

**BEACON HILL CIVIC ASSOCIATION**  
**Zoning and Licensing Committee - Wednesday, October 5, 2016**  
**NOTICE/AGENDA**

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

**37 BEACON STREET** – *Proposed penthouse/roofdeck addition requiring variance to add living space to a building that already exceeds the maximum floor area ration (FAR).*

37 Beacon is the large condominium building at the corner of Beacon and Walnut Streets. The applicant owns two units on the top (6<sup>th</sup>) floor and roof rights to part of the roof (there is already a large common roofdeck elsewhere on the roof). The applicant proposes to construct a large private roofdeck with private staircase access from within the unit via a new headhouse which will include about 200 square feet of solarium/living space. The building already exceeds the maximum allowed FAR of 2.0 in the H-2-65 District; so while the deck is apparently allowed as of right, the headhouse (access and solarium) requires a **variance** as added living space.

Project plans and related documentation 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 roofdecks 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.

**Action Requested by Applicant:** Non-opposition to the requested FAR variance, requiring an exception to the BHCA policy of opposition to such variances (see Zoning & Licensing Policies #s 4&5).

**14-16 DERNE STREET** – *formerly Derne St. Deli – now Florina’s (pizza) - proposed transfer of conditional use permit.*

Florina’s is requesting transfer of the #37/36A restaurant/takeout conditional use permit for the premises which are located at the corner of Derne and Temple Streets. (The restaurant is a legal, non-conforming use in the residential district.) The new owner of the business has renovated the premises and opened for business. The Zoning Board of Appeal approved his **conditional use transfer** subject to his meeting with the neighborhood and finalizing a good neighbor agreement. The prior GNA is posted on the website and will serve as the basis of discussion at the meeting.

**Action Requested by Applicant:** Non-opposition to the requested conditional use permit for restaurant with takeout, Use Item #37/37A.