



City of Boston
Board of Appeal

HEARING MINUTES

Tuesday, August 28, 2018

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:

August 14, 2018

EXTENSIONS: 9:30 a.m.

Case: BOA-600913 **Address:** 175 Gove Street , **Ward 1, Applicant:** Jeffrey Drago, Esq

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

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

Case: BZC-30461 **Address:** 191 Talbot Avenue, **Ward** , **Applicant:** Derric Small, Esq

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

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

BOARD FINAL ARBITER/EXTENSION: 9:30 a.m.

Case: BOA-550876 **Address:** 69-71 A Street , **Ward 6, Applicant:** Council on International Educational Exchange

Discussion: The applicant requested an extension of zoning relief previously granted by the Board and approval of modest design changes to the project.

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

GCOD: 9:30 a.m.

Case: BOA-838415 **Address:** 212 Commonwealth Avenue , **Ward 5, Applicant:** Joseph Holland
Article(s): 32(32-4)

Purpose: Change of occupancy from 8 units to 2 units. Full gut remodel with penthouse addition and rear 1 story addition. Propose three (3) off-street parking.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail to change of occupancy from 8 units to 2 units. Full gut remodel with penthouse addition and rear 1 story addition. Propose three (3) off-street parking.

BW&SC letter received.

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

Documents/Exhibits: Building Plans

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

Case: BOA-858380 **Address:** 162 West Brookline Street , **Ward 4, Applicant:** John Moran

Article(s): 32(32-4)

Purpose: Renovate 4000 sq' brownstone. See plans by architect guy Grassi for more detail. Change occupancy to two family and add roof deck over existing ell, deck at 2nd floor rear, terrace at fourth floor rear, modify dormers, lower slab at garden level.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail to change occupancy to two family and to add roof deck over existing ell, deck at 2nd floor rear, terrace at fourth floor rear, modify dormers, lower slab at garden level.

BW&SC letter received per Article 32.

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

Documents/Exhibits: Building Plans

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

HEARINGS: 9:30 a.m.

Case: BOA-838091 **Address:** 1580 Tremont Street , **Ward 10, Applicant:** Philip Hresko

Article(s): 09(9-1) 59(59-15)

Purpose: Clarify occupancy that was reviewed on ALT737091 and changed from Office Space and 2 Residential Apartments to 3 Residential Apartments. Cost reflected on Alt737091.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to clarify occupancy as 3 residential units from 1 office and 2 residential units

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

Documents/Exhibits: Building Plans

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

Case: BOA-824425 **Address:** 101 Amory Street , **Ward** 11, **Applicant:** Juan Torres
Article(s): 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9)

Purpose: Building A: Erect six-story Multi-Family Dwelling - 147 rental apartments with 57 below-grade parking spaces. Structure will be built on a subdivided parcel Lot A: 51,568 SF. File in conjunction with ERT799676.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail to Erect six-story Multi-Family Dwelling - 147 rental apartments with 57 below-grade parking spaces. Total of 350 total new units.

Board members discussed the breakdown of units and renovation of existing building. Board members discussed the violations and dimensional features relative to the Code; required vs. proposed. Board Members discussed proposed private street open to public access

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services Councilor Flaherty, Councilor O'Malley, Councilor Sanchez, Councilor Essaibi-George and Councilor Pressley are in support.

Documents/Exhibits: Building Plans

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

Case: BOA-824430 **Address:** 127 Amory Street, **Ward** 11, **Applicant:** Juan Torres
Article(s): 29(29-4) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9.3)

Purpose: Building B: Erect six-story Multi-Family Dwelling - 140 rental apartments with 58 below-grade parking spaces. Structure will be built on subdivided parcel Lot B: 58,236 SF. File in conjunction with ERT799675.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail to Erect six-story Multi-Family Dwelling - 147 rental apartments with 57 below-grade parking spaces. Total of 350 total new units.

Board members discussed the breakdown of units and renovation of existing building. Board members discussed the violations relative to what is required vs. proposed. Board Members discussed proposed private street open to public access. Board members asked who maintains the street. The applicant stated, The Partnership, PIC maintenance agreement.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services Councilor Flagherty, Councilor O'Malley, Councilor Sanchez, Councilor Essabi-George and Councilor Pressley are in support.

