



City of Boston  
Board of Appeal

**Tuesday, November 13 2018**

**BOARD OF APPEALS**

**Room 801**

**HEARING MINUTES**

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:

**Extension: 9:30a.m.**

**Case:** BOA-507438 **Address:** 458 Columbia Road, **Ward 15 Applicant:** Chris Drew

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

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

**GCOD: 9:30 a.m.**

**Case:** BOA-885654 **Address:** 40-42 Fleet Street **Ward 3 Applicant:** Lee Thomas

**Article(s):** 32(32-6)

**Purpose:** Amend ALT768388. Gut existing 6 Dwelling Units. Install new Structural floor framing and new retaining wall system per submitted stamped Structural drawings, and M.E.P. systems and new finishes of Six Units and Common areas. New windows and selective siding as needed.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating plans were submitted to Boston Water and Sewer. A Representative from Boston Water and Sewer stated they have the no harm letter.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-885728 **Address:** 86-86A Chestnut Street **Ward 5 Applicant:** Peter Gariepy

**Article(s):** 32(32-4)

**Purpose:** Complete gut. New framing per plans. New roof. Change of occupancy from 1 family and a store to a 1 family.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating plans were submitted to Boston Water and Sewer. A Representative from Boston Water and Sewer stated they have the no harm letter.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-890351 **Address:** 66 West Rutland Square **Ward 4 Applicant:** Andrew Brassard

**Article(s):** 32(32-4)

**Purpose:** Change occupancy from a single family and 4 lodgers to a two family. Construct 3' window bay on street level through 3rd story. Excavate basement slab to provide additional head height. Construct rear balconies on parlor and 2nd story and a roof deck, and perform all other prescribed work per submitted plans.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating plans were submitted to Boston Water and Sewer. A Representative from Boston Water and Sewer stated they have the no harm letter.

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

**Documents/Exhibits:** Building Plans

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

**HEARING: 9:30 a.m.**

**Case:** BOA-835828 **Address:** 277 Border Street **Ward 1 Applicant:** Two Seventy Seven Border, LLC

**Article(s):** 53(53-9: Lot area for additional dwelling unit (s) insufficient, Floor area ratio excessive, Height excessive, Usable open space insufficient, Side yard insufficient & Rear yard insufficient)  
53(53-56: Off street parking insufficient & Off street loading insufficient)

**Purpose:** Raze existing structure, combine lots (See ALT822597) and erect a mixed-use building consisting of retail on first floor and 18 residential units above with parking for 10 vehicles.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to erect a mixed use building consisting retail and 18 residential buildings with ground level retail. (4) studios, (11) one bedrooms, (2) two bedrooms, (1) three bedroom, and 8 parking spaces. Allowed height 35', pro 53' FAR 1.8 max. PROFAR 3.8 exclusive roof deck, for one unit, and common roof deck.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval, with Proviso (BPDA Design Review, look at the impact of the abutter that is currently a church). and Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA-848567 **Address:** 398 Bremen Street **Ward** 1 **Applicant:** Julio D. Valle

**Article(s):** 53(53-8) 53(53-9: Lot area for additional dwelling units insufficient, Floor area ratio excessive, Building height excessive, Building height (# of stories) excessive, Usable open space insufficient & Rear yard insufficient) 53(53-56)

**Purpose:** Raze existing Dwelling. Erect a new, 4 story, Four (4) Unit Residential Building. Building will be fully Sprinkled. ZBA.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to demolish existing single family, and erect a 4 unit residential buildings to be sold as condominiums. All condos will be two bedrooms, 900sf, to 1070sf, height of building 39.5' Allowed height 35'. Proposing roof deck, access by head house, exclusive for unit 4.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support. One abutter opposed, not enough space, blocking light.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval, with Proviso (BPDA Design Review, attention to reducing for relocating the head house), and Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA-870471 **Address:** 135 Chelsea Street **Ward** 1 **Applicant:** LIG Realty, LLC

**Article(s):** 9(9-2) 53(53-8: Retail is forbidden use & Multi-family is a forbidden use) 53(53-9: Location of the main entrance shall face the front lot line, Insufficient additional area per dwelling unit, Excessive F.A.R., Insufficient usable open space per dwelling unit, Insufficient front yard setback, Insufficient side yard setback & Insufficient rear yard setback) 53(53-56)

**Purpose:** Erect addition and change occupancy from retail use to retail use on first level and 4 residential units above.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to erect a two story addition and change occupancy from retail use to retail use on first level and 4 residential units above.

