



City of Boston
Board of Appeal

HEARING MINUTES

Tuesday, June 12, 2018

BOARD OF APPEALS

Room 801

HEARING CALLED TO ORDER:

Board Chairperson Araujo called the meeting to order promptly at 9:30 AM and commenced with a brief description of the hearing process and, pursuant to the Massachusetts Open Meeting Law, advised those in attendance that the hearings would be broadcast and recorded and hearing minutes would be kept. The Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Mark Fortune:

APPROVAL OF HEARING MINUTES:

April 26, 2018, May 8, 2018 and May 22, 2018

Upon a motion and a second, the Board voted unanimously to approve the above referenced Minutes.

EXTENSION: 9:30a.m.

Case: BOA-488299, **Address:** 358-360 Athens Street , **Ward** 6 **Applicant:** Ann Marie Bayer, Trustee

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

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

Case: BOA-596485, **Address:** 18-22 Wayland Street, **Ward** 13 **Applicant:** Derrick Small, Esq

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

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

Case: BOA-444956, **Address:** 240 Mount Vernon Street , **Ward** 13 **Applicant:** Bayside Club Hotel, LLC

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

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

GCOD: 9:30 a.m.

Case: BOA-805989 **Address:** 471-473 Albany Street, **Ward 3 Applicant:** Anthony Scola

Article(s): 32(32-4)

Purpose: Change of occupancy from two units and a restaurant to one unit and a restaurant. Renovation of 1st floor front entry hall, complete renovation of 2nd and 3rd floor. To consist of structural framing and repairs, interior partitions and stairs. New electrical, lighting, plumbing throughout. New sprinkler system for renovated areas. New millwork cabinets for Kitchen, bathroom and bedroom. New interior finishes, wood flooring, tile, painting. New exterior windows replacement and rubber roof replacement.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described his proposal to change the occupancy to one unit and residential. Boston Water and Sewer Commission letter received and recharge system approved.

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

Documents/Exhibits: Building Plans

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

Case: BOA-826880 **Address:** 75 Beacon Street, **Ward 5 Applicant:** Joseph Holland

Article(s): 32(32-4)

Purpose: Project includes a request to Change of Use from 8 apartments to 2 apartments, installation of groundwater mitigation, Alteration of the existing public sidewalk. It includes new plumbing, electrical, HVAC, and fire protection systems, insulation, walls ceilings, doors, bathrooms, kitchens, and others. It includes construction of a new rooftop and rear yard addition, as well as modification of the front area-way, and window replacement. Removal of existing fire escapes stairs. ZBA.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described his request to change the occupancy from 8 apartments to 2 apartments, to install a groundwater recharge system, and to complete substantial related renovations. Boston Water and Sewer Commission letter submitted.

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

Documents/Exhibits: Building Plans

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

HEARINGS: 9:30 a.m.

Case: BOA-810579 **Address:** 33 Condor Street , **Ward 1 Applicant:** 33 Condor LLC

Article(s): 53(53-52) 9(9-1)

Purpose: Add roof deck.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described his request to construct new roof deck which will be consistent with other decks in area.

Board members stated that the BRA recommends minimizing the visibility of the deck.

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

Documents/Exhibits: Building Plans

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

Case: BOA-810537 **Address:** 125 Sumner Street, **Ward 1 Applicant:** Winn Development

Article(s): 53(53-17) 53(53-57) 53(53-8: Conditional use restaurant (ground floor), Conditional use community center & Conditional use ancillary parking) 53(53-9: Main entrance to a dwelling shall face the front lot line, Lot area insufficient, Floor area ratio excessive, Building height excessive, Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient)

Purpose: 125 Sumner Street (Building A) - Construct a new 3 story Mixed-Use Building consisting of 22 Residential Units, Retail space, and a Community Room.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are redeveloping an existing BHA housing development which entails constructing a new 3 story Mixed-Use Building consisting of 22 residential units, retail space, and a community Room. Applicant noted that he originally proposed studios but the community opposed. Current residents have the right to return to redevelopment property.

