



## **Hearing Minutes**

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

**PLEASE BE ADVISED OF THE FOLLOWING APPEALS TO BE HEARD ON JANUARY 18, 2022 BEGINNING AT 9:30 AM AND RELATED ANNOUNCEMENTS.**

**ALL MATTERS LISTED ON THIS JANUARY 18, 2022 HEARING AGENDA HAVE BEEN NOTICED IN ACCORDANCE WITH THE ENABLING ACT.**

**PLEASE BE ADVISED OF THE FOLLOWING PARTICIPATION INSTRUCTIONS:**

**THE JANUARY 18, 2022 HEARING WILL BE HELD VIRTUALLY VIA VIDEO TELECONFERENCE AND TELEPHONE VIA THE WEBEX EVENT PLATFORM.**

Interested persons can participate in the hearing **REMOTELY** by going to <https://bit.ly/January18Hearing> or by calling 1-617-315-0704 and entering access code 2348 607 9268. You do not need a password for this hearing, but if the system asks you for one, please call our main office at 617-635-4775.

If you wish to offer testimony on an appeal, please click <https://bit.ly/January18Comment> to sign up. Please provide your name, address, the address and/or BOA number of the appeal on which you wish to speak, and if you wish to speak in support of or opposition to the project.



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**For individuals who need translation assistance, please notify the Board at least 48 HOURS in advance either by signing up at <https://bit.ly/January18Comment>, calling 617-635-4775 or emailing [zba.ambassador@boston.gov](mailto:zba.ambassador@boston.gov).**

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

**If you wish to offer comment within the meeting platform, please use the “raise hand” function, if connected by video, or dial \*3, if connected by phone. The requester will be administratively unmuted and asked to state their name, address and comment. Comments will be limited as time requires.**

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

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

**Interested persons who are unable to participate in the hearing remotely may make an appointment to appear in person at City Hall in the BPDA Board Room. Please notify the Board at least 48 HOURS in advance either by calling 617-635-4775 or emailing [isdboardofappeal@boston.gov](mailto:isdboardofappeal@boston.gov) for accommodations to be made. Individuals appearing at City Hall without an appointment will not be permitted to enter.**

**MEMBERS OF THE COMMUNITY ARE STRONGLY ENCOURAGED TO HELP FACILITATE THE VIRTUAL HEARING PROCESS BY EMAILING LETTERS IN SUPPORT OF OR OPPOSITION TO AN APPEAL TO [ZBAPublicInput@boston.gov](mailto:ZBAPublicInput@boston.gov) IN LIEU OF OFFERING TESTIMONY ONLINE OR FROM BPDA BOARD ROOM. IT IS STRONGLY ENCOURAGED THAT WRITTEN COMMENTS BE SUBMITTED TO THE BOARD AT LEAST 48 HOURS PRIOR TO THE HEARING. WHEN DOING SO, PLEASE INCLUDE IN THE SUBJECT LINE THE BOA NUMBER, THE ADDRESS OF THE PROPOSED PROJECT AND THE DATE OF THE HEARING.**



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**APPROVAL OF THE HEARING MINUTES: 9:30AM**

**JANUARY 11, 2022**

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

**EXTENSIONS: 9:30AM**

**Case: BZC-32903 Address: 188 High Street Ward 3 Applicant: Fred Mannix**

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

**Vote:** Upon a Motion and second, the Board voted unanimously to approve the request with a new date of May 6, 2023 subject to all applicable tolling and a 1 year extension.

**Case: BOA-441251 Address: 508 East Broadway Ward 6 Applicant: Zachary Pinnick**

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

**Vote:** Upon a Motion and second, the Board voted unanimously to deny the extension.

**Case: BOA-972965 Address: 48 Geneva Street Ward 1 Applicant: Richard Lynds, Esq**

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

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

**Case: BOA-972963 Address: 58 Lubec Street Ward 1 Applicant: Richard Lynds, Esq**

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

**Vote:** Upon a Motion and second, the Board voted unanimously to approve the request with a new date of May 8, 2023 subject to all applicable tolling.

**Case: BOA-927639 Address: 100 Mount Pleasant Avenue Ward 8 Applicant: Philip Hresko, AIA/ASLA**

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

**Vote:** Upon a Motion and second, the Board voted unanimously to approve the request with a new date of February 6 2023 subject to all applicable tolling.



