



March 29, 2018

Mr. Dennis Quilty
McDermott, Quilty & Miller LLP
28 State Street
Boston, MA 02109

RE: #4 Joy Street, Boston, MA

Dear Dennis;

Per your request, I am sending you this letter to provide you with a description of our proposed project, the zoning issues, and the reasons why we think a variance is reasonable.

The existing 8,074 s.f. building was last used as the Appalachian Mountain Club, a non-conforming use. It has a 2,600 s.f. gross basement and 1st floor rear ell ballroom that violates rear yard, side yard, use and gross floor area requirements of the zoning code. Also, the historic 5th floor had been removed, creating a 2 story room at the 4th floor.

The proposed building converts the use to a conforming 3 unit residential building, and replaces the basement and 1st floor ell with a much shallower (and fully conforming to side and rear yard) rear ell, at the basement, 1st and 2nd floors. The proposed ell is 1,350 s.f. In addition, we have proposed to replace the historic 5th floor, within the existing roofline. The total gross floor area of proposed condition is 1 s.f. less than the existing gross floor area, while the building gross area is significantly reduced (much of the basement of the existing ell was used for storage and did not count toward the gross floor area calculation.

While the existing and proposed building exceed the allowable F.A.R., (2.19 versus 2.0 allowed by code) we believe this "relocation" of gross floor area is allowed by the zoning code (specifically by Section 13-3, which allows for altering or enlarging existing non-conforming buildings provided the violation is not increased). This floor area relocation has been permitted by I.S.D. for many years, and I have personally designed and been approved of this in at least 10 projects in my career, without denial ever. Unfortunately, this project has been denied for F.A.R. violation, which we believe to be an incorrect and inconsistent decision.

This project has been the subject of many meetings and presentations, to the neighbors, to the Civic Association, and to the B.H.A.C., and has been approved by the latter. It creates a building that returns it to the conforming use, conforms with all dimensional regulations other than maintaining the existing F.A.R. violation, reduces the gross building area, eliminates the side and rear yard violations, adds considerable greenspace, and vastly improves and restores an historic townhouse. I believe that for all these reasons, the hardship brought upon my clients by the denial of the permit should be entitled to a variance from the Board of Appeal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Guy N. Grassi'. The signature is stylized with several loops and a long horizontal stroke extending to the right.

Guy N. Grassi – Project Architect
Grassi Design Group

CC: Mr. Chris Kelly
Mr. Rob Gatnik