Documents/Exhibits: Building Plans

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

Case: BOA-838925 **Address:** 71 Call Street, **Ward 11, Applicant:** Jamaica Plain Neighborhood Development Corporation

Article(s): 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-40)

Purpose: Building B - New construction of a 3 story Attached Two Family Dwelling. See 73 Call Street (ERT811486)

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to new construction on vacant land. Four (4)-Three(3) story, 2 family dwellings. Hybrid rental/home ownership. Units are 100% affordable, 4 ownership and 4 rental.

Board members discussed the violations relative to what is required vs. proposed. Board Members discussed break down of units and sizes. Board Members discussed easement on property for parking. Board members discussed parking configuration and plans.

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

Documents/Exhibits: Building Plans

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

Case: BOA-838926 **Address:** 73-73A Call Street, **Ward 11, Applicant:** Jamaica Plain Neighborhood Development Corporation

Article(s): 55(55-8) 55(55-9) 55(55-9) 55(55-9) 55(55-9)

Purpose: Building B - New construction of a 3 story Attached Two Family Dwelling. Parking for 71 Call Street will be located at this Address. See 71 Call Street (ERT811454)

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to new construction on vacant land. Four (4)-Three(3) story building, 2 family dwelling. Hybrid rental/home ownership. Units are 100% affordable, 4 ownership and 4 rental.

Board members discussed the violations required vs. proposed. Board Members discussed break down of units and sizes. Board Members discussed easement on property for parking. Board members discussed parking configuration and plans.

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

Documents/Exhibits: Building Plans

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

Case: BOA-838927 **Address:** 75-75A Call Street , **Ward** 11, **Applicant:** Jamaica Plain Neighborhood Development Corporation

Article(s): 55(55-8) 55(55-9) 55(55-9) 55(55-9) 55(55-40)

Purpose: Building A - New construction of a 3 story Attached Two Family Dwelling. See 77-79 Call Street (ERT811493).

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to new construction on vacant land. Four (4)-Three(3) story building, 2 family dwelling. Hybrid rental/home ownership. Units are 100% affordable, 4 ownership and 4 rental.

Board members discussed the violations required vs. proposed. Board Members discussed break down of units and sizes. Board Members discussed easement on property for parking. Board members discussed parking configuration and plans.

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

Documents/Exhibits: Building Plans

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

Case: BOA-838929 **Address:** 77-79 Call Street, **Ward** 11, **Applicant:** Jamaica Plain Neighborhood Development Corporation

Article(s): 55(55-9) 55(55-9) 55(55-9) 55(55-40)

Purpose: Building A - New construction of a 3 story Attached Two Family Dwelling. See 75 Call Street (ERT811491).

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to new construction on vacant land. Four (4)-Three(3) story building, 2 family dwelling. Hybrid rental/home ownership. Units are 100% affordable, 4 ownership and 4 rental.

Board members discussed the violations required vs. proposed. Board Members discussed break down of units and sizes. Board Members discussed easement on property for parking. Board members discussed parking configuration and plans.

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

Documents/Exhibits: Building Plans

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

Case: BOA-849678 **Address:** 260-260A Amory Street , **Ward** 11, **Applicant:** Robert Alessandro
Article(s): 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9)
Purpose: Renovate existing single family house and proposed new 2nd story rear addition as per plans. Permit set to be submitted upon ZBA approval.

Discussion: At the request of the applicant **this case has been deferred to 10/16//2018**

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

Case: BOA-854191 **Address:** 39 Rosseter Street , **Ward** 14 , **Applicant:** Eric Zachrison
Article(s): 65(65-8) 65(65-9) 65(65-41)
Purpose: renovate 2 unit residential building to become 3 unit residential building. Add sprinklers and replace mechanical systems. Renovate kitchens and bathrooms.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to change occupancy from a 2 family to a 3 family. The building has been occupied as such for years.

Board members discussed parking. A representative of BTM stated that 3 spaces would be the most you can fit.

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

Documents/Exhibits: Building Plans

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

Case: BOA-827512 **Address:** 105-107 Lawrence Avenue , **Ward** 14, **Applicant:** Matt Henzy
Article(s): 50(50-28) 50(50-29) 50(50-29) 50(50-43)
Purpose: Change occupancy to 6 unit building • Roof replacement • Window replacement • Masonry repairs • Electrical upgrades • Selective kitchen and bath replacement • Flooring repairs and replacement as needed Heating system replacement as needed.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to change occupancy from a 6 unit building.

Board members asked if there will be renovations to basement units. The applicant stated no.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. A representative from Councilor Campbell office opposed.

