



City of Boston  
Board of Appeal

## HEARING MINUTES

Tuesday, January 29, 2019

BOARD OF APPEALS

Room 801

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

### **APPROVAL OF HEARING MINUTES:**

December 11, 2018 & December 18, 2018

Upon a motion and second, the Board voted unanimously to approve the minutes.

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

**Case:** BOA-677280 **Address:** 40 Trinity Place **Ward** 4 **Applicant:** Joseph Sheridan

**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.

**Case:** BOA-677282 **Address:** 426 Stuart Street **Ward** 4 **Applicant:** Joseph Sheridan

**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.

**Case:** BOA-451574 **Address:** 332 Talbot Avenue **Ward** 17 **Applicant:** Derric Small

**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.

**Case:** BZC-29846 **Address:** 1954 Commonwealth Avenue **Ward** 21 **Applicant:** Paul Alan Rufo

**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.

**Case:** BOA-642117 **Address:** 301-303 Border Street **Ward** 1 **Applicant:** City Realty Group, LLC

**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.

**Case:** BOA-465908 **Address:** 184-190 South Street **Ward** 3 **Applicant:** 186 Realty Trust (Roger L Berman)

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

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

**Case:** BOA-908076 **Address:** 1120-1130 Boylston Street **Ward** 4 **Applicant:** MBH Associates Limited Partnership

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

**Purpose:** Renovate existing egress stairs at basement and sub-basement levels. Add one interconnecting convenience stair between the two levels with related structural work. Build common corridor walls. Base building core and shell work in basement and sub-basement levels in preparation for tenant fit-up (by others) including new HVAC units, electric service brought to space, rough plumbing for bathrooms, and reconfigured sprinkler to accommodate new layout. See attached architectural, structural, mechanical, electrical, and fire protection documents.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating they were seeking a Conditional Use permit under Article 32. Boston Water and Sewer Commission supports variance, but they have not received a letter.

Board Members asked if recharge system would flood neighbors.

**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-896852 **Address:** 17-19 Myrick Street **Ward** 22 **Applicant:** Derric Small

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

**Purpose:** Erect two new townhouses with garage and roof deck on Lot 2: 1,472 SF on a subdivided parcel at 55 Easton Street. Demolish existing one story garage. File in conjunction with ALT787787.

**Discussion:** At the request of the applicant **this case has been deferred to 4/09/2019**

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

**Case:** BOA#896851 **Address:** 17-19 Myrick Street **Ward** 22 **Applicant:** Derric Small

**Purpose:** Erect two new townhouses with garage and roof deck on Lot 2: 1,472 SF on a subdivided parcel at 55 Easton Street. Demolish existing one story garage. File in conjunction with ALT787787.

**SECTION:** 8th 780CMR R311.1 Means of Egress All dwelling shall be provided with two means of egress as provided in this section.

**Discussion:** At the request of the applicant **this case has been deferred to 4/09/2019**

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

**Case:** BOA-896850 **Address:** 55 Easton Street **Ward** 22 **Applicant:** Niles Sutphin

**Article(s):** 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-9) 51(51-56)

**Purpose:** Subdivide property into two separate parcels Lot 1: 2,669 SF (55 Easton St) and Lot 2: 1,472 SF (17 Myrick Street). Demolish rear decks and garage; Construct new exit stairway at rear of building from first floor down to grade. Existing building to remain three-family dwelling. File in conjunction with ERT786744.

**Discussion:** At the request of the applicant **this case has been deferred to 4/09/2019**

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

**Case:** BOA-893314 **Address:** 36 Lane Park **Ward** 22 **Applicant:** Timothy Burke

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

**Purpose:** Change occupancy from a single family to a 2 family. Proposed 2 story side addition to provide for the second unit and garage, as per plans. Permit set to be submitted upon ZBA approval.

**Discussion:** At the request of the applicant **this case has been deferred to 2/14/2019**

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

**Case:** BOA-897046 **Address:** 478 Western Avenue **Ward** 22 **Applicant:** Peter Scolaro

**Article(s):** 51(51-17) 51(51-53) 51(51-56)

**Purpose:** Change Occupancy to a Daycare Center; add bathrooms and sinks to classrooms; reconfigure non-structural walls to add daycare classrooms; upgrade electrical service; add sprinkler to 100 % of building; upgrade fire alarm system to 100 % of building; add 3 exterior windows; add play area in current parking lot; add kitchen; expand use to lower level adding to FAR.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating, they are seeking to install a play area and office on second level and asking for variance for parking requirements, 7 spaces requested; providing 0 spaces. The applicant stated foot print and height will not change.

Board Members inquired if they received Ground Water Trust Conservation Overlay District letter. The applicant stated yes and the Ground Water Trust Representative indicated that a no harm letter had been received.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Bickerstaff moved for approval with Proviso (BPDA for screening and buffering) and Galvin seconded and the Board voted unanimously to approve.

