



HEARING MINUTES

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

PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON JULY 11, 2023 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.

ALL MATTERS LISTED ON THIS JULY 11, 2023 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.

PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:

THE JULY 11, 2023 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE ZOOM WEBINAR EVENT PLATFORM.

Interested persons can participate in the hearing REMOTELY by going to <https://bit.ly/ZBA2023Hearings>. You may also participate by phone by calling into the Zoom Webinar at (301) 715-8592 and entering the Webinar ID: 821 8044 0527 followed by # when prompted.

If you wish to offer testimony on an appeal, please click <https://bit.ly/July11Comment> 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.



City of Boston
Board of Appeal

For individuals who need translation assistance, please notify the Board at least 48 HOURS in advance either by signing up at <https://bit.ly/July11Comment>, calling 617-635-4775, or emailing zba.ambassador@boston.gov.

The ZBA Ambassador will be available within the Zoom Webinar Event from 8:30 AM to 9:30 AM to answer questions about ZBA procedures and offer instructions on how to participate in the hearing via Zoom. Questions and/or concerns can also be emailed to the ZBA Ambassador at zba.ambassador@boston.gov.

If you wish to offer comment within the meeting platform, please use the “Raise Hand” function that should appear on the bottom of your screen, if connected by computer or device, or dial *9, if connected by phone. On a computer or device, you will receive a request to unmute yourself from the event host. You must select yes before you can speak. On a phone, you will hear a prompt that the event host is asking you to unmute yourself. You must press *6 to unmute yourself before you can speak. Commenters will be asked to state their name, address and comment. Comments will be limited as time requires.

IF YOU WISH TO OFFER TESTIMONY ON AN APPEAL, PLEASE LOG IN TO THE HEARING NO LATER THAN 8:30AM TO ENSURE YOUR CONNECTION IS PROPERLY FUNCTIONING.

The hearing can also be viewed via live-stream on the City’s website at <https://www.boston.gov/departments/broadband-and-cable/watch-boston-city-tv>. Closed captioning is available.

Interested persons who are unable to participate in the hearing remotely may make an appointment to offer testimony. Please notify the Board at least 48 HOURS in advance either by calling 617-635-4775 or emailing isdboardofappeal@boston.gov for accommodations to be made.

MEMBERS OF THE COMMUNITY ARE STRONGLY ENCOURAGED TO HELP FACILITATE THE VIRTUAL HEARING PROCESS BY EMAILING LETTERS IN SUPPORT OF OR OPPOSITION TO AN APPEAL TO ZBAPublicInput@boston.gov IN LIEU OF OFFERING TESTIMONY ONLINE. IT IS STRONGLY ENCOURAGED THAT WRITTEN COMMENTS



City of Boston
Board of Appeal

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.



City of Boston
Board of Appeal

APPROVAL OF THE HEARING MINUTES: 9:30AM

APRIL 25, 2023

Discussion/Vote: Upon a motion and a second the Board moved to unanimously approve the hearing minutes.

EXTENSIONS: 9:30AM

Case: BOA-1046127 Address: 201-241 Stuart Street, Ward 5 Applicant: Michael Flannery, Esq

Discussion/Vote: Upon a motion and a second the Board moved to unanimously approve the extension until August 28, 2024.

Case: BOA-1192893 Address: 23 Newton Street Ward 22 Applicant: Scott Marder

Discussion/Vote: Upon a motion and a second the Board moved to unanimously approve the extension until August 13, 2023.

Case: BOA-1192938 Address: 25 Newton Street Ward 22 Applicant: Scott Marder

Discussion/Vote: Upon a motion and a second the Board moved to unanimously approve the extension until August 13, 2024.

Case: BOA-843335 Address: 42 Chestnut Street Ward 5 Applicant: Ian Urquhart

Discussion/Vote: Upon a motion and a second the Board moved to unanimously approve the extension until August 7, 2024.

GROUNDWATER CONSERVATION OVERLAY DISTRICT ONLY: 9:30AM

Case: BOA- 1463043 Address: 101 Chestnut Street Ward 5 Applicant: Timothy Burke

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

Purpose: GCOD Article 32 recharge system, as approved by Boston Water & Sewer Commission and designed by Nitsch Engineering. Also, repairs to wood piles and underpinning foundations to the South West Quadrant, per SF1345911. Cost shared with short form permit.

Discussion/Vote: Upon a motion and a second the Board moved to unanimously approve the appeal.

