



Martin J. Walsh
Mayor

Boston Inspectional Services Department Planning and Zoning Division

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

ZONING CODE REFUSAL

Gary P. Moccia
Inspector of Buildings

FRANK MCGUIRE
27 CHESTNUT STREET
BOSTON, MA 02108

September 21, 2015

Location: 112 PINCKNEY ST BOSTON, MA 02114
Ward: 05
Zoning District: Boston Proper
Zoning Subdistrict: H - 2 - 65
Appl. # : ALT513107
Date Filed: August 26, 2015
Purpose: Construct a new 1 story addition from the Upper Level of an existing duplex Penthouse Unit. This space is currently occupied by an existing Roof Deck. Construct a new Roof Deck on top of new addition.

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> |
|-----------------------|-------------------------------------|---------------------------------------|
| Article 15, Section 1 | Floor Area Ratio Excessive | Floor Area Ratio Excessive |
| Article 16, Section 1 | Building Height Excessive | Building Height Excessive |
| Article 9, Section 1 | Extension of Nonconforming Building | Extension of a Nonconforming Building |

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.

Thomas White
(617)961-3275
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.



Boston Inspectional Services Department
Building and Structures Division

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

Martin J. Walsh
Mayor

Gary P. Moccia
Inspector of Buildings

BUILDING CODE REFUSAL

October 05, 2015

FRANK MCGUIRE
27 CHESTNUT STREET
BOSTON, MA 02108

Re: Application # : **ALT513107**
Date Filed: August 26, 2015
Location: 112 PINCKNEY ST BOSTON, MA 02114
Ward: 05
Purpose: Construct a new 1 story addition from the Upper Level of an existing duplex Penthouse Unit. This space is currently occupied by an existing Roof Deck. Construct a new Roof Deck on top of new addition.

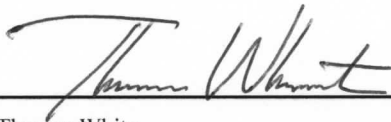
Your application requires Building Code Relief, as same would be in violation of Massachusetts State Building Code 780 CMR - Eighth Edition, Chapter 802, acts of 1972, as amended to wit:

| Violation: | Violation Description: | Violation Comments: |
|---------------------------|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8th 780CMR 2009IEBC 704.2 | Automatic sprinkler Systems | <p>704.2 Automatic sprinkler systems. Automatic sprinkler systems shall be provided in accordance with the requirements of <u>Sections 704.2.1 through 704.2.5</u>. Installation requirements shall be in accordance with the <i>International Building Code</i>.</p> <p>704.2.1 High-rise buildings. In high-rise buildings, work areas that have exits or corridors shared by more than one tenant or that have exits or corridors serving an occupant load greater than 30 shall be provided with automatic sprinkler protection in the entire <i>work area</i> where the <i>work area</i> is located on a floor that has a sufficient sprinkler water supply system from an existing standpipe or a sprinkler riser serving that floor.704.2.1.1 Supplemental automatic sprinkler system requirements. Where the <i>work area</i> on any floor exceeds 50 percent of that floor area, <u>Section 704.2.1</u> shall apply to the entire floor on which the <i>work area</i> is located.</p> |

Re: Application # : **ALT513107**
Date Filed: August 26, 2015
Location: 112 PINCKNEY ST BOSTON, MA 02114
Ward: 05
Purpose: Construct a new 1 story addition from the Upper Level of an existing duplex Penthouse Unit. This space is currently occupied by an existing Roof Deck. Construct a new Roof Deck on top of new addition.

Your application requires Building Code Relief, as same would be in violation of Massachusetts State Building Code 780 CMR - Eighth Edition, Chapter 802, acts of 1972, as amended to wit:

| Violation: | Violation Description: | Violation Comments: |
|---------------------------|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8th 780CMR 2009IEBC 704.3 | Standpipes | 704.3 Standpipes. Where the <i>work area</i> includes exits or corridors shared by more than one tenant and is located more than 50 feet (15 240 mm) above or below the lowest level of fire department access, a standpipe system shall be provided. Standpipes shall have an approved fire department connection with hose connections at each floor level above or below the lowest level of fire department access. Standpipe systems shall be installed in accordance with the <i>International Building Code</i> . |



Thomas White
for the Commissioner
(617)961-3275

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.

Building Official/Plan Review
City of Boston, Inspectional Services Division
1010 Massachusetts Avenue
Boston, MA 02118

Re: 112 Pinckney Proposed Penthouse Addition

25 August 2015

To the Building Official:

We are the Architects for the proposed project at 112 Pinckney Street, Beacon Hill.

The project scope involves the creation of an additional living space at the upper level of an existing duplex penthouse. The space is currently occupied by a portion of an existing roof deck.

The proposed project will add 613.5 gross square feet to the existing gross floor area of 112 Pinckney Street.

As the existing 5 story structure(s) that comprise 112 Pinckney Street already exceed the F.A.R. of 2.0 allowable in the District, we have informed our client that Zoning relief will be required, at least as to F.A.R.

The new space is entirely between existing masonry party walls, with no abutter penetrations or adjacent open space, and is set back from the existing Brimmer Street building face by 15.6 ft (by attached Survey) and from the Brimmer Street property line by an additional 22.0 ft, for a total of 35.6 ft (by attached Survey). Accordingly we do not believe that setback relief is required.