Documents/Exhibits: Building Plans

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

Case: BOA-835948 **Address:** 9 Selden Street, **Ward** 17 , **Applicant:** Jazmine Coleman

Article(s): 65(65-8) 65-(65-9) 65(65-41)

Purpose: Request zoning relief to convert a house with 2 apartments into 3 apartments. Convert existing single apartment unit on the 2nd and 3rd floor into 2 apartment units. No work planned for the existing first floor apartment unit.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating convert 2 family to 3 family, interior renovations. Home recently purchased by applicant. Convert unit 2 into 2 apartments.

Board members asked if there will be parking. The applicant stated 2 car garage in rear no.

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

Documents/Exhibits: Building Plans

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

Case: BOA-859183 **Address:** 32 Wentworth Street, **Ward** 17, **Applicant:** Derric Small

Article(s): 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-9) 65(65-42)

Purpose: Erect new three-family dwelling on existing vacant lot. Propose three (3) off-street parking..

Discussion: At the request of the applicant **this case has been deferred to 10/30//2018**

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

Case: BOA-859199 **Address:**59 Blake Street , **Ward** 18, **Applicant:** Derric Small

Article(s): 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-30)

Purpose: This application is for the building of a new single family home.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to construct a single family, 2 bedroom dwelling unit on vacant lot with two parking spaces. 2000 square foot unit.

Board members discussed violations proposed vs required. Board members inquired about basement use. The applicant stated basement will be used for recreation.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services and Councilor McCarthy office are in support. Four (4) abutters opposed.

Documents/Exhibits: Building Plans

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

Case: BOA-859185 **Address:** 2-4 Crossman Street, **Ward 18, Applicant:** Derric Small
Article(s): 60(60-8) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9)
Purpose: New three family construction with three off street parking spaces.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to construct two family dwelling not a 3 family dwelling. The project was revised through common process and does not change the violations.

Board members discussed violations proposed vs required. Board members inquired about basement use. The applicant stated basement will be used for recreation.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Councilor McCarthy office opposed and three (3) abutters opposed.

Documents/Exhibits: Building Plans

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

Case: BOA-859200 **Address:** 91 Radcliffe Road, **Ward 18, Applicant:** Derric Small
Article(s): 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-9) 69(69-29) 69(69-30)
Purpose: Erect new two family residential dwelling on existing vacant lot.

Discussion: At the request of the applicant **this case has been deferred to 10/30//2018**

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

Case: BOA-824124 **Address:** 22-24 Adelaide Street, **Ward 19, Applicant:** Chris Hoeh
Article(s): 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-9) 55(55-40)

Purpose: Change Occupancy from a Two Family to a Three Family dwell-ing(caretaker's apt) by constructing addition of accessible rear entry and attached garage and renovate first floor unit for accessibility. Replace back porches and egress stairs.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to change occupancy from a two (2) family to a three (3) family. Construct rear accessible entry for handicap access.

Board members asked how large is the 3rd unit. The applicant stated approximately 600sf.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services Councilor O'Malley, Councilor Flaherty and Councilor Essabi George are in support.

Documents/Exhibits: Building Plans

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

Case: BOA-827476 **Address:** 14-16 Alberta Street, **Ward 20, Applicant:** Robert Corley

Article(s): 56(56-7) 56(56-8) 56(56-8) 56(56-8) 56(56-8) 56(56-8) 56(56-8) 56(56-8)

Purpose: Demo exist two family on existing lot and Erect new Two Family Dwelling on lot –P plans are at ISD; Please see ALT704083 for fees and costs.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to demolition of a two (2) family, building new 2 family in its place, parking for four vehicles beneath. All violations exist for 2 family. FAR is increasing.

Board members discussed violations. Board Members are concerned about 16' curb cut, 12' allowed.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services Councilor O'Malley, Councilor Flaherty and Councilor Essabi George are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval with BRA provision (curb cut conforms with BT standards) and Bickerstaff seconded and the Board voted unanimously to approve.

Case: BOA-829236 **Address:** 41-47 Corinth Street, **Ward 20, Applicant:** Sokiri Sin

Article(s): 67(67-11)

Purpose: Changing occupancy to add a Tattoo Shop. Adding walls and hand sinks to current layout. Work being done in vacant space at #4251 Washington Street.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to change occupancy to include tattoo parlor, with 5 tattoo artist, by appointment only and open 7 days a week until 8pm. 1274 square foot unit.