**Case:** BOA-871963 **Address:** 19-21 Monastery Road **Ward** 21 **Applicant:** Shang Yang

**Article(s):** 51(51-9) 51(51-9) 51(51-9) 51(51-56)

**Purpose:** The house is a 2 family home since the 1980's, however it is listed as a Single family in the system. Change to an existing 2 family dwelling - No Work to be done.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the house is a 2 family home since the 1980's, however it is listed as a Single family in the system. The applicant stated they have been paying taxes as a two family since 1980's. Change to an existing 2 family dwelling - No Work to be done.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Elrich moved for approval and Walsh-Logue seconded and the Board voted unanimously to approve.

**Case:** BOA-901357 **Address:** 77C Warren Street **Ward** 21 **Applicant:** Brighton Marine Health Center, Inc. the OWNER "BMHC"

**Article(s):** 51(51-40) 51(51-56)

**Purpose:** Change occupancy to 25 residential units for United States Veterans . Interior Renovation of existing Steel/Masonry Building #9. Work will include a "New" 4 Stop Elevator, Interior Walls, Windows, and updates to all MEP.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating individual units approximately 420-476sf. Veterans Housing Building will make a total of 127 units on the lot. No exterior work to be done. Fifteen (15) parking spaces requested, 0 spaces are being proposed.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-892932 **Address:** 44 North Beacon Street **Ward** 21 **Applicant:** Scott Kirkwood

**Article(s):** 51(51-16) 51(51-17) 51(51-17) 51(51-56)

**Purpose:** Demolish an existing 1-story commercial building and erect a new 5-story, mixed-use building with 30 residential apartments, 1 ground floor commercial space and at grade parking.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to demolish an existing 1-story commercial building and erect a new 5-story, mixed-use building with 30 residential apartments, 1 ground floor commercial space and at grade parking.

Board Members inquired about the breakdown of units. Twelve (12) 3 bedrooms, 1100-1200sf, twelve (12) 2 bedrooms, 800sf, four (4) 1 bedroom 600sf, and two (2) studios, 450sf. Floor Area Ratio (FAR 1, proposing 1.9. Fifty Six (56) parking spaces proposed, one (1) commercial space and curb cuts already existing and will be reduced.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for approval with BPDA (attention to trash storage) and Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA-899611 **Address:** 10-12 Heathcote Street **Ward** 19 **Applicant:** Joseph Vozzella

**Article(s):** 55(55-9) 55(55-9)

**Purpose:** On an existing vacant parcel containing a total of 9306 square feet (parcel 1904119000 – 4121 square feet combined with a 5185 square foot portion of parcel 1904123000) ERECT a two family dwelling and detached garage. This application will require relief from the Zoning Board of Appeals for lot width and lot frontage.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to erect a two family dwelling and detached garage The lot was subdivided approximately 100 years ago, 2f proposed in a 2f district, 45 ft lot frontage, 50ft required.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, and Councilor McCarthy are in support. Direct abutter opposes states out of scale and character for neighborhood and another abutter opposes the size of the building

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-892884 **Address:** 30 Arlington Street **Ward** 18 **Applicant:** Lewis Crespo

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

69(69-27) 69(69-29)

**Purpose:** Build a 3 Family Dwelling. PZ ALT881154

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating to build a three (3) family dwelling with 3 bedrooms and 2 baths for each unit. Proposing four (4) parking spaces for #32 and six (6) spaces for #32 in the rear of the building. Parking meets parking requirements.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-892893 **Address:** 32 Arlington Street **Ward** 18 **Applicant:** Lewis Crespo

**Article(s):** 69(69-9) 69(69-9) 69(69-9) 69(69-29.4)

**Purpose:** Combining Parcel #1804460000 with Parcel #1804476020 to become 1 parcel. Then subdivide into Lot A to be known as 32 Arlington Street with 6,037 Square Feet and Lot B to be known as 30 Arlington Street with 5,729 Square Feet. See ERT872771.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to build a three (3) family dwelling with 3 bedrooms and 2 baths for each unit. Also, proposing four (4) parking spaces for #32 and six (6) spaces for #32 in the rear of the building. Parking meets parking requirements.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-874269 **Address:** 80-88 Welles Avenue **Ward 16** **Applicant:** Joseph Feaster  
**Article(s):** 10(10-1) 65(65-15) 65(65-15) 65(65-16) 65(65-16) 65(65-39) 65(65-39) 65(65-41) 65(65-41)  
**Purpose:** Demolish an old single story building and putting up a new three story building for hairdresser, convenience store, real estate office on first floor, 9 residential units above. Existing structure to be demolished on a separate permit.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to demolish an existing single story building and erect 9 residential units, with two (2) bedroom units, approximately 900-925sf. Basement proposed for commercial space.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-900973 **Address:** 485 Ashmont Street **Ward 16** **Applicant:** Timothy Johnson  
**Article(s):** 65(65-8) 65(65-8) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-41) 65(65-42)  
**Purpose:** Demolish existing Structure. Erect a new 4 story, Eight ( 8 ) Unit Residential Building on an existing 10,463 sq ft Lot. Each Dwelling Unit will have access to individual Open Decks. There will be Off-Street Parking for 17 Vehicles located in Rear Yard.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to erect three (3) story rear addition to create five (5) dwelling units. Eight (8) dwelling units in total, with 11 spaces proposed, with two (2) and three (3) bedroom units.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-803841 **Address:** 400-412 Neponset Avenue **Ward 16** **Applicant:** Andy Trong  
**Article(s):** 06(6-4)  
**Purpose:** Remove for proviso for this petitioner only. Change from Riddick's House of Pizza to Neponset Cafe.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to remove for proviso for this petitioner only. Change from Riddick's House of Pizza to Neponset Cafe.