Board Members asked the number of stories and residential units. The applicant stated 4 residential units with no parking and no roof deck.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval, with Proviso (BPDA Design Review), and Fortune seconded and the Board voted unanimously to approve

**Case:** BOA-853393 **Address:** 113-115 Cottage Street **Ward 1 Applicant:** Roseway Realty, LLC  
**Article(s):** 9(9-2) 53(53-9: Insufficient additional lot area (1000sf/unit), Excessive F.A.R. (1.0 max.), Insufficient open space per unit (300sf/unit), Rear yard setback is insufficient & Side yard setback is insufficient) 53(53-56) 53(53-52) **Purpose:** Combine two lots (Parcel ID: 0104064001 and 0104064002) into a single lot to be 113-115 Cottage Street: 1,617 SF total lot area. Change of occupancy from 2 unit residential dwelling and social club to a 4 unit residential dwelling. Reconstruct rear and side 1 story addition with roof deck. Construct roof decks on existing main building. File in conjunction with ALT835825. ZBA.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to change 4 unit residential building with one additional parking space, for sale condos. Construct 2 roof decks exclusive to use.

Board Members asked the number of stories and residential units. The applicant stated 4 residential units with no parking and no roof deck.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support. One abutter has concerns about the noise on the decks.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval, with Proviso (BPDA Design Review, screening and buffering for deck), and Pisani seconded and the Board voted unanimously to approve

**Case:** BOA-825827 **Address:** 63 Falcon Street **Ward 1 Applicant:** Sue Passacantilli  
**Article(s):** 53(53-8) 53(53-9: # of allowed stories exceeded (2.5 story max.), Maximum allowed height has been exceeded (35' max.) & Insufficient rear yard setback) 53(53-56) 53(53-56.5.a) 53(53-54)  
**Purpose:** Erect a 7 Unit 4 story dwelling by combining parcel #0103516000 total 2,430 sq ft with parcel #0103517000 total 2,430 sq ft for a total of 4,860 sq ft. Demolition of existing 3 story building to be known as 63 Falcon Street. \*Existing structure to be razed on a separate permit.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to change 4 unit residential building with one additional parking space, for sale condos. Construct 2 roof decks exclusive to use.

Board Members asked the number of stories and residential units. The applicant stated 4 residential units with no parking and no roof deck.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support. One abutter has concerns about the noise on the decks.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval, with Proviso (BPDA Design Review, screening and buffering for deck), and Pisani seconded and the Board voted unanimously to approve

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to build 7 unit, 4 story building with one parking space per unit. Remove head house, two private roof decks.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved for approval, with Proviso (BPDA Design Review), and Galvin seconded and the Board voted unanimously to approve

**Case:** BOA-858537 **Address:** 112 Moore Street **Ward 1 Applicant:** Santiago Lasprilla

**Article(s):** 53(53-9: Insufficient lot size, Excessive F.A.R. & Insufficient open space per unit) 53(53-56)

**Purpose:** Change occupancy from One family dwelling to Two family dwelling.

**Discussion:** At the request of the applicant **this case has been deferred to 12/18/2018 at 11:30 a.m.**

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

**Case:** BOA-830090 **Address:** 4 Mystic Street **Ward 2 Applicant:** Timothy Sheehan

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

**Purpose:** This is the reconstruction of and extension of an existing two story rear ell. A new kitchen will be installed along with a half bath and a new stair to a newly excavated storage basement (under the Ell). There will be an extension to the third floor bathroom as well as a new internal stair head house and a 24' x 15'-4" roof deck.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to extend the bottom floor to the property line and extend the 2<sup>nd</sup> floor back to the rear property line with a small roof deck with hatch.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-859233 **Address:** 65 Winthrop Street **Ward 2 Applicant:** Ashley Schafer  
**Article(s):** 9(9-9-1) 62(62-25)  
**Purpose:** New Roof Deck. Hatch and access stair are existing.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to erect a roof deck on the third floor.