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

Documents/Exhibits: Building Plans

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

Case: BOA-827043 **Address:** 52 Birchwood Street, **Ward 20, Applicant:** Moss Hill Builders, LLC

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

Purpose: Erect a single family dwelling with one (1) car garage on a existing vacant lot. File in conjunction with ERT788328

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating new single family dwelling.

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

Documents/Exhibits: Building Plans

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

Case: BOA-827045 **Address:** 54 Birchwood Street, **Ward** 20, **Applicant:** Moss Hill Builders, LLC

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

Purpose: Demo existing home at 54 Birchwood. Erect a single family dwelling with one (1) car garage. File in conjunction with ERT792010.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating new single family dwelling.

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

Documents/Exhibits: Building Plans

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

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

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

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

Discussion: At the request of the applicant **this case has been deferred to 10/16//2018**

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

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

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

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

Discussion: At the request of the applicant **this case has been deferred to 10/16//2018**

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

HEARINGS: 10:30 a.m.

Case: BOA-848571 **Address:** 53 Lexington Street, **Ward 1, Applicant:** Lior Rozhansky

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

Purpose: This application is filed to amend issued ALT774614 - Installing rack decks and roof deck.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating to install rear roof decks.

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

Documents/Exhibits: Building Plans

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

Case: BOA-826526 **Address:** 57 Saratoga Street, **Ward 1, Applicant:** 57 Saratoga Street, LLC

Article(s): 53(53-8) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-56)

Purpose: To demolish the existing structure and erect a four story building with nine residential units, nine parking spaces, and three roof decks.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to construct 4 story to 9 unit residential building. 9 parking spaces and 3 roof decks.

Board members discussed regarding violations proposed vs required. Parking was added and building was brought in on sides.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services and Councilor Edwards are in support. Four (4) abutters opposed "no common process".

Documents/Exhibits: Building Plans

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

Case: BOA-803755 **Address:** 58 Byron Street, **Ward 1, Applicant:** Anthony Freni

Article(s): 10(10-1) 53(53-8) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-56) 53(53-56)

Purpose: Seeking to erect a four story building with four residential units and four parking spaces.

Discussion: At the request of the applicant **this case has been deferred to 10/30//2018**

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

Discussion: At the request of the applicant **this case has been deferred to 10/30//2018**

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

Case: BOA-853982 **Address:** 114 Bennington Street , **Ward 1, Applicant:** Michael Romano

Article(s): 53(53-9)

Purpose: Seeking to extend living space into the basement. Previous application (ALT805395) reviewed by Plans Examiner FD and partial permit issued for approved interior renovations.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to extend living space into basement for 2 bedroom and 1 bath.

Board members discussed regarding violations proposed vs required. Parking was added and building was brought in on sides.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services and Councilor Edwards are in support. Four (4) abutters opposed "no common process".

Documents/Exhibits: Building Plans

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

Case: BOA-825479 **Address:** 18 Everett Street , **Ward 1, Applicant:** 18-20 Residential Partners, LLC

Article(s): 10(10-1) 53(53-8) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9)

53(53-54) 53(53-56) 53(53-56) 53(53-56.5a)

Purpose: Combine parcel numbers 0105299000 and 0105298000 to create a new lot consisting of 4,500 s.f. (See ALT810560) and erect a 9 unit residential dwelling with 9 off street parking spaces at grade. ALT810560

Discussion: At the request of the applicant **this case has been deferred to 9/25//2018**

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

Case: BOA-842916 **Address:** 38B-38 Fleet Street, **Ward 3, Applicant:** Christopher Fiumara

Article(s): 54(54-10) 54(54-10) 54(54-10) 54(54-18) 54(54-21)

Purpose: Proposed 2 story vertical addition to create 2 new dwelling units as per plans. Confirm occupancy as a 3 Family and a detached Retail Store and Change the Occupancy to a 5 unit residential building and detached Retail Store. Permit set to be submitted upon ZBA approval. Please have Occupancy Committee review this application.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to construct 2 story vertical addition for 2 new residential units change occupancy for 5 unit residential building w/detached retail store.

Board members discussed size breakdown of units.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services and Councilor Edwards are in support. One abutter opposed "no common process".