The new work is currently proposed to exceed the height of the existing penthouse by 1'-2 1/2" to comply with structural framing requirements. While we hope to eliminate this additional height through further detailed framing design, we have indicated to the client that relief as to height may be required.

Although we believe that nothing of the proposed project is visible from a public way, such determination must be made by Landmarks, i.e. the Beacon Hill Architectural Commission (BHAC). Since BHAC will not, as a matter of policy, make that determination until all zoning matters are resolved, we respectfully request a preliminary review of our project and a letter of denial for such relief that you may find is required.

This will enable us to initiate the proper Appeal process and resolve zoning issues, prior to performing additional design and documentation at our client's expense.

We attach the following documents, and await your response.

1. Stamped and certified Plot Plan
2. Stamped and signed Architectural drawings showing existing and proposed work.
3. Stamped and signed Architect's letter.
4. The fee for a preliminary review in the form of our client's check for \$300.00, payable to the City of Boston.

Respectfully submitted,

Francis. D. McGuire AIA
Principal
Mass Registration #3974



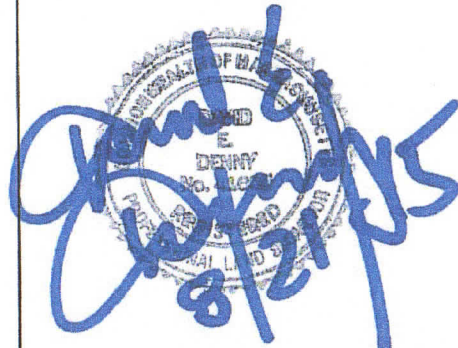
LEGEND

- AC/AHU AIR CONDITIONER
- BIT BITUMINOUS
- CONC CONCRETE
- DH DRILL HOLE
- ⓔ ELECTRIC MANHOLE
- O.H. OVERHANG/OVERHEAD
- N/F NOW OR FORMERLY
- X12.34 SPOT ELEVATION

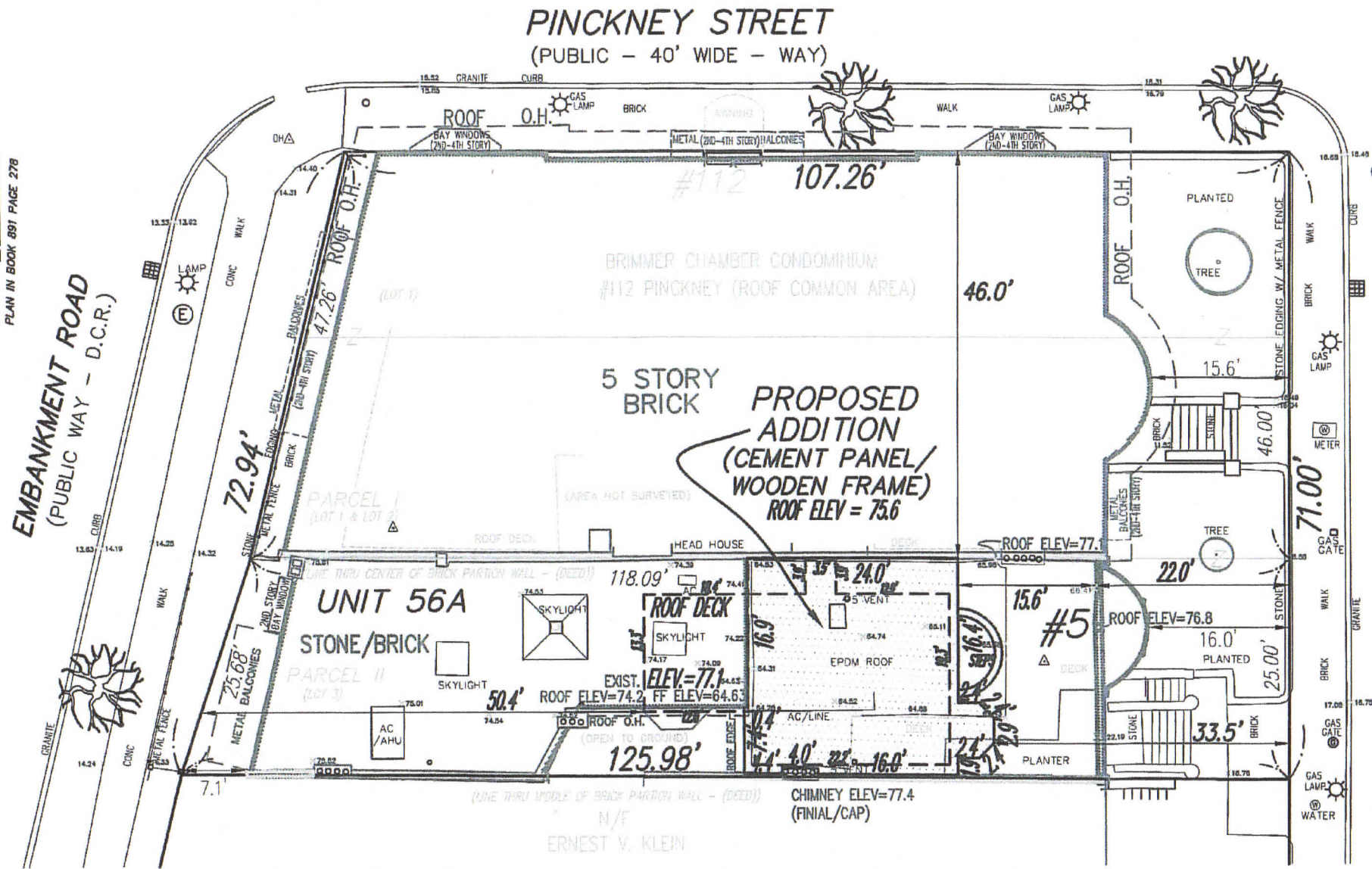
NOTE:

- 1.) ALL OVERHANGS, UTILITIES, VENTS, FIRE BALCONIES, & LANDSCAPING ARE NOT SHOWN.
- 2.) ELEVATIONS SHOWN REFERS TO CITY BASE.
- 3.) ZONING ANALYSIS BY OTHERS.
- 4.) SEE ARCHITECTURAL PLANS FOR FINAL CONSTRUCTION ELEVATIONS, MATERIALS & FINISHES. GOODNESS OF FIT, ADEQUACY OF DETAIL SOLE RESPONSIBILITY OF CONTRACTOR.

- 1.2'— PROPOSED SETBACK
- 3.4'— EXISTING BUILDING SETBACK
- 5.6' PROPOSED ADDITION
- 7.8' PROPOSED DECK

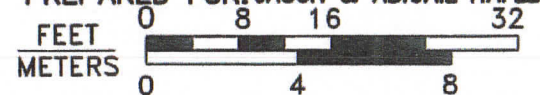


MASS. COORDINATE SYSTEM &
PLAN IN BOOK 891 PAGE 278



ASSESSORS PROPERTY ID# 0502499068
RECORD OWNER(S):
 UNIT 56A, BRIMMER CHAMBERS CONDOMINIUM
 JASON HAFLER & ABIGAIL BRISTOL HAFLER
 DEED REFERENCE: BOOK 54432 PAGE 75
 MASTER DEED REFERENCE: BOOK 9087 PAGE 456
 SUFFOLK COUNTY REGISTRY OF DEEDS

**CERTIFIED PLOT PLAN
 OF UNIT 56A (5TH FLOOR)
 BRIMMER CHAMBERS CONDOMINIUM
 AT #112 PINCKNEY STREET &
 #5 BRIMMER STREET
 IN
 BOSTON, MASS.
 (BEACON HILL DISTRICT)
 (SUFFOLK COUNTY)**
 SCALE: 1"=16' MAY 5, 2015
 PREPARED FOR: JASON & ABIGAIL HAFLER

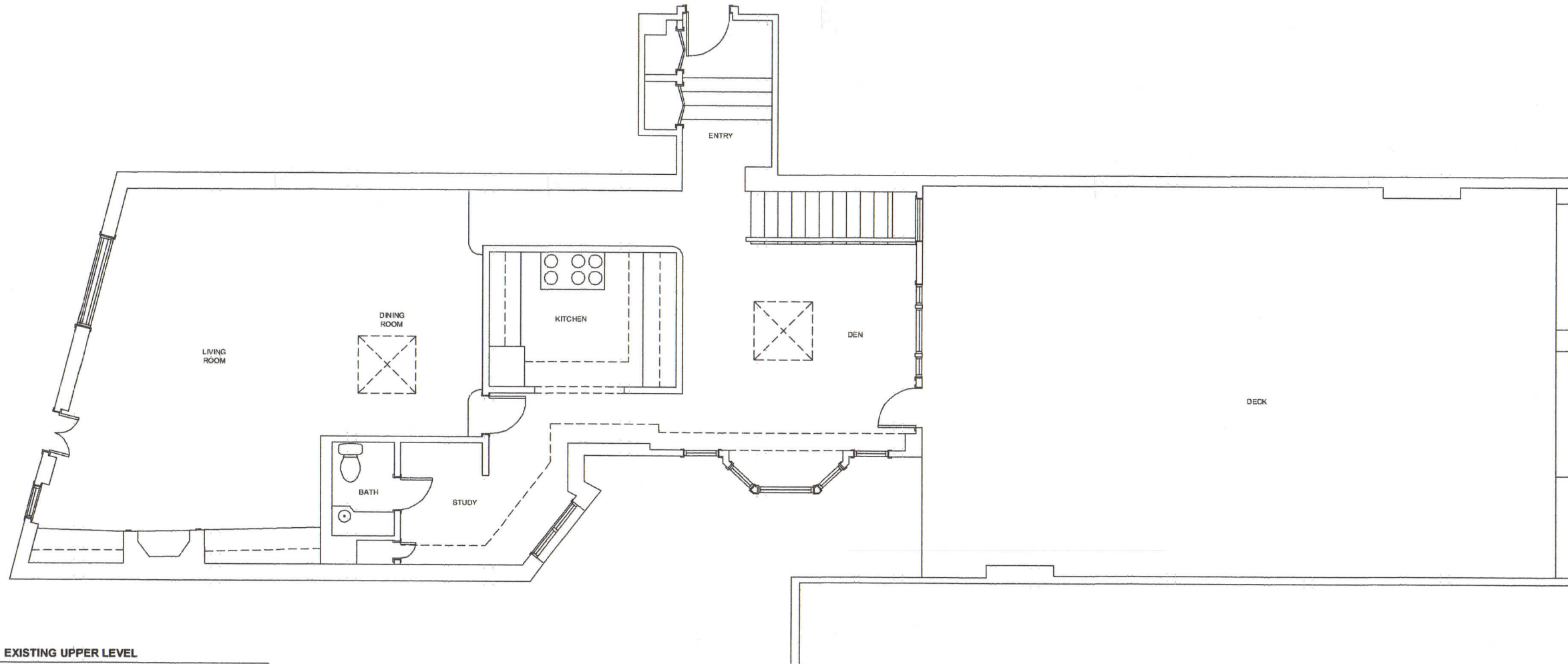


DENNY LAND SURVEYING & ENGINEERING
 51 PARK DRIVE (617) 437-7993 BOSTON, MASS.

