

**BEACON HILL CIVIC ASSOCIATION**  
**Zoning and Licensing Committee - Wednesday, April 5, 2017**  
**NOTICE/AGENDA**

The Zoning and Licensing Committee of the Beacon Hill Civic Association will meet on **Wednesday, April 5 at 7:30 p.m. at 74 Joy Street**. All meetings are open to the public. If you have any questions or comments regarding the matter to be heard, please attend. If you are unable to attend but would like to express an opinion, please call (617.227.1922), write (74 Joy Street, Boston, MA 02114) or send an email to the BHCA office (patricia.tully@bhcivic.org) prior to the meeting. **Design plans and additional information and updates on these matters are posted on the BHCA website at [www.bhcivic.org](http://www.bhcivic.org)**

**12 BYRON STREET – Request to renovate interior of existing single family house and construct a Third Floor addition and roof deck, requiring FAR and rear yard variances.**

**NOTE – this matter will not be presented to the Committee at this meeting.** The owners presented their plans at the August 3, 2016 meeting of this Committee, and the Committee voted to oppose the addition of any structure within the rear setback or any living space above the current 2-story structure, but agreed not to oppose addition of a roof deck outside the rear setback and/or FAR increases due to modifications to the existing building atrium.

Subsequently, the applicants developed new plans which modified the proposed addition by pulling it back 3 feet from the rear lot line and pitching a portion of the roof to reduce light and view impacts on abutters behind the building. The revised plans were presented to a large group of neighbors on March 21 at a site meeting conducted by the Mayor's Office of Neighborhood Affairs, and the reaction was generally unfavorable. Therefore, the applicant has elected to proceed to the Boston Zoning Board of Appeal hearing process with the understanding that the BHCA will oppose the variances as stated above. The ZBA has posted notice that the matter will be heard at two sessions as follows: (1) ZBA Subcommittee (expedited process) hearing at 5:00 p.m., April 13, 2017 at 1010 Mass. Ave, Floor 5, and (b) ZBA Public Hearing (final decision) at 11:30 a.m., April 25, 2017 at City Hall, Room 801.

The revised plans and ZBA notice are posted on the BHCA website. Interested parties are advised to contact the ZBA before the April 13 subcommittee meeting, since subcommittee determinations are usually ratified by the full Board.

**28 HANCOCK STREET – Proposed penthouse/roofdeck addition requiring floor area ratio (FAR) and building height variances.**

28 Hancock is a condominium building located between Hancock Street and Ridgeway Lane. The applicant owns the top (5<sup>th</sup>) floor unit and roof rights to part of the roof and proposes to replace an existing deck accessed by a spiral staircase and small headhouse with a 10' high penthouse/storage structure (300 +/- square feet of livable space) serving two decks of approximately 200 s.f. each. The existing building is just below the 65-foot allowable height and already exceeds the maximum allowed FAR of 2.0 in the H-2-65 District; so the expanded penthouse requires **variances** under BZC Art. 15, Sec. 1 (FAR excessive) and Art. 16, Sec. 1 (Building height excessive).

Project plans and related documents are posted on the website. The applicant and architect will appear to explain the details of the project and the grounds for zoning relief and to respond to questions. In addition to

the standard variance issues of hardship, special circumstances and precedent, concerns commonly raised when external additions and roof decks are proposed include such impacts on neighbors as loss of light, views and privacy and intrusion of noise from HVAC units and noise and light associated with penthouse/deck use.

**APPLICANT'S REQUEST:** Non-opposition to the requested FAR and height variances, requiring exceptions to the BHCA policy of opposition to such variances (see Zoning & Licensing Policies #s 4&5).

**36 RIVER STREET** – *Proposed expansion of existing 4<sup>th</sup> floor greenhouse structure, requiring a floor area ratio (FAR) variance to add approximately 20 square feet of living space.*

36 River Street is an apartment building located on the west side of River Street between Chestnut and Mt. Vernon Streets. The applicant (building owner) occupies the top (4<sup>th</sup> and 5<sup>th</sup>) floor unit. In 1984, she obtained a variance to construct a greenhouse/sunroom extension of her apartment onto an open 5<sup>th</sup> floor patio area at the rear (westerly side) of the building, adding 96 s.f. of floor area. One side of the greenhouse was set back about 4.5 feet from the side wall of the building and supported by a laminated beam that has become unstable, damaging the existing greenhouse structure. Her architect has advised that the only feasible way to stabilize the structure is to extend it to the building wall which will bear the load. This will add about 20 s.f. of floor area to the building, which already exceeds the maximum allowed FAR of 2.0 in the H-2-65 District; so the expanded penthouse requires a **variance** under BZC Art. 15, Sec.1 (FAR excessive).

Project plans and related documents are posted on the website. The applicant will appear to explain the details of the project and the grounds for zoning relief and to respond to questions. In addition to the standard variance issues of hardship, special circumstances and precedent, concerns commonly raised when external additions and roof decks are proposed include such impacts on neighbors as loss of light, views and privacy and intrusion of noise from HVAC units and noise and light associated with penthouse/deck use.

**APPLICANT'S REQUEST:** Non-opposition to the requested FAR variance, requiring exceptions to the BHCA policy of opposition to such variances (see Zoning & Licensing Policies #s 4&5).