

BEACON HILL CIVIC ASSOCIATION

Zoning and Licensing Policies

Adopted by the Board of Directors on January 16, 1975.

Amended October 13, 1976; March 9, 1977;

January 11, 1983; November 18, 1991

1. The Beacon Hill Civic Association seeks to preserve and enhance Beacon Hill as an economically mixed residential neighborhood served by the designated commercial areas on Charles and Cambridge Streets. Preservation of the neighborhood as one suitable for persons and families who reside on Beacon Hill is our principal objective.
2. Beacon Hill is both a Registered National Historic Landmark and State Historic District¹. The Beacon Hill Civic Association encourages and supports the Historic District purposes which “promote the educational, cultural, economic and general welfare of the public through the preservation of the Historic Beacon Hill District as a Landmark in the history of Architecture and as a tangible reminder of old Boston as it existed in the early days of the Commonwealth.” These enactments, together with City and State laws and ordinances, are our principal legal vehicles for achieving our objectives and must be strictly enforced for that purpose.
3. The Beacon Hill Civic Association will act where it believes requested zoning or licensing changes may affect all or a significant portion of the Beacon Hill community either directly or through the precedential nature of the change. The Association may also act where the concern is expressed solely by affected neighbors.
4. The Beacon Hill Civic Association will oppose variances, conditional use permits and special zoning designations in the Beacon Hill area in the absence of unusual circumstances as determined by the Board of Directors after receipt of a recommendation from the Zoning and Licensing Committee. The burden of establishing the desirability of the change rests with the proponent. Actions taken in disregard or ignorance of legal requirements or presentation of a *fait accompli* generally will be opposed.
5. An applicant for a variance must establish that the proposed change:
 - a. is necessary for the reasonable use and enjoyment of the property;
 - b. is required by conditions affecting particularly the subject property but not affecting generally the Beacon Hill neighborhood; and
 - c. will have no significant adverse impact on abutters or the neighborhood.
6. An applicant for a conditional use permit must establish that the proposed change of use:

¹ See Ch 616 of the Acts and Resolves of Massachusetts of 1955.

- a. is an appropriate location for the proposed use (or in the case of a substitute nonconforming use, will not be more objectionable nor more detrimental to the neighborhood than the nonconforming use for which it is being substituted);
 - b. will not adversely affect the neighborhood in general, and particularly will pose no serious hazard to vehicle or pedestrian use or create a nuisance; and
 - c. adequate and appropriate facilities will be provided for the proper operation of the use.
7. Zoning and licensing laws will be applied in a manner which will discourage expansion or continuance of non-conforming commercial uses in residential zoning districts except for the continuance of clearly neighborhood services such as grocery, drugstore, laundromat, barbershop and shoe repair. The Beacon Hill Civic Association will encourage the location of varied permitted business and retail uses in the designated traditional commercial locations on Charles and Cambridge Streets.
8. Conditional use permits for take-out food sales along Charles and Cambridge Streets may be considered subject to restrictions. Such restrictions may include hours of operation, odors, noise, loitering, signs, clean-up, games and vending machines, among others. Any expansion in the number of conditional use permits for take-out food sales generally will be opposed.
9. Any expansion in the total number of all-alcoholic, tavern, bar, package store or off-premises licenses, or in the size, scope or capacity of any such licensed premises, will be opposed. Any grant or transfer of location of any type of alcoholic beverage license to or within residential neighborhoods will be opposed. Any expansion in the number of club licenses or beer and wine licenses not associated with the operation of a full-service restaurant which complies with the special terms and conditions then in effect will be opposed.
10. In applying these policies, the Beacon Hill Civic Association will be concerned especially about changes of use. Principal considerations include changes which may result in greater density of population, increased parking or traffic, adverse impact on environmental conditions, loss of open space, light, view or air to nearby properties. The Association does encourage the upgrading of properties through maintenance and preservation.
11. Ordinarily, imposition of Beacon Hill Civic Association approved conditions will be sufficient. However, separate contract or deed restrictions may be necessary where matters of neighborhood concern are not generally believed to be otherwise adequately protected.