BUILDING CODE : 9:30AM

Case: BOA-1475953 Address: 169 Maverick Street Ward 1 Applicant: Trichilo Development, LLC

Purpose: Erect addition, renovate, and change occupancy from three (3) to four (4) residential units with rear and roof decks.

Violation: Violation Description Violation Comments 9th 780 CMR 1011 Stairways IBC Art. 1011.12 Stairway to Roof

Discussion/Vote: Upon a motion and a second the Board moved to unanimously to defer this matter until August 29, 2023.



City of Boston
Board of Appeal

HEARINGS:9:30AM

Case: BOA-1463031 Address: 171 Brooks Street Ward 1 Applicant: Gabriel Trisca

Article(s): Art. 27G E Boston IPOD Article 53, Section 9 Rear Yard Insufficient Article 53, Section 52Roof Structure Restrictions

Purpose : New roof Deck 3rd floor: Build new roof deck as per plans , 2x10 PT, composite decking and rails, approximate dimension 12'x18' (Deck for Unit #3 only).

Discussion/Vote: Upon a motion and a second the Board moved to unanimously to defer this matter until August 8, 2023.

Case: BOA-1432247 Address: 67 Revere Street Ward 5 Applicant: Fernando Dalfior

Article(s): Art. 13 Sec. 13 1Dimensional Regulations - Reconfiguration/relocation of established mechanicals within existing GFA calculation into new finished areas is in violation of Art 2 Floor area gross Conditional

Purpose : Finish an existing basement for unit 1 to a one bedroom, a walk in closet and a full bath. ALT1286205 current renovation on going. *Modify ALT permit issued to reconfigure utility storage and finished areas within existing GFA.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to reduce to a 2 unit dwelling and finish the basement to include that space as part of unit 1.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in support.

Votes: Board Member Langham moved to approve the proposal with BLC review. It was seconded by Shepard and approved unanimously.



City of Boston
Board of Appeal

Case: BOA-1440161 Address: 80 G Street Ward 7 Applicant: Marc LaCasse, Esq

Article(s): Art 68 Sec 29Roof Structure Restrictions - Max allowed height on parcel exceeded

Art 68 Sec 8 Insufficient additional lot area/ unit Art 68 Sec 8 Excessive f.a.r. Art 68 Sec 8Max allowed height in sub-

district exceeded Art 68 Sec 8 Insufficient open space per unit Art 68 Sec 8 Insufficient front yard setback

Art 68 Sec 8 Insufficient side yard setback Art 68 Sec 8 Insufficient rear yard setback Art 68 Sec 8Dim reg app in res sub

dist - Residential extensions into rear yard greater than 1,000gsf Art. 68 Sec. 33 Off Street parking Req. -

Design/Maneuvering areas Art. 68 Sec. 33Off Street parking Req.- Insufficient parking

Purpose : Build addition to existing 3 family to convert to 6 family. Demolish existing 3 car garage.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to preserve and restore a historic 3 family dwelling and convert into a 6 family with 7 off street parking spaces.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in support. Councilors Flynn, Flaherty request a deferral. An abutter is in opposition. The local neighborhood association is in support.

Votes: Board Member Whewell moved to deny without prejudice. It was seconded by Stembridge and approved unanimously.

Case: BOA-1465219 Address: 133 West Concord Street Ward 9 Applicant: Ted Steckel

Article(s): Art. 64 Sec. 34Restricted Roof Structure Regs - Alteration change Existing Roof Profile.

Purpose : Remove the existing rear top level deck, extend current room to the rear wall of the house. Build a new roof deck on the rear roof. Change the front two small window dormers to a single dormer.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to remove the existing rear deck and enclose the space and add a new deck.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in support.

Votes: Board Member Shepard moved to approve. It was seconded by Stembridge and approved unanimously.



City of Boston
Board of Appeal

Case: BOA-1431696 Address: 112 Sawyer Avenue Ward 13 Applicant: Albert Norena

Article(s): Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Side Yard Insufficient

Purpose : Renovation kitchens, baths and install new sprinkler system as per plans. mep's and new roof deck. install ldl's, doors, finish floors and paint. Enclosure of the Rear Porches on the 2nd & 3rd Floor.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to remove existing and add a new roof deck and enclose the rear porches.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in support. Councilor Baker is in support.

Votes: Board Member Langham moved to approve the proposal with BPDA design review. It was seconded by Stembridge and approved unanimously.