Documents/Exhibits: Building Plans

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

Case: BOA-824173 **Address:** 43 Monmouth Street, **Ward 1, Applicant:** Cullen Winkler
Article(s): 53(53-9)

Purpose: 1st: Confirm Occupancy as an existing 2 family dwelling 2nd: Renovate the entire interior. Remove a leaking roof and replacing it with a new roof deck - architect and structural engineering plans submitted

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to confirm occupancy as 2 family. Renovate interior and additional roof deck. Access by exterior stair.

Board members discussed size breakdown of units.

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

Documents/Exhibits: Building Plans

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

Case: BOA-840725 **Address:** 11 Isabella Street, **Ward 5, Applicant:** Au Isabella, LLC
Article(s): 32(32-4) 63(63-8) 63(63-8) 63(63-8) 63(63-8.4) 63(63-20) 63(63-24)

Purpose: Full interior renovation to four residential units. Propose 3-story rear addition, rear balconies, and penthouse addition on roof with roof deck. Install new 6'-0" high fence with retaining wall. Raze existing garage.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to construct 3 story rear addition to 4 unit dwelling and interior renovations, rear balconies and penthouse addition.

Board members discussed expiration of easement discussed by applicant.

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

Documents/Exhibits: Building Plans

Votes: Board Member Pisani moved for approval (signature hold Bay Village Historic), Fortune seconded and the Board voted unanimously to approve.

Case: BOA-839409 **Address:** 102-106 South Street, **Ward 3, Applicant:** Averil Carmine

Article(s): 44(44-6)

Purpose: Build new larger roof deck as per plans submitted. 30ft 30ft roof deck, composite decking, Black metal handrails.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to replace roof deck, slightly expanded. access by spiral stair and hatch.

Board members discussed expiration of easement discussed by applicant.

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

Documents/Exhibits: Building Plans

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

Case: BOA-846317 **Address:** 324 Newbury Street , **Ward 5, Applicant:** Brek Peterson

Article(s): 8(8-7)

Purpose: Change Occupancy to include Restaurant. Interior Restaurant fitout on First Floor including minor demo, new interior partitions, equipment, mechanical, plumbing and electrical work. Install Fire Alarm & Sprinkler protection.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to change occupancy to include restaurant(#37) sit down and takeout.

Board members inquired about seating. The applicant stated 40 seats indoor, no outdoor seating.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. NABB non opposed.

Documents/Exhibits: Building Plans

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

Case: BOA#846316 **Address:** 324 Newbury Street, **Ward 5, Applicant:** Brek Peterson

Purpose: Change Occupancy to include Restaurant. Interior Restaurant fitout on First Floor including minor demo, new interior partitions, equipment, mechanical, plumbing and electrical work. Install Fire Alarm & Sprinkler protection

SECTION: 9th 780CMR 101-101.4.7 Architectural Access, Any reference in 780 CMR to accessibility shall be considered to 521 CMR: Architectural Access Board. 521 CMR is enforced by the Building official.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating applicant has been granted approval by Architectural Access Board.

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

Documents/Exhibits: Building Plans

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

Case: BOA-841390 **Address:** 21 Winfield Street, **Ward 7, Applicant:** Joseph Hanley, Esq

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

Purpose: Full interior renovation to existing three-family dwelling. Extend living space to basement for Unit #1. Construct new roof deck. Installation of new fire sprinkler system.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating interior renovation and extend living space into basement.

Testimony: The Board then requested testimony from neighbors and elected officials. Mayors office of Neighborhood Services and Councilor Flynn are in support.

Documents/Exhibits: Building Plans

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

Case: BOA-859540 **Address:** 106R-108R Mount Pleasant Avenue , **Ward 8, Applicant:** John Pulgini

Article(s): 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) 50(50-44) 50(50-44) 50(50-44) 50(50-44)

Purpose: Combine lots at 106R Mount Pleasant Avenue, 108 Mount Pleasant Ave and vacant lot PID0802756000 into one lot with building on it with a total of 8351 SF. Erect an addition and renovate as per plans and *Change occupancy to a Three (3) family Dwelling. Existing house to be known as 106R-108R Mount Pleasant Avenue See ERT for new house (108 Mt Pleasant Ave) erected on the same combined lot.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to combine lots at 106R Mount Pleasant Avenue, 108 Mount Pleasant Ave and vacant lot into one lot with building on it with a total of 8351 SF. Erect an addition and renovate as per plans and *Change occupancy to a three (3) family

Board members discussed breakdown and size of units

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Two (2) abutters opposed.