TO THE HAFLETS & CITY OF BOSTON I.S.D.;
 I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL
 KNOWLEDGE, INFORMATION AND BELIEF THAT:
 THIS PLAN SHOWS THE RESULTS OF AN INSTRUMENT
 SURVEY OF THE PREMISES BY ME USING A LEICA TS 12
 TOTAL STATION AND GS 14 G.P.S. ON MAY 6, 2015.
 THIS LIMITED INSTRUMENT SURVEY OF THE TRACT SHOWS
 THE RELATIONSHIP OF IMPROVEMENTS TO THE PROPERTY
 LINES OF RECORD WITH SUFFICIENT ACCURACY FOR THE
 PURPOSE OF THE PERMITTING.

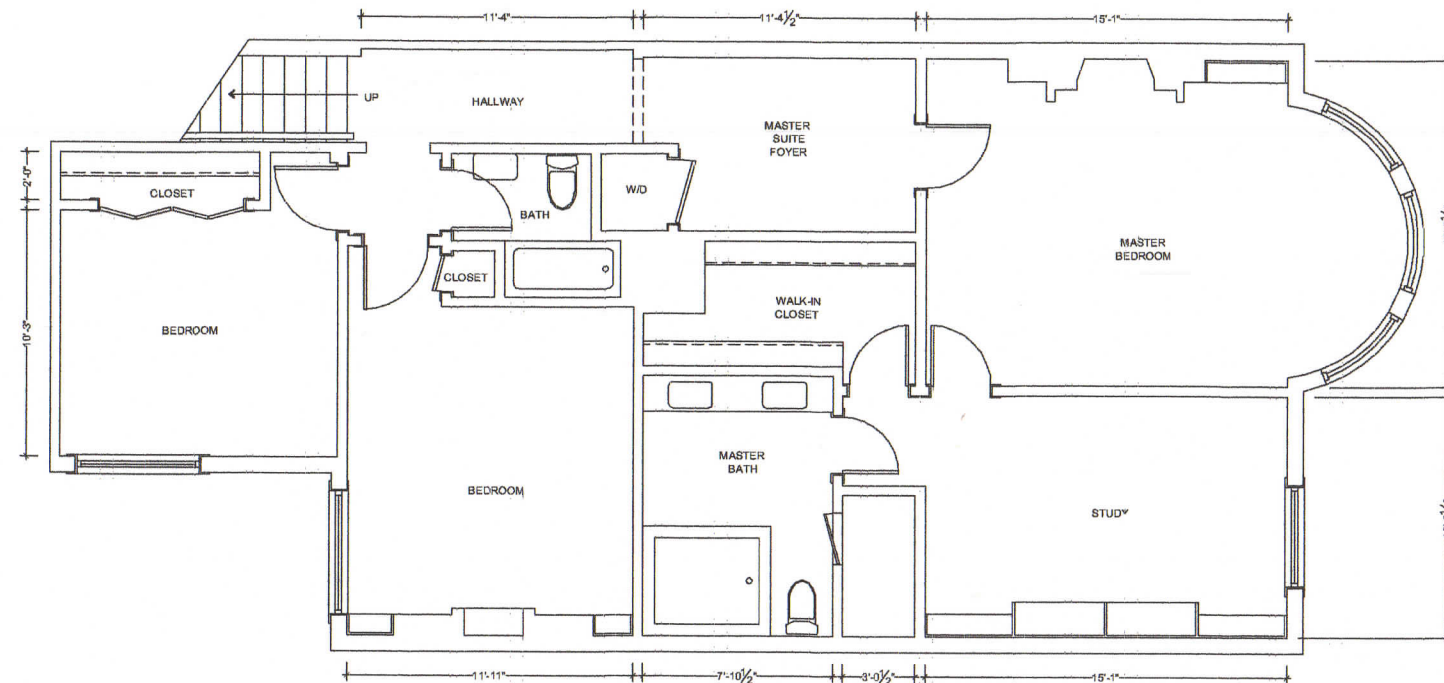
THE ACCURACY IS INSUFFICIENT TO IDENTIFY THE EXTENT
 OF EXISTING ENCROACHMENTS OR ANY ACQUIRED TITLE RIGHTS.
 I RECOMMEND A PROPERTY SURVEY BE PERFORMED UNDER
 THE STANDARDS GOVERNING LAND COURT SURVEYS AND THE
 PREMISE BE SUBMITTED TO THE COURT FOR CONFIRMATION OR
 REGISTRATION SHOULD THE NATURE AND EXTENT OF ANY
 ENCROACHMENTS WISH TO BE KNOWN.

THE PREMISES DOES NOT LIE IN AN AREA OF SPECIAL
 FLOOD HAZARD AS DEFINED BY THE FLOOD INSURANCE
 RATE MAP #250 25C 0077G, EFFECTIVE SEPT. 25, 2009.