Board members asked how many affordable housing. The applicant stated 22 affordable. The Board member asked about ancillary parking, base flood elevation, height and unit sizes.

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

Documents/Exhibits: Building Plans

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

Case: BOA-810536 **Address:** 133 Sumner Street, **Ward 1 Applicant:** Winn Development
Article(s): 53(53-17) 53(53-57) 53(53-8) 53(53-9: Main entrance to a dwelling shall face the front lot line, Lot area insufficient, Floor area ratio excessive, Building height excessive, Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient)
Purpose: 133 Sumner Street - (Building B) - Construct a new 3 story, 30 Unit Residential Building.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are Redeveloping an existing BHA housing to construct a 3 story 30 unit residential building.

Board members asked how many affordable housing. The applicant stated 20 affordable currently they are proposing 22 rental and affordable homeowners opportunities. The Board member asked about ancillary parking, base flood elevation, height and unit sizes.

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

Documents/Exhibits: Building Plans

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

Case: BOA-816929 **Address:** 227-227A Bunker Hill Street, **Ward 2 Applicant:** Debralee Cartolano

Article(s): 62(62-13)

Purpose: Adding "Body Art Establishment" to my existing Salon And Spa occupancy to be able to perform Micro-blading as a service in lower level (a form of cosmetic tattoo on the eyebrows). No work to be done.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are changing occupancy to include micro-blading (eyebrows only) no work to be done.

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

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with no tattoos Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-808984 **Address:** 10-11 Arlington Street, **Ward 5 Applicant:** 10-11 Arlington LLC
Article(s): 9(9-1) 6(6-3A) 32(32-4)

Purpose: Complete gut renovation of existing office space for continuation of use; add basement-level fully automated parking system for 8 vehicles; add groundwater recharge system.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, proposing a gut renovation of existing office space for continuation of use; add basement-level fully automated parking system for 8 vehicles; add groundwater recharge system. No letter from BWSC ???

Board members inquired about parking and the use of the building.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services support and Councilor Zakim representative spoke in support. NABB not opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with no tattoos Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-820974 **Address:** 29 Commonwealth Avenue, **Ward 5** **Applicant:** Patrick Mahoney

Article(s): 9(9-1) 32(32-4) 23(23-9)

Purpose: Renovate existing office building, and change occupancy from office building to residential multifamily dwelling (nine residential units) while maintaining office space on part of the first level, and adding an automated parking system to partial first floor and lower level.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail. Renovate existing office building, and change occupancy from office building to residential multifamily dwelling (nine residential units) while maintaining office space on part of the first level, and adding an automated parking system to partial first floor and lower level. BWSC letter submitted.

Board members asked about parking. The applicant 9 spaces in the basement. The applicant described the mechanical lift and how it works. The applicant noted there are several systems being installed in the Back Bay.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services support and Councilor Akin representative spoke in support. NABB not opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Pisano moved for approval with BBAC Galvin seconded and the Board voted unanimously to approve.

Case: BOA-823392 **Address:** 87 Bolton Street, **Ward 6** **Applicant:** Douglas Stefanov

Article(s): 27S(27S-5S) 68(68-8: Lot width requirement: insufficient, Lot frontage requirement: insufficient, Front yard requirement: insufficient & Rear yard requirement: insufficient) 68(68-33)

Purpose: Erect new 3-story single-family residence with garage parking.

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

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

Case: BOA-802880 **Address:** 790 East Sixth Street, **Ward 6 Applicant:** Gerri Shea

Article(s): 68(68-29)

Purpose: Construct new common roof deck with proposed head house and roof hatch as per plans submitted.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant stated they are constructing a new roof deck access by hatch and back stairway. Two means of egress.