Documents/Exhibits: Building Plans

Votes Board Member Pisani moved for approval, and Janey deferred, does not carry Board has **Denied** this application.

Case: BOA-859598 **Address:** 108 Mount Pleasant Avenue , **Ward 8, Applicant:** John Pulgini

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

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

Purpose: Erect a new 3 family house on same lot. SEE ALT827436 & ALT827451 to combine lots.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described the proposed project in detail stating to combine lots at 106R Mount Pleasant Avenue, 108 Mount Pleasant Ave and vacant lot into one lot with building on it with a total of 8351 SF. Erect an addition and renovate as per plans and *Change occupancy to a three (3) family

Board members discussed breakdown and size of units

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor's office of Neighborhood Services are in support. Two (2) abutters opposed.

Documents/Exhibits: Building Plans

Votes Board Member Pisani moved for approval, and Janey deferred, does not carry Board has **Denied** this application.

RE-DISCUSSIONS: 11:30a.m.

Case: BOA-777098, **Address:** 29 Oak Street , **Ward 3 Applicant:** Patrick Mahoney

Article(s): 43(43-19) 32(32-9)

Purpose: Change occupancy from 3 family to 4 family dwelling and then construct addition as per plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Applicant not seeking relief for Article 43-19 only seeking relief for GCOD. Not seeking to convert from 3 to 4.

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

Documents/Exhibits: Building Plans

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

Case: BOA-787634, **Address:** 500-502A East Broadway , **Ward 6 Applicant:** James Christopher

Article(s): 27S(27S-5S) 68(68-8: Lot area for the add'l dwelling units is insufficient, Floor area ratio is excessive, Front yard setback requirement is insufficient, Side yard setback requirement is insufficient & Usable open space is insufficient) 68(68-33)

Purpose: To raze existing single story building, and erect a new 3 story mixed use building to include a commercial space with 6 Residential Units at grade with 6 interior parking spots.

Discussion: At the request of the applicant **this case has been deferred to 10/30//2018**

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

Case: BOA-806805 **Address:** 40 Wilcock Street , **Ward** 14, **Applicant:** John Pulgini
Article(s): 60(60-8) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9)
Purpose: Erect a new 4 unit multifamily building as per plans. Permit set to be submitted upon ZBA approval.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Erect a new 4 unit multifamily building as per plans. Permit set to be submitted upon ZBA approval.

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

Documents/Exhibits: Building Plans

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

Case: BOA-806808 **Address:** 48 Wilcock Street, **Ward** 14, **Applicant:** John Pulgini
Article(s): 10(10-1) 60(60-8) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9) 60(60-9)
Purpose: Erect a new Multi-Family Dwelling (4 units) as per plans. Propose four (4) off-street parking.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Erect a new 4 unit multifamily building as per plans. Permit set to be submitted upon ZBA approval.

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

Documents/Exhibits: Building Plans

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

Case: BOA-792891, **Address:** 111 West Street , **Ward** 18 **Applicant:** Guimy Cesar
Article(s): 69(69-8) 69(69-9): Lot size is insufficient & Usable open space is insufficient) 69(69-29)
Purpose: Change occupancy from 1 family to a 2 family renovations of 1st and 2nd floor kitchens and install fire separation as per plan.

Discussion: At the request of the applicant **this case has been deferred to 11/13//2018**

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

Case: BOA-695061, **Address:** 1225-1229 Centre Street , **Ward** 20 **Applicant:** John Pulgini
Article(s): 56(56-11: Excessive floor area ratio, Excessive building height, Maximum number of dwelling units/acre, Insufficient lot size for residential use, Insufficient front yard, Insufficient side yard & Insufficient rear yard) 56(56-40.12)
Purpose: Erect new construction 6-unit townhouse dwelling with another dwelling (1231A-1231B Centre Street) on existing vacant 12,933 SF of land (Parcel ID: 2003597003) with a combined total of 12 off-street parking. Plan conjunction with ERT683877.

Discussion: At the request of the applicant **this case has been deferred to 10/30//2018**

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

Case: BOA-695062, **Address:** 1231A-1231B Centre Street , **Ward 20 Applicant:** John Pulgini
Article(s): 56(56-11: Excessive floor area ratio, Excessive building height, Maximum number of dwelling units/acre, Insufficient lot size for residential use, Insufficient front yard, Insufficient side yard & Insufficient rear yard) 56(56-40.12)
Purpose: Erect new construction two-family dwelling along with another dwelling (1225-1229 Centre Street) on existing vacant 12,933 SF land (Parcel ID: 2003597003) with a combined total of 12 off-street parking. Plan in conjunction ERT683875.