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## **HEARINGS: 9:30AM**

**Case: BOA-1231011 Address: 5 Garden Court Street Ward 3 Applicant: 5 Garden Court Street, LLC**

**Article(s):** Article 54, Section 10 Floor Area Ratio Excessive

**Purpose:** Amend ALT1156509. Excavate basement to extend the living space for unit 1 to the garden level. The unit count will stay at 4. The garden level will become part of unit 1 living space.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to excavate the basement and extend the living space into the basement. The space is currently vacant commercial space.

Board members asked about plans, floor to ceiling height, basement space, layout, access and egress, elevations.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans, letters in support.

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

**Case: BOA-1259182 Address: 654-660 East Broadway Ward 6 Applicant: John Pulgini**

**Article(s):** Article 68, Section 33 Off Street Parking & Loading Req-Parking spaces required Article 68, Section 7

Restaurant use: Conditional Article 68, Section 7 Office use: forbidden Article 68, Section 8 Add'l Lot Area Insufficient Article 68, Section 8 Floor Area Ratio Excessive Article 68, Section 8 Bldg Height Excessive (Feet) Article 68, Section 8 Usable Open Space Insufficient Article 68, Section 8 Side Yard Insufficient

**Purpose:** Demolition of three existing structures (Short Forms to be filed separately) to Erect a 4 story building with restaurant on the 1st floor, shared office space on the 2nd floor and 8 residential units on the 3rd and 4th floor. Combine lot ID 0603242000 (1,416sqft) with lot ID 0603241000 (1,395 sqft) with lot ID 0603240000 (1,967sqft) and lot ID 0603243000 (3,564 sqft) totaling: 8,868 sqft Elimination of the two existing passageways.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to withdraw the application.

**Votes:** Board Member Fortune moved to deny without prejudice, Ruggiero seconded, and the motion carried unanimously.

**Case: BOA-1252013 Address: 744-748 Dudley Street Ward 7 Applicant: Katia Figuereo Feliz**

**Article(s):** Art. 06 Sec. 04 Other Protectional Conditions

**Purpose:** Remove proviso for takeout as it is switching owners

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to remove the existing proviso for the new owners. Everything else will stay the same.

Board members asked about plans, restaurant, and take out experience.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Ruggiero moved to approve with the provisos that this is for this applicant only and all standard takeout provisos. Robinson seconded and the motion carried unanimously.

**Case: BOA-1207621 Address: 265 Amory Street Ward 11 Applicant: Lee Goodman**



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**Article(s):** Article 29 Section 4 GPOD Applicability Article 55 Section 20 Floor Area Ratio Excessive Article 55 section 40 Off Street Parking & Loading Req-Off Street Parking Insufficient Article 55 Section 20 Building Height Excessive Article 55 section 40 Off Street Parking & Loading Req-Off Street Loading Insufficient Article 55 Section 19 Use Regs in Local Industrial-Multi Family Dwelling Use: Forbidden Article 55 Section 20 Usable Open Space Insufficient Article 55 Section 20 Rear Yard Insufficient

**Purpose:** Erect new 4 story Multi Family dwelling containing 9 residential units and 9 parking spaces on newly created Lot B with 10,8883 SF. See subdivision: ALT1186555 & new building: ERT1190876.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a new 4 story with tough enrichment programs. 9 units and 9 parking spots.

Board members asked about plans, why 9 units, setbacks, building challenges, context with rest of street.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. Both a neighbor and an abutter are in support. A representative to abutters is in opposition.

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

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

**Case: BOA-1208609 Address: 267 Amory Street Ward 11 Applicant: Lee Goodman**

**Article(s):** Article 55 Section 20 Floor Area Ratio Excessive Article 55, Section 40 Off Street Parking & Loading Req-Off Street Parking Insufficient Article 29 Section 4 GPOD Applicability Article 55 Section 20 Building Height Excessive Article 55, Section 40 Off Street Parking & Loading Req-Off Street Loading Insufficient Article 55 Section 20 Rear Yard Insufficient

**Purpose:** Erect new 16,018 SF headquarters for Youth Enrichment Services a Boston Social Service group (Community Center) in a newly created vacant Lot A of 10,288 SF. Three story building to contain office and classrooms as well as a first floor ski shop (Retail Store). See subdivision: ALT1186555 & new building: ERT1190883.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a new 4 story with tough enrichment programs. 9 units and 9 parking spots.

Board members asked about plans, why 9 units, setbacks, building challenges, context with rest of street.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. Both a neighbor and an abutter are in support. A representative to abutters is in opposition.