Board members asked how many affordable housing. The applicant stated 22 affordable. The Board member asked about ancillary parking, base flood elevation, height and unit sizes.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services support and Councilor Flynn representative spoke in support. One (1) Abutter support. Councilor Flaherty opposed.

Documents/Exhibits: Building Plans

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

Case: BOA-806830 **Address:** 104 F Street, **Ward 6 Applicant:** Benjamin Brown

Article(s): 68(68-8: Front yard insufficient & Side yard insufficient) 68(68-34.2)

Purpose: Erect a new 7'-9" and 6'-0" high fence in kind with existing fence in height and outline. Replace existing patio concrete pavers with bluestone pavers, install radiant heating and new pavers in existing driveway (electrical permit by other), construct new custom built in grill with brick facade (plumbing permit by other, install outdoor fire pit (plumbing by other), and misc. landscaping including trees, shrubs, perennials and ground cover.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Redesign of existing patio area of a single family dwelling. Construct new custom built in grill with brick facade (plumbing permit by other, install outdoor fire pit (plumbing by other), and misc. landscaping including trees, shrubs, perennials and ground cover. Erect New fences 7'9" 6'0"

Board members asked visibility violations. Applicant stated one way street in both.

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

Documents/Exhibits: Building Plans

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

Case: BOA-812233 **Address:**15-17 Swallow Street **Ward 6 Applicant:** Brendon O'Heir

Article(s): 27S(27S-5S)

Purpose: This permit is to amend ERT722463 by installing two new roof decks accessed from each dwelling unit in the building.

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

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

Case: BOA-814666 **Address:** 428-430 West Broadway, **Ward 6 Applicant:** George Morancy

Article(s): 68(68-8) 9(9-1)

Purpose: Construct canopy addition for existing bank drive up teller.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal is to construct a canopy addition for existing bank drive up teller. Canopy 13.5 x 20. Canopy connected to building on left side.

Board members inquired about BRA. The applicant stated they were denied due to residential.

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

Documents/Exhibits: Building Plans

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

Case: BOA-824614 **Address:** 1400 Columbia Road, **Ward 7 Applicant:** Dorgan Realty Trust

Article(s): 27S(27S-5) 68(68-8) 68(68-29) 68(68-34.2) 29(29-4)

Purpose: Demolish existing structure. Erect new four (4) residential unit building with seven (7) parking garage spaces, exterior balconies, and roof decks.

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

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

HEARINGS: 10:30 a.m.

Case: BOA-826891 **Address:** 140-150 Shirley Street , **Ward 8 Applicant:** James Greene, Esq.

Article(s): 50(50-28)

Purpose: Change Occupancy from Salesroom, Warehouse & Food Processing to Community Center; no work to be done on this application. Plans filed for refusal letter.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal is to change occupancy to Community Center no work required for community center. 3 family district, warehouse underutilized. Fitness space and baseball facility. Lewis Family Foundation/BASE discussion regarding mission and goals of Foundation.

Board members inquired about how many kids and what summer activities.

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

Documents/Exhibits: Building Plans

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

Case: BOA-814001 **Address:** 372 Adams Street , **Ward 16 Applicant:** Christopher Regan
Article(s): 9(9-1)

Purpose: Build deck on rooftop - 480 sf approximately - base framing PT, deck boards composite, pvc railings, fix door jamb Also - front porch replace deck boards and railings and replace with composite.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal are to construct a roof deck on a 3 family dwelling. The deck is exclusive to applicants unit with access by a spiral staircase.

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

Documents/Exhibits: Building Plans

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

Case: BOA-740260 **Address:** 411 Adams Street , **Ward 16 Applicant:** Tuan Nguyen
Article(s): 65(65-9: Location of main entrance - In a 2F-6000 sub district, the entrance to the dwelling must face the front lot line, Excessive F.A.R., Excessive number of stories, Insufficient front yard setback, Insufficient side yard setback & Insufficient rear yard setback) 9(9-1)

Purpose: Proposed rear 3 story addition and two story vertical expansion on existing. Change of use from office and store to include a 2 family residential unit. This building will be equipped with sprinkler and fire alarm system.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal is to construct a three (3) story addition and two story vertical expansion on existing one story building. Change occupancy to include 2 residential units. Missing garage plan that was submitted.