Board Members asked the size of the roof deck. The applicant stated 17X27 access by hatch.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-859624 **Address:** 190 High Street **Ward 3 Applicant:** Thomas Trykowski  
**Article(s):** 45(45-5: Floor area ratio excessive & Building height excessive) 49A(49A-3)  
**Purpose:** Construct a new Roof top addition. ZBA.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to construct a small roof top penthouse addition with roof deck out front access by internal stair.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-845589 **Address:** 64-72 Kneeland Street **Ward 3 Applicant:** Kenneth Morin  
**Article(s):** 23(23-7A)  
**Purpose:** Add three living units on the 6th floor. Existing units, no work.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, proposing a mixed used building with 6 residential units. Unit 601 is 481sf, unit 602 is 464sf, and unit 603 is 584sf. Building is fully sprinkled. Applicant is asking for variance for 6<sup>th</sup> floor existing units.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-844021 **Address:** 33 North Margin Street **Ward** 3 **Applicant:** Scott Dabney

**Article(s):** 9(9-1) 54(54-18)

**Purpose:** Seeking minor to the building, to include enclosing existing first floor entryway and to increase living space of the fourth floor unit into existing fifth floor. Also, to complete a small addition to the fifth floor and install a new roof deck for the exclusive use of the top floor unit.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, proying to extend living space of fourth floor unit into existing fifth floor, roof deck for exclusive use of top floor unit. Existing height 49.6, proposed height 51.5’.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved for approval with Proviso, (BPDA Design Review), and St. Fleur seconded and the Board voted unanimously to approve.

**Case:** BOA-845481 **Address:** 64-66 Salem Street **Ward** 3 **Applicant:** Frank Scire

**Article(s):** 54(54-12)

**Purpose:** Change of occupancy from Retail #36A to Retail #36A with liquor Store.

**Discussion:** At the request of the applicant **this case has been deferred to 01/29/2019 at 11:30 a.m.**

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

**Case:** BOA-853090 **Address:** 41-43 Edgerly Road **Ward** 4 **Applicant:** Patrick Mahoney, Esq.

**Article(s):** 66(66-8) 66(66-9: Excessive F.A.R., Insufficient open space & Insufficient rear yard setback) 66(66-42.5(a)) 32(32-32-4)

**Purpose:** Change of occupancy from 39 units to 45 Residential Units.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, proying to change occupancy from 39 units to 45 residential units with 5 studios in the lower level of the building.

Board Members asked about the size of the studios. The applicant stated, 450-496sf.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-846743 **Address:** 5 Rutland Square **Ward 4 Applicant:** Joseph Holland  
**Article(s):** 64964-9: Town house/row house extensions into rear yard: Conditional & Floor area ratio excessive) 32(32-6)  
**Purpose:** Amendment to Long-Form Permit ALT712597. Build new two-story addition off the rear facade of the house.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, proposing a to erect a two story addition on the rear facade of the house. Extension of the kitchen on the 1<sup>st</sup> floor level. Representative from BW&SC said they have been approval letter.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Janey and Councilor Essabi-George are in support. One abutter opposed

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with Proviso (BPDA Design Review) and Pisani seconded and the Board voted unanimously to approve. Erlich Opposed.

**Case:** BOA-764279 **Address:** 121 Beacon Street **Ward 5 Applicant:** Evie Dykema  
**Article(s):** 13(13-13-1) 16(16-7)  
**Purpose:** Remodel/Expand existing penthouse and construct new roof decks.

