



City of Boston  
Board of Appeal

## HEARING MINUTES

**Tuesday, October 8, 2019**

**BOARD OF APPEAL**

**Room 801**

Board Acting Chair Erlich called the meeting to order at 11:30 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. Mr. Erlich also advised that the hearing was starting two hours late to in order to comply with the posting requirements of the Open Meeting Law. The Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Mark Fortune:

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

**Case:** BOA-764048 **Address:** 5 Jerusalem Place **Ward 3 Applicant:** William G Ferullo, Esq

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

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

**Case:** BOA-764051 **Address:** 7 Jerusalem Place **Ward 3 Applicant:** William G Ferullo, Esq

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

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

**Case:** BOA- 764043 **Address:** 9 Jerusalem Place **Ward 3 Applicant:** William G Ferullo, Esq

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

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

**Case:** BOA-449621 **Address:** 135 Bremen Street **Ward 1 Applicant:** Jeffrey R. Drago, Esq

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

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

**Case:** BOA-384021 **Address:** 190 I Street **Ward 7 Applicant:** Eben Kunz

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

**Vote:** Upon a motion for denial and second, the Board voted unanimously to deny the request for a one year extension.

**Case:** BZC-30745 **Address:** 583-583B Ashmont Street , **Ward 16 Applicant:** Riva Development Corp

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

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

**Case:** BZC-30746 **Address:** 585-585B Ashmont Street , **Ward 16 Applicant:** Riva Development Corp

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

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

**Case:** BZC-30747 **Address:** 587-587B Ashmont Street , **Ward** 16 **Applicant:** Riva Development Corp

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

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

**Case:** BOA-649454 **Address:** 400 Belgrade Avenue **Ward** 20 **Applicant:** John Pulgini, Esq

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

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

**Case:** BZC-30642 **Address:** 340-360 Boylston Street **Ward** 3 **Applicant:** Adam R. Hundley, Esq

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

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

**Case:** BOA-596775 **Address:** 158 Lexington Street **Ward** 1 **Applicant:** Sonya Hardiman

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

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

**Case:** BOA-570065 **Address:** 10 Everett Street **Ward** 1 **Applicant:** Patrick Mahoney, Esq

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

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

**BOARD FINAL ARBITER: 9:30 a.m**

**Case:** BOA-862270 **Address:** 66 Lubec Street **Ward** 1 **Applicant:** Richard C. Lynds, Esq

**Discussion:** The applicant requested approval of minor changes to the plans relative to zoning relief previously granted by the Board on the above application.

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

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

**Case:** BOA-995279 **Address:** 150 West Canton **Ward** 4 **Applicant:** Erinilda Medeiros

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

**Purpose:** Interior renovation of an existing five story brownstone.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, and requested a conditional use permit under Article 32 GCOD Applicability. The Board noted that applicant is awaiting BWSC approval letter.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Fortune moved for approval with a signature hold for BWSC approval letter, the motion was seconded and the Board voted unanimously to approve the applicant's request.

**Case:** BOA-996703 **Address:** 15 Arlington Street **Ward 5 Applicant:** IREP Newbury Hotel, LLC  
**Article(s):** 32(32-9)

**Purpose:** Renovation of the sidewalk and plaza along Newbury Street and Arlington Street, Boston. Work includes removal of existing sidewalk, installing new water retention tank and repaving. This work will be phased to accommodate pedestrian traffic.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail, and requested a conditional use permit under Article 32 GCOD Applicability. The Board noted that BWSC approval letter is on file.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Fortune moved for approval, the motion was seconded and the Board voted unanimously to approve the applicant's request.

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

**Case:** BOA-992738 **Address:** 88 White Street **Ward 1 Applicant:** 88 White Street, LLC  
**Article(s):** 27S(27S-5) 53(53-57) 53(53-52)

53(53-9):Insufficient rear yard setback (resulted from proposed addition @88R), Insufficient lot size (resulted from proposed addition @88R)& Excessive F.A.R. (resulted from proposed addition @88R)

**Purpose:** Renovate structure and construct new dormer per plans submitted. Note: "Further zoning violations triggered by proposed addition to existing second building on same lot. This will remain one of two buildings on the same lot as #88R White Street. Please see ALT960368".

**Discussion:** At the applicant's request, the matter was deferred to the November 19, 2019 Hearing.

**Case:** BOA-992744 **Address:** 88R White Street **Ward 1 Applicant:** 88 White Street, LLC

**Article(s):**9(9-1) 27T(27T-5) 53(53-8) 53(53-52) 53(53-54) 53(53-56) 53(53-57)

53(53-9):Lot Area Insufficient, Excessive F.A.R. (#88R), # of allowed stories exceeded (#88R) & Insufficient rear yard setback (#88R)

**Purpose:** Seeking to renovate the existing structure and construct an addition on the rear building for a total of three residential dwelling units. One of two building on the same lot (#88 1 family). Please see alt984527

**Discussion:** At the applicant's request, the matter was deferred to the November 19, 2019 Hearing.

**Case:** BOA-972216 **Address:** 62 William C Kelly Square **Ward 1 Applicant:** Matthew Love

**Article(s):** 53(53-11) 53(53-12) 53(53-56)

**Purpose:** Change of Occupancy from 2 Retail Spaces,1 Restaurant, 7 Apart-ments(ALT913963 issued 3/14/2019) to same to include Coffee Shop with Live Entertainment #38 by adding counter space, walled kitchen area with sinks and grease trap drop vinyl drop ceiling over kitchen and bar area stage area, walled storage area, table and chairs, plumbing for sinks and coffee equipment electrical for coffee equipment, sound equipment, added lighting.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy by adding a coffee shop with live entertainment.

