Board of Appeal

Case: BOA-1202547 Address: 21 Mayfair Street Ward 12 Applicant: Delince Louis

Articles: Art. 50 Sec. 29^Lot Area Insufficient - Rear yard setback requirement is insufficient

Purpose : Application to subdivide the lot at 21 Mayfair Street Roxbury in conjunction with ERT# 1172828 for 26 Elmore Street Roxbury.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a 3 family with a roof deck while keeping the existing home.

Board members asked about plans, the zoning, current occupancy, why the lots aren't equal, and parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, an abutter, and a local neighborhood association are in opposition.

Documents/Exhibits: Building Plans, letters of support and letters in opposition.

Votes: Board Member Robinson moved to approve with BPDA design review, Fortune seconded, Araujo, Ruggiero and Dong opposed. The motion did not carry 4-3.

Case: BOA-1249236 Address: 40-42 Terrace Street Ward 10 Applicant: Terrace Bravo, LLC, Kirby Liu

Article(s): Article 59, Section 18 Use Regulations - Use : Multifamily Dwelling : Forbidden

Purpose: Property is currently being built and permitted as affordable artist live/work housing under existing zoning. We are pursuing a zoning relief change to multifamily residential to allow the units to be sold to the wider affordable housing pool.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to allow the artist live in use to extend to a wider affordable pool.

Board members asked about plans, prior Board hearings, and unit count.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, and Councilor Bok are in support. The Office of Arts and Culture and DND are also in support.

Documents/Exhibits: Building Plans, letters of support and letters in opposition.

Votes: Board Member Ruggiero moved to approve, Fortune seconded and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA- 1249238 Address: 132 Terrace Street Ward 10 Applicant: Terrace Bravo, LLC, Kirby Liu

Article(s): Article 59, Section 18 Use Regulations - Use : Multifamily Dwelling : Forbidden

Purpose: Property is currently being built and permitted as affordable artist live/work housing under existing zoning. We are pursuing a zoning relief change to multifamily residential to allow the units to be sold to the wider affordable housing pool.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to allow the artist live in use to extend to a wider affordable pool.

Board members asked about plans, prior Board hearings, and unit count.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, and Councilor Bok are in support. The Office of Arts and Culture and DND are also in support.

Documents/Exhibits: Building Plans, letters of support and letters in opposition.

Votes: Board Member Ruggiero moved to approve, Fortune seconded and the motion carried unanimously.

Case: BOA-1166627 Address: 60 Stanley Street Ward 15 Applicant: John Pulgini

Articles: Art. 65 Sec. 08 Forbidden - 13 family use Article 65, Section 9 Front Yard: Min. 15' Proposed: 1' and 3' Article 65, Section 9 FAR Max. allowed: 0.4 Proposed: 1.72 Article 65, Section 42.3 Traffic Visibility Across Corner Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Sec 65 41 Off Street Loading Req.-spaces required: 1.5*13 units= 19.5. Proposed: 13 Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient

Purpose : To construct a new three story residential building with 13 residential units (UPDATED TO 8 RESIDENTIAL UNITS 03/03/21), with off street parking as per attached plans. To combine the 2 existing parcels; 1501963000 consisting of 3,995 SF and Parcel 1501692000 4,099 SF to create a new lot consisting 8,095 sqf

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting a deferral. Erlich moved to defer, Ruggiero seconded, and the motion carried unanimously. The new hearing date is January 11, 2022 at 12:30.



City of Boston
Board of Appeal

Case: BOA -1184796 Address: 12R Plain Street Ward: 16 Applicant: David Higgins

Articles: Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Rear Yard Insufficient Article 65, Section 42.13 Two or More Dwellings on Same Lot A Dwelling shall not be built to the rear of another Dwelling.

Purpose: Change of Occupancy from Existing Carriage House into a Single Family Dwelling. Construct new exterior stairway and new second floor with new roof structure. The foundation and some of the structure and walls will remain. All systems and utilities will be replaced. The floors and roof will be re framed.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to renovate the existing carriage house to a single family.

Board members asked about plans, the zoning district, lot size, and unit count.

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

Documents/Exhibits: Building Plans, letters of support and letters in opposition.

Votes: Board Member Ruggiero moved to approve with BPDA design review, Robinson seconded, Araujo opposed, and the motion carried 6-1.

Case: BOA- 1185582 Address: 12 George Street Ward 18 Applicant: Derric Small

Articles: Article 69 Section 29 Off Street Parking & Loading Req Off Street Parking Insufficient Article 69, Section 9 Rear Yard Insufficient Article 69, Section 9.3 Dim Regs: Location of Main Entrance Within the Residential Subdistricts, the main entrance of a Dwelling shall face the Front Lot Line. Article 69, Section 8 Use Regulations Townhouse (3 units) Use : Forbidden

Purpose: Confirm occupancy as existing single family. Change occupancy to Townhouse (three residential units). Erect two residential unit addition to the rear of the current structure.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting convert a 1 family into 3 residential units with parking.

Board members asked about plans, and the layout.

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

Documents/Exhibits: Building Plans.

Votes: Board Member Ruggiero moved to approve with BPDA design review, Ligris seconded and the motion carried unanimously.



City of Boston
Board of Appeal

Case: BOA-1209461 Address: 29 Priscilla Road Ward 21 Applicant: Jonathan Katz

Articles: Article 51, Section 9 Floor area ratio excessive

Purpose: Owner started the job under a short form permit sf1140732 at rough inspection the building inspector realized the scope of work required a long form I am working with the owner to complete the work. Scope of work includes finish of the basement to include a bedroom, bathroom and common space

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to finish the basement with a landing on the 1st floor connecting to the 2nd unit into the basement.

Board members asked about plans, layout, basement use, and the height.

Testimony: The Board then requested testimony from neighbors and elected officials. The Mayor's Office of Neighborhood Services is in non-opposition, and an abutter is in opposition.

Documents/Exhibits: Building Plans.

Votes: Board Member Ruggiero moved to deny, Erlich seconded, and the motion carried unanimously.

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

BOARD MEMBERS:

CHRISTINE ARAUJO- CHAIR
MARK FORTUNE-SECRETARY
MARK ERLICH
SHERRY DONG
JOSEPH RUGGIERO
ERIC ROBINSON
KOSTA LIGIRIS

SUBSTITUTE MEMBERS:

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

For a video recording of the November 9, 2021 Board of Appeal Hearing please go to: https://cityofboston.gov/cable/video_library.asp.