**Discussion:** At the request of the applicant **this case has been deferred to 02/05/2019 at 11:30 a.m.**

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

**Case:** BOA-869347 **Address:** 33 O Street **Ward 6 Applicant:** George Morancy  
**Article(s):** 27S(27S-5) 68(68-8: Floor area ratio excessive, Usable open space insufficient, Front yard insufficient, Side yard insufficient & Rear yard insufficient) 68(68-33)  
**Purpose:** Erect new three-family dwelling with three parking spaces on the first floor. No roof deck.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, proposing to demolish existing garage to erect a 4 story 3 unit building with 3 rear decks. The building lot is 2000sf, with 3 parking spaces. Unit1, 1049sf, 2 bedroom, units 2&3 1129, 2 bedroom.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with Proviso (BPDA Design Review) and Erlich seconded and the Board voted unanimously to approve.



**Case:** BOA-804956 **Address:** 317-319 West Third Street **Ward 6 Applicant:** 317 West Third Realty LLC(by T. Touloukian)

**Article(s):** 68(68-29) 68(68-34.1) 68(68-8: Floor area ratio excessive, Side yard insufficient & Rear yard insufficient) 27S(27S-5)

**Purpose:** Renovate existing 8-unit residential apartment building (R-2). Construct new deck and egress stair off of rear. Construct new addition at floors 2-4 off of front of building. New clapboard siding, brick veneer, roof, and windows.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, proposing to renovate existing 8-unit residential apartment building for rental housing. The bedroom count will be reduced from 4 bedroom units to 3, and 3 bedroom units to 2 bedroom units.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Flynn are in support. Councilor Flaherty is in opposition, Article 68.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with Proviso (BPDA Design Review) and Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA-872536 **Address:** 2 Gifford Place **Ward 7 Applicant:** Timothy Sheehan

**Article(s):** 27S(27S-5) 68(68-29) 68(68-8: Side yard insufficient, Front yard insufficient & Rear yard insufficient) **Purpose:** Construct new fourth floor and rear addition with decks and roof decks. Full interior renovation to existing two-family dwelling.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating revised plans submitted, no 4<sup>th</sup> floor addition and no rear addition, only extension of living space into the basement. Bi-level 2 bedroom on the 1<sup>st</sup> level and 2<sup>nd</sup> level, 3 bedroom. No decks.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Councilor Flynn and Councilor Essabi-George are in support. Councilor Flaherty in opposition Article 68.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Fleur moved for approval with Proviso (BPDA Design Review) and Bickerstaff seconded and the Board voted unanimously to approve.

**HEARINGS: 10:30 a.m.**

**Case:** BOA-857367 **Address:** 725 Harrison Avenue **Ward** 8 **Applicant:** Urbanity Dance, Inc  
**Article(s):** 9(9-2) 64(64-8: Use: art studio: forbidden & Use: office: forbidden)  
**Purpose:** Change of Occupancy from Art Gallery to Arts Studio and General Office uses on ground floor. No work to be done. ZBA.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to change from Art Gallery to Art Studio and general office. Hours of operation 9-5 Mon-Fri, 5-9 Mon-Fri Dance Studio and Saturday 9-6 Dance Studio. Fifteen (15) dancers in the space at a time.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-859489 **Address:** 40-42 Terrace Street **Ward** 10 **Applicant:** Jason Tucker Arndt  
**Article(s):** 59(59-19: Floor area ratio excessive, Building height excessive, Rear yard insufficient & Usable open space insufficient) 59(59-37)  
**Purpose:** Erect a new 4 story, Artist's Live-Work Building on an existing vacant Lot. There will be a total of Seven (7) Affordable Residential Units. On the Ground Floor will be a Public Art Display Space.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating erect a new 4 story, Artist's Live-Work Building on an existing vacant Lot. There will be a total of Seven (7) Affordable Residential Units. On the Ground Floor will be a Public Art Display Space. Applicant is working with Department of Neighborhood Development, 2 buildings 100% affordable condos with home ownership.

Board Members inquired about unit size and FAR. The applicant stated, 40-42 Terrace Street, 780-790sf, height 53' (max) 2 bedroom, 132 Terrace, 585sf, height 48', 1 bedroom. FAR for 40-42 Terrace, 3.9 (FAR) allowed 2.0, 132 Terrace 3.3 FAR.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with Proviso (BPDA Design Review) and Erlich seconded and the Board voted unanimously to approve.