EXISTING UPPER LEVEL

1/8" = 1'-0"



EXISTING LOWER LEVEL

1/8" = 1'-0"



Frank McGuire Architects

Architecture . Planning . Programming

drawing EXISTING FLOOR PLANS

project HAFLER RESIDENCE

scale 1/8" = 1'-0" date AUG. 12, 2015

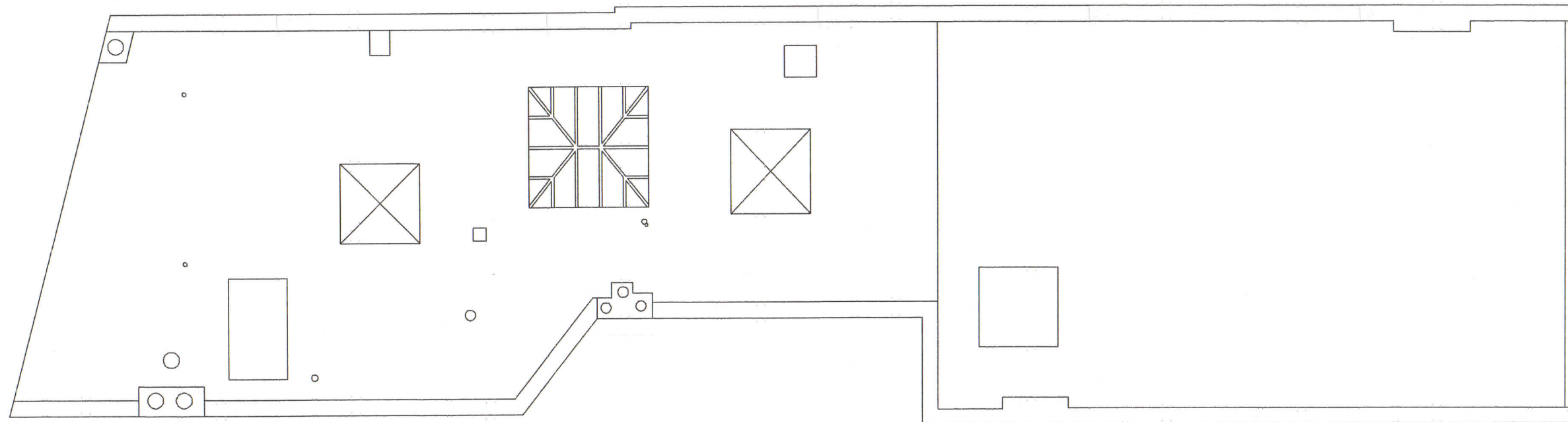
27 Chestnut Street Boston MA 02108

tel (o) _____ 617.742.4249

tel (m) _____ 617.851.8090

fax _____ 617.227.1761

email frankmcguirearchitects@comcast.net



EXISTING ROOF PLAN

1/8" = 1'-0"



Frank McGuire Architects

Architecture . Planning . Programming

drawing EXISTING ROOF PLAN

project HAFLER RESIDENCE

scale 1/8" = 1'-0" date AUG. 12, 2015

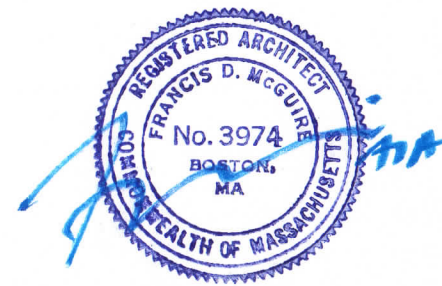
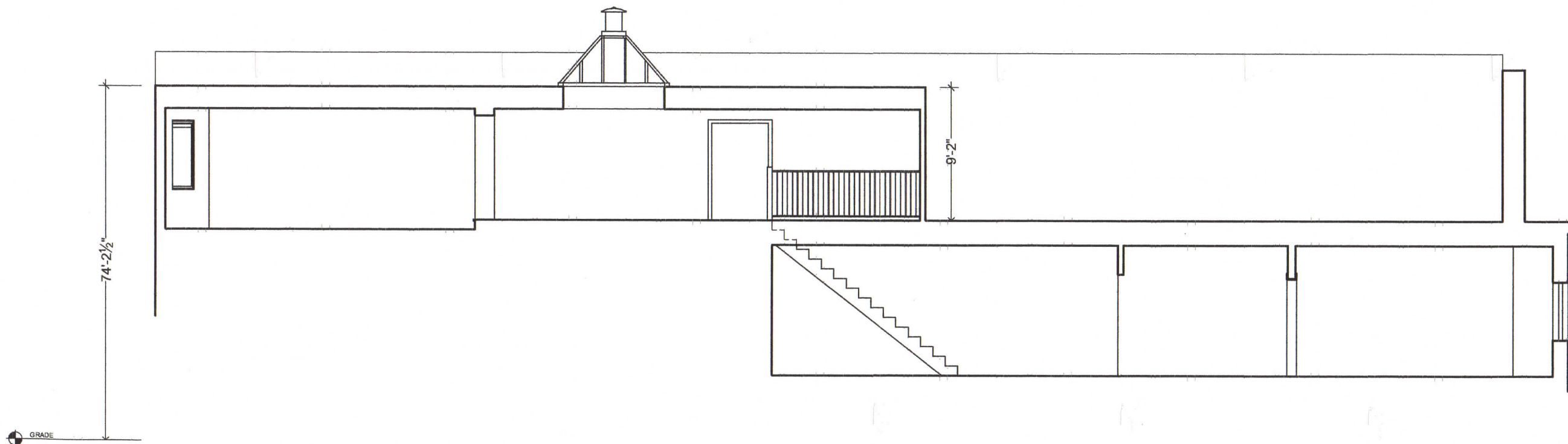
27 Chestnut Street . Boston MA 02108