**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 Erlich moved for approval with BPDA (usual take out language) and Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA- 888981 **Address:** 114 Milton Street **Ward** 16 **Applicant:** James Christopher

**Article(s):** 09(9-1) 65(65-9) 65(65-9) 65(65-9)

**Purpose:** Subdivision of existing lot at 114 Milton Street into two lots as per attached plans.

**Discussion:** At the request of the applicant **this case has been deferred to 2/05/2019**

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

**Case:** BOA-900724 **Address:** 90 Topliff Street **Ward** 15 **Applicant:** Katie Phan

**Article(s):** 9(9-1) 65(65-41) 65(65-41)

**Purpose:** Off-Street Parking for 2 Vehicles. Widen existing Curb Cut. Pave Back Yard.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail the intent is to create Off Street parking for 2 vehicles

**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 Bickerstaff seconded and the Board voted unanimously to approve.

**Case:** BOA-878967 **Address:** 11 Adams Street **Ward** 15 **Applicant:** Domingos Martins

**Article(s):** 69(69-8) 69-(69-9) 69(69-29)

**Purpose:** Change of occupancy from single family to single family and an office space

**Discussion:** At the request of the applicant **this case has been deferred to 4/30/2019**

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

**Case:** BOA-868026 **Address:** 7 Helen Street **Ward** 14 **Applicant:** Angella Theirse

**Article(s):** 60(60-8) 60(60-40)

**Purpose:** Add a curb cut for off-street parking for 4 residential vehicles.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail proposing to add a curb cut for off-street parking. Applicant states no building on lot, owns building/lot next door.

**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 with Proviso, (BPDA) and Bickerstaff seconded and the Board voted unanimously to approve.

**Case:** BOA-818184 **Address:** 7 Parkway Street **Ward** 14 **Applicant:** Dre McCray

**Article(s):** 29(29-4) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-38)

**Purpose:** Building a two family dwelling. (one of the two dwellings on one lot).

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

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

**Case:** BOA-831447 **Address:** 4-6 Page Street **Ward** 14 **Applicant:** Dave Anderson

**Article(s):** 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-41)

**Purpose:** Erect new three family per the plans with three off street parking spots.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail proposing to erect three (3) family; three (3) bedroom 1 ½ bath, 1300sf approximately. Height 35ft, 2.5 stories required; proposing 32 ft, 3 stories; rear yard 30 ft; required, 25 proposed.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for approval with Proviso, (BPDA) and Walsh-Logue seconded and the Board voted unanimously to approve.

**Case:** BOA-828050 **Address:** 2 Page Terrace **Ward** 14 **Applicant:** Dave Anderson

**Article(s):** 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60( 60-40(4) )

**Purpose:** Erect new three family per the plans with three off street parking spots.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail proposing to erect three (3) family; three (3) bedroom 1 ½ bath, 1300sf approximately. Height 35ft, 2.5 stories required; proposing 32 ft, 3 stories; rear yard 30 ft; required, 25 proposed.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for approval with Proviso, (BPDA) and Walsh-Logue seconded and the Board voted unanimously to approve.

**Case:** BOA-888276 **Address:** 1050-1058 Dorchester Avenue **Ward** 13 **Applicant:** Jennifer Nguyen

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

**Purpose:** To expand existing Restaurant / Deli into existing retail space to increase the size of the existing Restaurant & remove partial wall between the 2 spaces as per plans. Install LVL beam to support roof, frame new restroom, frame walls in basement to make food prep area. Contractor to change application into their name prior to any Permit being issued.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to expand the existing restaurant and takeout and to add 8 seats to existing eatery, no exterior work.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-852459 **Address:** 5 Spring Garden Street **Ward** 13 **Applicant:** Josh Bloomberg

**Article(s):** 09(9-1) 65(65-9)

**Purpose:** Legalize previously enclosed rear porches (by prior owner) in units 1 and 2.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail seeking to legalize enclosed rear porches by prior owner. All units are 4 bedrooms, 1 ½ bath 1300sf.