Board Members asked about hours of operation.

**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 Ruggiero moved for approval with BPDA design review and Deveau seconded and the Board voted unanimously to approve.

**Case:** BOA#972217 **Address:** 62 William C Kelly Square **Ward 1 Applicant:** Matthew Love

**Purpose:** Change of Occupancy from 2 Retail Spaces,1 Restaurant, 7 Apartments(ALT913963 issued 3/14/2019) to same to include Coffee Shop with Live Entertainment #38 by adding counter space, walled kitchen area with sinks and grease trap drop vinyl drop ceiling over kitchen and bar area stage area, walled storage area, table and chairs, plumbing for sinks and coffee equipment electrical for coffee equipment, sound equipment, added lighting.

Section: 248 CMR Chapter 10 Insufficient # of fixtures. 9th 780CMR 101 Referenced Codes.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy by adding a coffee shop with live entertainment.

Board Members asked about hours of operation.

**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 Fortune moved for denial and Ruggiero seconded and the Board voted unanimously to deny.

**Case:** BOA-978472 **Address:** 3 Bond Street **Ward 3 Applicant:** Alsion Ryan

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

64(64-9: Floor Area Ratio Excessive & Rear Yard Insufficient)

**Purpose:** Total renovation of single family dwelling per plans. Reconstruction of structurally compromised front and rear exterior walls of this row house. Enlarge rear dormer.

**Discussion:** At the applicant's request, the matter was deferred to the November 12, 2019 Hearing.

**Case:** BOA-957913 **Address:** 140-148 East Berkeley Street **Ward 3 Applicant:** Leo Motsis as Trustee of 140-148 East

**Article(s):** 10(10-1) 64(64-12)

**Purpose:** In connection with ISD Violation Number V228193, tenant seeks to change occupancy from garage for the repair of motor vehicles (and associated accessory uses) to warehousing and storage of food stuff and grocery items.

**Discussion:** At the applicant's request, the matter was deferred to the December 17, 2019 Hearing.

**Case:** BOA-976214 **Address:** 102 Saint Botolph Street **Ward 4 Applicant:** Douglas Stefanov

**Article(s):** 32(32-32-4) 41(41-6)

**Purpose:** Confirm occupancy as one family. Renovate interior of existing single family Row House. Install new elevator to service 4 floors . Outside repairs and windows replacement on rear façade. Build new 1st floor rear deck. Applicant to pick up drawings and return with updated design.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to confirm single-family occupancy and renovate with addition of first floor roof deck.

Board Members asked about roof access and size of the head house.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-998206 **Address:** 643A Tremont Street **Ward 4 Applicant:** Eil Sevigny

**Article(s):** 64(64-8)

**Purpose:** Change of Occupancy from Restaurant with Takeout to Retail Store(Pet Store) and Pet Grooming.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy to a retail store and pet grooming.

Board Members asked about dog boarding services, hours of operation and if service was by appointment only.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-973517 **Address:** 82 Chandler Street **Ward 5 Applicant:** Alpine Advisory Services

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

**Purpose:** Amend ALT916564 Work Includes: Roof Deck, Rear Deck, Installation of Windows, Repointing front/Rear Elevation, and Patio at the rear Yard.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a roof deck with access proposed via hatch.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA#973536 **Address:** 82 Chandler Street **Ward 5 Applicant:** Alpine Advisory Services  
**Purpose:** Amend ALT916564 Work Includes: Roof Deck, Rear Deck, Installation of Windows, Repointing front/Rear Elevation, and Patio at the rear Yard.

**SECTION:** 9th 780 CMR Stairways 1011.12.2 Roof Access.

Where a stairway is provided to a roof, access to the roof shall be provided through a penthouse complying with Section 1510.2 Exception: In buildings without an occupied roof, access to the roof shall be permitted to be a roof hatch or trap door not less than 16 square feet (1.5 m2) in area and having a minimum dimension of 2 feet (610 mm).

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a roof deck with access proposed via hatch.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-909666 **Address:** 265-275 Dartmouth Street **Ward 5 Applicant:** AP Newbury Street Portfolio # 1, LLC

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

**Purpose:** To change and include retail space to add to restaurant named lolitas this application is for refusal letter only.

Legal Use and Occupancy- 77 Apts, Stores, Rst#38, Rst#37, Hair Salon, alt767314.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy to allow for expansion or existing restaurant.

