

North End/Waterfront Residents' Association
P.O. Box 130319
Boston, MA 02113
November 20, 2011

Representative Aaron Michlewitz
State House, Room 134
Boston, MA 02133

Councilor Salvatore LaMattina
Boston City Hall, 5th Floor
Boston, MA 02201

Dear Representative Michlewitz and Councilor LaMattina:

It is our understanding that the following issues, outlined in the attached letter, will be discussed with City Councilors and Representatives at the November 21st meeting of the North End Chamber of Commerce. Since the Chamber's meetings are closed to neighborhood residents, we write to advise you of our concerns regarding these issues.

“North End businesses closing their doors and windows at 11pm and removing any chairs, benches and signage from their sidewalks.”

Closing of doors and windows at 11:00pm: Noise emanating from a business establishment after 11:00pm is a violation for which the business owner can be cited. Noise is an escalating quality-of-life issue for North End residents. Many restaurant owners have chosen to install folding floor-to-ceiling windows along the fronts of their establishments. In order to minimize disturbance to neighboring residents and subsequent calls to the police for noise complaints, it is reasonable to require that these windows be closed at 11:00pm.

Sidewalk obstruction: The sidewalks are a public way and should be kept clear of obstruction, especially on streets heavily traveled by pedestrians. According to the Department of Public Works Rules and Regulations, Part I, General Rules, Section 2.a.: “No person shall place or maintain any encroachment projecting 12 inches or more into, placed on, or over, a public way in the City of Boston, without a permit therefor issued by the Commissioner, except as otherwise provided for in section 3.”

Section 2.g. further states, “Ground signs shall not be placed on the surface of any public way.”

The proliferation of tables and chairs, benches, and particularly ground signs on North End sidewalks is an impediment to the movement of pedestrians and a potential safety hazard. The applicable regulations should be enforced. Clearing the sidewalks from obstruction will protect pedestrians, including business patrons, from unnecessary risk and business owners from possible personal injury suits.

“The requirements of multiple meetings with neighborhood councils in order to present changes in our businesses to City Hall. Neighborhood businesses feel the process is too long and costly.”

The North End/Waterfront Residents' Association (NEWRA) is aware of the frustration of some business owners with the neighborhood review process. We are discussing ways to streamline the process for applicants while maintaining suitable notification of impacted neighbors. It is our hope that we can work together with the North End/Waterfront Neighborhood Council (NEWNC) to improve the review process for both residents and business owners.

The City could assist our efforts

By notifying both organizations directly as soon as an application is filed, and

By providing copies of applications and other relevant documents, such as building permits.

Prompt notice of an application to both NEWRA and NEWNC, together with provision of application materials, would allow time for neighbor notification and review, as well as resolution of any conflicts between abutters and applicants. This could result in a more streamlined process for applicants, and fewer requests for hearing deferrals to allow time for neighbor review.

The majority of applications by business owners, including restaurant owners, has received the support of the residents. Business owners should understand that, in choosing to open an establishment in the North End, they are choosing to operate a business in an area that is primarily residential. Accordingly, they should expect some restrictions to their operations that they would not have in a purely business or entertainment district.

It is our belief that, “Good fences make good neighbors.” In a densely populated community such as the North End, our “fences” are the laws and regulations that maintain order and prevent any activity from unduly infringing upon the rights of others. Consistent application of the law protects residents’ quality of life and ensures equal opportunity for all business owners, large and small. It promotes the delicate balance between the needs of residents and those of business owners, that is essential to maintaining a sustainable, livable neighborhood.

We trust that you will continue to work with us to keep our neighborhood a desirable place to live.

Respectfully,

Stephanie Hogue

President

North End/Waterfront Residents’ Association

attach

cc: Councilor-at-Large Felix Arroyo
Councilor-at-Large John Connolly
Councilor-at-Large Stephen Murphy
Councilor-at-Large Ayanna Pressley
Donna Freni, President, North End/Waterfront Neighborhood Council