



NORTH END/WATERFRONT RESIDENTS' ASSOCIATION

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Zoning, Licensing and Construction Committee Report ***May 13, 2010***

Current Applications

64-66 Cross Street, Caffe Graffiti, Inc. has applied to the Boston Licensing Board to amend its 7-day beer and wine with liqueurs license to add an outdoor seasonal patio for 36 patrons at tables and chairs that will be placed on the Cross Street sidewalk plaza adjacent to Salem Street. A hearing was held on April 14, 2010, after which the Licensing Board approved seasonal patio service (36 seats) with hours of operation from 8:00 AM to 11:00 PM, seven days. The Licensing Board also directed the owner to seek community input. Patios with alcohol service must be surrounded by a barrier from other public activities on the sidewalk. A short rail with flower boxes is proposed.

NEWRA voted to support a similar outdoor patio proposed by Finale Desserterie at the same location, with the assumption that changes to the Cross Street sidewalk configuration and parking were planned by the City and State. Concerns were raised at the ZLC Committee meeting on April 27 that adding more tables and chairs to the sidewalk in the absence of sidewalk and parking changes would worsen the current unsafe conditions. At a public meeting held at the Nazzaro Center on May 12, city and elected officials set an agenda for sidewalk and parking changes that are likely to be implemented before this summer.

In addition to the Alcohol License amendment, the owner must obtain a permit from the Massachusetts Department of Transportation, which has control of the sidewalk plaza, giving the community another opportunity for input to the patio configuration and operation. It is unclear whether there is a state fee for this permit. It is also unclear whether the City will also issue a permit and/or collect a fee.

221-227 Commercial Street, Kevin Curry has applied for a variance from the Boston Zoning Code to include an existing ATM machine in the description of allowed uses on the property. The owners are considering selling the property. Current allowed uses include gas station and one-bay car wash, even though these uses no longer exist. The existing laundry drop-off/pick-up is also an allowed use. At a scheduled hearing on February 24, 2010, the Board of Appeal decided to defer the hearing to May 25, 2010, and directed the applicant to seek community review and input.

At its meeting on April 27, the ZLC Committee asked the owner whether other uses of the property are legal, including the several lighted advertisement boards. No information has been provided by the owner to demonstrate that the advertising is permitted. The BRA has stated that no permit for the lighted signs appears in the Building Permit records, and that the signs are likely not legal.

115A Salem Street, Saponi Di Napoli, Inc. (Giovanni Grimaldi, Manager), has applied to the Licensing Board for the City of Boston to add liqueurs to the existing malt and wine license for this café. At the time NEWRA voted to support the new beer and wine license (last year), the owner made it clear that he would seek an amendment to add liqueurs.

Update on Live Entertainment License

Live Entertainment License at 415 Hanover Street, Ristorante Lucia. Notwithstanding the testimony by several North End residents and NEWRA's December 10 vote in opposition, the Boston Zoning Board of Appeal voted unanimously at its hearing on January 12, 2010, to approve a variance to the zoning code that allows live entertainment in the basement of Ristorante Lucia. ***As of May 13, 2010, the Mayor's Office of Consumer Affairs and Licensing has not received an application for live entertainment license at 415 Hanover Street..***

BRA Greenway District Development Guidelines

The BRA is expected to issue on May 14, 2010, its recommended guidelines for development along the Rose Fitzgerald Kennedy Greenway, including development parcels that are in the North End and North End Waterfront districts and the Downtown Waterfront district. ***There will be a 30-day public comment period, and written comments must be submitted to the BRA by Monday, June 14, 2010.*** At its next meeting, on May 25, 2010, the ZLC Committee will hold a discussion on the BRA recommendations and will review a draft comment letter for presentation to NEWRA members at the June 10, 2010 regular monthly meeting. If approved, the NEWRA comments will then be submitted to the BRA. Read a full summary of the BRA's recommended guidelines in the attached copy of an article on www.northendwaterfront.com.

The guidelines are expected to be presented to the BRA Board of Directors for approval at its meeting on June 22, 2010.

Cross Street Sidewalk Changes

The Committee will discuss the preliminary plans presented by the Boston Transportation Department (BTD) for changes to traffic, parking, pedestrian and business uses along the two Cross Street sidewalk plazas between Hanover Street and Endicott Street and formulate a plan for providing community input and working with BTD and elected officials to help shape a recommended plan.

Next ZLC Committee Meeting

Tuesday, May 25, 2010, 7:00 PM, The Pilot House, 2 Atlantic Avenue.

Tentative Agenda:

- Greenway District Planning Study Recommended Design Guidelines. The Committee will review and discuss its draft comments on the BRA's new guidelines for development along the Rose Fitzgerald Kennedy Greenway for presentation to NEWRA members at the June 10, 2010 meeting.