Board Members asked about the prior use of the expansion space, if the main entrance would remain the same and about a memorandum of understanding.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-991604 **Address:** 751-753 East Fifth Street **Ward 6 Applicant:** Patrick Loftus

**Article(s):** 27S(27S-5) 68(68-29)

68(68-8: Side Yard Insufficient & Usable Open Space Insufficient)

**Purpose:** Construct new rear addition with roof deck. Renovate existing two-family dwelling.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to construct a garage in the rear with roof deck atop the garage.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-983259 **Address:** 105 M Street **Ward 6 Applicant:** Francisco Fuentes

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

**Purpose:** Reconstruct rear addition. Construct new rear roof deck. Extend living space to basement. Full renovation to include reinforce joists on first and second floor, add lvl and columns, change windows, doors, re do two and a half bathrooms, one kitchen, finish carpentry and painting.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a rear addition and roof deck and extend living space to basement.

Board Members asked about access to the deck and basement ceiling height.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-992477 **Address:** 410 West Broadway **Ward 6 Applicant:** 410 West Broadway, LLC (by John Gorman)

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

**Purpose:** Change of Occupancy to include a new restaurant use with live entertainment after 10:30 pm on ground floor. Connect with existing restaurant LOCO at 412 West Broadway next door by constructing a short corridor with a fire shutter. See ALT976995.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy to include restaurant to expand existing restaurant.

Board Members asked about hours of operation, type of live entertainment offered and about residential units above the commercial space.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-992482 **Address:** 412-414 West Broadway **Ward 6 Applicant:** 412 West Broadway, LLC (by John Gorman)

**Article(s):** 68(68-7) 9(9-2)

**Purpose:** Change of Occupancy to include live entertainment after 10:30 pm in an existing restaurant (LOCO). Connect with new proposed restaurant next door at 410 West Broadway by installing a short corridor with fire shutter. See ALT976995.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy to include restaurant to expand existing restaurant.

Board Members asked about hours of operation, type of live entertainment offered and about residential units above the commercial space.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-984114 **Address:** 273 Gold Street **Ward 7 Applicant:** Nick Nunes

**Article(s):** 68(68-29) 68(68-8: Side yard setback is insufficient & Rear yard setback is insufficient)

**Purpose:** Install roof deck on top of building and creating access.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a roof deck.

Board Members asked about access to the roof deck.

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

**Documents/Exhibits:** Building Plans

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

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

**Case:** BOA-981180 **Address:** 199-201 Hampden Street **Ward 8 Applicant:** Evan Smith

**Article(s):** 50(50-19) 50(50-43) 50(50-20: Floor Area Ratio is excessive, Rear Lot is insufficient, Usable open space is insufficient & Building Height in feet is excessive)

**Purpose:** Erect new 5 story mixed use building with 14 Res Units and 1 Office Space by combining 4 Lots into one lot to be know as 199- 201 Hampden St as per plans.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a 14 residential unit, mixed use building.

Board Members asked about the zoning subdistrict, if tenants for the retail space have been secured and if the project includes affordable units.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Ruggiero moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve.

**Case:** BOA-977345 **Address:** 46 Wareham Street **Ward 8 Applicant:** 46 Wareham Street, LLC

**Article(s):** 64(64-15)

**Purpose:** Build out fitness center on 1st floor (unit 1A) under base permit ERT747811, and per plans submitted 5.22.2019.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a fitness center in the commercial space of this mixed use building.

Board Members asked about the square footage of the space.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-992424 **Address:** 754 Tremont Street **Ward 9 Applicant:** Nicole Riggio

**Article(s):** 64(64-34)

**Purpose:** Clarification of scope of work: Install a private roof deck for Unit #4 to include, skylight, roof repair and HVAC DC/RC repair in accordance with submitted plans (This application has been refiled from ALT914269 previously assigned to K.Y)

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to replace existing roof deck with new, larger deck.

Board Members asked about the occupancy of the dwelling, exclusivity of the deck and size of the deck.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-979491 **Address:** 1530 Tremont Street **Ward 10 Applicant:** Sociedad Latina, Inc.

**Article(s):** 59(59-16)

**Purpose:** Change Occupancy from a Store and Three Family Dwelling to a Community Center . Renovations to include new windows and doors, new partitions, upgrades to the mechanical, electrical, plumbing and HVAC systems. upgrades to the fire alarm and fire protection systems. Construct a small addition for the purposes of creating an elevator shaft for a new elevator.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy to a community center.

Board Members asked about floor area ratio and if exterior renovation was proposed.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-929763 **Address:** 21 Rocky Nook Terrace **Ward 11 Applicant:** 18 Robes LLC

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

**Purpose:** Erect a new Single Family House on newly subdivided Lot, as per plans. See ALT912468 for Lot subdivision. Permit set to be submitted upon ZBA approval.

**Discussion:** At the applicant's request, the matter was deferred to the March 10, 2020 Hearing.

**Case:** BOA-977469 **Address:** 55 Hutchings Street **Ward 12 Applicant:** Shanti Acquisition LLC

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

**Purpose:** Amend ERT719852. Updating basement floor plans to extend living space. Correct violation V448301.

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

Board Members asked about basement ceiling height.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Kindell moved for approval and Fortune seconded and the Board voted 5 to 1 to approve. Fallon voted in opposition.