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

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



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**Case: BOA- 1120693 Address: 218 Hancock Street Ward 13 Applicant: Joao Teixeira**

**Article(s):** Art. 10 Sec. 01 Limitation of parking areas-parking located on the front yard Article 65, Section 9 Usable Open Space Insufficient Article 65, Section 41 Off Street Parking & Loading Req-Location more than 10' width while located on the front yard.

**Purpose:** Propose (1) off street parking and curb cut.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to add 1 off street parking spot and a curb cut.

Board members asked about plans, parking at Hancock Street.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Councilor Baker is in support. BTB suggests denial due to the front yard parking.

**Documents/Exhibits:** Building Plans, letters of support.

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

**Case: BOA-1252950 Address: 22 High Street Ward 15 Applicant: Volnay Capital, LLC**

**Article(s):** Art. 65 Sec. 02 Conformity with Existing Building Alignment-Street modal calculation not provided to verify compliance Art. 65 Sec. 08 Forbidden-Multifamily use Art. 55 Sec. 65 41 Off Street parking insufficient-Min. required: 15x1.5=22.5 spaces. Proposed: 15 Article 65, Section 9 Side Yard Insufficient Article 65, Section 9 Floor Area Ratio Excessive Article 65, Section 9 Bldg Height Excessive (Stories) Article 65, Section 9 Bldg Height Excessive (Feet)

**Purpose:** Seeking to raze the existing structure and erect a new residential building with 15 units and 15 parking spaces.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting a deferral due to the 4 member board with a recusal.

**Votes:** Board Member Robinson moved to defer, Dong seconded, Ruggiero recused, and the motion carried unanimously. The new hearing date is February 8, 2022 at 12:30.

**Case: BOA-1259202 Address: 555-561 Metropolitan Avenue Ward 18 Applicant: John Pulgini**

**Article(s):** Art. 69 Sec.11 Forbidden-Residential USE on the first story Art. 69 Sec. 12 Excessive height Art. 69 Sec. 12 Front yard setback requirements Article 69 Section 29 Off Street Parking & Loading Req-Insufficient parking Article 69 Section 29 Off Street Parking & Loading Req-Insufficient loading areas Article 69 Section 29 Off Street Parking & Loading Req-(e) Design (50% of spaces are req. to be at a min. 8.5'x20' lengths)

**Purpose:** Erect 3 story, 21 dwelling unit building with 21 off street parking spots. Subdivide existing parcel into 2 parcels on ALT1241864.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a three story 21 condos with 21 parking spots and 21 bike racks. This has gone through the article 80 process.

Board members asked about plans, local shopping mall, parking, layout, and roof decks.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. Councilor Arroyo is in support.

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

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





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**Case: BOA-1190442 Address: 757 Centre Street Ward 19 Applicant: David Krumsiek**

**Article(s):** Article 55, Section 16 Use Regulations-Restaurant with take out use: Conditional

**Purpose:** Change of Occupancy to correct Restaurant use from application ALT1068678 to Restaurant with take out. Also to install walk up window.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change the occupancy to include takeout and legalize the existing condition.

Board members asked about plans, plumbing changes, how the dunkin donuts did not have takeout provisions previously. And how taking out the dine in seating they are taking out the public restrooms.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Ruggiero moved to approve, Robinson seconded and the motion carried unanimously. Robinson moved to approve the building code relief, Dong seconded and the motion carried unanimously.

**Case: BOA-1190754 Address: 757 Centre Street Ward 19 Applicant: David Krumsiek**

**Purpose:** Change of Occupancy to correct Restaurant use from application ALT1068678 to Restaurant with take out. Also to install walk up window.

**Violation** Violation Description Violation Comments 248 CMR 10.10 Plumbing Fixtures This application is proposing to eliminate the existing Plumbing fixtures open to the public for workers use only.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change the occupancy to include takeout and legalize the existing condition.

Board members asked about plans, plumbing changes, how the dunkin donuts did not have takeout provisions previously. And how taking out the dine in seating they are taking out the public restrooms.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Ruggiero moved to approve, Robinson seconded and the motion carried unanimously. Robinson moved to approve the building code relief, Dong seconded and the motion carried unanimously.

