

BEACON HILL CIVIC ASSOCIATION

Zoning and Licensing Committee - Wednesday, June 7, 2017

NOTICE/AGENDA

The Zoning and Licensing Committee of the Beacon Hill Civic Association will meet on **Wednesday, June 7 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**

75 BEACON STREET – *Proposed change of use from eight dwelling units to three, involving extensive changes including construction of new rooftop and rear yard additions and installation of a groundwater recharge system, requiring zoning relief in the form of a floor area ratio (FAR) variance.*

This four-story (plus basement) stone and brick rowhouse building is located on Beacon Street across from the Public Garden. It has a small front yard on Beacon Street and backs on Byron Street, a private way. The building has most recently been used as an eight-unit apartment building according to the applicant who is performing a gut rehab and proposes to convert it to a 3-unit condominium property. The plans show proposed exterior additions to the rear of the building as follows: (a) 200 +/- s.f. of living space on the first floor, (b) 300 +/- s.f. on the second floor, (c) 430 +/- s.f. on the third, and (d) 460 +/- s.f. on the fourth. In addition, a new 315 s.f. penthouse addition is proposed for the fifth floor level. Despite the extensive exterior additions, the aggregate floor area of the building increases by only 600 s.f. (FAR increase from 3.78 to 4.08) since the applicant proposes to convert approximately 1100 s.f. of existing living space in the basement into parking (which is not counted in floor area) by making a curb cut on Byron Street. Other exterior changes including roof decks are proposed.

On March 23, 2017, the building department (ISD) issued a Zoning Code Refusal letter for the project citing (1) the need for a **variance** under Article 15, Section 01 of Boston Zoning (FAR excessive), and (2) Groundwater Conservation Overlay District (“GCOD”) applicability. Project plans and related documentation are posted on the BHCA 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 variance, 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 4th floor “greenhouse” structure, requiring a floor area ratio (FAR) variance to add approximately 14 square feet of living space.*

The applicant appeared before the Committee in April requesting a variance for a 20 s.f. addition and received a vote of non-opposition with a proviso that a deed restriction be added prohibiting future construction of a head house on top of the building and/or the expanded greenhouse. The applicant now seeks removal of the proviso based on refined plans and additional information. The applicant’s appeal will be heard by the ZBA on June 27.

APPLICANT’S REQUEST: Non-opposition to the requested FAR variance (with no deed restriction against future head house construction), requiring exceptions to the BHCA policy of opposition to such variances (see Zoning & Licensing Policies #s 4&5).