**Case:** BOA-997914 **Address:** 295-311 Blue Hill Avenue **Ward 12 Applicant:** Peter Caro

**Article(s):** 50(50-26:Trade School Conditional & Ground floor catering Use Conditional)

**Purpose:** Build out of approximately 5700 sq ft of ground floor space for Future Chefs youth enrichment and culinary training program. Occupancy to consist of a trade school and ground floor catering establishment, with accessory offices and incidental community dinners or events.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy to include a trade school and catering establishment to occupy commercial space.

Board Members asked about the square footage of the space.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-970564 **Address:** 88 Waumbeck Street **Ward 12 Applicant:** Alfonso Sira

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

50(50-29: Lot Area for Additional Dwelling Units Insufficient, Floor Area Ratio Excessive, Usable Open Space Insufficient, Front Yard Insufficient, Side Yard Insufficient & Rear Yard Insufficient)

**Purpose:** Erect a 3 story, Three ( 3 ) Family Dwelling on existing 4,025 sq. ft. vacant Lot.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a three-family dwelling.

Board Members asked about the design and design of other dwellings on the street and about parking.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support. The Garrison Trotter Neighborhood Association and multiple abutters are in opposition.

**Documents/Exhibits:** Building Plans



**Votes:** Board Member Ruggiero moved for dismissal without prejudice and Kindell seconded and the Board voted unanimously to dismiss without prejudice.

**Case:** BOA-992109 **Address:** 24 Rand Street **Ward** 13 **Applicant:** Kenneth Daddabbo

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

50(50-44: 50-44.3Traffic Visibility Across Corner is Insufficient & 50-44.5Special provisions for corner lots. front yard along Julian Street is insuffi-cient)

50(50-29: Lot Area Insufficient, Add'l Lot Area Insufficient, Lot Width Insufficient, Lot Frontage Insufficient, Floor Area Ratio Excessive, Usable Open Space Insufficient, Side Yard Insufficient & Rear Yard Insufficient)

**Purpose:** Erect 3-family dwelling as per plan. Nominal fee requested pending ZBA approval.

**Discussion:** At the applicant's request, the matter was deferred to the October 29, 2019 Hearing.

**Case:** BOA-924708 **Address:** 213-217 Washington Street **Ward** 14 **Applicant:** Estarlyn Rosa

**Article(s):** 9(9-1) 66(66-8)

**Purpose:** Currently a meat market. We want to add take out sandwiches. Counter 2 staff told us to apply for a 36A: take out.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to add takeout to existing meat market.

Board Members asked about takeout experience.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Ruggiero moved for approval with a proviso for relief to petitioner only and Kindell seconded and the Board voted unanimously to approve.

**Case:** BOA-940063 **Address:** 3 Aspinwall Road **Ward** 17 **Applicant:** Solmon Chowdhury

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

65(65-9:Floor Area Ratio Excessive, Bldg Height Excessive (Stories), Bldg Height Excessive (Feet), Front Yard Insufficient, Side Yard Insufficient & Rear Yard Insufficient)

**Purpose:** Erect new five story multi-family dwelling. The building consists of 38 residential units with 29 underground parking spaces.

**Discussion:** At the applicant's request, the matter was deferred to the November 19, 2019 Hearing.

**Case:** BOA-962400 **Address:** 49 Summer Street **Ward** 18 **Applicant:** Alex Briceno

**Article(s):** 9(9-1) 10(10-1)

**Purpose:** Use premises to park 3 residential vehicles.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to allow for the off-street parking of three vehicles.

Board Members asked about the curb cut, if the spaces are tandem spaces and if the configuration created front yard parking.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-986767 **Address:** 63 Violet Street **Ward** 18 **Applicant:** Castle Rock norfolk LLC c/o Eric Berke, Manager

**Article(s):** 60(60-9: Lot size to erect a new dwelling is insufficient, Minimum lot width requirements is insufficient & Minimum lot frontage requirement is insufficient)

**Purpose:** Subdivide and reconfigure existing 63 Violet Street and 65 Violet Street lots into two lot such that 63 Violet Street new lot size is 5,203 square feet and 65 Violet Street new lot size is 3,800 square feet. Construct new single family dwelling at 63 Violet Street. Work as per plans.

**Discussion:** At the applicant's request, the matter was deferred to the November 19, 2019 Hearing.

**Case:** BOA-986769 **Address:** 65 Violet Street **Ward** 18 **Applicant:** Castle Rock Norfolk LLC c/o Eric Berke, Manager

**Article(s):** 60(60-9: Minimum lot size required to erect a dwelling is insufficient, Minimum lot width required is insufficient, Minimum lot frontage is insufficient, Minimum rear yard setback requirement is insufficient & Dimensional Regulations)

**Purpose:** Subdivide and reconfigure existing 63 Violet Street and 65 Violet Street lots into two new lots such that 63 Violet Street new lot size is 5,203 square feet and 65 Violet Street new lot size is 3,800 square feet. Construct new single family dwelling at 65 Violet Street. Work as per plan.