Case: BOA-1391838 Address: 18R Plain Street Ward 16 Applicant: David Higgins

Article(s): Article 65, Section 42.13 Two or More Dwellings on Same Lot Article 65, Section 9 Lot Width Insufficient

Article 65, Section 9 Lot Area Insufficient Article 65, Section 9 Lot Frontage Insufficient Article 65, Section 9 Bldg

Height Excessive (Stories) Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Side Yard Insufficient

Article 65, Section 9 Rear Yard Insufficient

Purpose: Erect New Single Family Home: Per Plans.

Discussion/Vote: Upon a motion and a second the Board moved to unanimously to defer this matter until September 12, 2023.

Case: BOA-1450981 Address: 5 Elwyn Road Ward 17 Applicant: Ivan Cruz

Article(s): Article 65, Section 41 Off Street Parking & Loading Req Article 65, Section 9 Lot Area Insufficient Article

65, Section 9 Add'l 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 Side Yard Insufficient

Article 65, Section 9 Rear Yard Insufficient

Purpose: New construction of 2 Family House. Extension of living space from Unit 1 into the basement and extension of living space from Unit 2 into the attic.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to renovate an existing 2 family dwelling and extend living into the basement.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

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

Votes: Board Member Whewell moved to approve the proposal with BPDA design review and BTB review. It was seconded by Stembridge and approved unanimously.



City of Boston
Board of Appeal

Case: BOA-1441300 Address: 90-92 Knoll Street Ward 20 Applicant: Artisan Homes and Renovations

Article(s): Article 67, Section 9 Rear Yard Insufficient Article 67, Section 9 Floor Area Ratio Excessive

Purpose: Extension of living space from Unit 1 into the basement and kitchen renovation.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to reno an existing 2 family dwelling and reconfigure and renovate.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in support. Councilor Flaherty is in support.

Votes: Board Member Shepard moved to approve. It was seconded by Stembridge and approved unanimously.

HEARINGS:11:00AM

Case: BOA-1475285 Address: 304 Paris Street Ward 1 Applicant: Roman Catholic Archdiocese of Boston

Article(s): Article 27T 5 East Boston IPOD Applicability - IPOD Article 32, Section 4. GCOD, Applicability - GCOD Article 53, Section 9 Usable Open Space Insufficient - Usable open space insufficient. Art. 53 Sec. 09 Rear Yard Insufficient. Art. 53 Sec. 09 Side yard insufficient Art. 53 Sec. 09 Lot area insufficient. Art. 53 Sec. 09 Add'l lot area insufficient. Art. 53 Sec. 09 Floor Area Ratio Excessive Art. 53 Sec. 56 Off St. Parking Requirements - Parking space insufficient.

Purpose: Erect a three (3) unit residential dwelling with a roof deck.

Discussion/Vote: Upon a motion and a second the Board moved to unanimously to defer this matter until July 25, 2023.

Case: BOA-1444979 Address: 1 Fourth Street Place Ward 7 Applicant: Heather Carbone

Article(s): Art 68 Sec 29 Roof Structure Restrictions - Max allowed height on parcel exceeded Art 68 Sec 29 Roof Structure Restrictions - Roof line reconfiguration Art 68 Sec 8 Dim reg app in res sub dist - Insufficient side yard setback Art 68 Sec 8 Dim reg app in res sub dist - Insufficient lot width frontage 2. Lot Frontage. Within the Multifamily Residential Sub districts, every Lot shall have a minimum frontage on a Street not less than the minimum Lot Width specified in Table D of this Article for such Lot. Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. - Building behind other type 5 buildings with Insufficient Fire dept. access (7 foot Access) >25% forbidden

Purpose : 3rd Floor Addition, add stairs from 2nd floor, add full bathroom, new rear balcony, composite siding, new rubber roof & electrical. Confirm occupancy as a single family home. (Working with Building Inspector Brian Moxley and Deputy Commissioner Marc Joseph)

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to expand with a third level addition, fully sprinkler, alley access, and expand the livable space.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in support. Councilor Flynn and a local neighborhood association are in opposition.

Votes: Board Member Shepard moved to approve the proposal with BPDA design review, no building code relief, and sprinkle. It was seconded by Stembridge and approved unanimously.



