

## BEACON HILL CIVIC ASSOCIATION

Zoning and Licensing Committee - Wednesday, August 9, 2017

### NOTICE/AGENDA

The Zoning and Licensing Committee of the Beacon Hill Civic Association will meet on **Wednesday, August 9 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)**

**PLEASE NOTE – this meeting will be a follow-up session on 75 Beacon Street. Below is the original notice that was published prior to the June 7 ZLC meeting at which the project was discussed at some length before the applicant requested a continuance of the meeting, which request was approved. Since then the applicant has significantly revised the project plans in an attempt to (a) reduce impacts on neighboring properties, and (b) eliminate the need for zoning relief (which may turn on an interpretation to be made by ISD). If no variances are required, the project might advance upon receipt of a building permit from ISD (and other non-zoning approvals) without appearing before the Zoning Board of Appeal.**

**At the request of the applicant and several neighbors, we have agreed to meet to consider the revised plans and facilitate further discussion among the applicant's team, the neighbors and the Committee. The revised plans will be posted to at [bhcivic.org](http://bhcivic.org) as soon as they become available.**

**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).***