**Case:** BOA-859491 **Address:** 132 Terrace Street **Ward** 10 **Applicant:** Jason Tucker Arndt  
**Article(s):** 59(59-19: Rear yard insufficient, Floor area ratio excessive, Building height excessive & Usable open space insufficient) 59(59-37)  
**Purpose:** Erect a new 4 story, Artist's Live-Work Building on an existing vacant Lot. There will be a total of Seven (7) Affordable Residential Units. On the Ground Floor will be a Public Art Display Space.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating erect a new 4 story, Artist's Live-Work Building on an existing vacant Lot. There will be a total of Seven (7) Affordable Residential Units. On the Ground Floor will be a Public Art Display Space. Applicant is working with Department of Neighborhood Development, 2 buildings 100% affordable condos with home ownership.

Board Members inquired about unit size and FAR. The applicant stated, 40-42 Terrace Street, 780-790sf, height 53' (max) 2 bedroom, 132 Terrace, 585sf, height 48', 1 bedroom. FAR for 40-42 Terrace, 3.9 (FAR) allowed 2.0, 132 Terrace 3.3 FAR.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Galvin moved for approval with Proviso (BPDA Design Review) and Erlich seconded and the Board voted unanimously to approve.

**Case:** BOA-854009 **Address:** 15 Bancroft Street **Ward** 11 **Applicant:** Aethos LLC  
**Article(s):** 9(9-1) 55(55-9: Floor area ratio excessive, bldg height excessive (feet), Bldg height excessive (stories), Side yard insufficient & Front yard insufficient) 55(55-8)  
**Purpose:** Seeking to change the occupancy from a three-family residential dwelling to a four-family residential dwelling and renovate the building including erecting fourth floor and rear additions with new decks and egress stairs, adding two parking spaces in the basement and installing sprinklers in the building.  
**Discussion:** At the request of the applicant **this case has been deferred to 01/15/2019 at 11:30 a.m.**

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

**Case:** BOA-852414 **Address:** 225 Washington Street **Ward** 14 **Applicant:** John Pulgini  
**Article(s):** 65(65-41) 65(65-9: Lot area insufficient, Add'l lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Bldg height excessive (stories), Usable open space insufficient, Front yard insufficient & Side yard insufficient)  
**Purpose:** Erect a new 3 family buildings as per plans. Permit set to be submitted upon ZBA approval.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating erect a new 3 story building with 2 bedroom and 1 bath. Lots size 1741sf, proposing 674sf with no parking.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support. Councilor Campbell is in opposition. Touch base with Civic Association.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Fleur moved for approval with Proviso (BPDA Design Review) and Pisani seconded and the Board voted unanimously to approve.

**Case:** BOA-890951 **Address:** 45 Houghton Street **Ward** 16 **Applicant:** Leigh Carloni

**Article(s):** 9(9-1)

**Purpose:** Install new staircase and roof access skylight to roof, build new 18'x18' roof deck.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to construct a roof deck on existing building with access from existing rear structure. Roof deck 12x12, 144sf

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Fleur moved for approval and Erlich seconded and the Board voted unanimously to approve.

**Case:** BOA-892286 **Address:** 38R Minot Street **Ward** 16 **Applicant:** John Pulgini

**Article(s):** 65(65-8) 65(65-9: Lot frontage, front yard and rear yard insufficient; Floor area ratio and building height excessive)

**Purpose:** Demolish existing two (2) family dwelling. Replace with a new three (3) family townhouse dwelling on existing 5,674sq ft lot. \*Demolition of existing structure is to be performed on a separate permit.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating to construct a 3 unit town house, 3 bedroom, 3 bath and two (2) garage units per dwelling units. Small porch on the roof on the backside.

Board Members inquired about FAR and unit size. The applicant stated FAR .5 allowed, proposing 1.11, 2100sf.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved for approval and St. Fleur seconded and the Board voted unanimously to approve. Board Member Galvin recused himself.