City of Boston
Board of Appeal

Case: BOA-1475322 Address: 2 Fourth Street Place Ward 7 Applicant: William Stanley

Article(s): Art 68 Sec 29 Roof Structure Restrictions - Max pre-established allowed height of the Existing building on the parcel has been exceeded -24' max. Art 68 Sec 29 Roof Structure Restrictions - Roof line reconfiguration
Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg - Extension of an existing wood framed/TYPE V dimensionally nonconforming structure located behind other buildings on an undersized lot with limited street frontage width accessed via a 7' wide passage way connected to EAST FOURTH ST. resulting in increases in GFA's ->25% forbidden Art. 68 Sec.08 Insufficient lot width frontage Art. 68 Sec.08 Insufficient side yard setback-3' req.

Purpose: 3rd Floor Addition, add stairs from 2nd floor, add full bathroom, composite siding, new rubber roof & electrical.*Existing attached behind other buildings with narrow access.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to expand with a third level addition, fully sprinkler, alley access, and expand the livable space.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in support. Councilor Flynn and a local neighborhood association are in opposition.

Votes: Board Member Shepard moved to approve the proposal with BPDA design review, no building code relief, and sprinkle. It was seconded by Stembridge and approved unanimously.

Case: BOA-1444979 Address: 1 Fourth Street Place Ward 7 Applicant: Heather Carbone

Article(s): Art 68 Sec 29 Roof Structure Restrictions - Max allowed height on parcel exceeded Art 68 Sec 29 Roof Structure Restrictions - Roof line reconfiguration Art 68 Sec 8 Dim reg app in res sub dist - Insufficient side yard setback Art 68 Sec 8 Dim reg app in res sub dist - Insufficient lot width frontage 2. Lot Frontage. Within the Multifamily Residential Sub districts, every Lot shall have a minimum frontage on a Street not less than the minimum Lot Width specified in Table D of this Article for such Lot. Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. - Building behind other type 5 buildings with Insufficient Fire dept. access (7 foot Access) >25% forbidden

Purpose : 3rd Floor Addition, add stairs from 2nd floor, add full bathroom, new rear balcony, composite siding, new rubber roof & electrical. Confirm occupancy as a single family home. (Working with Building Inspector Brian Moxley and Deputy Commissioner Marc Joseph)

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to expand with a third level addition, fully sprinkler, alley access, and expand the livable space.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in support. Councilor Flynn and a local neighborhood association are in opposition.

Votes: Board Member Shepard moved to approve the proposal with BPDA design review, no building code relief, and sprinkle. It was seconded by Stembridge and approved unanimously.



City of Boston
Board of Appeal

Case: BOA-1464137 Address: 3 Fourth Street Place Ward 7 Applicant: Susan Lambert

Article(s): Art 68 Sec 29 Roof Structure Restrictions - Reconfiguration of existing roof profile (addition to main roof)
Art 68 Sec 29 Roof Structure Restrictions - Max allowed height on parcel exceeded Art 68 Sec 8 Insufficient lot width
frontage Art 68 Sec 8 Insufficient side yard setback Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. -
<25% conditional (Note: further subject to providing sprinkler protection)

Purpose: PHASE 2 Provide sprinkler system as part of Phase 2, to now include, 3rd Floor Addition and lower
addition, add stairs from 2nd floor, electrical, composite siding, new rubber roof per plans. Amending #ALT1412069

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to
expand with a third level addition, fully sprinkler, alley access, and expand the livable space.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in
support. Councilor Flynn and a local neighborhood association are in opposition.

Votes: Board Member Shepard moved to approve the proposal with BPDA design review, no building code relief, and
sprinkle. It was seconded by Stembridge and approved unanimously.

Case: BOA-1444979 Address: 1 Fourth Street Place Ward 7 Applicant: Heather Carbone

Article(s): Art 68 Sec 29 Roof Structure Restrictions - Max allowed height on parcel exceeded Art 68 Sec 29 Roof
Structure Restrictions - Roof line reconfiguration Art 68 Sec 8 Dim reg app in res sub dist - Insufficient side yard setback
Art 68 Sec 8 Dim reg app in res sub dist - Insufficient lot width frontage 2. Lot Frontage. Within the Multifamily
Residential Sub districts, every Lot shall have a minimum frontage on a Street not less than the minimum Lot Width
specified in Table D of this Article for such Lot. Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg. -
Building behind other type 5 buildings with Insufficient Fire dept. access (7 foot Access) >25% forbidden

Purpose : 3rd Floor Addition, add stairs from 2nd floor, add full bathroom, new rear balcony, composite siding, new
rubber roof & electrical. Confirm occupancy as a single family home. (Working with Building Inspector Brian Moxley
and Deputy Commissioner Marc Joseph)

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to
expand with a third level addition, fully sprinkler, alley access, and expand the livable space.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in
support. Councilor Flynn and a local neighborhood association are in opposition.