**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 Erlich moved for approval and Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA-889398 **Address:** 18A Rockville Park **Ward** 12 **Applicant:** K & K Development

**Article(s):** 50(50-28) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-43)

**Purpose:** Change occupancy from a three to a four family. Also to add dormers and extend rear staircase to the fourth floor

**Discussion:** At the request of the applicant **this case has been deferred to 4/30/2019**

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

**Case:** BOA-904465 **Address:** 6 Gannett Street **Ward** 12 **Applicant:** Derric Small

**Article(s):** 10(10-1) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-43)

**Purpose:** Erect a two-family dwelling on a vacant lot. Propose (1) off-street parking.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to erect a two-family on vacant lot. Lot is 4,000sf, 2,777sf proposed.

**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 Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA-892911 **Address:** 27 Dudley Street **Ward** 9 **Applicant:** Patrick Mahoney, Esq.

**Article(s):** 50(50-28) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-29) 50(50-41)

50(50-43) 50(50-44)

**Purpose:** Create gabled addition with ground level parking. Add living space within existing building. Create exterior decks. Change occupancy from 2 family to 8 residential units.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail proposing 8 units to only 6 units, total gut renovation of interior, no change to building. Basement will be compliant with 2015 building code.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-904095 **Address:** 1423-1425 Tremont Street **Ward** 9 **Applicant:** John Pulgini

**Article(s):** 13(13-4) 59(59-16) 59(59-16) 59(59-16) 59(59-16) 59(59-37) 59(59-38)

**Purpose:** Erecting a four story retail/residential structure. The structure to house a retail space on the ground floor with 3 storied above housing 9 two bedroom residential units.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail seeking to erect a 4 story mixed used building; commercial on second floor with 3 stories and 9 units above.

Board Members inquired about FAR. The applicant stated 30 allowed proposing 3.9.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for approval with Proviso (BPDA) and Walsh-Logue seconded and the Board voted unanimously to approve.

**Case:** BOA-839661 **Address:** 100-114 Hampden Street **Ward** 8 **Applicant:** Kemble/Hampden, LLC  
City Hall, upon the appeal of Kemble/Hampden, LLC seeking with reference to the premises at 100-114 Hampden **Article(s):** 50(50-32) 50(50-43)

**Purpose:** Erect a four story and one half story commercial structure containing 39,589 s.f. to be used as a Cannabis Establishment as defined by Text Amendment 479 to the Boston Zoning Code.



**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail seeking to erect a four story and one half story commercial structure containing 39,589 s.f. to be used as a Cannabis Establishment. The applicant stated the lot is currently vacant Twenty-four hour operation with security always on location. Waste Management strict procedures to grind waste up to fertilizer which will be under lock and key. Anticipated staff of 30; 42 parking spaces.

Board Members inquired about FAR. The applicant stated 30 allowed proposing 3.9.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services, Local Labor, CEO's of nearby companies, New Market Business Association and Abutters are in support.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Bickerstaff moved for approval with Proviso (BPDA) and Walsh-Logue seconded and the Board voted unanimously to approve.

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

**Case:** BOA-891497 **Address:** 271 West Fifth Street **Ward** 7 **Applicant:** Anthony Virgilio

**Article(s):** 27S(27S-5) 68(68-8) 68(68-8) 68(68-33)

**Purpose:** Change of occupancy from one-family to two-family dwelling. Legalize living space to basement. Full interior renovation. Propose new exterior egress stairs. Work to include fire alarm and sprinklers as per plans.

**Discussion:** At the request of the applicant **this case has been deferred to 4/30/2019**

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

**Case:** BOA#891508 **Address:** 271 West Fifth Street **Ward** 7 **Applicant:** Anthony Virgilio

**Purpose:** Change of occupancy from one-family to two-family dwelling. Legalize living space to basement. Full interior renovation. Propose new exterior egress stairs. Work to include fire alarm and sprinklers as per plans. SECTION: 9th 780 CMR 1028 Exit Discharge. Section 1028.5 Access to a public way. The exit discharge shall provide a direct and unobstructed access to a public way.

**Discussion:** At the request of the applicant **this case has been deferred to 4/30/2019**

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

**Case:** BOA-878971 **Address:** 60 Humphreys Street **Ward** 7 **Applicant:** Antonio Barbosa

**Article(s):** 65(65-9) 65(65-9) 65(65-41)

**Purpose:** Change occupancy from a 2 family to a 3 family and add Extended first floor living space into the basement.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating to change occupancy from a 2 to a 3 family extend living space into basement for owner parents to reside. Existing 3<sup>rd</sup> unit to be legalized, taxed as a 3 family.

Board Members inquired about FAR. The applicant stated floor to ceiling height in basement 7'6".