Board Members inquired about access to garage. The applicant state Centre. Board Members inquired about egress. The applicant state there is an emergency rear egress.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services support and Councilor Baker representative spoke in support. Two (2) abutters opposed.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval with BRA (hold signature/parking garage plan), and Bickerstaff seconded, and the Board voted unanimously to approve.

Case: BOA-728896 **Address:** 51-55 Neponset Avenue, **Ward** 16 **Applicant:** An Le
Article(s): 65(65-41)

Purpose: Change occupancy from Office Building to Church (Existing). Remove for petition in two room, install interior main beam with four Coolum and sheet rock, tap, paint to finish ((all other see on plan)).

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal is to change occupancy to church with interior renovations

Board Members inquired about how many congregants. The applicant stated 60-75. Board Members inquires about the times of the services. The Board Members asked about parking. The applicant stated no there will be 15 spaces at Morrissey Plaza.

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

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BRA Fortune 2nd, Galvin Opposed and the Board voted unanimously to approve.

Case: BOA-810564 **Address:** 100 Ashmont Street , **Ward** 17 **Applicant:** John Powell
Article(s): 65(65-9)

Purpose: Third floor renovation with new bathroom, 2ndfl renovation of master bath and master bedroom, master bedroom closet, 1stfl renovation of kitchen, 1/2 bath, basement structural footings and weatherproofing, 3rdfl dormer restoration by extending height to 7'0". Please see AT RISK appl SF788604.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating a third floor renovation with new bath and 2nd floor renovation of master bath and master bedroom. First floor renovations of kitchen, raising roof and installing dormer.

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

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval with BRA Fortune 2nd, Galvin Opposed and the Board voted unanimously to approve.

Case: BOA-821215 **Address:** 53 Bailey Street , **Ward 17 Applicant:** Christopher Barbour

Article(s): 65(65-9: Lot area insufficient & Rear yard insufficient)

Purpose: Subdivide existing parcel of land. Capture existing open air porch as conditional living space. Completely renovate all interior/exterior finishes, and update all mechanical/electrical systems per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal proposing to subdivide existing lot, enclose porch for living space and renovate interior.

Board Members had a discussion regarding violations and unit sizes. Board members inquired about parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services support. two (2) abutters opposed, does not meet variance standards

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BRA Pisani 2nd, and the Board voted unanimously to approve.

Case: BOA-736971 **Address:** 53R Bailey Street , **Ward 17 Applicant:** Christopher Barbour
Article(s): 65(65-8) 65(65-41) 65(65-65-8) 65(65-9: Lot area insufficient, Lot frontage insufficient & Rear yard insufficient)

Purpose: Subdivide (ALT819658) this lot into two lots and erect a two family dwelling as per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal, proposing to subdivide existing lot, enclose porch for living space and renovate interior.

Board Members had a discussion regarding violations and unit sizes. Board members inquired about parking.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services support. two (2) abutters opposed, does not meet variance standards

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BRA Pisani 2nd, and the Board voted unanimously to approve.

Case: BOA-817804 **Address:** 1045 Hyde Park Avenue, **Ward 18 Applicant:** John Pulgini

Article(s): 69(69-8) 69(69-9)

Purpose: Construction a 51.25'x52' addition to Rear of existing Auto Body shop.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating to propose a rear addition to an existing auto body shop. The use has existed since the 1900's.

Board Members had a discussion regarding vehicular access and driveway off Hyde Park Ave. Board Members asked if it is a shared driveway. The applicant said no, all on applicant's property. Board members asked about screening and buffering.

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

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA for screening and buffering Pisani 2nd, and the Board voted unanimously to approve.