Votes: Board Member Shepard moved to approve the proposal with BPDA design review, no building code relief, and
sprinkle. It was seconded by Stembridge and approved unanimously.



City of Boston
Board of Appeal

Case: BOA-1269163 Address: 734-742 Dudley Street Ward 7 Applicant: Vargas DaSilveira-ARTICLE 80

Article(s): Article 65 Section 16 FAR. Max. allowed: 1 Existing: 3.9 Proposed: 4.7 Article 65 Section 16 Building height: Max. allowed: 40' Existing: 48' Proposed: 57' Article 65 Section 16 Open space insufficient. Required: 50 x 25 = 1,250 sqft Article 65 Section 16 Rear yard. Min required: 20' Existing: 0.5' Proposed: 1 additional story at 0.5' Art. 55 Sec. 65 41 Off Street parking insufficient - Spaces required: 25 x 1.5= 37.5 Existing: 10' Proposed: any new space Art. 65 Sec. 43 Ext. of non conforming use Article 65, Section 32NDOD Review Required

Purpose : Add sixth floor with additional 5 units permit no Ert 580730 8 1 19 also known as 734 742 Dudley street as per plan (board of appeal) Change occupancy from 20 units and 3 stores with 36a take out to 25 units and 3 stores with 36A take out.

Discussion/Vote: Upon a motion and a second the Board moved to unanimously to defer this matter until August 8, 2023.

Case: BOA-1319563 Address: 1-3 Elmwood Street Ward 9 Applicant: Minkoo Kang-ARTICLE 80

Article(s): Article 50, Section 43 Off Street Parking & Loading Req - No off street parking or loading provided Article 50 Section 24 Use Reg's Community Fac Dist - Restaurant is Forbidden in a Community College CF District Art. 50, Section 25 Building height in feet is excessive Max allowed 45'. Art. 50, Section 25 Usable open space is insufficient. 50sf/unit required. Art. 50, Section 25 Floor area ratio is excessive. Art. 50, Section 25 Rear yard is insufficient 20' required.

Purpose : Combine parcels to create a new 5,331sf lot and construct: a seven (7) story 40 unit apartment building with elevator access. The basement and first floor will have commercial space Core shell only (retail/restaurant) and tenant amenities. Floor 2 7 will have compact living units with one owner occupied unit. The roof will have a common roof deck and private deck. The building will be type IV construction.

Discussion/Vote: Upon a motion and a second the Board moved to unanimously to defer this matter until July 25, 2023.

Case: BOA-1462620 Address: 115 Deering Road Ward 14 Applicant: Ezekiel Luhigo

Article(s): Article 60 Section 9 FAR Excessive. Article 60, Section 9 Dormer Extension more than 8 feet wide Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg.

Purpose: Request an emergency permit for 3 Fam that was damaged by fire effects on 4/24/22. The work consists of rebuilding all damaged area, but 3rd floor will have to be completely rebuilt. Work will include Framing, Roof, siding, windows and doors, electrical, heating, plumbing so we can move back to our house.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to redesign an existing 3 family dwelling that was damaged due to a fire.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in support. Councilors Arroyo and Mejia are in support.

Votes: Board Member Pinado moved to approve the proposal with BPDA design review. It was seconded by Stembridge and approved unanimously.



City of Boston
Board of Appeal

Case: BOA-1473283 Address: 604 Metropolitan Avenue Ward 18 Applicant: Cesar DaSilva

Article(s): Art. 69 Sec. 17 C.P.SubD. Use: Forbidden - Proposed 3 Family in a 1F 6000 is a Forbidden use.
Article 69, Section 9 Lot Width Insufficient Article 69, Section 9 Lot Frontage Insufficient Article 69, Section 9 Floor Area Ratio Excessive Article 69, Section 9 Side Yard Insufficient Article 69, Section 9 Rear Yard Insufficient Article 69, Section 9 Front Yard Insufficient

Purpose: Erect a new 3 family building.

Discussion/Vote: Upon a motion and a second the Board moved to unanimously to defer this matter until August 29, 2023.