Discussion: At the request of the applicant **this case has been deferred to 10/30//2018**

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

COURT REMAND:12:00Noon

Case: BOA-692075 **Address:** 37 Farragut Road , **Ward 6, Applicant:** George Morancy
Article(s): 29(29-4)
Purpose: Nominal fee application to demo existing two family and erect eight residential units. Permit will require ZBA approval for Greenbelt Protection Overlay District only. All other aspects of plans are zoning and building code compliant.

Discussion: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating GPOD only application, otherwise Zoning Compliant. Appeal to Suffolk Superior resulted in Stipulation of Dismissal, cannot deny must be reasonable site plan condition.

Testimony: The Board then requested testimony from neighbors and elected officials. Councilor Flynn opposed and one (1) abutter opposed.

Documents/Exhibits: Building Plans

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

RECOMMENDATIONS:

(The Zoning Advisory Subcommittee held hearings for the following cases on August 23, 2018. Board Secretary Mark Fortune reported the Subcommittee's recommendations from these hearings to the Board.)

Case: BOA-846459, **Address:** 4 Crystal Place **Ward:** 2 , **Applicant:** Stephen Dilanian
Article(s): 62(62-25) 62(62-8: Side yard insufficient & Rear yard insufficient)
Purpose: Please see attached zoning BRA drawings, which were approved in 2015, however it has been over 2 years since approval, so we need to being the process again from the beginning. Dormer existing third floor roof on one side and on the other side build out onto rear. Add deck on top of third floor roof. ZBA.

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-851451, **Address:** 4 Charles River Square **Ward:** 5 , **Applicant:** Diana Coldren
Article(s): 13(13-13-1: The proposed roof deck creates and insufficient front yard setback, The proposed roof deck creates and insufficient rear yard setback & Excessive F.A.R.)
Purpose: Relocation of interior partitions, cut in new back door, add windows wells, repair windows, and replace roof.

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-,810527 **Address:** 694 East Fifth Street **Ward:** 6 , **Applicant:** Lindsay Bennett
Article(s): 68(68-29) 68(68-8)
Purpose: Correction to violation #V352159 to legalize constructed headhouse for roof deck access per built 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-791475 **Address:** 8 Dorset Street **Ward:** 7 , **Applicant:** Pasquale Spadorica
Article(s): 65(65-9)
Purpose: This application is filed to amend issued ALT711499 by renovations of attic space. Cost of work included in ALT711499.

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-785881, **Address:** 39 Bailey Street **Ward:** 17 , **Applicant:** Leslie Jackson
Article(s): 9(9-1)
Purpose: Construct new rear deck (12'x15'-8") of 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-846899, **Address:** 27 Beechmont Terrace **Ward:** 18, **Applicant:** Brian Hernon

Article(s): 69(69-9)

Purpose: 6x12 bone story addition (mudroom).

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-849531, **Address:** 61 Cleveland Street **Ward:** 18 , **Applicant:** Jennifer MacDougall

Article(s): 69(69-9)

Purpose: Add a 2nd floor dormer to this existing single family residence for added closet and bedroom space (This Permit Finished Shell only).

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

Documents/Exhibits: Building plans

Case: BOA-795073, **Address:** 47 Maple Street **Ward:** 18 , **Applicant:** Sean Smith

Article(s): 69(69-9)

Purpose: Extend living space to basement and renovations to attic.

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

Documents/Exhibits: Building plans

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-841333, **Address:** 78 Bradwood Street **Ward:** 20 , **Applicant:** Julia Roboff

Article(s): 67(67-9)

Purpose: Remodel attic living space, no changes to the structures footprint on property.

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-839628, **Address:** 12 Ferncroft Road **Ward:** 20 , **Applicant:** Richard Stutman

Article(s): 56(56-8: Rear yard insufficient & Floor area ratio excessive)

Purpose: Adding a room and a bathroom to existing structure home owner is filing application lic builder will be added as needed.

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

DISCUSSION OF PROPOSED REMAND ORDER:

Pentalofos LLC V. K&K Dev. Inc. & City Of Boston Board of Appeal

STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775

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

SUBSTITUTE MEMBERS: KERRY WALSH-LOGUE, EUGENE KELLY

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

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