**Discussion:** At the applicant's request, the matter was deferred to the November 19, 2019 Hearing.

**Case:** BOA-663710 **Address:** 43 Lochdale Road **Ward** 19 **Applicant:** George Morancy

**Article(s):** 55(55-19)

55(55-20: Floor Area Ratio Excessive, Building Height Excessive & Rear Yard Setback Insufficient)

55(55-40: Off-Street Parking Insufficient & Off-Street Loading Insufficient)

**Purpose:** Subdivide parcel ID# 1902884000 into 2 lots: Lot 1 to have 3,800 sq ft and Lot 2 to have 4,000 sq ft. (Lot 2 is to remain a vacant Lot). Combine Lot 1 and Lot 3 (parcel ID#1902888010) to have 22,500 sq ft (current propose land). Erect a new multi-family (42 38 units) with parking on ground level as per plans.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a 38 unit multifamily dwelling.

Board Members asked about the unit breakdown and current use of the site.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services is in support. Councilors O'Malley and McCarthy and an abutter are in opposition.

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-984240 **Address:** 71 May Street **Ward** 19 **Applicant:** Meredith McGuirk

**Article(s):** 55(55-41.12)

**Purpose:** Companion application to 71R May Street ALT953471 which seeks to change occupancy of existing garage on this lot to a one family dwelling, the resulting condition to be two single family buildings on this single lot.

**Discussion:** At the applicant's request, the matter was deferred to the November 19, 2019 Hearing.

**Case:** BOA-984246 **Address:** 71R may Street **Ward** 19 **Applicant:** Meredith McGuirk

**Article(s):** 55(55-41.1) 55(55-41.12)

55(55-9: Side Yard Insufficient & Rear Yard Insufficient)

**Purpose:** Confirm Occupancy as a Garage and Change Occupancy to a One Family Dwelling and expand and renovate as per plans. See ALT970111.

**Discussion:** At the applicant's request, the matter was deferred to the November 19, 2019 Hearing.

**Case:** BOA-988696 **Address:** 1143-1155 Commonwealth Avenue **Ward** 21 **Applicant:** David Wong

**Article(s):** 7(7-4)

**Purpose:** Remove proviso for takeout from previous owner and transfer over to new owner.

**Discussion:** The applicant notified the Board of his request to withdraw the proposal.

**Votes:** Upon a motion for dismissal without prejudice and a second, the Board voted unanimously to dismiss without prejudice.

**Case:** BOA-903505 **Address:** 49 Hobart Street **Ward** 22 **Applicant:** John Lin By Jim Chen

**Article(s):** 51(51-9: Height is excessive (2 1/2 stories max. allowed), Required side yard setback is insufficient & Floor area ratio is excessive)

**Purpose:** Change of Occupancy from Single Family to Two Family dwelling units. Construction of two new floor on top on existing footprint and three-story addition toward the rear of the property.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy from a single-family to two-family dwelling and construct a two floor addition on existing building and three story rear addition.

Board Members asked about the size of the units.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Kindell moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve.

**Case:** BOA-968680 **Address:** 50-56 Leo M Birmingham Parkway **Ward 22 Applicant:** CRM Property Management Corp

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

51(51-16: Use Multifamily Dwelling Forbidden & Use Accessory Parking Forbidden)

51(51-17: Floor Area Ratio Excessive & Building Height Excessive)

51(51-56: Off-Street Parking Insufficient & Off-Street Loading Insufficient)

**Purpose:** Seeking to consolidate parcel ID 2200686000 and Parcel ID 2200685000 into one new parcel with a total area of 16,380 to be known as 50 Leo M. Birmingham Parkway. Also, to raze the existing structure and erect a new 6 story building with 49 Residential Units and 50 Parking spaces. ALT946191.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a 49 unit residential dwelling with 50 parking spaces.

Board Members asked about affordable units, deed restrictions, parking and access to public transportation.

**Testimony:** The Board then requested testimony from neighbors and elected officials. Mayor's Office of Neighborhood Services and Councilor Ciommo are in support, as is the Brighton/Allston Improvement Association. An abutter is in opposition.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Fortune moved for approval and Deveau seconded and the Board voted 5 to 1 to approve. Ruggiero voted in opposition.

**Case:** BOA-966831 **Address:** 21 Rushmore Street **Ward 22 Applicant:** Chris Pleim

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

51(51-9: Excessive F.A.R. & of allowed stories exceeded (2.5 stories max.)

51(51-56: Off street parking requirements (5)Design - (d)Size, Off-Street Parking & Loading Req(4)Location: Frontyard parking & Off-Street Parking Insufficient 1.75/unit req)

**Purpose:** Seeking a permit and BOA approval to build a new six unit building with 4 parking spots on lower level and 2 on exterior. Please see SF959649 for take-down permit for existing building.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a 6 unit dwelling.