RE-DISCUSSIONS :11:30 AM

Case: BOA-1285218 Address: 94 Morris Street Ward 1 Applicant: Rafael Galdamez

Article(s): Art. 32 Sec. 32 4Groundwater Conservation Overlay District, Applicability
Art. 27G E Boston IPOD Art. 53 Sec. 08Forbidden -Multifamily use Art. 53 Sec. 56^Off street parking insufficient - Required: 6 spaces. Provided: 0 Article 53, Section 57.2Conformity Ex Bldg Alignment - modal not provided to verify compliance Article 53, Section 9 Lot Area Insufficient Article 53, Section 9 Add'l Lot Area Insufficient Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 9Usable Open Space Insufficient Article 53, Section 9Front Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient

Purpose: Erect a four (4) unit residential dwelling with roof deck.

Reason for Prior Deferral: The applicant requested a deferral and it was granted

Discussion/Vote: Upon a motion and a second the Board moved to unanimously to defer this matter until August 8, 2023.

Case: BOA#1285217 Address: 94 Morris Street Ward 1 Applicant: Rafael Galdamez

Purpose: Erect a four (4) unit residential dwelling with roof deck.

Violation: Violation Description Violation Comments
9th 780 CMR 1011Stairways 1011.12.2 Roof access through a penthouse.

Reason for Prior Deferral: The applicant requested a deferral and it was granted

Discussion/Vote: Upon a motion and a second the Board moved to unanimously to defer this matter until August 8, 2023.



City of Boston
Board of Appeal

Case: BOA-1407102 Address: 110 Tudor Street Ward 6 Applicant: Alberto Ho

Article(s): Art 68 Sec 29 Roof Structure Restrictions - Max. allowed height on parcel exceeded Art. 68 Sec. 33 Off Street parking Req. - Maneuvering areas Art.68 Sec. 33 Off Street Loading Req. - Insufficient parking Art.68 Sec. 34 Insufficient rear yard setback to shallow lot (15' required) Art. 68 Sec.08 Insufficient lot size Art. 68 Sec.08 Insufficient additional lot area per unit Art. 68 Sec.08 Insufficient open space/unit Art. 68 Sec.08 Excessive f.a.r. Art. 68 Sec.08 Insufficient front yard setback Art. 68 Sec.08 Side Yard Insufficient

Purpose: *5.3.23; Construct a New Type V, THREE story/35' 9.5" ONE Family with one car covered parking at grade, fully sprinkled building (Revised work description at BOA) *Existing two story structure to be razed on a separately applied for, reviewed and issued permit

Reason for Prior Deferral: A deferral was granted due to there being a new refusal letter that needed to be re-advertised.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a new 3 family dwelling.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in support. Councilors Flynn and Flaherty are in support.

Votes: Board Member Whewell moved to approve the proposal with BPDA design review. It was seconded by Stembridge and approved unanimously.

Case: BOA- 1264670 Address: 240 Silver Street Ward 6 Applicant: Marco Lei, Trustee of the Lei-Chan Family Irrevocable Trust

Article(s): Art 68 Sec 29 Roof Structure Restrictions - Maximum allowed height on parcel exceeded Art 68 Sec 8 Insufficient lot size Art 68 Sec 8 Insufficient additional lot area Art 68 Sec 8 Excessive F.A.R. Art 68 Sec 8 Max. allowed height has been exceeded Art 68 Sec 8 Insufficient side yard setback Art 68 Sec 8 Insufficient rear yard setback Article 68, Section 33 Off-Street Parking & Loading Req

Purpose: Demolish existing, two story, single family home and erect a four story, two family multi level duplex dwelling with two off street parking spaces per plans. Existing structures takedown is subject to a separately applied for and issuance of an sf demolition permit 2.21.23 Revised plans reviewed on behalf of the BOA (i.e. Removed Roof deck, bulkhead and one unit replaced with two parking spaces (1st level), and the removal of an additional unit on second level resulting in a two-family occupancy)

Reason for Prior Deferral: The applicant requested a deferral and it was granted.

Discussion/Vote: Upon a motion and a second the Board moved to unanimously to defer this matter until October 17, 2023.



City of Boston
Board of Appeal

Case: BOA-1407501 Address: 518-520 Park Street Ward 17 Applicant: Huu Le

Article(s): Article 65, Section 9 Rear Yard Insufficient Article 65, Section 9 Front Yard Insufficient Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Lot Area Insufficient. Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Lot width insufficient. Article 65, Section 9 Lot frontage insufficient Art. 65 Sec. 42^ Conformity with Existing Building Alignment

Purpose: Confirm as a two family and change use to a three family. Proposed new dormers and renovate as per plans.