**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 and Walsh-Logue seconded and the Board voted unanimously to approve.

**Case:** BOA-833835 **Address:** 6 General William H Devine Way **Ward** 7 **Applicant:** Patrick Mahoney, Esq.

**Article(s):** 13(13-1) 13(13-1) 13(13-1) 13(13-1) 13(13-1) 13(13-1) 13(13-1) 13(13-1) 13(13-1) 23(23-1)

**Purpose:** Renovate existing 1 story garage and erect 4 stories over to create 5 story, 4-unit residential building w/roof deck and 4 car garage as per plans submitted.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating easement provides access to Dorchester Ave from building 2. No work to be done on existing building.

Board Members inquired about FAR. Applicant stated 2.0 max Far; 2,115 proposed FAR.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for approval with Proviso (Approval for 538, BPDA for 534R Dorchester) Bickerstaff seconded and the Board voted unanimously to approve.

**Case:** BOA-784986 **Address:** 534R Dorchester Avenue **Ward 7 Applicant:** Mark Little

**Article(s):** 27S(27S-5) 68(68-8) 68(68-8) 68(68-8) 68(68-8) 68(68-8) 68(68-8) 68(68-8) 68(68-8) 68(68-33) 68(68-33) 68(68-34)

**Purpose:** Erect new 7 unit residential building with 11 garaged parking spaces per plans. This is one of two buildings on the same lot.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating easement provides access to Dorchester Ave from building 2. No work to be done on existing building.

Board Members inquired about FAR. Applicant stated 2.0 max Far; 2,115 proposed FAR.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for approval with Proviso (Approval for 538, BPDA for 534R Dorchester) Bickerstaff seconded and the Board voted unanimously to approve.

**Case:** BOA-897316 **Address:** 534-538 Dorchester Avenue **Ward 7 Applicant:** Mark Little

**Article(s):** 12(12-1) 13(13-4) 14(14-1) 14(14-6) 15(15-1) 17(17-1) 20(20-1)

**Purpose:** Existing building on lot. Second phase of an existing condominium building at this address. See associated application numbered ERT766330 for the second building. No work to be done to existing building under this application. This is one of the two buildings on the same lot.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating easement provides access to Dorchester Ave from building 2. No work to be done on existing building.

Board Members inquired about FAR. Applicant stated 2.0 max Far; 2,115 proposed FAR.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for approval with Proviso (Approval for 538, BPDA for 534R Dorchester) Bickerstaff seconded and the Board voted unanimously to approve.

**Case:** BOA-895333 **Address:** 33-35 Covington Street **Ward 7 Applicant:** Antony Virgilio

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

**Purpose:** Renovate all floors new plumbing, electrical, sprinklers, and fire alarm of an existing three-family dwelling.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, stating seeking IPOD Applicability.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services, Councilor Flynn and Councilor Essabi-George.

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-901341 **Address:** 314-330 West Second Street **Ward** 6 **Applicant:** Niles Sutphin

**Article(s):** 27S(27S-5) 68(68-8) 68(68-8) 68(68-33)

**Purpose:** Change Occupancy from Retail and Laundromat to nine (9) Residential Units. Demolish existing partitions and related systems: Erect new partitions to create residential units and provide new systems per plans

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating two (2) studio 343 & 473 sf, one (1) bedroom and two (2) bedroom unit. No parking provided, close to Broadway T Station.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-896834 **Address:** 246 Athens Street **Ward** 6 **Applicant:** George Morancy

**Article(s):** 27S(27S-5) 68(68-8) 68(68-8) 68(68-8) 68(68-8) 68(68-8) 68(68-33)

**Purpose:** Erect new 2 family home with parking on the ground floor.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating 1261 sf lot for 4 story, 2 family.

Board Members inquired about break down of units. Units 1200 sf and 1100sf. No roof deck proposed.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-889939 **Address:** 310-320 Cambridge Street **Ward** 5 **Applicant:** Christopher Miller

**Article(s):** 08(8-7)

**Purpose:** Change Occupancy from Restaurant to Restaurant, Gym/fitness studio build-out at #316 Cambridge Street 2nd floor. Existing fire protection system to remain, NO WORK.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to change occupancy from Restaurant to Restaurant, Gym/fitness studio. Fitness studio on second floor above existing restaurant, Harvard Gardens.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-865001 **Address:** 28 Commonwealth Avenue **Ward** 5 **Applicant:** Adam Gilmore

**Article(s):** 16(16-1)

**Purpose:** The proposed project includes the construction of a new roof deck with a new stair and hatch from the existing fifth floor.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to construction of a new roof deck with a new stair and hatch from the existing fifth floor.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-885641 **Address:** 78 Mount Vernon Street **Ward** 5 **Applicant:** Christine Hayward

**Article(s):** 13(13-1)

**Purpose:** Construct new fourth floor dormer addition. Propose rear bay window and associated stair work. Partial cost under SF827438 and SF854700.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to construct new fourth floor dormer addition to add additional space so it is usable.