Case: BOA-812804 **Address:** 43 Wachusett Street, **Ward** 18 **Applicant:** Ted Ahern

Article(s): 55(55-9: Excessive F.A.R. & Maximum allowed # of habitable stories has been exceeded) 69(69-8) 69(69-9: Insufficient lot size, Insufficient lot width, Insufficient lot frontage, Excessive F.A.R., # allowed stories has been exceeded & Insufficient open space)

Purpose: Erect 2 family residence.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating to construct a 2 family dwelling to be consistent with the neighborhood. (1) 4 bedroom, (1) 4 bedroom.

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

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA Fortune 2nd, and the Board voted unanimously to approve.

Case: BOA-800241 **Address:** 4014 Washington Street , **Ward** 19 **Applicant:** Felipe Duran

Article(s): 67(67-11)

Purpose: Guira & Tambora - To legalize Seasonal Outside Seating for 28 persons for existing Restaurant. This application is to renew the previous use of premises permit U4928310 that expired - ZBA.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating to legalize outdoor seating for 28 patrons for existing restaurant. Renewal of previous use of premises that expired.

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

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA Fortune 2nd, and the Board voted unanimously to approve.

Case: BOA-800239 **Address:** 4014 Washington Street, **Ward 19 Applicant:** Felipe Duran

Article(s): 67(67-12)

Purpose: Install a Canopy (16x7ft).

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating to construct 16 x 17' canopy for outdoor seating.

Board Members asked about the history of canopy and outdoor seating capacity. The applicant stated 98 inside and 28 outside.

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

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval with BRA (finds vestibule "offensive") Fortune 2nd, and the Board voted unanimously to approve.

Case: BOA-786499 **Address:** 6-8 Cheriton Road , **Ward 20 Applicant:** Robert Reissfelder
Article(s): 56(56-7) 56(56-8: Floor area ratio excessive, Building height excessive, Building height (# of stories)_excessive, Usable open space insufficient & Side yard insufficient)

Purpose: Combine lot #305 (3,806 S.F.) parcel #11791 with lot 306A (1,314 S.F.) parcel #11790-020 and a portion of Dunbarton Rd (1,646 S.F.)... Combine this lots into one new lot D with 6,766 S.F. Erect a new two (2) family dwelling as per attached plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating to combine 2 lots and build a 2 family dwelling. Applicant discussed the history of the development and the meeting with the neighbors and Par's Commission.

Board Members inquired about what's in the area. The applicant stated multi family and singles.

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

Documents/Exhibits: Building Plans

Votes: Board Member Erlich moved for approval with BRA Galvin seconded, and the Board voted unanimously to approve.

Case: BOA-823130 **Address:** 226 Harvard Avenue , **Ward 21 Applicant:** Avonwood Associates Limited Partnership

Article(s): 29(29-8) 51(51-16: Indoor sale of new/used automobiles with installation of auto-parts conditional, 1st floor & Indoor sale of new/used automobiles with installation of auto-parts forbidden, 2nd, 3rd floors) 51(51-17: Floor area ration excessive & Height excessive)

Purpose: Erect a 143,000 sq. ft. three story building for use as a new auto dealership which will include showrooms, offices, services repair bays and vehicle storage as per plans filed herewith. Address of new building to be 1188 Commonwealth Avenue. See Alt No. 817770 and Alt. No. 817779 for combinations of lots. Demolish of existing buildings to be under separate permit.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating to change occupancy to a 3 family with renovations

Board Members inquired about the breakdown of the units. The applicant stated there are no rentals or condos. Board Members asked if unit 1 extends into basement. The applicant stated no.

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

Documents/Exhibits: Building Plans

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

Case: BOA-8047983 **Address:** 53 Quint Avenue , **Ward 21 Applicant:** JP School, LLC

Article(s): 51(51-9: Insufficient additional lot area per unit & Excessive F.A.R.)