Reason for Prior Deferral: The applicant requested a deferral and it was granted

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to confirm as a 2 family and change the occupancy to a 3 family and add dormers and extend the living into each unit. The front yard is existing.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

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

Votes: Board Member Shepard moved to approve the proposal with BPDA design review. It was seconded by Stembridge and approved unanimously.

Case: BOA-1445525 Address: 522 Park Street Ward 17 Applicant: Huu Le

Article(s): Article 65, Section 8 Use Regulations - Ancillary use parking: Conditional Use

Purpose: Filed in conjunction with ALT1382678. Parking @ 522 Park Street for 518 520 Park Street (3 spaces).

Reason for Prior Deferral: The applicant requested a deferral and it was granted

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to confirm as a 2 family and change the occupancy to a 3 family and add dormers and extend the living into each unit. The front yard is existing.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

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

Votes: Board Member Shepard moved to approve the proposal with BPDA design review. It was seconded by Stembridge and approved unanimously.



City of Boston
Board of Appeal

Case: BOA-1422723 Address: 26 Ansonia Road Ward: 20 Applicant: Cynthia Weller-Brady

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

Purpose : Adding roof dormers to front & side of home. No extension of living space, attic to remain as unfinished storage space. Remaining interior spaces to remain the same.

Reason for Prior Deferral: The applicant requested a deferral to complete the public process.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to add dormers to an existing dwelling and use storage in the attic space.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in support. Councilor Baker is in support.

Votes: Board Member Whewell moved to approve. It was seconded by Stembridge and approved unanimously.

HEARINGS: 1:00PM

Case: BOA-1304433 Address: 10 Thompson Square Ward 2 Applicant: Sing Ming Chan

Article(s): Art. 62 Sec. 14 Usable open space insufficient Article 62, Section 14 Excessive f.a.r.

Article 62, Section 14 Excessive height Article 62, Section 14 Insufficient rear yard setback Article 62, Section 29

Off-Street Loading Insufficient - None proposed Art. 62 Sec. 62-29 Off street parking requirements - None proposed

Purpose: Erect a new mixed use building with commercial space (RETAIL) on first floor and 12 dwelling units above. Existing building to be razed under separate permit. *4.10.23: Reduced project scope at ZBA to 12 units and 4 stories

Discussion/Vote: Upon a motion and a second the Board moved to unanimously to defer this matter until October 31, 2023.

Case: BOA-1441845 Address: 592-600A East Broadway Ward 6 Applicant: Galcar C, LLC

Article(s): Art. 68 Sec. 07 Use Regs. - Fitness center use is Forbidden Article 68, Section 33 Off Street Parking & Loading Req Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 8 Lot Area Insufficient Article 68, Section 8 Add'l Lot Area Insufficient

Purpose: Change of occupancy from 2 apartments and 1 nail salon to (3 residential, 1 nail salon and 1 fitness studio).

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to change the occupancy from a 2 family and a nail salon to a 3 family dwelling.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in support. Councilor Flynn is in support.

Votes: Board Member Shepard moved to approve the proposal with BPDA design review. It was seconded by Stembridge and approved unanimously.



City of Boston
Board of Appeal

Case: BOA-1473196 Address: 331-339 Northern Avenue Ward 6 Applicant: Brian Radomski

Article(s): Art. 25 Sec. 5 Flood Hazard Districts - AE zone, elevation 10' Article 25A Section 4 CFROD Applicability
Art. 03 Sec. 3 1 Restricted Parking District Article 13, Section 1 Floor Area Ratio Excessive Article 13, Section 1
Setback of Parapet Insufficient

Purpose : New Construction of a 7 story + Mechanical Penthouse steel framed core and shell building for research and development use, including offices spaces (uses No.39,40&41), Eating and drinking places with live entertainment Nos. 37&38. Total approximate square footage of 425,000 sf includes above grade general industrial and accessory retail uses as well as 2 levels of below grade parking containing up to 144 on site parking spaces.
Demolition of two existing structures under SF: # and SF:#

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a 7 story dwelling with ground floor retail and an underground garage for 114 parking spaces.

Board members asked about plans, proposal, configuration

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in support. Councilor Flynn is in support.

Votes: Board Member Whewell moved to approve. It was seconded by Stembridge and approved unanimously.