Board Members asked about the zoning and building code violations. Appellant subsequently requested the matter be deferred to the December 3, 2019 hearing.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Ruggiero moved for denial and the motion was withdrawn before receiving a second. Board Member Deveau then moved for deferral and Kindell seconded and the Board voted unanimously to defer to the December 3, 2019 Hearing.

**Case:** BOA#966830 **Address:** 21 Rushmore Street **Ward 22 Applicant:** Chris Pleim

**Purpose:** Seeking a permit and BOA approval to build a new six unit building with 4 parking spots on lower level and 2 on exterior. Please see SF959649 for take-down permit for existing building.

SECTION:9th 780CMR 101 Referenced Codes. AAB Accessibility Requirements

Architctual Access Board 521 CMR Section 20 Accessible Routes.

Architctual Access Board 521 CMR Section Section 9; Group 1 Dwelling Design.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a 6 unit dwelling.

Board Members asked about the zoning and building code violations. Appellant subsequently requested the matter be deferred to the December 3, 2019 hearing.

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Ruggiero moved for denial and the motion was withdrawn before receiving a second. Board Member Deveau then moved for deferral and Kindell seconded and the Board voted unanimously to defer to the December 3, 2019 Hearing.

**45 Minute Lunch Break**

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

**Case:** BOA-944276 **Address:** 98 Prescott Street **Ward 1 Applicant:** 50 Lebanon Street Realty Trust  
**Article(s):** 27T(27T-9) 53(53-8) 53(53-56)  
53(53-9: Lot Area for Additional Dwelling Units Insufficient, Floor Area Ratio Excessive, Usable Open Space Insufficient & Rear Yard Insufficient)  
**Purpose:** Demolish the existing Single story Commercial Building. Construct a new 3 story, 9 Unit, Residential Building. Building will be fully Sprinklered. We are seeking a Nominal Filing Fee application to obtain the necessary Zoning Code relief and review.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a 9 unit residential dwelling. 'No park' development due to proximity to public transportation.

Board Members asked about the types of residential dwelling in the neighborhood and if the units are offered as rental units.

**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 Ruggiero moved for approval with BPDA design review and Kindell seconded and the Board voted unanimously to approve.

**Case:** BOA-920014 **Address:** 40 William C Kelly Sq **Ward 1 Applicant:** William Kelly Forty, LLC  
**Article(s):** 53(53-56: Off-street parking & loading req - Insufficient parking (residential/restaurant/retail use) & Off-street parking & loading req - Newly proposed stackers (design and maneuverability)) 53(53-12: Excessive F.A.R., Height exceeded, Insufficient open space/unit & Insufficient rear yard setback)  
**Purpose:** Erect a six (6) story mixed-use building with commercial space on the first two levels and 9 dwelling units above. (Revised plans 1.18.19).

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a 9 unit, mixed use building.

Board Members asked about the reason for a prior deferral.

**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 Kindell moved for approval with BPDA design review and Fallon seconded and the Board voted unanimously, 5 to 0, to approve. Board Member Ruggiero recused himself from the matter.

**Case:** BOA-962018 **Address:** 60 South Street **Ward 3 Applicant:** Lincoln Property Company by John Cappellano  
**Article(s):** 44(44-6)

**Purpose:** Improvement to office building, Phase 1: Reconfiguration of the restrooms, floors 2-7. Phase 2: Extension of an egress stairway to the roof (Levels 11 and 12), added stop for 1 elevator to roof level, build roof deck for tenants, Phase 3: building lobby addition of door & wall reconfiguration.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a roof deck.

Board Members asked who would have access to the roof deck and hours access allowed.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-975065 **Address:** 7 Beaver Place **Ward 5 Applicant:** Stephen Payne  
**Article(s):** 32(32-4)

**Purpose:** To correct an "unsafe" violation, V439035: Remove the front facade of the building and structural elements (primarily floor joists, and rafters ) that bear on it. nominal paid on ALT 8024843. \* Clarification:

Pursuant to the issuance of SF936731 to make structure safe, applicant is seeking to reconstruct building back to its original foot print, F.A.R and Legal Use of record as a single family dwelling per plans submitted to correct conditions as cited on V443120.

**Discussion:** Due to the need to re-notice the appeal the matter was deferred to the January 14, 2020 Hearing.

**Case:** BOA-967936 **Address:** 424 Marlborough Street **Ward 5 Applicant:** John Barry

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

**Purpose:** Interior renovations and building code upgrade as per attached plans.

**Discussion:** At the applicant's request, the matter was deferred to the November 19, 2019 Hearing.

**Case:** BOA-937963 **Address:** 12-14 Commonwealth Avenue **Ward 5 Applicant:** Akelius Real Estate Management, LLC

**Article(s):** 8(8-7) 17(17-1) 23(23-1) 32(32-9)

**Purpose:** Change Occupancy from 58 Residential Units to 63 Residential Units. Renovate Building interior on all Floors and Basement. Renovations to include : demolition of existing interior walls, new drywall partitions, new Kitchens and Bathrooms, all new Architectural finishes, new Handicap Lift, upgrading the Building infrastructure ( plumbing, electrical, mechanical and fire protection systems ), upgrading of all Public areas in Building and all new Elevator upgrades.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to change occupancy to 63 units. Awaiting BWSC letter.