**Case:** BOA792891 **Address:** 111 West Street **Ward** 18 **Applicant:** Guimy Cesar

**Article(s):** 69(69-8) 69(69-9: Lot size is insufficient & usable open space is insufficient) 69(69-29) 69(69-29.5) 69(69-27)

**Purpose:** Change occupancy from 1 family to a 2 family renovations of 1st and 2nd floor kitchens and install fire separation as per plan. Add 3 off street parking.

**Discussion: This case has been Dismissed Without Prejudice/No Show**

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

**Case:** BOA-858345 **Address:** 54 Halliday Street **Ward** 19 **Applicant:** Alex Medrano  
**Article(s):** 10(10-1) 55(55-55-40) 54(54-21: 54-21.5. (a) Design: Tandem spaces do not permit proper maneuvering & 54-21.5. (d) Design: The parking spaces do not meet the minimum dimensions required for parking spaces)  
**Purpose:** Off street parking for 2 cars.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, proposing off street parking for 2 vehicles on the left side of the house 10x18 18' deep, distance between the chain fence and the wall. There is parking only on the right side of the street.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and several abutters are in support. Several abutters are in opposition.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved for approval with Proviso, (BPDA Design Review, 2 parking spaces, parking to be extended into the rear yard and the bumper of the 2<sup>nd</sup> car cannot be any further towards the street. Remove pavement and put grass), and Erlich seconded and the Board voted unanimously to approve.

**Case:** BOA-843998 **Address:** 24 Selkirk Road **Ward** 21 **Applicant:** Travis Blake  
**Article(s):** 51(51-8) 51(51-9: Location of main entrance shall face the front lot line, Lot width insufficient, Floor area ratio excessive, Side yard insufficient & Rear yard insufficient) 51(51-56)  
**Purpose:** Change of Occupancy from a Two Family Dwelling to a Four Family Dwelling. Construct a 25' x 70' 3 story addition onto existing Building in Rear Yard. A new Sprinkler system will be installed.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, proposing to add 5 parking spaces in the rear yard of existing 3 family. Keep green space.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services Councilor Ciommo and BAIA are in support. Several abutters are in opposition.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved for approval with Proviso, (BPDA Design Review, Screening and Buffering), and Bickerstaff seconded and the Board voted unanimously to approve.

**Case:** BOA879862 **Address:** 60-62 Mapleton Street **Ward** 22 **Applicant:** Matthew Murphy  
**Article(s):** 9(9-1)  
**Purpose:** Add 5 parking spaces in rear yard.

**Case:** BOA-856686 **Address:** 11 Newton Street **Ward 22 Applicant:** Scott Marder  
**Article(s):** 51(51-56: Insufficient parking (1.75/unit req.) & Restricted driveway access to spots in rear (<10' clear access, maneuverability and space size)) 51(51-9)

**Discussion:** At the request of the applicant **this case has been deferred to 01/15/2019 at 11:30 a.m.**

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

**Purpose:** Change of occupancy from a one to a three family. Renovation of two kitchens and one bathroom. Build two non-structural walls. Separate electric and add 2 new hot water heaters and sprinklers.

**RE-DISCUSSIONS: 11:30a.m.**

**Case:** BOA-879014 **Address:** 30-32 Condor Street, **Ward 1 Applicant:** 30 Condor LLC  
**Article(s):** 53(53-8) 53(53-9: Front yard insufficient, Side yard insufficient, Rear yard insufficient, Height is excessive (2.5 stories max allowed) & Floor area ratio excessive)  
**Purpose:** Convert existing 2 family into a 6 family. One story vertical addition, a 3 story side addition and new roof deck, as per plans. Parking at ground level. Permit set to be submitted upon ZBA approval.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, proposing to change occupancy for a 2 family to a 6 family dwelling with 6 condo units with home ownership. Roof deck with head house access.

The Board Members inquired about unit size. The applicant stated unit size 892sf, to 1324sf. All units are 2 bedroom except for 892sf room is a 1 bedroom. Board Members inquired about parking. The applicant stated 7 parking spaces will be provided.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Edwards are in support. One abutter is in opposition because of size of unit.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for approval with Proviso, (BPDA Design Review) and Galvin seconded and the Board voted unanimously to approve.