City of Boston
Board of Appeal

Case: BOA-1461276 Address: 34 Vinton Street Ward 7 Applicant: AKG Realty LLC: Manger Theodore I. Goldberg

Article(s): Article 68, Section 8 Rear Yard Insufficient Article 68, Section 8 Side Yard Insufficient Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Bldg Height Excessive (Feet) - Allowed 40ft. Proposed 43ft. Article 68. Section 8.4 Dim Regs: Extension in Rear Yard - Residential use by (1,000) or more square feet. Art.68 Sec. 33Off Street Loading Req. - Art. 68 33.5 Parking space designed.

Purpose: An addition to an existing 3 family building to expand the existing residential units and include accessory garage space in the ground level (3 parking spaces).

Discussion/Vote: Upon a motion and a second the Board moved to unanimously to defer this matter until August 8, 2023.

Case: BOA-1461909 Address: 212 Old Colony Avenue Ward 7 Applicant: George Morancy

Article(s): Art. 13 Sec. 13 1 Excessive f.a.r. Art. 13 Sec. 13 1 Max allowed height exceeded
Art. 13 Sec. 13 1 Insufficient lot size Art. 13 Sec. 13 1 Insufficient usable open space
Art. 13 Sec. 13 1 Insufficient front yard setback Art. 13 Sec. 13 1 Insufficient side yard setback
Art. 13 Sec. 13 1 Insufficient rear yard setback Art. 23 Sec. 01 Off street parking requirements - Insufficient parking
Art. 24 Sec. 24 1 Off Street Loading Bays - None provided Art. 08 Sec.07 Use: Conditional - MFR use Conditional
Article 18, Section 3 Traffic Visibility Across Corner

Purpose: Erect six story (60') mixed use building to contain one ground floor commercial unit(retail/restaurant)/core and shell), 8 garage parking spaces at grade, 2 dwellings units each on floors 2 through 5 (8 total dwelling units), and one sixth floor office. Existing single story commercial building to be demolished under separate demo permit.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to erect a 6 story mixed use dwelling with 8 off street parking spaces.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in support. Councilor Flynn and the Andrew square association are in support.

Votes: Board Member Whewell moved to approve the proposal with BPDA design review. It was seconded by Stembridge and approved unanimously.

Case: BOA-1361964 Address: 34 Cobden Street Ward 11 Applicant: Curtis Clemons

Article(s): Art. 50 Sec. 29 Insufficient Lot size Art. 50 Sec. 29 Insufficient additional lot area per unit
Art. 50 Sec. 29 Insufficient lot width Art. 50 Sec. 29 Insufficient lot width frontage Art. 50 Sec. 29 Excessive f.a.r.
Art. 50 Sec. 29 Insufficient side yard setback Art. 50 Sec. 29 Insufficient usable open space per unit Art. 50 Sec. 43 Off street parking insufficient

Purpose : Erect three family dwelling as per plans.

Discussion/Vote: Upon a motion and a second the Board moved to unanimously to defer this matter until August 29, 2023.



City of Boston
Board of Appeal

Case: BOA-1406478 Address: 84 Park Street Ward 16 Applicant: Vu Huynh

Article(s): Art. 65 Sec. 41 Off street parking requirements - Insufficient parking Article 65 Section 16 Excessive f.a.r. Article 65 Section 16 Maximum allowed height exceeded Article 65, Section 15 Use Regulations - MFR USE-Forbidden

Purpose: 4.26.23 Revised Scope through ZBA/BOA resubmission: To demo existing structures and then erect a new 5 story / 14 unit Residential unit building with 5 off street parking spaces. *Existing structures to be razed with Article 85 approval.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail to convert a 9 unit to a new 14 unit with a roof deck and solar panels. 5 off street parking spaces.

Board members asked about plans, proposal,

Documents/Exhibits: Building Plans.

Testimony: The Mayor's Office of Neighborhood Services deferred judgement to the Board. Councilor Flaherty is in support. Councilor Flynn and a local neighborhood association are in opposition.

Votes: Board Member Shepard moved to approve the proposal with BPDA design review and ensure housing agreement is memorialized. It was seconded by Stembridge and approved unanimously.

OPEN SESSION: 1:00



City of Boston
Board of Appeal

STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775

BOARD MEMBERS:
SHERRY DONG-CHAIR
NORM STEMBRIDGE-SECRETARY
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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 July 11, 2023 Board of Appeal Hearing please go to: https://cityofboston.gov/cable/video_library.asp.