Board Members asked if the units will be offered as rentals.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Fortune moved for approval of GCOD relief with a hold for signature and Ruggiero seconded and the Board voted unanimously to approve. Ruggiero moved for approval of the remaining violations and Fortune seconded and the Board voted unanimously to approve.

**Case:** BOA-928395 **Address:** 177 West Eighth Street **Ward 7 Applicant:** Douglas Stefanov

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

68(68-8: Bldg Height Excessive (Feet)& Front Yard Insufficient)

**Purpose:** Erect new Multi-Family Dwelling (three-units) with roof deck and four parking spaces. Project consist of a common entry, accessed by a common stair, residential elevator, and exterior egress stair.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to erect a three-family dwelling, reduced from 4 units.

Board Members asked about location of head house.

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

**Documents/Exhibits:** Building Plans

**Votes:** Board Member Ruggiero moved for approval with BPDA design review for redesign of the head house and Deveau seconded and the Board voted unanimously to approve.

**Case:** BOA-939964 **Address:** 77 Worcester Street **Ward 9 Applicant:** Bryan Jafry

**Article(s):** 64(64-34)

**Purpose:** Build new roof head house and 10x19ft deck as per plans attached.

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a roof deck with hatch access.

Board Members asked about the reason for prior deferral.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA#994371 **Address:** 77 Worcester Street **Ward 9 Applicant:** Bryan Jafry

**Purpose:** Build new roof head house and 10x19ft deck as per plans attached.  
Section: 9th 780 CMR 1011 Stairways 1011.12.2 roof access(head house required)

**Discussion:** At the request of the Board, the applicant presented plans and described the proposed project in detail requesting zoning relief required to build a roof deck with hatch access.

Board Members asked about the reason for prior deferral.

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

**Documents/Exhibits:** Building Plans

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

**Case:** BOA-878988 **Address:** 822 Canterbury Street **Ward** 18 **Applicant:** Edwin Solano  
**Article(s):** 67(67-8: 2 Family is a forbidden use & Basement units are forbidden for this location) 67(67-9: Insufficient usable open space, Insufficient rear yard setback & Excessive F.A.R.) 67(67-32)  
**Purpose:** Add new basement unit and change occupancy from single family to two family per submitted plans.

**Discussion:** At the applicant's request, the matter was deferred to the December 3, 2019 Hearing.

**Case:** BOA-954709 **Address:** 361 Belgrade Avenue **Ward** 20 **Applicant:** John Gorman  
**Article(s):** 29(29-4) (67(67-32)  
67(67-12: Floor area ratio is excessive, Height is excessive & Front yard setback requirement is insufficient)  
67(67-33: Front modal building alignment & Off street parking design (access drive and maneuverability)  
**Purpose:** Erect new Roxbury Prep High School per plans. Demolish existing auto dealership and garage under separate permit. Some of the accessory off street parking are located in vacant lot of 371 Belgrade Ave (the lots are under the same ownership) Request nominal fee application.

**Discussion:** At the applicant's request, the matter was deferred to the January 28, 2020 Hearing.

**Case:** BOA-954714 **Address:** 371 Belgrade Avenue **Ward** 20 **Applicant:** John Gorman  
**Article(s):** 10(10-1) 29(29-4) 67(67-30)  
**Purpose:** On vacant Parcel 5 that is 7,048sf Parcel ID 2001593005, with deed restriction to allow only parking, create 20 off street accessory parking on said lot to exclusive use of proposed new school at 361 Belgrade Ave ( ERT931128).

**Discussion:** At the applicant's request, the matter was deferred to the January 28, 2020 Hearing.

### **RECOMMENDATION/HEARINGS:**

**Case:** BOA-971075 **Address:** 8-14 Monument Avenue **Ward:** 2 **Applicant:** Timothy Burke  
**Article(s):** 62(62-8) 63(63-20)  
**Purpose:** Renovate interiors to install new stair and elevator. Install new kitchen and bathroom. Construct addition on Third Floor. Install new finishes and associated mechanical and electrical work.. Confirm occupancy as a 2 family no record of occupancy.

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

**Documents/Exhibits:** Building plans

**Case:** BOA-941406 **Address:** 54 Telegraph Street **Ward:** 7 **Applicant:** Jason Gell  
**Article(s):** 68(68-8)  
**Purpose:** Extend living space to basement, relocate existing bathroom to new location, add n-b partition walls as per plans.

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

**Documents/Exhibits:** Building plans

**Case:** BOA-986483 **Address:** 152 Hampden Street **Ward:** 8 **Applicant:** Michael Feldman  
**Article(s):** 50(50-32)  
**Purpose:** There is no construction associated with this job. We propose to move a few picnic tables, with a collapsible awning into our parking lot, as designated on the attached plan set. see alt738135.

**Discussion/Vote:** The Applicant appeared before the subcommittee and requested to withdraw the proposal. The Subcommittee voted to recommend dismissal without prejudice.

