



NORTH END/WATERFRONT RESIDENTS' ASSOCIATION

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www.newra.org

Zoning, Licensing and Construction Committee Report **November 12, 2009**

Current Applications

16 Hull St., Peter McGinnis (owner), has filed an application seeking Board of Appeal zoning relief to change the building from 5 apartments to 8 apartments as part of plans to renovate the entire building. Plans include a new roof deck exclusive to the top-floor unit. Common area will remain in the basement for maintenance, trash and laundry. At its meeting on October 27, 2009, NEWRA's ZLC Committee expressed density concerns with the proposed small floor areas of some of the units, stated by the applicant to be less than 500 square feet (one bedroom) and less than 600 square feet (two bedrooms). Since then, it has been reported that the units will have minimum floor areas of 525 square feet (one bedroom) and 628 square feet (two bedrooms). The Board of Appeal has a policy generally limiting approvals of units to those of at least 750 square feet (one bedroom) and 900 square feet (two bedrooms) with new construction.

Upcoming Hearings

64 Salem Street, Go Bananas, Frank Scire (owner), plans to relocate the produce market and deli across the street from its present location at 65 Salem Street to the first floor commercial space in the new residential condominium building at 64 Salem Street. The new space provides twice the floor area of the current market. Current business operations and types of items that are sold will not change. Hours of operation will be 7:00 AM to 9:00 PM, seven days. At its October 8, 2009 meeting, NEWRA voted to support this application and asked that the applicant revise the petition to replace Dunkin' Donuts with Go Bananas in the previous Board of Appeal decision that allowed take-out, in lieu of allowing take-out more broadly (for any establishment) in the first floor space. The more recent hearing notice (copy attached) seems to have accomplished just that, and the appeal now seeks to restrict take-out approval to Go Bananas only. The Board of Appeal hearing is scheduled for Tuesday, November 24, 2009, at 10:30 AM in Room 801, City Hall.

NEWRA's Good Neighbor Agreement

At its October 27, 2009 meeting, the ZLC Committee continued to discuss, review and edit a draft Good Neighbor Agreement. The Committee expects to present a final draft document for member review and approval at a NEWRA regular monthly meeting in early 2010.

Licensing Updates

Word is that the Licensing Board for the City of Boston held a disciplinary hearing for 5 North Square Restaurant regarding reports that the restaurant is operating a bar in violation of its alcohol license, which states "no bar." The hearing was held on Tuesday, November 10, 2009, and the Board was expected to make a decision today, Thursday, November 12, 2009. No word yet on any decision. See the attached blogger's report of the hearing, which was posted to www.universalhub.com. Several months ago, the restaurant's

owner declined NEWRA's request to present his bar plans to the community, and no such presentation has been made to NEWRA to date.

Development Updates

Central Artery Parcel 9

To be presented by Peter Gori, BRA, at the November 12, 2009 NEWRA meeting.

Central Artery Parcel 7

Earlier this fall, the Massachusetts Turnpike Authority (now Massachusetts Department of Transportation) rejected both of the lease proposals for the now several-years-vacant building. One proposal had called for an affordable hotel, and the other proposed to use the building for commercial office space. Both proposals included a food market on the first floor. No news since.

Government Center Garage Redevelopment

The BRA continues to hold public meetings of the Impact Advisory Group for this project. See NEWRA's Community Calendar, at www.newra.org for scheduled meetings. The next IAG meeting will be held on Monday, November 16, 2009, from 6:00 PM to 7:30 PM in the BRA Board Room, 9th Floor, City Hall. The IAG is a committee formed by the BRA to review the project and make recommendations regarding impacts, including, in this case, impacts to the North End, Beacon Hill and West End neighborhoods. Mark Paul, NEWRA president, is a member of the IAG. Recently, the IAG sent a letter to the BRA with a consensus opinion raising concerns about the project and the progress of community review. A copy of the letter is attached.

Harbor Garage Redevelopment Project

The BRA has not scheduled a public meeting of the Impact Advisory Group for this project for several months, and no meeting is currently scheduled. Both Massport and the Federal Aviation Administration have formally expressed their concerns regarding the proposed heights of the buildings, and both have requested that the heights be reduced. No formal response to these requests has been issued publicly by the developer or the BRA. See NEWRA's ZLC Committee web page and NEWRA's Community Calendar, at www.newra.org for updates and future scheduled meetings.

Next ZLC Committee Meeting (Joint Meeting with Executive Committee)

Tuesday, November 24, 2009, 7:00 PM, The Pilot House, 2 Atlantic Avenue. Tentative agenda includes:

Ristorante Lucia, 415 Hanover St., Donato Frattaroli has applied for zoning relief from the Board of Appeal to allow live entertainment in the basement level of the restaurant to include not more than two instruments, not more than one vocalist, and comedian. The entertainment would cease at 11:00 P.M. If relief is granted, application will then be filed with the Mayor's Office of Consumer Affairs and Licensing for the live entertainment license. The North End/Waterfront Neighborhood Council (NEWNC) voted at its meeting on November 9, 2009, to support this request.

For more information about these items or other ZLC Committee activities, contact David Kubiak, ZLC Committee co-chair, at 617-833-9564 or zlc@newra.org.