**Case: BOA- 1237073 Address: 3850 Washington Street Ward 19 Applicant: Thomas Falcucchi**

**Article(s):** Art. 09 Sec. 02 Nonconforming Use Change-Reduction in the number of previously proposed insufficient parking spaces <25%(conditional)

Art. 09 Sec. 01 Reconstruction/Extension of Nonconforming Bldg.-Extension of Accessory use (enclosed) garage into rear yard (above grade) >25% Forbidden Art. 33 Sec. 16 Air Right OS Applicability-Further extension of a nonconforming use dwelling into the rear yard; BOSCONCOM and transit corridor requirements (inclusive)

**Purpose:** Change the occupancy from 6 residential units and 6 parking spaces to 6 residential units and 5 covered parking spaces. See previously approved and built project under ERT796445.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting a reduction of 1 parking space and change the occupancy from a restaurant to include takeout.

Board members asked about plans, and the proposal.



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**Documents/Exhibits:** Building Plans.

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

**Case: BOA-1256886 Address: 96 Sheridan Street Ward 19 Applicant: Paul Yu**

**Article(s):** Art. 55 Sec. 55 40^ Off street parking insufficient-Required: 1 space Article 55, Section 12 Floor Area Ratio Excessive Article 55, Section 9 Usable Open Space Insufficient Art. 55 Sec. 55 9 Additional lot area insufficient  
**Purpose:** Change occupancy of existing two family building (with three dwelling units) to three family building with new fire sprinkler and fire alarm work.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to legalize the preexisting condition.

Board members asked about plans, zoning, rental or condos, and how it is currently taxed.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

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

**Case: BOA- 1257933 Address: 235 Baker Street Ward 20 Applicant: Catholic Memorial**

**Article(s):** Art. 56, Section 38 Sign Regulations-Use: Freestanding Signs: Conditional  
**Purpose:** Installation of 1 Pylon sign for Catholic Memorial 108" OAH x 26" Approved by BPDA. Installed by the licensed professional Timothy Reid CS 086926.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to install a sign for Catholic Memorial.

Board members asked about plans, and the height.

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

**Documents/Exhibits:** Building Plans.

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

## **HEARINGS:11:00AM**

**Case: BOA- 1245760 Address: 7 Putnam Street Ward 1 Applicant: Joshua Acevedo**

**Article(s):** Art. 53 Sec. 08 Forbidden-Three family is a Forbidden use in a 2F 2000 sub district Article 53, Section 9 Lot Area Insufficient Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Front Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Rear Yard Insufficient Article 53, Section 9 Floor Area Ratio Excessive Art. 53 Sec. 56^ Off street parking insufficient-

**Purpose:** Add a third dwelling unit on top of the existing two family structure; thus creating a three family building within the existing building footprint. I am also seeking to renovate the existing two floors, rebuild the exterior rear deck, and install sprinkler systems throughout the building.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to convert a 3 unit and renovate and add a third floor. This is maintaining the same footprint and existing non-conforming. All the units will have access to the roof deck.





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Board members asked about plans, unit sizes, layout, configuration, condo or rentals, and roof deck access.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

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

**Case: BOA- 1254663 Address: 22 Prospect Street Ward 2 Applicant: Robert Gatnik**

**Article(s):** Article 62, Section 8 Rear Yard Insufficient Article 62, Section 8 Bldg Height Excessive (Feet)  
Article 62, Section 8 Floor Area Ratio Excessive Article 62, Section 25 Roof Structure Restrictions

**Purpose:** Confirm Occupancy as three family dwelling. Renovate existing three family dwelling. Propose new first and second floor decks, roof deck. Extend living space to basement. New siding, roof, and windows. New interior finishes. New MEP and automatic sprinkler system.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to extend living space into the basement, fully renovate, and excavate the basement.

Board members asked about plans, basement space, use, floor to ceiling height, roof deck, headhouse, and the windows in the basement.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

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

**Votes:** Board Member Robinson moved to approve with BPDA design review, remove the headhouse, roof access through a hatch, and ensure the rear windows in the basement are at full height. Ruggiero seconded and the motion carried unanimously.

**Case: BOA-1245153 Address: 19-23 Hudson Street Ward 3 Applicant: Biao Boston, LLC**

**Article(s):** Art. 06 Sec. 04 Other Protectional Conditions-To remove Proviso #1: "Take out use granted to this petitioner only."

**Purpose:** To remove Proviso #1 from BZC 29829 dated 06/23/2009 "Take out use granted to this petitioner only...". Change of Occupancy to 1 Restaurant with 37/36A, 12 apts and 1 Boba Tea (36A). Interior fit out for a drink establishment, installation of equipment as shown on plans. Construction new non bearing wall, as per plan.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to change the occupancy to allow takeout. This will be a takeout only business.

Board members asked about plans, takeout experience, and the basement space.