tel (o) _____ 617.742.4249

tel (m) _____ 617.851.8090

fax _____ 617.227.1761

email frankmcguirearchitects@comcast.net



Frank McGuire Architects

Architecture . Planning . Programming

drawing EXISTING SECTION

project HAFLER RESIDENCE

scale 1/8" = 1'-0" date AUG. 12, 2015

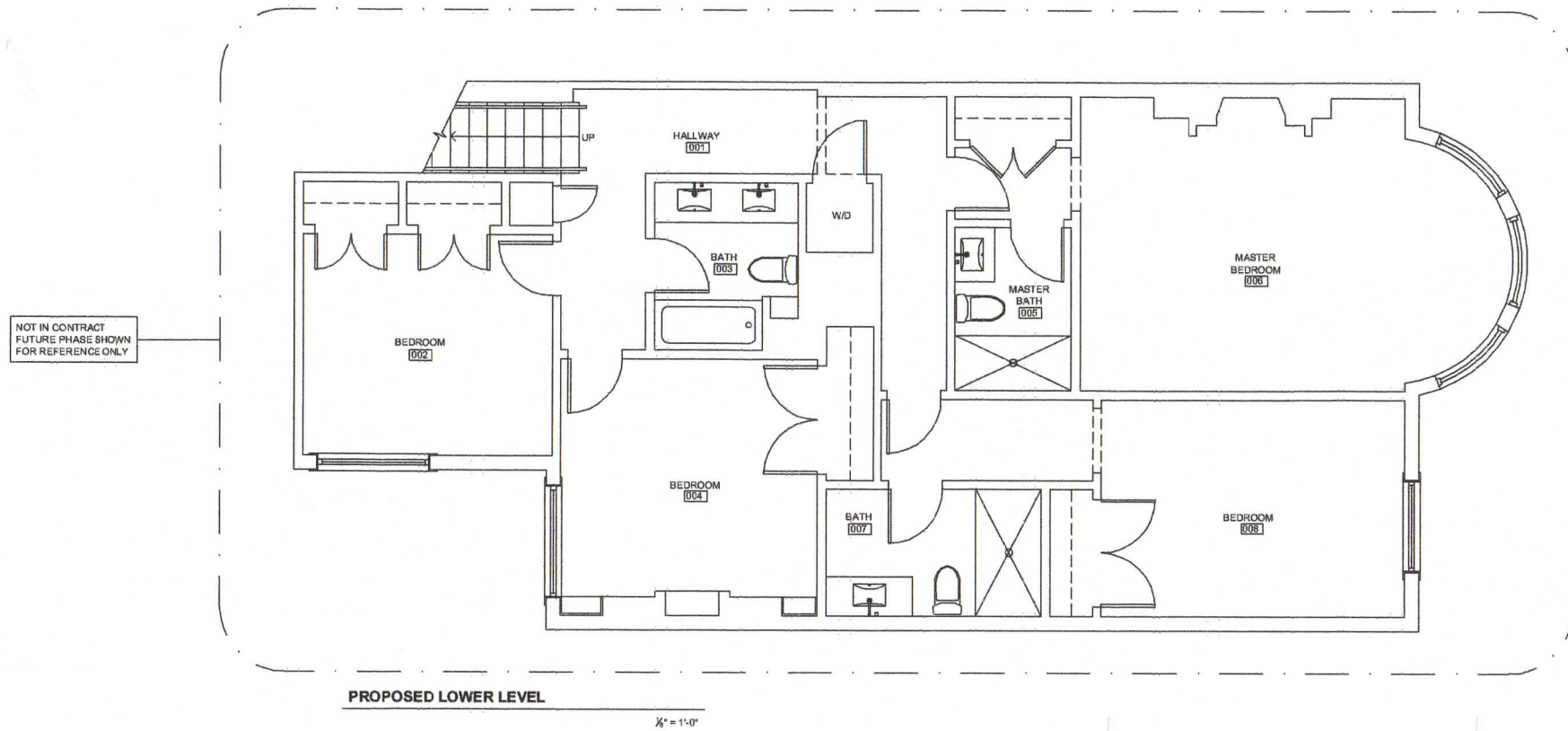
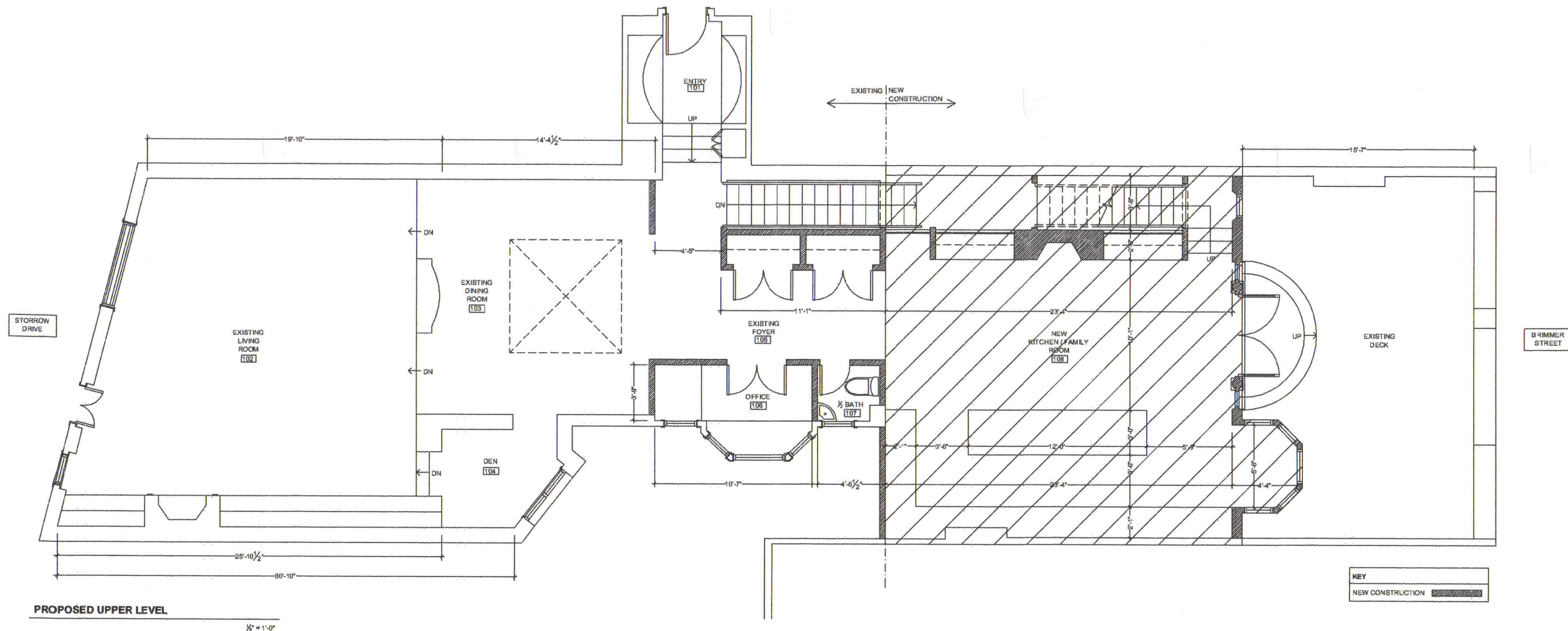
27 Chestnut Street . Boston MA 02108