Top floor sleeping area, pre-existing.

**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 Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA-899754 **Address:** 260 Newbury Street **Ward** 5 **Applicant:** Maison Newbury LLC

**Article(s):** 08(8-3) 08(8-3) 32(32-4)

**Purpose:** Change occupancy to mercantile/retail use at the ground and first floors with R-1 Transient Use Dwelling 17 Units on the floors above. The proposal includes new MEPFP systems, sprinkler and installation of groundwater mitigation system, an elevator, floors, walls, ceilings, doors, windows, bathrooms, kitchens and insulation. The proposed project also includes the construction of a new penthouse addition/roof deck and rear addition with roof deck. In addition, a new recessed entry terrace is proposed on Newbury Street.

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

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

**Case:** BOA-881511 **Address:** 8 Rutland Square **Ward** 4 **Applicant:** Eben Kunz

**Article(s):** 64(64-9.4)

**Purpose:** Construct 1 rear deck off parlor level and a roof deck with hatch access.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to construct 1 rear deck off parlor level and a roof deck with hatch access.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for approval with Proviso (Building Code Relief) and Bickerstaff seconded and the Board voted unanimously to approve.

**Case:** BOA#881510 **Address:** 8 Rutland Square **Ward** 4 **Applicant:** Eben Kunz

**Purpose:** Construct 1 rear deck off parlor level and a roof deck with hatch access.

**SECTION:** 9th Edition 780 CMR CHPT 10 Ch.10 Section 1011.2 Roof Access; Roof hatch proposed per plan.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to construct 1 rear deck off parlor level and a roof deck with hatch access.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for approval with Proviso (Building Code Relief) and Bickerstaff seconded and the Board voted unanimously to approve.

**Case:** BOA-888128 **Address:** 22R Parker Street **Ward 2 Applicant:** Wolfgang Apel

**Article(s):** 10(10-1) 62(62-8) 62(62-8) 62(62-8) 62(62-8) 62(62-8) 62(62-30-12)

**Purpose:** 22 Parker Street presently consists of a 3 story, 2 family wood framed structure within a 3F-2000 zone, with an existing, detached brick carriage house to the rear of the 2 family structure. The proposal submitted herewith seeks to demolish the existing carriage house and to build a freestanding, single-family structure in substantial conformity with the footprint of the existing carriage house, thereby increasing the total dwellings on the subject parcel to 3 families. Proper declared value of construction needs to be added and fees paid JMK.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to construct 2 family with carriage house, raze carriage house and build single family dwelling substantially written on current foot print. Two family will remain on lot.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-872545 **Address:** 208 Bremen Street **Ward 1 Applicant:** John Duran

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

**Purpose:** Build addition on third floor as per plans.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating build addition on third floor with no roof deck. Plans not stamped by an architect.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved for approval with Proviso (BPDA hold for signature of architect) and Bickerstaff seconded and the Board voted unanimously to approve.

**Case:** BOA- 874954 **Address:** 303-305 Bennington Street **Ward 1 Applicant:** Stephen Stoico

**Article(s):** 53(53-12) 53(53-12) 53(53-12) 53(53-12) 53(53-56)

**Purpose:** Seeking to demolish the existing building and to erect a four-story, mixed-use building with five residential units and one retail space. The building will include a fire staircase and full sprinkler system.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to demolish the existing building and to erect a four-story, mixed-use building with five residential units and one retail space.

Board Members inquired about FAR. The applicant stated FAR 1, 2.53 proposed; 20 ft rear yard; 10 ft proposed; no parking. Board Members inquired about units. The applicant stated 4 (1) bedrooms (1) bath and one (2) bedroom and 1 bath

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

**Documents/Exhibits:** Building Plans

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

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

**Case:** BOA-853295, **Address:** 31 Dell Avenue **Ward:**18 **Applicant:** Elida Sanchez

**Article(s):** 09(9-1) 69(69-29.4)

**Purpose:** Install retaining walls and driveway on the front right of the house.

**Discussion:** At the request of the applicant **this case has been deferred to 4/30/2019**

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

**Case:** BOA-903904, **Address:** 231-233 West Street **Ward:** 18 **Applicant:** Joseph Duca

**Article(s):** 09(9-1) 69(69-9)

**Purpose:** Adding shed dormers on the attic, making additional room.

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

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

**Case:** BOA-897247 **Address:** 296 Neponset Avenue **Ward** 16 **Applicant:** James Distefano

**Article(s):** 65(65-9) 65(65-9) 65(65-9) 65(65-9)

**Purpose:** Remove porches, build new addition.

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

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

**Case:** BOA-897256, **Address:** 296 Neponset Avenue **Ward:** 16 **Applicant:** Du Ly

**Article(s):** 65(65-9) 65(65-41)

**Purpose:** Propose two (2) off-street parking.

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

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

**Case:** BOA-793903 **Address:** 24 Arcadia Park , **Ward** 15 **Applicant:** Patrick Mahoney

**Article(s):** 09(9-1) 65(65-9) 65(65-9) 65(65-9) 65(65-9)

**Purpose:** Build addition to the existing 3 family building. Consolidate lots per the plans. Combine parcel ID 1501557000 and Parcel ID 1501556000. Add off street parking for four cars