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

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Robinson moved to approve with provisos that this is for this petitioner only, all applicable takeout language, and no relief for accessibility.



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**Case: BOA-1258631 Address: 1027-1029 Tremont Street Ward 9 Applicant: Bharat Mirchandani**

**Article(s):** Article 32, Section 4. GCOD, Applicability Article 50, Section 11 Floor Area Ratio Excessive  
Article 50, Section 11 Usable Open Space Insufficient Article 50, Section 11 Rear Yard Insufficient Article 50, Section  
43 Off Street Parking & Loading Req-Off Street Parking Insufficient

**Purpose:** To change the occupancy from two residential units and a store to three residential units and a restaurant with  
take out and bar. Also, to erect a fourth story addition with a roof deck.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail  
requesting to a restaurant on the lower level with 3 residential units with restaurant and takeout, and a roof deck. The  
headhouse is existing and this is a complete renovation.

Board members asked about plans, changes, headhouse, and previous Board experience.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood  
deferred judgement to the Board. The Boston Ground Water Trust has all required letters on file.

**Documents/Exhibits:** Building Plans. BGWT letters.

**Votes:** Board Member Robinson moved to approve with BPDA design review to reduce the size of the headhouse,  
Ruggiero seconded and the motion carried unanimously.

**Case: BOA-1261313 Address: 154 Terrace Street Ward 10 Applicant: Pickle-Ditson Phase II Limited  
Partnership**

**Article(s):** Art. 59, Section 19 Maximum floor area ratio allowed: 2 Proposed: 5.82 Art. 59, Section 19  
Maximum building height allowed: 40' Proposed: 81'-10" Art. 59, Section 19 Minimum rear yard required: 15'  
Proposed: 0.5' Art. 59, Section 37 Off-Street Parking Insufficient-Parking spaces required: 66 Proposed: 24 Article 59,  
Section 18 Use Regulations Multifamily use: forbidden

**Purpose:** Erect a 66 unit residential building per plans by combining parcel ID1000360000 (5,404 sqft) and parcel  
ID1000361000 (5,536 sqft) totaling 10,940 sqft.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail  
requesting to erect a new 66 unit dwelling with mostly rental some homeownership units. All 1 & 2 bedroom units. There  
are 3 IDP units and a 1.2 Million contribution.

Board members asked about plans, layout, sizes, and pricing.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood  
deferred judgement to the Board. BTM requested expanding the curb cut to 12 ft. Mission Hill Community group, an  
abutter, and the Carpenter's union are in support. An abutter is in opposition.

**Documents/Exhibits:** Building Plans. Letters in support, letter in opposition.

**Votes:** Board Member Robinson moved to approve with BPDA design review to focus on the rear side on Columbus ave  
and the street continuity on Terrace st. BTM review for reevaluate the proposed vehicle entry and exit.



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**Case: BOA-1207594 Address: 3484 Washington Street Ward 11 Applicant: Lee Goodman**

**Article(s):** Article 55 Section 19 Use Regs in Local Industrial-16 unit and Market uses: Forbidden Article 55 Section 20 FAR Max. allowed: 1.0 proposed exceeded. Article 55 Section 20 Building height: Max. allowed: 35' Proposed: 59' Article 55 Section 20 Open space insufficient. Required: 50 \* 16 = 800 sqft Article 54, Section 21 Off Street Parking & Loading Req-Existing: 18 Public 7 staff 2 Residential Proposed: 12 Public 4 staff 23 Residential Required for this building only: Restaurant use (as existing) 18+7. Market use: 10 spaces. Residential: 24 (Proposed new building within the same lot has not been included in these requirements) Article 55, Section 41 55.41.2 Traffic visibility across corner Article 55, Section 41 55.41.13 Two buildings on one Lot

**Purpose:** Restoration of 4,500 SF Doyle's Cafe Change of Occupancy to include New 5,000 SF market and 16 new condominiums addition (4 stories) above the market 22 parking spaces by City Lift. Combine 3 parcels to create a single 25,291 sqft site: lot ID 1102853000 (4,631 sqft) + lot ID 1102854000 (8,115 sqft) + lot IDs 1102834000 1102833000 1102833001 1102832000 (12,545 sqft)

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to restore and add housing above the market and add 6 units across the street. Adding a Kennedy community room and 29 community parking spots with 29 residential parking spots.

Board members asked about plans, market use, rear parking, and configuration.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. BTD says to move the number of spaces for 3484 and reconfigure, and more detail is needed for 60. Abutters, a neighbor, and the Carpenter's Union are in support. Abutters are also in opposition.