tel (o) _____ 617.742.4249

tel (m) _____ 617.851.8090

fax _____ 617.227.1761

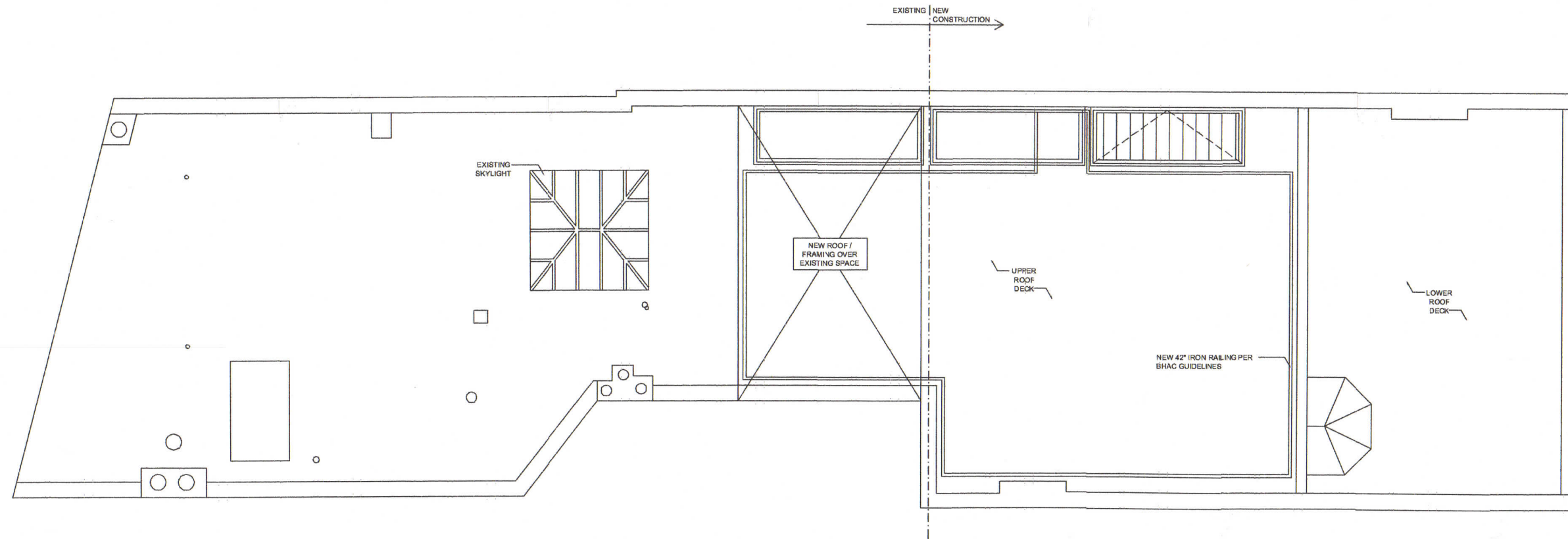
email frankmcguirearchitects@comcast.net