Purpose: Seeking to change occupancy to a three family structure and renovate the building to include a rear addition and the installation of dormers. Also to create two rear parking spaces.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating to change occupancy to a 3 family with renovations

Board Members inquired about the breakdown of the units. The applicant stated there are no rendats or condos. Board Members asked if unit 1 extends into basement. The applicant stated no.

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

Documents/Exhibits: Building Plans

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

Case: BOA-809349 **Address:** 1-9 Bronsdon Street , **Ward** 22 **Applicant:** Aimco Waverly LLC
Article(s): 9(9-1) 51(51-9) 51(51-57)
Purpose: Addition of 288 SF Addition to be used for Parcel lockers and Mailroom for residents.
Original ePlan, but also paper plan.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating to construct 288 sf addition for lockers and mailroom for residents of a multi family complex.

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

Documents/Exhibits: Building Plans

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

Case: BOA-814946 **Address:** 67 Burton Street , **Ward** 22 **Applicant:** Michael Moran
Article(s): 51(51-9: Insufficient front yard setback, Insufficient side yard setback, Insufficient minimum lot size & Excessive F.A.R.) 51(51-56)
Purpose: Demolition of existing one family dwelling and Erect a One family modular as per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating to demo esisting single family building. erect new single family dwelling with 3 bedrooms and 2.5 baths. Subject to Article 85 demo delay.

Board Members asked any options othere than module . The applicant stated they research the issue and prefer modular housing. Board members asked where will the house be fuilt. The applicant stated PA. Board Members do not like module.

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

Documents/Exhibits: Building Plans

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

Case: BOA-820964 **Address:** 18 Murdock Street , **Ward** 22 **Applicant:** Patrick Mahoney
Article(s): 51(51-56) 9(9-2) 9(9-1)

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

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

Purpose: Change of occupancy from 9 units to 12 units. Construct new addition to existing building. File in conjunction with ALT797211.

Case: BOA-821060 **Address:** 5R Sparhawk Street , **Ward 22 Applicant:** Patrick Mahoney
Article(s): 51(51-56) 51(51-8) 51(51-9: Side yard insufficient & Rear yard insufficient)
Purpose: Confirm occupancy as a carriage house. Reconstructing existing house. Change of occupancy from carriage house to three-family dwelling. File conjunction with ALT797209.

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

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

RE-DISCUSSIONS: 11:30a.m.

Case: BOA-802872, **Address:** 9 Cook Street Court , **Ward 2 Applicant:** Stephen Robinson
Article(s): 62(62-30) 62(62-25)
Purpose: Confirm occupancy as a Single family dwelling. Gut rehab new bathrooms and kitchens add new level, finish basement, and roof deck according to plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating to confirm occupancy as a single family and rehab. Eliminate roof deck in response to community. New refusal issued but applicant proceeding with original plans.

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

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval with BRA (no deck) Fortuned seconded and the Board voted unanimously to approve.

Case: BOA-796981, **Address:** 78 Tyler Street , **Ward 3 Applicant:** 78 Tyler Street LLC
Article(s): 23(23-23-1)
Purpose: Renovate and interior fit-out of existing building; convert legal use and occupancy from Convent to 14 Affordable Studio Apartment Units, with no expansion of existing building envelope and existing basement to remain unfinished, as per plans. We are submitting this application for zoning turn-down.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating to confirm occupancy as a single family and rehab. Eliminate roof deck in response to community. New refusal issued but applicant proceeding with original plans.

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

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval with BRA (no deck) Fortuned seconded and the Board voted unanimously to approve.

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

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

Case:BOA-678322 , **Address:** 90-102 Tenean Street , **Ward** 16 **Applicant:** Sings By J
Article(s): 65(65-40: Sign Regulations) 65(65-16: Excessive Height & Insufficient Rear Yard Setback) Purpose: **Propose:** a new monopole billboard with two digital faces.