**Case:** BOA-858259 **Address:** 51 Chappie Street , **Ward 2 Applicant:** Mark Chardavoyne  
**Article(s):** 9(9-1) 9(9-1) 62(62-7) 62(62-7) 62(62-8) 62(62-8) 62(62-8) 62(62-8) 62(62-29) 62(62-29) 62(62-30) **Purpose:** Demolition of existing two-family home. Construct new three unit building.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, proposing to demolish existing 2 family to a 3 family home with 2 parking spaces and roof deck for the top unit only.

The Board Members inquired about unit size. The applicant stated the basement/ground level floor will be a (1) bedroom, 1196sf, the first floor unit, (2) bedroom, 1170sf and the second and third floor units will be (2) bedroom, 2246 sf.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved for approval with Proviso, (BPDA Design Review) and Galvin seconded and the Board voted unanimously to approve.

**Case:** BOA-853913 **Address:** 160 West Seventh Street , **Ward 6 Applicant:** 160 West Seventh St. LLC by Theodore Touloukian

**Article(s):** 68(68-8: Bldg height excessive (feet), Front yard insufficient, Side yard insufficient & Rear yard insufficient) 68(68-8.3) 68(68-33: Off-street parking insufficient & Maneuvering area insufficient) 27S(27S-5) 68(68-29)

**Purpose:** Confirm occupancy as single-family dwelling. Combine lot (Parcel ID 0600927000 + 0600935020 + 0600935010) to be 3,279 SF Total Lot Area. Change of occupancy from single-family to four-unit residential dwelling. Remove existing roof to construct new third story addition. Propose three-story rear addition. Propose decks and roof decks. Propose six (6) tandem off-street parking.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, proposing to change occupancy from a single family to a four unit residential dwelling. The parcel to the rear of the building will provide (6) tandem parking spaces. One roof deck deeded to the 4<sup>th</sup> floor unit, and other roof deck deeded to 2<sup>nd</sup> unit.

The Board Members inquired about unit size. The applicant stated the basement/ground level floor will be a (1) bedroom, 900sf, (2) bedroom, 1200sf and (3) bedroom, 1200sf.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Pisani moved for approval with Proviso, (BPDA Design Review) and Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA-844006 **Address:** 12 Cawfield Street , **Ward 7 Applicant:** Dave Anderson

**Article(s):** 65(65-9: Lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Bldg height excessive (stories), Front yard insufficient & Side yard insufficient) 65(65-41) 65(65-42.7)

**Purpose:** Erect new two-family dwelling with proposed two (2) off-street parking on new subdivided Parcel 3755 contains 2,380 SF lot area. File in conjunction with ALT825674 for subdivided lot and ERT825683 for separate new three-family dwelling.

**Discussion:** At the request of the applicant **this case has been deferred to 12/11/2018 at 11:30 a.m.**

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

**Case:** BOA-844004 **Address:** 14 Cawfield Street , **Ward 7 Applicant:** Dave Anderson  
**Article(s):** 65(65-9: Lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Usable open space insufficient & Side yard insufficient) 65(65-41)  
**Purpose:** Subdividing existing parcel 0703754010 to three lots (Parcel 3756 - 2,030 SF, Parcel 3755 - 2,380 SF, Parcel 3754 - 2,147 SF). Existing three-family dwelling to remain. File in conjunction with ERT825681 and ERT825683.

**Discussion:** At the request of the applicant **this case has been deferred to 12/11/2018 at 11:30 a.m.**

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

**Case:** BOA-844007 **Address:** 24 Elder Street , **Ward 7 Applicant:** Dave Anderson  
**Article(s):** 65(65-9: Lot area insufficient, Lot frontage insufficient, Floor area ratio excessive, Bldg height excessive (stories), Front yard insufficient & Side yard insufficient) 65(65-42.3)  
**Purpose:** Erect new three-family dwelling with proposed three (3) off-street parking on new subdivided Parcel 3754 contains 2,147 SF lot area. File in conjunction with ALT825674 for subdivided lot and ERT825681 for separate new two-family dwelling.