**Discussion:** At the request of the applicant **this case has been deferred to 4/30/2019**

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

**Case:** BOA-890234, **Address:** 24 Montrose Street **Ward:**12 **Applicant:** Gladys Triplett

**Article(s):** 50(50-29:Side Yard Insufficient & Rear Yard Insufficient)

**Purpose:** Build rear porches with stairs. Cost reflected on SF843638.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to build rear porches for 2<sup>nd</sup> floor with stairs

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-837872 **Address:** 167 West Eighth Street **Ward** 7 **Applicant:** Kristina Filozova

**Article(s):** 10(10-1) 68(68-33)

**Purpose:** Accessory parking spaces for 2 cars.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to create accessory parking spaces for 2 cars.

**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 Erlich moved for approval with Proviso (BPDA light on porch be mounted) and Bickerstaff seconded and the Board voted unanimously to approve.

**Case:** BOA-866356, **Address:** 806 East Third Street **Ward:** 6 **Applicant:** Adam Dizdari  
**Article(s):** 27S(27S-5) 68(68-8: Usable open space insufficient & Side yard insufficient)  
**Purpose:** Change of occupancy to a two-family dwelling. Full interior renovation of two-family dwelling. Extend living space to basement. Add second means of egress by extending exterior rear porch with new roof. Propose (2) off-street parking

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail stating the intent is to change of occupancy to a two-family dwelling. Extend living space in basement with one bedroom, ceiling height 7 ft, 3 inches. Two units each unit has access s to mechanical facilities

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Erlich moved and Bickerstaff seconded and the Board voted unanimously to approve.

**Case:** BOA-854658 **Address:** 200-202 Ipswich Street , **Ward 5 Applicant:** 1241 Boylston, LLC  
**Article(s):** 32(32-9)  
**Purpose:** Erect a 184 room hotel with a ground floor restaurant. Project will include approximately 105,000 square feet of building area and will be eight (8) stories with maximum height of ninety feet (90), there will be approximately 82 parking spaces in one below-grade level. Existing building to be removed by other permit.

**Discussion:** At the request of the applicant **this case has been deferred to 2/26/2019**

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

**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 5/21/2019**

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

#### **RECOMMENDATION/HEARINGS:**

*(The Zoning Advisory Subcommittee held hearings for the following cases November 15, 2018. Board Secretary Mark Fortune reported the Subcommittee's recommendations from these hearings to the Board.)*

**Case:** BOA-901253, **Address:** 78 Washington Street **Ward:** 2 **Applicant:** Keith Hinzman  
**Article(s):** 62(62-25)  
**Purpose:** Approximately 244 SF dormer addition to top unit of existing 2-family. Two gable dormers left and right with a shed dormer in between.

**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-876476, **Address:** 21 South Russell Street **Ward:** 3 **Applicant:** Brian Lafauce  
**Article(s):** 64(64-9) 64(64-9.4)

**Purpose:** Amendment to ALT763093. Replace existing rear structure with a proposed 7x14 ft deck.

**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-873789, **Address:** 18 Yarmouth Street **Ward:** 4 **Applicant:** Eben Kunz

**Article(s):** 64(64-9)

**Purpose:** Construct 2 decks off rear wall and related doors.

**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-890026, **Address:** 753 East Broadway **Ward:** 6 **Applicant:** Klaudjon Totoni

**Article(s):** 68(68-7)

**Purpose:** Change occupancy to include take-out restaurant from existing restaurant (Bagel Shop). No work to be done.

The Applicant failed to appear before the Subcommittee at the hearing, and the members voted to recommend Dismissal Without Prejudice.

**Case:** BOA-902821, **Address:** 33-39 South Huntington Avenue **Ward:** 10 **Applicant:** Patrick Foley

**Article(s):** 59(59-7: Restaurant Forbidden & Take out restaurant forbidden)

**Purpose:** Construct a Dunkin Donuts restaurant in existing space all work to be done according to drawings submitted.

**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 BPDA Design Review.

**Documents/Exhibits:** Building plans

**Case:** BOA-896860, **Address:** 206-208 Harold Street **Ward:** 12 **Applicant:** Abdullah Mahmud

**Article(s):** 50(50-28)

**Purpose:** Add retail to core shell space in building.

The Applicant failed to appear before the Subcommittee at the hearing, and the members voted to recommend Dismissal Without Prejudice.