**Documents/Exhibits:** Building Plans. Letters in support and opposition.

**Votes:** Board Member Ruggiero moved to approve with BPDA and BTD design review. Robinson seconded and the motion carried unanimously.

**Case: BOA-1207600 Address: 60 Williams Street Ward 11 Applicant: Lee Goodman**

**Article(s):** Article 55 Sect 40 Off Street Parking & Loading Req-Required 9 (7\*1.25) Proposed: 5 Article 55, Section 8 Multifamily dwelling use: Forbidden. Article 55, Section 40.5d Parking space sizes Article 55, Section 41.1 Conformity Ex Bldg Alignment-Street Modal not provided Article 55, Section 41 Application of Dimensional Req-55.41.13 Two buildings on same lot Article 55, Section 9 Floor Area Ratio Excessive. Article 55, Section 9 Bldg Height Excessive (Feet) Article 55, Section 9 Bldg Height Excessive (Stories) Article 55, Section 9 Usable Open Space Insufficient Article 55, Section 9 Rear Yard Insufficient Article 55, Section 9 Side Yard Insufficient

**Purpose:** 4 story, 7 unit condominium building. Combine 3 parcels to create a single 25,291 sqft site: lot ID 1102853000 (4,631 sqft) + lot ID 1102854000 (8,115 sqft) + lot IDs 1102834000 1102833000 1102833001 1102832000 (12,545 sqft) In conjunction with ALT1138950

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to restore and add housing above the market and add 6 units across the street. Adding a Kennedy community room and 29 community parking spots with 29 residential parking spots.

Board members asked about plans, market use, rear parking, and configuration.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. BTD says to move the number of spaces for 3484 and reconfigure, and more detail is needed for 60. Abutters, a neighbor, and the Carpenter's Union are in support. Abutters are also in opposition.

**Documents/Exhibits:** Building Plans. Letters in support and opposition.

**Votes:** Board Member Ruggiero moved to approve with BPDA and BTD design review. Robinson seconded and the motion carried unanimously.



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**Case: BOA- 1207609 Address: 69 Williams Street Ward 11 Applicant: Lee Goodman**

**Article(s):** Article 55, Section 19 Use Regs in Local Industrial Multi-family dwelling use: Forbidden Article 55, Section 20 FAR exceeded. Max. allowed: 1.0 Article 55 Section 20 Open space insufficient. Required: 300sqft Article 55 Section 20 Rear yard required: 20' Provided: 6 Article 55 section 40 Off-Street Parking & Loading Req Parking spaces required: 8 Provided: 6

**Purpose:** Construct new 3 story multi family building with 6 units and 6 parking spaces (1 handicap accessible). Combine lots: lot ID: 1102795000 (6,572 sqft) and lot ID1102823010 (3,920 sqft) totaling 10,490 sqft

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to restore and add housing above the market and add 6 units across the street. Adding a Kennedy community room and 29 community parking spots with 29 residential parking spots.

Board members asked about plans, market use, rear parking, and configuration.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. BTM says to move the number of spaces for 3484 and reconfigure, and more detail is needed for 60. Abutters, a neighbor, and the Carpenter's Union are in support. Abutters are also in opposition.

**Documents/Exhibits:** Building Plans. Letters in support and opposition.

**Votes:** Board Member Ruggiero moved to approve with BPDA and BTM design review. Robinson seconded and the motion carried unanimously.

**Case: BOA-1189307 Address: 3 Half Moon Street Ward 13 Applicant: Francois Toka**

**Article(s)** Art. 50, Section 28 Use: Conditional - 4 units in 3F zone Art. 50, Section 43 Off-Street Parking Insufficient - 1 add'l spot required Article 50, Section 29 Add'l Lot Area Insufficient Article 50, Section 29 Floor Area Ratio Excessive Article 50, Section 29 Usable Open Space Insufficient

**Purpose:** Convert an existing basement into a 4th unit on an existing 3-family structure. A new NFPA-13R fire sprinkler system will be installed as part of the work.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to convert the basement to create a 4<sup>th</sup> unit. This is a preexisting 3 family with no footprint increase. Also install a sprinkler in the building.

Board members asked about plans, size of new unit, height, basement, and elevations.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. An abutter is in opposition.

**Documents/Exhibits:** Building Plans. Letters in support and opposition.

**Votes:** Board Member Robinson moved to defer due to lack of plans. Ruggiero seconded and the motion carried unanimously.