**Discussion:** At the request of the applicant **this case has been deferred to 12/11/2018 at 11:30 a.m.**

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

**Case:** BOA842247- **Address:** 75-77 Cedar Street , **Ward 11 Applicant:** Ulyen Coleman  
**Article(s):** 50(50-28)  
**Purpose:** Change from a Single Family Dwelling to a Temporary Shelter for Boys 12 to 17. No construction changes.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, proposing to change occupancy from a single family dwelling to a temporary shelter for boys 12 to 17. No construction changes.

Board Members how many how many boys in the shelter. The applicant stated 6 youth (1-3 ratio) with two staff on each shift, 24 hours a day.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for approval, and St. Fleur Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA-693386 **Address:** 13 Sagamore Street , **Ward 13 Applicant:** Ted Ahern  
**Article(s):** 65(65-41) 65(65-9) 65(65-9) 65(65-9)  
**Purpose:** Erect new single family per plans.

**Discussion:** **This case has been Dismissed Without Prejudice/No Show**



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

**Case:** BOA-754552, **Address:** 34-36 Williams Avenue, **Ward 18 Applicant:** Rauny Baez

**Article(s):** 69(69-8: Lot width insufficient & Side yard insufficient)

**Purpose:** Subdividing lot at 36 Williams Ave, Hyde Park. This lot will have a total of 8,703 S.F. The new subdivided lot 38 Williams Ave will contain a total of 6,585 S.F. to accommodate new construction. Please reference ERT689194.

**Discussion:** At the request of the applicant **this case has been deferred to 12/11/2018 at 11:30 a.m.**

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

**Case:** BOA-754553, **Address:** 38 Williams Avenue, **Ward 18 Applicant:** Rauny Baez

**Article(s):** 69(69-9: Lot width insufficient & Rear yard insufficient) 69(69-8)

**Purpose:** Construction of a new 2 family house on lot next to existing single family house. (See alt725398 for subdivision of the lot).

**Discussion:** At the request of the applicant **this case has been deferred to 12/11/2018 at 11:30 a.m.**

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

**Case:** BOA-823802 **Address:** 46 Murray Hill Road , **Ward 19 Applicant:** Halyard, Sheets and Rudder Incorporated

**Article(s):** 67(67-9: Lot size to erect new dwelling: insufficient, Required lot width to erect new dwelling: insufficient, Required lot frontage to erect new dwelling: insufficient, Floor area ratio: excessive, Required side yard setback to erect new dwelling: insufficient & Required usable open space for new dwelling: insufficient) 67(67-33)

**Purpose:** On existing parcel # 1903150000, erect new construction single family dwelling as per attached plans.

**Discussion:** At the request of the applicant **this case has been deferred to 12/11/2018 at 11:30 a.m.**

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

**Case:** BOA-852415 **Address:** 72-72B Oakland Street, **Ward 22, Applicant:** John Pulgini

**Article(s):** 51(51-8) 51(51-9) 51(51-9.4)

**Purpose:** Demolish existing dwelling. Erect new three-unit townhouse with two garage parking spaces in each unit. File in conjunction with ALT846312.

**Discussion:** At the request of the applicant **this case has been deferred to 01/15/2019 at 11:30 a.m.**

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

**Case:** BOA-852419 **Address:** 74-74B Oakland Street, **Ward 22, Applicant:** John Pulgini

**Article(s):** 51(51-9) 51(51-57.13)

**Purpose:** Existing two-family dwelling with no work to be done. Filed to erect separate new three-unit townhouse on same lot under ERT711967 (72-72B Oakland Street). Reconfigure and propose eight (8) off-street parking.

**Discussion:** At the request of the applicant **this case has been deferred to 01/15/2019 at 11:30 a.m.**

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

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

**BOARD MEMBERS:**

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**For the complete text of the Boston Zoning Code Articles and definitions of terms in this agenda, please go to [https://www.municode.com/library/ma/boston/codes/redevelopment\\_authority](https://www.municode.com/library/ma/boston/codes/redevelopment_authority)**