**Case:** BOA-898589, **Address:** 14 Tuttle Street **Ward:** 13 **Applicant:** Ky Tran

**Article(s):** 65(65-9: Floor Area Ratio Excessive; Front Yard Insufficient & Rear Yard Insufficient)

**Purpose:** Enclose front porch.

**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 BPDA Design Review.

**Documents/Exhibits:** Building plans

**Case:** BOA-858186, **Address:** 109 Glenway Street **Ward:** 14 **Applicant:** Dynell Andrews

**Article(s):** 60(60-9)

**Purpose:** Remove closet and open space to basement built wall to separate common area from extended living from first floor.

**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-896200, **Address:** 39 Crockett Avenue **Ward:** 16 **Applicant:** Stephen Mullin  
**Article(s):** 65(65-9: Floor Area Ratio Excessive; Building Height(#of Stories)Excessive; Front yard insufficient & Side Yard Insufficient)

**Purpose:** 2-1/2 story addition at rear and side of house.

**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-804148, **Address:** 12 Lonsdale Street **Ward:** 16 **Applicant:** Barrinton Anderson

**Article(s):** 65(65-9)

**Purpose:** Extend first floor apartment number one living space into the basement for new bedroom.

**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-894291, **Address:** 62 Fairmount Street **Ward:** 17 **Applicant:** Javier Perez

**Article(s):** 65(65-9:FloorAreaRatio Excessive; Building Height(#of Stories)Excessive; & Side Yard Insufficient)

**Purpose:** Adding dormers to existing Roof to create a new 3rd Floor. Extend living space onto 3rd Floor.

The Subcommittee deferred the matter to the full Board on February 5, 2019.

**Case:** BOA-616440, **Address:** 31 Weld Hill Street **Ward:** 19 **Applicant:** Eben Kunz

**Article(s):** 55(55-9)

**Purpose:** Partial renovation of Unit 2 and add 2 dormers.

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

**Documents/Exhibits:** Building plans

**Case:** BOA-886336, **Address:** 177 Beech Street **Ward:** 20 **Applicant:** Daniel Gavin

**Article(s):** 67(67-9)

**Purpose:** Adding addition that would extend home to meet current sun room footprint.

**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-868628, **Address:** 111 Belle Avenue **Ward:** 20 **Applicant:** Bruce Holmes

**Article(s):** 56(56-8)

**Purpose:** Demolish enclosed porch and rebuild attached addition to existing footprint. Propose 10 by 16 foot deck with a roof, landing and stairs to the back door and shed roof over the existing basement stairs.

**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-872945, **Address:** 55 Dwinell Street **Ward:** 20 **Applicant:** John Barry

**Article(s):** 56(56-8)

**Purpose:** Construct a new second story side addition on existing first floor footprint. Construct new front and rear porch with roof. Extend living space. As per the attached 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.

**Documents/Exhibits:** Building plans

**Case:** BOA-865897, **Address:** 11 Swan Street **Ward:** 20 **Applicant:** Samir Kobeissi

**Article(s):** 56(56-8)

**Purpose:** Construct new rear addition to existing single family dwelling.

**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 BPDA Design Review.

**Documents/Exhibits:** Building plans

**Case:** BOA-861576 **Address:** 413 West Fourth Street **Ward:** 7 **Applicant:** Sara Mills

**Article(s):** 68(68-33) 68(68-8)

**Purpose:** Change of occupancy from single-family dwelling to two-family dwelling. Legalize existing two-family dwelling.

**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#861575, **Address:** 413 West Fourth Street **Ward:** 7 **Applicant:** Sara Mills

**Purpose:** Change of occupancy from single family dwelling to two family dwelling. Legalize existing two-family dwelling. Section 9th 780 CMR R311 Means of Egress. R311.1 Means of Egress (MA Amendment). Dwelling units shall be provided with a primary and secondary means of egress in accordance with this section. 9th 780 CMR R311 Means of Egress. R311.7.6 Landings for stairways. There shall be a floor or landing at the top and bottom of each stairway. The width perpendicular to the direction of travel shall be not less than the width of the flight served.

**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:**

CHRISTINE ARAUJO- CHAIR  
MARK FORTUNE-SECRETARY  
MARIE ST. FLEUR-ABSENT  
BRUCE BICKERSTAFF  
MARK ERLICH  
ANTHONY PISANI-ABSENT  
CRAIG GALVIN-ABSENT

**SUBSTITUTE MEMBERS:**

KERRY LOGUE  
TYRONE KINDELL, JR

**For a video recording of the November 27, 2018 Board of Appeal Hearings please go to:**  
**[https://www.cityofboston.gov/cable/video\\_library.asp](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](https://www.municode.com/library/ma/boston/codes/redevelopment_authority)**