**Case: BOA-1249711 Address: 191-195 Bowdoin Street Ward 15 Applicant: Marcos Beleche**

**Article(s):** Article 65, Section 15 Use: Conditional

**Purpose:** Dorchester Food Co op proposes a T.I. of 6000 SF commercial interior renovation at 195 Bowdoin St. Landlord is VietAID. Local Convenience Subdistrict allows "Local Retail Business" for our grocery store. Conditional Use approval required for ~300 SF cafe/seating space w/in the store to offer takeout

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to run a full service grocery Dorchester co-op with a community café and indoor seating.



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Board members asked about plans, configuration, and the proponents previous experience.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. Councilor Worrell and an abutter are in support.

**Documents/Exhibits:** Building Plans. Letters in support.

**Votes:** Board Member Ruggiero moved to approve with BPDA design review for signage, all takeout applicable provisos, and this applicant only.

### **RE-DISCUSSIONS: 12:30PM**

**Case: BOA-1159048 Address: 377 Maverick Street Ward 1 Applicant: 377 Maverick, LLC**

**Article(s):** Art. 27G E Boston IPOD Art. 53 Sec. 09 Floor Area Ratio Excessive Art. 53 Sec. 09 Side yard insufficient Art. 53, Section 9 Rear yard. Required: 40' Proposed: 22.36' Art. 53 Sec. 52Roof Structure Restrictions - Roof deck proposed > 330sqft Art. 32 Sec. 32 4Groundwater Conservation Overlay District, Applicability

**Purpose:** Renovate the existing structure, extend living space into basement, and erect a rear addition with rear and roof decks.

**Discussion:** At the request of the Board, the applicant presented and requested to withdraw the application.

**Votes:** Board Member Ruggiero moved to deny without prejudice, Dong seconded, and the motion carried unanimously.

**Case: BOA-1222307 Address: 70 Shawsheen Road Ward 1 Applicant: Trichilo Development, LLC**

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

**Purpose:** Erect a 5 unit dwelling and 6 parking spaces.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting a deferral due to a 5 member board.

**Votes:** Board Member Fortune moved to defer, Robinson seconded and the deferral was moved unanimously. The new hearing date is February 8, 2022 at 12:30.



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**Case: BOA-1065886 Address: 57 Webster Street Ward 1 Applicant: Katherine Glaropoulos**

**Article(s):** Article 53 Section 8 Use: Multifamily Dwelling: Forbidden Article 53 Section 9 Lot Area Insufficient Article 53 Section 9 Floor Area Ratio Excessive Article 53 Section 9 Building Height Excessive Article 53 Section 9 Building Height ( # of Stories ) Excessive Article 53 Section 9 Usable Open Space Insufficient Article 53 Section 9 Side Yard Insufficient Article 53 Section 9 Rear Yard Insufficient Article 53, Section 56 Off Street Parking & Loading Req - Off Street Parking Insufficient Article 27T Section 9 East Boston IPOD Applicability Article 53, Section 52 Roof Structure Restrictions - Roof Structure Restrictions Article 25 Section 5 Flood Plain Regulations

**Purpose:** Change Occupancy from a Two Family Dwelling to a Four Family Dwelling. Construct a new 4 story Rear Yard addition with exterior Decks. Also, construct a 5th Floor penthouse with Roof Deck. Remodel entire Building. Installation of a new Sprinkler system.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to defer due to a 5 member Board.

**Votes:** Board Member Fortune moved to defer, Dong seconded, and the motion carried unanimously. The new hearing date is February 8, 2022 at 12:30.

**Case: BOA-11228936 Address: 7-11 Curtis Street Ward 1 Applicant: SawJnG, LLC**

**Article(s):** Article 53, Section 9 Rear Yard Insufficient Article 53, Section 9 Side Yard Insufficient Article 53, Section 9 Front Yard Insufficient Article 53, Section 9 Bldg Height Excessive (Feet) Article 53, Section 9 Bldg Height Excessive (Stories) Article 53, Section 9 Floor Area Ratio Excessive Article 53, Section 57.3 Traffic Visibility Across Corners Article 53, Section 56 Off Street Parking & Loading Req - Off Street Parking Insufficient Article 53 Section 8 Use Regulations - Multi Family Dwelling Use : Forbidden Article 27T 5 East Boston IPOD Applicability

**Purpose :** Erect a new residential building with 23 units and 17 parking spaces in a newly created lot containing 8,725 SF filed under ALT1227543. Raze building under SF1217082. See also ERT1207320.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a new residential dwelling with 17 parking spots. All of the units are studio, 1, 2 or 3 bed. Affordable units included.