Discussion: At the request of the applicant **this case has been deferred to 12/11/2018**

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

Case: BOA-746305, **Address:** 4-8 Tileston Street , **Ward** 18 **Applicant:** David O'Sullivan
Article(s): 69(69-12: Floor area ratio excessive, Building height excessive, Building height (# of stories) excessive, Front yard insufficient & Rear yard insufficient) 69(69-29: Off-street parking insufficient & Off-street loading insufficient) 69(69-30)
Purpose: Erect a new 3 story Mixed-Use Commercial and Residential building with a 20 Car Parking Garage under. There will be a 2,100 sq ft Commercial Space on the First Floor. There will be 14 Residential Units on Floors 1 thru 3.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating erect a new 3 story mixed use building commercial and 14 residential units.

Board Members inquired about screening and buffering.

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

Documents/Exhibits: Building Plans

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

Case: BOA-754385, **Address:** 18 Bexley Road , **Ward** 19 **Applicant:** Christopher Miller

Article(s): 67(67-9: Insufficient minimum lot size, Insufficient minimum lot width, Insufficient minimum lot frontage, Excessive F.A.R., Excessive number of stories, Insufficient usable open space, Insufficient side yard setback & Insufficient rear yard setback)

Purpose: Demo existing garage structure and (see short form application) construct single dwelling with 2 car garage.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating demo existing garage and construct single family on double lot. Applicant eliminated 2 parking spaces from 6 to 4 spaces.

Board Members inquired about parking spaces. The applicant stated 2 spaces in garage and not 4.

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

Documents/Exhibits: Building Plans

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

Case: BOA-773964, **Address:** 145 Corey Street **Ward:** 20 , **Applicant:** Kevin Dowd

Article(s): 56(56-7)

Purpose: Chicken Coop on existing 4'x6' shed.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating chicken coop on existing 4'x6' shed.

Three (3) chicken. Relocate coop away from neighbor's property.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services a Representative from City Councilor O'Malley office and Councilor Flaherty spoke in support. Abutter support revised plans.

Documents/Exhibits: Building Plans

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

Case: BOA-818501, **Address:** 119 Belgrade Avenue **Ward:** 20 , **Applicant:** Jeffrey Drago

Article(s): 67(67-8) 09(9-2)

Purpose: Change Occupancy from an Assembly Hall to Office space. Also to complete interior and exterior renovations. ZBA

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal stating to change occupancy from assembly hall to office with 10 employees. Interior and exterior renovations.

Board Members inquired about parking. The applicant stated none proposed. Board Members inquired if the applicant considered residential use.

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

Documents/Exhibits: Building Plans

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

RECOMMENDATIONS:

(The Zoning Advisory Subcommittee held hearings for the following cases on May 24, 2018. Board Secretary Mark Fortune reported the Subcommittee's recommendations from these hearings to the Board.)

Case: BOA-794303, **Address:** 32 Pleasant Street **Ward:** 2, **Applicant:** Timothy Sheehan
Article(s): 62(62-25)

Purpose: The extension of an existing rear third floor shed dormer and the reduction in width of an existing deck in favor of the enlarged shed dormer. This enlarged third floor shed will allow for a third floor master bedroom suite including a walk in closet and a master bath. The existing stairs will be altered and existing HVAC and electrical systems will be modified for the new suite. This project will require ZBA relief to proceed. We request the nominal permit fee.

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

Documents/Exhibits: Building plans

Case: BOA-817163, **Address:** 110 Elm Street **Ward:** 2 , **Applicant:** Timothy Sheehan
Article(s): 62(62-25)

Purpose: The installation of a 14' x 14' roof deck on the roof of a three story two family residence for the upper unit #2 accessed by a 5'-0" diameter spiral stair. The roof deck would not be a shared roof deck. It would only be accessible from unit 2.