Frank McGuire Architects
 Architecture . Planning . Programming
 drawing PROPOSED FLOOR PLANS
 project HAFLER RESIDENCE
 scale 1/8" = 1'-0" date AUG. 12, 2015

27 Chestnut Street Boston MA 02108

tel (o) _____ 617.742.4249
 tel (m) _____ 617.851.8090
 fax _____ 617.227.1761
 email frankmcguirearchitects@comcast.net



PROPOSED ROOF PLAN

1/8" = 1'-0"



Frank McGuire Architects

Architecture . Planning . Programming

drawing PROPOSED ROOF PLAN

project HAFLER RESIDENCE

scale 1/8" = 1'-0" date AUG. 12, 2015

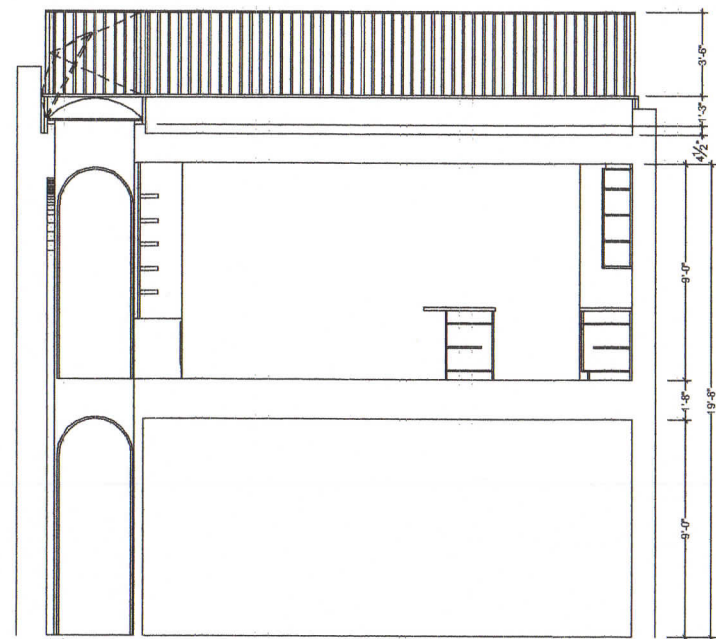
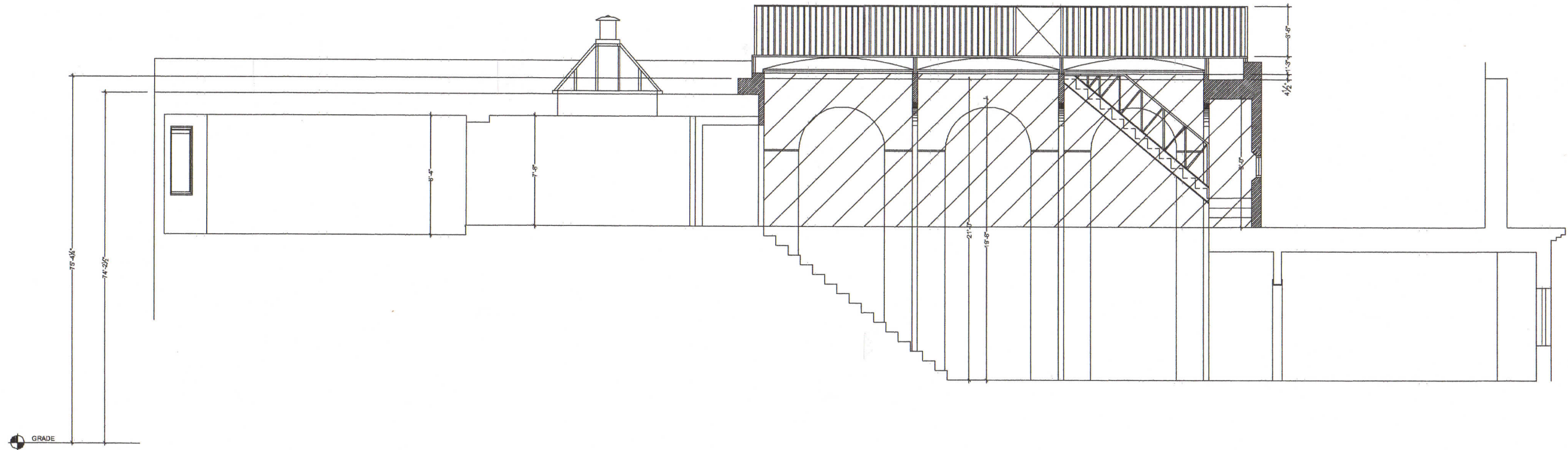
27 Chestnut Street . Boston MA 02108

tel (o) _____ 617.742.4249

tel (m) _____ 617.851.8090

fax _____ 617.227.1761

email frankmcguirearchitects@comcast.net



Frank McGuire Architects

Architecture . Planning . Programming

drawing PROPOSED SECTIONS

project HAFLER RESIDENCE

scale 1/8" = 1'-0" date AUG. 12, 2015

27 Chestnut Street Boston MA 02108

tel (o) _____ 617.742.4249

tel (m) _____ 617.851.8090

fax _____ 617.227.1761

email frankmcguirearchitects@comcast.net