**Documents/Exhibits:** Building plans

**Case:** BOA-983241 **Address:** 80 Harbor View **Ward:** 13 **Applicant:** Leonard Pierce

**Article(s):** 65(65-39) 65(65-41) 65(65-9)

**Purpose:** Off street parking "Driveway".

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

**Documents/Exhibits:** Building plans

**Case:** BOA-952937 **Address:** 30 Beaumont Street **Ward:** 16 **Applicant:** Michael McGough

**Article(s):** 65(65-9: Side yard setback is insufficient & Rear yard setback is insufficient)

**Purpose:** Erect attached 2 car garage per plans.

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

**Documents/Exhibits:** Building plans

**Case:** BOA-966535 **Address:** 131 Elmer Road **Ward:** 16 **Applicant:** Christine McCarthy

**Article(s):** 65(65-9: Floor area ratio excessive & Side yard insufficient)

**Purpose:** Two story addition with crawlspace in the rear of the house, including second floor bathroom and reworking of second floor, floor plan.

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

**Documents/Exhibits:** Building plans

**Case:** BOA-967407 **Address:** 38-40 Grayson Street **Ward:** 16 **Applicant:** Richard Finn

**Article(s):** 9(9-1) 65(65-9: Floor area ratio excessive, Bldg height excessive (stories), Side yard insufficient & Rear yard insufficient)

**Purpose:** Attic dormer addition to existing non conforming 2 family dwelling.

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

**Documents/Exhibits:** Building plans

**Case:** BOA-968857 **Address:** 50 Whitten Street **Ward:** 16 **Applicant:** David D. Le

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

**Purpose:** To used rear yard to park one car.

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

**Documents/Exhibits:** Building plans

**Case:** BOA-962835 **Address:** 88 Hemman Street **Ward:** 18 **Applicant:** Orod Soleimani

**Article(s):** 67(67-32)

**Purpose:** This permit will accompany an application to cut the curb in front of an already existing 2 car driveway. That application has been completed and stamped by a licensed civil engineer and a includes plot plan and diagram of changes.

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

**Documents/Exhibits:** Building plans

**Case:** BOA-980138 **Address:** 40 Rosecliff Street **Ward:** 18 **Applicant:** Wellington G. Rossi  
**Article(s):** 67(67-9)

**Purpose:** The contractor shall construct a new one floor addition at the rear of the property for a family room and half bath. This shall be built according to the plans A1,A2,A3,A4,A5 drawn by Harry McGonagle dated 1.23.19. The Contractor shall also replace the existing kitchen cabinets.

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

**Documents/Exhibits:** Building plans

**Case:** BOA-924297 **Address:** 41 Pershing Road **Ward:** 19 **Applicant:** Margie Klein-Ronkin  
**Article(s):** 55(55-9)

**Purpose:** Renovate existing Attic to create additional Living Space. Work to include a new Master Bedroom, walk-in closet and Bathroom. Add stairs to access the Attic and increase Attic space by constructing a new Dormer per plans.

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

**Documents/Exhibits:** Building plans

**Case:** BOA-964030 **Address:** 88 Sycamore Street **Ward:** 19 **Applicant:** John LoRusso  
**Article(s):** 67(67-9: Floor area ratio excessive, Side yard insufficient & Rear yard insufficient)

**Purpose:** Build 2.5 story addition to rear of existing two family home.

**Discussion/Vote:** At the request of the Subcommittee, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. Following a brief discussion regarding the violations, the Subcommittee voted to recommend deferral to the December 12, 2012 meeting of the subcommittee.

**Documents/Exhibits:** Building plans

**Case:** BOA- 955831 **Address:** 8 Pomeroy Street **Ward:** 21 **Applicant:** Margaret-Mary O'Connell  
**Article(s):** 51(51-51-57)

**Purpose:** Parking for single family 2 car driveway.

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

**Documents/Exhibits:** Building plans

**Case:** BOA-957367 **Address:** 91 Faneuil Street **Ward:** 22 **Applicant:** Yuyun Yi  
**Article(s):** 51(51-9)

**Purpose:** Rear attach addition (20'X16") 2.5 stories and renovate the existing kitchen. See attached plans for details.

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

**Documents/Exhibits:** Building plans

**Case:** BOA-931274 **Address:** 220 Chelsea Street **Ward:** 1 **Applicant:** Jordan Lofaro  
**Article(s):** 53(53-9)

**Purpose:** 2 Story 2 unit stand-alone house. Extending first floor living space into basement as per plans.

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

**Documents/Exhibits:** Building plans



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

**BOARD MEMBERS:**

CHRISTINE ARAUJO- CHAIR (Absent)  
MARK FORTUNE-SECRETARY  
JOSEPH RUGGIERO  
MARK ERLICH (Acting Chair)

**SUBSTITUTE MEMBERS:**

TYRONE KINDELL  
KERRY LOGUE  
NADINE FALLON (Present 11:30 AM – 3:05 PM)

**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 October 8, 2019 Board of Appeal Hearings please go to: [https://www.cityofboston.gov/cable/video\\_library.asp](https://www.cityofboston.gov/cable/video_library.asp)**