



CITY OF BOSTON

**BOARD OF APPEAL**

OFFICE OF THE BOARD OF APPEAL

1010 MASSACHUSETTS AVENUE, 4<sup>TH</sup> FLOOR  
BOSTON, MA 02118

TELEPHONE: #617-635-4775

FAX NUMBER: #617-635-2918

DATE SENT: October 19, 2011

SENDER'S NAME: Stephanie Haynes

NUMBER OF PAGES: THIS COVER AND 2.

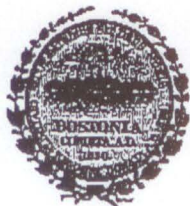
**DELIVER TO:**

COMPANY NAME: \_\_\_\_\_

INDIVIDUAL: Patrick Plunkett

FAX NUMBER: 617-373-8929

**SPECIAL INSTRUCTION (IF ANY)**



**Boston Inspectional Services Department  
Planning and Zoning Division**

1010 Massachusetts Avenue Boston, MA 02118 Telephone: (617) 635-5300

Thomas M. Menino  
Mayor

**ZONING CODE REFUSAL**

Gary P. Moccia  
Inspector of Buildings

CLAYTON TURNBULL  
15 ALLERTON STREET  
ROXBURY, MA 02119

September 26, 2011

**Location:** 655-657 TREMONT ST ROXBURY MA 02118  
**Ward:** 04  
**Zoning District:** Article 64, South End Distric.  
**Zoning Subdistrict:** MFR/LS  
**Appl. # :** ALT94957  
**Date Filed:** September 09, 2011  
**Purpose:** Change occupancy from store to restaurant w/take out 36A. Build out a Dunkin' Donuts restaurant. Install signage on the exterior along with a outside sidewalk seating.

YOUR APPLICATION REQUIRES RELIEF FROM THE BOARD OF APPEAL AS SAME WOULD BE IN VIOLATION OF THE BOSTON ZONING CODE TO WIT: CHAPTER 665, ACTS OF 1956 AS AMENDED:

<u>Violation</u>	<u>Violation Description</u>	<u>Violation Comments</u>
Notes		Article 64 Section 8, Large Take-out use, Forbidden.
Notes		There was a request for outdoor seating on this application. There was no plot plan submitted with this application. If the seating is on private property then there should be a Use of Premisis application for the exterior seating. If the proposed seating is on public property then this is an issue that Public Works will determine and not ISD.

THIS DECISION MAY BE APPEALED TO THE BOARD OF APPEAL WITHIN FORTY-FIVE (45) DAYS PURSUANT TO CHAPTER 665 OF THE ACTS OF 1956, AS AMENDED. APPLICATIONS NOT APPEALED WITHIN THAT TIME PERIOD WILL BE DEEMED ABANDONED. IF YOU HAVE INQUIRIES REGARDING THE NEIGHBORHOOD PROCESS AND PUBLIC PARTICIPATION, PLEASE CONTACT THE MAYOR'S OFFICE OF NEIGHBORHOOD SERVICES AT 617-635-3485.



Kenneth Merin  
(617)961-3230  
for the Commissioner

Refusal of a permit may be appealed to the Board of Appeal within 45 days. Chapter 802, Acts of 1972, and Chapter 656, Acts of 1956, Section 19.

Z167

\$150-

This form must be completed and signed by the owner-of record, their attorney and/or authorized agent. If form is not signed by property owner, please attach a signed letter of authorization designating the authorized agent.



**APPEAL**  
under Boston Zoning Code

2011 OCT - 4 2011

Boston, Massachusetts ... **October 4, 2011** 20 .....

To the Board of Appeal in the Inspection Services Department of the City of Boston:

The undersigned, being Clayton Turnball  
The Owner(s) or authorized agent

of the lot at 655 Tremont Street WD 4  
number street ward district

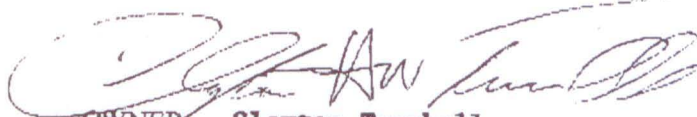
hereby appeal(s) under St. 1956, c. 665, s. 8, to the Board of Appeal in the Inspectional Services Department of the City of Boston the action taken by Inspectional Services Commissioner as outlined in the attached refusal letter.

DESCRIBE IN DETAIL THE REASON(S) FOR THIS APPEAL  
**Change occupancy from store to restaurant w/takeout 36a. Dunkin Donuts install signage on the exterior along with a outside walk seating.**

STATE REASONS FOR THIS PROPOSAL  
**seeking relief of article 64 section 8, large takeout use forbidden.**

PROVIDE REASONS WHY BOARD SHOULD GRANT RELIEF  
**to get economic develeopment symble in this area. As well as this restauarnt will create at least 25 moive jobs in the area to what is already in place. This will bring new and improved business to the area.**

COMMENTS

  
OWNER Clayton Turnball

AUTHORIZED AGENT .....

ADDRESS 15 Allerton Street  
Roxbury, MA 02119

TELEPHONE .....

FAX .....