Board members asked about plans, parking configuration, rendering, abutters, and height.

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

**Documents/Exhibits:** Building Plans. Letters in support and opposition.

**Votes:** Board Member Ruggiero moved to approve with BPDA design review with a 4<sup>th</sup> floor setback, green scaping the trees, and good street activation, Robinson seconded and the motion carried unanimously.

**Case: BOA-1228949 Address: 670-672 Saratoga Street Ward 1 Applicant: SawJnG, LLC**

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

**Purpose:** Erect a new residential building with 6 units in a newly created lot containing 3,652 SF filed under ALT1227543. See also ERT1207314.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to erect a new residential dwelling with 17 parking spots. All of the units are studio, 1, 2 or 3 bed. Affordable units included.





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Board members asked about plans, parking configuration, rendering, abutters, and height.

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

**Documents/Exhibits:** Building Plans. Letters in support and opposition.

**Votes:** Board Member Ruggiero moved to approve with BPDA design review with a 4<sup>th</sup> floor setback, green scaping the trees, and good street activation, Robinson seconded and the motion carried unanimously.

**Case: BOA- 1246029 Address: 43 Stillman Street Ward 3 Applicant: Joseph V. Scarfo**

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

**Purpose:** Combine two lots (Parcel ID 0302528000 and 0302529005) into a newly created single lot to be 1405 SF. Erect new two family dwelling with ground level garage parking and 4 stories of living space above. Top unit to have roof deck. Building to be sprinkled.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting to combine lots. The building is existing except for GCOD.

Board members asked about plans, and letters.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. The Boston Groundwater Trust has the GCOD letters on file.

**Documents/Exhibits:** Building Plans. GCOD letters.

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

**Case: BOA-1101370 Address: 16 Baker Court Ward 7 Applicant: Willow Baker, LLC**

**Article(s):** Article 65, Section 41 Off Street Parking & Loading Req - Off Street Parking Insufficient

Article 65, Section 16 Floor Area Ratio Excessive Article 65, Section 16 Building Height Excessive

Article 65, Section 16 Usable Open Space Insufficient Article 65, Section 16 Rear Yard Insufficient

Article 65, Section 15 Use Regulations - Multi Family Dwelling Use : Conditional

**Purpose :** Erect 4 story multi family building with six (6) residential units, no parking, private roof decks and (6) bike racks (1 in each unit). The existing building to be razed on separate permit.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting a 4 story 6 unit building. This has been through BPDA article 80 review.

Board members asked about plans, unit sizes, roof deck access, layout, and biking.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board. Councilor Baker, Flaherty, and an abutter are in support.

**Documents/Exhibits:** Building Plans.

**Votes:** Board Member Ruggiero moved to approve with BPDA design review to reduce the size of the headhouse. Robinson seconded and the motion carried unanimously.



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**Case: BOA-1170542 Address: 9 Downer Court Ward 15 Applicant: Joseph Feaster**

**Article(s):** Art. 65 Sec. 08 Forbidden - MFR is a Forbidden Use in a three family subdistrict Art. 65 Sec. 9 # of allowed stories has been exceeded- 2.5 stories max Art. 65 Sec. 9 Allowed Height exceeded -35' max. Art. 65 Sec. 9 Excessive F.A.R. -.5 max. Art. 65 Sec. 9 Insufficient front yard setback -15' req. Art. 65 Sec. 9 Insufficient side yard setback -10' min. req. Art. 65 Sec. 9 Insufficient rear yard setback -30' req. Art. 65 Sec.39 Screening & Buffering Req - None proposed Art. 65 Sec.41 Off-Street Parking & Loading Req - Design/space size min req.

**Purpose:** Construction of new (4) story, 9 unit apartments with on grade garage parking.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting a new 4 story 9-unit residential building.

Board members asked about plans, layout, configuration, height, density, site plan, green space and parking.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood deferred judgement to the Board.

**Documents/Exhibits:** Building Plans.

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

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

BOARD MEMBERS:

MARK ERLICH – ACTING CHAIR  
MARK FORTUNE-SECRETARY  
SHERRY DONG  
JOSEPH RUGGIERO  
ERIC ROBINSON

**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)**

**For a video recording of the January 18, 2022 Board of Appeal Hearing please go to: [https://cityofboston.gov/cable/video\\_library.asp](https://cityofboston.gov/cable/video_library.asp).**