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

Documents/Exhibits: Building plans

Case: BOA-794304, **Address:** 12 Cedar Street **Ward:** 2 , **Applicant:** Timothy Sheehan

Article(s): 62(62-8)

Purpose: The addition of a 17'-2" x 26'-9" roof deck on an existing three story residence. The existing roof stair and hatch will be enlarged and made less steep to improve roof access. This project will require ZBA relief to proceed. We request the nominal permit fee.

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

Documents/Exhibits: Building plans

Case: BOA-806508, **Address:** 69-71 Fayston Street **Ward:** 14 , **Applicant:** Vargas Dasilveira

Article(s): 50(50-29)

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

Discussion: At the request of the applicant **this case has been deferred to 6/21/2018**

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

Case: BOA-812321, **Address:** 27 Fossdale Road **Ward:** 16 , **Applicant:** John Roche AIA

Article(s): 09(9-1)

Purpose: Confirm Occupancy as a Two (2) Family Dwelling. Rebuild existing Rear Porches (same footprint) at Rear of 2 Family Home. No change to footprint; install railings at existing porch roof; door from attic.

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

Documents/Exhibits: Building plans

Case: BOA-,803912 **Address:** 29 Minot Street **Ward:** 16 , **Applicant:** Linda Lombardi

Article(s): 10(10-1) 65(65-4) 65(65-41)

Purpose: Off-street parking for 2 car spots in conjunction with a Public Works Department Curb Cut.

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

Documents/Exhibits: Building plans

Case: BOA-812301, **Address:** 286 Fairmount Avenue **Ward:** 18 , **Applicant:** Candida Ruscito
Article(s): 69(69-9)

Purpose: Construct 20' x 23' 2 story addition with covered farmers porch. Reconfigure existing bedroom to accommodate the new space. Install new roof, siding, and trim on the entire structure.

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

Documents/Exhibits: Building plans

Case: BOA-801067, **Address:** 5 Glenellen Road **Ward:** 20 , **Applicant:** Erin Cote-Hartford
Article(s): 56(56-8) 56(56-8)

Purpose: Extend front porch and add a second floor (consisting of 3Bedrooms and 2bathrooms) to our single story home.

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

Documents/Exhibits: Building plans

Case: BOA-745475, **Address:** 128 Selwyn Street **Ward:** 20 , **Applicant:** David Knudsen
Article(s): 67(67-9)

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

Discussion: At the request of the applicant **this case has been deferred to 6/26/2018**

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

Case: BOA-813950, **Address:** 45 Vogel Street **Ward:** 20 , **Applicant:**David Murray
Article(s): 56(56-8) 56(56-8)

Purpose: Raise roof of house to increase size of existing bedrooms and add a bathroom, strip siding on house and install new siding.

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

Documents/Exhibits: Building plans

Case: BOA-825856, **Address:** 32 Tennyson Street **Ward:** 20 , **Applicant:** Michael Loconto
Article (s): 56(56-8) Floor Area Ratio Excessive 56(56-8) Front Yard Insufficient 56(56-8) Side Yard Insufficient.

Purpose: Erect an addition on the left side as per plans.

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

Documents/Exhibits: Building plans

Case: BOA-811732, **Address:** 300 Western Avenue **Ward:** 22 , **Applicant:** Rejina Shrestha
Article(s): 51(51-16)

Purpose: Change occupancy to include Body Art Tattoo Studio (Micro Blading). Some plumbing work.

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

Documents/Exhibits: Building plans

Case: BOA-812430 **Address:** 30-50 Terminal Street , **Ward 2 Applicant:** John Frosk
Article(s): 06(6-4)

Purpose: Request to remove Proviso “Take out use granted to this petitioner only for this use only”.

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

Documents/Exhibits: Building plans

STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775

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

SUBSTITUTE MEMBERS: None present.

For a video recording of the June 12, 2018 Board of Appeal Hearings please go to:
https://www.cityofboston.gov/cable/video_library.asp

For the complete text of the Boston Zoning Code Articles and definitions of terms in this agenda, please go to https://www.municode.com/library/ma/boston/codes/redevelopment_authority